

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

**TUESDAY, MAY 29, 2018; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA**

1. THE PLEDGE OF ALLEGIANCE –
2. 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. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - a. Time Extension for Maddox at Caldwell VII Tentative Subdivision Map No. 5531 and Conditional Use Permit No. 2007-09.
  - b. Time Extension for Conditional Use Permit No. 2016-07.
  - c. Request for a General Plan Finding of Consistency Pursuant to Public Resource Code §21151.2 and Government Code §65402 for the Disposition of Real Property Owned by College of the Sequoias located on the southeast corner of S. Mooney Blvd. and W. Myrtle Ave. (APN: 096-035-010).
  - d. Request for General Plan Consistency Finding Pursuant to Public Resource Code §21151.2 and Government Code §65402 for Visalia Unified School District's Acquisition of 649 S. County Center Dr. located on the northwest corner of S. County Center Dr. and W. Campus Ave. (APN: 095-010-063).
5. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2018-06: A request by Champions Center, Crystal Hernandez to allow individual and group counseling in the OC (Office Conversion) zone. The site is located at 910 W. Center Street. (APN: 093-224-004) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-19.
6. PUBLIC HEARING – Andy Chamberlain  
Variance No. 2018-05: A request by Brandon Gee to allow a variance to fence setback standards in the OC (Office Conversion) zone. The site is located at 201 E. Noble Avenue (APN: 097-052-009). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-18.

7. PUBLIC HEARING – Paul Scheibel

Rose Estate Tentative Subdivision Map No. 5567: A request to subdivide 2.98 acres into six numbered lots and two lettered lots. Located within the R-1-5 (Single-family Residential, minimum 5,000 square foot lot size) Zone. The project site is located on the northwest corner of Roeben Street and Walnut Avenue (APN: 087-442-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-31.

8. PUBLIC HEARING – Andy Chamberlain

a. Conditional Use Permit No. 2018-05: A request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is zoned C-MU (Commercial Mixed Use). The site is located at 537 E. Houston Avenue. (APN: 094-130-005) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-17.

b. Variance No. 2018-04: A request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower which is less than the required 1 to 5 (vertical height to horizontal separation) from a property line. The site is zoned C-MU (Commercial Mixed Use). The site is located at 537 E. Houston Avenue. (APN: 094-130-005) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-17.

9. PUBLIC HEARING – Brandon Smith

Candelas Tentative Subdivision Map No. 5566: A request by Lennar Homes of California, Inc. to subdivide five parcels totaling 33.71-acres into 149-lots for single-family residential use, five lettered lots for landscaping and lighting district purposes, and two remainder lots. This subdivision map will also modify the property lines of two existing parcels with existing residential uses that total 1.11 acres and will become the remainder parcels. The project site has a zoning designation of R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size). The site is located on the northwest corner of McAuliff Street and Tulare Avenue within the City of Visalia, situated in Tulare County. (APN: 101-300-014, 017, 018; 101-310-010, 011) An Initial Study was prepared for the tentative subdivision map. Initial Study No. 2018-09 disclosed that environmental impacts are determined to be not significant. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Staff concludes that the Environmental Impact Report adequately analyzed and addressed the proposed project.

10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- a. Reappointment of Commissioners.
- b. ARCO Appeal Update.

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 FRIDAY, JUNE 8, 2018 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JUNE 11, 2018**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 29, 2018

**PROJECT PLANNER:** Andrew Chamberlain  
Principal Planner (559) 713-4003  
[andrew.chambelain@visalia.city](mailto:andrew.chambelain@visalia.city)

**SUBJECT: Conditional Use Permit No. 2018-05:** A request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is zoned C-MU (Commercial Mixed Use).

**Variance No. 2018-04:** A request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower which is less than the required 1 to 5 (vertical height to horizontal separation) from a property line, and exceeds the maximum 75-foot height limit. The site is zoned C-MU (Commercial Mixed Use).

The site is located at 537 E. Houston Avenue. (APN: 094-130-005)

## STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2018-10 for Conditional Use Permit No. 2018-05 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance, and as conditioned by staff to have the telecommunication tower be designed as a Monopine cell tower.

Staff recommends approval of Resolution No. 2018-11 for Variance No. 2018-04 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance, and as conditioned by staff to have the telecommunication tower be designed as a Monopine cell tower.

## RECOMMENDED MOTION

I move to adopt Resolution No. 2018-10 for Conditional Use Permit No. 2018-05.

I move to adopt Resolution No. 2018-11 for Variance No. 2018-04.

## PROJECT DESCRIPTION

The requested use permit and variance are to allow the placement of a 105-foot tall cell tower as shown in Exhibits "A" and "B".

Conditional Use Permit No. 2018-05 would allow the placement of a cell tower on an undeveloped parcel in the C-MU (Commercial Mixed Use) zone. Exhibit "B" identifies the monopole cell tower which the applicant contends is compatible with the surrounding area and neighborhood.



Variance No. 2018-04 is a request to have a cell tower within the required 1 to 5 vertical height to horizontal separation from a property line. This is the “Fall Zone” requirement for public safety and visual compatibility with the neighborhood. Exhibit “D” shows the property lines and adjacent properties which include several areas of residential development to the east. The closest residential units to the east are approximately 130-feet from the cell tower; however, there are no residential dwellings within a 100-foot radius of the proposed cell tower. The maximum height limit in the C-MU zone is 75 feet whereby the variance is also required to allow a 105-foot tall cell tower.

The applicant contends the new cell tower and monopole design at the new location is compatible with the surrounding neighborhood, and is not visually damaging to the neighborhood or surrounding area. The applicant’s findings in Exhibit “C” discuss the proposed cell tower design, and need for a variance to the setback and height standards. The applicant has also provided photo-simulations of a monopine tree design for the cell tower which is discussed in greater detail below.

**BACKGROUND INFORMATION**

General Plan Land Use Designation:	Commercial Mixed Use
Zoning:	C-MU (Commercial Mixed Use)
Surrounding Zoning and Land Use:	North: R-1-6 / Low Density Residential, Vacant site South: C-MU / Commercial Mixed Use East: R-M-2 / Multi-family Residential West: C-MU / Commercial Mixed Use
Environmental Document	Categorical Exemption No. 2018-17
Site Plan:	Site Plan Review No. 2017-189

**RELATED PROJECTS**

There are no related projects for this item. Other telecommunications / cellular towers that have been approved Citywide include:

- Conditional Use Permit No. 2017-07 and Variance No. 2017-05 was a request by Verizon Wireless to install a new 80-foot high mono-pine with a 75-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is located at 2639 East Noble Avenue. The telecommunication tower was approved by the Planning Commission on March 27, 2017.
- Conditional Use Permit No. 2017-05 and Variance No. 2017-03 a request by Verizon Wireless to install a new 70-foot high Mono-pine with a 65-foot high telecommunications tower which is less than the required 1 to 5 vertical height to horizontal separation from a property line. The cell tower is located in the Colonial Shopping Center next to the Planet Fitness building. The telecommunication tower was approved by the Planning Commission on March 13, 2017.
- Conditional Use Permit No. 2013-22, a request by AT&T to install a new 89-foot telecommunications tower with 12 antennas at the Riverway Sports Park near the former BMX track complex. The telecommunication tower was approved by the Planning Commission on July 08, 2013.

- Conditional Use Permit No. 2013-01, a request by Visalia Number One, L.P. to install a new 75-foot telecommunications tower with 12 antennas and an outdoor equipment shelter at the base of the tower, located in the Regional Retail Commercial (C-R) zone. The telecommunication tower was approved by the Planning Commission on January 14, 2013.
- Conditional Use Permit No. 2011-13, a request by AT&T Mobility to install a new 72-ft. “stealth” telecommunication tower to architecturally match the Key West Shopping Center. The telecommunication tower will have 12 antennas, outdoor equipment cabinets and a back-up generator located at the base of the tower. The site is zoned C-N (Neighborhood Commercial) and the telecommunication tower is proposed to be located behind the shopping center. The Planning Commission approved the stealth telecommunication tower on July 11, 2011.
- Conditional Use Permit No. 2010-09 and Variance No. 2010-04, a request by Verizon Wireless to install a new 80-ft. telecommunications tower located on the north side of East Caldwell between South Stover Street and South Pinkham Street. The CUP and Variance were denied by the City Council on October 18, 2010.
- Conditional Use Permit No. 2010-10 and Variance No. 2010-05, a request by Verizon Wireless to install a new 75-ft. stealth mono-pole telecommunication tower was approved by the Planning Commission on July 25, 2010.
- A 70-foot slim-line cell tower was approved by the Planning Commission in 2002 for a vacant lot located near the southwest corner of Caldwell and Fairway.
- A 65-foot stealth cell tower camouflaged as a bell tower was approved by the Planning Commission at the Visalia First Church of the Nazarene located on the southwest corner of Caldwell Avenue and Dans Lane.
- A height extension to a non-conforming cell tower for a total tower of 88 feet was approved by the Planning Commission in 2001 for a site behind Howie & Sons Pizza located at 2430 S. Mooney Boulevard.
- A cell tower was erected at an unknown date on County jurisdiction north of Mooney Grove Park. The exact location is approximately ¼ mile east of S. Mooney Boulevard just north of Avenue 272.

## PROJECT EVALUATION

Staff support of the requested cell tower is based upon requiring the cell tower be designed as a Monopole as shown in the Photo-simulation in Exhibit “F”. The Zoning Ordinance regulations for wireless telecommunications facilities in Section 17.32.163.F requires the concealment of telecommunications facilities as described in the excerpt below:

### **Zoning Ordinance Section 17.32.163.F**

#### **F. Concealed Wireless Telecommunications Facilities Required.**

All new wireless telecommunication facilities are required to be concealed. A wireless telecommunication facility that is not concealed may be permitted so long as the following findings can be met:

1. The siting of the proposed wireless telecommunication facility will not adversely impact the use of the property, other buildings and structures on the property, or the surrounding area or neighborhood.

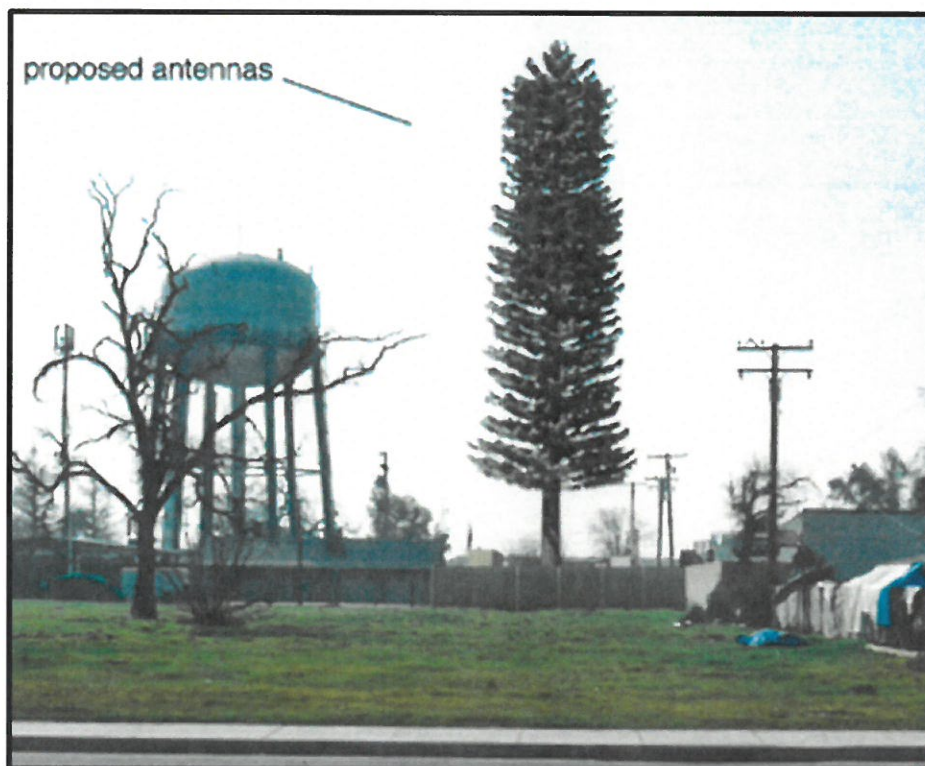


2. The siting of the proposed wireless telecommunication facility will result in the least intrusive visual impact to the area.
3. To the maximum extent reasonably feasible, the proposed wireless telecommunications facility has been designed to blend with the surrounding area and is appropriately designed for the specific site.

