

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Chris Tavarez

COMMISSIONERS: Bill Davis, Charlie Norman, Adam Peck, Chris Tavarez, Mary Beatie

MONDAY, SEPTEMBER 9, 2024

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. ROLL CALL –
4. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
5. CHANGES OR COMMENTS TO THE AGENDA –
6. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - None
7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2024-24: A request by Kelsey George to amend Conditional Use Permit No. 2003-04 to renovate an existing building for use as an assembly room and office space for the Radiant Church campus. The project site is zoned D-MU (Downtown Mixed Use) and is located at 514 East Main Street, Suite B (APN: 094-231-027).

Environmental Assessment Status: The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2024-34.

8. WORK SESSION DISCUSSION – Brandon Smith, Principal Planner & Devon Jones, Economic Development Manager

Initiation of Potential Zoning Text Amendments: Provide staff direction toward initiating various text amendments within Visalia Municipal Code Title 17 (Zoning Ordinance) based on multiple factors including, but not limited to:

- Streaming of land use review
- Changes in business and/or development trends and activity

Environmental Assessment Status: No action pertaining to the California Environmental Quality Act (CEQA) is required since the item is a work session item with no actions being requested at this time.

9. CITY PLANNER UPDATE

10. ADJOURNMENT

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, SEPTEMBER 19, 2024, BEFORE 5:00 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, SEPTEMBER 23, 2024



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 9, 2024

PROJECT PLANNER: Cristobal Carrillo, Associate Planner
Phone No.: (559) 713-4443
E-mail: cristobal.carrillo@visalia.city

SUBJECT: Conditional Use Permit No. 2024-24: A request by Kelsey George to amend Conditional Use Permit No. 2003-04 to renovate an existing building for use as an assembly room and office space for the Radiant Church campus. The project site is zoned D-MU (Downtown Mixed Use) and is located at 514 East Main Street, Unit B (APN: 094-231-027).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2024-24, as conditioned, based upon the findings and conditions in Resolution No. 2024-41. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2024-24 based on the findings and conditions in Resolution No. 2024-41.

PROJECT DESCRIPTION

The applicant is requesting approval to amend Conditional Use Permit No. 2003-24 to permit the use of a 5,640 square foot unit as office and assembly space for the Radiant Church campus. Per the Operational Statement in Exhibit "D", the unit will be used for "medium sized church activities for groups between 20 – 99 people" to include worship gatherings, youth groups, classes, meals, receptions, and occasional undefined "special events". Per diagrams provided with Exhibit "D", use of the space will only occur at times in which the Radiant Church sanctuary (515 East Center Avenue, immediately east of the project site) is not in use. Activities would occur Monday – Thursday, 8:30 A.M. to 4:00 P.M, with "High school service" occurring on Wednesday from 7:00 P.M. to 9:00 P.M. The space would not be used from Friday to Sunday, unless a special event is proposed.

Per the Floor Plan in Exhibit "B", the space would contain two floors, with an assembly room, office, and bathrooms on the first floor, and "flex space" on the second floor. Elevations provided in Exhibit "C" indicate that the southern and eastern building exteriors will be altered, refacing the front exterior with new distressed masonry veneer to match existing brick, removing and replacing existing awnings/canopies, reducing the size of the street facing windows, and adding new entrances.

Per the Operational Statement and Site Plan in Exhibit "A", parking for the space will be provided through a mix of onsite and nearby public parking. Per staff observations, there are approximately 65 onsite parking stalls shared between the three properties of the Radiant Church campus (proposed assembly room at 514 East Main Street, sanctuary at 515 East Center Avenue, and classrooms at 615 East Center Avenue). Per the "Response to Comments" letter in Exhibit "D", the applicant states that additional parking will be provided through use of public parking lots 19, 42, 43, and 44 (see public parking map in Exhibit "E"), which are within two blocks of the Radiant Church campus.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Downtown Mixed Use
Zoning:	D-MU (Mixed Use Downtown)
Surrounding Zoning and Land Use	North: D-MU / Radiant Church, Visalia Buddhist Church, mixed commercial and medical office uses, Mill Creek. South: D-MU / Barrelhouse Brewing Company, mixed commercial uses. East: D-MU / Philly's Sandwich Shop, mixed and service commercial uses. West: D-MU / Parking lot, Mill Creek.
Environmental Review:	Categorical Exemption No. 2024-34, Class 15301
Special Districts:	Downtown Retail Overlay District (DROD), Micro Brewery Overlay District, Mobile Food Vending Overlay District
Site Plan:	2021-230

RELATED PROJECTS

Conditional Use Permit No. 2003-04 was a request by Savior's Community Church to allow a church facility at 515 East Center Avenue. The project was approved by the Visalia Planning Commission on March 24, 2003.

Conditional Use Permit No. 2013-27 was a request by Savior's Community Church to amend Conditional Use Permit No. 2003-04, incorporating an existing 4,900 square foot building located to the east at 615 East Center Avenue into the church complex for use as Sunday School classrooms. The project was approved by the Visalia Planning Commission on September 9, 2013.

Conditional Use Permit No. 2015-30 was a request by Amigo Row to allow live entertainment at 514 East Main Street. The project was approved by the Visalia Planning Commission on October 26, 2015. However, the approval expired due to lack of activity.

PROJECT EVALUATION

Land Use Compatibility

Churches and related facilities are identified as a conditionally permitted use in several of Visalia's zoning classifications, including the D-MU zone. Through the conditional use permit process, any potential land use conflicts can be addressed through project conditions to ensure compatibility with the surrounding area. Land uses within the vicinity of the proposed church assembly and office space include medical offices, mixed commercial uses (i.e. a tap house, multiple restaurants, retail spaces) and religious spaces (Radiant Church, Visalia Buddhist Temple). Church activities proposed onsite (which consist largely of meetings) combined with the limited hours of operation, are not expected to conflict with the existing surrounding uses. The limited hours of operation will also ensure that available on-site parking is not severely impacted, as the space will not be in operation when sanctuary activities occur. To improve site compatibility with adjacent land uses, staff recommends inclusion of Condition Nos. 2.a, 5, 6, and 8, requiring the following:

- Condition No. 2.a - That any special events occurring within the assembly and office space shall be related and incidental to the church use and its functions.
- Condition No. 5 – That the assembly and office space located at 514 East Main Street, Unit B not be used simultaneously with the Radiant Church sanctuary.
- Condition No. 6 – That any noise produced by the facility does not exceed exterior noise standards.
- Condition No. 8 – That occupancy of the space shall not exceed City requirements for all activities conducted onsite, including special events.

With the inclusion of project conditions, the proposed church use will operate in a manner that is compatible with the surrounding uses.

Parking

Pursuant to Assembly Bill 2097, which went into effect January 1, 2023, public agencies are prohibited from imposing minimum parking requirements on sites that are located within a half-mile radius of a major transit stop. *(Please note a major transit stop is defined as major transit stop” to include an existing or planned (1) rail or bus rapid transit station, (2) ferry terminal served by bus or rail transit, or (3) intersection of two or more major bus routes with service every 15 minutes or less during peak commute periods.)* The City of Visalia Transit operates bus service along Route 1 with bus stops located on Main Street and Mooney Boulevard. Route 1 meets the definition of a “major transit stop” and the project site is within a half mile of Route 1 bus stops. However, for specific uses such as assembly spaces, AB 2097 permits jurisdictions to make findings in support of requiring additional onsite parking if deemed necessary.

In previous CUP submittals for the project, parking demand for the church campus was satisfied through onsite parking and an assortment of informal parking agreements between the church and nearby commercial sites. Per staff’s research, the parking agreements consisted of signed letters that were never recorded against the applicable properties. For this submittal, the applicant proposes meeting parking demand via a mix of onsite parking, use of four nearby public parking areas (Lots 19, 42, 43, and 44 as shown on Exhibit “E”), and staggered use of the various church spaces.

In calculating parking requirements for church facilities, staff has traditionally calculated the parking requirement based on sanctuary seating given that this is typically the highest parking generator and provides a more accurate parking assessment for the church use and all related functions. Per Exhibit “D”, the sanctuary provides 300 permanent seats, which would require 75 parking spaces. There are approximately 65 parking stalls available between the three properties that make up the Radiant Church campus, leaving a deficit of 10 stalls. Onsite parking is also shared with Component Coffee café (514 East Main Street, Unit A) and Philly’s Cheese Steak sandwich shop (518 East Main Street), which are both located on the same site as the proposed use. This increases the parking demand to 90 stalls, with a total deficit of 25 stalls.

The project site is located within Parking District “A”, which provides for parking credits to be applied based off the parking demand of previously established uses. It also provides a parking exemption on the first 1,500 square foot of gross building area of existing buildings where the occupancy is changing to a more intensive use. Application of the 1,500 square foot exemption removes the majority of the Component Coffee and Philly’s square footage from consideration (2,138 sq. ft. in total). And application of parking credits to the proposed assembly/office space

(which was previously a retail thrift store) provides a 24-stall credit. Taken together, the provisions eliminate the 25-stall parking deficit.

As it stands, staff concurs with the applicant that the use of four public parking lots within two blocks of the Radiant Church campus will assist in meeting the parking demand. Per recent staff counts of public parking facilities, there are a total of 294 stalls provided on City Public Parking Lots 19, 42, 43, and 44, with additional public parking lots available within three to four blocks of the campus.

Downtown Retail Overlay District

The project site is located within the boundaries of the Downtown Retail Overlay District (DROD). The DROD was enacted to protect and enhance the architectural features of existing buildings in the downtown area. In particular, the DROD provides specific requirements when alterations are proposed to building exteriors.

Per the Building Elevations in Exhibit “C”, the applicant proposes removing two existing awnings on the southern and eastern exteriors, reducing the size of the street facing windows, relocating an existing entrance and adding a new entrance, and adding new distressed masonry veneer on the front exterior. The alterations represent significant changes to the building exterior and are not supported by the requirements of the DROD (see Related Plans and Policies section of this report). Provisions require preservation of doorway and window elements. VMC Section 17.58.080 encourages maintenance of awnings above storefronts, with use of cloth or canvas materials required.

Given the above, staff recommends the following alterations to the proposed elevations:

- That the applicant shall keep the existing awnings on the southern and eastern building exteriors, and that an awning similar in design and color to the existing awning on the eastern building elevation be placed over the proposed new storefront entrance on the eastern elevation.
- That the existing windows and doorway on the southern building elevation be maintained onsite.

Application of the above will increase compliance with DROD standards, and compatibility with the downtown streetscape, in particular with the structures to the east (ex. Philly’s and Peddlers Market), both of which contain awnings, large inviting windows, and stucco exteriors. The recommended modifications to the Building Elevations are included as Condition No. 3.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-34).

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed project is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. 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. The Visalia

Zoning Matrix identifies churches and related facilities as a conditional use in the D-MU zone and requires the submittal and approval of a Conditional Use Permit application. Through the Conditional Use Permit process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed assembly and office space will not have a negative impact on surrounding uses given the inclusion of recommended conditions for the regulation of use in conjunction with the sanctuary, occupancy limits, and noise.

- 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. The Visalia Zoning Matrix identifies churches and related facilities as a conditional use in the D-MU zone and requires the submittal and approval of a Conditional Use Permit application. Through the Conditional Use Permit process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed assembly and office space will not have a negative impact on surrounding uses given the inclusion of recommended conditions for the regulation of use in conjunction with the sanctuary, occupancy limits, and noise.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-23).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site shall be developed in substantial compliance with the Site Plan in Exhibit "A", and Floor Plan in Exhibit "B".
2. That the site shall be developed and operated in substantial compliance with the Operational Statement, Diagrams, and Comment Response Letter in Exhibit "D", except as modified below:
 - a. That any special events occurring within the assembly and office space shall be related and incidental to the church use and its functions.
3. That the site shall be developed in substantial compliance with the Building Elevations in Exhibit "C", except as modified below:
 - a. That the applicant shall keep the existing awnings on the southern and eastern building exteriors, and that an awning similar in design and color to the existing awning on the eastern building elevation be placed over the proposed new storefront entrance on the eastern elevation.
 - b. That the existing windows and doorway on the southern building elevation be maintained onsite.
4. That the site shall be developed consistent with the comments and conditions of the Site Plan Review Committee, as set forth under Site Plan No. 2021-230.
5. That the assembly and office space shall not be used for sanctuary services or similar high occupancy uses simultaneously with the Radiant Church sanctuary located at 515 East Center Avenue.
6. That any noise produced by the facility does not exceed exterior noise standards listed within Chapter 8.36 (Noise) of the Visalia Municipal Code

7. That any project signage shall be obtained under a separate Building Permit and shall comply with all requirements of Visalia Municipal Code Section 17.48.120 (Downtown Retail Overlay District Sign Standards).
8. That the maximum occupancy limit as determined by the City of Visalia Fire Department and Planning and Community Preservation Department, Building Division shall be posted and not exceeded for all activities conducted onsite, including special events.
9. That all other federal, state and city codes, ordinances and laws shall 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 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2024-41
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Proposed Building Elevations and Existing Site Pictures
- Exhibit "D" – Operational Statement, Use Diagrams, and July 8, 2024, Response to Comments Letter
- Exhibit "E" – Visalia Municipal Parking Lots Map – Central Business District
- Categorical Exemption No. 2024-34
- Site Plan Review No. 2021-230 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

Chapter 17.19 Mixed Use Zones

17.19.010 Purpose and intent.

- A. The several types of mixed zones included in this chapter are designed to achieve the following:
1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.
 2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;
 3. Provide zone districts that encourage and maintain vibrant, walkable environments.
- B. The purposes of the individual mixed use zones are as follows:
1. Mixed Use Commercial Zone—(C-MU). The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.
 2. Mixed Use Downtown Zone—(D-MU). The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

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

17.19.020 Permitted uses.

Permitted uses in C-MU and D-MU zones shall be determined by [Table 17.25.030](#) in Section [17.25.030](#). (Ord. 2017-01 (part), 2017)

17.19.030 Conditional and temporary uses.

Conditional and temporary uses in the C-MU and D-MU zones shall be determined by [Table 17.25.030](#) in Section [17.25.030](#). (Ord. 2017-01 (part), 2017)

17.19.040 Required conditions.

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU 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. (Ord. 2017-01 (part), 2017)

17.19.050 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)

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

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

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of [Chapter 17.58](#) shall also be met, if applicable. (Ord. 2017-01 (part), 2017)

17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.

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

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: zero (0) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
 - 6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: five (5) feet (except where a building is located on property line);
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: zero (0) 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 except where a building is located on side property);
 - 6. Street side on corner lot: five (5) feet.
- E. The provisions of [Chapter 17.58](#) shall also be met, if applicable. (Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017)

Chapter 17.38 Conditional Use Permits

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)

Chapter 17.58
Downtown Retail Overlay District

17.58.010 Purposes and intent.

A. There is created a downtown retail overlay district, the boundaries of which are shown on the map entitled, "Downtown Retail Overlay District," which is delineated on the Zoning Map. Said map is adopted and made a part of this ordinance.

B. This chapter is enacted to preserve and promote the public health, safety, and welfare of the citizens of Visalia, and to express the commitment of the city toward the continued vitality and

stabilization of regional retail commercial activity within the area traditionally known as Downtown Visalia. This commitment seeks to:

1. Protect and enhance existing buildings and improvements in the downtown area.
2. Enhance the character and physical environment of the downtown area by establishing specific design compatibility criteria for new and remodeled buildings within the overlay district.
3. Ensure that new development is compatible with existing and future plans for the area.
4. Involve both design professionals and area residents, property owners and merchants, in the implementation of the Visalia Downtown Framework Plan and the continued viability of the downtown retail economy. (Ord. 2017-01 (part), 2017: prior code § 7720)

17.58.015 Applicability.

The requirements in this chapter shall apply to all structures and properties within the downtown retail overlay district, as defined herein. (Ord. 2017-01 (part), 2017)

17.58.020 Components of the chapter.

This chapter shall include:

A. The ordinance text, which specifies the downtown retail district overlay designation, design evaluation criteria, and the powers and duties with regard to the overlay district;

B. A map designating the downtown retail district overlay, which shall be depicted on the official zoning map of the city. (Ord. 2017-01 (part), 2017: prior code § 7721)

17.58.030 Definitions.

A. All definitions, general and specific, set forth in Section [17.04.030](#), shall be applicable to this chapter.

B. Word Usage.

1. The word "shall" is prescriptive in nature and indicates that compliance is mandatory.

2. The words "may," "should" and "preferred" are permissive in nature and indicate that compliance is discretionary on the part of the applicant.

C. Definitions.

"Construction" means any building activity requiring the issuance of a building permit that affects the exterior appearance of a structure.

"Enlargement" means construction that results in the expansion of the gross floor area of a structure.

"Exterior architectural feature" means the architectural elements embodying the style, design, general arrangement, and components of all of the outer surfaces of an improvement; the kind, color, and texture of the building materials; and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

"Improvement" means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property, or any part of such betterment. (Ord. 2017-01 (part), 2017: prior code § 7722)

17.58.040 Regulation of improvements.

No improvement or exterior architectural feature of any improvement shall be constructed, altered or enlarged that is located in the downtown retail overlay district unless a site plan review permit is issued pursuant to the terms of this chapter and [Chapter 17.28](#). Where this chapter may conflict with [Chapter 17.28](#), this chapter shall apply. This section shall not apply to any interior alteration that has no effect on the condition or appearance of any exterior architectural feature of an improvement. (Ord. 2017-01 (part), 2017: prior code § 7723)

17.58.050 Procedures for review of applications.

A. The site plan review committee shall be the reviewing authority for the downtown retail overlay district, with powers and duties as specified in this chapter.

B. The site plan review committee shall review applications only as specified in this chapter, consistent with the rules and regulations in this chapter. Applications shall be approved or disapproved based solely on those building design criteria in this chapter, for which compliance is mandatory. The

board may suggest that building design criteria that are permissive be followed; however, applications shall not be approved or disapproved on the basis of any such nonmandatory criteria. The duties and responsibilities of the site plan review committee shall include the following:

C. At the option of the planning commission, the site plan review committee may review proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the district. The site plan review committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the character of the affected improvement(s), neighboring properties, or the entire district. The board's recommendation shall be forwarded to the planning commission for its consideration.

D. It shall be the duty of the site plan review committee to review all applications for the construction or exterior alteration or enlargement of improvements within the overlay district. The site plan review committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued.

