

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Bill Davis

COMMISSIONERS: Kris Bruce, Pura Cordero, Charlie Norman, Bill Davis, Mary Beatie

MONDAY, OCTOBER 13, 2025

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 WEST 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.
 - a. **Time Extension for Conditional Use Permit No. 2024-02 and Tentative Parcel Map No. 2024-01:** A request by Mulberry Springs LLC, to master plan and develop a 15.55-acre site into a mixed-use development. Phase 1 consists of a 276-unit multi-family development with three-story buildings, a community club house, and outdoor recreation amenities while Phase 2 consists of two multi-tenant commercial buildings and one retail building with a drive-thru lane. The tentative parcel map is a request by Mulberry Springs LLC, to subdivide Parcel 2 of the master planned development into two parcels for condominium purposes. The site is zoned C-R (Regional Commercial) and located at the

northwest corner of West Cameron Avenue and South Stonebrook Street. (Address: N/A) (APNs: 122-332-039, 122-332-040, and 122-332-041).

- b. **Time Extension for Conditional Use Permit No. 2024-19:** A request by Mulberry Springs LLC, to entitle a “blanket” approval for medical uses, except massage therapy, in the C-R (Regional Commercial) Zone. The project site is located at the northwest corner of West Cameron Avenue and South Stonebrook Street. (Address: N/A) (APN: 122-332-039).

7. PUBLIC HEARING – Colleen Moreno, Assistant Planner

Revocation of Conditional Use Permit No. 2025-05: A request by the City of Visalia, pursuant to Municipal Code section 17.38.040, to revoke Conditional Use Permit No. 2025-05, which allows live entertainment at the existing Sebby’s restaurant in the D-MU (Downtown Mixed Use) zone.

Environmental Assessment Status: N/A.

Project Location: The site is located at 229 East Main Street (APN: 094-296-016).

8. PUBLIC HEARING – Paul Bernal, Planning and Community Preservation Director

Tentative Parcel Map No. 2025-10: A request by 4Creeks, Inc., to subdivide 41.7 acres into 2 parcels to facilitate the future residential Cameron Ranch Estates subdivision. The site is zoned R-1-5 (Single-family Residential, 5,000 square foot minimum site area).

Environmental Assessment Status: An addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19 originally prepared for the development of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02 has been prepared to include Tentative Parcel Map No. 2025-10 into the project description.

Project Location: The property is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APN: 124-010-016).

9. CITY PLANNER UPDATE –

10. ADJOURNMENT

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

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

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, OCTOBER 23, 2025, BEFORE 5:00 PM

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

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, OCTOBER 27, 2025

City of Visalia

Memo



To: Planning Commission

From: Josh Dan, Senior Planner

Date: October 13, 2025

Re: Time Extension for Conditional Use Permit No. 2024-02 and Tentative Parcel Map No. 2024-01

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension for the following associated entitlements:

1. Conditional Use Permit No. 2024-02, pursuant to Zoning Ordinance Section 17.38.030, and,
2. Tentative Parcel Map No. 2024-01, pursuant to Zoning Ordinance Section 16.28.090.

These entitlements were approved on March 25, 2024, and will expire on March 25, 2026, unless a one year time extension is approved. If approved, the entitlements' expiration dates will be extended to March 25, 2027.

BACKGROUND:

Conditional Use Permit (CUP) No. 2024-02 and Tentative Parcel Map (TPM) No. 2024-01 were a request by Mulberry Springs LLC, to master plan and develop a 15.55-acre site into a mixed-use development. Phase 1 consists of a 276-unit multi-family development with three-story buildings, a community club house, and outdoor recreation amenities, while Phase 2 consists of two multi-tenant commercial buildings and one retail building with a drive-thru lane. The CUP further requests to allow the associated tentative parcel map to be an air space condominium map. The tentative parcel map is a request to subdivide Parcel 2 of the master planned development into two parcels for condominium purposes. The site is zoned C-R (Regional Commercial) and located on vacant property at the northwest corner of West Cameron Avenue and South Stonebrook Street. (APNs: 122-332-039, 122-332-040, and 122-332-041).

On March 25, 2024, the Visalia Planning Commission conducted a public hearing and approved CUP No. 2024-02 and TPM No. 2024-01 by a 4-0 vote (Commissioner (Commissioner Peck absent) absent, subject to the findings and conditions per Resolution Nos. 2024-02 and 2023-71.

REQUEST

The expiration date of the entitlements is March 25, 2026, two years from the date of the Planning Commission's approval. The time extension request was received in a timely manner on August 29, 2025.

This would be the first applicant-requested time extension for the CUP and the TPM. Currently, the applicant has only requested a one-year time extension as described in the attached correspondence.

Staff would note that, with respect to the Tentative Parcel Map, the Subdivision Map Act has provisions in §66452.6(e) allowing a map to be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, March 25, 2027, to have a building permit issued from the City and commence and diligently pursue construction toward completion on the site, or in the case of the parcel map, to have a final parcel map filed with the county recorder. If the request is denied, the applicant would have to re-file a new application for entitlement.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2024-02 for Conditional Use Permit No. 2024-02
3. Approved Resolution No. 2023-71 for Tentative Parcel Map No. 2024-01
4. Site Plan
5. Location Map

August 29, 2025

Paul Bernal, Director
Planning and Community Preservation Department
City of Visalia

Sent Via Email: paul.bernal@visalia.city

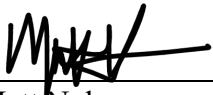
**Re: Request for One Year Extension of CUP No. 2024-02 and
Tentative Parcel Map No. 2024-01**

Dear Paul,

Our project CUP No. 2024-02 and Tentative Parcel Map No. 2024-01 are set to expire March 25, 2026. This letter sets forth our request for a one-year extension from the expiration date of the referenced Conditional Use Permit and Tentative Parcel Map to an extended expiration date of March 25, 2027. Please inform us of the current filing fee amounts and we will process and submit the check. Please have our request scheduled for the next available Planning Commission meeting.

Sincerely,

Mulberry Springs, LLC,
a California Limited Liability Corporation

By: 
Matt Nohr

CC: Christopher Hawke (via email: chawke@maracordev.com)
Brandon Smith (via email: brandon.smith@visalia.city)
Josh Dan (via email: josh.dan@visalia.city)
Patrick Orosco (via email: porosco@oroscogroup.com)

RESOLUTION NO. 2024-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-02, A REQUEST BY MULBERRY SPRINGS LLC, TO MASTER PLAN AND DEVELOP A 15.55-ACRE SITE INTO A MIXED-USE DEVELOPMENT. PHASE 1 CONSISTS OF A 276-UNIT MULTI-FAMILY DEVELOPMENT WITH THREE-STORY BUILDINGS, A COMMUNITY CLUB HOUSE, AND OUTDOOR RECREATION AMENITIES WHILE PHASE 2 CONSISTS OF TWO MULTI-TENANT COMMERCIAL BUILDINGS AND ONE RETAIL BUILDING WITH A DRIVE-THRU LANE. THE SITE IS ZONED C-R (REGIONAL COMMERCIAL). THE PROJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF WEST CAMERON AVENUE AND SOUTH STONEBROOK STREET. (ADDRESS: N/A) (APNS: 122-332-039, 122-332-040, AND 122-332-041).

WHEREAS, request by Mulberry Springs LLC, to master plan and develop a 15.55-acre site into a mixed-use development. Phase 1 consists of a 276-unit multi-family development with three-story buildings, a community club house, and outdoor recreation amenities while Phase 2 consists of two multi-tenant commercial buildings and one retail building with a drive-thru lane. The site is zoned C-R (Regional Commercial). The project site is located at the Northwest corner of West Cameron Avenue and South Stonebrook Street. (Address: N/A) (APNs: 122-332-039, 122-332-040, and 122-332-041); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-02, 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, Initial Study was prepared, and adopted which disclosed that no significant environmental impacts would result from this project; and

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2024-02 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 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 within 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 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 the proposed development is consistent with Policy D6 of the South Packwood Creek Specific Plan by adequately analyzing traffic impacts and signaling appropriate intersections at West Cameron Avenue and South Stonebrook Street via Phase 1 improvements and another signalized intersection at West Cameron Avenue and the existing commercial entrance point west of the Costco gas station with Phase 2 improvements.
 4. That the proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development standards based on the creation of a master development plan.
 5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2024-02, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

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

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review Nos. 2023-112 & 2023-166.
2. That the final map be carried out in substantial compliance with the approved condominium plan shown in Exhibit "D", attached herein.
3. That Conditional Use Permit No. 2024-02 shall be null and void unless Tentative Parcel Map No. 2024-01 is approved.
4. That any development within either phase be developed in substantial compliance with the Site Plan in Exhibit "A", the Floor Plans in Exhibit "B", Elevations in Exhibit "E", and Tentative Landscaping Plan in Exhibit "F".
5. That improvements associated with the multi-family development in "Phase1" of the proposal be required to construct but not limited to the following:
 - a. Full signalization of the intersection at Cameron and Stonebrook;
 - b. Construct a raised median island in Cameron Avenue extending approximately 670 linear feet from the Cameron / Stonebrook intersection west to the future signalized vehicular access driveways. The median will allow for left turning pockets for northbound turning movements onto Stonebrook and southbound turning movement into the common drive west of

- the Costco gas station only. No median breaks will be allowed between this section;
- c. Project will also be required to restripe and resign Cameron Avenue as necessary to provide safe traffic movement with the required median island improvement;
 - d. Install curb, sidewalk, gutter, streetlights, and parkway landscaping along the project's Stonebrook Street and Phase 1 Cameron Avenue frontages;
 - e. Pave Stonebrook Street to full width at the Cameron / Stonebrook intersection and taper to "3/4 width" extent of travel lanes heading northward up to Packwood Creek as required by the City Traffic Engineer for safe traffic movement. Project shall install street striping and signage as necessary to accommodate safe traffic movement on 3/4 width road.
6. That improvements associated with the commercial development in "Phase 2" of the proposal be required to construct but not limited to the following:
- a. Fully signalization of the intersection at Cameron Avenue and the westerly Packwood Grove South commercial entrance to allow for a full controlled opening at the intersection;
 - b. Project developer shall be required to acquire approvals to modify existing striping, signage and other features on westerly drive approach to allow for the installation and function of the future signalization at the intersection;
 - c. Construct approximately 380 linear feet of raised median in Cameron Avenue connecting to the existing median fronting the Surf Thru car wash site to the newly signalized intersection required with Phase 2. The median will allow for left turning pockets for northbound turning movements into the north Packwood site only. No median breaks will be allowed in this median section;
 - d. Project will also be required to restripe Cameron Avenue as necessary to provide safe traffic movement with the required raised median island improvement;
 - e. Install curb, sidewalk, gutter, streetlights, and parkway landscaping along the project's Phase 2 Cameron Avenue frontage.
7. That when an end user is identified for the proposed drive-thru, the applicant shall be required to submit to Site Plan Review a site plan, floor plan, and queuing analysis specific to the user identifying consistency with the proposed layout and site circulation and demonstrating that drive-thru stacking does not block interior drive-aisles and/or spill out into the public way.
8. That all proposed fencing be consistent with the height and placement requirements of the Regional Commercial (C-R) Zone District and Municipal Code Chapter 17.36 Fences, Walls and Hedges, Section 17.36.050 Commercial and mixed use zones.
9. That the community building, pool, playground equipment, and open space shall be installed as a part of the development and maintained in good working/accessible order.
10. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELO), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of

Compliance stating that the project meets MWELo standards shall be submitted to the City.

11. That a valid will-serve letter for the providing of domestic water service be obtained for the development prior to development.
12. Provide street trees per the City's Street Tree Ordinance.
13. That the developer resubmit back to Site Plan Review for any proposed modifications to the phasing plans as conditioned for this project. Modifications to the project phasing will subsequently require an amendment to this Conditional Use Permit to modify the conditions.
14. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:

A. Maintenance and Operations

- a. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
- b. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.
- c. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.
- h. Provide 24 hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
- i. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
- c. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

D. Tenant Agreement - The tenant agreement for the complex must contain the following:

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
- d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
- e. Standards of behavior for tenants that could lead to eviction.
- f. All tenants shall read and receive a copy of the Tenant Agreement.

15. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

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

AYES: Commissioners Davis, Tavarez, Hansen, Beatie

NOES:

ABSTAINED:

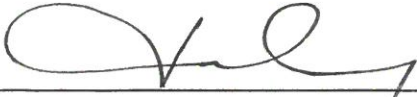
ABSENT: Commissioner Peck

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

ATTEST: Paul Bernal, Community Development Director

Resolution No. 2024-02

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2024-02, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 25, 2024.



for Paul Bernal, Community Development Director



Mary Beatie, Chairperson

RESOLUTION NO. 2023-71

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2024-01, A REQUEST BY MULBERRY SPRINGS LLC, TO SUBDIVIDE PARCEL 2 OF THE MASTER PLANNED DEVELOPMENT INTO TWO PARCELS FOR CONDOMINIUM PURPOSES. THE SITE IS ZONED C-R (REGIONAL COMMERCIAL). THE PROJECT SITE IS LOCATED AT THE NORHTWEST CORNER OF WEST CAMERON AVENUE AND SOUTH STONEBROOK STREET. (ADDRESS: N/A)
(APNS: 122-332-039, 122-332-040, AND 122-332-041).

WHEREAS, Tentative Parcel Map No. 2024-01, is a request by Mulberry Springs LLC, to subdivide Parcel 2 of the master planned development into two parcels for condominium purposes. The site is zoned C-R (Regional Commercial). The project site is located at the Northwest corner of West Cameron Avenue and South Stonebrook Street. (Address: N/A) (APNs: 122-332-039, 122-332-040, and 122-332-041); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on March 25, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2024-01, 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, Initial Study was prepared, and adopted which disclosed that no significant environmental impacts would result from this project; and

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2024-02 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 makes the following specific finding based on the evidence presented:

1. That 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 General Plan and South Packwood Creek Specific Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2024-02, is hereby adopted. Furthermore, the design of the development or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

4. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the accompanying planned development (Conditional Use Permit No. 2024-02).
5. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Commercial Regional land use designation and Regional Commercial zone.
6. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Commercial zone standards since they are part of a planned development established through Conditional Use Permit No. 2024-02.

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 site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review Nos. 2023-112 & 2023-166.
2. That the final map be carried out in substantial compliance with the approved tentative parcel map shown in Exhibit "C", attached herein.
3. That before recordation of a final map, a common property owners association shall be established or amended for the long-term maintenance and management of the project. This association shall establish responsibility for but not limited to the following:
 - a. The maintenance of roofs and subfloors,
 - b. The maintenance of spaces located outside of the private interior space of the units, including the insides of common walls, plumbing, pipes, and electrical lines,
 - c. The maintenance of landscaping for the associated properties,
 - d. The maintenance of on-site parking and driveways,
 - e. The maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages,
 - f. The maintenance of the common open space areas;
 - g. Enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property.
4. That the form of the common property owners' association's bylaws, including covenants, condition, and restrictions (CC&Rs), shall be approved by the State Department of Real Estate and the City Planner. The bylaws' final approved form shall be recorded with the Tulare County Recorder.
5. That Tentative Parcel Map No. 2024-01 shall be null and void unless Conditional Use Permit No. 2024-02 is approved.

6. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

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

AYES: Commissioners Davis, Tavaréz, Hansen, Beatie

NOES:

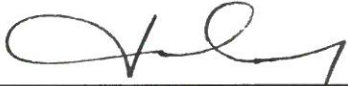
ABSTAINED:

ABSENT: Commissioner Peck

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

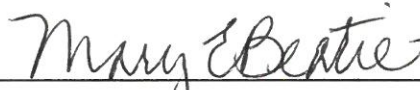
ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2023-71, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 25, 2024.



For

Paul Bernal, Community Development Director



Mary Beatie, Chairperson

PROJECT INFORMATION

ZONING CLASSIFICATION

EXISTING ZONE	VISALIA CA
GENERAL PLAN	C2-SC COMMUNITY COMMERCIAL
SITE AREA	COMMERCIAL

ADJUSTED PARCEL 1:	64,034 SF / 1.47 AC
WASH (NOT A PART OF PROJECT)	

ADJUSTED PARCEL 2 (COMMERCIAL)	97,433 SF / 2.24 AC
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THIS PROJECT PROPOSES A MINOR SUBDIVISION OF LAND TO BE APPROVED LOT LINE ADJUSTED PARCEL 2) TO CREATE THE FOLLOWING PARCELS:

PROPOSED LOT SPIT PARCEL 2A:	36,742 SF / 0.84 AC
PROPOSED LOT SPIT PARCEL 2B:	60,691 SF / 1.39 AC

ADJUSTED PARCEL 3 (COMMERCIAL)	53,377 SF / 1.23 AC
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ADJUSTED PARCEL 4 (MULTI-FAMILY)	526,125 SF / 12.08 AC
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TOTAL SITE AREA:	15.55 AC
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BUILDING INFORMATION

PARCEL 2A COMMERCIAL / RETAIL / MEDICAL BUILDING 2A (ALLOW FOR UP TO THREE COMMERCIAL CONDO UNITS)	
BUILD 2A - UNIT 101	2,016 SF
BUILD 2A - UNIT 102	2,016 SF
BUILD 2A - UNIT 103	2,016 SF
BUILD 2A - UNIT 104	2,016 SF
BUILD 2A - UNIT 105	2,016 SF
BUILD 2A - UNIT 106	2,016 SF
BUILD 2A - UNIT 107	2,016 SF
COMMON UTILITY ROOM	128 SF
BUILD 2A TOTAL:	6,176 SF

PARCEL 2B COMMERCIAL / RETAIL / MEDICAL BUILDING 2B (ALLOW FOR UP TO SEVEN COMMERCIAL CONDO UNITS)	
BUILD 2B - UNIT 101	2,016 SF
BUILD 2B - UNIT 102	2,016 SF
BUILD 2B - UNIT 103	2,016 SF
BUILD 2B - UNIT 104	2,016 SF
BUILD 2B - UNIT 105	2,016 SF
BUILD 2B - UNIT 106	2,016 SF
BUILD 2B - UNIT 107	2,016 SF
COMMON UTILITY ROOM	128 SF
BUILD 2B TOTAL:	14,128 SF

PARCEL 3 DRIVE-THRU RETAIL BUILDING (SINGLE TENANT) SINGLE TENANT BUILD 3 TOTAL:	3,500 SF
	3,500 SF

MULTI-FAMILY RESIDENTIAL PARCEL 4 MULTI-FAMILY RESIDENTIAL (NINE (9) SINGLE STAPLE HOUSES BUILDING) SINGLE STAPLE HOUSES BUILDING TOTAL MULTI-FAMILY BLDG AREA:	105,451 SF
CLUBHOUSE BLDG AREA	6,634 SF
TOTAL:	112,085 SF

1 BLDG UNITS	112,085 SF
2 BLDG UNITS	224,170 SF
3 BLDG UNITS	336,255 SF
4 BLDG UNITS	448,340 SF
5 BLDG UNITS	560,425 SF
6 BLDG UNITS	672,510 SF
7 BLDG UNITS	784,595 SF
8 BLDG UNITS	896,680 SF
9 BLDG UNITS	1,008,765 SF
10 BLDG UNITS	1,120,850 SF
11 BLDG UNITS	1,232,935 SF
12 BLDG UNITS	1,345,020 SF
13 BLDG UNITS	1,457,105 SF
14 BLDG UNITS	1,569,190 SF
15 BLDG UNITS	1,681,275 SF
16 BLDG UNITS	1,793,360 SF
17 BLDG UNITS	1,905,445 SF
18 BLDG UNITS	2,017,530 SF
19 BLDG UNITS	2,129,615 SF
20 BLDG UNITS	2,241,700 SF
21 BLDG UNITS	2,353,785 SF
22 BLDG UNITS	2,465,870 SF
23 BLDG UNITS	2,577,955 SF
24 BLDG UNITS	2,690,040 SF
25 BLDG UNITS	2,802,125 SF
26 BLDG UNITS	2,914,210 SF
27 BLDG UNITS	3,026,295 SF
28 BLDG UNITS	3,138,380 SF
29 BLDG UNITS	3,250,465 SF
30 BLDG UNITS	3,362,550 SF
31 BLDG UNITS	3,474,635 SF
32 BLDG UNITS	3,586,720 SF
33 BLDG UNITS	3,698,805 SF
34 BLDG UNITS	3,810,890 SF
35 BLDG UNITS	3,922,975 SF
36 BLDG UNITS	4,035,060 SF
37 BLDG UNITS	4,147,145 SF
38 BLDG UNITS	4,259,230 SF
39 BLDG UNITS	4,371,315 SF
40 BLDG UNITS	4,483,400 SF
41 BLDG UNITS	4,595,485 SF
42 BLDG UNITS	4,707,570 SF
43 BLDG UNITS	4,819,655 SF
44 BLDG UNITS	4,931,740 SF
45 BLDG UNITS	5,043,825 SF
46 BLDG UNITS	5,155,910 SF
47 BLDG UNITS	5,267,995 SF
48 BLDG UNITS	5,380,080 SF
49 BLDG UNITS	5,492,165 SF
50 BLDG UNITS	5,604,250 SF
51 BLDG UNITS	5,716,335 SF
52 BLDG UNITS	5,828,420 SF
53 BLDG UNITS	5,940,505 SF
54 BLDG UNITS	6,052,590 SF
55 BLDG UNITS	6,164,675 SF
56 BLDG UNITS	6,276,760 SF
57 BLDG UNITS	6,388,845 SF
58 BLDG UNITS	6,500,930 SF
59 BLDG UNITS	6,613,015 SF
60 BLDG UNITS	6,725,100 SF
61 BLDG UNITS	6,837,185 SF
62 BLDG UNITS	6,949,270 SF
63 BLDG UNITS	7,061,355 SF
64 BLDG UNITS	7,173,440 SF
65 BLDG UNITS	7,285,525 SF
66 BLDG UNITS	7,397,610 SF
67 BLDG UNITS	7,509,695 SF
68 BLDG UNITS	7,621,780 SF
69 BLDG UNITS	7,733,865 SF
70 BLDG UNITS	7,845,950 SF
71 BLDG UNITS	7,958,035 SF
72 BLDG UNITS	8,070,120 SF
73 BLDG UNITS	8,182,205 SF
74 BLDG UNITS	8,294,290 SF
75 BLDG UNITS	8,406,375 SF
76 BLDG UNITS	8,518,460 SF
77 BLDG UNITS	8,630,545 SF
78 BLDG UNITS	8,742,630 SF
79 BLDG UNITS	8,854,715 SF
80 BLDG UNITS	8,966,800 SF
81 BLDG UNITS	9,078,885 SF
82 BLDG UNITS	9,190,970 SF
83 BLDG UNITS	9,303,055 SF
84 BLDG UNITS	9,415,140 SF
85 BLDG UNITS	9,527,225 SF
86 BLDG UNITS	9,639,310 SF
87 BLDG UNITS	9,751,395 SF
88 BLDG UNITS	9,863,480 SF
89 BLDG UNITS	9,975,565 SF
90 BLDG UNITS	10,087,650 SF
91 BLDG UNITS	10,199,735 SF
92 BLDG UNITS	10,311,820 SF
93 BLDG UNITS	10,423,905 SF
94 BLDG UNITS	10,535,990 SF
95 BLDG UNITS	10,648,075 SF
96 BLDG UNITS	10,760,160 SF
97 BLDG UNITS	10,872,245 SF
98 BLDG UNITS	10,984,330 SF
99 BLDG UNITS	11,096,415 SF
100 BLDG UNITS	11,208,500 SF

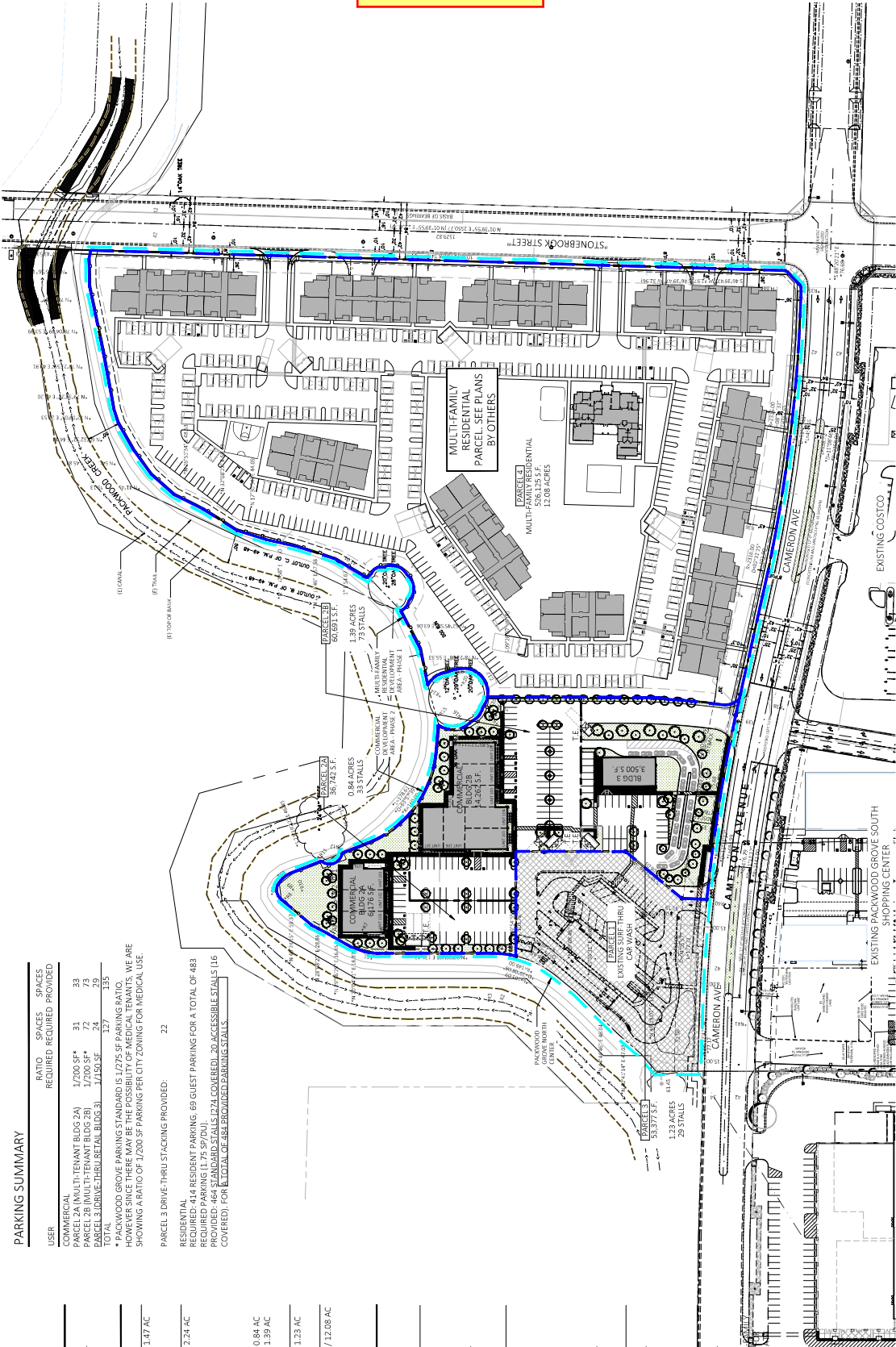
PARKING SUMMARY

USER	RATIO	SPACES REQUIRED	SPACES PROVIDED
COMMERCIAL			
PARCEL 2A (MULTI-TENANT BLDG 2A)	1,700 SF*	31	33
PARCEL 2B (MULTI-TENANT BLDG 2B)	1,700 SF*	72	73
PARCEL 3 (DRIVE-THRU RETAIL BLDG 3)	1,150 SF	24	29
TOTAL		127	135

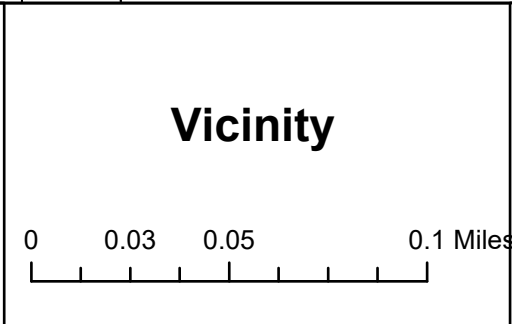
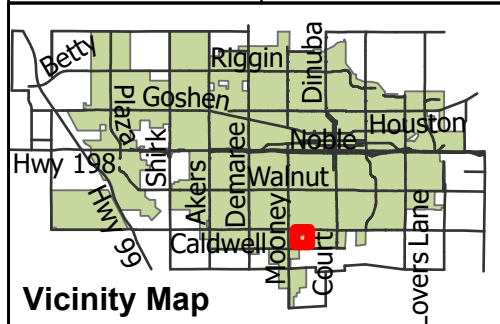
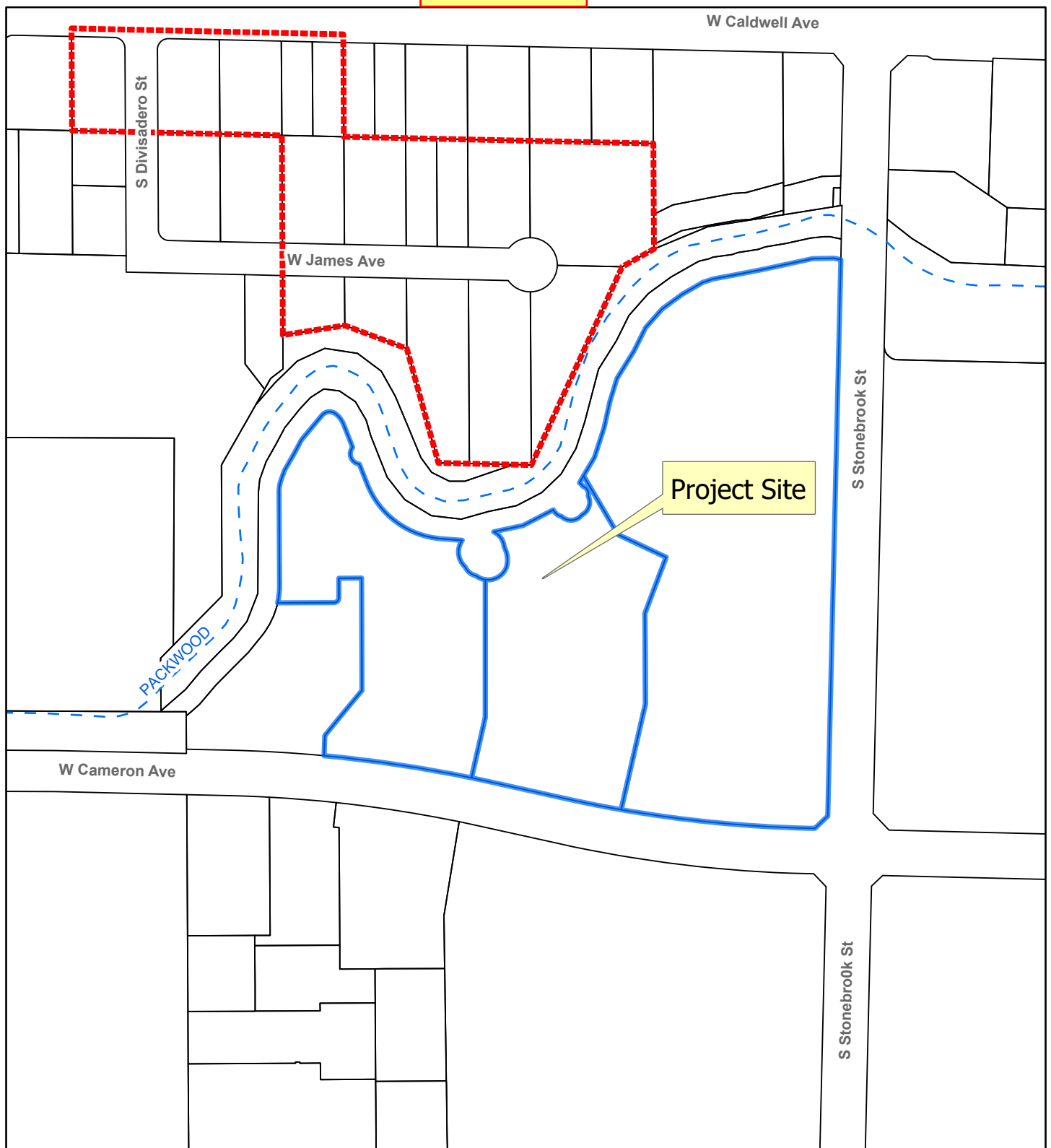
* PACKWOOD GROVE PARKING STANDARD IS 1,775 SF PARKING RATIO. HOWEVER SINCE THERE MAY BE POSSIBLE ADJUTANT TENANTS, WE ARE SHOWING A RATIO OF 1,700 SF PARKING PER CITY ZONING FOR MEDICAL USE.

