

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Chris Tavaréz

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

**TUESDAY, MAY 27, 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 – (continued from May 12, 2025) Cristobal Carrillo, Associate Planner  
**Conditional Use Permit No. 2024-46:** A request by Maria Lomeli to establish three residential units within the D-MU (Downtown Mixed Use) Zone.  
**Environmental Assessment Status:** The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2024-75.  
**Project Location:** The project site is located at 405 North West Street (APN: 093-175-010).
8. PUBLIC HEARING – Josh Dan, Senior Planner  
**Tentative Parcel Map No. 2025-07:** A request to subdivide a 1.12-acre commercial parcel into two commercial parcels to facilitate future commercial development in the Neighborhood Commercial (C-N) Zone.  
**Conditional Use Permit 2025-14:** A request to subdivide the project site into two parcels resulting in sites measuring less than five acres in size in the Neighborhood Commercial (C-N) Zone.  
**Environmental Assessment Status:** The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2025-19.  
**Project Location:** The project site is located at 1145 South Lovers Lane (APN: 100-120-051).
9. PUBLIC HEARING – Colleen Moreno, Assistant Planner  
**Conditional Use Permit No. 2025-06:** A request by California Dairies, Inc. to amend Conditional Use Permit No. 2005-20 to allow for the expansion of the milk processing facility in the I (Industrial) zone.  
**Environmental Assessment Status:** The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2025-10.  
**Project Location:** The site is located at 2000 North Plaza Drive (APN:077-111-030).
10. PUBLIC HEARING – Colleen Moreno, Assistant Planner  
**Conditional Use Permit No. 2025-05:** A request to allow live entertainment at the existing Sebby's restaurant in the D-MU (Downtown Mixed Use) zone.  
**Environmental Assessment Status:** The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2025-09.  
**Project Location:** The site is located at 229 East Main Street (APN: 094-296-016).
11. CITY PLANNER UPDATE –
  - a. Update on Planning Commission reappointment.
12. 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 FRIDAY, JUNE 6, 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 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JUNE 9, 2025**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 27, 2025

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

**SUBJECT:** **Continued Public Hearing for Conditional Use Permit No. 2024-46:** A request by Maria Lomeli to establish three residential units within the D-MU (Downtown Mixed Use) Zone. The project site is located at 405 North West Street (APN: 093-175-010).

## STAFF RECOMMENDATION

The Historic Preservation Advisory Committee (HPAC) and staff recommend approval of Conditional Use Permit No. 2024-46 based upon the findings and conditions in Revised Resolution No. 2024-84. Staff's recommendation is based on the project's consistency with the City's General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2024-46 based on the findings and conditions in Resolution No. 2024-84.

## CONTINUED PUBLIC HEARING FROM MAY 12, 2025

The Planning Commission conducted a public hearing on May 12, 2025, for Conditional Use Permit No. 2024-46. At the meeting the item was continued to May 27, 2025 at the request of the project applicant, as they were unable to attend the meeting due to illness. A revised resolution is included with this report. The analysis contained in the May 12, 2025 staff report for Conditional Use Permit No. 2024-46 is unchanged.

## PROJECT DESCRIPTION

The Conditional Use Permit (CUP) is a request to convert a former carriage house on a property with two existing single-family residences into a residential triplex as follows:

- A 1,068 square foot residential unit on the first floor;
- Two residential units (984 square feet and 568 square feet, respectively) on the second floor.

Floor Plans depicting the layout of the triplex are provided in Exhibit "B". The two largest units will contain two bedrooms, a kitchen, and bathroom. The smallest unit will contain a bedroom, bathroom, and kitchen. Three



single car garages located on the first floor will remain, for use by the occupants. Conversion of the building into a triplex has already been conducted and is the subject of an ongoing Code Enforcement case (CE230386).

The project site is located within the Historic District, and is not listed on the Local Register of Historic Structures. Based on the site’s location within the Historic District, review of exterior alterations and the CUP request was required by the HPAC. The HPAC conducted its review and recommended approval of the CUP request on September 25, 2024. The HPAC approval letter is included as Exhibit “E”.

**BACKGROUND INFORMATION**

General Plan Land Use Designation	Downtown Mixed Use
Zoning	D-MU (Downtown Mixed Use) Zone
Surrounding Zoning and Land Use	North: D-MU / Single and multifamily residences South: D-MU / West School Avenue, Offices, single family residences East: D-MU / North West Street, multifamily residences, offices West: D-MU / Offices, Davorn’s Restaurant, Frank’s Liquor
Environmental Review	Categorical Exemption No. 2024-75
Special Districts	Historic District
Site Plan Review	2024-057

**RELATED PROJECTS**

**Conditional Use Permit No. 2018-20:** On October 22, 2018, the Planning Commission reviewed and approved CUP No. 2018-20, a request by Claudia Lomeli to allow a residential duplex in an existing building in the PA (Professional Administrative Office) Zone, located at 405 North West Street. The CUP approval expired on October 22, 2020, as no Building Permits were issued to enact the use.

**Historic Preservation Advisory Committee Item No. 2024-26:** On September 25, 2024, the HPAC reviewed and approved HPAC Item No. 2024-26, a request by Denee Fiore for a Conditional Use Permit to establish three residential units, and conduct exterior alterations, to a structure located at 405 North West Street. The item passed by a vote of 7-0. Conditions applied by the HPAC can be viewed in Exhibit “E” and are included as CUP Condition of Approval No. 3. The HPAC staff report is included in Exhibit “F”.

**PROJECT EVALUATION**

Staff recommends approval of Conditional Use Permit No. 2024-46, as conditioned, based on the project’s consistency with the General Plan Land Use, Housing Element, and Zoning Ordinance.

**General Plan Consistency**

The project is consistent with Land Use Element Policy LU-P-90 and Housing Element HE Policy 2.4. LU-P-90 allows for a range of retail, restaurant, entertainment, office, public/community facilities, and urban residential uses. Specifically, it allows residential development at a minimum density of 15 dwelling units per gross acre. If approved, the proposed development will be at a

residential density of 5.1 units per acre, consistent with the Downtown Mixed Use land use designation and D-MU zoning district. HE Policy 2.4 states that the City shall provide a wide range of housing types (e.g., mixed use, flats, podium townhouses, condominiums, row houses, small-lot single-family residential, and live-work lofts) in the Downtown and East Downtown areas, as well as encourage both affordable and market-rate housing opportunities. The proposal, through the addition of three residential units on the project, will assist in meeting the goal to provide varied housing types in the Downtown area.

**Land Use Compatibility**

The Visalia Zoning Matrix identifies uses such residences as conditionally permitted within the D-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.

The surrounding area consists primarily of single and multi-family residential uses, with an office and restaurant to the northwest and west, respectively. The project site itself contains two separate single-family residences that are currently occupied. Exterior alterations proposed would restore the historic appearance of the structure, thereby improving compatibility with the surrounding Historic District. Given the above, the residential use of the site is considered compatible with the site and surrounding land uses.

**Landscaping**

A survey of the surrounding sites to the north and south of the project site indicated that street trees are predominant in the area. During review of the proposal by the HPAC, it was noted that street trees are an amenity that assists in beautifying historic neighborhoods. In order to ensure preservation of the trees, the HPAC, in its advisory capacity to the Planning Commission, included as part of its recommendation a request that the Commission apply a condition of approval requiring the applicant to maintain street trees along the project site frontage. Staff notes that per consultation with City of Visalia Engineering staff, installation and maintenance of streets is already required per City standards. Compliance with these standards is included as recommended Condition No. 4.



4.

**Parking**

The parking requirement for multi-family dwellings is 1.5 parking stalls per unit (VMC Section 17.34.020.A.2). If the proposal is approved, there will be a total of five residential units onsite (i.e., two single-family residences and the proposed triplex), requiring a total of 7.5 onsite parking stalls. Per the sites current configuration, the parking demand is not met. However, 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. Visalia Transit operates bus service along Route 1, which runs through and contains bus stops on Main Street and Mooney Boulevard. Route 1 meets the definition of a

“major transit stop”. The project site is located within a half mile of multiple Route 1 bus stops. Therefore, the site meets parking provisions as allowed under AB 2097.

Furthermore, to address additional onsite parking for future tenants of the triplex, the site contains a three car garage for the proposed triplex, with additional paved area in front of the garage which will allow for tandem parking (see Exhibit “A”). Parking for the two single-family homes which face West School Avenue is accommodated through use of on-street parking stalls located along the street frontage.

### **Environmental Review**

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-75). Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency’s determination. The types of “existing facilities” itemized in the Class 1 are not intended to be all-inclusive of the types of projects.

## **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-75).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2024-057, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the site plan, floor plan, building elevations, and operational statement, in Exhibits “A”, “B”, “C”, and “D”.
3. That the applicant shall comply with all conditions of Exhibit “E”, the Approval Letter for Historic Preservation Advisory Committee Item No. 2024-26.
4. That the applicant shall plant and maintain street trees along the project site street frontage, in compliance with City Standards.

5. That substantial changes to the site plan and/or operational plan, or an intensification of the use, may require evaluation by the Site Plan Review committee, Historic Preservation Advisory Committee, and/or an amendment to this Conditional Use Permit.
6. 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](http://www.visalia.city) or from the City Clerk.

### **Attachments:**

- Related Plans and Policies
- Revised Resolution No. 2024-84
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Building Elevations
- Exhibit "D" – Operational Statement
- Exhibit "E" – HPAC Item No. 2024-26 Approval Letter
- Exhibit "F" – HPAC Item No. 2024-26 Staff Report
- Categorical Exemption No. 2024-75
- Site Plan Review Comments No. 2024-057
- Historic District and Local Register Map
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

# RELATED PLANS AND POLICIES

## VISALIA MUNICIPAL CODE

### 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.

#### **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 that 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 that 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 that 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 that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

**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.

### **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**

### **17.19.010 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 (except where a building is located on property line).
- E. The provisions of [Chapter 17.58](#) shall also be met, if applicable. (Ord. 2024-07 § 8, 2024: Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017)

## Chapter 17.56

### Historic Preservation District

#### 17.56.010 Purposes and intent.

A. There is created a historic district, the boundaries of which are shown on the two maps entitled, "Historic District Overlay," which accompany the ordinance codified in this chapter and which are on file in the office of the city clerk, on the 19th day of November, 1979 and dated 19th day of November, 1979. Said maps are adopted and made a part of this chapter.

B. This chapter is enacted to preserve and promote the public health, safety and welfare of the residents of the city, and to express the commitment of the city to assure that the city's cultural heritage, as reflected in its historic structures, sites, and features is not destroyed, through:

1. The protection and preservation of historic structures;
2. The preservation and maintenance of historic residential areas as cohesive neighborhood units;
3. The enhancement of property values in the older areas of the city;
4. The assurance that the community's cultural heritage, as reflected in the environment, is not lost;
5. The encouragement of the development of vacant and incompatibly developed properties in accordance with the character of the historic district;
6. The involvement of residents of the older areas in planning their own neighborhoods. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7700)

#### 17.56.020 Components of the chapter.

This chapter shall include:

1. The ordinance, which specifies the historic district overlay designation, design evaluation criteria, and the formation, powers and duties of a historic preservation advisory committee;
2. Creation of a local register of historic structures, sites and features that may be modified from time to time by resolution of the city council.
3. Two maps that designate the historic district overlay. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7701)

#### 17.56.030 Definitions.

A. All definitions, general and specific, set forth in Section 17.04.030 shall be applicable to this chapter.

B. Definitions.

"Construction" means any building activity requiring the issuance of a building permit, except for any activity that does not affect the exterior appearance of the structure.

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

"Historic structure" means a structure listed on the Local Register.

"Local register" means the listing of local historic structures, sites and features adopted by the city council and maintained by the historic preservation advisory committee, and incorporated herein by reference. This designation is inclusive of all structures and features located within the boundaries of the property for which the Local register designation has been applied. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7702)

“Local register, Background” means properties that may not be historically significant or unique in their construction, but which contribute positively to the “visual fabric” of the City of Visalia.

“Local register, Exceptional” means properties with preeminent historical significance, considered for nomination to the California Register of Historical Resources and/or National Register of Historic Places.

“Local register, Focus” means properties having significant value, of good to excellent quality, considered for local recognition and protection.

**17.56.040 Regulation of structures.**

No structure shall be constructed, altered or enlarged that is located in the historic district or that is listed on the local register, unless such a permit is issued pursuant to the terms of this chapter. No structure listed on the local register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7703)

**17.56.050 Creation of historic preservation advisory committee.**

In order to execute the purposes declared in this chapter, there is created a historic preservation advisory committee.

A. Committee Membership.

1. The historic preservation advisory committee shall consist of seven members appointed by the city council to serve without compensation. All committee members shall be residents of the city at the time of their appointment and will lose their position if they move outside the city limits during their term of office. Members shall be appointed on the basis of:

- a. Relevant professional or business qualifications;
- b. Ownership of property within the historic district;
- c. Practical experience in restoration or preservation;
- d. Exceptional civic interest.
- e. Terms of office shall be for two years.

2. Vacancies that may occur on the committee shall be filled by appointment of a new member of the city council for the duration of the unexpired term of office. The Council has the option of appointing up to two Historic Preservation Advisory Committee alternates. Should a mid-term vacancy occur, an alternate may automatically fill the unexpired term. The council shall also have the power to remove any member from the committee by an affirmative vote of three council members.

3. Four members of the committee shall constitute a quorum for the transaction of business.

B. Procedures for the Review of Applications. The operating procedures of the historic preservation advisory committee shall be prescribed from time to time by resolution of the city council, for the purpose of carrying into effect the standards and specifications of this chapter. The committee may adopt, amend, and repeal rules and regulations governing the conduct of its meetings, as long as said rules do not violate the procedures established by the city council or the terms of this chapter.

C. Duties and Responsibilities. The historic preservation advisory committee shall review applications only as specified in this chapter, consistent with the rules and regulations adopted from time to time by resolution of the city council (as referred to in Section 17.56.050(B)). Applications shall be approved or disapproved based solely on the considerations set forth in this chapter. It is the intent of this chapter that the historic preservation advisory committee shall encourage applicants to make alterations and repairs to structures in the spirit of the architectural style of the structure. The duties and responsibilities of the historic preservation advisory committee shall include the following:

1. It shall be the duty of the historic preservation advisory committee to review all proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the historic district. The committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure(s), neighborhood, or the entire historic district. The committee's recommendation shall be forwarded to the planning commission for its consideration.

2. It shall be the duty of the historic preservation advisory committee to review all applications for site plan review permits within the historic district for compliance with the provisions of this chapter. Items that shall be subject to review by the committee include but are not limited to vehicular access, location and screening of parking, setbacks, location of service use areas, walls and landscaping. The committee may recommend approval, conditional approval, disapproval or resubmittal of the site plan review permit application. The committee's recommendation shall be forwarded to the site plan review committee for its consideration.

3. It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections 17.56.100 and 17.56.110.

4. It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties listed on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48. Sign permits shall be issued only in compliance with the recommendation of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.

5. It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures in the historic district or listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.56.130.

6. It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register, the California Register of Historical Resources, and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:

- a. Architectural significance and style;
- b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.

The committee shall review the local register every five years, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.

7. 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 historic preservation advisory 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. Swimming pools;
4. Masonry repairs with like materials;
5. Chimney repair with like materials. (Ord. 2017-01 (part), 2017: Ord. 2008-11 § 1, 2008: Ord. 2001-13 § 4 (part), 2001: prior code § 7704)
8. Sites within the historic district or on the local register shall reserve a minimum 50% of the required front yard setback area for the purposes of landscaping.

**17.56.060 Appeal.**

Any person or persons jointly or severally aggrieved by a decision of the historic preservation advisory committee may make an appeal in writing therefrom to the city council within ten days of said action. The city council, after proceeding in the manner as provided therein and with the same power and authority there invested in passing upon appeals before it under the provisions of law and this chapter and in the exercise thereof, may reverse, affirm or modify or affirm as modified the action of the historic preservation advisory committee. Appeals of a decision of the site plan review committee shall be filed with the planning commission in the manner prescribed in Section 17.28.050. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7705)

**17.56.070 Demolition or moving of historic structures.**

A. The demolition of structures listed on the local register, and the moving of local register structures from their sites, shall be discouraged. The historic preservation advisory committee shall review all applications for demolition or moving permits for structures on the local register and for any structures within the historic district boundaries.

B. After due consideration, the committee shall exercise one of the options listed below:

1. The committee may approve the demolition permit if it finds that the structure is a hazard to public health or safety, as determined by the building official or his designee, in consultation with the historic preservation advisory committee.

2. The committee may decide that up to a six-month moratorium be placed upon the processing of the demolition or moving permit, in order to allow time for the applicant and the committee to find alternative uses for the structure and to seek alternative solutions to the demolition or moving of the structure. If no alternatives are found, after the six-month moratorium has expired, the committee must approve the application.

3. The committee may deny an application for demolition. Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section 17.56.060.

4. The committee may approve the application.

C. When an application is acted upon, the committee shall notify the building official of the approval, conditional approval or denial. Upon receipt of said notification, the building official shall process the application accordingly. If, after six months from the date of filing of the application, the building official has not received such notification, a permit may be issued. Approval of a permit application by the committee in no way implies approval by the building official, whose approval must also be secured. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7706)

**17.56.080 Ordinary maintenance and repair.**

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within the historic district; provided such work involves no change that requires issuance of a building permit. 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: Ord. 2001-13 § 4 (part), 2001: prior code § 7708)

**17.56.090 Exceptions to Visalia Municipal Code requirements.**

Due to the peculiar conditions of design and construction in historic neighborhoods where structures were sometimes built close to lot lines, and where ownership patterns have changed over the years, it is sometimes in the public interest to retain the historic appearance of a neighborhood by making an exception to normal setback, parking, landscaping, fencing and screening requirements of the Visalia Municipal Code, where such an exception does not interfere with the public health or safety. Within the historic district, where it is deemed that such an exception is warranted and will not adversely affect neighboring properties, the historic preservation advisory committee may initiate and/or recommend to the planning commission that such exception to Visalia Municipal Code requirements be made. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7709)

**17.56.100 Building design compatibility criteria.**

This section contains criteria for reviewing all applications for new construction and sign permits within the historic district, and for any rehabilitation, renovation, alteration, reconstruction, or enlargement affecting the exterior appearance of any structure within the historic district that is not listed on the local register, which requires the issuance of a building permit. Each application shall be considered in terms of its compatibility or complementariness with a majority of structures in the immediately surrounding area. In reviewing an application, the historic preservation advisory committee shall consider the following general design standards and principles:

A. Height and Scale. New buildings should be constructed to a height within a reasonable average height of existing adjacent buildings.

B. Spacing of Buildings on Street. A rhythm of recurrent building masses to separations should be retained.

C. Relationship of Materials and Textures. Choice of building materials and texture (smooth and rough) should enhance the desired neighborhood qualities such as compatibility, similarity and continuity.

D. Relationship of Architectural Details and Roof Shapes. Choice of architectural details and roof shape should insure compatible appearance with surrounding structures.

E. Landscaping. Landscaping should reflect the predominant quality and quantity of landscaping within the surrounding area. The concern here is more with mass and continuity.

F. Directional Expression of Front Elevations. Structural shape, placement of openings, and architectural details should be used to give a compatible appearance with adjacent structures that may be horizontal, vertical or nondirectional in nature. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7710)

**17.56.110 Local register structures.**

This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure, and for any interior modification that requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.

B. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

C. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historic basis and that seek to create an earlier appearance shall be discouraged.

D. Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

E. Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.

F. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

G. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken, without prior approval of the historic preservation advisory committee.

H. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project. (Ord. 2710 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7711)

#### **17.56.120 Fencing and wall design criteria.**

This section contains criteria for reviewing all applications for new fencing and walls within the historic district or on the local register, and for any application for rehabilitation, renovation, alteration, reconstruction, or enlargement of fencing and walls within the historic district or on the local register. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Fencing proposals shall be used to form continuous cohesive walls of enclosure along the street, and shall be compatible with the architectural style of the main building and historic district.

B. If historic walls or fencing exist on a property, preference should be given to repair of the existing fencing or wall to restore its original appearance to the extent possible. If removal and replacement of historic fencing and walls is proposed, preference should be given to the use of like materials to preserve the appearance of the original fencing or wall.

C. Proposals for new fencing or walls should be compatible with the character and architectural elements of the historic structure onsite and its period of original construction.

D. Appropriate materials for fencing and walls shall include, but not be limited to, landscape masses, wood, wood pickets, wrought iron, cast iron, masonry walls, brick, stone, decorative wire, and vinyl materials that mimic the appearance of painted wood.

E. Proposals for chain link fencing in areas visible from the street shall be discouraged. The historic preservation advisory committee may grant an application for chain link fencing along public streets if, on the basis of the application and the evidence submitted, the committee makes one of the following findings:

1. That the proposed chain link fencing is compatible with the historic structure and the neighborhood;

2. That sufficient evidence has been provided indicating that the applicant will experience an economic hardship should the chain link fencing not be permitted to be placed onsite;

#### **17.56.130 Role of building official.**

A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the historic preservation advisory committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the committee at such time as any conditions specified in such conditional 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 committee 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 or his/her designee shall from time to time inspect the construction, alteration or enlargement approved by the committee and shall take such action as is necessary to assure compliance with the approved plans. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7712)

**17.56.140 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: Ord. 2001-13 § 4 (part), 2001: prior code § 7707)

REVISED RESOLUTION NO. 2024-84

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-46, A REQUEST BY MARIA LOMELI TO ESTABLISH THREE RESIDENTIAL UNITS WITHIN THE D-MU (DOWNTOWN MIXED USE) ZONE. THE PROJECT SITE IS LOCATED AT 405 NORTH WEST STREET (APN: 093-175-010).

**WHEREAS**, Conditional Use Permit No. 2024-46, is a request by Maria Lomeli to establish three residential units within the D-MU (Downtown Mixed Use) Zone. The project site is located at 405 North West Street (APN: 093-175-010); and

**WHEREAS**, the Historic Preservation Advisory Committee of the City of Visalia, after duly published notice, held a public hearing before said Committee on September 25, 2024; and

**WHEREAS**, the Historic Preservation Advisory Committee of the City of Visalia considered the Conditional Use Permit in accordance with Section 17.56.050.B of the Zoning Ordinance of the City of Visalia, and based on evidence contained in the staff report and testimony presented at the public hearing, recommended approval of the Conditional Use Permit to the Visalia Planning Commission, via approval of Historic Preservation Advisory Committee Item No. 2024-26; and,

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 12, 2025; and

**WHEREAS**, prior to the start of the meeting, the applicant submitted late correspondence to staff requesting the public hearing item be continued to a date certain; and

**WHEREAS**, staff distributed to the Planning Commission late correspondence requesting the public hearing item be continued at the request of the applicant; and

**WHEREAS**, the Planning Commission, at the request of the applicant, continued the item to the meeting of May 27, 2025; and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on May 27, 2025; and

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

**WHEREAS**, the Planning Commission finds the project to be Categorical 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 FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-75).

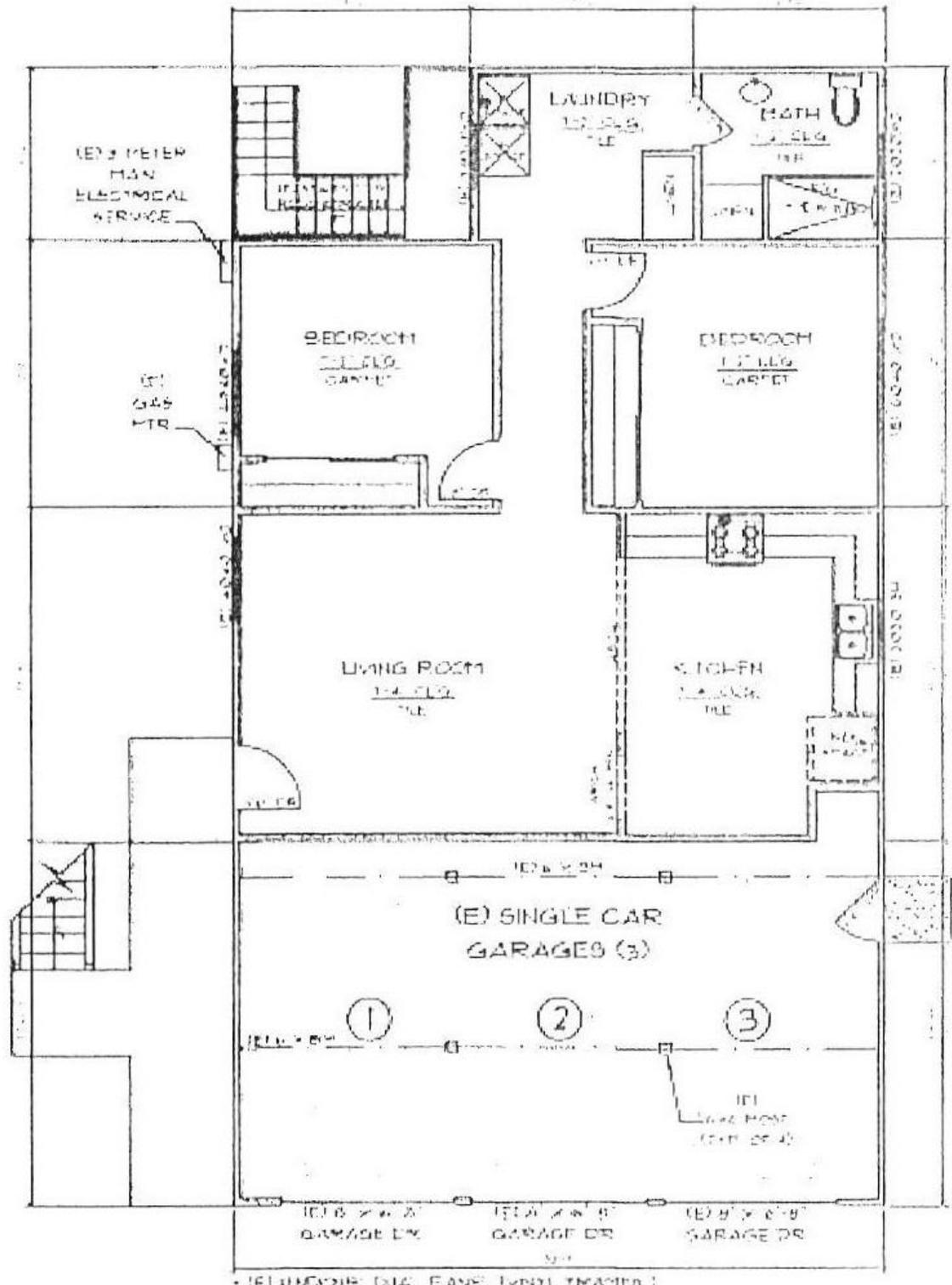
**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2024-057, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the site plan, floor plan, building elevations, and operational statement, in Exhibits “A”, “B”, “C”, and “D”.
3. That the applicant shall comply with all conditions of Exhibit “E”, the Approval Letter for Historic Preservation Advisory Committee Item No. 2024-26.
4. That the applicant shall plant and maintain street trees along the project site street frontage, in compliance with City Standards.
5. That substantial changes to the site plan and/or operational plan, or an intensification of the use, may require evaluation by the Site Plan Review committee, Historic Preservation Advisory Committee, and/or an amendment to this Conditional Use Permit.
6. That all other federal, state and city laws, codes and ordinances be complied with.

**EXHIBIT "A"**



**EXHIBIT "B"**



**FLOOR PLAN**

405 N. WEST ST.  
(1ST. FLOOR / 918 S.F.)

NT 5



# EXHIBIT C

405 N West St Visalia CA 93291



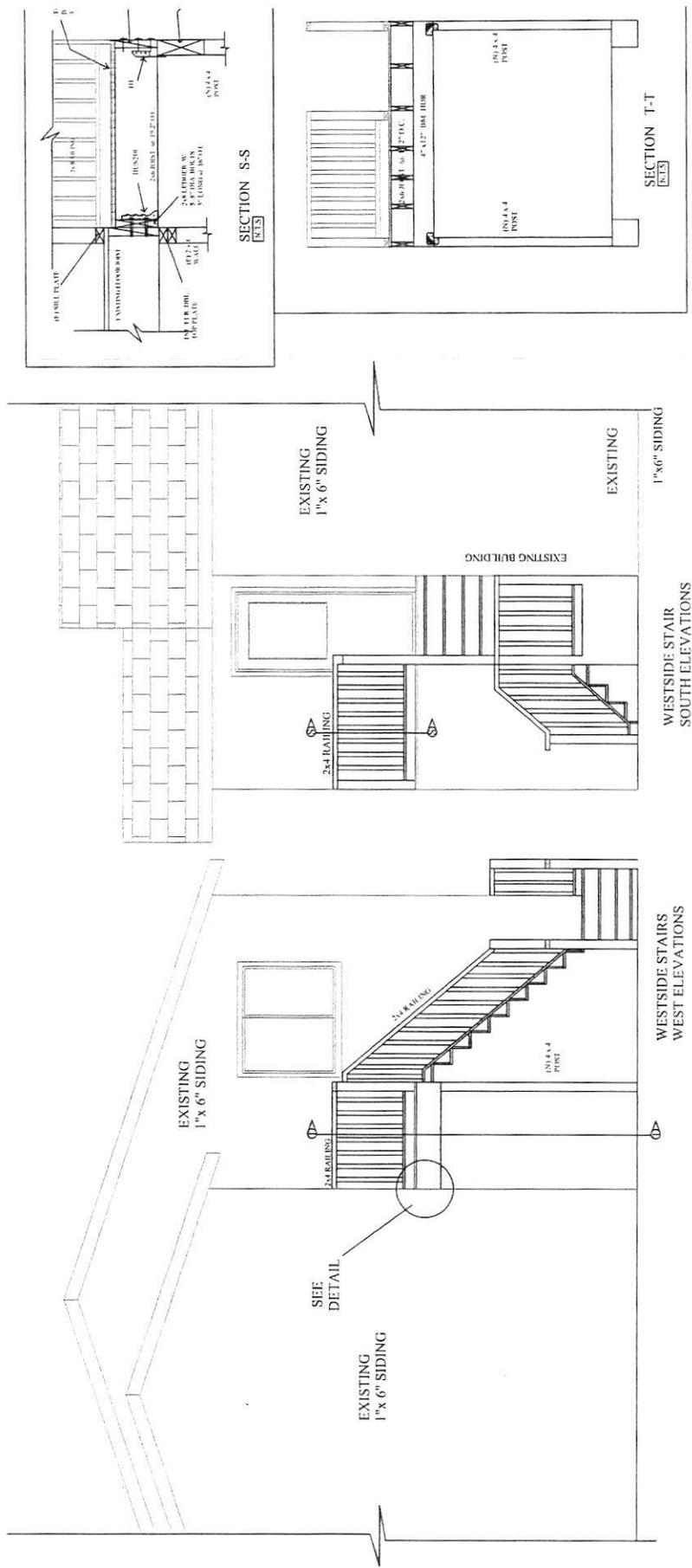
Southside & South East of the building: Staircases with premature updates, and exterior paint and trim for approval.

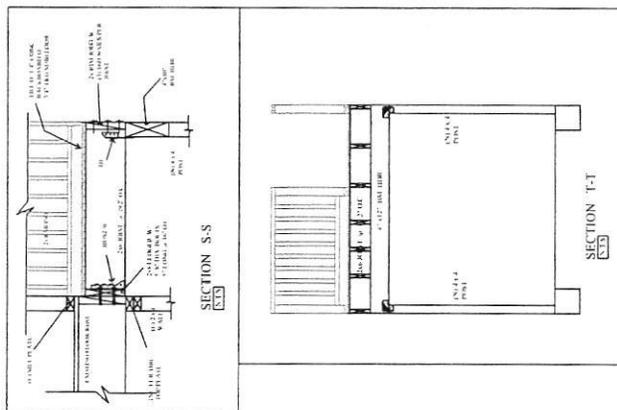
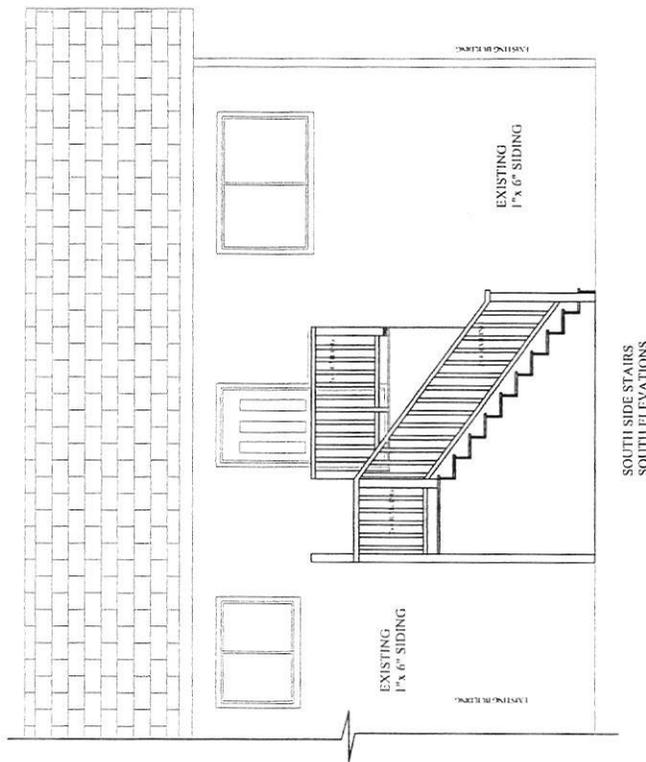
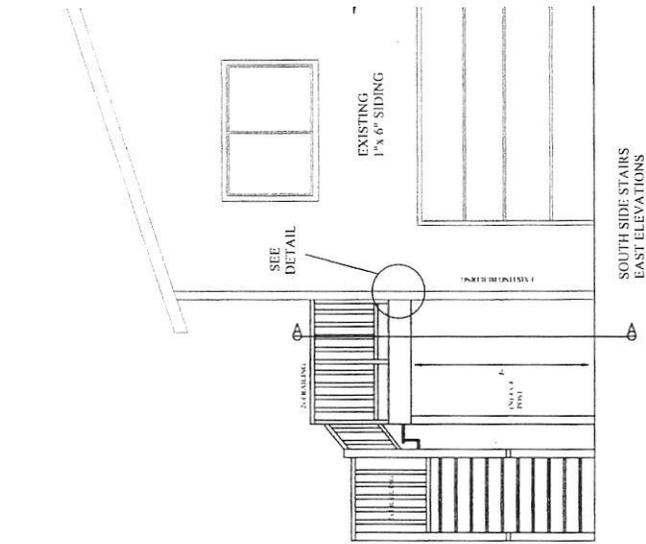


North Side of the Building: Remove/relocated HVAC (premature installation) to ground level. Will provide covering for wire, cables, lines, etc.



Westside of the building: Repave/repair sidewalk and driveway. Remove window screen coverings from all windows and replace with stationary screens. Remove Maple tree located in front of the driveway entrance.





# EXHIBIT D

## Operational Statement (Updated)

Re: 405 N. West St. Visalia, CA 93291

### Overview:

Residential apartment building has been updated for residential use. Property has three (3) individual units with one downstairs 2 bedroom 1 bathroom apartment and two apartment units upstairs with one 2 bedroom 1 bathroom unit and one 1 bedroom 1 bathroom unit. The residence also included three (3) attached single car garages located on the east of the residence.

### Staircase:

Staircases located on the west and the south of the residence have been re-built to provide suitable access to the upstairs units.

### Window Screens:

Building, window trim, staircases, and garages have been painted. New window screens were installed for each apartment unit. Per Historic District, window screens are too dark and not standard. Will have replaced with approval with standard stationary screens.

### HVAC:

Each apartment unit has newer HVAC window units installed for residential use. HVAC units will be removed from the windows pre the Historic Districts request and relocated on the premises by either placing 5 feet away from the building or installed on the roof of the building.

Updated work to the residence was completed in 2019 under expired building permits. The units are rent ready and will need approval with the City of Visalia Code Enforcement and be brought into compliance with the city's regulations.

### PAVEMENT/SIDEWALK

Remove damage sidewalk concrete located in front of the garages, remove tree in the center the sidewalk due to roots uplifting the walkway. Replay new concrete on the sidewalk/driveway area.



October 24, 2024

The Equity Group  
Attn: Denee Fiore  
420 North Court Street  
Visalia, CA 93291

**RE: Historic Preservation Advisory Committee Item No. 2022-26 (405 North West Street)**

On September 25, 2024, the Historic Preservation Advisory Committee (HPAC) reviewed your request for a Conditional Use Permit establish three residential units, and conduct exterior alterations, on a property within the D-MU (Downtown Mixed Use) Zone. The project site is located at 405 North West Street (APN: 093-175-010). The HPAC approved the exterior alterations, and recommended approval of the Conditional Use Permit to the Visalia Planning Commission, with a recommendation that the Planning Commission include a Condition of Approval requiring placement of street trees along the project street frontage, based upon the following findings and conditions:

Findings:

1. The site is within the Historic District and is not listed in the Local Register of Historic Structures.
2. That the proposal is consistent with residential and commercial uses in the Historic District and the surrounding area.
3. That the proposal is in keeping with the purpose and intent of the Historic Preservation Element and Ordinance.
4. That the proposal will not be injurious to the surrounding properties or character of the Historic District due to its compatibility with the surrounding area.
5. That the Conditional Use Permit request to establish three residential units in the D-MU (Downtown Mixed Use) Zone is consistent with the Zoning Ordinance, Historic Preservation Element, and Historic Preservation Ordinance.

Conditions:

1. That the project shall be developed in substantial compliance with the site plan in Exhibit "A", Floor Plans in Exhibit "B", Building Elevations in Exhibit "C" and "D", HPAC Project Application in Exhibit "E", and Staircase Plans in Exhibit "F", except as modified below:
  - a. That the existing window screens can remain, and that the applicant shall place vertical wood dividers on all the window screens, to mimic the appearance of the existing windows.
2. That the project shall be developed in compliance with all development standards of the D-MU Zone.

3. That the applicant shall comply with all requirements of Site Plan Review No. 2024-057.
4. That the project undergoes the appropriate City permitting process.
5. That any significant changes to the proposed use, or any changes to the exterior of onsite structures, be brought back to the Historic Preservation Advisory Committee prior to any review by the Planning Commission and/or issuance of a Building Permit.
6. That all other City codes, ordinances, standards, and regulations shall be met.
7. That the approval from the Historic Preservation Advisory Committee shall lapse and become void twelve months after the date on which it became effective, unless the conditions of the approval allowed a shorter or greater time limit, or unless prior to the expiration of twelve months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the approval.

There is a 10-day appeal period for this action from the date of approval. No permits may be issued until the appeal period has lapsed with no appeal of the action. Following completion of the appeal period, a Conditional Use Permit shall be filed for review and approval by the Visalia Planning Commission, and a Building Permit obtained from the City of Visalia for the exterior alterations conducted, prior to the commencement of any work onsite. The Building Department is located at 315 E. Acequia Avenue, Visalia CA 93291.

If you have any questions, please contact me at (559) 713-4443 or e-mail [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city)

Regards,



Cristobal Carrillo,  
Associate Planner

# EXHIBIT F



## REPORT TO THE CITY OF VISALIA HISTORIC PRESERVATION ADVISORY COMMITTEE

HEARING DATE: September 25, 2024

PROJECT PLANNER: Cristobal Carrillo, Associate Planner  
Phone: (559) 713-4443  
E-mail: [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city)

**SUBJECT:** Historic Preservation Advisory Committee Item No. 2024-26: A request by Denee Fiore for a Conditional Use Permit to establish three residential units, and conduct exterior alterations, on a property within the D-MU (Downtown Mixed Use) Zone. The project site is located at 405 North West Street (APN: 093-175-010).

### STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Advisory Committee (HPAC) take the following actions:

1. Approve the exterior alterations to the building.
2. Recommend approval of the Conditional Use Permit (CUP) request to the Visalia Planning Commission.
3. Recommend that the Planning Commission include a Condition of Approval requiring the reinstallation of street trees along the North West Street property frontage.



### SITE DATA

The site is zoned D-MU (Downtown Mixed Use) and contains an unpermitted residential triplex (the subject of this proposal), and two separate single-family residences.

The project site is located within the Historic District and is not listed on the Local Register of Historic Structures.

### RELATED PROJECTS

HPAC Item No. 2018-11: On October 10, 2018, the HPAC considered a request to allow a residential duplex and exterior alterations for an existing building located at 405 North West

Street. The Committee approved the request subject to approval of a Conditional Use Permit by the Visalia Planning Commission.

Conditional Use Permit No. 2018-20: On October 22, 2018, the Visalia Planning Commission considered a request to allow a residential duplex in an existing building located at 405 North West Street, within the PA (Professional Administrative/Office) Zone. The Commission approved the request subject to conditions of approval requiring compliance with HPAC conditions.

B194031: On September 4, 2019, a Building Permit request was submitted to convert the building at 405 North West Street into a duplex. A request for revisions to the construction plans was never fulfilled and the Building Permit request expired on April 27, 2021.

CE230386: On March 8, 2023, Neighborhood Preservation staff cited the property owner of 405 North West Street for conducting exterior alterations without HPAC approval or Building Permit issuance. During a site inspection staff discovered that the structure had been converted into a triplex and that the units were occupied. Further research by Planning Division staff determined that the previous CUP approval had expired due to lack of action by the property owner to obtain a Building Permit. Due to the addition of a third unit to the building, the applicant was directed by staff to submit to the Site Plan Review Committee for approval of the residential units.

Site Plan Review No. 2024-057: On March 27, 2024, a request to convert an existing building into a triplex at 405 North West Street was approved to proceed with City processes by the Site Plan Review Committee. The approval required the applicant to submit a CUP request for review by the HPAC and Planning Commission. The comments for Site Plan Review No. 2024-057 are included with this report.

## **PROJECT DESCRIPTION**

Per the project application, the applicant is requesting to conduct the following:

1. Convert the existing building into a residential triplex, with one 1,068 square foot residential unit on the first floor, and two residential units (984 square feet and 568 square feet, respectively) on the second floor (see Floor Plans in Exhibit "B"). The two largest units will contain two bedrooms, a kitchen, and bathroom. The smallest unit will contain a bedroom, bathroom, and kitchen. Three single car garages located on the first floor will remain.
2. Remove all existing window screens and replace them with conventional window screens as depicted in Exhibit "D".
3. Add HVAC piping covers to the walls, as depicted in Exhibit "D".
4. Minor modifications to the existing staircases on the southern and western building exteriors (see stairs in Exhibit "C").

Additional exterior alterations and site improvements not subject to HPAC review are also proposed as follows:

1. Relocation of two wall mounted HVAC units from the northern building exterior, to ground level (see Exhibit "C").
2. Removal of street trees along North West Street.
3. Repair of curb, gutter, and sidewalk along the North West Street frontage.

Conversion of the building into a triplex and modifications to the staircases have already been conducted.

HPAC 2024-26 - 405 North West Street – Three Residential Units In D-MU Zone, Exterior Alterations

## **DISCUSSION**

Zoning actions such as a CUP require a recommendation from the HPAC to the Visalia Planning Commission. Per the Historic Preservation Ordinance, the HPAC may recommend approval, conditional approval, modification, or disapproval of an application based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure, neighborhood, or the entire Historic District. Staff's recommendation to the HPAC is based on the considerations listed below.

### Land Use Compatibility

Residential units are "conditionally permitted" for use in the D-MU Zone, requiring approval of a CUP via a public hearing with the Visalia Planning Commission. The surrounding area consists primarily of single and multi-family residential uses, with an office and restaurant to the northwest and west, respectively. The project site itself contains two separate single-family residences that are currently occupied. Exterior alterations proposed would also restore the historic appearance of the structure, thereby improving compatibility with the Historic District. As such, the residential use of the site is considered compatible with the site and surrounding land uses.

### Development Standards

No physical alterations are proposed to the structure itself that would conflict with development standards for the D-MU Zone. The applicant has stated that HVAC units attached to the building will be removed and relocated to the ground. However, the new location of the HVAC units has not been identified. Condition No. 2 is recommended, requiring the applicant to comply with all setback standards for the D-MU Zone, to be verified during Building Permit review.

For parking, the Visalia Municipal Code requires 1.5 parking stalls per unit for "multifamily zones". Since three units are proposed, the multifamily parking rate is considered appropriate. This would require placement of 4.5 parking stalls onsite. The project site contains three single car garages and a driveway that, once right of way improvements are performed, will be able to accommodate approximately 3 more vehicles, for a total of 6 parking stalls onsite. As such, staff believes that the required parking ratio has been exceeded. As it stands, pursuant to California Assembly Bill No. 2097, which was signed into law 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. The City of Visalia Transit operates bus services along "Route 1", which makes bus stops along Main Street and Mooney Boulevard. Route 1 meets the definition of a "major transit stop". Since the project site is located within a half-mile of Route 1 bus stops, the site meets parking provisions per Assembly Bill No. 2097. Thus, no additional parking is required outside what is provided onsite.

### Architectural Compatibility

The building's change of use will have no effect on the architectural compatibility of the site with the Historic District and surrounding streetscape. Exterior alterations involving the removal of existing window screens will assist in restoring the buildings original appearance, as the existing screens contain thick mesh and broad wood borders that completely obstruct views of the windows. The addition of covers for HVAC piping will assist in obscuring unsightly views of pipes running along building exteriors. And modifications to stairs proposed appear to be minor and would not significantly affect its current appearance. Relocation of HVAC units, though not reviewable, will assist in removing visual impediments to the building exterior.

## Landscaping

As stated the by applicant, street trees located along the project site street frontage will be removed to allow for the repair of an existing driveway, curb, gutter, and sidewalk. It is unclear whether the repairs will leave any landscaping areas within the right of way. An examination of the surrounding sites to the north and south indicates that street trees are predominant in the area. Street trees are considered an amenity that assists in beautifying neighborhoods and emphasizing the historic nature of properties on which they reside. However, since street trees are located in the right of way, they are not strictly under the jurisdiction of the HPAC. The Planning Commission conversely is able to apply conditions in matters concerning right of way areas, when they relate to land use actions. As such, it is recommended that the HPAC include in its recommendation to the Planning Commission a request that a condition of approval be added requiring the applicant to reinstall street trees along the North West Street property frontage.

## **FINDINGS AND CONDITIONS**

Staff recommends that the Committee approve the exterior alterations proposed and recommend approval of HPAC Item No. 2024-26 to the Visalia Planning Commission, with a request to add a condition of approval requiring reinstallation of street trees, based upon the following findings:

1. The site is within the Historic District and is not listed in the Local Register of Historic Structures.
2. That the proposal is consistent with residential and commercial uses in the Historic District and the surrounding area.
3. That the proposal is in keeping with the purpose and intent of the Historic Preservation Element and Ordinance.
4. That the proposal will not be injurious to the surrounding properties or character of the Historic District due to its compatibility with the surrounding area.
5. That the Conditional Use Permit request to establish three residential units in the D-MU (Downtown Mixed Use) Zone is consistent with the Zoning Ordinance, Historic Preservation Element, and Historic Preservation Ordinance.

And subject to the following conditions:

1. That the project shall be developed in substantial compliance with the site plan in Exhibit "A", Floor Plans in Exhibit "B", Building Elevations in Exhibit "C" and "D", and HPAC Project Application in Exhibit "E".
2. That the project shall be developed in compliance with all development standards of the D-MU Zone.
3. That the applicant shall comply with all requirements of Site Plan Review No. 2024-057.
4. That the project undergoes the appropriate City permitting process.
5. That any significant changes to the proposed use, or any changes to the exterior of onsite structures, be brought back to the Historic Preservation Advisory Committee prior to any review by the Planning Commission and/or issuance of a Building Permit.
6. That all other City codes, ordinances, standards, and regulations shall be met.
7. That the approval from the Historic Preservation Advisory Committee shall lapse and become void twelve months after the date on which it became effective, unless the conditions of the approval allowed a shorter or greater time limit, or unless prior to the

expiration of twelve months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the approval.

## **ATTACHMENTS**

- Exhibit “A” – Site Plan
- Exhibit “B” – Floor Plans
- Exhibit “C” – Building Elevations
- Exhibit “D” – Proposed Window Screens and HVAC Piping Covers
- Exhibit “E” – HPAC Project Application
- Site Plan Review No. 2024-057 Revise & Proceed Comments
- Aerial Map
- Historic District and Local Register Map

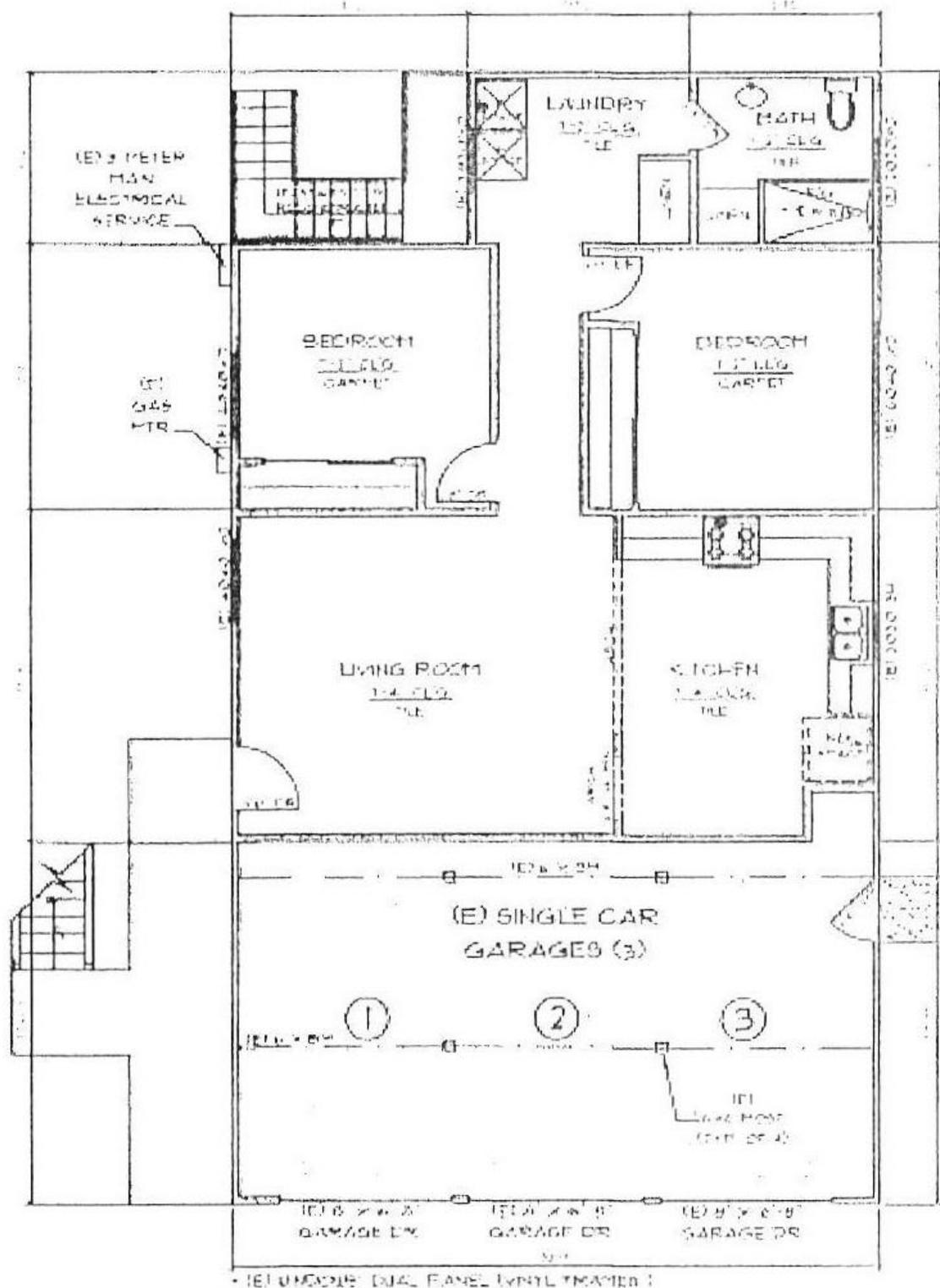
### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.56.060, an appeal to the City Council may be submitted within ten days following the date of a decision by the Historic Preservation Advisory Committee (HPAC). An appeal shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. The appeal shall specify errors or abuses of discretion by the HPAC, or decisions not supported by the evidence in the record. The appeal form can be found on the city’s website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**EXHIBIT "A"**



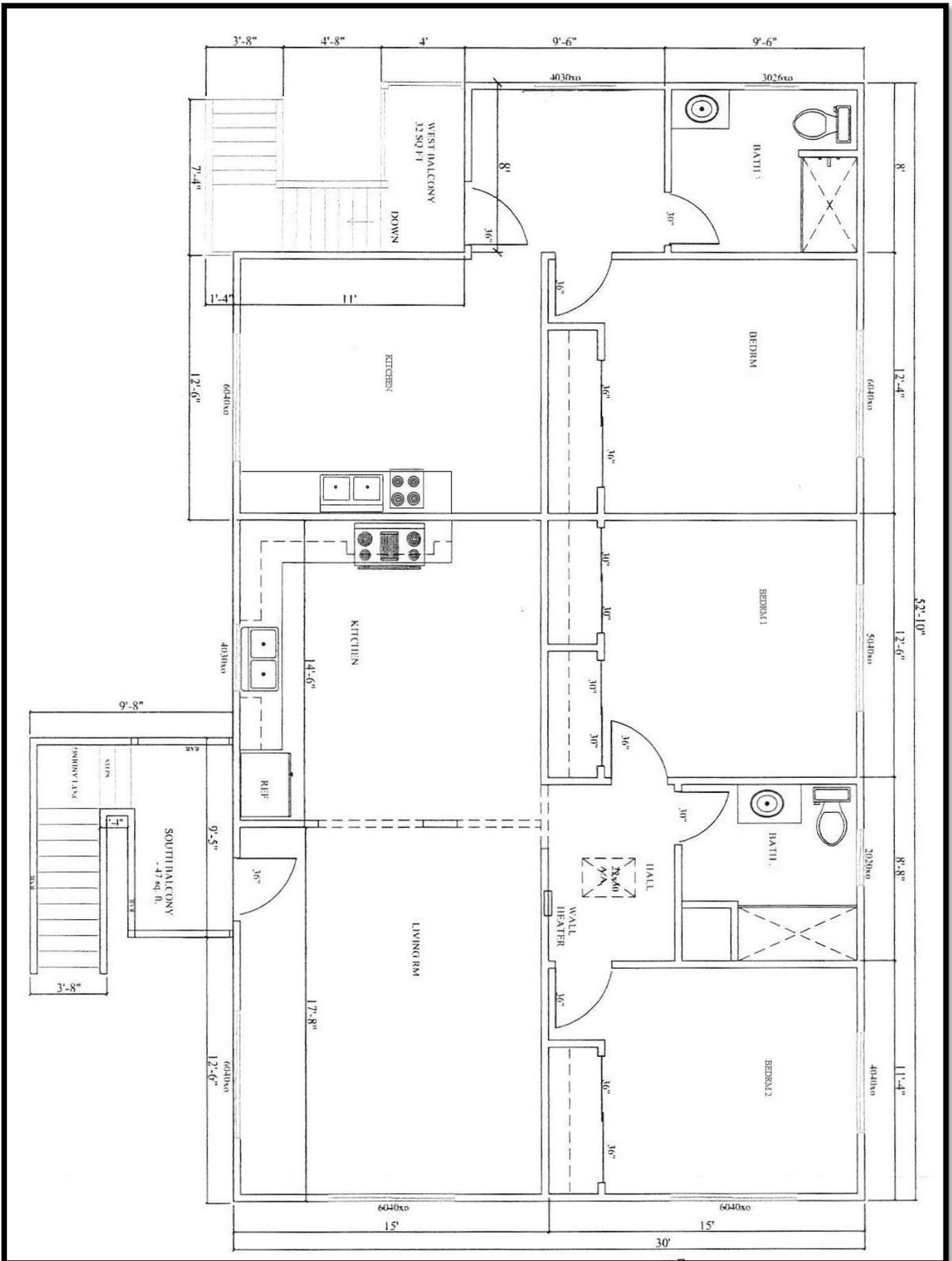
**EXHIBIT "B"**



**FLOOR PLAN**

405 N. WEST ST.  
(1ST. FLOOR / 918 S.F.)

NT 5



405 N West St Visalia CA 93291



Southside & South East of the building: Staircases with premature updates, and exterior paint and trim for approval.



North Side of the Building: Remove/relocated HVAC (premature installation) to ground level. Will provide covering for wire, cables, lines, etc.



Westside of the building: Repave/repair sidewalk and driveway. Remove window screen coverings from all windows and replace with stationary screens. Remove Maple tree located in front of the driveway entrance.

**EXHIBIT "D"**





Project Address: 405 N West St Visalia CA 93291  
HPAC NO.: \_\_\_\_\_

CITY OF VISALIA  
HISTORIC PRESERVATION ADVISORY COMMITTEE  
REVIEW APPLICATION

LOCATION OF PROJECT: 405 N West St Visalia CA 93291 DATE: 09/11/2024  
APPLICANT/PROJECT CONTACT: Denee Fiore, Equity Group PHONE: 559-419-0641  
APPLICANT ADDRESS: 420 N Court St Visalia, CA 93291  
E-MAIL ADDRESS: denee@equitygroupinc.com APN#: 093-175-010-000  
PROPERTY OWNER: Maria Claudia Lomeli

GENERAL DESCRIPTION OF PROJECT: Remove and relocate HVAC units on 2 of the upstairs units, repair the driveway/sidewalk by the street, install standard window screens, obtain permits for premature work for the property (i.e. paint, updated staircase), submit for approval second stroy plans for review/approval.

BRIEF NARRATIVE/REASON FOR PROJECT: Property had prior premature updates that need approval with both HAPC and City of Visalia requirements. HVAC units were installed. Need to be removed off the building and relocated, Concrete repair for the driveway/sidewalk, remove current window coverings and replaced with standard stantionary screens, approval for premature work to the stairways, exterior paint, and HVAC units.

NAME & PHONE NUMBER OF PERSON ATTENDING THE MEETINGS: Denee Fiore, Equity Group  
RELATIONSHIP TO PROPERTY OWNER: Property Manager

**REQUIRED MATERIALS:**  
Completed application  
Completed Agency Authorization form (if represented by an agent)\*\*  
2 copies of site plan, elevations, landscape plans, etc. (as necessary)  
1 copy of 8-1/2" x 11" reduction of all plans  
NOTE: Additional materials may be requested, as necessary  
\*\*If the property owner is not the applicant, an Agency Authorization must also be submitted.

Please provide the following information as it pertains to your project (drawings and a plot plan must be submitted with this application. These plans are for the HPAC process only. Building permits require a separate application and separate materials).

1. Type of Action (check one):  
 New Construction  Signs  
 Alteration to existing structure  Moving-New Location  
 Other: \_\_\_\_\_  
 Demolition - (May require inspection by the City of Visalia Building Division)  
For further information contact Historic Preservation staff representative.

If moving or demolition permit – it is not necessary to complete the following questions.

2. Exterior Elevations:  
a. Proposed Materials on exterior elevation (type and description of siding and trims):  
Premature work for updated staircases and exterior paint and trim needing approval and sign off of permitted work with the City of Visalia.  
Repave the driveway and sidewalk. Concrete is cracked and lifting in areas on the sidewalk. Relocated HVAC units (premature installation), provide covering for lines/wires  
b. Description and type of proposed windows and doors (include material of window frame):  
Remove current window screen coverings and replaced with standard stationary screens for all windows

c. If masonry is used as an exterior material, please provide the following information:

Material: \_\_\_\_\_

Size: \_\_\_\_\_

Color: \_\_\_\_\_

3. Roof: (Please indicate proposed changes to):

Style: \_\_\_\_\_

Pitch: \_\_\_\_\_

Material: \_\_\_\_\_

4. Proposed Building Height:

Height to eave: \_\_\_\_\_

Height to peak of roof: \_\_\_\_\_

5. Setbacks: (Measurement from curb and property line to proposed structures)

a. Setbacks on proposed project:

Front: \_\_\_\_\_

Rear: \_\_\_\_\_

Sides: \_\_\_\_\_

b. Setbacks on adjacent properties (distance from curb is sufficient)

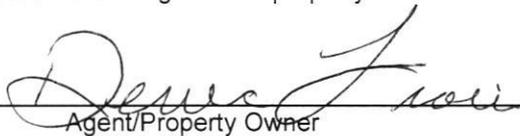
Front only: \_\_\_\_\_

6. Landscaping: (Indicate any mature trees on plans)

Removal of Maple tree located in front of the driveway entrance. Tree roots are causing the sidewalk to lift.  
\_\_\_\_\_  
\_\_\_\_\_

7. Signs: (If applicable)

Please provide a sketch of the proposed sign indicating colors and materials and a plot plan showing the location of the sign on the property.

Signed:   
Agent/Property Owner

Date: 9/11/2024

If the application is approved, a building permit may not be issued and construction may not begin until 10 days after the Committee's decision. This is to allow appeals to be submitted, as prescribed in Article 26, Section 7712 of the City of Visalia Historic Preservation District Ordinance.

Applications for Historic Preservation must be submitted to the City of Visalia Planning Division NO LESS THAN 8 CALENDAR DAYS PRIOR to the meeting.

Applicants or their representative are requested to attend the meeting.

The Historic Preservation Advisory Committee meets every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of the month (except holidays and special circumstances) at 5:30 p.m. in the City Hall East Conference Room.

For additional information or assistance in completing this application, please feel free to call (559) 713-4359.



April 9, 2024

**Site Plan Review No. 2024-057:**

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 **March 27, 2024**. 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 March 27, 2024  
 SITE PLAN NO. 2024-057  
 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 – Lot Line Adjustment
  - ADDITIONAL COMMNTS:**

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

**Cristobal Carrillo, Planning Division, (559) 713-4443**

Date: March 27, 2024

SITE PLAN NO: 2024-057  
PROJECT: 405 N West Apartment  
DESCRIPTION: Requesting Approval With City of Visalia Code Enforcement For Premature Construction Work Completed At The Site.  
APPLICANT: Denee Fiore – Applicant  
APN: 093-175-010  
LOCATION: West of North West Street, approximately 90 feet north of West School Avenue.  
GENERAL PLAN: Downtown Mixed Use  
ZONING: D-MU (Mixed Use Downtown)

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

**Reference Site Plan  
Review No. 2018-169  
and Conditional Use  
Permit No. 2018-20.**

## **Project Requirements**

- Conditional Use Permit
- Historic Preservation Advisory Committee Review
- Building Permit

## **PROJECT SPECIFIC INFORMATION:** March 27, 2024

1. A Conditional Use Permit (CUP) shall be required to establish residential uses in the D-MU Zone.
2. The project site is located within the Historic District. Review by the Historic Preservation Advisory Committee (HPAC) of the CUP and exterior alterations request shall be required prior to review by the Visalia Planning Commission.
3. A Site Plan shall be provided. The plan shall identify which structures are to be altered. The site plan shall also be revised to depict the correct number of residential units proposed.
4. Provide an Operational Statement describing the proposed project with the Building Permit submittal. This shall include the correct number of units proposed on the project site and all exterior alterations proposed/conducted to the buildings.
5. Provide Building Elevations. Elevations shall identify all proposed alterations to any structures onsite, and materials to be used.
6. It is highly recommended that the garage doors have a classic carriage house appearance.
7. Provide Floor Plans for the buildings to be altered. Floor plans shall depict the correct number of units proposed.
8. A Landscape plan shall be provided.
9. Project site shall have a minimum of 5% devoted to open space and amenities. Landscaped areas adjacent to public streets shall not be counted towards the open space requirement.
10. It is recommended that an amenity be provided onsite for occupant use, such as a play area, seating, BBQ grills, etc.
11. The applicant shall comply with all Good Neighbor Policies of the Visalia Municipal Code. This shall include submittal, approval, and recordation of an Operational Management Plan to the City of Visalia. Recordation of the plan shall occur prior to Building Permit issuance.
12. It is recommended that a minimum four parking stalls be provided onsite.
13. Identify the location where trash receptacles or a trash enclosure will be located.
14. Garages will be required to be usable/functional as a part of the proposed residential use.
15. Obtain a Building Permit.
16. Meet all other codes and standards

**NOTES:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

**Sections of the Municipal Code to review:**

- 17.19 Mixed Use Zones
- 17.30 Development Standards
- 17.32.080 Maintenance of landscaped areas
- 17.34 Off-street parking and loading facilities
- 17.36 Fences Walls and Hedges

**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**

- Lupe Garcia 713-4197
- Keyshawn Ford 713-4268
- Edelma Gonzalez 713-4364
- Sarah MacLennan 713-4271
- Luqman Ragabi 713-4362

ITEM NO: 7 DATE: MARCH 27, 2024

SITE PLAN NO.: 24-057  
 PROJECT TITLE: 405 N WEST APARTMENT  
 DESCRIPTION: REQUESTING APPROVAL WITH CITY OF VISALIA CODE ENFORCEMENT FOR PREMATURE CONSTRUCTION WORK COMPLETED AT THIS SITE.  
 APPLICANT: DENE E FIORE  
 PROP OWNER:  
 LOCATION: 405 N WEST ST  
 APN: NW OF WEST ST AND SCHOOL

**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 NEEDED 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 5.0 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. Project is located in AE flood zone, comply with FEMA and local floodplain requirements. Substantial improvements will be assessed at the time of permit review.**
- 2. A building permit is required, standard plan check and inspection fees will apply.**
- 3. Proposed project will incur development Impact fees. refer to page 3 for details.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **24-057**  
 Date: **03/27/2024**

**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.)**

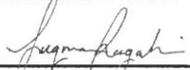
(Fee Schedule Date:**08/19/2023**)  
 (Project type for fee rates:**MULTI-FAMILY** )

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

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	<b>\$5,025/DU X 3 = \$15,075</b>
	<b>CREDIT</b>
	<b>\$7,156/DU X 1 = \$7,156</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>\$542/DU X 3 = \$1,626</b>
	<b>CREDIT</b>
	<b>\$960/DU X 1 = \$960</b>
<input checked="" type="checkbox"/> Treatment Plant Fee	<b>\$953/DU X 2 = \$15,075</b>
<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 checked="" type="checkbox"/> Public Facility Impact Fee	<b>\$614/DU X 3 = \$1,842</b>
	<b>CREDIT</b>
	<b>\$692/DU X 1 = \$692</b>
<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.

  
 \_\_\_\_\_  
**Luqman Ragabi**

City of Visalia  
Building: Site Plan  
Review Comments

SPR 24057  
405 N WEST APARTMENT  
405 N WEST ST

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 ALL 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.
- All accessible units required to be adaptable for persons with disabilities. **ALL GROUND FLOOR UNITS SHALL BE ADAPTABLE AND ON AN ACCESSIBLE ROUTE.**
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements **1 HR BETWEEN UNITS (VERT. & HORIZ.)**
- A demolition permit & deposit is required. For information call (559) 713-4444
- Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (661) 392-5500
- Plans must be approved by the Tulare County Health Department. For information call (559) 624-8011
- Project is located in flood zone **AE** \*  Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS**
- 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: **ALL IMPROVEMENTS DONE WITHOUT THE BENEFIT OF A PERMIT SHALL BE REVIEWED TO CURRENT CODE STANDARDS. SUBMIT NEW PLANS FOR REVIEW OF TRIPLEX.**

VAL GARCIA 3/26/24  
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            March 26, 2024  
Item #            7  
Site Plan #      24057  
APN:              093175010

- 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.
- All **fire detection, alarm, and extinguishing systems** in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. 2022 CFC 901.6
- **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.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to [knoxbox.com](http://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: 03/26/24  
 Item: 7  
 Site Plan: SPR24057  
 Name: Austin Huerta

**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 DATE: 03/27/24

WASTEWATER COLLECTIONS AND PRETREATMENT DIVISION (QUALITY ASSURANCE)  
SITE PLAN REVIEW COMMENTS

SITE PLAN REVIEW NO: 24057

PROJECT NAME: MULTIFAMILY RESIDENTIAL

THE PROJECT IS SUBJECT TO THE FOLLOWING REQUIREMENTS FROM WASTEWATER  
PRETREATMENT DIVISION (QUALITY ASSURANCE):

SUBMISSION OF WASTEWATER DISCHARGE PERMIT  
APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS

- FORM REQUIRED RESI DEV HOUSING
- FORM REQUIRED \_\_\_\_\_
- FORM REQUIRED \_\_\_\_\_

INSTALLATION OF SAND AND GREASE INTERCEPTOR

INSTALLATION GREASE INTERCEPTOR

OTHER \_\_\_\_\_

SITE PLAN REVIEWED-NO COMMENTS

CONTACT THE WASTEWATER DEPARTMENT AT (559) 713-4466 OR  
[BEN.LITWACK@VISALIA.CITY](mailto:BEN.LITWACK@VISALIA.CITY), IF YOU HAVE ANY QUESTIONS.