E. It shall be the duty of the site plan review committee to review all applications for sign permits within the district. Applications for sign permits shall be obtained from and filed with city pursuant to [Chapter 17.48](#), and thereafter the application shall immediately be referred to the site plan review committee for their review and recommendation. The site plan review committee may recommend approval, conditional approval or denial of the sign permit application. The application shall then be presented to the proper issuing authority for sign permits, pursuant to [Chapter 17.48](#) of the Municipal Code. Sign permits shall be issued only in compliance with the recommendation of the site plan review committee. Approval by the site plan review committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to [Chapter 17.48](#).

F. It shall be the duty of the site plan review committee to review all applications for the moving or demolition of structures within the overlay district. The site plan review committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section [17.58.060](#).

G. Permits may be issued for air conditioners, electrical work and plumbing work that is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the site plan review committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered. This subsection shall not apply to the following types of permit applications:

1. Reroofing with like materials;
2. Residing with like materials;
3. Masonry repairs with like materials;
4. Chimney repair with like materials. (Ord. 2017-01 (part), 2017: prior code § 7724)

17.58.060 Appeal to the city council.

Any person or persons jointly or severally aggrieved by a decision of the site plan review committee may make an appeal in writing therefrom to the city council. Such appeal shall be filed with the city clerk within ten days of said action. The appeal shall be placed on the agenda of the council's next regular meeting after the appeal is filed. The council shall review the decision of the board and may reverse, affirm, modify or affirm as modified the action of the board. The decision of the council shall be final. (Ord. 2017-01 (part), 2017: prior code § 7725)

17.58.070 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within any district; provided, such work involves no change in the exterior appearance of a structure. Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any feature that in the view of the proper authority acting lawfully is required for the public safety because of an unsafe or dangerous condition. (Ord. 2017-01 (part), 2017: prior code § 7727)

17.58.080 Standards applying to new buildings and alterations to existing buildings.

The following standards shall apply to new buildings and alterations to existing building within the downtown retail overlay district:

A. Awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, significant elements of the building's architecture should not be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.

B. The following materials and building elements shall be prohibited:

1. Use of wood siding, cladding or wood shingles, in excess of ten (10) percent of the total area of any building façade.

2. Mansard form roof tiles.

3. Unbroken masses of split face, slump stone or concrete unit masonry.

4. Use of reflective or mirrored surface cladding, in excess of then (10) percent of the total area of any building façade.

5. Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings. (Ord. 2017-01 (part), 2017)

17.58.082 Standards applying to alterations to existing buildings.

The following standards shall apply when undertaking the renovation of existing buildings within the downtown retail overlay district:

A. Where originally constructed buildings facades remain, their appearance shall not be altered. Such facades shall be repaired and preserved. Where facades have been altered, as much original material and detail shall be retained in the rehabilitation as possible.

B. Where most of the existing architectural design dated from an interim remodeling and where such remodeling adds to the traditional character of the district, rehabilitation shall conform to the period of such remodeling and not to the original design.

C. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a façade which has previously been altered, a design which is not a pure rehabilitation but which is in keeping of the structure are prohibited.

D. Where originally constructed facades and/or architectural details have been covered by an interior remodeling, the removal of coverings is encouraged. When original materials, facades and/or architectural details are uncovered, these shall not be recovered.

E. Where windows and doors still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms shall be preserved. The original doorway elements, including sill, lintels, frames, and the doors shall also be retained. Where possible, replacements should duplicate the originals in design and materials. The blocking or covering of any portion of an existing window or door opening with permanent materials is prohibited. When new window or door openings are created, the scale of these should approximate that of the traditional architecture of the district. The base of new window opening shall be a maximum of thirty (30) inches above ground level. Whenever the size and/or scale of any existing window openings are altered, the base of all the window openings in the storefront shall be brought into conformance with the maximum 30-inch standard. This subsection shall not apply to ordinary repair or replacement of window glass or frames where the size and/or scale of window openings are not altered.

F. Brick is most dominant traditional building material within the district and is preferred as a replacement material. Brick shall not be covered by wood shingles, wood, aluminum siding, or any other synthetic materials. Where brick has been painted, repainting in a color that matches the natural color of the brick as closely as possible is preferred. Where brick remains unpainted, the use of paint in the exterior is prohibited, since unpainted brick is a crucial element of the traditional character of the district.

G. Stuccoed brick surfaces should be retained, unless held in place with wire mesh, in which case the stucco should be removed. Where retained, stucco should be repainted in a brick color. (Ord. 2017-01 (part), 2017)

17.58.084 Standards applying to new buildings.

The following standards shall apply to new buildings within the downtown retail overlay district. The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail overlay district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

A. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.

B. New buildings shall be constructed to within ten (10) percent of the maximum height of adjacent buildings. The scale of new architectural elements should be consistent with that of adjacent structures.

C. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.

D. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of thirty (30) inches above ground level. (Ord. 2017-01 (part), 2017)

17.58.086 Maintenance and repair required.

A. Neither the owner of nor the person(s) in actual charge of a structure within the district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural features so as to produce, or tend to produce, in the judgment of the Building Official, a detrimental effect on the character of the district as a whole or the life and character of the structure in question, including, but not limited to:

1. The deterioration or decay of exterior walls or other vertical supports;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of exterior chimneys;
4. The extensive deterioration or crumbling of exterior plaster or mortar;
5. The extensive peeling or chipping of exterior paint;
6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

B. The city's zoning compliance officer, or other designated enforcement official, shall serve written notice upon the owner of any structure deemed to be in violation of this section or any applicable municipal code. Notice shall comply with Visalia Municipal Code Section [1.13.070](#) if the violation is pursued through administrative enforcement. Alternatively, the enforcement official may pursue the violation as a criminal infraction. Said written notice shall specify the nature of the condition or conditions which are in violation of the maintenance and repair requirement and direct that said conditions be repaired or corrected within an appropriately reasonable period of time. If the condition or conditions are not remedied within the stated period of time in the notice, then an administrative penalty or fine as stated in Section [1.12.010](#) of the Visalia Municipal Code shall be enforced and may be collected under the methods stated in Section [1.13.110](#). Said notice shall further advise the owner of said structure of his/her right to request a hearing before the planning commission to review the determination of the city's enforcement officer. The request for hearing shall be made within ten (10) days of the receipt of notice by the owner, with applicable fees, as set forth in [Chapter 1.13](#) of the Municipal Code and the administrative hearing shall be conducted pursuant to the requirements of [Chapter 1.13](#).

C. After a hearing, the administrative hearing officer may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should an administrative hearing officer determine at the conclusion of such a hearing that there is a violation of this provision, the administrative hearing officer shall require that the structure in question be brought into compliance within an appropriately reasonable period of time and in addition order the collection of any applicable fines. (Ord. 2017-01 (part), 2017: prior code § 7727)

C. After a hearing, the administrative hearing officer may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should an administrative hearing officer determine at the conclusion of such a hearing that there is a violation of this provision, the administrative hearing officer shall require that the structure in question be brought into compliance within an appropriately reasonable period of time and in addition order the collection of any applicable fines. (Ord. 2017-01 (part), 2017: prior code § 7727)

17.58.090 Exceptions.

Within the downtown retail overlay district, design and construction conditions exist that are unique and are not generally found elsewhere in the city. Structures were often constructed on or near lot lines and

abut one another in many cases. Storefronts and building facades have often been redesigned, covered or otherwise subjected to major alterations over the years. Due to these peculiar conditions, it is sometimes in the interest of enhancing the character of the district to make an exception to the building design criteria in this chapter and/or signage, landscaping, setbacks, fencing and screening requirements of the Visalia zoning ordinance. Where it is deemed that the physical and economic well-being of the district would be better served by such an exception rather than the strict application of the above mentioned building design criteria and other ordinance requirements, the site plan review committee may recommend to the planning commission that such exception be made, pursuant to Section [17.42.030](#). (Ord. 2017-01 (part), 2017: prior code § 7729)

17.58.100 Role of building official.

A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the site plan review committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the site plan review committee at such time as any conditions specified in such approval are clearly indicated by the applicant on the plans presented to the building official for approval. If an appeal to the city council is filed within ten days from the date of board approval of an application, no permit shall be issued until the outcome of said appeal is finally determined by the city council.

B. After a building permit has been issued, the building official shall from time to time inspect the construction, alteration or enlargement approved by the board and shall take such action as is necessary to assure compliance with the approved plans. (Ord. 2017-01 (part), 2017: prior code § 7730)

17.58.110 Separability.

The provisions of this chapter shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions. (Ord. 2017-01 (part), 2017: prior code § 7726)

RESOLUTION NO. 2024-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-24, A REQUEST BY KELSEY GEORGE TO AMEND CONDITIONAL USE PERMIT NO. 2003-04 TO RENOVATE AN EXISTING BUILDING FOR USE AS AN ASSEMBLY ROOM AND OFFICE SPACE FOR THE RADIANT CHURCH CAMPUS. THE PROJECT SITE IS ZONED D-MU (DOWNTOWN MIXED USE) AND IS LOCATED AT 514 EAST MAIN STREET, UNIT B (APN: 094-231-027).

WHEREAS, Conditional Use Permit No. 2024-24, is a request by Kelsey George to amend Conditional Use Permit No. 2003-04 to renovate an existing building for use as an assembly room and office space for the Radiant Church campus. The project site is zoned D-MU (Downtown Mixed Use) and is located at 514 East Main Street, Unit B (APN: 094-231-027); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 9, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-24, 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.

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

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed project is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - 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. The Visalia Zoning Matrix identifies churches and related facilities as a conditional use in the D-MU zone and requires the submittal and approval of a Conditional Use Permit application. Through the Conditional Use Permit process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed assembly and office space will not have a negative impact on surrounding uses given the inclusion of recommended conditions for the regulation of use in conjunction with the sanctuary, occupancy limits, and noise.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity. The Visalia Zoning Matrix identifies churches and related facilities as a conditional use in the D-MU zone and requires the submittal and approval of a Conditional Use Permit application. Through the Conditional Use Permit process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed assembly and office space will not have a negative impact on surrounding uses given the inclusion of recommended conditions for the regulation of use in conjunction with the sanctuary, occupancy limits, and noise.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-23).

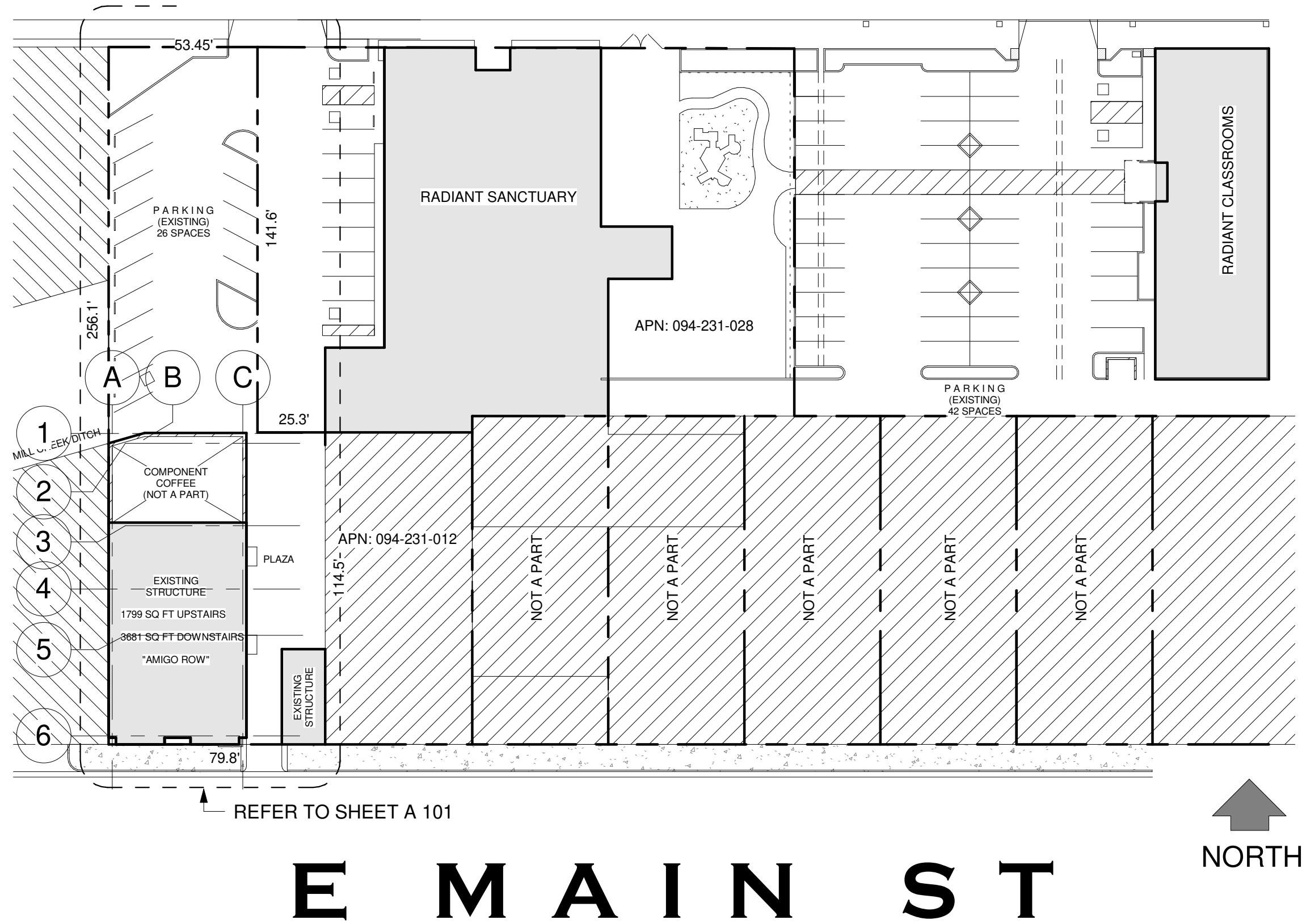
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site shall be developed in substantial compliance with the Site Plan in Exhibit "A", and Floor Plan in Exhibit "B".
2. That the site shall be developed and operated in substantial compliance with the Operational Statement, Diagrams, and Comment Response Letter in Exhibit "D", except as modified below:
 - a. That any special events occurring within the assembly and office space shall be related and incidental to the church use and its functions.
3. That the site shall be developed in substantial compliance with the Building Elevations in Exhibit "C", except as modified below:
 - a. That the applicant shall keep the existing awnings on the southern and eastern building exteriors, and that an awning similar in design and color to the existing awning on the eastern building elevation be placed over the proposed new storefront entrance on the eastern elevation.
 - b. That the existing windows and doorway on the southern building elevation be maintained onsite.
4. That the site shall be developed consistent with the comments and conditions of the Site Plan Review Committee, as set forth under Site Plan No. 2021-230.
5. That the assembly and office space shall not be used for sanctuary services or similar high occupancy uses simultaneously with the Radiant Church sanctuary located at 515 East Center Avenue.
6. That any noise produced by the facility does not exceed exterior noise standards listed within Chapter 8.36 (Noise) of the Visalia Municipal Code
7. That any project signage shall be obtained under a separate Building Permit and shall comply with all requirements of Visalia Municipal Code Section 17.48.120 (Downtown Retail Overlay District Sign Standards).
8. That the maximum occupancy limit as determined by the City of Visalia Fire Department and Planning and Community Preservation Department, Building

Division shall be posted and not exceeded for all activities conducted onsite, including special events.

9. That all other federal, state and city codes, ordinances and laws shall be met.

CENTER AVE



REFER TO SHEET A 101

E MAIN ST



1 SITE PLAN
1" = 40'-0"



AMENDMENT TO CUP IMPROVEMENTS TO 514 E MAIN ST AMIGO ROW

AUTHORS OF DOCUMENT CONTENTS

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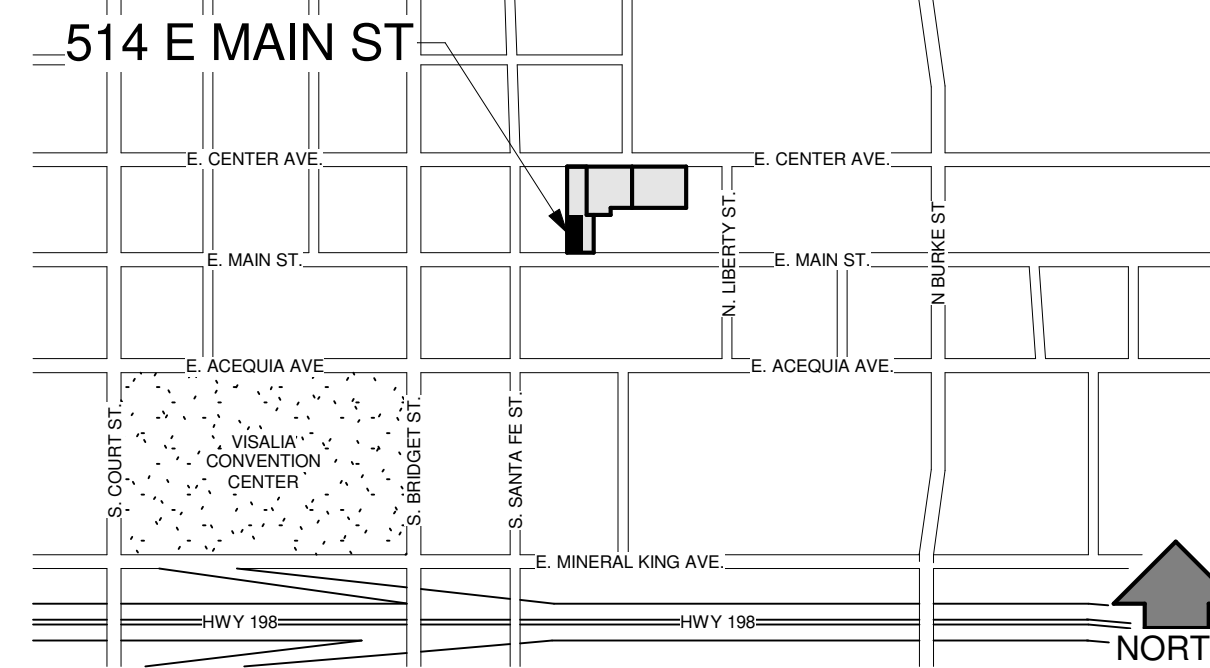
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VICINITY MAP



PROJECT OUTLINE:

PROJECT: 514 E. MAIN ST.
OWNER: RADIANT CHURCH
515 E. CENTER AVE
VISALIA, CA. 93292

ARCHITECT: THOM BLACK, ARCHITECT C 24899
(559) 967- 0850

PRODUCTION: DYLAN CABICO
REPRODUCTION: CARA'S BLUEPRINT EXPRESS
(559) 636-2459

PROPERTY: IRREGULAR
PROPERTY APN: 094-231-027
ZONE: D-MU (MIXED USED - DOWNTOWN)
FLOOD ZONE: AE (SPECIAL FLOOD HAZARD - SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD)

USE: RELIGIOUS USE

OCCUPANCY: A,B
CONSTRUCTION TYPE: III B
SEISMIC DESIGN CATEGORY: D

CONCRETE FOUNDATION AND SLAB-ON-GRADE
UNREINFORCED MASONRY SHELL
WOOD FRAME FLOOR AND ROOF FRAMING
WOOD FRAME PARTITION WALLS

SCOPE OF WORK:
-ASSEMBLY: NEW HVAC, NEW FINISHES, RENOVATE STOREFRONT.
-CORE AREA: RENOVATE EXISTING BACK ROOM SPACES FOR RESTROOMS AND SUPPORT SPACES, NEW HVAC
-UPSTAIRS AREA: RENOVATE EXISTING BACK ROOM SPACES FOR STAFF WORKSTATIONS, NEW HVAC
-INSTALL ONE-HOUR SEPARATION, INSTALL FIRE SPRINKLERS THROUGHOUT

CODE CITATIONS

BUILDING CODE:
2019 BUILDING STANDARDS ADMINISTRATIVE CODE, PART 1, TITLE 24 C.C.R.
2019 CALIFORNIA BUILDING CODE (CBC) PART 2, TITLE 24 C.C.R. VOLUMES 1 & 2 (2018 INTERNATIONAL BUILDING CODE WITH CALIFORNIA AMENDMENTS).
2019 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R. (2017 NATIONAL ELECTRICAL CODE OF THE NATIONAL FIRE PROTECTION ASSOCIATION)
2019 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24 C.C.R. (2018 UNIFORM MECHANICAL CODE AND CA AMENDMENTS)
2019 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R. (2018 UNIFORM PLUMBING CODE AND AMENDMENTS)
2019 CALIFORNIA ENERGY CODE AND ENERGY COMMISSION STANDARDS (CECS), PART 6, TITLE 24 C.C.R.
2019 CALIFORNIA FIRE CODE (CFC), PART 9, TITLE 24 C.C.R. (2018 INTERNATIONAL FIRE CODE)
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, PART 11 TITLE 24 C.C.R.
2019 CALIFORNIA REFERENCED STANDARDS CODE, PART 12 TITLE 24 C.C.R.
2019 TITLE 19 C.C.R. PUBLIC SAFETY, STATE FIRE MARSHAL

Contractor shall refer to the above cited codes and local regulations where specific details are required but not depicted in the approved plans.

