

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Chris Tavaréz

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

MONDAY, AUGUST 11, 2025

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

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

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
5. AGENDA COMMENTS OR CHANGES –
6. CONSENT CALENDAR – All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.

None.
7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2025-15: A request by Wade Sousa to modify Condition of Approval No. 3 of Conditional Use Permit No. 2024-24, permitting exterior alterations to an existing building on the Radiant Church campus in the D-MU (Downtown Mixed Use) zone.

Environmental Assessment Status: The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.

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

8. PUBLIC HEARING – Colleen Moreno, Assistant Planner

Conditional Use Permit No. 2025-17: A request by Honey Spa to amend Conditional Use Permit No. 2024-08 to increase the hours of operation and number of employees for the existing massage establishment in the C-MU (Mixed Use Commercial) zone.

Environmental Assessment Status: The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.

Project Location: The site is located at 4025 West Caldwell Avenue, Unit E, southeast of West Caldwell Avenue and South Chinowth Street in the WinCo Shopping Center (APN: 119-340-019).

9. PUBLIC HEARING – Brandon Smith, Principal Planner

a. **General Plan Amendment No. 2025-02:** A request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use.

b. **Change of Zone No. 2025-03:** A request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Environmental Assessment Status: An Initial Study and Negative Declaration were prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that the project will have less than significant impact upon the environment. Negative Declaration No. 2025-28 has been prepared for adoption with this project (State Clearinghouse No. 2025070724).

Project Location: The site is located on the northwest corner of North Akers Street and West Riffin Avenue (APN: 077-100-103).

10. CITY PLANNER UPDATE –

- a. Planning Commission Council Appoints.
- b. Joint City Council and Planning Commission meeting, August 19, 2025.
- c. LAFCO Annexation Updates
- d. Road Project Updates

11. ADJOURNMENT

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, AUGUST 21, 2025, BEFORE 5:00 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 North 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, AUGUST 25, 2025



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: August 11, 2025

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

SUBJECT: Conditional Use Permit No. 2025-15: A request by Wade Sousa to modify Condition of Approval No. 3 of Conditional Use Permit No. 2024-24, permitting exterior alterations to an existing building on the Radiant Church campus. The project site is zoned D-MU (Downtown Mixed Use) and is located at 514 East Main Street, Unit B (APN: 094-231-027).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2025-15, as conditioned, based upon the findings and conditions in Resolution No. 2025-29. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2025-15 based on the findings and conditions in Resolution No. 2025-29.

PROJECT DESCRIPTION

In 2024 the applicant obtained approval of Conditional Use Permit No. 2024-24 to renovate an existing building for use as an assembly room and office space for the Radiant Church campus (see Exhibit "D"). This included proposed exterior alterations to the building exterior. The building is located within the Downtown Retail Overlay District (DROD). As such, analysis was conducted by staff to determine if the proposed exterior alterations were compliant with DROD design guidelines. In its analysis, staff cited potential impacts to existing features such as the storefront awning, which was proposed for removal. To address the impact, CUP No. 2024-24, Condition No. 3.a was applied requiring that a store front awning be maintained similar to the original design. Other exterior alterations, such as the application of brick veneer to the front building exterior, were considered appropriate and were memorialized via CUP No. 2024-24, Condition No. 3. These conditions were subsequently applied during review of Building Permit No. B214340 for a tenant improvement to the structure.

While construction of the assembly room and office was ongoing, the applicant requested to make additional exterior alterations. Since exterior alterations were part of the analysis and conditions of the CUP, the applicant was directed to submit a CUP amendment request.

The request, as outlined in Exhibit "C", is to modify Condition No. 3 of CUP No. 2024-24 to allow the proposed exterior alterations depicted in Exhibit "B". The proposal would forego the previously approved brick veneer and instead maintain and supplement the existing smooth plaster on the southern building exterior. The awning on the southern elevation would also be preserved, but would be reduced in width from its existing 7 feet to 4 feet. Lastly, a black 18 inch wide "waterproof membrane" would be placed on the lower portion of the building for flood proofing purposes. Please note, the waterproof membrane is a requirement of the Building and Engineering Divisions, and thus, is permitted to be placed regardless of the existing conditions of approval. Per the applicant, the proposed exterior alterations in Exhibit "B" maintain the

architectural heritage of the building, as encouraged by the DROD, while thoughtfully integrating new elements for a “*harmonious blend of old and new*”.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Downtown Mixed Use
Zoning:	D-MU (Mixed Use Downtown)
Surrounding Zoning and Land Use	North: D-MU / Radiant Church, Visalia Buddhist Church, mixed commercial and medical office uses, Mill Creek. South: D-MU / Barrelhouse Brewing Company, mixed commercial uses. East: D-MU / Philly’s Sandwich Shop, mixed and service commercial uses. West: D-MU / Parking lot, Mill Creek.
Environmental Review:	Categorical Exemption No. 2025-20, Class 15301
Special Districts:	Downtown Retail Overlay District (DROD), Micro Brewery Overlay District, Mobile Food Vending Overlay District
Site Plan:	Not applicable.

RELATED PROJECTS

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

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

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

Conditional Use Permit No. 2024-24: was a request by Kelsey George, 4Creeks to amend Conditional Use Permit No. 2003-04 to renovate an existing building at 514 East Main Street, Unit B, for use as an assembly room and office space for the Radiant Church campus. The project was approved by the Visalia Planning Commission on September 9, 2024.

PROJECT EVALUATION

Land Use Compatibility

Churches and related facilities are identified as a conditionally permitted use in several of Visalia’s zoning classifications, including the D-MU zone. CUP No. 2024-24 was approved in September 2024 by the Visalia Planning Commission, permitting use of the structure in question for administrative and assembly purposes by Radiant Church. The proposal before the Planning Commission today would alter conditions of approval from CUP No. 2024-24 related to exterior

alterations. The approved use of the building is not proposed to be modified in any way. As such, the use approved via CUP No. 2024-24 is considered to still be compatible with the surrounding land uses.

Downtown Retail Overlay District

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

As depicted in Exhibits “B” and “C”, the applicant proposes rehabilitating the existing plaster façade of the southern building elevation. Per the applicant, any repairs and new applications on this façade would be “*meticulously matched to the existing concrete.*” This is considered in keeping with DROD requirements, as it would maintain the appearance of the existing façade, preserving consistency with plastered/stuccoed facades in the immediate vicinity.

The changes to the southern awning are also considered appropriate, according to the provisions in Visalia Municipal Code Section 17.58.080.A. The awning would remain, preserving a desired feature of Downtown commercial buildings. Its reduced width from 7 feet to 4 feet would still be appropriate to the size and scale of the building, and would not obscure any significant features, such as exposed brick on the east and west building exteriors. Lastly, the wood cladding proposed around the awning perimeter is permitted by the DROD, as it would not exceed 10% of the total building façade (VMC 17.58.080.B.1).

The proposed modifications to the Building Elevations are recommended as Condition of Approval No. 2. All other conditions and requirements of past and applicable CUPs are included via Condition of Approval No. 1 of this CUP.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-20).

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed project is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-20).

RECOMMENDED CONDITIONS OF APPROVAL

1. The project shall comply with all conditions and requirements of Conditional Use Permit No. 2003-04, Conditional Use Permit No. 2013-27, and Conditional Use Permit No. 2024-24, except as modified below.
2. That the building exterior shall be developed in substantial compliance with the Building Elevations in Exhibit "B" and Project Description in Exhibit "C".
3. That all other federal, state and city codes, ordinances and laws shall be met.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Policies
- Resolution No. 2025-29
- Exhibit "A" – Site Plan
- Exhibit "B" – Proposed Building Elevations and Existing Site Pictures
- Exhibit "C" – Project Description
- Exhibit "D" – September 9, 2024, Planning Commission Staff Report, CUP No. 2024-24 and Planning Commission Resolution No. 2024-41
- Categorical Exemption No. 2025-20
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

Chapter 17.19 Mixed Use Zones

17.19.010 Purpose and intent.

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

17.19.015 Applicability.

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

17.19.020 Permitted uses.

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

17.19.030 Conditional and temporary uses.

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

17.19.040 Required conditions.

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in [Chapter 17.28](#).
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;
- C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in [Chapter 17.34](#). (Ord. 2017-01 (part), 2017)

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

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

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

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

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

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

Chapter 17.38 Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the

flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

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

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property

owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

Chapter 17.58
Downtown Retail Overlay District

17.58.010 Purposes and intent.

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

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

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

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

17.58.015 Applicability.

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

17.58.020 Components of the chapter.

This chapter shall include:

- A. The ordinance text, which specifies the downtown retail district overlay designation, design evaluation criteria, and the powers and duties with regard to the overlay district;
- B. A map designating the downtown retail district overlay, which shall be depicted on the official zoning map of the city. (Ord. 2017-01 (part), 2017: prior code § 7721)

17.58.030 Definitions.

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

B. Word Usage.

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

C. Definitions.

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

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

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

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

17.58.040 Regulation of improvements.

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

17.58.050 Procedures for review of applications.

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

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

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

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

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

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

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

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

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

17.58.060 Appeal to the city council.

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

17.58.070 Ordinary maintenance and repair.

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

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

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

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

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

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

2. Mansard form roof tiles.

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

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

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

17.58.082 Standards applying to alterations to existing buildings.

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

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

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

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

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

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

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

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

17.58.084 Standards applying to new buildings.

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

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

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

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

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

17.58.086 Maintenance and repair required.

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

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

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

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

17.58.090 Exceptions.

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

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

17.58.100 Role of building official.

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

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

17.58.110 Separability.

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

RESOLUTION NO. 2025-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-15, A REQUEST BY WADE SOUSA TO MODIFY CONDITION OF APPROVAL NO. 3 OF CONDITIONAL USE PERMIT NO. 2024-24, PERMITTING EXTERIOR ALTERATIONS TO AN EXISTING BUILDING ON THE RADIANT CHURCH CAMPUS. THE PROJECT SITE IS ZONED D-MU (DOWNTOWN MIXED USE) AND IS LOCATED AT 514 EAST MAIN STREET, UNIT B (APN: 094-231-027).

WHEREAS, Conditional Use Permit No. 2025-15, is a request by Wade Sousa to modify Condition of Approval No. 3 of Conditional Use Permit No. 2024-24, permitting exterior alterations to an existing building on the Radiant Church campus. The project site is zoned D-MU (Downtown Mixed Use) and is located at 514 East Main Street, Unit B (APN: 094-231-027); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on August 11, 2025; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2025-15, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

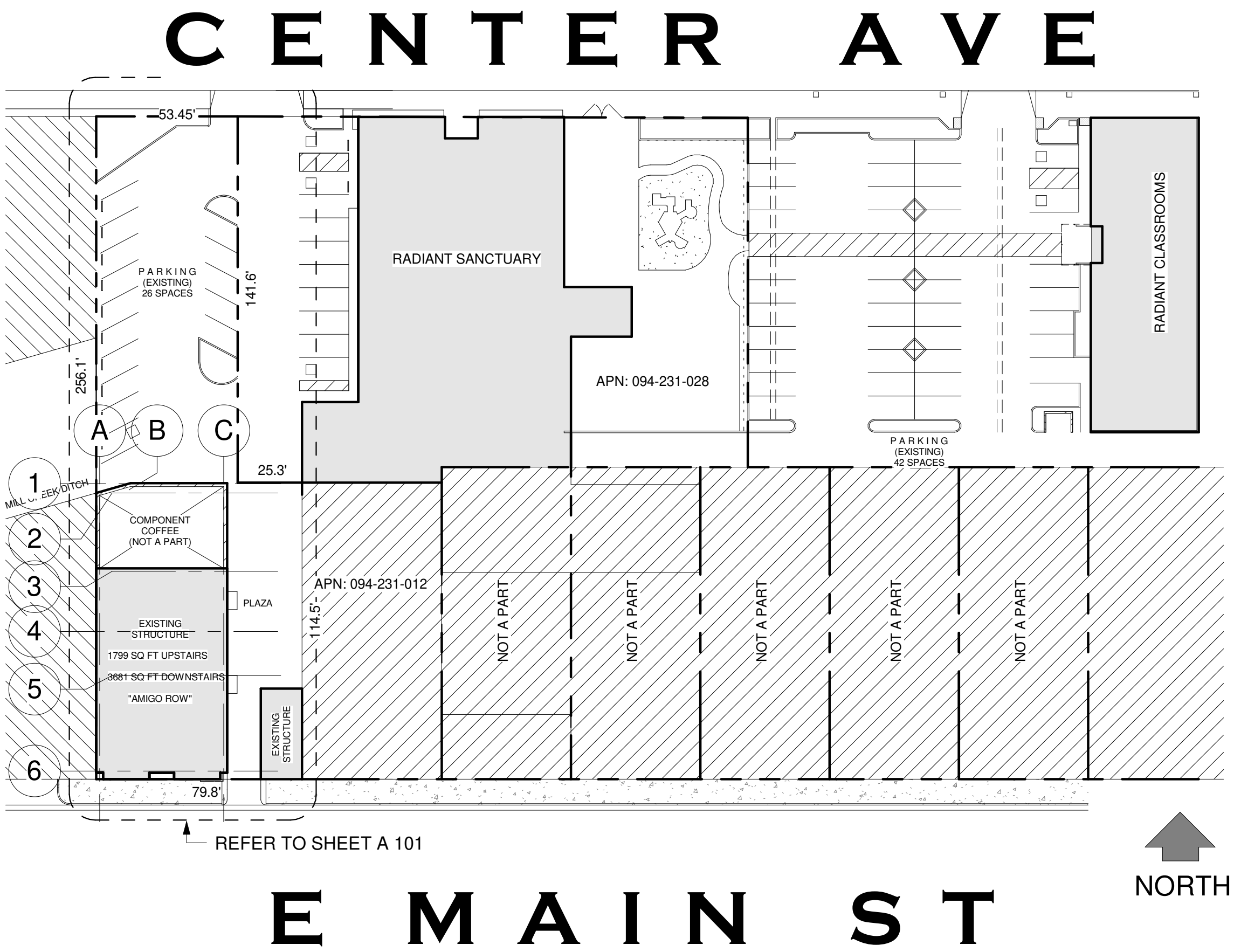
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed project is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-20).

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

1. The project shall comply with all conditions and requirements of Conditional Use Permit No. 2003-04, Conditional Use Permit No. 2013-27, and Conditional Use Permit No. 2024-24, except as modified below.
2. That the building exterior shall be developed in substantial compliance with the Building Elevations in Exhibit "B" and Project Description in Exhibit "C".
3. That all other federal, state and city codes, ordinances and laws shall be met.



1 SITE PLAN
1" = 40'-0"

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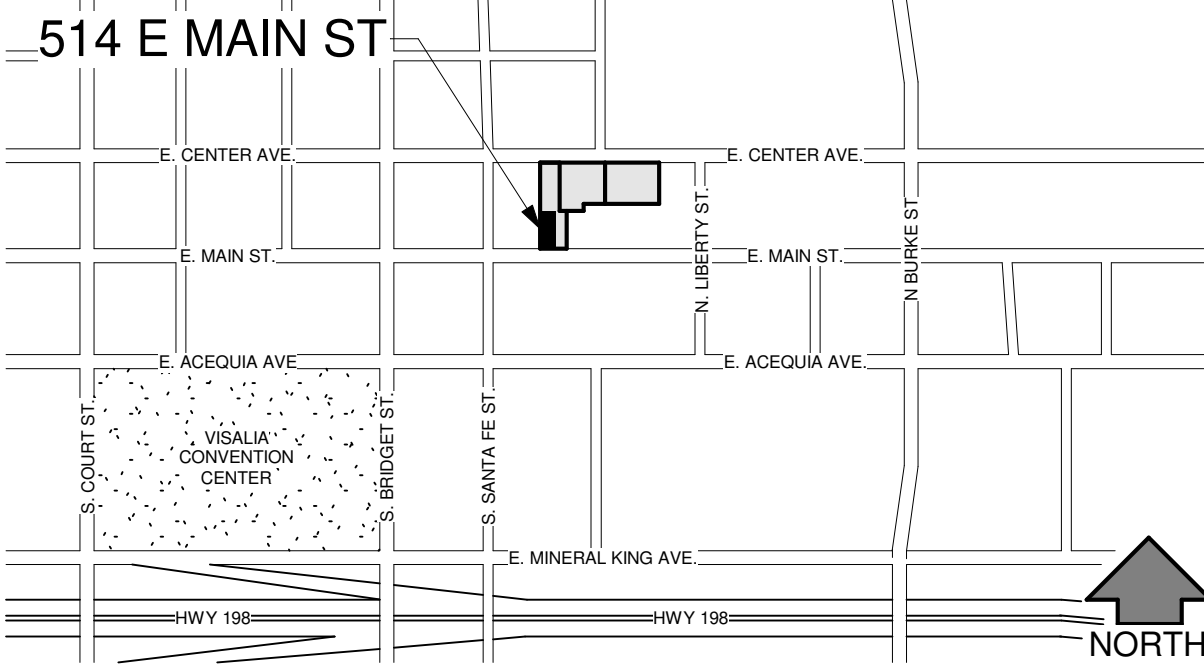
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AMENDMENT TO CUP IMPROVEMENTS TO 514 E MAIN ST AMIGO ROW

VICINITY MAP



PROJECT OUTLINE:

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

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

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

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

USE: RELIGIOUS USE

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

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

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

CODE CITATIONS

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

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

ORDER OF DRAWINGS

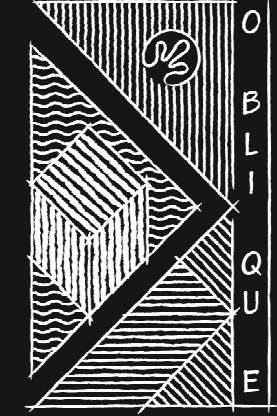
DRAWING NUMBER	DRAWING NAME
G 0.1	COVER SHEET
G 0.2	ACCESSIBILITY SHEET
G 0.3	ACCESSIBILITY SHEET
G 0.4	CODE ANALYSIS
C1	SITE IMPROVEMENT NOTES & GENERAL INFORMATION
C2	GRADING & DRAINAGE PLAN
C3	SITE IMPROVEMENT DETAILS
A 101	SITE PLAN
A0.1	DEMOLITION PLAN
A1.1	OPENINGS
A1.2	FLOOR PLAN
A1.3	REFLECTED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

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

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

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

COVER SHEET



Thom Black
ARCHITECT



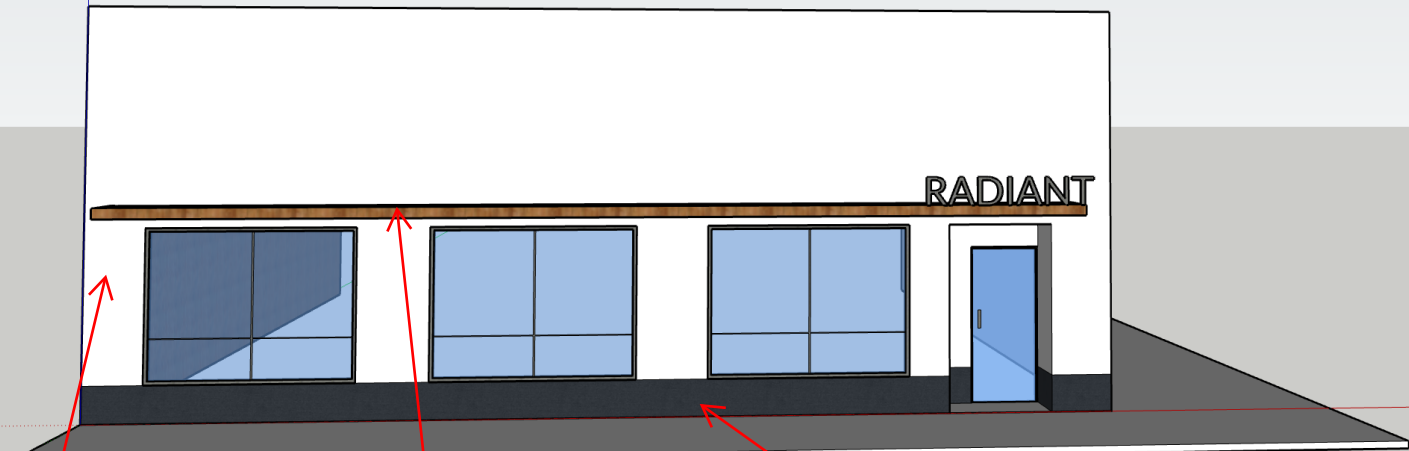
RADIANT church
514 E MAIN ST
Amigo Row Renovation

No.	Description	DATE
A	AMENDMENT TO CUP	05/17/2021
B	PRE-SUBMITTAL DRAFT	03/17/2024
1	SUBMITTAL TO BLDG DEPT	09/2/2021
2	RE-SUBMIT PER REVIEW	04/26/2022
3	RE-SUBMIT PER REVIEW	1/12/2024
3	RE-SUBMIT PER REVIEW	1/19/2024

Project number
1810.3
Drawn by
DC
Checked by
THOM

G 0.1
SET DATE
2/10/2022

EXHIBIT B

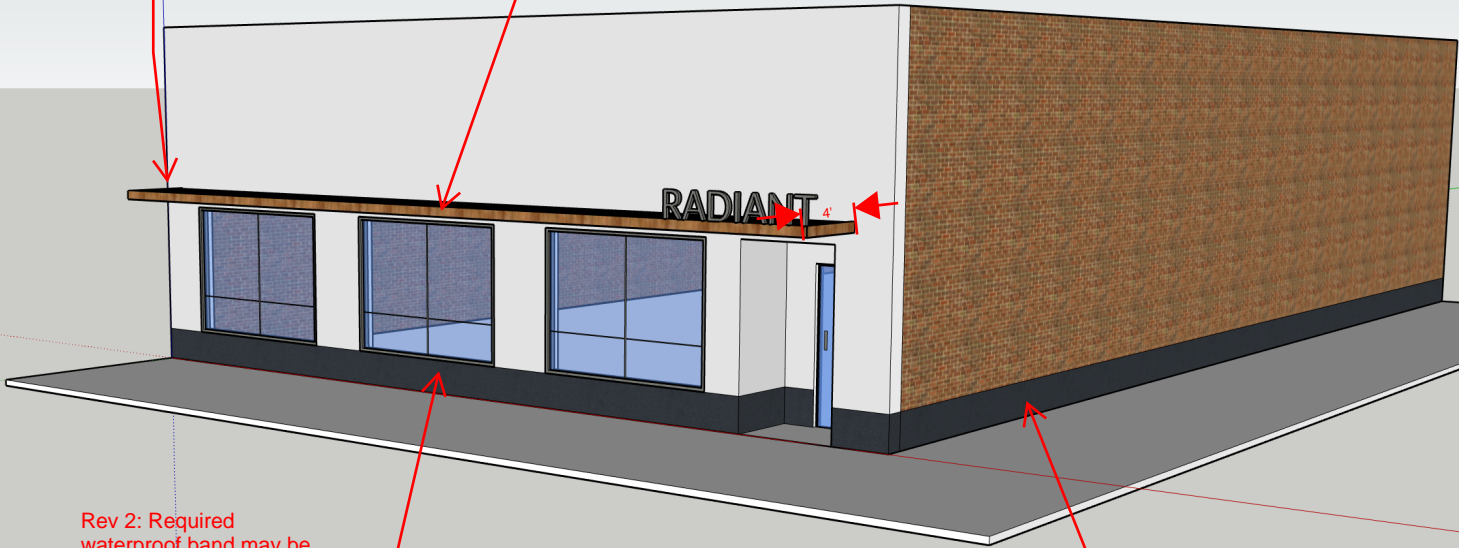


Smooth plaster painted to match existing building as apposed to adding brick

Metal awning with wood clad utilizing existing structural members

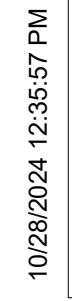
Required waterproofing membrane wrapping building perimeter

New canopy will extend about 4' from the building



Rev 2: Required waterproof band may be able to be blended into the stucco

Rev 2: Required waterproof band will be placed around the entire perimeter of the building outside the existing brick facade.



EXISTING SITE PICTURES
514 EAST MAIN STREET



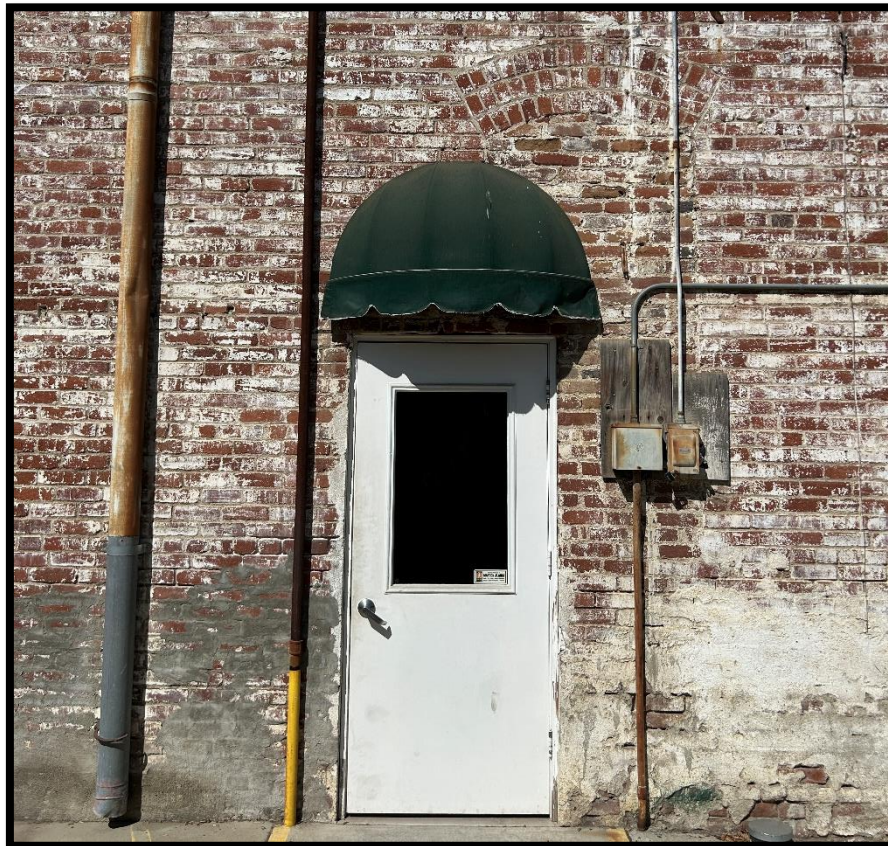




EXHIBIT C

The following outlines the requested modifications to the previously approved plans:

1. Building Façade Treatment:

Upon further evaluation, the proposal to add a thin brick façade has been reconsidered. The challenge of accurately matching the nearly century-old brick of the existing structure has led to the decision to preserve the current façade. The existing 12-inch thick painted concrete wall will be retained. To complement the new storefront windows, which will be installed in their previously approved locations, a smooth stucco finish will be applied. The color and texture of the stucco will be meticulously matched to the existing concrete, ensuring a seamless and historically sensitive appearance.

2. Waterproofing and Exterior Banding:

As per the original approval, a waterproof membrane will be applied to the lower portion of the building. This membrane will extend to a minimum height of 18 inches from the adjacent sidewalk. The finish of the membrane can be integrated into the new stucco for a uniform look or colored to match the approved decorative band that wraps the perimeter of the building, providing both protection and a cohesive design element.

3. Front Awning Structure:

The design and length of the front awning will remain as previously approved, extending the same length as the original and previously. During the initial demolition phase, a thorough inspection of the awning's structural supports revealed that the existing beams are sound and sufficient for reuse. These beams will be cut back from their current approximate length of seven feet to four feet and will be clad in an aluminum wood around the perimeter, preserving a key structural element while refining the aesthetic.

These proposed modifications are born from a desire to respect the architectural heritage of the building and its surroundings. By retaining the existing concrete façade and thoughtfully integrating new elements, the project will achieve a harmonious blend of old and new. The structural enhancements to the awning ensure its long-term stability while maintaining the approved design.

RESOLUTION NO. 2024-41

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

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

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

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-24, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

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

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

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

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

8. That the maximum occupancy limit as determined by the City of Visalia Fire Department and Planning and Community Preservation Department, Building Division shall be posted and not exceeded for all activities conducted onsite, including special events.
9. That all other federal, state and city codes, ordinances and laws shall be met.

Commissioner Norman offered the motion to this resolution. Commissioner Davis seconded the motion and it carried by the following vote:

AYES: Commissioners Norman, Davis, Peck, Tavaréz, Beatie

NOES:

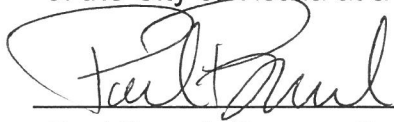
ABSTAINED:

ABSENT:

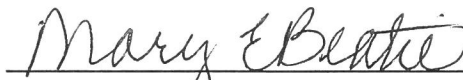
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2024-41, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on September 9, 2024.



Paul Bernal, Community Development Director



Mary Beatie, Chairperson



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 9, 2024

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

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

STAFF RECOMMENDATION

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

RECOMMENDED MOTION

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

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

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

RELATED PROJECTS

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

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

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

PROJECT EVALUATION

Land Use Compatibility

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

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

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

Parking

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

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

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

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

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

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

Downtown Retail Overlay District

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

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

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

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

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

Environmental Review

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

RECOMMENDED FINDINGS

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

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

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

RECOMMENDED CONDITIONS OF APPROVAL

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

7. That any project signage shall be obtained under a separate Building Permit and shall comply with all requirements of Visalia Municipal Code Section 17.48.120 (Downtown Retail Overlay District Sign Standards).
8. That the maximum occupancy limit as determined by the City of Visalia Fire Department and Planning and Community Preservation Department, Building Division shall be posted and not exceeded for all activities conducted onsite, including special events.
9. That all other federal, state and city codes, ordinances and laws shall be met.

APPEAL INFORMATION

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

Attachments:

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

RELATED PLANS AND POLICIES

Chapter 17.19 Mixed Use Zones

17.19.010 Purpose and intent.

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

1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.

2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;

3. Provide zone districts that encourage and maintain vibrant, walkable environments.

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

1. Mixed Use Commercial Zone—(C-MU). The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.

2. Mixed Use Downtown Zone—(D-MU). The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

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

17.19.020 Permitted uses.

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

17.19.030 Conditional and temporary uses.

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

17.19.040 Required conditions.

A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in [Chapter 17.28](#).

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

C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in [Chapter 17.34](#). (Ord. 2017-01 (part), 2017)

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

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

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

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

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

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

Chapter 17.38 Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the

flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

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

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property

owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

Chapter 17.58
Downtown Retail Overlay District

17.58.010 Purposes and intent.

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

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

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

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

17.58.015 Applicability.

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

17.58.020 Components of the chapter.

This chapter shall include:

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

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

17.58.030 Definitions.

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

B. Word Usage.

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

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

C. Definitions.

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

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

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

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

17.58.040 Regulation of improvements.

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

17.58.050 Procedures for review of applications.

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

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

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

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

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

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

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

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

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

17.58.060 Appeal to the city council.

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

17.58.070 Ordinary maintenance and repair.

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

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

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

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

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

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

2. Mansard form roof tiles.

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

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

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

17.58.082 Standards applying to alterations to existing buildings.

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

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

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

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

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

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

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

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

17.58.084 Standards applying to new buildings.

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

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

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

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

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

17.58.086 Maintenance and repair required.

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

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

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

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

17.58.090 Exceptions.

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

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

17.58.100 Role of building official.

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

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

17.58.110 Separability.

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

RESOLUTION NO. 2024-41

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

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

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

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-24, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

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

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

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

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

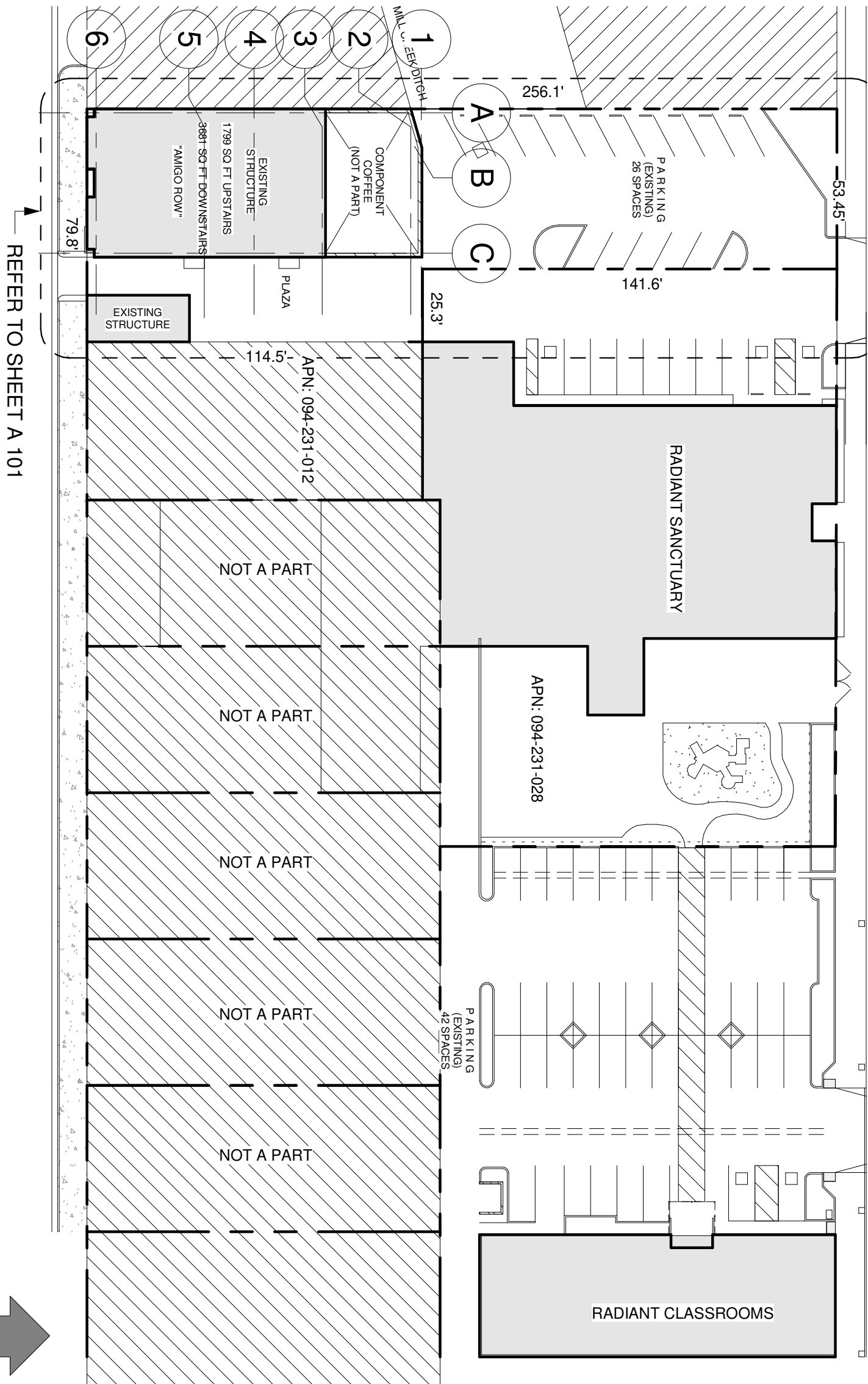
Division shall be posted and not exceeded for all activities conducted onsite, including special events.