COMMENTS

SEE ATTACHED

DATE REVIEWED: 03/26/24



RESIDENTIAL HOUSING DEVELOPMENT QUESTIONNAIRE  
FOR WASTEWATER DEPARTMENT USE

- Development Name: \_\_\_\_\_
- Development Location: \_\_\_\_\_
- Contact Name: \_\_\_\_\_
- Contact Phone: \_\_\_\_\_
- Contact Email: \_\_\_\_\_
- How many homes are estimated to be built? \_\_\_\_\_
- # of Bedrooms/ Bath Info If available: \_\_\_\_\_
- When does construction plan to begin? \_\_\_\_\_
- Will housing be built in phases? \_\_\_\_\_
- What is the anticipated rate of completion? (How many houses/structures per month/year)  
\_\_\_\_\_
- Estimated month/year of project completion? \_\_\_\_\_
- Provide an estimate of wastewater characteristics (using Wastewater Engineering 3<sup>rd</sup> Edition) by Metcalf & Eddy) of the following:

FLOW \_\_\_\_\_ mgd

BOD \_\_\_\_\_ lbs/day

TSS \_\_\_\_\_ lbs/day

**If you have questions regarding the completion of this form, please contact:**

**Jessica Sandoval**  
 Pretreatment Coordinator  
 Phone: 559-713-4529  
 Cell: 559 309-5170  
 Email: [Jessica.sandoval@visalia.city](mailto:Jessica.sandoval@visalia.city)

## Susan Currier

---

**From:** Lau, Scott@DOT <Scott.Lau@dot.ca.gov>  
**Sent:** Tuesday, March 26, 2024 8:21 AM  
**To:** Susan Currier  
**Cc:** Duran, Braden@DOT; Cristobal Carrillo  
**Subject:** Caltrans response for SPR Agenda 032724

Hi Susan,

I hope this email finds you well.

I have reviewed the Visalia SPR Agenda for March 27, 2024, and here are my findings:

1. SPR 24043-1 –Almond Joy TSM: No comments.
2. SPR 24051 – New Administration Building: **Routed for review.**
3. SPR 24052 – Multifamily Residential: No comments.
4. SPR 24054 – Single-Story Medical Office: No comments.
5. SPR 24056 – Paradise Playland: No comments.
6. **SPR 24057** – Premature Construction Work: No comments.
7. SPR 24058 – Happy Hearts Preschool: No comments.

Respectfully,

### Scott Lau

#### *Associate Transportation Planner*

California Department of Transportation  
District 6 Transportation Planning – Regional  
1352 West Olive Ave, Fresno, CA 93728  
Phone: 559.981.7341  
Web: [Caltrans District 6](#)





# CALIFORNIA WATER SERVICE

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

<p><b>Site Plan Review Comments From:</b> California Water Service Scott McNamara, Superintendent 216 N Valley Oaks Dr. Visalia, CA 93292 559-624-1622 Office <a href="mailto:smcnamara@calwater.com">smcnamara@calwater.com</a></p>	<p>Date: 03/27/2024 Item # 7 Site Plan # 24-057 Project: Description: Premature work completed on building. Applicant: Denee Fiore APN: 093-175-010 Address: 405 N West St</p>
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**The following comments are applicable when checked:**

No New Comments

**Water Mains:**  
**Comments:**

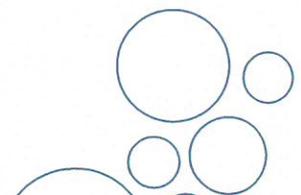
**Water Services:**  
**Comments:** Existing service(s) at this location. If the existing service(s) is not sufficient in size to meet the customer's demand, the property owner/developer will need to request and pay for the installation of the correct size service that meets the customers demand and the abandonment of the insufficient size service. If there are additional services that may be needed, those will also be installed at the developer's expense. If the existing service(s) lands within a new drive approach, that service will be relocated at the property owner/developer's expense. If there are any existing services that will not be utilized, the property owner/developer will need to pay for the abandonment of those services. If fire sprinklers are required for your commercial building, a fire protection service will need to be installed at the property owner/developer's expense.

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

**Backflow Requirements:**  
**Comments:** A backflow is required if any parcel is for multi-family, commercial, or has multiple services. Please contact Cross Connection Control Specialist Juan Cisneros at 559-624-1670 or [visaliabackflow@calwater.com](mailto:visaliabackflow@calwater.com) for a backflow install packet.

**Additional Comments:**

Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or [ssanchez@calwater.com](mailto:ssanchez@calwater.com) to start you project with Cal Water.



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

24057

March 27, 2024

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

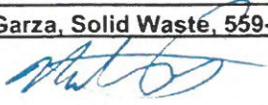
City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Solid waste collection services to include trash, recycling, and organic recycling, per the State of California's mandatory recycling laws (AB341 & AB1826). City standard (3-can) residential services to be assigned per address.

Comment

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

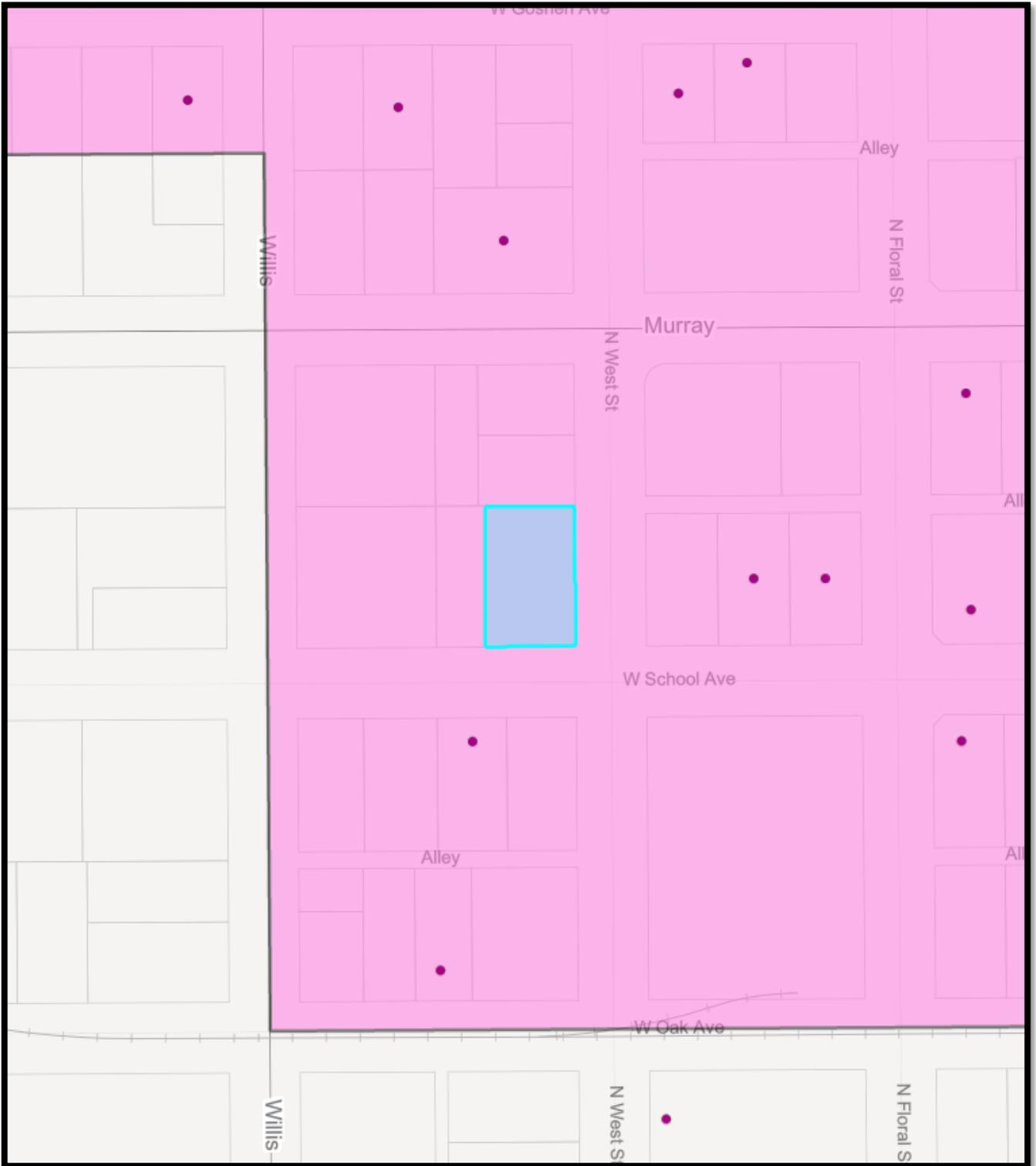
Nathan Garza, Solid Waste, 559-713-4532



# Aerial Map



# Historic District and Local Register Map



**Environmental Document # 2024-75**

**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. 2024-46

**PROJECT TITLE**

405 North West Street (APN: 093-175-010)

**PROJECT LOCATION**

Visalia

Tulare

**PROJECT LOCATION - CITY**

**COUNTY**

A request by Maria Lomeli to establish three residential units within the D-MU (Downtown Mixed Use) Zone.

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia, Attn: Cristobal Carrillo, Associate Planner, 315 E. Acequia Avenue, Visalia, CA 93291, Email: [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city), (559) 713-4443

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Maria C. Lomeli, 1279 West Henderson Avenue, #278, Porterville, CA 93257, (559) 359-2835, [claudialomeli76@gmail.com](mailto:claudialomeli76@gmail.com)

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

The Equity Group, Attn: Denee Fiore, 420 North Court Street, Visalia CA 93291, (559) 419-0641, [denee@equitygroupinc.com](mailto:denee@equitygroupinc.com)

**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 convert an existing building into three residential units. There are no additional changes or alterations proposed to the project site.

**REASON FOR PROJECT EXEMPTION**

Cristobal Carrillo

(559) 713-4443

**CONTACT PERSON**

**AREA CODE/PHONE**

**DATE**

**ENVIRONMENTAL COORDINATOR**  
Brandon Smith, AICP



April 9, 2024

**Site Plan Review No. 2024-057:**

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 **March 27, 2024**. 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 March 27, 2024  
 SITE PLAN NO. 2024-057  
 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 – Lot Line Adjustment
  - ADDITIONAL COMMNTS:**

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

**Cristobal Carrillo, Planning Division, (559) 713-4443**

Date: March 27, 2024

SITE PLAN NO: 2024-057  
PROJECT: 405 N West Apartment  
DESCRIPTION: Requesting Approval With City of Visalia Code Enforcement For Premature Construction Work Completed At The Site.  
APPLICANT: Denee Fiore – Applicant  
APN: 093-175-010  
LOCATION: West of North West Street, approximately 90 feet north of West School Avenue.  
GENERAL PLAN: Downtown Mixed Use  
ZONING: D-MU (Mixed Use Downtown)

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

**Reference Site Plan  
Review No. 2018-169  
and Conditional Use  
Permit No. 2018-20.**

## **Project Requirements**

- Conditional Use Permit
- Historic Preservation Advisory Committee Review
- Building Permit

## **PROJECT SPECIFIC INFORMATION:** March 27, 2024

1. A Conditional Use Permit (CUP) shall be required to establish residential uses in the D-MU Zone.
2. The project site is located within the Historic District. Review by the Historic Preservation Advisory Committee (HPAC) of the CUP and exterior alterations request shall be required prior to review by the Visalia Planning Commission.
3. A Site Plan shall be provided. The plan shall identify which structures are to be altered. The site plan shall also be revised to depict the correct number of residential units proposed.
4. Provide an Operational Statement describing the proposed project with the Building Permit submittal. This shall include the correct number of units proposed on the project site and all exterior alterations proposed/conducted to the buildings.
5. Provide Building Elevations. Elevations shall identify all proposed alterations to any structures onsite, and materials to be used.
6. It is highly recommended that the garage doors have a classic carriage house appearance.
7. Provide Floor Plans for the buildings to be altered. Floor plans shall depict the correct number of units proposed.
8. A Landscape plan shall be provided.
9. Project site shall have a minimum of 5% devoted to open space and amenities. Landscaped areas adjacent to public streets shall not be counted towards the open space requirement.
10. It is recommended that an amenity be provided onsite for occupant use, such as a play area, seating, BBQ grills, etc.
11. The applicant shall comply with all Good Neighbor Policies of the Visalia Municipal Code. This shall include submittal, approval, and recordation of an Operational Management Plan to the City of Visalia. Recordation of the plan shall occur prior to Building Permit issuance.
12. It is recommended that a minimum four parking stalls be provided onsite.
13. Identify the location where trash receptacles or a trash enclosure will be located.
14. Garages will be required to be usable/functional as a part of the proposed residential use.
15. Obtain a Building Permit.
16. Meet all other codes and standards

**NOTES:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

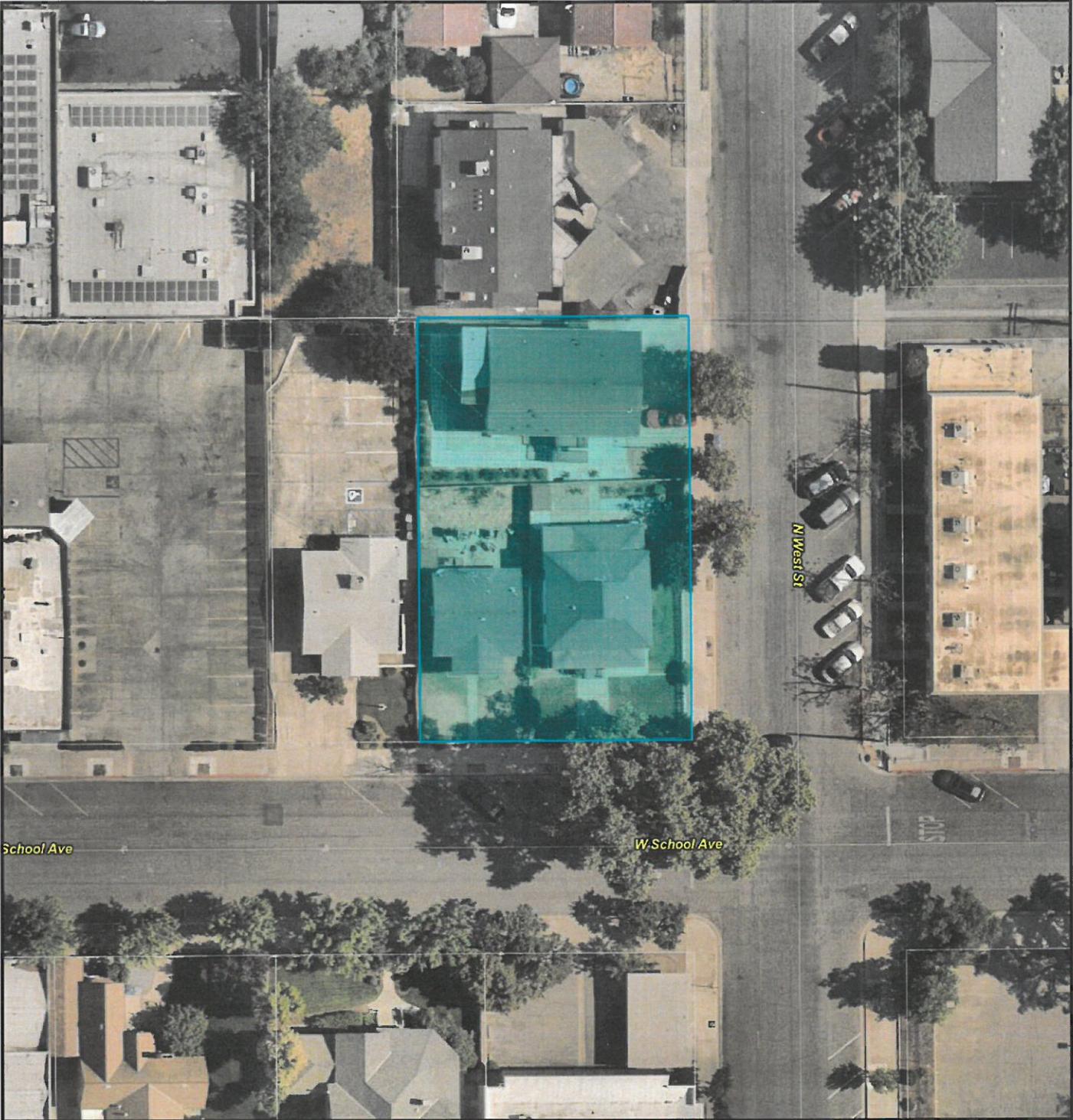
**Sections of the Municipal Code to review:**

- 17.19 Mixed Use Zones
- 17.30 Development Standards
- 17.32.080 Maintenance of landscaped areas
- 17.34 Off-street parking and loading facilities
- 17.36 Fences Walls and Hedges

**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**

- Lupe Garcia 713-4197
- Keyshawn Ford 713-4268
- Edelma Gonzalez 713-4364
- Sarah MacLennan 713-4271
- Luqman Ragabi 713-4362

ITEM NO: 7 DATE: MARCH 27, 2024

SITE PLAN NO.: 24-057  
 PROJECT TITLE: 405 N WEST APARTMENT  
 DESCRIPTION: REQUESTING APPROVAL WITH CITY OF VISALIA CODE ENFORCEMENT FOR PREMATURE CONSTRUCTION WORK COMPLETED AT THIS SITE.  
 APPLICANT: DENE E FIORE  
 PROP OWNER:  
 LOCATION: 405 N WEST ST  
 APN: NW OF WEST ST AND SCHOOL

**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 NEEDED 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 5.0 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. Project is located in AE flood zone, comply with FEMA and local floodplain requirements. Substantial improvements will be assessed at the time of permit review.**
- 2. A building permit is required, standard plan check and inspection fees will apply.**
- 3. Proposed project will incur development Impact fees. refer to page 3 for details.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **24-057**  
 Date: **03/27/2024**

**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.)**

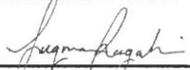
(Fee Schedule Date:**08/19/2023**)  
 (Project type for fee rates:**MULTI-FAMILY** )

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

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	<b>\$5,025/DU X 3 = \$15,075</b>
	<b>CREDIT</b>
	<b>\$7,156/DU X 1 = \$7,156</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>\$542/DU X 3 = \$1,626</b>
	<b>CREDIT</b>
	<b>\$960/DU X 1 = \$960</b>
<input checked="" type="checkbox"/> Treatment Plant Fee	<b>\$953/DU X 2 = \$15,075</b>
<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 checked="" type="checkbox"/> Public Facility Impact Fee	<b>\$614/DU X 3 = \$1,842</b>
	<b>CREDIT</b>
	<b>\$692/DU X 1 = \$692</b>
<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.

  
 \_\_\_\_\_  
**Luqman Ragabi**

City of Visalia  
Building: Site Plan  
Review Comments

SPR 24057  
405 N WEST APARTMENT  
405 N WEST ST

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 ALL 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.
- All accessible units required to be adaptable for persons with disabilities. **ALL GROUND FLOOR UNITS SHALL BE ADAPTABLE AND ON AN ACCESSIBLE ROUTE.**
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements **1 HR BETWEEN UNITS (VERT. & HORIZ.)**
- A demolition permit & deposit is required. For information call (559) 713-4444
- Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (661) 392-5500
- Plans must be approved by the Tulare County Health Department. For information call (559) 624-8011
- Project is located in flood zone **AE** \*  Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS**
- 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: **ALL IMPROVEMENTS DONE WITHOUT THE BENEFIT OF A PERMIT SHALL BE REVIEWED TO CURRENT CODE STANDARDS. SUBMIT NEW PLANS FOR REVIEW OF TRIPLEX.**

VAL GARCIA 3/26/24  
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 March 26, 2024  
Item # 7  
Site Plan # 24057  
APN: 093175010

- 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.
- All **fire detection, alarm, and extinguishing systems** in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. 2022 CFC 901.6
- **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.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to [knoxbox.com](http://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: 03/26/24  
 Item: 7  
 Site Plan: SPR24057  
 Name: Austin Huerta

**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 DATE: 03/27/24

WASTEWATER COLLECTIONS AND PRETREATMENT DIVISION (QUALITY ASSURANCE)  
SITE PLAN REVIEW COMMENTS

SITE PLAN REVIEW NO: 24057

PROJECT NAME: MULTIFAMILY RESIDENTIAL

THE PROJECT IS SUBJECT TO THE FOLLOWING REQUIREMENTS FROM WASTEWATER  
PRETREATMENT DIVISION (QUALITY ASSURANCE):

SUBMISSION OF WASTEWATER DISCHARGE PERMIT  
APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS

- FORM REQUIRED RESI DEV HOUSING
- FORM REQUIRED \_\_\_\_\_
- FORM REQUIRED \_\_\_\_\_

INSTALLATION OF SAND AND GREASE INTERCEPTOR

INSTALLATION GREASE INTERCEPTOR

OTHER \_\_\_\_\_

SITE PLAN REVIEWED-NO COMMENTS

CONTACT THE WASTEWATER DEPARTMENT AT (559) 713-4466 OR  
[BEN.LITWACK@VISALIA.CITY](mailto:BEN.LITWACK@VISALIA.CITY), IF YOU HAVE ANY QUESTIONS.

COMMENTS

SEE ATTACHED

DATE REVIEWED: 03/26/24



RESIDENTIAL HOUSING DEVELOPMENT QUESTIONNAIRE  
FOR WASTEWATER DEPARTMENT USE

- Development Name: \_\_\_\_\_
- Development Location: \_\_\_\_\_
- Contact Name: \_\_\_\_\_
- Contact Phone: \_\_\_\_\_
- Contact Email: \_\_\_\_\_
- How many homes are estimated to be built? \_\_\_\_\_
- # of Bedrooms/ Bath Info If available: \_\_\_\_\_
- When does construction plan to begin? \_\_\_\_\_
- Will housing be built in phases? \_\_\_\_\_
- What is the anticipated rate of completion? (How many houses/structures per month/year)  
\_\_\_\_\_
- Estimated month/year of project completion? \_\_\_\_\_
- Provide an estimate of wastewater characteristics (using Wastewater Engineering 3<sup>rd</sup> Edition) by Metcalf & Eddy) of the following:

FLOW \_\_\_\_\_ mgd

BOD \_\_\_\_\_ lbs/day

TSS \_\_\_\_\_ lbs/day

**If you have questions regarding the completion of this form, please contact:**

**Jessica Sandoval**  
 Pretreatment Coordinator  
 Phone: 559-713-4529  
 Cell: 559 309-5170  
 Email: [Jessica.sandoval@visalia.city](mailto:Jessica.sandoval@visalia.city)

## Susan Currier

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**From:** Lau, Scott@DOT <Scott.Lau@dot.ca.gov>  
**Sent:** Tuesday, March 26, 2024 8:21 AM  
**To:** Susan Currier  
**Cc:** Duran, Braden@DOT; Cristobal Carrillo  
**Subject:** Caltrans response for SPR Agenda 032724

Hi Susan,

I hope this email finds you well.

I have reviewed the Visalia SPR Agenda for March 27, 2024, and here are my findings:

1. SPR 24043-1 –Almond Joy TSM: No comments.
2. SPR 24051 – New Administration Building: **Routed for review.**
3. SPR 24052 – Multifamily Residential: No comments.
4. SPR 24054 – Single-Story Medical Office: No comments.
5. SPR 24056 – Paradise Playland: No comments.
6. **SPR 24057** – Premature Construction Work: No comments.
7. SPR 24058 – Happy Hearts Preschool: No comments.

Respectfully,

### Scott Lau

#### *Associate Transportation Planner*

California Department of Transportation  
District 6 Transportation Planning – Regional  
1352 West Olive Ave, Fresno, CA 93728  
Phone: 559.981.7341  
Web: [Caltrans District 6](#)





# CALIFORNIA WATER SERVICE

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

<p><b>Site Plan Review Comments From:</b> California Water Service Scott McNamara, Superintendent 216 N Valley Oaks Dr. Visalia, CA 93292 559-624-1622 Office <a href="mailto:smcnamara@calwater.com">smcnamara@calwater.com</a></p>	<p>Date: 03/27/2024 Item # 7 Site Plan # 24-057 Project: Description: Premature work completed on building. Applicant: Denee Fiore APN: 093-175-010 Address: 405 N West St</p>
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**The following comments are applicable when checked:**

No New Comments

**Water Mains:**  
**Comments:**

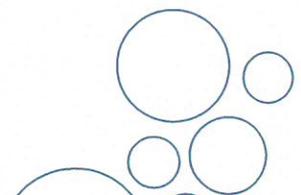
**Water Services:**  
**Comments:** Existing service(s) at this location. If the existing service(s) is not sufficient in size to meet the customer's demand, the property owner/developer will need to request and pay for the installation of the correct size service that meets the customers demand and the abandonment of the insufficient size service. If there are additional services that may be needed, those will also be installed at the developer's expense. If the existing service(s) lands within a new drive approach, that service will be relocated at the property owner/developer's expense. If there are any existing services that will not be utilized, the property owner/developer will need to pay for the abandonment of those services. If fire sprinklers are required for your commercial building, a fire protection service will need to be installed at the property owner/developer's expense.

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

**Backflow Requirements:**  
**Comments:** A backflow is required if any parcel is for multi-family, commercial, or has multiple services. Please contact Cross Connection Control Specialist Juan Cisneros at 559-624-1670 or [visaliabackflow@calwater.com](mailto:visaliabackflow@calwater.com) for a backflow install packet.

**Additional Comments:**

Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or [ssanchez@calwater.com](mailto:ssanchez@calwater.com) to start you project with Cal Water.



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

24057

March 27, 2024

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment

Solid waste collection services to include trash, recycling, and organic recycling, per the State of California's mandatory recycling laws (AB341 & AB1826). City standard (3-can) residential services to be assigned per address.

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

Nathan Garza, Solid Waste, 559-713-4532

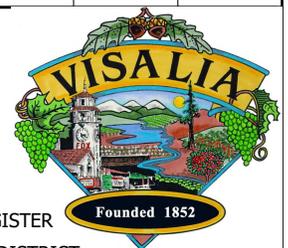




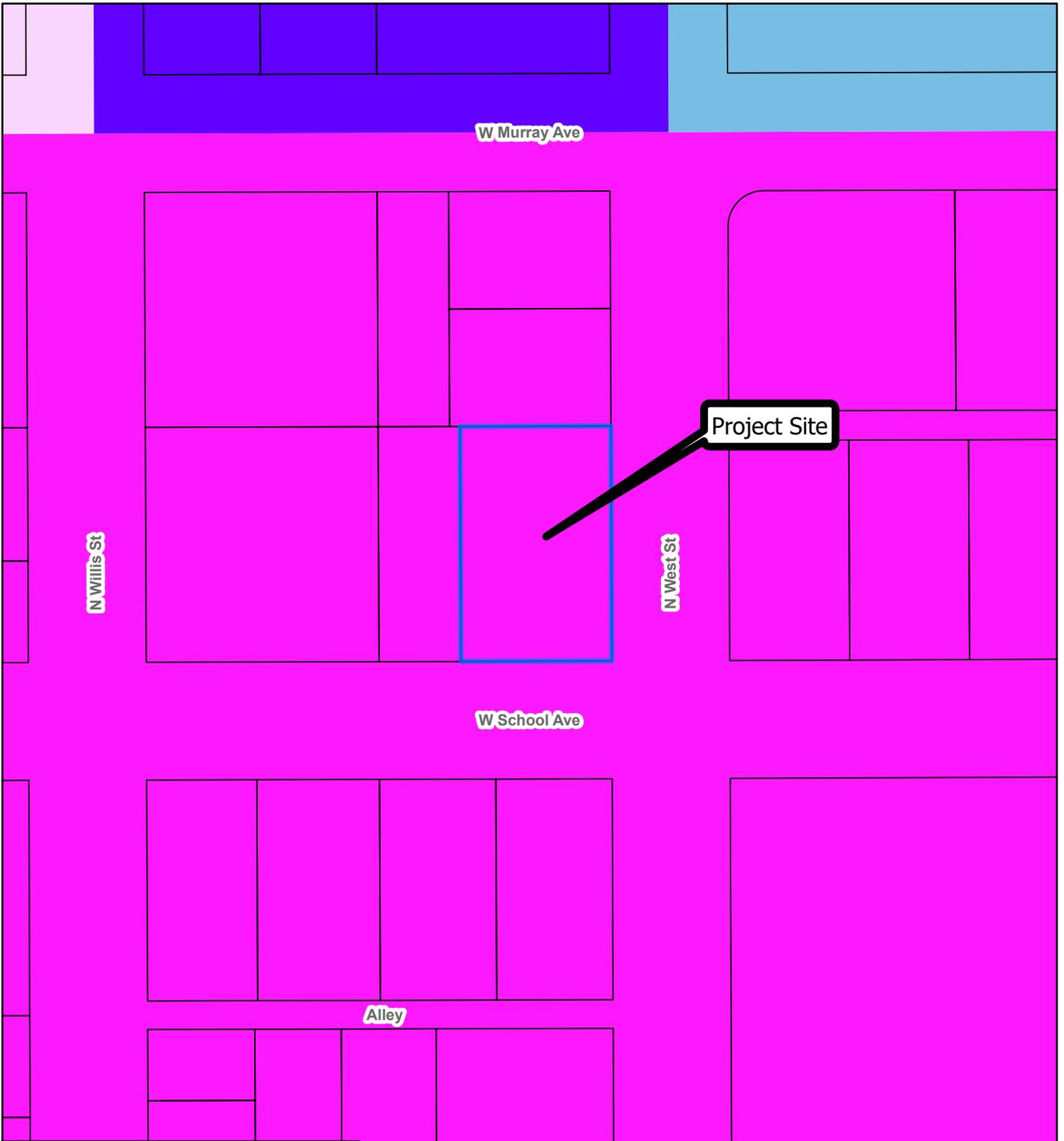
### HISTORIC DISTRICT AND LOCAL REGISTER MAP



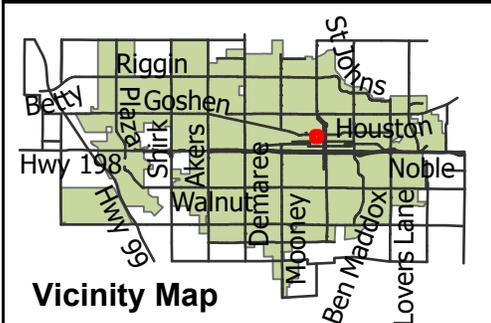
0 0.01 0.02 0.04 Miles



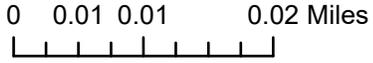
- LOCAL REGISTER
- HISTORIC DISTRICT



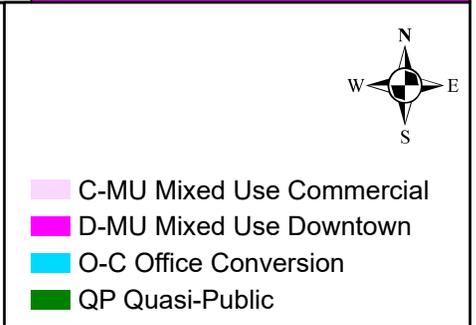
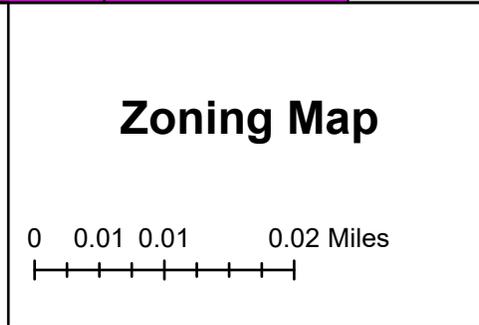
Project Site



### General Plan Land Use Map

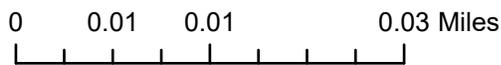


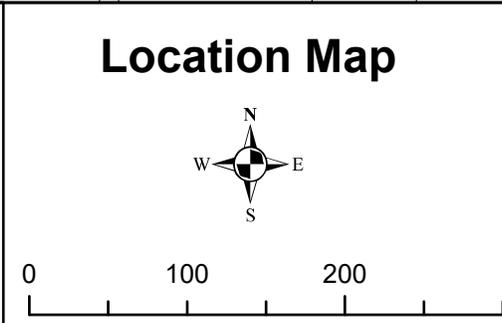
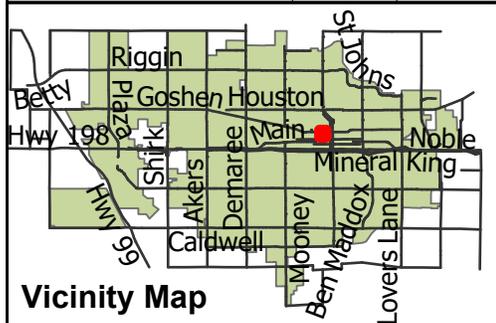
- Commercial Mixed Use
- Downtown Mixed Use
- Office
- Public Institutional





### Aerial Map







# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 27, 2025

**PROJECT PLANNER:** Josh Dan, Senior Planner  
Phone No.: (559) 713-4003  
E-mail: [josh.dan@visalia.city](mailto:josh.dan@visalia.city)

**SUBJECT: Tentative Parcel Map No. 2025-07:** A request to subdivide a 1.12-acre commercial parcel into two commercial parcels to facilitate future commercial development.

**Conditional Use Permit No. 2025-14:** A request to subdivide the project site into two parcels resulting in sites measuring less than five acres in size in the Neighborhood Commercial (C-N) Zone.

**Project Location:** The project site is located at 1145 South Lovers Lane (APN: 100-120-051).

## STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2025-07 based upon the findings and conditions in Resolution No. 2025-28. Staff's recommendation is based on the conclusion that the request is consistent with the City's Zoning Ordinance and Subdivision Ordinance.

Staff recommends approval of Conditional Use Permit No. 2025-14 based upon the findings and conditions in Resolution No. 2025-27. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2025-07 based on the findings and conditions in Resolution No. 2025-28.

I move to approve Conditional Use Permit No. 2025-14 based on the findings and conditions in Resolution No. 2025-27.

## PROJECT DESCRIPTION

On August 23, 2021, the Planning Commission approved Conditional Use Permit No. 2021-22, a request to allow the development of a new 1,315 square foot Jack in the Box restaurant with a drive-thru lane on a 1.11-acre parcel in the C-N (Neighborhood Commercial) Zone. At that time, the applicant had only shown a development proposal for the easternmost portion of the parcel, leaving a vacant undeveloped area along the westerly boundary of the project site as shown in the image to the right. Construction of the fast-food restaurant was completed on September 21, 2022.



**Tentative Parcel Map No. 2025-07**

Tentative Parcel Map No. 2025-07 is a request to subdivide the 1.11-acre parcel into two parcels. The parcel map will establish two new parcels measuring 0.397-acres and 0.721-acres, respectively. Division of the parcel will facilitate the sale of the remaining unimproved area, while providing shared access and parking for the future unknown use and the existing Jack in the Box restaurant.

**Conditional Use Permit No. 2020-19**

The associated Conditional Use Permit (CUP) is a request to create a lot in the Neighborhood Commercial (CN) zone that is less than five (5) acres in size. Access to the newly created parcel will be provided via a shared access agreement at existing points of vehicular ingress/egress along East Tulare Avenue and South Lovers Lane.

**BACKGROUND INFORMATION**

General Plan Land Use Designation:	Commercial Neighborhood
Zoning:	C-N (Neighborhood Commercial)
Surrounding Zoning and Land Use:	North: C-MU (Commercial Mixed Use) – Vacant
	South: Tulare Avenue, O-PA (Professional Administrative Office) – existing Visalia Wellness Center
	East: Lovers Lane, O-PA (Professional Administrative Office) – Vacant (entitled duplexes)
	West: C-N (Neighborhood Commercial) – Single family residence.
Environmental Review:	Categorical Exemption No. 2025-19
Site Plan:	2024-243

**RELATED PLANS AND POLICIES**

All related plans and policies are reprinted in the attachment to this staff report entitled “Related Plans and Policies”.

**RELATED PROJECTS**

On August 23, 2021, the Planning Commission approved Conditional Use Permit No. 2021-22, a request to build a 1,315 square foot Jack in the Box fast-food restaurant with a drive-thru lane on the northwest corner of East Tulare Avenue and South Lovers Lane by a 5-0 vote.

On August 19, 2024, The Planning Commission denied Conditional Use Permit No. 2024-29, a request to amend Conditional Use Permit No. 2021-22, Condition of Approval No. 10, which limited hours of operation for the Jack in the Box. The applicant then appealed the decision of the Planning Commission to the Visalia City Council and on February 3, 2025, the City Council upheld the appeal and overturned the Planning Commission’s denial by a 4-1 vote.

## PROJECT EVALUATION

Staff recommends approval of the tentative parcel map and conditional use permit, as conditioned, based on the project’s consistency with the Land Use Element Policies of the General Plan, the Subdivision and Zoning Ordinances for the tentative parcel map.

### **Access / Parking**

The proposed parcels will share common vehicular access from existing drive approaches along East Tulare Avenue and South Lovers Lane. Staff is recommending Condition No. 3 be adopted for the Tentative Parcel Map requiring the recordation of an agreement that addresses property owners’ maintenance and responsibility for repair of easements and maintenance of shared public or private utilities, and that the easement area shall be kept free and clear of any structures.

### **Site Development**

There is no anticipated development for the unimproved area of the project site at this time, but the applicant has provided Exhibit “B” demonstrating how the remainder of the project site could be developed to facilitate future development. Staff would note that Condition of Approval No. 2 will require any development proposal for the undeveloped parcel to first be reviewed through the Site Plan Review process.

### **Subdivision Map Act Findings**

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven “negative” findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff’s analysis are below. The findings in response to this Government Code section are included in the recommended findings for the denial of the tentative subdivision map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City’s Zoning Ordinance. This is included as recommended Finding No. 1 of the Tentative Subdivision Map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City’s Zoning Ordinance. This is included as recommended Finding No. 2 of the Tentative Subdivision Map. There are no specific plans applicable to the proposed map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the commercial development type described on the proposed map. This is included as recommended Finding No. 3 of the Tentative Subdivision Map.
(d) That the site is not physically suitable for the proposed density of	The site is physically suitable for the proposed residential use. This is included as

development.	recommended Finding No. 4 of the Tentative Subdivision Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. This is included as recommended Finding No. 5.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has not been found to cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Subdivision Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 3 of the Tentative Subdivision Map.

**Environmental Review**

The project is considered to be categorically exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for in-fill development projects (Categorical Exemption No. 2025-19).

**RECOMMENDED FINDINGS**

**Tentative Parce Map No. 2025-07**

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and there are no specific plans applicable to the proposed map.
3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.
4. That the site is physically suitable for the proposed tentative parcel map and the project’s use, which is consistent with the underlying Regional Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.
5. That the proposed design and improvement of the proposed tentative parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

6. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-19)

**Conditional Use Permit No. 2025-14**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for existing and future uses.
  - 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, or materially injurious to properties or improvements in the vicinity. The project site has adequate ingress and egress and parking for existing and future uses.
3. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-19).

**RECOMMENDED CONDITIONS OF APPROVAL**

**Tentative Parcel Map No. 2025-07**

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.
2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
4. That all applicable federal, state, regional, and city policies and ordinances be met.

**Conditional Use Permit No. 2025-14**

1. That all conditions of Conditional Use Permit No. 2021-22, adopted per Resolution No. 2021-42 shall remain applicable, except for the hours of operation as revised by this Conditional Use Permit.
2. That any new development proposed upon the undeveloped portion of the site will be required to be first submitted through the Site Plan Review process.
3. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2025-14, per Visalia Municipal Code Section No. 17.38.040.

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

### **Attachments:**

- Related Plans and Policies
- Resolution No. 2025-27 – CUP No. 2025-14
- Resolution No. 2025-28 – TPM No. 2025-07
- Exhibit “A” – Tentative Parcel Map Exhibit
- Exhibit “B” – Plausible Development of Unimproved Area
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

## Related Plans and Policies

### **Chapter 17.18: PLANNED COMMERCIAL ZONES**

#### **17.18.060 Development standards in the C-N zone.**

The following development standards shall apply to property located in the C-N zone:

- 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 (except where a building is located on side property line);
  - 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.

#### **D.1.163 Drive-thru lanes performance standards.**

- A. Purpose and Intent. It is the purpose of this section to specify performance standards applicable to uses that seek to incorporate a drive-thru lane in association with a specified use. This section does not apply to carwashes and lube and oil changing stations.
- B. Performance standards:
  - 1. Separation from residences. The drive-thru lane shall be no less than two hundred fifty (250) feet from the nearest residence or residentially zoned property.
  - 2. Stacking. The drive-thru lane shall contain no less than ten (10) vehicle stacking, measured from pickup window to the designated entrance to the drive-thru lane. There shall be no less than three vehicle spaces distance from the order menu/speaker (or like device) to the designated entrance to the order window.
  - 3. Circulation. No portion of the drive-thru lane shall obstruct any drive aisles or required on-site parking. The drive-thru shall not take ingress or egress from a local residential road.
  - 4. Noise. No component or aspect of the drive-thru lane or its operation shall generate noise levels in excess of 60 dB between the hours of 7:00 p.m. and 6:00 a.m. daily.
  - 5. Screening. The entire drive-thru lane shall be screened from adjacent street and residential view to a height of three feet. Screening devices shall be a combination of berming, hedge and landscape materials, and solid walls as approved by the City Planner.
  - 6. Menu boards and signage. Shall be oriented or screened to avoid direct visibility from adjacent public streets. (Ord. 2017-01 (part), 2017: Ord. 2014-07 § 3, 2014).

RESOLUTION NO. 2025-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-27, A REQUEST TO SUBDIVIDE THE PROJECT SITE INTO TWO PARCELS RESULTING IN SITES MEASURING LESS THAN FIVE ACRES IN SIZE IN THE NEIGHBORHOOD COMEMRCIAL (C-N) ZONE. THE PROJECT IS LOCATED AT 1145 SOUTH LOVERS LANE (APN: 100-120-051).

**WHEREAS**, Conditional Use Permit No. 2025-14, A request to subdivide the project site into two parcels resulting in sites measuring less than five acres in size in the Neighborhood Commercial (C-N) Zone.. The project is located at 1145 South Lovers Lane (APN: 100-120-051); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 27, 2025; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2025-14, as conditioned by staff, 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 Categorical 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 15315.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for existing and future uses.
  - 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. The project site has adequate ingress and egress and parking for existing and future uses.
3. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act

(CEQA). (Categorical Exemption No. 2025-19)

**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 all conditions of Conditional Use Permit No. 2021-22, adopted per Resolution No. 2021-42 shall remain applicable, except for the hours of operation as revised by this Conditional Use Permit.
2. That any new development proposed upon the undeveloped portion of the site will be required to be first submitted through the Site Plan Review process.
3. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2025-14, per Visalia Municipal Code Section No. 17.38.040.

RESOLUTION NO. 2025-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2025-07, A REQUEST TO SUBDIVIDE A 1.12-ACRE COMMERCIAL PARCEL INTO TWO COMMERCIAL PARCELS TO FACILITATE FUTURE COMMERCIAL DEVELOPMENT. THE PROJECT SITE IS LOCATED AT 1145 SOUTH LOVERS LANE (APN: 100-120-051)

**WHEREAS**, Tentative Parcel Map No. 2025-07, A request to subdivide a 1.12-acre commercial parcel into two commercial parcels to facilitate future commercial development. The project is located at 1145 South Lovers Lane (APN: 100-120-051); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on May 27, 2025; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2025-07, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

**WHEREAS**, the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2025-19).

**NOW, THEREFORE, BE IT RESOLVED**, that Categorical Exemption No. 2025-19 was prepared finding the project exempt under CEQA Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended.

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

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and there are no specific plans applicable to the proposed map.
3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.
4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Regional Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which

it will be maintained is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.

5. That the proposed design and improvement of the proposed tentative parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

That the project is considered Categoricaly Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-19).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance and Subdivision Ordinance.
2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
4. That all applicable federal, state, regional, and city policies and ordinances be met.

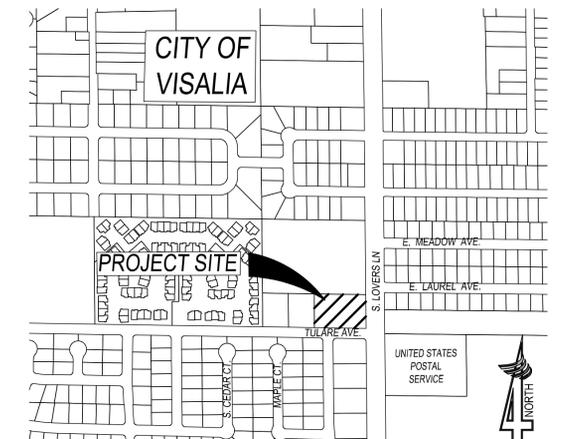
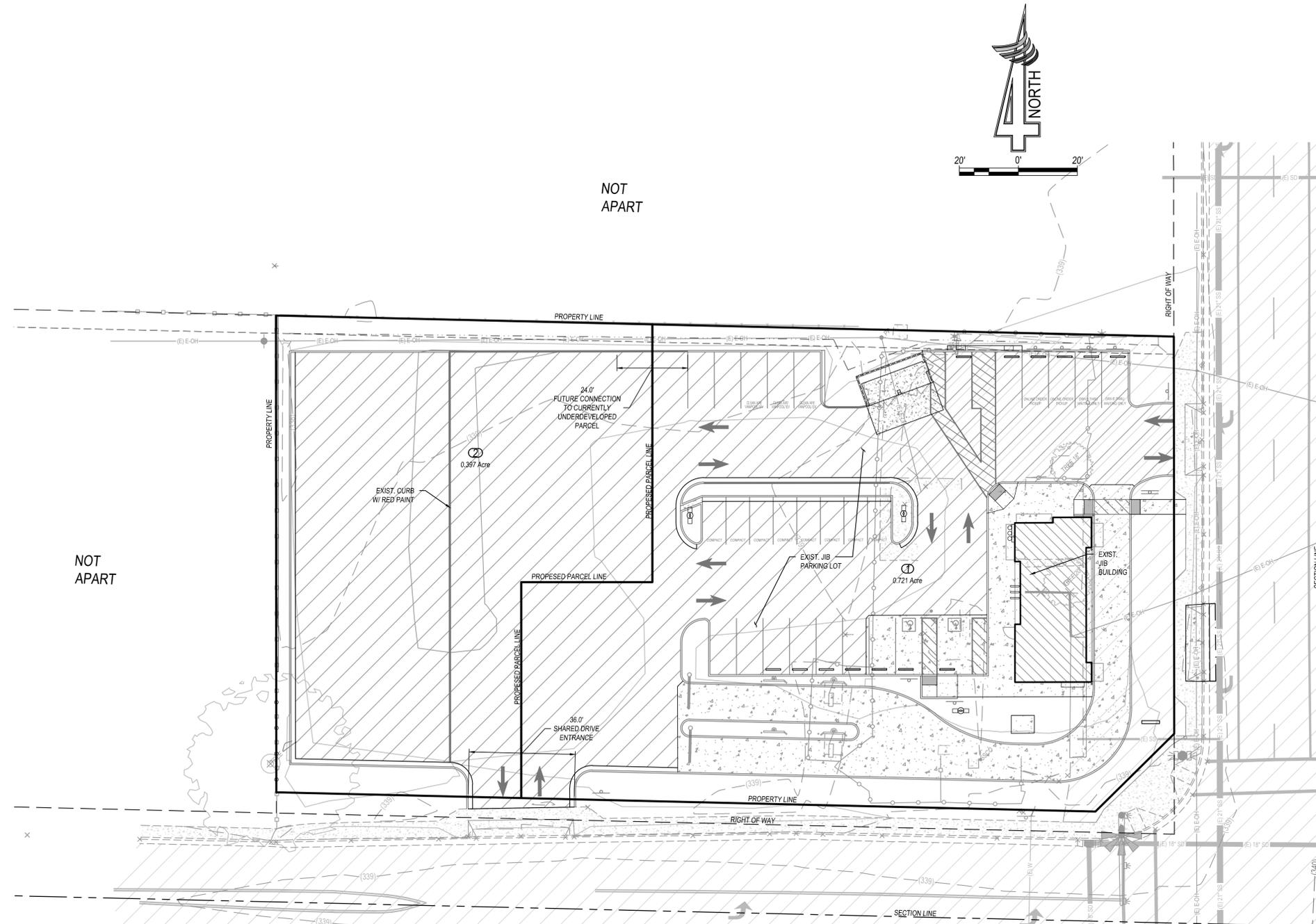
# NORTHWEST CORNER- LOVERS LANE & TULARE AVE TENTATIVE PARCEL MAP

PREPARED FOR: MICHAEL DAVIS  
MFT LOVERS LANE LLC  
1660 N. FARMERSVILLE BLVD.  
FARMERSVILLE, CA 93223

PREPARED BY: 4 CREEKS, INC.  
324 S. SANTA FE, SUITE A  
VISALIA, CA 93292

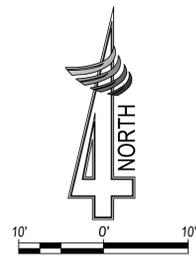
SITE DATA:

APN:	100-120-051
APD:	1.1 AC
CURRENT ZONING:	C-N
PROPOSED ZONING:	NEIGHBORHOOD COMMERCIAL ZONE (C-N)
EXISTING USE:	N/A
PROPOSED USE:	COMMERCIAL
SEWER SERVICE:	SANITARY SEWER & STORM WATER COLLECTION
WATER SERVICE:	CALIFORNIA WATER SERVICE COMPANY
STORM SERVICE:	SANITARY SEWER & STORM WATER COLLECTION
GAS SERVICE:	SOUTHERN CALIFORNIA GAS
ELEC. SERVICE:	SOUTHERN CALIFORNIA EDISON
TELEPHONE:	AT&T AND COMCAST CABLE
FLOOD ZONE:	ZONE AE (06107C0934E 06-16-2009)



VICINITY MAP  
(N.T.S.)

NOTE: A SHARED PARKING AND ACCESS AGREEMENT BETWEEN THE TWO PARCEL WILL BE FACILITATED.



NOTES:

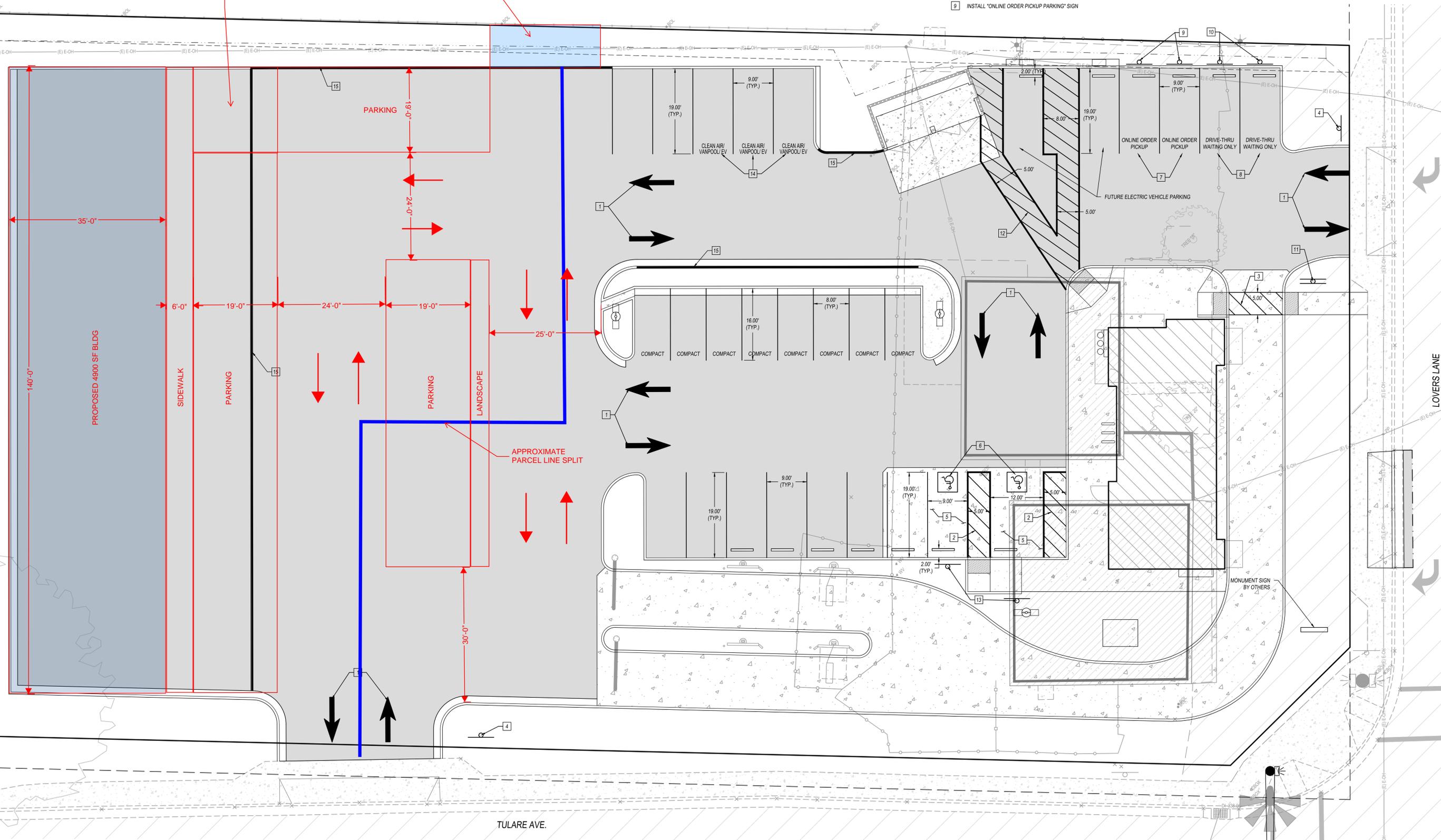
1. PROVIDE SMOKING PROHIBITION SIGNAGE AROUND BUILDING PER CGBSC 5.504.7

SIGNING, STRIPING, & MARKING PLAN KEYNOTES:

- |  |   |
|--|---|
| 1 PAINT TRAFFIC DIRECTION ARROWS, SOLID AND WHITE TYP. AS SHOWN  | 10 INSTALL "DRIVE-THRU WAITING ONLY" SIGN   |
| 2 PAINT 4" BLUE BORDER W/ 4" DIAGONAL BLUE STRIPES @ 3" O.C. MAX PER CITY STD. PK-3                            | 11 INSTALL "THANK YOU / DO NOT ENTER" SIGN  |
| 3 INSTALL 4" DIAGONAL WHITE STRIPES @ 3" O.C. MAX.   | 12 PAINT 4" SOLID WHITE DIAGONAL STRIPES W/ BLUE BORDER @ 8" O.C. AND 45° TO TRAFFIC DIRECTION          |
| 4 INSTALL R100B (CA) CONTRACTOR TO COORDINATE WITH OWNER TO PROVIDE TOWED VEHICLE LOCATION & TELEPHONE NUMBER. | 13 INSTALL R99C(A) W/ R7-R8. BOTTOM OF SIGN SHALL BE 7" ABOVE SURROUNDING SURFACE PER CITY STD. PK-3    |
| 5 INSTALL VAN ACCESSIBLE STALL PER CALTRANS STD. A90A  | 14 INSTALL "CLEAN AIR/ VANPOOL/ EV" LEGEND AT BACK OF STALL   |
| 6 INSTALL ISA MARKING FOR ACCESSIBLE PARKING PER CITY STD. PK-3 & PK-5   | 15 "NO PARKING FIRE LANE" ON RED PAINTED CURB, MINIMUM 4" WHITE LETTERS BY 0.5" STROKE, SPACED 4" APART |
| 7 INSTALL "ONLINE ORDER PICKUP PARKING" LEGEND AT BACK OF STALL  |   |
| 8 INSTALL "DRIVE-THRU WAITING ONLY" LEGEND AT BACK OF STALL  |   |
| 9 INSTALL "ONLINE ORDER PICKUP PARKING" SIGN   |   |

LANDSCAPE AREA OR POTENTIAL OUTDOOR PATIO SEATING AREA

DRIVE AISLE CONNECTION TO FUTURE COMMERCIAL



**Jack in the Box®**  
 9330 BALBOA AVENUE  
 SAN DIEGO, CA 92123  
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 These designs, drawings and specifications are the property of Jack in the Box Inc. and shall not be copied or reproduced without its previous written consent.

DATES

RELEASE: \_\_\_\_\_  
 P.M. UPDATES: \_\_\_\_\_  
 SUBMITTAL DATE:  
 1: \_\_\_\_\_  
 2: \_\_\_\_\_  
 3: \_\_\_\_\_  
 BID: \_\_\_\_\_  
 CONSTRUCTION: \_\_\_\_\_

REVISIONS

△	
△	
△	
△	
△	
△	

SITE INFORMATION

MK TYPE: MK12A\_W  
 JIB #: 5216  
 ADDRESS:  
 1145 S LOVERS LN  
 VISALIA CA, 93292  
 DRAWN BY: 4CREEKS, INC.  
 PROJECT #: 20400  
 SCALE: 1" = 10'

SIGNING, STRIPING, & MARKING PLAN

**C6**

324 S. SANTA FE ST., STE. A  
 P.O. BOX 7595  
 VISALIA, CA 93292  
 TEL: 559.802.3052  
 FAX: 559.802.3215



315 E. Acequia Ave., Visalia, CA 93291

November 22, 2024

**Site Plan Review No. 2024-243:**

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 **October 30, 2024**. 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 that reads "Paul Bernal".

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

**Attachment(s):**

- Site Plan Review Comments



# SITE PLAN REVIEW COMMENTS

Cristobal Carrillo Planning Division, 559-713-4443

Date: October 30, 2024

SITE PLAN NO: 2024-243  
PROJECT: Ryan Dudley  
DESCRIPTION: TENTATIVE PARCEL MAP  
APPLICANT: RYAN DUDLEY, JAYLYN RUIZ, RYAN DUDLEY, ADAM FISCHLIN  
PROP. OWNER: MFT-LOVERS LANE LLC  
LOCATION TITLE: 1145 S LOVERS LANE  
APN TITLE: 100-120-051  
GENERAL PLAN: Commercial Neighborhood  
ZONING: C-N (Neighborhood Commercial)

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Tentative Parcel Map
- Conditional Use Permit

### **PROJECT SPECIFIC INFORMATION:** October 30, 2024

1. The proposal shall require a Tentative Parcel Map for the division of the parcel.
2. A Conditional Use Permit shall be required for the division of a C-N zoned parcel that creates parcels smaller than five acres.
3. A detailed site plan shall be provided. The plan shall provide property dimensions and existing and proposed parcel sizes.
4. A separate development plan shall be provided showing all existing and proposed development, with setback information provided.
5. A shared parking/access agreement shall be required.
6. An operational statement shall be provided. The statement shall note the existing and proposed uses of all parcels.
7. All existing and proposed fencing shall be depicted on the development plan.
8. Please note that the Agency Authorization form on the Tentative Parcel Map application must be notarized.

## 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.
2. Prior to completion of a final building inspection for a project, a signed MWELO Certificate of Compliance shall be submitted indicating that all landscaping has been installed to MWELO standards.

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

17.18 Commercial Zones

17.30 Development Standards

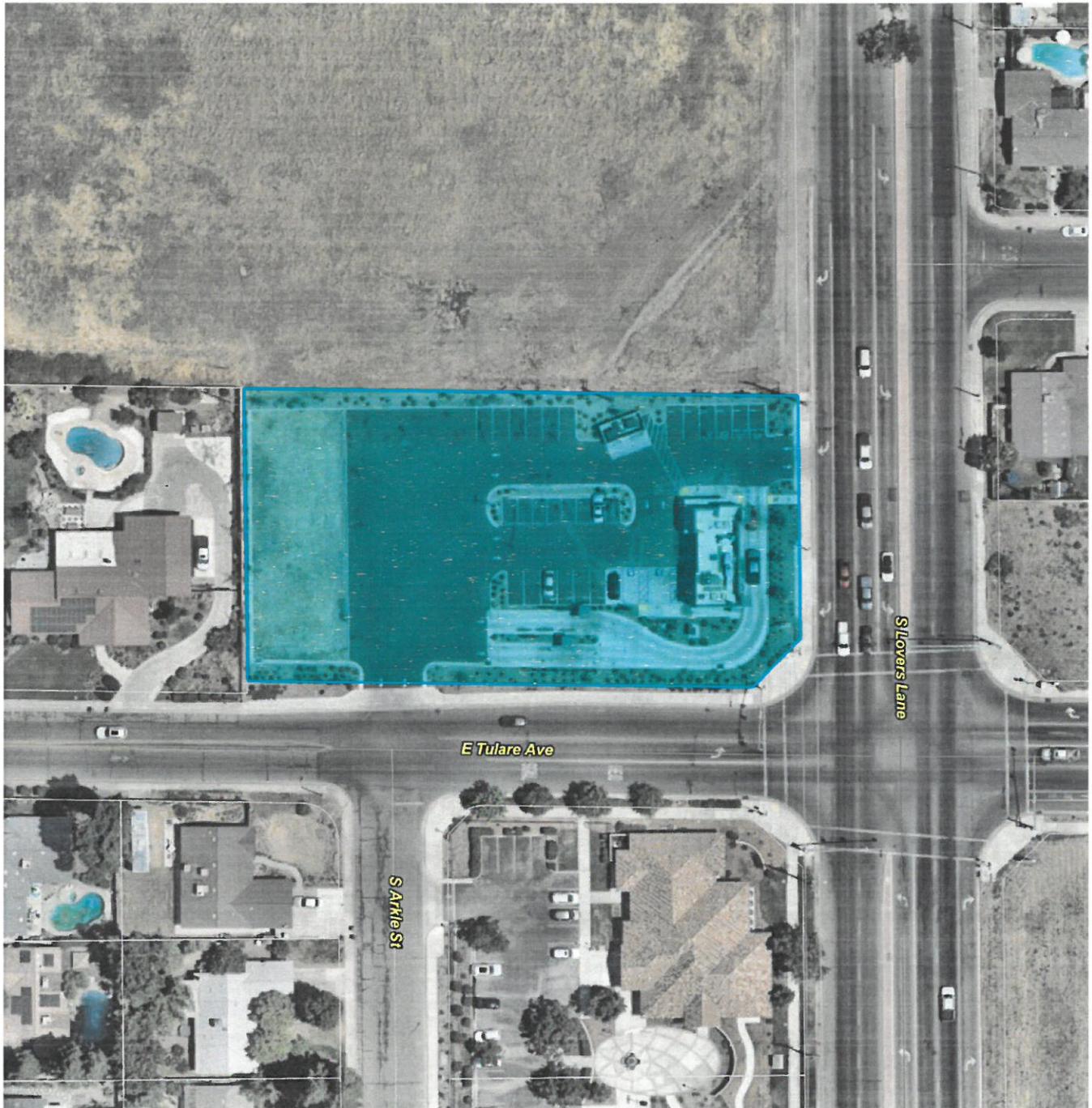
17.34 Off-street parking and loading facilities

17.36 Fences Walls and Hedges

**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**

- Edelma Gonzalez 713-4364
- Luqman Ragabi 713-4362
- Sarah MacLennan 713-4271
- Jesus Carreno 713-4268

**ITEM NO: 2 DATE: 10/25/2024**

SITE PLAN NO.: 24-243  
 PROJECT TITLE: Ryan Dudley  
 DESCRIPTION: Tentative Parcel Map  
 APPLICANT: Ryan Dudley/Jaylyn Ruiz/Adam Fischlin  
 PROP OWNER: MFT-Lovers Lane LLC  
 LOCATION: 1145 S. Lovers Lane  
 APN: 100-120-051

**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 NEEDED 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 5.0 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. A building permit for future development is required, standard plan check and inspection fees will apply.**
- 2. Future cross-access will be required for future development. Access to Lovers Lane is limited and providing cross access to Tulare to future development lot would enhance traffic circulation and serviceability.**
- 3. Sewer connection either by extending sewer main to Tulare Ave or provide easement to connect to Lovers Lane.**
- 4. Provide documentation (CCR) for shared onsite improvements and parking with future development.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **24-243**  
Date: **10/29/2024**

**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:**TBD** )

Existing uses may qualify for credits on Development Impact Fees.

<b>FEE ITEM</b>	<b>FEE RATE</b>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	<b>\$1,663/AC X 0.80</b>
<input checked="" type="checkbox"/> Transportation Impact Fee	<b>TBD</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>TBD</b>
<input checked="" type="checkbox"/> Treatment Plant Fee	<b>TBD</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	<b>\$55/LF X 80</b>
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	<b>TBD</b>
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	<b>TBD</b>
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	<b>TBD</b>
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	<b>TBD</b>
<input checked="" type="checkbox"/> Public Facility Impact Fee	<b>TBD</b>
<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 Rodriguez Carreno*

**Jesus Carreno**

SFR 24243  
TENTATIVE PARCEL MAP  
100120051

City of Visalia  
Building: Site Plan  
Review Comments

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

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone \_\_\_\_\_ \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees.
- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YAL GARCIA 10/30/24  
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            October 30, 2024  
Item #           2  
Site Plan #    24243  
APN:            100120051

- 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.
- Fire protection items are not required to be installed for **parcel map or lot line adjustment** at this time; however, any developments taking place on these parcels will be subject to fire & life safety requirements including fire protection systems and fire hydrants in accordance with all applicable sections of the California Fire Code.

---

Corbin Reed  
Fire Marshal



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

Date: 10/30/24  
 Item: 2  
 Site Plan: SPR24243  
 Name: Austin Huerta

**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:
 

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 Territorial Reinforcement: Define property lines (private/public space).
 

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 Access Controlled/ Restricted etc.
 

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 lighting Concerns:
 

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 Traffic Concerns:
 

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 Surveillance Issues:
 

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 Line of Sight Issues:
 

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 Other Concerns:
 

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enroll/participation in the Trespass Enforcement Program


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# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 30, 2024

ITEM NO: 2      **Added to Agenda**      MEETING TIME: 09:15  
SITE PLAN NO: [SPR24243](#)      ASSIGNED TO: Cristobal Carrillo [Cristobal.Carrillo@visalia.city](mailto:Cristobal.Carrillo@visalia.city)  
PROJECT TITLE: Ryan Dudley  
DESCRIPTION: Tentative parcel map.  
APPLICANT: Ryan Dudley - Applicant  
                 Jaylyn Ruiz - Applicant  
                 Ryan Dudley - Applicant  
                 Adam Fischlin - Applicant  
OWNER: MFT-LOVERS LANE LLC  
APN: 100120051  
ADDRESS: 1145 S LOVERS LANE  
LOCATION: Northwest corner of E. Tulare Ave. and S. Lovers Lane.

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, 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:**

- Shared access easement required with parcel directly to the east.

*Leslie Blair*

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**Leslie Blair**

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

24243

October 30, 2024

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment

Solid waste has no comments regarding the proposed parcel split as submitted. Customer to be aware that as an individual parcel the solid waste services will include trash, recycling, and organics recycling per the State of California's mandatory recycling laws (AB-341 & AB-1826). This will require that a triple enclosure, set for STAB load collections be identified when ready to develop the property. Property owner to complete and submit a City of Visalia "Concrete/Driveway Release of Liability Waiver Agreement".

