

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Bill Davis

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

**MONDAY, FEBRUARY 23, 2026**

**VISALIA COUNCIL CHAMBERS**

**LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA**

**MEETING TIME: 7:00 PM**

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. ROLL CALL –
4. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.  
  
The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
5. AGENDA COMMENTS OR CHANGES –
6. CONSENT CALENDAR – All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - a. No items on the Consent Calendar
7. PUBLIC HEARING – Colleen Moreno, Assistant Planner

**Exception No. 2026-01:** A request by Scot Hillman for an exception to the Objective Design Standards regarding the site orientation of the primary entrance for a new house.

Environmental Assessment Status: The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303.

Project Location: The project site is located at 5602 West Nicholas Court (APN: 085-510-033).

8. PUBLIC HEARING – Colleen Moreno, Assistant Planner

**Revocation of Conditional Use Permit No. 2009-17:** A request by the City of Visalia, pursuant to Municipal Code section 17.38.040, to revoke Conditional Use Permit No. 2009-17, which allows live entertainment, dancing, and other special events at the existing Cellar Door business.

Environmental Assessment Status: N/A.

Project Location: The site is located at 101 West Main Street, in the D-MU (Downtown Mixed Use) zone (APN: 094-325-003).

9. CITY PLANNER UPDATE –

- a. Appeal of Conditional Use Permit No. 2025-32
- b. Planning Commission 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, MARCH 5, 2026, 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.gov](http://www.visalia.gov) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, MARCH 9, 2026**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** February 23, 2026

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

**SUBJECT: Exception No. 2026-01:** A request by Scot Hillman for an exception to the Objective Design Standards regarding the site orientation of the primary entrance for a new house. The site is located at 5602 West Nicholas Court in the R-1-5 (Single-Family Residential, 5,000 square foot minimum site area) zone (APN: 085-510-033).

## STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Exception No. 2026-01 based on the conditions and findings in Resolution No. 2026-02. Staff's recommendation is based on the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Exception No. 2026-01, based on the findings and conditions in Resolution No. 2026-02.

## PROJECT DESCRIPTION

Exception No. 2026-01 is a request by the property owner, Scot Hillman, for an exception to the City's adopted Objective Design Standards (ODS) regarding the site orientation of the primary entrance for a new house and the location of the garage which exceeds 75 percent of the width of the primary elevation. Per the ODS adopted by City Council Resolution No. 2025-30, Item No. 2A.1.a, "the primary elevation of the residence shall face the primary public or private right-of-way on which the parcel is located" and, Item No. 2.A.1.d, "the garage, whether attached or detached, shall not exceed 75 percent of the width of the primary elevation" (Exhibit "D"). The proposed new home is being constructed on a vacant parcel which is owned by the applicant who resides on an adjacent site to the north, which contains an existing residence. Per the applicant, the home being constructed is a "secondary residence" which will act as a flex space



that will primarily be utilized for entertainment. The secondary home will have a garage, provide storage rooms/space and guest rooms with the primary residence of the property owners being located to the north of the proposed project (see Figure 1). Although the primary residence is located on a separate parcel north of the project



site, the entire area of the project site serves as the backyard for the primary residence. The purpose of the new residential structure is to act as habitable space that is oriented in a manner to capitalize on views of the backyard area, which is predominately located to the west of the new residential home and is visually connected to the existing house to the north (see Figure 2).

The property owners aim to create cohesion of their properties by orientating the proposed new home to the west, with the primary entrance of the new home facing the west property line. The orientation of the primary entrance is designed intentionally by the property owners so that the new home *“flows out to the yard and pool”* as noted by the applicant in their project narrative (Exhibit “A”). However, with the primary entrance of the home facing west, the primary entrance is no longer facing the primary public right-of-way, which is West Nicholas Court to the south, as required per the adopted ODS. In addition, the south elevation of the residential home is predominately the garages for the resident unit.

**BACKGROUND INFORMATION**

|                                    |   |
|------------------------------------|---|
| General Plan Land Use Designation: | R-1-5 (Single-Family Residential, 5,000 square foot minimum site area)  |
| Zoning:                            | R-1-5 ( Single-Family Residential, 5,000 square foot minimum site area )  |
| Surrounding Zoning and Land Use:   | North: R-1-20 (Single-Family Residential, 20,000 square foot minimum site area) / Hillman primary residence<br>South: R-1-5 / Single-Family Homes<br>East: R-1-5 / Single-Family Homes<br>West: R-1-5 / Single-Family Homes |
| Environmental Review:              | Categorical Exemption No. 2026-02   |
| Special Districts:                 | None  |
| Site Plan Review:                  | N/A   |

## **RELATED PROJECTS**

**Resolution No. 2025-30:** A resolution of the City Council of the City of Visalia, adopting single-family residential objective design standards applicable to new single-family residential developments. The regulations apply citywide to properties within the city limits of the City of Visalia, and were adopted on April 21, 2025.

## **PROJECT EVALUATION**

Staff recommends approval of the requested exception to the Objective Design Standards as described below. Staff's recommendation is based on the intent of the Objective Design Standards (ODS), land use compatibility, proposed site design and use, lot and street configuration, and surrounding parcels.

### **Objective Design Standards**

Having a clear and dedicated set of objective design standards has become a topic of interest for the City due to the increase of State mandates and regulations on permitting housing, thereby reducing the City's ability to enact design considerations if a City does not have adopted/codified objective design standards. In response to current State legislation and more that is expected to come in forthcoming years, many jurisdictions in California moved towards adopting objective design standards to retain local control on the design of housing developments within their communities. The development of codified objective design standards for the City of Visalia was done in response to the current growth trends where developers have been utilizing smaller lot sizes and new design techniques. The standards address a range of topics that include appearance, landscaping, fences, off-street parking, and common open space areas within planned residential developments. It is intended to apply toward all new single-family residential construction within the city boundaries on any lot regardless of parcel size, except ADUs and properties within the Historic District or residential structures listed on the Local Register of Historic Structures. The design standards work in tandem with other existing objective standards that address residential development standards (i.e. setback requirements, height limits), which already exist in Chapter 17 of the Visalia Municipal Code (VMC).

However, per City Council, the scope of work was expanded to include all single-family residential development in the City based upon the necessity to establish clear codified standards for traditional single-family residential development. The goal and intent of ODS is to provide more narrowly defined expectations up-front to ensure that new single-family residential development is compatible with Visalia's existing community character while complying with both state and local regulations.

### **Site Planning**

Per ODS, the primary elevation of the residence shall face the primary public or private right-of-way on which the parcel is located, the primary elevation is that in which the primary entrance is located (Exhibit "D"). The submitted building permit (Exhibit "C") demonstrated the primary entrance location facing the west property line with garages facing the primary public right-of-way (West Nicholas Court). Additionally, ODS also requires that garages (attached or detached) shall not exceed 75 percent of the width of the primary elevation. Due to the design of the proposed home, the applicant will also exceed 75 percent of allowable width as the garages will make up the entirety of the primary view from the public right-of-way. The orientation of the garage doors is similar to the development pattern of the two residential homes located directly to the south of the project site (720 North Aspen Court and 719 North Teddy Street) where, on corner lots, garages make up a portion or the entirety of the view from the public right-of-way.

Additionally, per the applicant's building plans, automatic gates are proposed which will limit the visibility of the garage doors from the public right-of-way.

All other design aspects of the proposed home feature aesthetically pleasing details such as stone veneer façade, outdoor fireplace, stained wood, tile roof and batt & board siding. These design characteristics comply with all other aspects of Visalia's ODS and foster design techniques that aim to enhance the neighborhood.

**Land Use Compatibility**

The applicant states that this parcel (the project site) was sold as the backyard to the primary residence (5549 West Grove Court, located north) and therefore they are requesting that the property be treated as such. The structure has been designed as part of the backyard entertaining space that ties into the existing house (Exhibit "B"). The applicant has also indicated that the proposed home will meet all required setbacks and requirements of the R-1-5 (Single-Family, Residential, 5,000 square foot minimum site area) zone for the separate parcel. Additionally, the applicant is meeting all other ODS elements to ensure an interesting elevation from Nicholas Court.

Furthermore, the homes located along West Nicholas Court directly south of the proposed site, 720 North Aspen Court and 719 North Teddy Street, are double-fronting corner lots. Therefore, the orientation of the garages of the proposed site is compatible with the neighborhood and will not adversely affect the character of the neighborhood (Exhibit "E").

**Exception Powers of the Planning Commission**

In reviewing a request for an exception, the Planning Commission is not required to make any or all of the five findings required for a variance action found in Section 17.42.090. Rather, the Commission must make a finding that the standards requested through this exception process become an integral part of the site development (e.g. design, material, contour, height, distance, color, texture) and do not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed to achieve land use compatibility in terms of height, massing and other characteristics (see Exhibit "D").

Staff reviewed the project and concludes that the request does not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed with regards to orientation of the primary entrance and placement of garage doors facing Nicholas Court. The development of the project site will reflect the development pattern that is consistent with the existing neighborhood in terms of front door orientation and garage door placement, and therefore staff recommends approval of Exception No. 2026-01.

**Environmental Review**

The Exception is considered Categorically Exempt under Section 15303 (Class 3) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) as amended, based on the new construction of one new single-family residence, Categorical Exemption No. 2026-02.

**RECOMMENDED FINDINGS**

1. That the standards requested through this exception process are an integral part of the site development (e.g. primary elevation orientation) and do not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed to achieve land use compatibility in terms of height, massing and other characteristics. The development of the project site will reflect the development pattern that

is consistent with the existing neighborhood in terms of front door orientation and garage door placement.

### **RECOMMENDED CONDITIONS**

1. That the project shall be developed consistent with the site plan and elevations included as Exhibit "C" and shall comply with the City's Objective Design Standards.
2. That a building permit be obtained.
3. That all applicable federal, state and city laws, codes and ordinances be met.

### **APPEAL INFORMATION**

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

#### **Attachments:**

- Environmental Document No. 2026-02
- Related Plans and Policies
- Resolution No. 2026-02
- Exhibit "A" – Exception Findings provided by the Applicant
- Exhibit "B" – Photos provided by Applicant
- Exhibit "C" – 2025 Building Permit Submittal
- Exhibit "D" – Objective Design Standards Resolution No. 2025-30
- Exhibit "E" – West Nicholas Court Homes
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

**NOTICE OF EXEMPTION**

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

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

Exception No. 2026-01

**PROJECT TITLE**

5602 West Nicholas Ct

**PROJECT LOCATION**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

A request by Scot Hillman for an exception to the Objective Design Standards regarding the site orientation of the primary entrance for a new house.

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

City of Visalia

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Scot Hillman, 5555 W Grove Ct., Visalia CA 93291

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

Same as above

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

**EXEMPT STATUS:** (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - State type and Section number: **Section 15303**
- Statutory Exemptions- State code number:

The request is for new construction of one single-family residence.

**REASON FOR PROJECT EXEMPTION**

Colleen A. Moreno, Assistant Planner

**CONTACT PERSON**

(559) 713-4031

**AREA CODE/PHONE**

January 27, 2026

**DATE**

**Brandon Smith, AICP**  
**Environmental Coordinator**

## RELATED PLANS AND POLICIES

### Single-Family Residential Zone (Chapter 17.12)

#### **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. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7270)

#### **17.12.015 Applicability.**

The requirements in this chapter shall apply to all property within R-1 zone districts. (Ord. 2017-01 (part), 2017)

#### **17.12.020 Permitted uses.**

In the R-1 single-family residential zones, the following uses shall be permitted by right:

- A. One-family dwellings;
- B. Raising of fruit and nut trees, vegetables and horticultural specialties;
- C. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house, storehouses, garden structures, green houses, recreation room and hobby shops;
- D. Swimming pools used solely by persons resident on the site and their guests; provided, that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family;
- G. Twenty-four (24) hour residential care facilities or foster homes, for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provisions of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Senior citizen residential developments, meeting city standards and having a density in the Low Density Residential range of two (2) to ten (10) housing units per acre;
- K. Adult day care up to twelve (12) persons in addition to the residing family;
- L. Other uses similar in nature and intensity as determined by the city planner;
- M. Legally existing multiple family units, and expansion or reconstruction as provided in Section 17.12.070;
- N. Transitional housing or supportive housing as those terms are defined in Section 17.04.030;
- O. In the R-1-20 zone only, the breeding, hatching, raising and fattening of birds, rabbits, chinchillas, hamsters, other small animals and fowl, on a domestic noncommercial scale, provided that there shall not be less than one thousand (1,000) square feet of site area for each fowl or animal and provided that no structure housing poultry or small animals shall be closer than fifty (50) feet to any property line, closer than twenty-five (25) feet to any dwelling on the site, or closer than fifty (50) feet to any other dwelling;

P. In the R-1-20 zone only, the raising of livestock, except pigs of any kind, subject to the exception of not more than two cows, two horses, four sheep or four goats for each site, shall be permitted; provided, that there be no limitation on the number of livestock permitted on a site with an area of ten acres or more and provided that no stable be located closer than fifty (50) feet to any dwelling on the site or closer than one hundred (100) feet to any other dwelling;

Q. Employee housing as defined in California Health and Safety Code Section 17008.

(Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017; Ord. 2012-02, 2012; Ord. 9717 § 2 (part), 1997; Ord. 9605 § 30 (part), 1996; prior code § 7271)

#### **17.12.030 Accessory uses.**

In the R-1 single-family residential zone, the following accessory uses shall be permitted, subject to specified provisions:

A. Home occupations subject to the provisions of Section 17.32.030;

B. Accessory buildings subject to the provisions of Section 17.12.100(B).

C. Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in Section 17.32.035.

D. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200.

(Ord. 2020-09 (part), 2020; Ord. 2017-01 (part), 2017; Ord. 2001-13 § 4 (part), 2001; Ord. 9717 § 2 (part), 1997; prior code § 7272)

#### **17.12.040 Conditional uses.**

In the R-1 single-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

A. Planned development subject to the provisions of Chapter 17.26;

B. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;

C. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes, and hospices; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;

D. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations, ambulance service and other public building, structures and facilities; public playgrounds, parks and community centers;

E. Electric distribution substations;

F. Gas regulator stations;

G. Public service pumping stations, i.e., community water service wells;

H. Communications equipment buildings;

I. Planned neighborhood commercial center subject to the provisions of Chapter 17.26;

J. Mobile home parks in conformance with Section 17.32.040 and having a density in the Low Density Residential range of two (2) to ten (10) housing units per acre;

K. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this article and in which the private streets are designed and constructed to meet or exceed public street standards;

L. Adult day care in excess of twelve (12) persons;

M. Duplexes on corner lots;

N. Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family;

O. Residential structures and accessory buildings totaling more than ten thousand (10,000) square feet;

P. Other uses similar in nature and intensity as determined by the city planner.

(Ord. 2024-07 § 4, 2024: Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2012-02, 2012: Ord. 2001-13 § 4 (part), 2001: Ord. 2000-02 § 1 (part), 2000; amended during 10/97 supplement: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7273)

**17.12.050 Site area.**

The minimum site area shall be as follows:

| <b>Zone</b> | <b>Minimum Site Area</b> |
|-------------|--------------------------|
|-------------|--------------------------|

|       |                   |
|-------|-------------------|
| 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:

| <b>Zone</b> | <b>Interior Lot</b> | <b>Corner Lot</b> |
|-------------|---------------------|-------------------|
|-------------|---------------------|-------------------|

|       |         |         |
|-------|---------|---------|
| 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.

(Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7274)

**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).

(Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7275)

**17.12.070 Replacement and expansion of legally existing multiple family units.**

In accordance with Section 17.12.020 legally existing multiple family units may be expanded or replaced if destroyed by fire or other disaster subject to the following criteria:

A. A site plan review permit as provided in Chapter 17.28 is required for all expansions or replacements.

B. Replacement/expansion of unit(s) shall be designed and constructed in an architectural style compatible with the existing single-family units in the neighborhood. Review of elevations for replacement/expansion shall occur through the site plan review process. Appeals to architectural requirements of the site plan review staff shall be subject to the appeals process set forth in Section 17.28.050.

C. Setbacks and related development standards shall be consistent with existing single-family units in the neighborhood.

D. Parking requirements set forth in Section 17.34.020 and landscaping requirements shall meet current city standards and shall apply to the entire site(s), not just the replacement unit(s) or expanded area, which may result in the reduction of the number of units on the site.

E. The number of multiple family units on the site shall not be increased.

F. All rights established under Sections 17.12.020 and 17.12.070 shall be null and void one hundred eighty (180) days after the date that the unit(s) are destroyed (or rendered uninhabitable), unless a building permit has been obtained and diligent pursuit of construction has commenced. The approval of a site plan review permit does not constitute compliance with this requirement.

(Ord. 2024-07 § 3 (part), 2024: Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7276)

**17.12.080 Front yard.**

A. The minimum front yard shall be as follows:

| <b>Zone</b> | <b>Minimum Front Yard</b> |
|-------------|---------------------------|
|-------------|---------------------------|

|       |  |
|-------|--|
| 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. (Ord. 2017-01 (part), 2017: Ord. 2004-20 (part), 2004: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7277)

**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 or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cochere, shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk. 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.

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 staff.

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.

(Ord. 2024-07 § 3 (part), 2024: Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7278)

**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 two hundred and fifty (1,250) square feet shall be maintained.

(Ord. 2024-07 § 5, 2024: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7279)

#### **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). (Ord. 2017-01 (part), 2017: Ord. 2006-07 § 2 (part), 2006: Ord. 9717 § 2 (part), 1997: prior code § 7280)

#### **17.12.120 Off-street parking.**

In the R-1 single-family residential zone, subject to the provisions of Chapter 17.34. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7281)

#### **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. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7282)

#### **17.12.135 Lot area less than 5,000 square feet.**

A. Notwithstanding Section 17.12.050, lots in the R-1-5 zone may have a lot area of between 3,600 and 4,999 square feet if all of the following standards are met:

1. The Planning Commission finds that the development's overall density is consistent with the General Plan.
2. The maximum number of lots less than 5,000 square feet that may be approved by a tentative subdivision map shall be fifty (50) percent or less of the total lots.
3. Streets shall be constructed to public street standards.
4. Each subdivision with at least 15 lots that are less than 5,000 square feet in size shall make available to buyers at least three (3) different small lot floor plans with at least four (4) available elevation designs for each floor plan to construct on those lots.
5. The primary frontage of the dwelling unit shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.
6. The primary frontage of the dwelling unit shall include the primary entrance and at least one window.
7. Required covered parking spaces shall be in garages. Carports are prohibited.
8. The width of the garage shall not be greater than fifty (50) percent of the width of the dwelling unit.

9. The garage shall not extend beyond the front building facade (living area.)

10. All dwelling units shall include a covered front porch at least four (4) feet deep and six (6) feet wide or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the dwelling unit or a wall or fence between three (3) and four (4) feet high with a pedestrian gate or entryway.

11. The building official shall not approve a building permit for a new dwelling unit on a lot with a lot area less than 5,000 square feet until the city planner, or designee, has determined that the standards identified in this section are met.

12. The subdivision shall provide a common, usable open space area of a minimum 3,000 square feet or two hundred fifty (250) square feet per lot under 5,000 square feet, whichever is greater. The area shall be landscaped and maintained with funding from either a homeowner's association or a landscape and lighting act district.

B. Notwithstanding this Chapter, lots with less than five thousand (5,000) square feet shall have the following minimum dimensions and building setback areas, unless they were approved with a planned development permit:

1. The minimum lot depth shall be seventy (70) feet.
2. The minimum lot width shall be forty-six (46) feet for interior lots and fifty-one (51) feet for corner lots.
3. The minimum front building setback area shall be twelve (12) feet for livable space and twenty (20) feet for garages.
4. The minimum rear yard building setback area shall be fifteen (15) feet.
5. The minimum interior side yard building setback area shall be five (5) feet.
6. The minimum corner side yard building setback area shall be ten (10) feet.
7. The maximum building height shall be thirty-five (35) feet.
8. Lots shall provide for a usable open space area of a minimum three hundred (300) square feet. The open space shall be a minimum fifteen (15) feet wide.

C. Lots less having a lot area of 3,600 square feet, or lots that do not meet the standards in this section may be approved through the planned development permit process per Chapter 17.26. (Ord. 2017-01 (part), 2017)

**17.12.137 Signs.**

Signs shall be placed in conformance with Chapter 17.48. (Ord. 2017-01 (part), 2017)

**Chapter 17.36**  
**FENCES, WALLS AND HEDGES**

**17.36.010 Purpose.**

The purpose of this chapter is to control location and height of fences as may be required by city laws, rules and regulations to safeguard life or limb, property and public welfare. Fences may be constructed of any generally acceptable material except that barbed wire and electric charged fences are specifically prohibited in any R-1 or R-M zone. (Ord. 2017-01 (part), 2017: prior code § 7512)

**17.36.015 Fence, wall or hedge height measurement.**

The height of a fence or wall shall be measured from the adjacent finished grade, excluding raised planters or berms, to the top of the fence, wall or hedge. (Ord. 2017-01 (part), 2017: Ord. 2002-06 § 3 (part), 2002)

**17.36.020 [Reserved].**

**17.36.030 Single-family residential zones.**

The following standards shall apply to sites within an R-1 zone:

A. Fences, walls and hedges not exceeding seven feet in height shall be permitted, except that in a required front yard or within five feet of a street side property line on a corner or side on cul-de-sac lot, a fence, wall or hedge shall not exceed three feet in height. A fence or wall may be allowed to a height of four feet provided that the additional one-foot height is at least fifty (50) percent open. A fence, wall, or hedge height greater than seven feet may be allowed when extenuating circumstances exist such as to address grade elevation differences between parcels, which allows fence height to be measured from the higher base elevation.

B. Required block walls for residential developments along arterial or collector roadways shall be designed to provide pedestrian access between the arterial or collector to the residential development. A Pedestrian access shall always be required as part of the block wall design abutting an arterial or collector roadway when a transit stop is located within one-quarter mile of the residential development.

C. Exceptions may be granted in accordance with Chapter 17.42.

(Ord. 2024-07 § 13 (part), 2024: Ord. 2017-01 (part), 2017: Ord. 2002-06 § 3 (part), 2002: prior code § 7514)

**17.36.040 Multiple-family residential zones.**

The following standards shall apply to sites within an R-M zone:

A. Fences, walls and hedges not exceeding seven feet in height shall be permitted except that in a required front yard, or within five feet of a street side property line on a corner or side on cul-de-sac lot, a fence, wall or hedge shall not exceed three feet in height. A fence or wall may be allowed to a height of four feet provided that the additional one-foot height is at least fifty (50) percent open. A fence, wall, or hedge height greater than seven feet may be allowed when extenuating circumstances exist such as to address grade elevation differences between parcels, which allows fence height to be measured from the higher base elevation.

B. Wrought Iron Fences. A decorative open metal fence of wrought iron or tubular steel (not chain link) not exceeding seven feet in height shall be permitted along the front and street side property lines or within the front yard and street side yard setback areas of multi-family uses. This subsection does not authorize solid walls or fences composed of woven wire (chain link), wood, or other materials other than open metal wrought iron or tubular steel. A post or pilaster consisting of masonry, brick, or other solid material not exceeding 18 inches square and seven feet tall may be used to support a wrought iron or tubular steel fence at a minimum distance of six feet between the posts or pilasters.

C. Required block walls , fences, wrought iron fences for multi-family developments along arterial or collector roadways shall be designed to provide pedestrian access between the arterial or collector to the multi-family residential development. A Pedestrian access shall always be required as part of the block

wall, fences or wrought iron fence design abutting an arterial or collector roadway when a transit stop is located within one-quarter mile of the multi-family residential development.

D. Exceptions may be granted in accordance with Chapter 17.42.

(Ord. 2024-07 § 13 (part), 2024: Ord. 2017-01 (part), 2017: Ord. 2002-06 § 3 (part), 2002: prior code § 7515)

#### **17.36.050 Commercial and mixed use zones.**

The following standards shall apply to sites within a C-N, C-R, C-S, C-MU, or D-MU zone:

A. Where a site in the C-N, C-R, C-S, C-MU, or D-MU zone adjoins an R-1 or R-M zone, either a concrete block masonry wall not less than seven feet in height shall be located on the property line except in a required front yard and suitably maintained or a landscaped buffer be provided as approved by the planning commission. A fence, wall, or hedge height greater than seven feet may be allowed when extenuating circumstances exist such as to address grade elevation differences between parcels, which allows fence height to be measured from the higher base elevation.

B. A use not conducted entirely within a completely enclosed structure, on a site across a street or alley from an R-1 or R-M zone shall be screened by a concrete block or masonry wall not less than six feet in height, if the city planning commission finds said use to be unsightly. A landscaped buffer can be approved by the planning commission in place of a required wall as an exception.

C. Open storage of materials and equipment, except commercial vehicles and used car sales lots, shall be permitted only within an area surrounded and screened by a concrete block or masonry wall not less than six feet in height; provided, that no materials or equipment shall be stored to a height greater than that of the wall or fence.

D. No fence or wall shall exceed seven feet in height if located in a required side or rear yard or three feet in height if located in a required front yard or street side yard. A fence or wall may be allowed in a required front yard or street side yard to a height of four feet provided that the additional one-foot height is not of a solid material.

E. Exceptions may be granted in accordance with Chapter 17.42.

(Ord. 2024-07 § 13 (part), 2024: Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7516)

#### **17.36.060 Office zones (O-PA, O-C, BRP).**

The following standards shall apply to sites within a O-PA, O-C, or BRP zone:

A. Where a site in the OPA, O-C, or BRP zone adjoins an R-A, R-1 or R-M zone a concrete or masonry wall not less than seven feet in height shall be located on the property line except in a required front yard, and suitably maintained. A landscaped buffer can be approved by the planning commission in place of the wall as an exception. A fence, wall, or hedge height greater than seven feet may be allowed when extenuating circumstances exist such as to address grade elevation differences between parcels, which allows fence height to be measured from the higher base elevation.

B. No fence or wall in the OPA, O-C, or BRP zone shall exceed seven feet in height if located in a required side or rear yard or three feet in height if located in a required front yard or street side yard. A fence or wall may be allowed in a required front yard or street side yard to a height of four feet provided that the additional one-foot height is not of a solid material.

C. Exceptions may be granted in accordance with Chapter 17.42.

(Ord. 2024-07 § 13 (part), 2024: Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7517)

#### **17.36.070 Industrial zones.**

The following standards shall apply to sites within an I-L or I zone:

A. Where a site within an I-L or I zone adjoins an R-A, R-1 or R-M zone a concrete block or masonry wall not less than seven feet in height shall be located on the property line except in a required front yard and suitably maintained. A fence, wall, or hedge height greater than seven feet may be allowed when

extenuating circumstances exist such as to address grade elevation differences between parcels, which allows fence height to be measured from the higher base elevation.

B. A use not conducted entirely within an enclosed structure, on a site across a street or alley from an R-A, R-1 or R-M zone shall be screened by a concrete block or masonry wall not less than seven feet in height, if the site plan review staff finds said use to be unsightly.

C. Open storage of materials and equipment shall be permitted only within an area screened by a concrete block or masonry wall not less than six feet in height, which is adjacent to a public street or a residence provided that no materials or equipment shall be stored to a height greater than that of the wall or fence.

D. No fence or wall shall exceed seven feet in height if located in a required side or rear yard or three feet in height if located in a required front yard or street side yard. A fence or wall may be allowed in a required front yard or street side yard to a height of four feet; provided, that the additional one-foot height is not of a solid material.

E. Exceptions may be granted in accordance with Chapter 17.42.

(Ord. 2024-07 §§ 3 (part), 13, 2024: Ord. 2017-01 (part), 2017: prior code § 7518)

RESOLUTION NO. 2026-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING EXCEPTION NO. 2026-01, A REQUEST BY SCOT HILLMAN FOR AN EXCEPTION TO THE OBJECTIVE DESIGN STANDARDS REGARDING THE SITE ORIENTATION OF THE PRIMARY ENTRANCE FOR A NEW HOUSE. THE SITE IS LOCATED AT 5602 WEST NICHOLAS COURT IN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM SITE AREA) ZONE (APN: 085-510-033).

**WHEREAS**, Exception No. 2026-01, a request by Scot Hillman for an exception to the Objective Design Standards regarding the site orientation of the primary entrance for a new house. The site is located at 5602 West Nicholas Court in the R-1-5 (Single-Family Residential, 5,000 square foot minimum site area) zone (APN: 085-510-033); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on February 23, 2026; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Exception No. 2026-01, as conditioned by staff, to be in accordance with Chapter 17.12.160 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 15303.

**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 standards requested through this exception process become an integral part of the site development (e.g. primary elevation orientation) and do not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed to achieve land use compatibility in terms of height, massing and other characteristics.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Exception on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.12.160 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project shall be developed consistent with the site plan and elevations included as Exhibit "C" and shall comply with the City's Objective Design Standards.
2. That a building permit be obtained.
3. That all applicable federal, state and city laws, codes and ordinances be met.

**Exhibit "A"**

**EXCEPTION SUPPLEMENTAL Form E-1**

**EXCEPTION BEING REQUESTED:** Exception to Resolution No. 2025-30 Residential Objective Design Standards, Site Placement

**EXISTING CODE STANDARD:** ODS states that residence shall face primary public or private right away on which the parcel is located

Note: An exception may be requested per VMC sections 17.48.150.

Details of Variance/Exception Requested: Please provide the applicant’s reasoning and analysis pertaining to each of the five required findings that justify the Variance request. Staff’s analysis and recommendations on the Variance request will be based in large part on the applicant’s analysis for each of the following required findings.

**EACH FINDING MUST HAVE A SEPARATE JUSTIFICATION. DO NOT COMBINE ALL THREE FINDINGS INTO ONE NARRATIVE. DESCRIBE EACH OF THE THREE FINDINGS SEPARATELY.**

**The Planning Commission may approve, conditionally approve or deny a request for an exception to the physical design standards of this chapter. For the Planning Commission to approve or conditionally approve an exception, the following findings must be made:**

1. That the granting of the exception is necessary to attain a high aesthetic sign design which would be restricted if the provisions and standards of this Chapter were strictly applied;

The purpose of this structure is to act as entertaining space that opens to the backyard and is visually connected to the existing house. So that one flows out the building to the yard and pool. If the main entrance to this structure faced Nicholas it would not relate to the yard which is the purpose. In addition the orientation allows for easy flow from the house to the garage space. There are 5 drivers in this household and there is limited parking in the neighborhood of the house. Without tearing down the (E) fireplace, part of the pool deck and moving the pool equipment there is no way to connect the houses driveway to this property. Therefore the additional garage access will come off of Nicholas acting like an alley access. This will be a daily used garage so the need for easy walking access to the main house is important. Photos of the backyard and property have been attached to this supplement.

2. That the granting of an exception would not adversely affect the visibility of signs on adjacent properties; and

Currently the south and east edges of the property, that line Aspen and Nicholas have wood fence and gates. We are replacing the fences with cmu walls and new automatic gates that will be set behind the front setback on Nicholas and behind the city easement on Aspen that currently the fence is on the property line. So this will be a vast improvement visually and functionally.

3. That the granting of an exception would not constitute a granting of a special privilege.

This property was sold as the backyard to 5549 W Grove Ct, and therefore we are requesting that the property be treated as such. This structure has been designed as part of a backyard entertaining space that ties into the existing house, while respecting the setbacks and requirements of the separate parcel. We are meeting all the other ODS elements to ensure an interesting elevation from Nicholas.