RESIDENTIAL

RESIDENTIAL - RESIDENT PARKING: 69 GUEST PARKING FOR A TOTAL OF 483 REQUIRED PARKING (1,775 SPOTS) (274 COVERED, 20 ACCESSIBLE STALLS (16 COVERED), FOR A TOTAL OF 484 PROVIDED PARKING STALLS.



1 OVERALL SITE PLAN



City of Visalia

Memo



To: Planning Commission

From: Josh Dan, Senior Planner

Date: October 13, 2025

Re: Time Extension for Conditional Use Permit No. 2024-19

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Conditional Use Permit No. 2024-19 that will expire on May 28, 2026, pursuant to Zoning Ordinance Section 17.38.030.

BACKGROUND:

Conditional Use Permit (CUP) No. 2024-19 was a request by Mulberry Springs LLC, to entitle a “blanket” approval for medical uses, except massage therapy, in the C-R (Regional Commercial) Zone. The project site is located on vacant property at the northwest corner of West Cameron Avenue and South Stonebrook Street. ((APN: 122-332-039).

On May 28, 2024, the Visalia Planning Commission conducted a public hearing and approved CUP No. 2024-19 by a 5-0 vote subject to the findings and conditions per Resolution No. 2024-32.

REQUEST

The expiration date of the CUP is May 28, 2026, two years from the date of the Planning Commission’s approval. The time extension request was received in a timely manner on September 19, 2025. The applicant has requested a one-year time extension as described in the attached correspondence. This would be the first applicant-requested time extension for this CUP and the only time extension eligible for the CUP under Zoning Ordinance Section 17.38.030, which allows for up to a one-year time extension. If granted by the Planning Commission, the extension allows a total of three years from date of approval for the applicant to act upon the CUP.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, May 28, 2027, to have a building permit issued from the City and commence and diligently pursue construction toward completion on the site. If the request is denied, the applicant would have to re-file a new CUP application.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2024-32 for Conditional Use Permit No. 2024-19

3. Site Plan
4. Location Map



September 19, 2025

Josh Dan, Senior Planner
City of Visalia, Community Development Department
315 E. Acequia Avenue
Visalia, CA 93291
Tel: (559) 713-4003
Email: josh.dan@visalia.city

Sent Via Email: josh.dan@visalia.city

Re: Request for One (1) Year Extension of CUP No. 2024-19

Dear Josh,


Our Packwood Grove North project, located at the northwest corner of West Cameron Avenue and South Stonebrook Street (APN 122-332-039), is currently entitled under CUP No. 2024-19, which is set to expire on May 28, 2026.

On behalf of Mulberry Springs LLC, please accept this letter as our formal request for a one-year extension of the referenced Conditional Use Permit, extending the expiration date to May 28, 2027.

We kindly ask that you confirm receipt of this CUP extension request at your earliest convenience. Additionally, please advise us of the current filing fee amount so that we may promptly process and submit payment. We respectfully request that this item be scheduled for the next available Planning Commission meeting.

Sincerely,

Mulberry Springs, LLC,
a California Limited Liability Corporation

By: 
Matt Nohr

CC: Paul Bernal (via email: paul.bernal@visalia.city)
Brandon Smith (via email: brandon.smith@visalia.city)
Patrick Orosco (via email: porosco@oroscogroup.com)
Chris Orosco (via email: corosco@oroscogroup.com)

RESOLUTION NO. 2024-32

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-19, A REQUEST BY MULBERRY SPRINGS LLC, TO ENTITLE A "BLANKET" APPROVAL FOR MEDICAL USES, EXCEPT MASSAGE THERAPY, IN THE C-R (REGIONAL COMMERCIAL) ZONE. THE PROJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF WEST CAMERON AVENUE AND SOUTH STONEBROOK STREET.
(ADDRESS: N/A) (APNS: 122-332-039)

WHEREAS, Conditional Use Permit No. 2024-19, is a request by Mulberry Springs LLC, to entitle a "blanket" approval for medical uses, except massage therapy, in the C-R (Regional Commercial) Zone. The project site is located at the northwest corner of West Cameron Avenue and South Stonebrook Street. (Address: N/A) (APNs: 122-332-039); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 28, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-19, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15332.

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 within 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 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 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 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-28).

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

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review Nos. 2023-112 & 2023-166.
2. That any development within either phase be developed in substantial compliance with the Site Plan in Exhibit "A", the project narrative in Exhibit "B", and Tentative Landscaping Plan in Exhibit "C".
3. That all previous Conditions of Approval for Conditional Use Permit No. 2024-02 and Resolution No. 2024-02, and Tentative Parcel Map No. 2024-01 and Resolution No. 2023-71 shall be complied with in addition to all conditions provided within.
4. That each end user proposing to establish a business within the commercial condominium spaces must submit a Site Plan Review application demonstrating compliance and consistency with the hours, dates, and staffing operations as identified per Exhibit "B" of this conditional use permit.
5. That the developer resubmit back to Site Plan Review for any proposed modifications to the phasing plan as approved per Conditional Use Permit No. 2024-02. Modifications to the project phasing will require an amendment to Conditional Use Permit No. 2024-02.
6. That the 'Massage Therapist' use is not a use listed in Exhibit "B" and therefore is not covered under this conditional use permit.
7. That any changes to operations and uses are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
8. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELO), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of Compliance stating that the project meets MWELO standards shall be submitted to the City.
9. That all other federal, state and city laws, codes and ordinances be complied with.

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

AYES: Commissioners Davis, Tavarez, Hansen

NOES: Commissioners Beatie, Peck

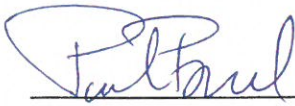
ABSTAINED:

ABSENT:

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

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2024-32, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 28, 2024.



Paul Bernal, Community Development Director



Adam Peck, Chairperson

PROJECT INFORMATION

ZONING CLASSIFICATION	
JURISDICTION	VISALIA, CA
EXISTING ZONE	C25C COMMUNITY COMMERCIAL
GENERAL PLAN	COMMERCIAL

SITE AREA	
ADJUSTED PARCEL 1 - (E) FULLY DEVELOPED SURF-THRU CAR WASH (NOT A PART OF PROJECT)	64,074 SF / 1.47 AC

ADJUSTED PARCEL 2 (COMMERCIAL)
(E) UNDEVELOPED ADJUSTED PARCEL 2: 97,433 SF / 2.24 AC
THIS PROJECT PROPOSES A MINOR
SUBDIVISION (LOT SPLIT OF PREVIOUSLY
APPROVED LOT LINE ADJUSTED PARCEL 2)
TO CREATE THE FOLLOWING PARCELS:

PROPOSED LOT SPLIT PARCEL 2A:	36,742 SF / 0.84 AC
PROPOSED LOT SPLIT PARCEL 2B:	60,691 SF / 1.39 AC

ADJUSTED PARCEL 3 (COMMERCIAL) (E) UNDEVELOPED ADJUSTED PARCEL 3: 53,377 SF / 1.23 AC	
ADJUSTED PARCEL 4 (MULTI-FAMILY) (E) UNDEVELOPED ADJUSTED PARCEL 4: 526,125 SF / 12.08 AC	

TOTAL SITE AREA: 15,555 AC

BUILDING INFORMATION

COMMERCIAL	
PARCEL 2A COMMERCIAL / RETAIL / MEDICAL BUILDING 2A (ALLOW FOR UP TO THREE COMMERCIAL CONDO UNITS)	
BLDG 2A - UNIT 01	2,016 SF
BLDG 2A - UNIT 02	2,016 SF
BLDG 2A - UNIT 03	2,016 SF
COMMON UTILITY ROOM	128 SF
BLDG 2A TOTAL:	6,176 SF

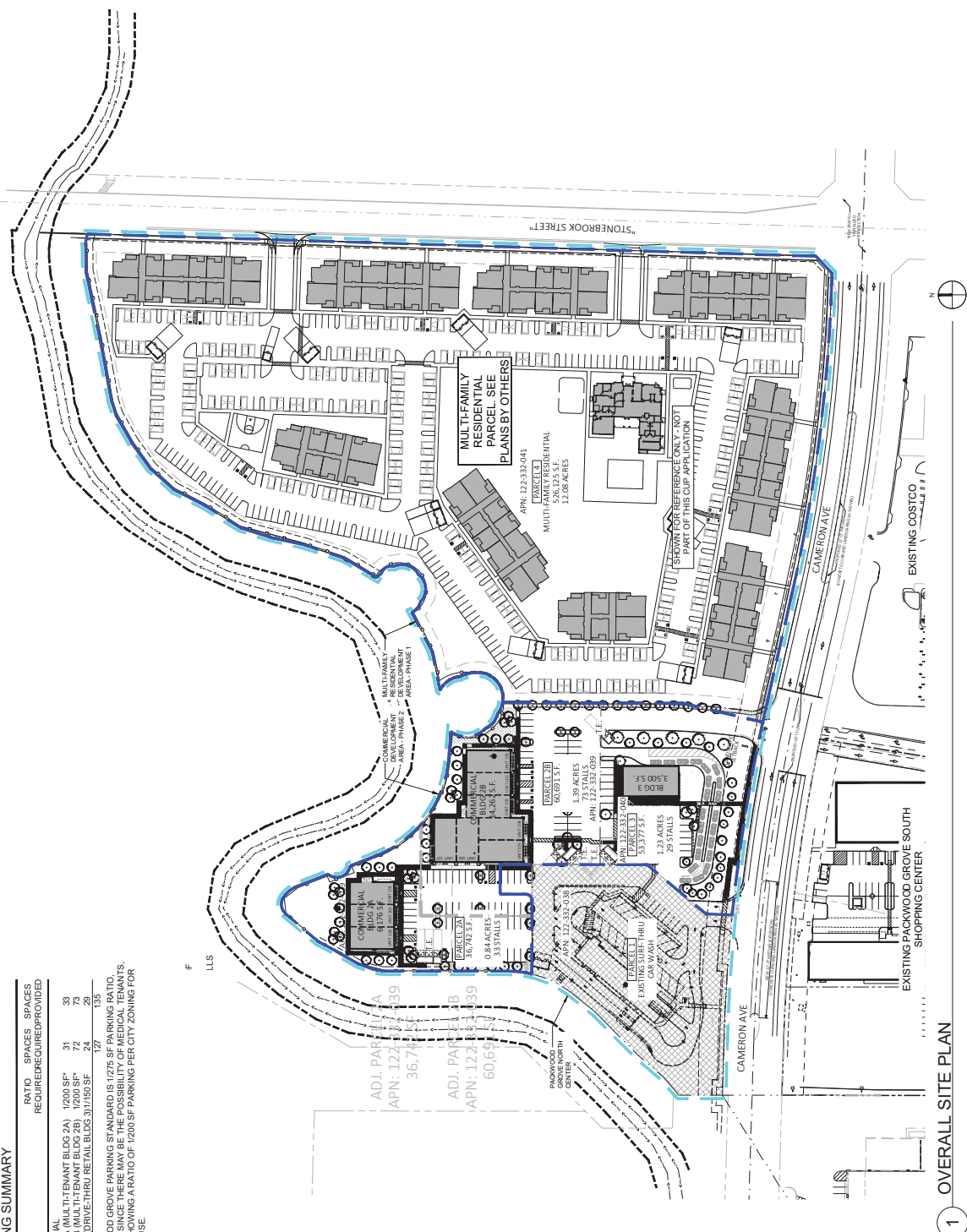
PARCEL 2B COMMERCIAL / RETAIL / MEDICAL BUILDING 2B (ALLOW FOR UP TO SEVEN COMMERCIAL CONDO UNITS)	
BLDG 2B - UNIT 01	2,016 SF
BLDG 2B - UNIT 02	2,016 SF
BLDG 2B - UNIT 03	2,016 SF
BLDG 2B - UNIT 04	2,016 SF
BLDG 2B - UNIT 05	2,016 SF
BLDG 2B - UNIT 06	2,016 SF
BLDG 2B - UNIT 07	2,016 SF
COMMON UTILITY ROOM	155 SF
BLDG 2B TOTAL:	14,262 SF

PARCEL 3 DRIVE-THRU RETAIL BUILDING (SINGLE TENANT) BLDG 3 TOTAL:	
BLDG 3 - SINGLE TENANT	3,500 SF
BLDG 3 TOTAL:	3,500 SF

PARKING SUMMARY

USER	RATIO REQUIRED	SPACES PROVIDED
COMMERCIAL		
PARCEL 2A (MULTI-TENANT BLDG 2A)	1200 SF*	31
PARCEL 2B (MULTI-TENANT BLDG 2B)	1200 SF	72
PARCEL 3 (DRIVE-THRU RETAIL BLDG 3)	311/150 SF	24
TOTAL		127

* PACKWOOD GROVE PARKING STANDARD IS 1/275 SF PARKING RATIO.
PACKWOOD GROVE PARKING STANDARD IS 1/275 SF PARKING RATIO.
WE ARE SHOWING A RATIO OF 1200 SF PARKING PER CITY ZONING FOR
MEDICAL USE.



1 OVERALL SITE PLAN

rdc.
Long Beach, CA | 562.628.8000 | rdcollaborative.com

Client

MULBERRY SPRINGS, LLC
10 Hens Court, Suite B-1
Manserv, CA 93540

PROJECT

Packwood Grove North
Tenant Medical Uses CUP
Cameron Avenue & Storebrook Street
Visalia, CA 93277

OVERALL SITE PLAN

SCALE: 1" = 70'-0"
12/10/2023

A101

CONCEPTUAL SITE PLAN

SCALE: 1" = 70'-0"
12/19/2023

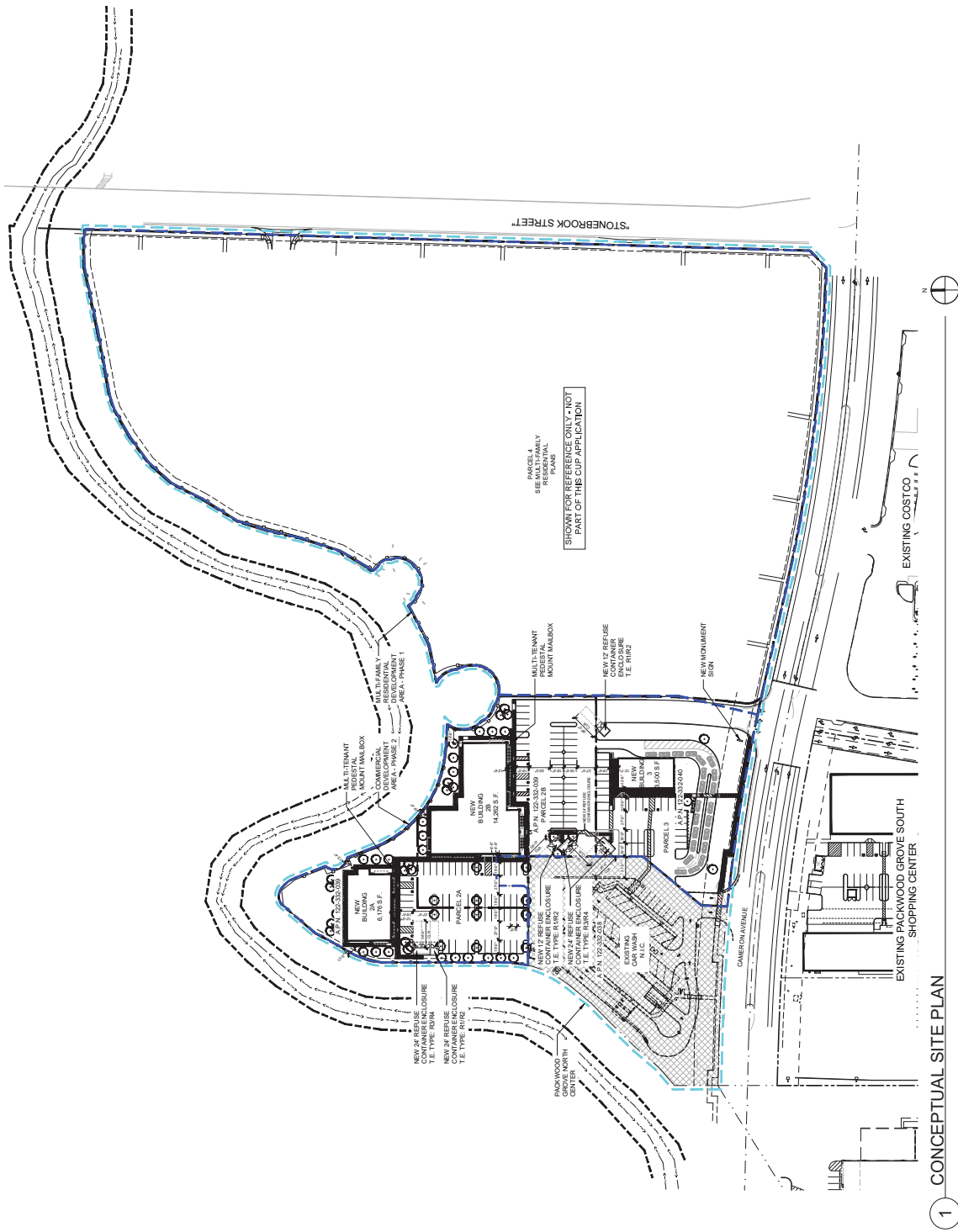
**Packwood Grove North
Tenant Medical Uses CUP**
Cameron Avenue & Stonebrook Street

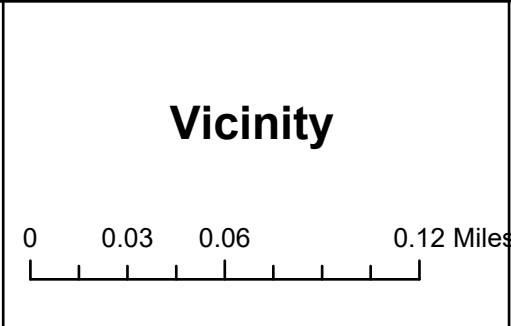
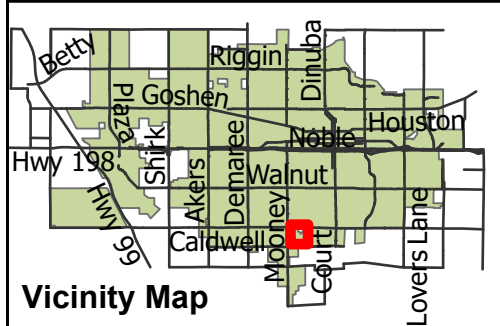
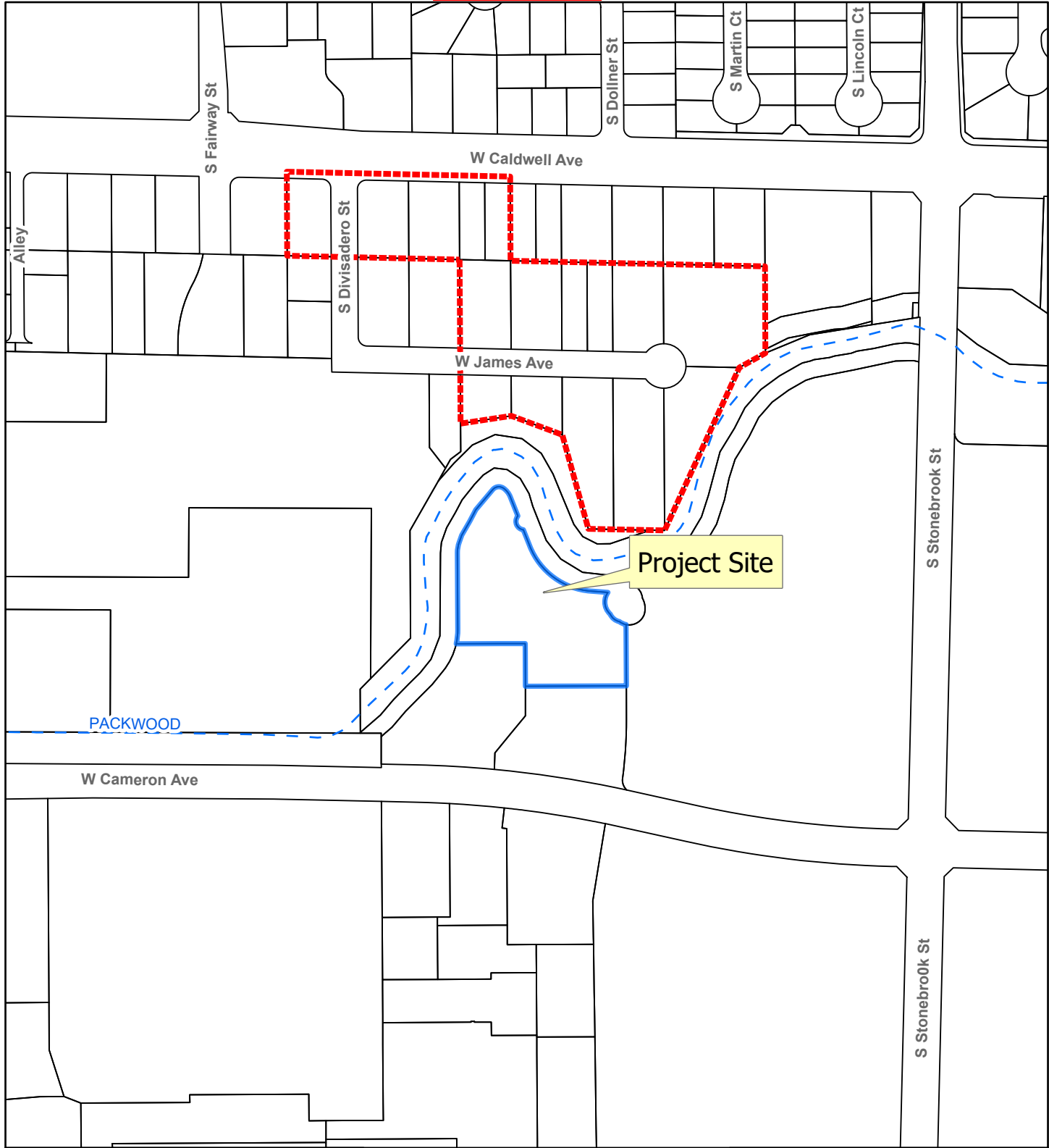
MULBERRY SPRINGS, LLC

Client

PROJECT

PLANS PROVIDED ARE FROM PACKWOOD GROVE NORTH MASTER CUP (C0124-003 & TMP/24-001) FOR REFERENCE ONLY. THIS PACKWOOD GROVE NORTH COMMERCIAL - TENANT MEDICAL USES CUP APPLICATION DOES NOT PROPOSE ANY ALTERATIONS TO PLANS FROM THE MASTER CUP (C0124-003 & TMP/24-001)







REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: October 13, 2025

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

SUBJECT: Revocation of Conditional Use Permit No. 2025-05: A request by the City of Visalia, pursuant to Municipal Code section 17.38.040, to revoke Conditional Use Permit No. 2025-05, which allows 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 revoking Conditional Use Permit No. 2025-05. Staff's recommendation is based on the conclusion that the owner/operator has failed to comply with the terms and conditions of the Conditional Use Permit and the Visalia Municipal Code resulting in life safety violations in regards to Building and Fire codes.

RECOMMENDED MOTION

I move to approve revocation of Conditional Use Permit No. 2025-05, based on the findings and conditions in Resolution No. 2025-50.

BACKGROUND

Conditional Use Permit (CUP) No. 2025-05, approved by Planning Commission on May 27, 2025, subject to the conditions of approval per Resolution No. 2025-14, permitted live entertainment within a bona fide restaurant (i.e. Sebby's). Per the staff report for CUP 2025-05, live entertainment at Sebby's restaurant consisted primarily of amplified musical acts (i.e. DJ) with dancing in the open floor area provided. During the live entertainment, the applicant requested an adjusted floor plan that had tables 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 area was increased to allow for additional patrons.

The approval to permit live entertainment was conditioned in a manner that explicitly requires management and operational requirements to be adhered to at all times to ensure a safe environment is provided during live entertainment activities for both patrons of the establishment and to the surrounding businesses. Per the resolution, live entertainment activities were permitted only three nights per week and during the hours of 9:00 p.m. to 2:00 a.m. Additionally, with the increase of space for the requested dance floor area during live entertainment, the installation of fire sprinkler protection within the building area was required prior to the beginning of any live entertainment. The CUP was conditioned that the property owner and/or their designee should 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 the site should be completed and the permit finalized by the Building Safety Division prior to any live entertainment activities occurring within the establishment. As noted, in the May 27, 2025, staff report and pursuant to Visalia Municipal Code Section 17.38.040, *"failure by the owner/operator to comply with the conditions may result in a hearing to revoke the CUP."*

The request to revoke Conditional Use Permit (CUP) No. 2025-05 is in response to violations of the terms and conditions of the conditional use permit and Municipal Code provisions by this business, Sebby's, who proceeded to permit live entertainment activities within the restaurant while not meeting their conditions as specified in Resolution No. 2025-14, a copy of this resolution is attached as Attachment "D". On August 5, 2025, a Cease and Desist (Attachment "A") was posted on the business by City of Visalia Code Enforcement in response to a reported violation submitted to the Neighborhood Preservation Division regarding live entertainment activities occurring on-site without completing and finalizing all required conditions of project approval. Upon notification of the non-compliance, on August 12, 2025, a "Notice of Potential Conditional Use Permit Suspension / Revocation" letter was sent by certified mail and email to both the property owner and business operator from the Planning Division informing them that any attempts to provide live entertainment activities within the establishment while conditions for the business/use are not being complied with, would result in the Planning Division issuing a CUP suspension letter and would move to seek revocation of the Conditional Use Permit No. 2025-05. A copy of that letter is provided as Attachment "B" to this staff report. Please note that the use of the restaurant continued to be permitted to operate, and the Notice of Potential CUP suspension/revocation was only related to the ancillary live entertainment use.

In the early morning hours of September 6, 2025, the Visalia Police Department responded to Sebby's restaurant due to a shooting that occurred within this establishment. During the ongoing investigation, the Visalia Police Department was informed that live entertainment activities were occurring in Sebby's restaurant. Upon verifying this information, the Police Department contacted the Planning and Community Preservation Department to inform them of what occurred. Upon receiving this information, on the morning of September 6th, 2025, the restaurant was posted with a Cease and Desist Order for all activities, including use of the restaurant, and a CUP Suspension and Notice of Revocation letter was issued to both the property owner and business owner. A copy of these documents are provided as Attachment "C".

Pursuant to Section 17.38.040 of the Zoning Ordinance, 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 ensure 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 of the Zoning Ordinance. Please note, pursuant to Section 17.38.050, following 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 revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council.