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

Nathan Garza, Solid Waste, 559-713-4532





## CALIFORNIA WATER SERVICE

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

<p><b>Site Plan Review Comments From:</b> California Water Service Scott McNamara, Superintendent 216 N Valley Oaks Dr. Visalia, CA 93292 559-624-1622 <a href="mailto:smcnamara@calwater.com">smcnamara@calwater.com</a></p>	<p>Date: 10/30/2024 Item #: 2 Site Plan #: 24-243 Project: Tentative Parcel Map Description: Applicant: Ryan Dudley – Jaylyn Ruiz – Adam Fischlin APN: 100-120-051 Address: 1145 S Lovers Lane</p>
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**The following comments are applicable when checked:**

- No New Comments
- Pulled from agenda

**Water Mains**

**Comments:**

- Water main fronting your project
- No existing water main fronting this project

**Water Services**

**Comments:** With regards to the new parcel line and the western property.

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

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

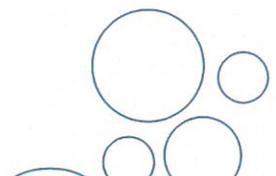
- Any additional services for the project.
- Relocation of any existing service that is to land within a new drive approach.
- Existing service(s) that are not utilized may need to be abandoned.
- If the existing service(s) is not sufficient in size to meet the customer’s demand:
  - Installation of the correct size service.
  - 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:***

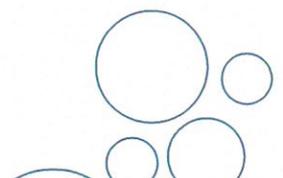
A backflow is required if any parcel meets any of the following parameters:

- 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](mailto:visaliabackflow@calwater.com) for a backflow install packet.

### **Additional Comments:**

- If your project requires the installation of Cal Water facilities, please contact New Business Superintendent Mike Andrada at 559-624-1689 or [mandrada@calwater.com](mailto:mandrada@calwater.com) to receive your new business packet to start your project with Cal Water.
- 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](mailto: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](mailto: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.



## Susan Currier

---

**From:** Deel, David@DOT <david.deel@dot.ca.gov>  
**Sent:** Tuesday, November 19, 2024 8:51 AM  
**To:** Cristobal Carrillo; Josh Dan; Susan Currier  
**Cc:** Padilla, Dave@DOT; Yelton, Elizabeth@DOT  
**Subject:** Caltrans Response to Site Plan Review Agenda - 10-30-2024  
**Attachments:** Visalia SPR Agenda 10-30-2024.pdf

Cristobal and all,

This email summarizes Caltrans response for Site Plan Review Agenda - 10-30-2024:

ITEM NO: 1 SITE PLAN NO: **SPR 24242 - NO COMMENT**

Family F.O.C.U.S. childcare center use at existing church education complex with existing childcare.

ITEM NO: 2 SITE PLAN NO: **SPR 24243 - NO COMMENT**

2 lot Tentative parcel map.

ITEM NO: 3 SITE PLAN NO: **SPR 24238 - NO COMMENT**

Shop N Save, Inc BBQ Grill in Parking Lot

Respectfully,

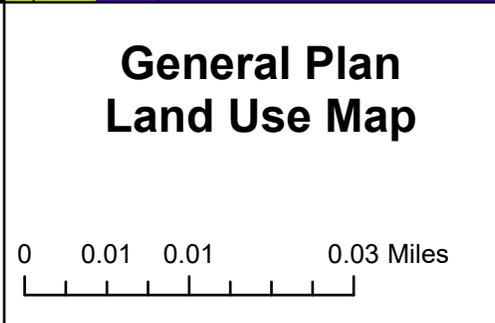
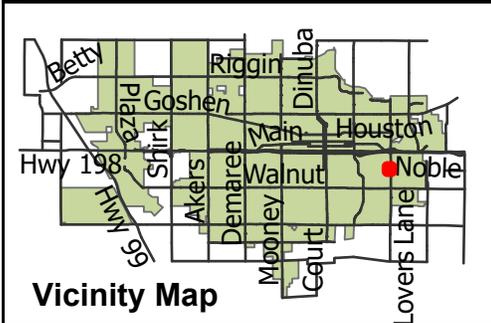
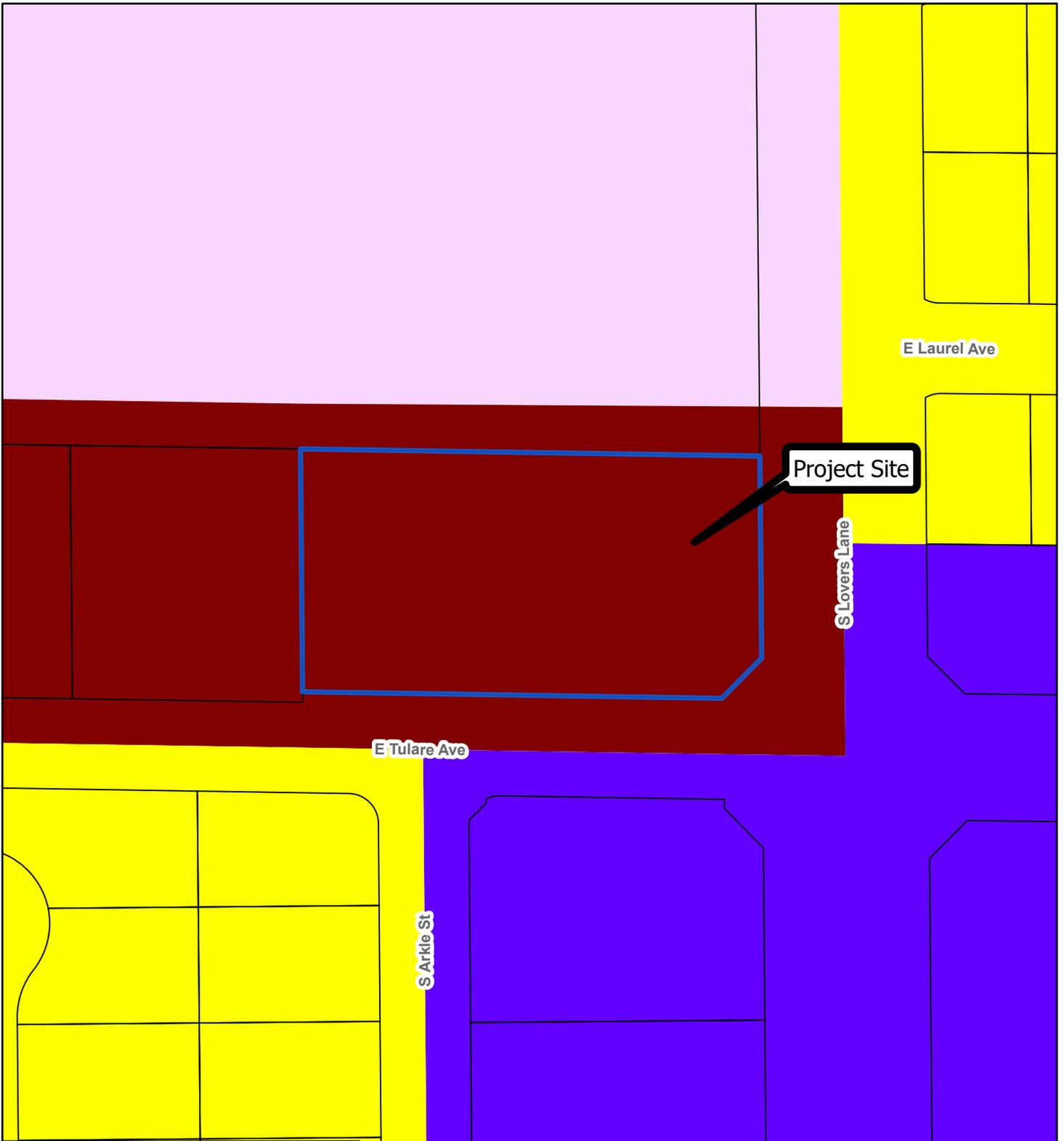
**David Deel**  
**Associate Transportation Planner**  
**Desk & Mobile: 559.981.1041**

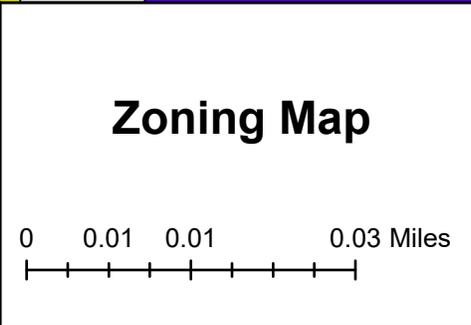
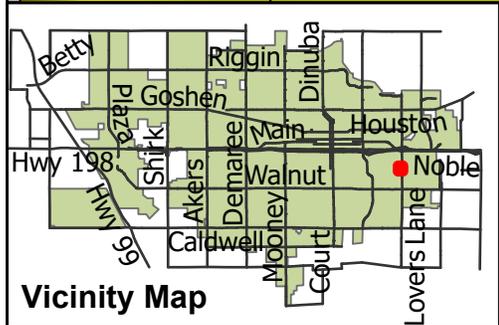
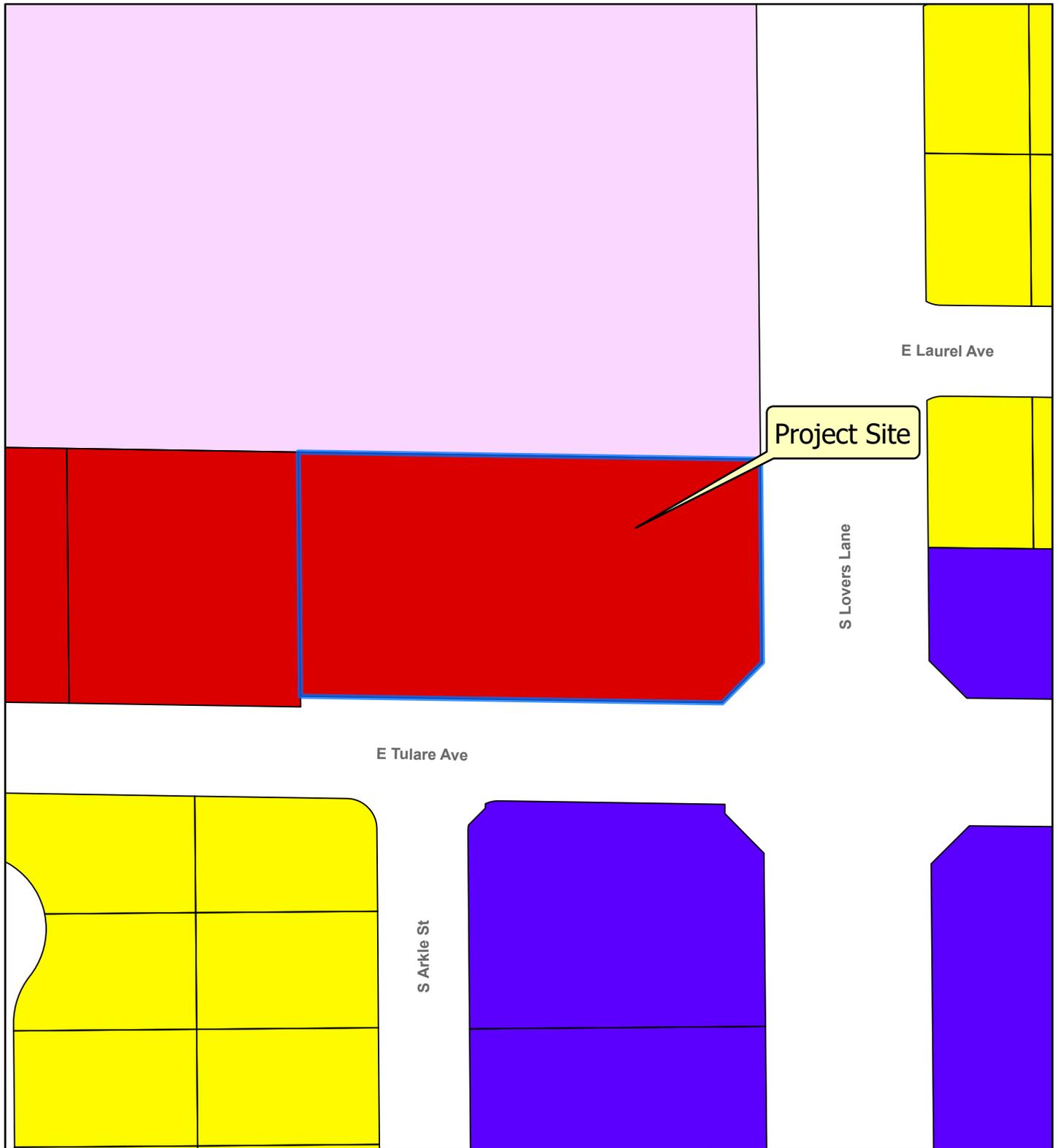
CALTRANS District 6  
Local Development Review Branch  
Office of Multimodal Transportation Planning  
Division of Transportation Planning & Local Programs  
1352 W. Olive Avenue (P.O. Box 12616)  
Fresno, CA 93778-2616



**Caltrans Vision:**  
*A brighter future for all through a world-class transportation network.*

**Caltrans Mission:**  
*Provide a safe and reliable transportation network that serves all people and respects the environment.*





- C-N Neighborhood Commercial
- C-MU Mixed Use Commercial
- O-PA Professional / Admin Office
- R-1-5 Single-family Residential



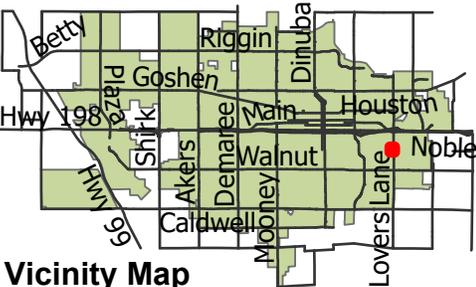
Project Site

E Tulare Ave

E Laurel Ave

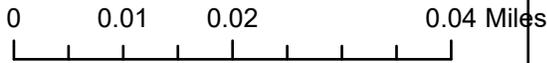
S Lovers Lane

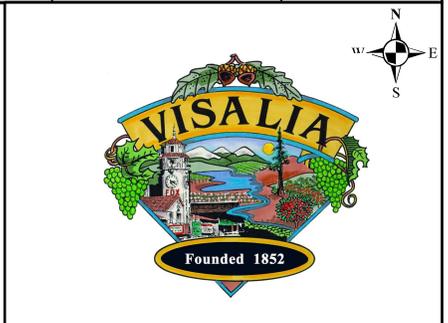
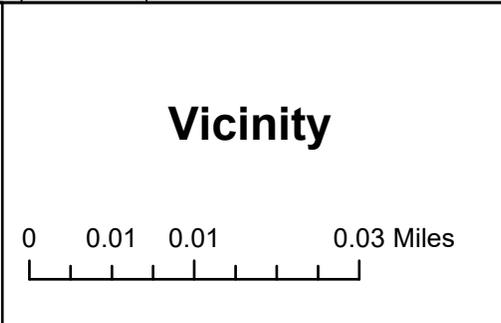
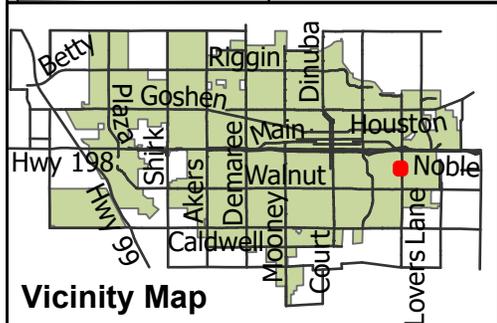
S Arkle St



Vicinity Map

### Aerial Map







## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 27, 2025

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

**SUBJECT: Conditional Use Permit No. 2025-06:** A request by California Dairies, Inc. to amend Conditional Use Permit No. 2005-20 to allow for the expansion of the milk processing facility. The site is located at 2000 North Plaza Drive, in the I (Industrial) zone (APN: 077-111-030).

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2025-06, as conditioned, based upon the findings and conditions in Resolution No. 2025-15. 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. 2025-06, based on the findings and conditions in Resolution No. 2025-15.

### PROJECT DESCRIPTION

Conditional Use Permit No. 2025-06 is a request by California Dairies Inc. (CDI), to amend CUP 2005-20 to allow the expansion of the existing milk processing facility. The expansion will include an increase in square footage on-site with a new wastewater digester, a new ultrafiltration (UF) process building, and the expansion of the existing butter room.

Per the Operational Statements (Exhibit "B"), the expansion will not require any additional increase of the number of employees, therefore not requiring any additional parking and the hours of operation will remain the same, which is a 24-hour operation, seven days per week. Based on the submitted site plan (Exhibit "A"), the total expansion of this request will be approximately 7,123 square feet and will consist of the following projects:

*Wastewater Digester – 4,740 square feet (Exhibit "D")*

The wastewater digester is a new system at CDI. The project will consist of a wastewater pretreatment system that will reduce the concentrations of biochemical oxygen demand (BOD) and total suspended solids (TSS) by at least 80% from the average current concentrations. The wastewater pretreatment system will also produce and capture renewable methane gas (digester gas) for use as an alternative fuel to natural gas.

The wastewater digester is also needed to assist CDI's expansion of operations related to the butter room expansion and UF process building. CDI anticipates that the pretreatment wastewater digester will reduce BOD/TSS loading elements to below the limits set forth under the terms in the Proposed Revised Permit Parameters included in an agreement between the City and CDI.

Please note CDI is a current permittee under an Industrial Discharge Permit with the City of Visalia Public Works Department, Pretreatment Division. The Pretreatment Division monitors industrial, commercial, food service establishments, automotive repair facilities, carwashes and dental facilities for any illicit and/or illegal discharges or possible sources of contaminants that

have entered the city owned conveyance systems and/or the water reclamation facility.<sup>1</sup> Industrial uses like CDI are required to submit for an Industrial Discharge Permit with the City. The Industrial Discharge Permit for CDI sets the flow capacity, BOD (biochemical oxygen demand) and TSS (total suspended solids) loading limits for all discharges from the existing facility. Currently, CDI experiences occasional exceedance of its Industrial Discharge Permit conditions both in flow capacity and in BOD/TSS loading elements. Due to this exceedance, the City has required CDI to enter into an Agreement Regarding Wastewater Permit Modifications (Exhibit “C”). Per the agreement, CDI can only expand the butter room and the UF process building by correcting the current flow capacity and BOD/TSS loading limits.

Process Fluids /UF Expansion – 773 square feet (Exhibit “E”)

The UF processing building is a new milk processing building and associated process equipment for processing and blending milk. The project will consist of a control room, utility room, and processed/blended milk storage silos which consist of three silos each with 30,000-gallon storage capacity. The silos will be connected by an enclosed alcove hallway. The project will also provide a canopy that will be utilized for truck tanker loading.

Butter Room expansion – 1,610 square feet (Exhibit “F”)

The Butter Room expansion consists of the expansion of the current brine processing area and additional butter packaging areas; this will provide space for added production and storage capacity.

**BACKGROUND INFORMATION**

General Plan Land Use Designation:	I (Industrial)
Zoning:	I (Industrial)
Surrounding Zoning and Land Use:	North: I / Bueno Beverage Company South: I / ABLE Industries East: I / industrial uses – Graphic Packaging West: I / industrial uses - distribution
Environmental Review:	Categorical Exemption No. 2025-10
Special Districts:	None
Site Plan Review:	SPR No. 2024-186

**RELATED PROJECTS**

**Conditional Use Permit No. 1015**, a request by Anheuser-Busch, for the construction of a food processing plant, approved in 1986.

**Conditional Use Permit No. 2005-20**, a request by California Dairies, Inc. to amend CUP 1015, to allow a milk processing facility, approved by Planning Commission on July 25, 2005.

**Variance No. 2005-07**, a request by California Dairies, Inc. to allow a 140-ft processing tower, approved by Planning Commission on July 11, 2005.

<sup>1</sup> [City of Visalia - Commercial/Industrial Pretreatment Program](#)

## PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2025-06, as conditioned, based on the project's consistency with the General Plan Land Use, Zoning Ordinance and the conditions included in the Agreement Regarding Wastewater Permit Modifications.

### **General Plan Consistency**

The proposed expansion is located at the existing milk processing facility. The site is designated as Industrial and per the Visalia General Plan, this *“designation allows primary manufacturing, processing, refining, and similar activities including those with outdoor facilities”* (LU-P-99). Additionally, the project also supports the established *“zoning standards to assure high quality design and site planning for large scale industrial development,”* per General Plan Policy LU-P-100. Based on this designation and the existing use of the site, the proposed expansion meets the intent of the General Plan and Zoning Ordinance for industrial uses.

### **Development Standards**

All proposed new structures and expansion of existing buildings will comply with the existing development standards for the Industrial zone, including height and setbacks.

### **Access and Circulation**

The existing facility has two entrances along North Plaza Drive. The southern entrance is for employees and visitors and the northern entrance is for truck traffic. The expansion will have no effect on the access or circulation of the site, however, the UF Process Building with the accessory canopy for tanker loading will result in an increase of an additional four truck trips per day. This increase is considered minimal and will have no effect on the overall traffic and circulation of the site.

### **Agreement Regarding Wastewater Permit Modifications**

The Pretreatment Project of the CDI request consists of the wastewater digester (Exhibit “D”). CDI has offered to undertake the pretreatment process and voluntarily reduce the permitted BOD/TSS loadings under its existing permit in exchange for a no-cost increase in its permitted flow capacity to the levels that will adequately accommodate its current and near term anticipated flow capacities, as set forth in the Proposed Revised Permit Parameters included with the Agreement Regarding Wastewater Permit Modifications (Exhibit “C”).

The City has determined that the proposed reduced BOD/TSS permit reductions is of equal value to the proposed flow capacity permit increases.

Based on this agreement, CDI must complete all design, permitting and construction and installation of the pretreatment project within 12-months and must achieve a reduction of BOD/TSS loading levels to below the limits set forth in the agreement within six months after the completion of the pretreatment project. All design, planning, construction, equipment purchase, and installation costs shall be borne solely by CDI.

If CDI fails to complete the Pretreatment Project within the time frame set forth in the Agreement, or the project fails to meet the BOD/TSS loading level reduction objectives, then CDI will be required to pay fees to satisfy an increase in flow capacity under its Industrial Discharge Permit to accommodate the current flow demands, but will not be required, nor allowed, to increase permitted capacities for its permitted BOD/TSS loading levels.

## **Environmental Review**

The request to amend Conditional Use Permit No. 2005-20 for the proposed expansion of the site is considered Categorical Exempt under section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) Categorical Exemption No. 2025-10.

### **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible with the conditions of Project Approval of the conditional use permit.
4. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2025-10.

### **RECOMMENDED CONDITIONS**

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2024-186.
2. That the project shall be developed and maintained in substantial compliance with Exhibits "A", "B", "C", "D", and "E," unless otherwise specified in the conditions of approval. 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 applicant shall comply with the Agreement Regarding Wastewater Permit Modifications and the terms of that Agreement shall be deemed enforceable conditions of the Butter Room expansion project, including the UF Processing Building.
4. That all applicable federal, state, regional, and city policies and ordinances be met.

### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street Visalia 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](http://www.visalia.city) or from the City Clerk.

**Attachments:**

- Related Plans and Policies
- Resolution No. 2025-15
- Exhibit "A" – Overall Site Plan
- Exhibit "B" – Operational Statements
- Exhibit "C" – Agreement Regarding Wastewater Permit Modifications
- Exhibit "D" – Wastewater Digester
- Exhibit "E" – UF Process Building
- Exhibit "F" – Butter Room Expansion
- Exhibit "G" – Conditional Use Permit No. 2005-20
- Site Plan Review Comments No. 2024-186
- 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. 2025-06

**PROJECT TITLE**

The site is located at 2000 N. Plaza Dr (APN: 077-111-030)

**PROJECT LOCATION**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

A request to amend Conditional Use Permit No. 2005-20, to allow for the expansion of the existing facility.

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Stephen Wyckoff, California Dairies Inc, 2000 N Plaza Dr., Visalia CA, 93291

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

Troy Russell, E.A. Bonelli & Associates, 2519 W Shaw Ave., Ste 102, Fresno CA 93711

**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 – site expansion is less than 10,000 sq. ft. and all existing infrastructure is existing.

**REASON FOR PROJECT EXEMPTION**

Colleen A. Moreno, Assistant Planner

**CONTACT PERSON**

(559) 713-4031

**AREA CODE/PHONE**

April 29, 2025

**DATE**

Brandon Smith, AICP  
Environmental Coordinator

## RELATED PLANS AND POLICIES

**General Plan and Zoning:** The following General Plan and Zoning Ordinance policies apply to the proposed project:

**General Plan Land Use Policies:**

**LU-P-99:** Update the Zoning Ordinance to reflect the Industrial designation on the Land Use Diagram, to allow for primary manufacturing, processing, refining, and similar activities including those with outdoor facilities and also accommodate warehousing and distribution with supporting commercial services and office space. Retail is not permitted.

**LU-P-100:** Establish zoning standards to assure high quality design and site planning for large scale industrial development.

### Chapter 17.22 INDUSTRIAL ZONES

#### 17.22.010 Purposes.

- A. The two types of industrial zones included in this chapter are designed to achieve the following:
1. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources;
  2. Ensure compatibility between industrial lands and adjacent dissimilar land uses;
  3. Retain and strengthen the city's role as a regional manufacturing center in the Southern Central San Joaquin Valley;
  4. Provide appropriate industrial areas to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise or equipment;
  5. Provide adequate space to meet the needs of industrial development, including off-street parking and loading;
  6. Direct industrial uses to and encourage expansion of the northwest industrial areas;
  7. Protect areas appropriate for industrial use from intrusion by dwellings and other conflicting uses;
  8. Protect residential and commercial properties and nuisance-free nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazards and objectionable influence incidental to certain industrial uses;
  9. Preserve land designated for light and heavy industrial uses by limiting the intrusion of commercial or service commercial uses.
- B. The purpose of the industrial land use zones are as follows:
1. Light Industrial Zone—( I-L). The purpose and intent of the Light Industrial zone district is to provide an area for uses that are characterized by low intensity research and development, warehousing and limited manufacturing and production, processing, assembling and packaging or treatment of food products from previously prepared materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.
  2. Industrial Zone—( I). The purpose and intent of the Industrial zone district is to provide an area for uses that are characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district. (Ord. 2017-01 (part), 2017: prior code § 7392)

#### 17.22.015 Applicability.

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

#### 17.22.020 Permitted uses.

Permitted uses in I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)

#### 17.22.030 Conditional and temporary uses.

Conditional and temporary uses in the I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)

**17.22.040 Required conditions.**

A. No use shall be permitted and no process, equipment or materials shall be employed which is determined by the planning commission to be injurious to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinder, refuse, noise, vibration, illumination, glare or heavy truck traffic or to involve any hazard of fire or explosion or to emit electrical disturbances that adversely affect commercial or electronic equipment outside the boundaries of the site;

B. No use shall emit visible smoke of a shade equal to or darker than No. 2 on a standard Ringelmann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on the Ringelmann Chart may be emitted for four minutes in any thirty (30) minute period;

C. A site plan review permit must be obtained for all development in an I-L or I zone, subject to the requirements and procedures in Chapter 17.28. (Ord. 2017-01 (part), 2017: prior code § 7395)

**17.22.050 Off-street parking and loading facilities.**

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017: prior code § 7396)

**17.22.060 Development standards in the I-L and I zones.**

A. The I-L and I zone districts include streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area. The following development standards shall apply to property located in the I-L and I zones:

A. Minimum site area: five (5) acres.

B. Maximum building height: seventy-five (75) feet.

C. Minimum required yards (building setbacks):

1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);

2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);

3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);

4. Rear: zero (0) feet;

5. Rear yards abutting an R-1 or R-M zone district: twenty (20) feet;

6. Side: zero (0) feet;

7. Side yards abutting an R-1 or R-M zone district: twenty (20) feet;

8. Side abutting railroad right-of-way: twenty-five (25) feet.

D. Minimum required landscaped yard (setback) areas:

1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);

2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);

3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);

4. Rear: zero (0) feet;

5. Rear yards abutting an R-1 or R-M zone district: ten (10) feet;

6. Side: zero (0) feet;

7. Side yards abutting an R-1 or R-M zone district: ten (10) feet;

8. Side abutting railroad right-of-way: twenty-five (25) feet.

E. Additional standards:

1. Properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners' association formed at the time of subdivision.
2. An eight-foot masonry wall is required along property line where a site abuts an R-1 or R-M zone district. (Ord 2017-01 (part), 2017)

RESOLUTION NO. 2025-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-06, A REQUEST BY CALIFORNIA DAIRIES INC. TO AMEND CONDITIONAL USE PERMIT NO. 2005-20, TO ALLOW FOR THE EXPANSION OF THE MILK PROCESSING FACILITY. THE SITE IS LOCATED AT 2000 NORTH PLAZA DRIVE, IN THE I (INDUSTRIAL) ZONE (APN: 077-111-030).

**WHEREAS**, Conditional Use Permit No. 2025-06 is a request to amend Conditional Use Permit No. 2005-20, to allow for the expansion of the milk processing facility. The site is located at 2000 North Plaza Drive, in the I (Industrial) zone, on the (APN: 077-111-030); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on May 27, 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 proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible with the conditions of Project Approval of the conditional use permit.
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. 2025-10.

**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 project be developed consistent with the comments and conditions of the Site Plan Review No. 2024-186.

2. That the project shall be developed and maintained in substantial compliance with Exhibits "A", "B", "C", "D", and "E," unless otherwise specified in the conditions of approval. 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 applicant shall comply with the Agreement Regarding Wastewater Permit Modifications and the terms of that Agreement shall be deemed enforceable conditions of the Butter Room expansion project, including the UF Process Building.
4. That all applicable federal, state, regional, and city policies and ordinances be met.



# Exhibit "B"

Conditional Use Permit No. 2005-20

03/12/25 (r1)

## Operational Statement (Wastewater Digester)

This project is for a new Wastewater Digester system at California Dairies Inc. located at 2000 N. Plaza Dr, Visalia CA 93291.

The project will consist of wastewater pre-treatment system to include anaerobic digestion, aerobic treatment, solids removal and polishing. The wastewater treatment system will reduce the concentrations of BOD and TSS by at least 80% from the current average concentrations. The wastewater pre-treatment system will also produce and capture renewable methane gas (digester gas) for use as an alternative fuel to natural gas.

### Details:

- 1) Employee numbers: No additional employees (Rearranging -Existing Employees will monitor Wastewater Treatment system equipment)
- 2) Wastewater Treatment = 4,740 sq. ft.
- 3) Impact to Wastewater: The wastewater treatment system will reduce the concentrations of BOD and TSS by at least 80%.
- 4) No additional truck traffic for this project

Conditional Use Permit No. 2005-20

03/13/2025 (r2)

Operational Statement (Process Fluids / UF expansion)

This project is for a new milk processing building and associated process equipment for processing, blending, storage and tanker loading at California Dairies Inc. located at 2000 N. Plaza Dr, Visalia CA 93291.

The project will consist of a control room, CIP/Utility room and processed / blended milk storage silos (Three total silos each with 30,000-gallon storage capacity). The silos will be connected by an enclosed alcove hallway. The project will also provide for a tanker loading station. Blended and stored fluids will be pumped into milk tankers for transport off site for customer use.

Details:

1) Employee numbers: No additional employees (Rearranging - Existing Employees to monitor loading of Tankers)

2) Proposed Structures:

- UF Process Building = 773 sq. ft
- Canopy for Tanker Loading = 2,756 sq. ft

3) Impact to Wastewater: Impact to the wastewater system will be primarily from CIP of the storage silos and blending system. The process will not produce water as a byproduct of process. a. CIP Activity: ~50,000 gallons of CIP solution and rinse water per week (168 hour).

4) Truck traffic will increase by (4) per day.

Conditional Use Permit No. 2005-20

03/13/2025 (r2)

Operational Statement (Butter Room Expansion)

This project is for the expansion of the current brine processing area and additional butter packaging areas to provide space of added production and storage capacity at California Dairies Inc. located at 2000 N. Plaza Dr, Visalia CA 93291.

The project will consist of expansion of the brine processing area, new space for packaging and product storage.

Details:

- 1) Employee numbers: No additional employees (Rearranging - Existing Employees will monitor dock area & relocated Salt Room)
- 2) Butter Room Expansion = 1,610 Ft<sup>2</sup>
- 3) Impact to Wastewater: No impact to the wastewater system is needed for this project. The process will not produce water as a byproduct of process. Existing processing systems will provide product for this project.
- 4) No additional truck traffic for this project.

# Exhibit "C"

## Agreement Regarding Wastewater Permit Modifications

The City of Visalia ("City") and California Dairies, Inc. ("CDI") enter into this agreement with reference to the following facts:

### Recitals

- A. CDI has a pending permit application to proceed with construction of a project to expand the Butter Room at its existing facility ("Butter Room Expansion Project") located at 2000 North Plaza Drive Visalia, CA 93291.
- B. CDI has a pending permit application to proceed with construction of a project to install automated process equipment to increase efficiency in the processing of fluid milk at its existing facility ("The Fluid Load Out Project") located at 2000 North Plaza Drive Visalia, CA 93291.
- C. CDI is a current permittee under an Industrial Discharge Permit, which sets flow capacity, BOD loading and TSS loading limits for all discharges from the existing CDI facility, as set forth in Exhibit A. CDI has paid all appropriate impact fees associated with the limits of its existing permit (Exhibit A).
- D. As a condition to allowing the Butter Room Expansion Project permit and Fluid Load Out Project to proceed to building permit status, CDI has agreed to correct its flow capacity and BOD/TSS loading elements exceedance experiences as set forth in this agreement.
- E. CDI currently experiences occasional exceedances of its Industrial Discharge Permit conditions in both flow capacity, and in BOD/TSS loading elements.
- F. CDI has preliminarily determined that it is feasible to implement a project to construct and install new equipment to effectuate the reduction in BOD/TSS loading through a pre-discharge treatment consisting of installation and operation of equipment for the pretreatment of effluent (the "Pretreatment Project"). CDI anticipates that the Pretreatment Project will reduce the BOD/TSS loading elements to below the limits set forth under those terms in Exhibit B ("Proposed Revised Permit Parameters").
- G. CDI has offered to undertake the Pretreatment Project and voluntarily reduce the permitted BOD/TSS loadings under its existing permit in exchange for a no-cost increase in its permitted flow capacity to the levels that will adequately accommodate its current and near term anticipated flow capacities, as set forth in the Proposed Revised Permit Parameters.
- H. City has determined that the proposed reduced BOD/TSS permit reductions is of equal value to the proposed flow capacity permit increases.

1. By execution of this agreement CDI agrees that the terms and conditions of this agreement constitute enforceable terms of the permit for the Butter Room project and the permit for the Fluid Load Out Project.

**Agreement:**

- 1) CDI will design, plan and submit for building permits for the Pre-Treatment Project. CDI commits to completing all design, permitting and construction and installation of the Pre-Treatment Project within 12 months, and to achieving a reduction BOD/TSS loading to levels below the limits set forth in Exhibit B within 6 months after the completion of the Pre-Treatment Project. All design, planning, construction, equipment purchase and installation costs shall be borne solely by CDI.
- 2) The 12-month term to complete the design, permitting, and construction and installation of the Pre-Treatment Project will commence upon the final execution of this agreement.
- 3) Validation of the BOD/TSS loading to levels below the limits set forth in Exhibit B will be performed via the average of a 30-day period consisting of flow based 24-hour composite samples and analytical analysis of BOD and TSS concentrations performed at the City contract lab and two ELAP certified laboratories of CDI choosing. The analytical results from the three labs will be averaged and the averaged result will be used to validate the BOD/TSS loading reductions.
- 4) Upon confirmation that the Pre-Treatment Project has been completed and has achieved the BOD/TSS loading level reduction as anticipated to levels below those set forth in Exhibit B, City will adjust, at no cost to CDI, the Industrial Discharge Permit flow capacity, BOD loading and TSS loading levels to the levels as set forth in Exhibit B. The parties will execute an amended Industrial Discharge Permit memorializing the Proposed Revised Permit Levels.
- 5) If CDI fails to complete the Pretreatment Project within the time frame set forth in this agreement, OR the project fails to meet the BOD/TSS loading level reduction objectives, then CDI will be required to pay fees to satisfy an increase in flow capacity under its Industrial Discharge Permit to accommodate the current flow demands, but will not be required, nor allowed, to increase permitted capacities for its permitted BOD/TSS loading levels. The cost of increasing the flow capacity permit levels shall be **\$1,554,200.00**. Upon payment of the fees for the additional flow capacities required by this paragraph, the CDI Industrial Discharge Permit shall be adjusted to include the levels as set forth in Exhibit C (Alternative Revised Permit Levels).
  - a) With the execution of this agreement, CDI shall provide a bond, or provide a letter

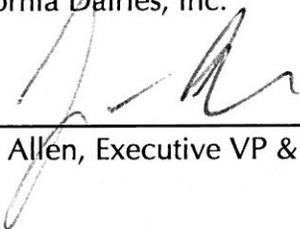
of credit, for the payment of the fees for the flow capacity required by this paragraph.

- b) City will release the bond or letter of credit upon satisfactory proof of completion of the Pretreatment Project and the accomplishment of the BOD/TSS loadings below levels indicated in Exhibit B, or if necessary, upon CDI's payment of the fees as required by this paragraph.
  
- 6) The Public Works Department Wastewater Treatment conditions that have been placed upon the Butter Room Expansion project shall be deemed satisfied upon execution of this agreement, and the permits will be allowed to proceed, assuming all other City requirements are met.
  
- 7) The terms of this Agreement shall be deemed enforceable conditions of the Butter Room Expansion project.

By their respective signatures below, the Parties indicate their agreement to be bound by the foregoing terms and conditions.

**CDI**

California Dairies, Inc.

  
\_\_\_\_\_  
Jason Allen, Executive VP & CFO                      10/23/24  
Date

**City**

City of Visalia

  
\_\_\_\_\_  
Leslie Caviglia, City Manager                      10/29/24  
Date

# EXHIBIT A

## INDUSTRIAL WASTEWATER PERMIT CONDITIONS CONTINUED:

INDUSTRY California Dairies

YEAR 2024-25

PERMIT # 36-2024

44.) Flow limitations shall be as follows:

- I. The average daily discharge shall not exceed:
  - a. 1.870 MGD for any month.
  - b. 2.536 MGD for any period of seven consecutive days.
  - c. 3.550 MGD for any twenty-four hour consecutive period.
  - d. 5.554 MGD for any period longer the fifteen consecutive minutes.

45.) B.O.D. limitations shall be as follows:

- I. The B.O.D. discharged and calculated as pounds per day shall not exceed:
  - a. 7266 LBS per day for any month.
  - b. 17377 LBS per day for any period of seven consecutive days.
  - c. 24328 LBS per day for any twenty-four hour consecutive period.
  - d. The B.O.D. concentration as mg/l shall not exceed 2441 mg/l or 38061 #/day, for any period longer than fifteen consecutive minutes.

46.) Total Suspended Solids loadings are as follows:

- I. The TSS (total suspended solids) discharged and calculated as pounds per day shall not exceed:
  - a. 4937 LBS per day for any month.
  - b. 8451 LBS per day for any period of seven consecutive days.
  - c. 11831 LBS per day for any twenty-four hour consecutive period.
  - d. The TSS concentration shall not exceed 1187 mg/l or 18509 #/day, for any period longer than fifteen consecutive minutes.

The a, b and c values for flow, BOD and Total Suspended Solids are considered surcharge limits, which require payment of a fee when exceeded. The exceeding of these limits is not subject to enforcement action.

The d values for flow, BOD and Total Suspended Solids are slug discharge thresholds. The exceeding of these limits is subject to enforcement action as per the City of Visalia's Pretreatment Program Enforcement Policy Procedures Manual.

# EXHIBIT B

## INDUSTRIAL WASTEWATER PERMIT CONDITIONS CONTINUED:

INDUSTRY California Dairies

YEAR 2024-25

PERMIT # 36-2024

44.) Flow limitations shall be as follows:

- I. The average daily discharge shall not exceed:
  - a. 2.250 MGD for any month.
  - b. 3.052 MGD for any period of seven consecutive days.
  - c. 4.270 MGD for any twenty-four hour consecutive period.
  - d. 6.701 MGD for any period longer the fifteen consecutive minutes.

45.) B.O.D. limitations shall be as follows:

- I. The B.O.D. discharged and calculated as pounds per day shall not exceed:
  - a. 4,005 LBS per day for any month.
  - b. 9,578 LBS per day for any period of seven consecutive days.
  - c. 13,410 LBS per day for any twenty-four hour consecutive period.
  - d. The B.O.D. concentration as mg/l shall not exceed 1,116 mg/l or 20,934 #/day, for any period longer than fifteen consecutive minutes.

46.) Total Suspended Solids loadings are as follows:

- I. The TSS (total suspended solids) discharged and calculated as pounds per day shall not exceed:
  - a. 3,117 LBS per day for any month.
  - b. 5,336 LBS per day for any period of seven consecutive days.
  - c. 7,477 LBS per day for any twenty-four hour consecutive period.
  - d. The TSS concentration shall not exceed 621 mg/l or 11,661 #/day, for any period longer than fifteen consecutive minutes.

The a, b and c values for flow, BOD and Total Suspended Solids are considered surcharge limits, which require payment of a fee when exceeded. The exceeding of these limits is not subject to enforcement action.

The d values for flow, BOD and Total Suspended Solids are slug discharge thresholds. The exceeding of these limits is subject to enforcement action as per the City of Visalia's Pretreatment Program Enforcement Policy Procedures Manual.

# EXHIBIT C

## INDUSTRIAL WASTEWATER PERMIT CONDITIONS CONTINUED:

INDUSTRY California Dairies

YEAR 2024-25

PERMIT # 36-2024

44.) Flow limitations shall be as follows:

- I. The average daily discharge shall not exceed:
  - a. 2.250 MGD for any month.
  - b. 3.052 MGD for any period of seven consecutive days.
  - c. 4.270 MGD for any twenty-four hour consecutive period.
  - d. 6.701 MGD for any period longer the fifteen consecutive minutes.

45.) B.O.D. limitations shall be as follows:

- I. The B.O.D. discharged and calculated as pounds per day shall not exceed:
  - a. 7266 LBS per day for any month.
  - b. 17377 LBS per day for any period of seven consecutive days.
  - c. 24328 LBS per day for any twenty-four hour consecutive period.
  - d. The B.O.D. concentration as mg/l shall not exceed 2441 mg/l or 38061 #/day, for any period longer than fifteen consecutive minutes.

46.) Total Suspended Solids loadings are as follows:

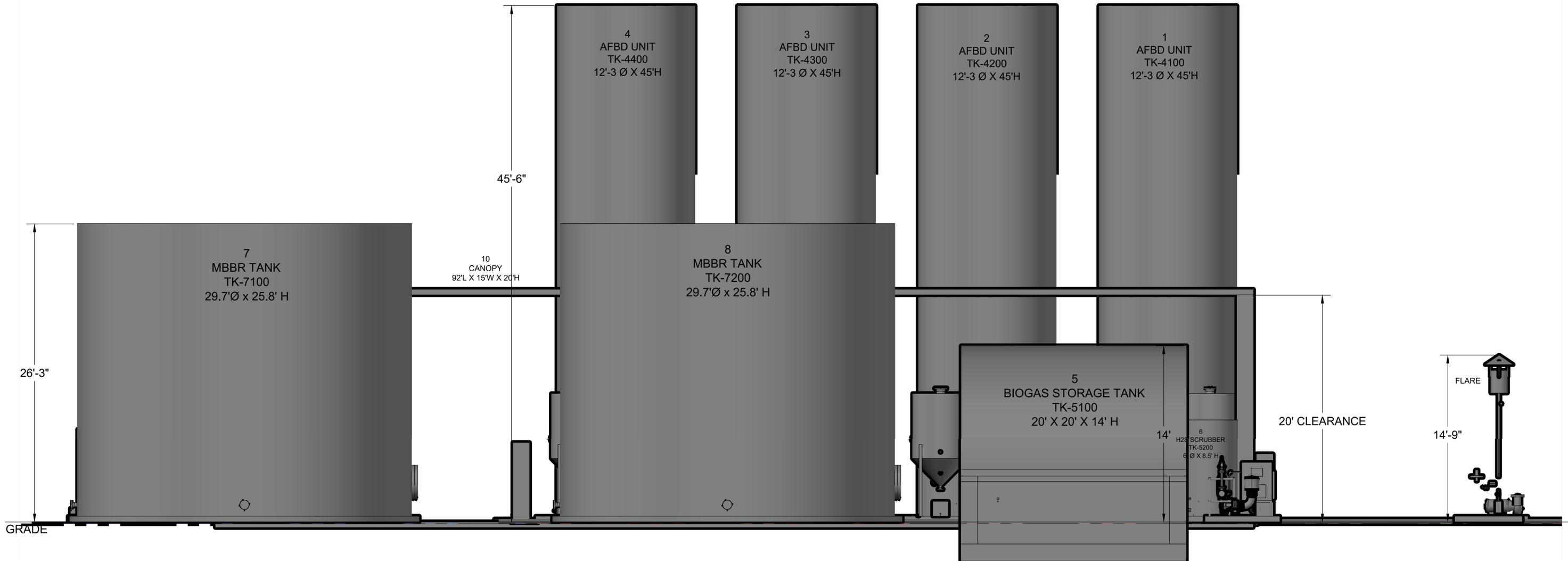
- I. The TSS (total suspended solids) discharged and calculated as pounds per day shall not exceed:
  - a. 4937 LBS per day for any month.
  - b. 8451 LBS per day for any period of seven consecutive days.
  - c. 11831 LBS per day for any twenty-four hour consecutive period.
  - d. The TSS concentration shall not exceed 1187 mg/l or 18509 #/day, for any period longer than fifteen consecutive minutes.

The a, b and c values for flow, BOD and Total Suspended Solids are considered surcharge limits, which require payment of a fee when exceeded. The exceeding of these limits is not subject to enforcement action.

The d values for flow, BOD and Total Suspended Solids are slug discharge thresholds. The exceeding of these limits is subject to enforcement action as per the City of Visalia's Pretreatment Program Enforcement Policy Procedures Manual.

# Exhibit "D"

NO.	TANK	DIMENSIONS	TANK MATERIAL	TANK WEIGHT (EMPTY)	TANK WEIGHT (OPERATIONAL)	FOUNDATION ELEVATION	EMG PART NUMBER
1	TK-4100	12'-3" Ø X 45'H	STAINLESS STEEL	40,000 LBS	380,000 LBS	100.5' TOC	2404-260-TK-4100
2	TK-4200	12'-3" Ø X 45'H	STAINLESS STEEL	40,000 LBS	380,000 LBS	100.5' TOC	2404-260-TK-4200
3	TK-4300	12'-3" Ø X 45'H	STAINLESS STEEL	40,000 LBS	380,000 LBS	100.5' TOC	2404-260-TK-4300
4	TK-4400	12'-3" Ø X 45'H	STAINLESS STEEL	40,000 LBS	380,000 LBS	100.5' TOC	2404-260-TK-4400
5	TK-5100	WALLS 20' X 20' X 6' H, 18" THICK, TOTAL HEIGHT - 14' ABOVE GRADE	CONCRETE	-	-	97.5' TOC	2404-260-TK-5100
6	TK-5200	6' Ø X 8.5' H	FIBERGLASS	2,000 LBS	30,000 LBS	100.5' TOC	2404-260-TK-5200
7	TK-7100	29.7'Ø x 25.8' H	CARBON STEEL	21,000 LBS	1,000,000 LBS	100.5' TOC	2404-260-TK-7100
8	TK-7200	29.7'Ø x 25.8' H	CARBON STEEL	21,000 LBS	1,000,000 LBS	100.5' TOC	2404-260-TK-7200
9	TK-7300	11'-11" Ø X 7'-2" H	HDPE	750 LBS	46,000 LBS	100.5' TOC	2404-260-TK-7300
10	CANOPY	92' L X 15' W	-	-	-	100.0' TOC	-



ELEVATION VIEW

SCALE: 1/4" = 1'-0"

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NO.	REVISION	DATE	BY	APR



CALIFORNIA DAIRIES INC.  
2000 N PLAZA DR  
VISALIA, CA 93291



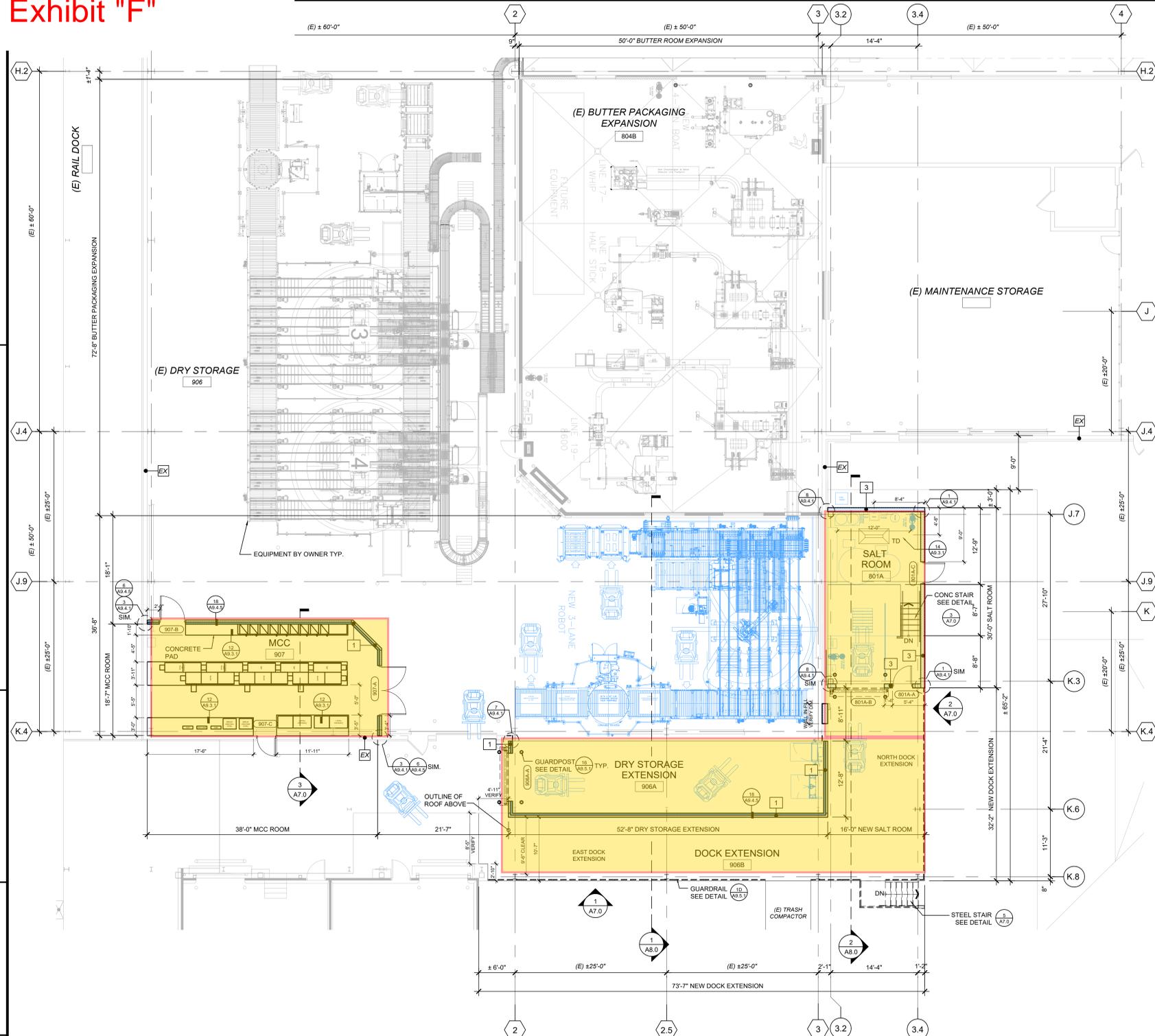
EMG INTERNATIONAL, LLC  
PO BOX 1600, MEDIA, PA 19063  
Tel: (484) 840-0800  
Fax: (484) 840-1996  
<http://www.emgint.com>

ENG. RECORD	DATE
DRAWN BY CG	03/25/25
CHECKED IB	03/25/25
APPROVED YF	03/25/25
APPROVED	

WASTEWATER TREATMENT  
EQUIPMENT LAYOUT  
ELEVATION VIEW

SCALE	DRAWING SIZE
1/4" = 1'-0"	ARCH D
DRAWING NO. 2404-260-G-004-00	
PROJECT NO. 2404-260	REV. 00





**ENLARGED FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**REFERENCE: CURRENT EQUIPMENT**

BUTTER ROOM / SALT ROOM / DRY STORAGE / MCC  
Mechanical : Mechanical Base 05/01/24  
DATE - 03/20/2024

**GENERAL NOTES:**

- GN 1 GENERAL CONTRACTOR SHALL VERIFY ALL SITE DIMENSIONS, LEVELS, EXISTING SITE CONDITIONS AND UNDERGROUND UTILITIES BEFORE COMMENCING WORK. FIELD VERIFY EXISTING ELECTRICAL LINES, GAS LINES, HVAC AND PLUMBING LINES.
- GN 2 GENERAL CONTRACTOR TO REFER TO CIVIL DRAWINGS FOR SITE LAYOUT AND GRADINGS. SEE CIVIL DRAWING FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO FIELD VERIFY ACTUAL LOCATIONS.
- GN 3 REFERENCE POINT IS BASED ON EXTERIOR CORNER FACE OF WALL. CIVIL TO VERIFY BUILDING LOCATION AND CONFIRM REFERENCE POINT.
- GN 4 REFERENCE CIVIL DATUM = 0'-0" FINISH FLOOR HIGH POINT
- GN 5 ALL FLOOR DRAIN LOCATIONS SHALL BE VERIFIED BY PROCESS EQUIPMENT CONSULTANT PRIOR TO INSTALLATION. INFORM OWNER & ARCHITECT FOR ANY CHANGES AND DISCREPANCIES.
- GN 6 GENERAL CONTRACTOR TO VERIFY FLOOR, WALL AND ROOF OPENINGS WITH LATEST ARCHITECTURAL, MEP, REFRIGERATION AND PROCESS EQUIPMENT DRAWINGS.
- GN 7 GENERAL CONTRACTOR TO VERIFY FLOOR, WALL AND ROOF OPENINGS WITH LATEST ARCHITECTURAL, MEP, REFRIGERATION AND PROCESS EQUIPMENT DRAWINGS.
- GN 8 FOR KNOCKOUT WALL TYPE, SEE PLAN.
- GN 9 ALL EQUIPMENT, EQUIPMENT DIMENSIONS AND EQUIPMENT WEIGHTS SHALL BE VERIFIED BY EQUIPMENT MANUFACTURER.
- GN 10 GENERAL CONTRACTOR TO REFER TO STRUCTURAL DRAWINGS FOR FLOOR, SLAB, BEAM, COLUMN SCHEDULE, TOP OF STEEL AND FOR TOP OF WALL FOOTING AND FOUNDATION ELEVATIONS.
- GN 11 ALL DIMENSIONS ARE TO THE FACE OF WALL, GRIDLINE OR FACE OF SHEATHING U.N.O.
- GN 12 SEE DOOR AND WINDOW SCHEDULE FOR DOOR AND WINDOW TYPES, SIZES AND HARDWARE, SEE SHEET A11.
- GN 13 EXTERIOR OF BUILDING TO BE SEALED.
- GN 14 GENERAL CONTRACTOR TO VERIFY THAT ALL ROOF AREAS HAVE POSITIVE DRAINAGE OF AT LEAST 1/4" PER FOOT PRIOR TO ROOF INSTALLATION.
- GN 15 GENERAL CONTRACTOR TO VERIFY ALL ROOF DRAIN DEPRESSIONS WITH STRUCTURAL DRAWINGS.
- GN 16 FIRE RISER LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
- GN 17 DUCT PENETRATIONS OF FIRE-RATED CONSTRUCTION SHALL HAVE SMOKE AND FIRE DAMPERS PER SECTIONS 713.10 AND 713.11.
- GN 18 ALL SMOKE DETECTORS TO BE POWERED AND OPERATED BY THE BUILDING FIRE ALARM SYSTEM.
- GN 19 HAZARD WARNING SIGNS SHALL BE PROVIDED AT BUILDING ENTRY POINTS AND NEAR ALL NEW EQUIPMENT AND MACHINERY. INCLUDE NFPA 704 DIAMOND, CAUTION SIGNS AND SAFETY SIGNS.

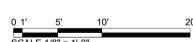
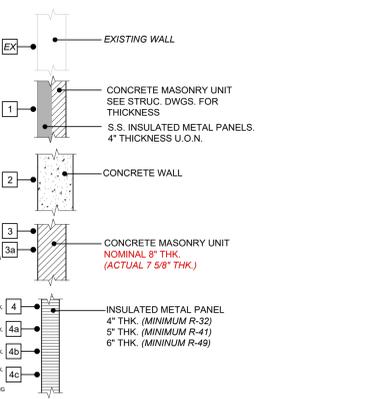
**LEGEND:**

- |      |                               |             |   |
|------|-------------------------------|-------------|---|
| AC   | - ACCESS CONTROL              | MEP OPENING | - REFERS TO MECHANICAL, ELECTRICAL & PLUMBING OPENING |
| AD   | - AREA DRAIN                  | PE OPENING  | - REFERS TO PROCESS EQUIPMENT OPENING                 |
| AIR  | - COMPRESSED AIR HOSE STATION |             |   |
| CJ   | - CONTROL JOINT               |             |   |
| DS   | - DOWN SPOUT                  |             |   |
| EWSS | - EYE WASH / SHOWER STATION   |             |   |
| FD   | - FLOOR DRAIN                 |             |   |
| FE   | - FIRE EXTINGUISHER           |             |   |
| FF   | - FOOT FOAMER                 |             |   |
| FS   | - FLOOR SINK                  |             |   |
| GR   | - GUARDRAIL                   |             |   |
| HB   | - HOSE BIBB                   |             |   |
| HD   | - HUB DRAIN                   |             |   |
| HND  | - HAND DRYER                  |             |   |
| HP   | - HIGH POINT                  |             |   |
| HS   | - HOSE STATION                |             |   |
| HWS  | - HAND WASH SINK              |             |   |
| IMP  | - INSULATED METAL PANEL       |             |   |
| LS   | - LAB SINK                    |             |   |
| MS   | - MOP SINK                    |             |   |
| NIC  | - NOT IN CONTRACT             |             |   |
| NIU  | - NOT IN USE                  |             |   |
| OD   | - OVERFLOW DRAIN              |             |   |
| PWS  | - PARTS WASH SINK             |             |   |
| RD   | - ROOF DRAIN                  |             |   |
| SD   | - SCUPPER DRAIN               |             |   |
| SF   | - SPILL DRAIN                 |             |   |
| TD   | - TRENCH DRAIN                |             |   |
| TFD  | - TOP OF FLOOR DRAIN          |             |   |
| TS   | - THROUGH SINK                |             |   |
| TTD  | - TOP OF TRENCH DRAIN         |             |   |
| VR   | - VENT RISER                  |             |   |
| VTR  | - VENT THRU ROOF              |             |   |
| WC   | - WATER CLOSET                |             |   |

**KNOCKOUT WALL TYPES:**

- FOR ADDITIONAL INFORMATION SEE DETAIL \_\_\_\_\_
- A** KNOCKOUT PANEL REVEAL FOR FUTURE OPENING
  - B** PRECAST INFILL
  - C** LEAVE OUT PANEL FOR CONSTRUCTION ACCESS
  - D** LEAVE OUT PANEL FOR EQUIPMENT SETTING

**WALL TYPES:**



CONFIDENTIAL AND PRIVILEGED. INCLUDES CORPORATE PROPRIETARY INFORMATION AND TRADE SECRETS. EXEMPT FROM DISCLOSURE TO THE PUBLIC.

NO.	DATE	REVISION	BY
05/03/24	ISSUED FOR PERMIT	RBM	
1	07/30/24	PCR #1	TR

**E.A. BONELLI**  
ARCHITECTS + ENGINEERS

8450 Edes Avenue, Oakland, CA 94621  
Phone: (510)740-0155  
Fax: (510)740-0160  
Website: www.eabonelli.com

2519 W. Shaw Avenue, Suite 102  
Fresno, CA 93711  
Phone: (559)627-6448

PROJECT FOR

**California DAIRIES inc.**

PROJECT NAME  
**BUTTER EXPANSION**

PROJECT ADDRESS  
2000 N PLAZA DRIVE  
VISALIA, CA 93291

SHEET TITLE  
**ENLARGED FLOOR PLAN**

SCALE: N.T.S. SHEET NO.  
DRAWN: RBM  
CHECKED: TR  
APPROVED: **A1.5**  
DATE: 05/03/24  
JOB NO: 23-002

Notice of Determination

Form C

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: City of Visalia  
315 E. Acequia Avenue  
Visalia, CA 93291

County Clerk  
County of Tulare  
County Civic Center, Rm 105  
Visalia, CA 93291

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: \_\_\_\_\_

\_\_\_\_\_ City of Visalia \_\_\_\_\_ 559 463-4359 \_\_\_\_\_  
State Clearinghouse Number Lead Agency Area Code/Telephone/Extension

Project Location: (include county) 2000 N. Plaza Drive, City of Visalia, County of Tulare.

Project Description: Conditional Use Permit to allow a milk processing facility on 55 acres in the IH (Heavy Industrial ) zone. The project is a re-use of an existing food processign facility including a 316,000 sq.ft. building.

This is to advise that the  City Council  Planning Commission has approved the above described project on \_\_\_\_\_ and has made the following determinations regarding the above described project:

1. The project will will not have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations (was was not) adopted for this project.
5. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at the City of Visalia Planning County located at 315 E. Acequia Avenue.

  
\_\_\_\_\_  
Signature  
City of Visalia Environmental Coordinator

7-26-05  
\_\_\_\_\_  
Date

FILED  
TULARE COUNTY oc 11:50  
JUL 27 2005 de

Date received for filing at OPR:

GREGORY B. HARDCASTLE  
ASSESSOR/CLERK RECORDER  
BY: 

**CALIFORNIA DEPARTMENT OF FISH AND GAME  
CERTIFICATE OF FEE EXEMPTION  
De Minimis Impact Finding**

**Project Title/Location (include County):**

2000 N. Plaza Drive, City of Visalia, County of Tulare.

**Project Description:**

Conditional Use Permit to allow a milk processing facility on 55 acres in the IH (Heavy Industrial ) zone. The project is a re-use of an existing food processign facility including a 316,000 sq.ft. building.

**Findings of Exemption (attach as necessary):**

1. That an Initial Study was prepared for the proposed project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2005-20 is hereby adopted.
2. That there is no evidence before the Visalia  City Council  Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

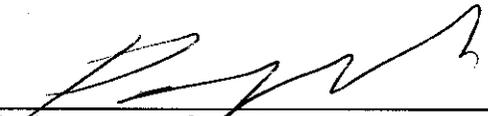
Based on the findings of the Initial Study, Negative Declaration No. 2005-20 was adopted per  City Council  Planning Commission Resolution No. 2005-73.

**Certification:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

**Date:**

7-26-05

  
\_\_\_\_\_  
Environmental Coordinator  
City of Visalia

Section 711.4, Fish and Game Code DFG: 12/90

10182007-20

# CITY OF VISALIA COMMUNITY DEVELOPMENT DEPARTMENT'S RECEIPT

PAGE NO. \_\_\_ OF \_\_\_

### BUILDING DIVISION

0011-431102-18241	_____	Building Permit Fee
0011-481620-18241	_____	Misc. Revenue
_____	_____	Other: _____
_____	_____	Other: _____

### PLANNING DIVISION

0011-461521-18111	_____	Administrative Adjustment
0011-461517-18111	_____	Annexation
0011-250115	_____	Annexation Holding Account for Board of Equalization
0011-250110	_____	Annexation Holding Account for LAFCO
0011-461522-18111	_____	Certificate of Compliance
0011-461512-18111	_____	Change of Zone
0011-461524-18111	_____	Conditional Use Permit Amendment
0011-461513-18111	<u>578</u>	Conditional Use Permit (Minor)
0011-461529-18111	_____	Development Agreement
0011-461515-18111	_____	Draft Environmental Impact Report
0011-461516-18111	_____	Environmental
0011-461525-18111	_____	Flood Elevation Certificate Copies
0011-461520-18111	_____	General Plan Amendment
0011-461514-18111	_____	Home Occupation Permit
0011-461518-18111	_____	Lot Line Adjustment
0011-471621-18111	_____	Maps and Publications
0011-461527-18111	_____	Specific Plans - Residential / Commercial
0011-461510-18111	_____	Temporary Conditional Use Permit
0011-461548-18111	_____	Tentative Parcel Map
0011-461534-18111	_____	Tentative Subdivision Map
0011-461528-18111	_____	Text Amendments
0011-461526-18111	_____	Time Extension
0011-461511-18111	_____	Variance/Exception
0011-481620-18111	_____	Misc. Revenue
_____	_____	Other: _____
_____	_____	Other: _____

Planning use only:
Tulare County Recording Fee
Check Received _____
Amount \$ _____
Check No. _____

TOTAL 578

0011-250102- \_\_\_\_\_ DEPOSITS PAYABLE-MONEY TO BE REFUNDED

0011-211102- \_\_\_\_\_ REVENUE COLLECTED IN ADVANCE - MONEY TO BE USED FOR FUTURE CONSTRUCTION.

APN: 077-111-030

PROJECT: Conditional Use Permit: Ca. Dairies

PAID BY: Ca. Dairies CASH: \_\_\_\_\_ CHECK NO. 119031

RECEIVED BY: BJS DATE: 5/18/05

Finance use only:
Batch # _____
Post Date _____
Receipt # _____



**CITY OF VISALIA  
RECEIPT**

RECEIPT NUMBER: Rec-542390

TYPE: MISC RECEIPT 7-1-04

DESCRIPTION:

APD #: M-Rec03818  
SITE ADDRESS: 2000 N PLAZA DR VISA  
PARCEL: 077-111-030

TRANSACTION DATE: 05/18/2005

TOTAL PAYMENT: 578.00

PAYMENT MADE BY:

CALIFORNIA DAIRIES INC

Type	Method	Description	Amount
Payment	Check	119301	578.00

Item#	Description	Account Code	Tot Fee	Paid	Prv. Pmts	Cur. Pmts
1513	Cond Use Permit	0011-461513-	578.00	578.00	.00	578.00

ISSUED BY: PDSHAT, PDS, CASH-10 ,

DATE: 05/18/2005, 11:57 AM



CUP 2005-20

PAYMENT TRANSMITTAL

Check # 119941 Amount \$ 512.00

Breakdown of Fees	512.00	Neg. Dec
0011-461543-33311		Final Parcel Map Filing Fee
0011-461542-33311		Final Subdivision Map Filing Fee
0011-461586-33311		Landscape & Lighting Application Fee
0011-461532-33311		Parcel Map Plan Check & Insp. Fee
0011-461531-33311		Subdivision Plan Check & Insp. Fee
0011-461512-18111		Change of Zone
0011-461513-18111		Conditional Use Permit Application Fee
0011-461515-18111		Draft EIR Fee
0011-461520-18111		General Plan Amendment/ Specific Plan Amendment
0011-461518-18111		Lot Line Adjustment Application Fee
0011-461548-18111		Tentative Parcel Map Filing Fee
0011-461534-18111		Tentative Subdivision Map Filing Fee
0011-461511-18111		Variance/ Exception Application Fee

<b>TOTAL</b>	<b>\$ -</b>	
Project:	<u>California Dairies</u>	APN: <u>077-11-030</u>
Paid By:	<u>California Dairies</u>	
Rec'd By:	<u>Pam Shattuck</u>	Date: <u>6/2/05</u>





**CITY OF VISALIA  
RECEIPT**

RECEIPT NUMBER: Rec-542738

TYPE: MISC RECEIPT 7-1-04

DESCRIPTION: NEG DEC FEE

APD #: M-Rec03880  
SITE ADDRESS: 2000 N PLAZA DR VISA  
PARCEL: 077-111-030

TRANSACTION DATE: 06/02/2005

TOTAL PAYMENT: 512.00

PAYMENT MADE BY:

CALIFORNIA DAIRIES INC

Type	Method	Description	Amount
Payment	Check	119941	512.00

Item#	Description	Account Code	Tot Fee	Paid	Prv. Pmts	Cur. Pmts
1620	Misc Planning R	0011-481620-	512.00	512.00	.00	512.00

ISSUED BY: PDSHAT, PDS, CASH-10 ,

DATE: 06/02/2005, 01:09 PM

General Plan Amendment No. 2005-\_\_\_\_ : A request by \_\_\_\_\_ to change the General Plan land use designation from \_\_\_\_\_ to \_\_\_\_\_ on \_\_\_\_\_ acres.