Exhibit "B"

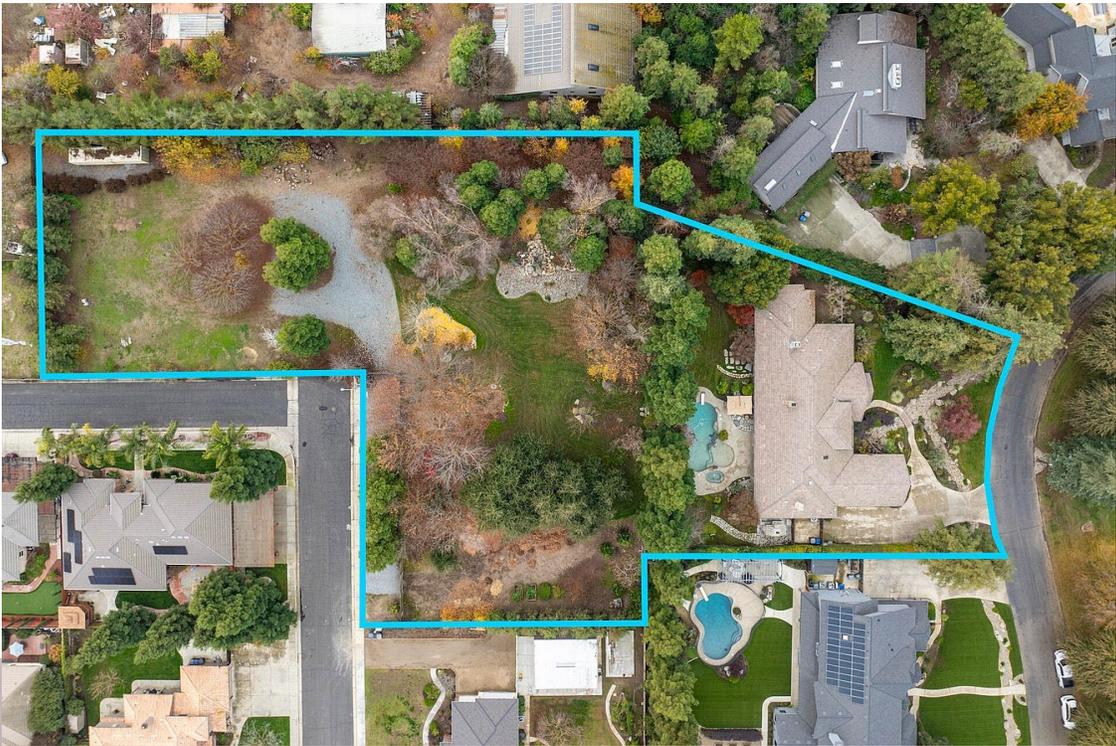
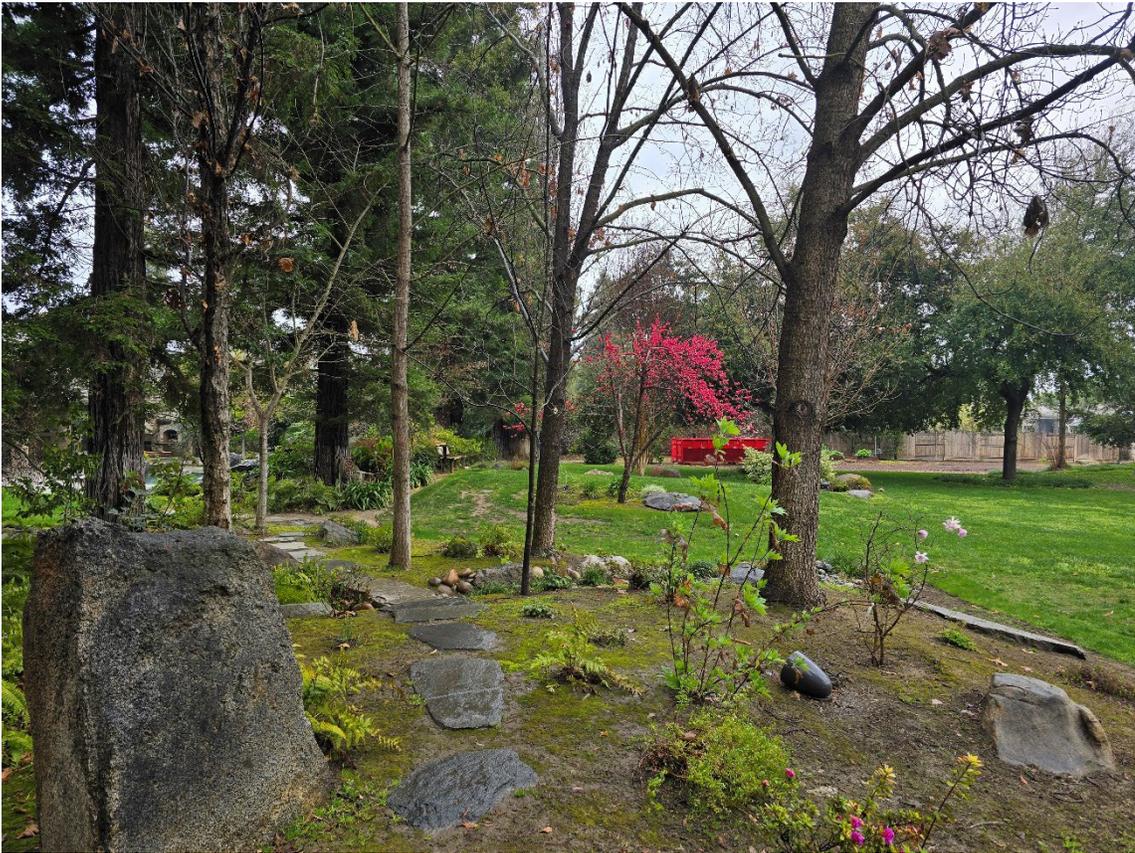


Exhibit "B"



# Exhibit "C"

## HILLMAN RESIDENCE CUSTOM HOUSE FOR SCOTT AND ADRIANNE HILLMAN 5602 W NICHOLAS CT. VISALIA, CA 93291

### SOLAR:

BLAKE, ALVIS & MOORE INC.  
LYLE ALVIS  
325 W. HOLLYWOOD CT  
REEDLEY, CA 93654  
(559) 352-6989  
lylealvis@comcast.com

### PLUMBING/MECHANICAL:

CALIBER MECHANICAL DESIGN  
SCOTT BOYLE  
3128 W. BUENA VISTA AVE.  
VISALIA, CA 93291  
(559) 972-3299  
scott.boyle@calibermd.com

### STRUCTURAL:

ZELTMACHER  
ANDREW RANDOLPH  
111 S. COURT ST, STE 210  
VISALIA, CA 93291  
(559) 553-0337  
andrew.randolph@zeltmacher.com

### ARCHITECT:

JULIA N KROONENBERG,  
ARCHITECT  
30497 N HIGHWAY 99  
VISALIA, CA 93291  
(559) 679-0619  
jnkarchitect@gmail.com

### OWNER:

SCOT AND ADRIANNE  
HILLMAN  
5549 W GROVE CT  
VISALIA, CA 93291  
(559) 679-4474  
SHillman@jdhco.com

### SPRINKLERS:

MATHERLY FIRE PROTECTION INC  
BRYAN MATHERLY  
(805) 286-0077  
matherlyfireprotection@gmail.com

### PROJECT INFORMATION:

THIS PROJECT IS THE CONSTRUCTION OF A NEW SINGLE FAMILY HOME ON

APN: 085-510-033  
ALLOWABLE HEIGHT: 35'  
TOTAL LOT = 1.4 ACRES  
ZONE: R-1-5  
NUMBER OF BUILDINGS: 1 PROPOSED  
2 BEDROOMS AND 2 BATHROOMS

4 CAR GARAGE SQFT = 891.49 SQFT  
PATIO AND PORCH SQFT = 395.1 SQFT  
1ST FLOOR SQFT = 1646.79  
2ND FLOOR SQFT = 1082.70  
TOTAL HOUSE SQFT = 2729.49

### BUILDING TYPE:

SOIL CONDITIONS: DISTURBED NATIVE SOIL  
ALLOWABLE SOIL BEARING PRESSURE = 1,500PSF  
SEISMIC ZONE: ZONE 3 = 0.30  
LANDSCAPING: NO NEW PROPOSED  
AMOUNT OF CUT & FILL: NONE  
AMOUNT OF EXPORT/IMPORT: NONE

ALL WORK SHALL COMPLY WITH APPLICABLE CODE:  
2022 CBC, 2022 CRC, 2022 CPC, 2022 CMC, 2022 CEC, 2022 CGBSC & 2022 CA ENERGY CODE

THESE PLANS SHALL COMPLY WITH WITH 2022 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE TULARE COUNTY CODES AND ORDINANCES.

ALL WORK SHALL COMPLY WITH LOCAL CODES, ORDINANCES, LAWS AND PLANS PROVIDED.

CONTRACTORS TO COMPLY WITH ALL CAL/OSHA REQUIREMENTS

PLAN CHANGES REQUIRE PRIOR APPROVAL OF TULARE COUNTY RESOURCE MANAGEMENT AGENCY. PROPOSED PLAN CHANGES SHALL BE SUBMITTED TO TULARE COUNTY RESOURCE MANAGEMENT AGENCY FOR REVIEW PRIOR TO CONSTRUCTION.

SETBACKS:  
FRONT: 15 FEET  
REAR: 25 FEET  
SIDE: 5 FEET



ARCHITECTURE  
SPACE PLANNING &  
INTERIOR DESIGN  
JULIA N. KROONENBERG, ARCHITECT  
5549 W GROVE CT VISALIA, CA 93291  
PH (559) 679-0619  
jnkarchitect@gmail.com  
juliankroonenberg.vreelby.com

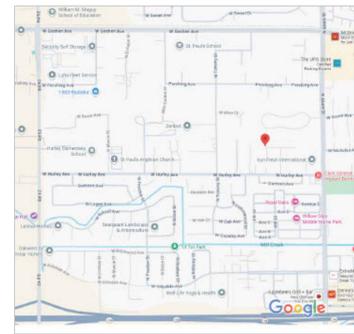


CONSULTANT

NOTES

### 1G PROJECT TEAM

### 9G PROJECT INFORMATION



### 1D KEY PLAN

#### SAFETY GLASS

- INDIVIDUAL GLAZED AREAS IN HAZARDOUS LOCATIONS MUST BE OF SAFETY GLAZING MATERIAL.
- SAFETY GLAZING (TEMPERED GLASS) IS REQUIRED (CBC 2406) FOR:
  - GLAZING IN DOORS, EXCEPT FOR JALOUSIES. JALOUSIES COMPLY WITH SEC. 2403.5
  - GLAZING IN FIXED AND SLIDING PANELS OF SLIDING DOOR ASSEMBLIES AND SWINGING DOORS OTHER THAN WARDROBE DOORS.
  - GLAZING IN STORM DOORS.
  - GLAZING IN ALL UNFRAMED SWINGING DOORS.
  - GLAZING IN DOORS AND ENCLOSURES FOR HOT TUB, SAUNAS, STEAM ROOM, BATHTUBS, AND SHOWERS.
  - GLAZING, OPERABLE OR INOPERABLE, ADJACENT TO A DOOR AND WITH A 24-INCH ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE IS LESS THAN 60 INCHES ABOVE THE WALKING SURFACE.
  - GLAZING IN FIXED OR OPERABLE PANELS OTHER THAN THOSE COVERED ABOVE WHICH HAVE A GLAZED AREA IN EXCESS OF 9 SQ. FT., AND EXPOSED BOTTOM EDGE LESS THAN 18 INCHES ABOVE THE FLOOR, AND EXPOSED TOP EDGE GREATER THAN 36 INCHES ABOVE THE FLOOR AND WALKING SURFACE WITHIN 36 INCHES HORIZONTALLY.
  - GLAZING IN RAILS.
  - GLAZING IN SWIMMING POOL AND SPA BARRIERS WHEN LOCATED WITHIN 5 FEET OF POOL OR SPA.
- GLAZING MATERIALS USED IN SKYLIGHTS, ROOFS, AND SLOPED WALLS BE TEMPERED GLASS OR MULTI-LAYERED GLASS.

#### ROOFS

- ALL ROOFS MUST BE DESIGNED WITH A MINIMUM OF SLOPE OF 1/4-INCH IN 12 INCHES TO ASSURE DRAINAGE. UNLESS ROOFS ARE SLOPED TO DRAIN OVER ROOF EDGES, ROOF DRAINS MUST BE INSTALLED AT EACH LOW POINT, WHERE ROOF DRAINS ARE REQUIRED, OVER-FLOW DRAINS MUST BE PROVIDED AND CONNECTED TO INDEPENDENT DRAIN LINES.
- NON RATED ROOF COVERINGS AS DEFINED IN UBC SECTION 1504.4 MAY BE USED ON SINGLE-DWELLING UNITS AND GARAGES EXCEPT THAT WOOD SHINGLES OR SHAKES MUST HAVE A CLASS C ROOF COVERING RATING AND BEAR THE LABEL OF AN APPROVED TESTING AGENCY.
- THE MINIMUM VENT AREA TO BE 1/150 OF ATTIC AREA (OR 1/200 OF ATTIC AREA IF AT LEAST 40% AND NOT MORE THAN 50% OF THE REQUIRED VENT IS AT LEAST 3 FEET BELOW THE RIDGE OR HIGHEST POINT OF THE SPACE, MEASURED VERTICALLY, WITH THE BALANCE OF THE VENTILATION PROVIDED BY EAVE OR CORNICE VENTS (CBC 1203.5)
- WHERE EAVE VENTS ARE INSTALLED, INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR, A MINIMUM OF 1 INCH OF AIR SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING, TO ACCOMMODATE THE THICKNESS OF INSULATION PLUS THE REQUIRED 1 INCH CLEARANCE. MEMBER SIZES MAY HAVE TO BE INCREASED FOR RAFTER-CEILING JOISTS (CBC 1203.2)
- ATTIC VENTILATION INTAKE AND EXHAUST VENTS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 1203.2.2 AND VENT PRODUCT MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- ROOFING SHALL HAVE A CLASS "B" FIRE RATINGS. (CBC 1505.1)

#### GARAGE SEPARATION

- ALL DOORS BETWEEN THE GARAGE AND LIVING SPACE TO BE 1-3/8" THICK TIGHT-FITTING SOLID CORE SELF-CLOSING AND SELF-LATCHING. DOORS SHALL BE LABELED 20-MINUTE ASSEMBLY, SEC. 716.5.3.
- THERE MAY NO OPENINGS BETWEEN THE GARAGE AND A BEDROOM
- MATERIALS APPROVED FOR ONE-HOUR-FIRE-RESISTIVE CONSTRUCTION MUST BE PROVIDED ON THE GARAGE SIDE OF WALLS AND CEILINGS BETWEEN A DWELLING AND ATTACHED WORKSHOP.
  - APPROVED WALL CONSTRUCTION ON THE GARAGE SIDE APPLIED TO 2X6S AT 16 INCHES ON CENTER MINIMUM MAY CONSIST OF ONE OF THE FOLLOWING:
    - ONE LAYER OF 5/8-INCH TYPE 'X' GYPSUM WALLBOARD;
    - TWO LAYERS OF 1/2-INCH GYPSUM WALLBOARD.
  - IN LIEU OF THE ABOVE INTERIOR MATERIALS, THE FOLLOWING EXTERIOR WALL PROTECTION MAY BE USED:
    - 1" RIGID INSULATION
    - ONE LAYER OF 1/2-INCH PLYWOOD/OSB SHEATHING WITH EXTERIOR BUILDING PAPER COVERING OVER DRAINAGE MAT.
    - FLOORING WALLED THROUGH TO STUDS WITH OVERLAPPING SIDING AT EXTERIOR.
  - APPROVED FLOOR-CEILING CONSTRUCTION ON THE GARAGE SIDE MAY CONSIST OF ONE LAYER OF 5/8-INCH TYPE 'X' GYPSUM WALLBOARD APPLIED TO JOISTS AT 16 INCHES ON CENTER
- A ONE-STORY CARPORT, ENTIRELY OPEN ON TWO OR MORE SIDES WITH NO ENCLOSED USES ABOVE, NEED NOT HAVE A FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE CARPORT AND DWELLING.

#### SMOKE ALARMS:

- PROVIDE SMOKE DETECTORS IN EACH EXISTING SLEEPING ROOMS AND IN THE HALLWAY/AREA SERVING EACH SLEEPING AREA. BATTERY-OPERATED DETECTORS ARE ACCEPTABLE FOR EXISTING CONSTRUCTION. (CBC 907.2.10.5.1)
- PROVIDE PERMANENTLY WIRED SMOKE DETECTORS FOR NEW CONSTRUCTION AT THE FOLLOWING LOCATIONS (CBC 907.2.10.1.2):
  - IN EACH SLEEPING ROOM,
  - ON THE CEILING OR WALL OUTSIDE EACH SEPARATE SLEEPING AREA,
  - AT EACH STORY WITHIN THE DWELLING UNIT.

#### SPRINKLER SYSTEM

- AUTOMATIC SPRINKLER SYSTEM IN ACCORDANCE WITH SECTION 903.3.1.3 SHALL BE PERMITTED IN GROUP R-3 OCCUPANCIES. (903.2.8.1)
- INSTALL AUTOMATIC SPRINKLER SYSTEMS IN ONE AND TWO FAMILY DWELLINGS, GROUP R-3, -3, AND TWOHOUSES SHALL BE PERMITTED TO BE INSTALLED THROUGHOUT IN ACCORDANCE WITH NFPA 13D AS AMENDED IN CHAPTER 35 EXCEPT AS PROVIDED IN SECTIONS 903.3.1.1.1.1 AND 903.3.1.1.1.2 (903.2.1.1)
- AUTOMATIC SPRINKLERS SHALL BE INSTALLED IN ALL THE FOLLOWING AREAS ACCORDING WITH SECTION 907.2.11.2:
  - ON THE CEILING OR WALL OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF BEDROOMS.
  - IN EACH ROOM USED FOR SLEEPING PURPOSES.
  - SEE SECTION 907.2.11.8 FOR SPECIFIC LOCATION REQUIREMENTS.

#### ELECTRICAL

- GROUND FAULT CIRCUIT INTERRUPTER (GFCI) OUTLETS ARE REQUIRED IN BATHROOMS, AT KITCHEN COUNTERTOPS, LAUNDRY AND WET BAR SINKS, IN GARAGES, IN CRAWLSPACES, IN UNFINISHED BASEMENTS, AND OUTDOORS. (CEC 210.8)
- BEDROOM ELECTRICAL CIRCUITS MUST BE PROTECTED BY ARC FAULT INTERRUPTER (AFCI) OUTLETS. (CEC 210.12)

#### G-1 GENERAL NOTES

#### G-2 SITE PLAN

#### A-1 1ST AND 2ND FLOOR DIMENSION PLAN

#### A-2 ROOF PLAN

#### A-3 FIRST FLOOR PLAN

#### A-4 SECOND FLOOR PLAN

#### A-5 OPENING SCHEDULE AND DETAILS

#### A-6 1ST & 2ND FLOOR REFLECTED CEILING & SWITCHING

#### A-7 SECTIONS AND ELEVATIONS

#### A-8 INTERIOR ELEVATIONS

#### S0.0 SHEET SPECIFICATIONS

#### S0.1 SHEET SPECIFICATIONS

#### S0.2 TYPICAL DETAILS

#### S0.3 TYPICAL DETAILS

#### S0.4 TYPICAL DETAILS

#### S1.0 FOUNDATION PLAN

#### S2.0 SECOND FLOOR FRAMING PLAN

#### S3.0 ROOF FRAMING PLAN

#### S5.0 STRUCTURAL DETAILS

#### M-0 MECHANICAL LEGEND, SCHEDULES, & NOTES

#### M-1 MECHANICAL PLAN

#### M-2 MECHANICAL DETAILS & SPECIFICATIONS

#### M-3 TITLE 24 DOCUMENTATION

#### M-4 TITLE 24 DOCUMENTATION

#### P-0 PLUMBING LEGEND, SCHEDULE, & NOTES

#### P-1 PLUMBING PLAN

#### P-2 PLUMBING DETAILS & SPECIFICATIONS

#### E-1 1ST & 2ND FLOOR ELECTRICAL POWER PLAN

#### FS-01 SITE PLAN, FIRE SPRINKLER PLAN, FS SECTION

#### A, FS NOTES

#### SOLAR PERMIT: B253957

#### GENERAL NOTES:

- JULIA N. KROONENBERG, ARCHITECT EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE DRAWINGS. THESE DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT FIRST OBTAINING WRITTEN PERMISSION AND CONSENT FROM JULIA N. KROONENBERG, ARCHITECT. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE DRAWINGS BY A THIRD PARTY, THE THIRD PARTY SHALL HOLD JULIA N. KROONENBERG, ARCHITECT HARMLESS.
- THE DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE SHOWN, THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY FIELD REPRESENTATIVES OF THE ARCHITECT AND HER ENGINEERS SHALL NOT INCLUDE INSPECTIONS OF THE PROTECTIVE MEASURES OR THE CONSTRUCTION PROCEDURES REQUIRED FOR SAME, WHICH ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. ANY SUPPORT SERVICES PERFORMED BY THE ARCHITECT AND/OR HER ENGINEERS, WHETHER OF MATERIAL OR WORK, AND WHETHER PERFORMED PRIOR TO, DURING OR AFTER COMPLETION OF CONSTRUCTION ARE PERFORMED SOLELY FOR THE PURPOSE OF ASSISTING IN QUALITY CONTROL AND IN ACHIEVING CONFORMANCE WITH DRAWINGS AND SPECIFICATIONS; NO GUARANTEE OF CONTRACTOR'S PERFORMANCE IS IMPLIED AND FIELD VISITS SHALL NOT BE CONSTRUED AS SUPERVISION OF CONSTRUCTION.
- ALL WORK AND ALL CONSTRUCTION METHODS AND MATERIALS SHALL COMPLY WITH ALL PROVISIONS OF THE BUILDING CODES 2019 CBC, CPC, CMC, AND CEC AND OTHER RULES, REGULATIONS AND ORDINANCES GOVERNING THE PLACE OF CONSTRUCTION. BUILDING CODE REQUIREMENTS TAKE PRECEDENCE OVER THE DRAWINGS IN ALL CASES. IT SHALL BE THE RESPONSIBILITY OF ANYONE SUPPLYING LABOR OR MATERIALS OR BOTH TO BRING TO THE ATTENTION OF THE OWNER ANY DISCREPANCIES OR CONFLICTS BETWEEN THE REQUIREMENTS OF THE CODE AND THE DRAWINGS.
- THE DRAWINGS AND SPECIFICATIONS FOR THIS WORK ARE BASED ON LIMITED FIELD INVESTIGATION. THE CONTRACTOR SHALL FIELD VERIFY THE EXISTING CONDITIONS PRIOR TO THE BID AND WILL BE RESPONSIBLE FOR THE DISCONNECTING, RECONNECTING AND REROUTING OF PLUMBING, MECHANICAL, AND ELECTRICAL SYSTEMS NECESSARY TO ACCOMPLISH THE WORK WHETHER SPECIFICALLY INDICATED OR NOT.
- ALL EXISTING MATERIALS NOT TO BE REUSED OR NOT INDICATED TO BE RETAINED BY THE OWNER SHALL BE REMOVED FROM THE SITE AND BECOME THE PROPERTY OF THE CONTRACTOR OR SALVAGE. CONTRACTOR SHALL VERIFY WITH THE OWNER WHICH ITEMS ARE TO BE RETAINED.
- IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO REPAIR OR REPLACE ANY EXISTING ITEMS OR SURFACES THAT ARE DAMAGED DURING THE WORK. THEY SHALL BE RESTORED TO ORIGINAL CONDITION OR FINISHED TO MATCH ADJACENT SURFACES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE BUILDING IN A SECURED CONDITION AT ALL TIMES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL MEET WITH THE OWNER PRIOR TO THE BEGINNING OF THE WORK TO ESTABLISH STORAGE AREAS FOR MATERIALS AND EQUIPMENT, ACCESS ROUTES FOR DELIVERY AND REMOVAL OF MATERIALS, SUPPLIES, EQUIPMENT, ETC. THAT ARE REQUIRED FOR THIS WORK.
- IT IS THE INTENT OF THE CONTRACT DOCUMENTS THAT THE CONTRACTOR SHALL TURN OVER TO THE OWNER A COMPLETE JOB. ANY WORK NOT SPECIFICALLY CALLED FOR OR SPECIFIED BUT REQUIRED TO COMPLY WITH THE INTENT OF QUALITY AND COMPLETENESS SHALL BE PERFORMED AS PART OF THE CONTRACT.
- CONTRACTOR HEREBY GUARANTEES TO THE OWNER THAT ALL MATERIALS, FIXTURES AND EQUIPMENT FURNISHED TO THE PROJECT ARE NEW UNLESS OTHERWISE SPECIFIED. CONTRACTOR ALSO WARRANTS THAT ALL WORK SHALL BE OF GOOD QUALITY AND FREE FROM ANY FAULTS OR DEFECTS.
- SANITARY FACILITIES SHALL BE PROVIDED AND MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION PER APPLICABLE REGULATIONS.
- CONTRACTOR MUST VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE STARTING WORK.
- ANY OMISSIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE DRAWINGS AND/OR GENERAL NOTES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH ANY WORK INVOLVED.
- IF EXISTING FACILITIES ARE RELATED TO THE WORK, THE CONTRACTOR SHALL NOT DISRUPT THE EXISTING SERVICES OR UTILITIES WITHOUT FIRST OBTAINING THE OWNERS PRIOR APPROVAL AND INSTRUCTIONS.
- CONTRACTOR SHALL VERIFY SIZES AND LOCATIONS OF ALL MECHANICAL EQUIPMENT BEFORE CONSTRUCTION OF ANY BASES OR PADS TO SUPPORT SUCH EQUIPMENT.
- CONTRACTOR SHALL VERIFY ALL PLUMBING AND EQUIPMENT SIZES BEFORE CONSTRUCTION OF SPACES FOR SUCH PLUMBING AND EQUIPMENT.
- ANYONE SUPPLYING LABOR AND/OR MATERIALS TO THE PROJECT SHALL CAREFULLY EXAMINE ALL SUB-SURFACES TO RECEIVE WORK. ANY CONDITIONS DETRIMENTAL TO WORK SHALL BE REPORTED IN WRITING TO CONTRACTOR PRIOR TO BEGINNING. COMMENCEMENT OF WORK SHALL IMPLY ACCEPTANCE OF ALL SUB-SURFACES.
- TEMPORARY BRACING SHALL NOT BE REMOVED FROM ANY ELEMENT UNTIL THE ELEMENT IS CAPABLE OF SUPPORTING ITS DESIGN LOAD.
- CONTRACTOR SHALL PROVIDE SPECIAL INSPECTIONS AS REQUIRED BY SECTION 1701 OF THE CBC.

PROJECT DATE: 5/01/25

REVISIONS

| NO. | DESCRIPTION |
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SHEET TITLE:

GENERAL NOTES

SHEET NO.

G-1

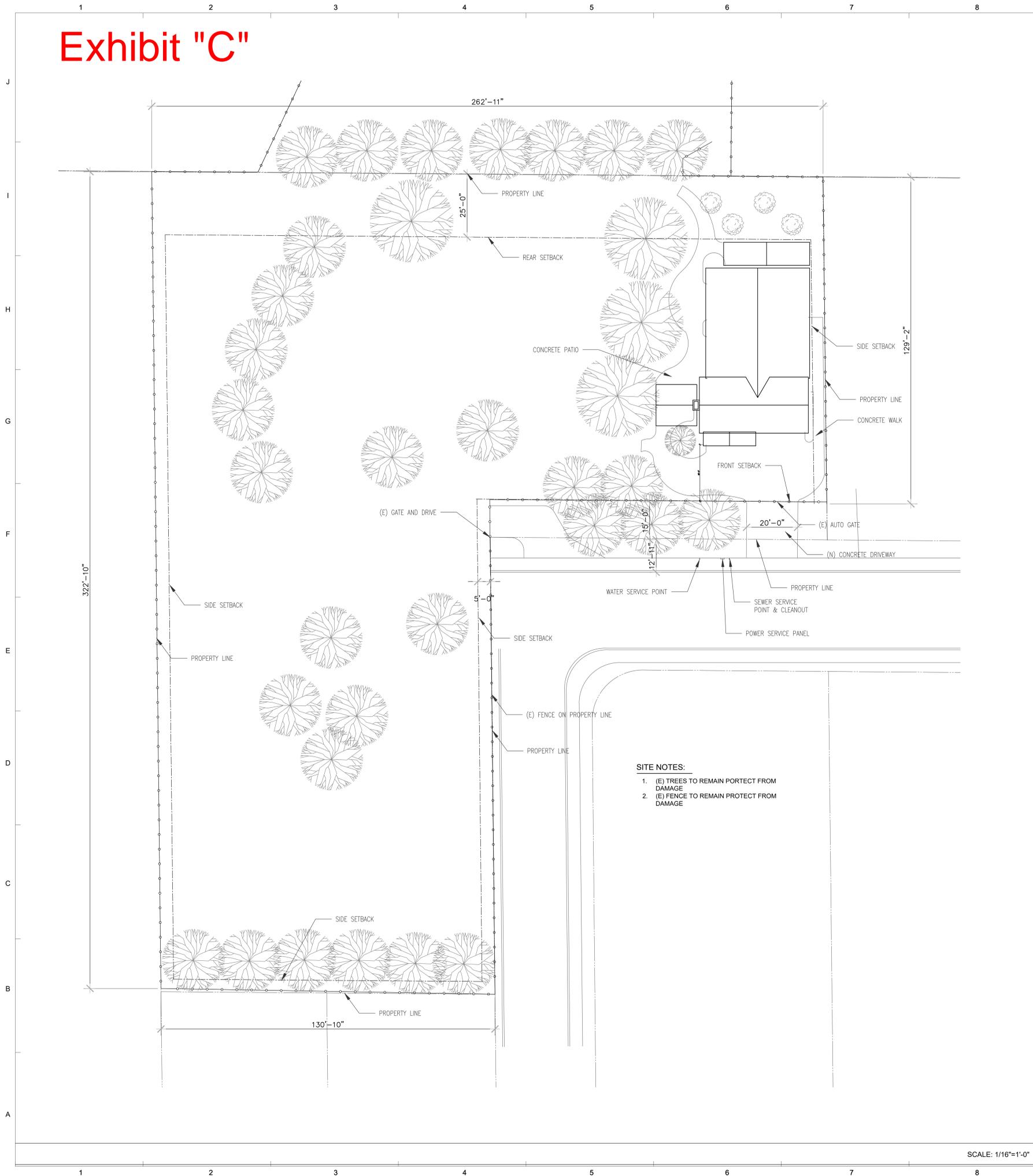
JOB NUMBER: HILLMAN  
GUEST HOUSE

### 1A GENERAL NOTES

### 9A SHEET INDEX

### 11A GENERAL NOTES

# Exhibit "C"



### SITE NOTES:

- (E) TREES TO REMAIN PROTECT FROM DAMAGE
- (E) FENCE TO REMAIN PROTECT FROM DAMAGE

### SITE PLAN NOTES

- CONTRACTOR TO VERIFY ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK.
- ALL ROOF SLOPES TO BE SHOWN ON THIS PLAN.
- SLOPE ALL GRADES AND/OR PAVES A MINIMUM OF 2% AWAY FROM ALL STRUCTURES.
- ANY ARTIFICIAL LIGHTING SHALL BE DIRECTED OR SHIELDED SO AS NOT TO FALL ON ADJACENT PROPERTIES.
- IF THE BUILDING INSPECTOR SUSPECTS FILL EXPANSIVE SOILS, OR ANY GEOLOGICAL INSTABILITY BASED UPON OBSERVATION OF THE FOUNDATION OR SOILS OR GEOTECHNICAL REPORT AND RESUBMITTAL OF THE PLANS TO PLAN CHECK TO VERIFY THAT THE REPORT RECOMMENDATIONS HAVE BEEN INCORPORATED BY THE REQUIRED.
- PERMANENT VACUUM BREATHERS TO BE INCLUDED ON ALL HOSE BIBS.
- STATE HEALTH AND SAFETY CODE SECTION 1921.9 BANS THE USE OF CHLORINATED POLYVINYL CHLORIDE (CPVC) FOR INTERIOR WATER SUPPLY PIPING.
- A CERTIFICATE OF SATISFACTORY COMPLETION OF WORK REQUIRING SPECIAL INSPECTION MUST BE COMPLETED AND SUBMITTED TO THE INSPECTION SERVICES DIVISION.
- IF REQUIRED, STREET TREES MUST BE PLANTED PER THE LAND DEVELOPMENT CODE, LANDSCAPE STANDARDS.
- PER C.I.C. SECTION 1003.3.1.8 AND 1003.3.1.7, PROVIDE A 7'-0" X 3'-0" MINIMUM LANDSCAPE AT ALL EXTERIOR DOORS, NOT MORE THAN 1'-6" HIGH BELOW THRESHOLD.
- THE MAXIMUM GRADIENT IN ANY DIRECTION WITHIN A SURFACE PARKING FACILITY SHALL BE 8 PERCENT.
- NO WORK PROPOSED IN PUBLIC RIGHT-OF-WAY AS PART OF THIS BUILDING PERMIT.
- THE PROPERTY OWNER SHALL MAINTAIN ALL DRAINAGE FACILITIES LOCATED WITHIN THIS PARCEL AND BE RESPONSIBLE TO PREVENT DAMAGE TO DOWN STREAM PROPERTIES.
- IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO LOCATE PROPERTY LINES AND CONFORM TO SETBACK REQUIREMENTS.
- PROPERTY OWNERS TO MAINTAIN THE BACKFLOW VALVE PER THE MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
- ROAD SURFACE TO MEET 40,000 LB LOAD LIMIT.