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
Special Districts:	Downtown Retail Overlay District

RELATED PROJECT

On May 27, 2025, Conditional Use Permit No. 2025-05, was approved which allows live entertainment at the existing Sebby's restaurant located at 229 East Main Street, in the D-MU (Downtown Mixed Use) Zone. A copy of the staff report and resolution is attached to this staff report as Attachment "E."

REVOCATION REQUEST

Staff recommends the revocation of Conditional Use Permit No. 2025-05 based on the operator/owner failure to comply with the terms and conditions of the conditional use permit and the Visalia Municipal Code as analyzed below. Staff conducted a review of the Conditional Use Permit (CUP) at this site address.

Analysis of Live Entertainment Revocation Request

The City of Visalia has long recognized the importance of the downtown area which represents the center of the city offering a wide range of commercial establishments, stores, restaurants, mixed with offices and some residential uses. In addition to being a major center for employment, there are several commercial establishments that have been approved, via a discretionary review process and subject to operating conditions, that offer various live entertainment options in the latter part of the evening which are intended to be ancillary to the primary commercial establishments use (i.e., bona fide restaurant).

These live entertainment approvals are recognized as a way to provide the downtown with a variety of entertainment options for patrons to enjoy dancing, singing, and listening to local artist in the late evening hours, and on the weekends. However, when these establishments fail to properly comply with the conditions/requirements imposed on them to ensure entertainment activities are done in a manner to protect their patrons, this often results in the City of Visalia having to apply significant staff resources to monitor and combat unruly behavior that can lead to negative impacts to the downtown area, surrounding businesses, and to the safety of visitors to the downtown area.

As provided in the attached letter (see Attachment "B"), the owner of Sebby's failed to comply with the conditions of their CUP after being notified that failure to meet their requirements, including completing the necessary building/tenant improvements within the restaurant, would result in a CUP suspension and revocation of live entertainment. The business owners disregard upon receiving this notification and continuing to host live entertainment in non-

compliance places a strain on city resources and creates life and safety issues to the patrons and visitors of the downtown area. An overview of the activity of Sebby's is as follows:

- On May 27, 2025, Planning Commission approved CUP No. 2025-05 based on the conditions in Resolution No. 2025-14 (Attachment "D").
- On August 5, 2025, Code Enforcement receives a complaint regarding live entertainment at the site. A Cease and Desist was posted by Code Enforcement for non-compliance with CUP No. 2025-05 (Attachment "A").
- On August 12, 2025, the Planning Division sent the business and property owners a Notice of Potential CUP Suspension / Revocation (Attachment "B") for non-compliance with CUP No. 2025-05.
- On August 15, 2025, Fire suppression plans were submitted to the Building Safety Division for review (B253680). These plans were reviewed, approved and issued to a licensed contractor. However, the work to install the fire sprinkler line was not installed, nor were any inspection request submitted to the Building Division as a requirement of Condition No. 4 of Resolution No. 2025-14 of CUP No. 2025-05.
- On September 6, 2025, the Visalia Police Department respond to a shooting at Sebby's restaurant. During the course of the Police Departments investigation, it was confirmed that live entertainment activities were occurring when the shooting occurred. A Cease and Desist Order was posted on the property by the Community Preservation Manager and a Conditional Use Permit Suspension letter was sent via certified mail to both the property owner and business owner (Attachment "C"). This letter was also e-mailed to both the property owner and business owner.

The issues noted above are in violation of the Conditions of Approval (COA) as adopted per Resolution No. 2025-14 (Attachment "D"). The COA violated is summarized below:

- **COA No. 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.*

Analysis: Based on the increased occupant load during the hours of live entertainment, Condition No. 4 was adopted to ensure that a fire sprinkler plan was submitted, reviewed, approved and finalized by the City of Visalia Engineering and Building Department, prior to the live entertainment use being permitted within this establishment. The business owner failed to meet this condition and continued to operate the live entertainment use in blatant disregard of the COA, potentially endangering patrons as a result of not complying with life and safety requirements. This is evident based on the Cease and Desist Order posted on August 5, 2025.

Staff's recommendation to revoke the CUP should not come as surprise to the business owner as the 2025 Planning Commission staff report explicitly detailed, in two instances, that failure by the property owner or establishment operator to comply with the conditions may result in a hearing to revoke the CUP. This was noted under both the "Inter-Departmental Review" and "Conditional Use Permit Revocation Process" sections and included as COA No. 19 which can be found in the attached Planning Commission Staff Report dated May 27, 2025 (see Attachment "D" and "F").

RECOMMENDED FINDINGS

1. That Sebby's Restaurant establishment has been in violation of adopted conditions, as required per the terms and conditions of Conditional Use Permit No. 2025-05 and adopted per Resolution No. 2025-14.
2. That continuing to allow live entertainment activities within the restaurant establishment under the current Conditional Use Permit may have a negative impact on the surrounding businesses and downtown area due to the repeated failures of the establishments at this location to meet applicable requirements, including but not limited to: complying with the required fire sprinkler installation, and implementing a security plan to monitor the behavior of customers inside the building when live entertainment activities are occurring.
3. That the Notice of Conditional Use Permit Suspension was issued by the City of Visalia on September 6, 2025, pursuant to Section 17.38.040 of the Zoning Ordinance.

APPEAL INFORMATION

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

Attachments:

- Resolution No. 2025-50
- Attachment "A" – August 5, 2025 Cease and Desist
- Attachment "B" – Notice of Potential Conditional Use Permit Suspension/Revocation
- Attachment "C" – September 6, 2025 Cease and Desist and Conditional Use Permit Suspension/Revocation Letter
- Attachment "D" – Resolution No. 2025-14 for Conditional Use Permit No. 2025-05
- Attachment "E" – Staff Report for CUP No. 2025-05 dated May 27, 2025
- Attachment "F" – Conditional Use Permit Section 17.38
- Aerial Map

RESOLUTION NO. 2025-50

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING A REQUEST BY THE CITY OF VISALIA, PURSUANT TO MUNICIPAL CODE SECTION 17.38.040, TO REVOKE CONDITIONAL USE PERMIT NO. 2025-05, WHICH ALLOWS 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, was a request to allow live entertainment three times per week, between the hours of 9:00 p.m. and 2:00 a.m. as an ancillary use with the bona fide existing Sebbby's restaurant located at 229 East Main Street in the D-MU (Downtown Mixed Use) zone (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 found the Conditional Permit No. 2025-05, as conditioned per Resolution No. 2025-14, 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, on August 5, 2025, the Code Enforcement Division received evidence of live entertainment occurring at the site without the business/establishment complying with their conditions which includes installation of fire sprinklers, a violation of Condition No. 4 of adopted Resolution No. 2025-14; and

WHEREAS, on August 5, 2025, the Code Enforcement Division issued a Cease and Desist Order for live entertainment at the business located at 229 East Main Street; and

WHEREAS, on August 12, 2025, the Planning Division issued a Notice of Potential Conditional Use Permit Suspension / Revocation to the business at 229 East Main Street in regards to live entertainment occurring at the site without compliance with adopted Resolution No. 2025-14; and

WHEREAS, on September 6, 2025, a shooting occurred at the site during unpermitted live entertainment activities resulting in a homicide. This was in violation of Condition No. 4 of adopted Resolution No. 2025-14. A second Cease and Desist Order was issued by the Code Enforcement Division which stipulated that both the use of the restaurant and live entertainment activities we no longer permitted to occur at 229 East Main Street; and

WHEREAS, the Planning Division, via certified mail, issued a Conditional Use Permit Suspension letter informing both the property owner and business owner that Conditional Use Permit No. 2025-05 is suspended, and the restaurant is no longer permitted to hold any live entertainment function, and that within next 60 days a notice for public hearing before the Planning Commission would be noticed to revoke said conditional use permit; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on October 13, 2025; and

WHEREAS, the Planning Commission of the City of Visalia has considered the request for revocation of the Conditional Use Permit to be in accordance with Sections 17.38.040, 17.38.080, 17.38.090, 17.38.100 and 17.38.110 of the Zoning Ordinance of the City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia finds the owner/operator of the restaurant establishment to be in violation of the terms and conditions of approval for the Conditional Use Permit issued for live entertainment based on the evidence contained in the staff report and testimony presented at the public hearing.

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

1. That Sebby's Restaurant establishment has been in violation of adopted conditions, as required per the terms and conditions of Conditional Use Permit No. 2025-05 and adopted per Resolution No. 2025-14.
2. That continuing to allow live entertainment activities within the restaurant establishment under the current Conditional Use Permit may have a negative impact on the surrounding businesses and downtown area due to the repeated failures of the establishments at this location to meet applicable requirements, including but not limited to: complying with the required fire sprinkler installation, and implementing a security plan to monitor the behavior of customers inside the building when live entertainment activities are occurring.
3. That the Notice of Conditional Use Permit Suspension was issued by the City of Visalia on September 6, 2025, pursuant to Section 17.38.040 of the Zoning Ordinance.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the revocation of Conditional Use Permit No. 2025-05 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.



Attachment "A"

CEASE AND DESIST ORDER

Pursuant to Visalia Municipal Code Section 5.04.130 (E), Cease and Desist Orders shall be issued to any entity which:

Hosting Live Entertainment without Installation of the required Fire Sprinkler Projection System per Conditional Use Permit No. 2025-05.

Additionally, Visalia Municipal Code Section 8.40.030 (I) 2 states that any condition on a property that affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Section 8.40.030 Public Nuisance

It is hereby declared to be a public nuisance and a violation of this Chapter for an owner or other person in control of said property or premises to keep or maintain property, premises or rights-of-way in such a manner that any of the following conditions exist:

G. Any premises which detrimentally impacts the surrounding neighborhood because of dilapidation, deterioration or decay or is unsafe for the purpose for which it is being used or is not secured or is improperly secured;

I. Any condition on a property which meets the following requirements:

1. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life and property; and
2. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Under the Visalia Municipal Code Section 17.28.010, The purpose of the site plan review permit is to assure that developments, new and remodeled buildings and structures, and improvements to land are reviewed to ensure substantial compliance with the general plan, municipal code, policies, and improvement standards of the city.

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. (Ord. 2017-01 (part), 2017: prior code § 7525)

The business, Seby's, located at 229 E Main St is in noncompliance with this and other City Ordinances or regulatory agencies and as such is directed to immediately Cease and Desist conducting any further business until such time that the business is brought into compliance with all local, state and federal laws.

You are hereby ordered to immediately cease and desist any and all operations for this business until all required Municipal Code requirements are met.

For information regarding this order contact the City of Visalia Neighborhood Preservation Division at (559) 713-4192.

Date: Aug 5, 2025

By Order of: Martha Zavala
Code Enforcement Officer, CCEO



Attachment "B"

**Notice of
Potential Conditional Use Permit Suspension / Revocation**

August 12, 2025

Ramez Aldaoud
229 E. Main Street
Visalia, CA 93291

CASE NUMBER: **CE241070**
CONDITIONAL USE PERMIT (CUP) NO.: **2025-05**
RE: 229 East Main Street, Visalia, CA

Mr. Aldaoud,

This letter is to inform you that it has been brought to the attention of the City of Visalia's Planning Division that on August 5th, 2025, a reported violation was submitted to the Neighborhood Preservation Division regarding live entertainment activities occurring at 229 East Main Street (APN: 094-296-016). As noted in the Cease and Desist letter issued August 5, 2025, operating live entertainment without completing and finalizing all required conditions of project approval as adopted per Resolution No. 2025-14 for CUP No. 2025-05 is a violation of your CUP.

As required per Condition No. 4 approved per Resolution No. 2025-14, "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."

To date, no building plans have been submitted to the City of Visalia's Engineering and Building Department for review and approval of an indoor fire sprinkler system for the building located at 229 East Main Street.

Any further attempts to provide live entertainment activities within this establishment while conditions for this business/use are not being complied with, will result in the Planning Division issuing a CUP suspension letter and move to seek revocation of Conditional Use Permit No. 2025-05, pursuant to Section 17.38.040 of the Visalia Municipal Code which states:



VISALIA

Planning & Community Preservation Department
Planning Division

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 ensure 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. (Ord. 2017-01 (part), 2017: prior code § 7528)

Should you have any questions regarding the submittal requirements for building sprinkler plans, please contact the City of Visalia's Engineering and Building Department at (559) 713-4444 for any further information you may require in this regard.

Sincerely,

Paul Bernal, Director
Planning and Community Preservation Department
City of Visalia

Cc: Leslie Mosely LLC
James Koontz, Assistant City Attorney – via e-mail
Tracy Robertshaw, Neighborhood Preservation Manager – via e-mail
Colleen Moreno, Assistant Planner – via e-mail



Attachment "C"

CEASE AND DESIST ORDER

Pursuant to Visalia Municipal Code Section 5.04.130 (E), Cease and Desist Orders shall be issued to any entity which is in non-compliance with any city ordinance or regulatory agency.

CONDUCT OF PATRONS AND BUSINESS OWNER CREATING A PUBLIC NUISANCE FOR THE COMMUNITY

VMC 8.4.030

- I. Any condition on a property which meets the following requirements:
 1. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life and property; and
 2. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

The business, Sebbys Restaurant, located at 229 East Main Street, Visalia is in noncompliance with this and other City Ordinances or regulatory agencies and as such is directed to immediately Cease and Desist conducting any business until such time that the business is brought into compliance with all local, state and federal laws.

For information regarding this order contact the City of Visalia Neighborhood Preservation Division at 559)713-4534.

Date: 9-6-25

By Order of: Tracy Robertshaw
Code Enforcement Officer, CCEO

Affidavit of Posting and/ or Hand Delivery

I solemnly swear under penalty of perjury that on September 6, 2025, I personally posted a copy of this Violation Notice to the front of 229 E MAIN STREET, VISALIA.

TRACY ROBERTSHAW

559-713-4187

Code Enforcement Officer

Phone Number



Attachment "C"

**Notice of
Conditional Use Permit Suspension**

September 6, 2025

Leslie Mosely LLC
3501 South Willis Court
Visalia CA 93277

CASE NUMBER: **CE241070**
CONDITIONAL USE PERMIT (CUP) NO.: **2025-05**
RE: 229 East Main Street, Visalia, CA

Mr. Mosely,

This letter is to inform you, based on information and reporting provided to the City of Visalia's Neighborhood Preservation Division, that in the early morning hours of September 6th 2025, the Visalia Police Department responded to Sebby's restaurant located at 229 East Main Street (APN: 094-296-016) due to a shooting and homicide that occurred within this establishment. During the ongoing investigation, the Visalia Police Department was informed that live entertainment activities were occurring in Sebby's restaurant located at 229 East Main Street (APN: 094-296-016). As noted in the Cease and Desist letter issued August 5, 2025, and Notice of Potential Conditional Use Permit Suspension / Revocation letter issued August 12, 2025, operating live entertainment activities without completing and finalizing all required conditions of project approval as adopted per Resolution No. 2025-14 for Conditional use Permit No. 2025-05 is a violation of the conditional use permit.

As a result of not complying with all required conditions of project approval after being warned that failure to do so would result in immediate action by the Planning Division to suspend and seek revocation of Conditional Use Permit No. 2025-05, you are hereby issued this Notice of Conditional Use Permit Suspension. Conditional Use Permit No. 2025-05 is hereby suspended, and the restaurant is no longer permitted to hold any live entertainment function unless the Conditional Use Permit is reestablished by the Visalia Planning Commission or the Visalia City Council. This suspension is effective as of the date of this letter and is issued pursuant to Section 17.38.040 of the Visalia Municipal Code which states:

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 ensure 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. (Ord. 2017-01 (part), 2017: prior code § 7528).

A copy of Section 17.38.120 is also enclosed with this letter.

A public hearing to revoke Conditional Use Permit No. 2025-05 by the Planning Commission shall be held within the next sixty days. Notice of the public hearing shall be mailed to you, the current business owner, and all property owners within three hundred feet of the subject property and published in the local newspaper at least ten days in advance of the hearing.

Pursuant to Visalia Municipal Code Section 1.12.010, no person shall violate any provision of this code or fail to comply with the mandatory requirements of the ordinances of the City. Please be aware that any further violation of the provisions shall be punishable as a misdemeanor. Any person convicted of a misdemeanor shall be punished by a fine not to exceed \$1,000.00 or by imprisonment in County Jail not to exceed 6 months or by both such fine and imprisonment.

Regards,

Paul Bernal

Paul Bernal, Director
Planning and Community Preservation Department
City of Visalia

Enclosures:

1. Sections 17.02.145 and 17.38.120 of the Visalia Municipal Code

Cc: Leslie Caviglia, City Manager – via e-mail
John Lollis, Assistant City Manager – via e-mail
Ken Richardson, City Attorney – via e-mail
James Koontz, Assistant City Attorney – via e-mail
Jason Salazar, Chief of Police – via e-mail
Andrew Swarthout, Police Captain – via e-mail
Dan Ford, Police Captain – via e-mail
Mona Whaley, Police Lieutenant – via e-mail
Tracy Robertshaw, Neighborhood Preservation Manager – via e-mail
Sebby's Restaurant Owner/Operator – via e-mail & certified mail

17.02.145 Appeal to city council

Where the planning commission is authorized to make any decision pursuant to the provisions of Title 17 of the Visalia Municipal Code and that decision is to be subject to appeal to the city council, the following procedure shall apply.

- A. The subdivider or any interested person adversely affected may, upon payment of an appeal fee as may be established by resolution of the Council, appeal any decision, determination or requirement of the planning commission by filing a notice thereof in writing with the city*
- B. clerk, setting forth in detail the action and the grounds upon which the appeal is based within ten (10) days after the action that is the subject of the appeal. Such notice shall state specifically where it is claimed there was an error*
- C. or abuse of discretion by the planning commission.*
- D. Upon the filing of an appeal, the city council shall set the matter for hearing. Such hearings shall be held within thirty (30) days after the date of filing the appeal or receipt of council member requests. The city clerk shall give notice of the hearing according to the procedure required for the initial action by the Planning Commission, except that the timing of such notice shall be not less than 10 days before the hearing.*
- E. In holding the hearing on the matter, the Council may receive any and all inform*
- F. ation pertinent to the matter, regardless of whether such information was first presented to the planning commission. In the case of decisions by the planning commission that followed a public hearing, the city council shall hold a new public hearing on the matter. Upon the close of the hearing, the Council shall vote to either confirm the decision of the planning commission, overturn the decision, or confirm the decision with m*
- G. odifications, and the Council may continue the item to the next meeting if neces*
- H. sary to direct staff to prepare a conforming resolution with findings, which shall be considered by the Council at the next scheduled Council meeting. In the case of a tie vote, the planning commission decision shall stand, and shall be considered final as of the date of the Council vote. (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 3, 2007)*

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. (Ord. 2017-01 (part), 2017: prior code § 7536)*

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section [17.02.145](#). (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 6, 2007: prior code § 7537)

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 Sebbby's 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 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.

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

AYES: Commissioners Davis, Tavarez, Peck, Beatie

NOES:

ABSTAINED:

ABSENT: Commissioner Norman

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

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2025-14, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 27, 2025.



Paul Bernal, Planning and Community Preservation Director


Mary Beatie, Chairperson



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

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 Sundays¹. 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
CURRENT	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
PROPOSED	11:00AM - 2:00AM	11:00AM - 2:00AM	4:00PM - 2:00AM	4:00PM - 2:00AM	4:00PM - 2:00AM	4:00PM - 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.

¹ [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 Categorically 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 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:

NOISE LEVEL STANDARDS, dBA			
Category	Cumulative Number of minutes in any one-hour time period	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 Sebbby's 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:

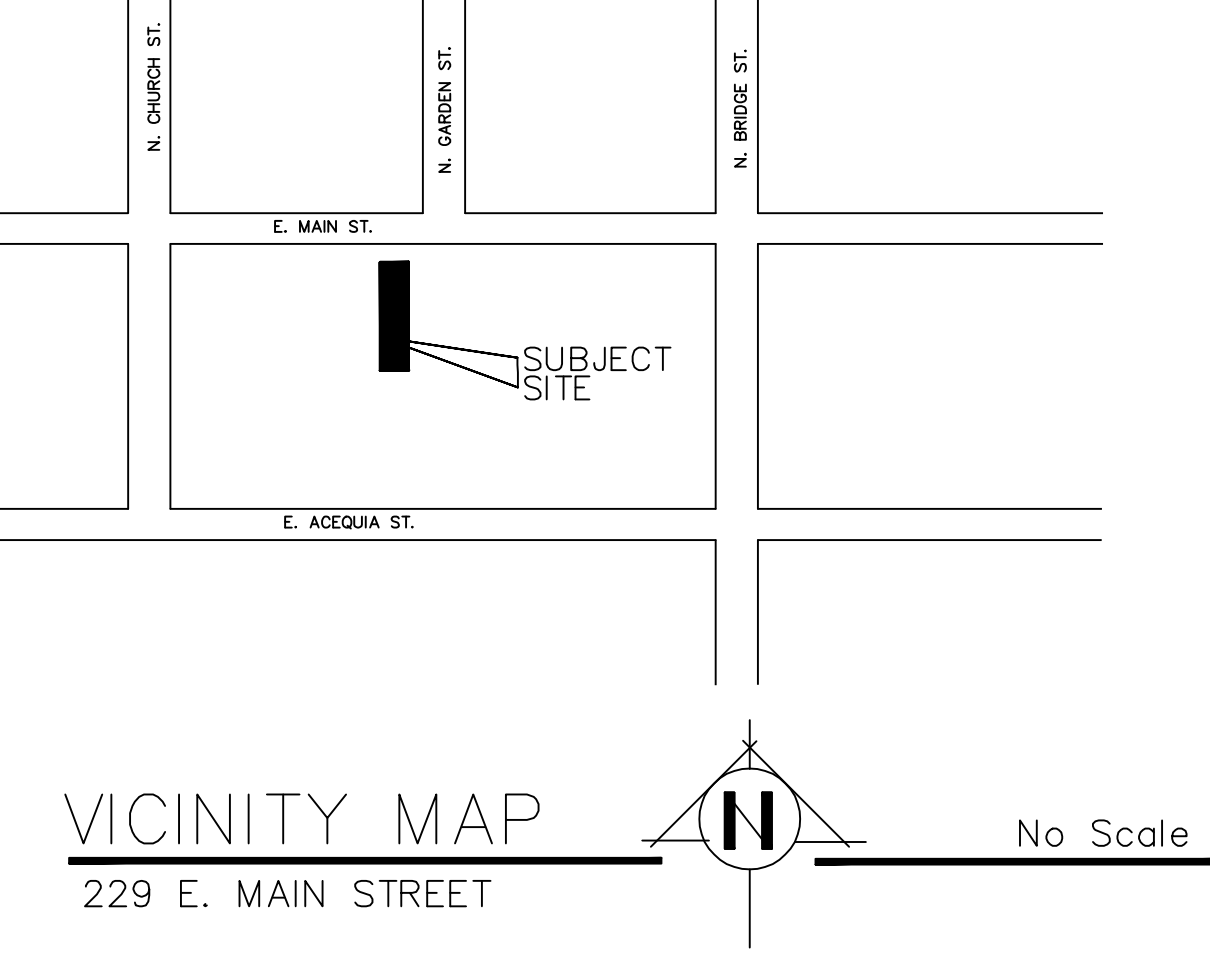
RAMEZ ALDAOUD
229 E. MAIN ST.
VISALIA, CA. 93277
661-305-70696
sebbys2024@gmail.com

APPLICANT:

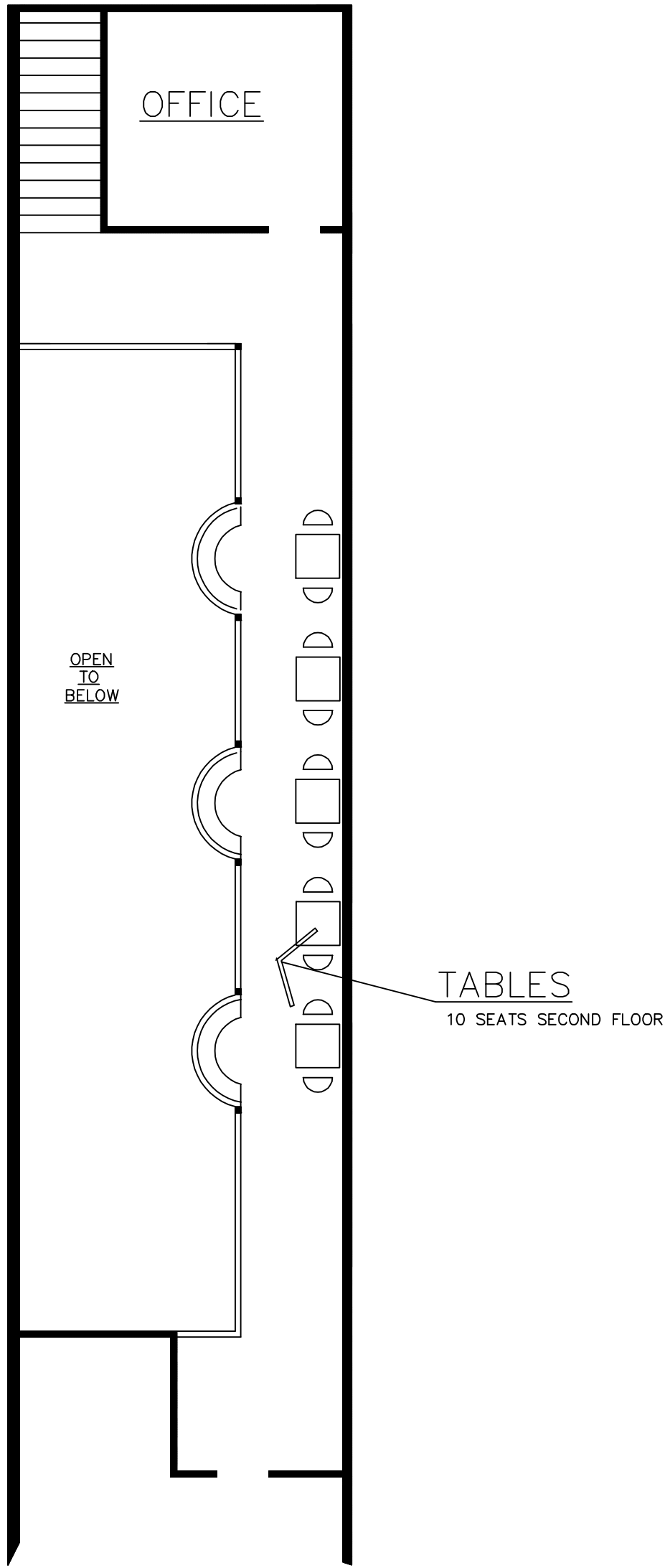
STEVE SPARSHOTT
1206 W. EVANS
VISALIA, CA. 93277
559-679-7565
FOURSHOTT2@YAHOO.COM

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.