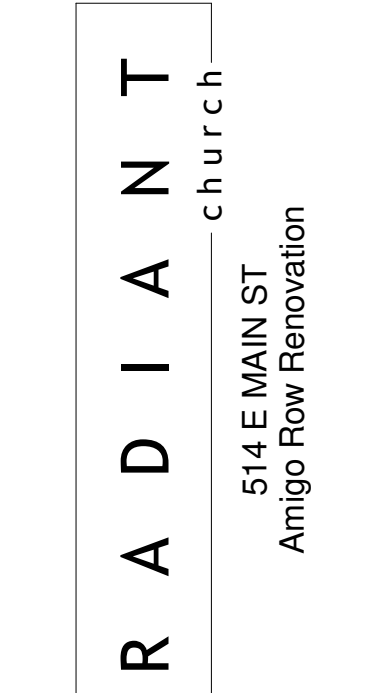
ORDER OF DRAWINGS

DRAWING NUMBER	DRAWING NAME	STATUS
G 0.1	COVER SHEET	
G 0.2	ACCESSIBILITY SHEET	
G 0.3	ACCESSIBILITY SHEET	
G 0.4	CODE ANALYSIS	NEW SHEET
C1	SITE IMPROVEMENT NOTES & GENERAL INFORMATION	
C2	GRADING & DRAINAGE PLAN	
C3	SITE IMPROVEMENT DETAILS	
A 101	SITE PLAN	
A0.1	DEMOLITION PLAN	NEW SHEET
A1.1	OPENINGS	
A1.2	FLOOR PLAN	
A1.3	REFLECTED CEILING PLAN	
A2.1	EXTERIOR ELEVATIONS	
A3.1	CROSS SECTIONS	
A4.1	INTERIOR ELEVATIONS	
A4.2	STAIR PROFILE AND DETAIL	NEW SHEET
S0.0	SHEET SPECIFICATIONS	
S0.1	STRUCTURAL DETAILS	
S3.0	ROOF FRAMING PLAN	
S6.0	STRUCTURAL DETAILS	
P0.1	PLUMBING SCHEDULES	
P1.1	FIRST FLOOR PLUMBING PLAN	
P1.2	SECOND FLOOR PLUMBING PLAN	
P2.1	PLUMBING DETAILS & CALCULATIONS	
M0.1	MECHANICAL SCHEDULE & NOTES	
M1.1	FIRST FLOOR MECHANICAL PLAN	
M1.2	SECOND FLOOR MECHANICAL PLAN	
M1.3	ROOF MECHANICAL PLAN	
M2.1	MECHANICAL DETAILS	
M3.1	T24 DOCUMENTATION	
M3.2	T24 DOCUMENTATION	
E0.1	SCHEDULE & NOTES	
E0.2	ENERGY COMPLIANCE FORMS	
E0.3	ENERGY COMPLIANCE FORMS	
E1.1	SITE PLAN	
E2.0	DEMOLITION PLANS	
E2.1	LIGHTING PLANS	
E2.2	LIGHTING CONTROL PLAN	
E3.1	POWER PLAN	
E4.1	ROOF PLAN	
E5.1	LINE DIAGRAMS & DETAILS	
E5.2	ELECTRICAL DETAILS	
GBS-1	GREEN BUILDING STANDARDS	REPRINT
GBS-2	GREEN BUILDING STANDARDS	REPRINT
GBS-3	GREEN BUILDING STANDARDS	REPRINT

ATTACHED FOR A COMPLETE PERMIT:
-STRUCTURAL CALCULATIONS AUTHORED BY ZELTMACHER STRUCTURAL DESIGN AND ENGINEERING
-ENERGY ANALYSIS AND REPORT AUTHORED BY CALIBER MECHANICAL DESIGN

DEFERRED SUBMITTALS:
-THE AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE UNDER A SEPARATE SUBMITTAL AND PERMIT.
-LANDSCAPE AND IRRIGATION AT STREET FRONTAGE

ALL PLANHOLDERS: THESE PLANS SHALL BE ACCOMPANIED BY CONDITIONAL USE PERMIT APPROVAL PRIOR TO CONSTRUCTION ACTIVITY



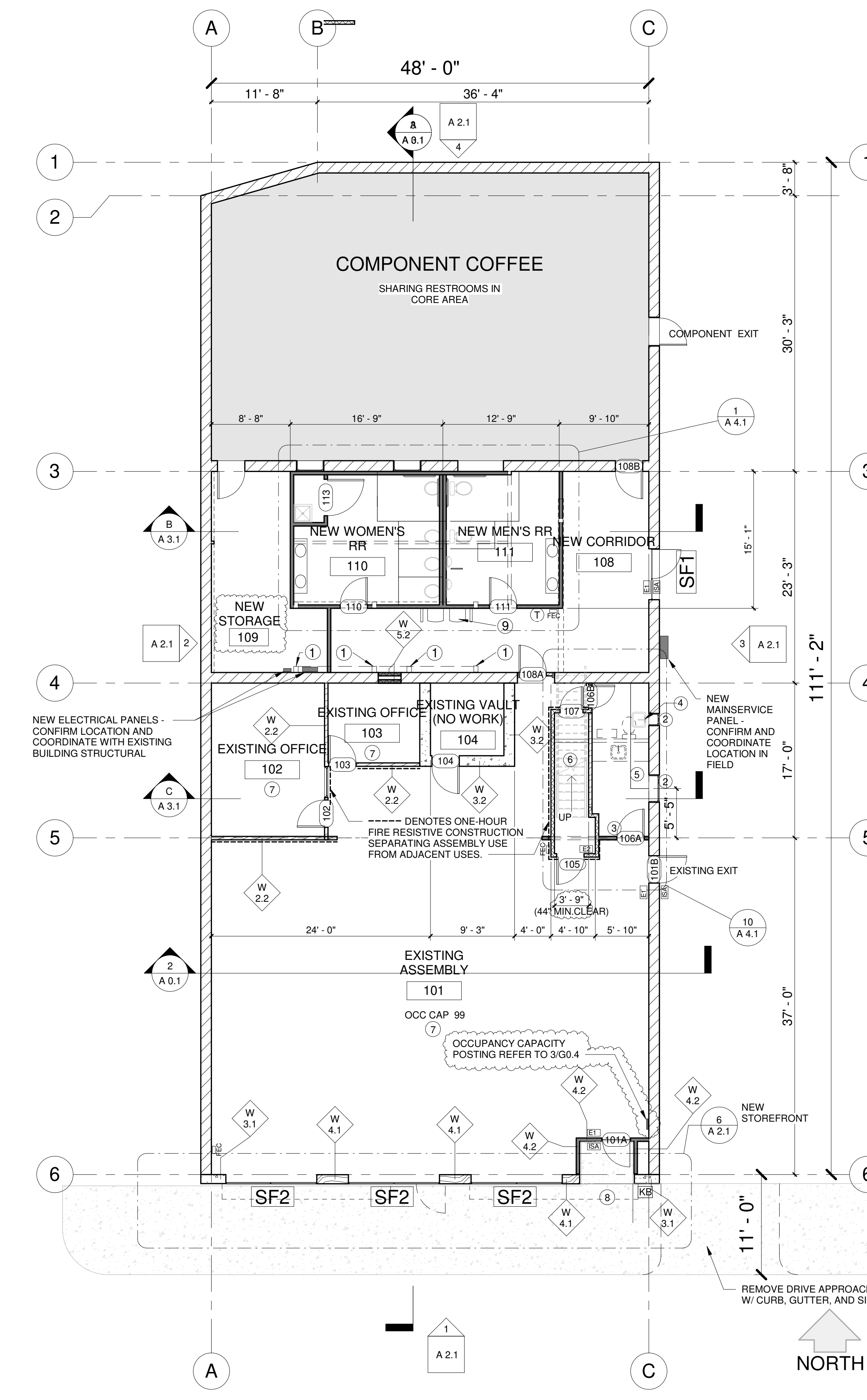
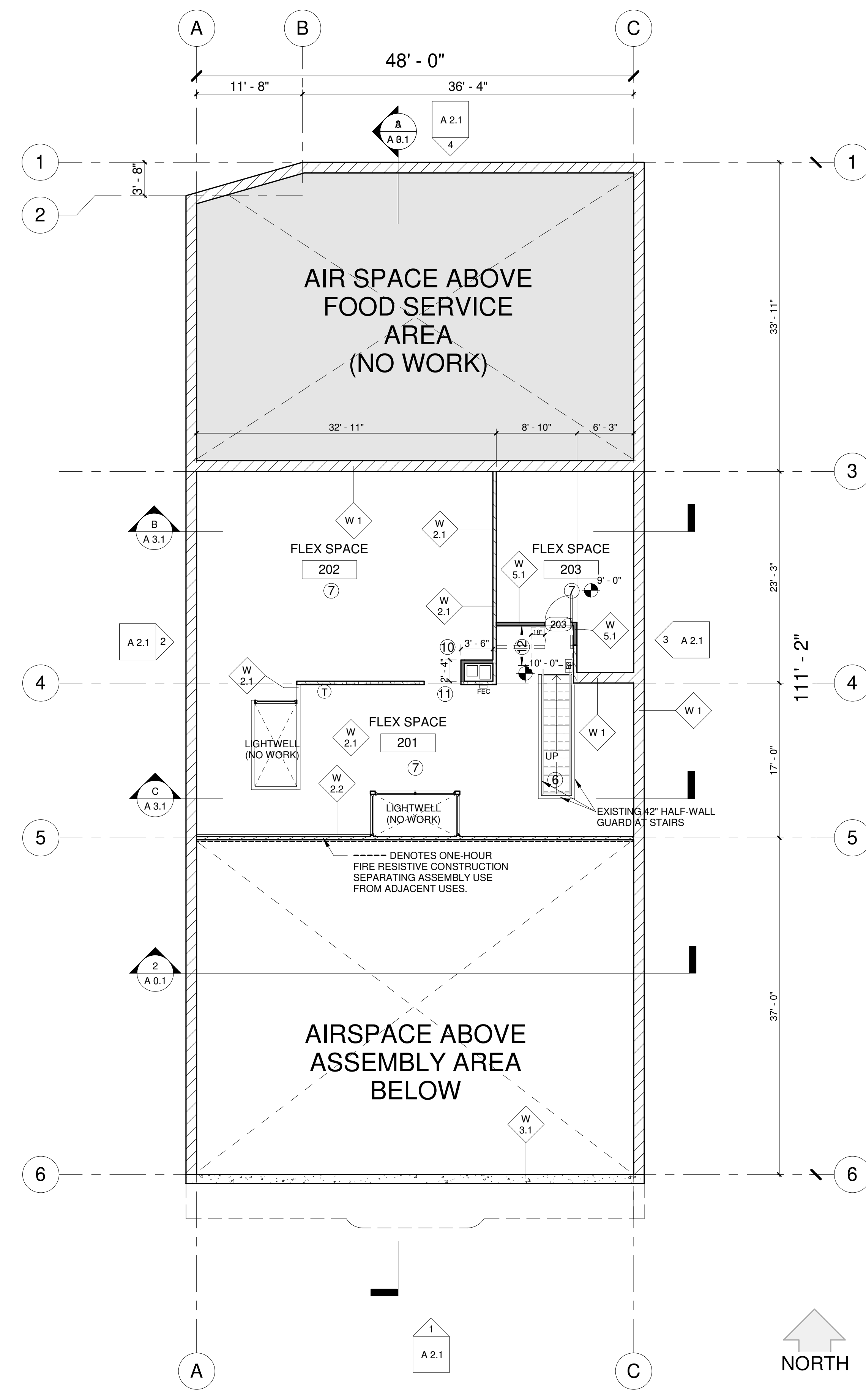
No.	Description	DATE
A	AMENDMENT TO CUP	06/17/2021
B	PRE-SUBMITTAL DRAFT	03/17/2024
1	SUBMITTAL TO BLDG DEPT	09/2/2021
2	RE-SUBMIT PER REVIEW	04/26/2022
3	RE-SUBMIT PER REVIEW	1/12/2024
3	RE-SUBMIT PER REVIEW	1/19/2024
		3/12/2024

Project number
1810.3
Drawn by
DC
Checked by
THOM

G 0.1
SET DATE
2/10/2022

COVER SHEET

EXHIBIT "A"



- KEYNOTES**
- EXISTING WOOD POSTS TO REMAIN (SUPPORTING UPSTAIRS FLOOR FRAMING)
 - EXISTING WINDOWS TO REMAIN
 - REMOVE EXISTING CABINET W/ SINK
 - REMOVE EXISTING SINGLE OCCUPANT RESTROOM (NON-COMPLIANT). REMOVE FIXTURES, WALL FINISHES, ACCESSORIES, PREPARE FOR NEW WORK
 - NEW BASE CABINET, COUNTERTOP, 2 COMPARTMENT SINK, UPPER WALL CABINETS REFER TO INTERIOR ELEVATION
 - RENOVATE EXISTING STAIRS. ENCLOSE W/ ONE-HOUR FR WALLS AT GROUND FLOOR--SEE SHEET A 4.2
 - RENOVATE EXISTING FINISHES
 - NEW EXIT DOOR IN NEW ALCOVE W/ LEVEL LANDING AND RAMP TRANSITION TO EXISTING SIDEWALK
 - NEW DRINKING FOUNTAINS
 - HVAC CHASE FOR DUCT DROP FROM ROOFTOP TO ROUTE TO DOWNSTAIRS
 - 4970 CASSED OPENING
 - 48" APPROACH CLEARANCE TO DOOR, CLEAR OF STAIR HANDRAILS

OUTLINE OF PLAN SYMBOLS

==== OUTLINE OF EXISTING IMPROVEMENTS TO BE REMOVED. DEMOLITION PERMIT REQUIRED UNDER SEPARATE PERMIT

- DOOR TAG--REFER TO OPENINGS SHEET A 1.1
 - ALUM STOREFRONT SYSTEM--REFER TO OPENINGS SHEET A 1.1-- DOOR TYPES
 - FIRE EXTINGUISHER
 - 2A10BC TANK WALL-BRACKET MOUNT: 40 LB MAX WEIGHT MOUNT WITH BRACKET RELEASE NO HIGHER THAN 60 INCHES ABOVE FIN FLR.
 - TACTILE EXIT SIGN, REFER TO DETAIL 4 SHT G 0.3 FOR KEY TO SYMBOLS
 - INTERNATIONAL SIGN OF ACCESSIBILITY, REFER TO DETAIL 3 SHT G 0.3
 - KNOX BOX LOCK BOX--SEE SITE PLAN SHEET A 101
 - JL INDUSTRIES FIRE EXTINGUISHERS AND CABINETS OR APPROVABLE EQUAL** REFER TO DETAIL 16 / A 4.1
 - FIRE EXTINGUISHER:** 2A10BC 5 LB COSMIC 5E MULTI-PURPOSE CHEMICAL STEEL CYLINDER PULL-PIN SQUEEZE GRIP.
 - CABINET:** PANORAMA CABINET 8117 POWDER-COATED STEEL, C70 DOOR
 - BRACKET (WHERE WALL-MOUNT IS DENOTED):** M818A
- REFER TO SHT G 0.2 AND G 0.3 FOR REQUIREMENTS AND PARAMETERS FOR ACCESSIBILITY