The site is located \_\_\_\_\_

APNs: \_\_\_\_\_

- |                          |                                     |                          |
|--------------------------|-------------------------------------|--------------------------|
| <b>No</b>                | <b>Yes</b>                          |                          |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Application Form         |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Agency Authorization     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Hazardous Materials Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Environmental Check List |

- |                          |                    |
|--------------------------|--------------------|
| <input type="checkbox"/> | Light Study        |
| <input type="checkbox"/> | Traffic Study      |
| <input type="checkbox"/> | Noise Study        |
| <input type="checkbox"/> | Visibility Screens |
| <input type="checkbox"/> | Landscape Plans    |
| <input type="checkbox"/> | Sign Program       |

**Outside Agency Review:**

- |                          |                      |
|--------------------------|----------------------|
| <input type="checkbox"/> | Park and Recreation  |
| <input type="checkbox"/> | Caltrans             |
| <input type="checkbox"/> | Tulare County        |
| <input type="checkbox"/> | Airport Commission   |
| <input type="checkbox"/> | Redevelopment Agency |
| <input type="checkbox"/> | Fish and Game        |
| <input type="checkbox"/> | Historic Committee   |
| <input type="checkbox"/> | Police Department    |
| <input type="checkbox"/> | LAFCo                |
| <input type="checkbox"/> | Other                |

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Additional Site Plan Review Requirements |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Site Plan (w/ Reductions)                |
| <input type="checkbox"/> | <input type="checkbox"/>            | Elevations (w/ Reductions)               |
| <input type="checkbox"/> | <input type="checkbox"/>            | Floor Plans (w/ Reductions)              |
| <input type="checkbox"/> | <input type="checkbox"/>            | Master Plans (w/ Reductions)             |
| <input type="checkbox"/> | <input type="checkbox"/>            | Operational Statement                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Hazardous Materials List                 |

**Fee Verification:**

Audrey C  
Name of Person Completing Checklist

Date

<input type="checkbox"/>	Cat-x
<input checked="" type="checkbox"/>	Neg Dec
<input type="checkbox"/>	EIR

# 2005-52

Applicant's Name (Agent)

- |                                     |              |          |
|-------------------------------------|--------------|----------|
| <input checked="" type="checkbox"/> | Accepted     | Comments |
| <input type="checkbox"/>            | Rejected     |          |
| <input type="checkbox"/>            | Not Complete |          |

Need ~~ADD~~ Neg Dec Fee \$ 512.00.  
July 25<sup>th</sup> to PC  
Need \$45.00 to Tulare City Clerk

Please Note: \* This is not a notice of completed application.  
\* Application fees are non-refundable.  
\* For Planning information, please call (209) 738-3359

Planner Trish  
Date 5-24-05

SITE PLAN  
NO. 05-122

APPLICATION CHECKLIST  
CITY OF VISALIA

~~Hand  
copy lots~~

Conditional Use Permit No. 2005-\_\_\_\_\_ : A request by California Devices to allow a

Minor Amendment to CUP # 1015 in the I H Heavy Industrial zone. The site is located

2000 N. Plaza Drive

079-111-030

APNs: \_\_\_\_\_

Variance No. 2005-\_\_\_\_\_ : A request by \_\_\_\_\_ to allow a variance

from the standard \_\_\_\_\_ in the \_\_\_\_\_ zone. The site is

APNs: \_\_\_\_\_

Parcel Map No. 2005-\_\_\_\_\_ : A request by \_\_\_\_\_ to divide \_\_\_\_\_ acres

into \_\_\_\_\_ parcels. The site is located

APNs: \_\_\_\_\_

Vesting Tentative Subdivision Map \_\_\_\_\_ : A request

by \_\_\_\_\_ to divide \_\_\_\_\_ acres into \_\_\_\_\_ lots. The site is located

APNs: \_\_\_\_\_

Change of Zone No. 2005-\_\_\_\_\_ : A request by \_\_\_\_\_ to change the

zoning from \_\_\_\_\_ to \_\_\_\_\_ on \_\_\_\_\_ acres. The site is located

APNs: \_\_\_\_\_

CUP # 1015 - 1986  
Food Processing Plant  
Anheuser Bush

2005 SCHEDULE OF DATES PROJECT PROCESSING  
NEGATIVE DECLARATIONS WITH 20 DAY REVIEW

PLANNING COMMISSION HEARING	LAST DAY TO GIVE PROJECT WRDING TO SUSAN	LAST DAY TO MAIL PRE-NOTICES TO AGENCIES	LAST DAY TO BE ASSIGNED TO PROJECT MGR	DRAFT NEG BRANON FOR REVIEW	DEADLINE FOR AGENCIES TO SUBMIT RESPONSE TO PRE-NOTICE	NEG DEC SIGNED BY STEVE	DELIVER NOTICE TO COUNTY CLERK & FAX BY 11:00	MAIL OUT PUBLIC HEARING NOTICES	FINAL DRAFT OF STAFF REPORT TO STEVE	STEVE'S COMMENTS BACK TO PROJECT MGR	FINAL REPORT TO SUSAN FOR RESO AND COPYING	PACKET DELIVERED TO PC	NEG DEC COMMENT PERIOD ENDS	PLANNING COMMISSION HEARING	PREPARE NOD AND GIVE TO KM	FILE NOD WITH COUNTY CLERK
Monday	Tuesday	Wednesday	Thursday	Friday	Wednesday	Thursday	Friday	Wednesday	Friday	Wednesday	Friday	Monday	Thursday	Monday	Tuesday	Wednesday
0	-82	-80	-55	-45	-33	-32	-31	-26	-17	-12	-10	-7	-4	0	1	2
10-Jan	9-Nov	11-Nov	16-Nov	25-Nov	8-Dec	9-Dec	10-Dec	15-Dec	24-Dec	29-Dec	31-Dec	3-Jan	6-Jan	10-Jan	11-Jan	12-Jan
15-Feb	23-Nov	25-Nov	30-Nov	10-Dec	22-Dec	23-Dec	24-Dec	29-Dec	7-Jan	12-Jan	14-Jan	17-Jan	20-Jan	24-Jan	25-Jan	26-Jan
28-Feb	14-Dec	18-Dec	21-Dec	31-Dec	12-Jan	13-Jan	14-Jan	19-Jan	28-Jan	2-Feb	4-Feb	7-Feb	10-Feb	15-Feb	15-Feb	16-Feb
14-Mar	28-Dec	30-Dec	4-Jan	14-Jan	26-Jan	27-Jan	28-Jan	2-Feb	11-Feb	18-Feb	19-Feb	21-Feb	24-Feb	28-Feb	1-Mar	2-Mar
29-Mar	11-Jan	13-Jan	18-Jan	28-Jan	9-Feb	10-Feb	11-Feb	16-Feb	25-Feb	2-Mar	4-Mar	7-Mar	10-Mar	14-Mar	15-Mar	16-Mar
11-Apr	27-Jan	27-Jan	1-Feb	11-Feb	23-Feb	24-Feb	25-Feb	2-Mar	11-Mar	16-Mar	18-Mar	21-Mar	24-Mar	28-Mar	29-Mar	30-Mar
25-Apr	8-Feb	10-Feb	15-Feb	25-Feb	9-Mar	10-Mar	11-Mar	16-Mar	25-Mar	30-Mar	1-Apr	4-Apr	7-Apr	11-Apr	12-Apr	13-Apr
9-May	22-Feb	24-Feb	1-Mar	11-Mar	23-Mar	24-Mar	25-Mar	30-Mar	8-Apr	13-Apr	15-Apr	18-Apr	21-Apr	25-Apr	26-Apr	27-Apr
22-May	10-Mar	10-Mar	15-Mar	25-Mar	6-Apr	7-Apr	8-Apr	13-Apr	22-Apr	27-Apr	29-Apr	2-May	5-May	9-May	10-May	11-May
7	22-Mar	24-Mar	29-Mar	8-Apr	20-Apr	21-Apr	22-Apr	27-Apr	6-May	11-May	13-May	16-May	19-May	23-May	24-May	25-May

This chart is for Internal Use Only and is not to be released to the Public.

NOTE: February 14, March 29 and November 29 are Tuesday meetings.

PLANNING COMMISSION HEARING	LAST DAY TO GIVE PROJECT WRDING TO SUSAN	LAST DAY TO MAIL PRE-NOTICES TO AGENCIES	LAST DAY TO BE ASSIGNED TO PROJECT MGR	DRAFT NEG BRANON FOR REVIEW	DEADLINE FOR AGENCIES TO SUBMIT RESPONSE TO PRE-NOTICE	NEG DEC SIGNED BY STEVE	DELIVER NOTICE TO COUNTY CLERK & FAX BY 11:00	MAIL OUT PUBLIC HEARING NOTICES	FINAL DRAFT OF STAFF REPORT TO STEVE	STEVE'S COMMENTS BACK TO PROJECT MGR	FINAL REPORT TO SUSAN FOR RESO AND COPYING	PACKET DELIVERED TO PC	NEG DEC COMMENT PERIOD ENDS	PLANNING COMMISSION HEARING	PREPARE NOD AND GIVE TO KM	FILE NOD WITH COUNTY CLERK
Monday	Tuesday	Wednesday	Thursday	Friday	Wednesday	Thursday	Friday	Wednesday	Friday	Wednesday	Friday	Monday	Thursday	Monday	Tuesday	Wednesday
0	-82	-80	-55	-45	-33	-32	-31	-26	-17	-12	-10	-7	-4	0	1	2
13-Jun	12-Apr	14-Apr	19-Apr	29-Apr	11-May	12-May	13-May	18-May	27-May	1-Jun	3-Jun	6-Jun	9-Jun	13-Jun	14-Jun	15-Jun
27-Jun	26-Apr	28-Apr	3-May	13-May	25-May	26-May	27-May	1-Jun	10-Jun	15-Jun	17-Jun	20-Jun	23-Jun	27-Jun	28-Jun	29-Jun
11-Jul	10-May	12-May	17-May	27-May	9-Jun	9-Jun	10-Jun	15-Jun	24-Jun	29-Jun	1-Jul	4-Jul	7-Jul	11-Jul	12-Jul	13-Jul
25-Jul	24-May	26-May	31-May	19-Jun	22-Jun	23-Jun	24-Jun	29-Jun	8-Jul	13-Jul	15-Jul	18-Jul	21-Jul	25-Jul	26-Jul	27-Jul
8-Aug	7-Jun	9-Jun	14-Jun	24-Jun	6-Jul	7-Jul	8-Jul	13-Jul	22-Jul	27-Jul	29-Jul	1-Aug	4-Aug	8-Aug	9-Aug	10-Aug
22-Aug	21-Jun	23-Jun	28-Jun	9-Jul	20-Jul	21-Jul	22-Jul	27-Jul	5-Aug	10-Aug	12-Aug	15-Aug	18-Aug	22-Aug	23-Aug	24-Aug
28-Sep	12-Jul	14-Jul	19-Jul	29-Jul	10-Aug	11-Aug	12-Aug	17-Aug	26-Aug	31-Aug	2-Sep	5-Sep	8-Sep	12-Sep	13-Sep	14-Sep
10-Oct	9-Aug	11-Aug	16-Aug	25-Aug	24-Aug	25-Aug	26-Aug	31-Aug	9-Sep	14-Sep	16-Sep	19-Sep	22-Sep	26-Sep	27-Sep	28-Sep
24-Oct	25-Aug	25-Aug	30-Aug	9-Sep	21-Sep	22-Sep	23-Sep	28-Sep	7-Oct	12-Oct	14-Oct	17-Oct	20-Oct	24-Oct	25-Oct	26-Oct
14-Nov	13-Sep	15-Sep	20-Sep	30-Sep	12-Oct	13-Oct	14-Oct	19-Oct	28-Oct	2-Nov	4-Nov	7-Nov	10-Nov	14-Nov	15-Nov	16-Nov
28-Nov	27-Sep	28-Sep	4-Oct	14-Oct	26-Oct	27-Oct	28-Oct	2-Nov	11-Nov	16-Nov	18-Nov	21-Nov	24-Nov	29-Nov	29-Nov	30-Nov
12-Dec	11-Oct	13-Oct	18-Oct	28-Oct	9-Nov	10-Nov	11-Nov	16-Nov	25-Nov	30-Nov	2-Dec	5-Dec	8-Dec	12-Dec	13-Dec	14-Dec

\*\* 2nd December meeting typically cancelled due to Christmas.

This chart is for Internal Use Only and is not to be released to the Public.

GPA's, COZ's, and Appeals

HEARING MEMO DUE TO ADMIN	COUNCIL HEARING	(FOR ORD. CHANGES ONLY) 2ND READING MEMO DUE TO ADMIN	(FOR ORD. CHANGES ONLY) 2ND READING AT COUNCIL	ORD. EFFECTIVE DATE
Friday	Monday	Friday	Monday	
11	21	25	35	30
7	28-Jan	11-Feb	22-Feb	24-Mar
8	11-Feb	25-Feb	14-Mar	13-Apr
1	25-Feb	7-Mar	21-Mar	20-Apr
1	11-Mar	25-Mar	4-Apr	4-May
1	25-Mar	8-Apr	18-Apr	18-May
1	8-Apr	22-Apr	2-May	1-Jun
1	22-Apr	6-May	16-May	15-Jun
7	6-May	20-May	6-Jun	6-Jul
7	27-May	6-Jun	20-Jun	20-Jul
7	10-Jun	20-Jun	5-Jul	4-Aug

HEARING MEMO DUE TO ADMIN	COUNCIL HEARING	(FOR ORD. CHANGES ONLY) 2ND READING MEMO DUE TO ADMIN	(FOR ORD. CHANGES ONLY) 2ND READING AT COUNCIL	ORD. EFFECTIVE DATE
Friday	Monday	Friday	Monday	
11	21	25	35	30
1	24-Jun	8-Jul	18-Jul	17-Aug
1	8-Jul	22-Jul	1-Aug	31-Aug
1	22-Jul	5-Aug	15-Aug	14-Sep
7	5-Aug	19-Aug	5-Sep	5-Oct
7	26-Aug	9-Sep	19-Sep	19-Oct
7	9-Sep	23-Sep	3-Oct	2-Nov
7	23-Sep	7-Oct	17-Oct	16-Nov
7	7-Oct	28-Oct	7-Nov	7-Dec
7	28-Oct	10-Nov	21-Nov	21-Dec
7	10-Nov	25-Nov	5-Dec	4-Jan
7	25-Nov	5-Dec	19-Dec	18-Jan
7	9-Dec	23-Dec	8-Jan	8-Feb
7	30-Dec	13-Jan	24-Jan	23-Feb



CUP NO. \_\_\_\_\_

### APPLICATION FOR CONDITIONAL USE PERMIT

1. Name of Applicant (s): California Dairies, Inc. Phone: 559-625-2200

2. Applicant is the  Agent of the property owner  Owner

x 16

**Note: If the applicant is not the current owner (e.g., property is in escrow), an agency authorization from the current owner is required.**

3. Name of all owners, partners, proprietors, principals, etc.: Frito-Lay North America, Inc.

4. Address of Property: 2000 North Plaza Drive, Visalia, CA 93291

5. Assessors Parcel No.: 077-111-030

6. Location of Property: North Plaza Drive Street, between West Goshen Avenue and Ferguson Avenue

7. Legal Description of Property: S 1/2 Sec. 20, T.18S., R.24E., M.D.B. & M.

8. Existing Zoning of Property: IH - Planned Heavy Duty Industrial

9. REQUEST: The applicant requests a Conditional Use Permit to use the above described property for the following purposes: Milk Processing facility

10. Operational Statement: Attach a written narrative outlining the proposed operation including days and hours of operation, number of employees, and any other pertinent information regarding your use that will assist in evaluation of your request.

11. Plans and Drawings: Attach sketches or drawings to clearly show proposal.

12. STATEMENT:

I, Rocky F. White declare under penalty of perjury, that I have completed this application and all other documents to the best of my ability, and all statements and documents are true and correct to the best of my knowledge. I also declare under penalty of perjury that I am the legal owner, lessee or authorized agent of the property involved in this application.

May 18, 200  
Dated



Rocky F White  
Signed Rocky F. White  
5100 West Cypress Avenue  
Address  
Visalia, CA 93277  
City and Zip Code

**Attach list of property owners with addresses within 300 feet radius of property, including all owners of the subject site and their agent(s).**

# CITY OF VISALIA COMMUNITY DEVELOPMENT DEPARTMENT'S RECEIPT

PAGE NO. \_\_\_\_ OF \_\_\_\_

### BUILDING DIVISION

0011-431102-18241	Building Permit Fee	
0011-481620-18241	Misc. Revenue	
	Other:	
	Other:	

### PLANNING DIVISION

0011-461521-18111	Administrative Adjustment	
0011-461517-18111	Annexation	
0011-250115	Annexation Holding Account for Board of Equalization	
0011-250110	Annexation Holding Account for LAFCO	
0011-461522-18111	Certificate of Compliance	
0011-461512-18111	Change of Zone	
0011-461524-18111	Conditional Use Permit Amendment	
0011-461513-18111	578 Conditional Use Permit (Minor)	
0011-461529-18111	Development Agreement	
0011-461515-18111	Draft Environmental Impact Report	
0011-461516-18111	Environmental	
0011-461525-18111	Flood Elevation Certificate Copies	
0011-461520-18111	General Plan Amendment	
0011-461514-18111	Home Occupation Permit	
0011-461518-18111	Lot Line Adjustment	
0011-471621-18111	Maps and Publications	
0011-461527-18111	Specific Plans - Residential / Commercial	
0011-461510-18111	Temporary Conditional Use Permit	
0011-461548-18111	Tentative Parcel Map	
0011-461534-18111	Tentative Subdivision Map	
0011-461528-18111	Text Amendments	
0011-461526-18111	Time Extension	
0011-461511-18111	Variance/Exception	
0011-481620-18111	Misc. Revenue	
	Other:	
	Other:	

TOTAL 578

*Planning use only:*  
 Tulare County Recording Fee  
 Check Received \_\_\_\_\_  
 Amount \$ \_\_\_\_\_  
 Check No. \_\_\_\_\_

0011-250102- \_\_\_\_\_ DEPOSITS PAYABLE-MONEY TO BE REFUNDED  
 0011-211102- \_\_\_\_\_ REVENUE COLLECTED IN ADVANCE - MONEY TO BE USED FOR FUTURE CONSTRUCTION.

APN: 077-111-030

PROJECT: Conditional Use Permit: Ca. Dairies  
 PAID BY: Ca. Dairies CASH: \_\_\_\_\_ CHECK NO. 119031  
 RECEIVED BY: BJS DATE: 5/18/05

*Finance use only:*  
 Batch # \_\_\_\_\_  
 Post Date \_\_\_\_\_  
 Receipt # \_\_\_\_\_

**AGENCY AUTHORIZATION**

**OWNER:**

I, Frito-Lay North America, Inc. (formerly known as Recot, Inc.), a Delaware corporation ("FLNA"),  
(Owner's Name)

declare as follows:

I am the owner of certain real property bearing assessor's parcel number (APN):

077-111-030  
2000 N. Plaza Drive  
Visalia, CA 93291

**AGENT:**

I designate Keith A. Gomes, to act as my duly authorized  
(Agent's Name) (Please type or print)

agent for all purposes necessary to file an application for, and obtain a permit to

Variance/Exception for height / Conditional USE PERMIT / SITE PLAN REVIEW  
(Action Sought)

relative to the property mentioned herein.

The agent designation specified herein may be terminated by FLNA at any time by written notice to the City of Visalia and to the agent specified herein. Upon receipt of such notice the City agrees to no longer recognize such individual as the agent for FLNA.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 11<sup>th</sup> day of May, 2005.

<u>OWNER</u>	<u>AGENT</u>
FRITO-LAY NORTH AMERICA, INC.	
By: _____	Keith A. Gomes
Name: <u>Clint Bixler 5/11/05</u>	(Signature of Agent)
Clint Bixler	5100 W. Cypress Ave
Title: Manager, Real Estate Operations	Visalia, CA 93277
c/o Frito-Lay, Inc.	
7701 Legacy Drive	
Plano, TX 75024	
Attn: Real Estate Dept.	
MD 4A-237	
(Owner Mailing Address)	(Agent Mailing Address)
(972) 334-7000	(559) 625-2200 x12
(Owner Telephone)	(Agent Telephone)

**APPROVED:**  
CITY OF VISALIA

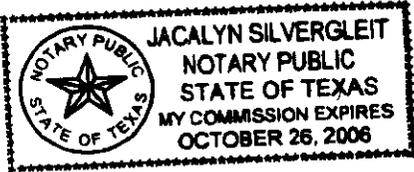
By: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: Attach acknowledgement of signature(s) by Notary Public if executed outside the State of California.

STATE OF TEXAS            )  
                                  )     SS  
COUNTY OF COLLIN )

This instrument was acknowledged before me on May 11th, 2005, by Clint Bixler, the Manager, Real Estate Operations of FRITO-LAY, INC., a Delaware corporation, on behalf of said corporation.



[SEAL]

  
\_\_\_\_\_  
Notary Public for the State of Texas

My commission expires: 10/26/06

**ENVIRONMENTAL INFORMATION**

1. EXISTING ENVIRONMENTAL SETTINGS:

a. Present use of the site:

Manufacturing (IH)  
\_\_\_\_\_

b. Describe the existing environment. Include information regarding topography, plant life, animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site and their use. (Attach additional sheets if necessary.)

See attached photo  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Describe surrounding properties including information regarding land use and natural features:

NORTH: Industrial Park  
\_\_\_\_\_

SOUTH: Industrial Park  
\_\_\_\_\_

EAST: Industrial Park  
\_\_\_\_\_

WEST: Industrial Park  
\_\_\_\_\_

## 2. ENVIRONMENTAL IMPACTS:

Are the following items applicable to the project? NOTE: All items checked YES and MAYBE should be explained. Please attach explanations as necessary.

- |                          |                          |                                     |    |   |
|--------------------------|--------------------------|-------------------------------------|----|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | a. | Change in the existing features of any streams, lakes or hills, or substantial alteration of ground contours?                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | b. | Change in stream, river or ground water quality or quantity, or alteration of existing drainage patterns?                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | c. | Change in air quality including change in dust, ash, smoke, fumes, or odors in the vicinity?                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | d. | Change in plant life including reduction of any rare or endangered species, or reduction in land currently in agricultural use? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | e. | Change in animal life including changes in diversity/number of species and impacts to rare or endangered species?               |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | f. | Increase in existing noise levels or exposure of people to severe noise levels?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | g. | Increase in light or glare within the vicinity?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | h. | Increase in significant amounts of solid waste or litter?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | i. | Change in planned land use for the area including changes in population density, character, or housing demand?                  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | j. | Change in the rate of use or depletion of any natural resources?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | k. | Substantial increase or impact to vehicle movement, parking or transportation system?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | l. | Substantial impact to public services such as police, fire, schools, parks, or street maintenance?                              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | m. | Impact to or alteration to existing utilities?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | n. | Substantial increase in energy consumption?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | o. | Impact to human health or exposure of people to potential health hazards?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | p. | Change in scenic views or vistas?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | q. | Alteration of significant archaeological, historical site or structure?   |

**SUPPLEMENTAL INFORMATION FOR APPLICATIONS  
FOR ANY DEVELOPMENT PROJECT**

Section 65962.5(f) of the California Government Code states:

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site which is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943.

**HAZARDOUS WASTE AND SUBSTANCES STATEMENT**

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit the following signed statement:

I have reviewed the "Identified Hazardous Waste Sites" list dated May 16, 2005, and state that:

The site(s) of the project subject to this application  is  is not on the "Identified Hazardous Waste Sites" list.

Name of applicant: California Dairies, Inc.

Applicant's Address: 5100 W. Cypress Avenue, Visalia, CA 93277

Phone number: 559-625-2200

Address of site: 2000 North Plaza Drive, Visalia, CA 93291  
(street name and number if available, and ZIP Code):

Local agency (city/county): Visalia, Tulare

Assessor's book, page, and parcel number: APN 077-111-030 Book 077, Page 11

Specify any list pursuant to Section 65962.5 of the Government Code: \_\_\_\_\_

Regulatory identification number: \_\_\_\_\_

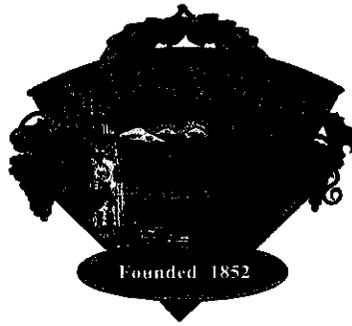
Date of list: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the information furnished herein presents to the best of my knowledge and belief, true and correct facts, statements, and information, and that I am the owner, or the authorized agent of the owner, of the subject property.

Signed: Rocky F. White Date: May 18, 2005  
Rocky F. White

**Complete this form for all types of permits, except building permits.**



June 2, 2005

**CALIFORNIA DAIRIES, INC  
5100 WEST CYPRESS AVENUE  
VISALIA CA 93277**

RE: Complete application

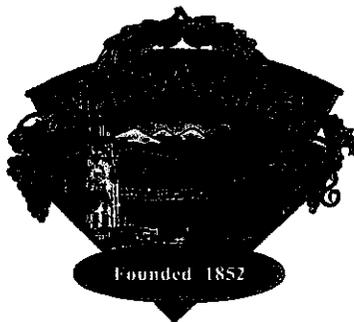
Dear Sirs:

Thank you for your recent application submittal of Conditional Use Permit No. 2005-20: A request by California Dairies to allow a minor amendment to CUP No. 1015 in the Heavy Industrial (IH) zone. The site is located at 2000 North Plaza Drive. APN: 077-111-030. The application was determined to be complete and the public hearing before the Planning Commission has been set for July 25, 2005.

If you have any questions concerning your application please feel free to contact Trish Garrett at (559) 713-4002.

Sincerely,

Susan Currier  
Planning Assistant



May 31, 2005

**CALIFORNIA DAIRIES, INC  
5100 WEST CYPRESS AVENUE  
VISALIA CA 93277**

RE: Incomplete Application

Dear Sir,

Thank you for your recent application submittal for Conditional Use Permit No. 2005-20: A request by California Dairies to allow a minor amendment to CUP No. 1015 in the Heavy Industrial (IH) zone. The site is located at 2000 North Plaza Drive. APN: 077-111-030. The following additional items and/or information are required in order to complete the process. The public hearing before the Planning Commission has been set for July 25, 2005.

- **Need Neg Dec fees \$512.00**
- **Need a check made out to Tulare County Clerk for \$45.00**

If you have any questions concerning your application please feel free to contact Trish Garrett in the Planning Department at 713-4002.

Sincerely,

Susan Currier  
Planning Assistant



315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 713-4814

September 28, 2005

**CALIFORNIA DAIRIES  
5100 WEST CYPRESS AVENUE  
VISALIA CA 93277**

**Re: Conditional Use Permit No. 2005-20**

On July 25, 2005 the Visalia City Planning Commission passed and adopted Resolution No. 2005-73, approving, Conditional Use Permit No. 2005-20: is a request by California Dairies, Inc. to allow a milk processing facility in the IH Zone. (Amendment to CUP NO. 1015) The site is located at 2000 North Plaza Drive (APN: 077-111-030).

This conditional use permit became effective July 25, 2005, and shall expire July 25, 2007, unless a building permit is issued by the City of Visalia and construction is commenced and diligently pursued toward completion on the site.

**Attached is an acceptance letter which needs to be signed by the property owner and applicant, and then returned. A return envelope is enclosed for your convenience.**

YOU ARE HEREWITH NOTIFIED that the City of Visalia, pursuant to Resolution No. 85-136, has specifically made the provision of Code of Civil Procedure, Section 1094.6 applicable to all final administrative orders or decisions of the City of Visalia. Pursuant to said Code Section, you have ninety days within which to seek judicial review of the validity of this decision by the City of Visalia.

If you have any questions regarding this action, please call the Planning Division at 713-4369.

  
Susan Currier  
Planning Assistant

Attachments

RESOLUTION NO 2005-73

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO 2005-20, A REQUEST TO ALLOW A MILK PROCESSING FACILITY IN THE IH ZONE. (AMENDMENT TO CUP NO. 1015)  
THE SITE IS LOCATED AT 2000 NORTH PLAZA DRIVE

**WHEREAS**, Conditional Use Permit No. 2005-20: is a request by California Dairies, Inc. to allow a milk processing facility in the IH Zone. (Amendment to CUP NO. 1015) The site is located at 2000 North Plaza Drive (APN: 077-111-030); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on July 25, 2005; 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**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

**NOW, THEREFORE, BE IT RESOLVED**, that Negative Declaration No. 2005-52 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia approves the proposed conditional use permit based on the following specific findings and based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - 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 an Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that environmental impacts are determined to be not significant. Therefore, staff recommends that negative Declaration No. 2005-52 be adopted for this project.
4. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

**BE IT FURTHER RESOLVED** that the Planning Commission approves the conditional use permit on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 17.38 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the site plan and elevations shown in Exhibits "A" and "B".
2. That the project be developed consistent with the comments and conditions of Site Plan No. 2005-122.
3. That all other city codes and ordinances be met.
4. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2005-20, prior to the issuance of any building permits for this project.

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

AYES: Commissioners Pérez, Wynn, Logan, Salinas  
 NOES:  
 ABSTAINED:  
 ABSENT: Commissioner Thompson

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

ATTEST: Fred Brusuelas, AICP  
 Community Development & Public Works Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2005-73, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on July 25, 2005.

*Fred Brusuelas*

---

Fred Brusuelas, AICP  
Community Development & Public Works Assistant Director

*Sam Logan*

---

Sam Logan, Chairperson





Acceptance of Conditions

September 28, 2005

**CALIFORNIA DAIRIES  
5100 WEST CYPRESS AVENUE  
VISALIA CA 93277**

**Re: Conditional Use Permit No. 2005-20**

Conditional Use Permit No. 2005-20: is a request by California Dairies, Inc. to allow a milk processing facility in the IH Zone. (Amendment to CUP NO. 1015) The site is located at 2000 North Plaza Drive (APN: 077-111-030).

On behalf of: CALIFORNIA DAIRIES, I hereby acknowledge and accept the conditions of approval specified in Planning Commission Resolution No. 2005-73, for the approval of Conditional Use Permit No. 2005-20.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

Note: Please mail this acceptance to: 315 East Acequia, Visalia, CA 93291 within 5 working days of the date received.

\_\_\_\_\_  
For Department Use Only

Acceptance received on \_\_\_\_\_.



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 25, 2005

PROJECT PLANNER: Trish Garrett (713-44002)

**SUBJECT:** Conditional Use Permit No. 2005-20 is a request by California Dairies, Inc. to allow a milk processing facility in the IH Zone. (Amendment to CUP NO. 1015) The site is located at 2000 North Plaza Drive (APN: 077-111-030).

## STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit, based on the findings and conditions in Resolution No. 2005-73. Staff's recommendation is based on the following:

- The request is consistent with the General Plan and Zoning Ordinance.
- The request is a minor amendment to CUP No. 1015

## RECOMMENDED MOTION

I move to approve Conditional Use Permit 2005-20 based on the findings and conditions in Resolution No. 2005-73.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2005-20 is a request to amend CUP NO. 1015 to allow a milk processing facility in the IH (Planned Heavy Industry) zone. The proposed project would be at an existing 55 acre industrial site (former Frito-Lay facility), and is in Design District "H" (see Site Plan – Exhibit "A"). Conditional Use Permit No. 1015 was approved in 1986 for Anheuser Busch to allow the development of the existing food processing plant.

California Dairies, Inc. is asking for approval of a two-phase development. The first phase would incorporate one 140-foot tall milk evaporator/dryer tower, a butter churn, and packaging operation. The second phase, which would start between the sixth and ninth year after phase one is near full capacity, will add the second 140-foot tower. Each phase will add approximately 5,000 square feet to the existing building (see Exhibit "B" Exterior Elevations).

The proposed facility would be a 24-hour operation, seven days per week. The milk would be received into the plant on a 24 hour based schedule, and processed into powdered milk and butter. At full operation, the facility will employ approximately 100-180 people on the longest shift. The existing facility has a 336 space parking lot.

The standard building height for Design District H is 75 feet, however, a Variance to building height (Variance No. 2005-07) was approved by the Planning Commission on July 11, 2005, to allow the two required 140-foot tall milk evaporator/dryer towers.

## BACKGROUND INFORMATION

General Plan Land Use Designation	Heavy Industry
Zoning	IH (Planned Heavy Industry)
Surrounding Zoning and Land Use	North: IH / Sequoia Beverage South: IH / Goshen Avenue, vacant land & Able Industries EAST IH / industrial uses, International Paper West: IH / Plaza Drive, industrial uses and vacant land
Environmental Review:	Negative Declaration No. 2005-52
Special Districts:	Design District "H"
Site Plan Review:	SPR No. 05-122

### **RELATED PROJECTS**

Variance No. 2005-07

CUP NO.1015, approved in 1986, for the construction of a food processing plant (Anheuser – Busch).

## PROJECT EVALUATION

### Zoning and Land Use Compatibility

The site is designated as Heavy Industry on the General Plan Land Use Map. The current zoning is IH (planned heavy industry). Dairy products processing & packaging is a conditional use in the IH zone. The proposed site is an established manufacturing facility (former Frito-Lay property) located in the Industrial area. The proposed use meets the intent of the General Plan and Zoning Ordinance for industrial developments.

### Access and Circulation

The existing facility has two entrances along Plaza Drive, which are 730 feet apart. Plaza Drive is an arterial roadway between Avenue 320 and Walnut Avenue. The southern entrance is for employees and visitors. There is a turning lane at this entrance for both north and south bound traffic. The northern entrance is for truck traffic. A 400 foot left turn lane is provided for southbound traffic, and there is a turning lane for northbound traffic, to enter the site.

### Parking

The existing site has a 336 space parking lot, which exceeds the minimum required parking. Manufacturing and other industrial uses requires 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. The proposed facility will have 100-180 employees on the largest shift.

## Environmental Review

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The initial Study disclosed that environmental impacts are determined to be not significant. Therefore, staff recommends that Negative Declaration No. 2005-52 be adopted for this project.

### **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - 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 an Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that environmental impacts are determined to be not significant. Therefore, staff recommends that negative Declaration No. 2005-52 be adopted for this project.
4. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed in substantial compliance with the site plan and elevations shown in Exhibits "A" and "B".
2. That the project be developed consistent with the comments and conditions of Site Plan No. 2005-122.
3. That all other city codes and ordinances be met.
4. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2005-20, prior to the issuance of any building permits for this project.

### **APPEAL INFORMATION**

According to the City of Visalia Ordinance Section 17.38.120, an appeal to the City Council may be submitted within ten working days following the date of a decision by the Planning Commission on a conditional use permit application. An appeal shall be in writing and shall be filed with the City Clerk at 707 W. Acequia Ave., Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record.

Attachments:

- Resolution
- Related Plans and Policies
- Exhibit "A" – Site Plan
- Exhibit "B" – Elevations
- Environmental Document
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

## **Zoning Ordinance**

### **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)

#### **17.38.060 Conditional Use permits 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)

#### **17.38.110 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)

#### **17.38.140 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 17.30: Design Districts**

#### **17.30.230 Development standards--Design district H.**

The following development standards shall apply to property located in district H. See Chapter 17.24 for additional BRP zone design standards:

- A. Design district H includes streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a

consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area.

- B. Building height: seventy-five (75) feet maximum.
- C. Required Yards.
  - 1. Frontage on major road: forty (40) feet. (Major roads are defined as roads shown as arterials or collectors on the city's June 1989 Circulation Element Map, including but not limited to Goshen, Plaza Drive, Avenue 308, etc.);
  - 2. Frontage on minor road: twenty-five (25) feet. (Minor roads are defined as roads shown as local streets on the city's June 1989 Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, Rasmussen Avenue, etc.);
  - 3. Frontage on interior roads: fifteen (15) feet. (Interior roads provide access only to parcels within a development.);
  - 4. Side: zero;
  - 5. Side abutting Southern Pacific Railroad right-of-way: forty (40) feet;
  - 6. Side abutting an "R" zone: twenty (20) feet;
  - 7. Rear: zero;
  - 8. Rear abutting an "R" zone: twenty (20) feet.
- D. Parking as prescribed in Chapter 17.34.
- E.
  - 1. Site area: five acres, minimum. If sites less than this minimum area are approved in accordance with Section 17.30.130(A) of this chapter, it is required that setbacks be determined at the time of parceling of the property. The parcels being created shall be designed to accommodate the landscape areas and building setbacks as required by this section.
  - 2. In addition, properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners association formed at the time of subdivision.
- F. Landscaping.
  - 1. Frontage on major road: forty (40) feet. (Major roads are defined as roads shown as arterials and collectors on the city's June 1989 Circulation Element Map, including but not limited to Goshen and Plaza Drive).
  - 2. Frontage on minor road: twenty-five (25) feet. (Minor roads are defined as roads shown as local streets on the city's June 1989 Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, Rasmussen Avenue, etc.)
  - 3. Frontage on interior roads: fifteen (15) feet. (Interior roads provide access only to parcels within a development);
  - 4. Side: zero;
  - 5. Side abutting Southern Pacific Railroad right-of-way: forty (40) feet;
  - 6. Side abutting an "R" zone: ten feet;
  - 7. Rear: zero;

8. Rear abutting an "R" zone: ten feet.
- G. Screening. An eight-foot masonry wall is required along property line where a site abuts an "R" zoned property. (See also Chapter 17.36, Section 17.36.050, planned commercial, and Section 17.36.070, planned industrial.) (Ord. 9920 § 1, 1999: prior code § 7473)

## Chapter 17.22

### PLANNED INDUSTRIAL ZONES

#### Sections:

- 17.22.010 Purposes.
- 17.22.020 Permitted and conditional uses.
- 17.22.030 Required conditions.
- 17.22.040 Off-street parking and loading facilities.

#### 17.22.010 Purposes.

- A. The two types of industrial zones included in this chapter are designed to achieve the following:
1. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources;
  2. Ensure compatibility between industrial lands and adjacent dissimilar land uses;
  3. Retain and strengthen the city's role as a regional manufacturing center in the Southern Central San Joaquin Valley;
  4. Provide appropriate industrial areas to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise or equipment;
  5. Provide adequate space to meet the needs of industrial development, including off-street parking and loading;
  6. Direct industrial uses to and encourage expansion of the northwest industrial areas;
  7. Protect areas appropriate for industrial use from intrusion by dwellings and other conflicting uses;
  8. Protect residential and commercial properties and nuisance-free non-hazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazards and objectionable influence incidental to certain industrial uses;

9. Preserve land designated for light and heavy industrial uses by limiting the intrusion of commercial or service commercial uses.

B. The purpose of the industrial land use zones are as follows:

1. **Planned Light Industry Zone--(P-I-L).** The purpose and intent of the planned light industry zone district is to provide an area for uses that are characterized by low intensity research and development, warehousing and limited manufacturing and production, processing, assembling and packaging or treatment of food products from previously prepared materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.
2. **Planned Heavy Industry Zone--(P-I-H).** The purpose and intent of the planned heavy industry zone district is to provide an area for uses that are characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district. (Prior code § 7392)

17.22.020 Permitted and conditional uses.

In the planned industrial zones, the matrix which represents all the permitted and conditional uses for the commercial, office and industry zones is presented in Section 17.18.050. (Prior code § 7393)

17.22.030 Required conditions.

In the planned industrial zones:

- A. No use shall be permitted and no process, equipment or materials shall be employed which is determined by the planning commission to be injurious to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinder, refuse, noise, vibration, illumination, glare or heavy truck traffic or to involve any hazard of fire or explosion or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site;
- B. In a P-I-L or P-I-H zone no use shall emit visible smoke of a shade equal to or darker than No. 2 on a standard Ringleman Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on the Ringleman Chart may be emitted for four minutes in any thirty (30) minute period;
- C. A planned development permit must be obtained for all development in a P-I-L or P-I-H zone, subject to the requirements and procedures in Chapter 17.28. (Prior code § 7395)

RESOLUTION NO 2005-73

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO 2005-20, A REQUEST TO ALLOW A MILK PROCESSING FACILITY IN THE IH ZONE. (AMENDMENT TO CUP NO. 1015) THE SITE IS LOCATED AT 2000 NORTH PLAZA DRIVE

**WHEREAS**, Conditional Use Permit No. 2005-20: is a request by California Dairies, Inc. to allow a milk processing facility in the IH Zone. (Amendment to CUP NO. 1015) The site is located at 2000 North Plaza Drive (APN: 077-111-030); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on July 25, 2005; 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**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

**NOW, THEREFORE, BE IT RESOLVED**, that Negative Declaration No. 2005-52 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia approves the proposed conditional use permit based on the following specific findings and based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - 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 an Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that environmental impacts are determined to be not significant. Therefore, staff recommends that negative Declaration No. 2005-52 be adopted for this project.
4. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

**BE IT FURTHER RESOLVED** that the Planning Commission approves the conditional use permit on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 17.38 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the site plan and elevations shown in Exhibits "A" and "B".
2. That the project be developed consistent with the comments and conditions of Site Plan No. 2005-122.
3. That all other city codes and ordinances be met.
4. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2005-20, prior to the issuance of any building permits for this project.



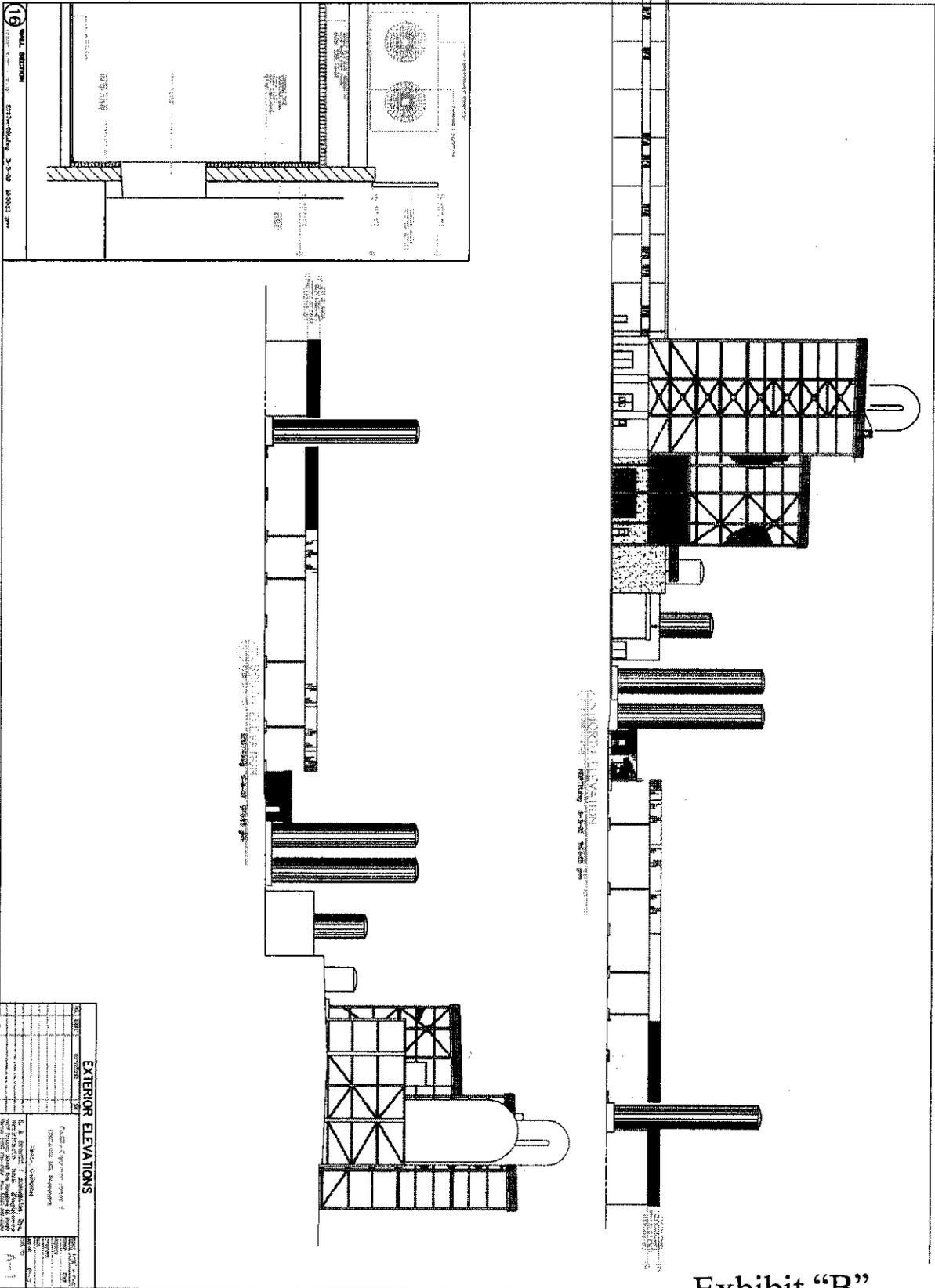


Exhibit "B"

CITY OF VISALIA  
315 E. ACEQUIA AVENUE  
VISALIA, CA 93291

**NOTICE OF A PROPOSED  
NEGATIVE DECLARATION**

Project Title: Conditional Use Permit No. 2005-20

Project Description:

Conditional Use Permit No. 2005-20 A request to allow a milk processing facility in the IH (planned heavy industry zone). The project site is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant (Amendment to CUP NO. 1015).

Contact Person: Trish Garrett, Planner. Phone: (559) 713-4002.

Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on July 25, 2005, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia, Visalia, CA.

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that it will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2005-52 has not identified any significant, adverse environmental impacts that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, CA.

Comments on this proposed Negative Declaration will be accepted until July 21, 2005.

Date: 6.24.05

Signed: *FM BRAWLEY*  
Environmental Coordinator  
City of Visalia

## NEGATIVE DECLARATION

**Project Title:** Conditional Use Permit No. 2005-20

**Project Description:** Conditional Use Permit No. 2005-20 : A request to allow a milk processing facility in the IH (planned heavy industry) zone. The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc., applicant.

**Project Facts:** Refer to Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effect.

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	( )
Letters	( )

**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  
Fred Brusuelas  
Environmental Coordinator

By: FM BRUSUELAS

Date Approved: 6-24-05

Review Period: 20 days

## INITIAL STUDY

### I. GENERAL

**A. Description of the Project:** Conditional Use Permit No. 2005-20: A request to allow a milk processing facility in the IH (planned heavy industry zone). The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant. (amendment to CUP No. 1015)

**B. Identification of the Environmental Setting:** The site is an established manufacturing facility (Frito-Lay property) located in Visalia's Industrial Park. The surrounding zoning and land uses are as follows:

North: IH (planned heavy industry) / Sequoia Beverage  
South: IL (planned light industry) / Goshen Avenue, vacant land & Able Industries  
East: IH (planned heavy industry) / industrial uses, International Paper  
West: IH (planned heavy industry) / Plaza Drive, industrial uses and vacant land.

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon development of the area.

**C. Plans and Policies:** The General Plan Land Use Element (LUE) designates the site as Heavy Industry. The site is zoned IH (planned heavy industry), and is within Design District "H". This request is a minor amendment to CUP No. 1015 and meets the intent of the Land Use Element of the General Plan.

### 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 land use mitigation measures that are designed to reduce/eliminate impacts to a level of non-significance.

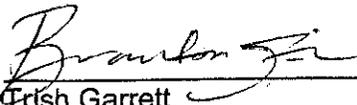
### III. MITIGATION MEASURES

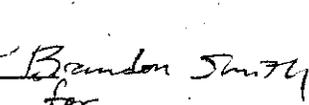
None. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

### 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. NAME OF PERSON WHO PREPARED INITIAL STUDY

  
Trish Garrett  
Planner

  
Brandon Smith  
for  
Trish Garrett

  
Fred Brusuelas, A.I.C.P.  
Environmental Coordinator



W. CULTURAL RESOURCES (continued)

Would the project:

- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGIC HAZARDS

Would the project:

- a) Expose people or structures to 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?
  - 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?

VI. 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?
- 2 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 for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VI. SOILS AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 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, in a manner which would result in substantial erosion or siltation on- or off-site?
- 1 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 1 e) 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 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

VI. AIR QUALITY

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

VI. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of 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?

VI. NOISE AND VIBRATION

Would the project:

- 2 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**XIII. NOISE (Continued)**

Would the project:

- 1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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 expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**XIV. POPULATION AND HOUSING**

Would the project:

- 1 a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**XV. PUBLIC SERVICES**

Would the project:

- 1 a) Would the project 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?

**XVI. RECREATION**

Would the project:

- 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?

**XVII. TRANSPORTATION / TRAFFIC**

Would the project:

- 2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of

vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- 2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?

**XVIII. UTILITIES AND ENERGY**

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater 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 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

**XIX. ENVIRONMENTAL QUALITY**

Would the project:

- 1 a) Does the project 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?
- 1 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)?
- 1 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The project will not adversely affect the view of the Sierra Nevada mountain range, a scenic vista that can be seen from Visalia on clear days.
- b. There are no scenic resources on the site.
- c. The site is an established manufacturing facility located in Visalia's Industrial Park. The minor remodel and construction of new structures will be consistent with the City's required design standards as specified in the City Zoning Ordinance. These standards are related to landscaping and other amenities, and will ensure that the visual character of the area is not degraded. A proposed processing tower on the site would exceed the maximum height limit for the zone; however a variance to the height limit is being processed separately and is not a part of the proposed project.
- d. While the project involves the remodel of an existing facility, new sources of light may be used on the site. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent residential or commercial properties.

### II. AGRICULTURAL RESOURCES

- a. The site is not zoned for agricultural use and will not involve the conversion of farmland. The project will not have an effect on any agricultural resources.
- b. The site is not under Williamson Act contract nor within an Agricultural Preserve.
- c. The project will not involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland to nonagricultural use.

### III. AIR QUALITY

- a. The project in itself does not disrupt implementation of the San Joaquin Valley Unified Air Pollution Control District's air quality plan.
- b. The project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation.
- c. The San Joaquin Valley is a region that is already at non-attainment status for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update.
- d. The project's proposed land uses generally do not generate substantial pollutant concentrations.
- e. Under normal operating conditions, the project will not contribute any objectionable odors to persons working within the facility or areas outside of the facility.

### IV. BIOLOGICAL RESOURCES

- a. There are no identified candidate, sensitive, or special status species on the site.

- b. The project is not located within or adjacent to a sensitive riparian habitat or other natural community.
- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. No animal movement will be affected by the proposed project.
- e. The City has a municipal ordinance in place to protect oak trees. All existing oak trees on the project site will be under the jurisdiction of this ordinance. Any Oak Trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

### V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during construction all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

### VI. GEOLOGY AND SOILS

- a. 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. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The project will not result in substantial soil erosion or a loss of topsoil.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area generally 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.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

- a. The proposed processing plant will not involve the routine transport, use, or disposal of hazardous materials, and will therefore not create a significant hazard to the public or the environment.
- b. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.
- c. The project site is not located within one-quarter mile of a school. There are no reasonably foreseeable conditions or incidents involving the project that could affect this or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area is located within 2 miles of the Visalia Municipal Airport and within the specified area of the Visalia Municipal Airport Master Plan, which was adopted in June 2004. The site is located within Land Use Zone D, and will not be in conflict with any design and land use criteria specified for that zone. The project, which involves the remodel and rehabilitation of an existing industrial facility, will not result in a safety hazard for people residing or working in the project area. The project is located outside of the airport's landing and take-off path.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wildlands within or near the project area.

**VIII. HYDROLOGY AND WATER QUALITY**

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project will not substantially deplete groundwater supplies in the project vicinity.
- c. The project will not result in substantial erosion on- or off-site.
- d. Development standards are already in place to require that stormwater drainage be held on-site with a drainage basin or to connect to the City stormwater drainage system.
- e. Development standards are already in place to require that stormwater drainage be held on-site with a drainage

basin or to connect to the City stormwater drainage system.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- h. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- i. The project would not expose people or structures to risks from failure of levee or dam.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, so there will be no impacts related to mudflow.

**IX. LAND USE AND PLANNING**

- a. The project will not physically divide an established community.
- b. The site is within the current Urban Development Boundaries of the City of Visalia. The City of Visalia designates the area for urban development. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- c. The project does not conflict with any applicable conservation plan.

**X. MINERAL RESOURCES**

- 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.

**XI. NOISE**

- a. Noise levels associated with the proposed project and processing facility will be in compliance with and remain within the noise level standards specified in the City's Noise Ordinance and Element of the General Plan. The project will not expose any noise in excess of established standards to any noise-sensitive land uses within the vicinity of the site. In addition, the project is located within an industrial park which indicates the presence of less sensitive noise receptors.

The project will be capable of facilitating up to 180 truck trips daily upon completion of the Phase II expansion. Therefore, noise will be generated by truck traffic along designated arterial and collector streets within the industrial park. The City's standards for setbacks, construction of walls, landscaping, and/or planting along major streets will reduce noise levels to a level that is less than significant.

- b. The project will not result in ground-borne vibration or ground-borne noise levels. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

- c. Noise levels will increase beyond current levels as a result of the project. These levels will be typical of noise levels associated with development within the industrial district. Therefore, the increase is less than significant.
- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City Noise Ordinance.
- e. The project area is within 2 miles of a public airport. The Visalia Municipal Airport Master Plan has developed noise contours for areas surrounding the airport that will exceed standard noise levels as defined by the City Noise Element. The project is located outside of these contours and shall not be exposed to average noise levels above 55-dB CNEL.
- f. There is no private airstrip near the project area.

## XII. PUBLIC SERVICES

- a.
  - i. Current fire protection facilities can adequately serve the site without a need for alteration.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration.
  - iii. Current school facilities can adequately serve the site without a need for alteration.
  - iv. Current park and recreation facilities can adequately serve the site without a need for alteration.
  - v. Other public facilities can adequately serve the site without a need for alteration.

## XIII. RECREATION

- a. The proposed project will not 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.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

## XIV. TRANSPORTATION AND TRAFFIC

- a. Development of the site will result in increased traffic in the area. The Circulation Element of the Visalia General Plan has assigned a street classification system to the streets within the City of Visalia. Plaza Drive (Road 80), Goshen Avenue, and Riggin Avenue have all been identified as arterial streets, and will facilitate a large amount of the truck trips and employee commuter trips associated with the operation. These streets handle a primary amount of the industrial-related traffic within the City's industrial park. At full build out, the plant is anticipated to facilitate for 180 truck trips daily to and from the site. Also, full build out of the site will employ approximately 180 employees at the site, with three production shifts to occur each day. The proposed project will not cause a substantial increase of traffic in relation to

the existing load and capacity of the City's Circulation system.

- b. The project will not contribute to the exceeding, either individually or cumulatively, of a level of service standard established for roads identified in the City's Circulation Element of the General Plan.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. Upon development of the site, roads will be designed and constructed to City standards so that there will be no increased hazards.
- e. Upon development of the site, roads will be constructed to City standards that will provide adequate emergency access.
- f. The project will be required to meet the City's parking requirements for industrial development in accordance with the City Parking Ordinance (Chapter 17.34 of the Municipal Code).

## XV. UTILITIES AND SERVICE SYSTEMS

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project calls for increased sanitary sewer services. Sufficient capacity is available and therefore will not result in a significant effect. Improvements associated with the proposed project will be consistent with the City Sewer Master Plan.
- c. Storm water services are provided on the site consistent with the City Storm Water Master Plan, and therefore will not result in a significant effect.
- d. There are sufficient water supplies to support the project.
- e. 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.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project should be able to meet the applicable regulations for solid waste.

## XVI. MANDATORY FINDINGS OF SIGNIFICANCE

- a. This site was evaluated in the EIR for the City of Visalia Land Use Element 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.
- b. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined

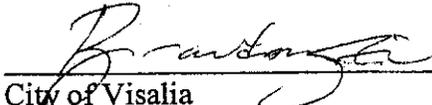
to be significant a statement of overriding considerations was made.

- c. The project will not create adverse environmental effects to a human population.

## DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

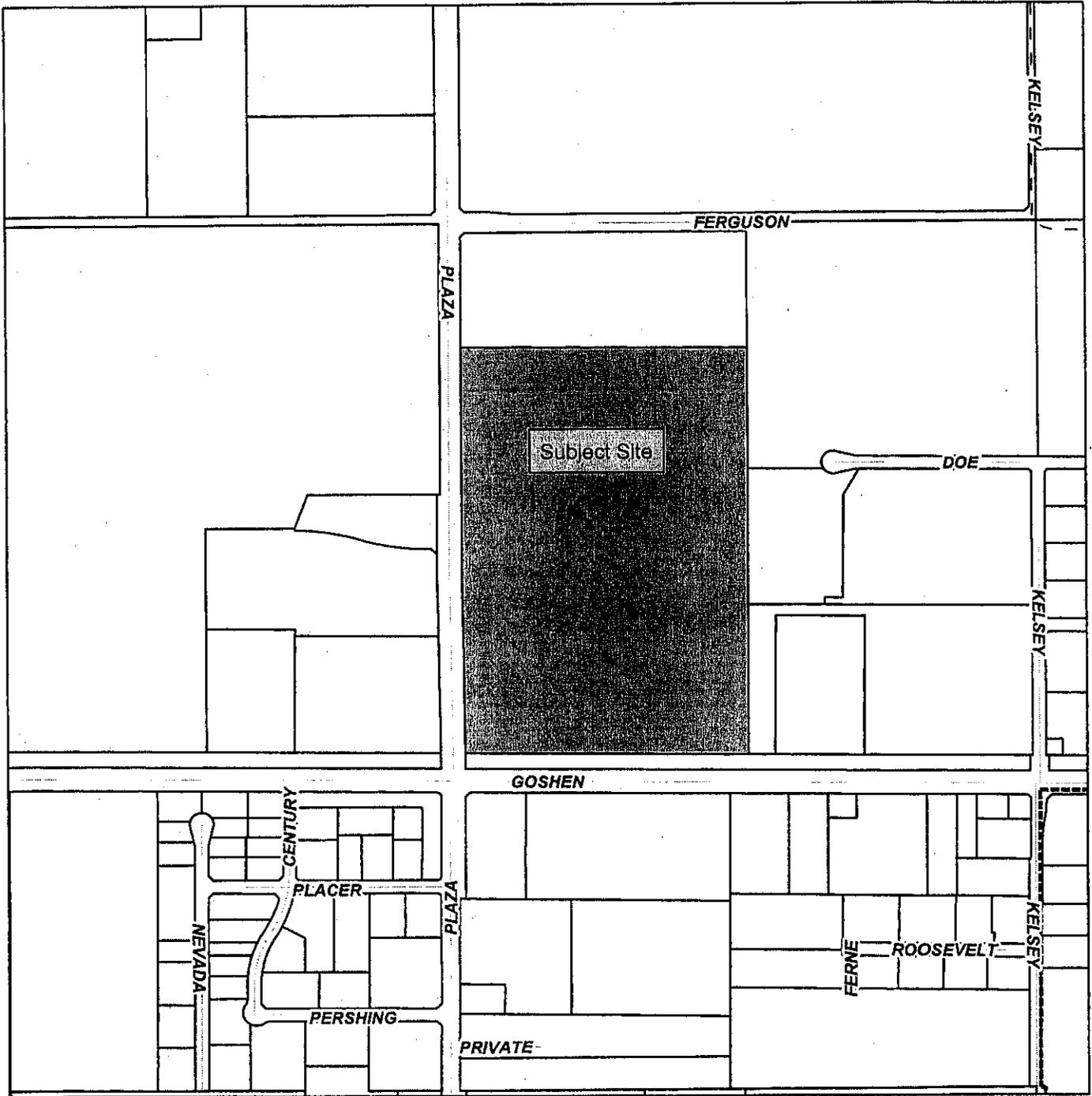
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation 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 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. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO. 91-105 adopted on September 3, 1991. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

  
\_\_\_\_\_  
City of Visalia

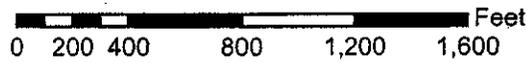
6/23/05  
\_\_\_\_\_  
Date

# Conditional Use Permit No. 2005-20

Location: The project is located at 2000 North Plaza Drive (APN: 077-111-030)



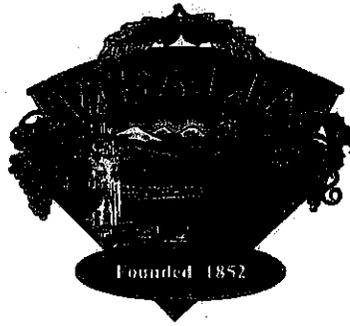
## Location Sketch



### Legend

- WATERWAYS
- ▭ PARCELS
- CITYLIMITS
- street
- STREETS (LABEL)





315 E Acequia Avenue, Visalia, CA 93291

MEETING DATE 05-25-2005  
 SITE PLAN NO. 05-122  
 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.

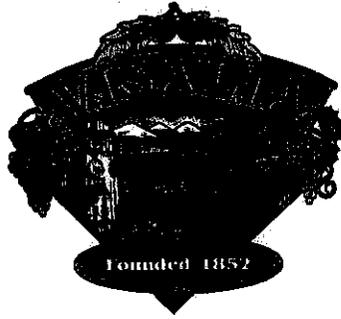
- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning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

- 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 8 a.m. and 5 p.m., Monday through Friday.
- Your plans must be reviewed by:
- CITY COUNCIL  REDEVELOPMENT
- PLANNING COMMISSION  PARK/RECREATION
- HISTORIC PRESERVATION  OTHER \_\_\_\_\_

**ADDITIONAL COMMENTS** \_\_\_\_\_

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Committee member at 713-4495.

315 East Acequia, Visalia, CA 93291  
Tel: (559) 713-4495 Fax: (559) 713-4812



MEETING DATE *5-25-05*  
SITE PLAN NO. *05-122*  
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.

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**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 8 a.m. and 5 p.m., Monday through Friday.

Your plans must be reviewed by:

*Varma / Kjet + CUP*

- CITY COUNCIL
- PLANNING COMMISSION
- HISTORIC PRESERVATION
- REDEVELOPMENT
- PARK/RECREATION
- OTHER \_\_\_\_\_

**ADDITIONAL COMMENTS** \_\_\_\_\_

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Committee member at 713-4495.

# SITE PLAN REVIEW COMMENTS

## PLANNING DIVISION

Jason Pausma Planning Division (559) 713-4348

Date: May 25, 2005

Site Plan No.: 05-122  
Project: New 5,000 sq. ft. Building and Remodel of a 328,000 sq. ft. Building on 55 Acres  
Applicant: Michael Wyant, Frito-Lay North America, Inc (Prop Owner)  
Location: 2000 N. Plaza Drive  
APN: 077-111-030

General Plan: IH-Planned Heavy Industry Zone  
Existing Zoning: IH

### The project will require the following:

1. Variance to height.
2. Conditional Use Permit
3. Building Permits.

### PROJECT SPECIFIC INFORMATION:

1. This project will require a Conditional Use Permit, subject to the approval of the Planning Commission. "Dairy products processing & packaging" is listed as a conditional use in the IH zone.
2. This project will require a variance to height for any portion of the building over 75 feet in height.
3. Provide elevations for the site with the application for a variance.
4. Lighting fixtures shall be oriented to produce minimal lighting impacts to adjacent properties
5. Development standards for Design District "H" shall apply to this project.
6. Meet with solid waste to determine the locations and number of trash enclosures.
7. Plot and protect all Valley Oaks.
8. Provide an operational statement with the application for the conditional use permit, outlining projected traffic loads, number of employees, daily truck traffic, hours of operation, etc.

### CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

### Design District: "H" (See Chapter 17.24 For BRP Zoned Sites) [17.30.230]

#### Maximum Building Height: 75 Feet

#### Minimum Setbacks:

	<b>Building</b>	<b>Landscaping</b>
➤ Frontage on major roads	40 Feet	40 Feet
➤ Frontage on minor roads	25 Feet	25 Feet
➤ Frontage on interior roads	15 Feet	15 Feet
➤ Side	0 Feet	0 Feet
➤ Side abutting railroad right-of-way	0 Feet	5 Feet
➤ Side abutting residential zone	20 Feet	10 Feet
➤ Rear	0 Feet	0 Feet
➤ Rear abutting residential zone	20 Feet	10 Feet

*Major roads are defined as arterials and collectors such as Goshen Ave., Plaza Dr., etc.  
Minor roads are defined as local streets such as Elowin Ct., Clancy Dr., etc.*

**Minimum Site Area:** 5 acres minimum site area. If site less than this minimum area is approved in accordance with section No. 17.30.130 (A) of this chapter, it is required that setbacks be determined at the time of parceling the property. The parcels being created shall be designed to accommodate the landscape areas and building setbacks as required by this section.

Properties subdivided into less than 5 acre sites shall provide a common or joint storm drainage facility to be maintained through a property owners association formed at the time of subdivision.

**Parking:** As prescribed in Chapter 17.34

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**Parking:** 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

**Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
4. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).

**Landscaping:**

1. Provide street trees Per the City Street Tree Ordinance.
2. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
3. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
5. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

**Lighting:**

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. The light poles may be a maximum of 15 feet high with the light element to be completely recessed into the can.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than .5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, .5 lumens may not be acceptable.

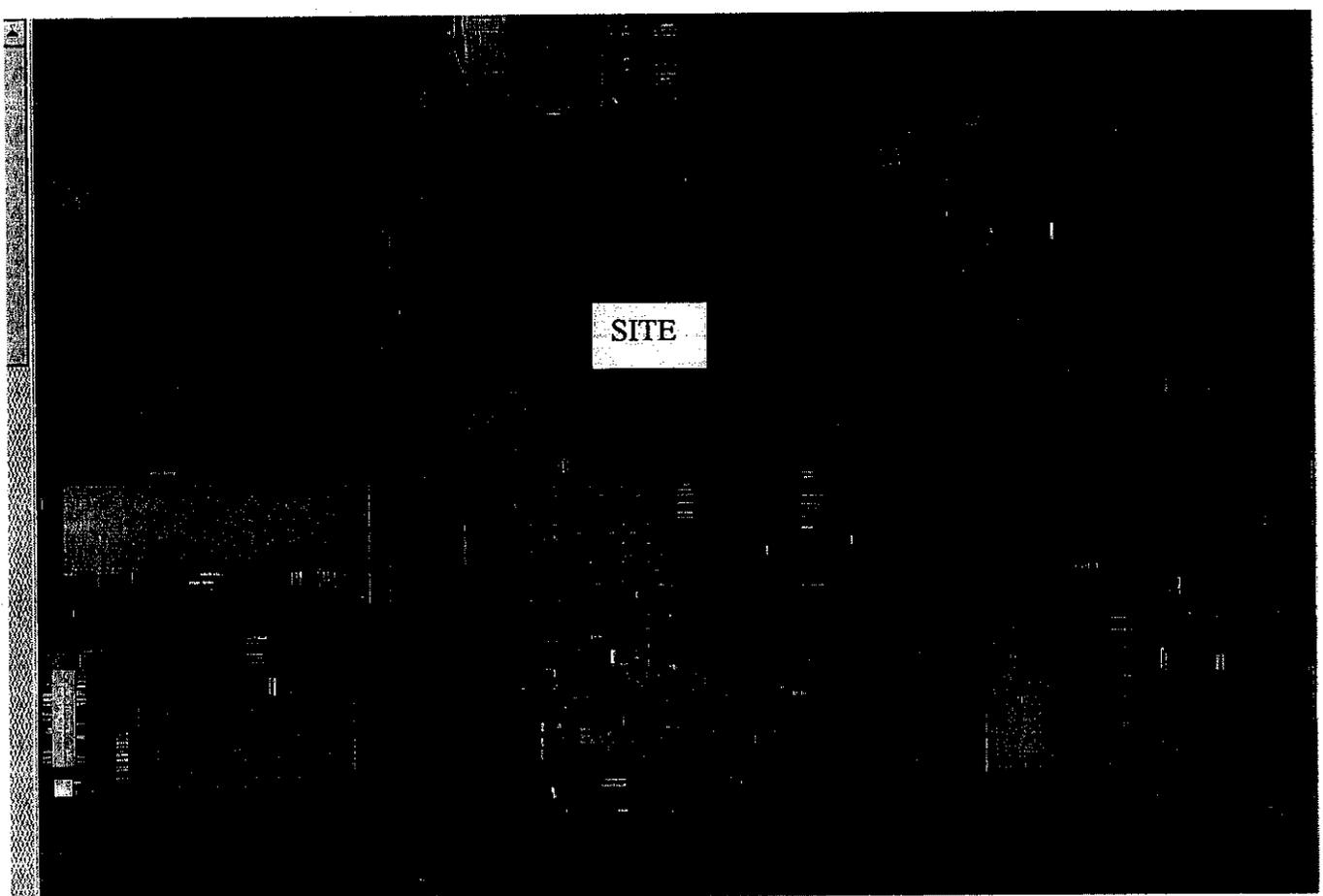
**Noise:** Meet all requirements of the City Noise Ordinance.