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

C E N T E R A V E

E M A I N S T

1 SITE PLAN
1" = 40'-0"



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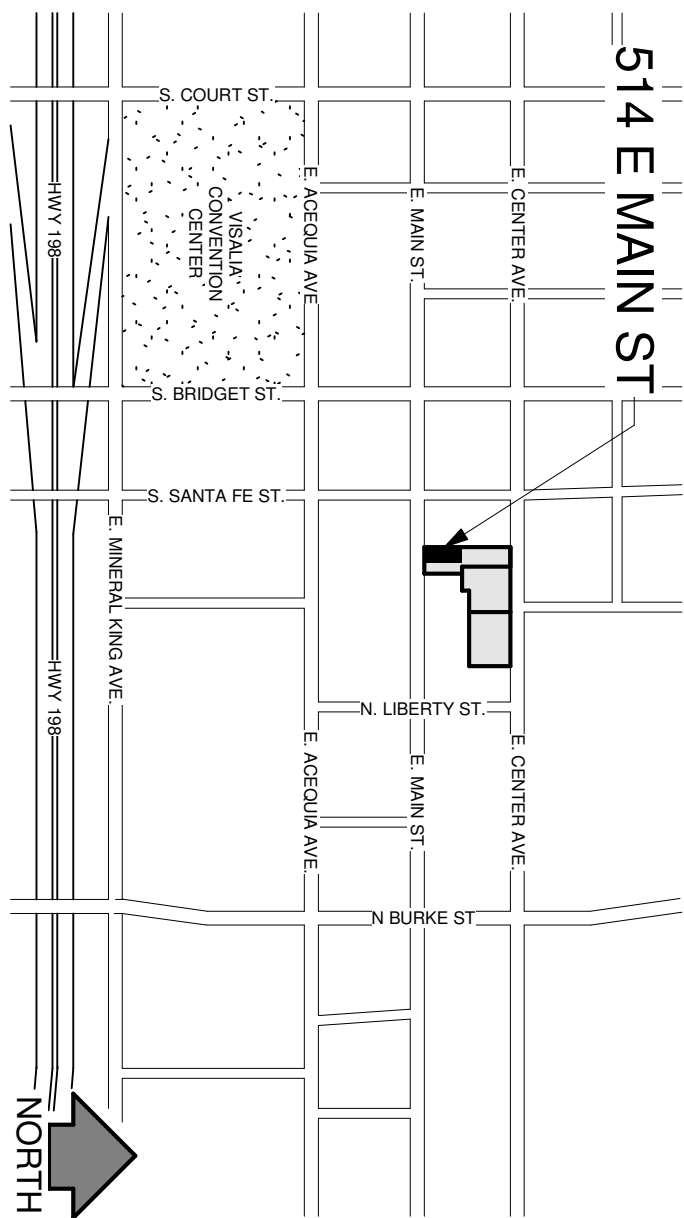
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VICINITY MAP



PROJECT OUTLINE:

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

ARCHITECT: THOM BLACK, ARCHITECT C 24899
(559) 967- 0850
PRODUCTION: DYLAN CABICO
REPRODUCTION: CARA'S BLUEPRINT EXPRESS
(559) 636-2459
PROPERTY: IRREGULAR
PROPERTY APN: 094-231-027
ZONE: D-MU (MIXED USED - DOWNTOWN)
FLOOD ZONE: AE (SPECIAL FLOOD HAZARD - SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD)

USE: RELIGIOUS USE
OCCUPANCY: A/B
CONSTRUCTION TYPE: I/II/B
SEISMIC DESIGN CATEGORY D

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

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

CODE CITATIONS

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

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

R A D I A N T
church

AMENDMENT TO CUP
IMPROVEMENTS TO 514 E MAIN ST
AMIGO ROW

ORDER OF DRAWINGS

45 sheets

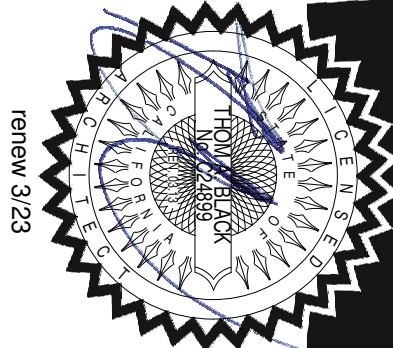
DRAWING NUMBER	DRAWING NAME
G.0.1	COVER SHEET
G.0.2	ACCESSIBILITY SHEET
G.0.3	ACCESSIBILITY SHEET
G.0.4	CODE ANALYSIS
C1	SITE IMPROVEMENT NOTES & GENERAL INFORMATION
C2	GRADING & DRAINAGE PLAN
C3	SITE IMPROVEMENT DETAILS
A.101	SITE PLAN
A0.1	DEMOLITION PLAN
A1.1	OPENINGS
A1.2	FLOOR PLAN
A1.3	REFLECTED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

ATTACHED FOR A COMPLETE PERMIT:
-STRUCTURAL CALCULATIONS AUTHORED BY ZELTMACHER STRUCTURAL DESIGN AND ENGINEERING
-ENERGY ANALYSIS AND REPORT AUTHORED BY CALIBER MECHANICAL DESIGN
DEFERRED SUBMITTALS:
-THE AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE UNDER A SEPARATE SUBMITTAL AND PERMIT.
-LANDSCAPE AND IRRIGATION AT STREET FRONTAGE

ALL PLAINHOLDERS: THESE PLANS SHALL BE ACCOMPANIED BY
SUBMITTAL AND PERMIT.
CONDITIONAL USE PERMIT APPROVAL PRIOR TO CONSTRUCTION ACTIVITY

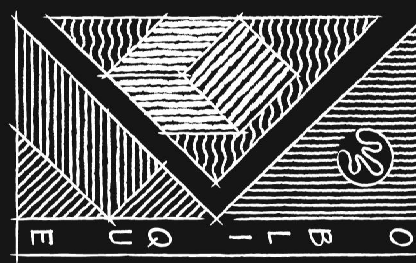
COVER SHEET

R A D I A N T
church
514 E MAIN ST
Amigo Row Renovation



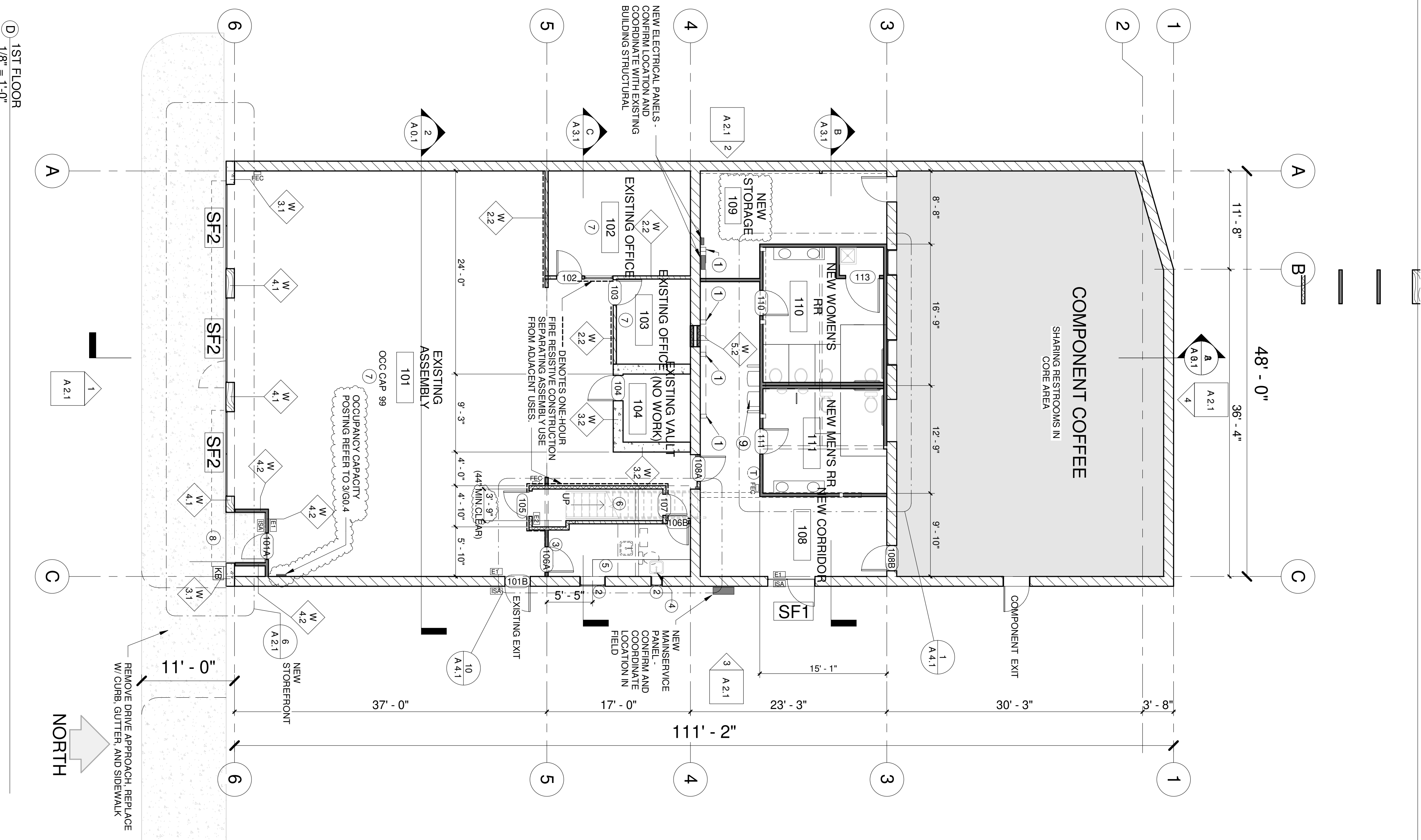
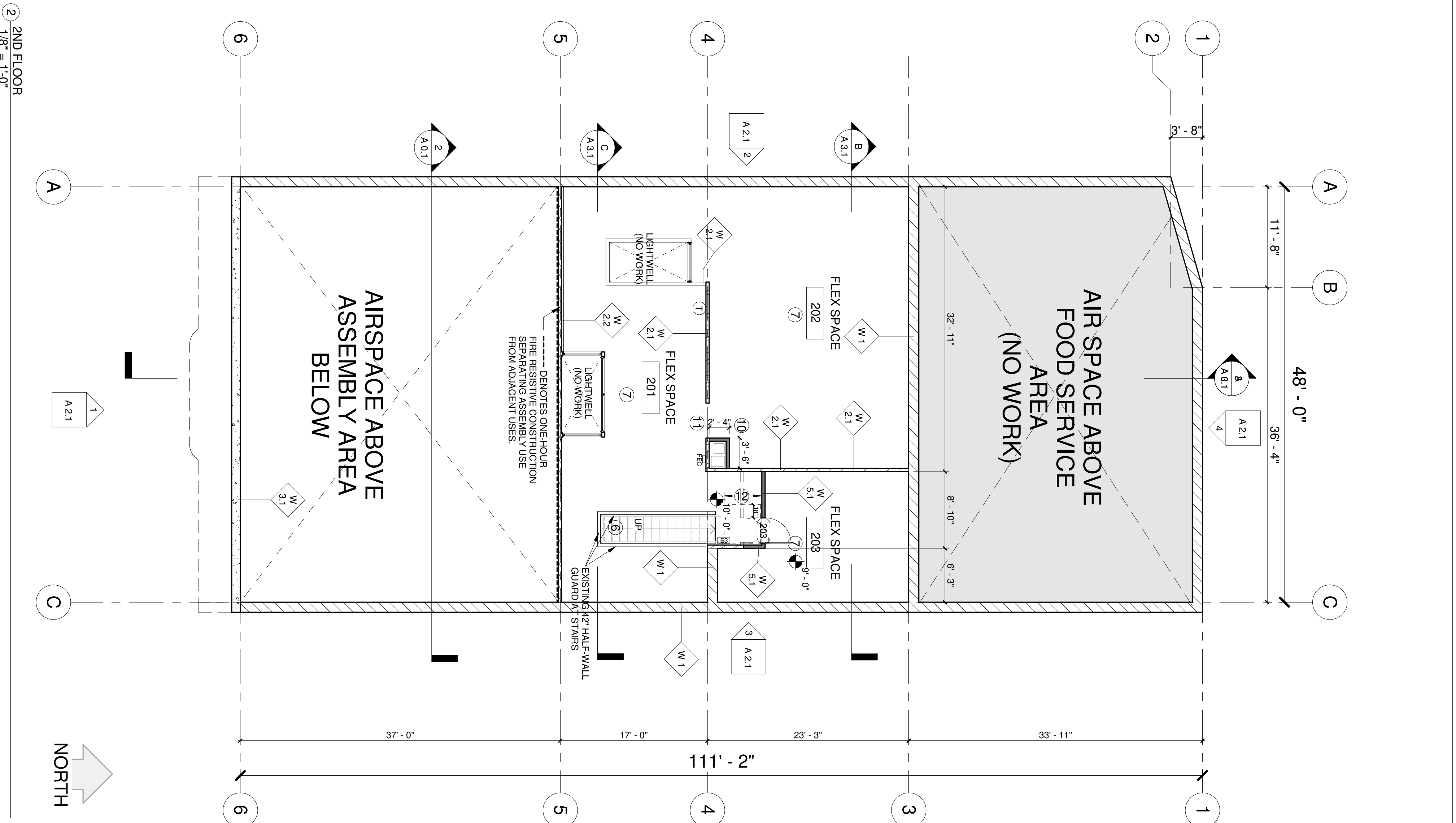
ARCHITECT

Thom Black



Project number	1810.3
Drawn by	DC
Checked by	THOM
DATE	2/10/2022

G.0.1



- KEYNOTES**
- 1 EXISTING WOOD POSTS TO REMAIN (SUPPORTING UPSTAIRS FLOOR FRAMING)
 - 2 EXISTING WINDOWS TO REMAIN
 - 3 REMOVE EXISTING CABINET W/ SINK
 - 4 REMOVE EXISTING SINGLE OCCUPANT RESTROOM (NON-COMPLIANT). REMOVE FIXTURES, WALL FINISHES, ACCESSORIES, PREPARE FOR NEW WORK
 - 5 NEW BASE CABINET, COUNTERTOP, 2 COMPARTMENT SINK, UPPER WALL. CABINETS REFER TO INTERIOR ELEVATION
 - 6 RENOVATE EXISTING STAIRS, ENCLOSE W/ ONE-HOUR FR WALLS AT GROUND FLOOR--SEE SHEET A 4.2
 - 7 RENOVATE EXISTING FINISHES
 - 8 NEW EXIT DOOR IN NEW ALCOVE W/ LEVEL LANDING AND RAMP TRANSIT TO EXISTING SIDEWALK
 - 9 NEW DRINKING FOUNTAINS
 - 10 HVAC CHASE FOR DUCT DROP FROM ROOFTOP TO ROUTE TO DOWNSTAIRS
 - 11 4x7⁰ CASSED OPENING
 - 12 48" APPROACH CLEARANCE TO DOOR, CLEAR OF STAIR HANDRAILS

OUTLINE OF PLAN SYMBOLS

- == OUTLINE OF EXISTING IMPROVEMENTS TO BE REMOVED. DEMOLITION PERMIT REQUIRED UNDER SEPARATE PERMIT
- DOOR TAG-- REFER TO OPENINGS SHEET A 1.1
- ALUM STOREFRONT SYSTEM--REFER TO OPENINGS SHEET A 1.1 DOOR TYPES
- FIRE EXTINGUISHER
2A10BC TANK WALL-BRACKET MOUNT: 40 LB MAX WEIGHT MOUNT WITH BRACKET RELEASE NO HIGHER THAN 60 INCHES ABOVE FIN FLR.
- TACTILE EXIT SIGN. REFER TO DETAIL 4 SHT G 0.3 FOR KEY TO SYMBOLS
- INTERNATIONAL SIGN OF ACCESSIBILITY. REFER TO DETAIL 3 SHT G 0.3
- KNOX BOX LOCK BOX--SEE SITE PLAN SHEET A 101
- INDUSTRIES FIRE EXTINGUISHERS AND CABINETS OR APPROXIMATELY EQUAL** REFER TO DETAIL 16 / A 4.1
FIRE EXTINGUISHER: 2A10BC 5 LB COSMIC 5E MULTI-PURPOSE CHEMICAL
STEEL CYLINDER PULL-PIN SQUEEZE GRIP.
CABINET: PANORAMA CABINET 81117 POWDER-COATED STEEL, C70 DOOR
BRACKET (WHERE WALL-MOUNT IS DENOTED); M818A REFER TO SHT G 0.2 AND G 0.3.
FOR REQUIREMENTS AND PARAMETERS FOR ACCESSIBILITY
- WALL TAGS**
 - EXISTING MASONRY WALL - LOAD BEARING
 - EXISTING WOOD FRAME WALL INTERIOR
 - PLASTER FINISH
 - EXISTING WOOD FRAME WALL INTERIOR PLASTER FINISH. CONFIRM COMPLIANCE W/ CBC TABLE 721.11.2 WOOD STUDS W/ 5/8" GYPSUM PLASTER EA SIDE. ALTERNATIVE ASSEMBLY: REMOVE PLASTER, APPLY 5/8" F.R. (TYPE X OR EO) EA SIDE. ALL OPENINGS IN RATED WALL MUST BE RATED 20 MIN Labeled Assemblies.
 - EXISTING PIP (POURFD-IN-PLACE) REINFORCED CONCRETE WALL (MAIN ST FACADE)
 - EXISTING PIP (POURFD-IN-PLACE) REINFORCED CONCRETE WALL VAULT
 - NEW 2 x 8 WOOD FRAME WALL INFILL TO FRAME UP NEW STOREFRONT WINDOWS ON MAIN ST FACADE
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT NEW ALCOVE ENTRY ON MAIN ST. 120" GDR PLX W/ D FACE ON EXTERIOR. NO. 15 FELT OVER PLYWD. HARDBOARD PLANK SIDING OR EQUAL FINISH.
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT INTERIOR. 5/8" GYP BD EACH SIDE (OMIT GYP BD ON BLND SIDES UP AGAINST ADJACENT CONSTRUCTION)
 - NEW 2 x 4 @ 16 WOOD FRAME STUD WALL AT INTERIOR. ONE HOUR RATED ASSEMBLY (GDR TABLE 721.11.2) ITEM 14.1.3 OR GYPSUM ASSOCIATION DESIGN WP-3515) 5/8" F.R. (TYPE X OR EQUAL) GYP BD EACH SIDE

FLOOR PLANS

2/10/2022

2/10/2022

1810.3

DC

THOM

Project number

1810.3

Drawn by

DC

Checked by

THOM

DATE

06/17/2021

03/1/2024

No.

A

B

Description

AMENDMENT TO CUP

PRE-SUBMITTAL DRAFT

1

2

3

3

SUBMITTAL TO BLDG DEPT

RE-SUBMIT PER REVIEW 10/21/21

RE-SUBMIT PER REVIEW 5/12/2022

RE-SUBMIT PER REVIEW 1/19/2024

09/2/2021

04/26/2022

1/12/2024

3/12/2024

RADIANT

church

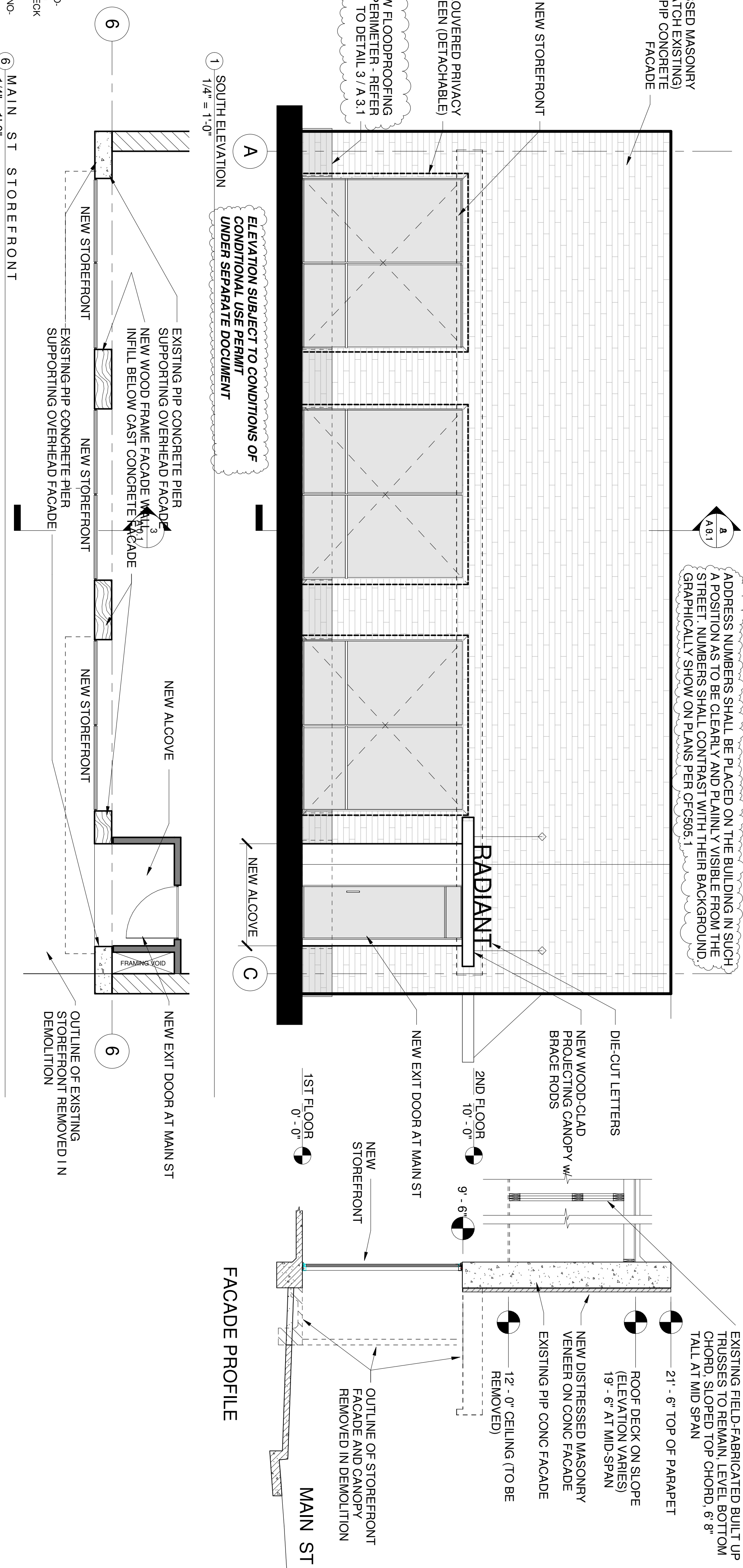
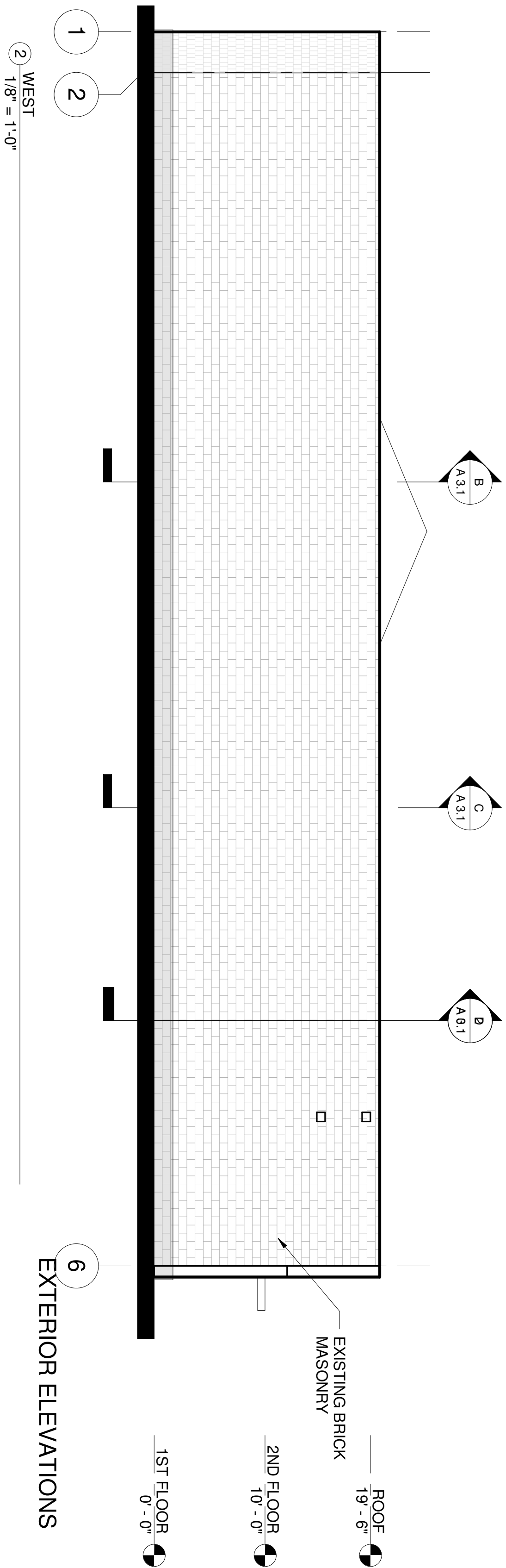
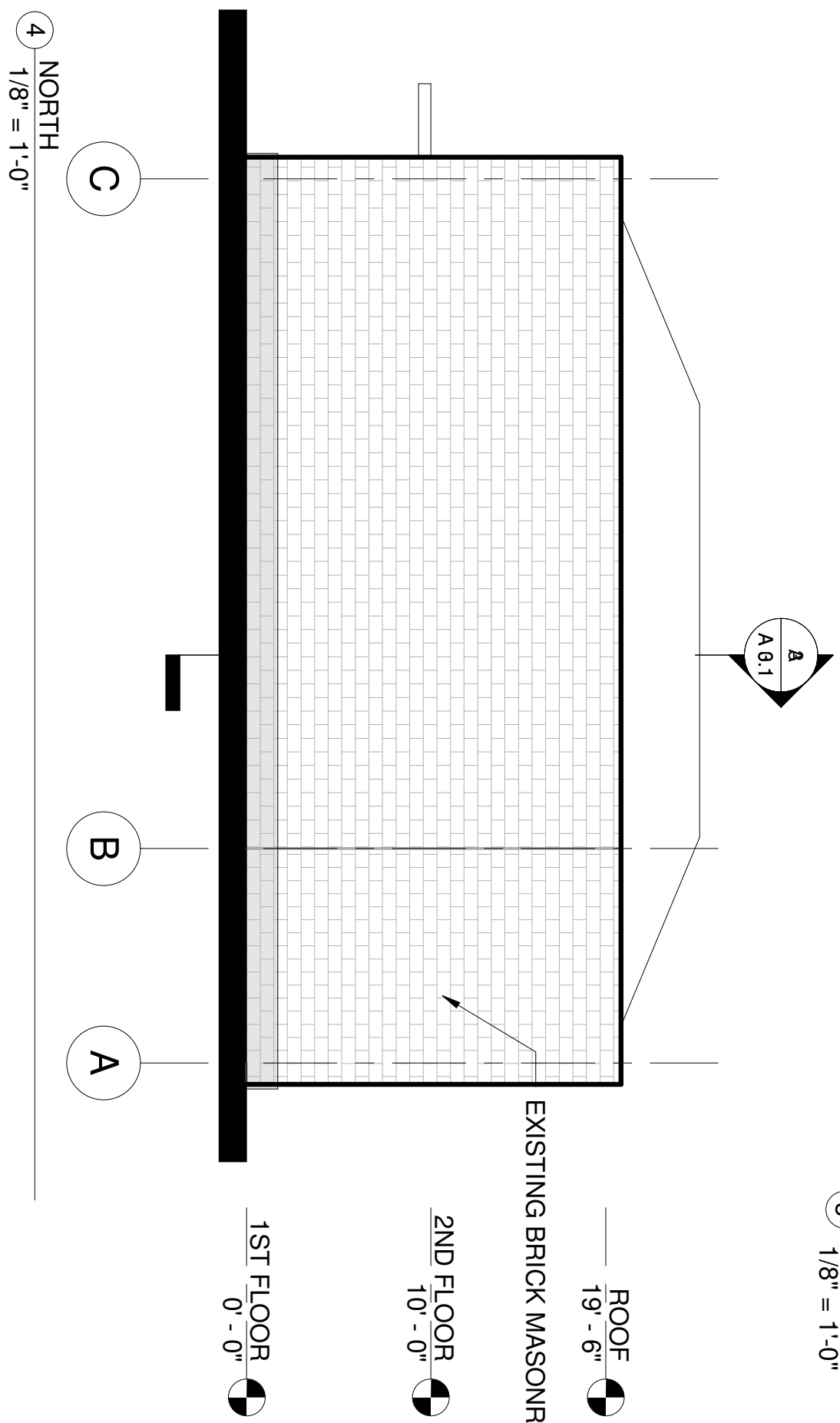
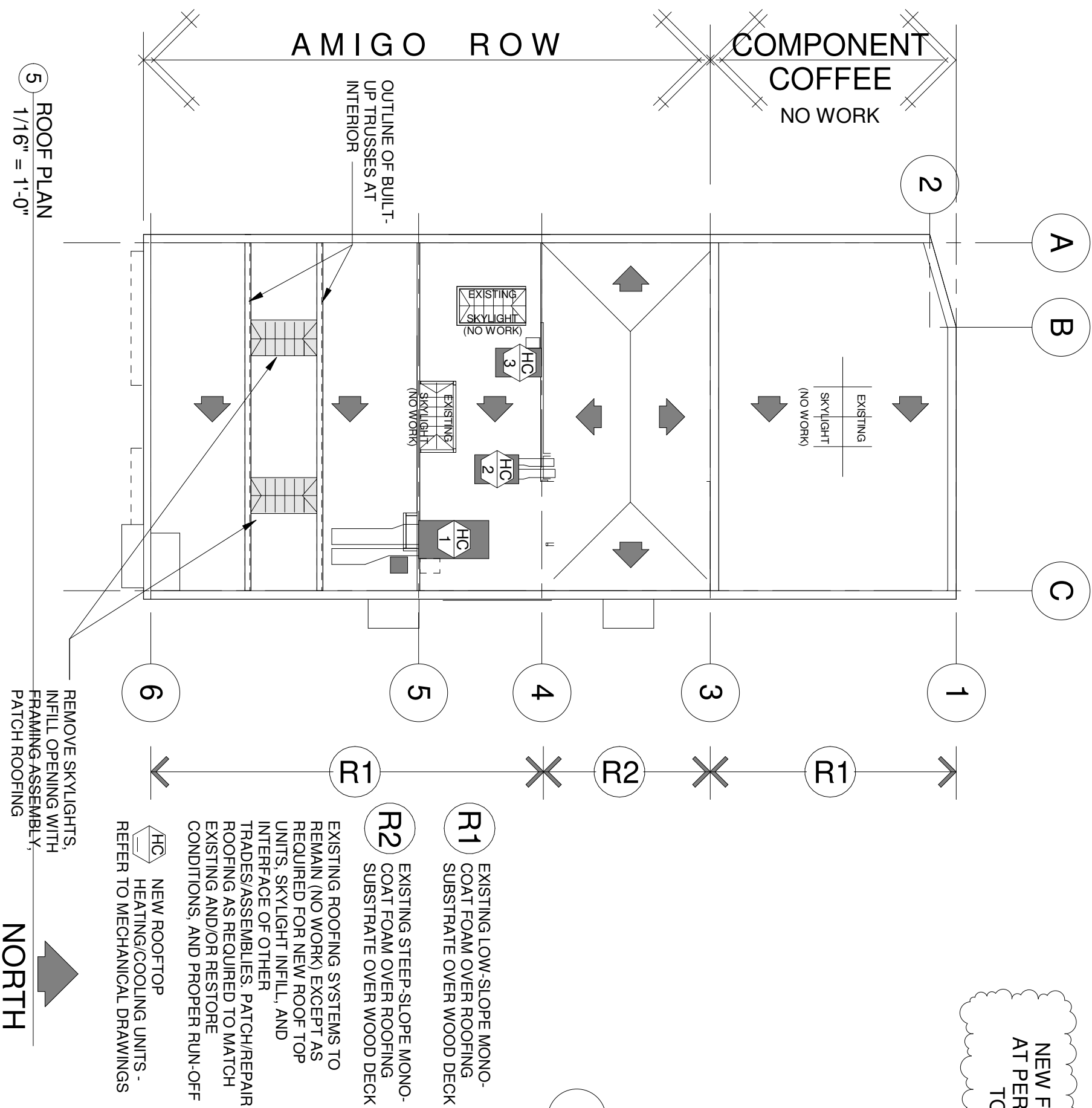
514 E MAIN ST

Amigo Row Renovation

ARCHITECT

Thom Black

659 967-0850 P O BOX 9424 VISALIA 93278 thomabg1@gmail.com www.thba.studio

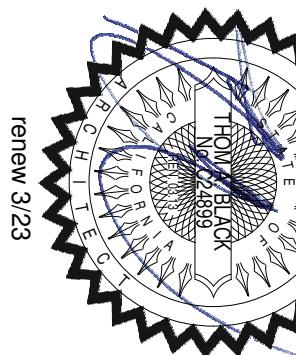


No.	Description	DATE
A	AMENDMENT TO CUP	06/17/2021
B	PRE-SUBMITTAL DRAFT	03/1/2024
1	SUBMITTAL TO BLDG DEPT	09/2/2021
2	RE-SUBMIT PER REVIEW 10/21/21	04/26/2022
3	RE-SUBMIT PER REVIEW 5/12/2022	1/12/2024
3	RE-SUBMIT PER REVIEW 1/19/2024	3/12/2024

Project number	1810.3
Drawn by	DC
Checked by	THOM

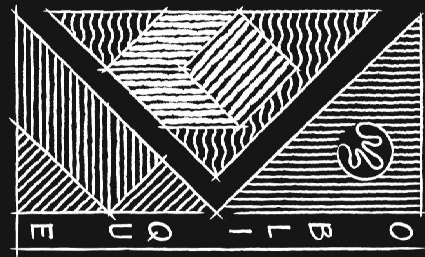
R A D I A N T
— church —

514 E MAIN ST
Amigo Row Renovation



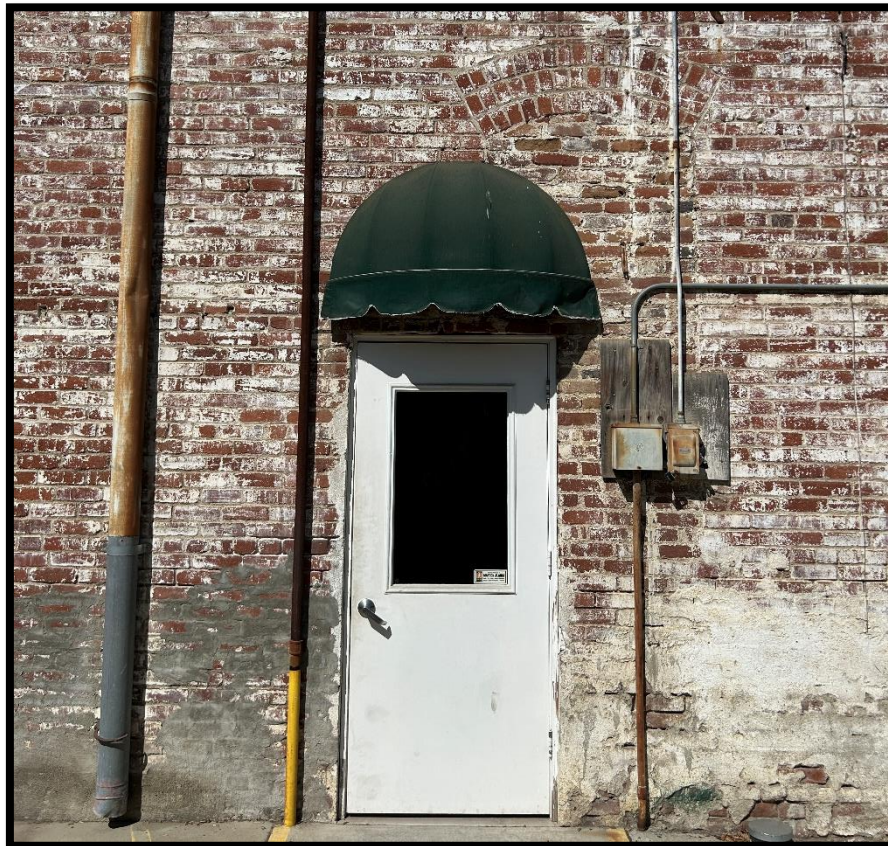
ARCHITECTS

Tham Black



EXISTING SITE PICTURES
514 EAST MAIN STREET









Operational Statement

Amigo Row – 514 E. Main St.

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

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

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

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

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

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

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Young", written in a cursive style.