- WALL TAGS**
- EXISTING MASONRY WALL - LOAD BEARING
 - EXISTING WOOD FRAME WALL, INTERIOR PLASTER FINISH
 - EXISTING WOOD FRAME WALL, INTERIOR PLASTER FINISH. CONFIRM COMPLIANCE WITH CBC TABLE 721.1(2) WOOD STUDS w/ 5/8" GYPSUM PLASTER EA SIDE; ALTERNATIVE ASSEMBLY: REMOVE PLASTER, APPLY 5/8" F.R. (TYPE X OR EQ) EA SIDE. ALL OPENINGS IN RATED WALL MUST BE RATED 20 MIN LABELED ASSEMBLIES.
 - EXISTING PIP (POURED-IN-PLACE) REINFORCED CONCRETE WALL (MAIN ST FACADE)
 - EXISTING PIP (POURED-IN-PLACE) REINFORCED CONCRETE WALL VAULT
 - NEW 2 x 8 WOOD FRAME WALL INFILL TO FRAME UP NEW STOREFRONT WINDOWS ON MAIN ST FACADE
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT NEW ALCOVE ENTRY ON MAIN ST. 1/2" GDX PLYWD FACE ON EXTERIOR, No. 15 FELT OVER PLYWD, HARDIBOARD PLANK SIDING OR EQUAL FINISH.
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT INTERIOR, 5/8" GYP BD EACH SIDE (OMIT GYP BD ON BLIND SIDES UP AGAINST ADJACENT CONSTRUCTION)
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT INTERIOR, ONE-HOUR RATED ASSEMBLY (CBC TABLE 721.1(2) ITEM 14-1.3 OR GYPSUM ASSOCIATION DESIGN WP-3515) 5/8" F.R (TYPE X OR EQUAL) GYP BD EACH SIDE

2 2ND FLOOR
1/8" = 1'-0"

1 1ST FLOOR
1/8" = 1'-0"

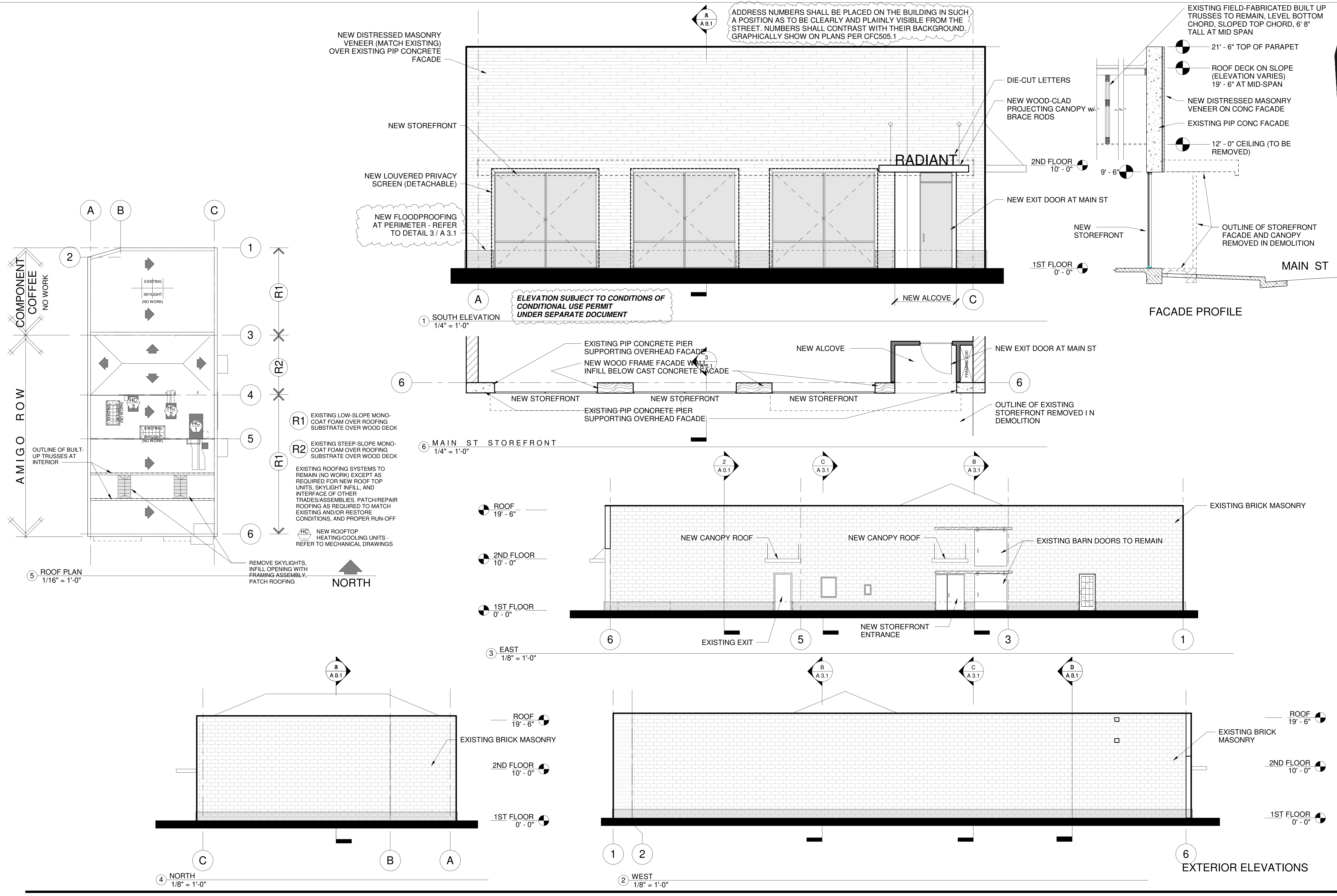
FLOOR PLANS



RADIANT church
514 E MAIN ST
Amigo Row Renovation

No.	Description	DATE
A	AMENDMENT TO CUP	06/17/2021
B	PRE-SUBMITTAL DRAFT	03/17/2024
1	SUBMITTAL TO BLDG DEPT	09/22/2021
2	RE-SUBMIT PER REVIEW	04/26/2022
3	RE-SUBMIT PER REVIEW	11/12/2024
3	RE-SUBMIT PER REVIEW	11/19/2024

Project number
1810.3
Drawn by
DC
Checked by
THOM



ADDRESS NUMBERS SHALL BE PLACED ON THE BUILDING IN SUCH A POSITION AS TO BE CLEARLY AND PLAINLY VISIBLE FROM THE STREET. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. GRAPHICALLY SHOW ON PLANS PER CFC505.1

NEW DISTRESSED MASONRY VENEER (MATCH EXISTING) OVER EXISTING PIP CONCRETE FACADE

DIE-CUT LETTERS

NEW WOOD-CLAD PROJECTING CANOPY w/ BRACE RODS

NEW EXIT DOOR AT MAIN ST

NEW STOREFRONT

1ST FLOOR 0'-0"

2ND FLOOR 10'-0"

9'-6"

NEW STOREFRONT

NEW EXIT DOOR AT MAIN ST

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

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NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

NEW STOREFRONT

ARCHITECT

Thom Black

ARCHITECT

renew 3/23

514 E MAIN ST
Amigo Row Renovation

RADIANT church

No.	Description	DATE
A	AMENDMENT TO CUP	06/17/2021
B	PRE-SUBMITTAL DRAFT	03/17/2024
1	SUBMITTAL TO BLDG DEPT	09/22/2021
2	RE-SUBMIT PER REVIEW	04/26/2022
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3	RE-SUBMIT PER REVIEW	5/12/2022
3	RE-SUBMIT PER REVIEW	1/12/2024
3	RE-SUBMIT PER REVIEW	1/19/2024
3	RE-SUBMIT PER REVIEW	3/12/2024

Project number
1810.3

Drawn by
DC

Checked by
THOM

A 2.1

SET DATE
2/10/2022

EXISTING SITE PICTURES
514 EAST MAIN STREET









Operational Statement

Amigo Row – 514 E. Main St.

Amigo Row will be used for medium sized church activities for groups between 20-99 people. These will be activities such as worship gatherings, classes and meals. Classes/regular events will have up to 40 people as shown on the exhibit, however special events will be held on occasion, accommodating a max of 99 people.

On Wednesday evenings, our high school youth group will use the gathering space for their time of worship, teaching and games. On Sunday mornings, we will occasionally use the building for classes and training seminars.

During normal business hours (8:30-4:00) Monday through Thursday we will use the building for our internship participants to have classes and training. This group is about 20 people and the setting will be a seminar room.

As needed, especially during months with poor weather, we will use Amigo Row for receptions following memorials services.

The use of Amigo Row will only marginally impact parking. Many activities that are now held in constrained spaces within the church campus proper will be able to get relief with the additional space. Activities that are a part of the normal programming of the congregation that are now held outdoors can now be indoors without regard to restrictions of weather conditions.

Further, events that are exceptions to the normal programs that can't be held outdoors and have to be held off-site, due to space constraints, can now be held on campus. Such events that mandate it will require consulting the City for any special traffic/pedestrian controls and permitting for sound event planning.

As is the current practice, staff and trained members broadcast via announcements and word-of-mouth about the parking available in adjacent City parking lots.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Young", is written over a light blue horizontal line.

Mike Young

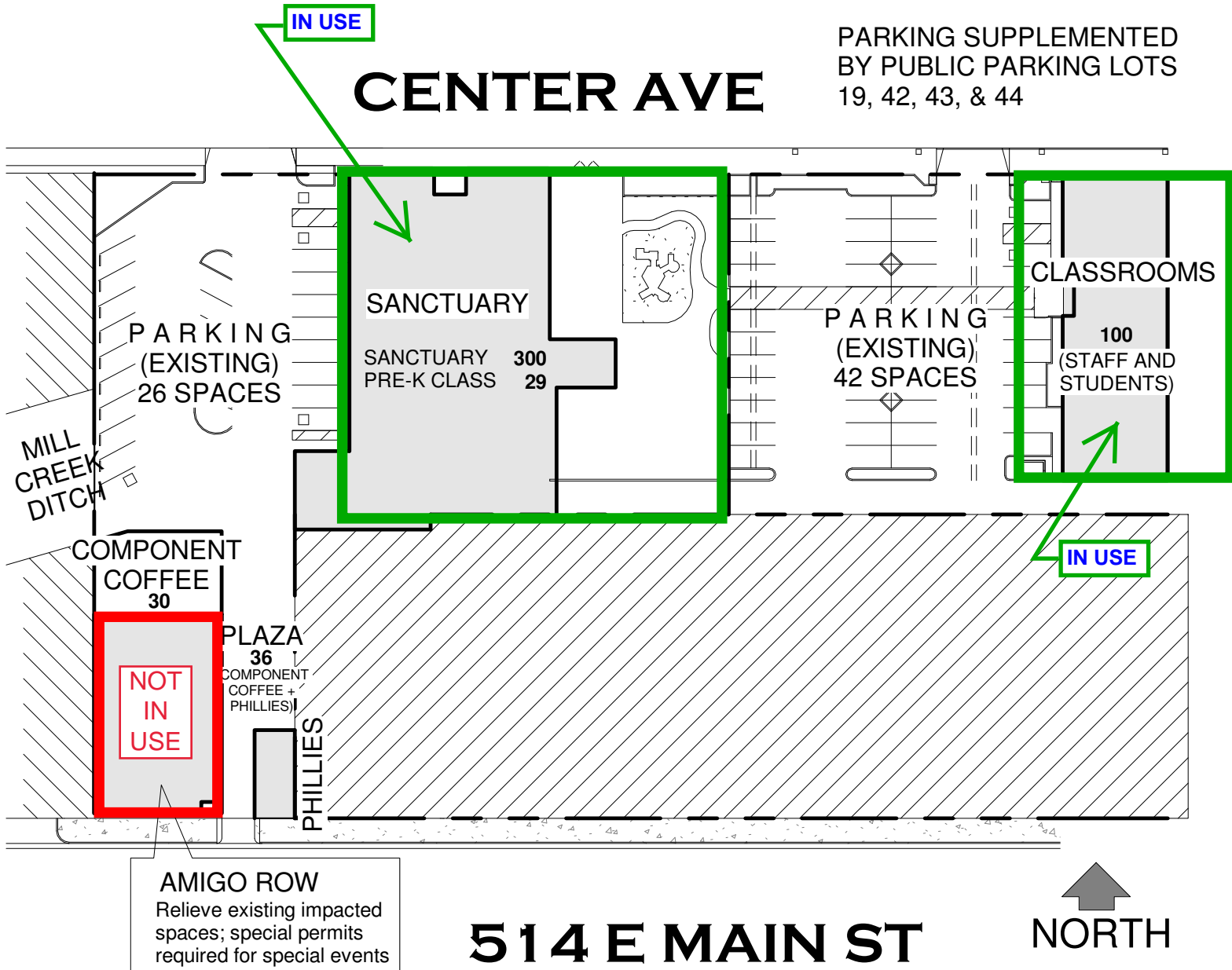
Operations Director

mike@radiantvisalia.com

559-709-4963

Operational time of the week
represented below:

SUNDAY

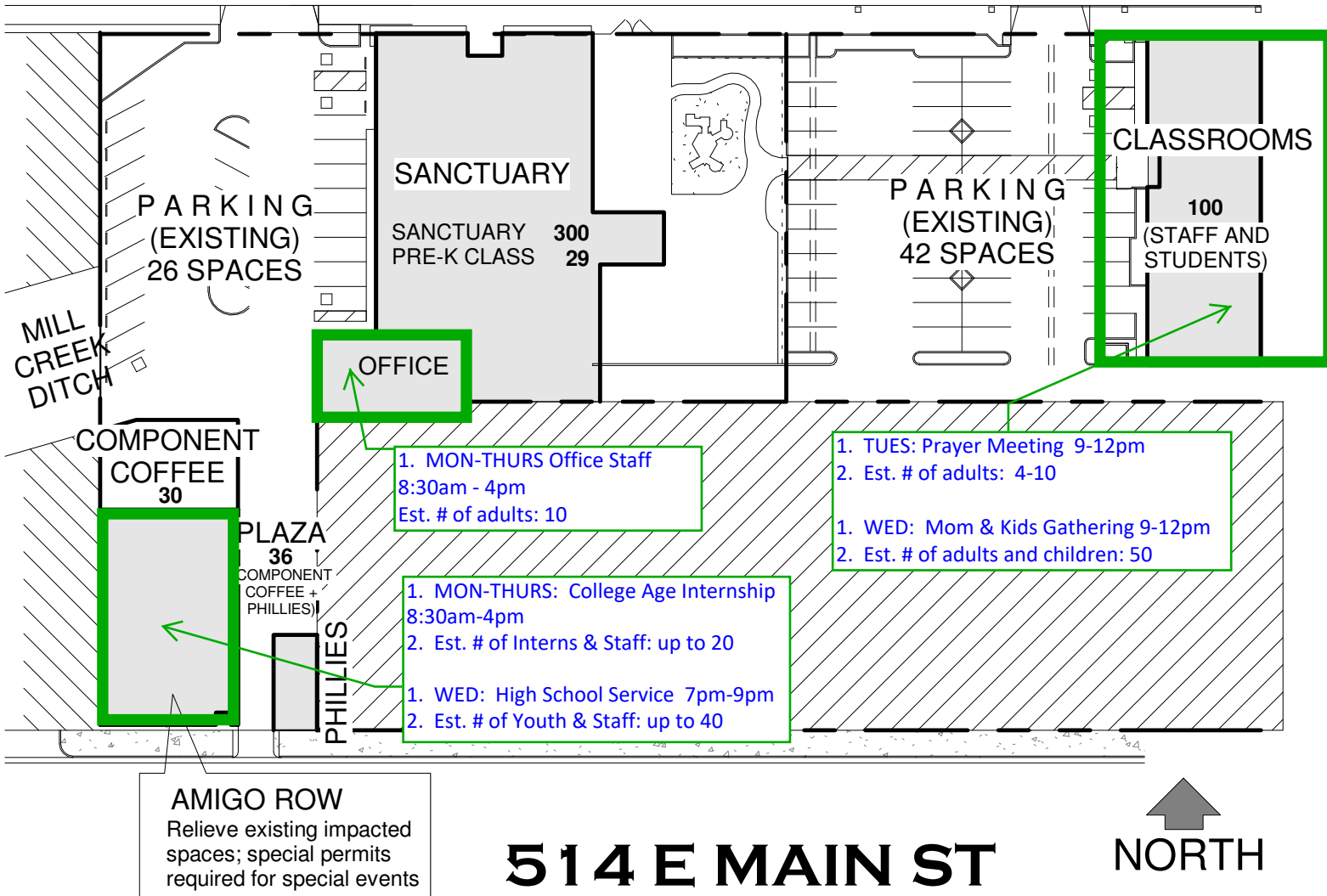


1. Time of use for church services: 9am - 12pm
2. Est. # of adults and children per service (2 services, 9am & 10:45): 260
3. Est. # of cars per service: 75
4. Parking impact from our perspective: covered by 26 spaces west of the Sanctuary, 42 spaces east of the Sanctuary, and surrounding public lots

Operational time of the week represented below:
Monday - Thursday

PARKING SUPPLEMENTED
 BY PUBLIC PARKING LOTS
 19, 42, 43, & 44

CENTER AVE



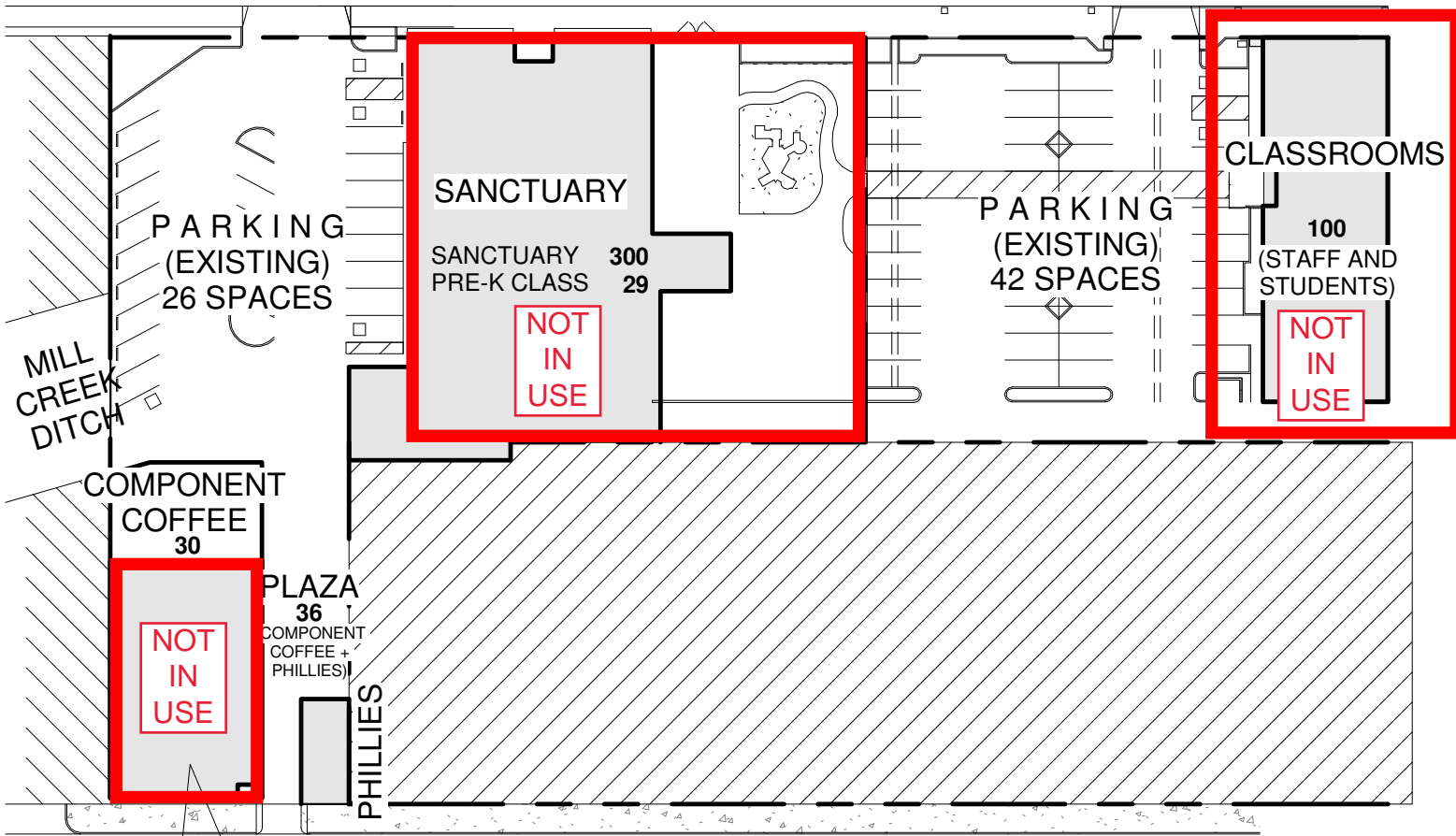
For ALL activities noted above, we are able to park all of our cars in the parking lot east of the Sanctuary, allowing Component to have exclusive use of the west parking lot during their normal business hours.