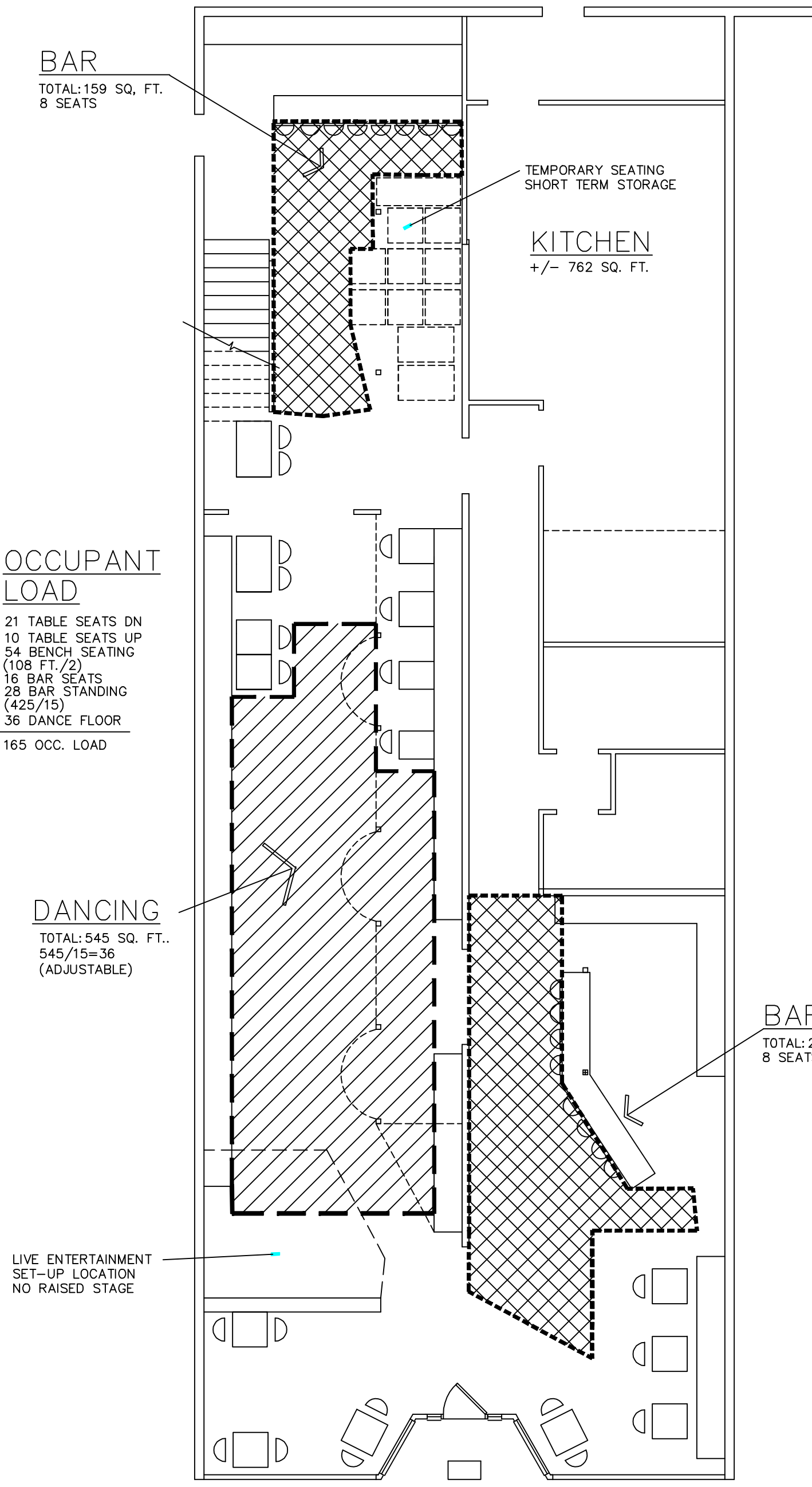


- E. M A I N S T. -



SECOND FLOOR PLAN

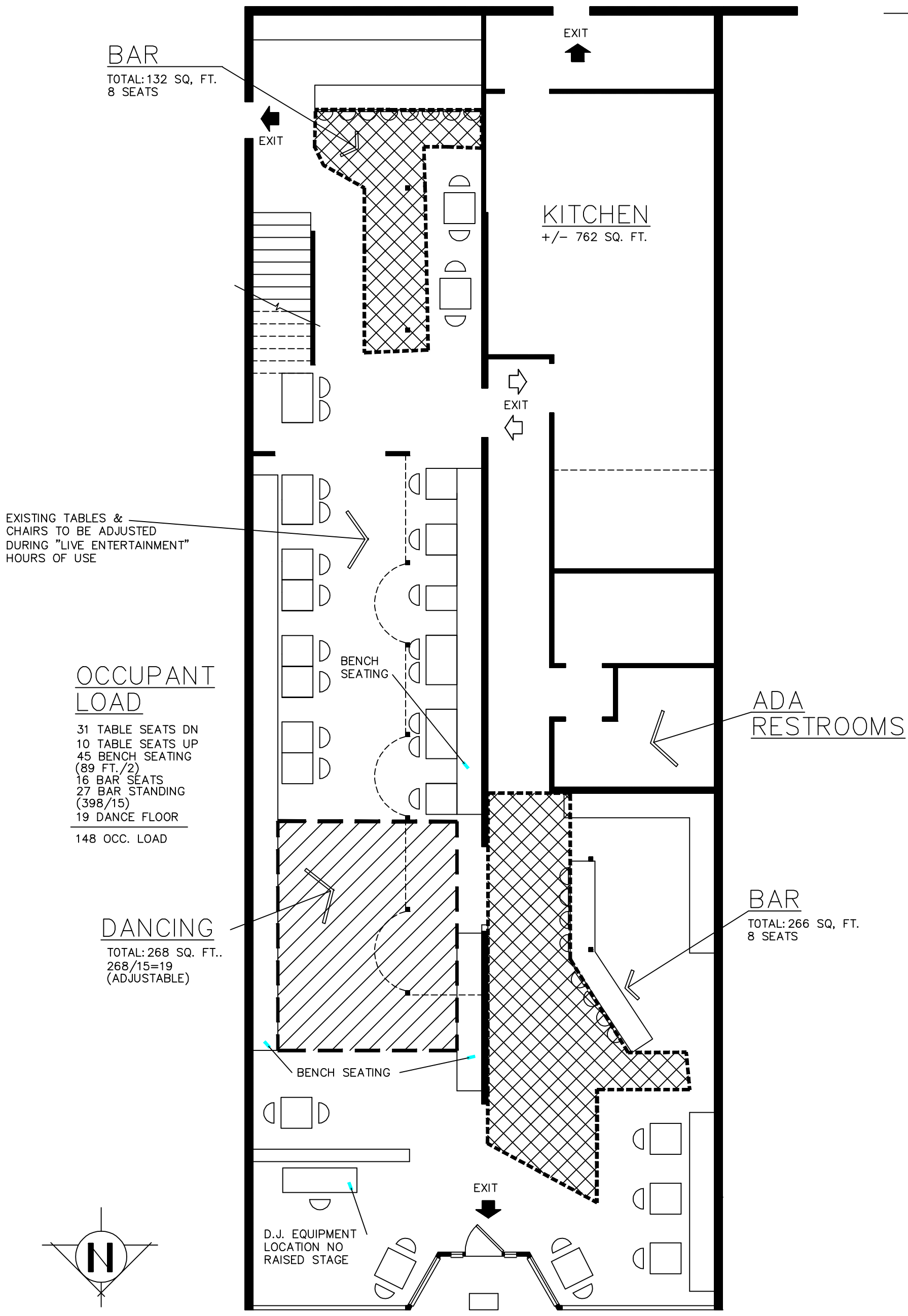
SECOND FLOOR PLAN: +/-758 SQ. FT.
(ALL HOUR USE)



FIRST FLOOR PLAN

(ADJUSTED SEATING)

Scale: 1/8"=1'-0"



FIRST FLOOR PLAN

FIRST FLOOR PLAN: +/- 3968 SQ. FT. RESTAURANT:
SECOND FLOOR PLAN: +/-758 SQ. FT. RESTAURANT:
TOTAL FLOOR AREA: +/- 4726 SQ. FT. OFFICE:

Scale: 1/8"=1'-0"



SEBBYS' RESTAURANT & BAR

229 E. MAIN ST.

123.75'

61.66'

S I T E P L A N

APN 094-296-016
229 E. MAIN STREET
VISALIA, CA.

Scale: 1"= 10'-0"

STEPHEN O. SPARSHOTT

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: Sebbys (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 1.17 AC 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

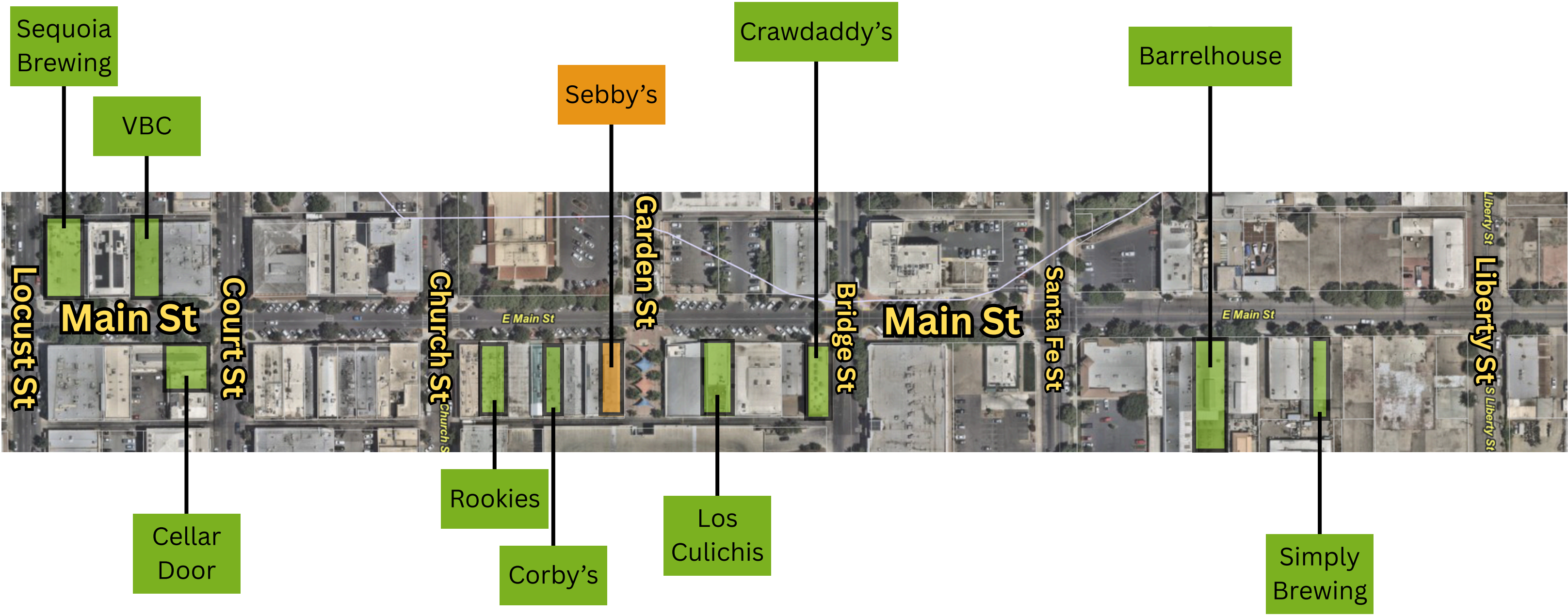
Sweets



CAFE AFFOGATO 10

TIRAMISU BITES 10

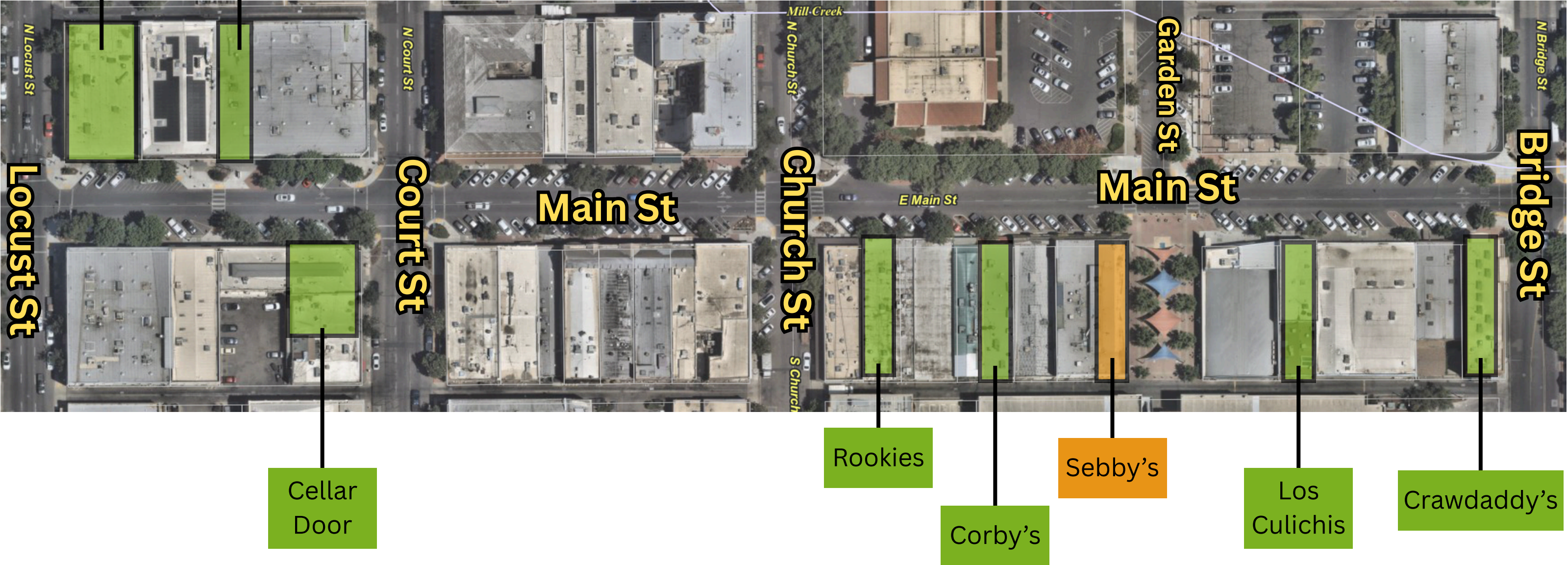
229 E MAIN ST
VISALIA, CA 93291
(559) 802-3361



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.



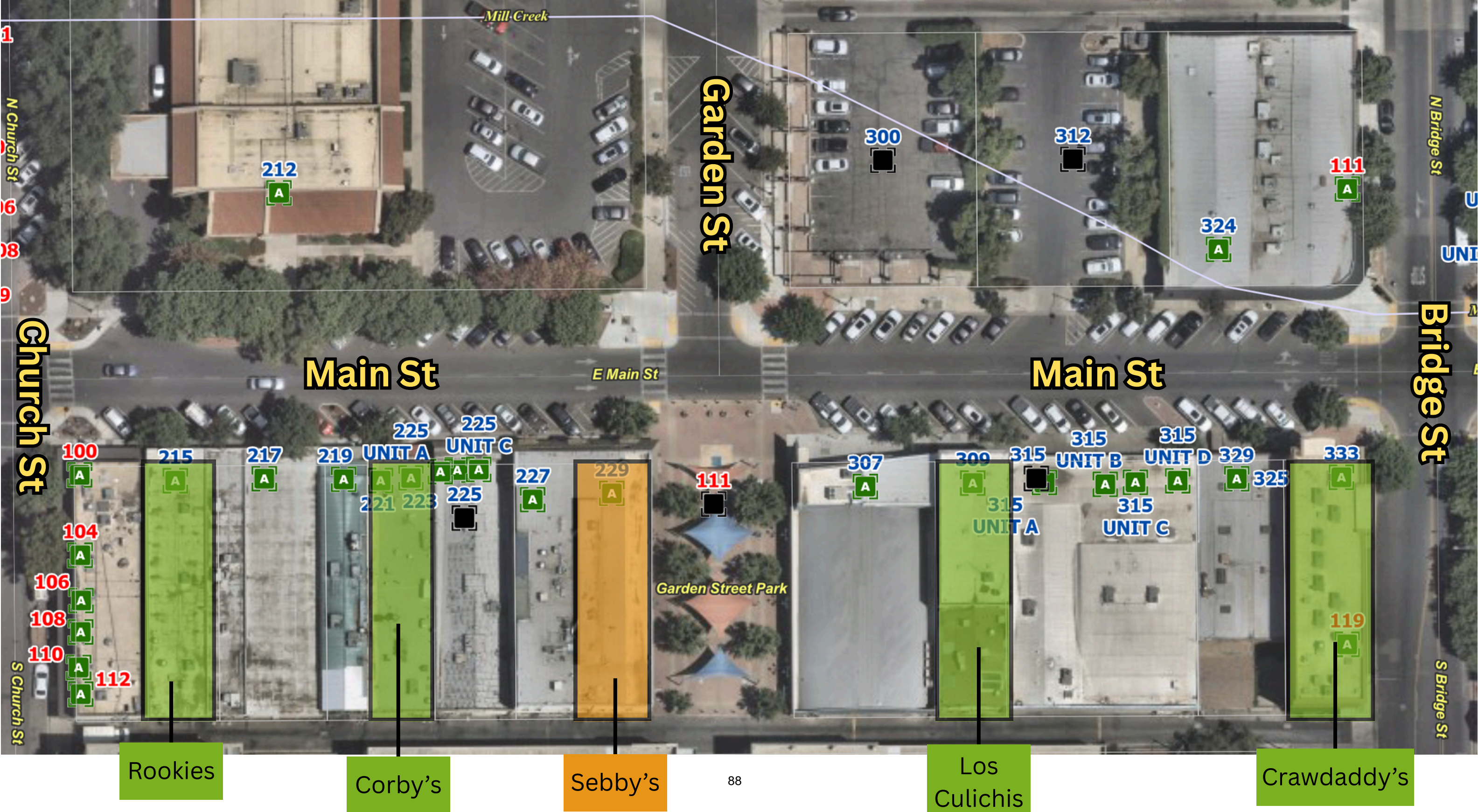
-  -Approved Live Entertainment CUPs in Downtown Visalia
-  -Proposed Live Entertainment CUP

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.



Sequoia Brewing

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 blue circular stamp.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE October 16, 2024
SITE PLAN NO. 2024-116-1-1-1
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 7:30 a.m. and 5:00 p.m., Monday through Thursday, offices closed on Fridays.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ CUP

☐ HISTORIC PRESERVATION

☐ OTHER:

☐ ADDITIONAL COMMENTS:

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

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: 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

ITEM NO: 1 DATE: 10/16/2024

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.

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

City of Visalia
Building: Site Plan
Review Comments

3PR 24116-1-1-1
SERBYS
229 E MAIN

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. **10% 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**
- ☐ 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: **BASED ON OCCUPANT LOAD TWO EXITS REQUIRED. PROVIDE ILLUMINATED EXIT SIGNS AT ALL EXIT AND EXIT ACCESS DOORS.**

VAL COARCA 10/16/24
Signature

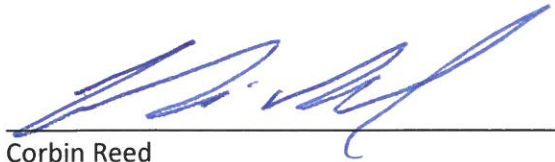
**Site Plan Comments**

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 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 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
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)

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:

•

Leslie Blair

Leslie Blair

Susan Currier

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 MADDUX
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

Site Plan Review Comments From:

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

Date: 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

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 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 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 for the information and requirements needed to obtain this information.
- ☒ If a fire flow is needed for your project, please contact Distribution Superintendent Alex Cardoso at 559-624-1661 or lcardoso@calwater.com for information and requirements.
- ☐ If you need a construction meter for your project, please call our Operations Center at 559-624-1650.
- ☒ If you need to sign up for an existing service, please call 559-624-1600.



Susan Currier

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

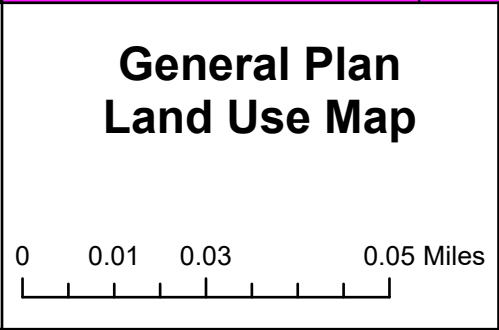
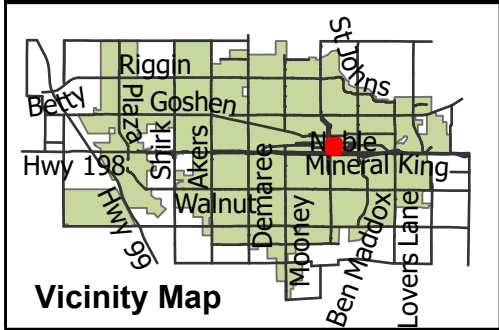
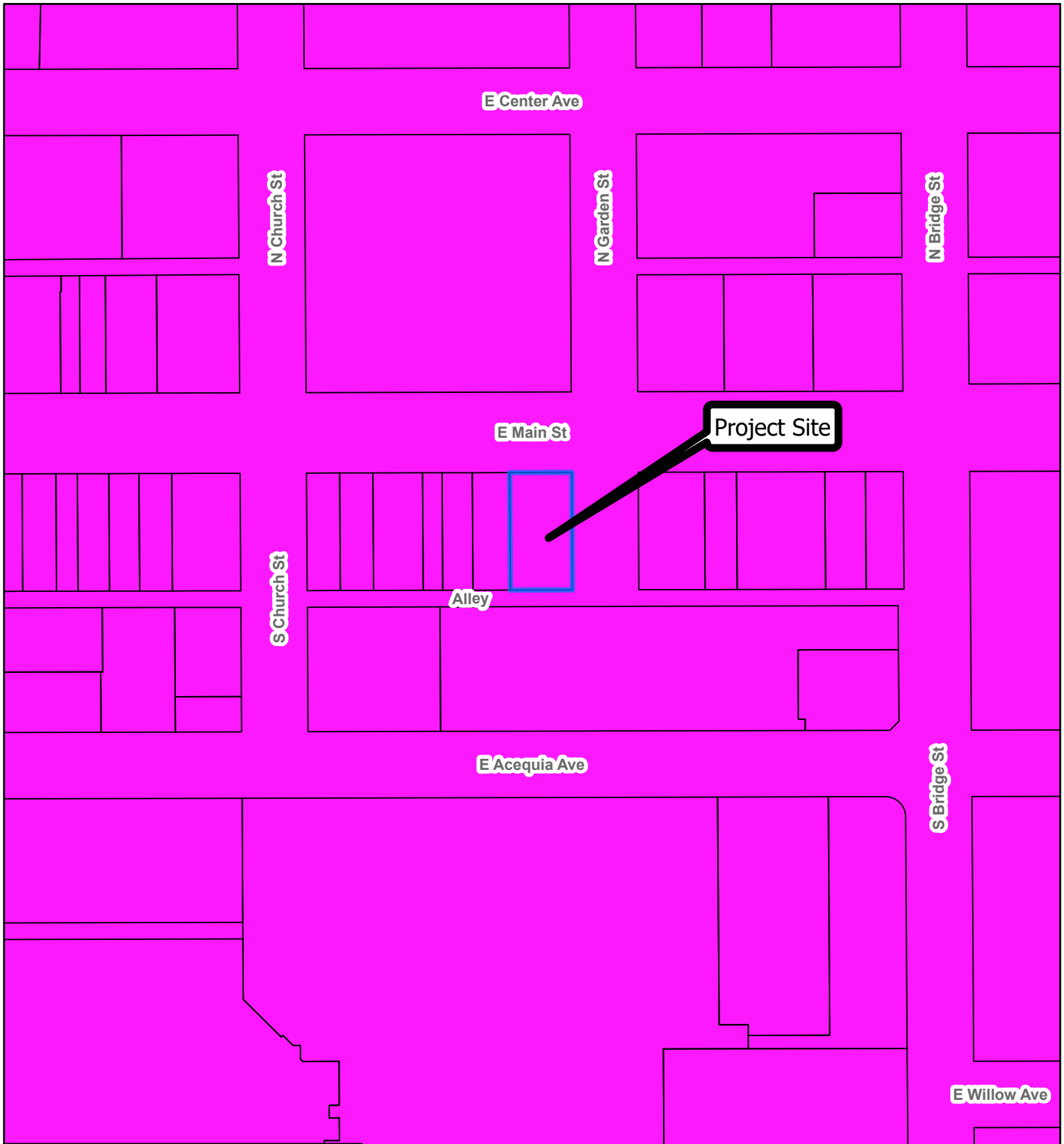
ITEM NO: 6 SITE PLAN NO: **SPR 24234** – 307 acres mixed-use development residential, commercial, and industrial uses
REQUEST TIS AND VMT STUDY

ITEM NO: 7 SITE PLAN NO: **SPR 24235** – Dental Office
NO COMMENT, PRIOR SPR 24226

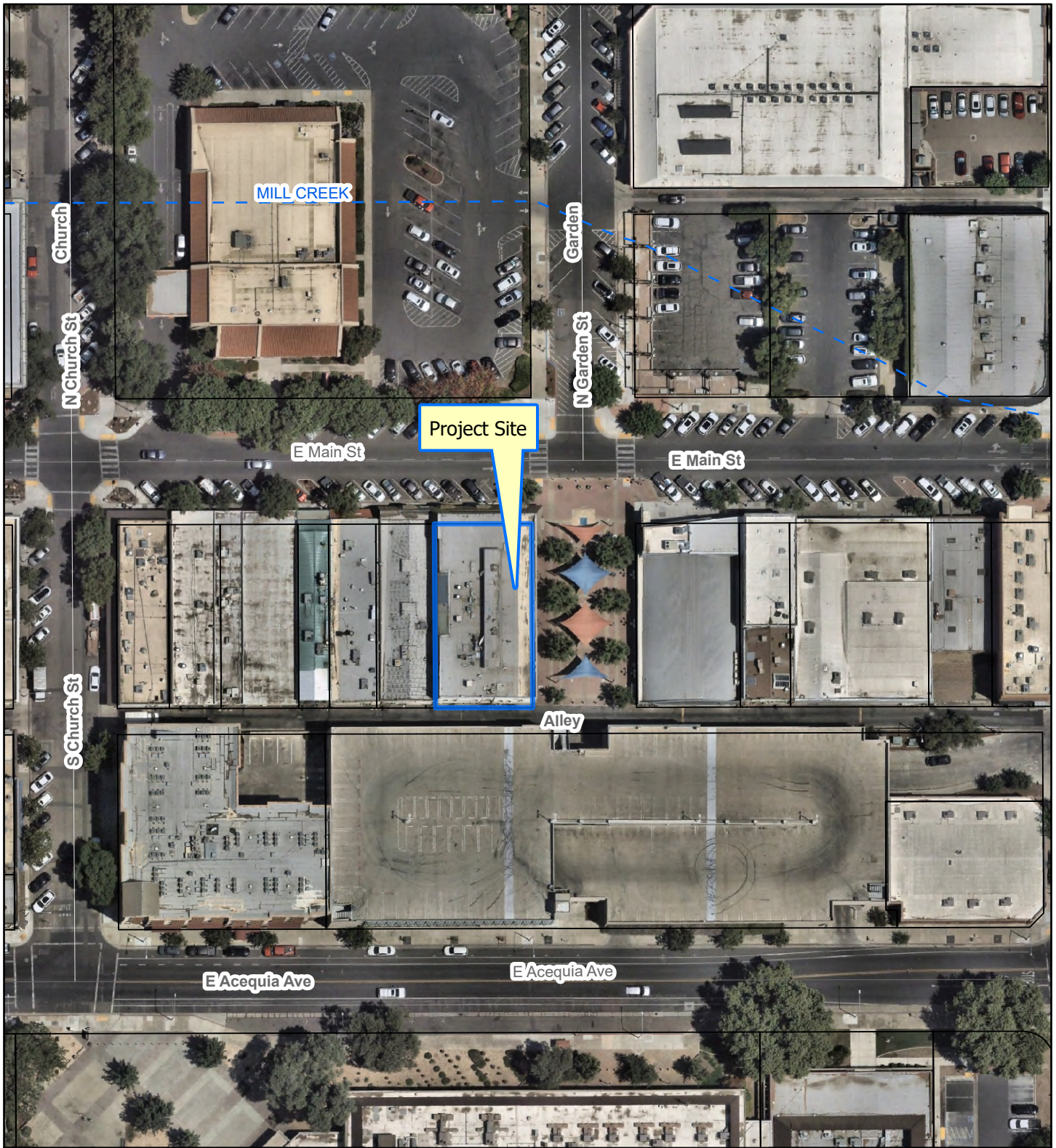
Respectfully,

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







Aerial Map

0 0.01 0.01 0.03 Miles





Chapter 17.38

CONDITIONAL USE PERMITS

Sections:

- 17.38.010 Purposes and powers.
- 17.38.020 Application procedures.
- 17.38.030 Lapse of conditional use permit.
- 17.38.040 Revocation.
- 17.38.050 New application.
- 17.38.060 Conditional use permit to run with the land.
- 17.38.065 Abandonment of conditional use permit.
- 17.38.070 Temporary uses or structures.
- 17.38.080 Public hearing—Notice.
- 17.38.090 Investigation and report.
- 17.38.100 Public hearing—Procedure.
- 17.38.110 Action by planning commission.
- 17.38.120 Appeal to city council.
- 17.38.130 Effective date of conditional use permit.

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. (Ord. 2017-01 (part), 2017: prior code § 7525)

17.38.020 Application procedures.

A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
3. Address and legal description of the property;

4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
5. The purposes of the conditional use permit and the general description of the use proposed;
6. Additional information as required by the historic preservation advisory committee.
7. Additional technical studies or reports, as required by the Site Plan Review Staff.
8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Staff 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.

(Ord. 2024-07 § 3 (part), 2024: Ord. 2017-01 (part), 2017: prior code § 7526)

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site 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. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation.

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Ord. 2017-01 (part), 2017: prior code § 7528)

17.38.050 New application.

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

(Ord. 2017-01 (part), 2017: prior code § 7530)

17.38.060 Conditional use permit to run with the land.

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of

the permit application subject to the provisions of Section 17.38.065. (Ord. 2017-01 (part), 2017: prior code § 7531)

17.38.065 Abandonment of conditional use permit.

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit. (Ord. 2017-01 (part), 2017)

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. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing—Notice.

A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Ord. 2017-01 (part), 2017: prior code § 7533)

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval. (Ord. 2017-01 (part), 2017: prior code § 7534)

17.38.100 Public hearing—Procedure.

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Ord. 2017-01 (part), 2017: prior code § 7535)

17.38.110 Action by planning commission.

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit. (Ord. 2017-01 (part), 2017: prior code § 7536)

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 6, 2007: prior code § 7537)

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. (Ord. 2017-01 (part), 2017: prior code § 7539)



Aerial Map

0 0.01 0.01 0.03 Miles





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: October 13, 2025

PROJECT PLANNER: Paul Bernal, City Planner / Director
Phone: (559) 713-4025
Email: paul.bernal@visalia.gov

SUBJECT: Tentative Parcel Map No. 2025-10: A request by 4Creeks, Inc., to subdivide 41.7 acres into 2 parcels to facilitate the future residential Cameron Ranch Estates subdivision. The site is zoned R-1-5 (Single-family Residential, 5,000 square foot minimum site area).

Location: The property is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APN: 124-010-016).

STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2025-10, as conditioned, based upon the findings and conditions in Resolution No. 2025-49. Staff's recommendation is based on the project's consistency with the City's General Plan, Zoning, and Subdivision Ordinance.

RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2025-10 based on the findings and conditions in Resolution No. 2025-49.

PROJECT DESCRIPTION

The applicant, 4Creeks, Inc., is requesting to subdivide 41.7 acres of property into 2 parcels, with Parcel 1 proposed at 25.4 acres and Parcel 2 proposed at 16.3 acres (see Exhibit "A"). The parcel map, if approved, will facilitate the "development phasing" of the Cameron Ranch Estates residential subdivision. The parcel configuration proposed with Tentative Parcel Map No. 2025-10 matches the phase line as originally depicted with the Cameron Ranch Estates tentative subdivision map (see Exhibit "B"). Parceling large sites into smaller parcels for developers to develop residential subdivisions is not uncommon and provides flexibility on how the site will be developed over the course of construction, subject to complying with the conditions adopted for the tentative subdivision map.