Mike Young

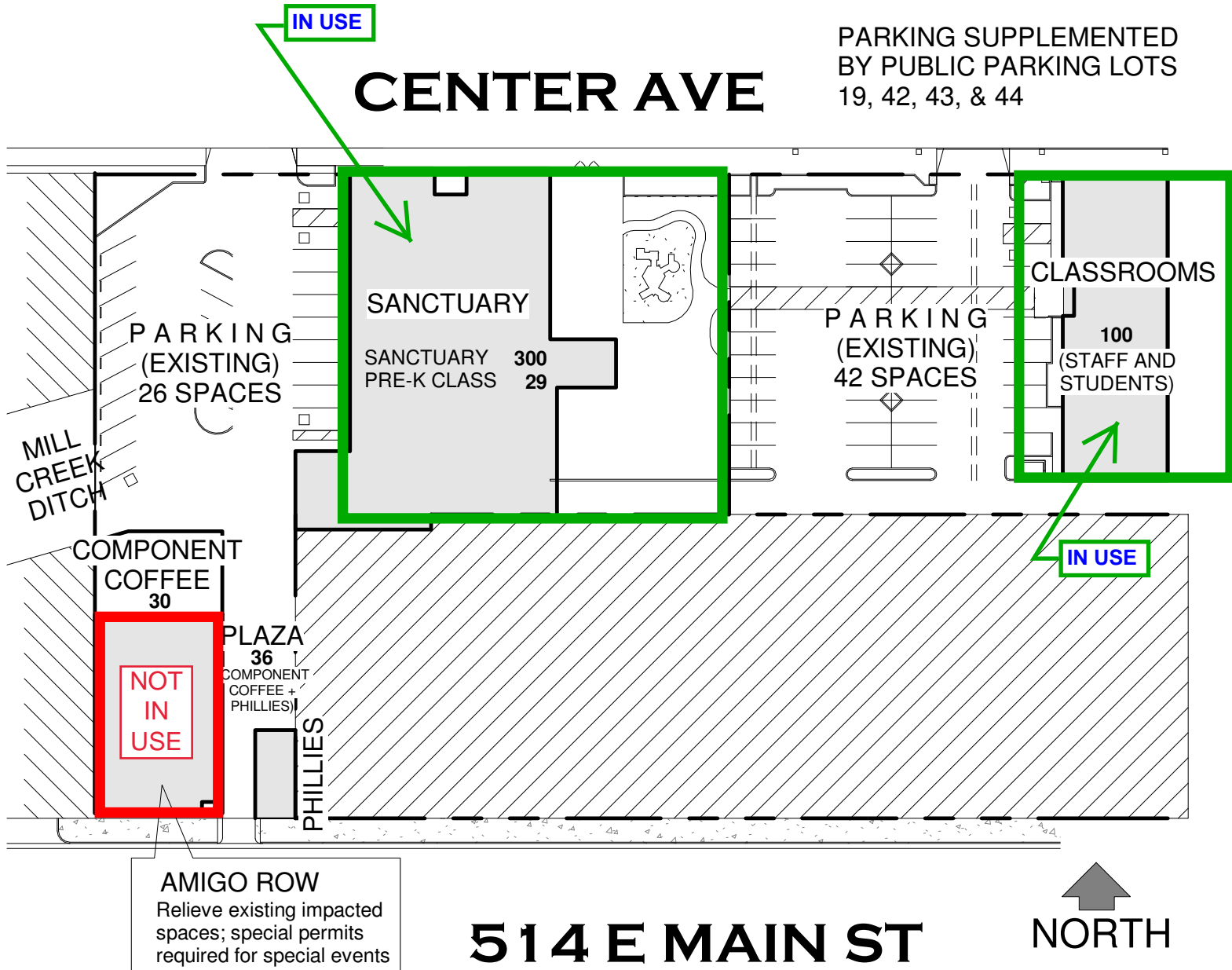
Operations Director

mike@radiantvisalia.com

559-709-4963

Operational time of the week
represented below:

SUNDAY

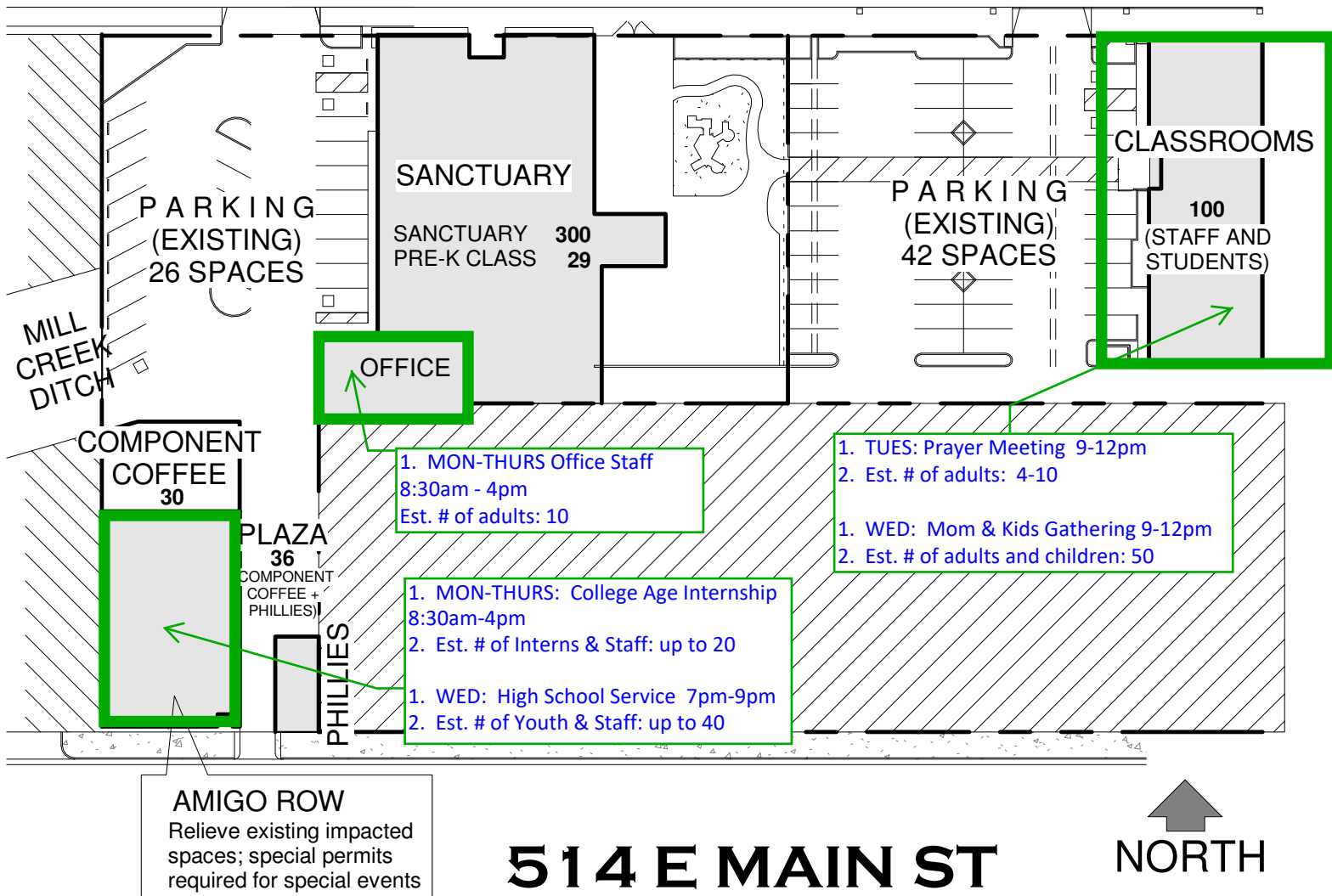


1. Time of use for church services: 9am - 12pm
2. Est. # of adults and children per service (2 services, 9am & 10:45): 260
3. Est. # of cars per service: 75
4. Parking impact from our perspective: covered by 26 spaces west of the Sanctuary, 42 spaces east of the Sanctuary, and surrounding public lots

Operational time of the week represented below:
Monday - Thursday

CENTER AVE

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



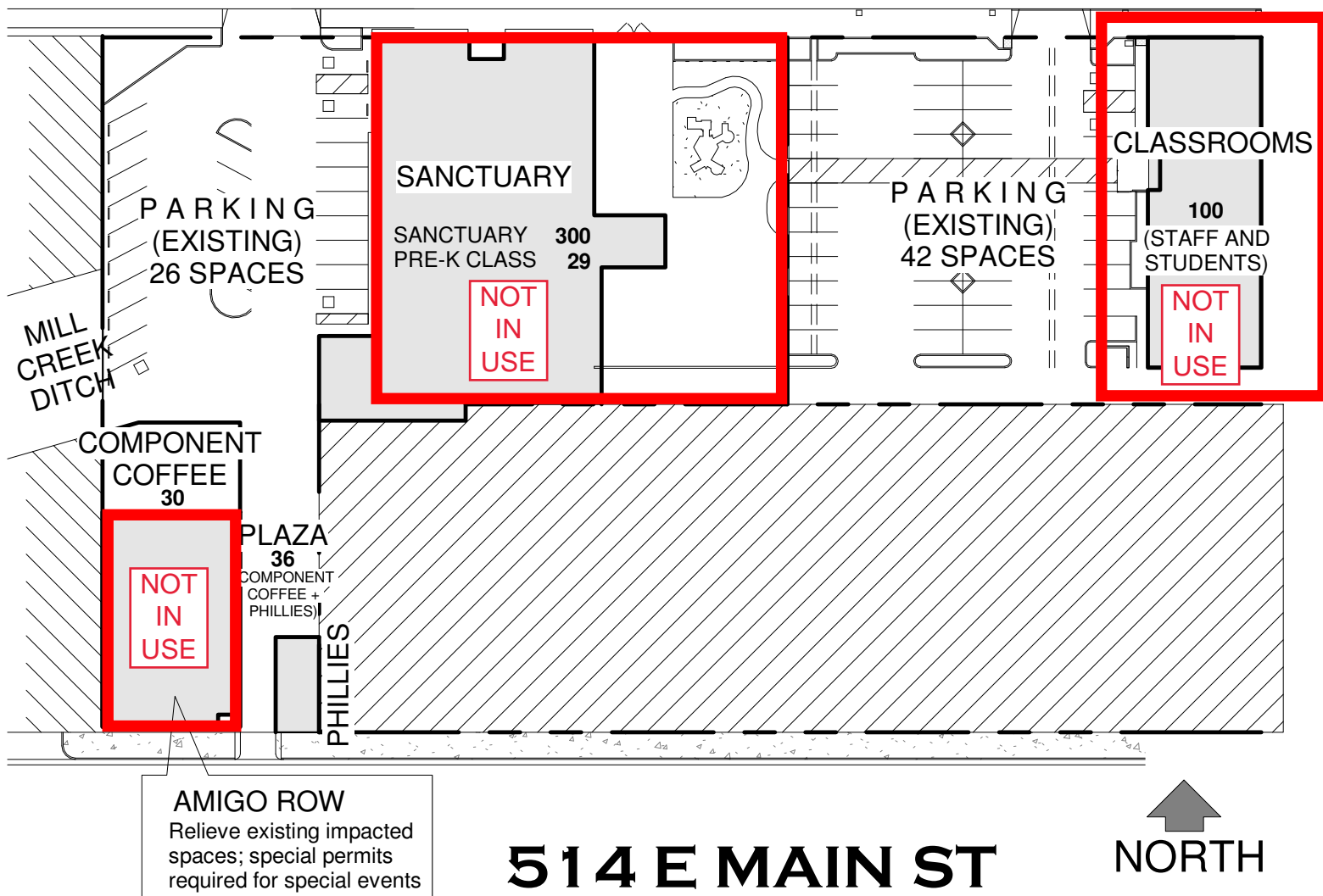
For ALL activities noted above, we are able to park all of our cars in the parking lot east of the Sanctuary, allowing Component to have exclusive use of the west parking lot during their normal business hours.

Operational time of the week represented below:

Friday & Saturday

CENTER AVE

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



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

Date: July 8, 2024

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

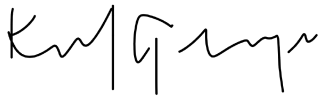
Cristobal:

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

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

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

Best,



Kelsey George, Senior Planner
4Creeks

Enclosures:
Attachment 1: Response to Comments



**Attachment 1
Response to Comments**

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

The property owner is aware and will be providing payment.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

No landscaping is proposed at this time.

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

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

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

This comment has been noted and acknowledged.



VISALIA MUNICIPAL PARKING LOTS

-CENTRAL BUSINESS DISTRICT-



EXHIBIT "E"

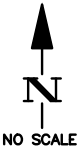


LOT CAPACITY		
Lot No.	No. of Spaces	Lot Designation
1	36	ALL DAY
2	23	ALL DAY
3	54	ALL DAY
4	128	108 RESTRICTED, 20 TEMPORARY
5	41	PERMIT PARKING
7	20	ALL DAY
8	23	ALL DAY
9	74	3-HOUR, ALL DAY WITH PERMIT
10	16	ALL DAY
11	38	3-HOUR
12	45	3-HOUR, ALL DAY WITH PERMIT
18	28	ALL DAY
19	65	CONVENTION CENTER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

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

LEGEND

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



Environmental Document #2024-34

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit 2024-24

PROJECT TITLE

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

PROJECT LOCATION - SPECIFIC

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

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

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

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

NAME OF PUBLIC AGENCY/LEAD AGENCY APPROVING PROJECT

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

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

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

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

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

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

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner

CONTACT PERSON

(559) 713-4443

AREA CODE/PHONE

DATE

Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR



May 3, 2022

Site Plan Review No. 2021-230-C:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **April 13, 2022**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal".

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

Attachment(s):

- Site Plan Review Comments



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

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

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

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

☐ Planning ☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste ☐ Parks and Recreation ☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

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

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

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ CUP

☐ HISTORIC PRESERVATION

☐ OTHER –

☐ **ADDITIONAL COMMENTS:**

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

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: April 13, 2022

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

Planning Division Recommendation:

- ☒ Revise and Proceed
☐ Resubmit

Project Requirements

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

PROJECT SPECIFIC INFORMATION: April 13, 2022

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

PROJECT SPECIFIC INFORMATION: January 19, 2022

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

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

PROJECT SPECIFIC INFORMATION: January 5, 2022

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

Note:

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

Sections of the Municipal Code to review:

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

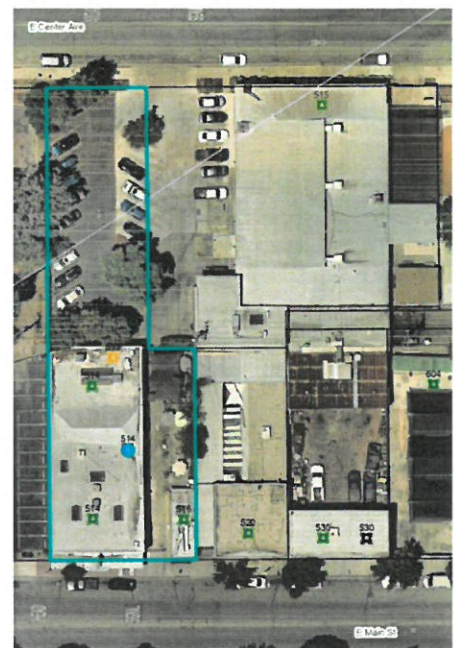
17.30 Development Standards [17.30.015(H) Lighting]

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

17.58 Downtown Retail Overlay District

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

☒ Adrian Rubalcaba 713-4271
☐ Diego Corvera 713-4209

ITEM NO: 3 DATE: APRIL 13, 2022

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

SITE PLAN REVIEW COMMENTS

☒ REQUIREMENTS (indicated by checked boxes)

☐ Install curb return with ramp, with radius;

☐ Install curb; ☐ gutter

☐ Drive approach size: ☐ Use radius return;

☐ Sidewalk: width; ☐ parkway width at

☒ Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.

☐ Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.

☐ Right-of-way dedication required. A title report is required for verification of ownership.

☐ Deed required prior to issuing building permit;

☒ City Encroachment Permit Required. **FOR ANY WORK NECESSARY IN THE PUBLIC RIGHT-OF-WAY**

Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.

☐ CalTrans Encroachment Permit required. ☐ CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;

☐ Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.

☐ Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.

☐ Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. ☐ Prepared by registered civil engineer or project architect. ☐ All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) ☐ directed to the City's existing storm drainage system; b) ☐ directed to a permanent on-site basin; or c) ☐ directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

☐ Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.

☒ Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)

☐ Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.

☐ All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

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

Additional Comments:

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

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **21-230 2nd RESUBMITTAL**

Date: **4/13/2022**

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date: **8/21/2021**)

(Project type for fee rates: **OFFICE / INSTITUTIONAL**)

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

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

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

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

- ☐ A building permit will be required. *For information call (559) 713-4444*
- ☐ Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- ☐ Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- ☐ Meet State and Federal requirements for accessibility for persons with disabilities.
- ☐ A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- ☐ All accessible units required to be adaptable for persons with disabilities.
- ☐ Maintain sound transmission control between units minimum of 50 STC.
- ☐ Maintain fire-resistive requirements at property lines.
- ☐ A demolition permit & deposit is required. *For information call (559) 713-4444*
- ☐ Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- ☐ Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- ☐ Project is located in flood zone _____ * ☐ Hazardous materials report.
- ☐ Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- ☐ School Development fees. Commercial \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.
- ☐ Park Development fee \$_____, per unit collected with building permits.
- ☐ Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- ☐ Acceptable as submitted
- ☐ No comments at this time

Additional comments:

SEE PREVIOUS COMMENTS
DATED 2/15/22


VAL GARCIA 4/12/22
Signature

**Site Plan Comments**

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

Date 4/13/2022
Item # 3
Site Plan # 21230
APN: 094231027

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- This item is a **resubmittal**. Please see comments from previous submittals.



Corbin Reed
Fire Marshal



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

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

Site Plan Review Comments

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

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 13, 2022

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

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

- ☒ No Comments
- ☒ See Previous Site Plan Comments
- ☐ Install Street Light(s) per City Standards at time of development.
- ☐ Install Street Name Blades at **intersection** Locations.
- ☐ Install Stop Signs on **local roads that intersect an arterial/collector status roadway** at time of development.
- ☐ Construct parking per City Standards PK-1 through PK-4.
- ☐ Construct drive approach per City Standards at time of development.
- ☐ Traffic Impact Analysis required (CUP)
 - ☐ Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- ☐ Additional traffic information required (Non Discretionary)
 - ☐ Trip Generation - Provide documentation as to concurrence with General Plan.
 - ☐ Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - ☐ Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

•

Leslie Blair

Leslie Blair

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

21230

April 13, 2022

<input type="checkbox"/>	No comments.
<input checked="" type="checkbox"/>	See comments below
<input type="checkbox"/>	Revisions required prior to submitting final plans. See comments below.
<input type="checkbox"/>	Resubmittal required. See comments below.
<input checked="" type="checkbox"/>	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
<input type="checkbox"/>	ALL refuse enclosures must be R-3 OR R-4
<input type="checkbox"/>	Customer must provide combination or keys for access to locked gates/bins
<input type="checkbox"/>	Type of refuse service not indicated.
<input type="checkbox"/>	Location of bin enclosure not acceptable. See comments below.
<input type="checkbox"/>	Bin enclosure not to city standards double.
<input type="checkbox"/>	Inadequate number of bins to provide sufficient service. See comments below.
<input type="checkbox"/>	Drive approach too narrow for refuse trucks access. See comments below.
<input type="checkbox"/>	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
<input checked="" type="checkbox"/>	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
<input type="checkbox"/>	Bin enclosure gates are required
<input type="checkbox"/>	Hammerhead turnaround must be built per city standards.
<input type="checkbox"/>	Cul - de - sac must be built per city standards.
<input type="checkbox"/>	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
<input checked="" type="checkbox"/>	Area in front of refuse enclosure must be marked off indicating no parking
<input type="checkbox"/>	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.
<input type="checkbox"/>	Customer will be required to roll container out to curb for service.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
<input type="checkbox"/>	Customer indicated no changes planned to existing solid waste services.
Jason Serpa, Solid Waste Manager, 559-713-4533 Edward Zuniga, Solid Waste Supervisor, 559-713-4338	
Nathan Garza, Solid Waste, 559-713-4532	

Environmental Document #2025-20

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit 2025-15

PROJECT TITLE

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

PROJECT LOCATION - SPECIFIC

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request by Wade Sousa to modify Condition of Approval No. 3 of Conditional Use Permit No. 2024-24, permitting exterior alterations to an existing building on the Radiant Church campus, located within the D-MU (Mixed Use Downtown) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

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

NAME OF PUBLIC AGENCY/LEAD AGENCY APPROVING PROJECT

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

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

4Creeks, Attn: Wade Sousa, 324 South Santa Fe Street, Visalia CA 93292, (559) 737-0111, wades@4-creeks.com

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

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

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

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner

CONTACT PERSON

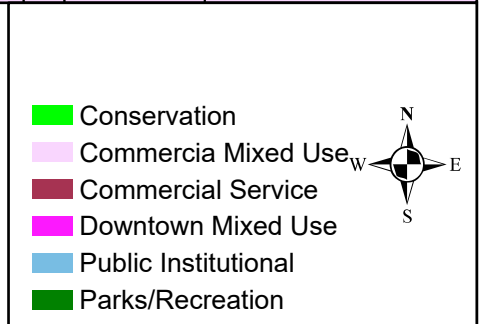
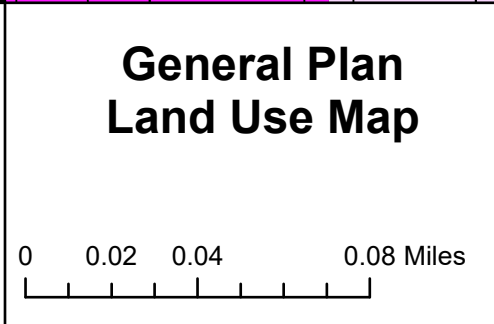
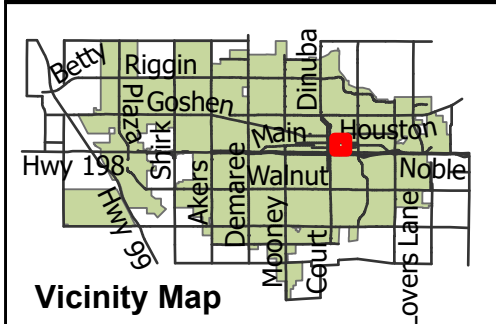
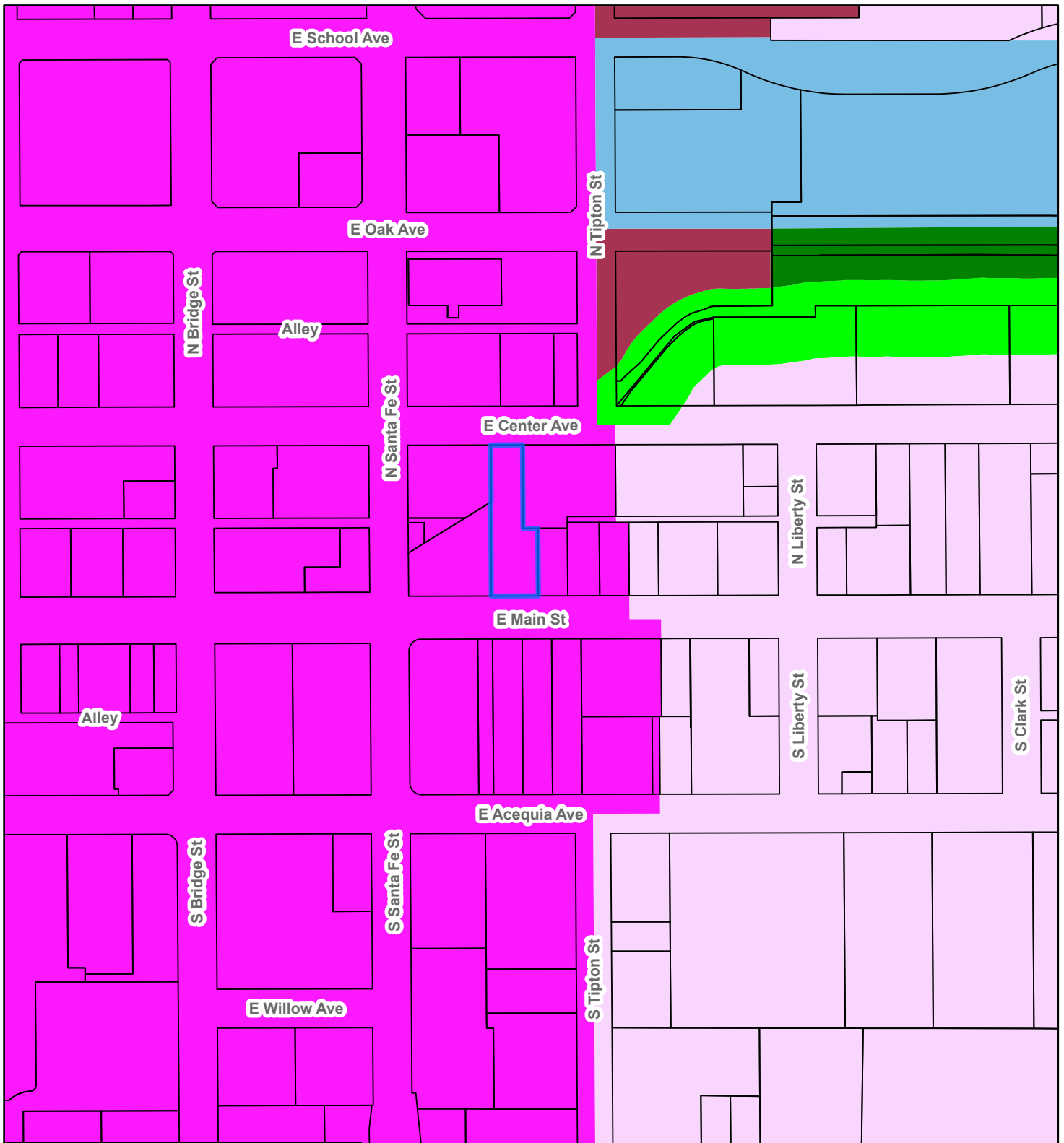
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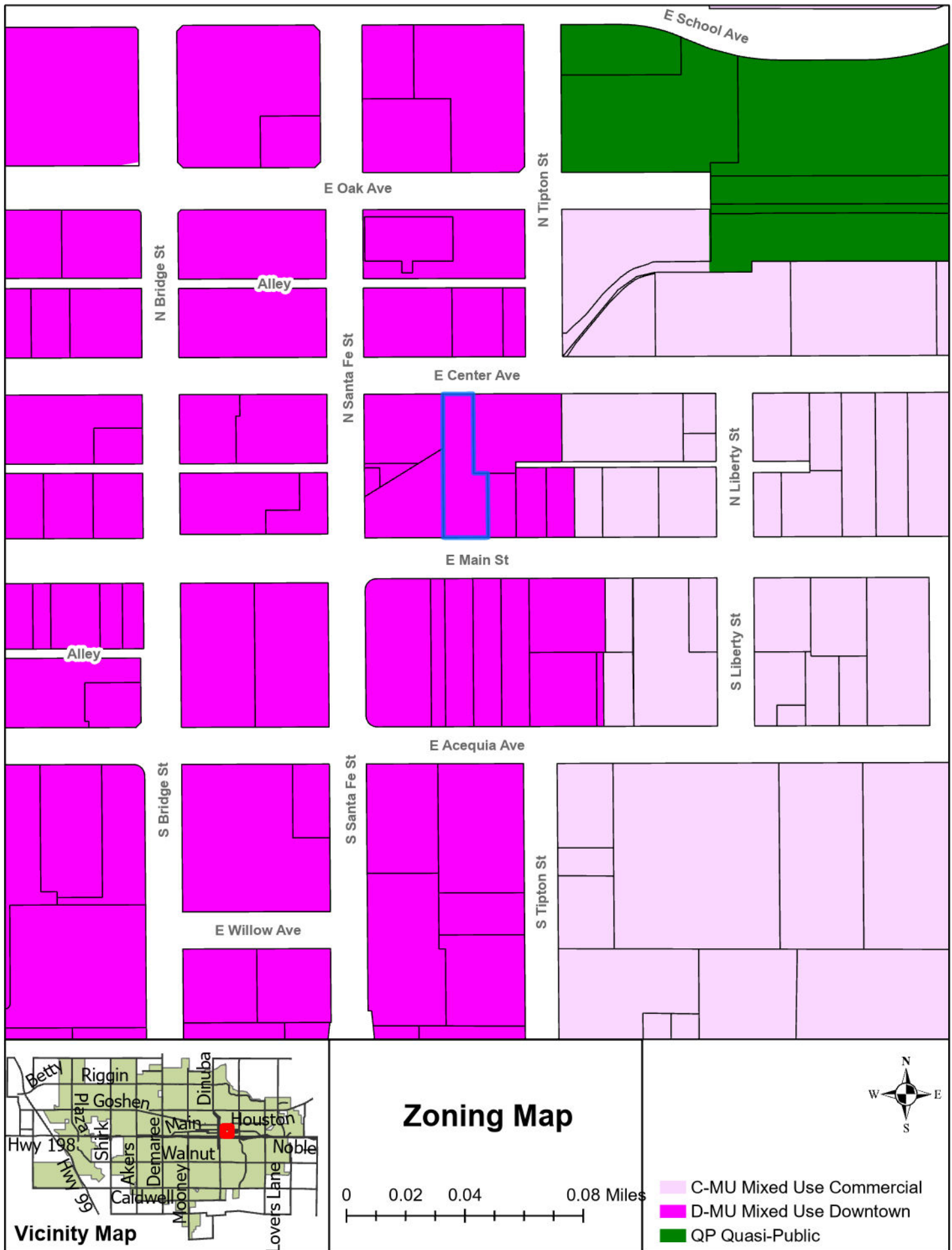
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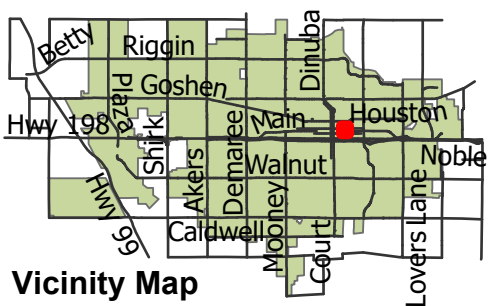
DATE

Brandon Smith, AICP

ENVIRONMENTAL COORDINATOR



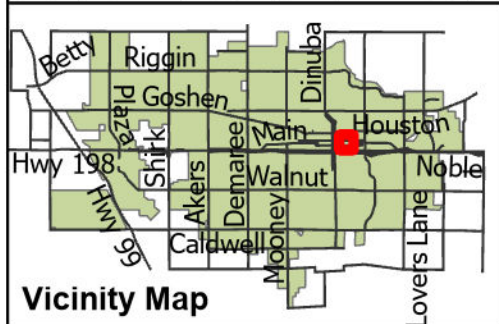
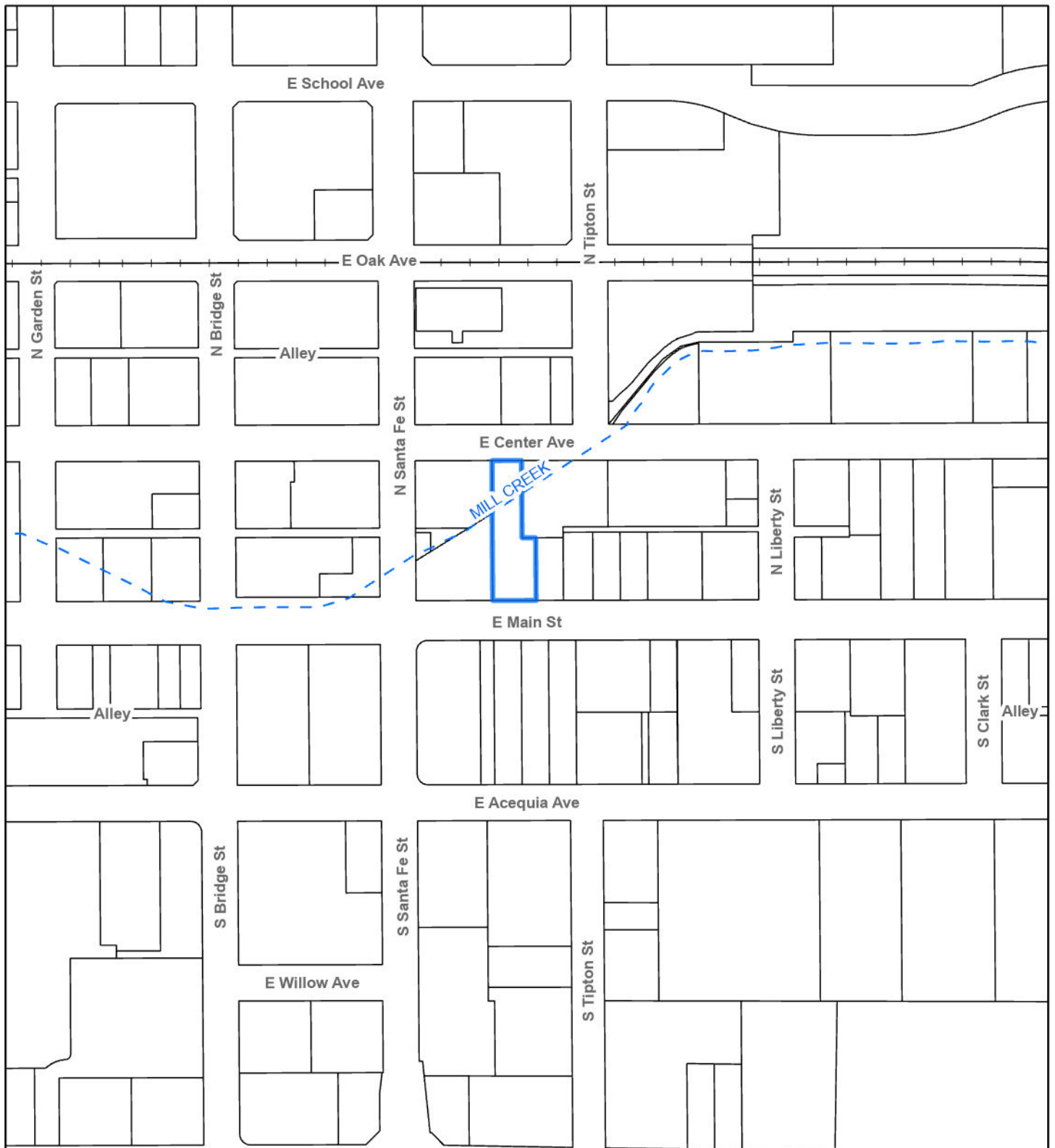




Aerial Map

0 0.01 0.03 0.05 Miles





Vicinity

0 0.03 0.05 0.1 Miles





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: August 11, 2025

PROJECT PLANNER: Colleen A. Moreno, Assistant Planner
Phone: (559) 713-4031
Email: colleen.moreno@visalia.city

SUBJECT: Conditional Use Permit No. 2025-17: A request by Honey Spa to amend Conditional Use Permit No. 2024-08 to increase the hours of operation and number of employees for the existing massage establishment in the C-MU (Mixed Use Commercial) zone. The site is located at 4025 West Caldwell Avenue, Unit E, southeast of West Caldwell Avenue and South Chinowth Street in the WinCo Shopping Center (APN: 119-340-019).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2025-17, as conditioned, based upon the findings and conditions in Resolution No. 2025-34. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2025-17, based on the findings and conditions in Resolution No. 2025-34.

PROJECT DESCRIPTION

Conditional Use Permit No. 2025-17 is a request by Honey Spa, a massage establishment, to amend CUP 2024-08 to allow an increase in the hours of operation and the number of employees.

Honey Spa is located within a 1,424 square foot tenant space within a separate tenant building located northwest of the WinCo supermarket on a separate parcel, but within the shopping center. The specific building of the proposed project within the shopping center consists of five tenant spaces, of which only two are currently operating. Each tenant space has a primary point of entry independent of each other.

Per the operational statement (Exhibit A), the applicant is seeking to increase the current hours of operation from 9:00 A.M. to 7:30 P.M. to 9:00 A.M. to 9:00 P.M., as well as to increase the current number of employees from one (1) employee to five (5) employees. The applicant is seeking this increase to accommodate working customers seeking to make appointments after 7:00 P.M. and having to turn away customers due to a lack of employees. All services provided will remain the same as well as the layout of the interior space (Exhibit "B"). Additionally, there are no improvements proposed with this conditional use permit. The applicant is only seeking to increase the hours of operation and the number of employees.

BACKGROUND INFORMATION

General Plan Land Use Designation:	CMU (Commercial Mixed Use)
Zoning:	C-MU (Mixed Use Commercial)
Surrounding Zoning and Land Use:	North: C-MU / Tahoe Joe's restaurant
	South: C-MU / Vacant parcel
	East: C-MU / WinCo grocery store
	West: R-1-5 (Single-Family Residential, 5,000 sq. ft. min. site area) / Residential neighborhood
Environmental Review:	Categorical Exemption No. 2025-25
Special Districts:	None
Site Plan Review:	SPR No. 2025-147

RELATED PROJECTS

Conditional Use Permit No. 2024-08, a request to establish Honey Spa, a massage establishment within an existing 1,424 square foot tenant space in the C-MU zone. This was approved by Planning Commission on April 22, 2024.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2025-17, as conditioned, based on the project's consistency with the General Plan Land Use and Zoning Ordinance.