Operational time of the week represented below:

Friday & Saturday

PARKING SUPPLEMENTED
BY PUBLIC PARKING LOTS
19, 42, 43, & 44

CENTER AVE



AMIGO ROW
Relieve existing impacted spaces; special permits required for special events

514 E MAIN ST


NORTH

To: Cristabal Carrillo, Associate Planner
City of Visalia
(sent via email)

Date: July 8, 2024

Subject: Response to City Comments for COU24-024: CONDITIONAL USE PERMIT
NO. 2024-24

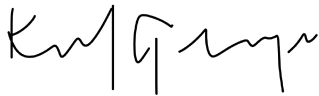
Cristobal:

Thank you for providing comments on the conditional use permit referenced above for Amigo Row at Radiant Church. I wanted to supplement the resubmittal with this memo to adequately respond to all your comments. Please see **Attachment 1: Response to Comments**, which is enclosed with this memo.

If you have any questions, please feel free to reach out directly. I'm happy to set up a meeting, either virtual or in-person, if any of these items require further or more detailed discussion.

Thank you for your attention to this. I look forward to continuing working with you on this project.

Best,



Kelsey George, Senior Planner
4Creeks

Enclosures:
Attachment 1: Response to Comments



**Attachment 1
Response to Comments**

1. Payment of fees for a Conditional Use Permit in the amount of \$1,705.

The property owner is aware and will be providing payment.

2. Complete the property owner section of the Conditional Use Permit application.

This has been added to the resubmitted application packet titled '1. Application – Conditional Use Permit_7.8.24_ver2'.

3. Provide signatures from the project applicant and property owner(s) on the project application.

This has been added to the resubmitted application packet titled '1. Application – Conditional Use Permit_7.8.24_ver2'

4. Complete the property owner and agent sections of the Agency Authorization form.

This has been added to the resubmitted application packet titled '1. Application – Conditional Use Permit_7.8.24_ver2'

5. Provide signatures from the project applicant and property owner on the Agency Authorization form. **Note: The Agency Authorization form must be notarized.**

This has been added to the resubmitted application packet titled '1. Application – Conditional Use Permit_7.8.24_ver2'

6. Revise the operational statement to provide information on activities that would potentially draw up to 99 people. Previous submittals indicated no more than 75 people within the assembly area.

There are no additional activities proposed beyond those listed in the operational statement. The previous submittal indicated 75, but was updated to 99 although all activities are to remain the same. The request for the CUP with this submittal is to accommodate up to 99 people, should the proposed services proposed expand to such amount. Although I have not removed the parking analysis associated with the operational statement from this resubmittal, I want to clarify that it does not reflect the proposed 99 attendees since we do not know when or if operations will expand to that amount. It just notes the estimated number of attendees based on projections at this time, although the request is to allow up to



99 people. Therefore, there have been no changes have been made to the operational statement provided.

7. Provide information on any off-site parking facilities used to serve the Radiant Church facility.

There is some information included in the operational statement submitted which notes there are a total of 68 on-site parking spaces with parking being supplemented by public parking lots 19, 42, 43, and 44.

Aside from the ample street parking and public parking facilities available like the ones noted above, there are two city-managed parking structures, each less than half a mile away from the Amigo Row/Radiant Church facility. The first is located at 222. W Acequia Ave and the second is located near the southwest corner of Acequia Ave and Bridge Street.

8. The floor plan shall be revised to depict all permanent seating areas proposed in the assembly room, if any.

Amigo Row is intended to be a flex space with the activities identified in the operational statement including worship gatherings, classes such as college and high school internships and other programs, and meals. As such, permanent seating is not proposed at this time.

9. It is recommended that floor plans be provided for all other Radiant Church buildings.

There is no work being performed at the other buildings in association with the request for an amended CUP.

10. Building elevations shall be revised to confirm with the requirements of the Downtown Retail Overlay District (DROD), found in Visalia Municipal Code Chapter 17.58. In particular, this should include maintaining the existing windows, doorway, and awning, and removal of existing surfaces along Main Street to expose existing original brick (if present). If stucco is to remain the stucco should be repainted to a brick color. If new awnings are proposed, they should be cloth awnings instead of metal awnings. If the applicant wishes to pursue approval of the existing elevations, justification shall be provided describing why the alterations are appropriate.

The building elevations note the existing brick masonry façade will remain on the east, north, and west elevations. The south elevation, which is the Main Street frontage, proposes new distressed masonry to match the existing in order to cover existing concrete façade. Although the existing canopy is beyond repair



and needs to be replaced, the proposed wood-clad canopy over the main entrance is intended to mimic the original canopy.

The east elevation preserves both existing barn doors as well as the existing exit, while proposing a new canopy and store front entrance. Additionally, a new alcove is proposed to maintain the architectural significance of the building through the remodel.

The elevations are intended to comply with the original integrity of the building, and notes that the elevations are subject to conditions issued with the CUP amendment.

11. If any landscaping is proposed for alteration, provide landscaping plans showing the proposed landscaping on the project site.

No landscaping is proposed at this time.

12. If any new signage is proposed, it is recommended the applicant provide depictions in order to determine compliance with DROD standards.

Any new signage will be submitted separately as a separate sign permit and comply with all applicable regulations.

13. Provide electronic copies of all application materials, including any plans and exhibits that are revised as a result of this correspondence.

This comment has been noted and acknowledged.

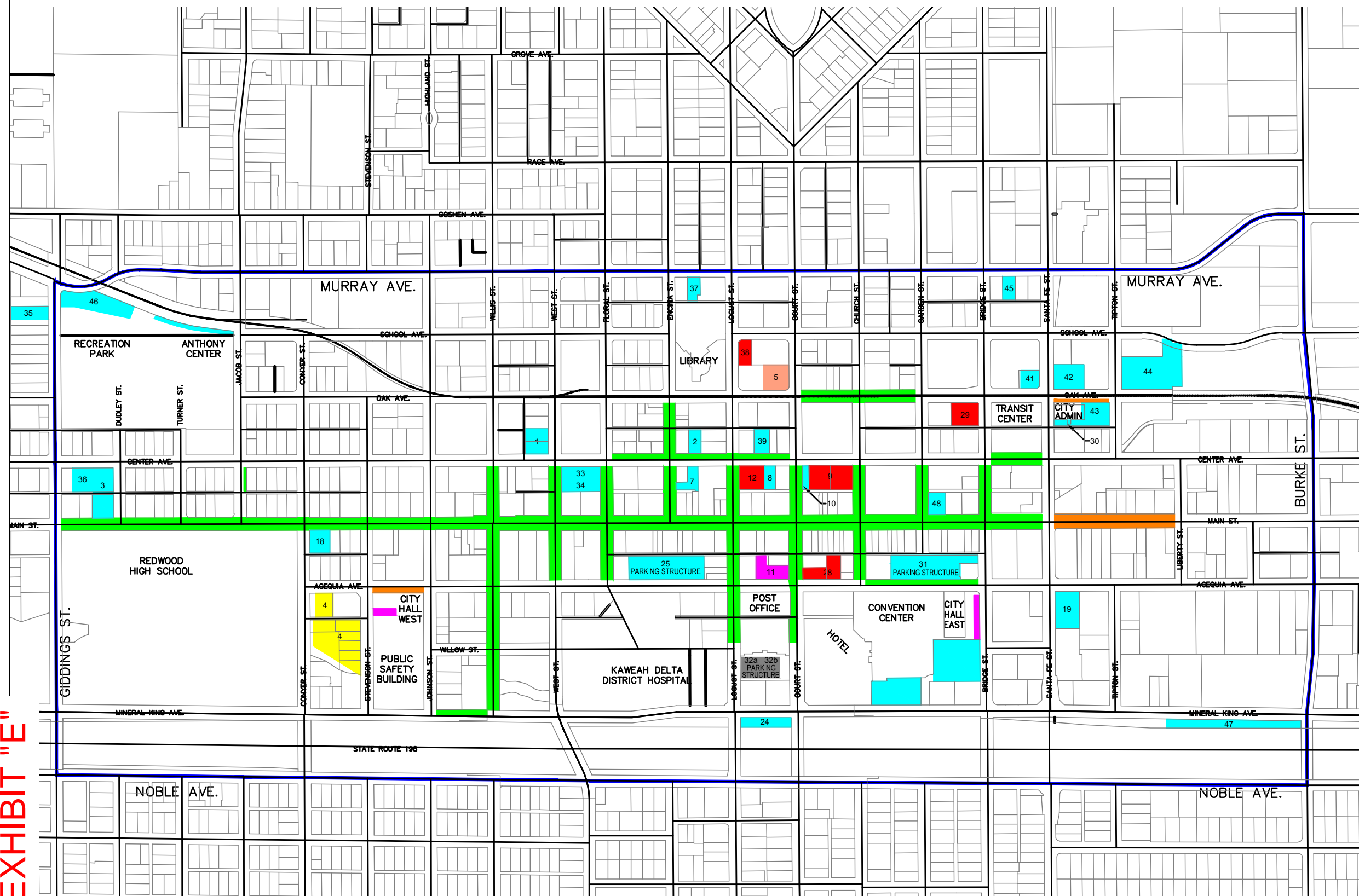


VISALIA MUNICIPAL PARKING LOTS

-CENTRAL BUSINESS DISTRICT-



EXHIBIT "E"



LOT CAPACITY

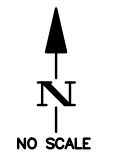
Lot No.	No. of Spaces	Lot Designation
1	36	ALL DAY
2	23	ALL DAY
3	54	ALL DAY
4	128	108 RESTRICTED, 20 TEMPORARY
5	41	PERMIT PARKING
7	20	ALL DAY
8	23	ALL DAY
9	74	3-HOUR, ALL DAY WITH PERMIT
10	16	ALL DAY
11	38	3-HOUR
12	45	3-HOUR, ALL DAY WITH PERMIT
18	28	ALL DAY
19	65	CONVENTION CENTER OVERFLOW
24	35	ALL DAY
25	691	PARKING STRUCTURE
28	38	3-HOUR, ALL DAY WITH PERMIT
29	36	ALL DAY
30	30	ALL DAY
31	433	PARKING STRUCTURE - ALL DAY
32a	79	PARKING STRUCTURE - 3-HOURS, LOWER LEVEL
32b	85	PARKING STRUCTURE - ALL DAY, UPPER LEVEL
33	39	ALL DAY
34	41	ALL DAY
35	34	ALL DAY
36	34	ALL DAY
37	16	ALL DAY
38	23	3-HOUR, ALL DAY WITH PERMIT
39	42	ALL DAY
41	20	ALL DAY
42	54	ALL DAY
43	28	ALL DAY
44	115	ALL DAY
45	24	ALL DAY
46	60	ALL DAY
47	49*	ALL DAY
48	24	ALL DAY
ANTHONY CENTER	20	ALL DAY
CHE	121	17 3-HOUR, 104 ALL DAY
CHW	11	3-HOUR

*PARKING LOT #47 HAS 25 MARKED STALLS AND 24 UNMARKED STALLS

LEGEND

- TWO HOUR ON STREET PARKING
- TWO HOUR PARKING LOT
- THREE HOUR ON STREET PARKING
- THREE HOUR PARKING LOT
- THREE HOUR PARKING LOT (ALL DAY BY PERMIT)
- ALL DAY BY PERMIT
- ALL DAY PARKING LOT
- COMBINATION PARKING
- CENTRAL BUSINESS DISTRICT

ALL UNDESIGNATED ON STREET PARKING IS ALL DAY PARKING



Environmental Document #2024-34

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 2024-24

PROJECT TITLE

The project site is located at 514 East Main Street, Unit B (APN: 094-231-027)

PROJECT LOCATION - SPECIFIC

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request to amend Conditional Use Permit No. 2003-04 to renovate an existing building for use as an assembly room and office space for the Radiant Church campus, located within the D-MU (Mixed Use Downtown) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4449, Email: crystal.carrillo@visalia.city

NAME OF PUBLIC AGENCY/LEAD AGENCY APPROVING PROJECT

Joe Robertson, 515 East Center Avenue, Visalia CA 93292, (650) 814-2606, kelseyg@4-creeks.com

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

4Creeks, Attn: Kelsey George, 180 West Bullard Avenue, Ste. 101, Clovis CA 93612, (559) 802-3052, kelseyg@4-creeks.com

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - Section 15301, Existing Facilities
- Statutory Exemptions- State code number:

Project consists of a request to renovate an existing building for use as an assembly room and office space for the Radiant Church campus in the D-MU (Mixed Use Downtown Zone). The project is exempt as the project makes use of an existing building, with no additions proposed.

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner

(559) 713-4443

CONTACT PERSON

AREA CODE/PHONE

DATE

**Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR**



May 3, 2022

Site Plan Review No. 2021-230-C:

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 **April 13, 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.

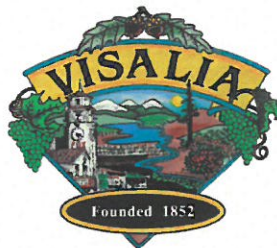
Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a large, stylized blue oval graphic.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE April 13, 2022
SITE PLAN NO. 2021-230 - C
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with

Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

CUP

HISTORIC PRESERVATION

OTHER –

ADDITIONAL COMMENTS:

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

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: April 13, 2022

SITE PLAN NO: 2021-230 – C
PROJECT TITLE: Renovation of Amigo Row
DESCRIPTION: Amendment of CUP 2013-27 – Improvements to 514 E. Main St.
APPLICANT: Thom Black
PROP. OWNER: CH-Radiant Church Inc.
LOCATION: 514 E. Main St. Unit A
APN: 094-231-027
GENERAL PLAN: Downtown Mixed Use
EXISTING ZONING: D-MU (Mixed-Use Downtown Zone)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit Amendment
- Operational Statement
- Parking Analysis
- Compliance with Downtown Retail Overlay District
- Building Permit

PROJECT SPECIFIC INFORMATION: April 13, 2022

1. An amendment to the previous approved Conditional Use Permit (CUP) shall be required.
2. The applicant is requested to provide an operational statement with information on the following:
 - a. All existing and proposed uses for all buildings in the church complex;
 - b. Seating/assembly and office area square footages for all buildings in the church complex, including the number of permanent seats in assembly areas;
 - c. Parking analysis of available parking stalls for all buildings/uses existing and proposed onsite. This shall include all stalls onsite and stalls available through existing shared parking agreements. Note: The site is located within Parking District "A". If there are parking deficiencies, parking in-lieu fees can be paid at \$4,787 per missing stall.
3. A Floor Plan shall be provided. The Floor Plan shall also depict all permanent seating areas.
4. Building Elevations shall be provided. Elevations shall be in color and verify compliance with all requirements of the Downtown Retail Overlay District (DROD). This shall include the presence of cloth awnings instead of metal awnings, wood exteriors of no more than 10% of the exterior walls, and preservation of original materials and features when possible.
5. All signage by separate permit and shall comply with DROD requirements.
6. The applicant shall obtain a Building Permit.

PROJECT SPECIFIC INFORMATION: January 19, 2022

7. An amendment to Conditional Use Permit (CUP) shall be required.
8. The applicant is requested to provide an operational statement with information on the following:
 - a. All existing and proposed uses for all buildings in the church complex;
 - b. Seating/assembly and office area square footages for all buildings in the church complex,

- including the number of permanent seats in assembly areas;
- c. Parking analysis of available parking stalls for all buildings/uses existing and proposed onsite. This shall include all stalls onsite and stalls available through existing shared parking agreements. Note: The site is located within Parking District "A". If there are parking deficiencies, parking in-lieu fees can be paid at \$4,787 per missing stall.
- 9. A Floor Plan shall be provided. The Floor Plan shall also depict all permanent seating areas.
- 10. Building Elevations shall be provided. Elevations shall be in color and verify compliance with all requirements of the Downtown Retail Overlay District (DROD). This shall include the presence of cloth awnings instead of metal awnings, wood exteriors of no more than 10% of the exterior walls, and preservation of original materials and features when possible.
- 11. All signage shall be compliant with DROD requirements and will require its own Building Permit.
- 12. The applicant shall obtain a Building Permit for all physical modifications to the unit.