G. Concealed Wireless Telecommunication Facility Options.

1. The use of so-called "monopines, monopalms and other mono-trees" to conceal wireless telecommunication facilities shall be evaluated during the planned development permit process. The applicant shall demonstrate that these structures will blend in with the surrounding neighborhood in order to be considered. Photo simulations are required for a proposed mono-tree. The city planner may condition additional architectural features (monopine, monopalm, horizontal installation, application of color) to a wireless telecommunication facility to ensure compatibility with the surrounding physical environment. Due to environmental factors such as wind, rain and sun, the owner/applicant shall conduct an annual inspection on all mono-trees to ensure that the faux foliage continues to resemble a tree, and fully screens all antennas, antenna arrays, mounts, ancillary structures and/or support equipment. All mono-tree designs shall incorporate appropriate three-dimensional bark cladding, and shall provide for screening foliage to extend beyond all antennas by no less than twenty-four (24) inches. The design, number and placement of any branch-like structures affixed to the tower shall insure adequate camouflaging of the antennas, antenna arrays, mounts, ancillary structures and/or support equipment.

Staff finds that while there are no trees of significant height on the subject site, there are tall trees along Houston Avenue to the east of the project site. The existing tall trees in combination with the location of the cell tower 310-ft. from Houston Avenue and 275-feet from Roosevelt Avenue lends to the Monopine cell tower design blending into the neighborhood more than the proposed monopole design with the exposed antennas and antenna array as shown in the photo-simulation in Exhibit "G".



The use of a Monopine would result in a 105-foot high cell tower. The adjacent Calwater tower is approximately 95-feet tall. No significant changes to the site or equipment enclosure would be required for the use of the Monopine structure.

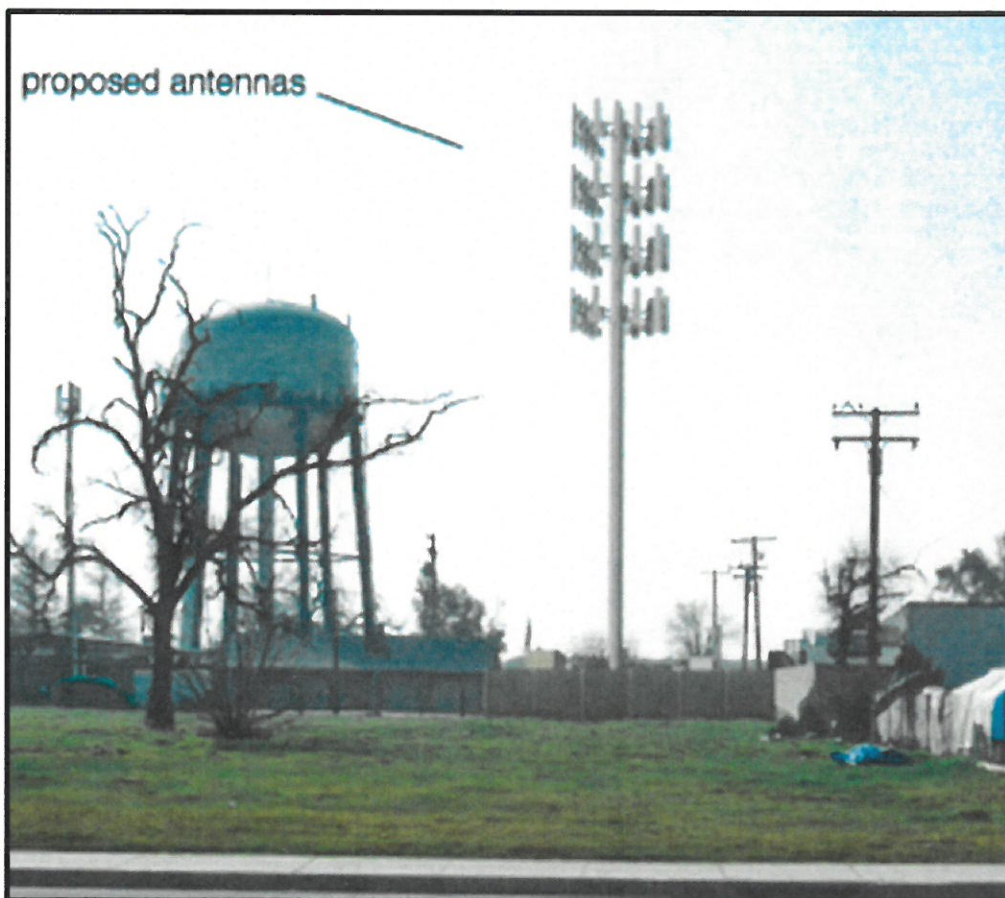
### **Land Use Compatibility**

Staff supports the establishment of a mono-pine cell tower at this location. These types of uses are considered compatible in commercial areas where potential impacts can be addressed through the CUP process. Locating cell towers in commercial areas may at times require a variance to setbacks due to the potential proximity of residential land uses near commercial sites. The location of the proposed tower addresses the City's goal of encouraging telecommunication facilities to locate in areas that allow the facilities to blend into the surrounding area.

Although new cell towers in "Commercial" areas are identified as least desirable per Zoning Ordinance Section 17.32.163-C (co-location as most desirable), the use of a mono-pine cell tower, as opposed to a standard cell pole tower, allows for the cell tower to blend into the area. The design aspects and height of the proposed monopine cell tower provide for co-location opportunities for future cellular carriers.

### **Applicant Request for Standard Cell Tower (Monopole)**

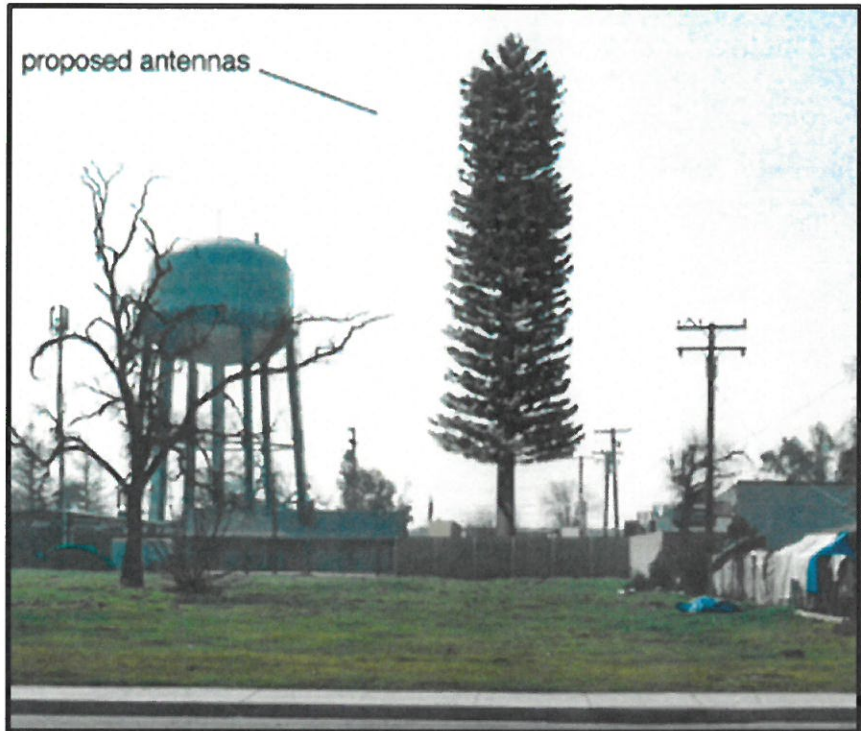
The applicant is requesting that the Planning Commission approve the cell tower as shown in Exhibits "B" and "G". The applicant feels that the Monopine is out of place in this location based upon the lack of tall trees in the immediate vicinity, wherein a standard cell tower would be less intrusive in this situation.





## Existing Telecommunications Facility (Calwater Tower)

Staff support for the new monopine cell tower facility is based upon information received from the California Water Service Company that the water tower will be removed at a future date. Staff was informed that the 95-foot high water tower will not meet the newly enacted earthquake standards and that the water tower may be removed by 2022. If the new cell tower with co-location space is approved, staff would not approve any building permits to install new communications facilities on the water tower. The water tower currently has three telecommunication carriers affixed to the water tower. The location of the water tower and



proposed cell tower is shown in Exhibit "E". If approved, the new cell tower would allow a replacement facility to be available to future telecommunication carriers once the water tower is removed.

Conditional Use Permit No. 2018-05 – Staff support of the requested use permit is based upon the use of a Monopine tower, which meets the intent of the zoning regulations for cell towers. Zoning Ordinance Section 17.32.163.C lists the most desirable cell tower locations as collocation on existing towers, with new cell towers in "Commercial" areas as the least desirable. The applicant has proposed to construct a facility which will allow for co-location.

Variance No. 2018-04 – Staff support of the variance to height and fall zone setbacks, subject to the use of a 105-foot tall Monopine cell tower, is based upon the project meeting the intent of the zoning regulations for cell towers. Zoning Ordinance Section 17.32.163.G.1, provides for the use of a Monopine structure to ensure the compatibility with the surrounding physical environment

The applicant's variance findings listed in Exhibit "C", discuss the need for the proposed cell tower height, which provides opportunities for co-location, and the need for a variance to setbacks since the tower would need to be approximately 500 feet from any property line to comply with the fall zone requirements. The applicant has also included the special location needs for cell facilities and coverage to provide the desired cell services. Staff concurs with applicant's findings as shown below and has included them in the findings for the variance.

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

*Applicant Finding: The practical nature of the installation of this co-locatable communication site necessitates the added height to accommodate multiple carriers.*

Staff Finding: The height limit of 75-feet would result in less effective coverage of the target coverage area. The mono-pine collocation design allows for additional areas to mount future antennas for other cell carrier providers, which will result in a larger coverage zone for the surrounding area. Additionally, a height limit of 75-feet would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. The 105-foot requested height allows for future collocation of up to four additional carriers.

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

Applicant Finding: *On an adjacent parcel an existing structure will be taken down that presently supports vital broadband/wireless communication coverage for the public in the area.*

Staff Finding: In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The size of the parcel makes it impractical for the cell tower to meet the 1 to 5 Fall Zone setback requirements.

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

Applicant Finding: *The establishment of a particular commercial use granted via a Conditional Use Permit where the general public will benefit from the services to be maintained via the commercial use.*

Staff Finding: Wireless facilities are conditionally permitted in commercial zones. A variance to the height requirements and. Limiting the tower to 75-feet would lead to the tower being less effective and would limit collocation opportunities. setback requirement is necessary to ensure that the facility is able to perform effectively

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

Applicant Finding: *The granting of the variance will be for a unique and needed use to provide service to the public, thus the consideration for the variance.*

Staff Finding: The proposed monopine cell tower structure will be utilized for co-location in the future by various cell phone providers rather the constructing new facilities in the nearby area as result of the removal of the water tower.

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

Applicant Finding: *The commercial use established via the granting of the variance of the co-locatable broadband/wireless communication site will adhere to all regulatory requirements set forth by the governing public agencies. The facility will also provide the mandated coverages by some of those same agencies that regulate it, per established broadband initiatives and first responder's interoperability mandates.*



Staff Finding: The wireless facility will be at the back of a commercial lot. Staff supports the cell tower design as a monopine. The antenna array will be close to the pole and the visual impact will be limited as the monopine cell tower will appear to be a pine tree. This tower has been designed to minimize the visual impact and to blend in with the surrounding area. The equipment area is enclosed thereby acting as a deterrent to anyone attempting to enter the equipment area.

### **Public Safety**

The closest residential structure is approximately 130-feet from the proposed cell tower. This is outside the potential fall zone for the cell tower, and does not appear to pose any public safety hazard. The adjacent property to the west has several service commercial buildings on it which are within the potential fall zone.

### **Equipment Enclosure**

The equipment enclosure would be fenced with a barbed wire top to prevent access to the equipment enclosure. Staff concurs with the applicant design for the equipment enclosure which is needed to prevent undesirable access to this equipment. The location at the rear of the parcel reduces the visual impact of the equipment closure and fencing.

### **Site Improvements**

Through the Site Plan Review process, staff determined that the required 15-foot landscape setback along Houston Avenue for this parcel may be deferred until additional development occurs on the parcel. The applicant would be installing an access drive as shown in Exhibit "A". Curb, gutter and sidewalk are already present along the street frontage.