The Cameron Ranch Estates tentative subdivision map, which was approved by the Planning Commission on July 24, 2024, will develop the entire area with a 178-lot single-family residential subdivision, developed at a density of 4.08 dwelling units per gross acre. The subdivision map covers the entirety of the single-family residential area that is within Tier II. A copy of the June 24th Planning Commission staff report is attached to this report as Exhibit "C". The annexation was approved by the Tulare County Local Agency Formation Commission on October 9, 2024, and the site is now within the City of Visalia.

BACKGROUND INFORMATION

General Plan Land Use Designation	Low Density Residential
Zoning	R-1-5 (Single-Family Residential 5,000 square foot minimum lot area)
Surrounding Zoning and Land Use	North: Caldwell Avenue / Four lane divided arterial street South: County AE-20 / Tulare Irrigation Ditch & Agricultural Orchard East: County AE-20 / Agricultural Orchard and one single-family home West: Future Ben Maddox alignment / Diamond Oaks Subdivision
Environmental Review	Categorical Exemption No. 2025-37
Site Plan	SPR No. 2024-113

Related Projects

Annexation No. 2024-02: A request by Artemis Partners, LLC to annex 46.01 acres of Residential Low Density land from the County of Tulare to the City of Visalia. Upon annexation the site will be zoned R-1-5 (Single-Family Residential, 5,000 square feet minimum lot area).

Cameron Ranch Estates Tentative Subdivision Map No. 5598: A request Artemis Partners, LLC to subdivide two parcels totaling 43.6 acres into a 178-lot single-family residential subdivision with a 0.77-acre pocket park, landscape / lighting district lots, and remainder lot, to be located within the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone district upon annexation to the Visalia city limits.

The Planning Commission, on June 24, 2024, approved the Cameron Ranch Estates Tentative Subdivision Map and recommended approval to the City Council to approve Annexation No. 2024-02.

PROJECT EVALUATION

Staff recommends approval of Tentative Parcel Map No. 2025-10, as conditioned, based on the project's consistency with the General Plan Land Use Element, Subdivision, and Zoning Ordinances.

General Plan Consistency

The project site is located within the R-1-5 zone and has a General Plan Land Use designation of Low Density Residential which supports residential development. The parcel map request will facilitate the development phasing of the Cameron Ranch Estates subdivision into two phases. The phasing line, as originally depicted on the Cameron Ranch Estates tentative subdivision map (see Exhibit "B"), is consistent with the proposed property line as depicted with Tentative Parcel Map No. 2025-10 (Exhibit "A"). The tentative parcel map will permit the Cameron Ranch Estates subdivision to be developed with two phases with the overall subdivision map developing the site at a density of 4.08 units per acre, which is consistent with the Low Density Residential range of 2 to 10 dwelling units per acre.

Land Use Policy LU-P-55 states, regarding the Low Density Residential designation: *“this designation is intended to provide for single-family subdivisions.”* Compatibility with the surrounding area is required by the General Plan in the decision to approve the proposed division of land. The proposed map meets all codified standards contained in the Zoning and Subdivision Ordinances, as well as all General Plan policies pertaining to residential development.

Housing Accountability Act (Government Code section 66589.5)

The Housing Accountability Act (HAA) requires local agencies to approve housing developments that are consistent with applicable general plan, zoning, and subdivision standards, including design review, if they were in effect at the time that the housing development application was deemed complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and that there is no feasible way to mitigate or avoid the impact¹.

The tentative parcel map is consistent, compliant, and in conformity with the General Plan, Subdivision and Zoning Ordinances. The parcel map will permit the Cameron Ranch Estates subdivision to be developed in two phases. The overall development of the entire area per the Cameron Ranch Estates subdivision meets the density standards for the Low Density Residential land use designation and will be compatible with surrounding developed residential areas. Furthermore, the development of the subdivision will develop a network of local streets, improve adjacent arterial public roadways, and construct a new arterial street (Ben Maddox Way), thereby facilitating increased street connectivity to accommodate future growth areas.

Cameron Ranch Estates Subdivision

The Cameron Ranch Estates Tentative Subdivision Map No. 5598 is a request to subdivide the project area into a 178-lot single-family residential subdivision at a density of 4.08 dwelling units per gross acre (see Exhibit “B”). The proposed single-family subdivision will be serviced by 60-foot wide public local streets containing full improvements (curb, gutter, parkway landscaping, sidewalks, and streetlights), sewer lines, storm drainage, and other public infrastructure, utilities, and services (i.e., electricity and water). Primary access to the subdivision will be from the new Ben Maddox Way street extension and from Caldwell Avenue, both arterial streets. Both streets will be improved to their ultimate right-of-way width within the boundaries of the Cameron Ranch Estates subdivision. Improvements along these major streets include construction of curb, gutter, parkway landscaping, sidewalks, block wall, installation of park strip landscaping, streetlights, median islands and street paving. The subdivision will be developed in two phases (Phase 1 and Phase 2) as depicted in Exhibit “B”. Phase 1 proposes to develop 117 lots along with the pocket park, while Phase 2 will develop the remaining 61 lots.

Access / Circulation & Utilities

Street improvements to arterial and local roadways will be required within the project area as originally conditioned with the Cameron Ranch Estates Tentative Subdivision Map No. 5598. The full circulation plan for the entire project, including street cross sections, is shown in Exhibit “B”, including the future culvert crossing and road extension east of the Tulare Irrigation canal. Street improvements will be completed in two phases, with the first phase of development occurring on the north portion of the project area.

¹ Gov. Code Section 65589.5(j)(1).

Ben Maddox Way and Caldwell Avenue are designated 110-foot wide arterial streets with four travel lanes at full buildout. The development of the Cameron Ranch Estates subdivision will require the development of Ben Maddox Way which includes frontage improvements consisting of block wall, landscaping, sidewalk, parkway landscaping, streetlights, curb, gutter, median island, and street paving. The Caldwell Avenue widening project is a Capital Improvement Program project managed by the City's Engineering Division who is overseeing the segment within the jurisdictional boundaries of Visalia while Tulare County staff is managing Caldwell /Ave. 280 widening in the County areas. The entire widening project consists of roadway from Highway 99 to the City of Exeter.

All local streets will be developed per the City's 60-foot wide local street standard. The subdivision is conditioned to provide a local street connection to the east as depicted on Exhibit "B" to comply with the City's superblock connectivity standard. The crossing of the Tulare Irrigation canal will require the installation of a culvert crossing.

The extension of all infrastructure and utilities is also required with the Cameron Ranch Estates subdivision. These improvements include water service, sanitary sewer, storm drainage, and Southern California Edison to service the entire future 178-lot subdivision.

Please note the construction and extension of streets and utilities are not required with Tentative Parcel Map No. 2025-10, nor do any of the conditions of approval for this parcel map supersede the conditions and mitigations measures adopted per Resolution No. 2024-20 of the Cameron Ranch Estates Subdivision Map No. 5598 (see Exhibit "D").

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. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel 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 General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel 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 General Plan and future residential subdivision. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed parcel map and the approved tentative subdivision map, which is designated as Low Density

	Residential land use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed density of development in the Low Density Residential land use designation and zone, which specify densities at 2 to 10 dwelling units per acre. This is included as recommended Finding No. 4 of the Tentative Parcel 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 parcel map has not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project's determination of no new effects under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Parcel Map.
(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 been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel 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 parcel 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. 5 of the Tentative Parcel Map.

Environmental Review

An addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19 originally prepared for the development of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02 has been prepared to include Tentative Parcel Map No. 2025-10 into the project description. The decision to prepare an addendum was based on the original document's adequate analysis with regard to the proposed tentative parcel map. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162, which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR, have been met.

To view a copy of the Initial Study/Mitigated Negative Declaration Document No. 2024-19, please click on the following link below to review the June 24, 2024, staff report along with the environmental document and related material.

<https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=55881>

RECOMMENDED FINDINGS

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site is bordered by both existing residential uses and agricultural uses and the proposed development of this site is consistent with the General Plan and Zoning and Subdivision Ordinances.
3. That the site is physically suitable for the proposed 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 Low Density Residential land use designation and zone, which does not specify densities of development.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That an addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19 originally prepared for the development of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02 has been prepared to include Tentative Parcel Map No. 2025-10 into the project description. The decision to prepare an addendum was based on the original document's adequate analysis with regard to the proposed tentative parcel map. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162, which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR, have been met.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the tentative parcel map shall be developed consistent with the comments and conditions of the Site Plan Review No. 2024-113, incorporated herein by reference.
2. That the tentative parcel map be in substantial compliance with Exhibit "A".
3. That the conditions of approval adopted per Resolution No. 2024-20 for the Cameron Ranch Estates Subdivision Map No. 5598 shall not supersede the approval of Tentative Parcel Map No. 2025-10, and that all conditions adopted per said resolution are still applicable and will be required when development occurs for the 178-lot residential subdivision.
4. That the Mitigation Monitoring and Reporting Program and its mitigation measures adopted with the Initial Study / Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257) and all conditions of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, are hereby incorporated by reference including the following conditions in response to DTSC's comment letter be met during construction and upon final occupancy and ongoing operation of the project:

- a. That prior to site disturbance, the developer/homebuilder will consult with Krazan & Associates, Inc. on recommendation for obtaining soil samples to test for OCP's and arsenic. If suggested to be performed, developer/homebuilder shall have Krazan & Associates, Inc. perform the soil sampling per *Interim Guidance for Sampling Agricultural Properties from DTSC*. The developer/homebuilder shall provide the Planning and Community Preservation Director with a copy of all correspondence between the developer/homebuilder and Krazan & Associates, Inc. that details the required direction/recommendation on soil samples to test for OCP's and arsenic.
- b. All imported soil and fill material shall be tested to ensure that any contaminants are with DTSC's and the US Environmental Protection Agency's (USEPA's) Regional Screening Levels (RSLs)

5. That all other federal, state and city laws, codes and ordinances be complied with.

APPEAL INFORMATION

According to the City of Visalia Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA. 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.gov or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2025-49 – Tentative Parcel Map No. 2025-10
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Cameron Ranch Estates Tentative Subdivision Map No. 5598
- Exhibit "C" – June 24, 2024 Planning Commission Staff Report
- Exhibit "D" – Signed Resolution No. 2024-20
- Addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19
- Site Plan Review Comments No. 2024-113
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

RELATED PLANS AND POLICIES

Visalia Municipal Code Title 16 Subdivisions

Chapter 16.04 General Provisions

16.04.010 Authority for local regulations.

This title is enacted pursuant to the provisions of Division 2 of Title 7 of the Government Code of the State of California, referred to herein as the Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9000)

16.04.020 Purpose and scope.

A. The subdivision ordinance is adopted to preserve, protect and promote the public health, safety, and general welfare. More specifically, the subdivision ordinance is adopted in order to achieve the following objectives:

1. To aid in the implementation of the general plan of the city, and elements thereof, as adopted by the City Council;
2. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
3. To provide streets of adequate capacity for the anticipated traffic that would utilize them and to ensure that they are designed to promote a safe vehicular and pedestrian traffic circulation system;
4. To accommodate new development in a manner that will preserve and enhance the city's living environment and create new beauty through skilled subdivision design;
5. To provide for water supply, sewage disposal, storm drainage, solid waste collection and other utilities and facilities that are required by conditions of an urban environment;
6. To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider rather than by property owners of the city at large.

B. The subdivision ordinance is enacted for the purpose of regulating subdivision of land in accordance with the Subdivision Map Act of the state of California and any future amendments thereto and repeals all other regulations of the city in conflict with this title; provided, however, that such repeal shall not affect any agreement, contract, or bond executed pursuant to such regulations or any rights of action accruing thereunder. The regulations hereinafter in this title contained shall apply to all subdivisions and parcel maps or parts of subdivisions and parcel maps hereafter made entirely or partially within the city. The provisions of this title shall be in addition to and shall be considered as supplemental to the provisions of the Subdivision Map Act of the state of California, as now in effect or hereinafter amended. (Ord. 2017-01 (part), 2017: prior code § 9005)

16.04.030 Responsibilities.

A. City Attorney. The city attorney shall be responsible for approving as to form all subdivision improvement agreements and subdivision improvements securities.

B. City Council. The City Council shall have final jurisdiction in the approval of final maps if the acceptance of land and improvements is proposed for dedication to the city.

C. City Engineer. The city engineer or his/her designee shall be responsible for:

1. Establishing design and construction details, standards and specifications;
2. Determining if proposed subdivision improvements comply with the provisions of this title and the Subdivision Map Act and for reporting the findings together with any recommendations for approval, or conditional approval, of the tentative map to the city planner;

3. The processing and checking of final maps, parcel maps, reversion to acreage maps, amended maps, subdivision improvement plans, lot line adjustment maps, mergers and certificates of compliance;

4. The inspection and approval of subdivision improvements;

5. The approval of private improvements (improvements not to be maintained by the city).

D. Planning Commission. The Planning Commission is the designated official body charged with the duty of conducting public hearings, making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, and shall approve, conditionally approve or disapprove maps.

E. City Planner. The city planner shall be responsible for:

1. Investigating proposed subdivisions and parcel maps for conformity to the general plan, specific plans, and zoning ordinances of the city and reporting his finding together with recommendations for approval, conditional approval, or disapproval to the Planning Commission;

2. Examining and certifying that final maps are in substantial conformance to the approved or conditionally approved tentative map.

F. Site Plan Review Committee. The Site Plan Review Committee shall be responsible for the review of tentative parcel maps, tentative subdivision maps, vesting tentative subdivision maps, and vesting tentative parcel maps and shall provide the subdivider and the Planning Commission with the committee's comments, and requirements for conformance to city ordinances and policies.

G. Subdivider. The subdivider shall prepare maps consistent with the standards contained herein, design public improvements consistent with the public improvement standards of the city, and shall process said maps in accordance with the regulations set forth herein. (Ord. 2017-01 (part), 2017: Ord. 9605 § 32 (part), 1996: prior code § 9010)

16.04.040 Appeals.

A. The subdivider or any interested person adversely affected may, upon payment of an appeal fee as may be established by resolution of the City Council, appeal any decision, determination, or requirement of the Planning Commission by filing a notice thereof in writing with the city clerk, setting forth in detail the action and the grounds upon which the appeal is based within ten (10) days after the action that is the subject of the appeal. Such notice shall state specifically where it is claimed there was an error or abuse of discretion by the Planning Commission.

B. Upon the filing of an appeal, the City Council shall set the matter for hearing. Such hearings shall be held within thirty (30) days after the date of filing the appeal or receipt of council member request. City clerk shall give notice of the hearing according to the procedure required for the initial action by the Planning Commission, except that the timing of such notice shall be no less than ten (10) days before the hearing date.

C. In holding the hearing on the matter, the council may receive any and all information pertinent to the matter, regardless of whether such information was first presented to the Planning Commission. In the case of decisions by the Planning Commission that followed a public hearing, the City Council shall hold a new public hearing on the matter.

D. Upon the close of the hearing, the Council shall vote to either confirm the decision of the Planning Commission, overturn the decision, or confirm the decision with modifications, and the Council may continue the item to the next meeting if necessary to direct staff to prepare a conforming resolution with findings, which shall be considered by the Council at the next scheduled Council meeting. In the case of tentative maps, the Council may also take any action identified in Section 16.16.120. Planning Commission. (Ord. 2017-01 (part), 2017: Ord. 2010-02 § 1, 2010: Ord. 2006-18 § 2 (part), 2007: prior code § 9015)

16.04.050 Exceptions.

A. Petition. The Planning Commission may authorize conditional exceptions to any of the requirements and regulations set forth in this title. Application for any such exception shall be made by a petition of the subdivider stating fully the ground of the application and the facts relied upon by the petitioner. Such petition shall be filed with the tentative map of the subdivision and shall be on a form provided by the city. The application shall be accompanied by a fee as set forth from time to time by resolution of the City Council.

B. Findings.

1. In order for the property referred to in the petition to come within the provision of this section, it shall be necessary that the Planning Commission make the following findings:

- a. That there are special circumstances and conditions affecting this property;
- b. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- c. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

2. In approving such exceptions the Planning Commission shall secure substantially the objectives of the regulations to which exceptions are requested, and shall act to protect the public health, safety, convenience and general welfare.

3. In approving any exception under the provisions of this section, the Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and shall specifically and fully set forth the exception recommended and conditions designated. (Ord. 2017-01 (part), 2017: prior code § 9020)

16.04.060 Merger and reversion to acreage.

Subdivided real property may be merged or reverted to acreage pursuant to provisions of Chapter 6, Article 1 of the state Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9315)

16.04.070 Certificates of compliance.

Any eligible person may apply for a certificate of compliance pursuant to the provisions of Section 66499.34 of the Government Code of the state of California. (Ord. 2017-01 (part), 2017: prior code § 9320)

16.04.080 Planned unit developments.

Where, in accordance with provisions of the zoning ordinance, a use permit has been granted authorizing a planned unit development on the land or a portion of the land proposed to be subdivided, the plan of the subdivision shall conform with the plan of the planned unit development as approved by the Planning Commission and City Council. Exceptions to the subdivision regulations that are necessary to execute the planned unit development as approved by the Planning Commission and City Council may be authorized by the Planning Commission in accordance with the provisions of Section 16.04.050. (Ord. 2017-01 (part), 2017: prior code § 9325)

16.04.085 School site dedications and reservations.

A. In considering the approval or the conditions of approval of a parcel map or subdivision map, as those terms are defined in the Subdivision Map Act, the City Council or the Planning Commission may require the reservation or dedication of school sites in a manner that is consistent with the provisions of Government Code sections 66478 and 66479, provided that the council or the commission, as the case may be, is able to determine that the conditions enumerated in those sections, as they may from time to time be amended, are applicable to the proposed subdivision map or parcel map.

B. The planning director, in cooperation with the official designated by the Visalia Unified School District, shall develop and keep in place a policy establishing the manner in which this section shall be implemented by the City Planner and his or her designees. Such policy shall be established at the discretion of the City Planner, provided the policy is consistent with the Government Code sections 66478 and 66479. (Ord. 2017-01 (part), 2017: Ord. 2006-01 § 5, 2006)

16.04.090 Penalties.

Any person, firm, corporation, partnership, or co-partnership who willfully violates any of the provisions or fails to comply with any of the mandatory requirements of this title is guilty of a misdemeanor, pursuant to the provisions of Chapter 7, Article 1 of the Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9030)

16.04.100 Ordinances repealed.

All ordinances and parts of ordinances of the city, in conflict herewith to the extent of such conflict and not further, are hereby repealed. (Ord. 2017-01 (part), 2017: prior code § 9035)
16.04.110

16.04.110 Severability.

If any section, subsection, sentence, clause or phrase of this title is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this title. The City Council declares that it would have passed this title in each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional. (Ord. 2017-01 (part), 2017: prior code § 9025)

RESOLUTION NO 2025-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2025-10: A REQUEST BY 4CREEKS, INC., TO SUBDIVIDE 41.7 ACRES INTO 2 PARCELS TO FACILITATE THE FUTURE RESIDENTIAL CAMERON RANCH ESTATES SUBDIVISION. THE SITE IS ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM SITE AREA). THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF EAST CALDWELL AVENUE BETWEEN THE FUTURE SOUTH BEN MADDOX WAY ALIGNMENT AND SOUTH PINKHAM STREET (APN: 124-010-016).

WHEREAS, Tentative Parcel Map No. 2025-10 is a request by 4Creeks, Inc., to subdivide 41.7 acres into 2 parcels to facilitate the future residential Cameron Ranch Estates subdivision. The site is zoned R-1-5 (Single-family Residential, 5,000 square foot minimum site area). The property is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APN: 124-010-016); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on October 13, 2025; and

WHEREAS, the Planning Commission of the City of Visalia finds the Tentative Parcel Map No. 2025-10 in accordance with Chapter 16.16 of the Subdivision 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 for the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02, which disclosed that the mitigation incorporated into the project would result in no significant environmental impacts from this project, and

WHEREAS, an addendum to the Initial Study was prepared based on the original document's adequate analysis with regard to the revised project description. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162 which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR have been met.

NOW, THEREFORE, BE IT RESOLVED, that Mitigated Negative Declaration Document No. 2024-19, with the addendum, was prepared in accordance with the California Environmental Quality Act and City of Visalia Environmental Guidelines, including consistency with CEQA Guidelines Section 15162, and that the environmental setting in which the project will be built has not changed since the Mitigated Negative Declaration for the original project was adopted, so Mitigated Negative Declaration No. 2024-19 is incorporated into the project approval.

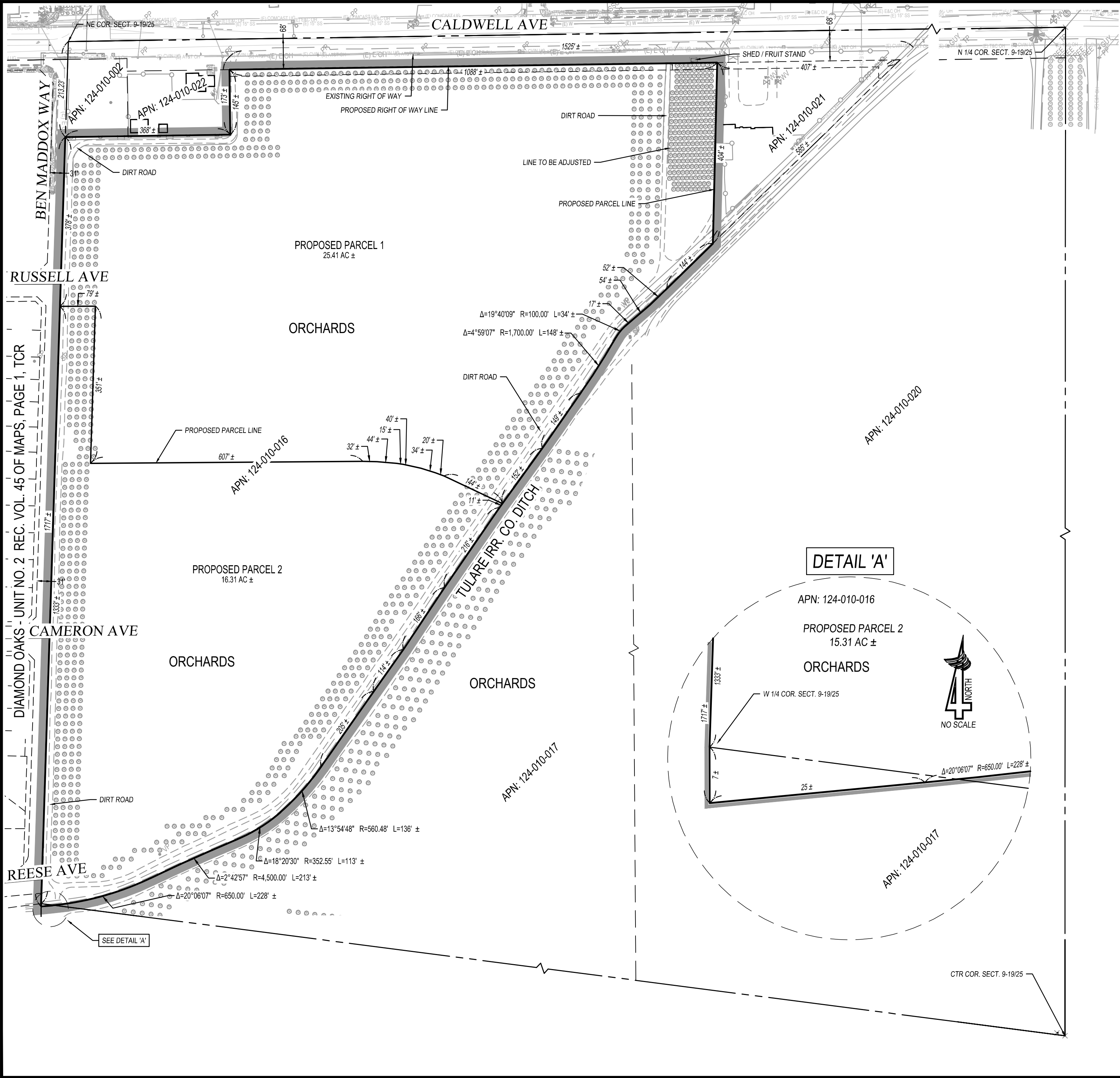
BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site is bordered by both existing residential uses and agricultural uses and the proposed development of this site is consistent with the General Plan and Zoning and Subdivision Ordinances.
3. That the site is physically suitable for the proposed 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 Low Density Residential land use designation and zone, which does not specify densities of development.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That an addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19 originally prepared for the development of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02 has been prepared to include Tentative Parcel Map No. 2025-10 into the project description. The decision to prepare an addendum was based on the original document's adequate analysis with regard to the proposed tentative parcel map. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162, which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR, have been met.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.16.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the tentative parcel map shall be developed consistent with the comments and conditions of the Site Plan Review No. 2024-113, incorporated herein by reference.
2. That the tentative parcel map be in substantial compliance with Exhibit "A".
3. That the conditions of approval adopted per Resolution No. 2024-20 for the Cameron Ranch Estates Subdivision Map No. 5598 shall not supersede the approval of Tentative Parcel Map No. 2025-10, and that all conditions adopted per said resolution are still applicable and will be required when development occurs for the 178-lot residential subdivision.

4. That the Mitigation Monitoring and Reporting Program and its mitigation measures adopted with the Initial Study / Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257) and all conditions of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, are hereby incorporated by reference including the following conditions in response to DTSC's comment letter be met during construction and upon final occupancy and ongoing operation of the project:
 - a. That prior to site disturbance, the developer/homebuilder will consult with Krazan & Associates, Inc. on recommendation for obtaining soil samples to test for OCP's and arsenic. If suggested to be performed, developer/homebuilder shall have Krazan & Associates, Inc. perform the soil sampling per *Interim Guidance for Sampling Agricultural Properties from DTSC*. The developer/homebuilder shall provide the Planning and Community Preservation Director with a copy of all correspondence between the developer/homebuilder and Krazan & Associates, Inc. that details the required direction/recommendation on soil samples to test for OCP's and arsenic.
 - b. All imported soil and fill material shall be tested to ensure that any contaminants are with DTSC's and the US Environmental Protection Agency's (USEPA's) Regional Screening Levels (RSLs)
5. That all other federal, state and city laws, codes and ordinances be complied with.