### EROSION CONTROL NOTES

- THE OWNER OR OWNER'S AGENT SHALL BE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF THE EROSION CONTROL DEVICES AS NECESSARY DURING THE RAINY SEASON. THE CONTRACTOR, PERMITTEE, OR OWNER SHALL BE RESPONSIBLE FOR THE CONTINUAL MAINTENANCE OF THE EROSION CONTROL DEVICES DURING THE RAINY SEASON (OCTOBER 31 THRU APRIL 1).
- TEMPORARY EROSION CONTROL DEVICES SHOWN ON THE EROSION CONTROL PLAN WHICH INTERFERE WITH THE WORK SHALL BE RELOCATED OR MODIFIED AS THE WORK PROGRESSES AS RECOMMENDED BY THE ENGINEER OF WORK AND AS APPROVED BY THE CITY ENGINEER.
- ALL LOOSE SOIL AND DEBRIS SHALL BE REMOVED FROM THE STREET AREAS UPON STARTING OPERATIONS AND PERIODICALLY AFTER AS CREATED BY THE INSPECTOR.
- STABILIZED CREEPS SHALL BE ALERTED BY THE CONTRACTOR, PERMITTEE, OR OWNER FOR EMERGENCY WORK DURING THE RAIN STORMS.
- ALL UTILITY TRENCHES SHALL BE BACKFILLED WITHIN 24 HOURS AND MUST BE BACKFILLED BEFORE THE START OF THE WORK DAY IF A 40% CHANCE OF RAIN IS PREDICTED.
- PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED AREAS PAVED OR UNPAVED AT THE INTERVALS INDICATED BELOW. VELOCITY CHECK DAMS MAY BE CONSTRUCTED OF SANDBAGS, TIMBER, OR OTHER EROSION RESISTANT MATERIALS APPROVED BY THE CITY ENGINEER. ALL CHECK DAMS SHALL BE FULLY AND EQUALLY SPACED THE STREET OR CHANNEL. ALL CHECK DAMS TO THE CENTERLINE. EARTH MAY NOT BE USED AS VELOCITY CHECK DAMS.

| GRADE OF STREET | INTERVAL    |
|-----------------|-------------|
| LESS THAN 2%    | AS REQUIRED |
| 2% - 4%         | 100 FEET    |
| 4% - 6%         | 50 FEET     |
| 6% - 10%        | 25 FEET     |
| OVER 10%        | 25 FEET     |

| GRADE OF CHANNEL | INTERVAL |
|------------------|----------|
| LESS THAN 3%     | 100 FEET |
| 3% - 6%          | 50 FEET  |
| 6% - 8%          | 25 FEET  |
| OVER 8%          | 25 FEET  |

- SANDBAGS BELT BAGS OR TRAP SHALL BE PROVIDED AT EVERY STORM DRAIN INLET TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM.
- EMERGENCY EROSION CONTROL MEASURES ARE REQUIRED TO CONTROL SOIL MOVEMENT AND FACTORS TO THE CITY ENGINEER. THE PERIOD BETWEEN NOVEMBER 1 AND APRIL 15 EROSION CONTROL MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO, SLOPE PROTECTION, INSTALLATION OF JUTE MATTING OR APPROVED EQUIVALENT, SILTING BARRIERS, SILT CONTROL SAND BAGGING, AND STORM DRAINS.
- ALL EROSION CONTROL MEASURES ARE PROHIBITED FROM ENTERING THE STORM DRAIN SYSTEM AT ALL TIMES. CONTRACTORS TO MAINTAIN TEMPORARY EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY ENGINEER.
- TEMPORARY EROSION CONTROL MEASURES SHALL CONSIST OF ONE ROW OF SANDBAGS, ONE BAG HIGH, PLACED AT THE TOE OF ALL UNGRAVATED SLOPES. ALL CATCH BASINS, SLEETS OR OTHER ENTRANCES TO THE STORM DRAIN SYSTEM SHALL BE PROTECTED WITH ONE ROW OF SANDBAGS, TWO BAGS HIGH.
- TEMPORARY EROSION CONTROL DEVICES SHOWN ON THIS PLAN WHICH INTERFERE WITH WORK SHALL BE RELOCATED OR MODIFIED WHEN THE INSPECTOR DIRECTION AS THE WORK PROGRESSES.
- A GUARD SHALL BE POSTED ON SITE WHENEVER THE DEPTH OF WATER IN ANY UNPAVED FACILITY EXCEEDS TWO (2) FEET.
- ALL REMOVABLE PROTECTION DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE 6-DAY RAIN PROBABILITY FORECAST EXCEEDS 40%. AFTER EACH WINTERSTORM EXCEEDS 1/4 INCH IN A 24-HOUR PERIOD, SILT AND DEBRIS SHALL BE REMOVED FROM VELOCITY CHECK DAMS AND DESILTING BARRIERS, AND BAGGING SHALL BE PUMPED DRY.
- EFFECTIVE PLANTING SHALL BE INSTALLED, FULLY GERMINATED, AND SHALL EFFECTIVELY COVER THE REQUIRED SLOPES PRIOR TO FINAL APPROVAL. THE PLANTING MIX SHALL BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS PRIOR TO INSTALLATION.
- SANDBAGS AND NECESSARY MATERIAL SHALL BE AVAILABLE ON SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION BY TEMPORARY DEVICES OR TO REPAIR ANY DAMAGED EROSION CONTROL MEASURES WHEN RAIN REMAINS. A SIGN AND BY CREW SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON.
- ALL EROSION CONTROL PLANS MUST PROVIDE A 24-HOUR TELEPHONE NUMBER AND THE NAMES OF THE PERSONNEL RESPONSIBLE FOR EMERGENCY WORK. A TELEPHONE ANSWERING MACHINE OR ANSWERING SERVICE IS UNACCEPTABLE. CONTACT: CHRIS TEMERBECK (899)30-4906.
- DEVICES SHOWN ON PLANS SHALL NOT BE REMOVED OR MODIFIED WITHOUT THE APPROVAL OF THE INSPECTOR.
- THE OWNER OR OWNER'S AGENT SHALL RESTORE ALL EROSION CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OR INSPECTOR AFTER EACH RUN-OFF PRODUCING RAINFALL OR OTHER SOURCE OF WATER CAUSING EROSION TO THE SITE.
- THE OWNER OR OWNER'S AGENT SHALL INSTALL ADDITIONAL EROSION CONTROL MEASURES AS MAY BE REQUIRED BY THE CITY ENGINEER DUE TO INCOMPLETE GRADING OPERATIONS OR UNFORESEEN CIRCUMSTANCES WITH MAY ARISE.
- THE OWNER OR OWNER'S AGENT SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPROVED WATERS CREATE A HAZARDOUS CONDITION.
- THE OWNER OR OWNER'S AGENT SHALL PROTECT ALL EXISTING HARDSHIPS AND LANDSCAPED AREAS AND REPLACE ANY REMOVED OR DAMAGED AREAS PER THE LANDSCAPE ARCHITECT, OWNER, ENGINEER OF WORK, OR THE INSPECTOR.

### C&D DEBRIS RECYCLING AND REUSE PLAN

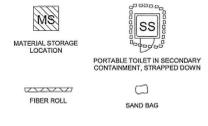
APPLICANTS MUST COMPLY WITH LAURE COUNTY ORDINANCE CODE SECTIONS 4.03-150 ET SEQ. (CHAPTER 4 MANAGEMENT OF SOLID WASTE) PRIOR TO ANY PERMIT BEING ISSUED.

- DECONSTRUCTION AND SALVAGE AND RECOVERY (A) RECOVERED AND SALVAGED DEBRIS RECYCLABLE AND REUSABLE MATERIALS FROM THE DECONSTRUCTION PHASE SHALL BE COMPLETED TOWARDS THE DIVISION REQUIREMENTS OF THIS CHAPTER.
- DIVERSION REQUIREMENTS (A) ONE HUNDRED PERCENT (100%) OF INERT SOLIDS AND AT LEAST FIFTY PERCENT (50%) OF NON-FLAMMABLE LIQUIDS FROM THE REMAINING CONSTRUCTION AND DEMOLITION DEBRIS RESULTING FROM THE PROJECT SHALL BE DIVERTED TO AN APPROVED FACILITY OR BY BALANCE. (B) FOR EACH COVERED PROJECT, THE DIVERSION REQUIREMENTS OF THIS CHAPTER SHALL BE MET BY SUBMITTING AND FOLLOWING A C&D DEBRIS RECYCLING AND REUSE PLAN THAT INCLUDES THE FOLLOWING: (1) DECONSTRUCTION AND SALVAGE ALL OR PART OF THE STRUCTURE AS PRACTICABLE, AND (2) RECYCLING OR REUSE (100%) OF INERT SOLIDS (3) RECYCLING OR REUSE (SEPARATED OR COMBINED) FROM INERT MATERIALS, SUCH AS CARDBOARD AND PAPER, WOOD, METALS, NON-FLAMMABLE LIQUIDS, AND OTHER RECYCLED MATERIALS, AND OTHER EASILY RECYCLED MATERIALS, AND DIRECTING THEM TO RECYCLING FACILITIES APPROVED BY THE COUNTY AND TAKING THE REMAINDER BUT NO MORE THAN 10% BY WEIGHT TO A FACILITY FOR DISPOSAL.

THE APPLICANT FOR ANY COVERED PROJECT SHALL MAKE REASONABLE EFFORTS TO ENSURE THAT ALL CONSTRUCTION AND DEMOLITION WASTE DIVERTED OR LAID OFF ARE MEASURED AND RECORDED USING THE MOST ACCURATE METHOD OF MEASUREMENT AVAILABLE. TO THE EXTENT PRACTICAL, ALL CONSTRUCTION AND DEMOLITION DEBRIS SHALL BE WEIGHED BY MEASUREMENT ON SCALES THAT ARE IN COMPLIANCE WITH ALL REGULATORY REQUIREMENTS FOR ACCURACY AND MAINTENANCE.

- ON-SITE PRACTICES DURING THE TERM OF THE COVERED PROJECT, THE APPLICANT SHALL ACCORDING TO THE APPLICANT'S C&D DEBRIS RECYCLING AND REUSE PLAN RECYCLE, REUSE OR DIVERT THE REQUIRED PERCENTAGE OF WASTE, AND KEEP RECORDS OF THE TONNAGE TO THE MAXIMUM EXTENT FEASIBLE. PROJECT WASTE SHALL BE SOURCE SEPARATED ON-SITE IF INCREASE DIVERSION.

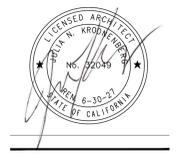
### C&D LEGEND



### C&D HOUSEKEEPING NOTES

- SWEEP PAVED SURFACES RATHER THAN USING THE HOSE OR BLOWER.
  - KEEP ABRASIVE READY AVAILABLE ON-SITE FOR EASY SPOIL CLEAN UP.
  - CONTROL LITTER BY SWEEPING AND PICKING UP TRASH REGULARLY.
  - MAINTAIN GOOD HOUSEKEEPING PRACTICES WHILE WORK IS UNDERWAY.
- \*"INTERVIOUS" AREAS

ARCHITECTURE  
SPACE PLANNING &  
INTERIOR DESIGN  
JULIA N. KROONBERG, ARCHITECT  
5545 W GROVE CT VISALIA, CA 93291  
PH (559) 679-0619  
jnkarchitect@gmail.com  
juliankroonberg.vreality.com



### CONSULTANT

### NOTES

Scot and Adrienne Hillman Residence  
5602 W Nicholas Ct.  
VISALIA, CA 93291

PROJECT DATE: 5/01/25

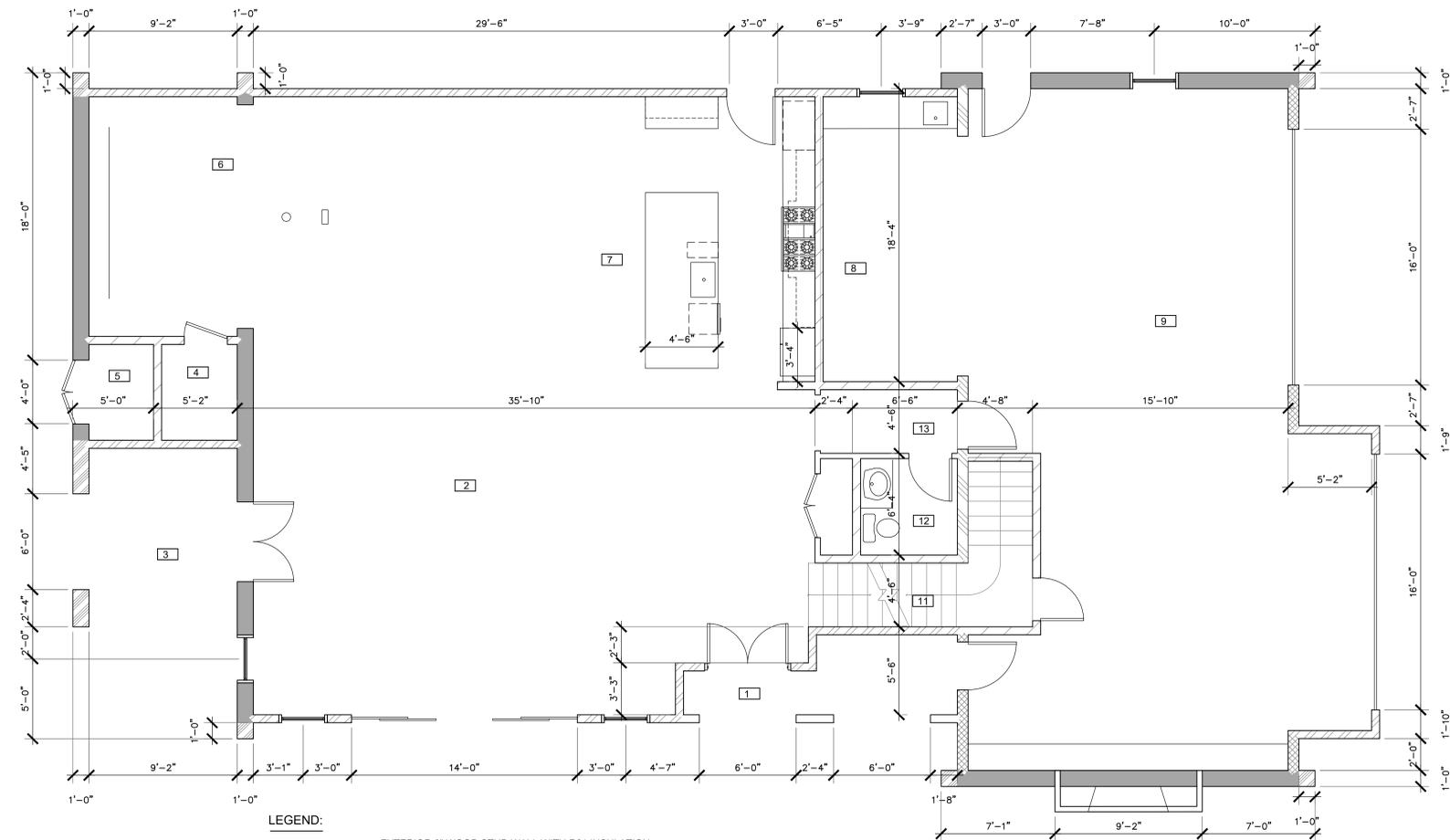
| REVISIONS |
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SHEET TITLE:  
**GENERAL NOTES**  
SHEET NO.  
**G-2**

JOB NUMBER: HILLMAN GUEST HOUSE

SCALE: 1/16"=1'-0"

# Exhibit "C"

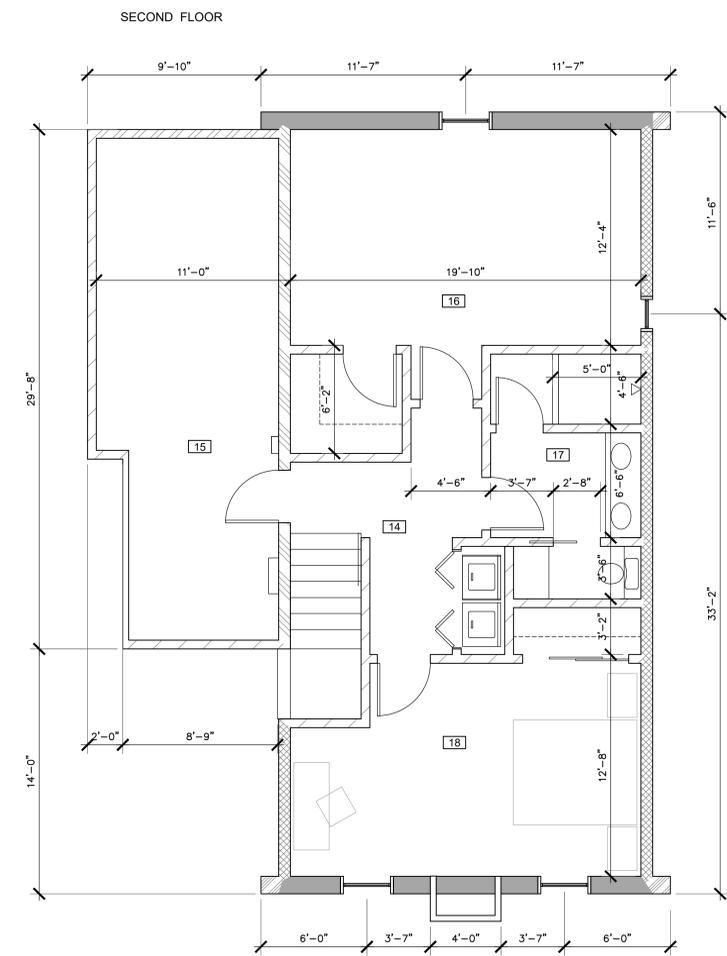


**LEGEND:**

- EXTERIOR 6" WOOD STUD WALL WITH R21 INSULATION. FACE EXTERIOR WITH R5 FOAM BOARD UNDER 3 COAT SMOOTH PLASTER FINISH. REFER TO EXTERIOR ELEVATIONS FOR LOCATIONS OF STONE VENEER. INTERIOR FACE TO HAVE GYP. BD. WITH SMOOTH TEXTURE
- EXTERIOR 6" WOOD STUD WALL SECTIONS. FACE EXTERIOR FACE WITH 3 COAT SMOOTH PLASTER FINISH, OR BOARD N BATT, REFER TO EXTERIOR ELEVATIONS
- EXTERIOR 6" WOOD STUD WALL FRAME WITH 6" STUDS ON INTERIOR FACE, WITH R21 INSULATION. FRAME EXTERIOR FACE WITH 4" STUDS WITH R5 FOAM BOARD UNDER 3 COAT SMOOTH PLASTER OR STONE VENEER. REFER TO EXTERIOR ELEVATIONS FOR LOCATION OF MATERIALS. INTERIOR FACE TO HAVE GYP. BD WITH SMOOTH TEXTURE, U.O.N.
- EXTERIOR 6" WOOD STUD WALL FRAME WITH 6" STUDS ON INTERIOR FACE, WITH R21 INSULATION. FACE BOTH EXTERIOR FACES WITH R5 FOAM BOARD UNDER 3 COAT SMOOTH PLASTER OR STONE VENEER. REFER TO EXTERIOR ELEVATIONS FOR LOCATION OF MATERIALS.
- INTERIOR 2x8 WOOD STUD WALLS WITH GYP. BD. BOTH SIDES. SQUARE BULLNOSE CORNERS AND SMOOTH FINISH TEXTURE. PAINT TO BE SELECTED BY OWNER. PROVIDE SOUND BATT INSULATION IN BEDROOM AND BATHROOM WALLS
- INTERIOR 2x4 WOOD STUD WALLS WITH GYP. BD. BOTH SIDES. ROUNDED BULLNOSE CORNERS AND SMOOTH FINISH TEXTURE. PAINT TO BE SELECTED BY OWNER. PROVIDE SOUND BATT INSULATION IN BEDROOM AND BATHROOM WALLS.
- EXTERIOR 2x8 WOOD STUD WALL WITH R21 INSULATION. FACE EXTERIOR WITH UNDER 3 COAT SMOOTH PLASTER OR STONE VENEER. REFER TO EXTERIOR ELEVATIONS FOR LOCATION OF MATERIALS. INTERIOR FACE TO HAVE GYP. BD. WITH SMOOTH TEXTURE
- INTERIOR 2x8 WOOD STUD WALL WITH GYP. BD. BOTH SIDES. SQUARE BULLNOSE CORNERS AND SMOOTH FINISH TEXTURE. PAINT TO BE SELECTED BY OWNER. PROVIDE SOUND BATT INSULATION IN BEDROOM AND BATHROOM WALLS.
- WINDOW REFER TO OPENING SCHEDULE FOR ADDITIONAL INFORMATION
- DOOR REFER TO OPENING SCHEDULE FOR ADDITIONAL INFORMATION
- POCKET DOOR REFER TO OPENING SCHEDULE FOR ADDITIONAL INFORMATION
- SLIDING GLASS WALL SEE OPENING SCHEDULE FOR ADDITIONAL INFORMATION

**ROOM LEGEND:**

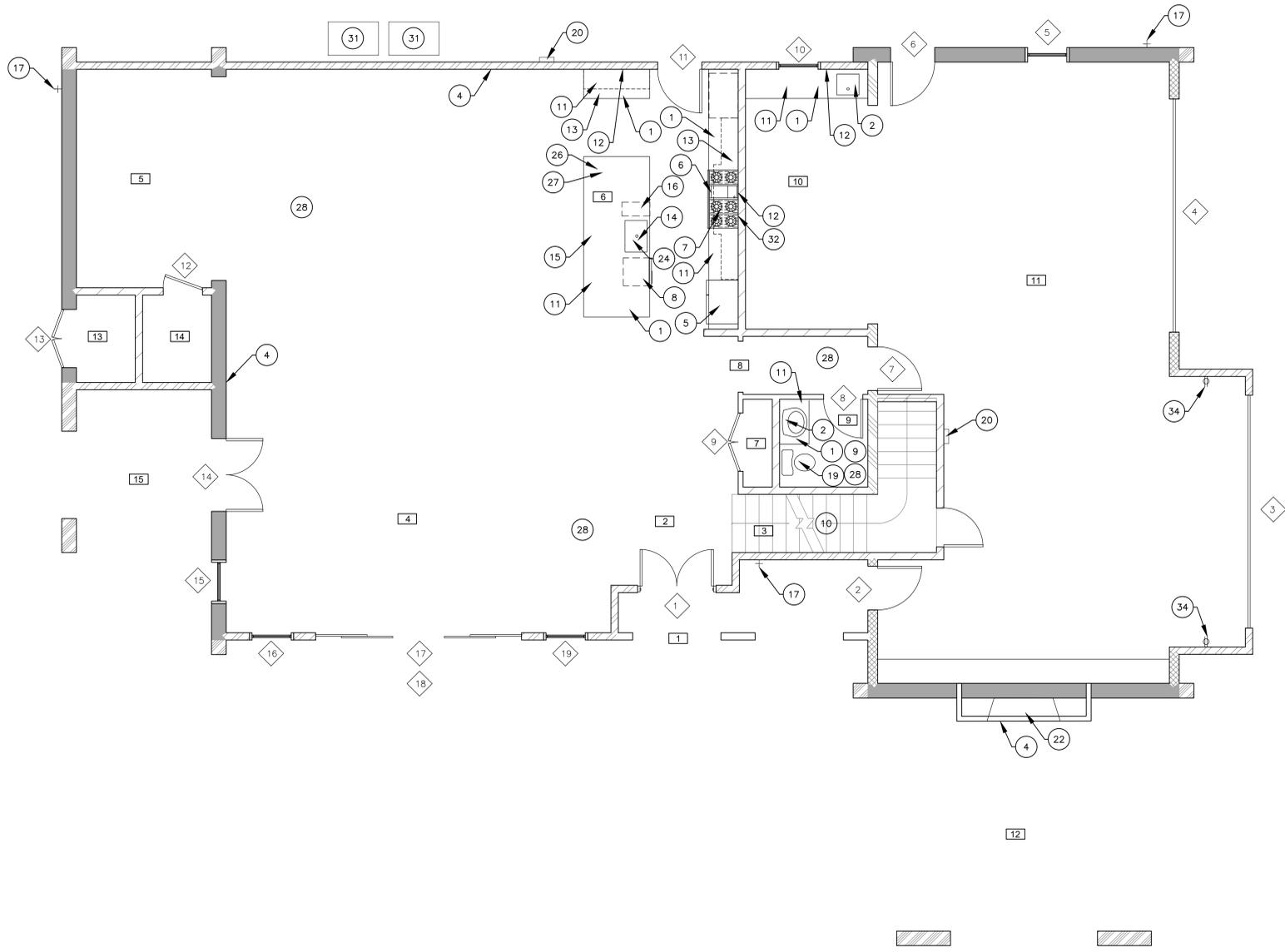
- 1 ENTRY PORCH
- 2 GATHERING SPACE
- 3 SIDE PATIO
- 4 STORAGE
- 5 YARD STORAGE
- 6 GOLF SIMULATOR
- 7 KITCHEN
- 8 SHOP
- 9 GARAGE
- 10 COVERED PATIO
- 11 STAIRS
- 12 POWDER BATH
- 13 HALL
- 14 LANDING
- 15 MECHANICAL ROOM
- 16 BUNK ROOM
- 17 BATHROOM
- 18 BEDROOM



PROJECT DATE: 5/01/25

| NO. | REVISIONS |
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# Exhibit "C"



- KEYNOTES:**
1. BASE CABINETS, OWNER TO SELECT LAYOUT AND STYLE. OWNER TO APPROVE SHOP DRAWINGS.
  2. OWNER SELECTED SINK, REFER TO PLUMBING PLANS FOR ADDITIONAL INFORMATION
  3. WASHER AND DRYER, PROVIDE WATER AND WASTE LINES FOR WASHER. WASHER CONTROL VALVES RECESSED IN WALL. VENT DRYER TO OUTSIDE AIR AND SHALL BE EQUIPPED WITH A BACKDRAFT DAMPER PER CMC 504.3, 504.5. VERIFY DIMENSIONS AND COORDINATE GAS AND POWER REQUIREMENTS PER MANUFACTURER SPECIFICATIONS.
  4. TV MOUNT, POWER HOOKUPS, RUN LINES TO WALL BOX SEE ELECTRICAL FOR INFORMATION.
  5. 30" BUILT-IN FRIG TO BE SELECTED BY OWNER PROVIDE WATER AND POWER. VERIFY DIMENSIONS AND REQUIREMENTS PER MANUFACTURER SPECIFICATIONS
  6. 48" DUAL FUEL GAS RANGE, PROVIDE GAS AND POWER PER MANUFACTURER SPECIFICATIONS.
  7. CUSTOM HOOD PROVIDE LIGHT AND VENT (VENT TO OUTSIDE AIR) WITH BLOWER FOR 48" RANGE, PROVIDE POWER
  8. OWNER SELECTED DISHWASHER, PROVIDE WATER, DRAIN AND POWER PER MANUFACTURER SPECIFICATIONS.
  9. ALL BATHROOM WALL AND SHOWER TILE TO BE SELECTED BY OWNER
  10. STAIRS WITH WROUGHT IRON AND WOOD RAILING, SEE A-6
  11. SOLID SURFACE COUNTERTOPS, MATERIAL TO BE SELECTED BY OWNER
  12. BACKSPLASH, MATERIAL TO BE SELECTED BY OWNER.
  13. UPPER CABINETS, STYLE TO BE SELECTED BY OWNER, OWNER TO APPROVE SHOP DRAWINGS
  14. KITCHEN SINK WITH GARBAGE DISPOSAL, PROVIDE POWER AND WATER PER MANUFACTURER SPECIFICATIONS.
  15. ISLAND WITH CABINETS BOTH SIDE AND OVERHANG FOR SEATING, OWNER TO APPROVE SHOP DRAWINGS
  16. TRASH PULL OUT DRAWERS WITH CUTTING BOARD DRAWER ABOVE, OWNER TO CONFIRM LOCATIONS
  17. HOSE BIB
  18. SHOWER, OWNER SELECTED FIXTURES. VERIFY SIZES AND MOUNTING HGTS WITH OWNER
  19. ULTRA LOW FLUSH TOILET, TO COMPLY WITH CAL-GREEN REQUIREMENTS. VERIFY DIMENSIONS AND REQUIREMENTS WITH MANUFACTURER SPECIFICATIONS
  20. ELECTRICAL PANEL
  21. TANKLESS WATER HEATER, SEE PLUMBING FOR ADDITIONAL INFORMATION
  22. FIREPLACE, SEE DETAILS ON A-8
  23. N/A
  24. INSTANT HOT AND COLD FAUCET
  25. N/A
  26. LOCATION OF POTENTIAL 30" WARMING DRAWING PROVIDE POWER
  27. 30" MICROWAVE DRAWER, PROVIDE POWER AND VERIFY DIMENSIONS PER MANUFACTURER SPECIFICATIONS.
  28. FLOORING, TO BE SELECTED BY OWNER
  29. CARPET, TO BE SELECTED BY OWNER
  30. FULL HGT CABINETS, STYLE AND COLOR TO BE SELECTED BY OWNER, OWNER TO APPROVE SHOP DRAWINGS
  31. PAD WITH HVAC EQUIP SEE MECHANICAL FOR ADDITIONAL INFORMATION
  32. WALL MOUNTED POT FILLER FAUCET (PROVIDE COLD WATER LINE ONLY) VERIFY LOCATION WITH OWNER AND REQUIREMENTS WITH MANUFACTURER SPECIFICATION
  33. TOWEL BAR, PROVIDE 2x SOLID BACKING. (VERIFY LOCATIONS WITH OWNER)
  34. CAR CHARGING STATION SEE ELECTRICAL FOR ADDITIONAL INFORMATION

- FLOOR PLAN NOTES:**
1. ALL WALLS TO RECEIVE PAINT PER OWNERS SELECTION
  2. ALL INTERIOR WALLS TO BE SMOOTH GYP. BD. FINISH
  3. SEE A-5 FOR OPENING SCHEDULE
  4. BASEBOARDS THRU-OUT COLOR AND STYLE TO BE SELECTED BY OWNER
  5. SEE DETAILS ON A-5 FOR FIREPLACES
  6. INSTALL WATER RESISTANT GYPSUM BOARD (FULL-HEIGHT) AROUND ALL SHOWER ENCLOSURES AND BEHIND ALL PLUMBING FIXTURES, EXCEPT BEHIND TILE. INSTALL "DUROC", "WONDERBOARD" OR SIMILAR PRODUCT.
  7. ALL WALLS WITH SHEAR PLYWOOD SHALL HAVE A CONTINUOUS FLUSH FINISH. FURR WALLS OR CONTINUE PLYWOOD TO MAINTAIN THE REQUIRED FLUSH FINISH.
  8. ALL EXTERIOR DOORS AND WINDOWS SHALL CONFORM TO THE TULARE COUNTY SECURITY ORDINANCE.
  9. ALL WALLS OVER 10'-0" IN HEIGHT SHALL BE A MINIMUM OF 2x6 STUDS @ 16" O.C. WITH FIRE BLOCKING AT MID-HEIGHT @ 10'-0" INTERVALS
  10. PROVIDE BACKING FOR ALL TOWEL BARS, AND TISSUE HOLDERS IN BATHROOMS TYP.
  11. ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD U.O.N.
  12. VERIFY ALL FINISH MATERIALS WITH OWNER/BUILDER PRIOR TO INSTALLATION.
  13. PROVIDE A 3'-0"x3'-0" (MIN.) P.C.C. STOOP (CBC 1010.1.6) NOT MORE THAN 3/4" BELOW THRESHOLD (CBC 1010.1.7) RAISED THRESHOLDS AND FLOOR LEVEL CHANGES SHALL BE BEVELLED WITH A SLOPE NOT GREATER THAN ONE UNIT VERTICAL IN TWO UNITS HORIZONTAL (50 PERCENT SLOPE) (CBC 1010.1.7)
  14. ALL BATHROOM FIXTURES SHALL BE EQUIPPED WITH A PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE.
  15. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO COMMENCEMENT OF ANY WORK
  16. NOMINAL DOOR AND WINDOW SIZES SHOWN ON FLOOR PLAN. CONTRACTOR TO VERIFY ROUGH OPENINGS WITH MANUFACTURER'S SPECIFICATIONS

17. SMOKE ALARMS:
  - A. IN NEW AND EXISTING CONSTRUCTION: REQUIRED SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. SMOKE ALARMS SHALL EMIT A SIGNAL WHEN THE BATTERIES ARE LOW. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN AS REQUIRED FROM OVERCURRENT PROTECTION. CRC R314.6
  - B. PROVIDE PERMANENTLY WIRED SMOKE ALARMS FOR NEW CONSTRUCTION AT THE FOLLOWING LOCATIONS (CRC R314.3):
    - IN EACH SLEEPING ROOM
    - ON THE CEILING OR WALL OUTSIDE EACH SEPARATE SLEEPING AREA
    - AT EACH STORY WITHIN THE DWELLING UNIT
18. SEPARATION BETWEEN THE GARAGE AND LIVING SPACE:
  - C. PROVIDE ON THE GARAGE SIDE OF THE WALL 3/4" TYP "X" GYPSUM BOARD ON ALL SUPPORTING WALLS BETWEEN GARAGE AND LIVING SPACE, FORM THE TOP OF CONCRETE TO BOTTOM OF CEILING FRAMING. WRAP ALL BEAMS AND SUPPORT POSTS W/ 3/4" TYPE "X" GYPSUM BOARD.
  - D. DUCTS PENETRATING THE SEPARATION TO BE CONSTRUCTED OF NOT LESS THAN 24 GAUGE GALVANIZED STEEL AND CONTINUOUS WITHOUT OPENINGS OR NON - METALLIC CONNECTIONS.
19. ALL DOORS BETWEEN THE GARAGE AND LIVING SPACES TO 1 3/4" THICK TIGHT FITTING SOLID CORE SELF CLOSING AND SELF LATCHING. DOORS SHALL BE LABELED 20 MINUTE ASSEMBLY. CRC R302.5.1
20. WEATHERSTRIP AND METAL THRESHOLD. THRESHOLD AT DOORWAYS SHALL NOT EXCEED 3/4" IN HEIGHT FOR SLIDING DOORS SERVING DWELLING UNITS OR 1/2" FOR OTHER DOORS. SEC 1010.1.7
21. UNDERSIDE OF STAIRS ARE TO BE FINISHED PER CBC 1011.7.3, SEE DETAIL ON A-6 FOR ADDITIONAL INFORMATION.