### **Environmental Review**

This project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for a minor alteration in land use limitations such as a conditional use permit (Categorical Exemption No. 2018-17).

Projects determined to meet this classification consist of minor alterations in land use limitations such as approving conditional use permits and variances for projects which are consistent with the land use designation and zoning.

## **RECOMMENDED FINDINGS**

### **Conditional Use Permit No. 2018-05**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity as conditioned by staff to be done as a Monopine cell tower.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance as conditioned by staff to be done as a Monopine cell tower.
  - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.

- b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.32.163, for the placement of cell towers:

- The use of a Monopine tower provides compatibility with the surrounding neighborhoods and meets the concealment requirements of Zoning Ordinance Section 17.32.163.F.
  - That a Monopine cell tower will provide for collocation, and will be subject to all the requirements of Zoning Ordinance Section 17.32.163.
3. That the future potential for the water tower to the south of this site to be removed resulting in the loss of an existing telecommunications antenna location would result in not having two telecommunications facilities in close proximity in the future. This use permit for a cell tower would allow a replacement facility to be on line if the water tower is removed.
4. That the project is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2017-08).

**Variance No. 2018-04**

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

The practical nature of the installation of this co-locatable communication site necessitates the added height to accommodate multiple carriers.

The height limit of 75-feet would result in less effective coverage of the target coverage area. The mono-pine collocation design allows for additional areas to mount future antennas for other cell carrier providers, which will result in a larger coverage zone for the surrounding area. Additionally, a height limit of 75-feet would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. The 105-foot requested height allows for future collocation of up to four additional carriers.

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

*On an adjacent parcel an existing structure will be taken down that presently supports vital broadband/wireless communication coverage for the public in the area.*

In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The size of the parcel makes it impractical for the cell tower to meet the 1 to 5 Fall Zone setback requirements.

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

*The establishment of a particular commercial use granted via a Conditional Use Permit where the general public will benefit from the services to be maintained via the commercial use.*

Wireless facilities are conditionally permitted in commercial zones. A variance to the height requirements and setback requirement is necessary to ensure that the facility is able to perform effectively. Limiting the tower to 75-feet would lead to the tower being less effective and would limit collocation opportunities.

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

*The granting of the variance will be for a unique and needed use to provide service to the public, thus the consideration for the variance.*

The proposed monopine cell tower structure will be utilized for co-location in the future by various cell phone providers rather the constructing new facilities in the nearby area as result of the removal of the water tower.

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

*The commercial use established via the granting of the variance of the co-locatable broadband/wireless communication site will adhere to all regulatory requirements set forth by the governing public agencies. The facility will also provide the mandated coverages by some of those same agencies that regulate it, per established broadband initiatives and first responder's interoperability mandates.*

The wireless facility will be at the back of a commercial lot. Staff supports the cell tower design as a monopine. The antenna array will be close to the pole and the visual impact will be limited as the monopine cell tower will appear to be a pine tree. This tower has been designed to minimize the visual impact and to blend in with the surrounding area. The equipment area is enclosed thereby acting as a deterrent to anyone attempting to enter the equipment area.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2018-17).

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Conditional Use Permit No. 2018-05**

1. That the project be developed in substantial compliance Site Plan Review No. 2017-186.
2. That the cell tower be developed as a Monopine as depicted in the photo-simulation in Exhibit "F".
3. That the site be developed in substantial compliance with the Site Plan in Exhibit "A".
4. That the Monopine cell tower be developed and constructed to specifically allow co-location of other providers on the tower.
5. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
6. That Conditional Use Permit No. 2018-05 shall be null and void unless Variance No. 2018-04 is approved.



7. That all other City codes and ordinances shall be met, and that the applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

**Variance No. 2018-04**

1. That the proposed cell tower be developed as a Monopine as depicted in Exhibit "F", and consistent with the site plan in Exhibit "A".
2. That Variance No. 2018-04 shall be null and void unless Conditional Use Permit No. 2018-05 is approved.
3. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
4. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.

**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.visalia.city](http://www.visalia.city) or from the City Clerk.

**Attachments:**

- Related Plans and Policies
- Resolutions
- Exhibit "A" – Site Plan
- Exhibit "B" – Elevation
- Exhibit "C" – Variance Findings
- Exhibit "D" – Zoning and Property Lines
- Exhibit "E" – Water Tower and Proposed Cell Tower Aerial
- Exhibit "F" – Monopine Photo-simulation
- Exhibit "G" – Cell Tower Photo-simulation
- General Land Use Plan Map
- Zoning Map
- Aerial Map
- Location Map

## **Related Plans & Policies**

### Conditional Use Permits (Chapter 17.38 of Visalia Municipal Code)

#### 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

#### 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)

Zoning Ordinance Chapter 17.42

VARIANCES AND EXCEPTIONS

17.42.010 Variance purposes.

The city planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use provisions of this title. (Prior code § 7555)

17.42.020 Exception purposes.

A. The planning commission may grant exceptions to ordinance requirements where there is a justifiable cause or reason; provided, however, that it does not constitute a grant of special privilege inconsistent with the provisions and intentions of this title.

B. The planning commission may grant exceptions or modifications to site development standards and zoning in accordance with the provisions of Chapter 17.32, Article 2, density bonuses and other incentives for lower and very low income households and housing for senior citizens. (Prior code § 7556)

17.42.030 Variance powers of city planning commission.

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities, in accordance with the procedures prescribed in this chapter. (Prior code § 7557)

17.42.040 Exception powers of city planning commission.

The city planning commission may grant exceptions to the regulations prescribed in this title, with respect to the following, consistent with the provisions and intentions of this title:

A. Second dwelling units, pursuant to Sections 17.12.140 through 17.12.200;

B. Downtown building design criteria, pursuant to Section 17.58.090;

C. Fences, walls and hedges; and

D. Upon the recommendation of the historic preservation advisory board and/or the downtown design review board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities;

E. In accordance with Chapter 17.32, Article 2, density bonuses, may grant exceptions or modifications to site development standards and/or zoning codes. (Prior code § 7558)

17.42.050 Application procedures.

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

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

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7559)

17.42.060 Hearing and notice.

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

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing. (Prior code § 7560)

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7561)

17.42.080 Public hearing procedure.

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090. (Prior code § 7562)

17.42.090 Variance action of the city planning commission.

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

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;



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

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

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

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

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

D. The city planning commission may deny a variance application. (Prior code § 7563)

17.42.100 Exception action of the city planning commission.

A. The city planning commission may grant an exception to a regulation prescribed by this title with respect to fences and walls, and, upon recommendation of the historic preservation advisory board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas, provided that all of the following criteria is applicable:

1. That the granting of the fence exception will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

2. That the granting of the exception does not create an obstructed visibility that will interfere with traffic safety in the public right-of-way or to adjacent properties;

3. That the exception proposal becomes an integral part of the existing site development (e.g., design, material, contour, height, distance, color, texture).

B. The city planning commission may grant exceptions or modifications to zoning code requirements in accordance with the provisions of Chapter 17.32, Article 2, density bonuses. The granting of the exception shall become effective upon

the granting of the density bonus by the city council. (Prior code § 7564)

17.42.110 Appeal to city council.

A. Within five (5) working days following the date of a decision of the city planning commission on a variance or exception application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall specify errors or abuses of discretion by the commission, or decisions not supported by the evidence in the record.

B. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council. (Ord. 2001-13 § 4 (part), 2001: prior code § 7565)

17.42.120 Action of city council.

A. The city council shall review and may affirm, reverse or modify a decision of the city planning commission on a variance or exception application; provided, that if a decision denying a variance or exception is reversed or a decision granting a variance or exception is modified, the city council shall, on the basis of the record transmitted by the city planner and such additional evidence as

may be submitted, make the findings prerequisite to the granting of a variance or exception as prescribed in Section 17.42.090(A) or (B), or 17.42.100(A), whichever is applicable.

B. A variance which has been the subject of an appeal to the city council shall become effective immediately after review and affirmative action by the city council. (Ord. 9605 § 30 (part), 1996: prior code § 7566)

17.42.130 Lapse of variance.

A variance shall lapse and become void one year following the date on which the variance became effective, unless prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application, or a certificate of occupancy is issued by the building official for the site or structure which was the subject of the variance application. A variance may be renewed for an additional period of one year; provided, that prior to the expiration of one year from the date when the variance became effective, an application for renewal of the variance is made to the commission. The commission may grant or deny an application for renewal of a variance. (Prior code § 7567)

17.42.140 Revocation.

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with. (Prior code § 7568)

17.42.150 New application.

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance. (Prior code § 7569)

<b>17.32.163 Regulation of wireless telecommunication facilities.</b>
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**A. Purpose and Intent.**

The purpose and intent of this section is to promote quality, clarity and consistency in applying the requirements and guidelines for the acceptance, processing and approval of new wireless telecommunication facilities and modifications to existing wireless telecommunication facilities. The purpose and intent of this section is also protect the benefits derived by the city, its residents, and the general public from access to personal wireless telecommunication services while minimizing, to the greatest extent feasible, the redundancy of wireless telecommunication facilities. The city desires to balance these goals, by permitting the installation and operation of wireless telecommunication facilities where they are needed, while reducing, to the greatest extent feasible, adverse economic, safety and/or aesthetic impacts on nearby properties and the community as a whole.

**B. Definitions. The definitions set for in this section shall apply to this title.**

"Ancillary structure" means any development associated with a wireless telecommunications facility, including but not limited to foundations, concrete slabs on grade, guy wire anchors, generators and transmission cable supports. This definition does not include equipment cabinet.

"Antenna" means any apparatus designed for transmitting and/or receiving electromagnetic waves that includes but is not limited to, telephonic, radio or television communications. Types of antenna include, but are not limited to, omnidirectional (whip) antennas, sectorized (panel) antennas, or parabolic (dish) antennas.

"Antenna array" means a single set or group of antennas and their associated mounting hardware, transmission lines or other appurtenances which share a common attachment device such as a mounting frame or mounting support.

"Attached wireless telecommunications facility" means a wireless telecommunication facility and ancillary structures that are secured to an existing structure, as defined in Section 17.04.030, with any accompanying equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless telecommunications facility is considered to be an accessory use to the existing principal use on a site.

"Collocate or Collocation" means location or placement of wireless telecommunications facilities by two (2) or more wireless personal service providers on an antenna or antennas and feed lines on a common antenna support structure or other structure on which there is an existing antenna array. The term "Collocation" shall not be applied to a situation where two (2) or more wireless personal service providers independently place attached wireless telecommunication facilities on an existing building or structure.

"Combined antenna" means an antenna or antenna array designed and utilized to provide services for more than one (1) wireless provider for the same or similar type of services.

"Conceal or Concealed" means a wireless telecommunication facility in which the antenna, monopole, and/or tower, and sometimes the support equipment, are hidden from view, or effectively disguised as may reasonably be determined by the city planner or planning commission as applicable, such as in a false tree, monument, cupola, or other concealing structure which either mimics, or which also serves as, a natural or architectural feature in a compatible environment concealed wireless telecommunication facilities that do not mimic or appear as a natural or architectural feature to the average observer are not within the meaning of this definition.

"Coverage" means the geographic area served by an individual wireless telecommunications facility installation.

"Digital Antenna System (DAS)" means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

"Eligible facilities request" means a request that involves collocation, removal, or replacement of wireless telecommunication facilities.

"Equipment cabinet" means a structure located at a base station that is above the base flood elevation and designed exclusively to contain radio or other equipment necessary for the transmission or reception of wireless telecommunication signals. An equipment cabinet cannot be used for storage and/or habitable space.

"Existing structures and facilities" means any wireless telecommunications facility for which a permit has been properly issued pursuant to this Section or prior to its adoption.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account environmental, physical, legal, cost and technological factors.

"Lattice structure" means a tapered style of antenna support structure that typically consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.

"Location" means the area where a wireless telecommunications facility is located or proposed to be located. Reference to location shall be exact longitude and latitude, to the nearest tenth of a second, with bearing or orientation referenced to true north.

"Modification" means the change, or proposed change, of any portion of a wireless telecommunication facility from its description in a previously approved wireless telecommunication facility permit. Modification includes structural reinforcement, change in antenna type, and changes that alter the appearance, size or height of a wireless telecommunication facility.