PROJECT SPECIFIC INFORMATION: January 5, 2022

- 1. A Conditional Use Permit (CUP) shall be required.
- 2. The applicant is requested to provide an operational statement describing the following:
 - a. Seating/assembly and office areas
 - b. Justifying parking
 - c. Building elevations, if exterior alterations are proposed.
- 3. Alterations to the exterior would require compliance with the Downtown Retail Overlay District.
- 4. All outdoor signage shall require its own Building Permit.
- 5. The applicant shall obtain a Building permit for all physical modifications to the unit.
- 6. Building permits.
- 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:

17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.

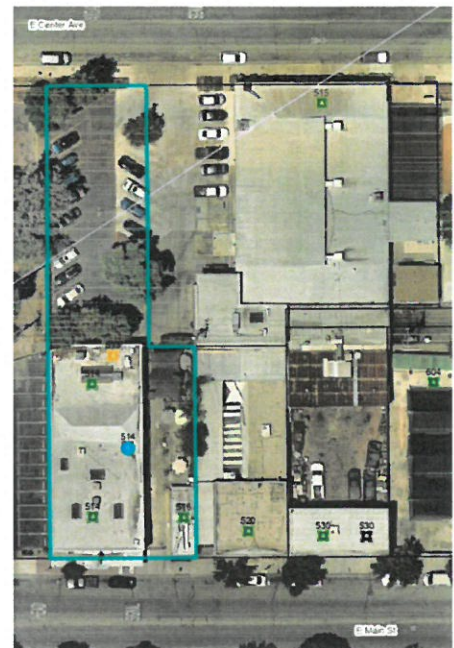
17.30 Development Standards [17.30.015(H) Lighting]

17.34.020 Off-street parking [17.34.020(F)(3)]

17.58 Downtown Retail Overlay District

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**

<input checked="" type="checkbox"/>	Adrian Rubalcaba	713-4271
<input type="checkbox"/>	Diego Corvera	713-4209

ITEM NO: <u>3</u>	DATE: <u>APRIL 13, 2022</u>
SITE PLAN NO.:	21-230 2 ND RESUBMITTAL
PROJECT TITLE:	RENOVATION OF AMIGO ROW BUILDING
DESCRIPTION:	VARIOUS IMPROVEMENTS AMONG THREE AMENDMENTS OF CUP 2013-27, IMPROVEMENTS OF 514 E MAIN ST. (PREVIOUS SPR 18-081, AND SPR 19-180)
APPLICANT:	THOM A BLACK
PROP OWNER:	CH-RADIANT CHURCH, INC
LOCATION:	514 E MAIN ST
APN:	094-231-027

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. This project will incur impact fees due to changes in use from retail to assembly. See sheet 3 for further details, listed rates subject to annual City impact fee increases.***
- 2. Project is located in an AE flood zone. Comply with further code and building regulations for construction within a high-risk flood plain.***
- 3. Per code, 20% of the project value shall be used for accessibility upgrades.***
- 4. Ensure existing public frontage improvements, i.e. sidewalk & trees, are in satisfactory condition - project to repair accordingly. As shown, proposed improvements within the right-of-way shall comply to City standards. The landscape planter and new street tree shall comply with City planting stds and the landscaping and irrigation shall be maintained by the development. Ensure compliance with current accessibility codes/stds.***
- 5. A building permit is required, standard plan check and inspection fees will apply.***
- 6. Subject to previous conditional use permit and associated requirements.***
- 7. Building permit is required, standard plan check and inspection fees will apply.***
- 8. Replace sidewalk and curb and gutter in-kind for removal of existing drive approach.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 21-230 2nd RESUBMITTAL

Date: 4/13/2022

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:OFFICE / INSTITUTIONAL)

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

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	OFFSET BY CREDIT
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$6.10/SEAT X TBD
	CR: \$26.04/1KSF X 1.776 = \$46.25
	TREATMENT PLANT FEE
	\$14.00/SEAT X TBD
	CR: \$58/1KSF X 1.776 = \$103.01

- Sewer Front Foot Fee
- Storm Drain Acq/Dev Fee
- Park Acq/Dev Fee
- Northeast Specific Plan Fees
- Waterways Acquisition Fee
- Public Safety Impact Fee: Police
- Public Safety Impact Fee: Fire
- Public Facility Impact Fee
- 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

SFR 21230
AMIGO ROW BUILD'G
514 E MAIN ST UNIT A

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 _____ * 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: SEE PREVIOUS COMMENTS
DATED 2/15/22

VAL GARCIA 4/12/22
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 4/13/2022
Item # 3
Site Plan # 21230
APN: 094231027

- 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.
- This item is a **resubmittal**. Please see comments from previous submittals.

Corbin Reed
Fire Marshal



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

Date: 04/13/2022
 Item: 3
 Site Plan: SPR21230
 Name: Henry Martinez

Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact Fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001.
- Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:
- Territorial Reinforcement: Define property lines (private/public space). _____
- Access Controlled/ Restricted etc. _____
- lighting Concerns: _____
- Traffic Concerns: _____
- Surveillance Issues: _____
- Line of Sight Issues: _____
- Other Concerns: _____

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 13, 2022

ITEM NO: 3 Resubmit
SITE PLAN NO: SPR21230
PROJECT TITLE: Renovation of Amigo Row Building
DESCRIPTION: Amendments of CUP 2013-27 - Improvements to 514 E. Main St. (D-MU)
APPLICANT: Thom A Black
OWNER: CH-RADIANT CHURCH INC
APN: 094231027
LOCATION: 514 E MAIN ST UNIT A

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 at time of development.
- Install Street Name Blades at *intersection* Locations.
- Install Stop Signs on *local roads that intersect an arterial/collector status roadway* at time of development.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
 - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
 - Trip Generation - Provide documentation as to concurrence with General Plan.
 - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

•

Leslie Blair

Leslie Blair

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

21230

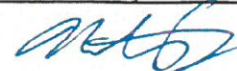
April 13, 2022

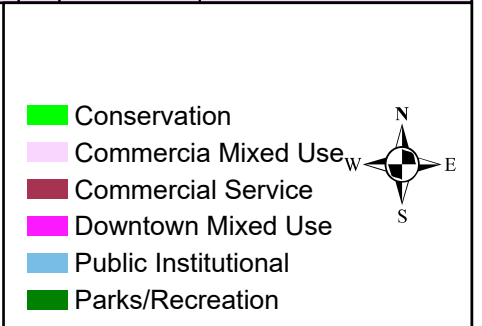
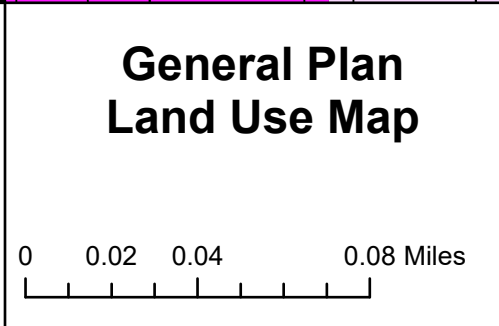
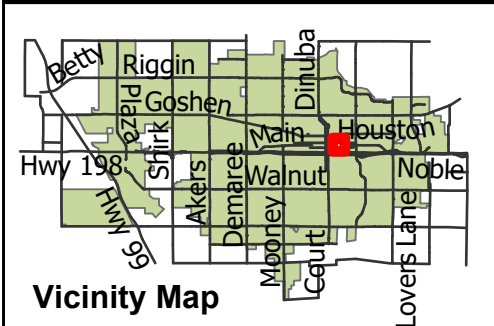
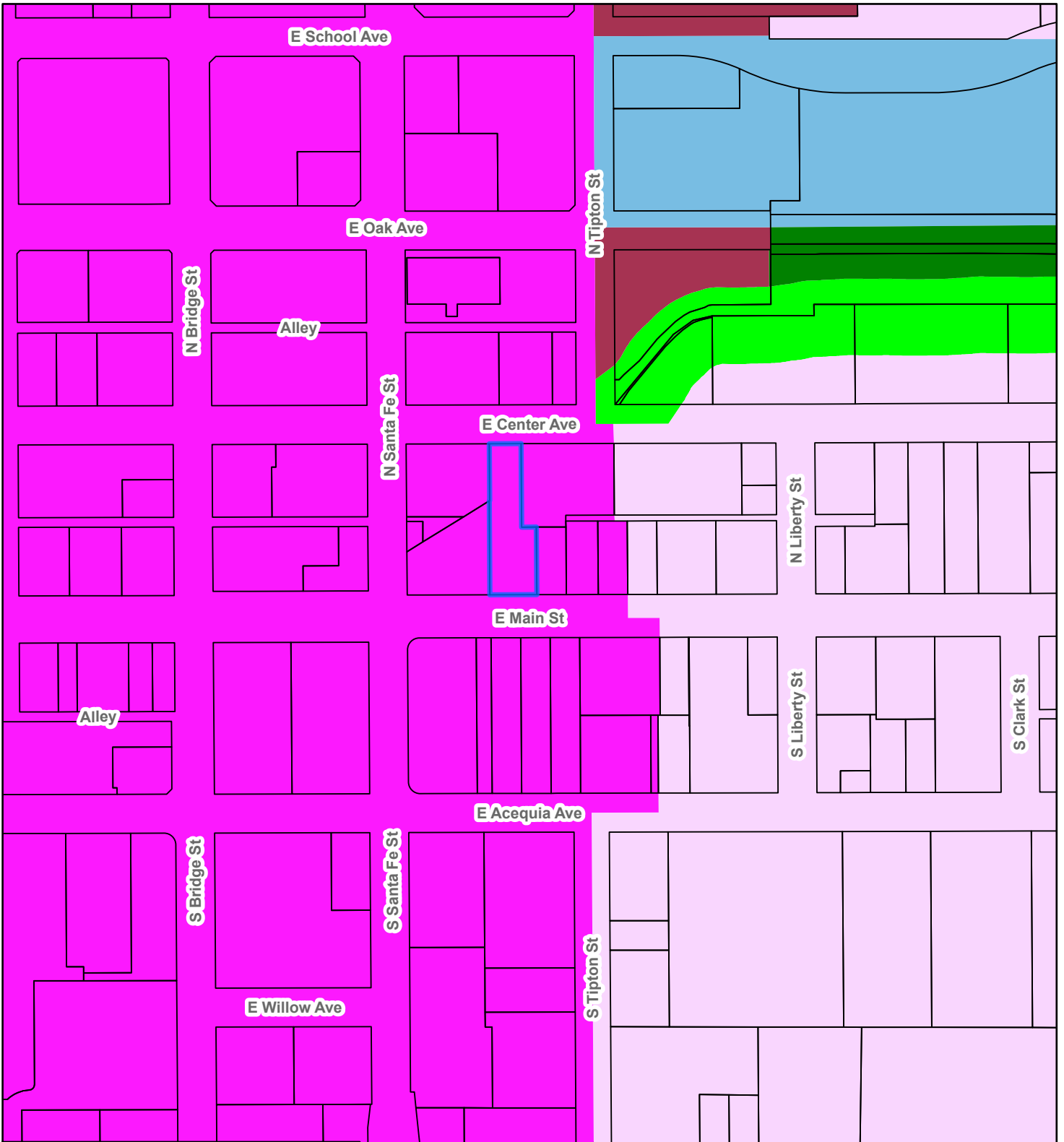
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures 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.

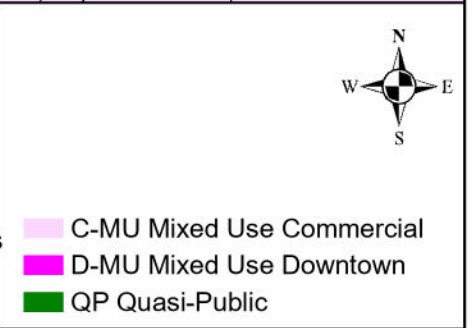
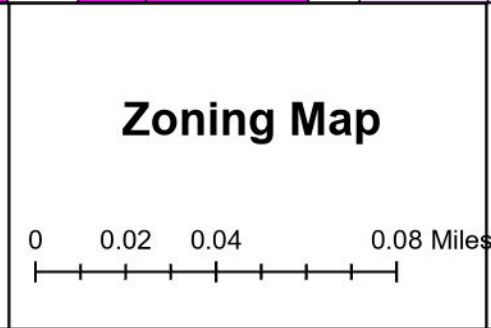
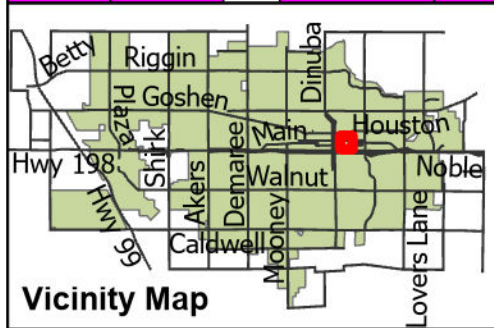
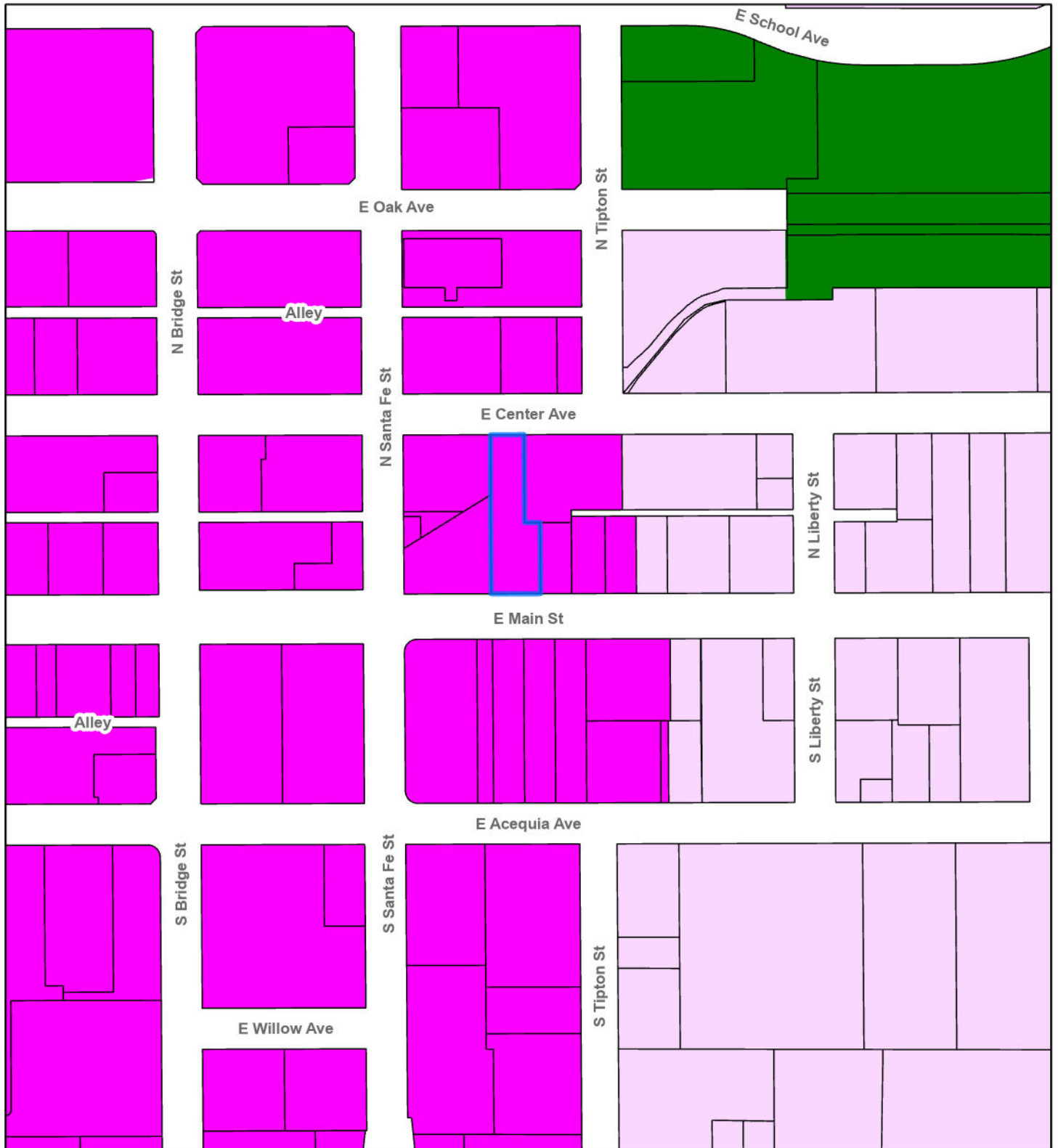
Comment Customer indicated no changes planned to existing solid waste services.