TENTATIVE PARCEL MAP

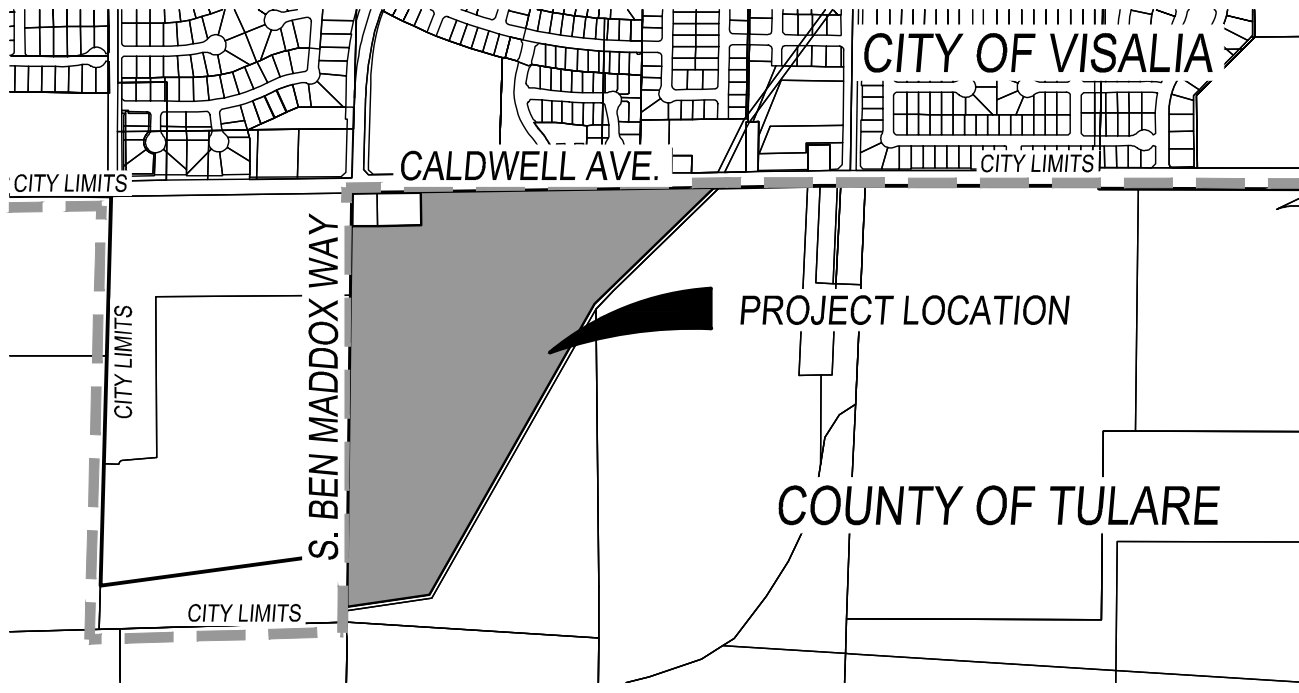
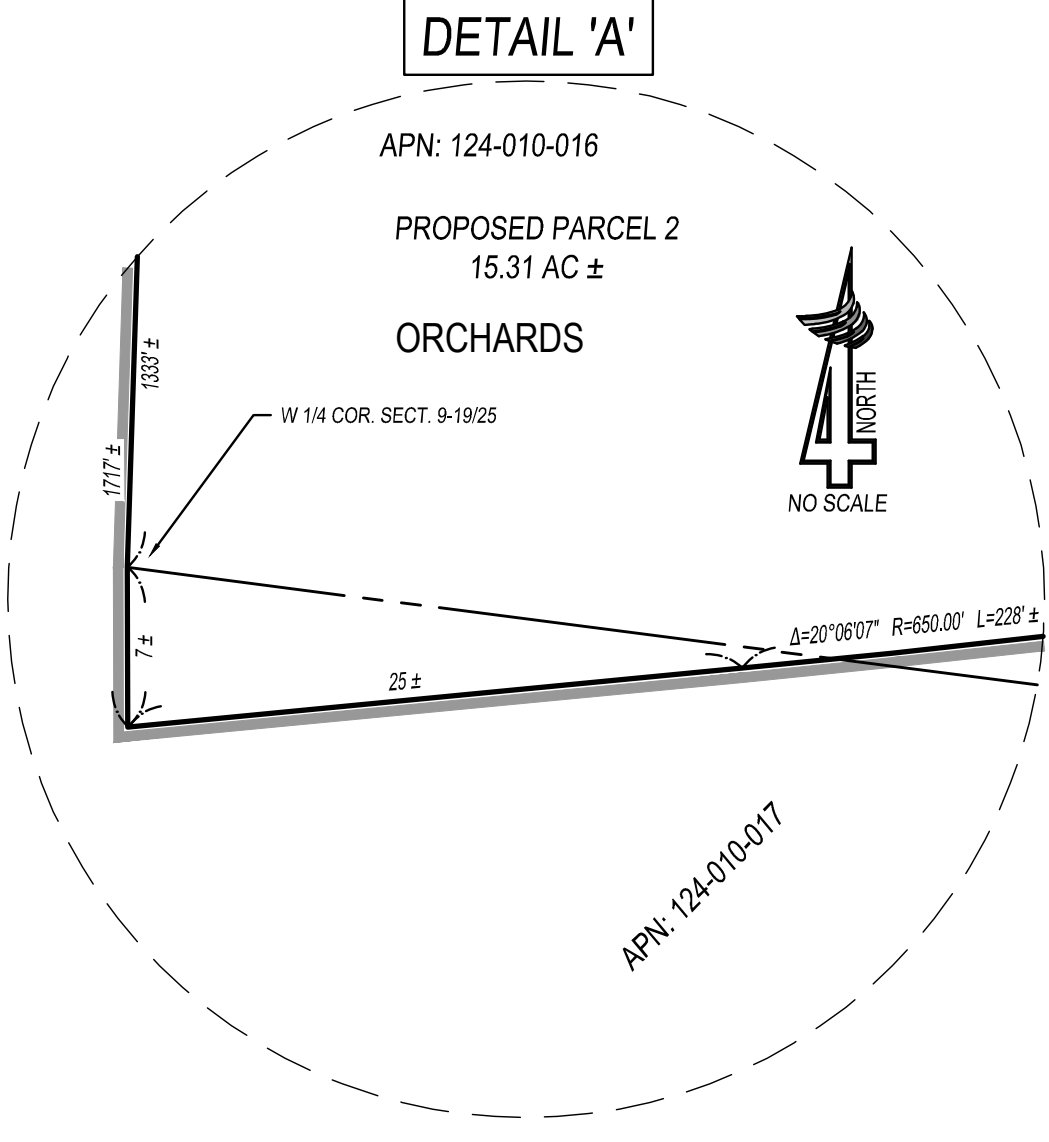
LOCATED IN THE NW 1/4, AND A PORTION OF THE W 1/2 OF SECTION 9, TOWNSHIP 19 SOUTH, 25 EAST, MDB&M, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

SITE DATA:	
OWNER:	BERNARD ALAN TEVELDE AND REBECCA TEVELDE
APN:	124-010-016
TOTAL AREA:	41.7 AC ±
EXISTING ZONING:	AE-40(COUNTY)
PROPOSED ZONING:	R-1-5
GENERAL PLAN DESIGNATION:	RESIDENTIAL LOW DENSITY
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL LOW DENSITY
FLOOD ZONE:	X02
JURISDICTION:	TULARE COUNTY - TO BE ANNEXED
VISALIA UDB TIER:	TIER 2

UTILITIES:	
SEWER SERVICE:	CITY OF VISALIA
WATER SERVICE:	CITY OF VISALIA
STORM DRAIN SERVICE:	CITY OF VISALIA
ELECTRICITY:	SOUTHERN CALIFORNIA EDISON CO.
NATURAL GAS:	SOUTHERN CALIFORNIA GAS CO.
TELEPHONE:	AT&T
REFUSE:	CITY OF VISALIA

LEGEND	
	SECTION LINE
	EXISTING PARCEL LINE
	SHADED LINE INDICATES BOUNDARY
	PROPOSED PARCEL LINE
	BUILDING

DETAIL 'A'



VICINITY MAP

SCALE: 1" = 1000' MILE



PREPARED BY:

324 S. SANTA FE, STE. A
VISALIA, CA 93292
TEL: 559.802.3052
FAX: 559.802.3215
www.4creeks.com

CAMERON RANCH ESTATES

TENTATIVE SUBDIVISION MAP

LAND USE CONCEPT 1

LOCATED IN THE NW ¼ OF SECTION 9, TOWNSHIP 19 SOUTH, 25 EAST, MDB&M, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

SITE DATA:

APN:	124-010-007 & 005
TOTAL AREA:	43.6 AC (GROSS) 24.0 AC (NET)
EXISTING ZONING:	AE-40 (COUNTY)
PROPOSED ZONING:	R-1-5
GENERAL PLAN DESIGNATION:	RESIDENTIAL LOW DENSITY
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL LOW DENSITY
FLOOD ZONE:	X02
JURISDICTION:	TULARE COUNTY - TO BE ANNEXED
VISALIA UDB TIER:	TIER 2

TYPICAL LOT SIZES:	AREA:	NUMBER OF LOTS:
50' x 100':	5,000 S.F.	178
TOTAL:		178

NO BUILD AREA: 

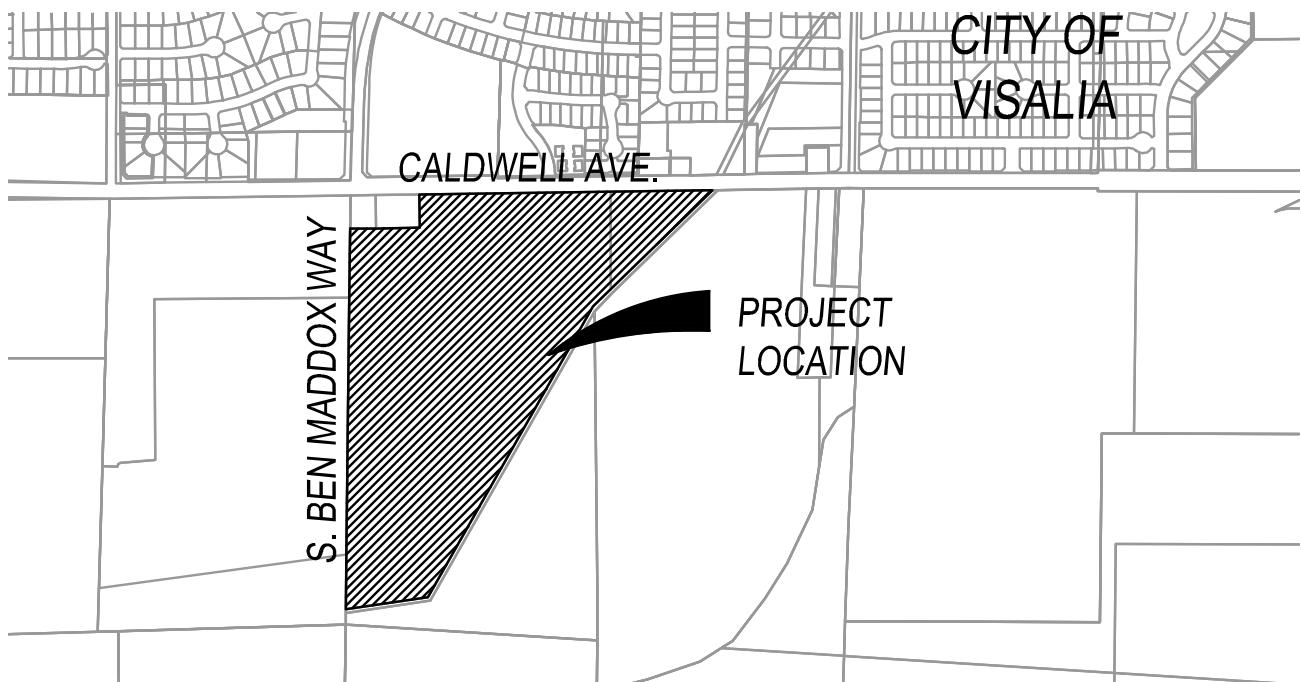
OUTLOTS A - E: CREATION OF LL&D, INCLUDING MAINTENANCE OF THE BLOCK WALL
OUTLOTS F, G, H & I: DEDICATION OF WATERWAY AND RIPARIAN AREAS
OUTLOT J: DEDICATION AND DEVELOPMENT OF 0.77 ACRE POCKET PARK

UTILITIES:

SEWER SERVICE:	CITY OF VISALIA
WATER SERVICE:	CITY OF VISALIA
STORM DRAIN SERVICE:	CITY OF VISALIA
ELECTRICITY:	SOUTHERN CALIFORNIA EDISON CO.
NATURAL GAS:	SOUTHERN CALIFORNIA GAS CO.
TELEPHONE:	AT&T
REFUSE:	CITY OF VISALIA

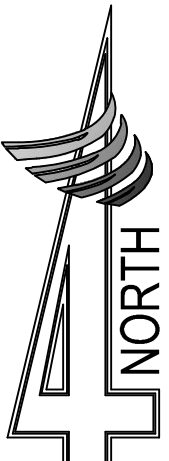
SANITARY SEWER AND WATER UTILITIES TO TIE INTO EXISTING LINES ALONG CALDWELL AVE. AND BEN MADDOX WAY.

TEMP. STORM DRAIN BASIN
 $V_{REQ'D} = 5 \text{ AC-FT}$
 $V_{PROV.} = 6.4 \text{ AC-FT}$



VICINITY MAP

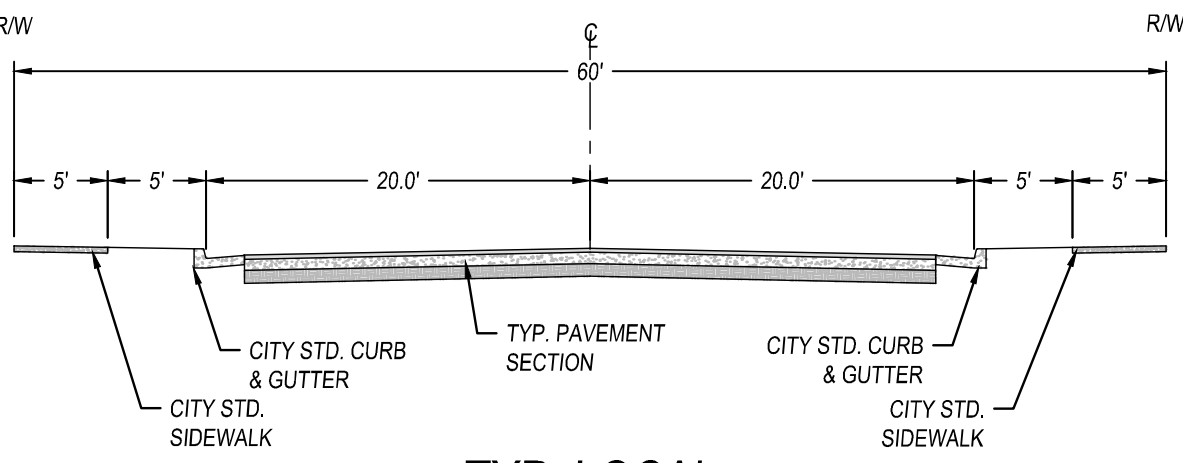
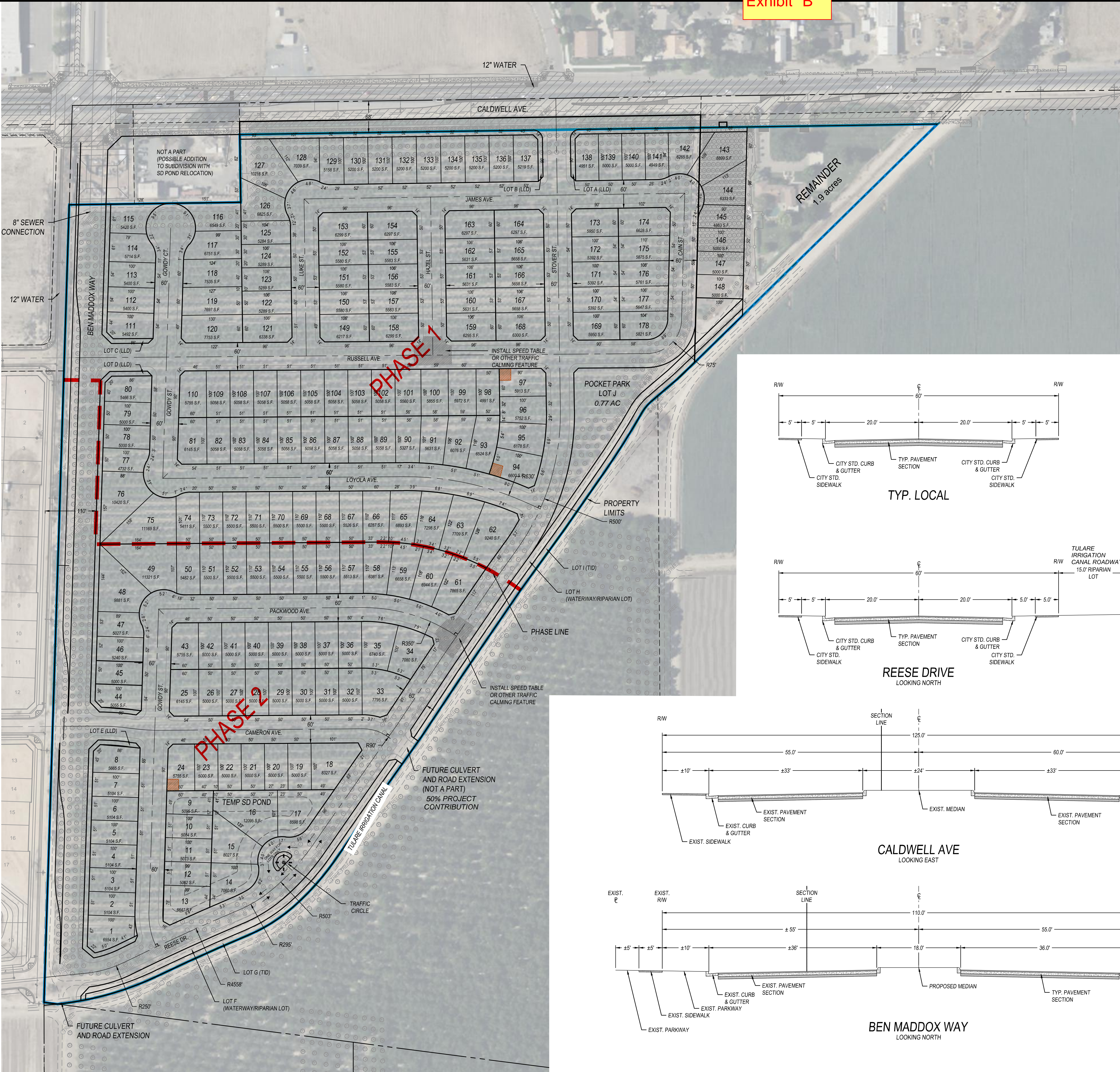
SCALE: 1" = 1000' MILE



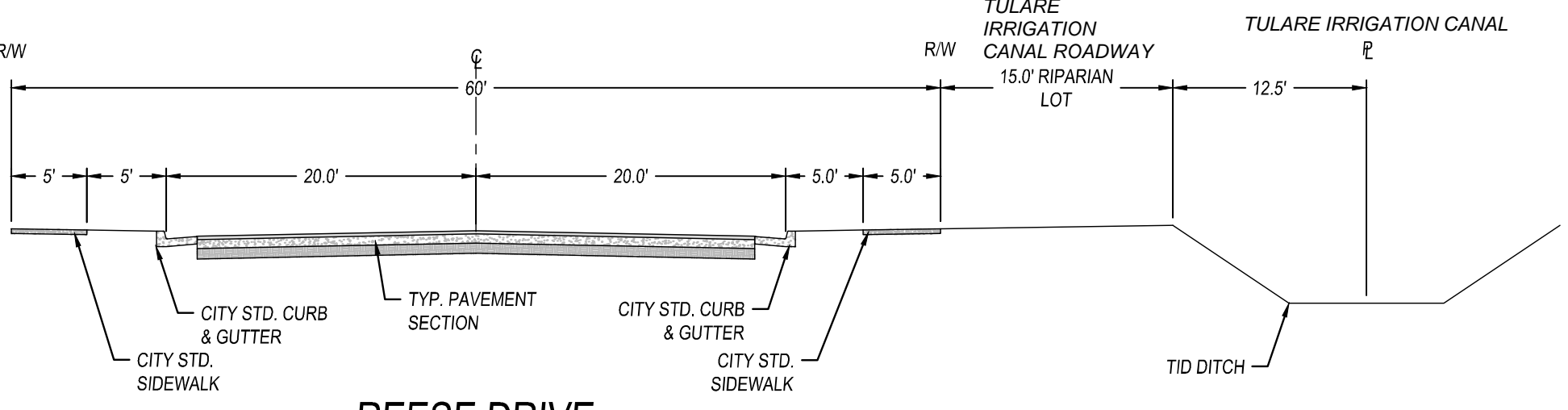
PREPARED BY:



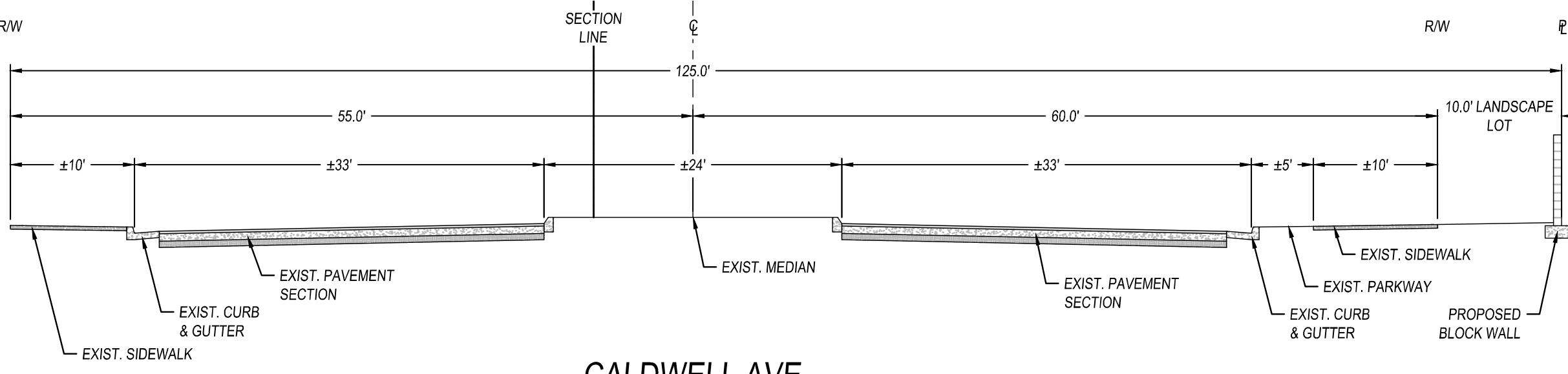
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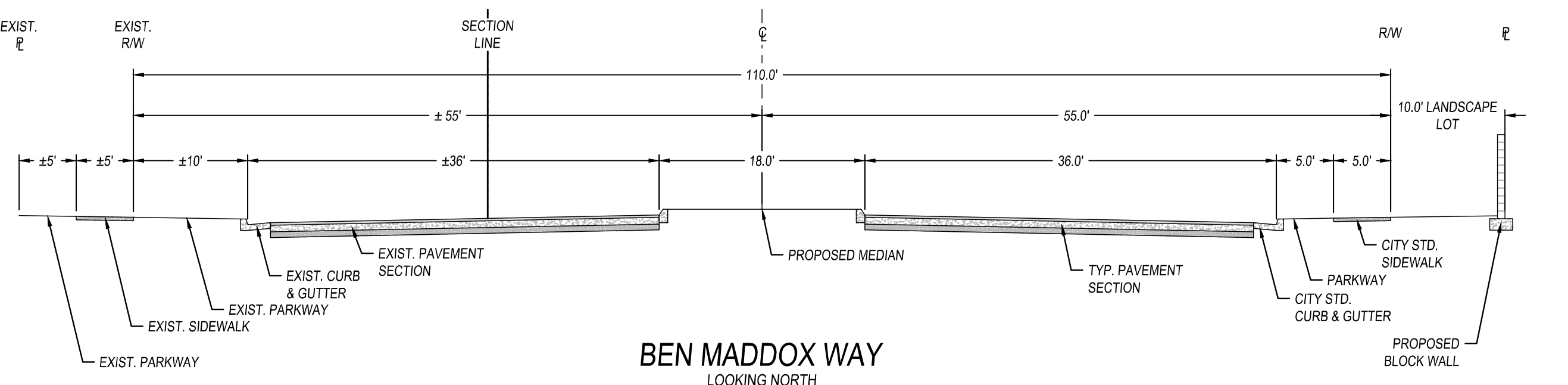
TYP. LOCAL



REESE DRIVE
LOOKING NORTH



CALDWELL AVE
LOOKING EAST



BEN MADDOX WAY
LOOKING NORTH

REPORT TO CITY OF VISALIA PLANNING COMMISSION



HEARING DATE: June 24, 2024

PROJECT PLANNER: Paul Bernal, Director / City Planner
Phone No.: (559) 713-4025
Email: paul.bernal@visalia.city

SUBJECT: Initiation of Proceedings for Annexation No. 2024-02: A request by Artemis Partners, LLC to annex 46.01 acres of Residential Low Density land from the County of Tulare to the City of Visalia. Upon annexation the site will be zoned R-1-5 (Single-Family Residential, 5,000 square feet minimum lot area).

Cameron Ranch Estates Tentative Subdivision Map No. 5598: A request Artemis Partners, LLC to subdivide two parcels totaling 43.6 acres into a 178-lot single-family residential subdivision with a 0.77-acre pocket park, landscape / lighting district lots, and remainder lot, to be located within the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone district upon annexation to the Visalia city limits.

Project Location: The property is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APNs: 124-010-005 and 124-010-007).

STAFF RECOMMENDATION

Annexation No. 2024-02

Staff recommends that the Planning Commission recommend that City Council approve the annexation request based on the findings in Resolution No. 2024-21. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

Cameron Ranch Estates Tentative Subdivision Map No. 5598

Staff recommends approval of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, as conditioned, based on the findings and conditions in Resolution No. 2024-20. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances, Housing Accountability Act (Government Code section 65589.5), and Visalia Housing Element.

RECOMMENDED MOTION

I move to recommend approval of Annexation No. 2024-02, based on the findings in Resolution No. 2024-21.

I move to approve Cameron Ranch Estates Tentative Subdivision Map No. 5598, based on the findings and conditions in Resolution No. 2024-20.

PROJECT DESCRIPTION

The applicant, Artemis Partners, LLC, has filed entitlement applications for the annexation of a 46.01-acres and a tentative subdivision map. Annexation No. 2024-02 is a request to annex a 46.01-acres located beyond the city limits, and within the Tier II urban development boundary (see Exhibit "B"). The annexation application is requesting to annex the development site within the City. Upon annexation, the Zoning designation for the area will be R-1-5 (Single-family Residential 5,000 square foot minimum lot area) for the entire project site consistent with the underlying General Plan land use designation of Residential Low Density.

The annexation request includes authorizing the detachment from County Service Area No. 1 in accordance with State and County requirements and authorizing the City Manager to sign and enter into a Pre-Annexation Agreement.

The Cameron Ranch Estates Tentative Subdivision Map No. 5598 is a request to subdivide 43.6-acres into a 178-lot single-family residential subdivision at a density of 4.08 dwelling units per gross acre (see Exhibit “A”). The subdivision map covers the entirety of the single-family residential area that is within Tier II, along with a remainder lot that is developed with a single-family home.

The proposed single-family subdivision will be serviced by 60-foot wide public local streets containing full improvements (curb, gutter, parkway landscaping, sidewalks, and streetlights), sewer lines, storm drainage, and other public infrastructure, utilities, and services (i.e., electricity and water). Primary access to the subdivision will be from the new Ben Maddow Way street extension and Caldwell Avenue, both arterial streets. Both streets will be improved to their ultimate right-of-way width within the boundaries of the Cameron Ranch Estates subdivision. Improvements along these major streets include construction of curb, gutter, parkway landscaping, sidewalks, block wall, installation of park strip landscaping, streetlights, median islands and street paving. The street improvements associated with this subdivision are discussed in greater detail in the Traffic Circulation and Street Improvements section of the staff report.

The proposed lots will conform to the zoning standards required within the R-1-5 zoning district for lot sizes of 5,000 square feet or greater. The development of the single-family residential lots will conform to the setbacks prescribed by the R-1-5 zoning district. The subdivision map will also create lettered out lots for a 0.77-acre Pocket Park (Lot J) and Landscaping and Lighting District (LLD) lots. The LLD lots will contain landscaping and the block walls along Ben Maddox Way and Caldwell Avenue.

The subdivision will be developed in two phases (Phase 1 and Phase 2) as depicted in Exhibit “A”. Phase 1 is proposing to develop 117 lots along with the pocket park, while Phase 2 will develop the remaining 61 lots. The entire project site is currently undeveloped with an active orchard and an existing single-family home located on the Remainder lot. The home will remain, and the orchard will continue to operate until the site is ready for development. The parcel is surrounded by a residential subdivision to the north and west, and orchards to the south and east. The project site also abuts a canal belonging to the Tulare Irrigation District to the east.

BACKGROUND INFORMATION

Existing General Plan Land Use Designation:	Low Density Residential
Existing County Zoning:	AE-20 (Exclusive Agriculture, 20 Acre Minimum Site Area)
Zoning upon annexation to City:	R-1-5 (Single-Family Residential 5,000 square foot minimum site area)
Surrounding General Plan & Land Use:	North: Caldwell Avenue / Four lane divided arterial street
	South: Residential Low Density / Agricultural Orchard
	East: Residential Low Density / Agricultural Orchard and one single-family home
	West: Future Ben Maddox alignment / Diamond Oaks Subdivision

Environmental Review:	Initial Study / Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257)
Special Districts:	None
Site Plan Review:	SPR No. 2023-225

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED PROJECTS

None.

ADJACENT PROJECTS

Diamond Oaks Subdivision was a request to subdivide 55.9 acres of R-1-6 zoned property into a 180-lot Planned Residential Development (PRD). The PRD consisted of 168 single-family residential lots, 12 multi-family lots and six out-lots for the purpose of Landscaping and Lighting Lots. The project included the construction of 168 single-family residential homes, the construction of eight triplex units (24 total units) on eight lots, and the future construction of a large multi-family development on the remaining four lots abutting Caldwell Avenue. DR Horton is currently developing the single-family residential homes. The subdivision was approved by the Planning Commission on September 23, 2013.

PROJECT EVALUATION

Staff supports the annexation based on the project’s consistency with the Land Use Element of the General Plan. Specifically, Annexation No. 2024-02 will facilitate a new community on a 43.6-acre site in a manner that is consistent with the General Plan land use designations that exist within the project site and will complement existing development to the north and west.

Furthermore, staff recommends approval of Cameron Ranch Estates Tentative Subdivision Map No. 5598 based on the project’s consistency with the Land Use Element of the General Plan, the Zoning and Subdivision Ordinances, Housing Accountability Act (Government Code section 65589.5) and the Visalia Housing Element for approval of the tentative subdivision map. The subdivision map proposes to develop a parcel of land that is designated for residential development at a density prescribed in the 2030 Visalia General Plan.

Annexation No. 2024-02

The project proponents have filed an application to initiate annexation of the project site into the Visalia City limits. In addition to the project site, the final annexation area will include the two parcels at the immediate corner of Ben Maddox Way and Caldwell Avenue and acreage from the future Ben Maddox Way alignment south of Caldwell Avenue across the project frontage. The site will be pre-zoned to zoning that is consistent with the subject site’s corresponding land use designations. The annexation can be supported on the basis that the proposal is consistent with **Land Use Policy LU-P-21**, which allows for the annexation and development of residential land to occur within the Tier II Urban Development Boundary consistent with the City’s Land Use Diagram.

The site can be serviced with all the requisite utility and infrastructure available to serve the site upon development. Cities can approve tentative maps prior to final approval of the annexation by the local agency formation commission (i.e., LAFCO) but cannot approve a final subdivision or parcel map until after the land is annexed and the annexation is recorded through the Tulare County Recorder. Staff has included this requirement as conditions of approval in the Cameron Ranch Estates Tentative Subdivision Map No. 5598.

General Plan Consistency

Land Use Element Policies

The subdivision's design pattern and lot pattern consisting of a minimum lot size of 5,000 square feet is consistent with the site's Residential Low Density land use designation. The entire site has been designated for residential land uses since the adoption of the Visalia General Plan in 2014.

The subdivision is further consistent with General Plan **Land Use Policy LU-P-55**, which allows for residential development consistent with the Low Density Residential designation at a density range between 2 to 10 dwelling units per gross acre. The Cameron Ranch Estates subdivision is developing the site at a density of 4.08 units per acre, which is consistent with the density range as noted above.