"Monopole" means a style of freestanding antenna support structure that consists of a single shaft usually composed of two (2) or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other



stabilization devices. These components are mounted to a foundation that rests on or in the ground or on the roof of a building.

"Mount" means the surface upon which antennas are mounted. Mounts include, but are not limited to roof-mounts (mounted on the roof of a building) and side-mounts (mounted on the side of a building).

"Non-residential use" means uses such as churches, schools, and residential care facilities that are not a residential use but may be allowed in a residential zone typically with a conditional use permit.

"Personal wireless telecommunications services" means commercial mobile radio services, unlicensed wireless services and common carrier wireless exchange access service as identified in the Telecommunications Act of 1996.

"Siting" means the method and form of placement of a wireless telecommunications facility on a specific area of a property,

"Support equipment" means the physical, electrical and/or electronic equipment included within a wireless telecommunication facility used to house, power, and/or process signals from or to the facility's antenna or antennas.

"Utility tower" means an open framework structure or steel pole used to support electric transmission facilities.

"Wireless telecommunications facility" means a staffed or unstaffed commercial facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of any combination of the following for that purpose: a mount, an antenna support structure, a monopole, a lattice structure, an ancillary structure, an antenna or antenna array or combined antenna, transmission cables, support equipment, and/or equipment cabinet.

#### **C. Preferred Zones and Locations.**

When doing so would not conflict with the standards set forth in this Section or with federal law, wireless telecommunication facilities shall be located in the most appropriate location as described in this subsection (C), which range from the most appropriate to the least appropriate.

1. Collocation on existing facilities and structures located on city owned property;
2. Collocation on existing structures and facilities in the public or quasi-public zone;
3. Collocation on existing facilities and structures or attached wireless telecommunication facilities in the allowed Commercial, Office or Industrial Zones;
4. Location of new wireless telecommunication facilities on city owned property;
5. Location of new wireless telecommunication facilities in the Public or Quasi-Public Zone;
6. Location of new wireless telecommunication facilities in the allowed Commercial, Office and Industrial Zones.

#### **D. Setbacks.**

1. **Fall Zone Setback.** In order to ensure public safety, all new wireless telecommunication facilities shall maintain a setback at a 1:5 ratio, measured from property lines, based on the height of the cell tower, including any antenna or antenna array attached thereto. All new wireless telecommunication facilities shall also meet the minimum setback requirements of the underlying design district.

2. **Variance.** Setbacks for wireless telecommunication facilities may be modified if the requirements of Chapter 17.42 can be satisfied and the applicant can demonstrate that the siting for the proposed wireless telecommunication facility will be the least visually obtrusive profile, will not detract from the beauty and/or character of the area in which it is proposed to be located, and will not cause a public safety issue.

**E. Height limits for new wireless telecommunication facilities.**

**Maximum Height**

**Type of Facility            Maximum Height**

Concealed and attached to building    Shall not exceed the height of the structure on which the attached wireless telecommunication facility is attached by more than twenty-five ( 25) feet.

Non-concealed attached to building    Shall not exceed the height of the structure on which the attached wireless telecommunication facility is attached by more than twenty-five (25) feet.

Freestanding tower    Shall not exceed the height of the design district in which the wireless telecommunication facility is located by more than twenty-five (25) feet.

Collocation on existing buildings and structures (legal nonconforming)    An attached wireless telecommunication facility may locate on a building or structure that is legally non-conforming with respect to height, provided that the facility does not project above the existing height by more than twenty-five (25) feet.

Height Limit Exception. The planning commission may approve additional height beyond the maximum allowed subject to the provisions Chapter 17.42 (Variance and Exceptions) of the Visalia Zoning Ordinance.

**F. Concealed Wireless Telecommunications Facilities Required.**

All new wireless telecommunication facilities are required to be concealed. A wireless telecommunication facility that is not concealed may be permitted so long as the following findings can be met:

1.        The siting of the proposed wireless telecommunication facility will not adversely impact the use of the property, other buildings and structures on the property, or the surrounding area or neighborhood.

2.        The siting of the proposed wireless telecommunication facility will result in the least intrusive visual impact to the area.

3.        To the maximum extent reasonably feasible, the proposed wireless telecommunications facility has been designed to blend with the surrounding area and is appropriately designed for the specific site.

**G. Concealed Wireless Telecommunication Facility Options.**

1.        The use of so-called "monopines, monopalms and other mono-trees" to conceal wireless telecommunication facilities shall be evaluated during the planned development permit process. The applicant shall demonstrate that these structures will blend in with the surrounding neighborhood in order to be considered. Photo simulations are required for a proposed mono-tree. The city planner may condition additional architectural features (monopine, monopalm, horizontal installation, application of color) to a wireless telecommunication facility to ensure compatibility with the surrounding physical environment. Due to environmental factors such as wind, rain and sun, the owner/applicant shall conduct an annual inspection on all mono-trees to ensure that the faux foliage continues to resemble a tree, and fully screens all antennas, antenna arrays, mounts, ancillary structures and/or support equipment. All mono-tree designs shall incorporate appropriate three-dimensional bark cladding, and shall provide for screening foliage to extend beyond all antennas by no less than twenty-four (24) inches. The design, number and placement of any branch-like structures affixed to the tower shall insure adequate camouflaging of the antennas, antenna arrays, mounts, ancillary structures and/or support equipment.

2.        The use of alternative structures, including but not limited to such structures as a church cross, statue, light pole, flagpole, architectural feature such as a clock tower, shall be subject to the planned development permit process as described in subsection (1) above. Consideration as to when a wireless telecommunication facility may be concealed using an "alternative structure" will be based

upon the extent to which it is designed to internally house antennas, antenna arrays, mounts, ancillary structures, and/or support equipment.

**H. Collocation Required.**

1. To limit the adverse visual effects of a proliferation of wireless telecommunication facilities in the city, the proposed construction of new wireless telecommunication facilities shall be designed to accommodate collocation of two (2) or more service providers. Any new wireless telecommunication facility may be required to collocate with another existing or new facility, unless it can be demonstrated to be technically or economically infeasible.

2. Collocation on existing large towers. Collocation of the wireless telecommunication facilities of more than three (3) telecom providers on existing towers greater than seventy (70) feet in height is permitted pursuant to the planned development permit review process.

**I. Substantial Change to the Physical Dimensions of Existing Structure or Facility.**

1. Modifications to an existing structure or facility are permitted and do not require discretionary review where such modifications will not result in a "substantial change," as set forth in subsection (1)(2) below. Modifications resulting in a "substantial change" to an existing structure or facility shall be submitted for review under the planned development permit process as described in this section.

2. A "substantial change" to an existing structure or facility shall constitute the following:

a. The modification increases the height of the existing structure or facility by more than ten (10) percent, or the height of one (1) additional antenna array with separation from the nearest existing antenna or antenna array not to exceed twenty (20) feet, whichever is greater.

b. The modification would add an antenna, antenna array, mount, ancillary structure or support equipment that would protrude from the edge of the existing structure or facility more than twenty (20) feet or more than the width of the tower structure at the level of the antenna, antenna array, mount, ancillary structure or support equipment, whichever is greater.

c. The modification involves installing more than the standard number of equipment cabinets for the technology involved, and would add greater than four (4) equipment cabinets.

d. The modification would defeat the existing concealment elements.

e. The modification would result in the excavation or deployment outside the current boundaries of the leased or owned property and into any access, utility easements or required setbacks.

f. The modification would not comply with other conditions imposed upon the existing structure or facility unless non-compliance is due to an increase in height, increase in width, addition of equipment cabinets, or new excavation or deployment that does not exceed the substantial change thresholds of this subsection.

3. All modifications remain subject to building codes and other non-discretionary structural and safety codes.

**J. Other Requirements for all Wireless Telecommunication Facilities.**

1. Any attached wireless telecommunication facility or wireless telecommunication facility on or adjacent to a historic building or site shall be designed to ensure consistency with the National Historic Preservation Act or 1966, and shall be referred to the city's historic preservation advisory committee for review and approval pursuant to Chapter 17.56.

2. There shall be a seven (7) foot high screen fence or solid wall or approved architecturally-designed solid fence installed surrounding the equipment cabinet. Slatted chain-link fencing will only be considered when the equipment cabinet is substantially masked from public view or the wireless telecommunication facility is located in an industrial zone or public park.



3. New wireless telecommunication facilities shall not be permitted within one hundred (100) yards of an existing structures and facilities unless the applicant can demonstrate with substantial evidence that there are no other location alternatives to providing service to the area.

4. Wireless telecommunication facilities shall not be permitted in locations where they will interfere with the operation of the Visalia Municipal Airport. Wireless telecommunication facilities proposed for location within the airport planning area shall be referred to the airport manager or the airport land use commission for a determination of consistency with airport area standards.

5. All wireless telecommunication facilities must meet or exceed current standards and regulations of the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), and any other agency of the state or federal government with the authority to regulate wireless telecommunication facilities. If such standards and regulations are changed, the owners of the wireless telecommunication facilities governed by this section shall bring such wireless telecommunication facilities into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.

6. All appropriate building permits are required. Compliance with applicable federal, state, and local laws, codes, and regulations are required, and are continuing obligations on applicants and permit holders hereunder.

7. A wireless telecommunication facility shall be maintained in good condition. Maintenance shall include, but not be limited to maintaining the structural and aesthetic integrity of the wireless telecommunication facility, including painting and upkeep of structures used to conceal wireless telecommunication facilities, and irrigation and upkeep of buffer areas and landscaping. If maintenance of will result in a substantial change as described in Section 17.32.163.H, the requirements shall apply.

8. Drawings and Photos Required. A plan or drawing depicting the size and configuration of the property where the wireless facility is proposed, and the size and location of existing improvements or features (buildings, driveways, sidewalks) depicting what currently exists and what physical changes are proposed. Elevation drawings shall depict all mast dimensions, placement and design features, and provide dimension to the apex of the pole from the finish grade. Accurate and reliable photos of the project site prior to the project installation or modification, and accurate and reliable photo simulations of all elements of proposed wireless telecommunication facility installation shall be provided.

**K. Abandonment or Discontinuation of Use.**

1. At such time that a wireless telecommunication facility owner or wireless provider plans to abandon or discontinue operation of that facility, said owner shall notify the community development department director by certified U.S. Mail of the proposed date of abandonment or discontinuation of operations.

2. In the event all legally approved use of any wireless telecommunication facility has been discontinued for a period of six (6) months (one hundred eighty (180) days) and the owner or wireless provider has not notified the community development department director, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the community development department director who shall have the right to request documentation and/or affidavits from the facility owner regarding the issue of usage, including evidence that use of the wireless telecommunication facility is imminent.

3. At such time as the community development department director determines that a wireless telecommunication facility is abandoned, the community development department director shall provide written notice of an abandonment determination by certified mail addressed to all applicants at the addresses on file with the city and to the owner of the property at the address on file with the city, the property address, if applicable, and at the address to which tax notices are sent. Failure or refusal by the facility owner or any other co-applicant to respond to such notice within sixty (60) days of the receipt of the certified letter, shall constitute prima facie evidence that the wireless telecommunication facility has been abandoned.

4. If the owner of a wireless telecommunication facility fails to respond or fails to demonstrate that the facility is not abandoned, the wireless telecommunication facility shall be considered abandoned and the owner of the facility shall apply for a new permits consistent with the requirements of this section or dismantle and physically remove the entire wireless telecommunication facility. "Physically remove" shall include restoration of the location of the wireless telecommunication facility to its natural condition, where applicable, except that any landscaping and grading shall remain in post-development condition.

5. Upon a determination of abandonment by the community development department director pursuant to this section, and the failure of the wireless telecommunication facility owner or other co-applicant to remove the facility in accordance with this section, the wireless telecommunication facility shall be deemed unfit for use and in violation of the permit requirements so as to be deemed a danger to public health and a public and private nuisance. Failure of the wireless telecommunication facility owner or other co-applicant to dismantle and physically remove the facility and related structures in accordance with the terms of this section shall result in the city taking all actions consistent with Chapter 8.40 and Chapter 1.13. (Ord. 2015-01 § 5, 2015)

RESOLUTION NO. 2018-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2018-05, A REQUEST BY RIVER MANAGEMENT GROUP TO INSTALL A NEW 105-FOOT HIGH MONOPINE WITH A 100-FOOT HIGH TELECOMMUNICATIONS TOWER, AND OUTDOOR EQUIPMENT ENCLOSURE AT THE BASE OF THE TOWER. THE SITE IS ZONED C-MU (COMMERCIAL MIXED USE). THE SITE IS LOCATED AT 537 E. HOUSTON AVENUE. (APN: 094-130-005)

**WHEREAS**, Conditional Use Permit No. 2018-05, is a request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is zoned C-MU (Commercial Mixed Use). The site is located at 537 E. Houston Avenue (APN: 094-130-005); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 29, 2018; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit 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 15305.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity as conditioned by staff to be done as a Monopine cell tower.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance as conditioned by staff to be done as a Monopine cell tower.
  - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.



Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.32.163, for the placement of cell towers:

- The use of a Monopine tower provides compatibility with the surrounding neighborhoods and meets the concealment requirements of Zoning Ordinance Section 17.32.163-F.
  - That a Monopine cell tower will provide for colocation, and will be subject to all the requirements of Zoning Ordinance Section 17.32.163
3. That the future potential for the water tower to the south of this site to be removed resulting in the loss of an existing telecommunications antenna location would result in not having two telecommunications facilities in close proximity in the future. This use permit for a cell tower would allow a replacement facility to be on line if the water tower is removed.
  4. That the project is Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2017-08).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here in above 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 project be developed in substantial compliance Site Plan Review No. 2017-186.
2. That the cell tower be developed as a Monopine as depicted in the photo-simulation in Exhibit "F".
3. That the site be developed in substantial compliance with the Site Plan in Exhibit "A".
4. That the Monopine cell tower be developed and constructed to specifically allow co-location of other providers on the tower.
5. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
6. That Conditional Use Permit No. 2018-05 shall be null and void unless Variance No. 2018-04 is approved.
7. That all other City codes and ordinances shall be met, and that the applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

RESOLUTION NO. 2018-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2018-04, A REQUEST BY RIVER MANAGEMENT GROUP TO INSTALL A NEW 105-FOOT HIGH MONOPINE WITH A 100-FOOT HIGH TELECOMMUNICATIONS TOWER WHICH IS LESS THAN THE REQUIRED 1 TO 5 (VERTICAL HEIGHT TO HORIZONTAL SEPARATION) FROM A PROPERTY LINE, AND EXCEEDS THE MAXIMUM 75-FOOT HEIGHT LIMIT. THE SITE IS ZONED C-MU (COMMERCIAL MIXED USE). THE SITE IS LOCATED AT 537 E. HOUSTON AVENUE (APN: 094-130-005)

**WHEREAS**, Variance No. 2018-04, is a request by River Management Group to install a new 105-foot high Monopine with a 100-foot high telecommunications tower which is less than the required 1 to 5 (vertical height to horizontal separation) from a property line, and exceeds the maximum 75-foot height limit. The site is zoned C-MU (Commercial Mixed Use). The site is located at 537 E. Houston Avenue (APN: 094-130-005); and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on May 29, 2018; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Variance No. 2018-04, as conditioned by staff, to be in accordance with Section 17.42 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 of the City of Visalia 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 15305.

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

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

The practical nature of the installation of this co-locatable communication site necessitates the added height to accommodate multiple carriers.

The height limit of 75-feet would result in less effective coverage of the target coverage area. The mono-pine colocation design allows for additional areas to mount future antennas for other cell carrier providers, which will result in a larger coverage zone for the surrounding area. Additionally, a height limit of 75-feet

would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. The 105-foot requested height allows for future collocation of up to four additional carriers.

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

*On an adjacent parcel an existing structure will be taken down that presently supports vital broadband/wireless communication coverage for the public in the area.*

In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The size of the parcel makes it impractical for the cell tower to meet the 1 to 5 Fall Zone setback requirements.

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

*The establishment of a particular commercial use granted via a Conditional Use Permit where the general public will benefit from the services to be maintained via the commercial use.*

Wireless facilities are conditionally permitted in commercial zones. A variance to the height requirements and setback requirement is necessary to ensure that the facility is able to perform effectively. Limiting the tower to 75-feet would lead to the tower being less effective and would limit collocation opportunities.

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

*The granting of the variance will be for a unique and needed use to provide service to the public, thus the consideration for the variance.*

The proposed monopine cell tower structure will be utilized for co-location in the future by various cell phone providers rather the constructing new facilities in the nearby area as result of the removal of the water tower.

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

*The commercial use established via the granting of the variance of the co-locatable broadband/wireless communication site will adhere to all regulatory requirements set forth by the governing public agencies. The facility will also provide the mandated coverages by some of those same agencies that regulate it, per established broadband initiatives and first responder's interoperability mandates.*



The wireless facility will be at the back of a commercial lot. Staff supports the cell tower design as a monopine. The antenna array will be close to the pole and the visual impact will be limited as the monopine cell tower will appear to be a pine tree. This tower has been designed to minimize the visual impact and to blend in with the surrounding area. The equipment area is enclosed thereby acting as a deterrent to anyone attempting to enter the equipment area.

6. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2018-17).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves Variance No. 2018-04, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.48.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the proposed cell tower be developed as a Monopine as depicted in Exhibit "F", and consistent with the site plan in Exhibit "A".
2. That Variance No. 2018-04 shall be null and void unless Conditional Use Permit No. 2018-05 is approved.
3. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
4. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.



#2

MEETING DATE: NOVEMBER 1, 2017  
SITE PLAN NO. 17-189 RESUBMITTAL  
PARCEL MAP NO.  
SUBDIVISION:  
LOT LINE ADJUSTMENT NO.

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

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
  - During site plan design/policy concerns were identified, schedule a meeting with
    - Planning       Engineering prior to resubmittal plans for Site Plan Review.
    - Solid Waste       Parks and Recreation       Fire Dept.

**REVISE AND PROCEED** (see below)

- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

- |   |  |
|---|--|
| <input type="checkbox"/> CITY COUNCIL                   | <input type="checkbox"/> REDEVELOPMENT   |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> <u>CUP + VARIANCE</u>          |  |
| <input type="checkbox"/> HISTORIC PRESERVATION          | <input type="checkbox"/> OTHER: _____    |

**ADDITIONAL COMMENTS :**

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

*Site Plan Review Committee*



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

November 1, 2017

ITEM NO: 2	RESUBMTL
SITE PLAN NO: SPR17189	
PROJECT TITLE: RIVERVIEW MANAGEMENT GROUP (MONOPOLE)	
DESCRIPTION: MULTI CARRIER AND COLOCATABLE WIRELESS COMMUNICATION SITE W/A 100' MONOPOLE WITHIN A FENCED 40 X 50' LEASE AREA(C-MU)(AE)	
APPLICANT: MARTINEZ SAL JR	
PROP. OWNER: AGUILAR ROBERT	
APN: 094-130-005	
LOCATION: 537 E HOUSTON AVE VISA	

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at \_\_\_\_\_ Locations.-----
- Install Stop Signs at \_\_\_\_\_ Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
  - Provide more traffic information such as \_\_\_\_\_ . Depending on development size, characteristics, etc., a TIA may be required.

**Additional Comments:**

•

  
\_\_\_\_\_  
Leslie Blair



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259  
 Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: NOVEMBER 1, 2017

SITE PLAN NO.: 17-189 RESUBMITTAL  
PROJECT TITLE: RIVERVIEW MANAGEMENT GROUP  
(MONOPOLE)  
DESCRIPTION: MULTI CARRIER AND COLOCATABLE  
WIRELESS COMMUNICATION SITE W/A 100'  
MONOPOLE WITHIN FENCED 40 X 50' LEASE  
AREA (CMU) (AE)  
APPLICANT: MARTINEZ SAL JR  
PROP OWNER: AGUILAR ROBERT  
LOCATION: 537 E HOUSTON AVE  
APN: 094-130-005

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with \_\_\_\_\_ radius;  
 Install curb;  gutter  
 Drive approach size:  Use radius return;  
 Sidewalk: \_\_\_\_\_ width;  parkway width at \_\_\_\_\_  
 Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.  
 Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.  
 Right-of-way dedication required. A title report is required for verification of ownership.  
 Deed required prior to issuing building permit;  
 City Encroachment Permit Required. FOR ANY WORK IN THE PUBLIC RIGHT-OF-WAY  
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.  
 CalTrans Encroachment Permit required.  CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;  
 Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.  
 Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.  
 Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: \_\_\_\_\_ : \_\_\_\_\_ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.  
 Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.  
 Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, 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. **AND EMERGENCY VEHICLE**
- Provide "R" value tests: each at
- Written comments required from ditch company                      Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum     Provide                      wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations.     Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove.     A pre-construction conference is required.
- Relocate existing utility poles and/or facilities. **AS NECESSARY FOR PROJECT LIMITS**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.

Comply with prior comments.     Resubmit with additional information.     Redesign required.

**Additional Comments:**

- 1. Proposed aggregate access road shall be an engineered section, to be further reviewed and accepted by the City Engineer.***
- 2. Width of access drive shall be 15' minimum, and be a minimum 5' setback from west property line. A turnaround shall be provided per Fire Dept. access requirements. The proposed turnaround dimensions are inadequate, refer to further comments by the Fire Dept.***
- 3. Comply with 15' setback standard from property line along Houston Ave. Refer to further comments by the Planning Dept.***
- 4. Comply with CA Building Code for construction within a high-risk flood zone.***
- 5. A building permit is required. Standard plan check and inspection fees apply.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 17-189 RESUBMITTAL

Date: 11/1/2017

**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: 8/18/2017)

(Project type for fee rates: COMMUNICATION EQUIPMENT)

Existing uses may qualify for credits on Development Impact Fees.

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

**Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

  
\_\_\_\_\_  
Adrian Rubalcaba



QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS

ITEM NO: 2                      DATE: November 01, 2017  
SITE PLAN NO:                SPR17189                      **RESUBMIT**  
PROJECT TITLE:                RIVERVIEW MANAGEMENT GROUP (MONOPOLE)  
DESCRIPTION:                 MULTI CARRIER AND COLOCATABLE WIRELESS  
   COMMUNICATION SITE W/A 100' MONOPOLE  
   WITHIN A FENCED 40 X 50' LEASE AREA(C-MU)(AE)  
APPLICANT:                     MARTINEZ SAL JR  
PROP OWNER:                  AGUILAR ROBERT  
LOCATION:                        537 E HOUSTON AVE  
APN(S):                         094-130-005

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION

---

- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT \_\_\_\_\_
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¼ HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVENUE 288  
VISALIA, CA 93277



\_\_\_\_\_  
AUTHORIZED SIGNATURE

10-31-17

\_\_\_\_\_  
DATE



**Site Plan Review Comments For:**

Visalia Fire Department  
Kurtis A. Brown, Fire Marshal  
707 W Acequia  
Visalia, CA 93291  
559-713-4261 Office  
559-713-4808 Fax

ITEM NO: 2

DATE: November 01, 2017

SITE PLAN NO:

SPR17189

**RESUBMIT**

PROJECT TITLE:

RIVERVIEW MANAGEMENT GROUP (MONOPOLE)

DESCRIPTION:

MULTI CARRIER AND COLOCATABLE WIRELESS  
COMMUNICATION SITE W/A 100' MONOPOLE  
WITHIN A FENCED 40 X 50' LEASE AREA(C-MU)(AE)

APPLICANT:

MARTINEZ SAL JR

PROP OWNER:

AGUILAR ROBERT

LOCATION:

537 E HOUSTON AVE

APN(S):

094-130-005

**The following comments are applicable when checked:**

- 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 2016 California Fire Code (CFC), 2016 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2016 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- Construction and demolition sites prior to and during construction shall comply with the following:
- Water Supply for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. *2016 CFC 3312*
  - An all-weather, 20 feet width Construction Access Road capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. *2016 CFC 3310*
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

**General:**

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2016 CFC 505.1*
- All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. *2016 CFC 304.3.3*

- A Knox Box key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. *2016 CFC 506.1*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2016 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

**Water Supply for Residential, Commercial & Industrial:**

Residential

- Fire hydrant spacing and location shall comply with the following requirements:  
The exact location and number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120(5)*
  - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

Commercial & Industrial

- Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. *2016 CFC 507.5.1*
- Due to insufficient building information, the number and distance between fire hydrants cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with *CFC 2016 Appendix C102 & C103 & CFC 507.5.1*
- To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: **Type of construction** \_\_\_\_\_ **Square footage** \_\_\_\_\_