Land Use Compatibility

The Visalia Zoning Matrix identifies massage therapists as conditionally permitted within the C-MU Zone, requiring submittal and approval of a Conditional Use Permit (CUP). Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. *"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. The Planning Commission is empowered to grant or deny applications for conditional use permits"* (VMC 17.38.010).

As previously stated, the massage establishment is currently existing and was previously conditionally permitted at the location. The site is located within a larger shopping center filled with additional commercial uses. There are no other changes to the use and therefore staff concludes that the proposed project, as condition, is compatible with the Land Use and General Plan.

Compliance with Chapter 5.68 and 17.25 of the Visalia Municipal Code

The Visalia City Council introduced and adopted the first reading of Ordinance No. 2025-03 to update Chapter 5.68 and Chapter 17.25 of the Visalia Municipal Code (VMC) relating to massage establishments at their July 21, 2025 meeting. The City Council adopted the second reading of this ordinance at their August 4, 2025, Council meeting; which will result in the ordinance taking effect within 30-days. This update in VMC Chapter 17.25, now requires a CUP in all zones within the city as well as additional conditions within the establishments and for business owners.

The Visalia Municipal Code does not establish buffering distance requirements regarding massage establishments near schools and residential neighborhoods; however, additional conditions were added. The additional business regulations established under the VMC Chapter 5.68 include not allowing the blocking of windows, prohibiting living quarters on the premises, allowing inspections from City staff, and prohibiting the consumption or possession of alcohol by any person on the site, in addition to an extensive application background check process for each new massage professional.

The additional regulations were adopted in an effort to reduce the potential for criminal and unsafe activity at locations as well as provide safety measures that will prohibit establishments from becoming business fronts for illicit activity.

Parking

Pursuant to Section 17.34.020 of the Zoning Ordinance, similar uses such as barber shops and beauty salons require two (2) spaces per practitioner, with a minimum of four (4) spaces. Per the Operational Statement, the applicant is requesting to increase the number of practitioners from one (1) to five (5), which requires 10 parking spaces.

The proposed site is within a larger shopping center that provides shared parking for all uses within the center, therefore the shopping center provides ample parking for the use.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) Categorical Exemption No. 2025-25.

RECOMMENDED FINDINGS

1. That the proposed project could be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is inconsistent with the intent of the General Plan and Zoning Ordinance.
3. That the proposed conditional use permit would be incompatible with adjacent land uses.
4. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) Categorical Exemption No. 2025-25.

RECOMMENDED CONDITIONS

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2025-147, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the floor plan and operational statement, in Exhibits "A" and "B". Any changes or intensification of the use are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
3. That the hours of operation for the massage establishment will be 9:00 a.m. – 9:00 p.m.
4. That all exterior windows fronting a public street, highway, walkway, or parking area shall not block visibility into the interior reception and waiting area with any material that obstructs, blurs, or unreasonably darkens the view into the premises.

5. Minimum lighting consisting of at least one artificial light sufficiently illuminates items in the room, making them distinguishable, shall be required in all areas where massage services are provided.
6. Living Quarters are prohibited. No person or persons shall be allowed to reside, dwell, occupy, or live inside a massage establishment at any time. Beds, floor mattresses, dressers, nightstands, pullout couches or other furniture that converts into a bed shall not be permitted on the premises.
7. The operator and/or on duty Responsible Employee consents to the inspection of the massage establishment by the City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department for the purpose of determining that the provisions of this ordinance or other applicable laws or regulations are met.
8. The City's Building and Safety Division, Code Enforcement Division, Fire Department, and Police Department and the County Health Department, may, from time to time, make unannounced inspections of each massage establishment for the purpose of determining that the provisions of this chapter, State laws or other applicable laws or regulations are met.
9. No person shall enter, be or remain in any part of a Massage Establishment while in possession of an open container of alcohol, or consuming or using any alcoholic beverages or controlled drugs except pursuant to a prescription for such drugs.
10. The Owner, Operator, or Responsible Managing Employee shall not permit any such person, or any person who is clearly intoxicated, to enter or remain upon the premises.
11. No massage establishment shall operate a school of massage or use the same facilities as that of a school of massage.
12. All new authorized massage professional(s) employed by this establishment shall hold a current, valid certification from the California Massage Therapy Council which shall be displayed within the premise in a prominently conspicuous place, capable of being viewed by customers or city representatives, at every location where massage is performed or conducted.
13. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
14. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2025-17, per Visalia Municipal Code Section 17.38.040.
15. That all other federal, state and city laws, 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 California. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2025-34
- Exhibit "A" – Operational Statement
- Exhibit "B" – Floor Plan
- Exhibit "C" – Staff Report for Conditional Use Permit No. 2024-08
- Site Plan Review Comments No. 2025-147
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit No. 2025-17

PROJECT TITLE

4025 W. Caldwell Ave, Unit E (APN: 119-340-019)

PROJECT LOCATION

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request to amend Conditional Use Permit No. 2024-08, to allow for the increase of hours of operation and number of employees at the existing massage establishment.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

Yuefang Qian, 4025 W. Caldwell Ave, Unit E, Visalia CA 93277

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Wayne Murray, 2736 W. Cherry Ct., Visalia CA 93277

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

☐

Ministerial - Section 15073

☐

Emergency Project - Section 15071

☒

Categorical Exemption - State type and Section number: **Section 15301**

☐

Statutory Exemptions- State code number:

Existing facilities – request to re-use an existing building with no changes or proposed alterations to the site of the building.

REASON FOR PROJECT EXEMPTION

Colleen A. Moreno, Assistant Planner

CONTACT PERSON

(559) 713-4031

AREA CODE/PHONE

July 9, 2025

DATE

Brandon Smith, AICP

Environmental Coordinator

RELATED PLANS AND POLICIES

Related Plans & Policies

Visalia Municipal Code Chapter 5.68

Massage Establishments

A. In enacting this chapter, the City Council recognizes that massage therapy is a professional pursuit which can offer the public valuable health and therapeutic services, but unless properly regulated, the practice of massage therapy and the operation of massage businesses may be associated with unlawful activity and pose a threat to the quality of life in the local community. It is the purpose and intent of this chapter to provide for the orderly regulation of offices and establishments providing massage therapy services, and to prevent and discourage activities in violation of state law, all in the interests of the public health, safety, and welfare, by providing certain operational standards for such businesses, and by requiring certain minimum qualifications for the operators and practitioners of such businesses. It is the further intent of this chapter to streamline local massage therapy permitting procedures, while still facilitating and advancing the ethical practice of massage therapy, by relying upon the uniform statewide regulations enacted by the Legislature in 2008 as Business and Professions Code Sections 4600 et seq., known as the Massage Therapy Act, as subsequently amended, and by restricting the commercial practice of massage in the city to those persons duly certified to practice by the California Massage Therapy Council formed pursuant to those statutes.

B. This chapter is not intended to be exclusive, and compliance will not excuse noncompliance with any state or local laws or regulations that are uniformly applied to other professional or personal services businesses including, without limitation, all zoning applications; business license regulations; building, fire, electrical, and plumbing codes; and health and safety code laws and regulations applicable to professional or personal services businesses.

C. This chapter establishes a local regulatory system that allows only state certified massage professionals to operate within the city. This chapter is not intended to regulate massages that are not part of a business occupation. This chapter is also intended to coordinate the timing of the city's business license renewals with the state massage certification process.

5.68.020 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meaning set forth elsewhere in the Visalia Municipal Code, the California Business and Professions Code, or the California Government Code.

"Authorized massage professional" means a massage professional who is identified in a permit issued pursuant to this chapter as a person employed or retained by a massage establishment to practice massage.

"Business tax certificate" shall mean the physical documentation verifying payment of tax issued by the collector, indicating the tax period covered. "Business License," "City Business License," "City of Visalia Business License," and "Business Tax Permit" are used interchangeably within the City of Visalia Municipal Code to mean "Business Tax Certificate" when used in reference to this title.

"California Massage Therapy Council (CAMTC)" means the California Massage Therapy Council created pursuant to California Business and Professions Code Section 4600 et seq.

"CAMTC-certified massage professional" means any individual currently certified by the California Massage Therapy Council as a massage therapist or massage practitioner pursuant to Business and Professions Code Section 4600 et seq.

"Compensation" means the payment, loan, advance, donation, contribution, deposit, exchange, or gift of money or anything of value.

"City" means the city of Visalia.

"City manager" means the person appointed as or serving as the city manager for the City of Visalia.

"Director of finance" and/or "director" means any director of the finance department of the city, or his/her duly authorized deputies, or assistants who may be charged with the collection of business taxes and the issuance of business tax certificates.

"Inspector" means the person or persons designated by the city to conduct any inspections required or permitted under this chapter.

"Massage," "massage therapy," and/or "bodywork" for the purpose of this chapter means the skillful application of touch, any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus, or other appliances or devices, with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment or other similar preparations. (Exclusions to this chapter are also described in Section 5.68.110. This chapter is not intended to regulate massages that are not part of a business occupation.) "Massage establishment" means any business that offers massage therapy, baths or health treatments including, but not limited to, aromatherapy, vapor, shower, electric tub, sponge, hot towels, mineral fermentation, sauna, steam or any other type of bath, involving massages or baths in exchange for compensation. Massage businesses with an approved home occupation permit per VMC section 17.32.030 and businesses that provide outcall massage services are also considered to be massage establishments and must also comply with the approved home occupation permit. For purposes of this chapter, the term "massage establishment" may be applied to include establishments which offer or advertise themselves as providing "relaxation" or "tanning" where the essential nature of the interaction between the employee and the customer involves "massage" as defined herein. The terms, names or phrases listed on business license or fictitious name application forms are not necessarily conclusive as to the nature of the business.

"Operator" or "massage establishment operator" means any person who is an owner or manager of a massage establishment.

"Out-call massage service" means any business that provides, refers or otherwise facilitates massage for any consideration at a nonfixed location.

"Owner" or "massage establishment owner" means any of the following persons.

- A. The sole proprietor of a sole proprietorship operating a massage establishment.
- B. Any general partner of a general or limited partnership that owns a massage establishment.
- C. Any person who has a five (5) percent or greater ownership interest in a corporation that owns a massage establishment.
- D. Any person who is a member of a limited liability company that owns a massage establishment.
- E. All owners of any other type of business association that owns a massage establishment.

"Patron" means an individual on the premises of a massage establishment for the purpose of receiving massage therapy.

"Person" means and includes person(s), firms, corporations, partnerships, associations, joint venture, liability company or other forms of business organization or group.

"Police chief" means the police chief of the city of Visalia or the authorized representatives thereof.

"Reception and waiting area" means an area immediately inside the main entry door of the massage establishment dedicated to the reception and waiting of patrons or visitors of the massage establishment and which is not a massage therapy room or otherwise used for the provision of massage therapy services.

"Recognized school" means any school or institution of learning that is recognized as an approved school pursuant to Business and Professions Code Division 2, Chapter 10.5, as currently drafted or as may be amended.

"Specified anatomical areas" means and includes any of the following human anatomical areas: genitals, pubic regions, anuses or female breasts below a point immediately above the top of the areola.

"Specified sexual activities" means and includes all of the following:

- A. Fondling or other erotic touching of specified anatomical areas;
- B. Sex acts including, without limitation, intercourse, oral copulation, or sodomy;
- C. Masturbation; or
- D. Excretory functions as part of or in connection with any specified sexual activity listed in this definition.

"Sole proprietorship" means a massage establishment where the owner owns one hundred percent of the business and has one or no other employees or independent contractors.

"Visitor" means any individual not retained or employed by the massage establishment and not receiving or waiting to receive massage therapy service, but excludes law enforcement personnel or governmental officials performing governmental business.

5.68.030 Administration

The city manager or city manager's designee is authorized to administer this chapter and to promulgate administrative policies and procedures required to implement the regulations set forth in this chapter.

5.68.032 Business tax certificate required.

The requirements of this chapter are in addition to the requirements imposed pursuant to Chapter 5.04 of this code.

5.68.034 Other permits and authorizations required.

The requirements of this chapter are in addition to any permits or authorizations that may be required under other applicable laws including but not limited to the city's building, fire, zoning, and health regulations.

5.68.040 Exceptions.

A. This chapter does not apply to the following classes of individuals while engaged in the performance of the duties of their respective professions:

1. Physicians, surgeons, chiropractors, osteopaths, podiatrists, physical therapists, nurses, acupuncturists or any other person licensed to practice any healing art under the provisions of Division 2 (commencing with Section 500) of the Business and Professions Code when engaging in such practice within the scope of his or her license along with activities by trainees or assistants that are working under the direction of licensed professionals.
2. Barbers, beauticians, cosmetologists, and estheticians with respect to facial massage and scalp massage, who are duly permitted pursuant to Business and Professions Code § 7301, et seq., in accordance with the limitations of their permits.

3. Persons employed or working at a licensed athletic facility or trainers of any amateur, semi-professional, or professional athlete or athletic team, so long as such persons do not practice massage therapy as their primary occupation at any location.
4. Enrolled students of a school of massage when they are performing massage within the city as part of a formal supervised internship or training program operated by the school, without compensation other than school credit, on the premises of a massage establishment duly authorized to operate pursuant to the terms of this chapter; and provided that the operator of the massage establishment has first notified the director in writing of the name, residence address, and school of the students and the dates of the trainings.
5. Businesses where a massage is performed while the person sits in a chair, such as head and neck massage, foot massage, or as part of a manicure or pedicure, and performed in public view or in an open common room
6. Somatic practitioners who use no physical touch of any kind at any time in their practice.

5.68.050 Certifications required.

- A. Massage establishment. It is unlawful for any person to own, operate or maintain a massage establishment unless all massage technicians employed by the massage establishment hold a current, valid certification from the CAMTC as a massage practitioner or massage therapist or qualify under the limited exceptions described in this chapter.
- B. CAMTC-certified massage professional. It is unlawful for any person to engage in, or carry on, the business or activities of a massage professional technician or otherwise practice massage therapy for compensation within the city without a certification from the CAMTC as a massage professional unless they qualify under the limited exceptions described in this chapter.
- C. Out-call massage service. It is unlawful for any person to own, operate, or maintain, an off-premise massage service in the city unless all massage technicians employed by the off-premises massage service hold a current, valid certification from the CAMTC as a certified massage practitioner or certified massage therapist or qualify under the limited exceptions described in this chapter.
- D. CAMTC certification exception. The city recognizes that some massage professionals currently practicing in Visalia may not meet the current requirements set forth by the CAMTC due to changes in educational or other requirements particularly changes in requirements concerning hours of schooling although the person has been in practice for a significant period. The city will therefore allow such persons that were working within Visalia prior to the requirements for CAMTC certification being put in place by the city under this "grandfather exception" without certification from the CAMTC if the requirements stated below are met.

The person seeking this exemption must show to the satisfaction of the city police department that he or she worked as a massage therapist or massage practitioner in the city prior to July 1, 2012, which is the effective date of this chapter. The person must also provide evidence to the city that he or she has certification or proof of training in the field from a school or another entity comparable to the CAMTC and has been working as a massage therapist or massage practitioner for a period of at least five (5) years. Finally, the person must provide evidence that they attempted to obtain certification from the CAMTC but were denied and provide the reasons for the denial to show despite their existing training and experience they were not able to qualify for certification from CAMTC.

Persons that are granted an exemption from the CAMTC certification requirement by the city will still be required to meet all other terms of this chapter including but not limited to the background check required of massage establishment owners that are not certified by the CAMTC.

5.68.060 Massage establishment owner background check required.

- A. Any person, association, partnership, limited liability company, corporation, or similar business entity desiring to operate a massage establishment that is not a certified massage practitioner or certified massage therapist, (meaning certified by the CAMTC) must make an application to the chief of police for an investigation of the applicant's background and history. A fee to recover costs of the background check must accompany the submission of each application.

1. Each applicant for a background check shall complete the forms required by the Visalia Police Department to conduct the investigation. The forms shall require submission of fingerprints and additional information as may be required by the chief of police in order to verify the information to be included in the application. The application shall be accompanied by the appropriate application fee. The application shall not be deemed to be accepted until the fee is paid. The applicant, by submitting the background investigation form, is consenting to the background investigation conducted by the Visalia Police Department. If the applicant is a business entity, such as a partnership, limited liability company, or corporation, the name of the business entity must be set forth exactly as shown in the articles of incorporation, articles of organization, or similar type of charter document, together with the state and date of formation and names and residence addresses of each of its current officers and directors, and each person, such as a stockholder, member, or limited liability partner, holding an ownership interest of five percent (5%) or more in the business entity. All partners, limited or general, and all persons holding an ownership interest of five percent (5%) or more in the business entity must complete a background application, unless they are certified by the CAMTC. The applicant corporation or partnership must designate one (1) of its officers or general partners to act as its responsible managing officer. Such person must complete and sign all application forms required of any individual applicant under this chapter, but only one (1) application fee will be charged. No person(s) owning less than five percent (5%) of an ownership interest in a corporation are required to complete a background investigation.
2. The name and address of the owner and lessor of the real property upon or in which the massage establishment is to be operated, and a copy of the lease or rental agreement. If the applicant is not the legal owner of the property, a notarized acknowledgment from the owner of the property that a massage establishment will be located on his or her property is required for each massage establishment permit location.
3. The full true names and other names used, the present addresses and telephone numbers, driver's license numbers, and Social Security numbers, and state certificates from the CAMTC or transitional licenses for all massage technicians who will be working as employees or independent contractors at each massage establishment permit location. The applicant must provide the chief of police with any changes in the massage technicians that work at the massage establishment during the permit period within ten (10) working days of each change.
4. The chief of police may require the applicant to furnish fingerprints when needed for the purpose of verifying identification.
5. Such other identification and information as may be required by the chief of police in order to verify the information to be included in the application.

B. The city is allowed a reasonable time, not to exceed sixty (60) days, in which to investigate the information on the application. During the investigation of the background information, a city representative including, without limitation, a member of the police department, fire department, building and safety division, planning division, or any authorized representative thereof, may inspect, with or without notice during regular business hours, the proposed place of business to determine whether it conforms to the requirements of this chapter. Upon completion of the inspection, the city representative must inform the chief of police in writing of the findings of the inspection. Background clearance will be issued, within sixty (60) days of receipt of the application, to any applicant who has furnished all of the information required by this section in the application for such license, provided all of the following apply:

1. The applicant has not made a materially false statement in the application and that all massage technicians who will be working as employees or independent contractors at each massage establishment permit location possesses certification from the CAMTC as a massage practitioner or massage therapist;
2. The applicant, if an individual, or in the case of an applicant which is a corporation or partnership, any of its officers, directors, or shareholder of the corporation's stock required to complete a background investigation, has not been convicted in a court of competent jurisdiction of any of the following offenses: Penal Code §§ 207; 236.1; 243.4; 261; 266a through 266j; 267; 314 to 316; 318; or 647(a, b, d, j); 653.23 any offense requiring registration under Penal Code § 290 or Health and Safety Code § 11590; or any felony offense involving the possession, possession for sale, sale, transportation, furnishing, or giving away of a controlled substance specified in Health and Safety Code §§ 11054 to 11058, as amended; or any offense in another state which, if committed in California, would have been punishable

as one (1) or more of the heretofore mentioned offenses; or any offense involving the use of force or violence upon the person of another; or any offense involving theft, embezzlement or moral turpitude;

3. The applicant, if an individual, is at least eighteen (18) years of age;
4. The applicant has not had a massage technician, massage establishment, escort service, nude entertainment, nude photo studio or similar type of license or permit suspended unless the applicant can show a material change in circumstances or that mitigating circumstances exist since the revocation or suspension.

5.68.070 Permit Application

A. The owners of the massage establishment shall file an application for a permit on a form provided by the city. The application shall be accompanied by the fee established by the city's fee schedule. The application shall include the following information:

1. The name, address, and telephone number of the massage establishment.
2. The name, residence address and telephone number, and business address and telephone number of each owner of the massage establishment.
3. The form of business under which the applicant will be conducting the massage establishment, i.e., corporation, general or limited partnership, limited liability company, or other form. If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, together with the names and residence addresses of each of its officers, directors, and each shareholder holding more than five (5) percent of the stock of the corporation. If the applicant is a general or limited partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply. If the applicant is a limited liability company, the application shall set forth the name and residence address of each of the members. If one or more of the members is a partnership, limited liability company, or corporation, the provisions of this section pertaining to a partnership, limited liability company, or corporate applicant shall apply, as applicable.
4. The name and address of the owner and lessor of the real property upon or in which the massage establishment is to be operated, and a copy of the lease or rental agreement. If the applicant is not the legal owner of the property, a notarized acknowledgment from the owner of the property that a massage establishment will be located on his or her property is required for each massage establishment permit location.
5. If the massage establishment will be located on a property in a commercial condominium or other common interest development, the applicant shall submit a notarized statement from the condominium owner's association acknowledging that the association has been advised that a massage establishment will be operated by the applicant and that such use of the property is allowed by the property's covenants, codes, and restrictions. An application may be denied if the property owner does not allow such a business to be operated at the proposed location.
6. A description of the proposed massage establishment, including the type of treatments to be administered.
7. The name of each individual who the massage establishment employs or retains to perform massage therapy for compensation, whether on or off the massage establishment premises.
8. For each individual who the massage establishment does or will employ or retain to perform massage therapy, whether on or off the massage establishment premises, a copy of that individual's current certification from CAMTC as a certified massage practitioner or certified massage therapist, and a copy of his or her current CAMTC issued identification card.
9. The name of each individual who is regularly employed or retained by the massage establishment to perform services on the premises other than massage therapy, and the nature of their services.
10. For each owner of the massage establishment who is a CAMTC-certified massage professional, a copy of his or her current certification from the CAMTC as a certified massage practitioner or as a certified massage therapist and a copy of his or her current CAMTC-issued identification card.
11. Whether any certificate, license or permit has ever been issued to the applicant by any jurisdiction under the provisions of any ordinance or statute governing massage or somatic practice, and as to any such certificate, license or permit, the name and address of the issuing authority, the effective dates of such certificate, license or permit, whether such certificate, license or permit was ever suspended, revoked, withdrawn, or denied; by any governmental authority; or the applicant has had any massage

therapist or massage practitioner permit, license, or certification denied, revoked or suspended by the CAMTC, provide copies of any documentary materials relating to such suspension, revocation, withdrawal, or denial.

12. Such other information as may be required by the permit authority to determine compliance with any other eligibility requirements for issuance of the permit as specified by federal, state, or local law.

13. A statement that within the last five (5) years the applicant has not failed to comply with a final court order or administrative action of an investigatory agency finding a violation of applicable federal, state and local wage and hour laws, including, but not limited to, the Federal Fair Labor Standards Act, the California Labor Code, and any local minimum wage ordinance or prevailing wage requirements. For purposes of this subsection, a final court order or administrative action is one as to which there is no pending appeal and the time for filing an appeal has passed.

5.68.080 Permit Issuance

A. The director shall issue the business tax certificate for the massage establishment, also referred to as the massage establishment permit after the Planning and Community Preservation Department, Planning Division has determined that the applicant meets applicable municipal code requirements including but not limited to the Zoning Ordinance, this chapter, and no grounds for denial exist.

B. Notice to Property Owner. If the applicant is not the record owner of the property where the massage establishment is located, the director may send a written notice to the property owner advising of the issuance of the permit and of the regulations applicable to the massage establishment. The director may also provide the property owner with copies of any other notices or communications with the applicant sent at any time before or after issuance of the permit.

D. Denial of Permit. The director or designee may deny an application for a massage establishment permit or suspend an existing permit on any of the following grounds:

1. The massage establishment does not comply with any applicable law, including, but not limited to the city's building, fire, zoning, and health regulations.

2. It has been determined that the applicant has knowingly made any false, misleading or fraudulent statement of material fact in the application for a massage establishment permit.

3. Any owner of the massage establishment has been convicted in a court of competent jurisdiction of any offense that relates directly to the operation of a massage establishment whether as a massage establishment owner or operator or as a person practicing massage for compensation, or as an employee of either; or has at any time been convicted in a court of competent jurisdiction of any felony the commission of which occurred on the premises of a massage establishment.

4. Any owner of the massage establishment is currently required to register under the provisions of Section 290 of the California Penal Code.

5. Any owner of the massage establishment has engaged in or been convicted in a court of competent jurisdiction of any violation previously listed in Section 5.58.060(B) of this chapter, or has had a permit or license to practice massage for compensation or to own and/or operate a massage establishment revoked or denied in any jurisdiction.

6. Any owner of the massage establishment currently owns or operates a massage establishment in the city of Visalia that is not in good standing due to the existence of uncorrected violations or unpaid fines or fees.

5.68.090 Display of Certificates

Any owner of a massage establishment or off-premise massage service must display the CAMTC certificates for all massage technicians prominently in a conspicuous place, capable of being viewed by customers or city representatives, at every location where massage is performed or conducted.

For off-premise massage services, massage workers must also carry a copy of their CAMTC certificate and display it to customers upon request.

Any persons operating under the limited exception from CAMTC certification described in Section 5.68.050 must display the statement from the city documenting their exemption prominently in a conspicuous place capable of being viewed by customers or city representatives, or carry it with them for off-premise massage services.

5.68.100 Amendments to permit

- A. Whenever the information provided in the application for a certified massage establishment on file with the city changes, the operator shall file an application to amend the permit to reflect such change. An application to amend a massage establishment permit shall be made by applying on a form provided by the director. The application shall be accompanied by the fee established by the city's fee schedule.
- B. The application shall not be approved unless the director determines that the terms of the amended permit comply with all requirements of this chapter and all other local, state, and federal laws, and the massage establishment has no outstanding violations or unpaid citations or fees. Inspection of the massage establishment may be required prior to approval of the amendment.
- C. An amendment shall not be used to change the location or owners of a massage establishment. Instead, a new permit application is required.
- D. A denial of an application to amend a massage establishment permit may be appealed in the same manner as an initial application as set forth in section 5.68.160 of this chapter and in chapter 1.13 of the Visalia Municipal Code.

5.68.110 Requirements for all massage establishment facilities and operations

- A. No Massage Establishment located in a building or structure with exterior windows fronting a public street, highway, walkway, or parking area shall block visibility into the interior reception and waiting area with any material that obstructs, blurs, or unreasonably darkens the view into the premises.
- B. Minimum lighting consisting of at least one artificial light that sufficiently illuminates items in the room, making them distinguishable, shall be required in all areas where massage services are provided.
- C. Living Quarters Prohibited. No person or persons shall be allowed to reside, dwell, occupy or live inside a Massage Establishment at any time. Beds, floor mattresses, dressers, nightstands, pullout couches or other furniture that converts into a bed shall not be permitted on the premises.
- D. No person shall enter, be or remain in any part of a Massage Establishment while in possession of an open container of alcohol, or consuming or using any alcoholic beverages or controlled drugs except pursuant to a prescription for such drugs. The Owner, Operator, or responsible managing Employee, shall not permit any such person, or any person who is clearly intoxicated, to enter or remain upon the premises.
- E. No Massage Establishment shall operate a school of massage or use the same facilities as that of a school of massage.

5.68.120 Prohibited conduct

- A. It is unlawful for any massage technician or any other employee working in a massage establishment or for an out-call massage service, or customers, patrons, or guests of the establishment or service, to engage in any specified sexual activities upon the premises of the massage establishment or the off-premises massage location.
- B. It is unlawful for any massage technician or other employee of a massage establishment to expose specified anatomical areas in the presence of any patron, customer, or guest.
- C. In the course of administering the massage, it is unlawful for any massage technician or other massage establishment employee to make intentional physical contact with the specified anatomical areas of any customer, patron or guest.

5.68.130 Massage establishment inspections

The operator and/ or on duty responsible managing employee shall consent to the inspection of the massage establishment by the City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department for the purpose of determining that the provisions of this ordinance or other applicable laws or regulations are met. The City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department may, from time to time, make unannounced inspections of each massage establishment for the purpose of determining that the provisions of this chapter, State law or other applicable laws or regulations are met.

5.68.140 Suspension or revocation of permit

A. All massage establishment operators shall be deemed to know and understand the requirements and prohibitions of this chapter. A determination to suspend or revoke a permit issued under this chapter may be made by the inspector following an inspection. Suspensions may be issued until a specific violation has been corrected, which requires an inspection by the City for confirmation of correction. If a suspension is issued, then no massage business may be conducted by the permit holder at the specified location, or by the specified license holder. Any massage establishment permit issued pursuant to this chapter may be suspended or revoked if any of the following have occurred on even a single occasion:

1. The permittee or any person employed or retained by the massage establishment has violated any provision of this chapter, including but not limited to failing to obtain or renew their permit to operate as a massage establishment.
2. That the applicant practiced fraud or deceit in obtaining an approval under this chapter or of California Business and Professions Code Sections 4600 et seq.
3. Any disciplinary action taken by CAMTC shall be considered in determining grounds for revocation.
4. The permittee or any person employed or retained by the massage establishment has been convicted in a court of competent jurisdiction of having violated, or has engaged in conduct constituting a violation of any penal code listed in 5.68.060 B, or conspiracy or attempt to commit any such offense, or any offense in a jurisdiction outside of the State of California that is the equivalent of any of the aforesaid offenses.
5. The permittee or any person employed or retained by the massage establishment is required to register under Section 290 of the California Penal Code.
6. The permittee has been subject to a permanent injunction against the conducting or maintaining of a nuisance pursuant to this code, or Sections 11225 through 11235 of the California Penal Code, or any similar provision of law in any jurisdiction outside the State of California.
7. The permittee or any person employed or retained by the massage establishment has engaged in fraud or misrepresentation or has knowingly made a misstatement of material fact while working in or for the massage establishment or practiced fraud or deceit in obtaining an approval under this chapter.
8. The permittee has continued to operate the massage establishment after the massage establishment permit has been suspended.
9. Massage has been performed on the premises of the massage establishment, with or without the permittee's actual knowledge, by any person who is not a duly authorized CAMTC-certified massage professional.
10. A person who is not a duly authorized CAMTC-certified massage professional has provided outcall massage services through or on behalf of the massage establishment.
11. There have been one or more acts prohibited under California Penal Code listed in 5.68.060 B taking place on the premises of the massage establishment, whether or not any criminal prosecution has been pursued or conviction obtained for such acts, and whether or not they occurred with or without the actual knowledge of the permittee.
12. The permittee or any person employed or retained by the massage establishment or any other person on the premises of the massage establishment has engaged in conduct or committed acts that a reasonable person in the patron's position would understand as an offer to perform on or engage in with the patron acts that are sexual in nature or that involve touching of the patron's genitals, or anal region.
13. The permittee or any person employed or retained by the massage establishment has engaged in sexually suggestive advertising related to massage services on the premises of the massage establishment, including, but not limited to displaying photographs of individuals clothed in swim attire, or attire that is transparent, see-through or substantially exposes the individual's undergarments, breasts, buttocks, or genitals, describing massage services as "erotic," "sensual" or similarly sexual in nature, listing advertisements in adult media, or describing the appearance or age of massage providers.
14. The permittee or any person employed or retained by the massage establishment has failed to keep the facilities and operations of the massage establishment in compliance with this chapter, or any applicable law including but not limited to the city's building, fire, zoning, and health regulations, and that the owner or operator has failed to promptly remedy any deficiency of which they have been notified. For purposes of this subsection, "notice" means notice given personally, or by leaving notice at the massage establishment premises, or by first class mail, postage prepaid, to the address designated by the massage technician or establishment in accordance with this chapter.

15. That the business tax and permit approval was issued in error;
16. If the applicant has failed to comply with a final court order or administrative action of an investigatory agency finding a violation of applicable federal, state and local wage and hour laws, including, but not limited to, the Federal Fair Labor Standards Act, the California Labor Code, and any local minimum wage ordinance or prevailing wage requirements. For purposes of this subsection, a final court order or administrative action is one as to which there is no pending appeal and the time for filing an appeal has passed.
17. Upon a determination on the grounds to suspend or revoke an approval under this chapter, a notice of suspension or revocation is to be mailed by first class, postage prepaid mail, to the address designated by the massage technician or establishment pursuant to this chapter or alternatively may be delivered in person to the massage technician or establishment licensed pursuant to this chapter.

5.68.150 Enforcement and penalties

- A. Any person violating any provision of this chapter is liable in a civil action brought by the city attorney for an amount up to \$500 per violation. Such person is also liable for reasonable attorneys' fees and costs incurred by the city attorney in any civil proceeding filed to enforce this chapter. Each day that a violation continues may be considered a new and subsequent offense.
- B. Alternatively the city may choose to enforce violations through the administrative code enforcement process described in Chapter 1.13 of the Visalia Municipal Code, with violations being punishable with a \$100 fine for the first violation, a \$200 fine for the second violation, and a \$500 fine for the third and subsequent violations. Each day that a violation continues may be considered a new and subsequent offense.
- C. Enforcing this chapter through civil action may be filed as an alternative to criminal enforcement. Civil enforcement does not require the violation to be knowing or willful.
- D. The city attorney may settle any civil enforcement before or after the filing of a civil action by imposing a civil penalty in an amount not exceeding the potential civil liability, including attorneys' fees, set forth in this section. If such civil penalty is paid in full, the city attorney can agree not to file civil or criminal actions or, if action has already been filed, may dismiss such action. Imposition of all civil penalties is public record.

5.68.160 Appeal of denial, suspension, or revocation

After denial of an application for a massage establishment regulatory permit (the term permit includes the "grandfather exception" to CAMTC certification described in this chapter, or after denial of renewal of a permit, or suspension or revocation of a permit, the applicant or person to whom the permit was granted may appeal the decision to the city manager, or designee, by filing a written notice with the City of Visalia Planning and Community Preservations Department within ten (10) business days from the date of the notice of denial, suspension, or revocation. The city manager or designee shall hold a hearing on the appeal. The City Manager may designate the administrative hearing officer appointed to review appeals of City of Visalia administrative code enforcement matters under Chapter 1.13 of the Visalia Municipal Code as the hearing officer for appeals of massage establishment permit denials, suspensions, or revocations, and this appeal shall be heard under the rules for administrative appeals in Chapter 1.13. The decision of the city manager, or designee, following the hearing shall be final and conclusive. There is no appeal to the City Council. If the denial, suspension or revocation is affirmed on review the applicant or permittee may seek judicial review of such administrative action pursuant to California Code of Civil Procedure § 1094.5. The time for filing such action is governed by California Code of Civil Procedure § 1094.6.

Conditional Use Permits

(Section 17.38)

17.38.010 Purposes and powers

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

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.
 7. Additional technical studies or reports, as required by the Site Plan Review Committee.
 8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

17.38.030 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.

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.

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.

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.

17.38.065 Abandonment of conditional use permit

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

17.38.070 Temporary uses or structures

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

- C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.
- D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.
- E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

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.

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.

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.

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.

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 ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

Chapter 17.19

MIXED USE ZONES

17.19.10 Purpose and intent

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

17.19.015 Applicability

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

17.19.020 Permitted uses

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

17.19.030 Conditional and temporary uses

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

17.19.040 Required conditions

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;
- C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities

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

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

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

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

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

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

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: zero (0) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
 - 6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: five (5) feet (except where a building is located on property line);

2. Rear: zero (0) feet;
3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
4. Side: five (5) feet (except where a building is located on side property line);
5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
6. Street side on corner lot: five (5) feet.

E. The provisions of Chapter 17.58 shall also be met, if applicable.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017)

Chapter 17.34
OFF-STREET PARKING AND LOADING FACILITIES

17.34.10 Purpose

- a. In order to prevent traffic congestion and shortage of curb spaces, off-street parking facilities shall be provided incidental to any new building or structure and major alterations and enlargements of existing uses. Off-street parking spaces or areas required by this chapter shall be in proportion to the need for such facilities created by the particular type of land use. Off-street parking facilities shall also be laid out in such a manner that the facilities will protect the public safety and insulate surrounding land uses from their impact.
- b. For the purposes of tabulating the number of off-street parking spaces, the term "floor area" means the gross floor area of a building and its accessory buildings on the same site measured from the outside wall. All applications shall be accompanied by a detailed tabulation of the gross floor area as herein defined and a calculation of the required number of off-street spaces as specified in Section 17.34.020.