- ROOM LEGEND:**
- 1 FRONT PORCH
  - 2 ENTRY
  - 3 STAIRWELL
  - 4 LIVING ROOM
  - 5 GOLF
  - 6 KITCHEN
  - 7 CLOSET
  - 8 HALL
  - 9 HALF BATH
  - 10 SHOP
  - 11 GARAGE
  - 12 PATIO
  - 13 STORAGE
  - 14 CLOSET
  - 15 PATIO

ARCHITECTURE  
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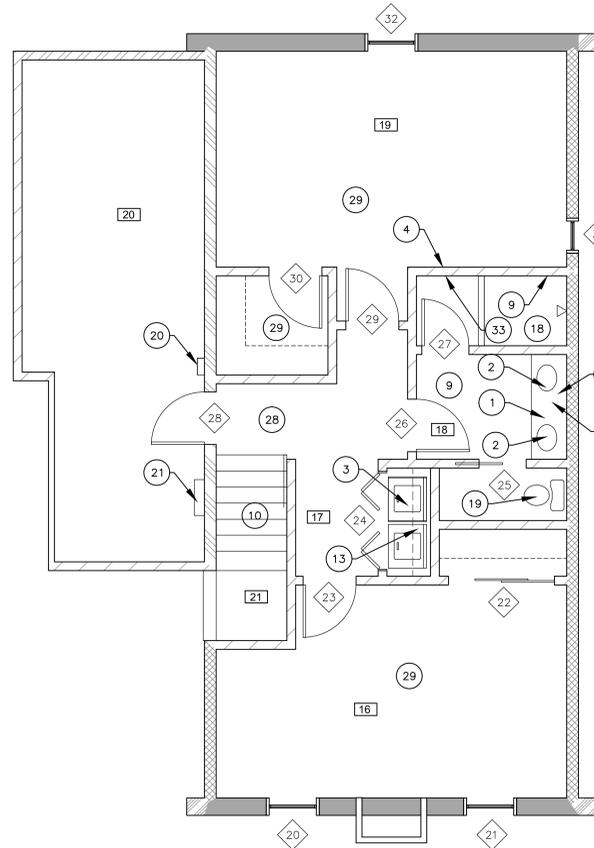
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| PROJECT DATE: 5/01/25 |
| REVISIONS             |
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SHEET TITLE:  
**1ST FLOOR PLAN**  
SHEET NO.  
**A-3**

JOB NUMBER: HILLMAN GUEST HOUSE



# Exhibit "C"



### KEYNOTES:

1. BASE CABINETS, OWNER TO SELECT LAYOUT AND STYLE. OWNER TO APPROVE SHOP DRAWINGS.
2. OWNER SELECTED SINK, REFER TO PLUMBING PLANS FOR ADDITIONAL INFORMATION
3. WASHER AND DRYER, PROVIDE WATER AND WASTE LINES FOR WASHER. WASHER CONTROL VALVES RECESSED IN WALL. VENT DRYER TO OUTSIDE AIR AND SHALL BE EQUIPPED WITH A BACKDRAFT DAMPER PER CMC 504.3, 504.5. VERIFY DIMENSIONS AND COORDINATE GAS AND POWER REQUIREMENTS PER MANUFACTURER SPECIFICATIONS.
4. TV MOUNT, POWER HOOKUPS, RUN LINES TO WALL BOX SEE ELECTRICAL FOR INFORMATION.
5. 30" BUILT-IN FRIG TO BE SELECTED BY OWNER PROVIDE WATER AND POWER. VERIFY DIMENSIONS AND REQUIREMENTS PER MANUFACTURER SPECIFICATIONS
6. 48" DUAL FUEL GAS RANGE, PROVIDE GAS AND POWER PER MANUFACTURER SPECIFICATIONS.
7. CUSTOM HOOD PROVIDE LIGHT AND VENT (VENT TO OUTSIDE AIR) WITH BLOWER FOR 48" RANGE, PROVIDE POWER
8. OWNER SELECTED DISHWASHER, PROVIDE WATER, DRAIN AND POWER PER MANUFACTURER SPECIFICATIONS.
9. ALL BATHROOM WALL AND SHOWER TILE TO BE SELECTED BY OWNER
10. STAIRS WITH WROUGHT IRON AND WOOD RAILING, SEE A-6
11. SOLID SURFACE COUNTERTOPS, MATERIAL TO BE SELECTED BY OWNER
12. BACKSPLASH, MATERIAL TO BE SELECTED BY OWNER.
13. UPPER CABINETS, STYLE TO BE SELECTED BY OWNER, OWNER TO APPROVE SHOP DRAWINGS
14. KITCHEN SINK WITH GARBAGE DISPOSAL, PROVIDE POWER AND WATER PER MANUFACTURER SPECIFICATIONS.
15. ISLAND WITH CABINETS BOTH SIDE AND OVERHANG FOR SEATING, OWNER TO APPROVE SHOP DRAWINGS
16. TRASH PULL OUT DRAWERS WITH CUTTING BOARD DRAWER ABOVE, OWNER TO CONFIRM LOCATIONS
17. HOSE BIB
18. SHOWER, OWNER SELECTED FIXTURES. VERIFY SIZES AND MOUNTING HGTS WITH OWNER
19. ULTRA LOW FLUSH TOILET, TO COMPLY WITH CAL-GREEN REQUIREMENTS. VERIFY DIMENSIONS AND REQUIREMENTS WITH MANUFACTURER SPECIFICATIONS
20. ELECTRICAL PANEL
21. TANKLESS WATER HEATER, SEE PLUMBING FOR ADDITIONAL INFORMATION
22. FIREPLACE, SEE DETAILS ON A-8
23. FRIDGE AND FREEZER PROVIDE WATER AND POWER PER MANUFACTURER
24. INSTANT HOT AND COLD FAUCET
25. FULL HEIGHT ADJUSTABLE PANTRY SHELVES
26. LOCATION OF POTENTIAL 30" WARMING DRAWING PROVIDE POWER
27. 30" MICROWAVE DRAWER, PROVIDE POWER AND VERIFY DIMENSIONS PER MANUFACTURER SPECIFICATIONS.
28. FLOORING, TO BE SELECTED BY OWNER
29. CARPET, TO BE SELECTED BY OWNER
30. FULL HGT CABINETS, STYLE AND COLOR TO BE SELECTED BY OWNER, OWNER TO APPROVE SHOP DRAWINGS
31. PAD WITH HVAC EQUIP SEE MECHANICAL FOR ADDITIONAL INFORMATION
32. WALL MOUNTED POT FILLER FAUCET (PROVIDE COLD WATER LINE ONLY) VERIFY LOCATION WITH OWNER AND REQUIREMENTS WITH MANUFACTURER SPECIFICATION
33. TOWEL BAR, PROVIDE 2x SOLID BACKING. (VERIFY LOCATIONS WITH OWNER)
34. CAR CHARGING STATION SEE ELECTRICAL FOR ADDITIONAL INFORMATION
35. CLOSET SHELVEING TO BE APPROVED BY OWNER AND CONTRACTOR INSTALLED

### FLOOR PLAN NOTES:

1. ALL WALLS TO RECEIVE PAINT PER OWNERS SELECTION
2. ALL INTERIOR WALLS TO BE SMOOTH GYP. BD. FINISH.
3. SEE A-5 FOR OPENING SCHEDULE
4. BASEBOARDS THRU-OUT COLOR TO BE SELECTED BY OWNER
5. SEE DETAILS ON A-5, FOR FIREPLACES
6. INSTALL WATER RESISTANT GYPSUM BOARD (FULL-HEIGHT) AROUND ALL SHOWER ENCLOSURES AND BEHIND ALL PLUMBING FIXTURES, EXCEPT BEHIND TILE. INSTALL "DUROCK," "WONDERBOARD" OR SIMILAR PRODUCT.
7. ALL WALLS WITH SHEAR PLYWOOD SHALL HAVE A CONTINUOUS FLUSH FINISH. FURR WALLS OR CONTINUE PLYWOOD TO MAINTAIN THE REQUIRED FLUSH FINISH.
8. ALL EXTERIOR DOORS AND WINDOWS SHALL CONFORM TO THE TULARE COUNTY SECURITY ORDINANCE.
9. ALL WALLS OVER 10'-0" IN HEIGHT SHALL BE A MINIMUM OF 2x6 STUDS @ 16"O.C. WITH FIRE BLOCKING AT MID-HEIGHT @ 10'-0" INTERVALS
10. PROVIDE BACKING FOR ALL TOWEL BARS, AND TISSUE HOLDERS IN BATHROOMS TYP.
11. ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD U.O.N.
12. VERIFY ALL FINISH MATERIALS WITH OWNER/BUILDER PRIOR TO INSTALLATION.
13. PROVIDE A 3'-0"x3'-0"(MIN.) P.C.C. STOOP (CBC 1010.1.6) NOT MORE THAN 3/4" BELOW THRESHOLD (CBC 1010.1.7) RAISED THRESHOLDS AND FLOOR LEVEL CHANGES SHALL BE BEVELED WITH A SLOPE NOT GREATER THAN ONE UNIT VERTICAL IN TWO UNITS HORIZONTAL (50 PERCENT SLOPE) (CBC 1010.1.7)
14. ALL BATHROOM FIXTURES SHALL BE EQUIPPED WITH A PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE.
15. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO COMMENCEMENT OF ANY WORK
16. NOMINAL DOOR AND WINDOW SIZES SHOWN ON FLOOR PLAN. CONTRACTOR TO VERIFY ROUGH OPENINGS WITH MANUFACTURER'S SPECIFICATIONS
17. SMOKE ALARMS
  - A. IN NEW AND EXISTING CONSTRUCTION: REQUIRED SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. SMOKE ALARMS SHALL EMIT A SIGNAL WHEN THE BATTERIES ARE LOW. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN AS REQUIRED FROM OVERCURRENT PROTECTION. CRC R314.5
  - B. PROVIDE PERMANENTLY WIRED SMOKE ALARMS FOR NEW CONSTRUCTION AT THE FOLLOWING LOCATIONS (CRC R314.3):
    - IN EACH SLEEPING ROOM
    - ON THE CEILING OR WALL OUTSIDE EACH SEPARATE SLEEPING AREA
    - AT EACH STORY WITHIN THE DWELLING UNIT
18. SEPARATION BETWEEN THE GARAGE AND LIVING SPACE:
  - C. PROVIDE ON THE GARAGE SIDE OF THE WALL 5/8" TYP "X" GYPSUM BOARD ON ALL SUPPORTING WALLS BETWEEN GARAGE AND LIVING SPACE. FORM THE TOP OF CONCRETE TO BOTTOM OF CEILING FRAMING. WRAP ALL BEAMS AND SUPPORT POSTS W/ 5/8" TYP "X" GYPSUM BOARD.
  - D. DUCTS PENETRATING THE SEPARATION TO BE CONSTRUCTED OF NOT LESS THAN 24 GAUGE GALVANIZED STEEL AND CONTINUOUS WITHOUT OPENINGS OR NON - METALLIC CONNECTIONS.
19. ALL DOORS BETWEEN THE GARAGE AND LIVING SPACES TO 1 3/4" THICK TIGHT FITTING SOLID CORE SELF CLOSING AND SELF LATCHING. DOORS SHALL BE LABELED 20 MINUTE ASSEMBLY. SEC 716.5.3
20. WEATHERSTRIP AND METAL THRESHOLD. THRESHOLD AT DOORWAYS SHALL NOT EXCEED 3/4" IN HEIGHT FOR SLIDING DOORS SERVING DWELLING UNITS OR 1/2" FOR OTHER DOORS. CRC R302.5.1

### ROOM LEGEND:

- 16 ] BEDROOM
- 17 ] HALL/LAUNDRY
- 18 ] BATHROOM
- 19 ] BUNK ROOM
- 20 ] MECH ROOM
- 21 ] STAIRS

ARCHITECTURE  
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INTERIOR DESIGN  
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CONSULTANT

NOTES

Scot and Adrienne Hillman Residence  
5602 W Nicholas Ct.  
VISALIA, CA 93291

PROJECT DATE: 5/01/25

REVISIONS

| NO. | DESCRIPTION |
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|     |             |

SHEET TITLE:

2ND FLOOR PLAN

SHEET NO.

A-4

JOB NUMBER: HILLMAN  
GUEST HOUSE



# Exhibit "C"



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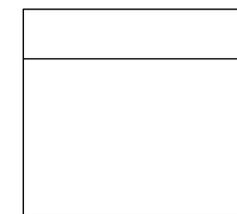
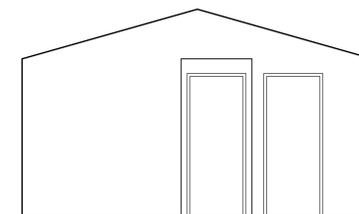
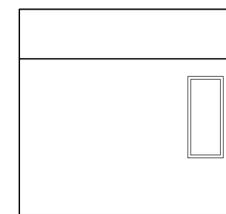
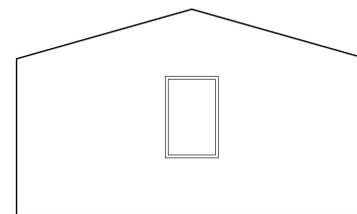
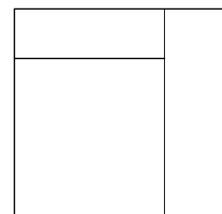
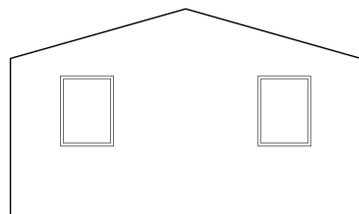
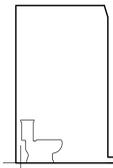
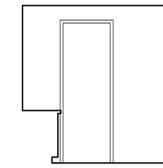
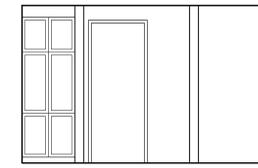
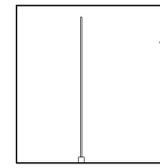
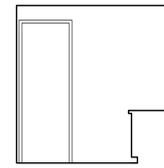
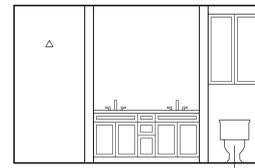
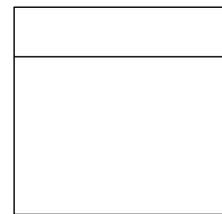
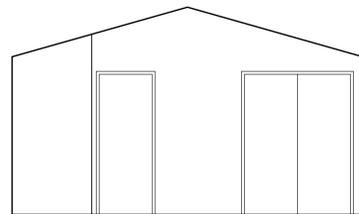
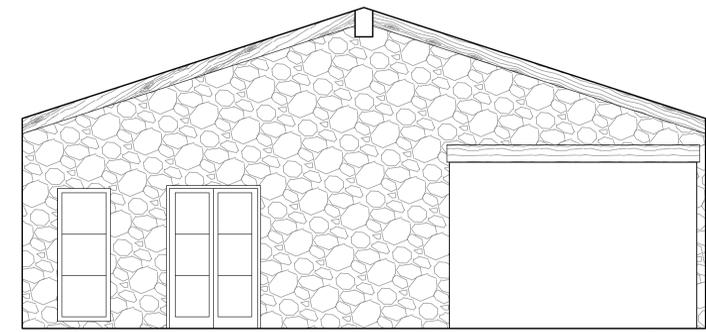
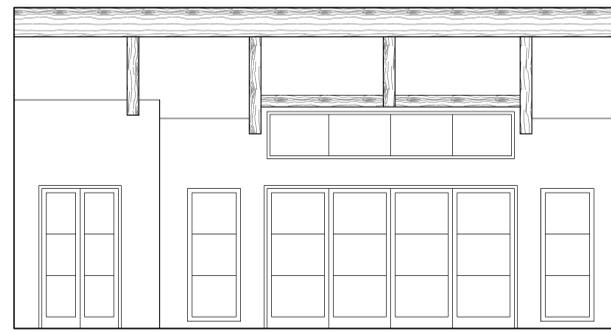
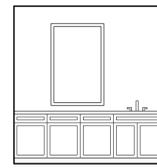
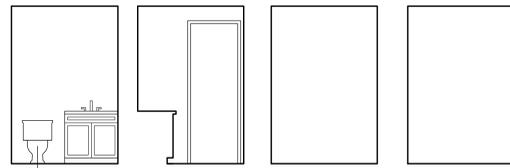
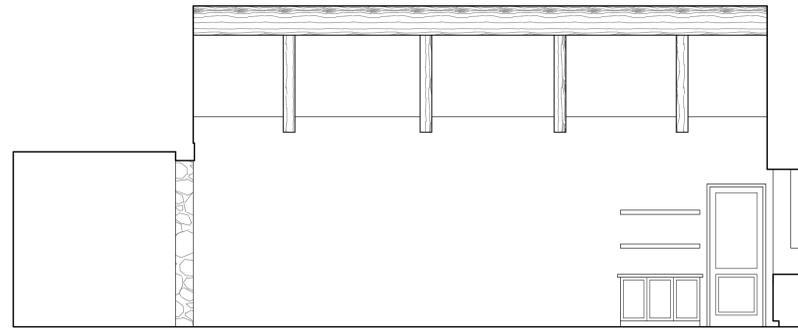
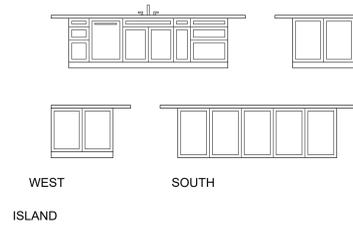
**Scot and Adrienne Hillman Residence**  
5602 W Nicholas Ct.  
VISALIA, CA 93291

| PROJECT DATE: | 5/01/25 |
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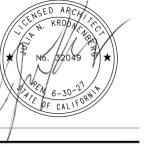
SHEET TITLE:  
**SECTIONS AND ELEVATIONS**  
SHEET NO.  
**A-7**

JOB NUMBER: HILLMAN GUEST HOUSE

# Exhibit "C"



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5602 W Nicholas Ct.  
VISALIA, CA 93291

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SHEET TITLE:  
**INTERIOR ELEVATIONS**  
SHEET NO.  
**A-8**

JOB NUMBER: HILLMAN GUEST HOUSE

RESOLUTION NO. 2025-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, ADOPTING SINGLE-FAMILY RESIDENTIAL OBJECTIVE DESIGN STANDARDS APPLICABLE TO NEW SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS. THE REGULATIONS WILL APPLY CITYWIDE TO PROPERTIES WITHIN THE CITY LIMITS OF THE CITY OF VISALIA.

**WHEREAS**, the City of Visalia had initiated a Zoning Text Amendment to establish new objective design standards pertaining to single-family residential development, including lots below 5,000 square feet in size, and pertaining to Planned Residential Developments, in response to an increase of utilization of smaller lot sizes and new design techniques by proponents, and in response from proponents seeking to have a clear set of reliable codified objective design standards from which to design a project and ensure support by City staff and officials, and in response to recent state legislation such as Senate Bill 9 (2021) and Senate Bill 35 (2017) that allows for ministerial approval of residential developments under certain provisions; and,

**WHEREAS**, the City of Visalia, following consultation with stakeholders, prepared a Public Review Draft Ordinance and posted said ordinance online at [www.housevisalia.com](http://www.housevisalia.com), and requested public comment for a 30-day review period, beginning August 30, 2024, and responded to comments received during the review period in a Revised Public Review Draft that would be presented to the Planning Commission and City Council; and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on November 12, 2024; and,

**WHEREAS**, the Planning Commission of the City of Visalia considered the Zone Text Amendment in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing, and recommended that the City Council approve Zoning Text Amendment No. 2024-03 by adopting the Revised Public Review Draft, as amended and presented to the Commission on November 25, 2024; and,

**WHEREAS**, the City Council of the City of Visalia, after duly published notice, held a public hearing before said City Council on December 16, 2024, and delayed action on the Ordinance to allow additional time for staff to meet with interested persons, stakeholders, and builders, to address concerns regarding standards and feasibility of the Revised Public Review Draft Ordinance; and

**WHEREAS**, the City of Visalia conducted additional consultation and meetings with persons, stakeholders, and builders, which included two virtual meetings held on January 30 and February 5, 2025, which resulted in a Revised Draft Ordinance that was circulated for a 15-day review period beginning on March 14, 2025, and then presented to the City Council without changes; and,

**WHEREAS**, the City Council of the City of Visalia, after duly published notice, held a public hearing before said City Council on April 21, 2025, and directed the

## Exhibit "D"

preparation of a Resolution for the adoption of Objective Design Standards, in lieu of the adoption of an Ordinance; and,

**WHEREAS**, the City Council of the City of Visalia finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines, Code of Regulations Section 15061(b)(3) (common sense exemption), as the proposed zone text amendment will not in and of themselves have an effect on the environment, and that the affected sites will continue to allow for residential development consistent with the land use designations and the respective density ranges specified in the Visalia General Plan Land Use Element.

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Guidelines, Code of Regulations Section 15061(b)(3).

**BE IT FURTHER RESOLVED** that the City Council of the City of Visalia approves this resolution for the adoption of Objective Design Standards applicable to single-family residential development, included in Exhibit "A" of this Resolution, based on the following specific findings and evidence presented:

1. That the Zoning Text Amendment 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, as described in the following Land Use and Housing Element Policies:

Land Use Element Policy LU-O-21 - Preserve and enhance the character of residential neighborhoods while facilitating infill development.

Land Use Element Policy LU-O-23 - Provide a range of housing types and prices within new neighborhoods to meet the needs of all segments of the community.

Land Use Element Policy LU-P-49 - Preserve established and distinctive neighborhoods throughout the City by maintaining appropriate zoning and development standards to achieve land use compatibility in terms of height, massing and other characteristics; providing design guidelines for high-quality new development; supporting housing rehabilitation programs; and other means.

Land Use Element Policy LU-P-50 - Provide development standards to ensure that a mix of detached and attached single-family and multi-family housing types can be compatible in a single development.

Housing Element Policy 1.4 - The City shall encourage a mix of residential development types in the city, including single family homes, on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, accessory dwelling units, and multi-family housing.

Housing Element Policy 3.11 - The City shall continue to support, facilitate the construction, and provide for the development of accessory dwelling units on parcels with single-family and multi-family units while protecting the character of neighborhoods and zoned parcels as a means of providing affordable housing.

HE Program 2.7 Missing Middle: The City will review and amend residential development standards to allow for and promote a mix of dwelling types and

# Exhibit "D"

sizes, specifically missing middle-density housing types (e.g., duplexes, triplexes, courtyard buildings, townhomes) to encourage the development of housing types affordable to the local workforce.

Housing Element Program 3.15 Promoting Accessory Dwelling Units. - The City shall promote the development of ADUs, prioritizing the higher resource areas.

2. That applying the proposed Single-Family Residential Object Design standards to future housing and residential uses will reflect sound planning principles and will assist in enhancing the character of residential neighborhoods.
3. That the City has determined that the amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Common Sense Exemption, Code of Regulations Section 15061(b)(3), since there would be no possibility of a significant effect on the environment.

PASSED AND ADOPTED: May 5, 2025

LESLIE B. CAVIGLIA, CITY CLERK

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

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2025-30 passed and adopted by the Council of the City of Visalia at a regular meeting held on May 5, 2025.

Dated: May 6, 2025

LESLIE B. CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk

**City Council Resolution No. 2025-30**

**EXHIBIT "A"**

The following Objective Design Standards are adopted by Resolution No. 2025-30 to read as follows:

**Single-Family Residential Objective Design Standards**

**1. Purpose and Applicability**

- A. Purpose. The purpose of this Outline is to establish objective design standards that provide developers with a clear understanding of the City's expectations for all residential project design and streamline the construction of housing units by reducing subjectivity in the entitlement process. All applicable development projects are required to comply with all design standards found in this Outline in addition to all applicable Building Permit requirements, Zoning Ordinance requirements, City Engineering Division Design and Improvement Standards, and all other applicable City, County, and State provisions.
- B. Applicability. The standards of this Outline apply to all new single-family residential developments on lots regardless of parcel size, except as described below.
  - 1. For the purposes of this Outline, accessory dwelling units (ADUs) are considered accessory structures to a single-family residence and are subject to all applicable design standards for accessory structures established in this Outline except where they interfere with State law or the City's ADU Ordinance.
  - 2. Buildings and structures listed on the City's Local Register of Historic Structures are excluded from the requirements of this Outline but are subject to committee review (see Visalia Municipal Code ("VMC") Chapter 17.56).
- C. Exception Powers of the Planning Commission. The Planning Commission may grant one or more exceptions to any of the regulations prescribed in this Outline by using the following exception process.
  - 1. Application. Applicants seeking an exception shall follow the same procedures as those prescribed in VMC Chapter 17.42 for obtaining a variance. City staff shall prepare a separate form for applicants seeking an exception to file.
  - 2. Review and Decision. In reviewing a request for an exception, the Planning Commission is not required to make any or all of the five findings required for a variance action found in Section 17.42.090. Rather, the Commission must make a finding that the standards requested through this exception process become an integral part of the site development (e.g., design, material, contour, height, distance, color, texture) and do not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed to achieve land use compatibility in terms of height, massing and other

# Exhibit "D"

characteristics.

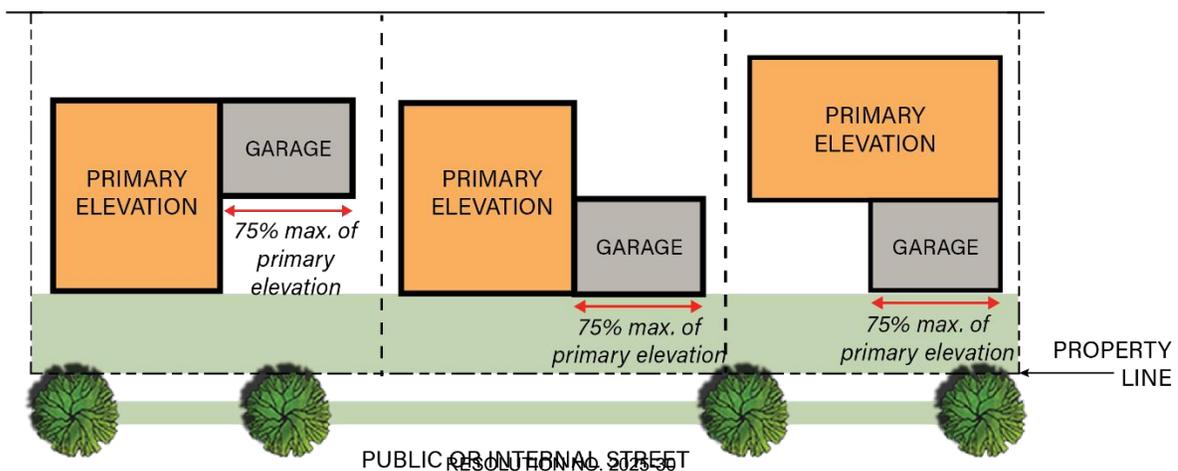
3. Appeals. The decision by the Planning Commission over the requested exception may be appealed to City Council in the same manner as a variance under the appeal provisions of Section 17.02.145.
4. Revocation and Lapse of Approval.
  - a. If the exception is approved, then the exception shall be subject to revocation or lapse in the same manner as a variance under VMC Chapter 17.42.
  - b. If a request for an exception is denied or revoked, then no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial or revoked unless the Planning Commission or City Council specifically allow such further applications in the decision for denial or revocation.

## 2. Site Planning

### A. Site Placement

#### 1. Orientation

- a. The primary elevation of the residence shall face the primary public or private right-of-way on which the parcel is located. For the purposes of this Section the primary elevation is that in which the primary entrance is located.
- b. On corner lots, the primary elevation is considered the elevation that is facing the street in which the residential address is associated with and front door is located. The applicant/developer/property owner may file for an address change if they would like to change what street the primary elevation is located.
- c. On corner lots, garages may be located on the secondary elevation and are required to include a garage setback of 22 feet.
- d. Garages (attached or detached) shall not exceed 75 percent of the width of the primary elevation. For lots less than 40 feet wide, this standard does not apply.



# Exhibit "D"

## B. Site Development.

1. **Setbacks.** Structure setbacks shall be subject to the provisions of the applicable zone of which the subject parcel is located in. For single-family provisions please see VMC Chapter 17.12. For lots less than 5,000 square feet the setback requirements specified in Section 17.12.135 shall apply.
2. **Height.** Structure height shall be subject to the provisions of the applicable zone of which the subject parcel is located in. For single-family provisions please see VMC Chapter 17.12. For lots less than 5,000 square feet the height requirements specified in Section 17.12.135 shall apply.
3. **Front Entryways.** Front entryways shall comply with one of the following styles:
  - a. **Front Porch.**
    - i. Front porches shall be at least three feet deep and six feet wide.
    - ii. Front porches shall be covered by a roof with a similar style and material as the primary elevation.
    - iii. The front porch shall include a minimum of one window.
    - iv. Front porches may project up to six feet into the front yard setback
    - v. Front porches shall include at least one step
  - b. **Recessed Entry.**
    - i. Recessed entries shall have a depth of at least one foot from the primary elevation to create a covered landing area.
  - c. **Deep Overhang.**
    - i. Deep overhangs shall be a minimum depth of three feet and a maximum of five feet.
  - d. **Front Landing.**
    - i. Front landings shall be at least one foot deep.
    - ii. Front landings shall include at least one step.
    - iii. Front landings shall be covered with a roof in similar style and material as the primary elevation.