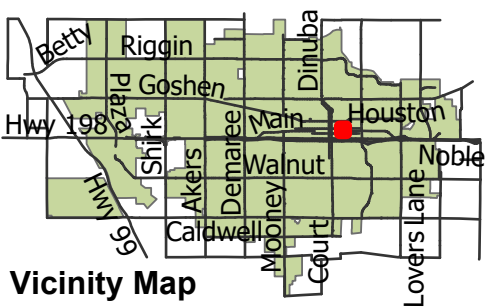
Jason Serpa, Solid Waste Manager, 559-713-4533
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532





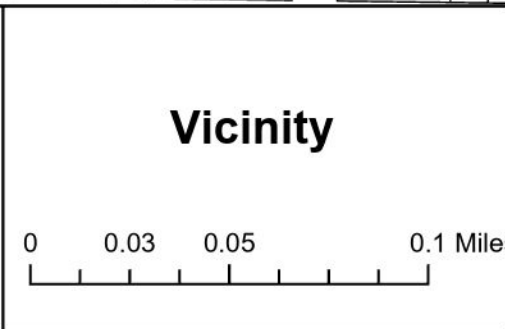
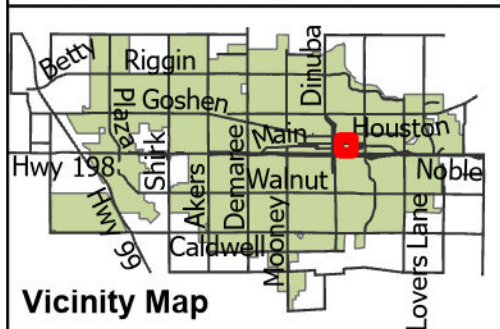
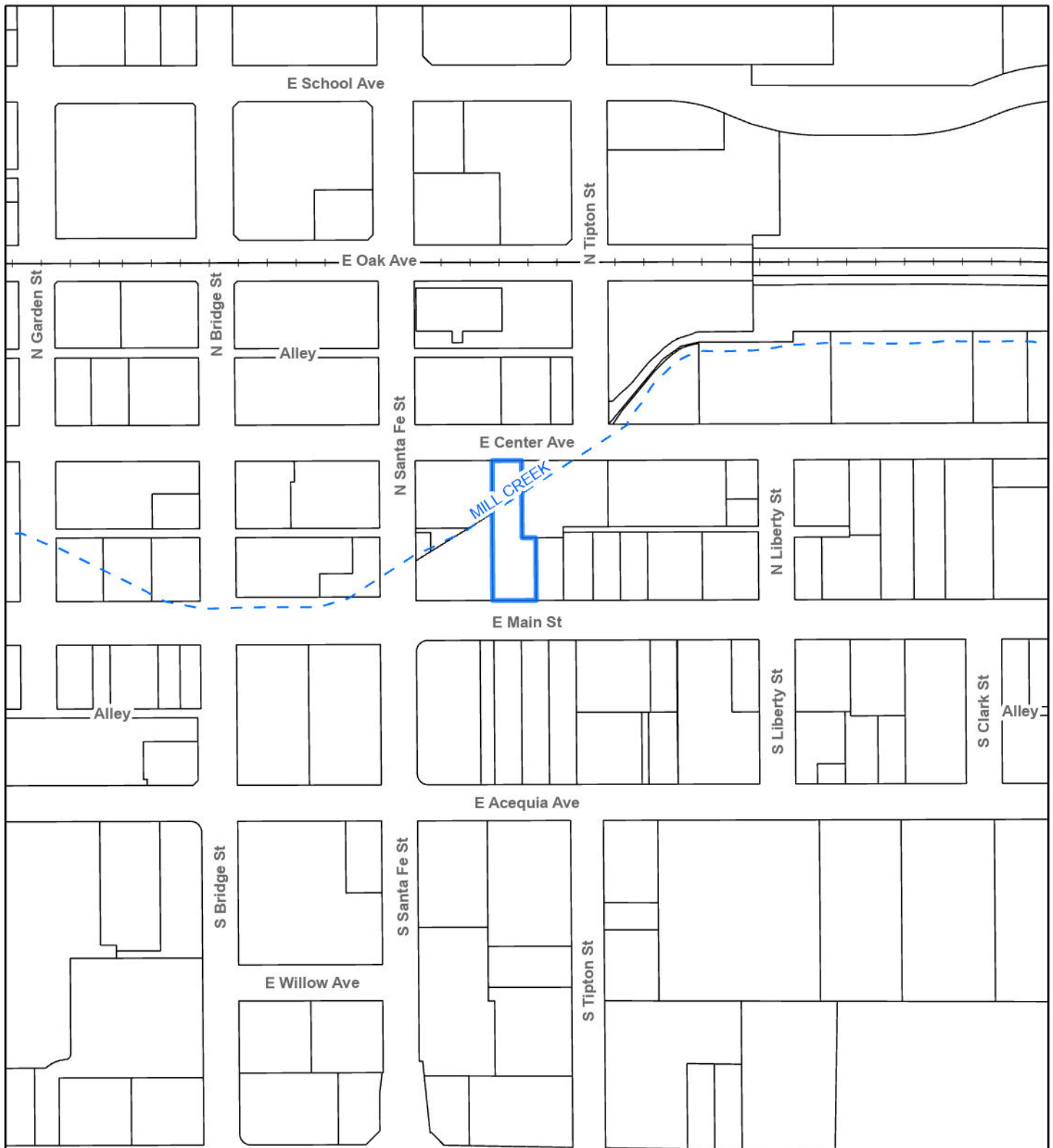




Aerial Map

0 0.01 0.03 0.05 Miles







REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 9, 2024

PROJECT PLANNER: Brandon Smith, Principal Planner
Phone: 559-713-4636
Email: brandon.smith@visalia.city
Devon Jones, Economic Development Manager
Phone: (559) 713-4190
E-mail: devon.jones@visalia.city

SUBJECT: Work Session Discussion - Initiation of Potential Zoning Text Amendments, Section 2: Provide staff direction toward initiating various text amendments within Visalia Municipal Code Title 17 (Zoning Ordinance) based on multiple factors including, but not limited to:

- Streamlining of land use review
- Changes in business and/or development trends and activity

STAFF RECOMMENDATION

Staff recommends that the Planning Commission receive this staff report, presentation, and provide input on initiating 'Section 2' of zoning text amendments.

RECOMMENDED MOTION

I move to authorize staff to initiate zoning text amendments as discussed in 'Section 2'.

Alternative: I move to direct staff to return at a future Planning Commission meeting with additional information as requested by the Planning Commission.

BACKGROUND INFORMATION

The text amendments discussed herein are being requested by City staff to update the Zoning Ordinance and to respond to current issues, particularly the streamlining of allowed uses in the Zoning Ordinance's Zone Use Matrix.

It has been staff's practice every few years to process City-initiated text amendments for reasons that generally include clean-up and adjustment. Earlier in 2024, the City analyzed and processed the first phase of a City-initiated zone text amendment, the first since the comprehensive Zoning Ordinance Amendment in 2017 when the City Council adopted the Zoning Ordinance Update in follow-up to the General Plan Update.

Summary of Section 1 Zoning Ordinance Updates

A Zone Text Amendment (ZTA) for the Section 1 Amendments was discussed at a Planning Commission work session on March 11, 2024, and formally recommended for approval by the City Council on May 28, 2024. The Council subsequently approved the Section 1 ZTA on June 15, 2024, and the ZTA has since taken effect. Section 1 consisted of mainly non-substantive or 'clean-up' amendments that have been identified over time to 'correct' existing language.

Section 2 was also introduced at the Planning Commission work session held on March 28, 2024, described as more complex amendments that staff believes warrants further Planning Commission review and consideration. The changes would better reflect actual development or industry activity, changes in development and business trends, changes in state law, or streamline the zoning text.

iv. 'Reversion to Residential Use'

This change would allow, as a permitted use, a residential dwelling unit without any commercial activity to be established in a structure that was originally constructed as a residence. This would largely be applicable to historic homes that have converted to office uses but wish to revert back to a residence. Currently, zoning allows new or expansion of residences in any non-commercial zone as a conditionally allowed use. In 2023, one CUP was processed for such use. This revision would also help in addressing State mandates on requiring local jurisdictions to streamline residential housing developments.

Suggested Zoning Districts: Permitted in all zones.

	USE	Commercial and Mixed Use Zones					Office Zones			Industrial	
		C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	Dwelling unit establishing within a structure which was originally constructed as a residence	P	P	P	P	P	P	P	P	P	P

B. Re-evaluation of land uses already listed in the Zoning Use Table. Staff recommends that for each use in Section B, *certain zones become more permissive for that use, meaning that a zone which conditionally allows a use will allow the use by right, or that zone which does not allow a use will allow a use with a conditional use permit.* Most recommendations are based upon conditional use permits processed for a use that have contained no substantive conditions of approval beyond compliance with Site Plan Review comments and conformance to a site plan and operation statement.

Staff suggested changes are shown in yellow highlight.

i. 'Automated car washes'

Staff's primary concern regarding car washes and the resulting conditions have been related to noise in order to address potential impacts when located near residences. Conditions have therefore routinely been added to address noise concerns.

Staff believes that with the creation of performance standards to address car washes in all zones, certain zones which frequently see the establishment of car washes can become more permissive and allow the uses by right.

The Planning Division processed three CUPs for car washes in C-MU zones and one CUP in the C-N zone between 2019 and 2023. Generally, no unique conditions have been applied to these uses.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
A16	Car Washing - automated Special Use Standards: See Section 17.32.xxx	C	C P	P	C P	C				C	

ii. ‘Stand-alone Barbers’ and ‘Tattooist’

The Planning Division processed five CUPs for Stand-alone Barbers in Office zones and four CUPs for Tattooists in the C-MU zone between 2019 and 2023.

Staff has determined that no unique conditions have been applied to these uses when a CUP has been processed. The CUP conditions of approval for the processed CUPs generally reflect enforcement of existing Zoning Ordinance standards (i.e. provide parking, landscape plans required, sign permit required) and compliance with site plans and floor plans. Given there is no apparent necessary reason to require a conditional use permit for these uses in these zones, staff recommends permitting these uses in those zones by right.

Note: Staff further recommends renaming this category and adding definition to this use – see Section E.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	BARBERS, HAIRSTYLISTS, TANNING CENTERS, COSMETICIANS, & DAY SPAS										
B3	Stand Alone	P	P	P	P	P	CP	CP			
B5	Tattooist	P	P	P	CP	P	P	P			

iii. ‘Fast food restaurants in Industrial zones’, meeting criteria in Section 17.32.161.

Given that VMC Section 17.32.161 details conditions necessary for this use type in industrial zones, a CUP doesn’t seem necessary.

The Planning Division processed one CUP between 2019 and 2023.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
D10	Drive-Thru Lanes in Industrial Zone									CP	CP
E7	Quick Service/Fast Food Restaurants (Industrial Zone)									CP	CP

iv. ‘Galleries’

No CUPs were processed between 2019 and 2023, and no galleries have sought approval in any zone during this time. In addition, permitting galleries in the downtown area is supported by Land Use Policy LU-P-17 which encourages the community to establish additional initiatives to support artist in the local community.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
G1	GALLERIES– ART/ PHOTOGRAPHY/ CRAFTS	P	P	P	P	CP					

v. 'Hotel and Motels'

There were 3 CUPs processed between 2019 and 2023.

Staff has determined that no unique conditions have been applied to these uses when a CUP has been processed. The CUP conditions of approval for the 3 processed CUPs generally reflect enforcement of existing Zoning Ordinance standards (i.e. provide parking, landscape plans required, sign permit required) and compliance with site plans and elevations. Given there is no apparent necessary reason to require a conditional use permit for these uses in these zones, staff recommends permitting these uses in those zones by right.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
H2	HOTELS AND MOTELS		CP		CP	C	P		C		

vi. 'Kennels' and Veterinary Services: 'Animal Care Clinic' and 'Hospitals/Clinic'

Definitions are recommended to provide more clarity and nature of these types of uses: commercial vs. hobby use, daytime boarding facilities such as “doggie day cares”, medical vs. non-medical. Staff would research and share draft language with the Planning Commission as part of the zone text amendment, or when staff returns with additional information if directed by the Commission.

The allowed locations of kennels appear to be limited given that they are only permitted in two zones and have a distance requirement from existing residential zones. Therefore, staff suggests expanding the zone districts for these types of uses to include Industrial zones and, for kennels, the Commercial Mixed Use zone.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
K1	KENNELS (LOCATED 500 FEET OR MORE FROM A RESIDENTIAL ZONE)			CP	C					CP	P
VETERINARY SERVICES											
V1	Animal Care Clinic (no boarding)	P	C	P	P		C			P	P
V2	Hospitals/Clinics (located 500 ft. from a residential zone including short term boarding of animals)	C		C	C					P	P

vii. 'Commercial Bakery'

Staff suggests that a definition be created that expand to allow for commercial kitchens that do not have a retail storefront. Also, given there is no apparent reason to require a conditional use permit in Service Commercial zone, staff recommends permitting this use in Service Commercial by right. Staff would also recommend conditionally permitting this use in Commercial Mixed-Use zone.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
M16	Commercial Bakeries			CP	C					P	P

viii. 'Clothing imprinting'

Staff considers this type of use to have little to no impact on adjacent uses. Such uses have previously operated or currently operate in the D-MU or C-MU zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
M38	– clothing assembly/imprinting			P	P	P				P	P

ix. 'Museums'

No CUPs were processed between 2019 and 2023, and no museums have sought approval in any zone during this time.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
M65	MUSEUMS (SPECIAL INTEREST/HISTORICAL-PUBLIC/ PRIVATE)		CP			CP	CP				

x. 'Photocopy services'

Given the nature of the type of service and that the use is already permitted in commercial and light industrial settings, staff suggests that photocopy services also be allowed by-right in the Service Commercial zone.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
P4	With Printing Press		P	P	C	C	C		P	P	
P5	Without Printing Press	P	P	P	P	P	P	P	P	P	

xi. 'Fire stations'

Given that fire stations are already permitted in commercial, office, and industrial settings, staff suggests that this use also be allowed 'by-right' in the Service Commercial, Commercial Mixed Use, and Downtown Mixed Use zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
P15	Fire Stations	C	P	CP	CP	CP	P		C	P	P

xii. 'Post Offices'

No post offices have sought approval in any zone during this time. Currently the city has three post offices: one in each of the C-MU, D-MU, and O-PA zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
PUBLIC COMMUNITY SERVICES											
P17	Post Offices				P	C	P				

xiii. 'Convenience Store – 7,000 sq. ft. or less'

Staff believes that convenience stores can be considered synonymous to general retail or food stores that sell merchandise to the general public. The creation of a definition can create parameters on regulated projects such as alcohol and tobacco to ensure that a convenience store maintains a wide variety of products.

Currently the Zoning Ordinance provides no definition or description of convenience store, not describing its difference from general retail, grocery, specialty food, etc., and whether the description includes those that are part of a service station. Additionally, the line item does not describe how convenience store greater than 7,000 square foot in size shall be treated.

Planning Division processed four CUPs for Convenience Stores between 2019 and 2023: One in each of the C-N, C-S, C-MU, and D-MU zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	RETAIL										
	Food Stores										
R60	- convenience store - 7000 sq. ft. or less	CP	CP	C	CP	CP			C	C	C

xiv. ‘Tutoring Centers’

Staff does not see a reason for tutoring centers to be considered as a conditionally allowed use, as they generally tend to operate similar to professional offices or counseling offices. Therefore, staff recommends to allow the uses by-right in all locations where they are currently allowed.

Planning Division processed one CUP for Tutoring in the C-N zone (between 2019 and 2023).

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	SCHOOLS, PUBLIC AND PRIVATE (see also Quasi-Public and Residential Zones)										
S8	Tutoring Centers	CP	C		CP	CP	CP				

xv. ‘Check-Cashing Service’ and ‘Bail Bonds’

Staff recognizes that these types of businesses would not likely require any unique conditions in order to ensure land use compatibility between other existing uses. These uses generally locate within an established commercial center or within a professional center and would have little to no impact on adjacent uses. Therefore, staff recommends to allow the uses by-right in all locations where they are currently conditionally allowed.

One CUP is currently being processed for bail bonds in the C-MU zone.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	SERVICE, COMMERCIAL										
S11	Check-Cashing Service	CP	CP		CP	CP					
S16	Bail Bonds				CP	CP	CP				

C. Expansion of existing land uses already listed in the Zoning Use Table. The following items pertain to land use categories that apply to multiple types of land uses under an overarching category. *Staff recommends that for each category in Section C, definitions for uses be established or amended as to better encompass the nature of the activities which are the basis for the land use.* In some cases, one or more new land use items may be established for a new or emerging type of land use within the category (e.g. creating a new line item for

‘escape room’ rather than relying on ‘other recreational facilities’). In many instances, a definition or new use description may provide a more in-depth explanation than relying solely upon listing of examples/types of uses included within the same line item or depending on old industry terminology.

Staff suggested changes are shown in yellow highlight.

i. Car Sales:

Differentiate car sales between businesses with vehicle display lots and businesses essentially without vehicle display lots. This is due to a new business model of car sales for new brands that primarily sell cars online, or direct to consumer.

Staff’s recommendation: Split ‘Car Sales – New & Used’ into 2 line items, ‘Car Sales – New & Used, More than 2 vehicles on display’ and ‘Car Sales – New & Used, 2 or less vehicles on display’

	<i>USE</i>	<i>C-N</i>	<i>C-R</i>	<i>C-S</i>	<i>C-MU</i>	<i>D-MU</i>	<i>O-PA</i>	<i>O-C</i>	<i>BRP</i>	<i>I-L</i>	<i>I</i>
A17	Car Sales – New & Used, More than 2 vehicles on display			P		C					
	Car Sales – New & Used, 2 or less vehicles on display		P	P	P	P	P				

ii. Clinics, Medical Offices:

‘Clinics (medical group, urgent care/walk-ins, dental, rehabilitation, outpatient surgery center)’ and Medical Offices - Currently the Zoning Use Matrix relies on listing types of facilities to define a Clinic rather than providing a broad breadth definition. A definition would assist in setting apart clinics from other types of facilities, such as Medical Offices. A definition would clarify appointment vs. walk-in, inpatient vs. outpatient services, drug dispensing, etc.

Planning Division processed eight CUPs for Clinics (one in C-R zone, three in CMU zone, three in O-PA zone, and one in the I zone) and eight CUPs for Medical Office (seven in the C-R zone and one in the C-N zone) between 2019 and 2023. There is some ambiguity between these two types of medical facilities and staff is seeking a change to better differentiate the two.

Additionally, staff is unclear as to why Clinic uses in Regional Commercial, Commercial Mixed Use or Office Professional zones, and Medical Offices in Regional Commercial and Neighborhood Commercial zones should require a conditional use permit, particularly if better definitions and differentiation between the two use types are established.

Business Research Park zone – Given development in the BRP has been slow to take off, with most of the new projects being either food services/retail or hotel, with little on the horizon for additional office space or research park, it may be appropriate to consider additional office use types. Such uses could include Clinics and Medical Offices.

Staff’s recommendation: Consider a new ‘Clinic’ definition such as, “a medical facility that operates as an urgent care or walk-in clinic or is a multi-disciplinary medical group practice, that is limited to outpatient surgeries only and does not provide overnight stays”. Doing so should differentiate from similar medical office use types that generate

less daily trips/parking/traffic demands and better quality what would be considered a clinic versus a medical office. A new line-item description would also be recommended.

Additionally, revise Clinic to be allowed 'by-right' in the Regional Commercial, Commercial Mixed Use, Office Professional, and Business Research Park zones and that the Medical Office use be allowed 'by-right' in the Neighborhood Commercial, Regional Commercial, and Business Research Park zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
MEDICAL FACILITIES/SERVICES (for medical/dental offices see OFFICES)											
M56	Clinics (medical group, urgent care/walk-ins, dental, rehabilitation, Outpatient Surgery Center)	C	CP		CP	C	CP		P	C	C
OFFICES											
O6	Medical (i.e., Physical therapists, physicians/ surgeons, dentists/ orthodontists, optometrists, chiropractors, etc.)	CP	CP		P	P	P	P	P		

iii. Medical Offices, and Counseling/ Psychologists:

'Counseling/psychologist – individual and group' - Staff has observed new land uses that provide services to clients in a manner similar to, but larger in scope than traditional counseling offices. In these cases, counseling may include providing wrap around social services, recovery sessions for substance abuse, and other programs not involving drug dispensing or psychologist counseling. It may be appropriate to edit the existing 'Counseling/psychologist – groups' (O8) line item to reflect this new land use and add a new definition to Chapter 17.04.