17.34.020 Schedule of off-street parking space requirements.

A. Residential.

- i. Single-family dwelling: two parking spaces (one covered) per unit;
- ii. Multi-family dwelling: 1.5 parking spaces per dwelling unit for all multi-family developments with the following exceptions:
 - a. One parking space per dwelling unit for senior citizen housing developments. Senior citizen means a person of fifty-five (55) years of age or older. Senior citizen housing development shall be defined as a multi-family project wherein the units are made available solely to senior citizens,
 - b. Planning Commission shall have the authority to require an additional .25 parking spaces per dwelling unit for guest parking spaces under the following circumstances:
 - I. Should on-street parking not be available to provide minimum of .25 spaces per unit;
 - II. Within developments that include more than fifty (50) percent of the units as three or four bedroom units.
 - c. In cases where multi-family developments do not require planning commission review, the site plan review committee shall have similar authority as described above.
- iii. Boarding houses, private clubs providing sleeping accommodations: one covered parking space for each bedroom or one parking space for each one hundred fifty (150) square feet of sleeping area, whichever is greater.
- iv. Motels, hotels. One parking space for each guest room.
- v. Single-room occupancy (SRO) housing: One space for each employee onsite on the highest shift.

Further, there shall be one parking space for each two employees per shift regularly employed by the motel, or any independent business located within the motel structure. If the motel provides an area for the consumption of food or beverages or provides meeting or assembly halls the following requirements must be met.

<i>Number of Motel Rooms</i>	<i>Parking Requirements</i>
3-10	One parking space for each 100 square feet of area used for the consumption of food or beverages and one parking space for each 35 square feet of meeting or assembly hall space.
11-40	One parking space for every 200 square feet of area used for the consumption of food or beverages and one parking space for each 70 square feet of meeting hall or assembly hall space.
41-75	One parking space for each 300 square feet of area designated for the consumption of food or beverages and one parking space for each 150 square feet of meeting or assembly hall space.
76 or more	One parking space for each 400 square feet of area set aside for the consumption of food or beverages and one parking space for each 300 square feet of meeting or assembly hall area.

- vi. Planned unit developments, condominiums: one covered parking space plus one uncovered guest parking space for each dwelling unit.

B. Medical Offices, Clinics, Hospitals and Other Facilities.

1. Dental and medical clinics and offices: one parking space for each two hundred (200) square feet of building area, or four parking spaces for each doctor, whichever is greater.
2. Major medical facilities, hospitals: one parking space for each two hundred fifty (250) square feet of building area.
3. Sanitariums and charitable and religious institutions providing sleeping accommodations: one parking space for each three beds.
4. Group care facilities: one parking space for each three beds.

C. Educational Facilities.

- vii. Kindergarten and nursery schools: one parking space for each employee plus one parking space for each ten children.
- viii. Elementary and junior high schools: two parking spaces for each classroom.
- ix. High schools: one parking space for each employee plus seven parking spaces for each classroom.
- x. Colleges; business and professional schools and colleges; trade schools: one parking space for each employee plus ten parking spaces for each classroom.

D. Places of Public Assembly.

1. For auditoriums, community centers, theaters, churches, libraries, museums, stadiums, clubs and funeral chapels: one parking space for every four permanent seats in the principal assembly area or room, or one parking space for every thirty (30) square feet of building area, whichever is greater.

E. Recreational Facilities

1. Bowling alleys: four parking spaces for each alley.
2. Billiard and/or pool parlors: two parking spaces for each table.

3. Skating rinks: one parking space for each employee, plus one parking space for each one hundred (100) square feet of building area.
4. Dance halls: one parking space for each thirty-five (35) square feet of dance floor area, plus one parking space for each five fixed seats or for each thirty-five (35) square feet of seating area where there are no fixed seats.
5. Gymnasiums: one parking space for each five hundred (500) square feet of building area.

F. Commercial Facilities

1. Banks: one parking space for each two hundred fifty (250) square feet of building area plus five tandem lane spaces for each outdoor teller or teller station.
2. Savings and loan and other financial institutions: One parking space for each two hundred fifty (250) square feet of building area.
3. General retail stores, except as otherwise specified: one parking space for each three hundred (300) square feet of building area.
4. Offices, including all public and professional offices, except as otherwise specified: one parking space for each two hundred fifty (250) square feet of building area, with a minimum of four parking spaces.
5. Commercial service establishments, repair shops, wholesale establishments and retail stores that handle only bulky merchandise such as furniture, household appliances, motor vehicles, farm implements and machinery: one parking space for each five hundred (500) square feet of building area.
6. Automobile dealerships: one parking space for each two employees during the time of maximum employment, plus one parking space for each two thousand (2,000) square feet of lot and building area used for the display or storage of automobiles.
7. Self-service laundries and dry cleaners: one parking space for each three washing machines.
8. Automobile repair shops: one parking space for four hundred (400) square feet of building area.
9. Barber shops, beauty salons: two parking spaces for each barber or beautician, with a minimum of four spaces.
10. Restaurants, cafes, soda fountains and similar establishments: one parking space for each one hundred fifty (150) square feet of building area.
11. Manufacturing plants and other industrial uses: one parking space for each employee during the shift of maximum employment, plus one parking space for each vehicle used in conjunction with the use.
12. Retail food market: one parking space for each five hundred (500) square feet of building area.
13. Nurseries, retail: one parking space for each one thousand five hundred (1,500) square feet of site area, plus one loading space for each acre of site area.
14. Shopping centers (major): one parking space for each two hundred twenty-five (225) square feet of building area.
15. Open uses, commercial and industrial uses conducted primarily outside of buildings: one parking space for each employee on the maximum shift plus additional parking spaces prescribed by the planning department.
16. Transportation terminal facilities: one parking space for each two employees plus additional parking spaces prescribed by the city planner.
17. Storage and warehouses: one parking space for each one thousand (1,000) square feet of building area.

For a use not specified in this section, the same number of off-street parking spaces shall be provided as are required for the most similar specified use.

17.34.030 Standards for off-street parking facilities

All off-street parking facilities shall conform with the following standards:

- A. All parking areas shall have adequate ingress and egress to a street or alley.
- B. Entrances and exits to parking lots and other parking facilities shall be provided at locations approved by the site plan review committee.
- C. The parking area, aisles and access drives shall be surfaced with an asphalt concrete surfacing of two-inch minimum thickness on a four-inch untreated rock base. The subgrade shall be compacted to a minimum relative compaction of ninety (90) percent. The minimum slope of asphalt paved surface in the direction of drainage shall be twelve (12) inches per one hundred (100) feet and the minimum slope of concrete gutters shall be three inches per one hundred (100) feet.
- D. The four-inch untreated rock base may be modified on basis of an "R" value test of the existing soil. The test to be made with a traffic index of 5.0.
- E. On major developments service roads shall be designed to carry the traffic loads anticipated.
- F. No parking areas shall be located within a required front setback or within a street side setback of a corner lot.
- G. Each parking space shall conform to standards as specified by the city traffic engineer. Open spaces shall be plainly marked by striping.
- H. Parking spaces for the physically handicapped person shall be provided per the latest adopted version of the California Building Code.
- I. Parking spaces for "compact automobile" will be permitted providing that each parking space is not less than fifteen (15) feet in length and seven and one-half feet in width, exclusive of aisles and access drives.

Number of compact parking spaces shall not exceed thirty (30) percent of the total required parking spaces of an establishment. There shall be no more than four contiguous compact stalls within a parking lot. Any compact parking shall be approved by the site plan review committee.

- J. If the parking area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.
- K. In all C-N, C-R, C-S, C-MU, D-MU, O-PA, O-C, and BRP zone districts where a site adjoins or is directly across the street from an R-1 or R-M zone, a concrete block or masonry wall not less than six feet in height shall be located on the property line except in a required front yard, in which case the wall shall be three feet, and suitably maintained.
- L. No repair work or servicing of vehicles shall be conducted on a parking area.
- M. New parking facilities shall promote the use of time and/or motion sensitive parking lot and security lights, where feasible, as determined by the Site Plan Review Committee.
- N. New parking facilities shall promote and be evaluated as part of an overall program to implement low impact development features on-site that reduce impermeable surfaces and increase infiltration. The implementation and design of low impact development features for the site will be determined by the Site Plan Review Committee.

17.34.030

- O. Vacant or unimproved lots shall not be used as vehicle parking facilities and/or outdoor storage of commercial equipment, construction equipment, and similar uses unless screened appropriately, as determined by Site Plan Review Committee.

- P. For Residential zones, all parking shall be permitted on impervious surfaces such as pavement or concrete when in the front yard setback area.
- Q. For Residential zones, all driveways shall be paved.

17.34.040 Landscape requirement

The submission of any plan for off-street parking facilities shall be accompanied by a detailed landscape plan for approval by the site plan review committee. All off-street parking facilities shall conform with the following standards, but not limited to:

- A. A plot plan indicating the location of all landscaping shall be submitted for approval;
- B. Not less than six percent of a parking lot comprising up to twenty (20) parking spaces shall be landscaped and continuously maintained;
- C. Not less than ten percent of a parking lot comprising more than twenty (20) parking spaces shall be landscaped and continuously maintained;
- D. Not more than ten consecutive parking stalls shall be allowed without an approved landscaped tree well of eighty (80) square feet or more;
- E. A minimum five-foot landscape strip shall be provided outside the public right-of-way along the street frontage perimeter of all proposed parking facilities.
- F. A planting list shall be shown on the required plot plan to obtain a grading permit, or building permit, for the buildings for which the parking lot is provided, which planting list shall give the botanical and common names of the plants to be used, the sizes to be planted, the quantity of each, and the spacing to insure balance and design. The plants shall be listed alphabetically and assigned key numbers to be used in locating the plants on the plan;
- G. The site plan review committee shall approve all landscaping plans within a parking area and shall have the right to require additional landscaping if the committee deems it necessary to improve the aesthetic character of the project.

17.34.050 Shared parking

The site plan review committee may grant an exception to the total number of spaces required when the joint users of a parking facility have divergent needs with respect to daytime versus nighttime use, or weekdays versus Saturdays or Sundays. Conditions for allowing shared parking are:

- A. The buildings and uses shall be within three hundred (300) feet of the nearest point by walking distance within a parking facility to said building or use;
- B. The applicant shall show there is no conflict in the principal operating hours of the buildings or uses;
- C. A shared parking agreement between the principal parties and the city shall be entered into that restrict the shared parking area to a parking use only.

17.34.60 Location of off-street parking facilities

- A. In all zones districts except the D-MU zone, off-street parking facilities prescribed in Section 17.34.020 shall be located on the same site as the use for which the spaces are required or on an adjoining site (if an exception is approved) or a site separated only by an alley from the use for which the spaces are required.
- B. In the D-MU zone district, off-street parking facilities prescribed in Section 17.34.020 shall be located within three hundred feet of the use for which the spaces are required, measured by the

shortest route of pedestrian access. Such spaces shall be deemed to provide parking for one use only unless approved subject to Section 17.34.050.

17.34.070 Off-street loading facilities required

- A. In all commercial and industrial zones and in the O-PA, O-C, and BRP zones, if required by the commission, there shall be located on the site of each building or structure, off-street loading facilities for vehicles. Where, in the opinion of the site plan review committee, a practical difficulty is involved relating to site size, existing development or access, the planning commission may grant an exception to any portion of the requirements necessary to achieve the intent of this section. For all commercial and industrial buildings, one off-street loading berth shall be provided if the gross floor area exceeds five thousand (5,000) square feet, and one additional berth shall be provided for each additional ten thousand (10,000) square feet.

No off-street loading berths shall be required for buildings of less than five thousand (5,000) square feet of gross floor area.

- B. The location of off-street loading facilities shall be approved by the site plan review committee.

17.34.080 Standards for off-street loading facilities

Off-street loading facilities provided in compliance with Section 17.34.070 shall conform to the following standards:

- A. The loading area, aisles and access drives shall be fully hard surfaced with asphaltic concrete of minimum thickness of two inches, over four inches of untreated rock base;
- B. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites to prevent annoying glare;
- C. No repair work or servicing of vehicles shall be conducted in a loading area.

17.34.090 Existing uses

No existing use of land or structure shall be deemed to be a non-conforming use solely because of the lack of off-street parking facilities or used for off-street parking and off-street loading at the time of the adoption of this chapter shall not be reduced in a capacity to less than the number of spaces or berths prescribed in this chapter or reduced in area to less than the minimum standards prescribed in this chapter. Where an existing use is expanded, the parking requirements of this chapter shall apply only to the addition.

17.34.100 Reduction of off-street parking and loading facilities

No off-street parking facility or off-street loading facility providing for a use of land or structure in compliance with Section 17.34.020 or 17.34.070 shall be reduced in capacity or in area without sufficient additional capacity or additional area being provided to comply with the regulations of this chapter.

17.34.110 Off-street parking and loading facilities to serve one use

No off-street parking space or off-street loading berth provided for a use of land or structure in compliance with the requirements of this chapter shall be deemed to provide an off-street parking space or an off-street loading berth for a use or a structure on another site, except as otherwise provided in Sections 17.34.020 and 17.34.070

RESOLUTION NO. 2025-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-17, A REQUEST TO AMEND CONDITIONAL USE PERMIT NO. 2024-08 TO INCREASE THE HOURS OF OPERATION AND NUMBER OF EMPLOYEES FOR AN EXISTING MASSAGE ESTABLISHMENT IN THE C-MU (MIXED USE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 4025 WEST CALDWELL AVENUE, UNIT E, SOUTHEAST OF WEST CALDWELL AVENUE AND SOUTH CHINOWTH STREET IN THE WINCO SHOPPING CENTER (APN: 119-340-019).

WHEREAS, Conditional Use Permit No. 2025-17 is a request to amend Conditional Use Permit No. 2024-08 to increase the hours of operation and number of employees for an existing massage establishment in the C-MU (Mixed Use Commercial) zone. The site is located at 4025 West Caldwell Avenue, Unit E (APN: 119-340-019); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on August 11, 2025; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Section 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2025-25.

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2025-147, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the floor plan and operational statement, in Exhibits "A" and "B". Any changes or intensification of the

use are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.

3. That the hours of operation for the massage establishment will be 9:00 a.m. – 9:00 p.m.
4. That all exterior windows fronting a public street, highway, walkway, or parking area shall not block visibility into the interior reception and waiting area with any material that obstructs, blurs, or unreasonably darkens the view into the premises.
5. Minimum lighting consisting of at least one artificial light sufficiently illuminates items in the room, making them distinguishable, shall be required in all areas where massage services are provided.
6. Living Quarters are prohibited. No person or persons shall be allowed to reside, dwell, occupy, or live inside a massage establishment at any time. Beds, floor mattresses, dressers, nightstands, pullout couches or other furniture that converts into a bed shall not be permitted on the premises.
7. The operator and/or on duty Responsible Employee consents to the inspection of the massage establishment by the City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department for the purpose of determining that the provisions of this ordinance or other applicable laws or regulations are met.
8. The City's Building and Safety Division, Code Enforcement Division, Fire Department, and Police Department and the County Health Department, may, from time to time, make unannounced inspections of each massage establishment for the purpose of determining that the provisions of this chapter, State laws or other applicable laws or regulations are met.
9. No person shall enter, be or remain in any part of a Massage Establishment while in possession of an open container of alcohol, or consuming or using any alcoholic beverages or controlled drugs except pursuant to a prescription for such drugs.
10. The Owner, Operator, or Responsible Managing Employee shall not permit any such person, or any person who is clearly intoxicated, to enter or remain upon the premises.
11. No massage establishment shall operate a school of massage or use the same facilities as that of a school of massage.
12. All new authorized massage professional(s) employed by this establishment shall hold a current, valid certification from the California Massage Therapy Council which shall be displayed within the premise in a prominently conspicuous place, capable of being viewed by customers or city representatives, at every location where massage is performed or conducted.
13. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
14. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2025-17, per Visalia Municipal Code Section 17.38.040.
15. That all other federal, state and city laws, codes and ordinances be complied with.

HONEY DAY SPA

OPERATION STATEMENT

ADDENDMENT

- (1) INCREASE NUMBER OF EMPLOYEE TO 5
(CURRENTLY NUMBER EMPLOYEE IS ONE.
(THE REASON FOR INCREASE OF EMPLOYEE BUSNINESS GROWTHING
AND I AM TURNING AWAY CUSTOMER DUE TO THE LACK OF EMPLOYEES.
- (2) INCREASE BUSINESS HOURS 9:00 AM TO 9:00 PM
(CURRENTLY HOURS OF OPERATION IS 9:00 AM TO 7:30 PM.
(DUE TO THE INCREASE OF BUSINESS.
(CURRENTLY TURNING BUSINESS AWAY DUE TO HOURS OF OPERATION.
(CUSTOMER ARE WANTING TO MAKE APPOINTMETS AFTER 7:30 PM.
- (3) NATURE OF BUESSINSS
(A) MASSAGE SERVICE
- (2) TYPED OF SERVICES
(A) DEEP TISSUE
(B) SWIDISH MASSAGE
(C) HOT STONE
(D) CUPPING
- (3) BUSSINESS HOUR
(MON – SUN) 9:00 AM – 7:30 PM
- (4) DUTIE OF EMPLOYEE
(1) ALL EMPOLYEE OR SELF EMPOLYED MUST HAVE CURRENT LICENSED & CERTIFIED
TO BE POSTED
(2) MANITANCE AND CLEAN AND STERILIZE ROOM AFTER EACH USE
(3) INSURRECT A SAFE ENVIRONMENT

(5) ALL BUINESSNESS BASED ON WALK-IN AND APPOINTMENT DURING NORMAL BUSINESS HOURS

[illegible]



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 22, 2024

PROJECT PLANNER: Colleen A Moreno, Assistant Planner
Phone No.: (559) 713-4039
E-mail: colleen.moreno@visalia.city

SUBJECT: Conditional Use Permit No. 2024-08: A request to establish Honey Spa, a massage establishment within an existing 1,424 square foot tenant space in the C-MU (Commercial Mixed Use) zone. The site is located at 4025 West Caldwell Avenue, Unit E, southeast of West Caldwell Ave and South Chinowth Street in the WinCo shopping center (APN: 119-340-019).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2024-08 based on the findings and conditions in Resolution No. 2024-14. Staff's recommendation is based on the project's consistency with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2024-08 based on the findings and conditions in Resolution No. 2024-14.

PROJECT DESCRIPTION

The requested conditional use permit (CUP) is a request to establish Honey Spa, a massage establishment within a 1,424 square foot tenant space within the WinCo shopping center located at 4025 West Caldwell Ave, Unit E (Exhibit A). The tenant space is within a separate tenant building located northwest of the WinCo supermarket on a separate parcel, but within the shopping center. The shopping center has numerous stores and food and beverage establishments. The specific building of the proposed project within the shopping center consists of five tenant spaces, of which only two are currently operating. The two tenant spaces that are operating currently are Premier Walk-In Medical Clinic and Patel's Threading and Henna Art, the tenant space directly adjacent to the proposed site is currently vacant. The proposed massage establishment will be located on the south end of the building with primary frontage along the interior of the parking lot of the shopping center. Each tenant space has a primary point of entry independent of each other.



The floor plan (Exhibit B) details that the tenant space is comprised of a large lobby area, a corridor that leads to four rooms that will be utilized for massage use, two on either side of the hallway, a break room located on the northwest rear of the building, and two single stall restrooms adjacent to the break room. Of the four rooms that will be utilized for massage use, three rooms will have a massage table and chair, and one room will have two massage tables and two chairs. There are no exterior modifications proposed to this space.

The applicant has provided an operational statement (Exhibit C) indicating that Honey Spa will have one certified massage therapist employed. The hours of operation proposed would be every day of the week, 9:00 a.m. – 7:00 p.m. The proposed services provided would be various types of massages and customers would be accepted by both walk-ins and appointments.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Commercial
Zoning:	C-MU (Commercial Mixed Use)
Surrounding Zoning and Land Use:	North: C-MU (Commercial Mix Use) / Tahoe Joe’s South: C-MU (Commercial Mixed Use) / Vacant parcel East: C-MU (Commercial Mixed Use) / WinCo grocery store West: R-1-5 (Single-Family Residential, 5,000 sq. ft. min. site area) / Residential Neighborhood
Environmental Document	Categorical Exemption No. 2024-10
Site Plan:	2024-005

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2024-08, as conditioned, based on the project’s consistency with the General Plan Land Use and the Zoning Ordinance.

Land Use Compatibility

The Visalia Zoning Matrix identifies massage therapists as conditionally permitted within the C-MU Zone, requiring submittal and approval of a Conditional Use Permit (CUP). Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. *“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. The Planning Commission is empowered to grant or deny applications for conditional use permits”* (VMC 17.38.010).

An eyebrow threading salon and medical walk-in clinic are adjacent to the proposed site which is within a larger shopping center filled with additional commercial uses, therefore staff concludes that the proposed project, as condition, is compatible with the Land Use and General Plan.

Urgency Interim Ordinance

Due to a recent increase in requests for CUPs to operate Massage Establishments Council approved the urgency interim ordinance at the March 4, 2024, Council meeting. The interim Ordinance No. 2024-03 now requires a CUP in all zones within the city as well as additional conditions within the establishments.

This urgency ordinance does not establish buffering distance requirements regarding massage establishments near schools and residential neighborhoods, however, additional conditions were

added to reduce the “*proliferation of illicit uses that could result in negative impacts to the public’s peace, health, safety, and welfare*” (VMC Ordinance No. 2024-03.1.G). The additional business regulations established under the urgency ordinance include limiting the concentration of multiple massage establishments in one area by adopting a 750 foot radius from another massage establishment, not allowing the blocking of windows, maintaining sufficient lighting within the establishment, prohibiting living quarters on the premises, allowing inspections from City staff, and prohibiting the consumption or possession of alcohol by any person on the site.

The additional regulations are adopted in an effort to reduce the potential for criminal and unsafe activity at locations as well as provide safety measures that will prohibit establishments from becoming business fronts for illicit activity..

Parking

Pursuant to Section 17.34.020 of the Zoning Ordinance, similar uses such as barber shops and beauty salons require two (2) spaces per practitioner, with a minimum of four (4) spaces. Per the Operational Statement, normal operation of the site will only include one (1) therapist.

The proposed site is within a larger shopping center that provides shared parking for all uses within the center, therefore the shopping center provides ample parking for the use.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) Categorical Exemption No. 2024-10.

RECOMMENDED FINDINGS

1. That the proposed project could be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is inconsistent with the intent of the General Plan and Zoning Ordinance.
3. That the proposed conditional use permit would be incompatible with adjacent land uses.
4. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) Categorical Exemption No. 2024-10.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2024-05, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the site plan, floor plan, and operational statement, in Exhibits “A”, “B”, and “C”. Any changes or intensification of the use are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
3. That the hours of operation for the massage establishment will be 9:00 a.m. – 7:00 p.m.
4. That all exterior windows fronting a public street, highway, walkway, or parking area shall not block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises.
5. All front, reception, hallway, or front exterior doors except back or rear exterior doors used for employee entrance to and exit from the massage establishment shall be kept unlocked during business hours.

6. No massage shall be given within any cubicle, room, booth, or any area within a massage establishment which is fitted with a door capable of being locked, unless the only door is an exterior door.
7. Minimum lighting consisting of at least one artificial light of not less than forty watts shall be provided and shall be operating in each room or enclosure where massage services are being performed on clients, and in all areas where clients are present.
8. Living Quarters are prohibited. No person or persons shall be allowed to reside, dwell, occupy, or live inside a massage establishment at any time. Beds and floor mattresses shall not be permitted on the premises.
9. The operator and/or on duty Responsible Employee consents to the inspection of the massage establishment by the City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department for the purpose of determining that the provisions of this ordinance or other applicable laws or regulations are met.
10. The City's Building and Safety Division, Code Enforcement Division, Fire Department, and Police Department and the County Health Department, may, from time to time, make unannounced inspections of each massage establishment for the purpose of determining that the provisions of this chapter, State laws or other applicable laws or regulations are met.
11. No person shall enter, be or remain in any part of a Massage Establishment while in possession of an open container of alcohol, or consuming or using any alcoholic beverages or controlled drugs except pursuant to a prescription for such drugs.
12. The Owner, Operator, or Responsible Managing Employee shall not permit any such person, or any person who is clearly intoxicated, to enter or remain upon the premises.
13. No massage establishment shall operate a school of massage or use the same facilities as that of a school of massage.
14. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
15. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2024-08, per Visalia Municipal Code Section 17.38.040.
16. That all other federal, state and city laws, 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 North Santa Fe Street, Visalia California. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2024-14
- Exhibit A – Site Plan
- Exhibit B – Floor Plan
- Exhibit C – Operational Statement
- Exhibit D – CAMTC Verification
- Exhibit E – Ordinance No. 2024-03
- Site Plan Review Comments
- General Land Use Plan Map
- Zoning Map
- Aerial Map
- Location Map

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit No. 2024-08

PROJECT TITLE

4025 W. Caldwell Ave, Unit E (APN: 119-340-019)

PROJECT LOCATION

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request to establish Honey Spa, a massage establishment within an existing 1,425 sq. ft. tenant space in the C-MU (Commercial Mixed Use) zone. The site is located at 4025 West Caldwell Ave, Unit E, southeast of West Caldwell Ave and South Chinowth Street in the WinCo shopping center.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

Wayne Murray, 2736 W. Cherry Ct., Visalia CA 93277

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Same as above

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- ☐ Ministerial - Section 15268
☐ Emergency Project - Section 15269
☒ Categorical Exemption - State type and Section number: **Section 15301**
☐ Statutory Exemptions- State code number:

A request to re-use an existing building with proposed alterations or changes to the site or building.

REASON FOR PROJECT EXEMPTION

Colleen A Moreno, Assistant Planner

CONTACT PERSON

(559) 713-4031

AREA CODE/PHONE

April 4, 2024

DATE

ENVIRONMENTAL COORDINATOR
Brandon Smith, AICP

RESOLUTION NO. 2024-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-08, A REQUEST TO ESTABLISH HONEY SPA, A MASSAGE ESTABLISHMENT WITHIN AN EXISTING 1,424 SQUARE FOOT TENANT SPACE IN THE C-MU (MIXED USE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 4025 WEST CALDWELL AVENUE, UNIT E, SOUTHEAST OF WEST CALDWELL AVENUE AND SOUTH CHINOWTH STREET IN THE WINCO SHOPPING CENTER (APN: 119-340-019).

WHEREAS, Conditional Use Permit No. 2024-08 is a request to establish Honey Spa, a massage establishment within an existing 1,424 square foot tenant space in the C-MU (Mixed Use Commercial) zone. The site is located at 4025 West Caldwell Avenue, Unit E (APN: 119-340-019); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on April 22, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Section 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2024-10.

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2024-05, incorporated herein by reference.

2. That the use shall be operated in substantial compliance with the site plan, floor plan, and operational statement, in Exhibits "A", "B", and "C". Any changes or intensification of the use are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
3. That the hours of operation for the massage establishment will be 9:00 a.m. – 7:00 p.m.
4. That all exterior windows fronting a public street, highway, walkway, or parking area shall not block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises.
5. All front, reception, hallway, or front exterior doors except back or rear exterior doors used for employee entrance to and exit from the massage establishment shall be kept unlocked during business hours.
6. No massage shall be given within any cubicle, room, booth, or any area within a massage establishment which is fitted with a door capable of being locked, unless the only door is an exterior door.
7. Minimum lighting consisting of at least one artificial light of not less than forty watts shall be provided and shall be operating in each room or enclosure where massage services are being performed on clients, and in all areas where clients are present.
8. Living Quarters are prohibited. No person or persons shall be allowed to reside, dwell, occupy, or live inside a massage establishment at any time. Beds and floor mattresses shall not be permitted on the premises.
9. The operator and/or on duty Responsible Employee consents to the inspection of the massage establishment by the City's Building and Safety Division, Code Enforcement Division, Fire Department and Police Department and the County Health Department for the purpose of determining that the provisions of this ordinance or other applicable laws or regulations are met.
10. The City's Building and Safety Division, Code Enforcement Division, Fire Department, and Police Department and the County Health Department, may, from time to time, make unannounced inspections of each massage establishment for the purpose of determining that the provisions of this chapter, State laws or other applicable laws or regulations are met.
11. No person shall enter, be or remain in any part of a Massage Establishment while in possession of an open container of alcohol, or consuming or using any alcoholic beverages or controlled drugs except pursuant to a prescription for such drugs.
12. The Owner, Operator, or Responsible Managing Employee shall not permit any such person, or any person who is clearly intoxicated, to enter or remain upon the premises.
13. No massage establishment shall operate a school of massage or use the same facilities as that of a school of massage.
14. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
15. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2024-09, per Visalia Municipal Code Section 17.38.040.
16. That all other federal, state and city laws, codes and ordinances be complied with.

B6058944

RECEIVED
DEC 19 2023
Business Tax
CITY OF VIRALIA

CALIFORNIA MASSAGE THERAPY COUNCIL

*By authority of the State of California Code B&P Section 4600,
the California Massage Therapy Council hereby awards to*

Yuan Wu

the designation of

CERTIFIED MASSAGE THERAPIST

*Let it be known by all that, having met the standards set forth by the California Massage Therapy Council and having demonstrated knowledge of applicable disciplines related to the practice of massage therapy, **Yuan Wu** is recognized as a **CMT** in good standing, including all the rights and privileges pertaining thereto, as witnessed by the signature below.*

Given at Sacramento, California, Friday, July 14, 2023.



*Jeffrey Forman, Chairman of the Board
California Massage Therapy Council
CAMTC, One Capitol Mall, Suite 800, Sacramento, CA 95814*

**CERTIFICATE # 66176
EXPIRES: 10/11/2025**

The validity and authenticity of this certificate may be verified online
by entering the name and certificate number at: www.camtc.org



July 17, 2025

Site Plan Review No. 2025-147:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires a Conditional Use Permit, and a Building Permit which is stated on the attached Site Plan Review comments. You may now proceed with filing your permits to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **June 18, 2025**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

Paul Bernal
Planning and Community Preservation Director
315 E. Acequia Ave.
Visalia, CA 93291

Attachment(s):

- Site Plan Review Comments



VISALIA

Planning & Community Preservation Department
Planning Division

MEETING DATE

June 18, 2025

SITE PLAN NO.

2025-147

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
- | | |
|--------------------------------------|---|
| <input type="checkbox"/> Planning | <input type="checkbox"/> Engineering prior to resubmittal for Site Plan Review. |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation |
| | <input type="checkbox"/> 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 7:30 a.m. and 5:00 p.m., Monday through Thursday, offices closed on Fridays.

- ☒ Your plans must be reviewed by:

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

- ☒ **ADDITIONAL COMMENTS:**

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

SITE PLAN REVIEW COMMENTS

Cristobal Carrillo, Planning Division, 559-713-4443

Date: June 18, 2025

SITE PLAN NO: 2025-147

PROJECT: Amendment to existing massage business

DESCRIPTION: Amendment to Conditional Use Permit No. 2024-08 to increase number of employees at massage business

ADDRESS: 4025 W CALDWELL AVE

APN: 119-340-019

ZONING: C-MU (MIXED USE COMMERCIAL)

GENERAL PLAN: COMMERCIAL MIXED USE

Planning Division Recommendation:

- ☒ Revise and Proceed
☐ Resubmit

Project Requirements

- Conditional Use Permit Amendment

PROJECT SPECIFIC INFORMATION: June 18, 2025

1. VMC Use Table 17.25.030, Line M52 lists Massage Therapist as requiring a conditional use permit. Conditional Use Permit No. 2024-08 was previously approved for this use.
2. A Conditional Use Permit (CUP) amendment shall be processed to permit additional employees onsite.
3. A complete CUP application will include detailed exhibits of the following:
 - a. Operational Statement, including information on the other businesses on the project site, and identifying all amendments proposed.
 - b. Site Plan.
 - c. Floor Plan, identifying the use of all rooms.
 - d. Building elevations.
4. Massage uses are prescribed parking in the VMC [Section 17.34.020(F)(9)] as two parking spaces for each technician (one for the employee and for the customer), with a minimum of four spaces.
5. Comply with all requirements of Visalia Municipal Code Chapter 5.68 (Massage Establishments). This shall include certification from the California Massage Therapy Council.
6. Obtain a Building Permit for any alterations to the building.
7. All signage shall be through a separate Building Permit submittal.
8. Meet all other codes and ordinances.

Notes:

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

Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):

17.19 Mixed Use Zones

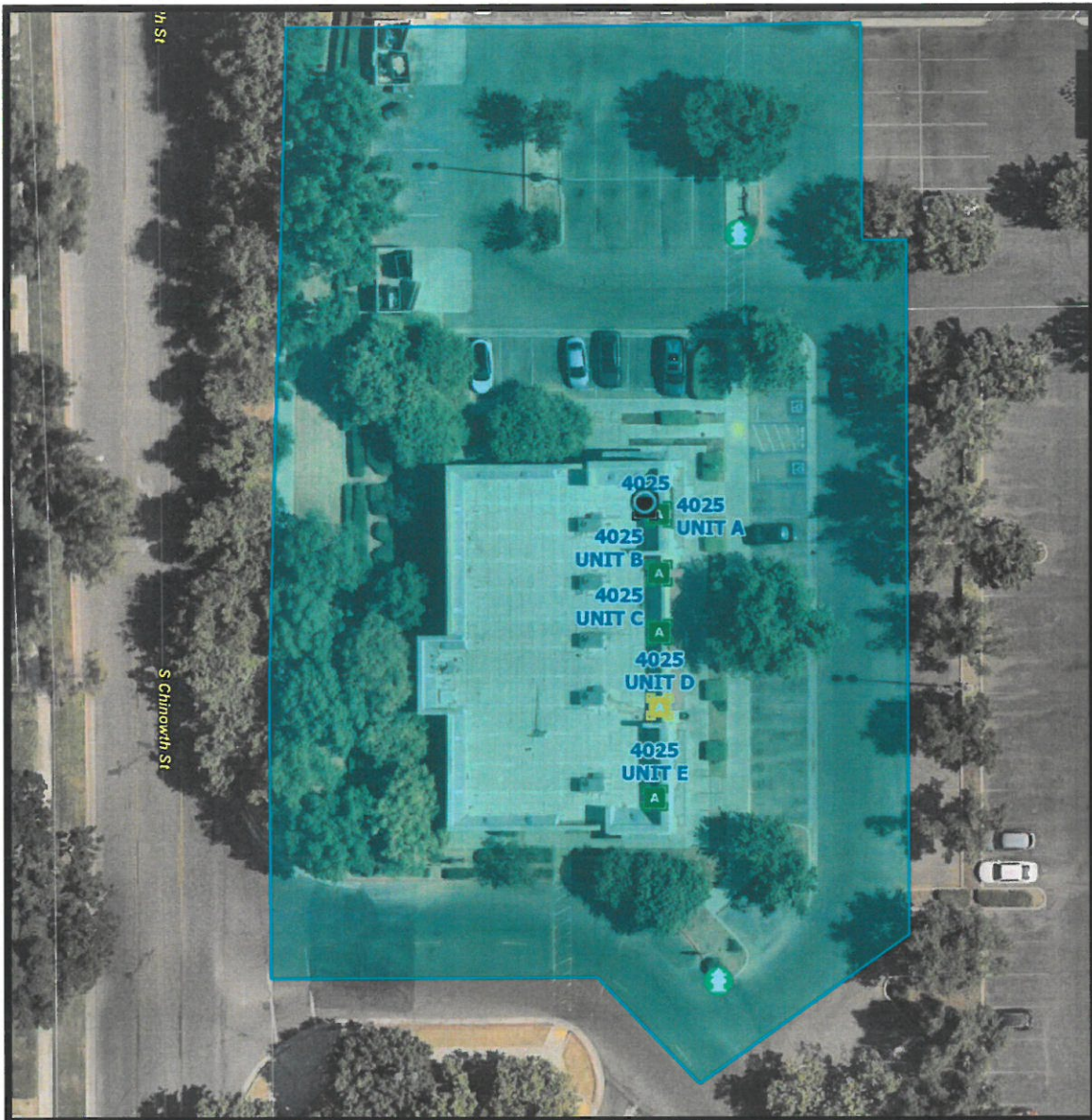
17.30 Development Standards

17.34 Off-street parking and loading facilities

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.