## 3. Structure Design Standards.

### A. All developments shall include at least three of the following design elements:

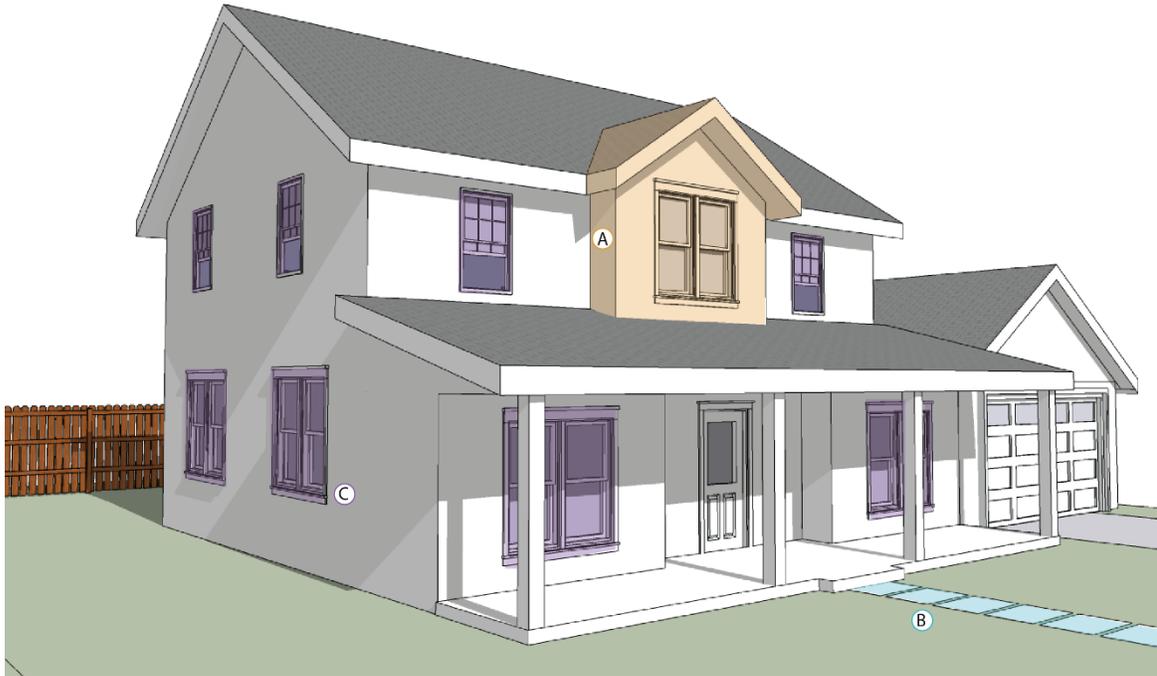
1. A projection for every 25 feet of continuous plane on each elevation. Each projection shall be at least two feet deep and five feet wide. A projected area shall be capped with an eave or gable that matches the same materials and style as the main structure. A projection may extend into the required setback if it complies with Section 17.32.090 (Yard requirements

## Exhibit "D"

– Exceptions) of this Title.

2. A recession for every 25 feet of continuous plane. Each recession shall be at least two feet deep, but no more than six feet deep, and at least five feet wide.
3. Second Floor Stepbacks. For two-story structures, the second floor shall be stepped back by at least three feet, but no more than 12 feet, from the ground floor wall plane. The stepback shall extend along at least 50 percent of the length of the wall plane. The stepback may be continuous or composed of multiple segments that together total the required length.
4. A protruding window (such as a bay window) at least two feet in depth.
5. A change in total height of a façade for every 15 feet of continuous plane. Change in height shall be a minimum of two feet.
6. Change in roof pitch or form for, at least, every 15 feet of continuous plane.
7. A gable or dormer for, at least, every 15 feet of continuous plane.
8. A Juliette balcony for, at least, every 15 feet of continuous plane.
9. A second story balcony at least three feet deep and five feet wide.
10. A decorative trellis, at least, every 15 feet of continuous plane.
11. A window for, at least, every 15 feet of continuous plane.
12. A pedestrian walkway, measuring at least three feet wide, other than the driveway, provides direct access to the front entryway of the residence to the primary sidewalk, or primary right-of-way if no sidewalk is present. Pedestrian walkways may be constructed with any materials (i.e., aggregate or natural stone or rock, brick, gravel, wood, poured concrete), except for dirt or topsoil. On corner lots, where the garage is on the secondary elevation, a walkway shall provide direct access from the front entryway to the primary sidewalk.
13. A tandem garage with a maximum width of 13 feet and a minimum depth of 38 feet. This option is only allowed for lots less than 40 feet wide.

# Exhibit "D"



- Ⓐ Projection or recession measuring at least two feet deep and five feet wide and capped with a gable
- Ⓑ A pedestrian walkway measuring at least three feet wide, other than the driveway that provides direct access to the front entryway from the sidewalk
- Ⓒ A window for, at least, every 15 feet of continuous plane.

*NOTE: The rendering above is meant for illustrative purposes only to demonstrate a development in compliance with the requirements established in the subsection Structure Design Standards.*

## B. Fenestration.

1. All windows and doors shall include at least one of the following exterior design details:
  - a. A recess of at least two inches from the wall plane.
  - b. Wood, metal, stucco covered foam, or engineered wood trim around the entire window or door.
2. If used, shutters shall be sized to cover 100 to 105 percent of the window and match the exact window shape.

## C. Design Details.

1. Materials
  - a. No more than four materials or finishes (not including roofing, door, or window materials) shall be used on each elevation, and no more than five materials or finishes (not including roofing, door, or window materials) in total shall be used across all elevations.
  - b. The following materials are prohibited from use as exterior finishes (excluding windows and doors):

# Exhibit "D"

- i. Vinyl siding
- ii. Plastic
- iii. Raw, non-treated/coated metal

## 2. Colors

- a. Single-Family Standalone Unit. A minimum of two, but no more than five, colors (or tints, shades, or tones of the same color) shall be used on the entire exterior of the building.
- b. Single Family Subdivisions. Single family subdivisions shall provide a minimum of three color schemes and shall not use a single color scheme on more than 40 percent of the residential units. Structures shall incorporate a color scheme that contains a maximum of four distinct colors per building. A color scheme is defined as (body one and/or body two, trim, and a contrasting accent color). Adjacent colors shall not use the same color scheme.

3. Accessory Structures. All accessory structures (i.e., accessory dwelling units, garages, workshops, storage sheds) visible from the primary street shall be constructed of the same materials, colors, and roof type as the primary structure. This standard only applies to accessory structures constructed together with the primary dwelling unit.

## 4. Utility and Service Areas

- A. Above ground utilities, transformers, and other mechanical equipment placed between the front or street side of a residence and a public street or vehicular or pedestrian accessway, shall be screened from view by a fence, wall, or landscaping in accordance with this Outline.
- B. If private vehicle charging facilities are provided in the development, these facilities shall be located close to the garage's electrical panel and blend in with the house design/color to provide architectural compatibility.

## 5. Landscaping.

- A. All areas not occupied by structures or pavement in the front yard area shall be landscaped. Landscaped areas shall consist of plantings, turf, mulch, or bark.
- B. All landscape areas shall meet the requirements of the State Model Water Efficient Landscape Ordinance, or if applicable, the Water Efficient Landscape Ordinance of the City of Visalia. [Source: 17.30.015.C.1.a]
- C. Pavement or hardscape shall not make up more than 50 percent of the front yard, unless necessary to meet other standards required by this Outline.

## 6. Fences, Walls, and Hedges.

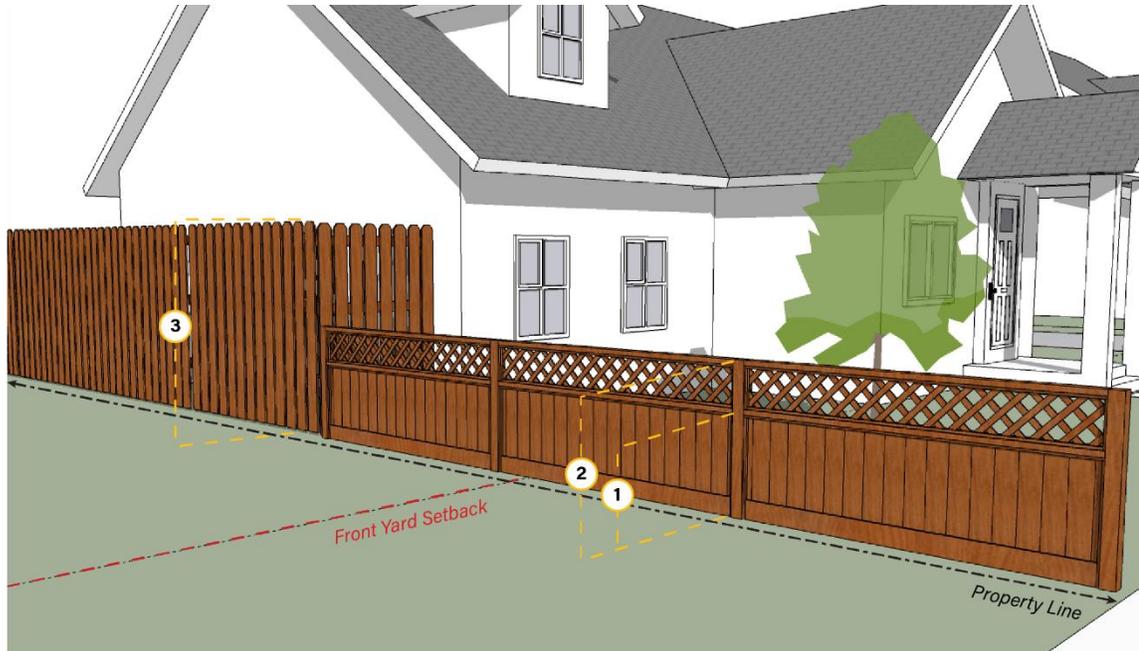
- A. Height. Fences, walls, and hedges shall not exceed seven feet in height if on the side or rear yard setbacks, or three feet in height if in the front yard setback. A front yard fence or wall may be allowed to a height of up to four feet only if the portion exceeding three feet, at minimum, is constructed with a material that has a visibility percentage of at least 50 percent (i.e., lattice fencing). These

## Exhibit "D"

standards also apply within five feet of the street side property line for corner lots.

B. **Materials.** The following materials are prohibited from use as fencing:

1. Barbed wire
2. Electric charged fencing
3. Corrugated Paneling
4. Chain link (except for three to four-foot height fences within the front yard and street side yard setback)



- ① *Maximum height of three feet in front yard setback.*
- ② *Maximum height of four feet in front yard setback if top one foot of fence is at 50 percent visibility.*
- ③ *Maximum height of seven feet in on side and rear yard setback.*

## 7. Exterior Lighting.

A. All entryways, porch areas, pedestrian pathways, and gates shall include lighting for safety and security. All exterior lighting fixtures shall comply with all of the following standards:

1. Be fully shielded and shall not spill onto adjacent properties;
2. Ground-mounted light fixtures to illuminate driveways, landscaped areas, or pedestrian pathways shall be no more than three feet in height; and
3. Use light emitting diodes (LEDs) with a maximum temperature of 3000 kelvins.

B. Permanently installed light fixtures that blink, revolve or flash are prohibited. This excludes decorative seasonal lighting.

## 8. Off-Street Parking Facilities.

A. The number and type of off-street parking facilities for a single-family residential development shall comply with the requirements of the underlying zoning district

## Exhibit "D"

as established in VMC Chapter 17.34. In addition to the provisions in VMC Chapter 17.34, all off-street parking facilities shall comply with the following standards:

- B. Covered parking areas shall be in garages. Carports are allowed only if they do not serve as the required covered parking (e.g., porte cocheres, carports in front of garages). [Source: 17.12.135.A.7]
- C. Uncovered parking areas (i.e., driveways) shall be paved with concrete or a permeable or impermeable surface. [Source: 17.34.030.P]
- D. Off-Street Guest Parking Facilities for Planned Unit Developments. Planned unit developments with four or more dwelling units shall provide off-street guest parking spaces when on-street parking is not allowed on the streets within the development. Planned unit developments shall provide a minimum of one guest parking space per four dwelling units within the total project. If a fraction occurs based on the specified number of guest spaces, the project applicant shall round up to the next round number of guest spaces.

### **9. Useable Common Open Space Areas for Planned Unit Developments.**

- A. Useable Common Open Space. Planned unit developments shall provide usable outdoor passive/active open space with outdoor amenities as required in Table 1 (Outdoor Amenities). Useable common open space means an unobstructed area or areas, accessible to all occupants of the structure it serves, having no dimension less than 10 feet in any direction. Useable common open space excludes areas designated for parking, including surface parking, carports, or garages. A minimum of 60 percent of the common useable open space shall be provided as landscaped green area (not hardscaped).
- B. Recreational Amenities. Recreation amenities as required in Table 1 (Open Space and Recreational Requirements) can be either passive or active as described below, or a combination of the two.
  - 1. Passive Recreational Amenities. Passive recreation refers to recreational activities that require minimal to no facilities or development to perform such activities. Passive recreation amenities include, but are not limited to, community gardens, outdoor gathering/seating area, picnic/barbeque area, pet area/dog park, courtyard/plaza. All passive recreational amenity area shall be a minimum of 200 square feet unless otherwise stated.
  - 2. Active Recreational Amenities. Active recreation refers to recreational activities that require specific facilities or equipment to perform such activities. Active recreational amenities include, but are not limited to, playground/tot lot, sports court/field, fitness area, swimming pool, clubhouse w/kitchen, community room. All passive recreational amenity area shall be a minimum of 500 square feet unless otherwise stated.
- C. Seating. Seating shall be provided for all common open space areas.
- D. Playgrounds/tot lots shall be located in an area with direct visibility from a minimum of three dwelling units to allow for casual surveillance.

# Exhibit "D"

Table 1  
Open Space and Recreational Requirements

| Number of Units in Project | Minimum Number of Amenities <sup>1</sup> | Minimum Total Area <sup>2</sup>                        |
|----------------------------|--|--|
| Less than 5                | 1  | 500 sq. ft.  |
| 5-10 <sup>1</sup>          | 1  | 500 sq. ft. plus 100 sq. ft per unit over 5 units      |
| 11-30                      | 2  | 1,000 sq. ft. plus 150 sq. ft per unit over 10 units   |
| 31-60                      | 2  | 4,000 sq. ft. plus 165 sq. ft per unit over 30 units   |
| 61-100                     | 2  | 9,000 sq. ft. plus 200 sq. ft per unit over 60 units   |
| 101-150                    | 3 plus 1 additional amenity for every 50 | 17,000 sq. ft. plus 250 sq. ft per unit over 100 units |

1 – Minimum number of amenities can be passive or active amenities as described in Recreational Amenities subsection above.

2 - Minimum Total Area means the combined area of all amenities. Each amenity must still meet all applicable standards established in this Section.

## 10. Sidewalks for Planned Unit Developments.

Sidewalks within a Planned Unit Development shall incorporate the following standards:

- A. Shall be a minimum width of five feet; and
- B. Shall implement the concrete specifications for sidewalks and ramps as determined by the City of Visalia City Engineering Division Design and Improvement Standards.

Exhibit "E"

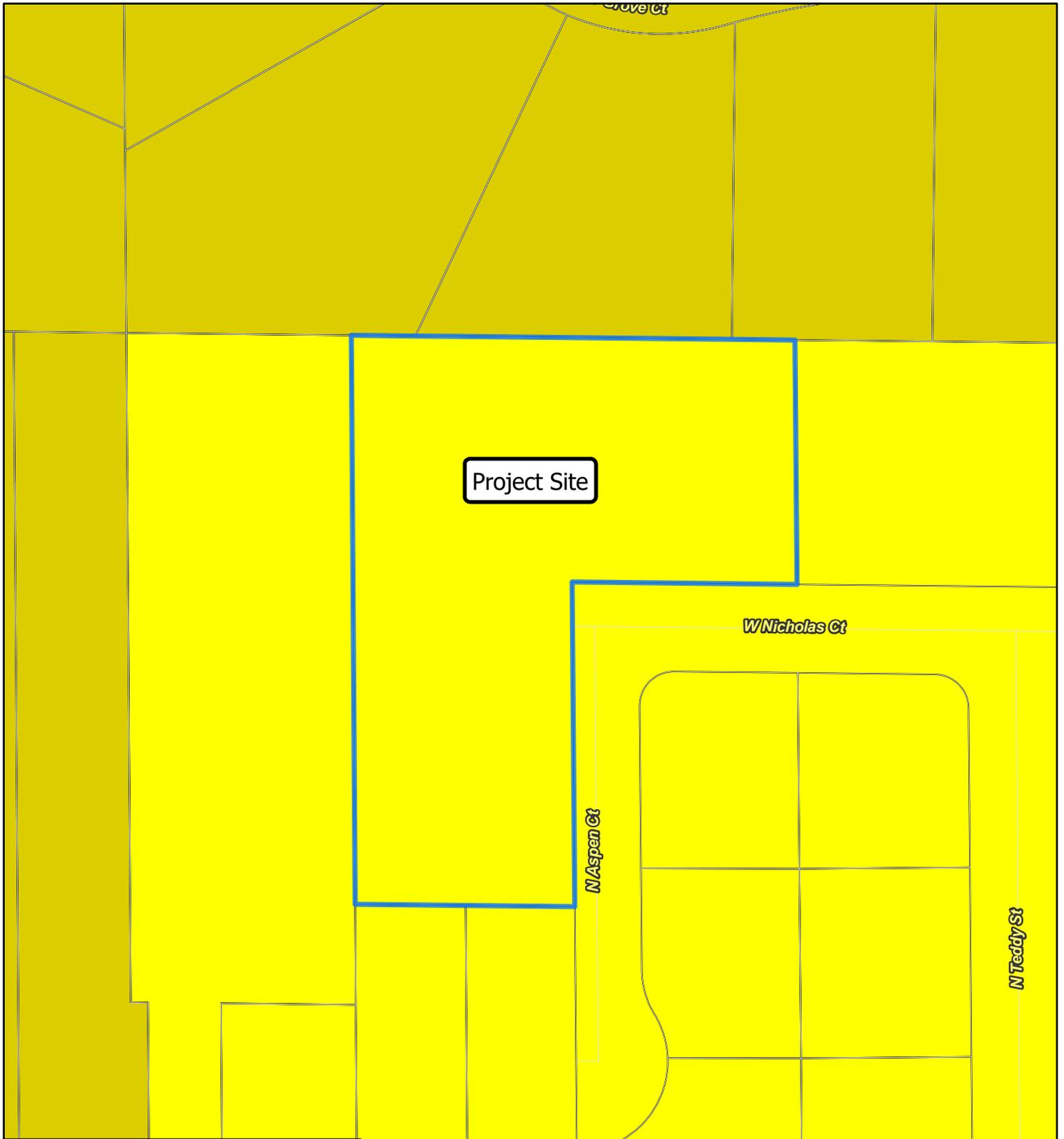
# Existing Project Site - along W Nicholas Ct



Exhibit "E"

# Homes along W. Nicholas Ct. (directly south of project site, across the street)



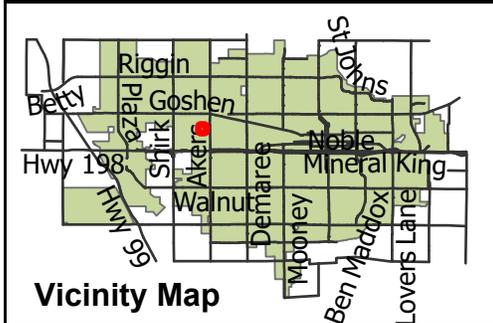


Project Site

W Nicholas Ct

N Aspen Ct

N Teddy St



Vicinity Map

## General Plan Land Use Map

- Residential Low Density
- Residential Very Low Density



Project Site

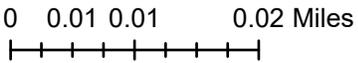
W Nicholas Ct

N Aspen Ct

N Teddy St



### Zoning Map



- R-1-20 Single-family Residential
- R-1-5 Single-family Residential



Project Site

Nicholas

W Nicholas Ct

N Aspen Ct

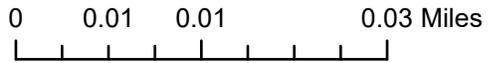
Teddy

N Teddy St



Vicinity Map

### Aerial Map





Project Site

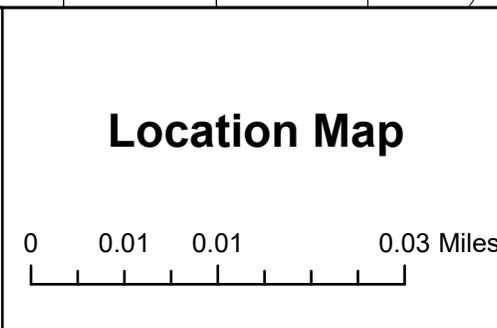
N Aspen Ct

W Nicholas Ct

W Grove Ct



Vicinity Map



Location Map

0 0.01 0.01 0.03 Miles





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** February 23, 2026

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

**SUBJECT: Revocation of Conditional Use Permit No. 2009-17:** A request by the City of Visalia, pursuant to Municipal Code section 17.38.040, to revoke Conditional Use Permit No. 2009-17, which allows live entertainment, dancing, and other special events at the existing Cellar Door business. The site is located at 101 West Main Street, in the D-MU (Downtown Mixed Use) zone (APN: 094-325-003).

## STAFF RECOMMENDATION

Staff recommends revoking Conditional Use Permit No. 2009-17. 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, Alcohol Beverage Control (ABC) License and the Visalia Municipal Code resulting in potential life safety violations in regards to not utilizing licensed security guards as required onsite during live entertainment and not properly managing crowds in front of the business seeking to enter during live entertainment.

## RECOMMENDED MOTION

I move to approve revocation of Conditional Use Permit No. 2009-17, based on the findings and conditions in Resolution No. 2026-03.

## ALTERNATIVES

The Planning Commission may, in lieu of the recommended motion specified above, consider the following alternative motions:

- Move to deny the revocation of Conditional Use Permit No. 2009-17, or
- Continue the item to the Planning Commission meeting scheduled for March 23, 2026, and direct staff to work with the applicant/owner to establish new and/or revised conditions to Conditional Use Permit No. 2009-17 based on changes/revisions to the operational statement, security plan, and any other relevant material. The revisions to the operational statement, security plan, operating conditions, or other portions of the CUP would be presented to the Planning Commission at that meeting for a decision on whether the CUP should continue with additional conditions/modifications or be revoked.

## BACKGROUND

Conditional Use Permit (CUP) No. 2009-17 was approved by Planning Commission on March 23, 2009, after being continued from the March 9, 2009, meeting, subject to the conditions of approval per Resolution No. 2009-27 (Attachment "F"). The CUP permitted live entertainment, events, and dancing in the Cellar Door business which at the time was not considered a bona fide restaurant but provided appetizers in addition to the serving of beer and wine. Per the resolution, live entertainment, including the use of a live DJ was permitted only between the hours of 7:00 PM to 2:00 AM, Monday through Sunday. Per the 2009 staff report, the primary form of live entertainment was to consist of live bands/musicians, DJ and special events such

as themed parties, private/public parties, and open microphone night. During the time of live entertainment activities including the use of a DJ or dancing, licensed uniformed security guards were required to maintain order, and prevent loitering and large crowds from forming outside creating a law enforcement problem (see Condition of Approval #7, #8, and #12 of Resolution No. 2009-27). Additionally, per the ABC license (Attachment "E"), four licensed security guards were required Fridays and Saturdays and during any live entertainment activities.

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. As noted, in the 2009, staff report (Attachment "G") 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."*

On September 19, 2025, the Planning and Community Preservation Department mailed "Compliance Reminder – Live Entertainment Conditional Use Permit Conditions" letters (Attachment "A") to business owners and property owners with conditional use permits for live entertainment. These letters were sent in response to an increase of live entertainment businesses failing to comply with their conditional use permit and an increase in enforcement issues from Code Enforcement and the Police Department. In an effort to provide transparency and communication, the City wanted to be proactive, by reminding each CUP for live entertainment holder that compliance with their conditional use permit is required. These letters were sent as formal reminders that the authorization to host live entertainment activities within their establishment is subject to the conditions adopted when the Conditional Use Permit was approved. Furthermore, business owners were reminded that failing to comply with the adopted conditions would result in immediate action including potential fines or suspension. City staff provided each business with a copy of their CUP along with the letter. The letter also informed business owners that the City of Visalia would be conducting periodic compliance checks to ensure that businesses remained in compliance with the requirements of the conditional use permit.

On December 31, 2025, at approximately 8:42 P.M., police officers while patrolling the downtown area contacted the business owner of Cellar Door informing him of the required conditions for Cellar Door per Resolution No. 2009-27 that required licensed security guards during live entertainment hours. In addition to the conditions of the resolution, per the ABC license for the business, four (4) licensed and uniformed security guards were required on Fridays and Saturdays and during any live entertainment. The business owner acknowledged this requirement from the police officers. Since live entertainment had not yet begun at the site, police officers provided information to the business owner regarding his requirements per the CUP and the ABC license and informed the business owner that they would be back later in the evening to verify compliance.

Police officers returned to Cellar Door at approximately 11:55 P.M. that same night and upon their arrival, noticed that a large line of customers had formed outside that extended beyond the delineation that was set up by the business owner. Live entertainment was being conducted on site and police officers observed several uniformed security guards wearing black shirts that read "Security". Officers also observed individuals dressed in all black clothing patting customers and checking identifications of customers at the door. Officers approached the uniformed security guards as well as the individuals dressed in all black and requested to view their license (guard card); none of them were licensed security guards. The officer who spoke to the business owner earlier that night, re-contacted the business owner and reminded him that police officers had visited earlier in the evening and had stated that they would be back to verify

compliance. The police officer also informed the business owner that his security guards were not licensed as per the conditions of the CUP. Officers cited the business owner and the individuals without guard cards. Additionally, during the citation, officers noticed a large crowd that formed on the sidewalk that blocked the public right-of-way impeding pedestrian movement which is also a violation of the CUP. Police officers on site informed Cellar Door staff on the scene that the line and customers along the entrance and on the sidewalk needed to be managed as well. A copy of the incident report, 25-103270 is included as Attachment "B". Please note pages 8 through 12 of the incident report containing information related to the citations that were issued, as well as the names of the guards have been redacted.

The request to revoke CUP No. 2009-17 is in response to the violations of the terms and conditions of the conditional use permit and Municipal Code provisions by this business, Cellar Door, when live entertainment activities are occurring within the building. On January 15, 2026, a "Cease and Desist" (Attachment "D") was posted on the business by City of Visalia Code Enforcement in response to the reported violation submitted by the Police Department to the Neighborhood Preservation Division regarding live entertainment activities occurring onsite without the required licensed security guards. Upon notification of the non-compliance, on January 15, 2026, a "Notice of Conditional Use Permit Suspension" letter was sent by certified mail to both the property owner and business operator informing them that the conditional use permit was being suspended and a public hearing was being set to determine if the conditional use permit should be revoked. A copy of that letter is provided as Attachment "C" to this staff report. Please note, that the use of the restaurant continues to be permitted to operate, and the CUP suspension/revocation is only related to live entertainment use.

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. 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 / Commercial businesses  |
|                                    | South: D-MU / Quick serve restaurant |
|                                    | East: D-MU / Commercial business     |
|                                    | West: D-MU / Commercial business     |
| Special Districts:                 | Downtown Retail Overlay District     |

## **RELATED PROJECTS AND/OR SIMILAR ACTIONS**

On March 9, 2009, Conditional Use Permit No. 2009-17, was continued to the March 23, 2009, meeting and was approved which allowed live entertainment, dancing and other special events within the Cellar Door business located at 101 West 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 “G” and Attachment “F.”

On September 23, 2024, Planning Commission revoked Conditional Use Permit No. 2011-18, which allowed live entertainment and dancing in conjunction with the Downtown Rookies Sports Bar and Grill, located at 215 East Main Street, in the D-MU (Downtown Mixed Use) zone, based on the operator/owner failure to comply with the terms and conditions of the conditional use permit and the Visalia Municipal Code.

On October 21, 2024, the City Council considered an appeal of the Planning Commission’s revocation of Conditional Use Permit No. 2011-18. The City Council, in lieu of the recommended motion, directed staff to work with the applicant/owner to establish new and/or revised conditions of the project approval that reflect the applicant/owners desire to modify and update their operational statement, security plan, and operating conditions that will better effectuate how live entertainment is properly managed when offered within the Downtown Rookies Sports Bar and Grill restaurant.

On December 9, 2024, the Planning Commission approved an amendment to Conditional Use Permit No. 2011-18, to re-establish live entertainment and dancing in conjunction with the Downtown Rookies Sports Bar and Grill based on new and revised project conditions and new and revised operational and security measures.

On May 27, 2025, Planning Commission approved Conditional Use Permit No. 2025-05, which allowed live entertainment at the existing Sebby’s restaurant, located at 229 East Main Street, in the D-MU (Downtown Mixed Use) zone.

On October 13, 2025, Planning Commission revoked Conditional Use Permit No. 2025-05, which allowed live entertainment at the existing Sebby’s restaurant, based on the operator/owner failure to comply with the conditions on the conditional use permit and the Visalia Municipal Code. The Planning Commission’s decision to revoke the CUP was not appealed.

## **REVOCATION REQUEST**

Staff recommends the revocation of Conditional Use Permit No. 2009-17, 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 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, and 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.

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

artists 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 CUP Suspension letter (see Attachment "C"), staff issued the letter due to noncompliance with the CUP conditions by Cellar Door when live entertainment activities are occurring within the building. The owner of Cellar Door failed to comply with the conditions of their CUP despite being notified of the conditions earlier that same day by the Visalia Police Department and the notice issued several months earlier by the Planning Department reminding business owners with a live entertainment CUP of applicable requirements. The failure by the business owner to meet requirements and continuing to host live entertainment while in non-compliance places a strain on city resources and creates life and safety issues for the patrons and visitors of the downtown area.

The issues noted above are in violation of the Conditions of Approval (COA) as adopted per Resolution No. 2009-27 (Attachment "F"). Each COAs violation is summarized below:

- **COA No. 7:** *The applicant shall submit a physical security plan to the City Planner for review and approval. Such physical security plan may be modified or withdrawn by the applicant subject to the City Planner's review and approval; or may be revoked for cause by the City Planner. In the event the physical security plan is withdrawn or revoked, then at all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.*

Analysis: Police officers patrolling downtown noticed a large group of people outside of the business as well as live entertainment occurring inside the establishment. Upon requesting licenses from the security guards onsite, no guards were able to provide a valid guard card which is a requirement of the CUP and the ABC license. Additionally, these unlicensed security guards for the establishment were not maintaining order, therefore allowing a large crowd to form outside creating an enforcement problem and blocking the public right-of-way. The business owner was made aware of the requirement by police officer(s) earlier that same evening and still failed to meet this condition and proceeded to operate the live entertainment use in blatant disregard of the COA, potentially endangering patrons as a result of not complying with the security and safety requirements.

- **COA No. 8:** *Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.*

Analysis: Based on the potential increased attendance during the hours of live entertainment, Condition No. 8 was adopted to ensure that the surrounding area and other pedestrians would not be negatively impacted by loitering, and large groups, and that in the event of an emergency sidewalk access would remain. During police officers visit on December 31, 2025, a large group of people were observed in front of the

business and crowd management was not being conducted by the business, potentially causing enforcement and life safety issues.

- **COA No. 12:** Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons waiting in line and the public use area of the sidewalk.

Analysis: Based on the potential increased attendance during the hours of live entertainment, Condition No. 12 was adopted to ensure that the surrounding area and other pedestrians would not be negatively impacted by loitering, and large groups, and that in the event of an emergency sidewalk access would remain. Delineation was set up by the business owner prior to the start of live entertainment for line control; however, when the live entertainment commenced, control and management of the line was not enforced therefore resulting in a large group of people in front of the business, potentially causing enforcement and life safety issues. This was observed by police officers on December 31, 2025.

The requirement for licensed security was a condition of approval for live entertainment as licensed security provides the required training, preparedness, professionalism, and safety that is crucial for these types of events. With live entertainment having the potential for large crowds, as well as venues that provide alcohol in conjunction with live entertainment, there will always be security risks. It is critical that business owners provide the required safety measures to help mitigate these security risks, this can be done by providing licensed security during these types of events. The typical pathway for security guard licensing for the state of California requires registration and licensing through the Bureau of Security and Investigative Services (BSIS). The requirements for licensure through BSIS require applicants to be at least 18 years old, undergo a criminal history background check through the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) and to complete 32 hours of required training within six months of the registrant's employment date as well as eight hours of continuing training completed annually. This type of training and licensing ensures that all security personnel utilized by a business owner are trained to de-escalate issues, maintain a safe environment, and have the ability to work collaboratively with the local police. This type of security measure was conditioned as part of the project in order to support the vibrancy of the city and the safety of all residents.