**Signage:** All signs require a separate building permit.

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.

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.

Signature Jason Paurma



# BUILDING SITE PLAN REVIEW COMMENTS

ITEM NO: 2      DATE: MAY 25, 2005  
SITE PLAN NO: 05-122  
PROJECT: NEW AND EXISTING BUILDING  
REMODEL  
APPLICANT TITLE: NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (IH  
ZONED)  
LOCATION TITLE: MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)  
APN TITLE: PLAZA DRIVE, N.

- Indicate abandoned wells, septic systems and excavations on construction plans.
- Submit 3 sets of engineered plans and 2 sets of calculations.
- Meet city and state requirement for the physically handicapped.
- Submit 3 sets of plans signed by architect or engineer. Must comply with 2001 California Building Code Sec. 2320 for conventional light-frame construction or submit 2 sets of calculations.
- Maintain sound transmission control between units.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits for Air Pollution Board, Tulare County.
- Location of cashier must provide clear view of gas pump island.
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use.
- Must comply with state energy requirements. *LIGHTING & HVAC.*
- Plans must be approved by the Tulare County Health Department.
- Common areas must comply with requirements for access by the handicapped. *PARKING & ACCESS*
- Project is located in Flood Zone \_\_\_\_\_. Minimum finished floor elevations required \_\_\_\_\_.
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted       Arrange for an on-site inspection.
- Hazardous materials report.       A demolition permit is required.
- School Development fees. Commercial \$0.33 per square foot. Residential \$2.58 per square foot.
- Park Development fees \$ \_\_\_\_\_.

  
\_\_\_\_\_  
Signature

City of Visalia  
Parks and Recreation Department  
336 N. Ben Maddox Way  
Visalia, CA 93292

ITEM NO: 2

DATE: MAY 25, 2005

SITE PLAN NO:

05-122

PROJECT:

NEW AND EXISTING BUILDING  
REMODEL

APPLICANT TITLE:

NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (IH  
ZONED)

LOCATION TITLE:

MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)

APN TITLE:

PLAZA DRIVE, N.

### SITE PLAN REVIEW COMMENTS

Valley Oak Tree: IDENTIFY & LOCATE ON PLANS  
X44 VALLEY OAKS 2" DIAMETER AT  
PEAK HEIGHT & ABOVE. SHOW  
DBH & CANOPY DIMENSIONS.

Waterway/Riparian Setback:

Landscape & Lighting District:

- Plot and protect all Valley Oak Trees (*Quercus Lobata*) per city standards.
- Landscape along parkway to meet city standards and maintenance included in the lighting and landscape district.
- All trees planted in street right-of-way to be approved by the Urban Forestry Supervisor and conform to City Street Tree Standards.

David Pendergraft  
Landscape & Irrigation Specialists  
(559) 713-4295  
(559) 713-4818 Fax  
Email: dpendergraft@ci.visalia.ca.us

**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

**ITEM NO:** 2                      **DATE:** MAY 25, 2005  
**SITE PLAN NO:** 05-122  
**PROJECT:** NEW AND EXISTING BUILDING  
REMODEL  
**APPLICANT TITLE:** NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (IH  
ZONED)  
**LOCATION TITLE:** MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)  
**APN TITLE:** PLAZA DRIVE, N.

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS

- PRETREATMENT PROGRAM Submission of enclosed INDUSTRIAL WASTEWATER DISCHARGE PERMIT APPLICATION AND \$270 PERMIT EVALUATION FEE PAYABLE TO THE CITY OF VISALIA
- RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) INFORMATION BROCHURE ENCLOSED
- SAND AND GREASE TRAP - 3 COMPARTMENT \_\_\_\_\_
- GREASE TRAP \_\_\_\_\_ LB. CAPACITY \_\_\_\_\_
- GARBAGE GRINDER - 3/4 HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_

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

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVE 288 336 N. BEN MADDOX WAY  
VISALIA, CA 93292 93277

St. N. Knight  
AUTHORIZED SIGNATURE  
5-23-05  
DATE

**CITY OF VISALIA**  
**SOLID WASTE DIVISION**  
**336 N. BEN MADDOX**  
**VISALIA CA. 93291**  
**713 - 4177**

**ITEM NO:** 2

**DATE:** MAY 25, 2005

**SITE PLAN NO:**

05-122

**PROJECT:**

NEW AND EXISTING BUILDING  
 REMODEL

**APPLICANT TITLE:**

NEW 5,000 SQ. FT. BUILDING AND  
 REMODEL OF A 328,000 SQ. FT.  
 EXISTING BUILDING, ON 55 ACRES, (IH  
 ZONED)

**LOCATION TITLE:**

MICHAEL WYANT, FRITO-LAY NORTH  
 AMERICA, INC. (PROP. OWNER)

**APN TITLE:**

PLAZA DRIVE, N.

**CHECK MARK INDICATES APPLICABILITY**

No comments.

Same comments as \_\_\_\_\_

Revisions required prior to submitting final plans. See comments below.

Resubmittal required. See comments below.

Individual can refuse service will be provided curbside.

Backyard fence gates must be a minimum of 32 inches in width for backyard  
 automation container storage.

Commercial bin refuse service will be provided at bin enclosure built according  
 to city standards. All refuse enclosures must be a double ( ) T - 1 or ( ) T - 2

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :  
 Commercial ( ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

Bin enclosures are for city refuse containers only. Grease drums or any other  
 items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

comments:

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Name Abel Flores

Phone # 713-4177

**Site Plan Review Comments For:**

Visalia Fire Department  
Doyle Sewell, Fire Marshal  
309 S. Johnson  
Visalia, CA 93291  
559-713-4486 *office*  
559-713-4808 *fax*

Item # 2                      Date 5-25-05  
Site Plan # 05-122  
Project Remadel  
Applicant Wyant  
Location 2000 N Plaza  
APN \_\_\_\_\_

The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated \_\_\_\_\_
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are \_\_\_\_\_ fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Building Department counter.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Building Department counter.

- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and in the front of the building, if possible.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$378.81 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: \_\_\_\_\_

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Doyle Sewell, Fire Marshal

**BUILDING PLAN REQUIREMENTS  
ENGINEERING/TRAFFIC DIVISION**

- Andrew Benelli 713-4340
- Doug Damko 713-4268
- Ken McSheehy 713-4447
- Peter Spiro 713-4256
- Norm Goldstrom 713-4638
- Greg Dais 713-4419
- 

ITEM NO: 2 DATE: MAY 25, 2005

SITE PLAN NO.: 05-122  
PROJECT: NEW 5,000 S.F. BUILDING AND REMODEL OF 328,000 S.F. EXISTING BUILDING, ON 55 ACRES, (IH ZONED)

APPLICANT: MICHAEL WYANT, FRITO-LAY NORTH AMERICA, INC (PROP OWNER)

LOCATION: 2000 N. PLAZA DRIVE  
APN: 077-111-030

**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 \_\_\_\_\_
- 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;
- Fee required prior to issuing building permit.
- City Encroachment Permit Required.  
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.
- Caltrans Encroachment Permit required  Caltrans comments required prior to issuing building permit. Contacts: Al Dias (planning) 488-7306
- Grading & Drainage plan required.  Prepared by registered civil engineer or project architect.  Storm Water Discharge permit is required.  All elevations shall be based on the official City of Visalia datum. Storm run-off from the site needs to be directed to the City's storm drainage system.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- 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 Oak trees with drip lines and adjacent grade elevations.  Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove.  A pre-construction conference is required.
- Ponding basin required ( \_\_\_\_\_ : \_\_\_\_\_ maximum slope);  Fence required;  Provide access to bottom for maintenance
- Developer shall relocate existing utility poles and/or facilities.

Subject to existing Reimbursement Agreement to reimburse prior developer:

Dust control is required on site during construction and for all material excavated, graded, and/or transported.

Comply with prior comments.  Resubmit with additional information.  Redesign required.  Summary of Estimated Engineering Fees is attached.

**Additional Comments:**

**SUMMARY OF ESTIMATED ENGINEERING FEES**

Site Plan No: 05-122  
 Date: 05/25/05

**Summary of Estimated Engineering Fees: (Preliminary estimate only | Final Fees to be based on building permit plans)**

(Basis of fee calculation: )

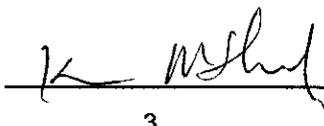
(Credits: )

Additional Information is required prior to estimating applicable Engineering Fees. Provide an operational statement with the maximum number of employees in a 24 hour period.

FEES/ITEM	FEE/UNIT	UNITS	CREDITS (if applicable)	ESTIMATED TOTAL
<input checked="" type="checkbox"/> Parking Lot Plan Check & Inspection				
<input type="checkbox"/> Encroachment Permit	3.1% of Estimated Construction Cost for Public Improvements	n/a	n/a	
<input checked="" type="checkbox"/> Transportation Impact Fee				
<input checked="" type="checkbox"/> Trunk Line Capacity Fee				
<input checked="" type="checkbox"/> Sewer Front Foot Fee				
<input type="checkbox"/> Storm Drain Fee				
<input checked="" type="checkbox"/> Park Acc/Day Fee				
<input type="checkbox"/> Northeast Fees				
<input checked="" type="checkbox"/> Waterways Acquisition Fee				
<input type="checkbox"/> Public Safety Impact Fee: Police				
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire				
<input type="checkbox"/> Public Facility Impact Fee				

**Reimbursement:**

- 1.) Reimbursement is available for the development of arterial/collector streets identified in the City's Circulation Element. The developer will be reimbursed for all costs associated with the development of these streets from curb to curb plus street lights. The specific details regarding reimbursement are identified in the City's reimbursement policy. The right of way dedication shall be reimbursed in the form of a Transportation Impact Fee credit. The credit will be calculated per lot and applied at the time of building permit issuance.
- 2.) Reimbursement is available to a developer for storm drain trunk lines and sewer trunk lines identified in the City's Storm Water Master Plan and Sewer System Master Plan. The developer will be reimbursed for 100% the cost of storm drain trunk lines. The developer will be reimbursed for 100% the cost of sewer trunk lines not needed by the developer. If the developer needs a sewer line and is required to enlarge the sewer line in accordance with the Sewer System Master Plan, then the developer will be reimbursed for the differential cost. The City will reimburse the developer for design and construction costs associated with the installation of these trunk lines.

  
 \_\_\_\_\_

**TRAFFIC SAFETY**

<input checked="" type="checkbox"/> Eric Bons	713-4350
<input type="checkbox"/> Myron Rounsfull	713-4412
<input type="checkbox"/> Doug Damko	713-4268

ITEM NO: <u>002</u>	DATE: <u>May 25, 2005</u>
SITE PLAN NO.: PROJECT:	05-122 NEW AND EXISTING BUILDING REMODEL NEW 5,000 SQ. FT. BUILDING AND REMODEL OF A 328,000 SQ. FT. EXISTING BUILDING, ON 55 ACRES, (IH ZONED)
APPLICANT:	MICHAEL WYANT, FRITO-LAY NORTH AMERICA, INC. (PROP. OWNER)
LOCATION: APN:	2000 PLAZA DRIVE, N. 077-111-030

**SITE PLAN REVIEW COMMENTS**

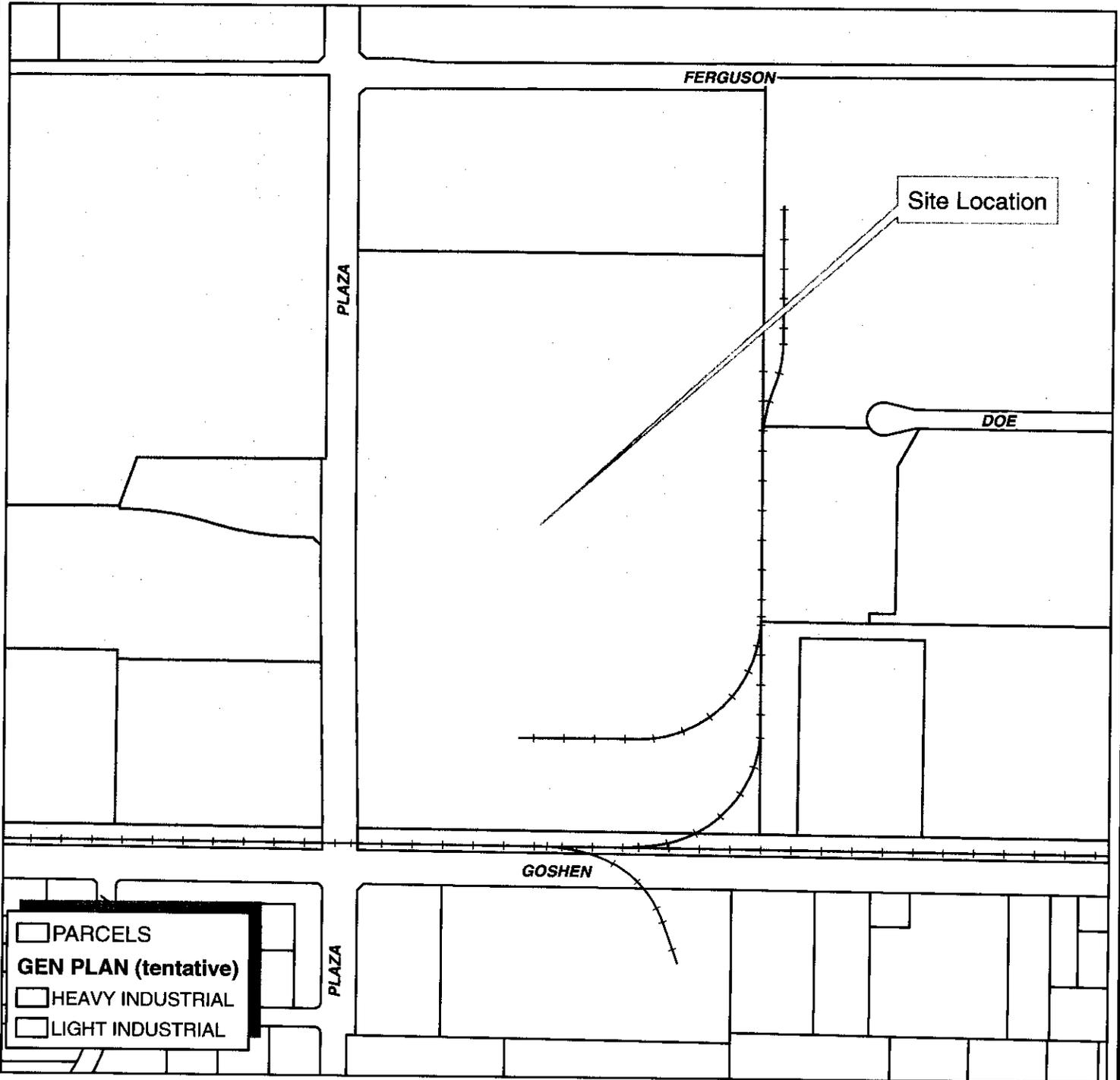
**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) on Marbelite Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.

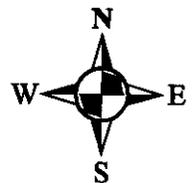
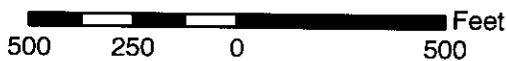
**Additional Comments:**

  
Eric Bons

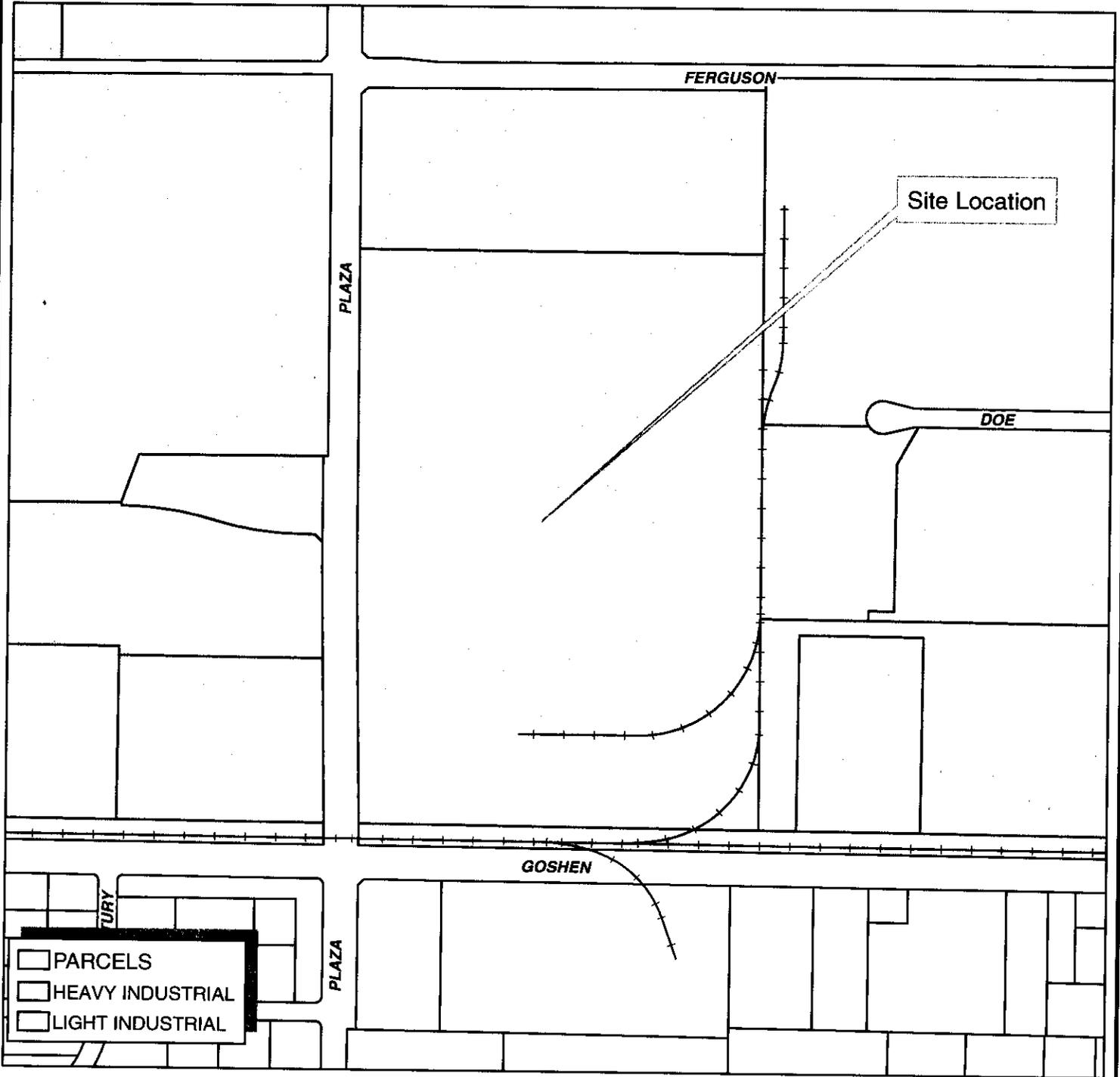
California Dairies  
Conditional Use Permit No. 2005-20  
2000 North Plaza Drive (APN: 077-111-030)



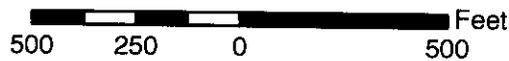
# General Plan Map



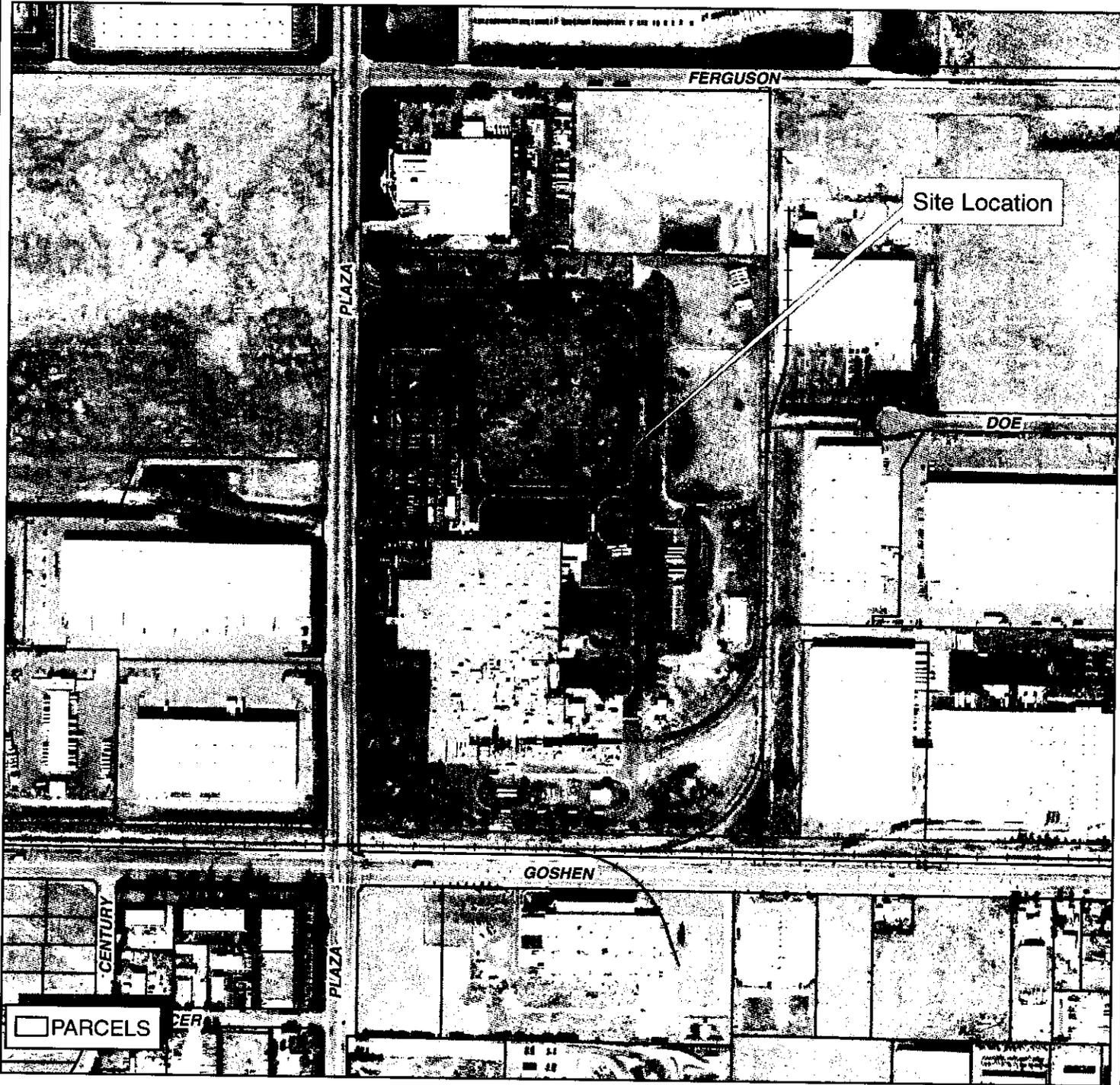
California Dairies  
Conditional Use Permit No. 2005-20  
2000 North Plaza Drive (APN: 077-111-030)



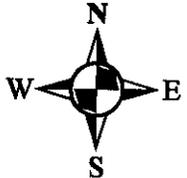
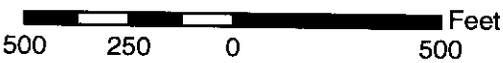
# Zoning Map



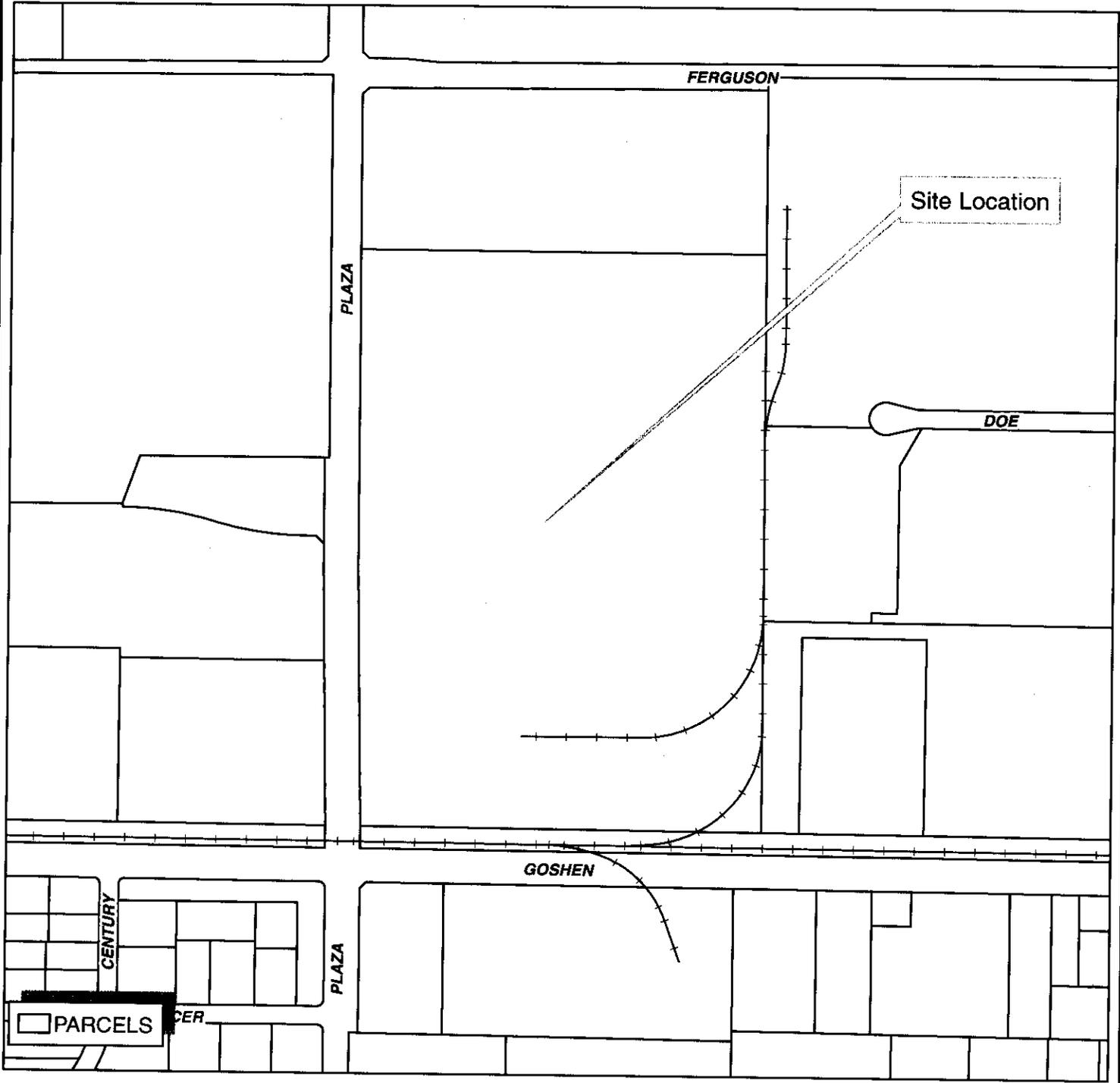
California Dairies  
Conditional Use Permit No. 2005-20  
2000 North Plaza Drive (APN: 077-111-030)



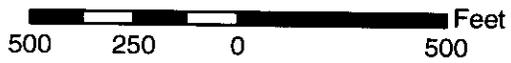
# Aerial Map



California Dairies  
Conditional Use Permit No. 2005-20  
2000 North Plaza Drive (APN: 077-111-030)



# Location Map



Trish



VERIFICATION OF THE INFORMATION FOR THE NOTICE OF PUBLIC HEARING

Project Name: CUP 2005-20

Verified Public Hearing date: ✓  
Verified Public Hearing day: ✓  
Verified ending comment date: ✓  
Verified wording ✓  
Verified map ✓

Trish Barrett  
Signed



**PUBLIC HEARING NOTICE  
AND INTENT  
TO ADOPT A NEGATIVE DECLARATION**

There will be a public hearing held before the Visalia City Planning Commission.

DATE: **Monday, July 25, 2005**

TIME: **7:00 p.m.**

PLACE: **City Hall, Council Chambers, 707 W. Acequia, Visalia**

REQUEST: The hearing will pertain to applications for:

**Conditional Use Permit No. 2005-20:** A request by California Dairies to allow a minor amendment to CUP No. 1015 to allow a dairy products processing facility in the Heavy Industrial (IH) zone. The site is located at 2000 North Plaza Drive. APN: 077-111-030.

The Initial Study prepared for these proposed projects indicated that there is no substantial evidence that there will be a significant adverse environmental impact associated with these projects. The City Environmental Coordinator has therefore made the determination that these proposed projects will not result in a significant environmental impact and a negative declaration has been prepared for adoption at the time of final project approval. Comments regarding the proposed documents may be filed in writing with the City Clerk prior to **July 21, 2005.**

You are welcome to attend this meeting to express your view on these requests. Copies of the environmental document and plans for the proposed projects are available for review between the hours of 8:00 a.m. and 5:00 p.m. at the Planning counter, located at 315 East Acequia, Visalia. For more information regarding these requests, please call the Visalia Planning Division at (559) 713-4359.

If you challenge the decision made regarding these requests in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Visalia at, or prior to, the public hearing.

Please take this opportunity to participate in your local government process.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services.

For the visually impaired, if enlarged print or Braille copy is desired, please request this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

**AVISO:**

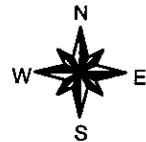
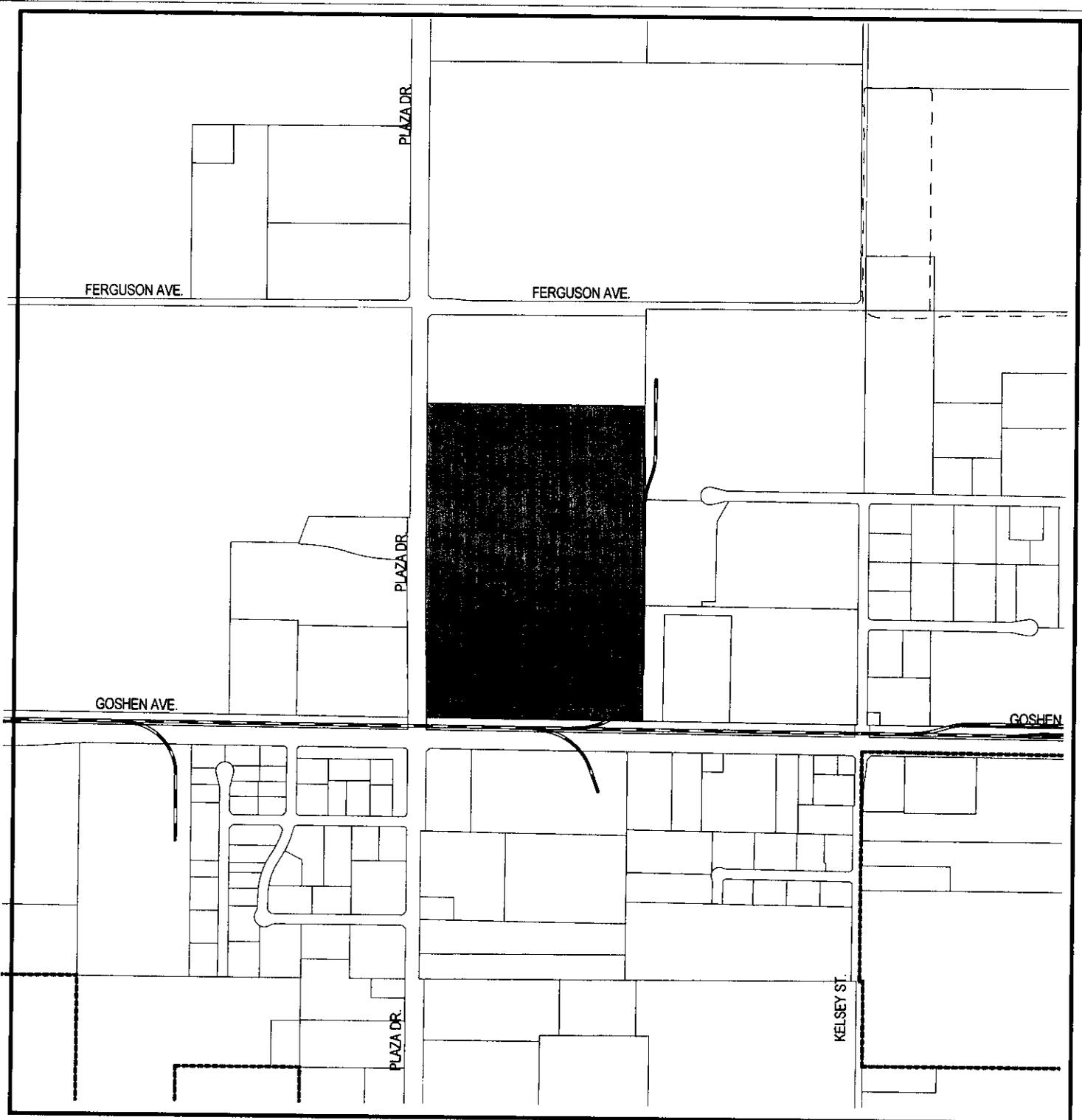
Habr  una junta p blica ante la Comisi n de Planificaci n de la Ciudad de Visalia en la fecha y hora arriba anotadas para examinar esta solicitud. Se le invita a asistir y presentar opiniones.

Si desea m s informaci n llame al tel fono (559) 713-4359.

Bred Brusuelas, A I C P  
Public Works and Community Development Assistant Director

City of Visalia

Conditional Use Permit No. 2005-20



Scale: 1"= 21310'

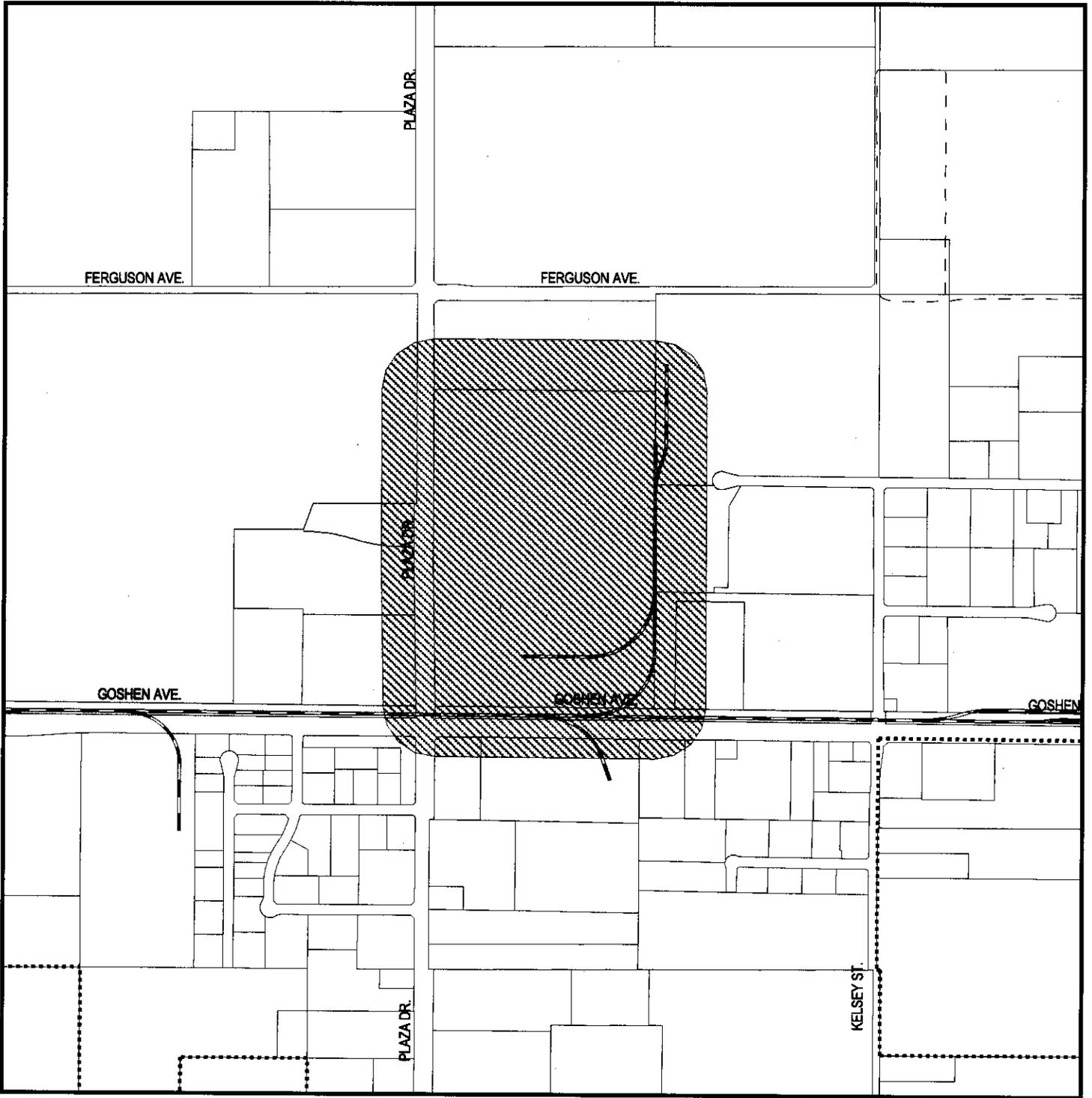


City of Visalia 18111  
 315 East Acequia  
 Visalia, CA 93291  
 RETURN ADDRESS REQUESTED

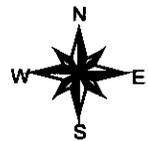
Conditional Use Permit No. 2005-20

Notice of Planning Commission Public Hearing

City of Visalia  
Conditional Use Permit No. 2005-20



CITYLIMITS  
WATERWAYS  
RAILROADS  
PARCELS



Scale: 1" = 583'

77111026  
SAVANNAH FOODS & INDUSTRIES INC  
P O BOX 339  
SAVANNAH GA  
31498

77111037  
MIDSTATE 99 DISTRIBUTION CENTER I  
111 S JOHNSON ST  
VISALIA CA  
93291

77111031  
SBC PROPERTIES LP  
P O BOX 5025  
VISALIA CA  
93278

77111030  
RECOT INC  
C/O GEORGE MCELROY  
3131 S VAUGHN WAY #521  
AURORA CO  
80014

77111039  
TUCKER B PARTNERS LLC  
111 SO JOHNSON  
VISALIA CA  
93291

~~77111046  
MIDSTATE 99 DISTRIBUTION BLDG #31  
C/O THE ALLEN GROUP  
111 SO JOHNSON  
VISALIA CA  
93291~~

77111045  
TE VELDE ENTERPRISES  
C/O BERNARD A TE VELDE  
5821 W PROSPECT DR  
VISALIA CA  
93291

77111035  
IMPERIAL BONDWARE CORP  
TAX DEPARTMENT  
6400 POPLAR AVE RM 4-100  
MEMPHIS TN  
38197

77111034  
JENSEN RODGER B MARGARET M  
7585 N CHARLES AVE  
FRESNO CA  
93711-0119

~~77111041  
TE VELDE ENTERPRISES  
C/O BERNARD A TE VELDE  
5821 W PROSPECT CT  
VISALIA CA  
93291~~

~~77110029~~

~~77110044~~

81100013  
SEQUOIA BUSINESS PARK  
PO BOX 1145  
EXETER CA  
93221

3103  
FACILITY PARTNERS LLC  
3031 W CHERRY  
VISALIA CA  
93277

~~3404  
FACILITY PARTNERS LLC  
3031 W CHERRY  
VISALIA CA  
93277~~

81110032  
FISCHER JOSEPH A & JOAN C  
P O BOX 391  
VISALIA CA  
93279

81110038  
BIEHLE STEPHE J & DIANE R (CO-TRS)  
6131 W PERSHING  
VISALIA CA  
93291

77111026  
RESIDENT  
8700 W DOE AVE  
VISALIA, CA 93291

77111030  
RESIDENT  
2000 N PLAZA DR  
VISALIA, CA 93291

77111045  
RESIDENT  
1801 N PLAZA DR  
VISALIA, CA 93291

77111041  
RESIDENT  
1609 N PLAZA DR  
VISALIA, CA 93291

81100013  
RESIDENT  
1345 N PLAZA DR  
VISALIA, CA 93291

81110032  
RESIDENT  
8835 W GOSHEN AVE  
VISALIA, CA 93291

~~77111037~~  
~~RESIDENT~~  
~~VISALIA, CA 93291~~

77111039  
RESIDENT  
8711 W DOE AVE  
VISALIA, CA 93291

77111035  
RESIDENT  
1600 N KELSEY ST  
VISALIA, CA 93291

~~77110029~~  
~~RESIDENT~~  
~~VISALIA, CA 93291~~

3103  
RESIDENT  
1330 N PLAZA DR  
VISALIA, CA 93291

81110038  
RESIDENT  
8253 W GOSHEN AVE  
VISALIA, CA 93291

77111031  
RESIDENT  
9339 W FERGUSON AVE  
VISALIA, CA 93291

~~77111046~~  
~~RESIDENT~~  
~~VISALIA, CA 93291~~

~~77111034~~  
~~RESIDENT~~  
~~VISALIA, CA 93291~~

~~77110044~~  
~~RESIDENT~~  
~~VISALIA, CA 93291~~

3104  
RESIDENT  
8929 W GOSHEN AVE  
VISALIA, CA 93291

## Owner Report from GIS System

APN	Owner Name	Situs Address
77111026	SAVANNAH FOODS & INDUSTRIES INC P O BOX 339 SAVANNAH GA	8700 W DOE AVE
	31498	
77111037	MIDSTATE 99 DISTRIBUTION CENTER LLC 111 S JOHNSON ST VISALIA CA	
	93291	
77111031	SBC PROPERTIES LP P O BOX 5025 VISALIA CA	9339 W FERGUSON AVE
	93278	
77111030	RECOT INC C/O GEORGE MCELROY 3131 S VAUGHN WAY #521 AURORA CO	2000 N PLAZA DR
	80014	
77111035	TUCKER B PARTNERS LLC 111 SO JOHNSON VISALIA CA	8711 W DOE AVE
	93291	
77111046	MIDSTATE 99 DISTRIBUTION BLDG #3 LLC C/O THE ALLEN GROUP 111 SO JOHNSON VISALIA CA	
	93291	
77111045	TE VELDE ENTERPRISES C/O BERNARD A TE VELDE 5821 W PROSPECT DR VISALIA CA	1801 N PLAZA DR
	93291	
77111035	IMPERIAL BONDWARE CORP TAX DEPARTMENT 6400 POPLAR AVE RM 4-100 MEMPHIS TN	1600 N KELSEY ST
	38197	
77111034	JENSEN RODGER B MARGARET M 7585 N CHARLES AVE FRESNO CA	
	93711-0119	
77111041	TE VELDE ENTERPRISES C/O BERNARD A TE VELDE 5821 W PROSPECT CT VISALIA CA	1609 N PLAZA DR
	93291	

## Owner Report from GIS System

APN	Owner Name	Situs Address
77110025		
77110044		
81100013	SEQUOIA BUSINESS PARK PO BOX 1145 EXETER CA	1345 N PLAZA DR
	93221	
3103	FACILITY PARTNERS LLC 3031 W CHERRY VISALIA CA	1330 N PLAZA DR
	93277	
3104	FACILITY PARTNERS LLC 3031 W CHERRY VISALIA CA	8929 W GOSHEN AVE
	93277	
81110032	FISCHER JOSEPH A & JOAN C P O BOX 391 VISALIA CA	8835 W GOSHEN AVE
	93279	
81110038	BIEHLE STEPHE J & DIANE R (CO-TRS) 6131 W PERSHING VISALIA CA	8253 W GOSHEN AVE
	93291	

VERIFICATION OF THE WORDING FOR THE NOTICE OF PUBLIC HEARING  
PUBLISHED IN THE VISALIA TIMES DELTA

Garza Ranch Sub map, CUP 2005-18, CUP 2005-20,  
Project Name: CUP 2005-22, Var 2005-08, PM 2005-14,  
Willow Springs Sub map, Deelyna Ranch Sub map,  
Monte Vista Estates Sub map, PM 2005-15

Verified Public Hearing date: 9/1  
Verified Public Hearing day: 9/1  
Verified ending comment date: 9/1  
Verified wording OK

Signed Jason Lawton — see revisions

Jason ✓  
Trish ✓

*(Handwritten note)*

## Susan Currier

---

**From:** Alvarez, Christina [CALVAREZ@visalia.gannett.com]  
**Sent:** Monday, June 27, 2005 9:33 AM  
**To:** Susan Currier  
**Subject:** RE: Planning Commission Meeting July 25, 2005

CONFIRMING RECEIPT OF.....

Thank You,  
Chris Alvarez \$:)  
Visalia Times-Delta  
559 - 735 - 3342  
8:30 am - 2:30 pm  
Mon. - Fri.

> -----  
> From: Susan Currier  
> Sent: Monday, June 27, 2005 9:29 AM  
> To: Alvarez, Christina  
> Subject: Planning Commission Meeting July 25, 2005  
>  
> <<File: Sunflower Bkgrd.jpg>><<File: neg dec July 25 2005.doc>><<File:  
> Ad Placement Form ND.doc>> Hi Chris  
>  
> Susan Currier  
> Planning Assistant  
> City of Visalia  
> 315 E. Acequia Avenue  
> Visalia, CA 93291  
> (559) 713-4436  
> (559) 713-4814  
> scurrier@ci.visalia.ca.us  
>  
> When we seek to discover the best in others, we somehow bring out the best in ourselves.  
> "  
> - William Arthur Ward  
>  
> <<File: sunbanna.gif>>  
>  
>

# Ad Placement Form

If you purchase more than one ad, you must fill out multiple ad placement forms.

## ACCOUNT INFORMATION

Contact Name **Susan Currier**

Organization **City of Visalia**

Address **315 E. Acequia**

City **Visalia**

State **CA**

Zip **93291**

Phone **559-713-4436**

Fax **559-713-4814**

Email

## AD PLACEMENT LENGTH

1 Day

2 Days

3 Days

Other:

Start Date: June 30, 2005

End Date: June 30, 2005

## ADDITIONAL INFORMATION

If you require additional information please contact me via phone or email.

**PLANNING COMMISSION MEETING JULY 25, 2005**

## AD DESCRIPTION

If you need more room please attach separate pages

**Notice of Public Hearing Negative Declaration**

**\*\*\*\*See Attached\*\*\*\***

## TYPE

Classified

Job Announcement

Legal Announcement

Notice of Public Hearing

Meeting Announcement

Other

## PAYMENT INFORMATION

Credit Card # **4055016000159121**

Card Holder Name **Susan Currier**

Card Expiration Date **04/07**

Internal Accounting Code **0011-556000-18111**

**\*\*\*\*\*Vendor, please fax or E-mail a receipt of payment.**

PLEASE FAX A COPY OF  
PROOF A.S.A.P.  
Fax: 713-4814  
scurrier@ci.visalia.ca.us

run once on Thursday, June 30, 2005  
Susan Currier: 713-4436  
ATTN: Chris  
REF: CITY OF VISALIA PO #04360

**PUBLIC HEARING**  
**and**  
**INTENT TO ADOPT A NEGATIVE DECLARATION**

The Visalia City Planning Commission will consider the following items on **Monday July 25, 2005**, at **7:00 p.m.**, City Hall, Council Chambers, 707 W. Acequia Avenue, Visalia:

- **Garza Ranch Vesting Tentative Subdivision Map 5482:** A request by California Planning and Engineering to divide 1.45 acres into 7 lots and a remainder. This site is located at 4204 South Demaree Street. APN: 126-020-033.
- **Conditional Use Permit No. 2005-18:** A request by California Planning & Engineering to allow a Planned Unit Development with a private street in the R-1-6 zone. The site is located at 4204 South Demaree Street. APN: 126-020-033.
- **Conditional Use Permit No. 2005-20:** A request by California Dairies to allow a minor amendment to CUP No. 1015 to allow a dairy products processing facility in the Heavy Industrial (IH) zone. The site is located at 2000 North Plaza Drive. APN: 077-111-030.
- **Conditional Use Permit No. 2005-22:** A request by McMillin Commercial to allow a Neighborhood Commercial Center with shared access, 4 drive thru pads, and one drive-up service for commercial/office use and 15 foot setbacks. The site is located at the southwest corner of Court Street and Caldwell Avenue. APNs: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003.
- **Variance No. 2005-08:** A request by McMillin Commercial to allow a variance from the standard Neighborhood Commercial zone sign standards to allow Design District 'A' standards with two monument signs and two center identification signs for a Neighborhood Commercial shopping center. The site is located at the southwest corner of Court Street and Caldwell Avenue. APNs: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003.
- **Parcel Map No. 2005-14:** A request by McMillin Commercial to divide 15.5 acre into 8 parcels. The site is located at the southwest corner of Court Street and Caldwell Avenue. APNs: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003.
- **Willow Springs Tentative Subdivision Map 5483:** A request by Olive Farms LLC to divide 45 acres into 167 lots. The site is located on the south side of Walnut Avenue, east of Santa Fe Street. APNS: 123-080-009, 015, 019, 020 & 123-100-016.
- **DeeLynna Ranch Tentative Subdivision Map 5484:** A request by Bill Morgan to divide 14.7 acres into 77 lots and open space and landscaping lots. The site is located on the east side of McAuliff Street south of Noble Avenue. APN: 101-060-008.
- **Monte Vista Estates Tentative Subdivision Map 5486:** A request by Bill Morgan (Lane Engineering, agent) to divide 18.63 acres into 80 lots. The site is located at the northeast corner of Santa Fe Street and Monte Vista Avenue. APN: 123-130-023
- **Parcel Map No. 2005-15:** A request by Bill Morgan to divide approximately 1 acre into 2 parcels. The site is located on the northeast corner of Santa Fe Street and Monte Vista Avenue. APN: 123-130-023 (portion), 123-130-024.

The City Environmental Coordinator has made the determination that this project will not result in a significant environmental impact. Therefore, a negative declaration has been prepared for adoption at the time of final project approval. Comments regarding this proposed Negative Declaration may be filed in writing with the City Clerk by **July 21, 2005**.

You are welcome to attend this meeting to express your views on these requests. If you want more information regarding these requests, please call the Visalia City Planning Department at (559) 713-4359 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If you challenge the decision made regarding these requests in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Visalia at, or prior to, the public hearing.

For the hearing impaired, if signing is desired, please call (559) 713-4900 twenty-four (24) hours in advance of the scheduled meeting time to request these services.

For the visually impaired, if enlarged print or Braille copy is desired, please request this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Este Aviso es para informarle que habra una audiencia para el público ante el comisionario de proyectos de la ciudad de Visalia.

Para más información o si necesita repasar los planes respecto a esta solicitud, por favor llame a la ciudad de Visalia de proyectos del comisionario al numero (559) 713-4359.

Fred Brusuelas, AICP  
Public Works and Community Development Assistant Director

## OTHER

- Any Hazardous Materials associated with operation?

## AIR QUALITY

- Type of emissions generated from plants?
- Emissions from vehicles?
- Odors? No (no ponds)

## SOLID WASTE

- How much?
- Where will it go?
- Bio-degradable?

## NOISE

- As a 24 hr facility, how much noise will be generated during non-peak hours?
- How much / what dB levels of noise during the day?

## TRAFFIC

- # of trucks entering / exiting site per day? At night?
- Vehicular trips (from cars)?

## WASTEWATER (See David Jacobus)

- What amount / type of wastewater is associated with operation?

Environmental Document 86-05  
X-Ref.  
City of Visalia Planning Dept.

CITY OF VISALIA  
707 West Acequia Street  
Visalia, California 93277

NEGATIVE DECLARATION

Project Title: Food Processing Plant (Eagle Snacks, Inc.)  
Address/Location: See Initial Study 86-05 (attached), Section I.B.  
Contact Person: Beth Hays Phone: 738-3359  
Project Description: See Initial Study 86-05 (attached), Section I.A.

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that it will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration:

Initial Study 86-05 (attached) has not identified any significant, adverse environmental impacts that may occur because of the project. Mitigation measures are described in the environmental initial study, as attached, as required to avoid any potentially significant effects.

Copies of plans and other documents relating to the subject project may be examined by interested parties at the office of the Environmental Coordinator, City Planning Department, in City Hall at the above address. Appeals of this finding must be made in writing and filed with the City Clerk, City of Visalia prior to April 4, 1986.

Date: May 3, 1986

Signed: Robert L. Haman  
Environmental Coordinator  
City of Visalia

ENVIRONMENTAL DOCUMENT 86-05

INITIAL STUDY

February 6, 1986

GENERAL

A. Description of Project:

The applicants, Anheuser Busch Companies, whose principal place of business is One Busch Place, St. Louis, Missouri 63118-1852 has an option to locate and construct a food processing facility on the northeast corner of Goshen Ave. and Road 80. The site is composed of approximately 70 acres. The facility will be composed of a main building with several small out buildings for support facility services. The main building will be approximately 306,000 sq. ft. The structure will house a 122,000 sq. ft. production, an indoor raw materials storage area, an 86,000 sq. ft. packaging area, a 92,000 sq. ft. warehouse area, and a 6,000 sq. ft. office area. Out buildings will be for such items as electrical services/switch gear, plant security, etc. Parking for a truck fleet of 35 trailers will be provided on-site. This will be in addition to the 330 space on-site parking lot that will be utilized by the facility employees, visitors, and suppliers. Once in operation, the facility is expected to employ 400 persons on a three shift per day, seven day per week basis. A peak employee population of approximately 300 persons will be on-site during the shift change at 8:00 a.m. and 4:00 p.m. See Rider 1.

B. Identification of Environmental Setting

The site is composed of approximately 70 acres of flat agricultural pasture land located on the northeast corner of Road 80 and Goshen Avenue. Plant life on the site is primarily pasture and grasslands. In the recent past animal life on the site consisted of domesticated agricultural livestock, specifically, cattle and horses. The site is devoid of any trees. All of the land lying within approximately 1 mile of the site is either zoned M-1/M-2 or C-4/M-1 and is being converted from agricultural uses to mixed industrial usage. There are no streams or natural rivers on-site. The surrounding zoning and land uses are as follows:

North: County; agriculture  
South: C-4/M-1;  
East: M-1/M-2; agriculture  
West: M-1/M-2;

C. Project Facts

The project site is fairly flat with a gentle slope to the west. The project will alter the existing topography by the construction

of architectural/landscape berms to be used in conjunction with the overall site development. However, the site was anticipated for industrial development under the environmental impact report prepared for the general plan under General Plan Amendment 353 in 1976.

The City of Visalia will provide water service to the site. The source of overall water supply for the City system is a series of water wells whose current capacity is 8.8 million gallons per day. The projected water usage by the proposed facility has been estimated to be approximately 520,000 gallons per day.

Fire and Police protection service, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia once the site is developed and the site meets the requirements of the City of Visalia.

#### D. Plans and Policies

The City of Visalia Land Use Element designates the site as industrial. The site and its environment have been planned and zoned to accommodate industrial development since 1976 under the formation of the present Land Use and Circulation Element under General Plan Amendment 353.

### ENVIRONMENTAL IMPACTS

This section contains a discussion of potential significant environmental impacts of the proposed project and the identification of mitigation measures.

#### A. Loss of Prime Agricultural Land

The proposed project will eventually result in the loss of prime agricultural land from production and the conversion of that land for urban use. This conversion will also have the visual effect of reducing the amount of open space in the Visalia area. Urban development, which occurs in proximity to commercial agricultural operations, has the potential to result in mutually adverse environmental impacts. The existence of urban development can cause limitations to be imposed upon the use of chemicals and aerial application of pesticides and herbicides, thus inhibiting the efficiency of the farming operation. By the same token, the dust resulting from and the chemicals utilized by farming operations can have a negative impact upon adjacent urban development. Proximity to urban development may also lead to greater potentials for vandalism of two crops and agricultural facilities (final environmental impact report, amendment to the Urban Boundaries Element for the Visalia area, General Plan Amendment GPA 83-04D, Tulare County Building and Planning Dept., July 1983).

### Mitigation Measures

The General Plan adopted by the City of Visalia serves to mitigate the impacts of urbanization on agricultural land on a City-wide basis. The Urban Boundaries Element defines appropriate locations for urban development and directs that growth occur in a compact and contiguous manner. The site has been designated for industrial development since 1976 and has been zoned M-1/M-2 (industrial use). See Rider 2.

#### B. Air Quality

The proposed project is expected to have air pollutant emissions. Air emissions will be generated by three separate and distinct activities. Fugitive dust will be generated during the construction phase of the project and is only a temporary condition. Air emissions will also be generated by the combustion of natural gas and material handling operations used in the processing of the food products. In summarizing the air emissions inventory, the following is projected by the applicant based upon (enumerate sources) and assuming the use of natural gas as a primary fuel.

<u>Pollutant</u>	<u>Projected* Facility (LBS/Day)</u>	<u>Daily Emissions* BACT (LBS) (LBS/Day)</u>	<u>Emission* Offset (LBS/Day)</u>
Reactive Organic Compounds	20	150	250
Nitrogen Oxides	247	150	250
Sulphur Oxides	2	150	Attainment
Particulate Matter	111	150	150
Carbon Monoxide	49	550	Attainment

In addition, air emissions from the vehicular traffic supporting the facility are based upon 400 employee round-trips per day and 50 semitractor travel round-trips per day. The level of vehicular activity can be expected to generate the following emissions as projected by the applicant based upon (enumerate sources) and assuming the use of natural gas as a primary fuel.

<u>Pollutant</u>	<u>Employees* (Tons Day)</u>	<u>Trucks* (Tons Day)</u>	<u>Total*</u>
Carbon Monoxide	.27	.32	.59
Total Hydrocarbons	.05	.05	.10
Nitrogen Oxide	.03	.21	.24

\*See Rider 7.

Sulphur Dioxide	Less than .01	.03	.03
Total Particulates	Less than .01	.01	.01

Odors from the facility are those associated with food processing facility, and for the most part, are expected to be confined to the facility. Any odors that do escape the facility should easily dissipate within the industrial district located on the western edge of the City of Visalia.

The project would be subject to rules and regulations established by the Tulare County Air Pollution Control District.

Mitigation Measures

Temporary fugitive dust emissions would be minimized by stripping only that vegetation from the soil directly needed to support immediate construction, by the use of water sprinklers to suppress construction dust and by the appropriate landscaping of the site at the earliest practical time. The City of Visalia and the applicant would be working with the Tulare County Health Department to ensure that the project meets the Tulare County Air Pollution Control District rules and regulations. In addition, air quality controls are imposed at the Federal and State level. The State of California standards are generally more stringent than Federal standards. The Mulford/Carrell Air Resources Act of 1967, which created the State Air Resources Board, assigned to the Board the major responsibility for control of vehicular emissions. See Rider 3.

C. Visual Impacts

Urban development, which would occur from the proposed project, will result in visual changes from the existing agricultural land use on the site to more urbanized appearance. The area consists of a mixture of agricultural and industrial types of uses, and was anticipated for urban development under the 1976 General Plan.

Mitigation Measures

It is obvious that some loss of open space and some visual impact will be created if the project is developed. The City of Visalia has established landscape and design criteria through the current Visalia zoning ordinance. At this location, the applicant would be required to provide 40 feet of landscaping along Goshen Avenue and 25 feet of landscaping along Road 80. Landscaping would be required to include berms that would mitigate the impact of the structure and parking areas. The applicant is proposing a landscape setback that would vary in distance from 190 - 240 feet along Road 80 and 240 feet along Goshen Avenue.

#### D. Solid Waste

Solid waste from the facility would be composed of packaging, process, office, and maintenance waste. Packaging waste is composed primarily of paper products. If economically justified, the applicant proposes to segregate the products, bale them and sell them to a paper recycling company. The remainder of the waste would be taken to the Tulare County landfill. It is estimated that packaging waste products will be approximately 500 cubic yards per year.

Processed solid waste will be composed of biodegradable spent food products and by-products. The applicant proposes to sell the biodegradable products as agricultural feed supplements to the agricultural community. However, if the waste cannot be disposed of through agricultural recycling, the estimated 250 cubic yards per year of waste will be landfilled in the Tulare County landfill. The office complex will generate the usual mix of spent business products. This volume of waste has been estimated at 50 cubic yards per year. The most likely means of disposal of this portion of waste will be through landfill. Waste from the maintenance area will be composed of two types. The first type is a mixture of solid waste. These wastes will also be landfilled. It is estimated that these wastes amount to approximately 50 cubic yards per year. The second type of waste is best labeled as miscellaneous maintenance waste. These wastes are typically paints, greases, lubricants, solvents, that are typically associated with the maintenance of equipment used in the food processing industry. These wastes will amount to approximately 10 cubic yards per year. These wastes will remain segregated within the plant for recycling. The applicant indicates that if other methods are used for disposal of the greases or lubricants, the California Department of Health Services will determine if the methods are acceptable. It is estimated that the project would generate solid refuse of 450 - 860 cubic yards per year. The City of Visalia currently provides solid waste disposal service to developments in this area on a fee for service basis. The disposal facility used by the City is owned by the County of Tulare and located three and a half miles to the north of the site in the vicinity of Road 80 and Avenue 328. The landfill has a current life expectancy of five years based upon 400 tons per day being placed into the landfill. The landfill expansion program is currently under regulatory review. The County has purchased land adjacent to the existing facility to accommodate the expansion program. This program contemplates a 20 - 25 year extension to the landfill life expectancy through the acquisition of approximately 180 acres of land located to the south of the existing landfill. Assuming maximum density of the project's solid waste at the maximum projected volume of 860 cubic yards per year, the life span of the landfill would be reduced by approximately four days per each year of project operation.

### Mitigation Measures

The City of Visalia and County of Tulare, through their respective planning staffs, have determined that the services of the City and the Tulare County landfill are adequate to serve the needs of the development. Because no significant environmental impacts are identified, no mitigation measures are required. However, the expansion of voluntary recycling efforts can be expected to reduce the volume of solid waste which will need to be picked up, transported and disposed of.

#### E. Fire Protection

The proposed project would create a demand for fire protection services. The City of Visalia currently operates three fire stations. The standard for providing an adequate level of fire protection services is a 1.5 mile radius or three to five minutes response time from each station. The closest fire station would be the Visalia Municipal Airport fire station, which is approximately 1 1/2 miles from the proposed project which would meet the criteria of the Fire Department. In addition, the facility will be encircled by a fire loop system with hydrants being placed at approximately 300 foot spacing. Secondly, fire protection at the proposed facility will result from the use of an on-site fire suppression system. This system will be composed of an automatically activated wet system with remote detention. Certain areas of the food processing facility will also utilize a carbon dioxide fire suppression system.

### Mitigation Measures

Because no significant environmental impacts have been identified, no mitigation measures are required, however, the applicant should work in close proximity with the City of Visalia Fire Department through site plan review to install the most effective fire resistant systems.

#### F. Storm Drainage

The proposed project would require provision to be made for the disposal of storm water. As previously described, the site is flat, agricultural pasture land with no defined drainage channels abutting or passing through the site. The construction of buildings, parking lots and sidewalks will convert a certain portion of this pasture land to impervious area. This conversion will alter the historic volume and peak discharge of storm water generated by the site.

The proposed site plan indicates an 11.39 acre-foot storm water retention pond, covering approximately 3 acres to a depth of approximately 4 feet, on the northeast corner of the site and a 40,000 sq. ft. ponding basin within the Goshen Avenue landscape setback. In addition, the City of Visalia would require curb and gutter to be constructed along Road 80 to create a drainage flow line from Road 80 to Goshen Avenue. See Rider 4A.

### Mitigation Measures

If the project is approved subject to the above mentioned conditions, no significant environmental impacts would be associated with the project.

#### G. Noise

Noise from the facility will be the result of four distinct source related operations. First, noise will result from the actual construction activities. Noise generators will include bulldozers, graders, backhoes, cranes, cement mixers, and the normal types of construction equipment. Noises from these sources will be temporary in nature.

The second source of noise will be generated by the facility as part of the actual processing in production of food products. For the most part, the source of these noises will be confined to the interior of the plant itself. The third identifiable operation responsible for noise generation is the truck and vehicular traffic into and out of the facility. The facility during normal operations will involve the movement of approximately 50 trucks into and out of the facility per day. Additionally, the facility will be staffed by approximately 400 employees working on a three shift per day basis. Peak employee population is expected to be 300 persons during the shift changes at 8:00 a.m. and 4:00 p.m. The fourth and final source of noise will be associated with the movement of rail cars into and out of the facility. Rail traffic to the facility will be composed mainly of shipment of inbound raw materials and the outbound movement of empty rail cars. Deliveries are expected not to exceed an average of 4 rail cars per switch, three switches per week.

### Mitigation Measures

The noise factors created by the actual construction activities are temporary in nature only lasting as long as the construction period. Construction would normally take place during the working hours of the day from approximately 7:00 a.m. to 5:00 p.m. Any construction activities outside that time period would be intermittent. Noise impacts of the plant upon the environment will be buffered by four factors, the first being the size of the plant site itself. The actual distance from the noise source to an off-site receptor will tend to mitigate the exposure to noise generated by the facility to an off-site receptor. As previously indicated, the setbacks from Goshen or Road 80 are approximately 240 feet. Secondly, the landscape berms and planting will tend to defuse, absorb and lessen any effect of the facility production noise. Third, the site is located within an industrial district indicating the presence of less sensitive noise receptors. Fourth and finally, the noise sensitive receptors within the area, the residential areas, have been identified. The residential community in closest proximity to the proposed facility is approximately 1 1/4 mile to the east.

Vehicular related noise is minimized by two factors. First, the site has ease of access to the existing roadway network. This network will provide immediate access by trucks and cars to existing major vehicular thoroughfares. These thoroughfares do not directly affect noise sensitive receptors such as residential areas. Secondly, the site lies within an industrial district, thus minimizing the effect of traffic generated noise or noise sensitive receptors. The site plan indicates an internal network of access roadways to accommodate internal traffic flow.

The industrial region in which the site is located is currently serviced by railway. The additional trips generated by the project would not be substantially significant and therefore would not create any significant environmental impacts.

#### H. Traffic

The development of the site will result in increased traffic flow within the immediate vicinity. The Circulation Element of the City of Visalia indicates the City street classification system and assigns Goshen Avenue and Road 80 as major arterials. Major arterials are provided for through traffic movement between areas and across the City with no direct access to abutting property; subject to necessary control of entrances, exits, and curfews. The less important function of an arterial system is to move large volumes of vehicles from one part of the City to another. The site is bordered by Road 80 to the west and Goshen Avenue to the south. Vehicular traffic along both of these routes will be increased as a result of the proposed project. Vehicular traffic from employees commuting to work will utilize both of these routes. Vehicular traffic resulting from the employees commuting will of course occur mainly at the time of the shift operations used by the proposed plant. As the facility is expected to employ approximately 400 persons, it can be expected that the total vehicular round trips per day generated by the employee population would be of a similar magnitude. The heaviest traffic conditions will occur during the peak shift operations of the plant. During shift changes approximately 300 vehicles will be utilized on these roadways. This 300 vehicular figure accounts for the 200 employees from the 8:00 a.m. to 4:00 p.m. shift interfacing with the 100 other employees per shift on the other two shifts.