Signature: _____



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

<input type="checkbox"/> Edelma Gonzalez	713-4364
<input type="checkbox"/> Luqman Ragabi	713-4362
<input type="checkbox"/> Sarah MacLennan	713-4271
<input checked="" type="checkbox"/> Jesus Carreno	713-4268

ITEM NO: 6 DATE: JUNE 18TH, 2025

SITE PLAN NO.: 25-147
 PROJECT TITLE: AMENDMENT TO EXISTING MASSAGE
 DESCRIPTION: AMENDMENT TO CUP NO. 2024-08 TO
 INCREASE NUMBER OF EMPLOYEES AT
 MASSAGE BUSINESS
 APPLICANT: WAYNE MMURRAY
 PROP OWNER: WAHEGURU INVEST LLC
 LOCATION: 4025 W. CALDWELL AVE. UNIT E
 APN: 119-340-019

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 ALL WORK WITHIN 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 = .20%, V-gutter = 0.25%)
- ☐ Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- ☐ All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- ☐ Traffic indexes per city standards:

- ☐ Install street striping as required by the City Engineer.
- ☐ Install landscape curbing (typical at parking lot planters).
- ☐ Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- ☐ Design Paving section to traffic index of 5.5 min. for solid waste truck travel path.
- ☐ Provide "R" value tests: each at
- ☐ Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- ☐ Access required on ditch bank, 15' minimum ☐ Provide wide riparian dedication from top of bank.
- ☐ Show Valley Oak trees with drip lines and adjacent grade elevations. ☒ Protect Valley Oak trees during construction in accordance with City requirements.
- ☐ A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ A pre-construction conference is required.
- ☐ Relocate existing utility poles and/or facilities.
- ☐ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- ☐ Subject to existing Reimbursement Agreement to reimburse prior developer:
- ☐ Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- ☒ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- ☒ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- ☐ Comply with prior comments. ☐ Resubmit with additional information. ☐ Redesign required.

Additional Comments:

- 1. A BUILDING PERMIT IS REQUIRED, STANDARD PLAN CHECK AND INSPECTION FEES WILL APPLY.**
- 2. 20% OF PERMIT VALUATION TO BE USED IN ADA PATH OF TRAVEL UPGRADES.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **25-147**

Date: **06/18/2025**

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: **08/17/2024**)

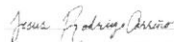
(Project type for fee rates:)

☐ Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Treatment Plant 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.



Jesus Carreno

SPR 25147
WAYNE MURRY
4025 W CALDWELL
UNIT E

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

- ☒ A building permit will be required. **FOR ANY IMPROVEMENTS** For information call (559) 713-4444
- ☒ Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- ☐ Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- ☒ Meet State and Federal requirements for accessibility for persons with disabilities.
- ☒ A path of travel, parking and common area must comply with requirements for access for persons with disabilities. **20% of PERMIT VALUE SHALL BE USED FOR 'PATH OF TRAVEL' ADA UPDATES.**
- ☐ All accessible units required to be adaptable for persons with disabilities.
- ☐ Maintain sound transmission control between units minimum of 50 STC.
- ☐ Maintain fire-resistive requirements at property lines.
- ☒ A demolition permit & deposit is required. For information call (559) 713-4444
- ☒ Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (661) 392-5500
- ☐ Plans must be approved by the Tulare County Health Department. For information call (559) 624-8011
- ☐ Project is located in flood zone _____ * ☐ Hazardous materials report.
- ☐ Arrange for an on-site inspection. (Fee for inspection \$157.00) For information call (559) 713-4444
- ☐ School Development fees.
- ☐ Park Development fee \$ _____, per unit collected with building permits.
- ☐ Additional address may be required for each structure located on the site. For information call (559) 713-4320
- ☐ Acceptable as submitted
- ☐ No comments at this time

Additional comments: _____

VAL GARCIA 6/18/25
Signature

**Site Plan Comments**

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

Date	June 18, 2025
Item #	6
Site Plan #	25147
APN:	119340019

- 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 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- **Address numbers** must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2022 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2022 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2022 CFC 506.1

Corbin Reed
Fire Marshal



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

Date: 06/18/25
Item: 6
Site Plan: SPR25147
Name: Jeff Dowling

Site Plan Review Comments

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

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

June 18, 2025

ITEM NO: 6 Added to Agenda
SITE PLAN NO: [SPR25147](#)

MEETING TIME: 10:15
ASSIGNED TO: Cristobal Carrillo Cristobal.Carrillo@visalia.city

PROJECT TITLE: Amendment to existing massage business
DESCRIPTION: Amendment to Conditional use Permit No. 2024-08 to increase number of employees at massage business
APPLICANT: Wayne Murray - Applicant
APN: 119340019
ADDRESS: 4025 W CALDWELL AVE UNIT E
LOCATION: 4025 W Caldwell Ave

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

- ☒ No Comments
- ☐ See Previous Site Plan Comments
- ☐ Install Street Light(s) per City Standards at time of development.
- ☐ Install Street Name Blades at Locations at time of development.
- ☐ Install Stop Signs at **local road intersection with collector/arterial** Locations.
- ☐ Construct parking per City Standards PK-1 through PK-4 at time of development.
- ☐ Construct drive approach per City Standards at time of development.
- ☐ Traffic Impact Analysis required (CUP)
 - ☐ Provide more traffic information such as . Depending on development size, characteristics a TIA may be required.
- ☐ Additional Traffic information required (non-discretionary).
 - ☐ Trip Generation – Provide documentation as to concurrence with General Plan.
 - ☐ Site Specific – Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - ☐ Traffic Impact Fee (TIF) Program – Identify Improvements needed in concurrence with TIF.

Additional Comments:

•

Leslie Blair

Leslie Blair
136

Good Morning,

I have attached my comments and packets for SPR 6/18/2025.

- **SPR25094-1- Rivers edge tentative subdivision map – divide parcel into 46 private lots and one common lot- HOUSING SURVEY**
- SPR25143 – Bello Self storage – self storage – no comments
- **SPR25144- Multi Family residential development 23 duplex lots for 46 units total- HOUSING SURVEY**
- SPR25145 – Tenant improvement for new medical office use- no comments
- SPR25146 Fence at existing industrial development - No Comments
- SPR25147- Amendment to existing massage business – no comments
- **SPR25148- Riggins and Roeben Tentative Parcel Map – no new comments, STILL NEED HOUSING SURVEY SUBMISSION**

Sincerely,

Jennifer Flores

Pretreatment Coordinator
City of Visalia, Waste Water Reclamation
7579 Ave 288, Visalia CA
Office phone- (559)713-4463
Work cell- (559) 972-9269

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

25147

June 18, 2025

<input type="checkbox"/>	No comments.
<input checked="" type="checkbox"/>	<u>See comments below</u>
<input type="checkbox"/>	Revisions required prior to submitting final plans. See comments below.
<input type="checkbox"/>	Resubmittal required. See comments below.
<input type="checkbox"/>	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
<input type="checkbox"/>	ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
<input type="checkbox"/>	Customer must provide combination or keys for access to locked gates/bins
<input type="checkbox"/>	Type of refuse service not indicated.
<input type="checkbox"/>	Location of bin enclosure not acceptable. See comments below.
<input type="checkbox"/>	Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
<input type="checkbox"/>	Inadequate number of bins to provide sufficient service. See comments below.
<input type="checkbox"/>	Drive approach too narrow for refuse trucks access. See comments below.
<input type="checkbox"/>	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
<input type="checkbox"/>	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
<input type="checkbox"/>	Bin enclosure gates are required
<input checked="" type="checkbox"/>	Hammerhead turnaround must be built per city standards.
<input type="checkbox"/>	Cul - de - sac must be built per city standards.
<input type="checkbox"/>	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
<input type="checkbox"/>	Area in front of refuse enclosure must be marked off indicating no parking
<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	Customer will be required to roll container out to curb for service.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
<input type="checkbox"/>	Solid waste services are assigned to a property manager account. Customer to contact property management if any changes to existing services are required. Property owner to complete and submit a City of Visalia "Concrete/Driveway Release of Liability Waiver Agreement".
Comment	

Jason Serpa, Solid Waste Manager, 559-713-45138
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532

Susan Currier

From: Yelton, Elizabeth@DOT <Elizabeth.Yelton@dot.ca.gov>
Sent: Monday, July 7, 2025 2:24 PM
To: Josh Dan; Susan Currier; Colleen Moreno
Cc: Padilla, Dave@DOT
Subject: Caltrans Response to Site Plan Agenda 6-18-25
Attachments: SPR Agenda 6.18.25 Comments.pdf

Good afternoon,

Response from Caltrans regarding Site Plan Agenda 6-18-25

SPR25094-1 Rivers Edge Tentative Subdivision Map
No Comment

SPR25143 Bello Self Storage
No Comment

SPR25144 Rivers Edge Multi-Family Residential Site Plan
No Comment

SPR25145 Tenant Improvement – Medical Office
No Comment

SPR25146 Fence at Industrial Development
No Comment

SPR25147 Amendment to Existing Massage Business
No Comment

SPR25148 Riggini and Roeben Tentative Parcel Map
No Comment

If you have any questions or concerns, please contact me,



Elizabeth Yelton
Transportation Planner
California Department of
Transportation
Office of Regional and Community
Planning,
Local Development Review
Caltrans District 6
Phone: (559) 365-5140
1352 W. Olive Avenue
Fresno, CA 93778-2616



CALIFORNIA WATER SERVICE

Visalia District 216 North Valley Oaks Drive
Visalia, CA 93292 Tel: (559) 624-1600

Site Plan Review Comments From:

California Water Service
Scott McNamara, Superintendent
216 N Valley Oaks Dr.
Visalia, CA 93292
559-624-1622
smcnamara@calwater.com

Date: 06/18/2025

Item #: 6

Site Plan #: 25-147

Project: Amendment to existing massage business

Description:

Applicant: Wayne Murray

APN: 119-340-019

Address: 4025 W Caldwell

The following comments are applicable when checked:

- ☐ No New Comments
- ☐ Pulled from agenda

☒ Water Mains

Comments:

- ☒ - Water main fronting your project; if the existing water main is not sufficient in size to meet your service demands, an upsize in water main will be required. This will be done at the developer's expense.
- ☐ - Water main will need to be installed to serve this project.

☒ Water Services

Comments:

- ☒ - Existing service(s) at this location.
 - ☒ - Domestic/Commercial
 - ☒ - Irrigation
 - ☒ - Fire Protection

The following will be paid for by the property owner/developer:

- Any additional services for the project.
- Relocation of any existing service that is to land within a new drive approach.
- Abandonment of any existing service that is not utilized.
- If the existing service(s) is not sufficient in size to meet the customer's demand:
 - Installation of a new service and the abandonment of the insufficient size service.
- ☐ - Service(s) will need to be installed for this project.

☒ Fire Hydrants

Comments:

- Fire hydrants will be installed per the Visalia Fire Departments requirements.
- If new fire hydrants are required for your project off an existing water main:
 - Cal Water will utilize our own contractor (West Valley) for the installation.
 - This work is to be paid for by the property owner/developer.





CALIFORNIA WATER SERVICE



Backflow Requirements

Comments:

A backflow is required if any parcel meets any of the following parameters:

- Designated as multi-family
- Commercial building
- Has multiple dwellings (residential or commercial)
- Has multiple services
 - Any combination of the following:
 - Domestic/Commercial
 - Irrigation
 - Fire Protection

Please contact Cross Connection Control Specialist Juan Cisneros at 559-624-1670 or visaliabackflow@calwater.com for a backflow install packet.

Additional Comments:



If your project requires the installation and/or abandonment of Cal Water facilities, please contact New Business Superintendent Allison Schackmann at 559-624-1621 or aschackmann@calwater.com to receive your new business packet to start your project with Cal Water.



A WSA may be required for your project. These requirements come from Senate Bill 610.



Cal Water may work with the developer to purchase a piece of property for a future tank site and/or a new source of water.



If Cal Water infrastructure is to be installed on private property, a dedicated easement will be required for our infrastructure.



If you need to request existing utility information, please contact Construction Superintendent Scott McNamara at smcnamara@calwater.com for the information and requirements needed to obtain this information.



If a fire flow is needed for your project, please contact Distribution Superintendent Alex Cardoso at 559-624-1661 or lcardoso@calwater.com for information and requirements.

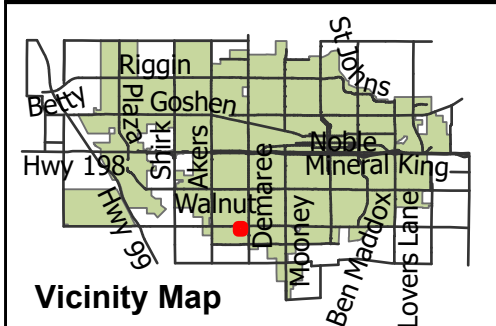
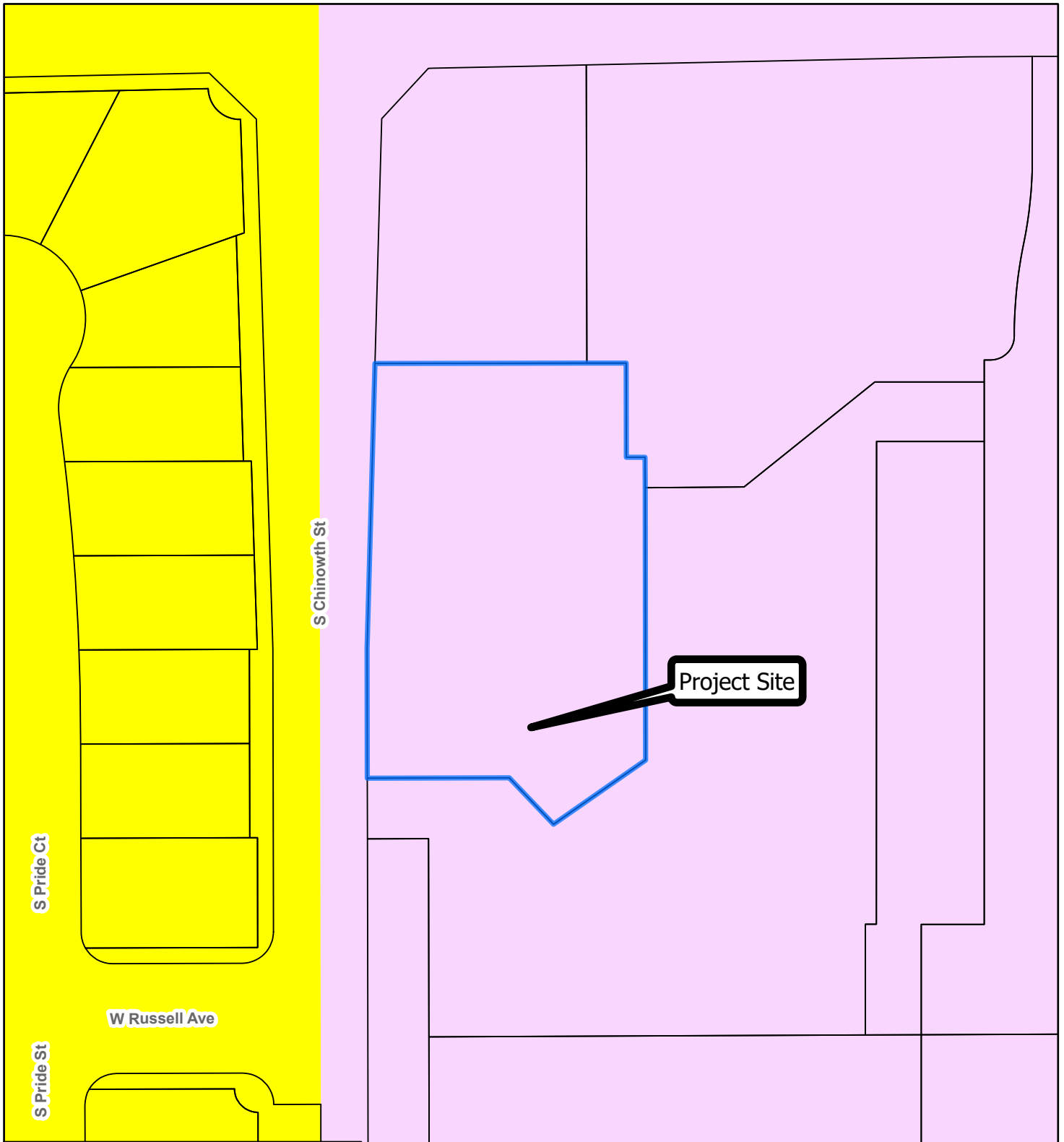


If you need a construction meter for your project, please call our Operations Center at 559-624-1650.

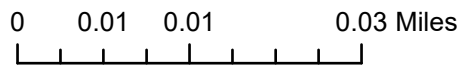


If you need to sign up for an existing service, please call 559-624-1600.

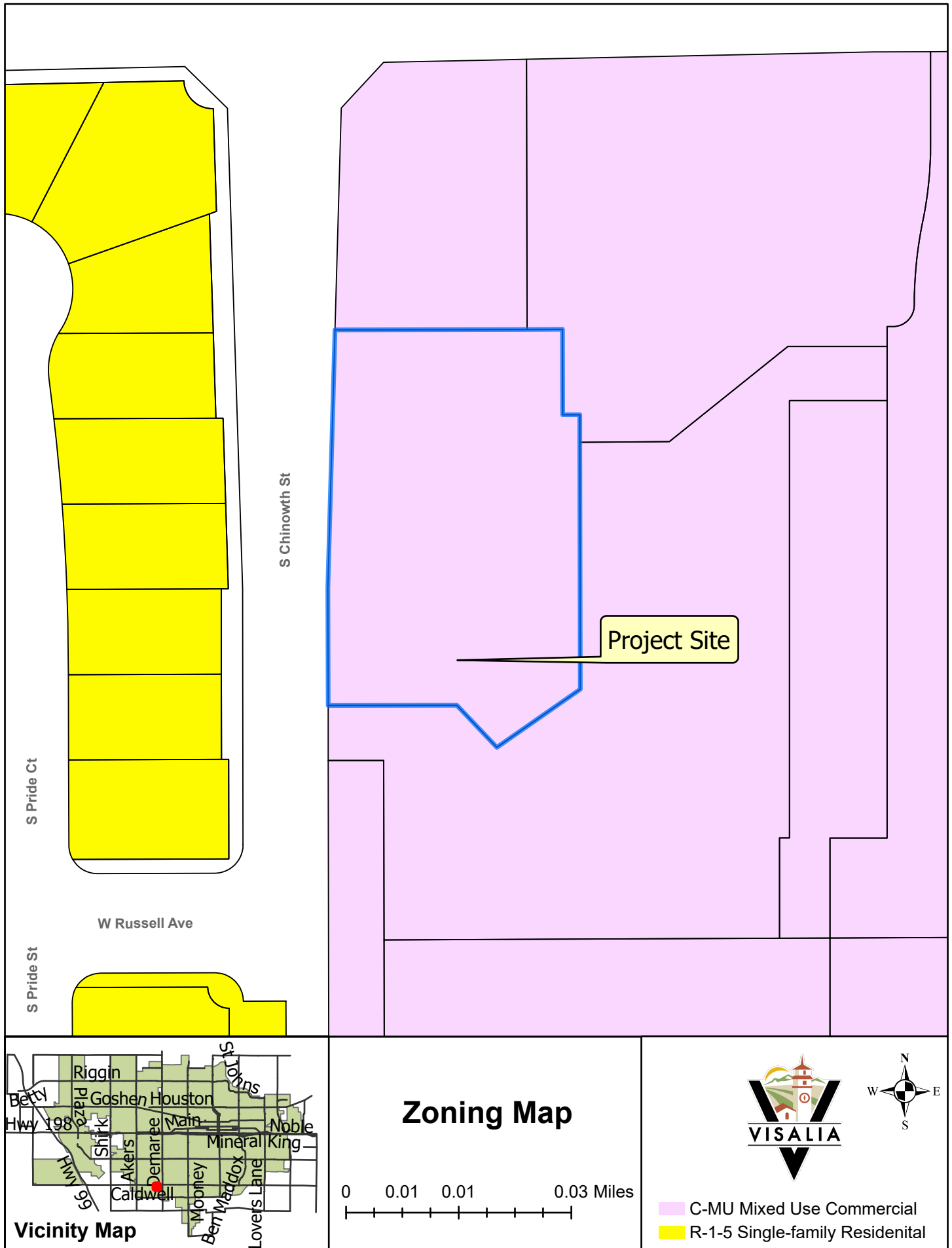




General Plan Land Use Map



- Commercial Mixed Use
- Residential Low Density





Aerial Map

0 0.01 0.01 0.03 Miles







REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: August 11, 2025

PROJECT PLANNER: Brandon Smith, Principal Planner
Phone: (559) 713-4636
Email: brandon.smith@visalia.city

SUBJECT: General Plan Amendment No. 2025-02: A request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use.

Change of Zone No. 2025-03: A request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Location: The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

STAFF RECOMMENDATION

General Plan Amendment No. 2025-02: Staff recommends that the Planning Commission recommend that the Visalia City Council approve General Plan Amendment No. 2025-02, based on the findings in Resolution No. 2025-42. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Change of Zone No. 2025-03: Staff recommends that the Planning Commission recommend that the Visalia City Council approve Change of Zone No. 2025-03, based on the findings in Resolution No. 2025-43. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to recommend approval of General Plan Amendment No. 2025-02, based on the findings in Resolution No. 2025-42.

I move to recommend approval of Change of Zone No. 2025-03, based on the findings in Resolution No. 2025-43.

PROJECT DESCRIPTION

General Plan Amendment No. 2025-02 and **Change of Zone No. 2025-03** together are a request by the City of Visalia to change the general plan land use and zoning designations of 16 acres from Parks/Recreation land use (QP zone) to Commercial Mixed Use (C-MU zone), as shown in the attachment to each entitlement's respective resolution. The 16 acres are part of an overall 21-acre undeveloped parcel located on the northwest corner of North Akers Street and West Riggins Avenue (see attached aerial map).

The reclassification of land use and zoning designations is based upon the recommendation of the City Council upon the conclusion of four work session discussions held between January 16, 2020 and August 19, 2024. The site has always held the general plan land use and zoning designation of Parks/Recreation / QP zone since the property's annexation in 2010.

Visalia Unified School District sold the site to the City of Visalia in 2014 and has retained property to the north for development of a middle school and future high school. Visalia’s General Plan, adopted in 2014, illustrates this site in a Parks/Facilities Map as a potential location for a new community park serving the northwest quadrant. General Plan Policy PSCU-P-5 more explicitly calls for the creation of a new community park to be built in and to serve the northwest quadrant.

Over the course of the four work sessions held to discuss land uses on the site, City staff suggested that the City-owned property at Akers & Riggan may be better suited for a land use other than Parks/Recreation given its location at a major intersection, with speculation towards a commercial designation. Under the proposed GPA/COZ, a community park could still be developed on the remaining 5-acre portion of the site, or be developed on a different site in the northwest quadrant. Staff presented viable non-residential land use alternatives to the Council at the work sessions. Between the times that the four work sessions were held, the Carleton Acres Specific Plan was drafted and adopted in 2023, solidifying a new commercial land use designation further to the west.

Based upon the August 19, 2024 work session, the City Council recommended a 4-1 vote in favor of changing the designation to 16 acres out of the 21-acre parcel toward Commercial Mixed Use, and retaining 5 acres on the northwest portion of the parcels for potential park use.

The proposed project only changes the land use and zoning designations associated with the parcel. No development is being proposed or is planned in correlation with the project at this time. The City Council’s direction to staff from the work session meeting was to also prepare and release a Request for Proposals (RFP) to solicit potential land developers to submit design proposals for this site, and to hold a future meeting to discuss design stipulations and use limitations on the site. These latter actions will be forthcoming .

BACKGROUND INFORMATION	
General Plan Land Use Designation	Parks / Recreation
Zoning	QP (Quasi Public)
Surrounding Zoning and Land Use	North: QP / Ridgeview Middle School South: R-1-20 (Single-Family Residential, 20,000 sq. ft. minimum site area) / Neighborhood Church East: R-M-2 (Multi-family Residential, one unit per 3,000 sq. ft. site area) / Apartment-style residences (Reserve at Ritchie Ranch) West: R-M-3 (Multi-family Residential, one unit per 1,200 sq. ft. site area) / Vacant land with pending multi-family development application
Environmental Review:	Initial Study / Negative Declaration No. 2025-28
Site Plan:	N/A

RELATED PLANS & POLICIES

See attachment pertaining to General Plan policies and Municipal Code sections pertaining to the project site.

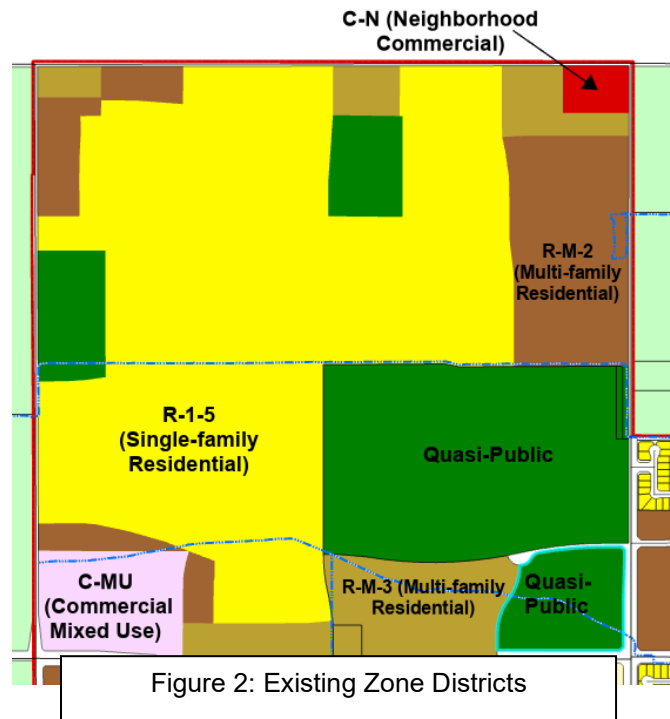
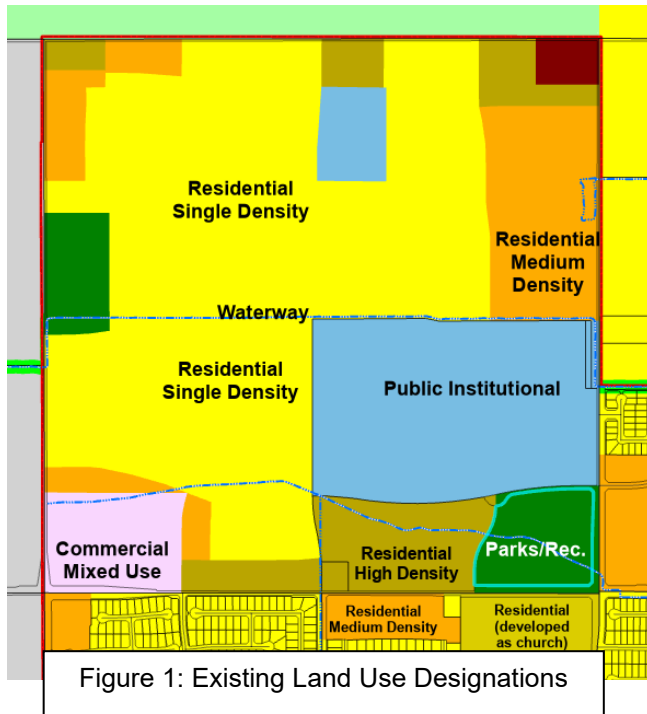
RELATED PROJECTS

There are no other projects that are related to this project site.

PROJECT EVALUATION

Staff supports the requested General Plan Amendment and Change of Zone based on project consistency with the General Plan and Zoning Ordinance.

Surrounding Uses



To the north, on the north side of the Sedona Avenue alignment, a 103-acre parcel owned by Visalia Unified School District (VUSD) contains Ridgeview Middle School and land for a future high school campus.

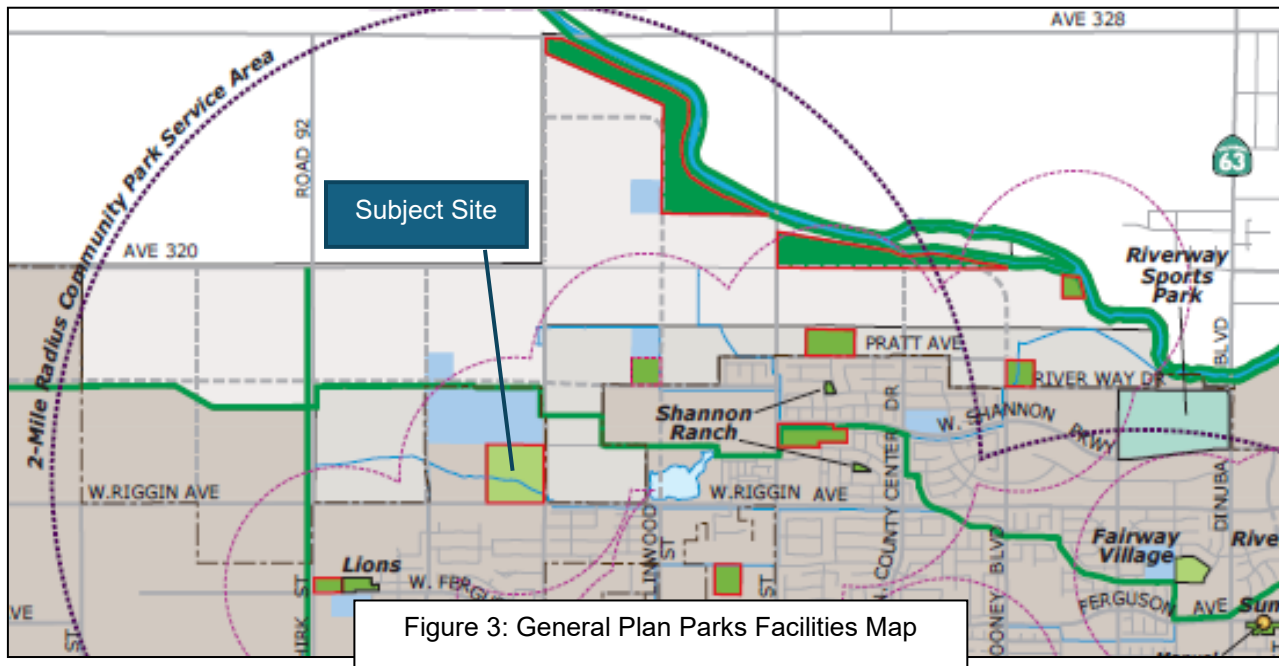
To the west of the city-owned site is a 29-acre parcel that is owned by a private entity and is zoned for high-density multi-family residential use. This parcel has been incorporated into the Carleton Acres Specific Plan. On May 29, 2025, a Conditional Use Permit application was filed with the City for a 442-unit development on this site, at a density of 15 units / acre consistent with R-M-3 zone standards; however, the application is incomplete at this time.

The surrounding area beyond the VUSD parcel is currently seeing a steady amount of growth and interest in future development planning. To the east, the 219-unit Ritchie Reserve Apartments are nearing completion, and two small-lot single family residential subdivisions have been proposed to the City, one of which has applied for a tentative subdivision map (i.e. Ritchie Ranch). To the west and northwest, the Carleton Acres Specific Plan was approved in 2023 for the long-term buildout of approximately 3,200 dwelling units and 29 acres of commercial uses anchored by Costco Wholesale at the corner of Shirk & Riggins and a future neighborhood commercial designation at the southwest corner of Akers Street & Avenue 320 (see Figure 1 and Figure 2 above).

General Plan Consistency

Community Park Designation

General Plan Policy PSCU-P-5 calls for the creation of a new community park to be built in and to serve the northwest quadrant. The policy generally states that the park shall be in the northwest, and the facility map shown as Figure 5-1 identifies the 21-acre site as the potential location of the community park (see Figure 3 below).



Policy PSCU-P-5 further states that community parks shall be 5 to 12 acres in size or more, and are intended to include resources beyond those found at neighborhood parks, such as a community center building, reserved picnic facilities, tennis courts, aquatic center, and/or outdoor concert area.

A community park would fill a void that currently exists for this type of facility that would be comparable to Recreation Park / Anthony Community Center or Whitendale Park / Community Center. The General Plan notes that the northwest quadrant currently lacks a community center building, and Policy PSCU-P-16 calls to provide at least one community center in each of the City's four neighborhood quadrants.

The community park would be different from Riverway Sports Park, located 2.5 miles to the east. The 83-acre Riverway Sports Park is considered a "large city park" that serves the greater Visalia area and contains several playing fields; however, it contains no community center or multi-use courts. The community park would also be larger in scale than neighborhood parks found throughout the City – the closest being Lions and Soroptimist Parks located one mile southwest or southeast from the site.

The current size of the project site, at 21 acres, is significantly larger than the policy guideline of "5 to 12 acres or more" for community parks. The proposed GPA / COZ would reduce the size of the Parks designation to 5 acres, which would remain within the size range of a community park.

Within the City's northwest quadrant, there are two other undeveloped Park land use designations that could facilitate a community park. These sites are 15 acres near the northeast corner of Demaree Street & Pratt Avenue and 10 acres fronting the future Riverway Avenue extension north of Modoc Basin. Both sites are visible in Figure 3 above. Both designated sites could facilitate the northwest quadrant's community park based on their acreage. There is a potential opportunity for the City to purchase the Demaree & Pratt land based on early preliminary discussions with a property owner in that area seeking to develop their property that has a park land use designation of equivalent acreage. There have been no discussions regarding the 10 acres of park designated land fronting the future Riverway Avenue extension north of Modoc Basin.

It should be noted that the conceptual use plan for Carleton Acres does plan for parks to be scattered throughout the development, but none being classified as neighborhood or community parks over two acres in size. This is intentional since the General Plan did not designate any land use designations for parks on the Carleton Acres site. The Parks and Recreation Department does not anticipate purchasing any land in the Carleton Acres neighborhood bound by Shirk, Akers, and Avenue 320.

Exhibit "B", attached to this report, illustrates non-residential land use designations in the surrounding vicinity.

Land Use Element/General Plan/Zoning

Land Use Policy LU-P-66 states that the Commercial Mixed Use land use designation allows for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses. Commercial uses must be allowed for in a development, while residential uses may or may not be part of a development. The Zoning Ordinance further states, in Section 17.19.010, that the mixed use commercial zone district may permit development at both at key activity nodes and along corridors. There is no further locational criteria regarding Commercial Mixed Use elsewhere in the City.

Among Visalia's commercial designations (i.e. Regional Commercial, Neighborhood Commercial), Commercial Mixed Use zone provides the largest amount of flexibility for a commercial-oriented designation in terms of uses, size, and placement. The northwest area is not significantly underserved with retail uses at this time; however, the nearest existing shopping areas from the intersection are located at Demaree / Riggin (The Village at Willow Creeks) and Akers / Goshen (Key West Shopping Center), both of which are one mile away.

The project site has the potential to be served by multiple single-family and multi-family residential uses and major school facilities that are all adjacent to the site and would be accessed from the adjacent arterial/arterial intersection. Vacant land to the west is slated for the inclusion of an off-street bike/pedestrian trail linking the City site to the rest of the Carleton Acres development.

A larger Commercial Mixed Use designation (10+ acres) can facilitate a shopping center anchored by a supermarket, warehouse supermarket, or home improvement store and supported by additional retail and food establishments. The nearest such development is located at Demaree / Riggin (Lowes), one mile to the east.

The C-MU designation provides for the widest range of possible non-residential land use alternatives: commercial, retail, restaurant, professional and medical office uses, or residential as a stand-alone or mixed use. A full summary of all allowed land uses (permitted and conditionally permitted) in the C-MU zone is provided in Exhibit "A".

Potential Design Considerations and Future Request for Proposal (RFP) Process

If the City Council approves the proposed GPA / COZ, staff intends to prepare and circulate a Request for Proposal to solicit potential land developers to submit design proposals for this site that demonstrate the Council's desire to have a superior development design and layout for this site. The RFP process would spell out expectations of the development to embody a well-designed and attractive development with a high likelihood of success that will be compatible with and serve the school population as well as the surrounding community. The RFP would address the developer's responsibility to process the necessary Planning entitlement applications (if applicable) and CEQA environmental analysis for the alternative land use.

Staff's expectation is that a future City Council work session will be held to discuss the potential design requirements and land use limitations or stipulations that would apply to the site to ensure a superior development that aligns with Council's vision. This work session would be necessary to finalize the RFP's scope and content prior to its release. Upon successful completion of the RFP process, staff could then present the submittals to Council for their selection on the best design proposal submittal.

Environmental Review

An Initial Study and Negative Declaration were prepared for the proposed project. This environmental review was prepared for the proposed General Plan Amendment and Change of Zone only and does not consider any environmental impacts regarding any future development, as such development would also be subject to separate environmental review under the California Environmental Quality Act (CEQA) once details of the development are known.