Staff's recommendation to revoke the CUP is based on the applicant's failure to adhere to the required conditions of approval for the conditional use permit. In the March 9, 2009, Planning Commission staff report, which was continued to the March 23, 2009, meeting, it was 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 "Project Description" and "Conditional Use Permit Revocation Process" sections of the staff report (Attachment "G") and included as COA No. 17 in Resolution No. 2009-27 (Attachment "F"). Furthermore, the business and property owners were also notified by the City by the formal reminder letters dated September 19, 2025, regarding their CUP and the required conditions.

## **PUBLIC COMMENT**

This public hearing was duly noticed and sent via mail to the permit holder, nearby property owners and residents on February 11, 2026 and was noticed in the Visalia Times-Delta on February 12, 2026.

One public comment was received from the general public in support of the revocation request. This is included in the staff report as Attachment "I".

## **RECOMMENDED FINDINGS**

1. That Cellar Door establishment has been in violation of adopted conditions, as required per the terms and conditions of Conditional Use Permit No. 2009-17 and adopted per Resolution No. 2009-27.
2. That continuing to allow live entertainment activities within the establishment under the current Conditional Use Permit may have a negative impact on the surrounding businesses and downtown area due to the failures of the establishments at this location to meet applicable requirements, including but not limited to: complying with the required security plan including the number of licensed guards; keeping the sidewalks areas in front of the business open for public use during live entertainment; keeping business patrons in orderly lines while waiting to enter the business for live entertainment; and implementing a security plan to monitor the public sidewalk in front of the business when live entertainment activities are occurring.
3. That the Notice of Conditional Use Permit Suspension was issued by the City of Visalia on January 15, 2026, 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](http://www.visalia.city) or from the City Clerk.

**Attachments:**

- Resolution No. 2026-03
- Attachment “A” – September 19, 2025 Compliance Reminder letter
- Attachment “B” – Incident Report 25-103270 (Note report has been partially redacted)
- Attachment “C” – January 15, 2026 Notice of Conditional Use Permit Suspension letter
- Attachment “D” – January 15, 2026 Cease and Desist letter
- Attachment “E” – ABC License for Cellar Door
- Attachment “F” – Resolution No. 2009-27 for CUP No. 2009-17
- Attachment “G” – Staff Report for CUP No. 2009-17 dated March 9, 2009
- Attachment “H” – Visalia Municipal Code Chapter 17.38 Conditional Use Permit
- Attachment “I” – Public Comment Received
- Aerial Map

RESOLUTION NO. 2026-03

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. 2009-17, WHICH ALLOWS LIVE ENTERTAINMENT, DANCING, AND OTHER SPECIAL EVENTS AT THE EXISTING CELLAR DOOR BUSINESS. THE SITE IS LOCATED AT 101 WEST MAIN STREET, IN THE D-MU (DOWNTOWN MIXED USE) ZONE (APN: 094-325-003).

**WHEREAS**, Conditional Use Permit No. 2009-17, was a request to allow live entertainment, dancing, and other special events in the existing Cellar Door Business located at 101 West Main Street in the D-MU (Downtown Mixed Use) zone (APN: 094-325-003); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on March 9, 2009, and continued said hearing to March 23, 2009; found the Conditional Permit No. 2009-17, as conditioned per Resolution No. 2009-27, 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 December 31, 2025, the Visalia Police Department conducted a detail of businesses in the downtown area and cited the business owner for live entertainment occurring at the site without the business/establishment complying with their conditions which includes licensed security guards and crowd control near the primary entrance into the commercial establishment, a violation of Conditions No. 7, 8 and 12 of adopted Resolution No. 2009-27 for Conditional Use Permit No. 2009-17; and

**WHEREAS**, on January 15, 2026, the Code Enforcement Division issued a Cease and Desist Order for live entertainment at the business located at 101 West Main Street; and

**WHEREAS**, on January 15, 2026, the Planning Division issued a Notice of Conditional Use Permit Suspension / Revocation to the business at 101 West Main Street in regards to live entertainment occurring at the site without compliance with adopted conditions as contained in Resolution No. 2009-27; and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on February 23, 2026; 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 Cellar Door establishment has been in violation of adopted conditions, as required per the terms and conditions of Conditional Use Permit No. 2009-17 and adopted per Resolution No. 2009-27.
2. That continuing to allow live entertainment activities within the establishment under the current Conditional Use Permit may have a negative impact on the surrounding businesses and downtown area due to the failures of the establishments at this location to meet applicable requirements, including but not limited to: complying with the required security plan including the number of licensed guards; keeping the sidewalks areas in front of the business open for public use during live entertainment; keeping business patrons in orderly lines while waiting to enter the business for live entertainment; and implementing a security plan to monitor the public sidewalk in front of the business when live entertainment activities are occurring.
3. That the Notice of Conditional Use Permit Suspension was issued by the City of Visalia on January 15, 2026, 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. 2009-17 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.



September 19, 2025

Cellar Door  
Attn: Ryan Sullivan & Marc Dwelle  
101 West Main Street  
Visalia, CA 93291

**RE: COMPLIANCE REMINDER - LIVE ENTERTAINMENT CONDITIONAL USE PERMIT CONDITIONS**

To Mr. Sullivan and Mr. Dwelle

The City of Visalia has long recognized the importance of the downtown area which represents the core of our community. This area offers a wide range of services including shopping, restaurants, employment centers and a variety of entertainment options for patrons to enjoy during the late evening hours and on the weekends. More importantly, the City values the contributions that downtown local businesses bring to the community and appreciates the efforts put forth to ensure the downtown vibrancy is retained by making this area safe and enjoyable for all residents and visitors alike.

You are receiving this letter because you own or operate a business with an approved Conditional Use Permit authorizing live entertainment activities, subject to specific conditions. Failure to comply with these conditions, designed to ensure the safety of patrons, often requires the City of Visalia to allocate significant staff resources to address unruly behavior. Such behavior can negatively impact the downtown area, surrounding businesses, and the safety of visitors.

This letter serves as a formal reminder that the authorization to host live entertainment activities within your establishment is subject to the conditions adopted when the Conditional Use Permit was approved. Adherence to these conditions is required at all times when live entertainment activities are occurring. Failure to comply with adopted conditions will result in immediate action to correct non-compliance including potential fines and suspension of the Conditional Use Permit if the non-compliance issues are found to be egregious. A copy of the approved and signed resolution for live entertainment activities for your establishment is enclosed with this letter.

To ensure that your business remains in compliance with these requirements, the City of Visalia will be conducting periodic compliance checks. These compliance checks are intended to confirm that all live entertainment conditions are being met and that live entertainment is being conducted in a manner as stated in your operational and security plans. We strongly encourage you to review the attached resolution and conditions of approval carefully to ensure that all staff, security personnel, and management are aware of the conditions that apply to your establishment when live entertainment activities are occurring.





**Planning & Community Preservation Department**  
Planning Division

Should you have any questions or require clarification regarding your conditions, please contact me via e-mail at [paul.bernal@visalia.city](mailto:paul.bernal@visalia.city) or by phone (559) 713-4025. Thank you for your attention to this matter and for making downtown Visalia a vibrant and entertaining area to visit.

Sincerely,

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

Cc:

Visalia City Council – via e-mail  
Leslie Caviglia, City Manager – via e-mail  
John Lollis, Assistant City Manager – via e-mail  
Ken Richardson, City Attorney - via e-mail  
James Koontz, City Attorney - via e-mail  
Dan Griswold, Chief of Fire – 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  
Jason Huckleberry, Director of Engineering and Building – via e-mail  
Tracy Robertshaw, Neighborhood Preservation Manager – via e-mail  
Property Owner – via mail





Acceptance of Conditions

June 5, 2009

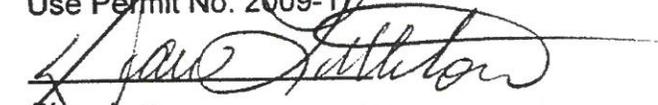
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DAN LITTLETON  
THE CELLAR DOOR  
101 W. MAIN STREET  
VISALIA, CA 93291

Re: Conditional Use Permit No. 2009-17:

Conditional Use Permit No. 2009-17: a request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street. The Cellar Door site is zoned C-DT (Central Business District). (APN: 094-325-003)

Dan Littleton hereby acknowledge and accept the conditions of approval specified in Planning Commission Resolution No. 2009-27 for the approval of, Conditional Use Permit No. 2009-17.

  
Signature

June 8, 2009  
Date

Dan Littleton  
Printed Name

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

For Department Use Only

Acceptance received on:



TO: City Planning Commission

FROM: The Cellar Door  
101 W. Main St.  
Visalia, CA 93291

Re: Physical security plan

With the lowest number of police instances of any kind of venue providing live entertainment in Visalia, I would like to propose that we continue using the current security detail we have in place which consists of the following: 2 security personnel for every live music event we host (up to 200 people), with 1 added security person per 100 people over this. Each security staff is identifiable wearing a black polo shirt, clearly stating "Security Staff" in white on the back of the shirt. All security personnel communicates via wireless headsets. Every 15-25 minutes, our security staff steps out front to ensure that smokers stay in designated areas and to prevent loitering of large crowds. One bartender also wears a wireless headset, to communicate any potential problems to the security staff. In the case of a high capacity night, 1 security person will be dedicated to outside detail, ensuring patrons entering the venue make a single-file line behind the non-permanent roped areas, keeping smokers in their designated areas and to prevent loitering of large crowds forming outside. The aforementioned security is provided one and a half hours before the start of any entertainment (live music, DJ's, dancing, fashion shows, etc.) and remains in place until the venue is closed for the night (at least one hour after the entertainment and/or dancing ceases). If the multicultural live entertainment that we're providing ever becomes a nuisance or problem to The Visalia Police Department, then we will take immediate action to remedy this, and we will then add licensed security staff to the security we currently provide.

I would also like to add that the security personnel we currently use, has over 10 years experience in crowd control and maintaining order in a calm and professional manner. We take the safety of our patrons very seriously and have invested a lot of time and money to find the right people for the job. Point in case: For the Modest Mouse concert at The Fox Theatre, Sound N Vision hired 5 of my security staff and The Fox Theatre hired 2 licensed security personnel. To make a long story short: at the end of the night, the Fox Theatre staff told us that they want to hire my staff in the future, and wanted nothing to do with licensed security staff in the future.

Thank you for your time,



J.R. Guerra  
General Manager  
The Cellar Door



June 5, 2009

DAN LITTLETON  
THE CELLAR DOOR  
101 W. MAIN STREET  
VISALIA, CA 93291

Re: Conditional Use Permit No. 2009-17:

On March 23, 2009 the Visalia City Planning Commission passed and adopted Resolution No. 2009-27 approving, Conditional Use Permit No. 2009-17: a request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street. The Cellar Door site is zoned C-DT (Central Business District). (APN: 094-325-003)

This Conditional Use Permit became effective March 23, 2009 and shall expire March 23, 2011 unless a building permit is issued by the City of Visalia and construction is commenced and diligently pursued toward completion on the site.

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

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

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

Susan Currier  
Planning Assistant

Attachments

RESOLUTION NO. 2009-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2009-17, A REQUEST BY DAN LITTLETON (OWNER), TO ALLOW LIVE ENTERTAINMENT, DANCING AND OTHER SPECIAL EVENTS WITHIN THE CELLAR DOOR BUILDING WHICH IS LOCATED AT 101 WEST MAIN STREET. THE CELLAR DOOR SITE IS ZONED C-DT (CENTRAL BUSINESS DISTRICT)  
(APN: 094-325-003)

**WHEREAS**, Conditional Use Permit No. 2009-17: A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on March 9, 2009, and continued said hearing to March 23, 2009; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice did hold and conclude said hearing on March 23, 2009; and

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

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

1. That the proposed project, 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, South Packwood Creek Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located because staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses given the fact that the Visalia Police Department has established conditions that are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as

police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in revocation of their CUP.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2009-21).

**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 and maintained in substantial conformance with the site plan (Exhibit "A"), operational statement (Exhibit "B").
2. Hours of operation shall be permitted only between the hours of 6:00 am and 2:00 am. Monday through Sunday.
3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside of the premises; nor shall the music exceed the City noise standards as prescribed by the Noise Element.
4. **Live entertainment, including the use of a live DJ, shall be permitted only between the hours of 7:00 pm and 2:00 am Monday through Sunday. The music shall not exceed the City noise standards as prescribed by the Noise Element. Day use live entertainment shall be allowed on a non-amplified basis with no dancing.**
5. **During Live bands/DJ performance between the hours of 7:00 pm and 2:00 am patrons are to be 21 years of age and older. Person employed by the establishment will be exempt from the age limit of 21 years and older. There shall be no topless or nude dancing allowed.**
6. There shall be no adult entertainment including lingerie shows.
7. **The applicant shall submit a physical security plan to the City Planner for review and approval. Such physical security plan may be modified or withdrawn by the applicant subject to the City Planner's review and approval; or may be revoked for cause by the City Planner. In the event the physical security plan is withdrawn or revoked, then at all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.**

8. Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.
9. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
10. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises.
11. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
12. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk.
13. Patrons shall use only the main entrance of the business to enter and exit the business except in the event of an emergency.
14. 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 with the business directed to the outside. Special event posters may be placed inside of the windows on a temporary basis.
15. No video/arcade games or pool or billiard table shall be maintained upon the premises.
16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.

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

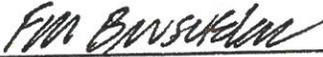
AYES: Commissioners Peck, Soltesz, Segrue, Salinas  
NOES: Commissioner Lane  
ABSTAINED:  
ABSENT:

STATE OF CALIFORNIA)

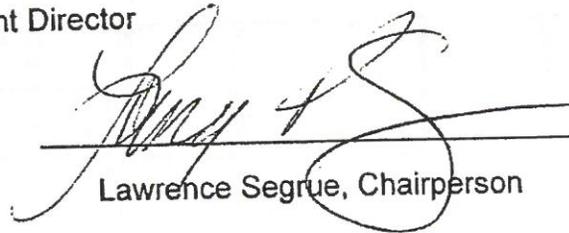
COUNTY OF TULARE ) ss  
CITY OF VISALIA )

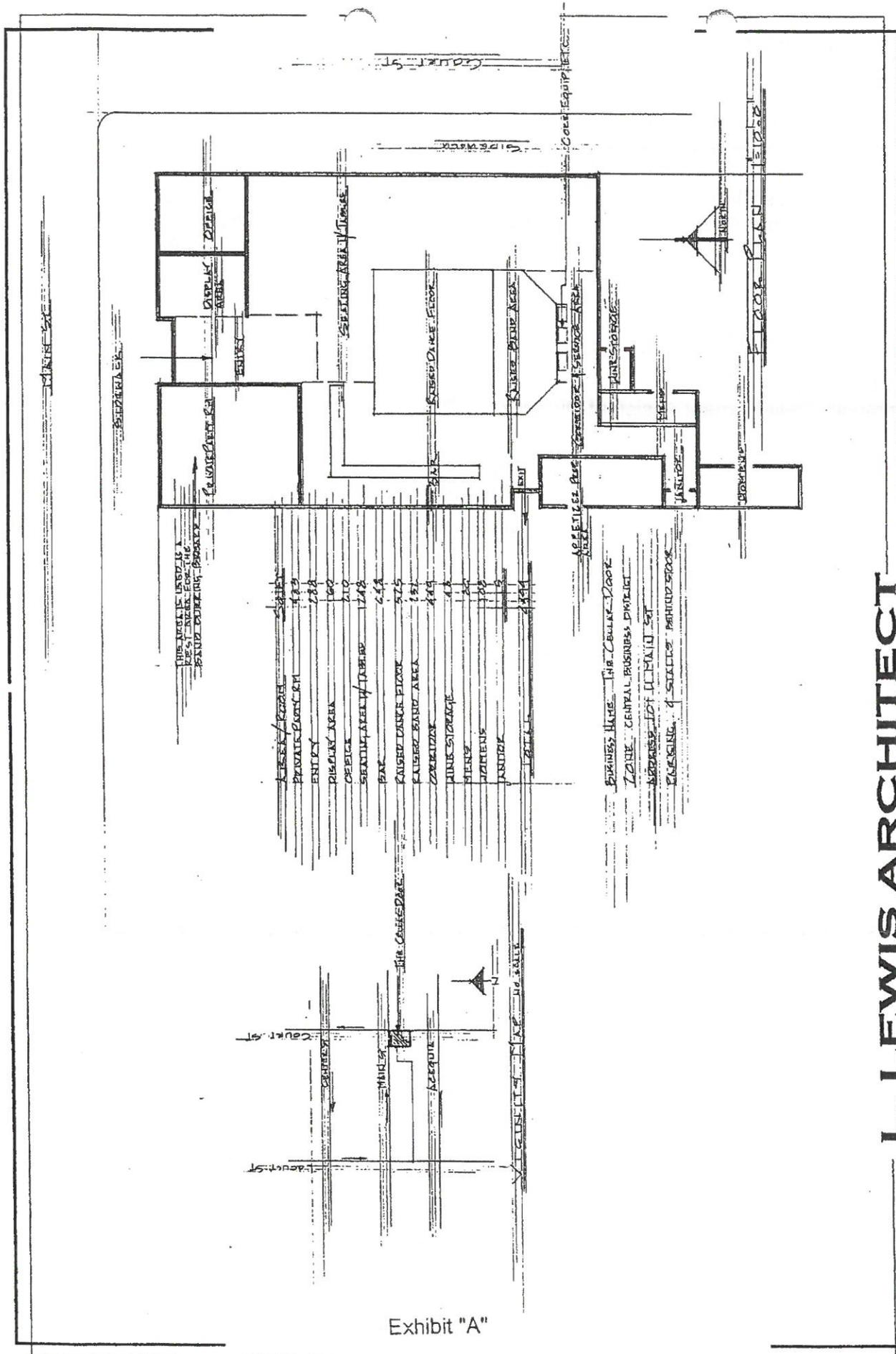
ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2009-27, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 23, 2009.



Fred Brusuelas, AICP  
Community Development Assistant Director

  
Lawrence Segrue, Chairperson



| ROOM NAME    | NO. | AREA |
|--------------|-----|------|
| KITCHEN      | 111 | 111  |
| DINING AREA  | 112 | 112  |
| LOUNGE       | 113 | 113  |
| OFFICE       | 114 | 114  |
| STORAGE      | 115 | 115  |
| HALL         | 116 | 116  |
| RESTROOM     | 117 | 117  |
| ENTRY        | 118 | 118  |
| BAR          | 119 | 119  |
| SEATING AREA | 120 | 120  |
| PAUSE ROOM   | 121 | 121  |
| LAUNDRY AREA | 122 | 122  |
| RECEPTION    | 123 | 123  |
| STORAGE      | 124 | 124  |
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| STORAGE      | 200 | 200  |

Exhibit "A"

# L. LEWIS ARCHITECT

|              |          |           |  |
|--------------|----------|-----------|--|
| ARCHITECTURE | PLANNING | INTERIORS | 1111. - CONDITIONAL PERMIT FOR THE CELLER DECK |
| JOB NO.      | DATE     | DRAWN BY  |  |
| SHEET NO.    |          |           |  |

**Cellar Door Operations Statement/Business Plan**

**Current operations:**

**Weekly**

Monday- Football (seasonal) /Movies (public domain)  
Wednesday- Nintendo Wii play  
Fri & Sat- Live music  
Occasional live music on weekdays & Sundays

**Monthly**

Open Microphone night (1-2 times)  
Wine Club tasting  
Themed party

**Yearly**

Visalia All Music Festival  
Movie screenings (purchased copyright)

**About The Cellar Door**

The Cellar Door, located at 101 W Main Street (on the corner of court and main) has been in business for nearly 2 years serving wine, beer, and appetizers. It is owned by Dan and Denise Littleton and employs 7-10 staff members. The Cellar Door operates from 4pm- 2am Monday through Saturday. A recent change in management, as well as a relationship with music promoters (Aaron Gomes with Sound & Vision Magazine) has increased our customer base and popularity exponentially. We believe that this benefits Visalia in a positive way, and we strive to add an element of interest and uniqueness while focusing on the strength of Downtown Visalia and the many talents of local artists and musicians. We also enjoy referring customers to other downtown business, as we believe that we should work together as a community.

The Cellar Door would like to be allowed to host live music and events 2-4 times a week. We have offered live music every Friday and Saturday, with special events sometimes mid-week, and often during our monthly wine club events. These musical groups include genres of acoustic, folk, pop, rock, jazz, blues, country, Americana, covers, latin, funk, R&B, electronic, and more. Every act is chosen based on their ability to appease a broad range of customers, and it is not abnormal to see an age range of 21-60 at our events. Other events include a broad range of entertainment not limited to music (**See attached list**). We pride ourselves on hosting events in our safe environment, with one of the lowest records of police incidents of any similar establishment downtown. Our head of security possesses more than 10 years of experience in crowd control and can easily diffuse a situation without violence. We staff 2-3 security personnel during high occupancy events who communicate via electronic headsets, and our head of security keeps a counter at the door. While we do enjoy a lively environment with dancing, we do not cater to a rough or raucous environment, and mostly avoid types of music that encourage that behavior; including rap, heavy metal and punk.

### **How Visalia benefits:**

- The Cellar Door adds a unique venue to downtown. We offer a broad range of events that cross boundaries of age groups and demographics.
- We serve drinks responsibly, our focus is often more on the entertainment than simply drinking. Drinks are served from 4pm-1:30am.
- We don't congest business parking because our events usually take place after 9pm and/or on weekends.
- The Cellar Door believes strongly in working with other downtown businesses, by referring customers and taking part in community events
- We add to Visalia tourism- our music events often bring patrons from Los Angeles and San Francisco, who then rent hotel rooms and eat at local restaurants. We make sure to tell them about the National Forest and offer to keep them updated on future events for repeat visits.

### **Plans for growth**

The Cellar Door plans to continue serving the public with entertainment and value in a safe atmosphere. Our future plans include, but are not limited to:

- Expanding our kitchen and food serving hours
- Increasing staff
- Becoming more involved with community projects and fundraisers
- Obtaining permits to pour off-premises for fundraisers
- Obtaining permits/licensing to allow minors for special events such as weddings
- Increasing technology for communications, such as teleconferencing
- Incorporating a "virtual experience" on our website, including aspects of downtown visalia and local businesses
- Serving as an operations center for online sales of wine, merchandise, and local art

## Attachment

### Additional Events

The Cellar Door offers events that are unique and artistic, in addition to the music events we are known for. Here is a list of events that we have hosted or would like to host in the future.

- Fundraisers/benefits (St. Paul School, Boys & Girls club, Visalia Emergency Aid)
- Art exhibits (paintings, drawing, photographic, sculptures, etc)
- Meeting services for local businesses (USGBC, Rotary, etc)
- Wine club meetings (future beer club planned)
- Wine education classes
- Movie screenings (public domain and approved copyrighted)
- Nintendo Wii parties
- Book signings/ celebrity meet & greets
- Ethnic dancing/belly dancing/Ethnic appreciation
- Plays & melodramas
- Dinner theatre
- Themed parties (masquerade balls, 80's, costume parties)
- Private & public parties (Weddings, reception, anniversaries, holiday, office gatherings)
- Wine tasting
- Retail wine expos
- Magic shows
- Filming locations
- Recording live demos for musicians
- Fashion shows/ beauty seminars and demonstrations
- Live radio & TV broadcasts
- Karaoke
- Training seminars
- (LEAD) Responsible serving training hosted by ABC
- Grape stomping
- Workshops/ Seminars/ Product demonstrations
- Open microphone nights
- Comedy shows
- Historic celebrations and awareness
- Crafting classes
- Job opportunity seminars
- Business showcase events



# Attachment "B"



## VISALIA POLICE DEPARTMENT

Report for Incident 25-103270

Nature: BARCK  
Location: NN709

Address: 101 W MAIN ST; CELLAR DOOR  
VISALIA CA 93291

Received By: CRAIN KRISTIN      How Received: O      Agency: VPD  
Responding Officers: ELIAS SAMANTHA, PRITCHARD KATHL  
Responsible Officer: LARA MICHAEL      Disposition: CAA 12/31/25  
When Reported: 22:34:08 12/31/25      Occurred Between: 22:34:08 12/31/25 and 22:34:08 12/31/25

Assigned To:      Detail:      Date Assigned: \*\*/\*\*/\*\*  
Status:      Status Date: \*\*/\*\*/\*\*      Due Date: \*\*/\*\*/\*\*

### Complainant:

Last:      First:      Mid:  
DOB: \*\*/\*\*/\*\*      Dr Lic:      Address:  
Race:      Sex:      Phone:      City: ,

### Statute Codes

Statute : 16240 BP M (31104) ENGAGE IN BUSINESS/ETC TRADE W/O LICENSE/ETC

### Circumstances

Responding Officers:      Unit :  
ELIAS SAMANTHA      A359  
PRITCHARD KATHL      A359

Responsible Officer: LARA MICHAEL      Agency: VPD  
Received By: CRAIN KRISTIN      Last Radio Log: 23:08:03 12/31/25 CMPLT  
How Received: O Officer Report      Clearance: 19 ARREST  
When Reported: 22:34:08 12/31/25      Disposition: CAA Date: 12/31/25  
Judicial Status:      Occurred between: 22:34:08 12/31/25  
Misc Entry:      and: 22:34:08 12/31/25

Modus Operandi:      Description :      Method :

### Involvements

| Date     | Type | Description      |
|----------|------|------------------|
| 01/29/26 | Name | CITY OF VISALIA, |
| 01/01/26 | Name | [REDACTED]       |

**CONTROLLED DOCUMENT**  
Victim  
Suspect  
TO: James Koontz  
AGENCY: \_\_\_\_\_  
BY: JW  
DATE: 2/13/26  
VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)

|          |          |                                |                 |
|----------|----------|--------------------------------|-----------------|
| 01/01/26 | Name     | [REDACTED]                     | Suspect         |
| 01/01/26 | Name     | [REDACTED]                     | Suspect         |
| 01/01/26 | Name     | [REDACTED]                     | Suspect         |
| 01/01/26 | Name     | [REDACTED]                     | Suspect         |
| 01/01/26 | Name     | [REDACTED]                     | Suspect         |
| 12/31/25 | Offense  | Offense#: 133405 - M - 1 count | Charged With    |
| 12/31/25 | Offense  | Offense#: 133406 - M - 1 count | Charged With    |
| 12/31/25 | Offense  | Offense#: 133407 - M - 1 count | Charged With    |
| 12/31/25 | Offense  | Offense#: 133408 - M - 1 count | Charged With    |
| 12/31/25 | Offense  | Offense#: 133409 - M - 1 count | Charged With    |
| 12/31/25 | Offense  | Offense#: 133410 - M - 1 count | Charged With    |
| 12/31/25 | Cad Call | 22:34:08 12/31/25 BARCK        | Initiating Call |
| 01/29/26 | Property | OTHER Identity 0               | Evidence        |

**CONTROLLED DOCUMENT**  
CONFIDENTIAL INFORMATION  
TO BE USED BY CRIMINAL AGENCIES ONLY

TO James Kourtz

AGENCY \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)

**Narrative**

Please give in the following order, use N/A for questions that are not applicable:

- 1. Case number/related case numbers: 25-103270
- 2. Officer Name and ID number: K. Kalender A346
- 3. Offense: BP 16240
- 4. Offense Definition: Working as security without being licensed.
- 5. Victim Name: N/A
- 6. Victim injuries: N/A
- 7. Victim connected to which offense: N/A
- 8. Victim vehicle information: N/A
- 9. Suspect (age, physical, clothing, sex, race, ethnicity, address):

[REDACTED]

- 10. Suspect injuries: N/A
- 11. Suspect connected to which offense: BP 16240
- 12. Suspect vehicle information: N/A
- 13. Suspect under the influence(alcohol, controlled substance): N/A
- 14. Weapon type/Arrestee was armed with: N/A
- 15. Victim/Suspect relationships: N/A

**Narrative:**

On 12/31/25 at 2230 hours I was working patrol in the Downtown Visalia area due to there being several people downtown for New Years Eve. I responded to the Cellar Door located at 101 West Main Street. I had been to this location previously that night at approximately 1930 hours. I contacted [REDACTED] at that time. [REDACTED] said he was in charge of security. [REDACTED] said he would have five security officers working that night.

When I contacted [REDACTED] for the second time I asked him if he had his guard card, to show he was a licensed security guard. [REDACTED] said he did not. [REDACTED] said he applied for his guard card two months ago, but did not have a guard card. I asked [REDACTED] how long he has been working security at Cellar Door. [REDACTED] said he has been there approximately 90 days and prior to that he worked security at Sebby's, which was now closed.

[REDACTED] did not have a security shirt on and did not have any impact weapons on his person. However, according to Cellar Door's ABC license they are supposed to have four licensed security guards any time there is live entertainment, which included a DJ. There were two DJ's playing on the night of New Year's Eve.

I also spoke with [REDACTED] [REDACTED] was wearing a black shirt that had "Security" written on the front. [REDACTED] said he used to have a guard card that expired in 2019. [REDACTED] said he has been working for Cellar Door for one week and this was his fourth night working. [REDACTED] also did not have any visible weapons on his person.

I also contacted [REDACTED] [REDACTED] said this was his first night of working as a security guard for Cellar Door. [REDACTED] said he applied for his guard card one week ago, but did not have it. [REDACTED] was wearing a black shirt with "Security" written on the front. [REDACTED] also did not have any visible weapons on him.

End of report.

K. Kalender A346

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TO James Kovitz

AGENCY \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)

**Supplemental Narrative**

**Name: LAMAR JONATHAN**

**Date: 11:20:01 01/08/26**

On 12-31-2025 at approximately 1900 hours, while working in my current assignment as an Agent with the Visalia Police Department I was working at a downtown Visalia Bar detail for New Year's Eve. I responded to the Cellar door located at 101 W. Main street in Visalia, Ca at around 2042 hours to make contact with the manager or owner to advise them that the Visalia Police department added extra officers to the downtown area for safety and proactive enforcement for New Year's Eve.

Upon my arrival I made contact with the owner who identified himself as [REDACTED] [REDACTED] was inside the business near the front door and immediately introduced himself to me. I noticed that there was a dance floor setup and that there was a juke box playing at the time with amplified speakers, however there was nobody dancing on the dance floor. The venue was decorated to celebrate the new year. There were employees who looked as if they were setting up the venue to accept patrols. Outside of the business was a red carpet and stanchions for crowd control.

After explaining to [REDACTED], the reason for our presence he stated that he understood and appreciated the extra officers. I had previously done some research into several downtown bars ABC licenses as well as their conditional use permits (CUP)'s issued by the city of Visalia. The terms of the liquor license issued by ABC to Cellar Door was issued to [REDACTED] under license number 601230. The license was active with ABC and allowed for the alcohol sale on location, "On-Sale general eating place (47)". The license required [REDACTED] [REDACTED] had 4 licensed informed security guards on Fridays and Saturdays and during any live entertainment. It was relayed to me that during tonight's event there was going to be a live DJ to celebrate the new year.

I explained to [REDACTED] that he needed to provide at least 4 license uniformed security guards for live entertainment which he acknowledged. I advised him that I was aware that at least 2 of his security guards were not licensed specifically [REDACTED] and [REDACTED]. It should be noted that [REDACTED] also has an alias of [REDACTED] in more recent years. I was made aware that [REDACTED] was a security guard at the location some time ago after he was seen working security there by patrol officers and supervisors who were familiar with him. Additionally, prior to this contact I was made aware about an incident documented under report number 25-102281 that occurred on 12-27-2025 where two victims came forward and said that the "bouncers" assaulted them at the Cellar door. One of the victims possibly was knocked out and was found bleeding when officer arrived. The bouncers were identified as [REDACTED] and [REDACTED] who was later identified as [REDACTED]. That case was sent to the Tulare County DA's office for review of charges against [REDACTED]. During that incident officers noted that [REDACTED] who was an also a "bouncer" was being uncooperative with officer during the investigation. It should be noted that [REDACTED] is a well-known and documented Varrio Loco Norteno street gang member, which is why he is familiar with law enforcement. Before responding to the location, I checked the status of the known bouncers at the location [REDACTED] and [REDACTED] and found that they were not licensed by the state to act as security guards or proprietary security guards.