Truck traffic into and out of the facility will be composed of approximately 50 round trips per day. These vehicles will be destined for markets north and south of Visalia. This truck traffic will probably use either of two routes. Truck traffic servicing the proposed facility to or from the north will probably use Goshen Avenue west of the plant site as a primary means of travel. Truck traffic servicing the proposed facility to and from markets to the south will be, in all likelihood, using a combination of Road 80 south and California State Route 198 west of the proposed facility as a primary means of traffic.

Generally speaking, a two lane major arterial may carry up to 12,000 vehicular cars per day. In 1981, City of Visalia traffic count indicates approximately 5,400 cars per day traveling along Goshen Avenue. The Traffic Division estimates that the current traffic flow along Goshen Avenue is approximately 6,000 cars per day. See Rider 4. Therefore, the project would not have a significant environmental impact on the traffic flow. See Rider 5.

#### Mitigation Measures

Because no significant environmental impacts have been identified with the project, no mitigation measures are required. See Rider 6.

#### I. Wastewater

The applicant's proposed project will generate two types of wastewater streams. The first stream will consist of wastes generated by the actual processing of the food products. The second type of wastes are those associated with the sanitary needs of the facility's employees.

The two streams will be maintained separately within the confines of the plant. At some point outside the facility, but on the applicant's property, the two waste streams will be combined and discharged for treatment by the City of Visalia wastewater treatment plant. Prior to the two streams being combined, the applicant proposes to pretreat the process waste. This pretreatment will be accomplished via on-site primary clarification. Sludge from the primary clarifier will be organic in nature. If allowable by law and provided that the market will support the practice, the applicant proposes to dispose of the sludges from the primary clarification by selling the material to the agricultural community. Should the applicant be either legally or economically prohibited from providing the sludges to the agricultural community, the applicant proposes to dispose of the sludges via landfill at the county landfill operation located approximately 3 1/2 miles north of the proposed facility.

As a result of the applicant providing on-site pretreatment via primary clarification, the process waste streams discharged to the City will be:

- o Flow - 311,000 gallons/day\*
- o BOD - 7,700 lbs/day\*
- o TSS - 2,300 lbs/day\*

The primary clarification process will produce approximately 4200 tons per year of sludge.

\* Data based upon applicant's experience at similar existing operation.

The landfill has a current life expectancy of 5 years based upon 400 tons/day being placed into the landfill. A landfill expansion program is currently under regulatory review. This program contemplates a 20-25 year extension to the landfill life expectancy through the acquisition of 180 acres of land located to the south of the existing landfill.

Based upon the above capacity of the county landfill and the maximum sludge generation rate of the primary clarifier, the life span of the landfill will be reduced by approximately 11 days per year of clarifier operation.

The applicant projects that the facility employees, approximately 400 in number, will produce a sanitary waste stream with the following characteristics:

- o Flow - 10,000 gallons/day\*\*
- o BOD - 20 lbs/day\*\*
- o TSS - 20 lbs/day\*\*

These loadings are in addition to the loadings listed for the process wastewater.

The Visalia wastewater treatment plant accepts rather substantial discharges from other food processing facilities. The design and operation of the current wastewater treatment plant is geared to accepting and providing adequate treatment for the wastes. The waste streams, which will be discharged by the proposed food processing facility, are compatible with the methods of treatment employed at the Visalia wastewater treatment plant.

The combined waste streams will flow from the facility toward the north end of the property, tying into a new sanitary sewer trunk main. This trunk main is scheduled for construction beginning in September of 1986 with completion scheduled for April of 1987. According to the applicant's schedule this trunk line will be complete approximately 12 months in advance of the applicant's needs.

#### Mitigation

The applicant has agreed to pretreat its process waste to obtain the above discharge levels. This is required by the City so that the incoming organic waste stream produced by the applicant's facility may be appropriately handled and treated by the existing City wastewater treatment facility. Sludge from the applicant's primary clarification pretreatment process will, if allowed by law or the economics of the marketplace, be sold to the agricultural community as a cattle food supplement.

\*\* Data based upon wastewater engineer; Collection Treatment, Disposal, METCIF Eddy, Inc., Published McGraw Hill, Copyright 1972

NAME OF PERSON OR PERSONS WHO PREPARED STUDY

*Beth Hays*

Beth Hays  
Planner II

*Robert Hamar*

Robert Hamar  
Environmental Coordinator

RIDERS TO INITIAL STUDY, ENVIRONMENTAL DOCUMENT 86-05

RIDER 1:

The project will require that applicant obtain the following permits: Use Permit, Planned Development Permit, Building Permit (City of Visalia); Authority to Construct and Permit to Operate (Tulare County Air Pollution Control District); and Wastewater Service Agreement (City of Visalia).

RIDER 2:

Although the development of the site as proposed will necessarily result in the loss of some agricultural land and open space, this result was anticipated by the City as evidenced by the zoning designation adopted in the 1976 General Plan and the EIR approved in connection therewith. In any event, the loss of approximately 70 acres of agricultural land will not constitute a significant adverse impact given the large amount of land in the vicinity of the project site and the City of Visalia which continues to be zoned for agricultural use.

RIDER 3:

The projected emissions cited above are insufficient to require a Prevention of Significant Deterioration (PSD) Permit from the federal Environmental Protection Agency (EPA). Applicant has applied to the Tulare County Air Pollution Control District (TCAPCD) for an Authority to Construct Permit; standards which Applicant must satisfy in order to obtain an Authority to Construct Permit will further ensure that the project does not have a significant impact upon the ambient air quality.

RIDER 4A:

At the present time, subject to final design review, and based upon Applicant's conversation with the Central Valley Regional Water Control Board staff, it does not appear that the potential discharge of runoff rainwater will have any significant contact with the industrial processes at the plant, and, therefore, that Applicant will be exempt from the waste discharge requirements of the Central Valley Regional Water Control Board. It does not appear that any other water board permit will be required for the construction and use of the storm water retention pond.

RIDER 4:

Similarly, Road 80 and State Route 198 may be expected to carry up to 300 cars per day. The Traffic Division estimates that the current traffic flow along these roads is approximately 7400 and 19,900 cars per day, respectively.

RIDER 5:

Parking for all employee vehicles, facility vehicles and transport trucks used for inbound and outbound freight will be provided on-site. Thus, the project will have no effect on off-site parking demands.

RIDER 6:

I. Hazardous Waste

The project will entail normal minimal use of solvents, greases, lubricants, and pesticides, which will be handled in accordance with all county health department and all EPA rules and regulations. As a food processing facility, the project will be subject to inspection by the local public health department thereby minimizing exposure by employees or the public to potential health hazards.

Mitigation Measures

Because no significant environmental impacts have been identified, no mitigation measures are required.

J. Consumption of Natural Resources and Energy

The primary natural resources to be consumed at the facility will be water, electricity and natural gas. The City of Visalia will provide water service to the site. The source of raw water supplies for the City system is a series of water wells whose current capacity is 8.8 million gallons per day. The projected water usage by the proposed facility has been estimated by applicant to be approximately 520,000 gallons per day based upon applicant's experience in other facilities.

Southern California Edison has indicated that the proposed facility usage of 4,500 kilowatt hours of electricity can be met by making minimal modifications to their existing system.

The primary source of fuel for the proposed facility is to be natural gas. Applicant estimates that the facility will require approximately 105,000 cubic feet per hour. Southern California Gas Company has indicated that they can meet this demand with minimal modifications to their existing system.

Mitigation Measures

Because no significant environmental impacts have been identified, no mitigation measures are required.

K. Population Density

The proposed facility will employ approximately 400 persons once it is completed. Applicant estimates that approximately 90% of the facility employees will be hired from the local work force. The remaining 10%, translating to approximately 40 employees, will be

transferred to Visalia from Applicant's other facilities, thereby increasing the population of the local area by approximately 40 families. This increase will have a negligible impact on the population density, and corresponding demand for local services, in the area. From a cumulative impact standpoint, the facility can be expected over time to help attract additional industrial development to the City of Visalia, particularly in the industrially-zoned areas in the proximity of the project site. However, the resulting increase in population, the demand for additional services, and the potential environmental impacts of additional industrial development in the project vicinity have been anticipated and encouraged by the City, as indicated by the adoption of the General Plan and the zoning of the project area for industrial development.

#### Mitigation Measures

Because no significant environmental impacts have been identified, no mitigation measures are required.

#### RIDER 7:

##### Source:

1. Mobile Emissions, AP-42 Compilation of Air Pollution Emission, 3rd Edition
2. Process Emissions, AP-42, AP-40, Air Pollution Manual
3. Experience from Applicant's existing facility
4. Information supplied by equipment manufacture

CITY OF VISALIA  
315 E. ACEQUIA AVENUE  
VISALIA, CA 93291

**NOTICE OF A PROPOSED  
NEGATIVE DECLARATION**

Project Title: Conditional Use Permit No. 2005-20

Project Description:

Conditional Use Permit No. 2005-20 A request to allow a milk processing facility in the IH (planned heavy industry zone). The project site is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant (Amendment to CUP NO. 1015).

Contact Person: Trish Garrett, Planner. Phone: (559) 713-4002.

Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on July 25, 2005, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia, Visalia, CA.

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that it will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2005-52 has not identified any significant, adverse environmental impacts that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, CA.

Comments on this proposed Negative Declaration will be accepted until July 21, 2005.

Date: 6.24.05

Signed:   
Environmental Coordinator  
City of Visalia

## NEGATIVE DECLARATION

**Project Title:** Conditional Use Permit No. 2005-20

**Project Description:** Conditional Use Permit No. 2005-20 : A request to allow a milk processing facility in the IH (planned heavy industry) zone. The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc., applicant.

**Project Facts:** Refer to Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effect.

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	( )
Letters	( )

**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  
Fred Brusuelas  
Environmental Coordinator

By: FM Brusuelas  
Date Approved: 6-24-05  
Review Period: 20 days

## INITIAL STUDY

### I. GENERAL

**A. Description of the Project:** Conditional Use Permit No. 2005-20: A request to allow a milk processing facility in the IH (planned heavy industry zone). The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant. (amendment to CUP No. 1015)

**B. Identification of the Environmental Setting:** The site is an established manufacturing facility (Frito-Lay property) located in Visalia's Industrial Park. The surrounding zoning and land uses are as follows:

North: IH (planned heavy industry) / Sequoia Beverage  
South: IL (planned light industry) / Goshen Avenue, vacant land & Able Industries  
East: IH (planned heavy industry) / industrial uses, International Paper  
West: IH (planned heavy industry) / Plaza Drive, industrial uses and vacant land.

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon development of the area.

**C. Plans and Policies:** The General Plan Land Use Element (LUE) designates the site as Heavy Industry. The site is zoned IH (planned heavy industry), and is within Design District "H". This request is a minor amendment to CUP No. 1015 and meets the intent of the Land Use Element of the General Plan.

### 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 land use mitigation measures that are designed to reduce/eliminate impacts to a level of non-significance.

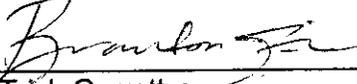
### III. MITIGATION MEASURES

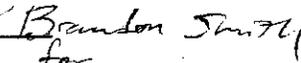
None. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

### 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. NAME OF PERSON WHO PREPARED INITIAL STUDY

  
Trish Garrett  
Planner

  
for  
Brandon Smith  
Trish Garrett

  
Fred Brusuelas, A.I.C.P.  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Conditional Use Permit No. 2005-20		
<b>NAME OF PROPONENT:</b>	Rocky F. White	<b>NAME OF AGENT:</b>	California Dairies, Inc.
<b>Address of Proponent:</b>	5100 West Cypress Avenue Visalia, CA 93277	<b>Address of Agent:</b>	5100 West Cypress Avenue Visalia, CA 93277
<b>Telephone Number:</b>	(559)625-2200, ext 16	<b>Telephone Number:</b>	(559)625-2200, ext. 16
<b>Date of Review</b>	June 23, 2005	<b>Lead Agency:</b>	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

**1. AESTHETICS**

- 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?
  - 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
  - 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**2. AGRICULTURE**

- Would the project:
- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, 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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

**3. AIR QUALITY**

- Would the project:
- 1 a) Conflict with or obstruct implementation of the applicable air quality plan?
  - 1 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
  - 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
  - 1 d) Expose sensitive receptors to substantial pollutant concentrations?
  - 1 e) Create objectionable odors affecting a substantial number of people?

**4. 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 federally protected wetlands as defined by Section 404 of the Clean Water Act (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?

**5. 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) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

V. CULTURAL RESOURCES

Would the project:

- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to 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?
  - 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?

VII. 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?
- 2 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 for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 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, in a manner which would result in substantial erosion or siltation on- or off-site?
- 1 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 1 e) 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 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

IX. HISTORIC RESOURCES

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

X. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of 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?

XI. NOISE

Would the project:

- 2 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**XI. NOISE (continued)**

Would the project:

- 1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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 expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**XII. POPULATION AND HOUSING**

Would the project:

- 1 a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**XIII. PUBLIC SERVICES**

Would the project:

- 1 a) Would the project 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?

**XIV. RECREATION**

Would the project:

- 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?

**XV. TRAFFIC/PARKING/TRAFFIC**

Would the project:

- 2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of

vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- 2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?

**XVI. UTILITIES AND SERVICES**

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater 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 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

**XVII. ENVIRONMENTAL PLUMBING/SOLID**

Would the project:

- 1 a) Does the project 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?
- 1 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)?
- 1 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The project will not adversely affect the view of the Sierra Nevada mountain range, a scenic vista that can be seen from Visalia on clear days.
- b. There are no scenic resources on the site.
- c. The site is an established manufacturing facility located in Visalia's Industrial Park. The minor remodel and construction of new structures will be consistent with the City's required design standards as specified in the City Zoning Ordinance. These standards are related to landscaping and other amenities, and will ensure that the visual character of the area is not degraded. A proposed processing tower on the site would exceed the maximum height limit for the zone; however a variance to the height limit is being processed separately and is not a part of the proposed project.
- d. While the project involves the remodel of an existing facility, new sources of light may be used on the site. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent residential or commercial properties.

### II. AGRICULTURAL RESOURCES

- a. The site is not zoned for agricultural use and will not involve the conversion of farmland. The project will not have an effect on any agricultural resources.
- b. The site is not under Williamson Act contract nor within an Agricultural Preserve.
- c. The project will not involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland to nonagricultural use.

### III. AIR QUALITY

- a. The project in itself does not disrupt implementation of the San Joaquin Valley Unified Air Pollution Control District's air quality plan.
- b. The project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation.
- c. The San Joaquin Valley is a region that is already at non-attainment status for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update.
- d. The project's proposed land uses generally do not generate substantial pollutant concentrations.
- e. Under normal operating conditions, the project will not contribute any objectionable odors to persons working within the facility or areas outside of the facility.

### IV. BIOLOGICAL RESOURCES

- a. There are no identified candidate, sensitive, or special status species on the site.

- b. The project is not located within or adjacent to a sensitive riparian habitat or other natural community.
- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. No animal movement will be affected by the proposed project.
- e. The City has a municipal ordinance in place to protect oak trees. All existing oak trees on the project site will be under the jurisdiction of this ordinance. Any Oak Trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

### V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during construction all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

### VI. GEOLOGY AND SOILS

- a. 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. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The project will not result in substantial soil erosion or a loss of topsoil.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area generally 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.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

- a. The proposed processing plant will not involve the routine transport, use, or disposal of hazardous materials, and will therefore not create a significant hazard to the public or the environment.
- b. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.
- c. The project site is not located within one-quarter mile of a school. There are no reasonably foreseeable conditions or incidents involving the project that could affect this or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area is located within 2 miles of the Visalia Municipal Airport and within the specified area of the Visalia Municipal Airport Master Plan, which was adopted in June 2004. The site is located within Land Use Zone D, and will not be in conflict with any design and land use criteria specified for that zone. The project, which involves the remodel and rehabilitation of an existing industrial facility, will not result in a safety hazard for people residing or working in the project area. The project is located outside of the airport's landing and take-off path.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wildlands within or near the project area.

**VIII. HYDROLOGY AND WATER QUALITY**

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project will not substantially deplete groundwater supplies in the project vicinity.
- c. The project will not result in substantial erosion on- or off-site.
- d. Development standards are already in place to require that stormwater drainage be held on-site with a drainage basin or to connect to the City stormwater drainage system.
- e. Development standards are already in place to require that stormwater drainage be held on-site with a drainage

basin or to connect to the City stormwater drainage system.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- h. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- i. The project would not expose people or structures to risks from failure of levee or dam.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, so there will be no impacts related to mudflow.

**IX. LAND USE AND PLANNING**

- a. The project will not physically divide an established community.
- b. The site is within the current Urban Development Boundaries of the City of Visalia. The City of Visalia designates the area for urban development. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- c. The project does not conflict with any applicable conservation plan.

**X. MINERAL RESOURCES**

- 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.

**XI. NOISE**

- a. Noise levels associated with the proposed project and processing facility will be in compliance with and remain within the noise level standards specified in the City's Noise Ordinance and Element of the General Plan. The project will not expose any noise in excess of established standards to any noise-sensitive land uses within the vicinity of the site. In addition, the project is located within an industrial park which indicates the presence of less sensitive noise receptors.

The project will be capable of facilitating up to 180 truck trips daily upon completion of the Phase II expansion. Therefore, noise will be generated by truck traffic along designated arterial and collector streets within the industrial park. The City's standards for setbacks, construction of walls, landscaping, and/or planting along major streets will reduce noise levels to a level that is less than significant.

- b. The project will not result in ground-borne vibration or ground-borne noise levels. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

- c. Noise levels will increase beyond current levels as a result of the project. These levels will be typical of noise levels associated with development within the industrial district. Therefore, the increase is less than significant.
- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City Noise Ordinance.
- e. The project area is within 2 miles of a public airport. The Visalia Municipal Airport Master Plan has developed noise contours for areas surrounding the airport that will exceed standard noise levels as defined by the City Noise Element. The project is located outside of these contours and shall not be exposed to average noise levels above 55-dB CNEL.
- f. There is no private airstrip near the project area.

## XII. PUBLIC SERVICES

- a.
  - i. Current fire protection facilities can adequately serve the site without a need for alteration.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration.
  - iii. Current school facilities can adequately serve the site without a need for alteration.
  - iv. Current park and recreation facilities can adequately serve the site without a need for alteration.
  - v. Other public facilities can adequately serve the site without a need for alteration.

## XIII. RECREATION

- a. The proposed project will not 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.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

## XIV. TRANSPORTATION AND TRAFFIC

- a. Development of the site will result in increased traffic in the area. The Circulation Element of the Visalia General Plan has assigned a street classification system to the streets within the City of Visalia. Plaza Drive (Road 80), Goshen Avenue, and Riggin Avenue have all been identified as arterial streets, and will facilitate a large amount of the truck trips and employee commuter trips associated with the operation. These streets handle a primary amount of the industrial-related traffic within the City's industrial park. At full build out, the plant is anticipated to facilitate for 180 truck trips daily to and from the site. Also, full build out of the site will employ approximately 180 employees at the site, with three production shifts to occur each day. The proposed project will not cause a substantial increase of traffic in relation to

the existing load and capacity of the City's Circulation system.

- b. The project will not contribute to the exceeding, either individually or cumulatively, of a level of service standard established for roads identified in the City's Circulation Element of the General Plan.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. Upon development of the site, roads will be designed and constructed to City standards so that there will be no increased hazards.
- e. Upon development of the site, roads will be constructed to City standards that will provide adequate emergency access.
- f. The project will be required to meet the City's parking requirements for industrial development in accordance with the City Parking Ordinance (Chapter 17.34 of the Municipal Code).

## XV. UTILITIES AND SERVICE SYSTEMS

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project calls for increased sanitary sewer services. Sufficient capacity is available and therefore will not result in a significant effect. Improvements associated with the proposed project will be consistent with the City Sewer Master Plan.
- c. Storm water services are provided on the site consistent with the City Storm Water Master Plan, and therefore will not result in a significant effect.
- d. There are sufficient water supplies to support the project.
- e. 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.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project should be able to meet the applicable regulations for solid waste.

## XVI. MANDATORY FINDINGS OF SIGNIFICANCE

- a. This site was evaluated in the EIR for the City of Visalia Land Use Element 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.
- b. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined

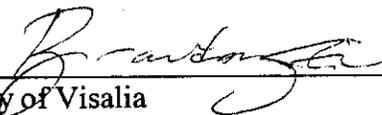
to be significant a statement of overriding considerations was made.

- c. The project will not create adverse environmental effects to a human population.

## 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 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. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO. 91-105 adopted on September 3, 1991. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

  
\_\_\_\_\_  
City of Visalia

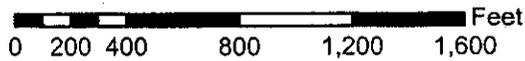
6/23/05  
\_\_\_\_\_  
Date

# Conditional Use Permit No. 2005-20

Location: The project is located at 2000 North Plaza Drive (APN: 077-111-030)

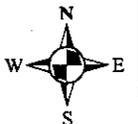


## Location Sketch

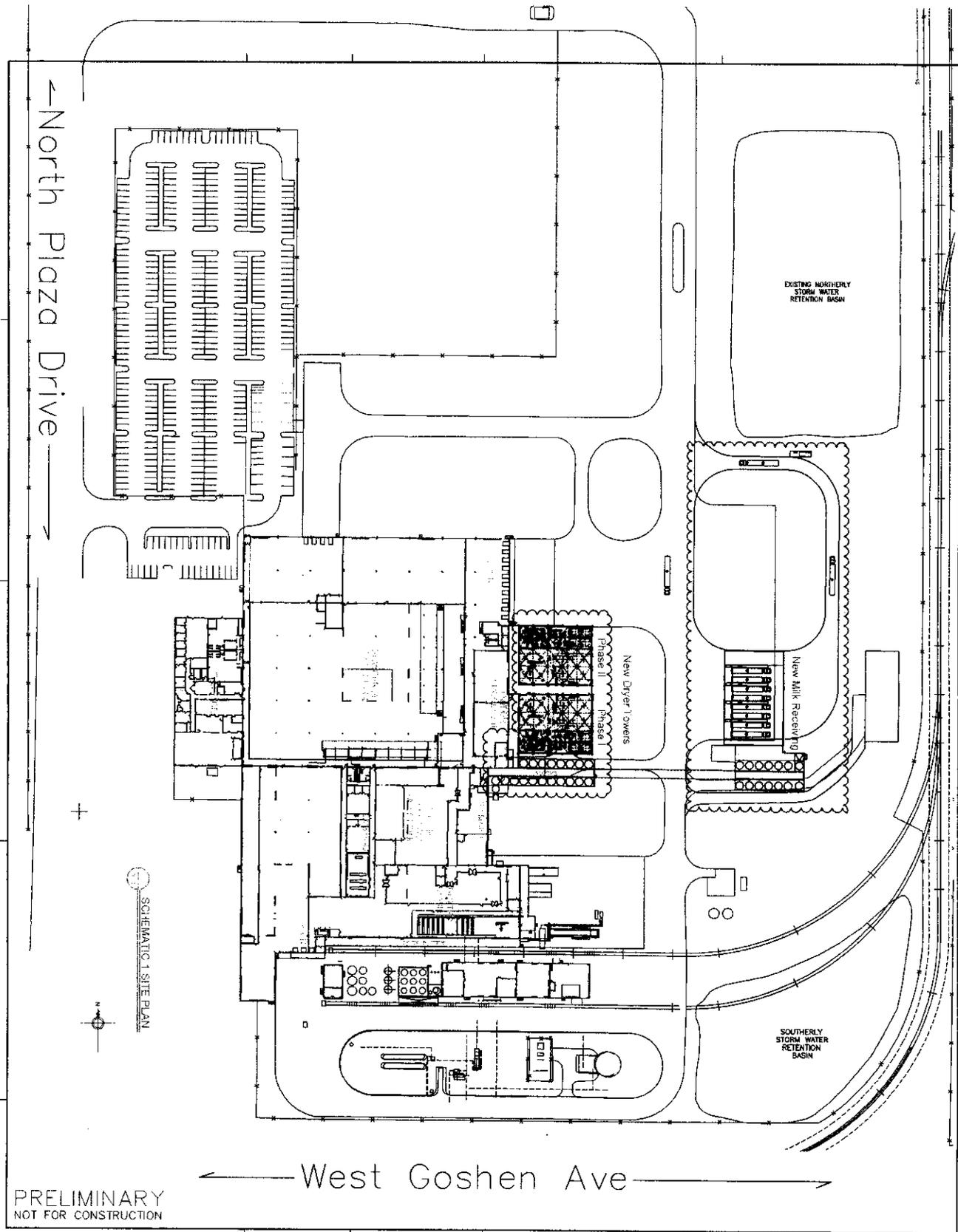


### Legend

- - WATERWAYS
- PARCELS
- - - CITY LIMITS
- street
- STREETS (LABEL)







<p><b>B</b></p> <p>E. A. Bonelli + Associates, Inc. Architects &amp; Engineers</p> <p>4000 West Goshen Ave. Goshen, N.Y. 10924</p>		<p>DATE: 11/15/88</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: NEW MILK RECEIVING</p>	
<p>CONTRACT NO. 88-001</p> <p>PROJECT NO. 88-001</p>		<p>DATE: 11/15/88</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: NEW MILK RECEIVING</p>	

RESOLUTION NO. 86-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA GRANTING CONDITIONAL USE PERMIT NO. 1015 FOR CONSTRUCTION OF A FOOD PROCESSING PLANT IN THE M-1/M-2 ZONE ON THE NORTHEAST CORNER OF ROAD 80 AND GOSHEN BLVD.

WHEREAS, a conditional use permit application was filed by Anheuser-Busch Companies for construction of a food processing plant in the M-1/M-2 zone on the northeast corner of Road 80 and Goshen Blvd., and

WHEREAS, the Planning Commission of the City of Visalia, after public hearing before said Planning Commission and after ten (10) days published notice, recommended the approval of said conditional use permit application, and

WHEREAS, the applicant appealed the decision to the City Council of the City of Visalia, which finds the conditional use permit in accordance with Section 7536 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing, and

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

1. An application for a conditional use permit was filed by Eagle Snacks Inc. ("Applicant"), a corporation whose principal place of business is One Busch Place, St. Louis, Missouri 63118-1852. The application included an Environmental Assessment describing the project, identifying the environmental setting, and discussing the project's potential effects upon the environment.
2. On February 24, 1986, the Application was accepted as complete by the City of Visalia, and an Initial Study was prepared and disseminated in accordance with the requirements of the California Environmental Quality Act ("CEQA").
3. On March 4, 1986, a proposed mitigated Negative Declaration was made available for public review and was circulated to various public agencies as required by CEQA.
4. On March 24, 1986, after due notice as required by applicable City of Visalia ordinances, the Planning Commission held a public hearing concerning the Conditional Use Permit. At the March 24 Public Hearing, the Planning Commission reviewed the Application, the Initial Study, and the draft Negative Declaration, and received evidence concerning the proposed use of the project facility and the proposed conditions under which such facility would be operated and maintained. At the conclusion of that hearing the Planning Commission approved the conditional use permit and made certain findings in support thereof.

5. The Council hereby adopts the findings and recommendations of the Planning Commission with respect to the Conditional Use Permit, and makes the following further findings:
  - (a) Any potential significant effect of the project on the environment would be avoided or mitigated by the revisions in the project made or agreed to by the Applicant as set forth in the Negative Declaration, and there is no substantial evidence that the project, as so mitigated, will have a significant effect on the environment.
  - (b) There is no substantial evidence that any aspect of the project, either individually or collectively, may cause a significant effect on the environment.
  - (c) When viewed in connection with the effect of past projects, the effects of other current projects, and the effects of probable future projects, the incremental environmental effects of this particular project, as mitigated, are insubstantial.
  - (d) No responsible agency or trustee agency has presented any issues, objections, or other matters which would raise doubts as to whether the project, as mitigated, may have a substantial adverse impact on the environment.
  - (e) The Negative Declaration was prepared, circulated and submitted for public review in accordance with all applicable laws, regulations and ordinances, and is adequate, complete and objective. There is no substantial evidence in the record that would indicate that the project, as mitigated in the manner described in the Negative Declaration, may have any significant adverse effect on the environment.
6. The Council hereby approves the mitigated Negative Declaration as submitted, and hereby finds that the project will not have any significant adverse effect on the environment.
7. In light of this Council's approval of the Negative Declaration submitted hereto, and based upon the findings and recommendations of the Planning Commission and all the evidence submitted to this Council concerning the subject project, the Council further finds:
  - (a) The proposed location of the conditional use as described in the Application is in accordance with the objectives of the City of Visalia Zoning Ordinance and the purposes of the M-1/M-2 Planned Industrial Zone, for which the project site has been zoned.
  - (b) The proposed location of the conditional use as specified in the Application and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
  - (c) The project may be developed and constructed on a "fast track" basis, as expeditiously as is consistent with the requisites of this City's applicable building codes.

(d) The Site Plan Review Committee has conditionally approved the Site Plan and issuance of a Planned Development Permit for the project, with final approval and issuance of the Planned Development permit to occur following City Council approval of the Negative Declaration.

8. The Council hereby affirms the decision of the Planning Commission to grant, and hereby grants, a Conditional Use Permit to the Applicant on the terms and conditions provided therein. Said Conditional Use Permit shall become effective immediately.

and that the City Council hereby grants a conditional use permit on the real property hereinabove described in accordance with the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the applicant follows and accepts the mitigation measures as outlined in the environmental Initial Study 86-05.
2. That a detailed landscape plan be developed by the applicant's landscape architect for review and approval by City staff, prior to approval of a final on the building permit.
3. That the site be developed in substantial compliance with the comments of the Site Plan Review Committee at the time of issuance of the planned development permit.
4. That the necessary County, City, State and Federal permits regarding air quality wastewater and solid waste disposal be obtained prior to issuance of occupancy permits on any affected phase of development.
5. All other applicable Visalia codes and ordinances.

PASSED AND ADOPTED : April 7, 1986

DONNA HALL, CITY CLERK

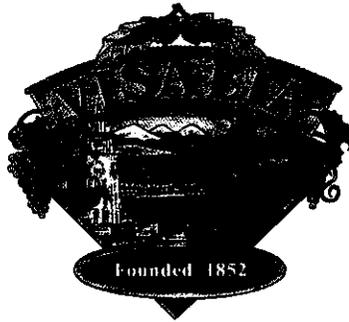
STATE OF CALIFORNIA)  
COUNTY OF TULARE ) ss.  
CITY OF VISALIA )

I, Donna Hall, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 86-54 passed and adopted by the Council of the City of Visalia at a regular meeting held on April 7, 1986,

Dated: April 9, 1986

DONNA HALL, CITY CLERK

*Shannon O'Dell*  
By Shannon O'Dell, Deputy



315 E Acequia Avenue, Visalia, CA 93291

MEETING DATE 05-25-2005  
 SITE PLAN NO. 05-122  
 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

- 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 8 a.m. and 5 p.m., Monday through Friday.
- Your plans must be reviewed by:
- CITY COUNCIL  REDEVELOPMENT
- PLANNING COMMISSION  PARK/RECREATION
- HISTORIC PRESERVATION  OTHER \_\_\_\_\_

**ADDITIONAL COMMENTS** \_\_\_\_\_

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Committee member at 713-4495.



315 East Acequia, Visalia, CA 93291  
Tel: (559) 713-4495 Fax: (559) 713-4812



MEETING DATE 5-25-05  
SITE PLAN NO. 05-122  
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LOT LINE ADJUSTMENT NO.

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Your plans must be reviewed by:

*Varma Khet*  
*+ CUP*

- CITY COUNCIL
- PLANNING COMMISSION
- HISTORIC PRESERVATION
- REDEVELOPMENT
- PARK/RECREATION
- OTHER \_\_\_\_\_

**ADDITIONAL COMMENTS** \_\_\_\_\_

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Committee member at 713-4495.



# BUILDING SITE PLAN REVIEW COMMENTS

ITEM NO: 2

DATE: MAY 25, 2005

SITE PLAN NO:

05-122

PROJECT:

NEW AND EXISTING BUILDING  
REMODEL

APPLICANT TITLE:

NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (1H  
ZONED)

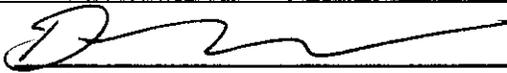
LOCATION TITLE:

MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)

APN TITLE:

PLAZA DRIVE, N.

- Indicate abandoned wells, septic systems and excavations on construction plans.
- Submit 3 sets of engineered plans and 2 sets of calculations.
- Meet city and state requirement for the physically handicapped.
- Submit 3 sets of plans signed by architect or engineer. Must comply with 2001 California Building Code Sec. 2320 for conventional light-frame construction or submit 2 sets of calculations.
- Maintain sound transmission control between units.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits for Air Pollution Board, Tulare County.
- Location of cashier must provide clear view of gas pump island.
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use.
- Must comply with state energy requirements. *LIGHTING & HVAC.*
- Plans must be approved by the Tulare County Health Department.
- Common areas must comply with requirements for access by the handicapped. *PARKING & ACCESS*
- Project is located in Flood Zone \_\_\_\_\_. Minimum finished floor elevations required \_\_\_\_\_.
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted
- Arrange for an on-site inspection.
- Hazardous materials report.
- A demolition permit is required.
- School Development fees. Commercial \$0.33 per square foot. Residential \$2.58 per square foot.
- Park Development fees \$ \_\_\_\_\_.

  
Signature

City of Visalia  
Parks and Recreation Department  
336 N. Ben Maddox Way  
Visalia, CA 93292

ITEM NO: 2      DATE: MAY 25, 2005  
SITE PLAN NO: 05-122  
PROJECT: NEW AND EXISTING BUILDING  
REMODEL  
APPLICANT TITLE: NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (IH  
ZONED)  
LOCATION TITLE: MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)  
APN TITLE: PLAZA DRIVE, N.

SITE PLAN REVIEW COMMENTS

Valley Oak Tree: IDENTIFY & LOCATE ON PLANS  
XHY VALLEY OAKS 2" DIAMETER AT  
BREAST HEIGHT & ABOVE. SHOW  
DBH & CANOPY DIMENSIONS.

Waterway/Riparian Setback:

Landscape & Lighting District:

- Plot and protect all Valley Oak Trees (Quercus Lobata) per city standards.
- Landscape along parkway to meet city standards and maintenance included in the lighting and landscape district.
- All trees planted in street right-of-way to be approved by the Urban Forestry Supervisor and conform to City Street Tree Standards.

David Pendergraft  
Landscape & Irrigation Specialists  
(559) 713-4295  
(559) 713-4818 Fax  
Email: dpendergraft@ci.visalia.ca.us

**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

**ITEM NO:** 2                      **DATE:** MAY 25, 2005  
**SITE PLAN NO:** 05-122  
**PROJECT:** NEW AND EXISTING BUILDING  
REMODEL  
**APPLICANT TITLE:** NEW 5,000 SQ. FT. BUILDING AND  
REMODEL OF A 328,000 SQ. FT.  
EXISTING BUILDING, ON 55 ACRES, (IH  
ZONED)  
**LOCATION TITLE:** MICHAEL WYANT, FRITO-LAY NORTH  
AMERICA, INC. (PROP. OWNER)  
**APN TITLE:** PLAZA DRIVE, N.

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS

- PRETREATMENT PROGRAM SUBMISSION OF ENCLOSED INDUSTRIAL WASTEWATER DISCHARGE PERMIT APPLICATION AND \$270 PERMIT EVALUATION FEE PAYABLE TO THE CITY OF VISALIA
- RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) INFORMATION BROCHURE ENCLOSED
- SAND AND GREASE TRAP - 3 COMPARTMENT \_\_\_\_\_
- GREASE TRAP \_\_\_\_\_ LB. CAPACITY \_\_\_\_\_
- GARBAGE GRINDER - 3/4 HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_

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

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION

7579 AVE 288 336 N. BEN MADDOX WAY  
VISALIA, CA 93292 93277

*[Handwritten Signature]*

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

5-23-05

\_\_\_\_\_  
DATE



CITY OF VISALIA  
 PUBLIC WORKS DEPARTMENT  
 QUALITY ASSURANCE DIVISION  
 336 NORTH BEN MADDOX WAY 7574 AVE. 288  
 VISALIA, CALIFORNIA 93292 93277

PART A

INDUSTRIAL  
 DISCHARGE  
 PERMIT APPLICATION

1. Applicant Business Name \_\_\_\_\_

2. Service Account Number \_\_\_\_\_

3. Business Address

A. Street \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

B. Mailing \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

4. Chief Executive Office

A. Name \_\_\_\_\_

B. Title \_\_\_\_\_

C. Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Person to be contacted about this application

A. Name \_\_\_\_\_

B. Title \_\_\_\_\_

C. Phone \_\_\_\_\_

6. Person to be contacted in case of emergency

A. Name \_\_\_\_\_

B. Title \_\_\_\_\_

C. Day Phone \_\_\_\_\_ Night Phone \_\_\_\_\_

7. CERTIFICATION: I certify that the information above and on the following pages is true and correct to the best of my knowlegde.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

Agency Use:
PERMIT NO. _____
Date Application Received _____

Purpose - The Business Description is primarily used to determine the substances which may enter into the wastewater discharge from the Business Activity. The production quantities are necessary for State and Federal Reports.

Agency Use

Permit No. \_\_\_\_\_

1. Business Activity

ACTIVITY \_\_\_\_\_ SIC \_\_\_\_\_

(a) Products

TYPE OF PRODUCTS	QUANTITIES				
	PAST CALENDAR YEAR			ESTIMATED THIS CALENDAR YEAR	
	Amount		Units	Amount	
Avg.	Max.	Avg.		Max.	

(b) Description - Describe the wastewater generating operations. Indicate variations in production and operations during the year. (Use additional sheets as necessary)

(c) Environmental Control Permits and Licenses - List all environmental control permits held by or for the facility.

(d) Substances Discharged - Give common and technical names of any raw materials or product which may be discharged to the sewer. Briefly describe the physical and chemical properties of each substance and product.

NAME	DESCRIPTION

2. Discharge Period

- (a) Discharge occurs daily: from \_\_\_\_\_ to \_\_\_\_\_
- (b) Circle the days of the week that the discharge occurs: S M T W T F S

3. Variation of Operation

Indicate whether the business activity is:  
 Continuous throughout the year, or  
 Seasonal - Circle the months of the year during which discharge occurs:  
 J F M A M J J A S O N D

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

PART B (Continued)

Review the following list of EPA priority pollutants. Indicate the status of your facility with respect to the manufacture, use or storage of priority pollutants by marking the appropriate space for each pollutant listed.

<u>PRIORITY POLLUTANT</u>	<u>DISCHARGED TO SEWER</u>	<u>STORED ON SITE</u>	<u>NOT PRESENT</u>
Acenaphthene	_____	_____	_____
Acrolein	_____	_____	_____
Acrylonitrile	_____	_____	_____
Benzene	_____	_____	_____
Benzidine	_____	_____	_____
Carbon tetrachloride (tetrachloromethane)	_____	_____	_____
Cholorobenzene	_____	_____	_____
1,2,4-trichlorobenzene	_____	_____	_____
Hexachlorobenzene	_____	_____	_____
1,2-dichloroethane	_____	_____	_____
1,1,1-trichloroethane	_____	_____	_____
Hexachloroethane	_____	_____	_____
1,1-dichloroethane	_____	_____	_____
1,1,2-trichloroethane	_____	_____	_____
1,1,2,2 tetrachloroethane	_____	_____	_____
Chloroethane	_____	_____	_____
Bis(2-chloroethyl) ether	_____	_____	_____
2-chloroethyl vinyl ether (mixed)	_____	_____	_____
2-chloronaphthalene	_____	_____	_____
2,4,6-trichlorophenol	_____	_____	_____
Parachlorometa cresol	_____	_____	_____
Chloroform (trichloromethane)	_____	_____	_____
2-chlorophenol	_____	_____	_____
1,2-dichlorobenzene	_____	_____	_____
1,3-dichlorobenzene	_____	_____	_____
1,4-dichlorobenzene	_____	_____	_____
3,3-dichlorobenzidine	_____	_____	_____
1,1-dichloroethylene	_____	_____	_____
1,2-trans-dichloroethylene	_____	_____	_____
2,4-dichlorophenol	_____	_____	_____
1,2-dichloropropane	_____	_____	_____
1,3-dichloropropylene (1,3-dichloropropene)	_____	_____	_____
2,4-dimethylphenol	_____	_____	_____
2,4-dinitrotoluene	_____	_____	_____
2,6-dinitrotoluene	_____	_____	_____
1,2-diphenylhydrazine	_____	_____	_____
Ethylbenzene	_____	_____	_____
Fluoranthene	_____	_____	_____
4-chlorophenyl phenyl ether	_____	_____	_____
4-bromophenyl phenyl ether	_____	_____	_____

**PRIORITY POLLUTANT**

**DISCHARGED  
TO SEWER**

**STORED  
ON SITE**

**NOT  
PRESENT**

<b><u>PRIORITY POLLUTANT</u></b>	<b><u>DISCHARGED TO SEWER</u></b>	<b><u>STORED ON SITE</u></b>	<b><u>NOT PRESENT</u></b>
Bis(2-chloroisopropyl) ether	_____	_____	_____
Bis(2-chloroethoxy) methane	_____	_____	_____
Methylene chloride (dichloromethane)	_____	_____	_____
Methyl chloride (dichloromethane)	_____	_____	_____
Methyl bromide (bromomethane)	_____	_____	_____
Bromoform (tribromomethane)	_____	_____	_____
Dichlorobromomethane	_____	_____	_____
Chlorodibromomethane	_____	_____	_____
Hexachlorobutadiene	_____	_____	_____
Hexachlorocyclopentadiene	_____	_____	_____
Isophorone	_____	_____	_____
Napthalene	_____	_____	_____
Nitrobenzene	_____	_____	_____
2-nitrophenol	_____	_____	_____
4-nitrophenol	_____	_____	_____
2,4-dinitrophenol	_____	_____	_____
4,6-dinitro-o-cresol	_____	_____	_____
N-nitrosodimethylamine	_____	_____	_____
N-nitrosodiphenylamine	_____	_____	_____
N-nitrosodi-n-propylamin	_____	_____	_____
Pentachlorophenol	_____	_____	_____
Phenol	_____	_____	_____
Bis(2-ethylhexyl) phthalate	_____	_____	_____
Butyl benzyl phthalate	_____	_____	_____
Di-N-Butyl phthalate	_____	_____	_____
Di-n-octyl phthalate	_____	_____	_____
Diethyl phthalate	_____	_____	_____
Dimethyl phthalate	_____	_____	_____
1,2-benzanthracene (benzo(a) anthracene)	_____	_____	_____
Benzo(a)pyrene (3,4-benzo-pyrene)	_____	_____	_____
3,4-Benzofluoranthene (benzo(b) fluoranthene)	_____	_____	_____
11,12-benzofluoranthene (benzo(k) fluoranthene)	_____	_____	_____
Chrysene	_____	_____	_____
Acenaphthylene	_____	_____	_____
Anthracene	_____	_____	_____
1,1,2-benzoperylene (benzo(ghi) perylene)	_____	_____	_____
Fluorene	_____	_____	_____
Phenanthrene	_____	_____	_____
1,2,5,6-dibenzanthracene (dibenzo (a,h)anthracene)	_____	_____	_____
Pyrene	_____	_____	_____
Tetrachloroethylene	_____	_____	_____
Toluene	_____	_____	_____
Trichloroethylene	_____	_____	_____
Vinyl chloride (chloroethylene)	_____	_____	_____
Aldrin	_____	_____	_____
Dieldrin	_____	_____	_____
Chlordane (technical mixture and metabolites)	_____	_____	_____

**PRIORITY POLLUTANT**

**DISCHARGED  
TO SEWER**

**STORED  
ON SITE**

**NOT  
PRESENT**

<b><u>PRIORITY POLLUTANT</u></b>	<b><u>DISCHARGED TO SEWER</u></b>	<b><u>STORED ON SITE</u></b>	<b><u>NOT PRESENT</u></b>
4,4-DDT	_____	_____	_____
4,4-DDE(p,p-DDX)	_____	_____	_____
4,4-DDD(p,p-TDE)	_____	_____	_____
Alpha-endosulfan	_____	_____	_____
Beta-endosulfan	_____	_____	_____
Endosulfan sulfate	_____	_____	_____
Endrin	_____	_____	_____
Endrin aldehyde	_____	_____	_____
Heptachlor	_____	_____	_____
Heptachlor epoxide (BHC-hexachlorocyclohexane)	_____	_____	_____
Alpha-BHC	_____	_____	_____
Beta-BHC	_____	_____	_____
Gamma-BHC(lindane)	_____	_____	_____
Indeno (,1,2,3-cd) pyrene (2,3-o-phenylene pyrene)	_____	_____	_____
Delta-BHC (PCB-polychlorinated biphenyls)	_____	_____	_____
PCB-1242 (Arochlor 1242)	_____	_____	_____
PCB-1254 (Arochlor 1254)	_____	_____	_____
PCB-1221 (Arochlor 1221)	_____	_____	_____
Indeno (,1,2,3-cd) pyrene (2,3-o-pheynylene pyrene)	_____	_____	_____
PCB-1232 (Arochlor 1232)	_____	_____	_____
PCB-1248 (Arochlor 1248)	_____	_____	_____
PCB-1260 (Arochlor 1260)	_____	_____	_____
PCB-1016 (Arochlor 1016)	_____	_____	_____
Toxaphene	_____	_____	_____
Antimony	_____	_____	_____
Arsenic	_____	_____	_____
Asbestos	_____	_____	_____
Beryllium	_____	_____	_____
Cadmium	_____	_____	_____
Chromium	_____	_____	_____
Copper	_____	_____	_____
Cyanide, Total	_____	_____	_____
Lead	_____	_____	_____
Mercury	_____	_____	_____
Nickel	_____	_____	_____
Selenium	_____	_____	_____
Silver	_____	_____	_____
Thallium	_____	_____	_____
Zinc	_____	_____	_____
2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)	_____	_____	_____

1. Discharged to sewer - priority pollutants known to be discharged to the community sewer regardless of the quantity.
2. Stored on site - priority pollutants stored on site as a product, the constituent of a product, a raw material, the constituent of a raw material or an intermediate in a manufacturing process and not known to be discharged to the community sewer.
3. Not present - priority pollutants not known to be discharged to the community sewer and not stored on site as per the above definition.

**CERTIFICATION STATEMENT**

I have personally examined and am familiar with the information submitted in conjunction with the EPA Priority Pollutant List and any associated attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

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Signature of Authorized Representative

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Date

Part C

Schematic  
Flow Diagram

**PURPOSE** - The Schematic Flow Diagram shows the flow pattern of products through the facility and the various sources of wastewater. This information will enable the City to assess the quality, volume and peak flows of the discharge.

Agency Use:

Permit  
Number \_\_\_\_\_

**SCHEMATIC FLOW DIAGRAM** - For each major activity in which wastewater is generated, draw a diagram of the flow of materials and water from start to completed product, showing all unit processes generating wastewater. Number each unit process having discharges to the community sewer. Use these numbers when showing this unit process in the building layout as drawn later in this application.

**PURPOSE:** The Building Layout shows the wastewater generating operations which contribute to each building sewer. The building layout will also enable the City and the applicant to select suitable sampling locations for determining and verifying wastewater strength.

Agency Use:

Permit

Number \_\_\_\_\_

**BUILDING LAYOUT** - Draw the location of each building on the premises. Show location of water meters, storm drains, numbered unit processes (from Schematic Flow Diagram), community sewers and each building sewer connected to the community sewers. Number each building sewer and show possible sampling locations. Indicate size and elevation of all sewers. (A blueprint or drawing of the facilities showing the above items may be substituted for the drawing on this sheet, but will remain on file at the wastewater facility.)

# Part E

# Water Source & Use

Agency Use

Purpose - The Water Source and Use Information will enable the City to determine the volumes and sources of wastewater discharged to the community sewer.

Permit No. \_\_\_\_\_

1. **WATER USE AND DISPOSITION** - Average quantity of water received and wastewater discharged daily.  
 NOTE: Show on separate sheet the method and calculations used to determine the quantities on table.

WATER USED FOR:	SUPPLY			DISCHARGE		
	City Water gal/day	Other (1) gal/day	Source	Comm. Sewer gal/day	Other (2) gal/day	Disch. To
Sanitary						
Processes						
Boiler						
Cooling						
Washing						
Irrigation						
Product						
Other (3)						
<b>TOTAL</b>						

**NOTES:**

- (1) Enter the quantity and the appropriate code letter indicating the source:  
 a. private well, b. creek, c. stormwater, d. reclaimed water, e. county water, f. private water district
- (2) Enter the quantity and the appropriate code letter indicating the discharge point:  
 a. well, b. creek, c. stormdrain, d. rail, truck, e. evaporation, f. product
- (3) Describe: \_\_\_\_\_

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2. **NUMBER OF EMPLOYEES (Yearly Average)**

	OFFICE		PRODUCTION (number of employees per shift)					
	No.	Hours	DAY SHIFT		SWINGSHIFT		NIGHTSHIFT	
			No.	Hours	No.	Hours	No.	Hours
WEEKDAY		to		to		to		to
SATURDAY		to		to		to		to
SUNDAY		to		to		to		to

## Part F

## Building Sewer Discharge

Purpose - The Building Sewer Discharge information will identify the variation in flow rate and type of constituents and characteristics of the discharge for each side sewer.

Agency Use  
Permit  
Number \_\_\_\_\_

1. Side Sewer No. \_\_\_\_\_ (From Bldg. Layout)

2. Wastewater Flow Rate.

PEAK 1/2 HOUR (gallons/min)	ANNUAL DAILY AVG. (gallons/day)

SEASONAL RANGES (gallons/day)	
Minimum Daily Avg.	Maximum Daily Avg.

3. If Batch Discharge Indicate:

- a. Number of batch discharges: \_\_\_\_\_ per month.
- b. Time of batch discharges: \_\_\_\_\_ at \_\_\_\_\_  
(Days of Week) (Hours of Day)
- c. Average quantity per batch \_\_\_\_\_ gallons.
- d. Flow Rate: \_\_\_\_\_ gallons/minute.

# Part G

# Pollution Abatement

Purpose - The Pollution Abatement Section shows the current and planned pretreatment practices used for meeting wastewater discharge limitations.

Agency Use

Permit No.

## 1. Pollution Abatement Practices

a. Wastewater Pretreatment - Check the type of wastewater prior to discharge treatment to the community sewer:

- none,  holding tank,  grease trap,  oil and water separator,  
 grinding,  sedimentation,  pH adjustment,  biological treatment,  
 chemical treatment,  screening,  chlorination,  other.

Description.

Describe the design capacity, physical size, etc. of each pretreatment facility checked above.

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Is standby power available?      Yes       No

## b. Planned Wastewater Pretreatment Improvements

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## 2. Stormwater Area

Total Area in square feet exposed to storm water and drained to sanitary sewer      sq. ft.

Purpose - The Spill Control Information will identify substances which may inadvertently enter the sewer.

Agency Use

Permit No. \_\_\_\_\_

1. SPCC

a. Is there a documented Spill Prevention Control and Countermeasure (SPCC) Plan in effect at your facility for hazardous materials?

Yes  No

b. Who is the person accountable for spill prevention, emergency procedures and containment plans?

\_\_\_\_\_

c. Who is the person accountable for reporting such incidents?

\_\_\_\_\_

2. Potential Spill Areas

a. Liquid Wastes - List the type and volume of liquid waste removed from the premises by means other than community sewers.

DESCRIPTION	VOLUME (gals/mo)	REMOVED BY	ULTIMATE DISPOSAL

b. Solid & Semi-Solid - Identify all solid and semi-solid wastes including any priority pollutants disposed of from your facility.

DESCRIPTION	VOLUME (lbs/mo)	REMOVED BY	ULTIMATE DISPOSAL

c. Other Potential Spills

Do you have heavy equipment on your property? (fork lifts, cranes, trucks, tractors, etc.)

Do you service or clean the equipment on your property? \_\_\_\_\_

What provisions are made for disposal of old oil, steam cleaning wastes, grit, sand, or other wastes?

Do you store or dispose of waste material on your property? \_\_\_\_\_

If yes, describe. \_\_\_\_\_

PART I

Requested  
Plant  
Loadings

Purpose: These figures are necessary to evaluate requested plant loadings for the upcoming fiscal year.

Agency Use  
Permit No. \_\_\_\_\_

1. Requested Plant Loadings

- a. Wastewater volume \_\_\_\_\_ gallons per day.
- b. B.O.D. strengths \_\_\_\_\_ pounds per day.
- c. Suspended Solids \_\_\_\_\_ pounds per day.

2. Water Source Information

Water Supplier \_\_\_\_\_ Account No. \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Inside City Limits ...  Yes  No

Source of Water .....  City  Private well  
 County  Other \_\_\_\_\_

Water Meter .....  Yes  No

**CITY OF VISALIA**  
**SOLID WASTE DIVISION**  
**336 N. BEN MADDOX**  
**VISALIA CA. 93291**  
**713 - 4177**

**ITEM NO:** 2      **DATE:** MAY 25, 2005  
**SITE PLAN NO:** 05-122  
**PROJECT:** NEW AND EXISTING BUILDING REMODEL  
**APPLICANT TITLE:** NEW 5,000 SQ. FT. BUILDING AND REMODEL OF A 328,000 SQ. FT. EXISTING BUILDING, ON 55 ACRES, (IH ZONED)  
**LOCATION TITLE:** MICHAEL WYANT, FRITO-LAY NORTH AMERICA, INC. (PROP. OWNER)  
**APN TITLE:** PLAZA DRIVE, N.

**CHECK MARK INDICATES APPLICABILITY**

- No comments.
- Same comments as \_\_\_\_\_
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Individual can refuse service will be provided curbside.
- Backyard fence gates must be a minimum of 32 inches in width for backyard automation container storage.
- Commercial bin refuse service will be provided at bin enclosure built according to city standards. All refuse enclosures must be a double ( ) T - 1 or ( ) T - 2
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :  
Commercial ( ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking

comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name** Abel Flores      **Phone #** 713-4177

**Site Plan Review Comments For:**

Visalia Fire Department  
Doyle Sewell, Fire Marshal  
309 S. Johnson  
Visalia, CA 93291  
559-713-4486 *office*  
559-713-4808 *fax*

Item # 2                      Date 5-25-05  
Site Plan # 05-122  
Project Remadel  
Applicant Wyant  
Location 2000 N Plaza  
APN \_\_\_\_\_

The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated \_\_\_\_\_.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are \_\_\_\_\_ fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Building Department counter.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Building Department counter.

- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and in the front of the building, if possible.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$378.81 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: \_\_\_\_\_

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Doyle Sewell, Fire Marshal

**BUILDING PLAN REQUIREMENTS  
ENGINEERING/TRAFFIC DIVISION**

- Andrew Benelli 713-4340
- Doug Damko 713-4268
- Ken McSheehy 713-4447
- Peter Spiro 713-4256
- Norm Goldstrom 713-4638
- Greg Dais 713-4419
- 

ITEM NO: 2 DATE: MAY 25, 2005

SITE PLAN NO.: 05-122  
 PROJECT: NEW 5,000 S.F. BUILDING AND REMODEL OF 328,000 S.F. EXISTING BUILDING, ON 55 ACRES, (IH ZONED)  
 APPLICANT: MICHAEL WYANT, FRITO-LAY NORTH AMERICA, INC (PROP OWNER)  
 LOCATION: 2000 N. PLAZA DRIVE  
 APN: 077-111-030

**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;
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
- 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.
- CalTrans Encroachment Permit required.  CalTrans comments required prior to issuing building permit. Contacts: Al Dias (planning) 488-7306;
- Grading & Drainage plan required.  Prepared by registered civil engineer or project architect.  Storm Water Discharge permit is required.  All elevations shall be based on the official City of Visalia datum. Storm run-off from the site needs to be directed to the City's storm drainage system.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- 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 Oak trees with drip lines and adjacent grade elevations.  Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove.  A pre-construction conference is required.
- Ponding basin required ( \_\_\_\_\_ : \_\_\_\_\_ maximum slope);  Fence required;  Provide access to bottom for maintenance
- Developer shall relocate existing utility poles and/or facilities.

Subject to existing Reimbursement Agreement to reimburse prior developer:

Dust control is required on site during construction and for all material excavated, graded, and/or transported.

Comply with prior comments.  Resubmit with additional information.  Redesign required.  Summary of Estimated Engineering Fees is attached.

**Additional Comments:**

**SUMMARY OF ESTIMATED ENGINEERING FEES**

Site Plan No: 05-122  
 Date: 05/25/05

**Summary of Estimated Engineering Fees: (Preliminary estimate only ! Final Fees to be based on building permit plans.)**

(Basis of fee calculation: )

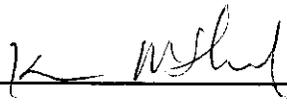
(Credits: )

Additional Information is required prior to estimating applicable Engineering Fees. Provide an operational statement with the maximum number of employees in a 24 hour period.

FEE ITEM	FEE/UNIT	UNIT(S)	CREDITS (if applicable)	ESTIMATED TOTAL
<input checked="" type="checkbox"/> Parking Lot Plan Check & Inspection				
<input type="checkbox"/> Encroachment Permit	3.1% of Estimated Construction Cost for Public Improvements	n/a	n/a	
<input checked="" type="checkbox"/> Transportation Impact Fee				
<input checked="" type="checkbox"/> Trunk Line Capacity Fee				
<input type="checkbox"/> Sewer Front Foot Fee				
<input type="checkbox"/> Storm Drain Fee				
<input type="checkbox"/> Park Acq/Dev Fee				
<input type="checkbox"/> Northeast Fees				
<input type="checkbox"/> Waterways Acquisition Fee				
<input type="checkbox"/> Public Safety Impact Fee: Police				
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire				
<input type="checkbox"/> Public Facility Impact Fee				

**Reimbursement:**

- 1.) Reimbursement is available for the development of arterial/collector streets identified in the City's Circulation Element. The developer will be reimbursed for all costs associated with the development of these streets from curb to curb plus street lights. The specific details regarding reimbursement are identified in the City's reimbursement policy. The right of way dedication shall be reimbursed in the form of a Transportation Impact Fee credit. The credit will be calculated per lot and applied at the time of building permit issuance.
- 2.) Reimbursement is available to a developer for storm drain trunk lines and sewer trunk lines identified in the City's Storm Water Master Plan and Sewer System Master Plan. The developer will be reimbursed for 100% the cost of storm drain trunk lines. The developer will be reimbursed for 100% the cost of sewer trunk lines not needed by the developer. If the developer needs a sewer line and is required to enlarge the sewer line in accordance with the Sewer System Master Plan, then the developer will be reimbursed for the differential cost. The City will reimburse the developer for design and construction costs associated with the installation of these trunk lines.





The City of Visalia Quality Assurance Division, in order to comply with United States Environmental Protection Agency (EPA) regulations, is notifying and advising you that your business, facility, or premises may be subject to solid or hazardous waste management requirements pursuant to the Federal Resource Conservation and Recovery Act (PL 94-580 as amended) and also to State of California hazardous waste management regulations pursuant to Title 22, California Code of Regulations.

The enclosed brochure describes the minimum EPA and State of California requirements for hazardous waste generators and transporters. The State of California requirements are generally more stringent than EPA requirements and therefore your full compliance with Title 22 regulations will ensure compliance with EPA and State requirements. City of Visalia Ordinance 13.08 prohibits the disposal of untreated hazardous substances to the City sewerage system. The City Sewerage System and City Wastewater Treatment Plant are being monitored by the EPA and the State to ensure local compliance.

In order to ensure that your operations comply with Federal, State, and City hazardous waste management regulations, please consult with:

State of California  
Department of Toxic Substances Control  
10151 Croydon Way, Suite 3  
Sacramento, California 95827

The applicable regulations require that both owners and the operators of hazardous waste facilities determine the specific requirements of compliance. Therefore, please complete the enclosed form and return to:

CITY OF VISALIA  
QUALITY ASSURANCE DIVISION  
~~336 NORTH BEN MADDOX WAY~~  
VISALIA, CALIFORNIA 93292

7579 AVE 288  
93277

Grant R. Knight  
Quality Assurance Supervisor

jb

Enclosure

qa/forms/Waste mgmt requirements

TO:

CITY OF VISALIA  
QUALITY ASSURANCE DIVISION  
~~336 NORTH BEN MADDOX WAY~~ 7539 AVE. 298  
VISALIA, CALIFORNIA 93292 93277

FROM:

I (We) the undersigned hereby certify that I (We) have been notified of Federal, State, and City statutes and regulations regarding hazardous substances. I (We) understand that I (We) are required to determine the specific applicability of said regulations to me (us) and these facilities or premises. I (We) also understand it is my (our) responsibility to provide proper handling and disposal of all hazardous substances.

Signed by \_\_\_\_\_ or \_\_\_\_\_  
Owner or Operator Owner

and \_\_\_\_\_ on date \_\_\_\_\_  
Operator

at \_\_\_\_\_  
City, County, and State



May, 18, 2005

**Application For Conditional Use Permit:**

2000 N. Plaza Drive  
Visalia, Ca. 93291  
Parcel No. ~ 077-111-030

**Operational Statement:**

California Dairies, Inc. is a dairy cooperative that is the result of a successful 1999 merger of three of California's most successful cooperatives: California Milk Producers, Danish Creamery Association, and San Joaquin Valley Dairymen. All three cooperatives established their roots back near the turn of the 20<sup>th</sup> century and serve approximately 680 owner/members. The dairies are located from San Diego County in the South to Marin County in the North. However, most of the milk supply is in the central San Joaquin Valley.

The planned proposed facility will be a 24 hour operation, running at 7 days per week on a yearly work schedule ~ described as a "24/7" milk processing facility. Therefore, the plant will require three shifts of supervision, production personnel and maintenance staff.

California Dairies views the project as a two phase development, the first phase being the most significant would incorporate the first evaporator/dryer tower to spray dry milk powder and package in 25kg bags and/or 2200 pound totes. In addition to the spray drying process, a butter churn and packaging operation will accompany the above. During phase I, the facility will be capable of processing 5.0 million pounds of milk per day or approximately 90 truck loads of milk. This milk will be received into the plant on a 24 hour based schedule not to impede traffic. After the production capacity has been reached in phase I, the facility would typically employ approximately 100 employees.

If history repeats itself, the phase II expansion would typically start between the 6<sup>th</sup> and 9<sup>th</sup> year after phase I is near full capacity. This would allow for members' expansion and a 3% - 4% increase in production growth annually. The phase II expansion will consist of adding a second evaporator/dryer tower identical or similar to the phase I evaporator/dryer tower. The expansion will increase the processing capacity to another 5.0 million pounds of milk per day. Total milk processing capability of the facility after the completion of both phases will be 10.0 million pounds of milk per day or approximately 180 truck loads of milk. In addition, the facility will require approximately 100 - 180 employees at this level of production.

Note: Each phase will add approximately 5,000 sq/ft to the existing building.

**CORPORATE OFFICE**

**ARTESIA**

11709 E. Artesia Blvd.  
P.O. Box 6210  
Artesia, CA 90702-6210  
Telephone: 562-865-1291  
FAX: 562-860-8633

**FRESNO**

755 "F" Street  
P.O. Box 11865  
Fresno, CA 93775-1865  
Telephone: 559-233-5154  
FAX: 559-268-5101

**LOS BANOS**

1155 Pacheco Blvd.  
P.O. Box 2198  
Los Banos, CA 93635-2198  
Telephone: 209-826-4901  
FAX: 209-826-6717

**TIPTON**

11894 Avenue 120  
P.O. Box 837  
Tipton, CA 93272-0837  
Telephone: 559-752-5200  
FAX: 559-752-5201

**TURLOCK**

475 South Tegner  
Turlock, CA 95360  
Telephone:  
209-668-6150  
FAX: 209-668-6162

**OPERATIONS OFFICE  
VISALIA**

5100 W. Cypress  
Visalia, CA 93277  
Telephone:  
559-625-2200  
FAX: 559-625-5433

CITY OF VISALIA  
315 E. ACEQUIA AVENUE  
VISALIA, CA 93291

**NOTICE OF A PROPOSED  
NEGATIVE DECLARATION**

Project Title: Conditional Use Permit No. 2005-20

Project Description:

Conditional Use Permit No. 2005-20 A request to allow a milk processing facility in the IH (planned heavy industry zone). The project site is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant (Amendment to CUP NO. 1015).

Contact Person: Trish Garrett, Planner. Phone: (559) 713-4002.

Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on July 25, 2005, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia, Visalia, CA.

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that it will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2005-52 has not identified any significant, adverse environmental impacts that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, CA.

Comments on this proposed Negative Declaration will be accepted until July 21, 2005.

Date: 6.24.05

Signed:   
Environmental Coordinator  
City of Visalia

### NEGATIVE DECLARATION

**Project Title:** Conditional Use Permit No. 2005-20

**Project Description:** Conditional Use Permit No. 2005-20 : A request to allow a milk processing facility in the IH (planned heavy industry) zone. The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. ,applicant.

**Project Facts:** Refer to Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effect.

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	( )
Letters	( )

**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  
Fred Brusuelas  
Environmental Coordinator

By: Jim Brusuelas  
Date Approved: 6-24-05  
Review Period: 20 days

## INITIAL STUDY

### I. GENERAL

**A. Description of the Project:** Conditional Use Permit No. 2005-20: A request to allow a milk processing facility in the IH (planned heavy industry zone). The project is located at 2000 North Plaza Drive. (APN: 077-111-030). California Dairies, Inc. applicant. (amendment to CUP No. 1015)

**B. Identification of the Environmental Setting:** The site is an established manufacturing facility (Frito-Lay property) located in Visalia's Industrial Park. The surrounding zoning and land uses are as follows:

North: IH (planned heavy industry) / Sequoia Beverage  
South: IL (planned light industry) / Goshen Avenue, vacant land & Able Industries  
East: IH (planned heavy industry) / industrial uses, International Paper  
West: IH (planned heavy industry) / Plaza Drive, industrial uses and vacant land.

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon development of the area.

**C. Plans and Policies:** The General Plan Land Use Element (LUE) designates the site as Heavy Industry. The site is zoned IH (planned heavy industry), and is within Design District "H". This request is a minor amendment to CUP No. 1015 and meets the intent of the Land Use Element of the General Plan.

### 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 land use mitigation measures that are designed to reduce/eliminate impacts to a level of non-significance.

### III. MITIGATION MEASURES

None. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

### 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. NAME OF PERSON WHO PREPARED INITIAL STUDY

  
Brandon Smith  
for  
Trish Garrett  
Planner

  
Fred Brusuelas, A.I.C.P.  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Conditional Use Permit No. 2005-20	
<b>NAME OF PROPONENT:</b>	Rocky F. White	<b>NAME OF AGENT:</b> California Dairies, Inc.
<b>Address of Proponent:</b>	5100 West Cypress Avenue Visalia, CA 93277	<b>Address of Agent:</b> 5100 West Cypress Avenue Visalia, CA 93277
<b>Telephone Number:</b>	(559)625-2200, ext 16	<b>Telephone Number:</b> (559)625-2200, ext. 16
<b>Date of Review</b>	June 23, 2005	<b>Lead Agency:</b> 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

**II. SCENIC RESOURCES**

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?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**III. AGRICULTURE**

Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, 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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

**III. AIR QUALITY**

Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 1 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 1 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

**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 federally protected wetlands as defined by Section 404 of the Clean Water Act (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?

**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) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

**V. CULTURAL RESOURCES (continued)**

Would the project:

- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

**VII. GEOLOGY AND SOILS**

Would the project:

- a) Expose people or structures to 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?
- 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?

**VIII. 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?
- 2 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 for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**VIII. GEOLOGY AND WATER QUALITY**

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 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, in a manner which would result in substantial erosion or siltation on- or off-site?
- 1 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 1 e) 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 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

**IX. COASTAL RESOURCES**

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**X. MINERAL RESOURCES**

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of 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?

**XI. NOISE**

Would the project:

- 2 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**XI - NOISE**

Would the project:

- 1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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 expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**XII - POPULATION**

Would the project:

- 1 a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**XIII - PUBLIC SERVICES**

Would the project:

- 1 a) Would the project 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?

**XIV - RECREATION**

Would the project:

- 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?

**XV - TRANSPORTATION**

Would the project:

- 2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of

vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- 2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?