**Emergency Access**

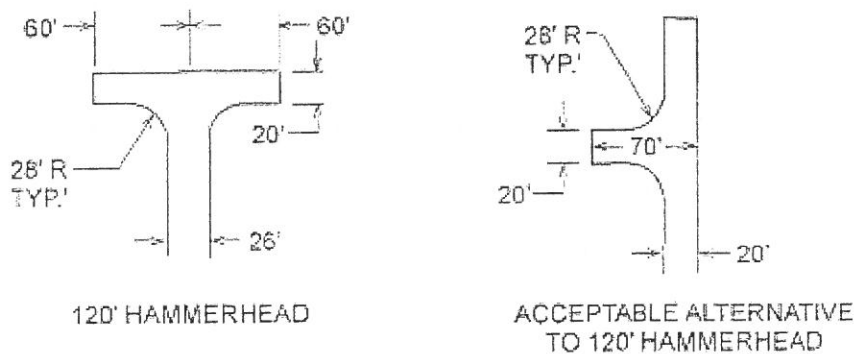
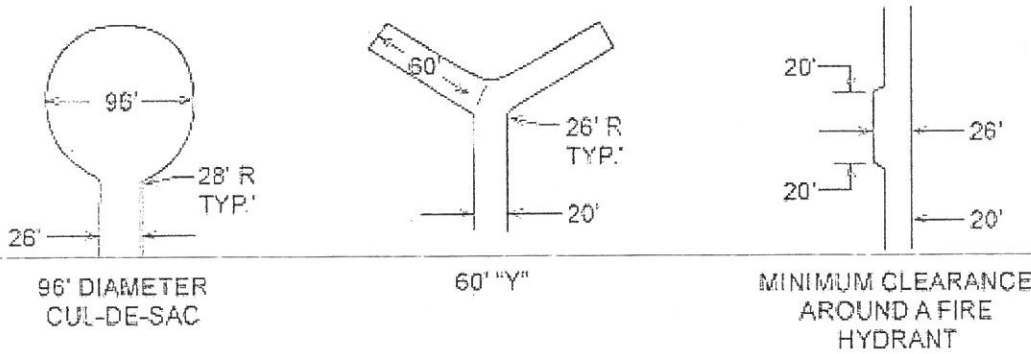
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus access



roads shall have an unobstructed width of not less than 20 feet. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. 2016 CFC 503.1.1

- Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.
  - Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders.
  - Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
  - Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. 2016 CFC Table D103.4



- Approved No PARKING – FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. 2013 CFC 503.3/D103.6




- On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following;
- 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
- Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. *CFC 503.3*
- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:  
*2016 CFC D103.5*
- Gates shall be of the swinging or sliding type.
  - Gates shall allow manual operation by one person (power outages).
  - Gates shall be maintained in an operative condition at all times.
  - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)
- Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.
- 

### Fire Protection Systems

- An automatic fire sprinkler system will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. *2016 CFC 912 and Visalia Municipal Code 8.20.010 subsection C103.4*
- Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. *2016 CFC 912.4.1*
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2016 CFC 904.12 & 609.2*

### Special Comments:

  
Kurtis A. Brown  
Fire Marshal

CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4500

COMMERCIAL BIN SERVICE

# 17-189  
# resubmit 11/1/17

- No comments.
- Same comments as
- 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  
be fore 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 ( X ) 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.

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COMMENTS

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Javier Hernandez, Solid Waste Front Load Supervisor 713-4338  
Earl Nielsen, Solid Waste Manager

# SITE PLAN REVIEW COMMENTS

Andrew Chamberlain, Planning Division (559) 713-4003

Date: November 1, 2017

SITE PLAN NO: 2017-189 - B  
PROJECT TITLE: New Tele-Com Ant  
DESCRIPTION: New 100-foot Tele-Com ant. (C-R) (X)  
APPLICANT: Martinez  
PROP. OWNER: Aguilar  
LOCATION TITLE: 537 E. Houston  
APN TITLE: 094-130-005  
GENERAL PLAN: Regional Commercial  
EXISTING ZONING: CMU –Commercial Mixed Use

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## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit  
 Off-Agenda **NOTE:** a change to the access drive may be done Off-Agenda prior to submitting CUP – Var. applications

## Project Requirements

- Conditional Use Permit required for new Tele-Com Antenna in the CMU zone.
  - Variance required for height and setback to residential per the City's Wireless Telecommunication Ordinance
  - Building Permits
  - Additional Information as Needed
- 

### **PROJECT SPECIFIC INFORMATION (11-01-17):**

1. The proposed new tele-com antenna requires a Variance for height; CMU allows 50+25=75 feet for antennas, and a Conditional Use Permit per new facilities in the CMU zone.
2. A change to the access drive may be done Off-Agenda prior to submitting CUP – Var. applications

### **PROJECT SPECIFIC INFORMATION (10-81-17):**

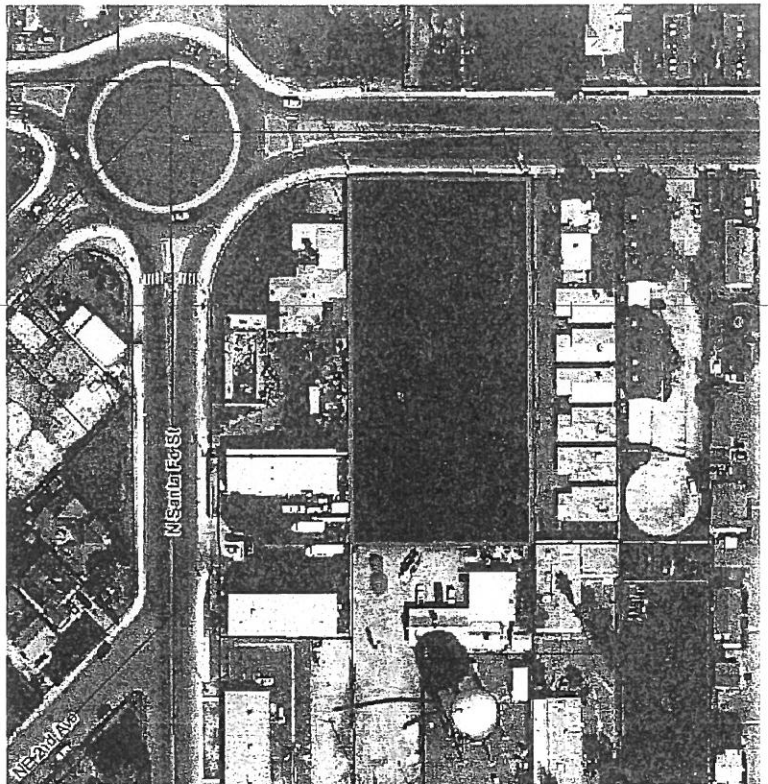
1. The proposed new tele-com antenna requires a Variance for height; CMU allows 50+25=75 feet for antennas, and a Conditional Use Permit per new facilities in the CMU zone.
2. Provide the minimum 15-foot landscape setback along Houston Avenue after any require dedications for right-of-way. The access drive needs to be located behind the 15-foot setback.
3. NOTE: frontage landscaping will be deferred to the next action on this site, any additional permitting will require the installation of the 15-foot front landscaping along Houston Avenue, including fencing permits.
4. As a part of this action – the City will not be allowing / recommending approval of any new telecommunications equipment or antennas on the Cal Water water tower located south of this site.
5. Provide photorealistic exhibit for a mono-tree and the proposed antenna. All new facilities are to be concealed – unless they meet the findings in the ZO code section 17.32.163-F
6. Collocation facility required for new antennas.

- Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Final determination of consistency is made through the discretionary action process by the Commission/Council

See ZO Section 17.32.163

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  AJC



**City of Visalia**  
**Building: Site Plan**  
**Review Comments**

ITEM NO: 2                      DATE: November 01, 2017  
 SITE PLAN NO:                SPR17189                      **RESUBMIT**  
 PROJECT TITLE:              RIVERVIEW MANAGEMENT GROUP (MONOPOLE)  
 DESCRIPTION:                MULTI CARRIER AND COLOCATABLE WIRELESS  
    COMMUNICATION SITE W/A 100' MONOPOLE  
    WITHIN A FENCED 40 X 50' LEASE AREA(C-MU)(AE)  
 APPLICANT:                    MARTINEZ SAL JR  
 PROP OWNER:                 AGUILAR ROBERT  
 LOCATION:                    537 E HOUSTON AVE  
 APN(S):                        094-130-005

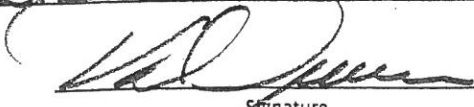
NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
 Please refer to the applicable California Codes & local ordinance for additional requirements.

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets 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, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or adaptable for persons with disabilities.

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- 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 clearance from San Joaquin Valley Air Pollution Board. Prior to am demolition work  
*For information call (661) 392-5500*
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone AE \*  Hazardous materials report. *For information call (559) 713-4444*
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.75 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: \_\_\_\_\_

Special comments: ALL NEW ELECTRICAL EQUIPMENT SHALL BE INSTALLED ABOVE THE BASE FLOOD ELEVATION.

  
 Signature                      Date: 11/1/17



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

ITEM NO: 2                      DATE: October 18, 2017  
SITE PLAN NO:                SPR17189  
PROJECT TITLE:                RIVERVIEW MANAGEMENT GROUP (MONOPOLE)  
DESCRIPTION:                 MULTI CARRIER AND COLOCATABLE WIRELESS  
   COMMUNICATION SITE W/A 100' MONOPOLE  
   WITHIN A FENCED 40 X 50' LEASE AREA(C-MU)(AE)  
APPLICANT:                     MARTINEZ SAL JR  
PROP OWNER:                  AGUILAR ROBERT  
LOCATION:                        537 E HOUSTON AVE  
APN(S):                         094-130-005

### 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.

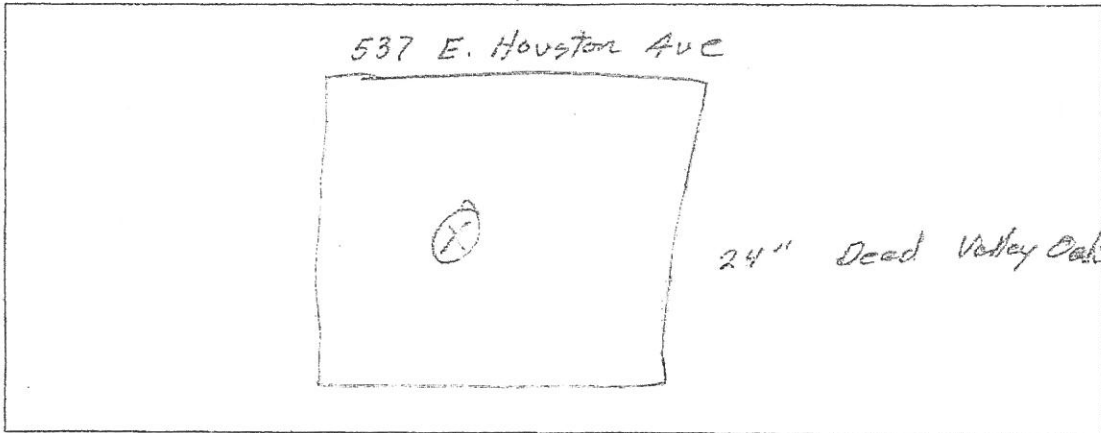
- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns: LIGHTING AT NIGHT FOR SECURITY  
TO AVOID CAMPING BY TRANSIENTS
- Landscaping Concerns: THIN LANDSCAPING TO AVOID  
TRANSIENTS FEELCAMMENTS
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
B.A. [Signature] L100

City of Visalia  
Parks and Urban Forestry  
336 N. Ben Maddox Way  
Visalia, CA 93292

Date: 10-17-17

Site Plan Review # 17189

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below  None

Please plot and protect all Valley Oak Trees.

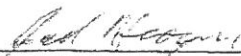
Landscape along parkway to be planted by developer and maintained by a maintenance district.

All drainage from curb and gutter along streets to be connected to storm drain system.

All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.

Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

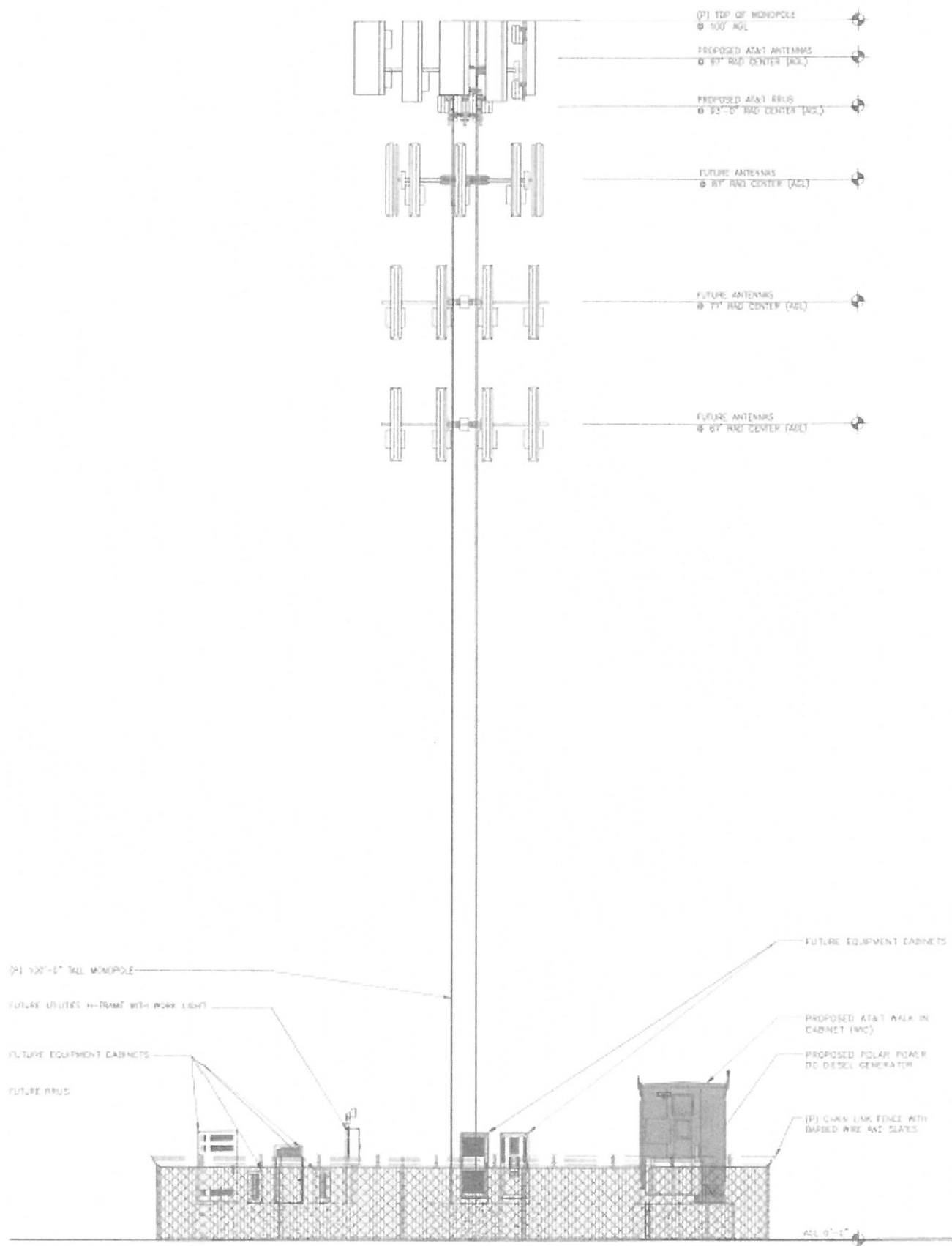
  
Joel Hooyer

Parks and Urban Forestry Supervisor  
559 713-4295 Fax 559 713-4818

Email: [jhooyer@ci.visalia.ca.us](mailto:jhooyer@ci.visalia.ca.us)



# Exhibit - B



PROPOSED SOUTH ELEVATION

# Exhibit - B



**Exhibit – C  
Variance Findings**



March 23, 2018

To: City of Visalia  
Planning Department  
315 E. Acequia Avenue  
Visalia, CA 93291

Re: Findings for Variance Submittal  
RMG CA012 Visalia Multi-Carrier Communication Site

Please see the finding per the prescribed questionnaire in the variance application:

1. The practical nature of the installation of this co-locatable communication site necessitates the added height to accommodate multiple carriers.
2. On an adjacent parcel an existing structure will be taken down that presently supports vital broadband/wireless communication coverage for the public in the area.
3. The establishment of a particular commercial use granted via a Conditional Use Permit where the general public will benefit from the services to be maintained via the commercial use.
4. The granting of the variance will be for a unique and needed use to provide service to the public, thus the consideration for the variance.
5. The commercial use established via the granting of the variance of the co-locatable broadband/wireless communication site will adhere to all regulatory requirements set forth by the governing public agencies. The facility will also provide the mandated coverages by some of those same agencies that regulate it, per established broadband initiatives and first responder's interoperability mandates.

Please feel free to call with any questions or comments.

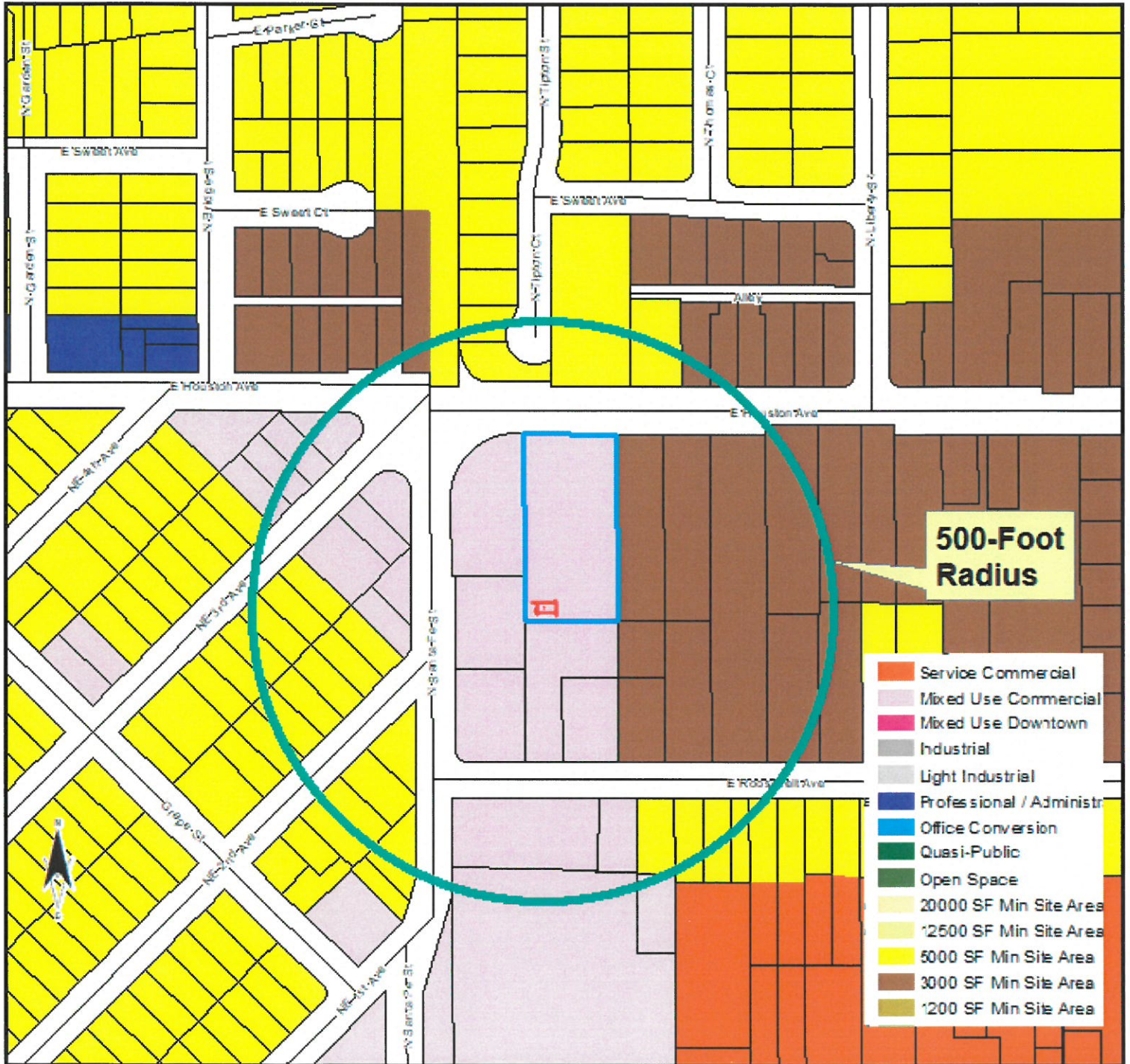
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Salomon Martinez Jr  
Engineering Manager  
(209) 601-3781 Mob.