Low Density Residential Land Use Designation

Land Use Policy LU-P-55 states: *"this designation is intended to provide for single-family subdivisions."* Compatibility with the surrounding area is required by the General Plan in the decision to approve the proposed subdivision. The proposed subdivision meets all codified standards contained in the Zoning and Subdivision Ordinances, as well as all General Plan policies pertaining to residential development. Staff finds that the proposed tentative subdivision map is compatible with existing residential development within the Low Density Residential land use designation situated south of East Caldwell Avenue and east of the future Ben Maddox Way street alignment.

Housing Accountability Act (Government Code section 66589.5)

The Housing Accountability Act (HAA) requires local agencies to approve housing developments that are consistent with applicable general plan, zoning, and subdivision standards, including design review, if they were in effect at the time that the housing development application was deemed complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and that there is no feasible way to mitigate or avoid the impact¹.

The project is considered to be consistent, compliant, and in conformity with the General Plan, Zoning Ordinance, and single-family residential development standards. The lots proposed for the Cameron Ranch Estates subdivision meet density standards for the Low Density Residential land use designation and will be compatible with surrounding developed residential areas. Furthermore, the subdivision will develop a network of local streets, improve adjacent arterial public roadways, and construct new arterial major street, thereby facilitating increased street connectivity to accommodate future growth areas.

¹ Gov. Code Section 66589.5(j)(1).

Development Standards

The Cameron Ranch Estates tentative subdivision map will develop per the codified standards contained in the Zoning Ordinance regarding lot size and setbacks for R-1-5 zoned property. Condition No. 7 is included requiring that the lot size for Lot 141 of the Cameron Ranch Tentative subdivision be increased to comply with the minimum 5,000 square foot requirement. The subdivision does not propose the utilization of small lots or private streets with this single-family residential subdivision.

The setbacks within the R-1-5 zone for lots 5,000 square feet or greater are as follows:

Minimum Lot Area	Front	Side	Street Side	Rear
5,000 sq. ft.	15-ft. to habitable space. 22-ft. to garage, except on curvilinear lots 20-ft. to garage.	5-ft.	10-ft.	25-ft. City standard rear yard setbacks are 25 feet with allowance for one-story structure to go to 20-feet subject to open space requirements.

Landscape and Lighting Assessment Districts

A Landscaping and Lighting District (LLD) will be required for the long-term maintenance of the out lots, which include blocks walls, streetlights, landscaping, and the pocket park amenities as noted on Exhibit "A". The block walls along street frontages will be similar to City standard block walls.

The block walls along the major street frontages will be typical City standard block walls. The block wall height shall be reduced to three feet where the block wall runs adjacent to the front yard setback along the front yard areas of the following residential lots: Lots 1, 8, 44, 80, 111, 137 and 138. The three-foot transition areas can be found between the corner residential lots and the local streets heading into the subdivision from either Caldwell Avenue or Ben Maddox Way. Staff has included Condition No. 9 to require the stepped down walls.

Traffic Circulation and Street Improvements

Street improvements to arterial and local roadways will be required within the project area. The full circulation plan for the entire project, including street cross sections, is shown in Exhibit "A", including the future culvert crossing and road extension east of the Tulare Irrigation canal. Street improvements will be completed in two phases, with the first phase of development to occur on the north portion of the project area.

Arterial Streets. **Ben Maddox Way** and **Caldwell Avenue** are designated 110-foot wide arterial streets with four travel lanes at full buildout. Ben Maddox Way is not constructed south of the Ben Maddox and Caldwell intersection. The development of the Cameron Ranch Estates subdivision will require the development of Ben Maddox Way which includes frontage improvements consisting of block wall, landscaping, sidewalk, parkway landscaping, street lights, curb, gutter, median island, and street paving. Curb and gutter exists on the west side of Ben Maddox Way which was constructed as part of the Diamond Oaks subdivision site improvements. In addition to the improvements to Ben Maddox Way across the subdivision's frontage, the developer of the subdivision will also construct street improvements (i.e., curb, gutter, parkway landscape and sidewalk) across the frontage of the property located on the immediate southeast corner of the

Ben Maddox / Caldwell intersection noted on the subdivision map as “Not A Part”. A cross-section of the Ben Maddox Way improvement is depicted on Exhibit “A”. Reimbursement for improvements to Ben Maddox Way that exceed the developers required obligations will be reimbursed back to the developer.

Caldwell Avenue improvements are part of the City’s Capital Improvement Program (CIP). The Caldwell Avenue widening project is managed by the City’s Capital Improvement Program Engineering Division who is overseeing the widening of Caldwell Avenue within the jurisdictional boundaries of Visalia while Tulare County staff is managing Caldwell /Ave. 280 widening in the County areas. The entire widening project includes the area from Highway 99 to the City of Exeter.

The City’s CIP project for Caldwell Avenue (Santa Fe to Lovers Lane) includes the construction of curb, gutter, street lights, 10-foot sidewalk, median island, street paving, and full signalization of the Ben Maddox/Caldwell intersection. The developer of the subdivision will be required to install landscaping and the block wall across the subdivision frontage. To facilitate timing of the Caldwell Avenue improvements, the developer of the subdivision shall coordinate with City staff. Presently, the CIP project plans are 95% complete and bidding for construction is anticipated for August of this year. In the unlikely event City’s Caldwell Avenue CIP is extensively delayed, the developer of the subdivision will be required to install all required Caldwell Avenue street improvements across their project frontage. This requirement is noted in the City’s Engineering Development Divisions Site Plan Review comments (SPR No. 2023-225), which are incorporated as conditions of project approval (Condition No. 1).

Local Streets. All local streets will be developed per the City’s 60-foot wide local street standard. The subdivision is conditioned to provide a local street connection to the east as depicted on Exhibit “A” to comply with the City’s superblock connectivity standard. The crossing of the Tulare Irrigation canal will require the installation of a culvert crossing. The installation of the culvert is not required at this time; however, the developer shall pay their fair share for the design and construction cost of the culvert structure. Future development to the east will require the culvert structure be installed to facilitate local street connectivity and will be reimbursed per the in-lieu fee collected. The in-lieu fee amount shall be established by the City’s Engineering and Building Director and/or their designee. This is included as Condition No. 3.

Infrastructure

Water Service: Staff has included Condition No. 5 that requires a valid Will Serve Letter from the California Water Service Company, prior to development of the subdivision.

Sanitary Sewer: The sewer system will have to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will be sized in order to service the entire subdivision. The developer will be required to coordinate with City staff on design and construction requirements for the sanitary sewer. The sanitary sewer master plan for the entire development will be required to be submitted for review prior to approval of any portion of the system.

A sewer analysis, which is included in the attached Initial Study / Mitigated Negative Declaration, has been prepared for the site consistent based upon a request from the Public Works Department. After a thorough review of the analysis, the Wastewater Treatment Facility possesses the capacity to effectively accommodate this tier of development.

Storm Drainage: Currently, there is no storm drainage infrastructure south of Caldwell Avenue. The applicant has identified improvements to address storm-drainage infrastructure improvements. The plan is to require the use of a temporary onsite retention facility depicted in the southern area of the subdivision (see Exhibit “A”, Lots 9 through 17). The onsite basin is required because there is no regional basin designed and/or installed for the southeast area.

The stormwater master plan for the southeast area indicates the need for a series of regional detention basins; however, it is unlikely that such a stormwater management system could be constructed prior to this development due to the cost associated with developing the system for the southeast area. However, over time, it is anticipated that most if not all of the regional stormwater management system for the future southeast area will be constructed with combinations of capital improvement projects and incremental facilities construction.

Remainder Lot

The Cameron Ranch Estates Subdivision map (Exhibit “A”) identifies a remainder lot. Pursuant to the Subdivision Map Act section 66424.6, the subdivider may designate as a “Remainder” that portion of land, which is not divided for the purpose of sale, lease, or financing. If the subdivider elects to designate a remainder, the following requirements shall apply:

1. The designated remainder shall not be counted as a parcel for the purpose of determining whether a parcel or final map is required.
2. The fulfillment of construction requirements for improvements, including the payment of fees associated with any deferred improvements shall not be required.

The City’s CIP Caldwell project will construct the street frontage improvements across the Remainder.

Agricultural Preservation Ordinance Requirements

The 43.6-acre project site is in the City’s Tier II urban development boundary and is designated as Prime Farmland as defined per the Tulare County Farmland Mapping and Monitoring Program. As a result, the development of this site is subject to the City’s recently adopted Agricultural Preservation Ordinance. This code creates an Agricultural Preservation Ordinance (APO) to implement Visalia General Plan Land Use Policy LU-P-34.

The APO established a process for the required preservation of agricultural land through the acquisition of agricultural conservation easements or the payment of an in-lieu fee for projects subject to the provisions of the ordinance.

The developer of the project is subject to complying with the requirements of the adopted APO since the site is located with the Tier II urban development boundary. The preserved land obligation shall be calculated at a ratio of one acre of preserved land for each acre of converted land. Converted land acreage shall be calculated by determining the applicable project acreage less the acreage of exclusions. In addition, the preserved land obligation, as established in Section 18.04.070(A), shall be preserved through acquisition of an agricultural easement in accordance with Section 18.04.080, unless eligible for payment of an in-lieu fee in accordance with Section 18.04.090.

The preserved land obligation shall be satisfied prior to issuance of any permit directly authorizing or resulting in disturbance to the project site. Compliance of the ordinance is achieved when either the approved agricultural conservation easement has been recorded or the applicant has remitted the approved in-lieu fee to the qualified entity.

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. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative subdivision and tentative parcel 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 General Plan. This is included as recommended Finding No. 1 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(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 maps have been found to be consistent with the City's General Plan. This is included as recommended Finding No. 2 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential, and is developed at a density that is within the allowed range of the specified land use designation. This is included as recommended Finding No. 3 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed map, which is designated as Low Density Residential. This is included as recommended Finding No. 4 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(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 improvements of the map have not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project's determination of no new effects under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 7 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(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 been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Cameron Ranch Estates Tentative Subdivision Map No. 5598.
(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. 4 of the

	Cameron Ranch Estates Tentative Subdivision Map No. 5598.
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Environmental Review

An Initial Study and Mitigated Negative Declaration were prepared for the proposed project. Initial Study and Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257) disclosed that environmental impacts are determined to be less than significant with the incorporation of mitigation to address significant impacts to the following resources:

- One (1) mitigation measure pertaining to Agricultural and Forestry Resources to mitigate impacts for loss of Prime Farmland and Farmland of Statewide Importance on a 1:1 ratio.
- Two (2) mitigation measures pertaining to Biological Resources to reduce impacts of the Project to special-status wildlife species.
- Two (2) mitigation measures pertaining to Cultural Resources to reduce the impacts of the Project on the potential of exposing historical or archaeological materials during construction.
- Three (3) mitigation measures pertaining to Hydrology and Water Quality to address impacts to surface and groundwater resources

A 20-day review and comment period through the State Clearing House for the Initial Study began on May 30, 2024, and ended on June 19, 2024.

The City received one comment letter in response to the Initial Study / Mitigated Negative Declaration circulated for this project. This letter was shared with the project applicant. The letter was received from the Department of Toxic Substances Control (DTSC) and is included with the Initial Study / Mitigated Negative Declaration. Upon reviewing the letter with the project applicant, the applicant provided a copy of the Phase 1 Environmental Site Assessment, which was performed by Krazan & Associates, Inc. on July 13, 2022. The results of the Phase 1 noted that no Recognized Environmental Conditions (RECs) were identified. In addition, no structures, mixing/loading/storage, drainage ditches, farmhouses, outbuildings, smudge pots, or any other chemical of concerns were identified on the site. To further address the comments raised in DTSC's letter the following condition no. 4 is incorporated in the project's conditions of approval as follows:

- a. That prior to site disturbance, the developer/homebuilder will consult with Krazan & Associates, Inc. on recommendation for obtaining soil samples to test for OCP's and arsenic. If suggested to be performed, developer/homebuilder shall have Krazan & Associates, Inc. perform the soil sampling per *Interim Guidance for Sampling Agricultural Properties from DTSC*. The developer/homebuilder shall provide the Planning and Community Preservation Director with a copy of all correspondence between the developer/homebuilder and Krazan & Associates, Inc. that details the required direction/recommendation on soil samples to test for OCP's and arsenic.
- b. All imported soil and fill material shall be tested to ensure that any contaminants are with DTSC's and the US Environmental Protection Agency's (USEPA's) Regional Screening Levels (RSLs).

Based on the letter and the inclusion of the two additional project conditions as noted above, the City concludes that the findings and conclusions of the Initial Study / Mitigated Negative Declaration are still applicable. No other formal comments were received as of the publication of this report.

RECOMMENDED FINDINGS

Annexation No. 2024-02

1. That the Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Annexation, which will re-designate 46.01 acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) zone will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel will be annexed into Voting District 2 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257), is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

Cameron Ranch Estates Tentative Subdivision Map No. 5598

1. That the proposed location and layout of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, its improvement and design, and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 43.6-acre project site, which is the site of the proposed 178 lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states “ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy”.
2. That the proposed Cameron Ranch Estates Tentative Subdivision Map No. 5598, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site is adjacent to existing residential development to the west, and development standards contained within the City’s Zoning Ordinance ensure consistency in the development pattern for this project and the surrounding area.
3. That the site is physically suitable for the proposed tentative subdivision map. The project is consistent with the intent of the General Plan, Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision itself is designated as Low Density Residential, and developed at a density that is within the allowed range for Low Density Residential development.

4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the proposed Low Density Residential General Plan Land Use Designation while being developed at 4.08 dwelling units per gross acre. The design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 178-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.
5. That the proposed location of the tentative subdivision map is in accordance with the Visalia General Plan and the objectives of the Zoning and Subdivision Ordinances. The proposed location of the subdivision is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies identify the implementation of development standards to ensure that new single-family residential development will contribute to positive land use compatibility. The size of the property combined with the number of residential lots proposed is consistent and compatible with existing surrounding residential development. The proposed project will result in the creation of new single-family residential developments at a density of 4.08 units per acre, which is consistent with General Plan land use designation of Low Density Residential and the R-1-5 zoning designation that will be applied to the site when annexed into the city limits.
6. That there is no evidence that the project would cause quantifiable significant unavoidable impacts on public health and safety. The project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and development standards. The Housing Accountability Act (Government Code Section 66589.5) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact.
7. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.
8. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257), is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

RECOMMENDED CONDITIONS

Annexation No. 2024-02

1. Upon annexation, the territory shall be zoned R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) zone, consistent with the underlying General Plan land use designation of Residential Low Density.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment “B” of Resolution No. 2024-21. The agreement is subject to final approval by the City Council of the City of Visalia.

Cameron Ranch Estates Tentative Subdivision Map No. 5598

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2023-225 incorporated herein by reference.
2. That the Cameron Ranch Estates Tentative Subdivision Map No. 5598 be prepared in substantial compliance with the subdivision map in Exhibit “A”.
3. That the developer shall pay their fair share for the design and construction cost of the culvert structure that will be required to be installed across the Tulare Irrigation ditch when development to the east requires this structure to be installed to facilitate local street connectivity. The in-lieu fee amount shall be determined by the City’s Engineering and Building Director and/or their designee.
4. That the Mitigation Monitoring and Reporting Program and its mitigation measures adopted with the Initial Study / Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257) and all conditions of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, including the following conditions in response to DTSC’s comment letter be met during construction and upon final occupancy and ongoing operation of the project:
 - a. That prior to site disturbance, the developer/homebuilder will consult with Krazan & Associates, Inc. on recommendation for obtaining soil samples to test for OCP’s and arsenic. If suggested to be performed, developer/homebuilder shall have Krazan & Associates, Inc. perform the soil sampling per *Interim Guidance for Sampling Agricultural Properties from DTSC*. The developer/homebuilder shall provide the Planning and Community Preservation Director with a copy of all correspondence between the developer/homebuilder and Krazan & Associates, Inc. that details the required direction/recommendation on soil samples to test for OCP’s and arsenic.
 - b. All imported soil and fill material shall be tested to ensure that any contaminants are with DTSC’s and the US Environmental Protection Agency’s (USEPA’s) Regional Screening Levels (RSLs).
5. That prior to the issuance of approved subdivision improvement plans or any residential building permit on the site, a valid Will Serve Letter from the California Water Service Company shall be obtained.
6. That approval of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 shall not become effective unless Annexation No. 2024-02, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2024-02.

7. That the lot area for Lot 141 be increased to 5,000 square feet to meet the minimum lot area for R-1-5 zoned lots.
8. That the setbacks for the single-family residential lots shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.

Minimum Lot Area	Front	Side	Street Side	Rear
5,000 sq. ft.	15-ft. to habitable space. 22-ft. to garage, except on curvilinear lots 20-ft. to garage.	5-ft.	10-ft.	25-ft. City standard rear yard setbacks are 25 feet with allowance for one-story structure to go to 20-feet subject to open space requirements.

9. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 1, 8, 44, 80, 111, 137, and 138 of the Cameon Ranch Estates Tentative Subdivision Map No. 5598 (Exhibit "A").
10. That the developer shall inform and have future homeowners of the Cameron Ranch Estates subdivision sign and acknowledge Tulare County's "Right to Farm" Ordinance. This informs future residential owners that the farming operation located to the south, which is located in the County, is protected and cannot be declared a nuisance if operating in a manner consistent with proper and accepted customs and standards.
11. That all applicable federal, state, regional, and city policies and ordinances be met.

APPEAL INFORMATION

Annexation No. 2024-02

For the Annexation, the Planning Commission's recommendation is advisory only. The final decision will be made by the Visalia City Council following a public hearing. Therefore, the Planning Commission's recommendation in this matter is not appealable.

Cameron Ranch Estates Tentative Subdivision Map No. 5598

According to the City of Visalia Subdivision Ordinance Section 16.28.080, 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 St., Visalia, CA, 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the City's website at:

https://www.visalia.city/government/committees/planning_commission/default.asp.

Attachments:

- Related Plans and Policies
- Resolution No. 2024-21 – Annexation No. 2024-02
 - Attachment “A” – Annexation Area
 - Attachment “B” – Annexation Agreement
- Resolution No. 2024-20 – Cameron Ranch Estates Tentative Subdivision Map No. 5598
- Exhibit "A" – Cameron Ranch Estates Tentative Subdivision Map No. 5598
- Exhibit “B” – Annexation Area
- Initial Study Mitigated Negative Declaration No. 2024-19
- Letter from Department of Toxic Substances Control (DTSC) dated June 13, 2024
- Response Letter from Project Applicant dated June 19, 2024
- Phase 1 Environmental Site Assessment Report dated July 13, 2022
- Site Plan Review Item No. 2023-225
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

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-19:** Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy. The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012 city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern.
- LU-P-21:** Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) and the Urban Growth Boundary (Tier III) consistent with the City's Land Use Diagram, according to the following phasing thresholds:
- "Tier II": Tier II supports a target buildout population of approximately 178,000. The expansion criteria for land in Tier II is that land would only become available for development when building permits have been issued in Tier I at the following levels, starting from April 1, 2010:

Residential: after permits for 5,850 housing units have been issued.

- LU-P-55:** Update the Zoning Ordinance to reflect the Low Density Residential designation on the Land Use Diagram for development at 2 to 10 dwelling units per gross acre, facilitating new planned neighborhoods and infill development in established areas. This designation is intended to provide for single-family detached housing with densities typical of single-family subdivisions. Duplex units, townhouses, and small-lot detached housing may be incorporated as part of Low Density Residential developments. Development standards will ensure that a desirable single-family neighborhood character is maintained.

Zoning Ordinance Chapter 17.12 R-1 SINGLE-FAMILY RESIDENTIAL ZONE

17.12.010 Purpose and intent.

In the R-1 single-family residential zones (R-1-5, R-1-12.5, and R-1-20), the purpose and intent is to provide living area within the city where development is limited to low density concentrations of one-family dwellings where regulations are designed to accomplish the following: to promote and encourage a suitable environment for family life; to provide space for community facilities needed to compliment urban residential areas and for institutions that require a residential environment; to minimize traffic congestion and to avoid an overload of utilities designed to service only low density residential use.

17.12.015 Applicability.

The requirements in this chapter shall apply to all property within R-1 zone districts.

17.12.050 Site area.

The minimum site area shall be as follows:

Zone	Minimum Site Area
R-1-5	5,000 square feet
R-1-12.5	12,500 square feet
R-1-20	20,000 square feet

A. Each site shall have not less than forty (40) feet of frontage on the public street. The minimum width shall be as follows:

Zone	Interior Lot	Corner Lot
R-1-5	50 feet	60 feet
R-1-12.5	90 feet	100 feet
R-1-20	100 feet	110 feet

B. Minimum width for corner lot on a side on cul-de-sac shall be eighty (80) feet, when there is no landscape lot between the corner lot and the right of way.

17.12.060 One dwelling unit per site.

In the R-1 single-family residential zone, not more than one dwelling unit shall be located on each site, with the exception to Section 17.12.020(J).

17.12.080 Front yard.

A. The minimum front yard shall be as follows:

Zone	Minimum Front Yard
R-1-5	Fifteen (15) feet for living space and side-loading garages and twenty-two (22) feet for front-loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cochere. A Porte Cochere with less than twenty-two (22) feet of setback from property line shall not be counted as covered parking, and garages on such sites shall not be the subject of a garage conversion.
R-1-12.5	Thirty (30) feet
R-1-20	Thirty-five (35) feet

B. On a site situated between sites improved with buildings, the minimum front yard may be the average depth of the front yards on the improved site adjoining the side lines of the site but need not exceed the minimum front yard specified above.

C. On cul-de-sac and knuckle lots with a front lot line of which all or a portion is curvilinear, the front yard setback shall be no less than fifteen (15) feet for living space and side-loading garages and twenty (20) feet for front-loading garages.

17.12.090 Side yards.

A. The minimum side yard shall be five feet in the R-1-5 and R-1-12.5 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet and twenty-two (22) feet for front loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cocheres.

B. The minimum side yard shall be ten feet in the R-1-20 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than twenty (20) feet.

C. On a reversed corner lot the side yard adjoining the street shall be not less than ten feet.

D. On corner lots, all front-loading garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

E. Side yard requirements may be zero feet on one side of a lot if two or more consecutive lots are approved for a zero lot line development by the site plan review committee.

F. The placement of any mechanical equipment, including but not limited to, pool/spa equipment and evaporative coolers shall not be permitted in the five-foot side yard within the buildable area of the lot, or within five feet of rear/side property lines that are adjacent to the required side yard on adjoining lots. This provision shall not apply to street side yards on corner lots, nor shall it prohibit the surface mounting of utility meters and/or the placement of fixtures and utility lines as approved by the building and planning divisions.

17.12.100 Rear yard.

In the R-1 single-family residential zones, the minimum yard shall be twenty-five (25) feet, subject to the following exceptions:

A. On a corner or reverse corner lot the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained. The remaining side yard to be a minimum of five feet.

B. Accessory structures not exceeding twelve (12) feet may be located in the required rear yard but not closer than three feet to any lot line provided that not more than twenty (20) percent of the area of the required rear yard shall be covered by structures enclosed on more than one side and not more than forty (40) percent may be covered by structures enclosed on only one side. On a reverse corner lot an accessory structure shall not be located closer to the rear property line than the required side yard on the adjoining key lot. An accessory structure shall not be closer to a side property line adjoining key lot and not closer to a side property line adjoining the street than the required front yard on the adjoining key lot.

C. Main structures may encroach up to five feet into a required rear yard area provided that such encroachment does not exceed one story and that a usable, open, rear yard area of at least one thousand five hundred (1,500) square feet shall be maintained. Such encroachment and rear yard area shall be approved by the city planner prior to issuing building permits.

17.12.110 Height of structures.

In the R-1 single-family residential zone, the maximum height of a permitted use shall be thirty-five (35) feet, with the exception of structures specified in Section 17.12.100(B).

17.12.120 Off-street parking.

In the R-1 single-family residential zone, subject to the provisions of Chapter 17.34.

17.12.130 Fences, walls and hedges.

In the R-1 single-family residential zone, fences, walls and hedges are subject to the provisions of Section 17.36.030.

RESOLUTION NO 2024-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CAMERON RANCH ESTATES TENTATIVE SUBDIVISION MAP NO. 5598: A REQUEST TO SUBDIVIDE 43.6-ACRES INTO 178 LOTS FOR RESIDENTIAL USE AND ADDITIONAL LOTS FOR A POCKET PARK, AND LANDSCAPE / LIGHTING DISTRICT LOTS TO BE LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM LOT AREA) ZONE DISTRICT UPON ANNEXATION. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF EAST CALDWELL AVENUE BETWEEN THE FUTURE SOUTH BEN MADDOX WAY ALIGNMENT AND SOUTH PINKHAM STREET
(APNS: 124-010-005 AND 124-010-007)

WHEREAS, Cameron Ranch Estates Tentative Subdivision Map No. 5598 is a request to subdivide 43.6-acres into 178 lots for residential use and additional lots for a pocket park and landscape / lighting district lots to be located within the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot area) zone district upon annexation. The project site is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APNs: 124-010-005 and 124-010-007); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on June 24, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Cameron Ranch Estates Tentative Subdivision Map No. 5598 in accordance with Chapter 16.16 of the Subdivision 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

NOW, THEREFORE, BE IT RESOLVED that Mitigated Negative Declaration No. 2024-19 was prepared for Annexation No. 2024-02 and the Cameron Ranch Estates Tentative Subdivision Map No. 5598 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 makes the following specific findings based on the evidence presented:

1. That the proposed location and layout of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, its improvement and design, and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 43.6-acre project site, which is the site of the proposed 178 lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states “ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy”.
2. That the proposed Cameron Ranch Estates Tentative Subdivision Map No. 5598, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site is adjacent to existing residential development to the west, and development standards contained within the City’s Zoning Ordinance ensure consistency in the development pattern for this project and the surrounding area.
3. That the site is physically suitable for the proposed tentative subdivision map. The project is consistent with the intent of the General Plan, Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision itself is designated as Low Density Residential, and developed at a density that is within the allowed range for Low Density Residential development.
4. That the site is physically suitable for the proposed tentative subdivision map and the project’s density, which is consistent with the proposed Low Density Residential General Plan Land Use Designation while being developed at 4.08 dwelling units per gross acre. The design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 178-lot subdivision is designed to comply with the City’s Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.
5. That the proposed location of the tentative subdivision map is in accordance with the Visalia General Plan and the objectives of the Zoning and Subdivision Ordinances. The proposed location of the subdivision is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies identify the implementation of development standards to ensure that new single-family residential development will contribute to positive land use compatibility. The size of the property combined with the number of residential lots proposed is consistent and compatible with existing surrounding residential development. The proposed project will result in the creation of new single-family residential developments at a density of 4.08 units per acre, which is consistent with General Plan land use designation of Low Density Residential and the R-1-5 zoning designation that will be applied to the site when annexed into the city limits.

6. That there is no evidence that the project would cause quantifiable significant unavoidable impacts on public health and safety. The project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and development standards. The Housing Accountability Act (Government Code Section 66589.5) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact.
7. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.
8. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Mitigated Negative Declaration No. 2024-19, is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative subdivision map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.16.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2023-225 incorporated herein by reference.
2. That the Cameron Ranch Estates Tentative Subdivision Map No. 5598 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That the developer shall pay their fair share for the design and construction cost of the culvert structure that will be required to be installed across the Tulare Irrigation ditch when development to the east requires this structure to be installed to facilitate local street connectivity. The in-lieu fee amount shall be determined by the City's Engineering and Building Director and/or their designee.

4. That the Mitigation Monitoring and Reporting Program and its mitigation measures adopted with the Initial Study / Mitigated Negative Declaration No. 2024-19 (State Clearinghouse 2024051257) and all conditions of the Cameron Ranch Estates Tentative Subdivision Map No. 5598, including the following conditions in response to DTSC's comment letter be met during construction and upon final occupancy and ongoing operation of the project:
 - a. That prior to site disturbance, the developer/homebuilder will consult with Krazan & Associates, Inc. on recommendation for obtaining soil samples to test for OCP's and arsenic. If suggested to be performed, developer/homebuilder shall have Krazan & Associates, Inc. perform the soil sampling per *Interim Guidance for Sampling Agricultural Properties from DTSC*. The developer/homebuilder shall provide the Planning and Community Preservation Director with a copy of all correspondence between the developer/homebuilder and Krazan & Associates, Inc. that details the required direction/recommendation on soil samples to test for OCP's and arsenic. The City shall require the developer to comply with specified direction/recommendation as required prior to any further site disturbance.
 - b. All imported soil and fill material shall be tested to ensure that any contaminants are with DTSC's and the US Environmental Protection Agency's (USEPA's) Regional Screening Levels (RSLs).
5. That prior to the issuance of approved subdivision improvement plans or any residential building permit on the site, a valid Will Serve Letter from the California Water Service Company shall be obtained.
6. That approval of the Cameron Ranch Estates Tentative Subdivision Map No. 5598 shall not become effective unless Annexation No. 2024-02, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2024-02.
7. That the lot area for Lot 141 be increased to 5,000 square feet to meet the minimum lot area for R-1-5 zoned lots.
8. That the setbacks for the single-family residential lots shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.

Minimum Lot Area	Front	Side	Street Side	Rear
5,000 sq. ft.	15-ft. to habitable space. 22-ft. to garage, except on curvilinear lots 20-ft. to garage.	5-ft.	10-ft.	25-ft. City standard rear yard setbacks are 25 feet with allowance for one-story structure to go to 20-foot subject to open space requirements.

9. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 1, 8, 44, 80, 111, 137 and 138 of the Cameon Ranch Estates Tentative Subdivision Map No. 5598 (Exhibit "A").
10. That the developer shall inform and have future homeowners of the Cameron Ranch Estates subdivision sign and acknowledge Tulare County's "Right to Farm" Ordinance. This informs future residential owners that the farming operation located to the south, which is located in the County, is protected and cannot be declared a nuisance if operating in a manner consistent with proper and accepted customs and standards.
11. That all applicable federal, state, regional, and city policies and ordinances be met.

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

AYES: Commissioners Beatie, Hansen, Tavarez, Davis, Peck
NOES:
ABSTAINED:
ABSENT:

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

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2024-20, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on June 24, 2024.



Paul Bernal, Community Development Director



Adam Peck, Chairperson

DESCRIPTION OF PROJECT:

Tentative Parcel Map No. 2025-10: A request by 4Creeks, Inc., to subdivide 41.7 acres into 2 parcels to facilitate the future residential Cameron Ranch Estates subdivision. The site is zoned R-1-5 (Single-family Residential, 5,000 square foot minimum site area).

Location: The property is located on the south side of East Caldwell Avenue between the future South Ben Maddox Way alignment and South Pinkham Street (APN: 124-010-016).

SUMMARY

This document is an addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19 (State Clearinghouse 2024051257) originally prepared for the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02. The decision to prepare an addendum was based on the original document's adequate analysis with regard to the proposed tentative parcel map. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162, which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR have been met.

This addendum is being prepared to include Tentative Parcel Map No. 2025-10 into the project description. The parcel map entitlement will facilitate the subdivision of the entire project site into two parcels, which match the phasing plan originally depicted with the Cameron Ranch Estates subdivision. No changes will be made to the zoning or land use designation associated with the residential subdivision, and all conditions and mitigation measures adopted for the Cameron Ranch Estates Tentative Subdivision Map No. 5598 are still applicable when the area is developed with a residential subdivision. The change to the Initial Study/Mitigated Negative Declaration's project description is minor and is supported by evidence in the record. To view a copy of Initial Study/Mitigated Negative Declaration Document No. 2024-19, please click on the following link to review the June 24, 2024 Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02 staff report and associated materials: <https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=55881>

This addendum shall be attached to and considered with Initial Study / Mitigated Negative Declaration No. 2024-19, which was prepared for the Cameron Ranch Estates Tentative Subdivision Map No. 5598 and Annexation No. 2024-02, and was adopted by the Visalia City Council on August 8, 2024. The Initial Study / Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and disclosed that environmental impacts are determined to be not significant for the project if mitigation specified in the document is carried out.

DECISION TO PREPARE AN ADDENDUM PURSUANT TO CEQA GUIDELINES, SECTION 15162

According to CEQA Guidelines Section 15162, a subsequent Negative Declaration is required if one or more of three criterion have occurred. These criterion generally involve substantial changes proposed in the project or occurring with respect to the circumstances under which the project is taken that warrant major revisions to the Mitigated Negative Declaration due to new or increased significant environmental effects, or the revealing of new information of substantial importance that was not and could not have reasonably been known previously that show an increased significant impact from the project.

The City's evaluation of the proposed project has determined that a further subdivision of land that was previously considered and approved for a 178-lot residential subdivision is not a

substantial change that brings about a new significant environmental impact or significantly increases the severity of an environmental impact. Also, no new information has arisen since the approval of Mitigated Negative Declaration No. 2024-19 regarding the project or its site conditions that warrant a change in environmental effects.

Staff is making the following findings for the First Addendum to Initial Study/Mitigated Negative Declaration Document No. 2024-19:

FINDINGS

1. That the inclusion of (a) Tentative Parcel Map No. 2025-10, a request by 4Creeks, Inc., to subdivide 41.7 acres into 2 parcels to facilitate the future residential Cameron Ranch Estates subdivision. The site is zoned R-1-5 (Single-family Residential, 5,000 square foot minimum site area), which constitutes a minor change to the project description and none of the conditions which would require the preparation of a Subsequent Mitigated Negative Declaration have occurred, Guidelines Section 15164(a).
2. That no changes have occurred since Initial Study/Negative Declaration No. 2024-19 was approved that would change the outcome of the previous Initial Study.

Addendum to Initial Study/Mitigated Negative Declaration No. 2024-19 prepared by:


for Paul Bernal

Paul Bernal
Director / City Planner
City of Visalia Planning Division

10/09/2025

Date

SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Addendum by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sewer System Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.
- 2015 Urban Water Management Plan, Visalia District. California Water Service Company, June 2016.



June 24, 2024

Site Plan Review No. 2024-113:

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 **May 29, 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, which appears to read "Paul Bernal", is written over a circular blue ink stamp.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE May 29, 2024
SITE PLAN NO. 2024-113
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 7:30 a.m. and 5:00 p.m., Monday through Thursday, offices closed on Fridays.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ TPM

☐ HISTORIC PRESERVATION

☐ OTHER:

☐ ADDITIONAL COMMENTS:

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

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division, 559-713-4003

Date: May 29, 2024

SITE PLAN NO: 2024-113

PROJECT TITLE: Cameron Ranch Estates - Tentative Parcel Map.

APPLICANT: Matthew Ainley

LOCATION: E. Caldwell Ave. + S. Ben Maddox

APN TITLE: 124-010-007

Planning Division Recommendation:

☒ Revise and Proceed

☐ Resubmit

Project Requirements

- Tentative Parcel Map (TPM)

PROJECT SPECIFIC INFORMATION: May 29, 2024

1. The proposal is supported by staff and may continue with the other subdivision entitlement.
2. Comply with the requirements of the Engineering and Traffic Engineering Divisions.

Note:

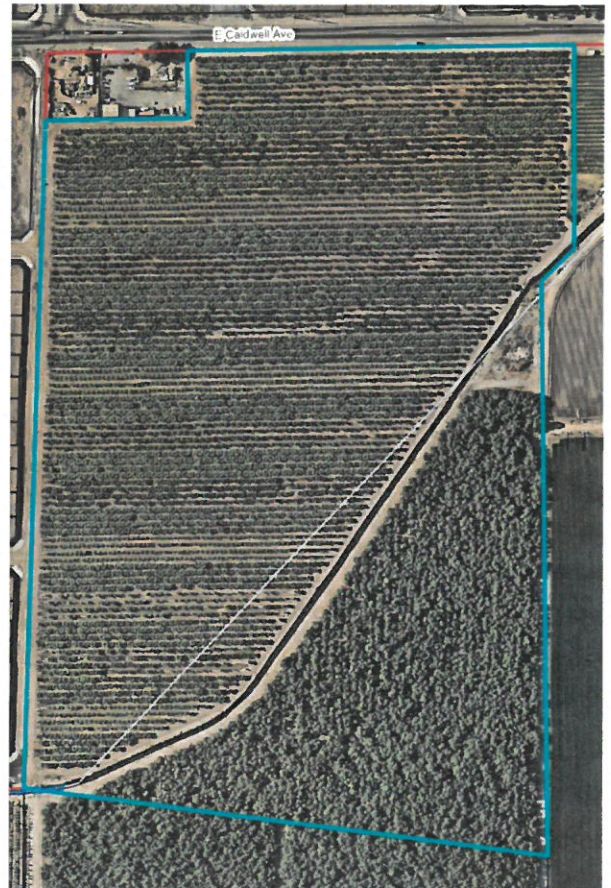
1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has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

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

- 17.12 Single-Family Residential Zone
- 17.34 Off-street parking and loading facilities

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

Signature: 



**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

☒ Edelma Gonzalez 713-4364
☐ Sarah MacLennan 713-4271
☐ Luqman Ragabi 713-4362

ITEM NO: 6 DATE: MAY 29TH, 2024

SITE PLAN NO.: 24-113
PROJECT TITLE: CAMERON RANCH ESTATES - TPM
DESCRIPTION: PARCEL MAP TO UPDATE EXISTING PARCELS
AND ALIGN WITH PROPOSED PHASES
APPLICANT: MATTHEW AINLEY
PROP. OWNER: TWIGGE OAKS LLC
LOCATION: 1345 E CALDWELL AVE
APN: 124-010-005 & 007

SITE PLAN REVIEW COMMENTS

- ☒ REQUIREMENTS (Indicated by checked boxes)
- ☒ Submit improvements plans detailing all proposed work; ☐ Subdivision Agreement will detail fees & bonding requirements
- ☒ Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- ☒ The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- ☒ A preconstruction conference is required prior to the start of any construction.
- ☐ Right-of-way dedication required. A title report is required for verification of ownership. ☒ by map ☒ by deed
ADDITIONAL ROW FOR BEN MADDOX AND CALDWELL AT INTERSECTION. SEE ADDITIONAL COMMENTS
- ☒ City Encroachment Permit Required which shall include an approved traffic control plan.
- ☐ CalTrans Encroachment Permit Required. ☐ CalTrans comments required prior to tentative parcel map approval. CalTrans 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. **MAINTAINANCE DISTRICT TO BE FORMED FOR SUBDIVISION**
- ☒ 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.
- ☒ Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- ☐ Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- ☒ Written comments required from ditch company. **TID** Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- ☒ Final Map & Improvements shall conform to the City's Waterways Policy. ☒ Access required on ditch bank, 12' minimum. ☐ Provide wide riparian dedication from top of bank.
- ☒ Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system. **EXTEND SANITARY SEWER TO PROJECT BOUNDARY LIMITS. INSTALL ANY CITY MASTER PLANNED SEWER INFRASTRUCTURE.**
- ☒ 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. **INSTALL ANY CITY MASTER PLANNED STORM DRAIN INFRASTRUCTURE. SEE ADDITIONAL COMMENTS.**

- ☒ 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 (559)713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. ☐ A pre-construction conference is required.
- ☒ Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- ☒ Relocate existing utility poles and/or facilities. **REQUIRED WITH ALL PUBLIC STREET WIDENING/CONSTRUCTION**
- ☒ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **AS NECESSARY PER REQUIRED ROAD IMPROVEMENTS. EXISTING POWER POLES ON BEN MADDOX.**
- ☒ Provide "R" value tests: **1** each at **EACH INTERSECTION AND 300' INTERVALS**
- ☒ Traffic indexes per city standards: **REFER TO ARTERIAL AND LOCAL STREET CITY STANDARDS.**
- ☒ 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. **CALDWELL, BEN MODDOX, AND LOCAL STREETS.**
- ☒ All lots shall have separate drive approaches constructed to City Standards. **REFER TO CITY STDS.**
- ☒ Install street striping as required by the City Engineer. **DETERMINED AT TIME OF CIVIL REVIEW**
- ☒ Install sidewalk: **VARIES** ft. wide, with **5'** ft. wide parkway on **BEN MADDOX, CALDWELL, AND LOCAL STREETS.**
- ☒ Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- ☐ Subject to existing Reimbursement Agreement to reimburse prior developer:
- ☒ Abandon existing wells per City of Visalia Code. A building permit is required.
- ☒ Remove existing irrigation lines & dispose off-site. ☒ Remove existing leach fields and septic tanks.
- ☒ 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. Coordinate with city staff for City parcel map requirements and processing fees.**
- 2. Proposed tentative parcel map is subject to the underlying conditions of the previously proposed tentative subdivision map for Cameron Ranch States. Refer to SPR No. 23-225.**
- 3. City staff may require additional information to further determine extents of necessary right-of-way if phase 2 develops before Phase 1. Additional Right of Way dedication and improvements shall be then dedicated as Irrevocable Offers of Dedication with the parcel map.**
- 4. Development impact fees can be deferred until time of development of either parcel.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **24-113**

Date: **05/29/2024**

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:**08/19/2023**)

(Project type for fee rates:(**TENTATIVE PARCEL MAP**)

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

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	DEFERRED UNTIL TIME OF DEVELOPMENT
<input checked="" type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	
<input checked="" type="checkbox"/> Park Acquisition Fee	
<input checked="" type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City 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 planned 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

APR 24/13
CAMERON RANCH ESTATES
124010005 & 007

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: _____

VAL GARCIA 5/28/24
Signature

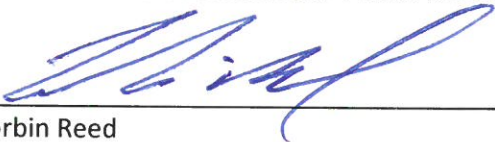
**Site Plan Comments**

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

5-29

Date	June 24, 2024
Item #	6
Site Plan #	24113
APN:	124010005 & 7

- 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.
- Construction and demolition sites prior to and during construction shall comply with the attached **Access & Water Guidelines**.
- This item is a **resubmittal**. Please see comments from previous submittals.



Corbin Reed
Fire Marshal



Visalia Fire Department Access and Water Guidelines for Residential Construction

Effective July 1, 2019

Model Homes & Non-Model Homes

Model and Non-Model homes may be constructed once all of the following conditions have been met:

1. All portions of proposed residential construction shall be located and accessible within 150 feet of an existing, paved, city street.
2. **Exceptions:** If any portion of a model home or a non-model is located greater than 150 feet from an existing city street, a fire apparatus access road shall be installed and maintained unobstructed at all times. The fire access road, including curb and gutter, shall be installed per City Specifications and City Standard P-1 excluding the Asphalt Concrete layer, but in no circumstance shall have a structural section less than required under City Standard P-25 based on R-Value of existing subgrade unless otherwise specified on approved plans. Compaction tests, including testing of the aggregate base layer, shall be performed under City inspection and reports shall be submitted to the Public Works Inspector prior to City acceptance for the road to be used for fire access. The fire access roads shall be usable and maintained in place until permanent paved access has been provided meeting City standards and specifications.
3. All required fire hydrants shall be installed in the approved locations per the stamped and approved plans and shall be fully operational.

Exception: If fire hydrant installation has not been completed an onsite elevated water tank shall be provided. The minimum size of provided water tank shall be 10,000 gallons, and shall be designated as "Fire Department use only". Tanks shall be located within 300 feet travel distance of each structure being developed. Tanks shall remain in place until all fire hydrant installation has been completed and all hydrants are fully operational. Travel distance shall be measured by an approved fire apparatus access route.

Connection provided on water tanks shall be a four and one half inch National Hose thread male fitting and shall be gravity fed, with connection point located between 18 and 36 inches above ground level.

***If at any time the conditions of these guidelines are not being met the Fire Marshal/Fire Chief or his/her designee have the authority to issue a "Stop Work Order" until corrections have been made.**

*** This information is intended to be a guideline. The Fire Marshal and/or Fire Chief shall have the discretion to modify requirements at any time as set forth under CFC Appendix D.**



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

Date: 05/29/24
Item: 6
Site Plan: SPR24113
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

May 29, 2024

ITEM NO: 6 Added to Agenda MEETING TIME: 10:30
SITE PLAN NO: [SPR24113](#) ASSIGNED TO: Josh Dan Josh.Dan@visalia.city
PROJECT TITLE: Cameron Ranch Estates - TPM
DESCRIPTION: Parcel Map to update existing parcels and align with proposed phases
APPLICANT: Matthew Ainley - Applicant
APN: 124-010-005 & 007

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:

•

Leslie Blair

Leslie Blair

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

24113

May 29, 2024

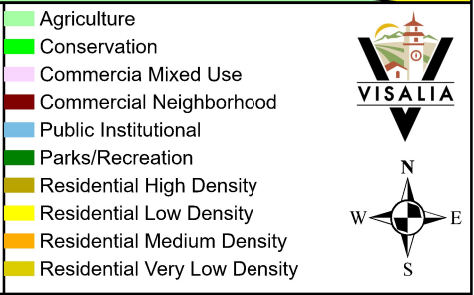
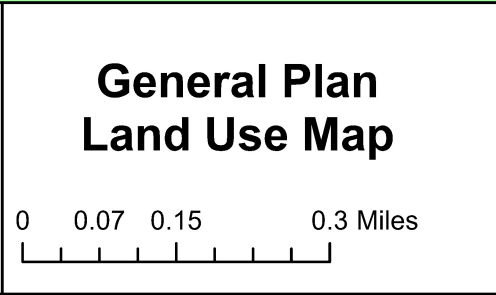
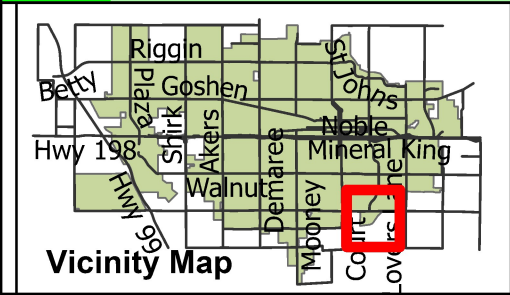
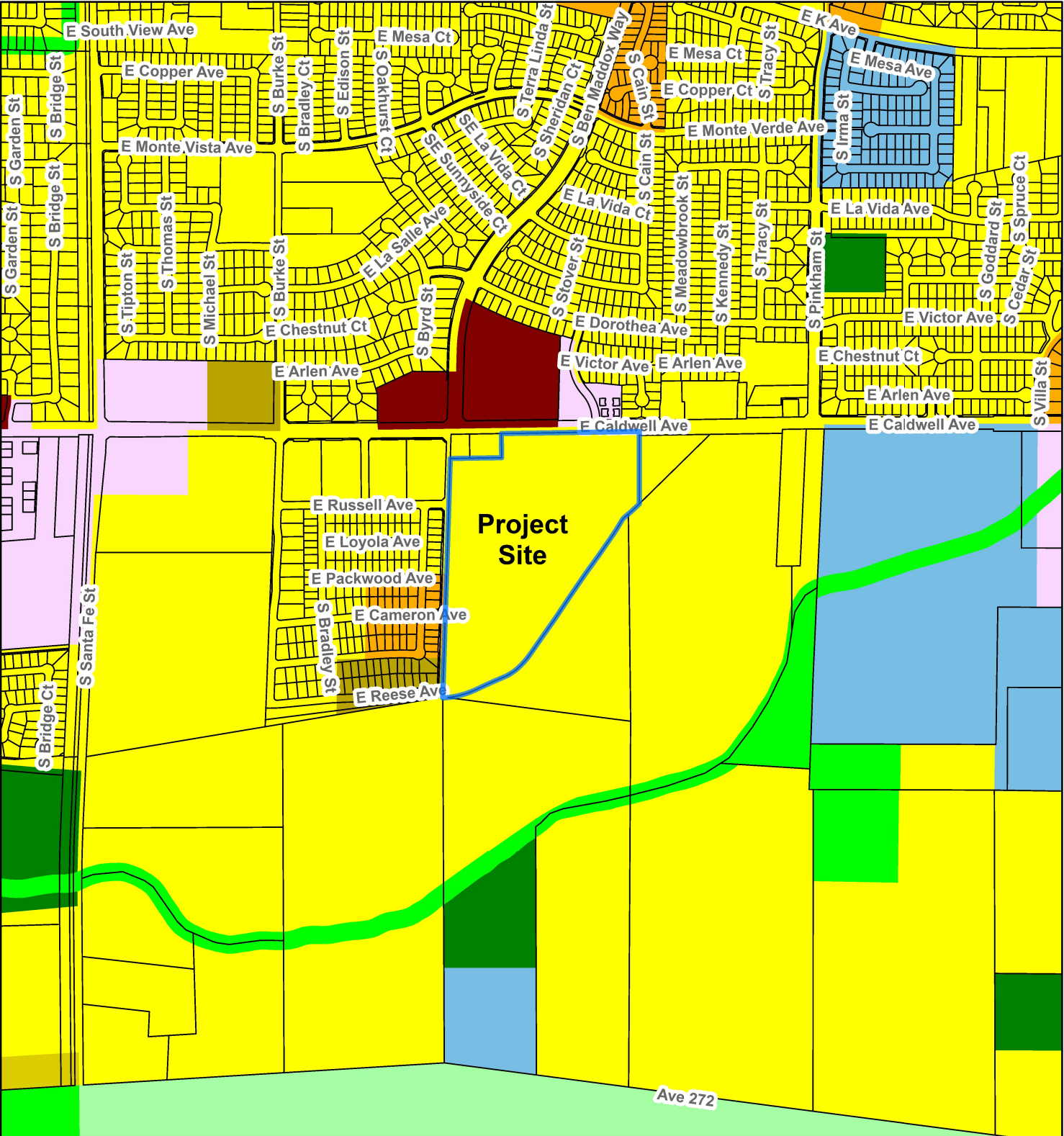
- ☒ No comments.
- ☐ See comments below
- ☐ Revisions required prior to submitting final plans. See comments below.
- ☐ Resubmittal required. See comments below.
- ☐ Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ☐ ALL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

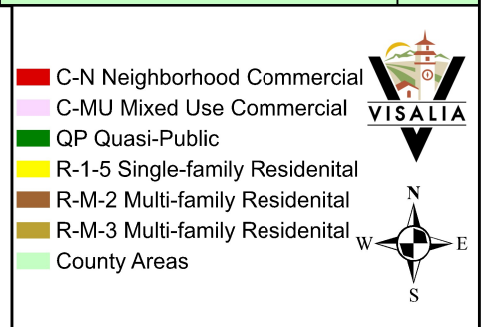
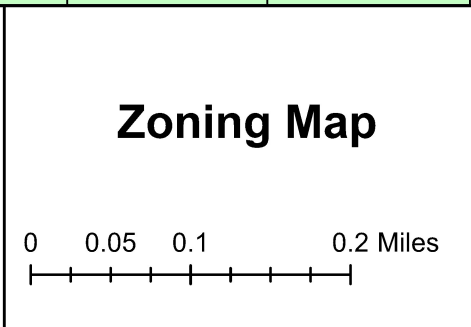
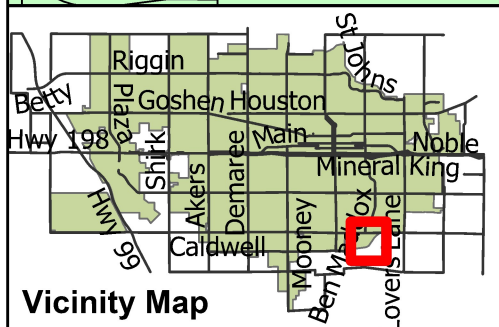
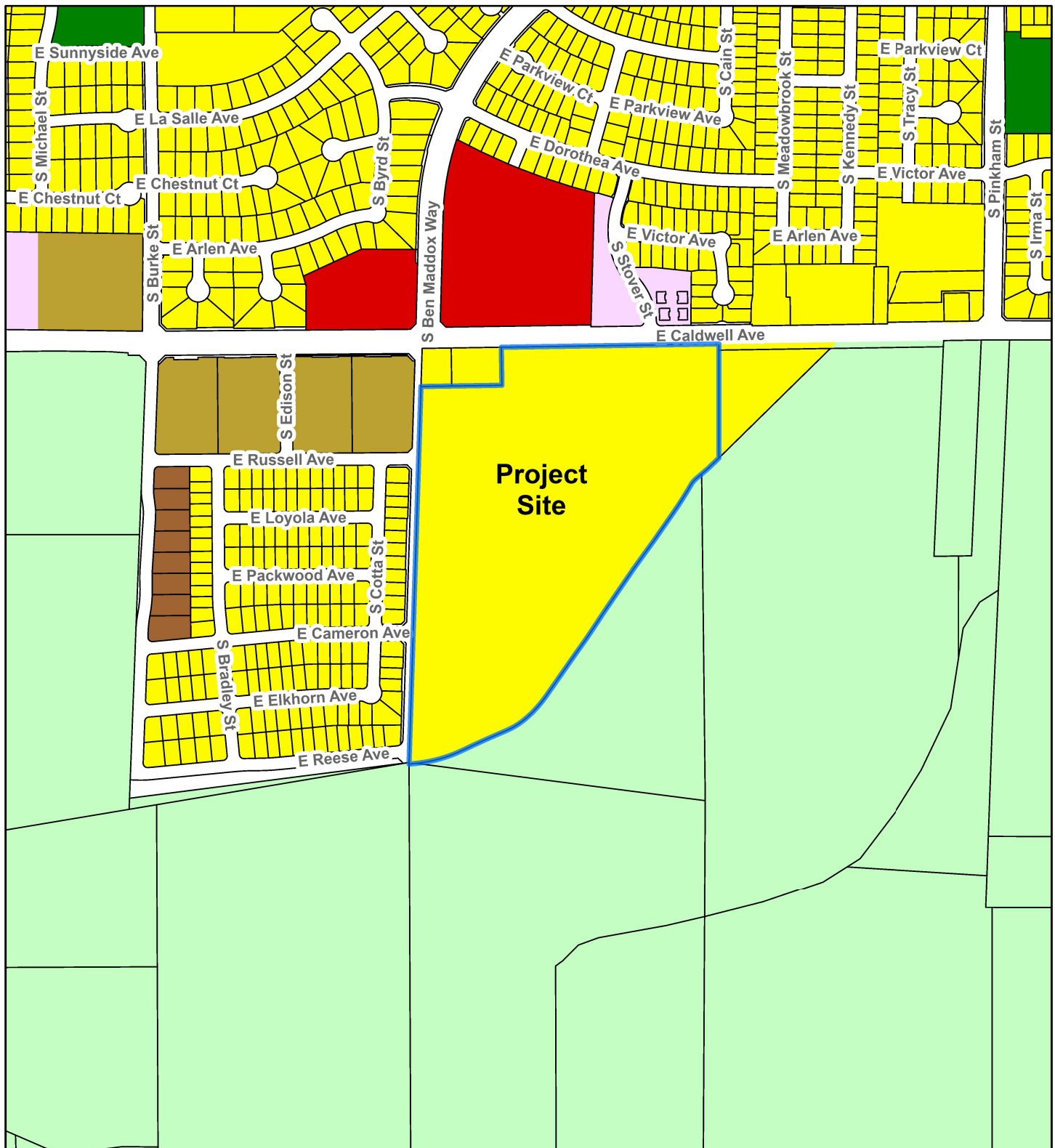
☒ City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

☐ Solid Waste has no comments regarding the parcel map as proposed.

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

Nathan Garza, Solid Waste, 559-713-4532



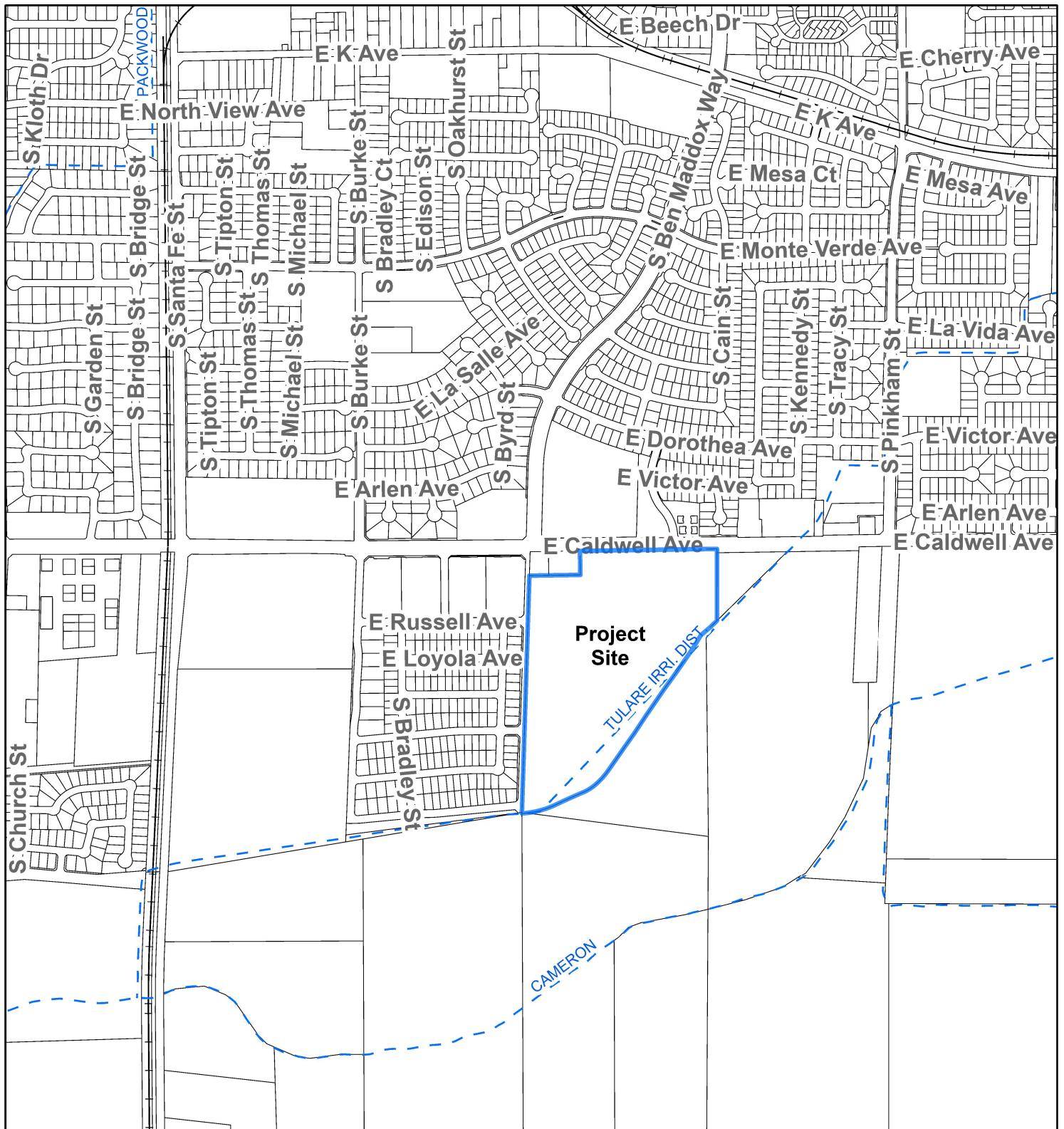




Aerial Map

0 0.05 0.1 0.2 Miles





Location Map

0 0.07 0.15 0.3 Miles