**XVI - WATER RESOURCES**

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater 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 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

**XVII - WILDLIFE AND PLANTS**

Would the project:

- 1 a) Does the project 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?
- 1 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)?
- 1 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The project will not adversely affect the view of the Sierra Nevada mountain range, a scenic vista that can be seen from Visalia on clear days.
- b. There are no scenic resources on the site.
- c. The site is an established manufacturing facility located in Visalia's Industrial Park. The minor remodel and construction of new structures will be consistent with the City's required design standards as specified in the City Zoning Ordinance. These standards are related to landscaping and other amenities, and will ensure that the visual character of the area is not degraded. A proposed processing tower on the site would exceed the maximum height limit for the zone; however a variance to the height limit is being processed separately and is not a part of the proposed project.
- d. While the project involves the remodel of an existing facility, new sources of light may be used on the site. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent residential or commercial properties.

### II. AGRICULTURAL RESOURCES

- a. The site is not zoned for agricultural use and will not involve the conversion of farmland. The project will not have an effect on any agricultural resources.
- b. The site is not under Williamson Act contract nor within an Agricultural Preserve.
- c. The project will not involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland to nonagricultural use.

### III. AIR QUALITY

- a. The project in itself does not disrupt implementation of the San Joaquin Valley Unified Air Pollution Control District's air quality plan.
- b. The project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation.
- c. The San Joaquin Valley is a region that is already at non-attainment status for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update.
- d. The project's proposed land uses generally do not generate substantial pollutant concentrations.
- e. Under normal operating conditions, the project will not contribute any objectionable odors to persons working within the facility or areas outside of the facility.

### IV. BIOLOGICAL RESOURCES

- a. There are no identified candidate, sensitive, or special status species on the site.

- b. The project is not located within or adjacent to a sensitive riparian habitat or other natural community.
- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. No animal movement will be affected by the proposed project.
- e. The City has a municipal ordinance in place to protect oak trees. All existing oak trees on the project site will be under the jurisdiction of this ordinance. Any Oak Trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

### V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during construction all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

### VI. GEOLOGY AND SOILS

- a. 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. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The project will not result in substantial soil erosion or a loss of topsoil.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area generally 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.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

- a. The proposed processing plant will not involve the routine transport, use, or disposal of hazardous materials, and will therefore not create a significant hazard to the public or the environment.
- b. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.
- c. The project site is not located within one-quarter mile of a school. There are no reasonably foreseeable conditions or incidents involving the project that could affect this or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area is located within 2 miles of the Visalia Municipal Airport and within the specified area of the Visalia Municipal Airport Master Plan, which was adopted in June 2004. The site is located within Land Use Zone D, and will not be in conflict with any design and land use criteria specified for that zone. The project, which involves the remodel and rehabilitation of an existing industrial facility, will not result in a safety hazard for people residing or working in the project area. The project is located outside of the airport's landing and take-off path.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wildlands within or near the project area.

**VIII. HYDROLOGY AND WATER QUALITY**

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project will not substantially deplete groundwater supplies in the project vicinity.
- c. The project will not result in substantial erosion on- or off-site.
- d. Development standards are already in place to require that stormwater drainage be held on-site with a drainage basin or to connect to the City stormwater drainage system.
- e. Development standards are already in place to require that stormwater drainage be held on-site with a drainage

basin or to connect to the City stormwater drainage system.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- h. The project area is located within Zones X500. Sites designated as being within X500 are areas of 500-year flood.
- i. The project would not expose people or structures to risks from failure of levee or dam.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, so there will be no impacts related to mudflow.

**IX. LAND USE AND PLANNING**

- a. The project will not physically divide an established community.
- b. The site is within the current Urban Development Boundaries of the City of Visalia. The City of Visalia designates the area for urban development. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- c. The project does not conflict with any applicable conservation plan.

**X. MINERAL RESOURCES**

- 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.

**XI. NOISE**

- a. Noise levels associated with the proposed project and processing facility will be in compliance with and remain within the noise level standards specified in the City's Noise Ordinance and Element of the General Plan. The project will not expose any noise in excess of established standards to any noise-sensitive land uses within the vicinity of the site. In addition, the project is located within an industrial park which indicates the presence of less sensitive noise receptors.

The project will be capable of facilitating up to 180 truck trips daily upon completion of the Phase II expansion. Therefore, noise will be generated by truck traffic along designated arterial and collector streets within the industrial park. The City's standards for setbacks, construction of walls, landscaping, and/or planting along major streets will reduce noise levels to a level that is less than significant.

- b. The project will not result in ground-borne vibration or ground-borne noise levels. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

- c. Noise levels will increase beyond current levels as a result of the project. These levels will be typical of noise levels associated with development within the industrial district. Therefore, the increase is less than significant.
- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City Noise Ordinance.
- e. The project area is within 2 miles of a public airport. The Visalia Municipal Airport Master Plan has developed noise contours for areas surrounding the airport that will exceed standard noise levels as defined by the City Noise Element. The project is located outside of these contours and shall not be exposed to average noise levels above 55-dB CNEL.
- f. There is no private airstrip near the project area.

**XII. PUBLIC SERVICES**

- a.
  - i. Current fire protection facilities can adequately serve the site without a need for alteration.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration.
  - iii. Current school facilities can adequately serve the site without a need for alteration.
  - iv. Current park and recreation facilities can adequately serve the site without a need for alteration.
  - v. Other public facilities can adequately serve the site without a need for alteration.

**XIII. RECREATION**

- a. The proposed project will not 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.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

**XIV. TRANSPORTATION AND TRAFFIC**

- a. Development of the site will result in increased traffic in the area. The Circulation Element of the Visalia General Plan has assigned a street classification system to the streets within the City of Visalia. Plaza Drive (Road 80), Goshen Avenue, and Riggin Avenue have all been identified as arterial streets, and will facilitate a large amount of the truck trips and employee commuter trips associated with the operation. These streets handle a primary amount of the industrial-related traffic within the City's industrial park. At full build out, the plant is anticipated to facilitate for 180 truck trips daily to and from the site. Also, full build out of the site will employ approximately 180 employees at the site, with three production shifts to occur each day. The proposed project will not cause a substantial increase of traffic in relation to

the existing load and capacity of the City's Circulation system.

- b. The project will not contribute to the exceeding, either individually or cumulatively, of a level of service standard established for roads identified in the City's Circulation Element of the General Plan.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. Upon development of the site, roads will be designed and constructed to City standards so that there will be no increased hazards.
- e. Upon development of the site, roads will be constructed to City standards that will provide adequate emergency access.
- f. The project will be required to meet the City's parking requirements for industrial development in accordance with the City Parking Ordinance (Chapter 17.34 of the Municipal Code).

**XV. UTILITIES AND SERVICE SYSTEMS**

- a. The project will operate in compliance with the Wastewater Ordinance (Chapter 13.08 of the Visalia Municipal Code) relative to sewer connection and discharge. An Industrial Wastewater Discharge Permit will be issued for the project at the time of the facility's remodel. Under these circumstances, the project will not violate any water quality standards.
- b. The project calls for increased sanitary sewer services. Sufficient capacity is available and therefore will not result in a significant effect. Improvements associated with the proposed project will be consistent with the City Sewer Master Plan.
- c. Storm water services are provided on the site consistent with the City Storm Water Master Plan, and therefore will not result in a significant effect.
- d. There are sufficient water supplies to support the project.
- e. 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.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project should be able to meet the applicable regulations for solid waste.

**XVI. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. This site was evaluated in the EIR for the City of Visalia Land Use Element 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.
- b. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined

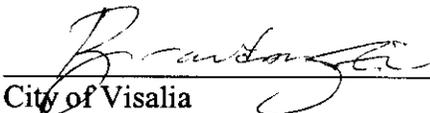
to be significant a statement of overriding considerations was made.

- c. The project will not create adverse environmental effects to a human population.

## DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

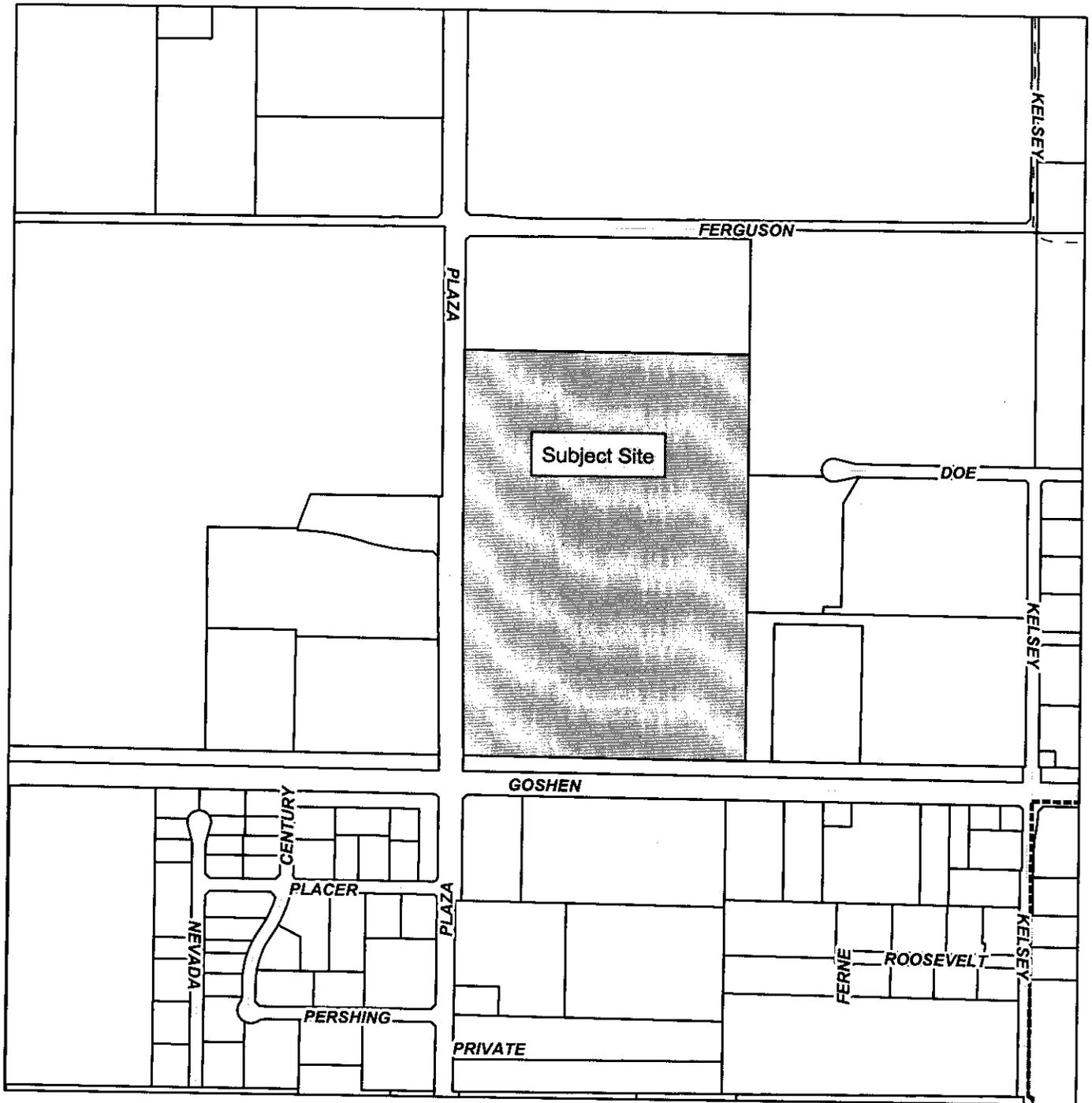
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation 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 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. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO. 91-105 adopted on September 3, 1991. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

  
\_\_\_\_\_  
City of Visalia

6/23/05  
\_\_\_\_\_  
Date

# Conditional Use Permit No. 2005-20

Location: The project is located at 2000 North Plaza Drive (APN: 077-111-030)



## Location Sketch

**Legend**

- WATERWAYS
- ▭ PARCELS
- CITYLIMITS
- street
- STREETS (LABEL)

0 200 400 800 1,200 1,600 Feet



October 8, 2024

**Site Plan Review No. 2024-186:**

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 **August 28, 2024**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a large, light blue circular scribble.

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

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE August 28, 2024  
 SITE PLAN NO. 2024-186  
 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

<input type="checkbox"/> Planning	<input type="checkbox"/> Engineering prior to resubmittal plans 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"/> Conditional Use Permit Amendment	

<input type="checkbox"/> HISTORIC PRESERVATION	<input type="checkbox"/> OTHER:
--	---------------------------------

**ADDITIONAL COMMENTS:**

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

# SITE PLAN REVIEW COMMENTS

Colleen A. Moreno, Planning Division, 559-713-4031

Date: August 28, 2024

SITE PLAN NO: 2024-186  
PROJECT: Troy Russell  
DESCRIPTION: PROPOSED EXPANSION WILL HELP PROCESS FLUID MILK MORE EFFICIENTLY WITH NEW AUTOMATED PROCESS EQUIPMENT  
APPLICANT: GLENN PEUGH  
PROP. OWNER: CALIFORNIA DAIRIES INC.  
LOCATION TITLE: 2000 N. PLAZA DRIVE  
APN TITLE: 077-111-030  
GENERAL PLAN: Industrial  
ZONING: Industrial

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

See SPR24040 for related comments

## Project Requirements

- Conditional Use Permit Amendment
- Variance (only required for structures exceeding 75ft in height)
- Building Permit

## **PROJECT SPECIFIC INFORMATION:** August 28, 2024

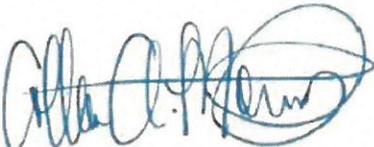
1. The intensification and expansion of the use requires an amendment to Conditional Use Permit No. 2005-20.
2. With CUP Amendment submittal provide an operational statement describing the project, including employee numbers, square footages, proposed building uses. Information shall be used to determine whether the use is supported by the zone and whether there is sufficient parking available onsite.
3. With CUP submittal, identify any future phasing/development.
4. With CUP submittal provide building elevations. If the height of any of the structures exceed 75 feet, a height Variance shall be required.
5. With CUP submittal provide floor plans for all proposed buildings.
6. With CUP submittal provide a separate exhibit that depicts the existing facility, so as to better differentiate between what is existing and what is proposed.
7. Comply with wastewater discharge capacity of the Public Works Department. Note that building permits will not be issued until issues are resolved. Wastewater capacity alignment will be conditioned as part of the entitlement. Please contact the Water Reclamation Facility Manager, Ben Litwack at 559-713-4671 or [Ben.Litwack@visalia.city](mailto:Ben.Litwack@visalia.city) for more information and/or questions.
8. Comply with the requirements of the Traffic Engineering Division, including proving information on trip generation such as potential increase of truck traffic as a result of the project.
9. Obtain Building Permits for all structures.

## **Note:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

**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**

- Edelma Gonzalez 713-4364
- Luqman Ragabi 713-4362
- Sarah MacLennan 713-4271

ITEM NO: <u>3</u>	DATE: <u>AUGUST 28<sup>TH</sup>, 2024</u>
SITE PLAN NO.:	24-186
PROJECT TITLE:	TROY RUSSELL
DESCRIPTION:	PROPOSED EXPANSION WILL HELP PROCESS FLUID MILK MORE EFFICIENTLY WITH NEW AUTOMATED PROCESS EQUIPMENT.
APPLICANT:	GLENN PEUGH
PROP OWNER:	CALIFORNIA DAIRIES INC
LOCATION:	2000 N. PLAZA DR.
APN:	077-111-030

**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 NEEDED 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 5.0 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. Project in Flood Zone AE. Comply with FEMA requirements.**
- 2. 20% of improvement cost will need to go towards "Path Of Travel" upgrades. There are two different areas of alterations; therefore, there will be 2 separate path of travel upgrades to each of these areas.**
- 3. Proposed project will incur development impact fees. Provide additional information on flow increase that will be produced with these alterations. Refer to page 3 for details.**
- 4. Comply with state accessibility requirements where necessary.**
- 5. A building permit is required, standard plan check and inspection fees will apply.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 24-186  
Date: 08/28/2024

**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:INDUSTRIAL )

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

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$2,616/1KSF
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	TBD (additional peak flow, from discharge permit)
<input checked="" type="checkbox"/> Treatment Plant Fee	TBD (additional peak monthly loading from Discharge permit)
<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 checked="" type="checkbox"/> Public Facility Impact Fee	\$492/1KSF
<input type="checkbox"/> Parking In-Lieu	

**Reimbursement:**

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



**Edelma Gonzalez**

SPR 24186  
CALIFORNIA DORIES  
2000 N FLAZA DR

City of Visalia  
Building: Site Plan  
Review Comments

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

- A building permit will be required. **FOR ALL 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 UPGRADES.**
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone **AE** \*  Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS**  
*For information call (559) 713-4444*
- Arrange for an on-site inspection. (Fee for inspection \$157.00)
- School Development fees. **COMMERCIAL: \$ 0.78 PER SF**
- 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: **THERE SHALL BE A SEPARATE 'PATH OF TRAVEL' TO EACH ALTERATION AND ADDITION. RESTROOM SHALL BE AVAILABLE TO EMPLOYEES WITH A MAXIMUM TRAVEL DISTANCE OF 500 FT. FROM NEW ALTERATIONS AND ADDITIONS.**

Y.A. GARCIA 3/28/24  
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 August 28, 2024  
Item # 3  
Site Plan # 24186  
APN: 077111030

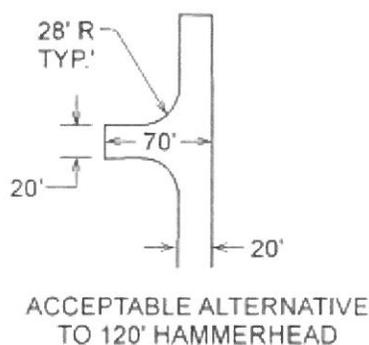
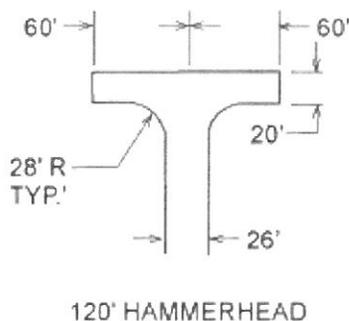
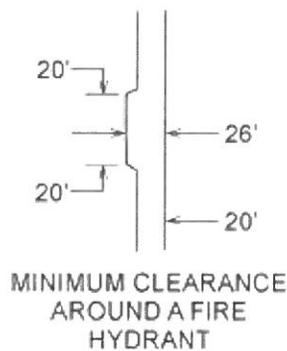
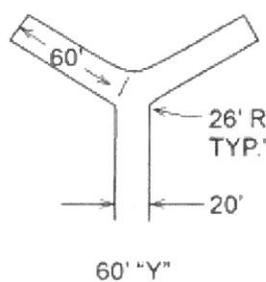
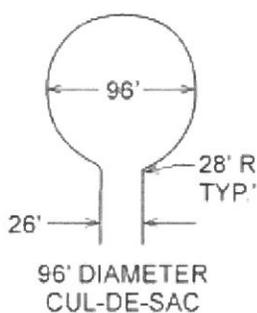
- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All **fire detection, alarm, and extinguishing systems** in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Systems shall be expanded as necessary to provide adequate protection to new additions. 2022 CFC 901.6
- **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.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- Where a portion of any building is more than 400 feet from a hydrant on a fire apparatus access road, **on-site fire hydrant(s)** shall be provided. 2022 CFC 507.5.1, App B and C
- Due to insufficient building information, the number and distance between **fire hydrants** cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with 2022 CFC §507, App B and C.

To determine **fire hydrant** location(s) and distribution the following information should be provided to the Site Plan Review committee: Type of construction \_\_\_\_\_ Square footage \_\_\_\_\_

- A **fire apparatus access road(s)** shall be provided and extend within 150 feet of all portions of the building and all portions of the exterior walls of the first story as measured by an approved route around the exterior.

Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. Fire apparatus access roads shall have an unobstructed width of not less than the following (2022 CFC 503.1.1)

- 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
- Buildings or portions of buildings with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved **fire apparatus access road** capable of accommodating fire department aerial apparatus.
    - Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders.
    - Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
    - Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.
  - Fire apparatus access roads in excess of 150 feet that dead end shall be provided with a **turnaround**. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. 2022 CFC Table D103.4



- Approved **No PARKING – FIRE LANE** signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. 2022 CFC 503.3/ D103.6



- **Gates on access roads** shall be a minimum width of 20 feet and shall comply with the following (2022 CFC D103.5):
  - Gates shall be of the swinging or sliding type.
  - Gates shall allow manual operation by one person (power outages).
  - Gates shall be maintained in an operative condition at all times.
  - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Note: Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation.
  
- An **automatic fire sprinkler system** will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2022 CFC §912 and VMC 8.20.010 subsection C103.4
  
- Locking **fire department connection (FDC) caps** are required. The caps shall be ordered using an approved Knox Authorization Order Form. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2022 CFC 912.4.1
  
- All exterior risers, drain/test valves and backflow devices shall be protected from unauthorized tampering by approved means. Protection method shall be indicated on building plans. 2022 CFC 903.3.8.4.1

  
 \_\_\_\_\_  
 Corbin Reed  
 Fire Marshal



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

Date: 08/28/24  
 Item: 3  
 Site Plan: SPR24186  
 Name: Robert Avalos

**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

August 28, 2024

ITEM NO: 3      **Added to Agenda**      MEETING TIME: 09:30  
SITE PLAN NO: [SPR24186](#)      ASSIGNED TO: Colleen Moreno [Colleen.Moreno@visalia.ci](mailto:Colleen.Moreno@visalia.ci)  
PROJECT TITLE: troy russell  
DESCRIPTION: Proposed Expansion will help process Fluid Milk more efficiently with new automated process equipmer  
APPLICANT: Glenn Peugh - Applicant  
OWNER: CALIFORNIA DAIRIES INC  
APN: 077111030  
ADDRESS: 2000 N PLAZA DR

**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 increase in truck trip generation. Depending on development size, characteristics, etc., additional traffic information 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

24186

August 28, 2024

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
- Comment** Customer confirmed no changes to existing commercial solid waste services.

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-063-4338

Nathan Garza, Solid Waste, 559-713-4532



## Susan Currier

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**From:** Rajput, Rosy@DOT <Rosy.Rajput@dot.ca.gov>  
**Sent:** Thursday, August 29, 2024 12:24 PM  
**To:** Susan Currier; Colleen Moreno  
**Cc:** Padilla, Dave@DOT; Deel, David@DOT; lorena.mendibles@dot.ca.gov  
**Subject:** Response from D6 Caltrans : SITE PLAN REVIEW for 08-28-2024  
**Attachments:** SPR Agenda 8-28-24.pdf

Hi Colleen and Susan,

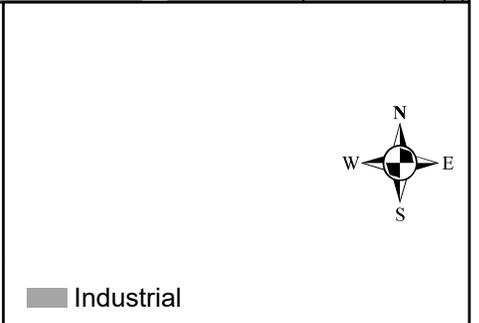
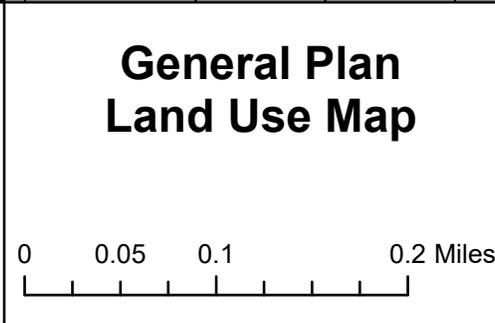
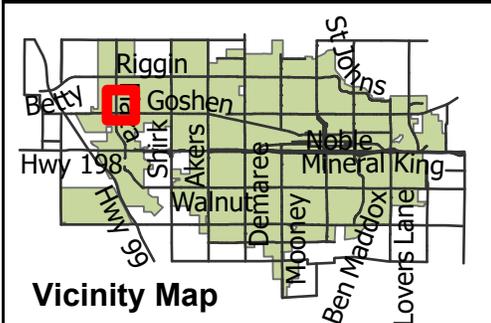
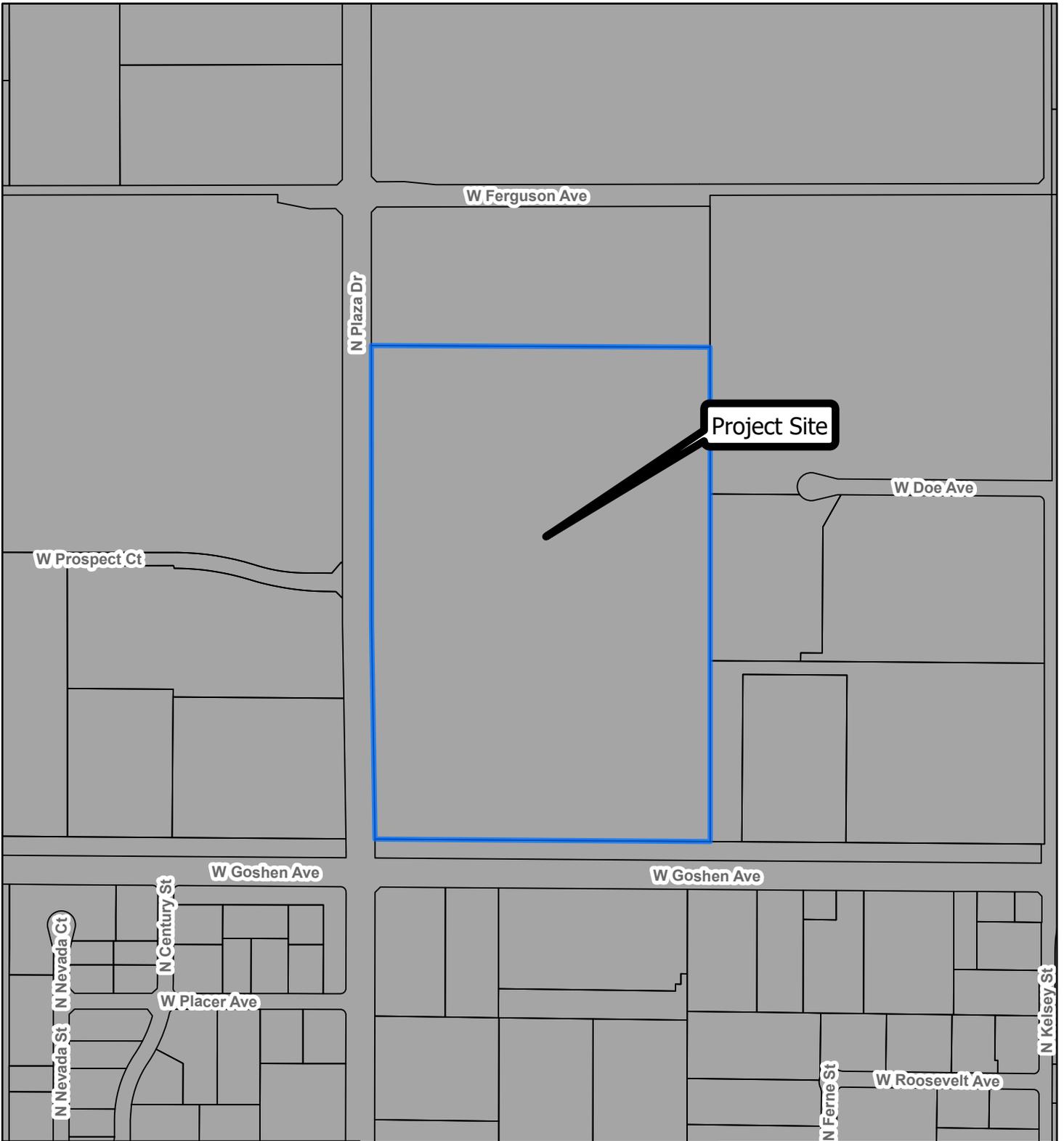
This email summarizes Caltrans response to the following site plans:

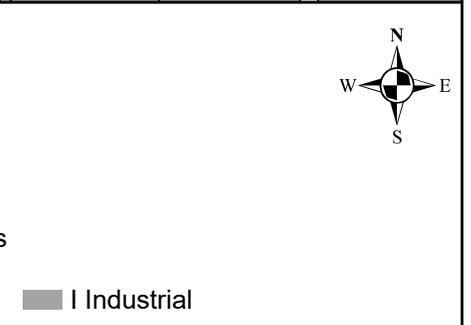
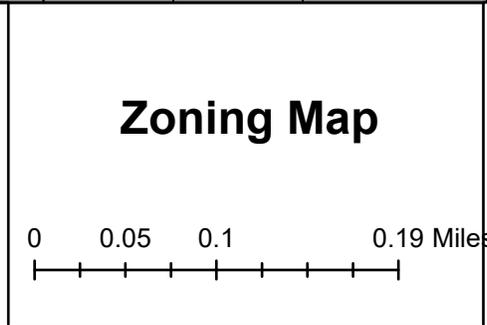
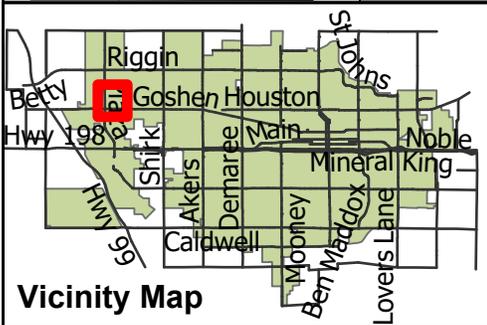
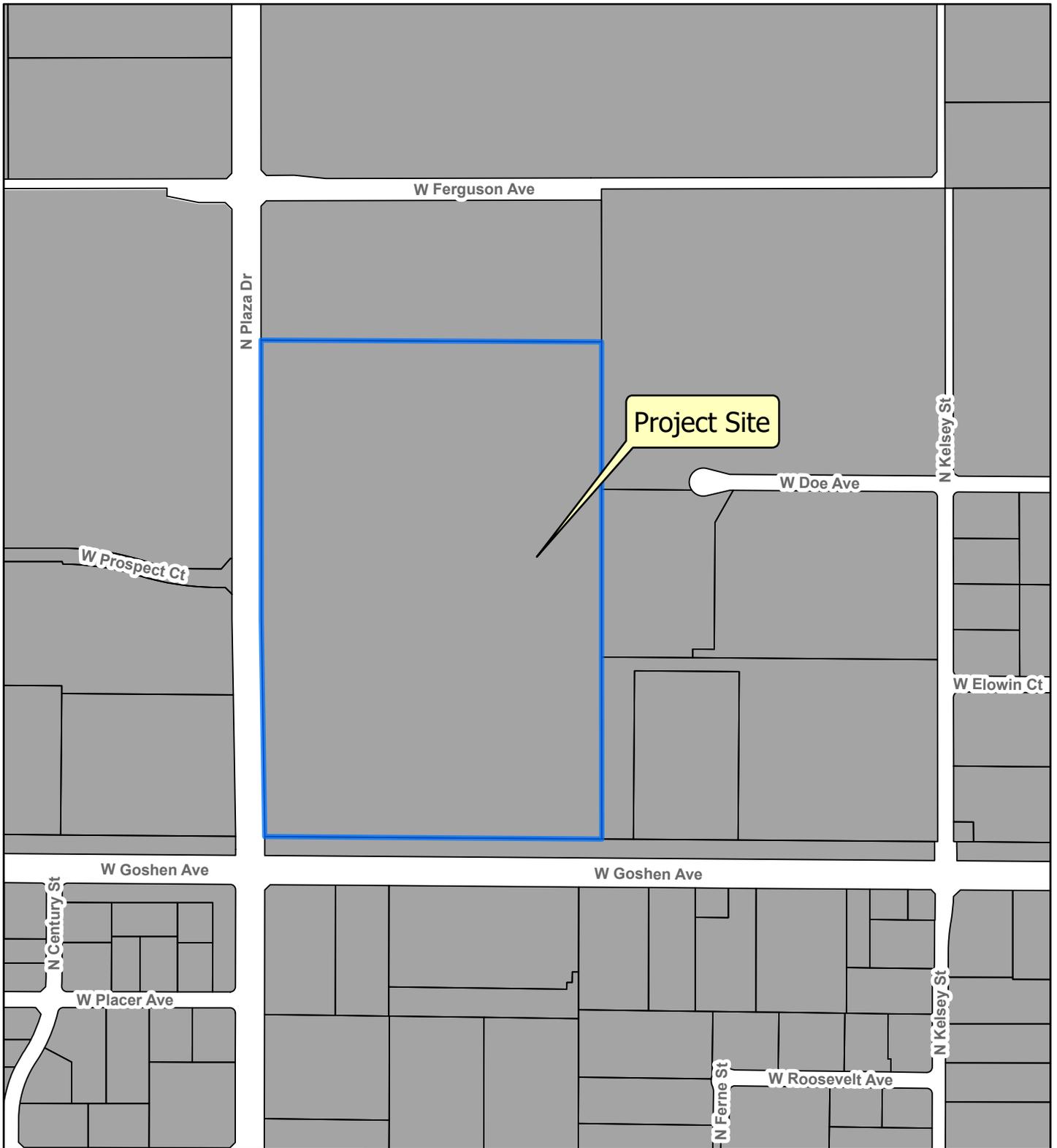
- **SPR24189 – Massage Salon on Lovers Lane:** No comment
- **SPR24185 – Visalia Auto Center:** No comment
- **SPR24186 – California Dairies:** No comment
- **SPR24187 – Cre8vies Mentoring Program:** No comment
- **SPR24188 – Barrel House:** No comment
- **SPR24190 – Curves by Kika:** No comment
- **SPR24191 – Riverway Parking Lot & Dog Park:** No comment
- **SPR24192 – Eight Ft Wrought Iron Fence on Plaza Drive:** No comment
- **SPR24193 – The Mix – Adding Outdoor Dining:** No comment
- 

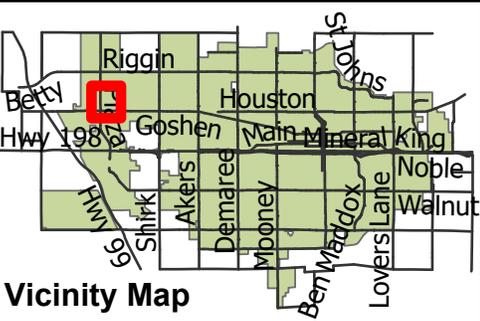
Please let me know if you have any questions or require further clarification on any of these plans.

Thanks,

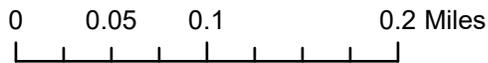


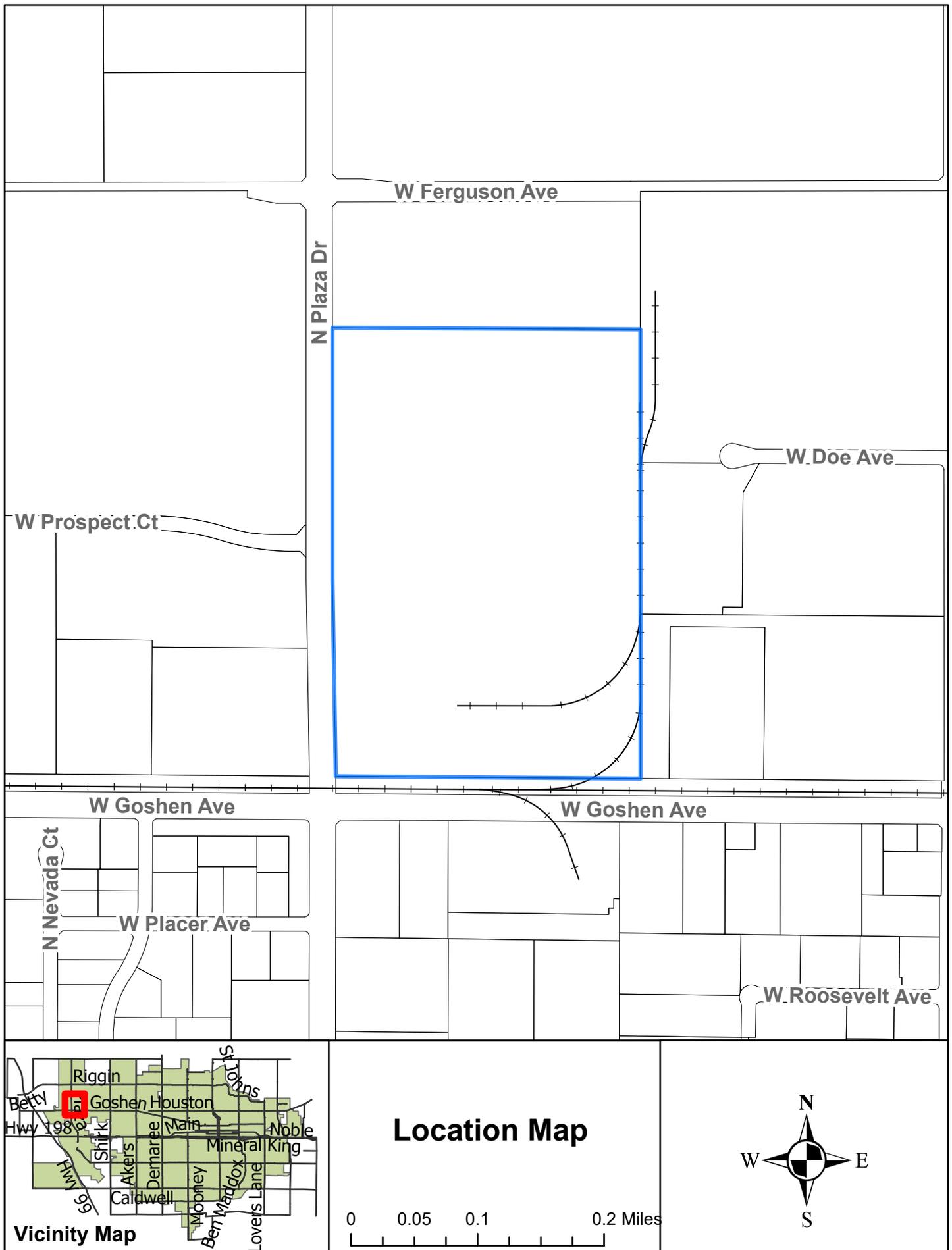






## Aerial Map





W Ferguson Ave

N Plaza Dr

W. Doe Ave

W Prospect Ct

W Goshen Ave

W Goshen Ave

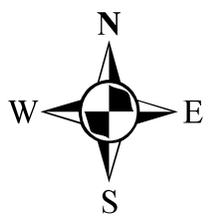
N Nevada Ct

W Placer Ave

W Roosevelt Ave



**Location Map**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 27, 2025

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

**SUBJECT: Conditional Use Permit No. 2025-05:** A request to allow live entertainment at the existing Sebby's restaurant. The site is located at 229 East Main Street, in the D-MU (Downtown Mixed Use) zone (APN: 094-296-016).

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2025-05, as conditioned, based upon the findings and conditions in Resolution No. 2025-14. 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. 2025-05, based on the findings and conditions in Resolution No. 2025-14.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2025-05 is a request by Ramez Aldaoud, the business owner, to allow live entertainment in conjunction with the existing Sebby's restaurant located at 229 East Main Street. Live entertainment will consist primarily of amplified musical acts (i.e. DJ) with dancing in the open floor area provided.

Sebby's restaurant is an Italian steakhouse that currently only offers dinner service. The restaurant is located in the downtown area and zoned D-MU (Downtown Mixed Use). The restaurant tenant space is approximately 4,726 square feet consisting of two floors, with the second floor being a mezzanine that overlooks the first floor. The floor plan



(Exhibit "A") details the layout of both the restaurant and the adjusted floor plan during the proposed live entertainment hours. During the live entertainment, tables will be removed from the center of the restaurant to allow greater space for dancing and for the DJ area. Additionally, seating and bar space in the rear bar will be increased to allow for additional patrons. The restaurant will continue to operate during the live entertainment hours with a "lite menu" made available (Exhibit "E"), this is included as Condition No. 6 as it is a standard condition applied to other restaurants that provide live entertainment during the evening hours.

The hours of operation for Sebby’s are currently Monday through Saturday from 4:00 P.M. to 9:00 P.M., closed on Sundays<sup>1</sup>. Per the Operational Statement (Exhibit “B”), the applicant is seeking to increase their hours of operation to everyday of the week; on Sundays and Mondays operating from 11:00 A.M. – 2:00 A.M. and Tuesdays – Saturdays from 4:00 P.M. – 2:00 A.M.:

	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
<b>CURRENT</b>	CLOSED	4:00 - 9:00PM	4:00 - 9:00PM	4:00 - 9:00PM	4:00 - 9:00PM	4:00 - 9:00PM	4:00 - 9:00PM
<b>PROPOSED</b>	11:00AM - 2:00AM	11:00AM - 2:00AM	4:00PM - 2:00AM				

\*\*Please note that restaurants are a “Permitted” use in the D-MU zone and have the ability to establish and modify operating hours for their restaurant without discretionary approvals.

The applicant has also provided a Security Plan (Exhibit “C”) that has been reviewed by the Visalia Police Department and Code Enforcement.

**BACKGROUND INFORMATION**

General Plan Land Use Designation: Downtown Mixed Use  
 Zoning: D-MU (Downtown Mixed Use)  
 Surrounding Zoning and Land Use: North: D-MU / Public and Private parking lots  
 South: D-MU / Alley – Parking Structure  
 East: D-MU / Garden Street Plaza/ Mulligans  
 West: D-MU / Quick serve restaurant  
 Environmental Review: Categorical Exemption No. 2025-09  
 Special Districts: Downtown Retail Overlay District  
 Site Plan Review: SPR No. 2024-116-1-1-1

**RELATED PROJECTS**

Over the years several conditional use permits have been approved for entertainment, dancing and similar activities:

**Amendment of Conditional Use Permit No. 2011-18** was approved by the Planning Commission on December 9, 2024, re-establishing live entertainment and dancing based on new and revised project conditions and operational/security measures at Downtown Rookies Sports Bar and Grill located at 215 E. Main Street.

**Conditional Use Permit No. 2023-27** was approved by the Planning Commission on February 12, 2024, allowing live entertainment at Los Culichis restaurant located at 309 E. Main Street.

**Conditional Use Permit No. 2023-30** was approved by the Planning Commission on October 23, 2023, allowing live entertainment at the proposed Salty Walrus Micro-Brewery located at 2415 E. Valley Oaks Drive.

**Conditional Use Permit No. 2021-12** was approved by the Planning Commission on May 24, 2021, allowing live entertainment at the proposed Corby’s Restaurant located at 221 E. Main Street.

<sup>1</sup> [Home - Sebby's](#)

**Conditional Use Permit No. 2019-44** was approved by the Planning Commission on April 27, 2020, allowing live entertainment at the proposed Simply Brewing Micro-Brewery located at 609 E. Main Street.

**Conditional Use Permit No. 2014-28** was approved by the Planning Commission on December 8, 2014, allowing live entertainment at Sequoia Brewing Company, 124 W. Main Street.

**Conditional Use Permit No. 2012-12** was approved by the Planning Commission on April 9, 2012, allowing live entertainment at Visalia Brewing Company at 112 W. Main Street.

## PROJECT EVALUATION

Staff recommends approval of the requested conditional use permit, as conditioned, based on the project's consistency with the General Plan Land Use and Zoning Ordinance, and operational statement, security plan and the project's conditions of approval.

### **Land Use Compatibility**

The Visalia Zoning Matrix identifies uses such as the existing restaurant use as permitted by right in the Downtown Mixed-Use zone, however, line E12 lists "Live Entertainment" (as described in 17.04.030 Definitions) as a conditionally permitted use in the zone.

The existing restaurant use is compatible with other restaurants and businesses that are located within proximity to the site. Adjacent land uses to the project site include a variety of beauty/fitness uses, restaurants with live music, and offices. The proposed live entertainment use within a restaurant is found at various other sites within the downtown area especially along Main Street, those nearest to the project site are: Los Culichis located approximately 146 feet to the east from the project site, Crowdaddy's located approximately 294 feet to the east from the project site, Tavern on Main (former Corby's Rock and Roll Heroes) located approximately 106 feet west from the project site and Downtown Rookies located approximately 186 feet west from the project site. For a comprehensive view of live entertainment CUPs, see Exhibit "F", which details locations along Main Street that have an approved live entertainment CUP.

### **Security Plan**

The security plan (Exhibit "C") provides a comprehensive plan that will be implemented during live entertainment days and hours only. This plan indicates that security personnel will be employed onsite during live entertainment hours of operation. Security personnel will be responsible for enforcing the security plan as detailed by the applicant including but not limited to guarding entrances, preventing loitering and group gathering, and verifying occupancy limits.

In addition, as stated in the security plan (Exhibit "C"), all security personnel will be licensed. To ensure compliance with this statement, staff is recommending the Planning Commission adopt Condition Nos. 20.d and 21, that require, "security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26".

The fully detailed security plan describes the types of security measures being undertaken and standards for managing security measures. The security plan shall be in the possession of the Visalia Police Department along with contact information for responsible parties to address any issues. Staff recommends that Condition No. 13 be adopted to ensure that all signatures from

both the applicant and the Visalia Police Department are finalized and that a copy is provided to Visalia Code Enforcement prior to the commencement of live entertainment at the site.

Patron Queuing: The information provided by the applicant does not define and/or identify crowd control measures to be implemented for patrons waiting to enter the establishment during hours live entertainment is provided. To address this issue, staff is requesting Condition No. 10 be adopted as drafted which states:

COA No. 10: During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal fence railing style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.

### **Live Entertainment Hours**

The applicant is requesting to provide entertainment six days a week and increase the existing hours of operation to accommodate the requested live entertainment. This request includes closing at 2:00 A.M., every day of the week (Exhibit "B").

Based on this request and given an overview of other Live Entertainment CUP's that were recently approved, staff recommends the Planning Commission adopt Condition No. 3, limiting the number of days of live entertainment to Friday and Saturday nights with the third day being flexible on when live entertainment may be provided to coincide with special holidays and/or at the owner's discretion. However, in no case shall live entertainment be provided in excess of more than three days during the week. Staff's reason for this request is due to the fact that Live Entertainment is considered an ancillary use and should not be considered the primary use of the establishment, which in this case is a bona fide sit-down restaurant. This condition, which limits the scope on the number of days live entertainment is provided, is not unique to this site and is consistent with similar live entertainment request on Main Street.

### **Fire Sprinklers**

Based on the increased occupant load during the hours of live entertainment, the applicant has stated that sprinklers will be installed in the building (Exhibit "D"). Staff recommends Condition No. 4 be adopted to ensure that a fire sprinkler plan is submitted, reviewed, and approved by the City of Visalia Engineering and Building Department, and that the work to install fire sprinklers at 229 East Main Street is completed and the permit is finalized by the Building Safety Division, prior to the live entertainment use being permitted within this establishment.

### **Live Entertainment Conditions**

The proposed conditions of approval, which are similar to previous conditional use permit approvals for live entertainment, are tailored to address the live entertainment component of this business as addressed in the operational plan and security plan. Due to the current use of being a restaurant which permits patrons under the age of 21, with the request to allow live entertainment during late evening hours, staff recommends Condition No. 11 be adopted. This

condition requires underage patrons (under 21 years of age) to not be permitted upon the establishment premises after 9:00 p.m. when live entertainment is offered within the premises.

Staff's analyses of the proposed conditions are reasonable and necessary for the specific uses proposed by the Conditional Use Permit. Conditions are given as such to ensure that the live entertainment component remains ancillary to the restaurant use.

### **Inter-Departmental Review**

The Visalia Police Department, Code Enforcement, and Planning staff have reviewed the proposed conditions of approval. In staff's assessment, the proposed conditions are reasonable and necessary for the revised live entertainment use. Failure by the property owner or establishment operator to comply with these conditions may result in a hearing to revoke the CUP as stated per Condition No. 19.

### **Parking**

The project site is located on Main Street, with public parking on both sides of the street as well as a public parking lot directly across the street on the north and a large public parking structure with access through Garden Street Plaza on the south side of the building. Both provide ample parking.

In addition to this, the project site is located approximately 0.2 miles from the Visalia Transit Center, therefore in accordance with Assembly Bill 2097, which prohibits public agencies from imposing minimum parking requirements on sites that are located within a half-mile radius of a major transit stop, the project site therefore meets the parking provisions per AB 2097.

### **Conditional Use Permit Revocation Process**

Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval or if the business is declared a public nuisance as defined per Visalia Municipal Code 8.40.030, will result in the issuance of a Notice of Conditional Use Permit Suspension Order to Cease and Desist and a Declaration of Public Nuisance. The City of Visalia has the authority to automatically suspend a conditional use permit for failure to comply with the condition(s) of the use permit. Upon suspension, the Planning Commission shall hold a public hearing within 60 days in accordance with the public hearing notice procedures. If the Planning Commission is not satisfied that the regulation, general provisions, or applicant's ability to meet the conditions, the Planning Commission may revoke the use permit or take action as may be necessary to ensure compliance with the regulation(s), general provision(s), or condition(s).

### **Environmental Review**

The project is Categorically Exempt under Section 15301 (Existing Facilities) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2025-09.

## **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 conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The

proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.

4. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2025-09.

## RECOMMENDED CONDITIONS

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2024-116-1-1-1, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the floor plan, operational statement, and security plan, in Exhibits "A", "B", and "C," notwithstanding any required conditions below and/or imposed by State Department of Alcoholic Beverage Control. 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. Live entertainment shall only be permitted three nights per week on any of the following days: Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday, and only during the hours of 9:00 p.m. to 2:00 a.m.
4. Installation of fire sprinkler protection within the building area is required prior to the beginning of any live entertainment. The property owner and/or their designee shall submit a fire sprinkler plan to the City of Visalia's Engineering and Building Department for review, approval, and issuance of a building permit, and that the work to install fire sprinklers at 229 East Main Street shall be completed and the permit finalized by the Building Safety Division prior to any live entertainment activities occurring within this establishment.
5. Live entertainment shall not be allowed any time before 9:00 p.m.
6. There shall not be more than one amplified live entertainment act occurring simultaneously on the premises.
7. That the establishment remain and be maintained as a bona fide restaurant. At all times during normal business hours, the site shall provide a menu and food service, similar to Exhibit "E", which must be provided during live entertainment. During times of live entertainment food service shall be provided until 2:00 a.m.
8. There shall be no adult entertainment as defined in Visalia Municipal Code Chapter 17.62, including no lingerie/bathing suit shows.
9. During live entertainment, the operator shall regularly maintain the area under their control to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
10. During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal railing fence style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to

remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.

11. Patrons shall use only the Main Street entrance to enter and exit the business except in the event of an emergency.
12. Underage patrons (under 21 years of age) shall not remain upon the establishment premises after 9:00 p.m. during the times live entertainment is offered within the premises.
13. A copy of the approved and signed Security Plan shall be provided to Visalia Code Enforcement prior to beginning live entertainment hours.
14. That the maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and shall not be exceeded.
15. Inspections by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
16. All exterior doors and windows shall remain closed at all times when the premises is providing live entertainment.
17. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
18. No video/arcade games, pool or billiard table shall be maintained upon the premises. Any request to incorporate video/arcade games, pool or billiard tables shall require an amendment to this conditional use permit.
19. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
  - a) Failure to comply with or enforce the conditions of Conditional Use Permit No. 2025-05.
  - b) All Conditions and Requirements of the California Department of Alcoholic Beverage Control license issued to this business.
  - c) All applicable federal, state and city laws, codes and ordinances.
  - d) If the business is declared a Public Nuisance pursuant to Chapter 8.40 "Nuisances" of the Visalia Municipal Code.
20. That the owner/operator shall hold and implement the security plan, as approved by the Visalia Police Department, on the premise at all times that includes the following:
  - a) Prior to any type of live entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the Visalia Police Department a security plan for approval. Approval of the security plan by the Visalia Police Department shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval for Conditional Use Permit No. 2025-05.
  - b) The Security Plan shall identify the establishment's designated contact person for all safety and security management which shall be provided to the Visalia Police Department and shall include the telephone numbers and e-mail address where the contact person may be reached 24 hours a day, seven days a week. The Security Plan shall also provide the telephone number for direct contact with the business during business hours. The Security Plan shall be amended and resubmitted to the Visalia

Police Department, by the business owner and/or the establishment's manager, for any changes to the establishment's designated contact person for all safety and security management matters including updated telephone numbers and e-mail addresses where the contact person may be reached 24 hours a day, seven days a week.

- c) The burglar and fire alarm shall be monitored by a security company 24 hours a day, seven days a week.
- d) Designate an adequate number of security personnel who will monitor and control the behavior of customers inside the building, any portable non-permanent rope or metal railing style system patron queue on the public sidewalk for the business, and any private parking lot under the establishment's control. The security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- e) The business owner and/or their management staff/employees of the establishment shall correct any and all safety or security problems or Security Plan violation as soon as receiving either verbal and/or written notice of such problems from either the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's designee / management staff to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division and may be used as the basis to require revisions to the security plan or to initiate suspension of the conditional use permit and begin the proceedings to revoke the conditional use permit.
- f) The applicant/business owner shall maintain at all times a copy of the current Security Plan and conditional use permit conditions of approval on the premises at all times and shall present the Security Plan immediately upon request by a police officer or code enforcement officer.
- g) During the days and hours live entertainment is permitted, the licensed uniformed security personnel and management staff shall maintain a count of and accurately report the total number of persons in the building upon immediate request by either the Building Official, Fire Marshall, police officer, or code enforcement officer.
- h) In the event the physical security plan is withdrawn or revoked, no live entertainment shall occur until such time the security plan has been approved by the Visalia Police Department.
- i) Half an hour prior to, during, and half an hour after the times of entertainment, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed). Additionally, there shall be at least one camera placed to focus on each of the following areas: front door(s) and/or

entry area, any area outside where patrons wait to enter the establishment, and the open floor space area inside the restaurant establishment.

j) The camera storage capacity should be for at least ten (10) calendar days. The monitoring camera/video system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of suspected criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.

21. During the days and hours live entertainment is permitted, all security personnel hired to ensure the safety of patrons within the establishment and patrons waiting to enter the establishment shall be licensed security guards and shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.

22. That any subsequent owner(s)/operator(s) of the restaurant facility who chose to utilize this conditional use permit for live entertainment shall provide a signed and notarized letter to the Planning and Community Preservation Department Director acknowledging their acceptance and agreement to comply and meet all conditions of approval for Conditional Use Permit No. 2025-05.

23. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses and conditions from the California Department of Alcoholic Beverage Control.

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

**Attachments:**

- Related Plans and Policies
- Resolution No. 2025-14
- Exhibit "A" – Site Plan & Floor Plans
- Exhibit "B" – Operational Statement
- Exhibit "C" – Security Plan
- Exhibit "D" – Supplemental CUP Application Form – Fire Sprinklers
- Exhibit "E" – Lite Menu (example)
- Exhibit "F" – Map of Live Entertainment CUPs along Main Street
- Site Plan Review Comments No. 2024-116-1-1-1
- 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. 2025-09: Sebby's Live Entertainment

**PROJECT TITLE**

229 E Main Street (APN: 094-296-016)

**PROJECT LOCATION**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

A request to allow live entertainment within an existing restaurant in the D-MU (Downtown Mixed Use) zone.

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia, 315 E. Acequia Avenue, Visalia, CA 93291, colleen.moreno@visalia.city

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Ramez Aldaoud, 229 E Main St.

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

Stephen O. Sparshott, 1206 W. Evans Ave., Visalia

**NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT**

**EXEMPT STATUS:** (Check one)

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

Minor land use limitation for an existing structure

**REASON FOR PROJECT EXEMPTION**

Colleen Moreno, Assistant Planner

**CONTACT PERSON**

(559) 713-4031

**AREA CODE/PHONE**

May 22, 2025

**DATE**

Brandon Smith

**ENVIRONMENTAL COORDINATOR**

## RELATED PLANS & POLICIES

### Downtown Retail Overlay District (Chapter 17.58)

#### **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)

**Micro-Brewery/Micro-Winery Overlay District**  
**(Section 17.63)**

**17.63.010 Purpose and intent.**

A. There is created a Micro-brewery/Micro-winery Overlay District, the boundaries of which are shown on the map entitled, "Micro-brewery/Micro-winery Overlay District", which is on file at city hall. 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 facilitate businesses that specialize in the small-scale production and sale of crafted beverages. This chapter is also enacted to encourage the location of micro-brewery and micro-winery businesses in the East Downtown area. This is to:

1. Encourage, protect and enhance existing buildings, their productive re-use, and improvements in the East Downtown area.
2. Promote the vibrancy and sense of destination and place of the East Downtown area by establishing this area as the recognized center for craft brewing establishments.
3. Ensure that these establishments are compatible with each other and with existing and future uses within the East Downtown area. (Ord. 2017-01 (part), 2017: Ord. 2016-22 (part), 2016)

**17.63.020 Components of the Chapter.**

This chapter shall include:

A. The Ordinance text which specifies the micro-brewery/micro-winery overlay district and establishes specific standards pertaining to the district.

B. A map designating the micro-brewery/micro-winery overlay district, which shall be depicted on the official zoning map of the city. (Ord. 2017-01 (part), 2017: Ord. 2016-22 (part), 2016)

**17.63.030 Definitions.**

"Micro-brewery" An establishment that produces the range of brewed beer, ale, mead, hard cider and similar brewed beverages in quantities totaling 15,000 barrels or less per year (all beverage types combined) that are served on site and/or sold for off-site consumption. Service and sale of brewed beverages must be in conjunction with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Service of brewed beverages may be conducted with or without the service of food. Taproom, Nano-brewery, Craft brewery, and Brewpub are included in this definition.

"Micro-winery" An establishment that produces fermented fruit wine in quantities totaling 10,000 cases or less per year (all varieties and labels combined) that are served on site and/or sold for off-site consumption. Service and sale of wine must be in conjunction with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Service of wine may be conducted with or without the service of food. Tasting room and Boutique winery are included in this definition.

"Background entertainment" Non-amplified live music or performance intended to complement the primary venue, and for which no alteration of the physical or operational aspect of the primary use is made. (Ord. 2017-01 (part), 2017: Ord. 2016-22 (part), 2016)

**17.63.040 Standard Operating Conditions.**

A. Uses within the Overlay District.

1. All uses shall be subject to the Zoning Matrix use allowances, except that micro-brewery/micro-winery locations that occur coincidentally within the micro-brewery/micro-winery overlay district or within the C-R (Regional Commercial) Zone District shall be permitted by right, provided that such establishments limit their patronage to persons 21 years of age or older.
2. Zoning regulations for micro-brewery/micro-winery locations shall be those of their underlying Zone District; except as follows:
  - a) Alcoholic beverages sold on site shall be only that produced by the operator.
  - b) Truck loading and unloading shall be limited to between the hours of 7:00 a.m. and 4:00 p.m. daily.
  - c) Venting of brewing process shall be directed away from sidewalks and residences.
  - d) Outdoor storage shall be limited to an area of no more than 5% of the leasable floor area of the establishment. Outdoor storage shall be secured at all times and shall be fully screened from view.
  - e) Parking required for a micro-brewery/micro-winery use shall be determined by the allocation of interior floor space of the establishment, and at the prescribed ratios as contained in Chapter 17.34 (Off-street parking and loading facilities). Portions of the floor area used for on-site consumption of beverages and/or food shall be parked at the prescribed restaurant ratio; brewing, bottling and warehousing of product produced or sold on site shall be parked at the prescribed industrial ratio; and, retail display of product for off-site sale shall be parked at the prescribed retail ratio.
3. Micro-brewery/micro-winery establishments proposing to allow underage patrons (under 21 years of age) shall require approval of a Conditional Use Permit, subject to the standard operating procedures contained in this Chapter, and as conditioned by the Planning Commission as follows:
  - a) Underage patrons (under 21 years of age) shall not remain upon the establishment premises after 10:00 p.m. nightly.
  - b) Minor patrons (under 18 years of age) shall be accompanied by a parent or legal guardian at all times.
  - c) Underage patrons shall not sit at the bar or serving counter areas of the establishment.
  - d) The establishment shall provide games, activities, non-alcoholic beverages and snack foods suitable to all ages patrons. Games and activities may include, but are not limited to table games, board games, shuffleboard, corn-hole, drawing paper and crayons, puzzles, video and arcade games.
  - e) The floor area devoted to games and activities shall be a minimum of 20% of the public area of the establishment.

(Ord. 2018-13, 2019: Ord. 2017-01 (part), 2017: Ord. 2016-22 (part), 2016

## Chapter 8.36 NOISE

### 8.36.010 Purpose.

A. The city council of the city declares and finds that excessive levels of noise are detrimental to the public health, welfare and safety and are contrary to the public interest as follows:

1. By interfering with sleep, communication, relaxation and the full use of one's property;
2. By interfering with noise sensitive land uses;
3. By contributing to hearing impairment and a wide range of adverse physiological stress conditions; and
4. By adversely affecting the value of real property.

B. It is the intent of this chapter to protect persons from excessive levels of noise within or near noise sensitive land uses such as residences, schools, churches, hospitals or public libraries, or other uses as may be determined by the city council of the city. (Prior code § 5090.1)

### 8.36.020 Definitions.

The following words, phrases and terms as used in this chapter shall have the following meanings:

“Abutting” means physically adjacent to or coterminous with or separated by means of an alley or a private street less than thirty (30) feet in width.

“Ambient noise level” means the composite of noise from all sources excluding the alleged offensive noise. In this context it represents the normal or existing level of environmental noise at a given location for a specific time of the day or night.

“A weighted sound level” means the sound level in decibels as measured with a sound level meter using the A:P weighted network (scale) at slow meter response. The unit of measurement is referred to herein as dB(A).

“Construction” means construction, erection, enlargement, alteration, conversion or movement of any building, structures or land together with any scientific surveys associated therewith.

“Cumulative period” means an additive period of time composed of individual time segments which may be continuous or interrupted.

“Decibel” means a unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.

“Emergency work” means the use of any machinery, equipment, vehicle, manpower or other activity in a short term effort to protect, or restore safe conditions in the community, or work by private or public utilities when restoring utility service.

“Fixed noise source” means a device, machine or combination thereof which creates sounds which is affixed or installed on real property, including but not limited to residential, agricultural, industrial and commercial machinery and equipment, pumps, fans, compressors, air conditioners and refrigeration equipment.

“Hospital” means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons including rest homes and nursing homes.

“Impulsive noise” means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

“Intruding noise level” means the sound level created, caused, maintained or originating from an alleged offensive source, measured in decibels, at a specified location while the alleged offensive source is in operation.

“Mobile noise source” means any source other than a fixed noise source.

“Noise disturbance” means any sound which violates the standards set forth in this chapter.

“Noise sensitive land use” means residential uses (excluding residential uses associated with a horizontal or vertical mixed use development project located in a Mixed Use Zone), churches, hospitals, schools, public library, or other such uses which are identified in the noise element of the general plan.

“Pure tone noise” means any noise which is distinctly audible as a single pitch (frequency) or set of pitches. For the purpose of this chapter, a pure tone shall exist if the one-third octave band sound pressure level in the band which the tone exceeds the arithmetic average of the sound pressure levels of

the two continuous one-third octave bands by five dB for center frequencies of five hundred (500) Hz and above and by eight dB for center frequencies between one hundred sixty (160) and four hundred (400) Hz and by fifteen (15) dB for frequencies less than or equal to one hundred twenty-five (125) Hz.

“Residential property” means a parcel of real property which is zoned in whole or in part of residential purposes.

“School” means public or private institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary or collegiate levels.

“Sound level meter” means an instrument meeting American National Standard Institute (ANSI) Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data. (Ord. 2021-09, 2021: prior code § 5090.2)

**8.36.030 Noise measurement criteria.**

A. Any noise measurement made pursuant to the provisions of this chapter shall be made with a sound level meter using the “A” weighted network (scale) at slow meter response. Fast meter response shall be used for impulsive type sounds. Calibration of the measurement equipment utilizing an acoustical calibrator certified by its manufacturer to be in compliance with National Bureau of Standards (NBS) reference calibration levels shall be performed immediately prior to recording noise level data.

B. Exterior noise levels shall be measured within fifty (50) feet of the affected residence, school, hospital, church or public library. Where practical, the microphone shall be positioned three to five feet above the ground and away from reflective surfaces.

C. Interior noise levels shall be measured within the affected dwelling unit, at points at least four feet from the wall, ceiling or floor nearest the noise source, with windows in the normal seasonal configuration. Reported interior noise levels shall be determined by taking the arithmetic average of the readings taken at the various microphone locations. (Prior code § 5090.3)

**8.36.040 Exterior noise standards--Fixed noise sources.**

A. It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level, when measured at the property line of any affected noise sensitive land use, to exceed any of the categorical noise level standards as set forth in the following table:

Category	Cumulative Number of minutes in any one-hour time period	NOISE LEVEL STANDARDS, dBA	
		Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards. (Prior code § 5090.4.1)

**8.36.050 Exterior noise standards--Mobile noise sources prohibition against use.**

It is unlawful to operate any of the below-listed devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses between the weekday hours of seven p.m. and six a.m., and between the weekend hours of seven p.m. and nine a.m.

- A. Power-assisted leaf blowers, lawn mowers, edgers or other power equipment used for the maintenance of property;
- B. Vehicle equipment, which equipment is not expressly regulated by state or federal statute, such as car radios or sound amplification equipment which is audible more than twenty-five (25) feet from the exterior of the vehicle;
- C. Construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment, except for emergency repair purposes as provided in Section 8.36.070;
- D. Any other noises made by crying, shouting, or by means of whistle, rattle, bell, gong whether or not for the purpose of advertising or other such purposes. (Prior code § 5090.4.2)

**8.36.060 Residential interior noise standards.**

A. It is unlawful for any person, at any location within the city, to operate or cause to be operated, any source of sound or to allow the creation of any noise which causes the noise level when measured inside a dwelling unit to exceed any of the categorized noise level standards as set forth in the following table:

Category	Cumulative Number of minutes in any one-hour time period	NOISE LEVEL STANDARDS, dBA	
		Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	5	45	35
2	1	50	40
3	0	55	45

- B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.
- C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or four recurring impulsive noises.
- D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.
- E. If the source of noise is of an impulse or voluntary nature such as shouting, loud conversation, playing or operation of audio and video equipment and is audible in a dwelling unit, the noise level in the above table shall conclusively be determined to be exceeded. (Prior code § 5090.6)

**8.36.070 Noise source exemptions.**

The following activities shall be exempted from the provisions of this chapter:

- A. Activities conducted in public parks, public playgrounds and public or private school grounds, including but not limited to school athletic and school entertainment events during normal hours of instruction;
- B. Any mechanical device, apparatus or equipment used, related to, or connected with emergency activities or emergency work;
- C. Noise sources associated with the infrequent, occasional and unusual maintenance of residential property provided such activities take place between the hours of six a.m. and nine p.m. on any day except Saturday or Sunday, or between the hours of eight a.m. and nine p.m. on Saturday or Sunday;
- D. Noise sources associated with a lawful commercial or industrial activity caused by installed mechanical devices or equipment, including air conditioning or refrigeration systems, installed prior to the

effective date of this chapter; that this exception shall expire twelve months after the effective date of the chapter. This exception shall not apply to such mechanical devices which are not in good repair;

E. Noise sources associated with the collection of waste or garbage from commercially zoned or industrially zoned property by the city or its authorized franchisee;

F. Any activity to the extent regulation thereof has been preempted by state or federal law;

G. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, where the intruding noise source when measured as provided in Section 8.36.030 is an existing residential air conditioning or refrigeration system or associated equipment, the exterior noise level at the property line shall not exceed fifty-five (55) dBA. For residential air conditioning or refrigeration systems or associated equipment installed after the effective date of this chapter, the exterior noise level at the property line when measured as provided in Section 8.36.030 shall not exceed fifty (50) dBA;

H. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, the collection of waste or garbage from residentially zoned property or from persons authorized to engage in such activity, and who are operating truck-mounted loading or compacting equipment, shall not take place before six a.m. or after seven p.m. The noise level created by such activities when measured at a distance of fifty (50) feet in an open area shall not exceed the following standard:

1. Eighty-five (85) dBA for equipment in use, purchased or leased prior to the effective date of this chapter,

2. Eighty (80) dBA for new equipment purchased or leased after the effective date of this chapter;

I. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, noise sources associated with the operation of electrical substations shall not exceed fifty (50) dBA when measured as provided in Section 8.36.030. (Prior code § 5090.6)

#### **8.36.080 Warning signs in places of public entertainment.**

It is unlawful for any person to permit the operation or playing of any loudspeaker, musical instrument, motorized racing vehicle, or other source of sound for public entertainment within a building or structure wherein the noise level exceeds ninety-five (95) dBA as determined using the slow response of a sound level meter at any point normally occupied by a customer, without a conspicuous and legible sign stating "WARNING! SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT." (Prior code § 5090.7)

#### **8.36.090 Variances.**

A. The owner or operator of a noise source for which it has been determined violates any of the provisions of this chapter may file an application for variance from strict compliance with any particular provisions of this chapter where such variance will not result in a hazardous condition or a nuisance and strict compliance would be unreasonable in view of all the circumstances. The owner or operator shall set forth all actions taken to comply with such provisions, and the reasons why immediate compliance cannot be achieved. A separate application shall be filed for each noise source; provided, however, that several mobile sources under common ownership or fixed sources under common ownership on a single property may be combined into one application.