Initial Study and Negative Declaration No. 2025-28, prepared in accordance with CEQA Guidelines, disclosed that environmental impacts are determined to be not significant. Staff concludes that Initial Study and Negative Declaration No. 2025-28 adequately analyzes and addresses the proposed project and concludes that environmental impacts related to this project will be at a level that is less than significant.

During the public comment period for the Negative Declaration, one comment letter was received by the State Department of Toxic Substances Control (see Exhibit "C"). The letter recommends that in instances where land is proposed to be rezoned to residential use, that the lead agency shall identify certain pesticide materials as described in the letter, which would determine if any remedial action is needed to bring levels below thresholds. Since no activity is proposed on the site and since no residential uses are being considered, no mitigation is necessary in response to the letter.

RECOMMENDED FINDINGS

General Plan Amendment No. 2025-02

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from 21 acres of Parks/Recreation to 16 acres of Commercial Mixed Use and 5 acres of Parks/Recreation is compatible with adjacent land uses and will not impose new land uses that would adversely affect the subject site or adjacent properties.

3. That the proposed Commercial Mixed Use land use designation under the proposed General Plan Amendment results in the placement of a land use designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.
4. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

Change of Zone No. 2025-03

1. That the Change of Zone is consistent with the intent of the General Plan and the Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Commercial Mixed Use (C-MU) zoning is consistent with the Commercial Mixed Use land use designation and compatible with adjacent land uses.
3. That the proposed Commercial Mixed Use zoning designation under the proposed Change of Zone results in the placement of a zoning designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.
4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

RECOMMENDED CONDITIONS OF APPROVAL

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

There are no recommended conditions of approval for the General Plan Amendment or the Change of Zone.

APPEAL INFORMATION

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

For General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03, the Visalia Planning Commission's recommendations are advisory only and will be forwarded to the Visalia City Council. The final decision on these matters will be made by the Visalia City Council during a public hearing. Therefore, the Planning Commission's recommendations for the General Plan Amendment and Change of Zone are not appealable.

Attachments:

- Related Plans and Policies
- Resolution No. 2025-42 (General Plan Amendment)
- Resolution No. 2025-43 (Change of Zone)
- Exhibit “A” – Uses Allowed in the C-MU Zone
- Exhibit “B” – Non Residential Land Use Map
- Exhibit “C” – Correspondence from State Department of Toxic Substances Control
- Initial Study / Negative Declaration
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

VISALIA GENERAL PLAN

Land Use Element

LU-O-22 Create inclusive, compact neighborhoods with well-integrated single-family and multi-family residential development and activity nodes featuring schools, neighborhood parks, and neighborhood commercial areas.

LU-P-66 Update the Zoning Ordinance to reflect the Commercial Mixed Use designation on the Land Use Diagram, to allow for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses.

New development in Commercial Mixed Use Areas should have an FAR of at least 0.4 and up to 1.0 for commercial space. If residential uses are included, density may be up to 35 dwelling units per gross acre. Commercial development must be part of all new development in the Commercial Mixed Use district.

LU-P-108 Designate land for Public/Institutional uses on the Land Use Diagram, including City Hall and other City buildings, County and other government buildings, schools, colleges and universities, hospitals, police and fire stations, the Municipal Airport, and waste management facilities.

LU-P-109 Facilitate the creation of mixed-use activity centers on and adjacent to the College of the Sequoias campus and on other land designated for public/institutional uses by locating commercial and mixed land use areas adjacent to existing or planned public facilities, and by allowing mixed uses to be developed on Public/Institutional land through a master planning process.

Parks, Schools, Community Facilities, and Utilities Element

PSCU-P-5 Create new community parks in the Northwest, Southwest, and Southeast quadrants, consistent with the Parks and Open Space diagram and the following planning guidelines:

- Size: 5-12 acres or more; and
- Facilities to be provided: large children's play area, reserved picnic facilities, open play fields, community building, bicycle parking, and offstreet parking. They also may include tennis courts, outdoor concert areas or other special facilities based on neighborhood needs and community input.

Community parks provide spacious areas for passive enjoyment or group gatherings, special attractions, and recreation facilities, including sports fields and swimming pools. A "heritage farm" and a habitat preserve are examples of special facilities that could be incorporated into community parks.

PSCU-P-16 Provide at least one community center in each of the City's four neighborhood quadrants. Use existing and new community center facilities to provide multicultural programs and teen recreation activities, and provide space for meetings and classes. Community centers should be designed with community input, including guidance from a cross-section of user groups.

Visalia currently operates five community centers as well as the Visalia Senior Center; none are in the City's Northwest or Southwest quadrants.

VISALIA MUNICIPAL CODE – TITLE 17 (ZONING)

Zoning Ordinance Chapter 17.19 – MIXED USE ZONES

17.19.010 Purpose and intent.

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

17.19.015 Applicability.

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

17.19.020 Permitted uses.

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

17.19.030 Conditional and temporary uses.

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

17.19.040 Required conditions.

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;

C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

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

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

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

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

Zoning Ordinance Chapter 17.52 – QUASI-PUBLIC ZONE

17.52.010 Purpose and intent.

The purpose and intent of the quasi-public zone is to provide a zone that is intended to allow for the location of institutional, academic, community service, governmental, and nonprofit uses. (Ord. 2017-01 (part), 2017; Ord. 9717 § 2 (part), 1997; prior code § 7630)

17.52.015 Applicability.

The requirements in this chapter shall apply to all property within the QP zone district. (Ord. 2017-01 (part), 2017)

17.52.020 Permitted uses.

Permitted uses in the quasi-public zone include public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries,

museums, art galleries, police and fire stations and other public building, structures and facilities; public playgrounds, parks and community centers. Permitted uses also include wireless telecommunication facilities on parcels that are a minimum of five (5) acres, subject to the requirements of Section 17.32.163 (Regulation of Wireless Telecommunication Facilities) of the Visalia Zoning Ordinance. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030. Other uses similar in nature and intensity as determined by the city planner. (Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7631)

17.52.030 Conditional uses.

Conditional uses in the quasi-public zone include:

- A. Public and quasi-public uses of an education or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes, senior care facilities, senior housing; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Ambulance service;
- D. Electric distribution substations;
- E. Gas regulator stations;
- F. Public service pumping stations;
- G. Communications equipment buildings;
- H. Wireless telecommunication facilities on parcels that are a less than five (5) acres subject to the Section 17.32.163 of the Visalia Zoning Ordinance;
- I. Residential development specifically designed for senior housing;
- J. Other uses similar in nature and intensity as determined by the city planner.
- J. Emergency shelters, subject to Section 17.32.130;
- K. Low barrier navigation centers, subject to Section 17.32.135;
- L. Other uses similar in nature and intensity as determined by the city planner.

RESOLUTION NO. 2025-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2025-02: A REQUEST BY THE CITY OF VISALIA TO CHANGE THE LAND USE DESIGNATION ON A 16-ACRE PORTION OF A 21-ACRE PARCEL FROM PARKS/RECREATION TO COMMERCIAL MIXED USE. THE SITE IS LOCATED ON THE NORTHWEST CORNER OF AKERS STREET AND RIGGIN AVENUE, WITHIN THE CITY OF VISALIA, COUNTY OF TULARE (APN: 077-100-103).

WHEREAS, General Plan Amendment No. 2025-02 is a request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use. The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on August 11, 2025; and

WHEREAS, the Planning Commission of the City of Visalia considered the general plan amendment in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2025-28 for General Plan Amendment No. 2025-02 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2025-02 based on the following specific findings and evidence presented:

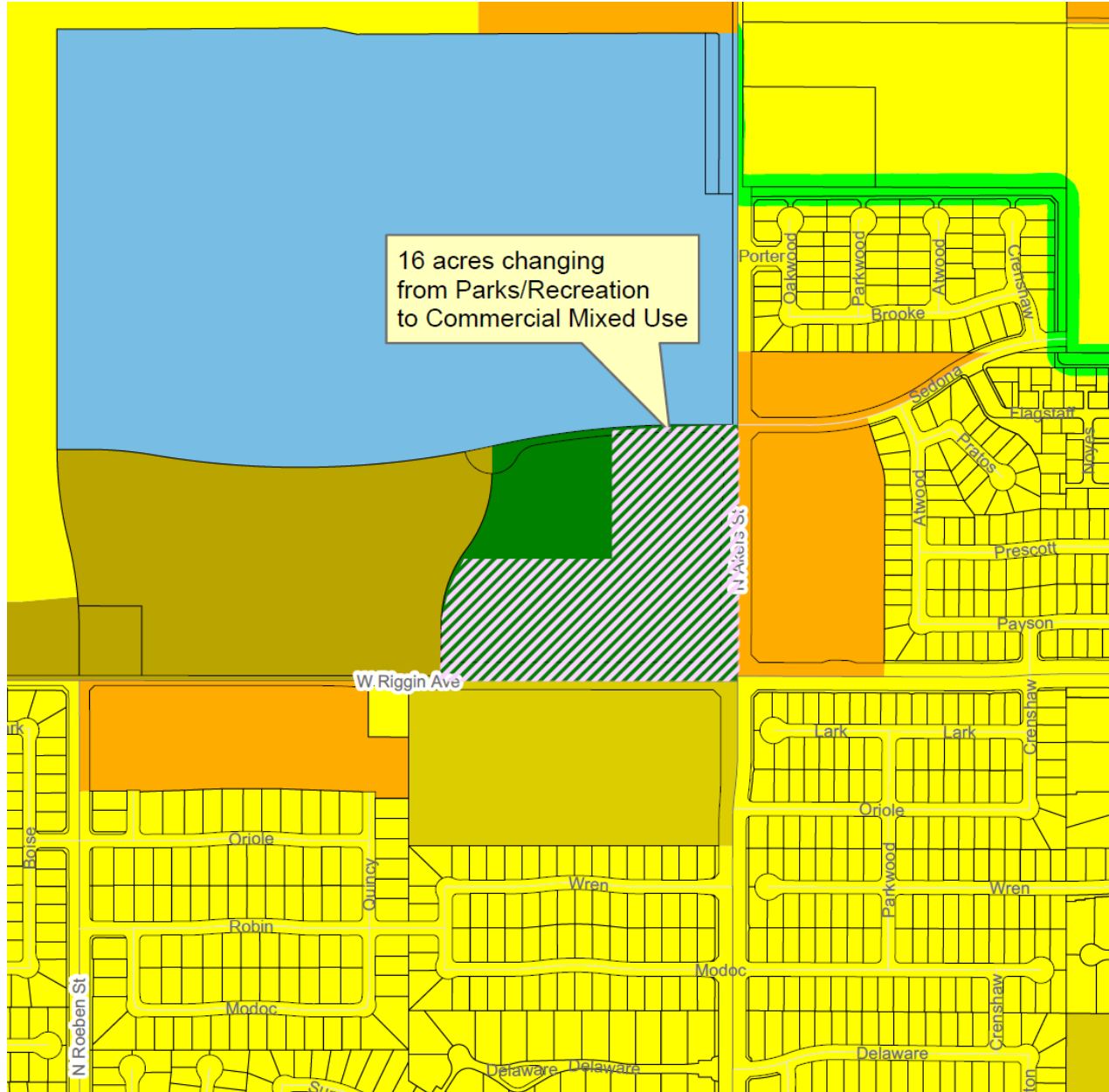
1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from 21 acres of Parks/Recreation to 16 acres of Commercial Mixed Use and 5 acres of Parks/Recreation is compatible with adjacent land uses and will not impose new land uses that would adversely affect the subject site or adjacent properties.
3. That the proposed Commercial Mixed Use land use designation under the proposed General Plan Amendment results in the placement of a land use designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.

4. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2025-02, as depicted per Attachment "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia.

GENERAL PLAN AMENDMENT NO. 2025-02

Planning Commission
Resolution No. 2025-42



RESOLUTION NO. 2025-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2025-03: A REQUEST BY THE CITY OF VISALIA TO CHANGE THE ZONING DESIGNATION ON A 16-ACRE PORTION OF A 21-ACRE PARCEL FROM QP (QUASI-PUBLIC) TO C-MU (COMMERCIAL MIXED USE). THE SITE IS LOCATED ON THE NORTHWEST CORNER OF AKERS STREET AND RIGGIN AVENUE, WITHIN THE CITY OF VISALIA, COUNTY OF TULARE (APN: 077-100-103).

WHEREAS, Change of Zone No. 2025-03 is a request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use). The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on August 11, 2025; and

WHEREAS, the Planning Commission of the City of Visalia considered the change of zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2025-28 for Change of Zone No. 2025-03 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2025-03 based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan and the Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Commercial Mixed Use (C-MU) zoning is consistent with the Commercial Mixed Use land use designation and compatible with adjacent land uses.
3. That the proposed Commercial Mixed Use zoning designation under the proposed Change of Zone results in the placement of a zoning designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.
4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined

to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2025-03, as depicted per Attachment “A”, on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

CHANGE OF ZONE NO. 2025-03

Planning Commission
Resolution No. 2025-43

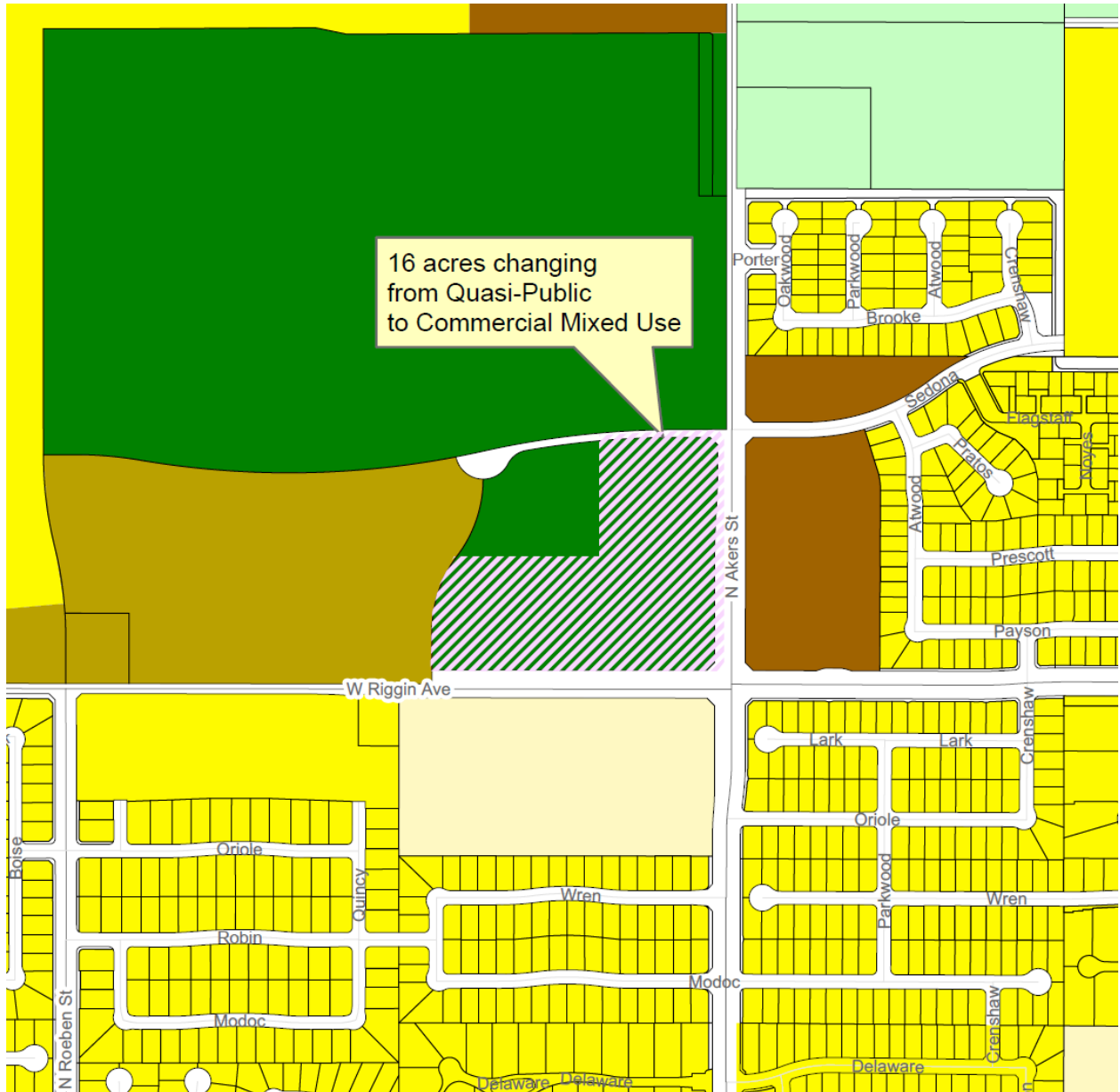


Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

	USE	C-MU	Special Use Standards (See identified Chapter or Section)
	AGRICULTURAL - FARMING		17.08
A5	Roadside Stands Selling Produce Grown on Site	T	
A6	Animal Day Care Facility	P	
	AUTOMOTIVE (for gas stations see SERVICE STATIONS)		
A8	Auto Leasing/Renting	C	
A11	Auto Oil, Lube & Smog Test Shops	P	
A12	Auto Repairs, Major-Overhauling, Rebuilding, Painting	C	
A13	Automotive Supplies, Parts & Accessories	P	
A16	Car Washing - self service	C	
A17	Car Washing - automated - Meeting All Standards in Section 17.32.168	P	17.32.168
A18	Car Washing - automated - Not Meeting All Standards in Section 17.32.168	C	17.32.168
A20	Car Sales – New & Used, one (1) to four (4) vehicles on display	P	
A24	Tire Sales & Service (excluding major repairs) – stand alone	P	
A25	Tire Sales & Service (excluding major repairs) – located within the primary permitted use on the site	P	
	BANKS & FINANCIAL INSTITUTIONS		
B1	Stand-Alone Automatic Teller (ATM)	P	
B2	Office	P	
	BUS DEPOTS		
B8	Public & Private Transfer Point	C	
C1	Catering Services	P	
C3	Christmas Tree Sales Lots/Other Seasonal Commercial Uses/Special Events	T	
	CHURCHES & OTHER RELIGIOUS INSTITUTIONS		
C4	Up to 200 Seats	C	
	COMMUNICATIONS		
C6	Communications Equipment Building	P	
C7	Media Studio	P	
C8	Radio and TV Broadcasting Studios – with antenna off-site	P	
C9	Radio and TV Broadcasting Studios – with antenna on-site	C	
C10	Wireless telecommunication facilities – more than 100 feet away from property planned/zoned residential	C	17.32.163
C11	Wireless telecommunication facilities – within 100-ft of property planned/zoned residential	C	17.32.163
	DAYCARE, LICENSED		
D1	Adult – 12 or fewer adults	P	
D2	Adult – 13 or more adults	C	
D3	Children– 14 or fewer	P	
D4	Children – 15 or more	C	
D5	In Conjunction with Primary Use	P	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

	DRIVE-THRU LANES		
D6	Drive-Thru Lanes Meeting All Standards in Sect. 17.32.162	P	17.32.162
D7	Drive-Thru Lanes Not Meeting All Standards in Sect. 17.32.162	C	17.32.162
	EATING & DRINKING ESTABLISHMENTS		
E1	Bars/Taverns– within 300 feet of any residence/public use	C	
E2	Bars/Taverns – not within 300 feet of any residence/ public use	C	
E3	Micro-breweries/micro-wineries (with or without restaurants)	C	17.63
E4	Craft distilleries	C	
E5	Cafeterias	P	
E6	Quick Service/Fast Food Restaurants	P	
E8	Live Entertainment	C	17.04
E9	Sit-Down Restaurant/Café	P	
E10	EVENT CENTERS	C	
F1	Florist	P	
F2	Fortunetelling/Palm Reader	P	5.2
	FUEL STORAGE		
F3	Propane/Butane	P	
F5	Propane/Butane within 50 feet of Planned/zoned Residential	C	
F7	Above Ground Tanks dispensing Class I, II, and III-A liquids– within 100 feet of a residential use or residential zoned property	C	17.32.025
F8	Above Ground Tanks dispensing Class I, II, and III-A liquids– more than 100 feet from a residential use or residential zoned property	P	17.32.025
F12	Funeral Home/Mortuary	C	
G1	Galleries– Art/Photography/Crafts	P	
H1	Home Occupation Businesses	P	17.32.030
	HOTELS AND MOTELS		
H2	Hotels and Motels, located 250 feet or more from an existing residence	P	
H3	Hotels and Motels, located less than 250 feet from an existing residence	C	
K1	Kennels (located 500 feet or more from a residential zone)	C	
	LAUNDRY/DRY CLEANERS		
L1	Dry Cleaners (cleaning plant)	P	
L2	Dry Cleaners (cleaning plant including carpet/rug cleaning and dyeing)	P	
L3	Diaper Supply Service	P	
L4	Linen & Uniform Supply Service	P	
L5	Self service	P	
	MANUFACTURING/ASSEMBLING		
	Food & Beverage – Preparation & Bottling/Packaging & Distribution		
M16	– commercial bakeries	C	
M17	– commercial kitchens	C	
M36	Hobby/Craft Manufacturing	P	
	Products Manufactured/Assembled from Previously Prepared Materials		
M41	– clothing assembly/imprinting	P	

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Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

M56	Massage Therapist	C	(emergency ordinance)
	MEDICAL FACILITIES/SERVICES (for medical/dental offices see OFFICES)		
M58	Ambulance Services/Medical Transport	C	
M59	Convalescent Hospitals/Senior Care Facilities/Nursing Homes	C	
M60	Clinics	P	
M61	Dialysis Centers and Blood Donation Centers	P	
M62	Laboratories (medical testing & diagnostic)	P	
M63	Medical Equipment/supplies (oxygen, prosthetics, walkers, etc.)	P	
M65	Rehabilitation Hospitals	C	
	OFFICES		
	General Business and Professional (i.e., data processing services, employment agencies, insurance agencies, etc.)		
O1	– less than 2,000 sq. ft.	P	
O2	– 2,000 sq. ft. to 6,000 sq. ft.	P	
O3	– more than 6,000 sq. ft.	P	
O6	Medical	P	
O7	Professional office with social services	P	
P1	Parcel Delivery Services/Parcel Distribution (UPS, Federal Express, etc.)	P	
P2	Parking Facilities For Off-Site Uses	P	17.34.060
	PERSONAL SERVICES		
P4	Stand Alone	P	
P5	Located within the Primary Permitted Use on the Site	P	
P6	Tattooist	P	
	PHOTOCOPY SERVICES/DESKTOP PUBLISHING		
P7	With Printing Press	C	
P8	Without Printing Press	P	
	PHOTOGRAPHY/PHOTO SERVICES		
P9	Photography Studio	P	
P10	Photography Labs/Blue Printing/Microfilming (developing, printing – no retail on site)	P	
P11	Photography labs (developing, printing – no retail on site)	P	
P12	Photography Labs with Retail on Site	P	
P13	Planned Unit Developments	C	17.26
P14	Private Clubs and Lodges	C	17.32.115
	PUBLIC COMMUNITY SERVICES		
P16	Community & Recreation Centers	C	
P17	Community Gardens	C	
P18	Fire Stations	P	
P19	Police Stations & Substations	P	
P20	Post Offices	P	
P21	Public Buildings, Offices & Grounds	C	
P22	Public Libraries	C	
P23	Public Parks/Playgrounds	C	

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Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

P24	Post Office Substations	P	
	RECREATION FACILITIES		
R3	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs)	P	
R4	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs) less than 5,000 sq. ft.	P	
R5	Aquatic Centers	C	
R6	Athletic/Playing Fields	C	
R7	Bowling Alleys	P	
R8	Circus, Carnivals, Fairs & Festivals, Revivals/Assemblies	T	
R9	Dance, Yoga & Music Studios	P	
R10	Escape Rooms	P	
R11	Martial Arts	P	
R12	Golf Courses & Driving Ranges	C	
R13	Miniature Golf Courses	C	
R14	Ice & Roller Skating Rinks	P	
R15	Indoor Playgrounds and Trampoline Parks	P	
R16	Indoor Amusement Facilities	C	
R17	Pool Halls/Billiard Parlors	P	
R18	Video Machines/Coin-Operated Games – 1 to 4 machines	P	17.32.120
R19	Video Arcade	P	17.32.120
R20	Other Recreational Facilities	C	
R21	Rifle and Pistol Range, indoor	C	
	RECYCLING FACILITIES		
R25	Small Collection	C	17.32.160
R26	Reverse Vending Machines	P	17.32.160
	RESIDENTIAL (see also Residential Zones)		
R28	Residential Units, New or Expansions, which may or may not be associated with a commercial activity	C	
R30	Existing single-family dwelling	P	
R36	Residential Unit Reoccupation	P	
R37	Low Barrier Navigation Centers	P*/C	17.32.135
R38	Transitional Housing and Supportive Housing as those terms are defined in Section 17.04.030	P*/C	
R39	Senior Citizen Residential Developments	C	
R40	Accessory Dwelling Units	C	17.12 Article 2
R41	Employee Housing	C	
	RETAIL		
	General Merchandise		
R42	– less than 4,000 sq. ft.	P	
R43	– 4,000 to 6,000 sq. ft.	P	
R44	– 6,001 to 40,000 sq. ft.	P	
R45	– 40,001 to 60,000 sq. ft.	P	17.32.050
R46	– over 60,000 sq. ft.	C	

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Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

R48	Garden Centers/Nurseries – located within primary use	P	
R49	Garden Centers/Nurseries – stand alone	C	
R50	Glass Stores (windows, etc. for auto, residential, commercial)	P	
R51	Home Improvement	P	
	Drugstore/Pharmacy		
R52	– including general retail merchandise	P	17.32.050 17.32.055
R53	– not including general retail merchandise, 1,500 sq. ft. or more	P	
R54	– not including general retail merchandise, up to 1,500 sq. ft.	P	
R56	Feed Stores	C	
	Food Stores		
R57	– convenience store	P	
R58	– liquor store within 300 feet of residential/public use	C	
R59	– liquor store not within 300 feet of residential/public use	C	
R60	– specialty food stores (bakery, delicatessen, butcher shop, meat market, health food, gourmet/imported food, etc.)	P	17.32.050
R61	– supermarkets/grocery stores	P	17.32.050
R62	– wine tasting with sales	C	
R63	Furniture & Furnishings – new	P	
R64	Furniture & Furnishings– secondhand *up to 10,000 square feet	P	
R65	Gun Shops – within primary use	P	
R66	Gun Shops – stand alone	P	
	Magazine/Newspaper Sales (Freestanding Booth/Stand/Kiosk)		
R67	– indoor	P	
R68	– outdoor	C	
R69	Pawnshops	C	
R70	Pet Stores	P	17.32.050
R71	Pool/Spa Supplies/Equipment	P	17.32.050
R72	Smoke Shops (retail of cigarettes and smoke devices/paraphernalia)	C	17.32.165
	SCHOOLS, PUBLIC AND PRIVATE (see also Quasi-Public and Residential Zones)		
S1	Preschool/After-School Care	C	
S2	Elementary Schools, K-6 or K-8	C	
S3	Middle Schools	C	
S4	High Schools	C	
S5	Colleges/Universities (academic)	C	
S6	Vocational or other Specialized Schools - Non-industrial trades	C	
S7	Vocational or other Specialized Schools - Industrial trades	C	
S8	After Hours Academic Education Facilities (After 6:00 p.m.)	C	
S9	Tutoring Centers	P	
	SERVICE, COMMERCIAL		
S11	Appliance, Electrical Equipment, Tools (disassemble & repair)	P	
S12	Check-Cashing Service	P	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

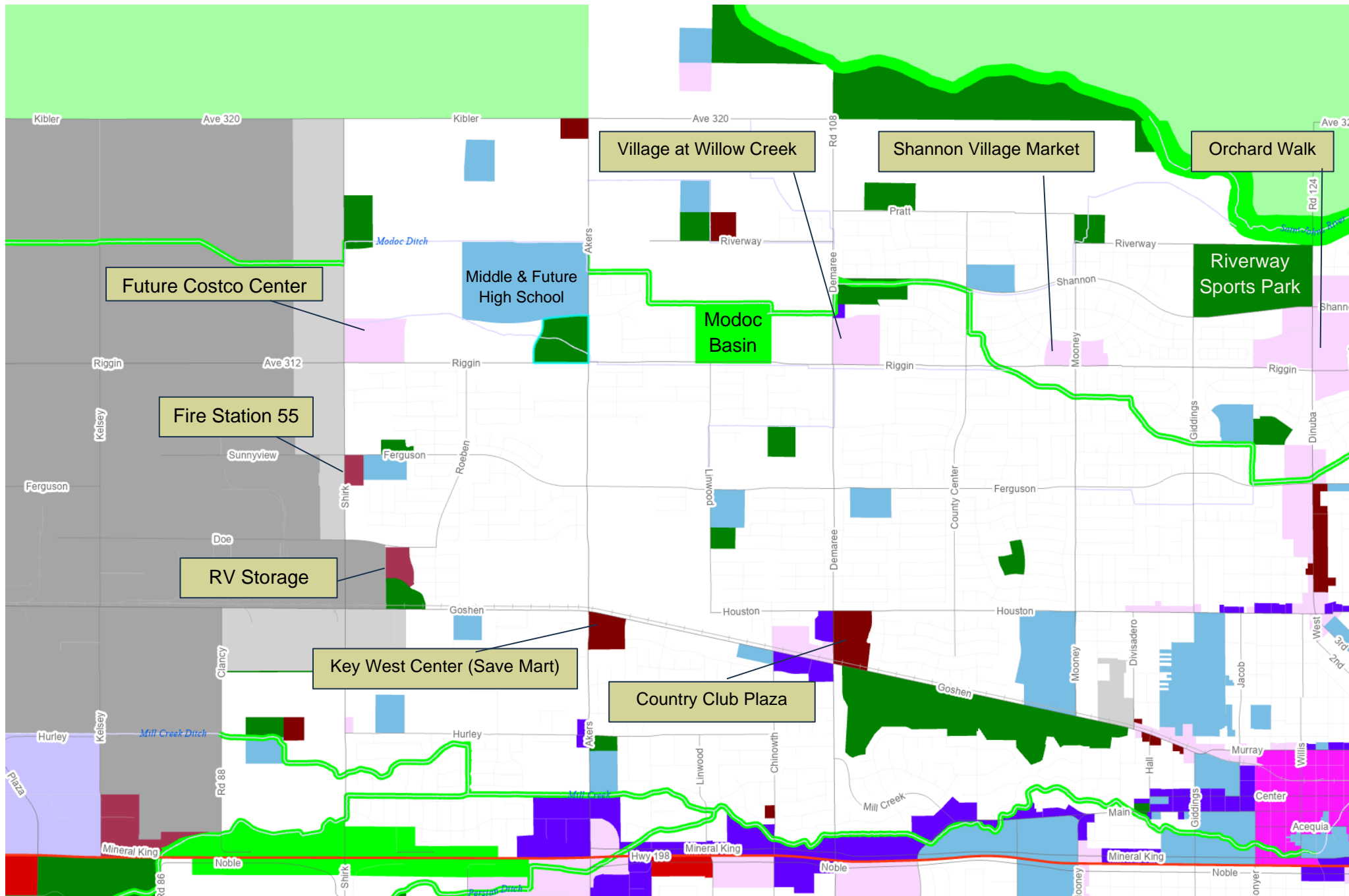
T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

S15	Courier Services	P	
S17	Bail Bonds	P	
S18	Equipment Rental – conducted outdoors	C	
S19	Equipment Rental – conducted indoors	P	
S21	Gunsmith Shops, including incidental retail	P	
S25	Locksmiths	P	
S27	Pet Grooming/Dog Training (conducted indoors)	P	
S30	Sharpening Service – small tools not including saw blades and lawn mowers	P	
S31	Sheltered Workshops	C	
S32	Shoe Repair Shops	P	
S35	Tailor, Dressmaking, & Alterations	P	
S36	Upholstering Shops (furniture only)	P	
SERVICE STATIONS			
S38	Fuel dispensing only – not including major auto repair services of any kind	C	
S39	Also including major auto repair services	C	
T1	Taxi/Limousine Service	P	
THEATERS			
T3	Drive-in	C	
T4	Movie	C	
T5	Live Performance	C	
UTILITIES			
U3	Business Offices	P	
U4	Electric Distribution Substations	C	
U5	Elevated Pressure Tanks	P	
U6	Gas Regulator Stations	C	
U7	Public Service Pumping Stations	C	
U8	Payment Centers	P	
U9	Public Utility Service Yards	C	
VETERINARY SERVICES			
V1	Animal Hospitals (no boarding)	P	
V2	Animal Hospitals (including short term boarding of animals)	C	
WAREHOUSING STORAGE			
W3	– not to exceed 20% of gross floor area of permitted use	P	
W4	– in excess of 20% of gross floor area of permitted use	C	
W5	Mini Storage Facilities	C	
OTHER			
OT1	Other Uses Similar in Nature and Intensity as Determined by the City Planner	P	
OT2	Other Uses Similar in Nature and Intensity as Determined by the City Planner Subject to the Granting of a Conditional Use Permit	C	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

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Attachment 6: Vicinity Map of Non-Residential General Plan Land Uses

Blue indicates school & public use sites; Green indicates park sites.



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 18, 2025

Brandon Smith
Principal Planner
City of Visalia
315 East Acequia Avenue
Visalia, CA 93291
brandon.smith@visalia.city

RE: NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT NO. 2025-02
AND CHANGE OF ZONE NO. 2025-03 DATED JULY 17, 2025, STATE
CLEARINGHOUSE # [2025070724](#)

Dear Brandon Smith,

The Department of Toxic Substances Control (DTSC) reviewed the Negative Declaration (ND) for General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 (Project). The proposed Project will establish a new General Plan land use designation and zoning designation of Commercial Mixed Use on approximately 16 acres, on portions of the property facing the frontages of Akers Street and Riggan Avenue. The Project site occupies 20.88 gross acres of undeveloped land, which is seasonally improved for agricultural uses (i.e., row crops). Currently, the Project only affects the land use and zoning designations. No development is proposed in correlation with the Project.

DTSC recommends and requests consideration of the following comment:

When agricultural crops and/or land uses are proposed or rezoned for residential use, several contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-

Brandon Smith

July 18, 2025

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trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. Please refer to the [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#) for the most recent guidance and screening levels.

DTSC would like to thank you for the opportunity to comment on the ND for General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Sincerely,

A handwritten signature in black ink that reads "Dave Kereazis". The signature is written in a cursive, flowing style.

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

Dave.Kereazis@dtsc.ca.gov

Brandon Smith

July 18, 2025

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cc: (via email)

Governor's Office of Land Use and Climate Innovation

State Clearinghouse

state.clearinghouse@lci.ca.gov

Tamara Purvis

Associate Environmental Planner

HWMP - Permitting Division – CEQA Unit

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Scott Wiley

Associate Governmental Program Analyst

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

Scott.Wiley@dtsc.ca.gov

NEGATIVE DECLARATION

Project Title: General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

Project Description: **General Plan Amendment No. 2025-02** is a request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use. **Change of Zone No. 2025-03** is a request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Project Location: The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)


DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Brandon Smith, AICP
Environmental Coordinator

By: 

Date Approved: July 14, 2025

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Description of the Project:

General Plan Amendment No. 2025-02, described as a request by the City of Visalia to change the land use designation on a 16-acre portion of an approximately 21-acre parcel from Parks/Recreation to Commercial Mixed Use; together with Change of Zone No. 2025-03, described as a request by the City of Visalia to change the zoning designation on a 16-acre portion of an approximately 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use). The site is located on the northwest corner of Akers Street and Riggan Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

The proposed Project consists of a General Plan Amendment (GPA) and a corresponding Change of Zone (COZ) within the subject property (APN: 077-100-103), located within the city limits of the City of Visalia. The Project site occupies 20.88 gross acres of undeveloped land, which is seasonally improved for agricultural uses (i.e., row crops).

Currently, the entire 20.88 acres of the Project site has a General Plan land use designation of Parks/Recreation and a Zoning designation of Quasi-Public (QP). The proposed GPA and COZ will establish a new General Plan land use designation and Zoning designation of Commercial Mixed Use (C-MU) on approximately 16 acres, on portions of the property facing the frontages of Akers Street and Riggan Avenue. The proposed GPA and COZ will leave approximately 5 acres with a General Plan land use designation of Parks/Recreation and a Zoning designation of Quasi-Public (QP), generally located on the northwest portion of the Project site.

Currently, the project only affects the land use and zoning designations. No development is proposed in correlation with the Project.