[REDACTED] was also someone whom I was familiar with from my time working as a detective in the violent crime unit specifically from a homicide

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 TO BE USED BY CRIMINAL AGENCIES ONLY

TO: James Koontz

AGENCY: \_\_\_\_\_

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

VISALIA POLICE DEPT  
 02/13/26  
 CV 803 (1/24)

investigation where in which a victim was murdered at the Sebby's restaurant located on Main Street as [redacted] was a bouncer at that location when that incident occurred. That case has not yet been adjudicated however I know that during that incident "Bouncers" or security were at least associated or known with the suspects who brought firearms into the location before the homicide. [redacted] was not one of those bouncers, however he himself is not a licensed security guard per BSIS and the Department of Consumer Affairs DCA.

I explained these things to [redacted] and explained to him that in his CUP he is to have 1 uniform licensed security guard per 50 guests during live entertainment events including live DJ's. [redacted] explained that he knew his ABC and CUP terms and was aware. I explained to him that it appeared that that hadn't been happening and let him know that [redacted] and [redacted] were not licensed. [redacted] acted surprised and asked even [redacted] then said OK and said that he is working to get them licensed and he wasn't in compliance and he wishes to work together. I explained to [redacted] that it is my belief that this plays a role in the downtown area's safety. I explained to [redacted] that there had been numerous gang related shootings downtown and homicides downtown around and inside bars that are not following their agreed upon terms. [redacted] said that he doesn't want that to occur at his business and that he wants to make sure he was in compliance. I explained to [redacted] that [redacted] has some gang ties which shouldn't necessarily be held against him for employment, however he needs to make sure that they can get licensed and trained and pass a live scan because that is what he agreed upon with ABC and the city of Visalia to operate his business. I told [redacted] these things and explained to him that we would be returning later on in the night to check on things in which he stated he understood. At this time [redacted] was not at the location nor was no live entertainment yet. Agent Kalender spoke with [redacted] briefly and was told that they were going to need 4 security guards since they were going to have live entertainment. [redacted] then told Agent Kalender that a female employee that had just been seen walking into the business was going to be a security guard. Agent Kalender briefly spoke with her, and she stated that she was not security rather another employee. It was apparent that there was no plan to abide by the ABC and CUP for New Year's Eve. I told [redacted] that we would return hoping that he would have the necessary personnel in place to abide by his ABC terms and CUP with the city.

At approximately 2355 hours assisting officers and I returned to the business. Upon my arrival I noticed a large line had formed outside that extended beyond the setup stanchions. There were several uniformed security guards wearing black shirts that read "Security." I observed [redacted] to be present wearing all black clothing. [redacted] was actively checking the IDs of people waiting in line. I observed [redacted] to be wearing a black shirt and black pants patting customers down after [redacted] checked their ID. Agent Kalender spoke with [redacted] and asked him about having a guard card/ license for security which he said did not have it, but he was working on it.

I then contacted [redacted] and asked him if he had his guard card. [redacted] stated that he was a "barback" and he was just helping at the front. I told [redacted] that last week he was identified as a bouncer during incident # 25-102281. Additionally, I told [redacted] that I had already spoken to his boss [redacted] who had told me that he was hired on the payroll as a bouncer for the business. I told [redacted] that he was supposed to have his license and told him that I had already let his boss know that he didn't have his guard card and that he wasn't licensed, yet his boss still allowed him to work there

**CONTROLLED DOCUMENT**

**CONFIDENTIAL INFORMATION**  
DO NOT USE FOR CRIMINAL AGENCIES ONLY

**James Koartz**

TO: \_\_\_\_\_

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**VISALIA POLICE DEPT**

02/13/26  
CV 803 (1/24)

tonight. [REDACTED] Confirmed that he did not have his guard card. I asked for his CA ID card and Officer Lara issued him a citation.

I re-contacted [REDACTED] and told him that I had told him we were going to come back tonight and that his bouncers are not licensed. [REDACTED] acknowledged again that they were not and he knew it. I told [REDACTED] that according to his CUP with the city he is to have a uniformed licensed guard per 50 persons. I readvised [REDACTED] about the terms of his liquor license in which he replied saying that he knows what they are. [REDACTED] was cited by officer Lara.

While awaiting the completion of the citation I noticed that there was a large crowd that had formed that completely blocked the sidewalk from pedestrians attempting to pass by. This was also in violation of their CUP with the city of Visalia as they were not properly directing people to the line behind the stanchions. I let the staff on scene know that they needed to manage that as well.

The security all seemed unaware that they were supposed to have a guard card to be a bouncer. Some of them said that [REDACTED] didn't tell them that they needed them to work.

After citation was issued the scene was cleared.

No further information.

J. Lamar A272

|  |                     |
|--|---------------------|
| <b>CONTROLLED<br/>DOCUMENT</b>                                   |                     |
| CONFIDENTIAL INFORMATION<br>TO BE USED BY CRIMINAL AGENCIES ONLY |                     |
| TO   | <u>James Koontz</u> |
| AGENCY   | _____               |
| BY   | _____               |
| DATE   | _____               |
| VISALIA POLICE DEPT  |                     |
| 02/13/26<br>CV 803 (1/24)  |                     |

**Supplemental Narrative**

**Name:** ELIAS SAMANTHA

**Date:** 14:01:21 01/11/26

SUPPLEMENTAL NARRATIVE:

On 12/31/2025 at approximately 2230 hours I was working in my capacity as a Police Officer assigned to a Bar Detail in downtown Visalia. I responded to the Cellar Door to assist Officer on a Bar check at the Cellar Door located in the 100 block of West Main St.

While conducting the bar check I spoke with [REDACTED] who identified himself as a security Guard for the business. It should be noted [REDACTED] was also wearing a black and gray tshirt with the lettering, "Security" on the front left side of his shirt. I asked [REDACTED] if he has his Guard card and he stated he did not and had just started working at the business sometime at the beginning of December.

[REDACTED] was issued a citation to appear for acting as a bouncer without his Guard card.

No further information.

S. Elias A359

**CONTROLLED DOCUMENT**  
CONFIDENTIAL INFORMATION  
TO BE USED BY CRIMINAL AGENCIES ONLY

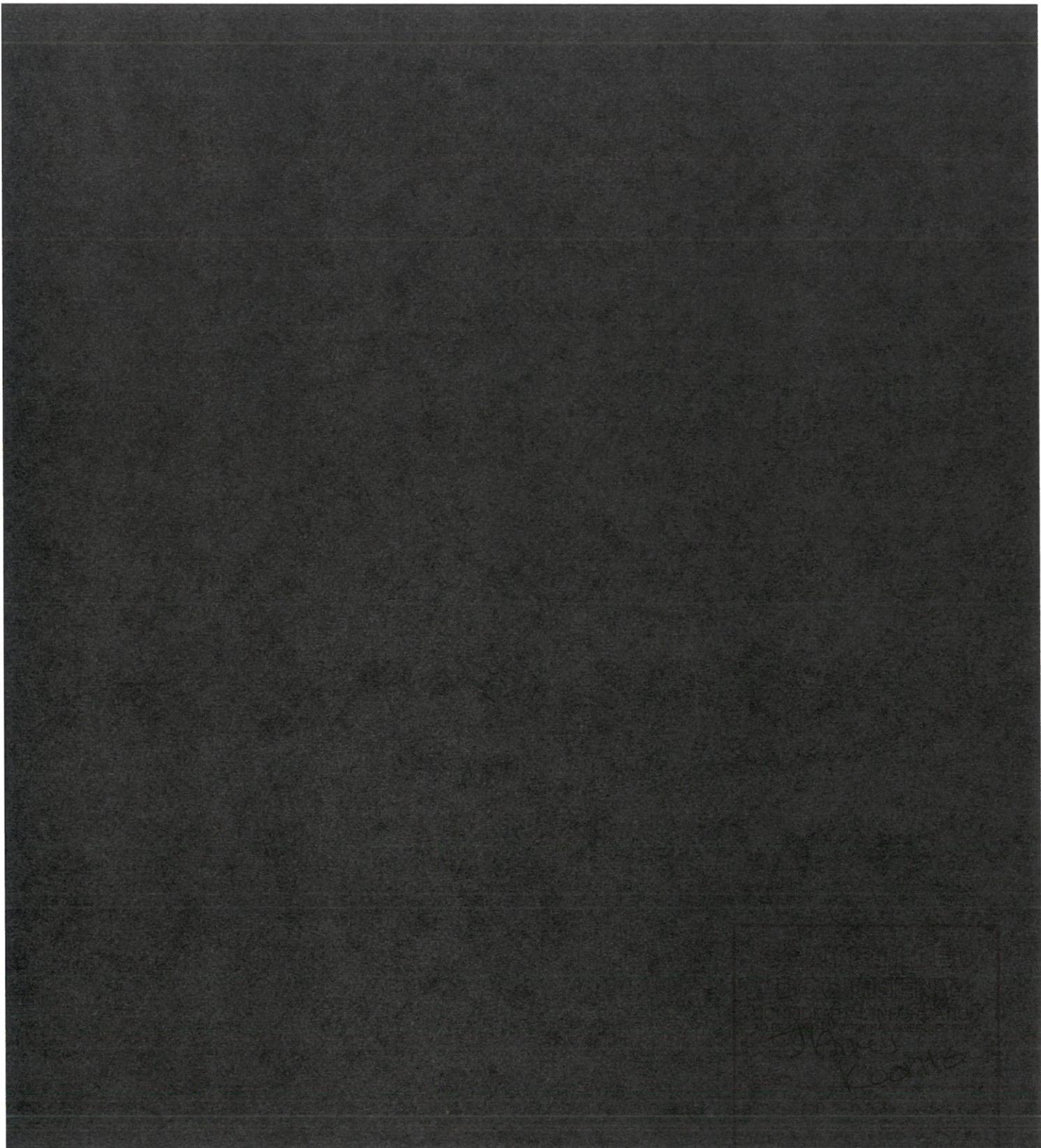
TO James Koontz

AGENCY \_\_\_\_\_

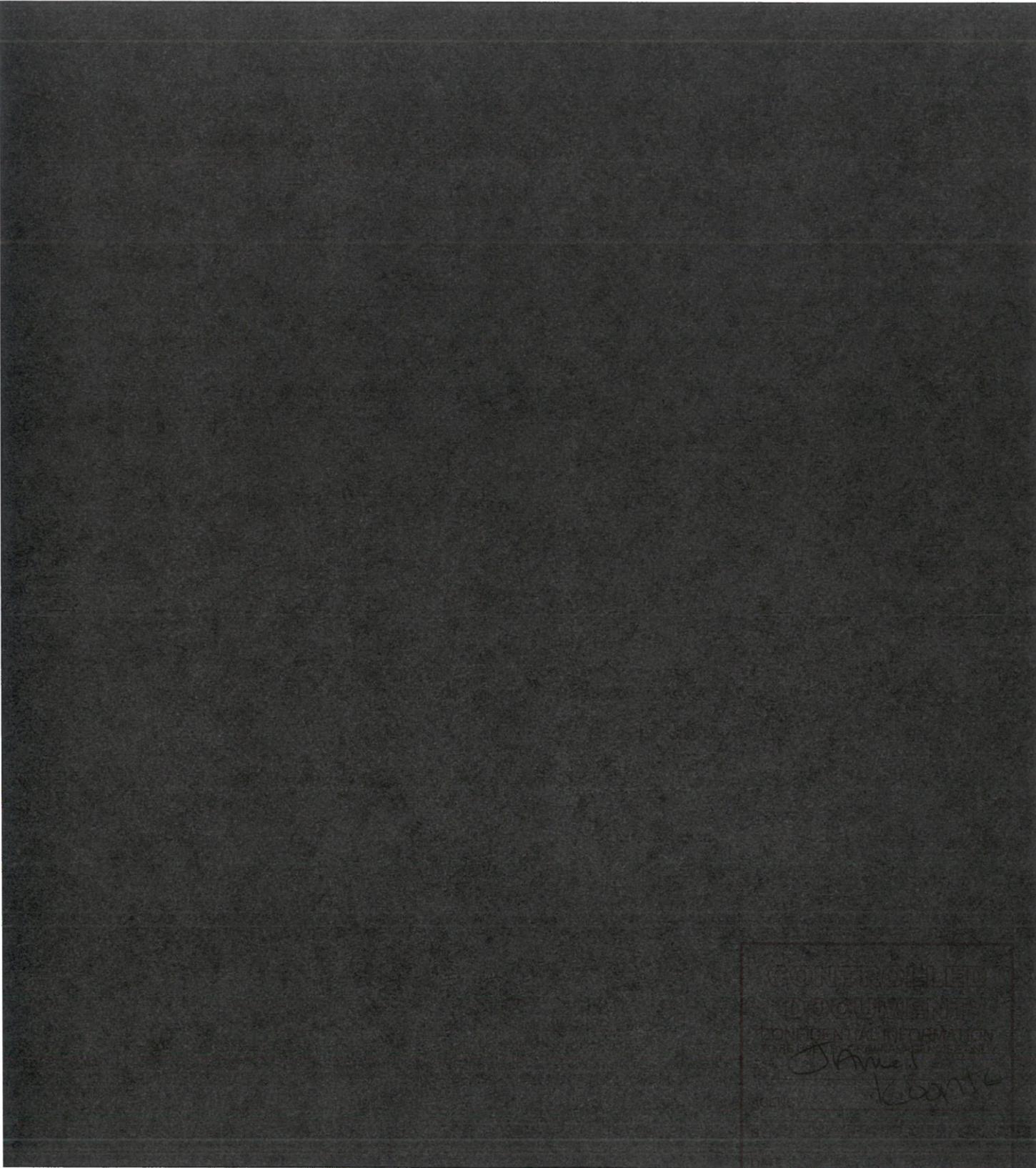
BY \_\_\_\_\_

DATE \_\_\_\_\_

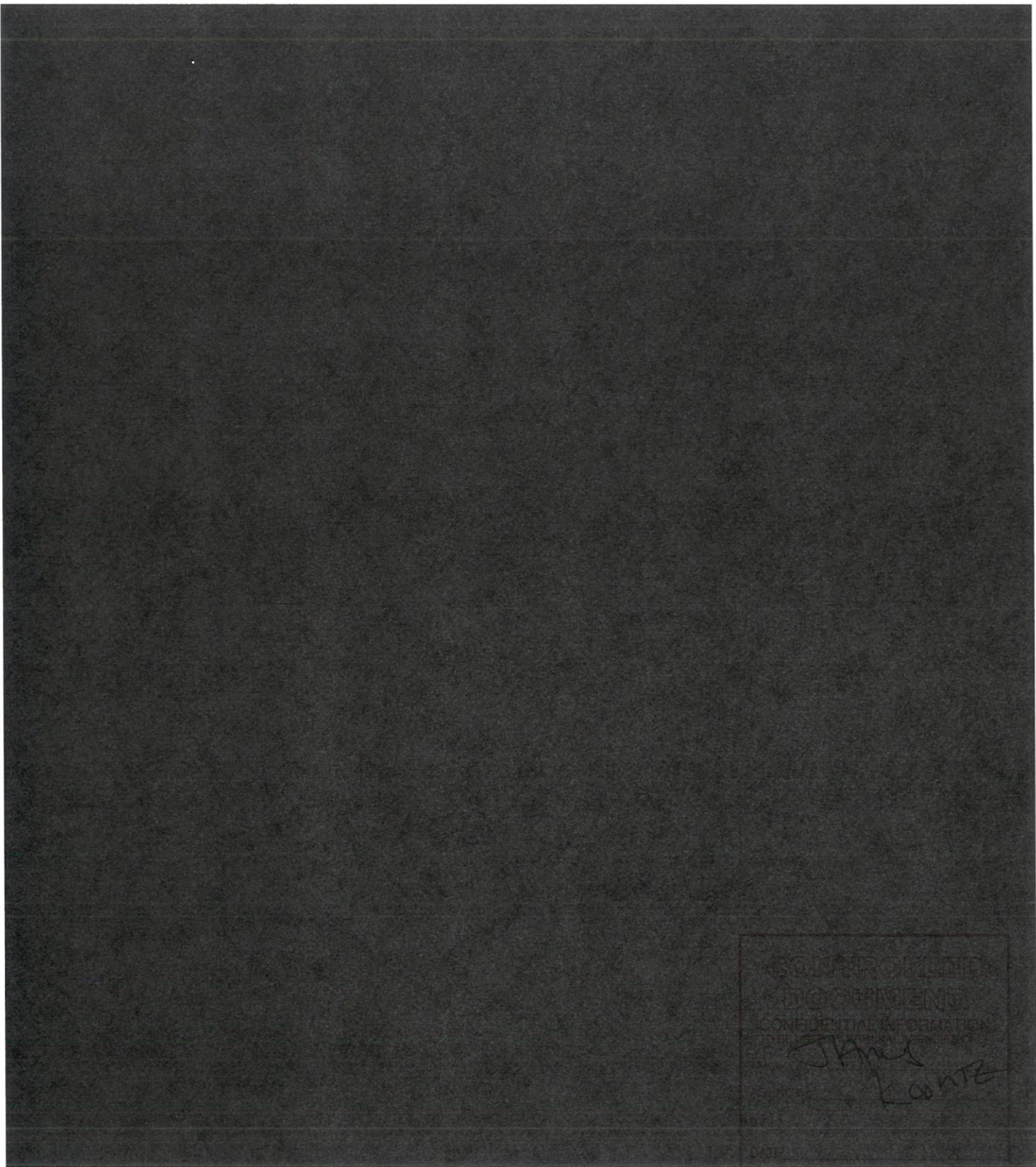
VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)



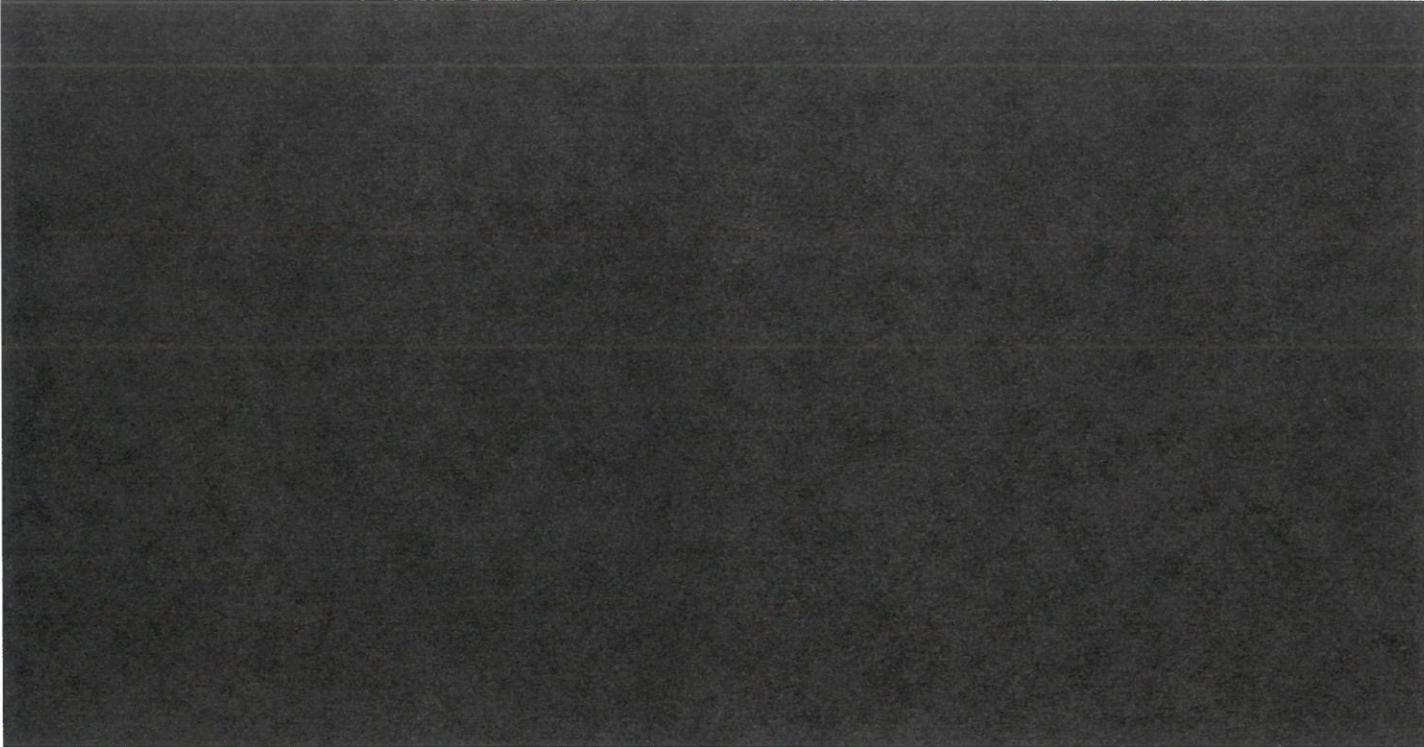
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CONTROLLED  
DOCUMENT  
CONFIDENTIAL INFORMATION  
James  
Canta



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JAMES  
LANTZ



**CONTROLLED DOCUMENT**  
**CONFIDENTIAL INFORMATION**  
TO BE USED BY CRIMINAL AGENCIES ONLY

TO James Kartz

AGENCY \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)

### Property

Property Number: 108081  
Item: OTHER

Owner Applied Nmbr:

Brand: Identity

Model:

Year: 0

Quantity:

Meas:

Serial Nmbr:

Total Value: \$0.00

Color:

Owner:

Agency: VPD VISALIA POLICE  
DEPARTMENT

Tag Number:

Accum Amt Recov: \$0.00

Officer: LARA  
MICHAEL

UCR: IDI Identity-Intangible

UCR Status: SNR

Local Status:

Storage Location:

Crime Lab Number:

Status Date: 12/31/25

Date Released: \*\*/\*\*/\*\*

Date Recov/Revd: \*\*/\*\*/\*\*

Released By:

Amt Recovered: \$0.00

Released To:

Custody: \*\*.\*.\*\*\* \*\*/\*\*/\*\*

Reason:

Comments:

**CONTROLLED DOCUMENT**

CONFIDENTIAL INFORMATION  
TO BE USED BY CRIMINAL AGENCIES ONLY

TS James Kentz

AGENCY \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

**VISALIA POLICE DEPT**

02/13/26  
CV 903 (1/24)

**Name Involvements:**

Suspect : 54628

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

Victim : 61637

Last: CITY OF  
VISALIA  
DOB: \*\*/\*\*/\*\*

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: 315 E ACEQUIA AVE; CITY  
HALL EAST  
City: VISALIA, CA 93291

Suspect : 173148

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

Suspect : 69163

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

Suspect : 253525

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

Suspect : 125854

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

Suspect : 229092

Last: [REDACTED]  
DOB: [REDACTED]  
Race: [REDACTED] Sex: [REDACTED]

First: [REDACTED]  
Dr Lic: [REDACTED]  
Phone: [REDACTED]

Mid: [REDACTED]  
Address: [REDACTED]  
City: [REDACTED]

**CONTROLLED DOCUMENT**

CONFIDENTIAL INFORMATION  
TO BE USED BY CRIMINAL AGENCIES ONLY

TO James Kautz

AGENCY \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

VISALIA POLICE DEPT  
02/13/26  
CV 803 (1/24)



## Notice of Conditional Use Permit Suspension

January 15, 2026

Cellar Door  
101 West Main Street  
Visalia CA, 93291

CONDITIONAL USE PERMIT NO.: **2009-17**  
RE: 101 West Main Street, Visalia, CA

This letter is to inform you of the City of Visalia's decision, based on a thorough review of the live entertainment conditions of approval for Conditional Use Permit (CUP) No. 2009-17 which was issued for the Cellar Door establishment, to suspend the CUP due to ongoing violations by this business when live entertainment activities are occurring within the establishment.

The subject property, 101 West Main Street, was issued a Conditional Use Permit (i.e., CUP No. 2009-17) by the Planning Commission on March 23, 2009, which permitted live entertainment, subject to conditions of approval as listed in Resolution No. 2009-27. A copy of the resolution is attached for your reference.

A public hearing by the Visalia Planning Commission will be set within the next sixty days to determine if this Conditional Use Permit should be permanently revoked or if the suspension should be lifted and the business allowed to resume under prior conditions or with new additional conditions.

The suspension is based on reported violations that occurred based on the following:

- On December 31, 2025, while patrolling the area, police officers found large groups of people congregating in front of the business and no licensed security guards, which is in violation of Condition Nos. 7, 8, and 12 or Resolution No. 2009-27.

As a result of the violations of the Visalia Municipal Code and CUP No. 2009-17, you are hereby issued this Notice of Conditional Use Permit Suspension. The Conditional Use Permit is hereby suspended, and the Cellar Door 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 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 six (6) months or by both such fine and imprisonment.

Please note that restaurant activities can continue within the establishment and the suspension is related to only live entertainment.

Please contact me at (559) 713-4025, for any further information you may require in this regard.

Regards,

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

**Enclosures:**

1. Copy of Resolution No. 2009-27
2. Sections 17.02.145 and 17.38.120 of the Visalia Municipal Code

Cc: City Council – via e-mail  
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  
Daniel Ford, Police Captain – via e-mail  
Mona Whaley, Police Lieutenant – via e-mail  
Tracy Robertshaw, Neighborhood Preservation Manager – via e-mail  
Amy Dwelle, Property Owner

**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 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 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.*
- 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. 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 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)*



Acceptance of Conditions

June 5, 2009

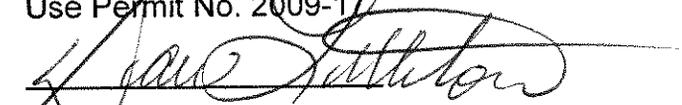
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DAN LITTLETON  
THE CELLAR DOOR  
101 W. MAIN STREET  
VISALIA, CA 93291

Re: Conditional Use Permit No. 2009-17:

Conditional Use Permit No. 2009-17: a request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street. The Cellar Door site is zoned C-DT (Central Business District). (APN: 094-325-003)

Dan Littleton hereby acknowledge and accept the conditions of approval specified in Planning Commission Resolution No. 2009-27 for the approval of, Conditional Use Permit No. 2009-17

  
Signature

June 8, 2009  
Date

Dan Littleton  
Printed Name

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

For Department Use Only

Acceptance received on:



TO: City Planning Commission

FROM: The Cellar Door  
101 W. Main St.  
Visalia, CA 93291

Re: Physical security plan

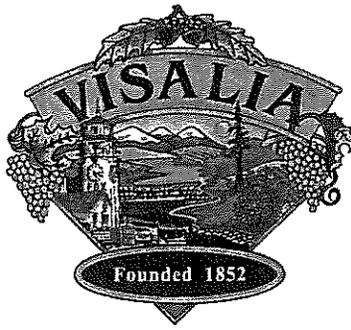
With the lowest number of police instances of any kind of venue providing live entertainment in Visalia, I would like to propose that we continue using the current security detail we have in place which consists of the following: 2 security personnel for every live music event we host (up to 200 people), with 1 added security person per 100 people over this. Each security staff is identifiable wearing a black polo shirt, clearly stating "Security Staff" in white on the back of the shirt. All security personnel communicates via wireless headsets. Every 15-25 minutes, our security staff steps out front to ensure that smokers stay in designated areas and to prevent loitering of large crowds. One bartender also wears a wireless headset, to communicate any potential problems to the security staff. In the case of a high capacity night, 1 security person will be dedicated to outside detail, ensuring patrons entering the venue make a single-file line behind the non-permanent roped areas, keeping smokers in their designated areas and to prevent loitering of large crowds forming outside. The aforementioned security is provided one and a half hours before the start of any entertainment (live music, DJ's, dancing, fashion shows, etc.) and remains in place until the venue is closed for the night (at least one hour after the entertainment and/or dancing ceases). If the multicultural live entertainment that we're providing ever becomes a nuisance or problem to The Visalia Police Department, then we will take immediate action to remedy this, and we will then add licensed security staff to the security we currently provide.

I would also like to add that the security personnel we currently use, has over 10 years experience in crowd control and maintaining order in a calm and professional manner. We take the safety of our patrons very seriously and have invested a lot of time and money to find the right people for the job. Point in case: For the Modest Mouse concert at The Fox Theatre, Sound N Vision hired 5 of my security staff and The Fox Theatre hired 2 licensed security personnel. To make a long story short: at the end of the night, the Fox Theatre staff told us that they want to hire my staff in the future, and wanted nothing to do with licensed security staff in the future.

Thank you for your time,



J.R. Guerra  
General Manager  
The Cellar Door



315 East Acequia Ave., Visalia, CA 93291

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

June 5, 2009

DAN LITTLETON  
THE CELLAR DOOR  
101 W. MAIN STREET  
VISALIA, CA 93291

Re: Conditional Use Permit No. 2009-17:

On March 23, 2009 the Visalia City Planning Commission passed and adopted Resolution No. 2009-27 approving, Conditional Use Permit No. 2009-17: a request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street. The Cellar Door site is zoned C-DT (Central Business District). (APN: 094-325-003)

This Conditional Use Permit became effective March 23, 2009 and shall expire March 23, 2011 unless a building permit is issued by the City of Visalia and construction is commenced and diligently pursued toward completion on the site.

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

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

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

Susan Currier  
Planning Assistant

Attachments

RESOLUTION NO. 2009-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2009-17, A REQUEST BY DAN LITTLETON (OWNER), TO ALLOW LIVE ENTERTAINMENT, DANCING AND OTHER SPECIAL EVENTS WITHIN THE CELLAR DOOR BUILDING WHICH IS LOCATED AT 101 WEST MAIN STREET. THE CELLAR DOOR SITE IS ZONED C-DT (CENTRAL BUSINESS DISTRICT)  
(APN: 094-325-003)

**WHEREAS**, Conditional Use Permit No. 2009-17: A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on March 9, 2009, and continued said hearing to March 23, 2009; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice did hold and conclude said hearing on March 23, 2009; and

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

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

1. That the proposed project, 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, South Packwood Creek Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located because staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses given the fact that the Visalia Police Department has established conditions that are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as

police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in revocation of their CUP.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2009-21).

**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 and maintained in substantial conformance with the site plan (Exhibit "A"), operational statement (Exhibit "B").
2. Hours of operation shall be permitted only between the hours of 6:00 am and 2:00 am. Monday through Sunday.
3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside of the premises; nor shall the music exceed the City noise standards as prescribed by the Noise Element.
4. **Live entertainment, including the use of a live DJ, shall be permitted only between the hours of 7:00 pm and 2:00 am Monday through Sunday. The music shall not exceed the City noise standards as prescribed by the Noise Element. Day use live entertainment shall be allowed on a non-amplified basis with no dancing.**
5. **During Live bands/DJ performance between the hours of 7:00 pm and 2:00 am patrons are to be 21 years of age and older. Person employed by the establishment will be exempt from the age limit of 21 years and older. There shall be no topless or nude dancing allowed.**
6. There shall be no adult entertainment including lingerie shows.
7. **The applicant shall submit a physical security plan to the City Planner for review and approval. Such physical security plan may be modified or withdrawn by the applicant subject to the City Planner's review and approval; or may be revoked for cause by the City Planner. In the event the physical security plan is withdrawn or revoked, then at all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.**

8. Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.
9. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
10. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises.
11. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
12. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk.
13. Patrons shall use only the main entrance of the business to enter and exit the business except in the event of an emergency.
14. 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 with the business directed to the outside. Special event posters may be placed inside of the windows on a temporary basis.
15. No video/arcade games or pool or billiard table shall be maintained upon the premises.
16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.

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

AYES: Commissioners Peck, Soltesz, Segrue, Salinas  
NOES: Commissioner Lane  
ABSTAINED:  
ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE ) ss  
CITY OF VISALIA )

ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2009-27, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 23, 2009.