B. Upon receipt of the application and within thirty (30) days, the community development director shall either: (1) approve such request in whole or in part; (2) deny the request; or (3) refer the request directly to the city council for action thereon in accordance with the provisions of this chapter. In the event the variance is approved, reasonable conditions may be imposed which may include restrictions on noise level, noise duration and operating hours, an approved method of achieving compliance and a time schedule for its implementation. The decision of the community development director is subject to appeal to the city council upon recommendation of the planning commission by filing a written appeal not later than fifteen (15) days following the mailing of the decision to the applicant.

C. Factors which the community development director or city council must consider shall include but not be limited to the following:

1. Uses of property within the area affected by the noise;
2. Factors related to initiating and completing all remedial work;
3. Age and useful life of the existing noise source;
4. The general public interest, welfare and safety.

D. The city council may grant variances from provisions of this chapter subject to such term, conditions and requirement as may be deemed reasonable to achieve compliance with the provisions and intent of this chapter.

E. A fee may be charged to recover the actual costs in processing such variances.

F. The approved noise ordinance variance must be in the possession of any operator of mobile noise sources during otherwise prohibited by the provisions of this chapter. An approved noise ordinance variance shall also be in the possession of a fixed noise source which would otherwise violate the provisions of this chapter. Failure to have the variance in the possession of the operator or property occupant when the provisions of this chapter are violated, as indicated above, shall constitute a violation of this chapter, enforceable as provided in Section 8.36.100. (Prior code § 5090.8)

**8.36.100 Violation--Enforcement.**

A. The violation of any of the provisions of this chapter shall be a misdemeanor punishable as provided in Section 1.12.010. Each hour of activity which violated the provisions herein shall constitute a sole and separate violation. The provisions of this chapter may also be enforced by an injunction issued out of the court of jurisdiction. Any violation of the provisions of this chapter shall be deemed to be a public nuisance.

B. The community development director, or a designee, shall be responsible for the enforcement of Section 8.36.040 and Section 8.36.060(A) through (D) inclusive. The chief of police shall be responsible for the enforcement of Sections 8.36.050 and 8.36.060(E). (Prior code § 5090.9)

**8.36.110 Emergency equipment.**

The provisions of this chapter shall have no application to the sounding of a siren or the making of other usual signal or signals by any police or other peace officers in the performance of their duties, nor to the sounding of any siren or the making of any other usual signal upon any ambulance or firefighting equipment in the usual and customary manner. (Prior code § 5091)

RESOLUTION NO. 2025-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-05, A REQUEST TO ALLOW LIVE ENTERTAINMENT AT THE EXISTING SEBBY'S RESTAURANT IN THE D-MU (DOWNTOWN MIXED USE) ZONE. THE SITE IS LOCATED AT 229 EAST MAIN STREET (APN: 094-296-016).

**WHEREAS**, Conditional Use Permit No. 2025-05, is a request to allow live entertainment at the existing Sebbys restaurant in the D-MU (Downtown Mixed Use) zone. The site is located at 229 East Main Street (APN: 094-296-016); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on May 27, 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, 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 conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
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. 2025-09.

**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. 2024-116-1-1-1, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the floor plan, operational statement, and security plan, in Exhibits "A", "B", and "C," notwithstanding any required conditions below and/or imposed by State Department of Alcoholic Beverage Control. 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. Live entertainment shall only be permitted three nights per week on any of the following days: Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday, and only during the hours of 9:00 p.m. to 2:00 a.m.
4. Installation of fire sprinkler protection within the building area is required prior to the beginning of any live entertainment. The property owner and/or their designee shall submit a fire sprinkler plan to the City of Visalia's Engineering and Building Department for review, approval, and issuance of a building permit, and that the work to install fire sprinklers at 229 East Main Street shall be completed and the permit finalized by the Building Safety Division prior to any live entertainment activities occurring within this establishment.
5. Live entertainment shall not be allowed any time before 9:00 p.m.
6. There shall not be more than one amplified live entertainment act occurring simultaneously on the premises.
7. That the establishment remain and be maintained as a bona fide restaurant. At all times during normal business hours, the site shall provide a menu and food service, similar to Exhibit "E", which must be provided during live entertainment. During times of live entertainment food service shall be provided until 2:00 a.m.
8. There shall be no adult entertainment as defined in Visalia Municipal Code Chapter 17.62, including no lingerie/bathing suit shows.
9. During live entertainment, the operator shall regularly maintain the area under their control to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
10. During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal railing fence style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.

11. Patrons shall use only the Main Street entrance to enter and exit the business except in the event of an emergency.
12. Underage patrons (under 21 years of age) shall not remain upon the establishment premises after 9:00 p.m. during the times live entertainment is offered within the premises.
13. A copy of the approved and signed Security Plan shall be provided to Visalia Code Enforcement prior to beginning live entertainment hours.
14. That the maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and shall not be exceeded.
15. Inspections by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
16. All exterior doors and windows shall remain closed at all times when the premises is providing live entertainment.
17. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
18. No video/arcade games, pool or billiard table shall be maintained upon the premises. Any request to incorporate video/arcade games, pool or billiard tables shall require an amendment to this conditional use permit.
19. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
  - a) Failure to comply with or enforce the conditions of Conditional Use Permit No. 2025-05.
  - b) All Conditions and Requirements of the California Department of Alcoholic Beverage Control license issued to this business.
  - c) All applicable federal, state and city laws, codes and ordinances.
  - d) If the business is declared a Public Nuisance pursuant to Chapter 8.40 "Nuisances" of the Visalia Municipal Code.
20. That the owner/operator shall hold and implement the security plan, as approved by the Visalia Police Department, on the premise at all times that includes the following:
  - a) Prior to any type of live entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the Visalia Police Department a security plan for approval. Approval of the security plan by the Visalia Police Department shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval for Conditional Use Permit No. 2025-05.
  - b) The Security Plan shall identify the establishment's designated contact person for all safety and security management which shall be provided to the Visalia Police Department and shall include the telephone numbers and e-mail address where the contact person may be reached 24 hours a day, seven days a week. The Security Plan shall also provide the telephone number for direct contact with the business during business hours. The Security Plan shall be amended and resubmitted to the Visalia Police Department, by the business owner and/or the establishment's manager, for any changes to the establishment's designated

contact person for all safety and security management matters including updated telephone numbers and e-mail addresses where the contact person may be reached 24 hours a day, seven days a week.

- c) The burglar and fire alarm shall be monitored by a security company 24 hours a day, seven days a week.
- d) Designate an adequate number of security personnel who will monitor and control the behavior of customers inside the building, any portable non-permanent rope or metal railing style system patron queue on the public sidewalk for the business, and any private parking lot under the establishment's control. The security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- e) The business owner and/or their management staff/employees of the establishment shall correct any and all safety or security problems or Security Plan violation as soon as receiving either verbal and/or written notice of such problems from either the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's designee / management staff to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division and may be used as the basis to require revisions to the security plan or to initiate suspension of the conditional use permit and begin the proceedings to revoke the conditional use permit.
- f) The applicant/business owner shall maintain at all times a copy of the current Security Plan and conditional use permit conditions of approval on the premises at all times and shall present the Security Plan immediately upon request by a police officer or code enforcement officer.
- g) During the days and hours live entertainment is permitted, the licensed uniformed security personnel and management staff shall maintain a count of and accurately report the total number of persons in the building upon immediate request by either the Building Official, Fire Marshall, police officer, or code enforcement officer.
- h) In the event the physical security plan is withdrawn or revoked, no live entertainment shall occur until such time the security plan has been approved by the Visalia Police Department.
- i) Half an hour prior to, during, and half an hour after the times of entertainment, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed). Additionally, there shall be at least one camera placed to focus

on each of the following areas: front door(s) and/or entry area, any area outside where patrons wait to enter the establishment, and the open floor space area inside the restaurant establishment.

- j) The camera storage capacity should be for at least ten (10) calendar days. The monitoring camera/video system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of suspected criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.
21. During the days and hours live entertainment is permitted, all security personnel hired to ensure the safety of patrons within the establishment and patrons waiting to enter the establishment shall be licensed security guards and shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
22. That any subsequent owner(s)/operator(s) of the restaurant facility who chose to utilize this conditional use permit for live entertainment shall provide a signed and notarized letter to the Planning and Community Preservation Department Director acknowledging their acceptance and agreement to comply and meet all conditions of approval for Conditional Use Permit No. 2025-05.
23. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses and conditions from the California Department of Alcoholic Beverage Control.

# Exhibit "A"

## SECURITY:

- ALL SECURITY MEASURES TO MEET CITY OF VISALIA CITY ORDINANCE & POLICE DEPARTMENT STANDARDS.
- ON ANY WEEKNIGHT IF NO EVENT, PARTY OR LIVE MUSIC PERFORMANCES ARE SCHEDULED THE ESTABLISHMENT IS NOT REQUIRED TO HAVE SECURITY TEAM MEMBERS WORKING. ESPECIALLY WHEN THERE IS LESS THAN 25 CUSTOMERS. ON ANY DAY OR NIGHT OF THE WEEK THAT A PARTY ,EVENT,OR LIVE MUSIC PERFORMANCE IS SCHEDULED THE ESTABLISHMENT WILL BRING IN 2 SECURITY TEAM MEMBERS AT THE START OF THE PERFORMANCE . FOR EVERY ADDITIONAL 25 PATRONS ANOTHER 1 SECURITY TEAM MEMBER WILL BE ADDED. EXPECTED NON-PEAK HOURS WILL BE FROM 9:00 P.M.-11:00 P.M.WITH 6 TEAM MEMBERS (2 SECURITY GUARDS, 2 BAR TENDERS, 1 COOK & GENERAL MANAGER) EXPECTED PEAK HOURS WILL BE FROM 11:00 P.M.-2:00 A.M. WITH 12 TEAM MEMBERS (6 SECURITY GUARDS, 4 BARTENDERS, 1 COOK & GENERAL MANAGER
- ON CERTAIN OCCAISONS WHEN LIVE ENTERTAINMENT IS IN PLACE A COVER CHARGE MAY OCCUR.

## OPERATIONAL STATEMENT

- OUR FACILITY IS AN EXISTING RESTAURANT WITH AN EXISTING BAR LIVE ENTERTAINMENT REQUESTED
- OPERATING HOURS WILL BE: 11:00 A.M.-2:00 A.M. SUNDAY-MONDAY  
4:00 P.M.-2:00 AM. MONDAY-SATURDAY
- PROPOSED: DINING, BAR D.J./LIVE MUSIC DANCING, MUSICAL ENTERTAINMENT (2-3 piece bands, solo performers, stand-up)
- OCCASIONAL PAID ENTRY (once/twice monthly to be determined)
- DELIVERIES WILL BE ONCE WEEKLY
- UP TO 12 EMPLOYEES AT PEAK HOURS 9:00 P.M.-2:00 A.M.
- WE INTEND TO HAVE A FAMILY FRIENDLY RESTAURANT W/ EVENING HOURS D.J., LIVE ENTERTAINMENT, DANCING OCCASIONAL PAID ATTENDANCE UP TO 150 PEOPLE
- EXISTING OFF SITE CITY PARKING PROVIDED

## RESTAURANT OWNER:

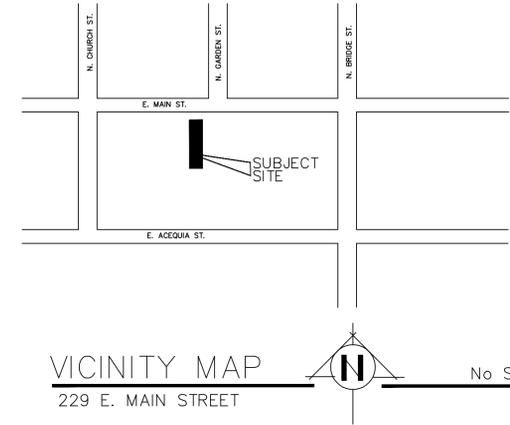
RAMEZ ALDAOUD  
229 E. MAIN ST.  
VISALIA, CA. 93277  
661-305-70696  
sebbys2024@gmail.com

## APPLICANT:

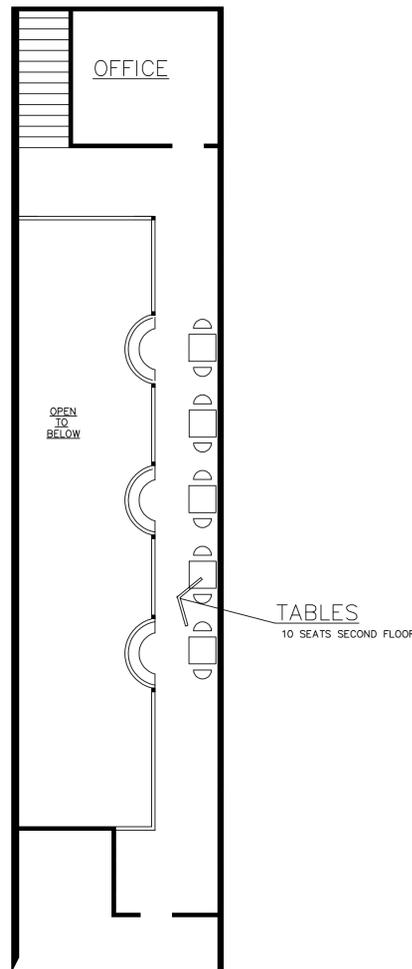
STEVE SPARSHOTT  
1206 W. EVANS  
VISALIA, CA. 93277  
559-679-7565  
FOURSHOTT2@YAHOO.COM

## S I T E I N F O :

EXISTING USE: RESTAURANT/BAR  
ZONING: D-MU  
APN 094-296-016  
SITE AREA: +/- 7630 SQ. FT.  
TELEPHONE: SBC TELEPHONE CO.  
WATER: CALIFORNIA WATER SERVICE CO.  
REFUSE: CITY OF VISALIA  
SEWER: CITY OF VISALIA  
STORM: CITY OF VISALIA  
GAS: THE GAS CO.  
POWER: SOUTHERN CALIF. EDISON CO.

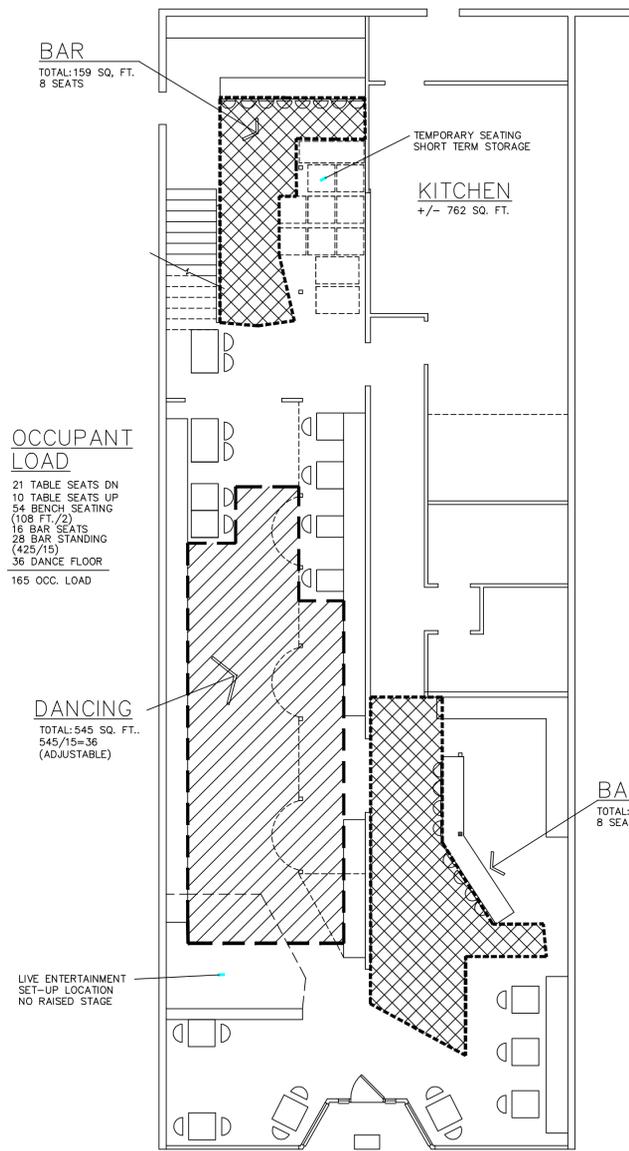


- E. MAIN ST. -



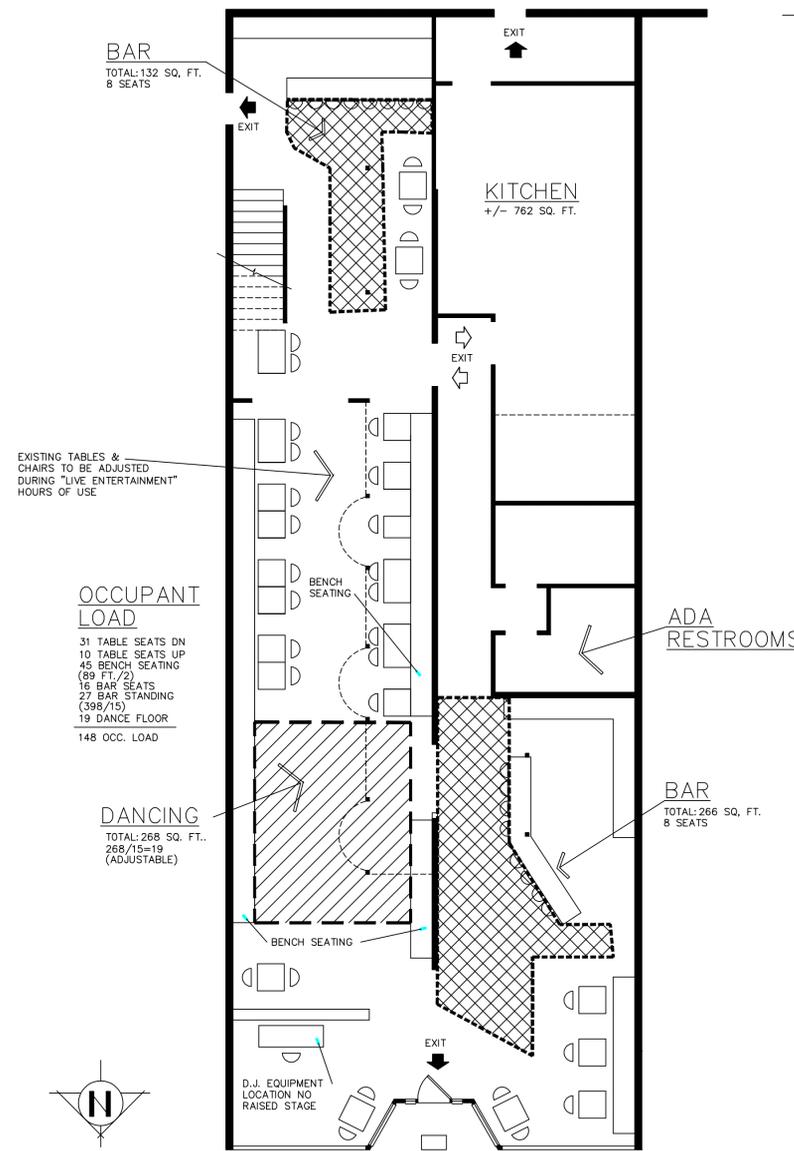
## SECOND FLOOR PLAN

SECOND FLOOR PLAN: +/- 758 SQ. FT.  
( ALL HOUR USE )



## FIRST FLOOR PLAN

(ADJUSTED SEATING) Scale: 1/8"=1'-0"



## FIRST FLOOR PLAN

Scale: 1/8"=1'-0"

FIRST FLOOR PLAN: +/- 3968 SQ. FT. RESTAURANT: +/- 3169 SQ. FT.  
SECOND FLOOR PLAN: +/- 758 SQ. FT. RESTAURANT: +/- 578 SQ. FT.  
TOTAL FLOOR AREA: +/- 4726 SQ. FT. OFFICE: +/- 180 SQ. FT.



## SEBBYS' RESTAURANT & BAR

229 E. MAIN ST.

NOTE:  
- REFUSE: EXIST'G SERVICE  
- ALL LEVELS TO BE EQUIPPED W/ CITY APPROVED FIRE SPRINKLER SUPPRESSION SYSTEM

## S I T E P L A N

Scale: 1"= 10'-0"  
APN 094-296-016  
229 E. MAIN STREET  
VISALIA, CA.

STEPHEN O. SPARSHOTT  
1206 W. EVANS  
VISALIA, CALIF. 93277  
559-679-7565

A RESTAURANT / DANCING PLAN FOR:  
**S E B B Y S**  
229 E. MAIN ST. VISALIA CA.

SHEET  
OF

## OPERATIONAL STATEMENT

---

–OUR FACILITY IS AN EXISTING RESTAURANT WITH AN EXISTING BAR  
LIVE ENTERTAINMENT REQUESTED

–OPERATING HOURS WILL BE: 11:00 A.M.–2:00 A.M. SUNDAY–MONDAY  
4:00 P.M.–2:00 AM. MONDAY–SATURDAY

– PROPOSED: DINING, BAR  
D.J./LIVE MUSIC DANCING,  
MUSICAL ENTERTAINMENT  
(2–3 piece bands, solo  
performers, stand–up)  
– OCCAISIONAL PAID ENTRY  
(once/twice monthly to be  
determined)

– DELIVERIES WILL BE ONCE WEEKLY

– UP TO 12 EMPLOYEES AT PEAK HOURS 9:00 P.M.–2:00 A.M.

– WE INTEND TO HAVE A FAMILY FRIENDLY RESTAURANT  
W/ EVENING HOURS D.J., LIVE ENTERTAINMENT, DANCING  
OCCAISIONAL PAID ATTENDANCE UP TO 150 PEOPLE

– EXISTING OFF SITE CITY PARKING PROVIDED

## SAFETY/SECURITY PLAN SEBBY'S

**Location:** Sebbly's (229 E Main St Visalia, CA 93291)

**Business Phone Number:** 559-802-3304

**24 Hour Contact Number:** 661-305-0696 (Ramez Aldaoud/Owner)

**Additional Contact Number:** 559-308-5488 (Richard Salles/GM)

**Security Staff Manager in Charge Contact:** 559-734-8116 (Steve Ramirez)

Our goal for the "Security Protocol" is to comply with the City Law Enforcement and provide a safe and friendly environment for our patrons, employees and surrounding neighbors.

### **Security Goals:**

- To create a safe and secure environment within and immediately outside of the establishment for all patrons, guests, employees and surrounding neighbors at all times of operation.
- To provide a high level of control, safety and quality experience for patrons.
- To mitigate any noise or inappropriate conduct directed at the immediate neighbors by patrons/guest upon entry or departure from the establishment.
- To defuse all situations as they occur but also establish preventative measures to minimize the number of potential situations. Security staff will provide a strong presence to detect and prevent any possible issues.
- To maintain trained staff responsible and accountable for looking after the security and well-being of guests and patrons and staff.

### **Introduction:**

A strategy of prevention will be adopted to minimize the impact of potential problems to the community while ensuring a peaceful enjoyable setting within the business. A zero-tolerance policy will be enacted and enforced against narcotics and contraband prohibited by law. Further, establishment policy violations by guests or patrons will be enforced with this same policy. Business ownership and management will fully disclose and cooperate with law enforcement personnel and other city agencies as issues arise. In addition, we will cooperate and coordinate with neighboring businesses to act as a united force to provide an additional sense of security for the immediate community, businesses, patrons and employees of the neighborhood.

### **Security Staffing:**

All Security at location will be licensed by the California Bureau of Security and Investigation Services to carry out their job. All Security will meet the requirements of BSIS (Bureau of Security and Investigative Services) licensed to work in their position (AKA a guard card), this card must be readily available for visual inspection upon request, this will be standard operating procedure.

**Security Task:**

- The Security Staff Manager and Staff will be in direct contact with the owner about any security issues which may arise and work on immediate resolution of said issues. The Security Guard will contact Ramez Aldaoud (661) 305-0696, 24-hour emergency contact.
- The Security Staff will be responsible for all security and safety of the entire business premises, to ensure proper compliance with the security plan.
- The Security staff will be a liaison between law enforcement personnel and city officials.
- The Security Staff manager and staff will be responsible Monday-Saturday 9:00pm-closing.
- The Security Staff Manager will maintain the contact information list of all security personnel working each shift and provide the list to any city entity.
- The Security Staff will maintain security camera data and make accessible to law enforcement personnel as requested.
- The Security Staff will be responsible for monitoring the entrance, dress code, and all requirements of the security plan.
- The Security Staff will monitor the patron count, as well as outside line management. As the line increases of 25 additional patrons, staffing will be added accordingly.

**Uniforms:**

Each member of the Security Team is required to provide their own Uniform.

All Security guards on duty will comply with the uniform requirements set forth in the California Business & Professions code section 7582.26.

Members of the security team must be visually obvious to clientele and any first responders (including law enforcement, EMTS, fire departments, etc.) For that reason, T-shirts or polo shirts that say security must be worn.

**Entry Security:**

Security professionals: During nights live events (1) one member of security team will be posted at each of the entry doors where patrons will/could enter/exit the premises with their main job being to check the identification of patrons and to ensure no alcohol/weapons/ drugs enter the property. Metal detection will be used but it fails to pick up plastic bottles and narcotics. For this reason, frisking shall be done regularly, and women will be asked to show the of content purse. These members of the security team will make sure our house rules are clear. These members of the security team will be on the radio in contact with other security and management and they will help remove and deter non complaint people.

Inside when asked for help on the radio. In such an event, parking lot security will move toward the building and prepare for proper action.

Purpose: Monitoring incoming patrons. This is an important component of the security program many problems can be avoided by diligent work at this point.

**Bar, Lounge, Restaurant:**

Security professionals: (2) two members of the security team will be posted and/or roaming inside, keeping an eye on patrons as they are eating, dancing and consuming alcohol. Problematic people will be removed quietly and with as little force as necessary. They will watch for suspicious behavior, standoffish behavior, signs of over-indulgence/over-intoxication, odd movement, etc. This is the primary "removal team" so they must have patience along with physical size and ability to remove someone without harming them. This team is the team that will need assistance most often, so the move to get inside must be quick and careful.

**Interior And Exterior Security Task:**

- Monitor bar, lounge and restaurant areas to ensure a quiet and peaceful atmosphere.
- Monitor patrons for improper activities.
- Monitor parking, street and surrounding area for improper activity.
- Enforce zero tolerance policy towards narcotics, contraband and violations of Operational policies/procedures.
- If any improper activity occurs, the security staff will contact VPD as deemed necessary.

## SECURITY STAFF TRAINING

**All Security Staff Will:**

- Receive regular training on comprehensive emergency response plans.
- Be knowledgeable of all security positions and the requirements which each position requires.
- Be trained to monitor noise levels and to make sure that there is no excessively loud music or noise emanating from the business.
- Be trained to make sure people are not rowdy or obviously intoxicated and to maintain a secure and safe environment.
- Be required to obtain a certification of completion from the Alcoholic Beverage Control Department "LEAD Program",

**All security staff will be trained to:**

- Maintain order within the restaurant facility and immediate surroundings and prevent any incidents that might hinder the environment enjoyed by our clientele, residents and businesses.
- Keep patrons and employees safe and take preventative steps to resolve issues in an efficient and secure manner.

**Security Operational Information:**

On any weeknight if no event, party or live music performances are scheduled the establishment is not required to have security team members working, especially when capacity is less than 25.

On any day or night of the week that a party, event, or live music performance is scheduled, the establishment will bring in 2 security team members at the start of the performance.

For every additional 25 patrons, another 1 security team member will be added.

Expected non-peak hours will be from 9pm-11pm with 6 team members (2 security guards, 2 bartenders, 1 cook, 1 General Manager).

Expected peak hours will be from 11pm-2:00am with 12 team members (6 security guards, 4 bartenders, 1 cook, 1 General Manager).

On certain occasions when live entertainment is in place, a cover charge may occur.

**Security Awareness Regarding Gangs:**

Because of the unfortunate plague of St. gangs in California security must be keenly aware of local S.t gangs and organizations. Our goal is to keep active gang members out of the building. The dress code will be enforced which will ban all sports attire, hats and excessive colors after 21:00 (9:00 PM PST). Anyone with visible gang tattoos will be denied entry and anyone discussing participation in any gang activity on the premises will be warned or possibly escorted out. While we cannot guarantee with certainty that gang members will not fraud crowd, we can make sure that they aren't dressed like gang members, talking like members and behaving like gang members. Anyone threatening other patrons will be escorted out and if necessary VPD will be contacted.

If any openly "gang related" conflicts occur in the parking lot or while escorting people out of the building VPD will be contacted. Even if a fight is quickly broken up, we can contact VPD to share intelligence and explain the incident (if requested by the Visalia Police Department)

**Security Dealing with Intoxicated Customers:**

Our main priority when identifying an intoxicated customer is the safety of that person, other customers and staff. For that reason, anyone deemed intoxicated shall not be served any more alcohol and asked to pay their tab. If they become belligerent, they will be escorted outside. If they disturb the overall piece of the establishment after removal or create a scene VPD may be contacted to deal with them.

If someone is unconscious for any reason, VPD will be contacted so that the person may be evaluated on a case-to-case basis. If the servers take the LEAD Program training and avoid overserving, this should not happen.

**Fires, Earthquakes etc.:**

Security and Management will address our evacuation plans for situations like structure fires, earthquakes etc. The method of escape and which doors are still accessible shape or movements in the event of a fire or something similar. The security team will use flashlights to help the customer to nearby exits and should anything like this occur.

**Videotapes, Footage and Surveillance Recordings:**

If any VPD contact is necessary after an incident, management will be happy to turn over the footage. The surveillance system at Sebby's will maintain the last 10 days of footage.

**People over/under 21 years:** People under 21 years of age will be permitted on the premises if they are accompanied and supervised by someone over the age of 21 during the hours of operation of 4 PM till 9 PM. Persons over 21 will provide their ID to the bartender/server when requested. No person under 21 years of age will be admitted after 9:00 PM.

Visalia Police Department

Date

Business Owner - Ramez Aldaoud

Date



**CITY OF VISALIA  
PLANNING DEPARTMENT  
CONDITIONAL USE PERMIT (CUP)  
SUPPLEMENTAL APPLICATION**

**PROJECT DESCRIPTION**

Describe Project And Listing Of All Components of the CUP (i.e. drive-through, private roads, modified residential standards PUD or PRD, etc.): EXISTING FACILITY TO REMAIN AS IS  
NEW FIRE SPRINKLER SYSTEM TO BE INSTALLED INCLUDING  
ALL LEVELS

**PROJECT DETAILS**  
(You may be required to provide a separate Operational Statement including the information below)

Gross Acreage 17 A Net Acreage \_\_\_\_\_  
 Building Area \_\_\_\_\_ No. of Parking Stalls N/A  
 Days of Operation DAILY Hours of Operation SEE ATTACHED  
 No. of Employees SEE ATTACHED Max Employees per Shift 11  
 List All Outdoor Activities N/A

No. of Outdoor Vendors N/A Per Week \_\_\_\_\_ Per Day \_\_\_\_\_  
 No. of Vehicles Used N/A  
 No. of Vehicles Kept Onsite Overnight \_\_\_\_\_

If Residential: Number of Single-Family Units \_\_\_\_\_ Number of Multi-Family Units \_\_\_\_\_  
 Other Components \_\_\_\_\_  
 Gross Density \_\_\_\_\_ Net Density \_\_\_\_\_  
 Open Space \_\_\_\_\_ Acreage \_\_\_\_\_  
 Recreation Facilities: Yes / No Specify \_\_\_\_\_

Modified Setbacks or Standards Requested: Yes / No Specify \_\_\_\_\_

- PROVIDE THE FOLLOWING FOR ALL CUP PROJECTS**
- (Person Preparing Application Shall Place Initials On The Space Provided. Required Application Materials Not Included Will Result In Application Being Deemed INCOMPLETE.)
- \_\_\_\_\_ 10 Copies of Site Plan (See Supplemental Information required For Site Plans) Each set must be folded
  - \_\_\_\_\_ 1 Copy of Reduced Size Site Plan (8 1/2in. X 11in.)
  - \_\_\_\_\_ 10 Copies of Conceptual Building Elevations (See Supplemental Information Required For Building Elevations)
  - \_\_\_\_\_ 1 Copy of Reduced Size Conceptual Building Elevations (8 1/2in. X 11in.)
  - \_\_\_\_\_ 10 Copies of Floor Plans
  - \_\_\_\_\_ 1 Copy of Reduced Size Floor Plans (8 1/2in. X 11in.)
  - \_\_\_\_\_ 10 Copies of Preliminary Landscape Plans (Including Fencing and Wall Details)
  - \_\_\_\_\_ 1 Copy of Reduced Size Preliminary Landscape Plans (8 1/2in. X 11in.)
  - \_\_\_\_\_ 2 Copies of Site Plan Review Committee Revise & Proceed Comments
  - \_\_\_\_\_ 1 Copy of Signage and/or Sign Program
  - \_\_\_\_\_ 2 Copies of Noise Study (If required by Site Plan Review Committee)
  - \_\_\_\_\_ 2 Copies of Traffic Impact Study (If required by Site Plan Review Committee)
  - \_\_\_\_\_ 1 Copy Of Trash Enclosure Details
  - \_\_\_\_\_ Electronic Files of all Exhibits (Adobe Acrobat, or similar format) Provided on CD Disk



AFTER DARK

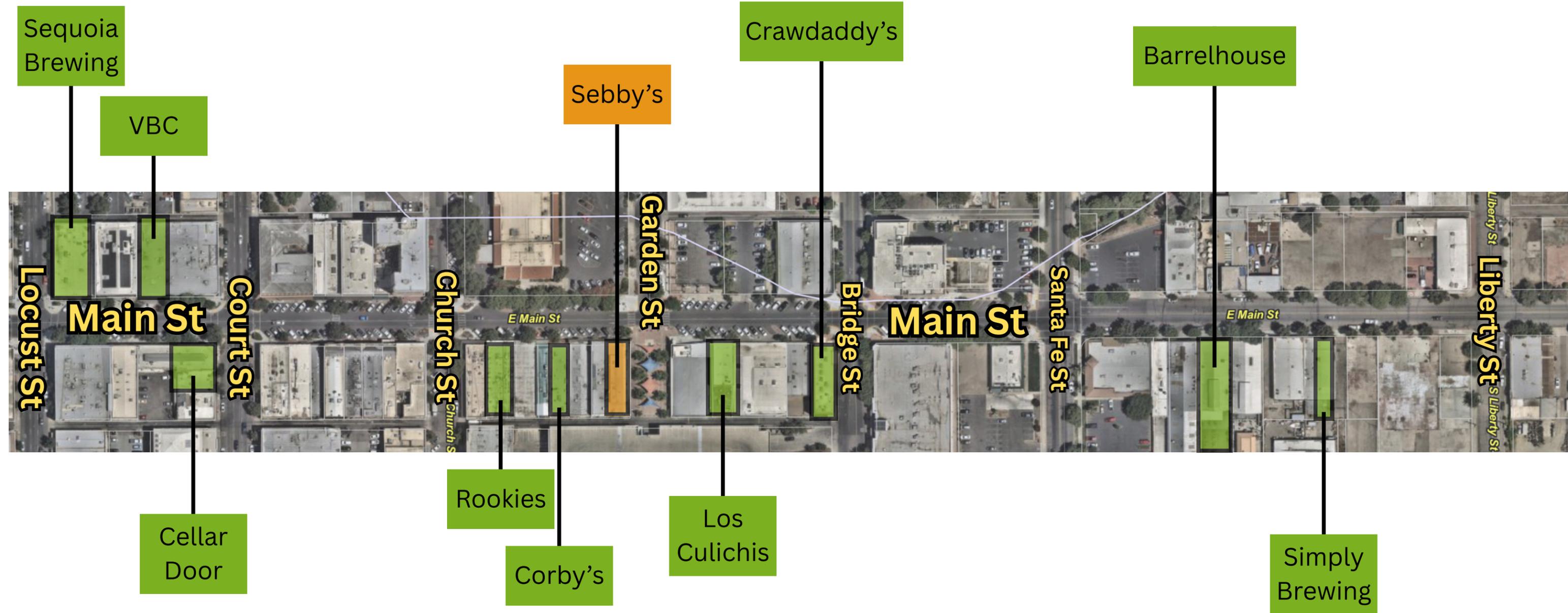
*Small Eats*

LOADED FRIES 13  
TACOS (3) 12  
DEEP FRIED RAVIOLI (6) 12

*Sweets*

CAFE AFFOGATO 10  
TIRAMISU BITES 10

# Map of approved Live Entertainment CUPs Main Street: between Locust St. and Liberty St.



-  -Approved Live Entertainment CUPs in Downtown Visalia
-  -Proposed Live Entertainment CUP

# Map of approved Live Entertainment CUPs

## Main Street: between Locust St and Bridge St.



Sequoia  
Brewing

VBC

Locust St

Court St

Main St

Church St

Main St

Bridge St

Cellar  
Door

Rookies

Corby's

Sebby's

Los  
Culichis

Crawdaddy's

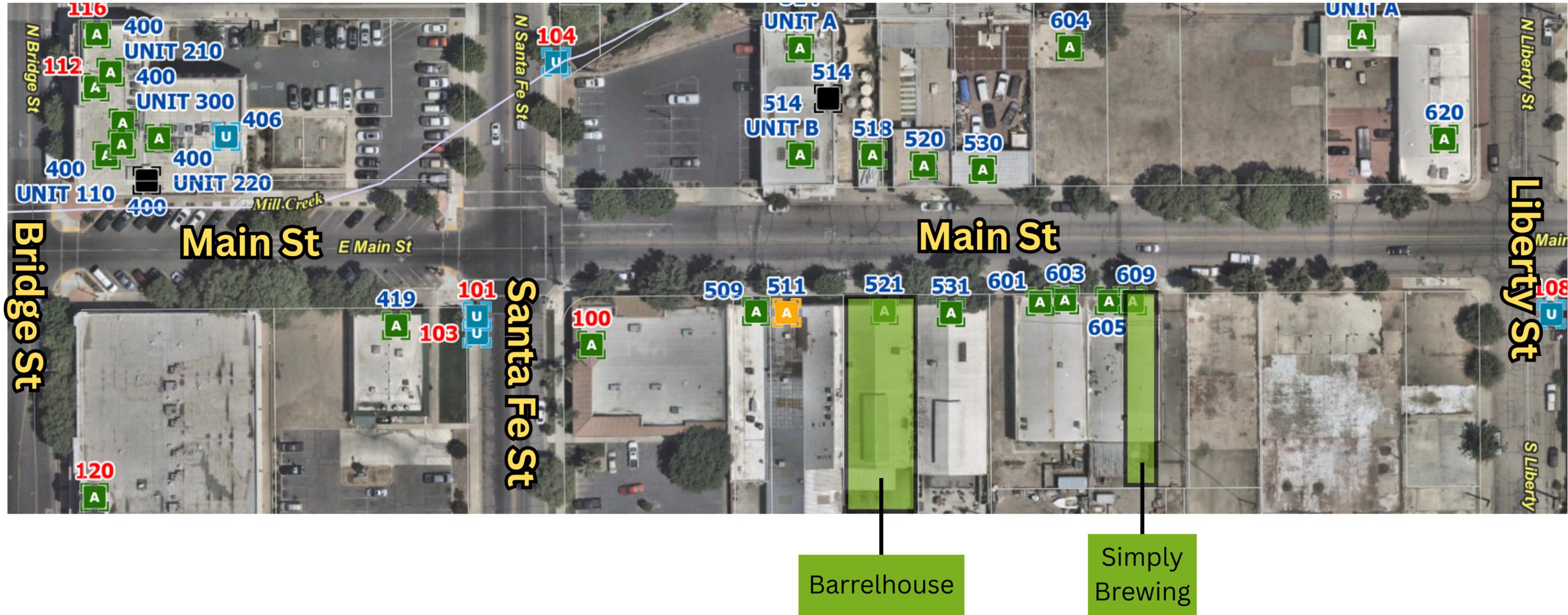


-Approved Live Entertainment CUPs in Downtown Visalia



-Proposed Live Entertainment CUP

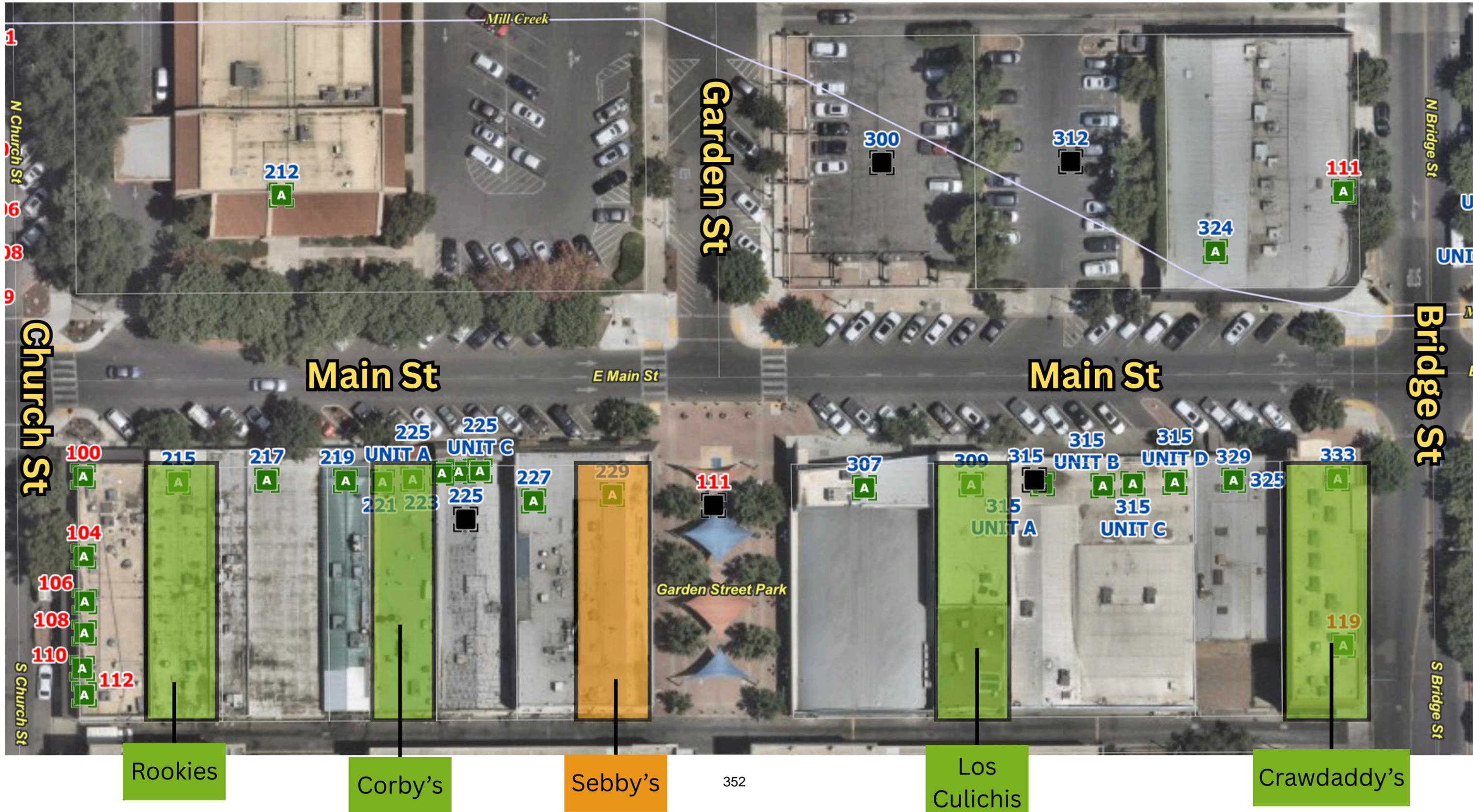
# Map of approved Live Entertainment CUPs Main Street: between Bridge St and Liberty St.



- Approved Live Entertainment CUPs in Downtown Visalia
- Proposed Live Entertainment CUP

# Map of approved Live Entertainment CUPs

Main Street: Church St. and Bridge St.



# Map of approved Live Entertainment CUPs

## Main Street: Locust St. and Church St.

Sequoia  
Brewing

VBC



Cellar  
Door



December 3, 2024

**Site Plan Review No. 2024-116-1-1-1:**

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 as stated on the attached Site Plan Review comments. You may now proceed with filing your permit to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **October 16, 2024**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a white background.

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

**Attachment(s):**

- Site Plan Review Comments



# SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: October 16, 2024

SITE PLAN NO: 2024-116-1-1-1  
PROJECT: Sebby's  
DESCRIPTION: Restaurant, Bar, DJ, and Dancing  
LOCATION: 229 E. Main St.  
APN: 094-296-016  
ZONING: D-MU (DOWNTOWN MIXED USE)

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit
- Building Permit

### **PROJECT SPECIFIC INFORMATION:** October 16, 2024

1. All previous comments apply.
2. VMC 17.25.030 Use Matrix, Line E12 lists the proposed use as conditionally permitted.
3. Note, if approved, the entitlement will be conditioned to require food service during all hours of live entertainment.
4. Detailed exhibits of the following will be required at Site Plan Review:
  - a. Security Plan
    - i. To be reviewed by the Visalia Police Department indicating security and how regulation of customers/patrons will work during live entertainment.
    - ii. The request will not be scheduled for public hearing until staff receive confirmation from the Police Department that they have reviewed and approved of the plan.
  - b. Operational Statement (describing intent, day-to-day use and the proposed live entertainment/dancing uses – i.e. cover charge).
  - c. Floor Plan (showing the typical layout and proposed layout for live entertainment i.e. dance floor space and depict square footage of all spaces whether utilized or not).
5. A Building Permit shall be required for all tenant improvements.
6. A separate Building Permit shall be required for all signage

### **PROJECT SPECIFIC INFORMATION:** October 9, 2024

1. All previous comments apply.
2. A Conditional Use Permit is required to conduct live entertainment in the D-MU Zone, per Line E12 of Visalia Municipal Code Chapter 17.25.
3. Note, the use permit will be conditioned to require food service to continue during all hours of live entertainment.
4. Detailed exhibits of the following will be required at Site Plan Review:
  - a. Security Plan (to be reviewed by the Visalia Police Department indicating security and how regulation of customers/patrons will work during li).
  - b. Operational Statement (describing intent, day-to-day use and the proposed live entertainment/dancing uses – i.e. cover charge).
  - c. Floor Plan (showing the typical layout and proposed layout for live entertainment i.e. dance

- floor space and depict square footage of all spaces whether utilized or not).
5. A Building Permit shall be required for all tenant improvements.
  6. A separate Building Permit shall be required for all signage.

**PROJECT SPECIFIC INFORMATION:** July 10, 2024

1. A restaurant use is permitted in the D-MU Zone.
2. A Conditional Use Permit is required to conduct live entertainment in the D-MU Zone, per Line E12 of Visalia Municipal Code Chapter 17.25. Activities such as a DJ playing music, karaoke, live performances by groups, is considered live entertainment. There is currently no staff support for live entertainment at this site.
3. If dancing is proposed at the restaurant, a Conditional use Permit shall also be required, per Line E11 of Visalia Municipal Code Chapter 17.25.
4. Note, the use permit will be conditioned to require food service to continue during all hours of live entertainment.
5. Detailed exhibits of the following will be required:
  - a. Security Plan (to be reviewed by the Visalia Police Department indicating security and how regulation of customers/patrons will work during li).
  - b. Operational Statement (describing intent, day-to-day use and the proposed live entertainment/dancing uses – i.e. cover charge).
  - c. Floor Plan (showing the typical layout and proposed layout for live entertainment i.e. dance floor space and depict square footage of space).
  - d. Site Plan (showing the entire property).
6. A Building Permit shall be required for all interior improvements proposed.
7. A separate Building Permit shall be required for all signage.
8. Comply with all other comments, codes, laws and ordinances.

**PROJECT SPECIFIC INFORMATION:** May 29, 2024

1. A restaurant use is permitted in the D-MU Zone.
2. A Conditional Use Permit is required to conduct live entertainment in the D-MU Zone, per Line E12 of Visalia Municipal Code Chapter 17.25. Activities such as a DJ playing music, karaoke, live performances by groups, is considered live entertainment.
3. If dancing is proposed at the restaurant, a Conditional use Permit shall also be required, per Line E11 of Visalia Municipal Code Chapter 17.25.
4. Note, the use permit will be conditioned to require food service to continue during all hours of live entertainment.
5. Detailed exhibits of the following will be required:
  - a. Security Plan (to be reviewed by the Visalia Police Department indicating security and how regulation of customers/patrons will work during li).
  - b. Operational Statement (describing intent, day-to-day use and the proposed live entertainment/dancing uses – i.e. cover charge).
  - c. Floor Plan (showing the typical layout and proposed layout for live entertainment i.e. dance floor space and depict square footage of space).
  - d. Site Plan (showing the entire property).
6. A Building Permit shall be required for all interior improvements proposed.
7. A separate Building Permit shall be required for all signage.
8. Comply with all other comments, codes, laws and ordinances.

**Note:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

**Sections of the Municipal Code to review:**

- 17.19.070 Development standards in the D-MU zone
- 17.30 Development Standards [17.30.015(H) Lighting]
- 17.34.020 Off-street parking 17.34.020(B)
- 17.58 Downtown Retail Overlay District

Accessible at <https://codelibrary.amlegal.com/codes/visalia/latest/overview>

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

<b>ITEM NO: 1    DATE: 10/16/2024</b>	
SITE PLAN NO.:	SPR24116-1-1-1
PROJECT TITLE:	SEBBYS
DESCRIPTION:	RESTRAURANT, BAR, D.J. DANCING
APPLICANT:	Steve Sparshott
PROP OWNER:	Leslie A Mosley LLC
LOCATION:	229 E. Main St.
APN:	094-296-016

**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 NEEDED 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 5.0 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. PROJECT SHALL BE REQUIRED TO GET A BUILDING PERMIT PLAN CHECK AND INSPECTION FEES WILL APPLY.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **24-116-1-1-1**

Date: **10/11/2024**

**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:**8/17/2024**)

(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 24116-1-1-1  
SERBYS  
229 E MAIN

City of Visalia  
Building: Site Plan  
Review Comments

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

- A building permit will be required. **FOR ALL 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 UPGRADES.**
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. For information call (559) 713-4444
- Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (661) 392-5500
- Plans must be approved by the Tulare County Health Department. For information call (559) 624-8011
- Project is located in flood zone **AE** \*  Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS** For information call (559) 713-4444
- Arrange for an on-site inspection. (Fee for inspection \$157.00)
- 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: **BASED ON OCCUPANT LOAD TWO EXITS REQUIRED. PROVIDE ILLUMINATED EXIT SIGNS AT ALL EXIT AND EXIT ACCESS DOORS.**

VAL COARCA 10/16/24  
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	October 16, 2024
Item #	1
Site Plan #	24116-1-1-1
APN:	094296016

- 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.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2022 CFC 506.1
- An **automatic fire sprinkler system** will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2022 CFC §912 and VMC 8.20.010 subsection C103.4
- Locking **fire department connection (FDC) caps** are required. The caps shall be ordered using an approved Knox Authorization Order Form. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2022 CFC 912.4.1
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors shall be provided with a **Type 1 Hood**, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. 2022 CFC 904.12 & 609.2

- All exterior risers, drain/test valves and backflow devices shall be protected from unauthorized tampering by approved means. Protection method shall be indicated on building plans. 2022 CFC 903.3.8.4.1
- **Special comments:** Standing room occupant load factor shall be utilized for all dance floor area.



Corbin Reed  
Fire Marshal



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

Date: 10/16/24  
 Item: 1  
 Site Plan: SPR24116-1-1-1  
 Name: Robert Avalos

**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:  
ample lighting around property to help deter crime
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
interior/exterior surveillance cameras to help deter crime
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 16, 2024

ITEM NO: 1      **Added to Agenda**      MEETING TIME: 09:00  
SITE PLAN NO: [SPR24116-1-1-1](#)      ASSIGNED TO: Josh Dan [Josh.Dan@visalia.city](mailto:Josh.Dan@visalia.city)  
PROJECT TITLE: SEBBYS  
DESCRIPTION: RESTAURANT, BAR, D.J DANCING  
APPLICANT: Steve Sparshott - Applicant  
OWNER: LESLIE A MOSLEY LLC  
APN: 094296016  
ADDRESS: 229 E MAIN ST  
LOCATION: same

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, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)

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**Leslie Blair**

- 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:**

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*Leslie Blair*

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**Leslie Blair**

## Susan Currier

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**From:** Jennifer Flores  
**Sent:** Monday, October 14, 2024 10:06 AM  
**To:** Susan Currier  
**Cc:** Josh Dan  
**Subject:** SPR comments 10.16.24

Hello,

Here are my comments for this weeks SPR.

- SPR24116-1-1-1- Sebbys – No comments
- SPR24230- Visalia North - No Comment
- SPR24231- Powerhouse Fitness- No comments
- SPR24323- Davita Visalia- No Comments
- SPR24233- Visalia Hyundai- No comments
- SPR24234- Te Velde- no comments
- SPR24235- Dr Kim Resubmittal- no new comments

If you have any questions, please let me know.

*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**

**24116-1-1-1**

October 16, 2024

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

**Comment** Existing solid waste services include trash, recycle, and organics recycling per the State of California's mandatory recycling laws (AB-341 & AB-1826). If any service changes are required, the customer is to contact the City of Visalia's Utility Billing Division at 559-713-4499 to schedule an onsite commercial waste assessment.

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

Nathan Garza, Solid Waste, 559-713-4532  




## CALIFORNIA WATER SERVICE

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

<p><b>Site Plan Review Comments From:</b> California Water Service Scott McNamara, Superintendent 216 N Valley Oaks Dr. Visalia, CA 93292 559-624-1622 <a href="mailto:smcnamara@calwater.com">smcnamara@calwater.com</a></p>	<p>Date: 10/16/2024 Item #: 1 Site Plan #: 24-116-1-1-1 Project: Sebby's Description: Restaurant Applicant: Steve Sparshott APN: 094-296-016 Address: 229 E Main Street</p>
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**The following comments are applicable when checked:**

- No New Comments
- Pulled from agenda

**Water Mains**

*Comments:*

- Water main fronting your project
- No existing water main fronting this project

**Water Services**

*Comments:*

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

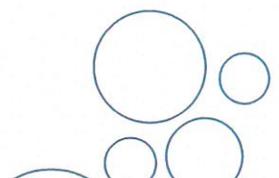
The following will be paid for by the property owner/developer:

- Any additional services for the project.
- Relocation of any existing service that is to land within a new drive approach.
- Existing service(s) that are not utilized may need to be abandoned.
- If the existing service(s) is not sufficient in size to meet the customer's demand:
  - Installation of the correct size service.
  - 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:***

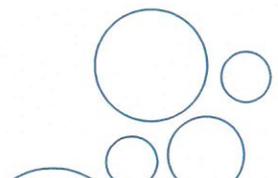
A backflow is required if any parcel meets any of the following parameters:

- 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](mailto:visaliabackflow@calwater.com) for a backflow install packet.

### **Additional Comments:**

- If your project requires the installation of Cal Water facilities, please contact New Business Superintendent Mike Andrada at 559-624-1689 or [mandrada@calwater.com](mailto:mandrada@calwater.com) to receive your new business packet to start your project with Cal Water.
- 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](mailto: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](mailto: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.



## Susan Currier

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**From:** Deel, David@DOT <david.deel@dot.ca.gov>  
**Sent:** Thursday, November 7, 2024 4:19 PM  
**To:** Josh Dan; Susan Currier  
**Cc:** Padilla, Dave@DOT; Yelton, Elizabeth@DOT  
**Subject:** Caltrans Response to Site Plan Review Agenda - 10-16-2024  
**Attachments:** Visalia SPR Agenda 10-16-2024.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

### Josh and Susan:

This email summarizes Caltrans response to the following site plans:

ITEM NO: 1 SITE PLAN NO: **SPR 24116-1-1-1** – SEBBY RESTAURANT, BAR, D.J DANCING  
**NO COMMENT**

ITEM NO: 2 SITE PLAN NO: **SPR 24230** – PRATT ROAD ORCHARD 321-Lot Subdivision  
**WILL POTENTIALLY CREAT IMPACTS - REQUEST TIS AND VMT STUDY**

ITEM NO: 3 SITE PLAN NO: **SPR 24231** – Personal Training Gym and tanning beds  
**NO COMMENT**

ITEM NO: 4 SITE PLAN NO: **SPR 24232** – Install Standalone awning at building entrance  
**NO COMMENT**

ITEM NO: 5 SITE PLAN NO: **SPR 24233** – Visalia Hyundai New car dealership for Hyundai  
**NO COMMENT**

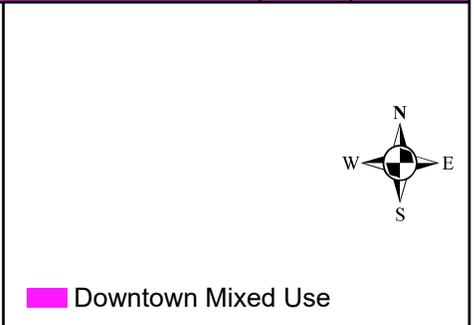
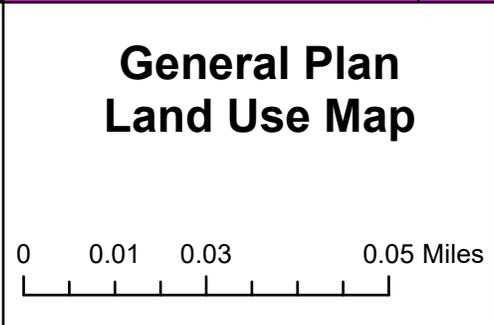
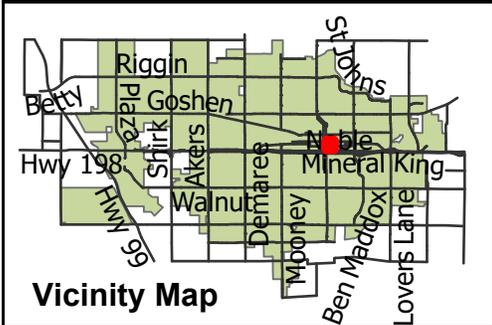
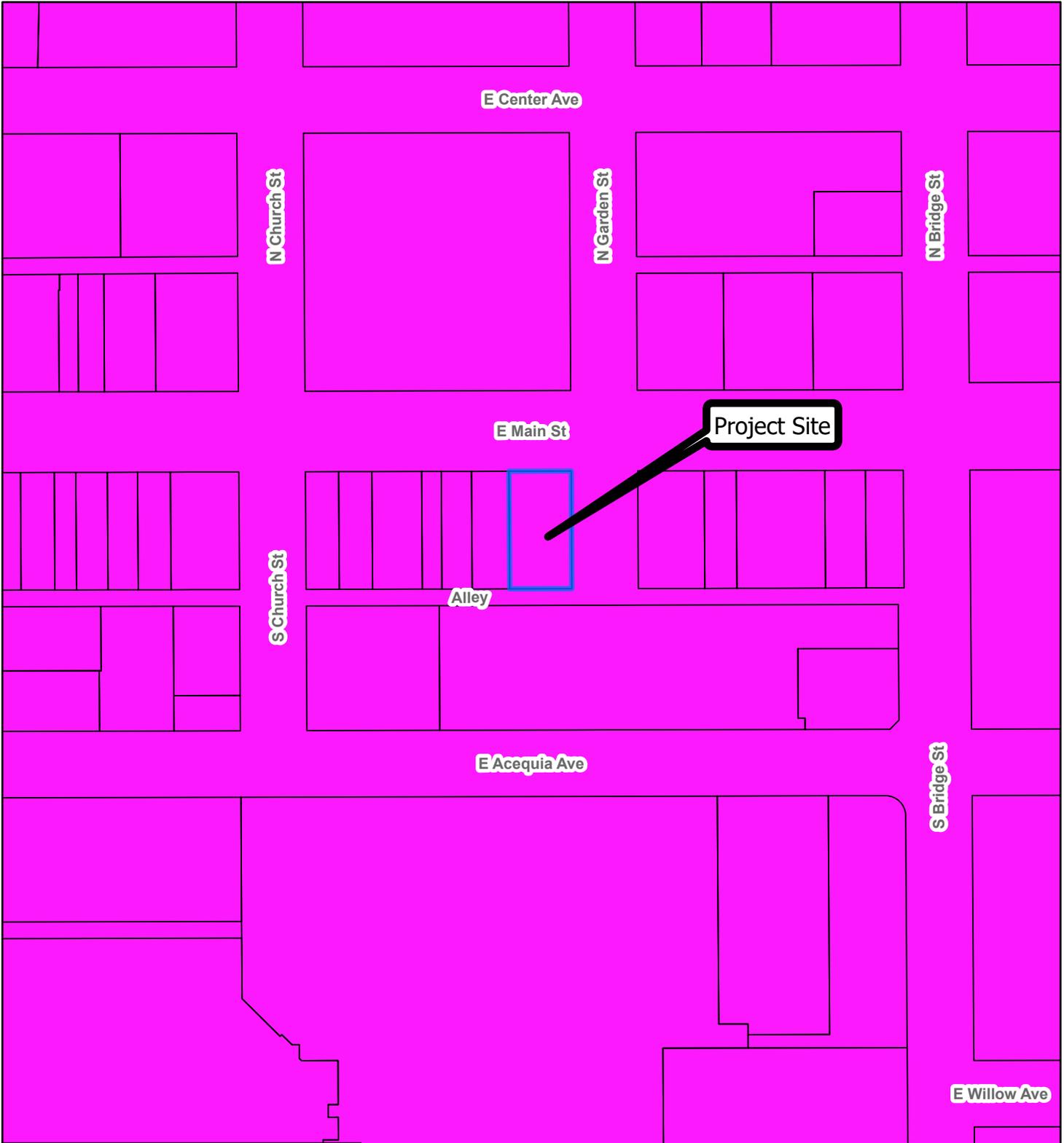
ITEM NO: 6 SITE PLAN NO: **SPR 24234** – 307 acres mixed-use development residential, commercial, and industrial uses  
**REQUEST TIS AND VMT STUDY**

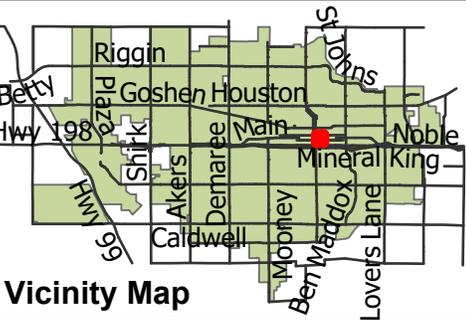
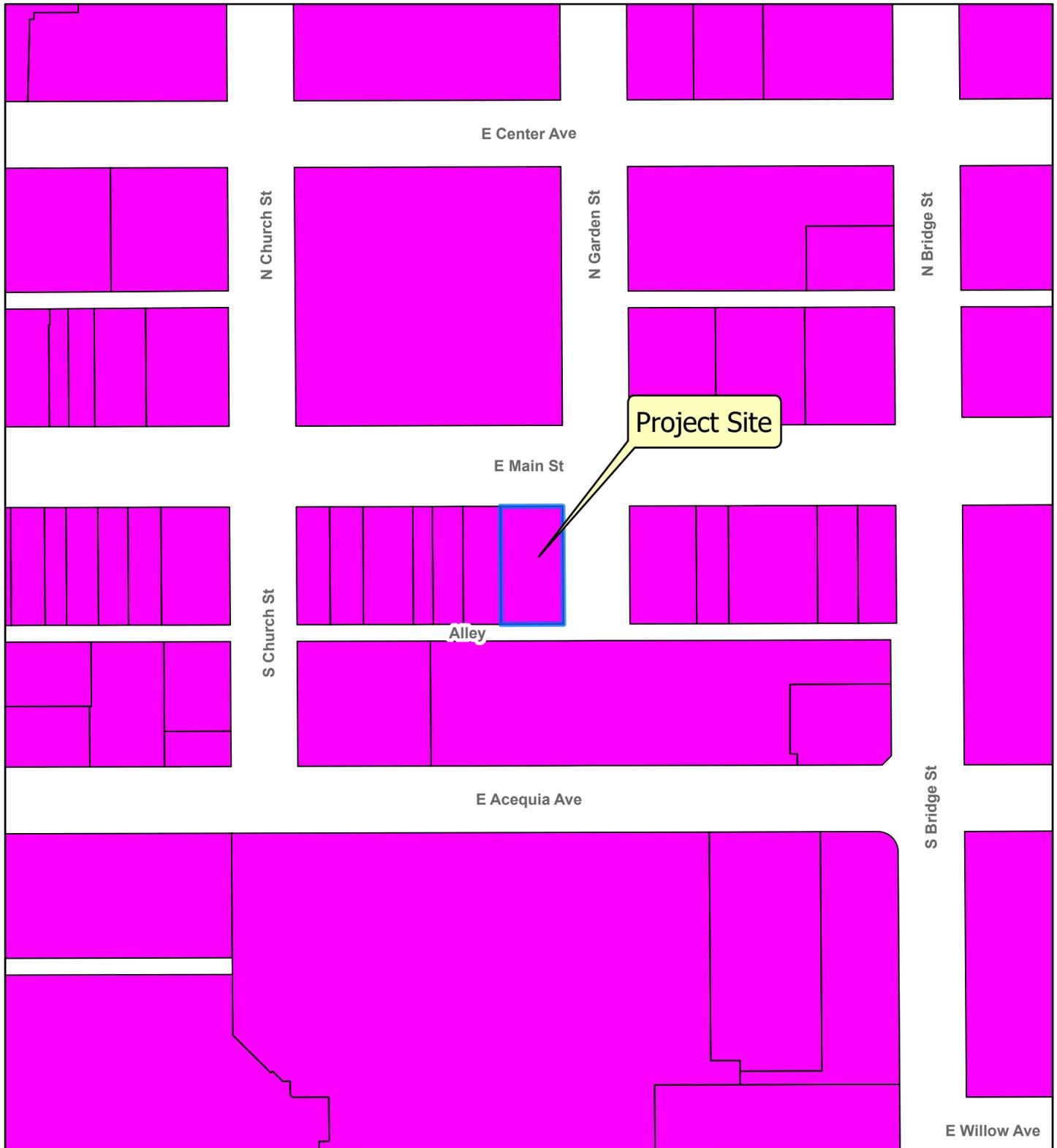
ITEM NO: 7 SITE PLAN NO: **SPR 24235** – Dental Office  
**NO COMMENT, PRIOR SPR 24226**

Respectfully,

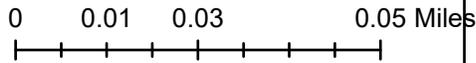
**David Deel**  
**Associate Transportation Planner**  
**Desk & Mobile: 559.981.1041**

CALTRANS District 6  
Local Development Review Branch  
Office of Multimodal Transportation Planning  
Division of Transportation Planning & Local Programs





## Zoning Map



D-MU Mixed Use Downtown



Vicinity Map

## Aerial Map