B. Identification of the Environmental Setting:

The project is located at the northwest corner of Akers Street and Riggan Avenue. The parcel consists of undeveloped land, which is which is seasonally improved for agricultural uses (i.e., row crops). A man made canal, Modoc Ditch, is in the center of the site and runs in an east-west direction. The site is bounded by West Sedona Avenue to the north, North Akers Street to the east, and West Riggan Avenue to the south.

The surrounding uses, Zoning, and General Plan for the project area are as follows:

	General Plan	Zoning	Existing uses
North:	Public Institutional	QP (Quasi-Public)	Ridgeview Middle School
South:	Residential Very Low Density	R-1-20 (Single-Family Residential, minimum lot size 20,000 square feet)	Neighborhood Church campus
East:	Residential Medium Density	R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area)	Residential apartment complex, under construction
West:	Residential High Density	R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area)	Vanant land seasonally improved for agricultural uses (i.e., row crops)

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon the development of the project area.

C. Plans and Policies: The General Plan Land Use Diagram designates the site as Parks / Recreation. The site is zoned Quasi-Public (QP). The Project consists of the conversion of a portion of the site to a General Plan land use designation and Zoning designation of Commercial Mixed Use (C-MU). No development is proposed at this time for the portion of project area to be zoned for Commercial Mixed Use, and there is no inconsistency with plans and policies related to this designation.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to reduce and/or eliminate impacts to a level of non-significance.

III. MITIGATION MEASURES

There are no mitigation measures for this project.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.
- Tulare County Important Farmland 2018 Map. California Department of Conservation, 2018.
- City of Visalia VMT Thresholds and Implementation Guidelines. LSA, 2021. Together with City of Visalia VMT Screening Application. <https://gis1.lsa.net/visaliaVMT/>

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY



Brandon Smith, AICP
Principal Planner



Brandon Smith, AICP
Environmental Coordinator

INITIAL STUDY ENVIRONMENTAL CHECKLIST & EVALUATION OF ENVIRONMENTAL IMPACTS

Name of Proposal	General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03		
NAME OF PROPONENTS:	City of Visalia	NAME OF AGENT:	None
Address of Proponents:	315 East Acequia Avenue, Visalia, CA 93291	Address of Agent:	
Telephone Numbers:	(559) 713-4359	Telephone Number:	
Date of Review	July 14, 2025	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
 - 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
 - 1 c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
 - 1 d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
- a) The Project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on scenic vistas, because no development is proposed. In the future, development proposed on the Project site will be required to undergo CEQA review which would address potential impacts on scenic vistas. The City of Visalia General Plan includes policies that promote new developments that are compatible and consistent with the natural and built environment and set forth design guidelines that define the unique character of Visalia. Furthermore, the City of Visalia Zoning Ordinance contains standards for setbacks, landscaping, and height requirements. The Sierra Nevada Mountain range may be considered a scenic vista; however, the view will not be adversely impacted by the project.
- b) The project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on scenic resources, because none occur on the site. There are no state scenic highways adjacent to the site.

- c) The project site is located within an urbanized area and the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded upon any future development. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.

The Project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on visual character or public views, because no development will occur. In addition, the GPA and COZ would change the acreage of Parks / Recreation lands on the site and would establish Commercial Mixed Use lands on the site. The establishment of Commercial land uses on the site is consistent with the character of other intersections of two arterial streets throughout the City, where it is common to have a commercial land use of at least five acres in size.

- d) The Project consists of a GPA and COZ which will impact allowed land uses on the site, resulting in an increase in Commercial land, and a decrease in Parks / Recreation land. This modification of the General Plan and Zoning maps will have no impact on light and glare, because no development will occur.

The City has development standards that require light to be directed and/or shielded so it does not fall upon adjacent properties.

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?
- a) The project is located on property that is identified as Prime Farmland on maps prepared by the California Department of Conservation, and will involve the conversion of the property to non-agricultural use.

The City of Visalia 2030 General Plan has designated the Project site for urban uses under the Urban Growth Development Tier 1. The implementation of this Project will support the General Plan designation for future urban land use and Policy LU-P-20 for urban uses, including commercial development, which may develop within Tier 1 at any time consistent with the City's Land Use Diagram.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, with agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation that assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

The project will be consistent with Policy LU-P-34. The conversion of the site from agricultural use to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states: "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b) The project is not located on property that is party to a Williamson Act contract. Existing City of Visalia zoning for the area is QP (Quasi-Public), which allows various urban and non-agricultural uses.
- c) The City of Visalia does not have a zoning classification for forest land; additionally, the site is not considered forest land and is currently vacant. Therefore, the site will not conflict with any forest land.
- d) There is no forest land currently located on the site.
- e) The project site is located directly at the northwest corner of Akers Street and Riggin Avenue and is bounded by properties within City Limits on all sides. The surrounding area is primarily developed with Residential and Quasi-Public uses. The project will not result in the conversion of Farmland to nonagricultural use or the conversion of forest land to non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 1 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Create objectionable odors affecting a substantial number of people?

- a) The project site is in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan and will therefore not be a significant impact.

The Project proposes a GPA and corresponding COZ within a 21-acre site. The Project proposes decreasing the Parks / Recreation designation on the site from 21 to 5 acres and increasing the Commercial Mixed Use designation on the site to 16 acres. The Project will not change the amount of urbanized land uses allowed on the site, and will not change the type of uses toward uses that would be inconsistent with the development pattern of the city. As such, the Project is expected to have a less than significant impact regarding conflicting with or obstructing implementation of any applicable air quality plan.

- b) Future development of site under the Visalia General Plan may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The change in land use and zoning itself will not result in emissions that violate air quality standards or contribute substantially to existing or projected air quality violations as it is solely the site's allowed land use designations.

The Project proposes a change in General Plan and Zoning maps only and will have no direct impact on air quality, as it will not generate any construction or development. When future development is proposed on the Project site, the City will undertake CEQA review and assess potential impacts on air quality, including emissions of criteria pollutants and pollutant concentrations near sensitive receptors.

All future projects will be required to adhere to SJVAPCD rules and regulations and City requirements for construction related activities to ensure compliance with the attainment or maintenance plans. Applicable standard requirements and best management practices include, but are not limited to, implementation of a dust control and management plan.

Evaluation of air quality impacts may be required if certain project types are proposed near sensitive receptor land uses. Project types subject to this requirement include certain types of gasoline dispensing facilities.

In addition, future development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD. Per the SJVAPCD, an Air Impact Assessment was completed for the project and the District has determined that the project is exempt from the requirements and as such the project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

Tulare County is designated non-attainment for certain federal ozone and state ozone levels.

- c) Future development of site under the Visalia General Plan may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The change in land use and zoning itself will not result in emissions that violate air quality standards or contribute substantially to existing or projected air quality violations as it is solely the site's allowed land use designations.

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Tulare County is designated non-attainment for certain federal ozone and state ozone levels.

- d) The proposed GPA and COZ has no potential to generate odors, as no development will occur. The proposed GPA and COZ would facilitate commercial development, which typically do not emit odors that would adversely affect a substantial number of people. CEQA review of future development onsite will include analysis of the types of commercial uses proposed, to assure that no significant odors are emitted, or propose mitigation measures should the use generate such odors.

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- a) The proposed GPA and COZ will have no impact on any sensitive species, because no

development is proposed. Future project proposals will be required by the City to undergo review under CEQA, including the analysis of impacts to any on-site resources if applicable. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use.

- b) The project is not located within an identified sensitive riparian habitat or other natural community. The project site is more than one mile from any natural river (i.e. St. Johns River) or creek (i.e. Mill Creek).

In addition, City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural communities, including woodlands, impacts on woodlands will be less than significant.

- c) The project contains a section of the Modoc Ditch which is identified as a riverine feature in the National Wetland Inventory (NWI). At the site visit, it was observed that the irrigation canal has a bare-ground bottom substrate and would not provide suitable habitat for any special-status aquatic species.

The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d) The Project proposes only a map change and will not impact any wildlife movement or corridors. The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

- e) The project will not conflict with any local policies or ordinances protecting biological resources. The City has a municipal ordinance in place to protect valley oak trees. No valley oak trees are located on site.
- f) There are no local, regional or state habitat conservation plans for the area.

V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
 - 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
 - 1 c) Disturb any human remains, including those interred outside of formal cemeteries?
-
- a) The proposed GPA and COZ have no potential to impact historic resources, because the Project consists only of a map change, and no development will occur. However, future development proposed on the site, which will be subject to review under CEQA, could impact resources.
 - b) The proposed GPA and COZ have no potential to impact archaeological resources, because the Project consists only of a map change, and no development will occur. However, future development proposed on the site, which will be subject to review under CEQA, could impact resources.
 - c) The Project proposes a map change only and will have no impact on disturbing human remains. Future development onsite will be subject to State Health and Safety Code Section 7050.5, which states that if human remains are encountered during site disturbance, all activity shall stop until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately and notify the Native American Heritage Commission (NAHC) if the remains are determined to be prehistoric. NAHC will determine and notify a Most Likely Descendant (MLD), who may inspect the site of the discovery with the landowner's permission within 48 hours of notification by the NAHC. Compliance with the requirements of state and local laws will ensure any potential impact to inadvertent discoveries of human remains due to future site development are reduced to less than significant levels.

VI. ENERGY

Would the project:

- 2 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
 - 1 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
-
- a) The Project proposes a general plan amendment (GPA) and a change of zone (COZ) on the 21-acre subject property and will not involve any development or energy consumption related to construction or operation. When future development is proposed onsite, its design and construction will be subject to the state Building Energy Efficiency Standards (Energy Code, Title 24, Part 6), which serves to ensure the economical and wise use of energy resources during construction and operational phases.
 - b) The project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The proposed project will comply with all state and local policies related to energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
 - 1 b) Result in substantial soil erosion or loss of topsoil?
 - 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
 - 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
 - 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
 - 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
-
- a) The Project proposes a GPA and COZ and does not propose any development. The Project will have no impact on geology and soils. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines or areas prone to seismic activity or landslides. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
 - b) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. Any future development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that on- and off-site improvements will be designed to meet City standards.
 - c) The project area is relatively flat and the underlying soil is not known to be unstable and have a low capacity for landslides, lateral spreading, subsidence, liquefaction, or collapse. Soils in the Visalia area have few limitations regarding development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
 - d) Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
 - e) Future development will not include any development that would utilize the need for septic tanks or alternative wastewater disposal systems since City standards require that sanitary sewer lines be installed and utilized for the disposal of wastewater at this site.
 - f) There are no unique geological features, and no known paleontological resources located within the project area. If some potentially unique paleontological or unique geological resources are unearthed during future development, all work should cease until a qualified professional paleontologist can evaluate the finding and make necessary mitigation recommendations.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 1 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and will not generate any development or greenhouse gas emissions. The proposed GPA and COZ will not conflict with any state and local plan, policy and regulation aimed at reducing GHG emissions.

The City has prepared and adopted a Climate Action Plan (CAP), which includes baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR. The Visalia General Plan and CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan.

- b) The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 “baseline” levels by 2020 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

The proposed project will not impede the State’s ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce the project’s contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?
- a) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed.
- b) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed.
- c) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed. The closest school to the Project site is Ridgeview Middle School, located directly north of the site.
- d) The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e) The Tulare County Comprehensive Airport Land Use Plan shows the project area is located outside the Airport Influence Area and the Airport Safety Zones. Therefore, the project will not result in a safety hazard or excessive noise for people residing or working in the project area.
- f) The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- g) There are no wildlands within or near the project area.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 1 i) result in a substantial erosion or siltation on- or off-site;
- 1 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
- 1 iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- 1 iv) impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project will have no impact on surface or ground water quality, nor violate any water quality standards or wastewater discharge requirements. The proposed map change onsite will have no impact on groundwater supplies or recharge and will not impede sustainable groundwater management, nor conflict with a water quality control plan or sustainable groundwater management plan.

The project will not violate any water quality standards of waste discharge requirements. Future development of the project site would be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system, consistent with the City's adopted City Storm Drain Master Plan.

- b) The project will not substantially deplete groundwater supplies in the project vicinity. Future development of the project site will be served by a water lateral for domestic, irrigation, and fire protection use.

The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Future development within the project area will result in an increase of impervious surfaces, which might affect the amount of precipitation that is recharged to the aquifer. As the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. Any future project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

- c) The project will not result in substantial erosion on- or off-site. Future development of the site will not alter the course of any rivers or streams as neither are located near the site.

Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The project will not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The development of the site will also not impede or redirect flood flows.

Development of the site will create additional impervious surfaces, such as streets. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

The project will not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The development will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.

- d) The project area is not located within a flood hazard, tsunami, or seiche zone.

The project area along with the entirety of the City of Visalia lies within the dam inundation area of Terminus Dam, located approximately 35 miles to the east from the project site. In the case of dam failure, people and structures would be exposed to flooding risk and potentially pollutants. This impact is considered significant and unavoidable.

- e) The project will not conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan. The Visalia General Plan Update Environmental Impact Report

(EIR) has already considered the environmental impacts of the placement of people and structures to an area at risk of dam failure. The General Plan contains multiple policies that address the issue, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact.

Because there is still a significant impact, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project site is currently vacant and undeveloped, surrounded by public roadways on the north, east and south, and similar vacant land on the west. The Carleton Acres Specific Plan applies to private property located directly west of the site. The Specific Plan's land use and circulation concept illustrates a future local roadway to be developed on the west side of the Project site adjacent to the Specific Plan area. Since this area will operate independently, it will not be physically divided by future development on the Project site. No impact will occur.
- b) The Visalia General Plan designates land use categories to the property, and includes objectives and policies that guide growth within the Planning Area. Currently the General Plan designates the entire 21-acre Project site for Parks/Recreation. The City's Zoning Map further zones the property as Quasi-Public (QP). While General Plan Table 9-1, Consistency Between the Plan and Zoning, states that the Consistent Zoning District to the Parks/Recreation General Plan Land Use Designation is PR, the Zoning Map currently does not utilize a PR designation. Rather, the QP zone is the most consistent zoning district to this land use designation, based upon the QP zone district's Purpose and intent (Municipal Code Section 17.52.010) and Permitted uses (Municipal Code Section 17.52.030), which support parks and uses providing community service.

The proposed GPA and COZ would result in the establishment of 16 acres of Commercial Mixed Use land use and zoning designation at this location and a decrease in the area under the Parks/Recreation land use designation and QP zoning designation from 21 acres to 5 acres on the site. The City of Visalia's General Plan and Zoning ordinance do not contain any policies or regulation that would otherwise regulate the placement or location of the Commercial Mixed Use designation at this location.

General Plan Policy PSCU-P-5 calls for the creation of a new community park to be built in and to serve the northwest quadrant. The policy generally states that the park shall be in the northwest, and the facility map shown as Figure 5-1 identifies the 21-acre Project site as the potential location of the community park. Policy PSCU-P-5 further states that community parks are intended to include resources beyond those found at neighborhood parks, such as a community center building, reserved picnic facilities, tennis courts, aquatic center, and/or outdoor concert area.

The current size of this parcel is significantly larger than the policy guideline of "5 to 12 acres or more" for community parks. With the proposed GPA and COZ, the resulting 5 acres of Parks/recreation designation would still meet the size criteria for a community park. Currently there are two other undeveloped Park/Recreation land use designations in the northwest quadrant of at least five acres in size that could facilitate a community park. These sites are 15 acres near the

northeast corner of Demaree Street & Pratt Avenue and 10 acres fronting the future Riverway Avenue extension north of Modoc Basin. Both designated sites could facilitate the northwest quadrant's community park based on their acreage. Therefore, the Project will not result in a conflict with this General Plan policy.

XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
 - 1 b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
- a) No mineral areas of regional or statewide importance exist within the Visalia area.
- b) There are no mineral resource recovery sites delineated in the Visalia area.

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
 - 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
 - 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project will have no impact on noise. When future development is proposed onsite, noise impacts will be analyzed during the CEQA review and building permit processes. The City may require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels on the Project site require mitigation, there are a variety of means such as noise attenuation walls and limiting the hours of operation on activities.
- Future development of the site will result in noise generation typical of urban development, but should remain within the standards established in the City of Visalia's General Plan or Noise Ordinance. Noise levels would increase temporarily during construction of the site but should remain within noise limits and will be restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is less than significant.
- Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to any sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive land uses would be less than significant.
- b) The Project will have no impact on noise. Ground-borne vibration or ground-borne noise levels could occur in the future because of construction activities associated with any development. Any

construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period; thus, the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

- c) The project site is not located within the Airport Influence Area nor within the Airport Safety Zones nor near a private airstrip and therefore will not expose people residing or working in the project area to excessive noise levels.

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
- a) The project will not directly induce substantial population growth that is more than what is planned in the General Plan. The proposed GPA and COZ would reduce the area designated for park development and increase the area designated for commercial development onsite. Since there are no residential uses involved, there is no difference in population growth compared to that under the existing land use designations. The Project would not induce unplanned population growth either directly or indirectly. No impact would occur.
- b) The Project and any future development will not displace any housing or people as the proposed site is currently vacant.

XV. PUBLIC SERVICES

Would the project:

- 1 a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?
- a)
- i. Current fire protection facilities are located at Visalia Station 56 and can adequately serve the site without a need for alteration. Impact fees will be paid upon future development to mitigate the project's proportionate impact on these facilities.
- ii. Current police protection facilities can adequately serve the site without a need for alteration.

Impact fees will be paid upon future development to mitigate the project's proportionate impact on these facilities.

- iii. The Project will have no impact on public services. Future development proposed on the Project site will be assessed under CEQA, to determine whether it will impact public services. The area surrounding the Project site is partially developed and in an area that already receives public services.
- iv. The Project will have no impact on public services. Future development proposed on the Project site will be assessed under CEQA, to determine whether it will impact public services. The area surrounding the Project site is partially developed and in an area that already receives public services.
- v. Other public facilities can adequately serve the site without a need for alteration.

XVI. RECREATION

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
 - 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on recreational facilities. Future development may contribute to park impact fees, which would cover the additional costs associated with providing parks and recreational services. These issues will be reviewed under CEQA as future development projects are proposed.
- b) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on recreational facilities.

XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
 - 1 b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
 - 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
 - 1 d) Result in inadequate emergency access?
- a. The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on transportation. Future development may contribute to transportation impact fees, and would be required to address its traffic impacts in the CEQA review process.

The development which could occur under the Project would generate additional commercial trips, but reduced park/recreation trips. Since the type and density of development is not known at this time, it would be entirely speculative to predict trip generation for either the park or commercial

portions of the Project site. A Transportation Impact Analysis (TIA) will be required per the City Transportation Impact Analysis Guidelines if the development would generate a net increase of 100 or more peak hour vehicle trips. The TIA will include mitigation measures where necessary, including fair share contributions.

There are existing bike lanes on Riggins Avenue, immediately east of the Project site. When development occurs, it will be required to extend these bike lanes along the Project frontage, consistent with City requirements.

Visalia Transit provides a bus service to the city. Existing service on route #7 includes a stop at the fronting intersection. As the community develops, including the Project site, additional stops will be provided to support ridership.

- b. Under SB 743, CEQA Guidelines Section 15064.3 was amended December 2018, stating that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. A lead agency may use models or other methods to analyze a project's VMT quantitatively or qualitatively. The City of Visalia, in determining the significance of transportation impacts for land use projects and for compliance with CEQA, recognizes the adopted City of Visalia Vehicle Miles Travelled (VMT) Thresholds and Implementation Guidelines (LSA, 2021, herein referred to as "Guidelines") recommended threshold as the basis for what constitutes a significant or less than significant transportation impact.

The proposed GPA and COZ will have no impact on VMT. The development of park and commercial projects in the future will require a VMT analysis. At the time that a development is proposed, its impact on regional VMT will be analyzed, to ensure that if any significant VMT impacts were to occur, they could be reduced to less than significant levels. It should be noted, however, that the adjacency of residential, commercial, and park land uses, being that the Project site is surrounded by residential uses, tends to reduce VMT because of the synergistic relationship between where people reside and where they work and shop.

- c. The GPA and COZ will only result in a map change, and no development will occur. Future development will be subject to City standards regarding roadway improvements, parking, and emergency access, either through CEQA or through conditions of approval.

The Project site is in the established street system of the city and region, and future development is not expected to interfere with the system.

- d. Future development on the Project site will be required to meet City design standards for adequate access by emergency vehicles and comply with all applicable fire code and ordinance requirements for geometric design and site access.

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 1 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §

5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The City has conducted formal government-to-government consultation with tribes under SB 18. As a result of that consultation effort, the City received one letter from the Table Mountain Rancheria, stating that the project site is beyond their area of interest. No other correspondence was received from any other tribes. It is important to note, as described in Section V., that the proposed Project will not include any ground disturbance, and future development will be subject to future CEQA review, and mitigation as needed for project-specific impacts.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required at this time.

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

- a) The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- b) The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
 - 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
 - 1 c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
 - 1 d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
 - 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on utilities. Future development will consider utilities as part of the CEQA review and land use application process.

The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the project. The proposed project will therefore not cause significant environmental impacts.

The development onsite will be required to install City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan.

These improvements will not cause significant environmental impacts. The project also does not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications.

- b) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on utilities. California Water Service Company oversees the Project site as part of their long-range planning, accounting for local population growth and development trends in the Project area.
- c) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on wastewater. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant upon future development of the project. However, the real impacts associated with the City's wastewater system will be assessed when development is known and can be quantified.
- d) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on solid waste disposal. Future commercial customers on the Project site will be assessed fees for solid waste service. The transfer stations and landfills in the region currently have sufficient capacity to accommodate future development. Future development on the Project site will be required to analyze demand and capacity for solid waste disposal as part of the CEQA process.
- e) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on solid waste disposal. The project will be able to meet the applicable regulations for solid waste. Removal of debris from future construction will be subject to the City's waste disposal requirements.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
 - 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
 - 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
 - 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?
- a) The proposed GPA and COZ will have no impact on wildfire hazards, as no development is proposed. The project will not substantially impair an adopted emergency response plan or emergency evacuation plan.
 - b) The project site is located on a flat area of agriculture and urban land which is at little risk of fire.
 - c) The future development of the site will include the development of infrastructure such as roads, sewer lines, power lines and utilities, however all improvements would be subject to City standards and Fire Marshal approval. The proposed project would not exacerbate fire risk.

- d) The project site is flat and therefore is not susceptible to downslope or downstream flooding or landslides as a result of post-fire instability, or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- 1 a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- a) As described above, the Project proposes a map change only and does not involve any development or construction. There will be no impact on biological and cultural resources.
- b) This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c) This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2019

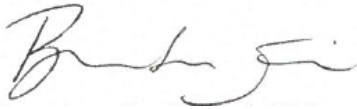
Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/21084.2 and 21084.3

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

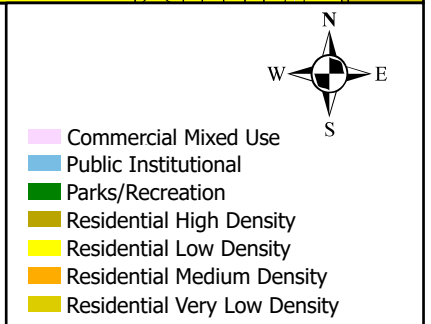
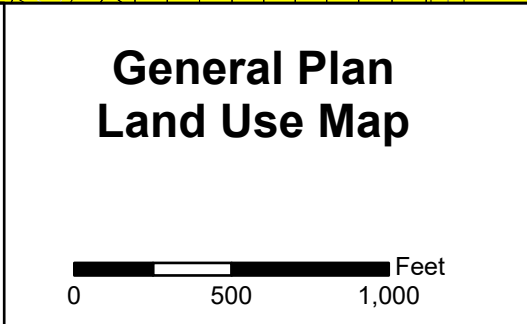
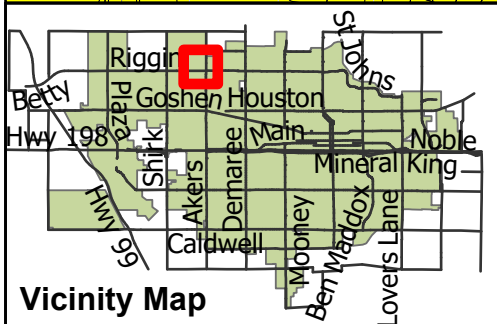
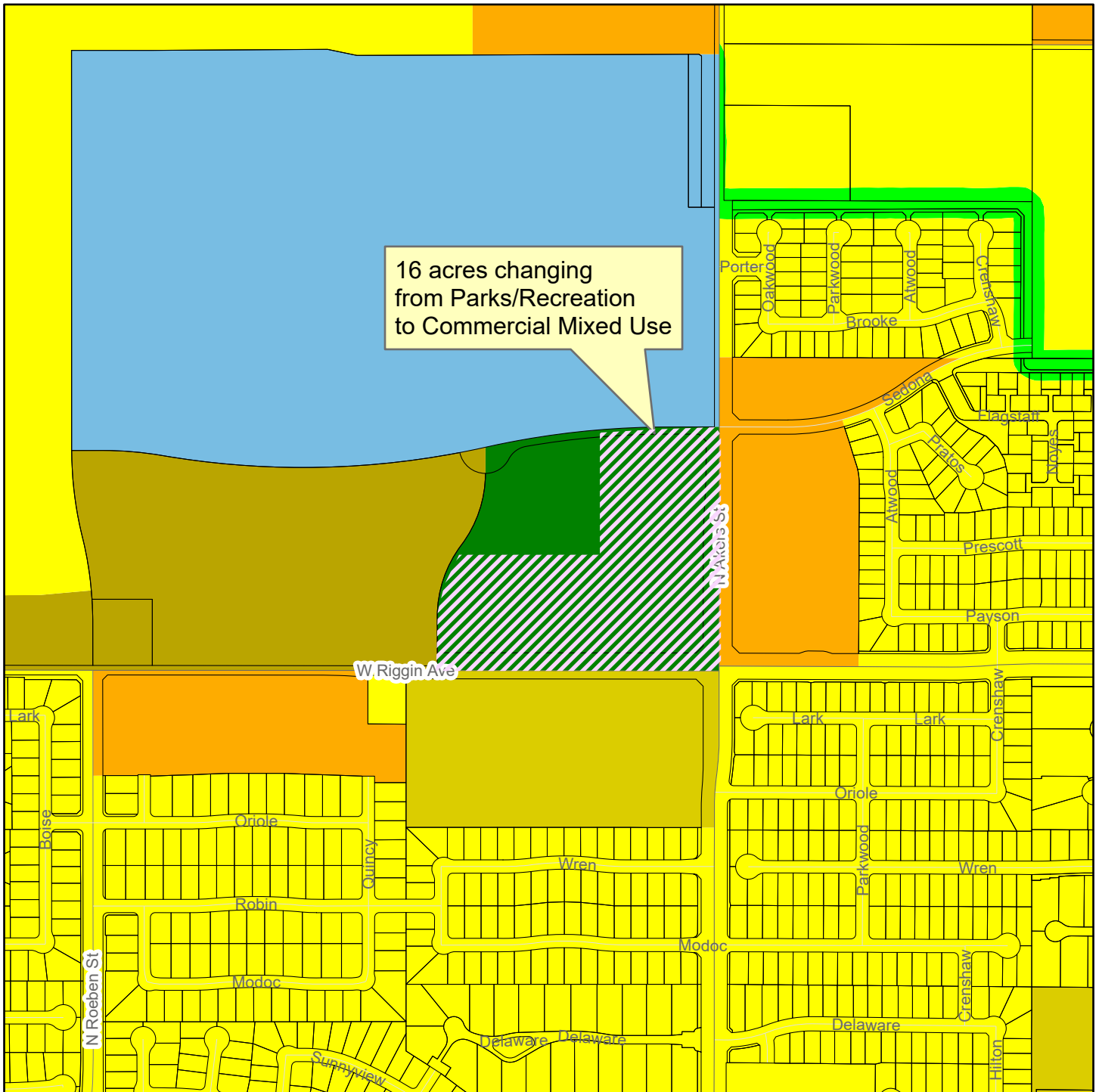


Brandon Smith, AICP
Environmental Coordinator

July 14, 2025
Date

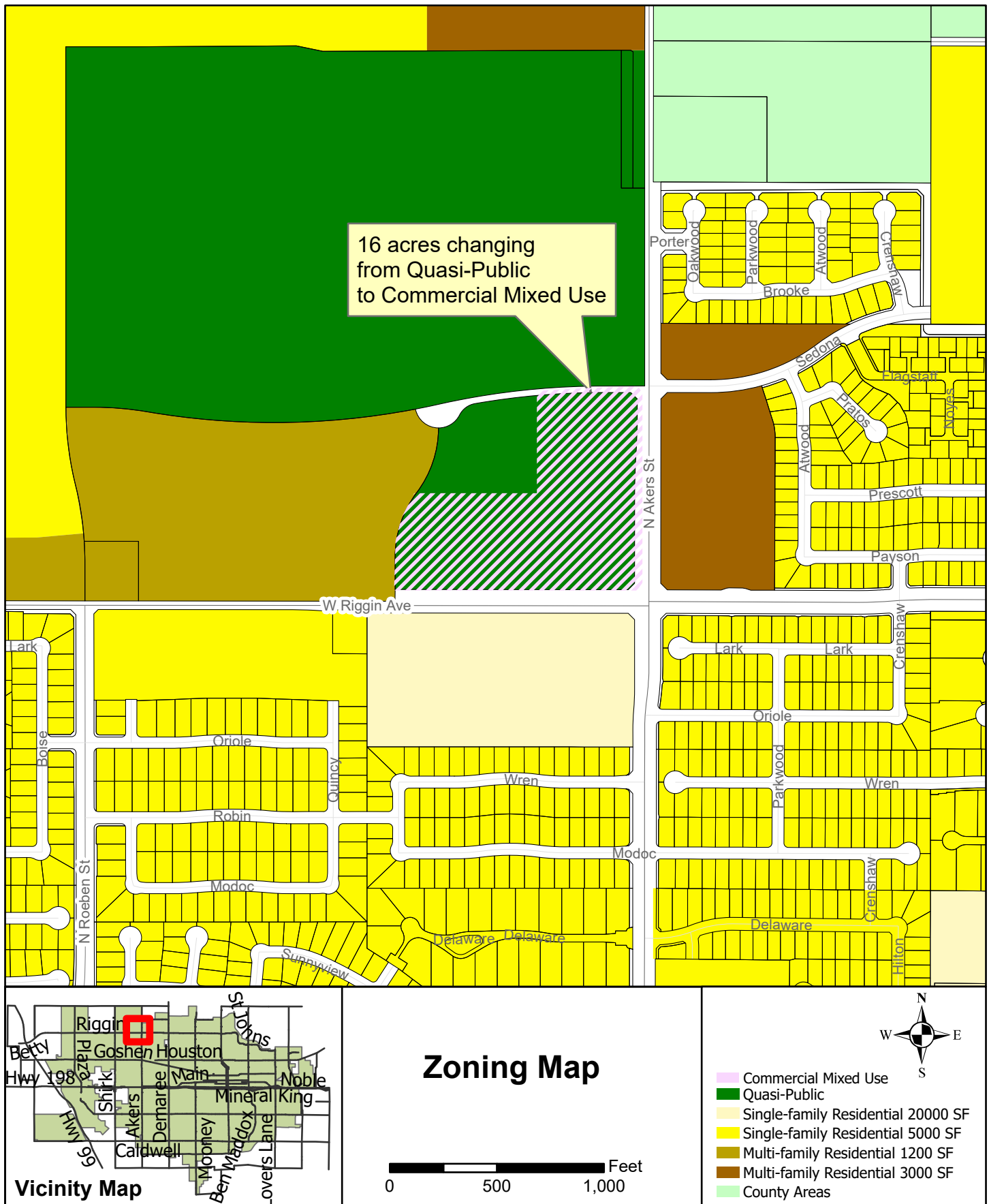
General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave,
within the city limits of Visalia, Tulare County. (APN: 077-100-103).



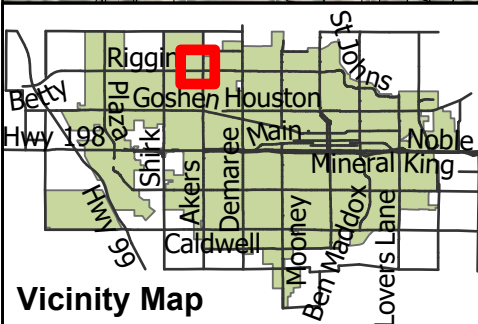
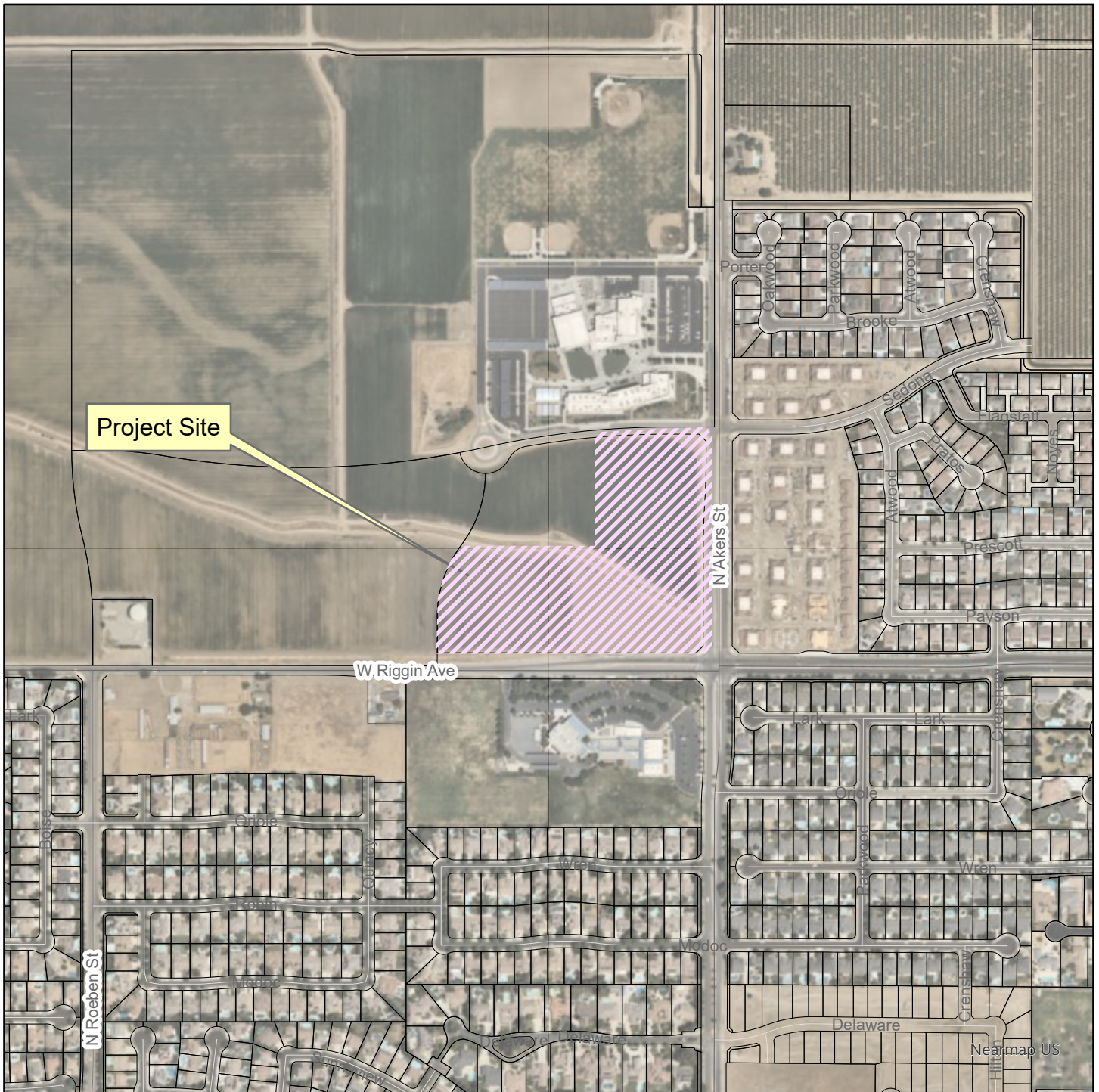
General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave, within the city limits of Visalia, Tulare County. (APN: 077-100-103).



General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave,
within the city limits of Visalia, Tulare County. (APN: 077-100-103).



Aerial Photo

0 500 1,000 Feet



- Commercial Mixed Use
- Collector
- Local
- Minor Arterial
- Other

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave,
within the city limits of Visalia, Tulare County. (APN: 077-100-103).