Conversely, counseling offices as envisioned in the existing Zoning Use Matrix language do not appear to present a different land use or business activity than what may be typical in other Medical Office use types as currently described in the Use Matrix. Because of this, it may be appropriate to simply add the term "counseling" to the line item for Medical Offices (O6) and delete line item O7, if a new or revised line item was provided for O8.

Staff's recommendation: Add the term, "counseling" to O6, delete line item O7, and rename line item O8 to, "Group Counseling w/wraparound services".

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
OFFICES											
O6	Medical (i.e., Physical therapists, physicians/ surgeons, dentists/ orthodontists, optometrists, chiropractors, counseling , etc.)	CP	CP		P	P	P	P	P		

O7	Counseling/ psychologist- individuals	C	C	-	P	P	P	P	-	-	-
O8	Counseling/ psychologist- groups Group Counseling w/wraparound services	C	C		P	C	P	C			

iv. Business, Trade, Vocational, Charter or other Specialized Schools’.

Staff has seen various types of uses that have an ancillary use of a training space that may not fall within the scope of a school or training facility. An example is a facility that provides workforce skills training looking to be employed by local employers, or already employed by local employers, but does not provide a degree or certificate. Planning Division processed three CUPs for Specialized Schools (one in the C-S and two in the I zone).

Staff’s recommendation: Split this line item into two categories:

‘Vocational, Charter or other Specialized Schools – Business or Office related Trades’ - Conditionally permitted in C-R, C-S, C-MU, D-MU, but permitted by right in O-PA, O-C, and BRP zones.

‘Vocational, Charter or other Specialized Schools – Construction, Maintenance, or Industrial related Trades’ - Conditionally permitted in C-R, C-MU, D-MU, O-PA, but permitted by right in C-S, I-L, I, and BRP zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
	SCHOOLS, PUBLIC AND PRIVATE (see also Quasi-Public and Residential Zones)										
S6	Vocational, Charter or other Specialized Schools – Business or Office related trades		C	C	C	C	C P	P	C P		
	Vocational, Charter or other Specialized Schools - Construction, Maintenance, or Industrial related Trades		C	C P	C	C	C		C P	C P	C P

v. Other Recreational Uses

Given changes in retail sector due to consumer shifts towards online purchases, entertainment uses are becoming more important for foot traffic generation and reuse of retail facilities. At the same time, there may be a need to add additional recreational facility line items given an overall dependence on the ‘Other Recreational Uses’ line item (R18).

Planning Division processed five CUPs for Other Recreational Uses between 2019 and 2023: two in the C-R zone, two in the C-MU zone, and one in the D-MU zone.

Staff’s recommendation:

- Add a line item for “Escape Rooms” to be permitted “by right” in Regional Commercial, Commercial Mixed Use, Downtown Mixed Use and Office Professional zones and conditionally permitted in Light Industrial zones

- Add a line item for “Indoor Playgrounds” to be permitted “by right” in Regional Commercial, Commercial Mixed Use, Neighborhood Commercial and conditionally permitted in Light Industrial zones
- Additionally, another line item for “Indoor Amusement Facility” could be added to be permitted “by right” in Regional Commercial zone and conditionally permitted in other retail commercial zones to provide flexibility for currently unknown “retail-tainment” concepts that could seek a location in major retail corridors such as Mooney Boulevard.
- Make existing recreation facility uses, such as athletic and health clubs, bowling alleys, etc. permitted “by right” in certain Commercial zones.
- An amendment would be necessary to VMC 17.32.120 for video arcades with 5 or more machines, and to address the prohibition of online gambling.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
RECREATION FACILITIES											
R3	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs)	C-P	C-P		C-P	C	C		C		
R7	Bowling Alleys		C-P		C-P	C					
R13	Ice & Roller Skating Rinks		C-P		C-P						
R14	Pool Halls/Billiard Parlors	C-P	C-P		C-P	C					
R16	Video Machines/Coin-Operated games – 5 or more machines	C-P	C-P		C-P	C-P					
	Escape Rooms		P		P	P	P			C	
	Indoor playgrounds and trampoline parks	P	P		P					C	
	Indoor Amusement Facilities		P		C	C					
R18	Other Recreational Facilities	C	C	C	C	C			C	C	

D. **Removal of existing land uses already listed in the Zoning Use Table.** Staff recommends that uses in Section D be removed generally because they may already resemble other uses that can be found elsewhere in the Zoning Use Table.

i. **‘Sit-Down Restaurant/Café’**

The ‘sit-down restaurant w/full bar using greater than 25% of public area’ category has not been used in staff’s recollection. It should be noted that restaurants which serve alcohol must obtain a separate alcohol license which is issued by the state and which contains a set of operating conditions that is enforced by the state, including conditions that ensure revenue sales are primarily from food sales.

Staff therefore recommends removing references in lines E9 and E10 pertaining to “full bar using less/greater than 25% of public area”, and allow for sit-down restaurants regardless of alcohol sales.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
E9	Sit-Down Restaurant/Café — with or without full bar using less than 25% of public area	P	P	P	P	P	P	P	P	P	
E10	Sit-Down Restaurant/Café — full bar using greater than 25% of public area	€	€	€	€	€	€	€	€		

ii. **Residential Alcohol/Substance Abuse Treatment Facility.**

This land use is now synonymous with the definition with either a ‘Residential Care Facility’ or ‘Supportive Housing’. These uses provide social care and different levels of personal care in an effort to assist with improving their health and maximizing their ability to live and work.

Staff recommends to remove this line item from the use matrix as ‘Supportive Housing’ already falls under a separate line item and requires a CUP in all zones.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
M62	Residential Alcohol/Substance Abuse Treatment Facility						€				

iii. **‘Secondhand Store/Thrift Shops’**

Staff believes that second hand/thrift stores can be considered synonymous to general retail that sell merchandise to the general public. Because they could be viewed no different than a general retail store, staff recommends eliminating the line items thereby allowing the use to be treated as general retail. The general retail line currently requires a CUP for any use in excess of 40,000 sq. ft.

No secondhand or thrift stores have sought approval in any zone in the last five years.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
R78	Secondhand Store/Thrift Shops — up to 2,000 square feet	P	P		P	P					
R79	Secondhand Store/Thrift Shops — greater than 2,000 square feet	P	P		P	€					

E. **Create definitions or amend existing definitions found in Chapter 17.04 and/or Zoning Use Matrix line items found in Chapter 17.25.**

Staff recommends this to provide clarity for uses already listed and create efficiencies in the entitlement process. In many instances, a definition or new use description may provide a more in-depth explanation than relying solely upon listing of examples/types of uses included within the same line item or depending on old industry terminology.

i. **Rename ‘Barbers, Hairstylists, Tanning Centers, Cosmeticians & Day Spas’ (B3) to ‘Personal Services’.**

Recent proposals reviewed by staff reveal a wider breadth of uses that could include other nonmedical services such as eyebrow threading, and skin art. Certain uses that may be quasi-medical in fact, may not be medical in the same manner as procedures deemed necessary for improving health. Examples include Botox, laser hair removal, microneedling, medical spas, and similar aesthetic treatments. Must differentiate other types of personal elective procedures are included for the purpose of self-care and not for medical treatment.

Staff recommendation: Add 'Personal Services' to Section 17.04 as, "*personal services include barber shops, hairstylists, tanning centers, beauty salons, day spas, and other cosmetic services such as eyebrow threading, skin art, Botox, laser hair removal, microneedling, excluding massage therapy and other types of personal elective procedures for medical treatment.*" Also, amend Zoning Use Matrix to reflect new section title.

ii. **Heavy Manufacturing and Light Manufacturing.**

There is some ambiguity between several existing line items regarding heavy or light manufacturing uses and some clarity would be beneficial to help industries locate in appropriate zones.

Staff recommendation:

- Revise 'Heavy Equipment/Machine Manufacture/Assembly (welding & fabrication, i.e., agricultural equipment, aircraft equipment parts & supplies, large appliances, auto/truck manufacturing, industrial machinery)' to become 'Heavy Equipment/Machine Manufacturing (i.e., agricultural equipment, aircraft equipment parts & supplies, large appliances, auto/truck manufacturing, industrial machinery)'. As 'assembly' suggests a different degree of manufacturing intensity and process and is referred to in other line items, staff recommends dropping this term from this particular use classification. Additionally, 'welding and fabrication' are manufacturing processes associated with other line items. Given this line item seems to suggest the most intensive manufacturing process, staff would recommend removing this term as well.
- Revise 'Light Manufacturing/Assembly (i.e., computer hardware & parts, electric supplies – coils, wire, cable, etc.)' to become 'Light Manufacturing/Assembly (i.e., computer hardware & parts, electric supplies, consumer goods, etc.)'. Often 'heavy manufacturing' and 'light manufacturing' differ based upon the end products to be manufactured. 'Heavy' often referring to heavy equipment, large machinery, or vehicles whereas 'light' refers to smaller products or consumer goods. Additionally, light manufacturing can also refer to a less intensive manufacturing process such as assembly of pre-manufactured parts.
- Add 'Hobby/Craft Manufacturing' to mean establishments manufacturing and/or assembling small products primarily by hand, including but not limited to jewelry, pottery and other ceramics, as well as small glass and metal art and craft products. Once defined, this use could be permitted in Service Commercial, Downtown Mixed Use, and Commercial Mixed Use zones.
- Add 'Prototype Manufacturing, Non-production scale, Makerspace' for non-production scale manufacturing to Chapter 17.04. Once defined, this use could be permitted by right in I and IL zones and conditionally permitted in the BRP zone.

	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I
M32	Heavy Equipment/ Machine Manufacturing/ Assembly (welding & fabrication, i.e., agricultural equipment, aircraft equipment parts & supplies, large appliances, auto/truck manufacturing, industrial machinery)										C
M34	Light Manufacturing/ Assembly (i.e., computer hardware & parts, electric supplies—coils, wire, cable, consumer goods, etc.)								C	P	P
	Hobby/Craft Manufacturing			P	P	P					
	Prototype Manufacturing, Non- production scale, Makerspace								C	P	P

Items 2 through 9: Updates to Zoning Ordinance, not related to the Zoning Use Table

2. Reduce the rear yard setback requirement of 25 feet in Chapter 17.16: Multi-family Residential Zones

Staff's recommendation: Revise the rear yard setback standards (Section 17.16.090) to allow for reduced rear yard setbacks where there would be little or no effect on surrounding properties. Specifically, staff would suggest 10-foot rear yards that abut other multi-family residential zoned properties, and a 10-foot setback for properties not backing onto single-family residential that have a large site area resulting in an excessive amount of space utilized as rear setback area.

The reduction would provide greater flexibility for site design on a property without obligation toward providing a full 25-foot setback, which may be seen as a large amount of unused or inefficient use of space. The reduction can be justified because multi-family residential zone standards already require an open, common, usable space for use by the tenants that is often not placed in the rear yard setback area. In addition, most Zoning Ordinance standards require only a 5 to 15-foot setback from a side or rear property line when adjacent to other residential uses.

3. Expand the Zoning Ordinance's "lighting" development standards in Section 17.30.015: Development standards

Staff's recommendation: Add stronger language into Subsection H of Section 17.30.015 that includes a numerical standard on the minimum permissible amount of footcandles at a property line adjoining a residential or other sensitive land use. The City routinely establishes a 0.5 lumen standard at property line, which is not the industry standard on how light is measured. Furthermore, the standard is only written into the Site Plan Review comments,

which does not pull from an established policy or standard. Additional language is also necessary to provide explicit expectations on outdoor lighting between non-residential and residential land uses, including amount of lighting, intensity, and light pole height.

4. Reevaluate drive-thru performance standards in Section 17.32.162

Staff's recommendation:

- A. Prohibiting drive-thru lanes within 250 feet of a residential zone, except when separated by an arterial roadway. At present, the performance standards require an applicant to undergo the CUP process if a drive-thru use is proposed within 250 feet of a residence or residentially zoned property. However, such a use could still be conceivably approved by the Planning Commission. Note that in such instances, the Planning Commission can and does apply additional conditions to address specific impacts such as including screening walls or limited hours of operation. However, an outright prohibition for the establishment of drive-thru facilities within a certain distance from residential areas could limit the proliferation of drive-thru lanes and further reduce impacts to residential areas. There could also be an exception to this requirement when separated by an arterial roadway.
- B. Removing or revising the standard addressing menu board orientation. A Conditional Use Permit is only required when a drive-thru lane cannot meet one or more of the six performance standards. Staff's experience, since implementing all of the drive-thru performance standards, is that the menu board orientation standard has had little to no influence on the overall design of a building and its drive-thru lane(s). The standard was included merely as a preference in order to help improve the aesthetics of a drive-thru lane from its street view. If a use were able to meet all other performance standards with the exception of this one, staff would prefer not to process a Conditional Use Permit for the sole purpose of not meeting the menu board orientation standard.
- C. Revisiting the standard addressing vehicle stacking to establish the requirements of a queuing analysis/study. In instances where potential uses have been shown to have excessive drive-thru queues, the City could require applicants to submit additional documentation verifying that a proposed drive-thru use will not create increased impacts to the project site and surrounding areas. Studies, such as a vehicle queuing analysis and traffic action plans, which provide information on usage rates, average wait times, and "line busting" tactics demonstrating how vehicle stacking impacts will be resolved immediately to limit circulation impacts and prohibit vehicle spillover into the public right-of-way, can be required as part of the site plan review or CUP process. The information provided can be employed by staff to address specific impacts identified in the documentation, thereby heading off any potential negative effects. Submittal of documentation also provides staff with additional tools to hold applicants accountable.

5. Update parking standards in Chapter 17.34: Off-Street Parking and Loading Facilities

Staff's recommendation:

- A. Update parking standards based upon new state laws: Multi-family residential requirements = 1 stall for affordable studio / 1-bed units and properties along a high transit corridor being exempted from parking requirements. State law, including Assembly Bill 2097 which took effect in 2022, has superseded local zoning laws for parking requirements applicable to multi-family residential with affordability requirements and to uses located along a high transit corridor as defined by the state.

Staff would recommend that the city's Zoning Ordinance be updated to reflect the state standards. In addition, a brief statement should be added to the Zoning Ordinance Parking Standards Chapter acknowledging that from time to time state laws may be adopted that usurp local standards, and such laws remain applicable even if not reflected in the City ordinances. It should be noted that the City's parking requirements still remain applicable for properties outside of a high transit corridor or for market-rate multi-family units.

- B. Re-evaluate parking standards for Dance, martial arts, gyms, and yoga studios. Presently the Zoning Ordinance does not specify a parking requirement for this type of use, which has been a more frequent land use over the years. This has caused staff to seek a similar land use to base parking standards from. In lieu, staff recommend that a parking standard specific to this use be researched and added to the Zoning Ordinance.

6. Amend Chapter 17.36: Fences, Walls, and Hedges

Staff's recommendation:

- A. Clarify wording regarding use of barbed wire. Existing Zoning Ordinance text is ambiguous on where barbed wire and electric charged fences are allowed and not allowed. The code simply states that such fences "are prohibited in any R-1-or R-M zone". Staff has relied on the restrictive nature of the Zoning Ordinance wherein it must state that uses and features are permitted, otherwise they are not allowed. Applicants seeking to place these types of fences, generally on service commercial and industrial zoned properties, currently must seek approval of a Variance. Staff would favor allowing barbed wire and electric charged fences in appropriately zoned locations and would support a text amendment to clarify this.
- B. Fencing materials allowed needs to be defined. Existing text does not include any listing of materials that fences may or may not be constructed of, notwithstanding barbed wire and electric charged fences. Staff desires for a text amendment to list acceptable or prohibited materials in order to maintain an aesthetic quality in neighborhoods and development. For example, wood panel, wrought iron, and chain link fence would all be permissible types of fencing, while the use of corrugated panels or plywood sheets would not be permissible.

7. Reevaluate Temporary Conditional Use Permits (TCUPs) processes and standards in Section 17.38.070.

Staff's recommendation: Existing Zoning Ordinance text pertaining to CUPs for temporary uses has not been updated in decades and does not address current practices and applicability for the issuance of TCUPs. Currently, a majority of TCUPs are issued for the allowance of food trucks and are otherwise issued for outdoor sales and events. Staff desires to update the code to accurately reflect the maximum time period for TCUPs, minimum vacancy periods between TCUP permits, and to give a list of uses subject to a TCUP.

8. Add clarifying language pertaining to the scope of a 'minor variance' allowed under the Master Sign Program in Section 17.48.140.

Staff's recommendation: Existing Zoning Ordinance text pertaining to master sign programs, which are issued through CUPs, allows for "minor variations in dimensional standards and other limitations of [the Sign Ordinance]. However, minor variations are not strictly defined and therefore can be widely interpreted, as was the case for a recent Master Sign Program that included excessive wall signage for a warehouse retail store. Staff

therefore desires to provide additional language that sets a limit to the amount of variation allowed through a master sign program.

9. Changes to the Zone Use Table in 17.25

The following changes are larger in their scope and therefore may require a greater amount of rewriting and review. These changes could be deferred until a future separate ZTA that would include additional complex changes to the Zoning Ordinance. Alternately, the Planning Commission could direct staff to move forward with bringing these changes to a future work session or incorporate into the scope of the current Section 2.

Staff's recommendation:

- A. Re-evaluate Industrial zone allowed uses, based upon the General Plan / Zoning Ordinance Update re-designating large areas from Light Industrial to Industrial. There are many uses allowed in Service Commercial zone that may be appropriate in Light Industrial or Industrial zones. Example: allow 'Air Conditioning Shops' (S9) in I zone as a type of contractor yard. This could also include other line items such as RV/boat storage, Glass Stores, Taxi/Limousine Service, Public Utility Service Yards, Sheet Metal Shops, local bus charter, school bus yards, and Ambulance Services.
- B. Consider adding new permitted and/or conditional uses such as medical offices to the Business Research Park Zone (BRP). As mentioned above in section 1.C., given development in the BRP has been slow to take off, with most of the new projects being either food services/retail or hotel, with little on the horizon for additional office space or research park, it may be appropriate to consider additional office use types. Such uses could include medical and light assembly or uses complementary to industrial uses. Some specific suggestions have been made in section 1. C. and 1. E. listed above.

BACKGROUND INFORMATION

Environmental Review:

The requested action would be considered exempt under Section 15061(b)(3), Per Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061(b)(3) states that the project is exempted from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.