**Exhibit - C**



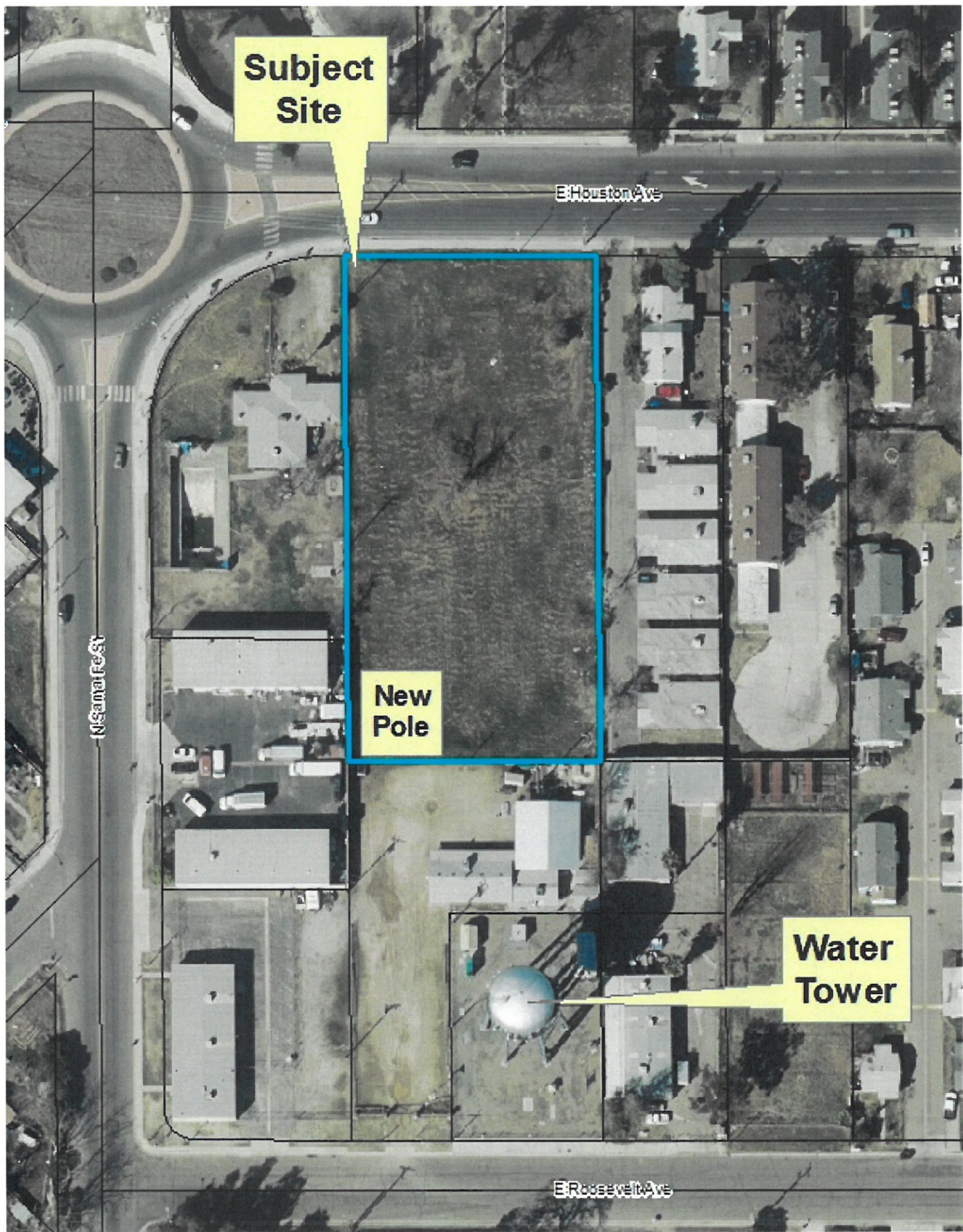
# Exhibit "D" Zoning and Property Lines



**Exhibit - D**



**Exhibit - E**



**Exhibit - E**



**Exhibit - F**



**Existing**



**Proposed**

**Exhibit - F**



**Exhibit - G**



**Existing**



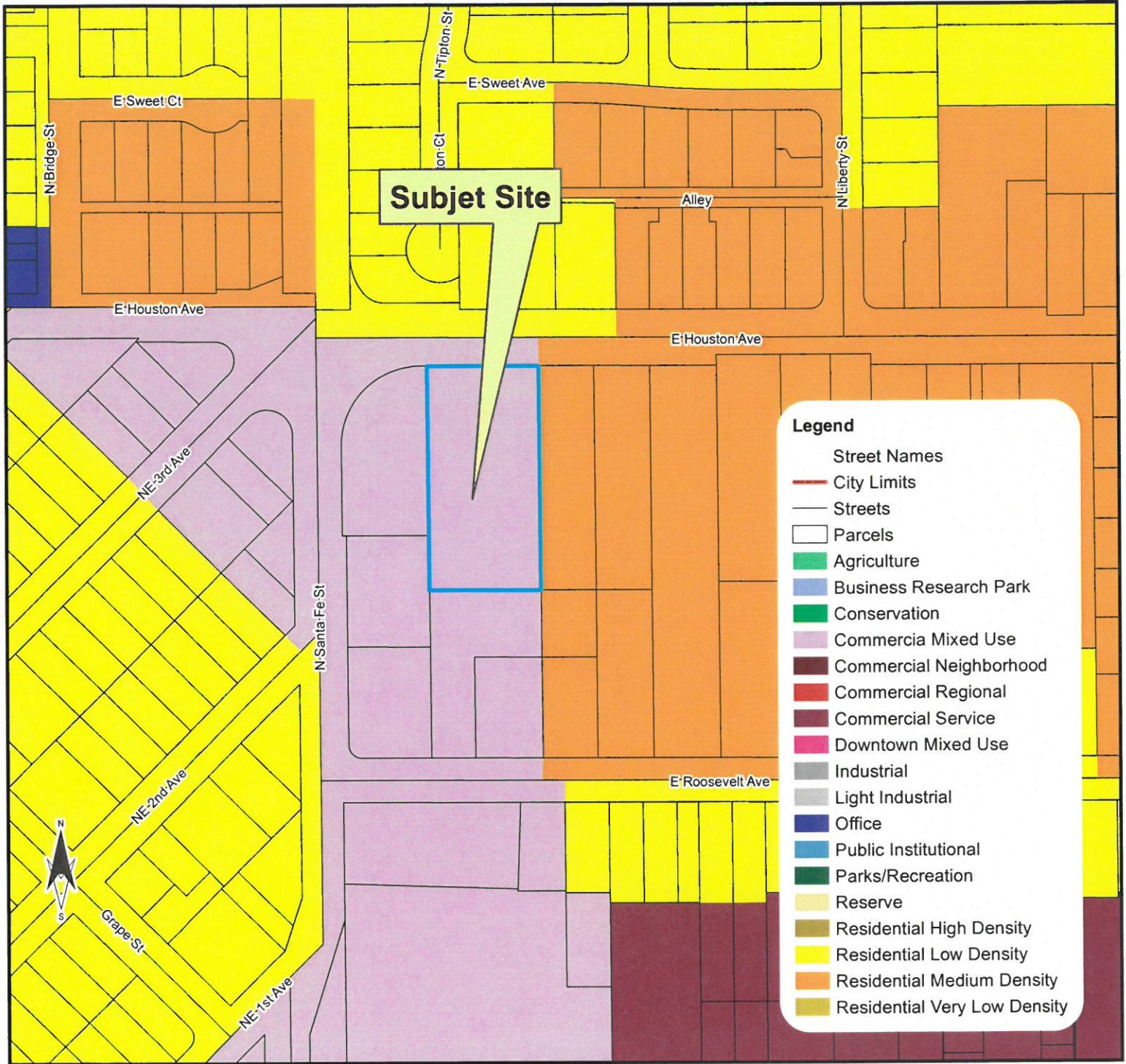
proposed antennas

**Proposed**

**Exhibit - G**



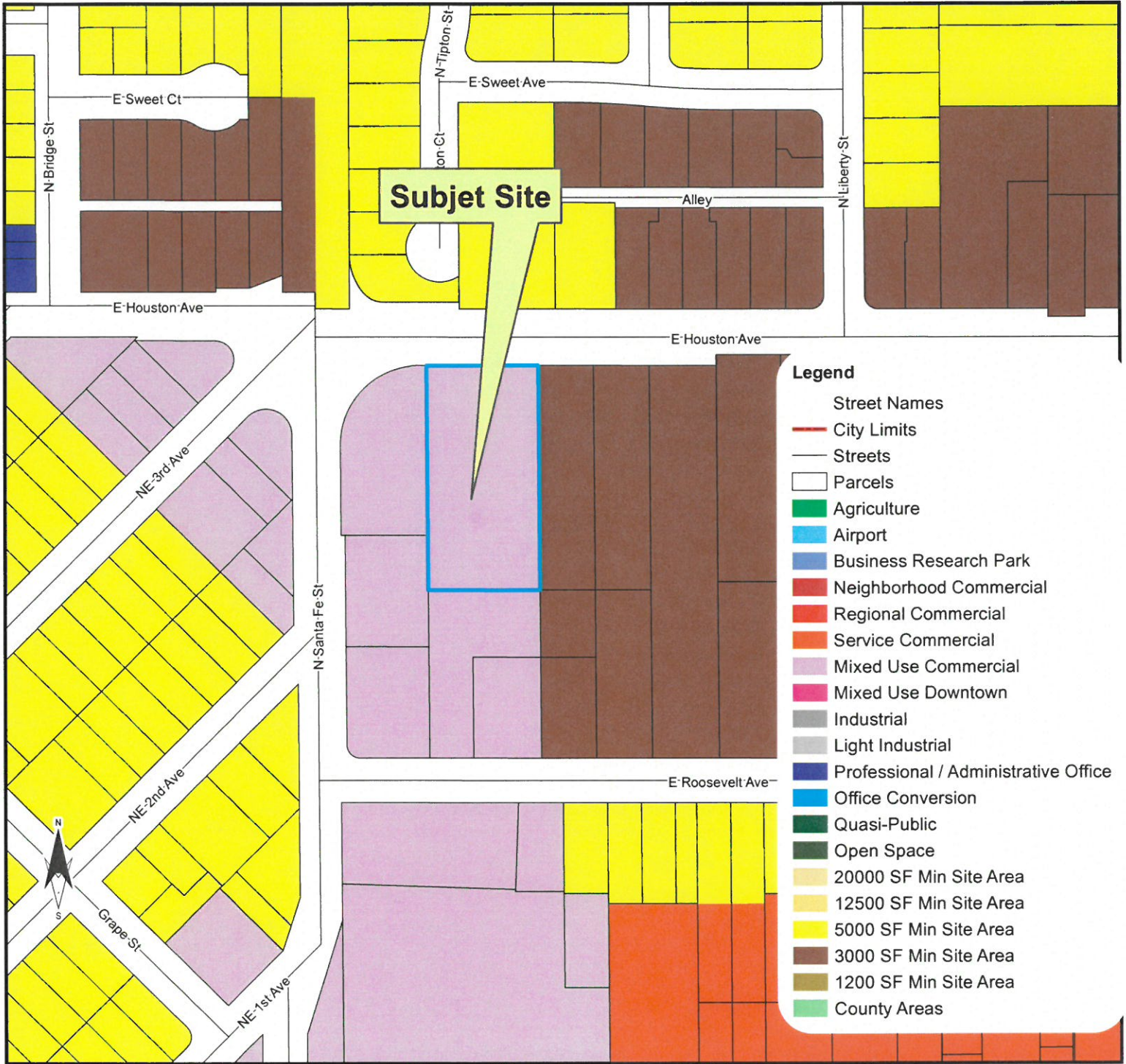
# City of Visalia



## Land Use Designations



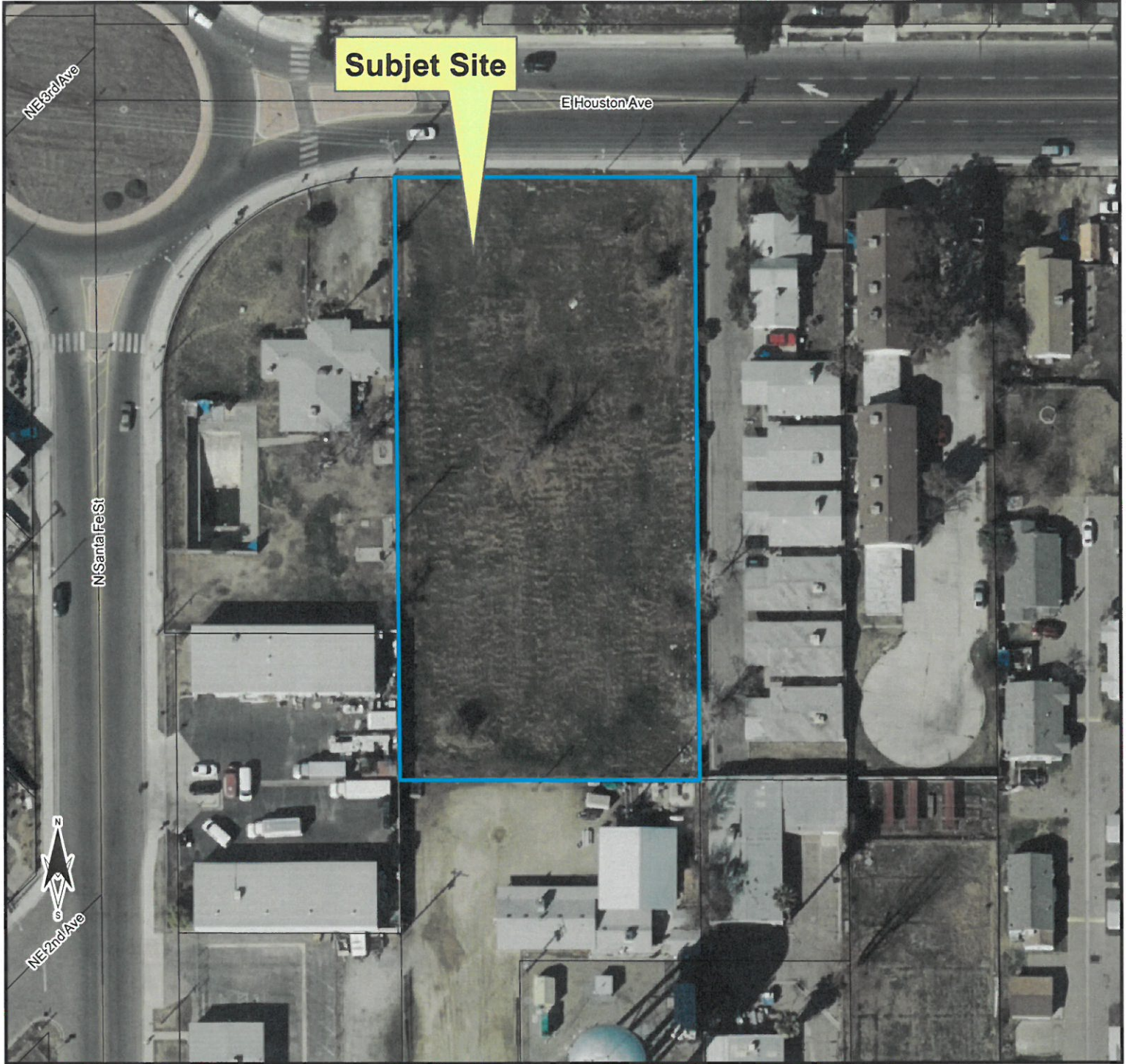
# City of Visalia



## Zoning Designations



# City of Visalia



**Aerial Photo**



# City of Visalia



## Location Map