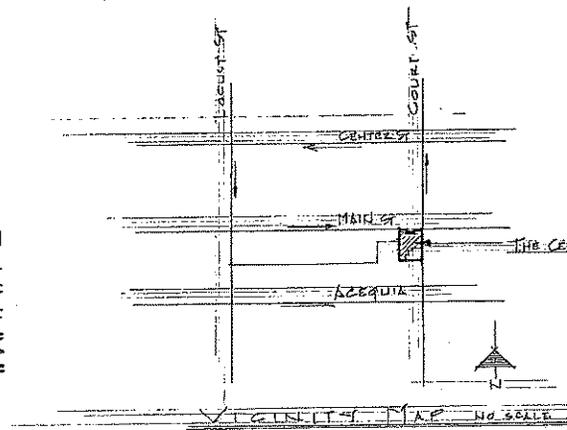
  
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Fred Brusuelas, AICP  
Community Development Assistant Director

  
\_\_\_\_\_

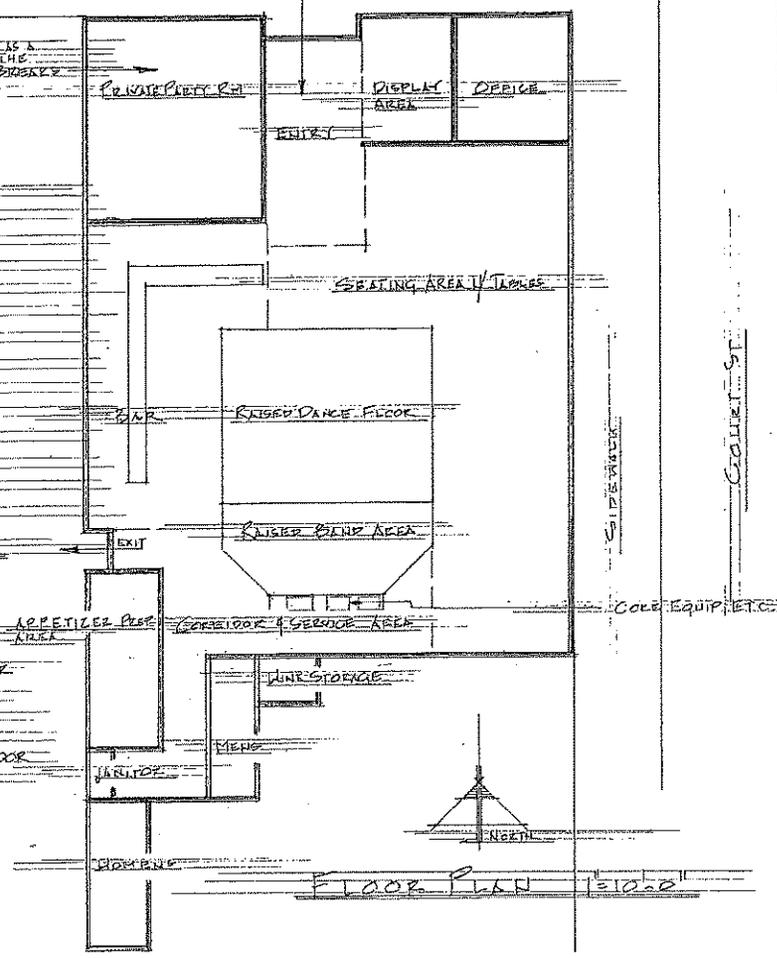
Lawrence Segrue, Chairperson

Exhibit "A"



| AREA / ROOM          | SALES |
|----------------------|-------|
| PRIVATE PARTY RM     | 433   |
| ENTRY                | 288   |
| DISPLAY AREA         | 60    |
| OFFICE               | 210   |
| SEATING AREA / TABLE | 1248  |
| BAR                  | 248   |
| RAISED DANCE FLOOR   | 515   |
| RAISED BARD AREA     | 281   |
| CORRIDOR             | 449   |
| WINE STORAGE         | 18    |
| MENS                 | 20    |
| WOMENS               | 28    |
| JANITOR              | 15    |
| TOTAL                | 4991  |

BUSINESS NAME: THE CELLER DOOR  
 ZONE: CENTRAL BUSINESS DISTRICT  
 ADDRESS: 101 MAIN ST  
 PARKING: 4 STALLS BEHIND STORE



# L. LEWIS ARCHITECT

|           |           |              |                  |             |                               |
|-----------|-----------|--------------|------------------|-------------|-------------------------------|
| SHEET NO. | JOB NO.   | ARCHITECTURE | PLANNING         | INTERIORS   | TITLE: CONDITIONAL PERMIT FOR |
|           | DATE      | 100 N CENTER | VANALIA CA 92711 | 0091 03-09M | THE CELLER DOOR               |
|           | DRAWN BY: |              |                  |             |                               |

## Cellar Door Operations Statement/Business Plan

### **Current operations:**

#### **Weekly**

Monday- Football (seasonal) /Movies (public domain)  
Wednesday- Nintendo Wii play  
Fri & Sat- Live music  
Occasional live music on weekdays & Sundays

#### **Monthly**

Open Microphone night (1-2 times)  
Wine Club tasting  
Themed party

#### **Yearly**

Visalia All Music Festival  
Movie screenings (purchased copyright)

### **About The Cellar Door**

The Cellar Door, located at 101 W Main Street (on the corner of court and main) has been in business for nearly 2 years serving wine, beer, and appetizers. It is owned by Dan and Denise Littleton and employs 7-10 staff members. The Cellar Door operates from 4pm- 2am Monday through Saturday. A recent change in management, as well as a relationship with music promoters (Aaron Gomes with Sound & Vision Magazine) has increased our customer base and popularity exponentially. We believe that this benefits Visalia in a positive way, and we strive to add an element of interest and uniqueness while focusing on the strength of Downtown Visalia and the many talents of local artists and musicians. We also enjoy referring customers to other downtown business, as we believe that we should work together as a community.

The Cellar Door would like to be allowed to host live music and events 2-4 times a week. We have offered live music every Friday and Saturday, with special events sometimes mid-week, and often during our monthly wine club events. These musical groups include genres of acoustic, folk, pop, rock, jazz, blues, country, Americana, covers, latin, funk, R&B, electronic, and more. Every act is chosen based on their ability to appease a broad range of customers, and it is not abnormal to see an age range of 21-60 at our events. Other events include a broad range of entertainment not limited to music (**See attached list**). We pride ourselves on hosting events in our safe environment, with one of the lowest records of police incidents of any similar establishment downtown. Our head of security possesses more than 10 years of experience in crowd control and can easily diffuse a situation without violence. We staff 2-3 security personnel during high occupancy events who communicate via electronic headsets, and our head of security keeps a counter at the door. While we do enjoy a lively environment with dancing, we do not cater to a rough or raucous environment, and mostly avoid types of music that encourage that behavior; including rap, heavy metal and punk.

### **How Visalia benefits:**

- The Cellar Door adds a unique venue to downtown. We offer a broad range of events that cross boundaries of age groups and demographics.
- We serve drinks responsibly, our focus is often more on the entertainment than simply drinking. Drinks are served from 4pm-1:30am.
- We don't congest business parking because our events usually take place after 9pm and/or on weekends.
- The Cellar Door believes strongly in working with other downtown businesses, by referring customers and taking part in community events
- We add to Visalia tourism- our music events often bring patrons from Los Angeles and San Francisco, who then rent hotel rooms and eat at local restaurants. We make sure to tell them about the National Forest and offer to keep them updated on future events for repeat visits.

### **Plans for growth**

The Cellar Door plans to continue serving the public with entertainment and value in a safe atmosphere. Our future plans include, but are not limited to:

- Expanding our kitchen and food serving hours
- Increasing staff
- Becoming more involved with community projects and fundraisers
- Obtaining permits to pour off-premises for fundraisers
- Obtaining permits/licensing to allow minors for special events such as weddings
- Increasing technology for communications, such as teleconferencing
- Incorporating a "virtual experience" on our website, including aspects of downtown visalia and local businesses
- Serving as an operations center for online sales of wine, merchandise, and local art

## Attachment

### Additional Events

The Cellar Door offers events that are unique and artistic, in addition to the music events we are known for. Here is a list of events that we have hosted or would like to host in the future.

- Fundraisers/benefits (St. Paul School, Boys & Girls club, Visalia Emergency Aid)
- Art exhibits (paintings, drawing, photographic, sculptures, etc)
- Meeting services for local businesses (USGBC, Rotary, etc)
- Wine club meetings (future beer club planned)
- Wine education classes
- Movie screenings (public domain and approved copyrighted)
- Nintendo Wii parties
- Book signings/ celebrity meet & greets
- Ethnic dancing/belly dancing/Ethnic appreciation
- Plays & melodramas
- Dinner theatre
- Themed parties (masquerade balls, 80's, costume parties)
- Private & public parties (Weddings, reception, anniversaries, holiday, office gatherings)
- Wine tasting
- Retail wine expos
- Magic shows
- Filming locations
- Recording live demos for musicians
- Fashion shows/ beauty seminars and demonstrations
- Live radio & TV broadcasts
- Karaoke
- Training seminars
- (LEAD) Responsible serving training hosted by ABC
- Grape stomping
- Workshops/ Seminars/ Product demonstrations
- Open microphone nights
- Comedy shows
- Historic celebrations and awareness
- Crafting classes
- Job opportunity seminars
- Business showcase events



# 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.

## IN VIOLATION OF CONDITIONAL USE PERMIT (LIVE ENTERTAINMENT)

### RESTAURANT MAY CONTINUE TO OPERATE

#### 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.

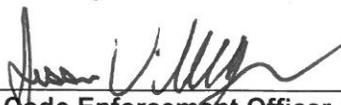
#### VMC 8.40.030

- 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, Cellar Door, located at 101 W. Main St, 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: 1-15-26

By Order of:   
Code Enforcement Officer, CCEO

#### Affidavit of Posting and/ or Hand Delivery

I solemnly swear under penalty of perjury that on January 15, 2026, I personally posted a copy of this Violation Notice to the front of 1075 E. MAIN ST, VISALIA.

JESSE VILLEGAS

559-713-4191

Code Enforcement Officer

Phone Number

## Attachment "E"



CALIFORNIA DEPARTMENT OF

# Alcoholic Beverage Control

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**Report Date:** Tuesday, January 06, 2026

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## LICENSE INFORMATION

**License Number:** 601230 **Primary Owner:** MAIN COURT, INC. **Office of Application:**  
21 - FRESNO

## BUSINESS NAME

CELLAR DOOR

## BUSINESS ADDRESS

101 W MAIN ST , VISALIA, CA, 93291

**County:** TULARE **Census Tract:** 0012.00

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## LICENSEE INFORMATION

**Licensee:** MAIN COURT, INC.

### Company Information

OFFICER: VELARDE, RENE RICO (DIRECTOR)

OFFICER: VELARDE, RENE RICO (PRESIDENT/SECRETARY)

STOCKHOLDER: VELARDE, RENE RICO

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## LICENSE TYPES

\*Allow up to six weeks for expiration date updates after renewal fee submittal.

## 47 - ON-SALE GENERAL EATING PLACE

**License Type Status:** ACTIVE **Status Date:** 26-JAN-2024 **Term:** 12 Month(s)

**Original Issue Date:** 07-NOV-2019 **Expiration Date\*:** 31-OCT-2026 **Master:** Y **Duplicate:** 0

From License Number: 47-540971

**Fee Code:** P40 **Transfers:** Transferred On: 07-NOV-2019

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### OPERATING RESTRICTIONS:

Live entertainment, including DJ performances, shall be between the hours of 7:00PM and 2:00AM each day of the week.

The monthly gross sales of alcoholic beverages shall not exceed the quarterly gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

The premises shall be maintained as a bona fide food restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.

During normal meal hours, the premises seating shall be designed and used for and must possess the necessary utensils, table service, and condiment dispensers with which to serve meals to the public.

During normal meal hours, the licensee(s) shall employ and use the services of adequate staff and employees for the preparation and service of meals, such as cook(s) and waitress(es).

During the hours of operation, there will be an owner/manager or designated responsible person, twenty-five (25) years of age or older on the premises who is in charge of the operations of the business. The manager or designated responsible person shall be qualified by the Department, pursuant to Rule 57.6.

On Fridays and Saturdays, or at any time the petitioner(s) are providing Live Entertainment, the petitioner(s) shall provide four (4) licensed uniformed security guard(s). One shall maintain order outside and three (3) shall maintain order inside therein. Said personnel shall be required 30 minutes prior to the Live Entertainment until 30 minutes after the close of business and shall be clothed in such a manner as to be readily identifiable as security.

No video/arcade games or pool/billiard table shall be maintained upon the premises.

There shall be no topless entertainment, male or female performers, or fashion shows including but not limited to wet t-shirt, lingerie shows, bikini dancing, go-go girls, pajama parties, burlesque or similar-type entertainment, permitted on the premises at any time.

All exterior door(s) shall be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) not to consist solely

of a screen or ventilated security door.

There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.

No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 12/10/2025 and ABC-253 dated 6/11/2025.

Petitioner(s) shall police the area under their control in an effort to prevent the loitering of persons about the premises as depicted on ABC-253, dated 6/11/2025.

The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated 12/10/2025 and ABC-253 dated 6/11/2025.

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### **DISCIPLINARY ACTION:**

No Active Disciplinary Action found

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### **DISCIPLINARY HISTORY:**

No Disciplinary History found.

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### **HOLDS:**

No Active Holds found

### **ESCROWS:**

No Escrow found

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### **NOTIFICATIONS:**

No notifications found



A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2009-17, A REQUEST BY DAN LITTLETON (OWNER), TO ALLOW LIVE ENTERTAINMENT, DANCING AND OTHER SPECIAL EVENTS WITHIN THE CELLAR DOOR BUILDING WHICH IS LOCATED AT 101 WEST MAIN STREET. THE CELLAR DOOR SITE IS ZONED C-DT (CENTRAL BUSINESS DISTRICT) (APN: 094-325-003)

**WHEREAS**, Conditional Use Permit No. 2009-17: A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on March 9, 2009, and continued said hearing to March 23, 2009; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice did hold and conclude said hearing on March 23, 2009; and

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

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

1. That the proposed project, 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, South Packwood Creek Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located because staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses given the fact that the Visalia Police Department has established conditions that are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as

police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in revocation of their CUP.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2009-21).

**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 and maintained in substantial conformance with the site plan (Exhibit "A"), operational statement (Exhibit "B").
2. Hours of operation shall be permitted only between the hours of 6:00 am and 2:00 am. Monday through Sunday.
3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside of the premises; nor shall the music exceed the City noise standards as prescribed by the Noise Element.
4. **Live entertainment, including the use of a live DJ, shall be permitted only between the hours of 7:00 pm and 2:00 am Monday through Sunday. The music shall not exceed the City noise standards as prescribed by the Noise Element. Day use live entertainment shall be allowed on a non-amplified basis with no dancing.**
5. **During Live bands/DJ performance between the hours of 7:00 pm and 2:00 am patrons are to be 21 years of age and older. Person employed by the establishment will be exempt from the age limit of 21 years and older. There shall be no topless or nude dancing allowed.**
6. There shall be no adult entertainment including lingerie shows.
7. **The applicant shall submit a physical security plan to the City Planner for review and approval. Such physical security plan may be modified or withdrawn by the applicant subject to the City Planner's review and approval; or may be revoked for cause by the City Planner. In the event the physical security plan is withdrawn or revoked, then at all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.**

8. Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.
9. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
10. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises.
11. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
12. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk.
13. Patrons shall use only the main entrance of the business to enter and exit the business except in the event of an emergency.
14. 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 with the business directed to the outside. Special event posters may be placed inside of the windows on a temporary basis.
15. No video/arcade games or pool or billiard table shall be maintained upon the premises.
16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.

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

AYES: Commissioners Peck, Soltesz, Segrue, Salinas  
NOES: Commissioner Lane  
ABSTAINED:  
ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE ) ss  
CITY OF VISALIA )

ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2009-27, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 23, 2009.

  
\_\_\_\_\_

Fred Brusuelas, AICP  
Community Development Assistant Director

  
\_\_\_\_\_

Lawrence Segrue, Chairperson

## City of Visalia

### **Memo**

**To:** Planning Commission

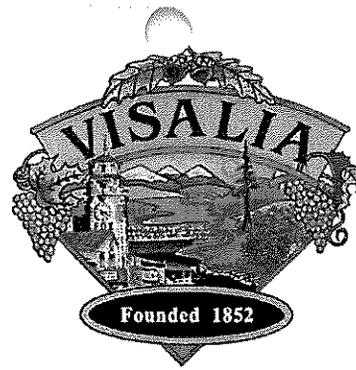
**From:** Paul Bernal, Associate Planner

(559) 713-4025

**Date:** March 23, 2009

**Re:** Continuation of Conditional Use Permit No. 2009-17 for the Cellar Door

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Due to the applicants concern regarding Condition No. 7 of the Conditions of Project approval, staff requested a continuance of the Public Hearing item. Staff requested the continuance of this item to the March 23, 2009 meeting so that staff could meet with the various City departments to craft an appropriate condition that meets the direction of the Planning Commission.

During the Public Hearing, the applicant stated that Condition No. 7 placed a financial burden on the business by requiring licensed security guards which would result in increased operating cost. The applicant contends their current physical security plan is adequate because the security detail provided by the Cellar Door already controls crowds within and outside the building. The applicant's justification for use of their own security detail rather than hiring a licensed security detail is based their ability to control their patrons which has resulted in no "calls for service" to the Police Department.

Staff recently met with the Police Department to address Condition No. 7. Based on this meeting, Condition No. 7 was modified to City staffs approval. The modified condition was provided to the applicant on March 19, 2009. The applicant is agreeable to the condition which is as follows:

**The applicant shall submit a physical security plan to the City Planner for review and approval. Such physical security plan may be modified or withdrawn by the applicant subject to the City Planner's review and approval; or may be revoked for cause by the City Planner. In the event the physical security plan is withdrawn or revoked, then at all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.**

Staff recommends that Condition No. 7 be modified and incorporated into Planning Commission Resolution No. 2009-27.

In addition, the applicant has requested that live entertainment be permitted from **7:00 pm to 2:00 am** rather than **9:00 pm to 2:00 am** as required per Condition Nos. 4 and 5. Staff is supportive of this request and recommends that the Planning Commission modify the hours of live entertainment from **7:00 pm to 2:00 am**. The modified conditions have been incorporated into the Conditions of Project Approval which are contained in the attached Planning Commission Resolution No. 2009-27.

Attachments: Planning Commission Resolution No. 2009-27

cc: Dan Littleton, Owner  
J.R. Guerra, Operator  
Fred Brusuelas, City Planner  
Capitan Glen Newsom, Visalia Police Department

RESOLUTION NO. 2009-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2009-17, A REQUEST BY DAN LITTLETON (OWNER), TO ALLOW LIVE ENTERTAINMENT, DANCING AND OTHER SPECIAL EVENTS WITHIN THE CELLAR DOOR BUILDING WHICH IS LOCATED AT 101 WEST MAIN STREET. THE CELLAR DOOR SITE IS ZONED C-DT (CENTRAL BUSINESS DISTRICT)  
(APN: 094-325-003)

**WHEREAS**, Conditional Use Permit No. 2009-17: A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15305.

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

1. That the proposed project, 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, South Packwood Creek Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located because staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses given the fact that the Visalia Police Department has established conditions that are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as

police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in revocation of their CUP.

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16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** March 9, 2009

**PROJECT PLANNER:** Paul Bernal, Associate Planner  
Phone No.: (559) 713-4025

**SUBJECT: Conditional Use Permit No. 2009-17:** A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street. The Cellar Door site is zoned C-DT (Central Business District). (APN: 094-325-003)

## STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2009-27 for Conditional Use Permit No. 2009-17, as conditioned, based on the projects consistency with policies of the City General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2009-17, as conditioned, based on the findings and conditions in Resolution No. 2009-27.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2009-17 is a request to allow live entertainment, events, and dancing in the Cellar Door which is located in the C-DT zone. The Cellar Door is not considered a bonafide restaurant but does provide appetizers in addition to serving beer and wine. The Cellar Door does not serve distilled spirits.

The Cellar Door has been in business for approximately two years. The prior tenant, La Chai, was a retail wine store with wine tasting. The total floor space of the Cellar Door is approximately 4,494 square feet, which is comprised of the bar area, serving areas, seating areas, private party room, raised dance floor/venue area, and bathrooms. There are no outdoor seating areas associated with this use.

According to a floor plan submitted by the applicant (see Exhibit "A"), the raised dance floor and stage area is located in the center of the room and comprises approximately 757 square feet of the gross floor area. The raised stage area is surrounded by seating and table areas and the bar. The seating area is not relocated during live entertainment events. Based on staff correspondence with the applicant, the primary form of live entertainment are live bands/musicians. In addition, the Cellar Door is used as a venue forum for fundraiser benefits, art exhibitions, wine club meetings, Nintendo Wii parties, themed parties and private/public parties, etc. (see, Exhibit "B", Operational Statement).

According to the operational statement submitted by the applicant (see Exhibit "B"), the applicant is requesting live entertainment seven days a week, although the forms of live entertainment differ from day to day. Staff has reviewed this request and recommends live entertainment be allowed seven days a week; however, the applicant is required to comply with all other conditions as identified in conditions of project approval. Failure to adhere to all of the conditions of project approval will result in suspension and may result in revocation of this CUP pursuant to the provisions of Chapter 17.38 of the Visalia Municipal Code.

Currently, the Cellar Door operates six days a week from 4:00 p.m. until 2:00 a.m. on Monday through Saturday. Occasional events are held on Sundays. The proposed hours for live entertainment events would be from 9:00 p.m. to closing.

### **BACKGROUND INFORMATION**

General Plan Land Use Designation: C-DT (Central Business District)  
Zoning: C-DT (Central Business District)  
Surrounding Land Use and Zoning: North: C-DT (Central Business District) / Main Street & Starbucks  
South: C-DT (Central Business District) / Public Alley & Lucky Limes Building  
East: C-DT (Central Business District) / Court St. & Bank of Sierra Building  
West: C-DT (Central Business District) / Jeweler Business  
Environmental Review: Categorical Exemption No. 2009-21  
Special Districts: Design District "DRD"  
Site Plan: 2008-194

### **RELATED PLANS & POLICIES**

None.

### **ZONING REQUIREMENTS**

The operations proposed by the applicant represent the use of this building as a venue that provides continuous live entertainment and private/public events seven days a week. The City Planner has determined that the proposed request constitutes a nightclub and therefore requires a CUP since the primary use (i.e., live entertainment and dancing) are uses that are associated with nightclubs.

### **RELATED PROJECTS**

There are no Conditional Use Permits on file which regulate the Cellar Door. The building has been occupied by various businesses. The previous use prior to the Cellar Door business had been a retail wine store with wine tasting. No prior businesses/uses have used this site for live entertainment.

### **PROJECT EVALUATION**

The following potential issue areas have been identified for the proposed project:

#### **Live Entertainment and Club Events at the Cellar Door**

The submittal of the Site Plan Review (SPR) and subsequent CUP application for live entertainment at the Cellar Door is a result of a code enforcement action filed by the Code Enforcement Division. The owner of the property was issued a "Notice and Order" due to operating a nightclub without the proper entitlement permit. The owner/operator of the Cellar Door was unaware of the city's CUP requirement for nightclubs. The applicant was given a

“Revise and Proceed” from the SPR Committee on October 22, 2008, with conditions from various departments (SPR Committees comments are attached to this report) which included the requirement to submit a CUP application for live entertainment and dancing.

Land Use Compatibility

The Visalia Zoning Matrix identifies nightclubs as a conditional use in the C-DT zone, and requires the submittal and approval of a CUP application. Through the CUP process, potential land uses impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses.

Staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses. The conditions are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in a hearing and revocation of their CUP.

It should be noted that if CUP No. 2009-17 is denied, no live entertainment and/or dancing would be allowed. The Cellar Door is not a bonafide restaurant and based on the applicant’s operational statement, the primary function of this venue is live entertainment and club/organizational events.

Alcoholic Beverage Control License and Special Conditions of Approval

The Cellar Door currently has a Type 42 license that has been issued by the State Department of Alcoholic Beverage Control (ABC).

The Department defines a Type 47 license as follows:

*Type 42, On Sale Beer & Wine — Public Premises (Bar, Tavern): Authorizes the sale of beer and wine on or off the premises where sold. No distilled spirits may be on the premises. Minors are allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.*

The current ABC license does not contain conditions/provisions regarding live entertainment and dancing. Staff is recommending a condition that all necessary licenses from the ABC shall be obtained, kept current, and complied with.

Noise

The Visalia Police Department has issued conditions that require the business to keep noise emitted from the restaurant within the limits established by the City of Visalia’s Noise Ordinance. The Noise Element contains a policy which states that such uses shall be consistent with noise exposure levels mandated by the California Office of Noise Control. Specific limits have been established by the California Office of Noise Control, and are identified in a figure from the City Noise Element (see Noise Ordinance section 8.36).

**NOISE LEVEL STANDARDS, dBA**

| Category | Number of minutes in any one-hour time period | Evening and Daytime (6 a.m. to 7 p.m.) | Nighttime (7p.m. to 6 a.m.) |
|----------|---|--|-----------------------------|
| 1        | 30  | 50 dBA                                 | 45 dBA                      |
| 2        | 15  | 55 dBA                                 | 50 dBA                      |
| 3        | 5   | 60 dBA                                 | 55 dBA                      |
| 4        | 1   | 65 dBA                                 | 60 dBA                      |
| 5        | 0   | 70 dBA                                 | 65 dBA                      |

Staff concludes that the project as conditioned will be able to meet and adhere to these maximum noise levels on an ongoing basis.

#### Visalia Police Department Review

The Visalia Police Department has reviewed the applicant's proposed operational plan, and does not make any further recommendations on the conditions beyond those which were provided to the owner/operator during the SPR process.

#### 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, as recommended by staff will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the planning commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice producers, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).

#### Environmental Review

The requested action is considered a minor alteration in land use limitations as provided in the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15305, and is therefore Categorically Exempt from a full environmental review. (Categorical Exemption No. 2009-21).

### **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:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2009-21)

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed and maintained in substantial conformance with the site plan (Exhibit "A"), operational statement (Exhibit "B").
2. Hours of operation shall be permitted only between the hours of 6:00 am and 2:00 am. Monday through Sunday.

3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside of the premises; nor shall the music exceed the City noise standards as prescribed by the Noise Element.
4. Live entertainment, including the use of a live DJ, shall be permitted only between the hours of 9:00 pm and 2:00 am Monday through Sunday. The music shall not exceed the City noise standards as prescribed by the Noise Element. Day use live entertainment shall be allowed on a non-amplified basis with no dancing.
5. During Live bands/DJ performance between the hours of 9:00 pm and 2:00 am patrons are to be 21 years of age and older. Person employed by the establishment will be exempt from the age limit of 21 years and older. There shall be no topless or nude dancing allowed.
6. There shall be no adult entertainment including lingerie shows.
7. At all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.
8. Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.
9. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
10. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises.
11. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
12. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk.
13. Patrons shall use only the main entrance of the business to enter and exit the business except in the event of an emergency.
14. 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 with the business directed to the outside. Special event posters may be placed inside of the windows on a temporary basis.
15. No video/arcade games or pool or billiard table shall be maintained upon the premises.
16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.

17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.

### **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 on a conditional use permit application. An appeal shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record.

#### **Attachments:**

- Related Plans and Policies
- Resolution No. 2009-27
- Exhibit "A" – Floor Plan illustrating Proposed Activity Area for the Cellar Door
- Exhibit "B" – Cellar Door Operational Statement
- Site Plan Review Comments/Conditions
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

RESOLUTION NO. 2009-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2009-17, A REQUEST BY DAN LITTLETON (OWNER), TO ALLOW LIVE ENTERTAINMENT, DANCING AND OTHER SPECIAL EVENTS WITHIN THE CELLAR DOOR BUILDING WHICH IS LOCATED AT 101 WEST MAIN STREET. THE CELLAR DOOR SITE IS ZONED C-DT (CENTRAL BUSINESS DISTRICT) (APN: 094-325-003)

**WHEREAS**, Conditional Use Permit No. 2009-17: A request by Dan Littleton (Owner), to allow live entertainment, dancing and other special events within the Cellar Door building which is located at 101 West Main Street; and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice did hold a public hearing before said Commission on March 9, 2009; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15305.

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

1. That the proposed project, 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, South Packwood Creek Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located because staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses given the fact that the Visalia Police Department has established conditions that are crafted to ensure a safe environment for patrons and employees of the Cellar Door, as well as police officers who respond to this business in the event of an incident. Failure by the owner/operator to comply with these conditions may result in revocation of their CUP.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2009-21).

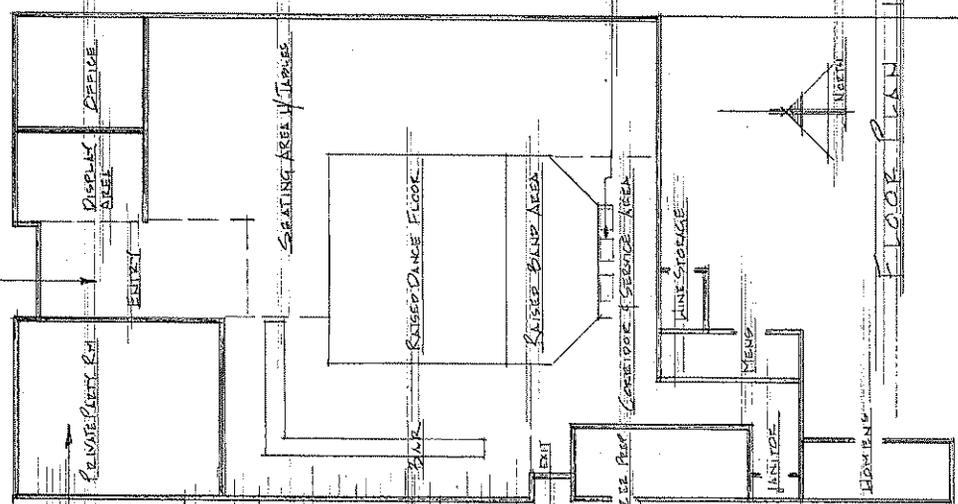
**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed and maintained in substantial conformance with the site plan (Exhibit "A"), operational statement (Exhibit "B").
2. Hours of operation shall be permitted only between the hours of 6:00 am and 2:00 am. Monday through Sunday.
3. A single jukebox or stereo may be maintained upon the premises; however, the music shall not be audible outside of the premises; nor shall the music exceed the City noise standards as prescribed by the Noise Element.
4. Live entertainment, including the use of a live DJ, shall be permitted only between the hours of 9:00 pm and 2:00 am Monday through Sunday. The music shall not exceed the City noise standards as prescribed by the Noise Element. Day use live entertainment shall be allowed on a non-amplified basis with no dancing.
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6. There shall be no adult entertainment including lingerie shows.
7. At all times when the premises are providing entertainment, including the use of a DJ or dancing and until one-half hour after entertainment or dancing ceases, the petitioner shall provide licensed uniformed security guards outside of the premises to maintain order, and to prevent loitering and large crowds from forming outside and creating a law enforcement problem. Approximately 1 inside security for every 50 patrons shall be provided and shall coordinate with the licensed security outside. The inside security must be identifiable to patrons and other security personnel.
8. Petitioners shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises.
9. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
10. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises.
11. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.

12. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business and shall keep the public sidewalk area directly in front of the business open for public pedestrian use. This waiting area shall be defined by a solid visible line on the ground or a portable non-permanent rope style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk.
13. Patrons shall use only the main entrance of the business to enter and exit the business except in the event of an emergency.
14. 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 with the business directed to the outside. Special event posters may be placed inside of the windows on a temporary basis.
15. No video/arcade games or pool or billiard table shall be maintained upon the premises.
16. The occupancy load limitations that have been established for the business cannot be exceeded and the occupancy load limits of the establishment shall always be posted. During times that security guards are required they must be able to provide the number of patrons in the building when requested.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2009-17.
18. That all applicable federal, state and city laws, codes and ordinances be met.
19. Inspections on the premises may be conducted at any time during business hours to validate conformance with the conditions of approval.
20. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2009-17.

MAIN ST

SPRINKLER



FLOOR PLAN 10'-0"

THIS AREA IS USED AS A REST AREA FOR THE BAND DURING BREAKS

- KITCHEN ROOM 123
- PRIVATE PARTY RM 288
- ENTRY 60
- BAR 210
- SEATING AREA / TABLES 242
- BAR 648
- RAISED DANCE FLOOR 525
- KITCHEN BAR AREA 132
- CORRIDOR 449
- MINI STORAGE 43
- MENS 20
- WOMENS 108
- JANITOR 15
- EXIT 194

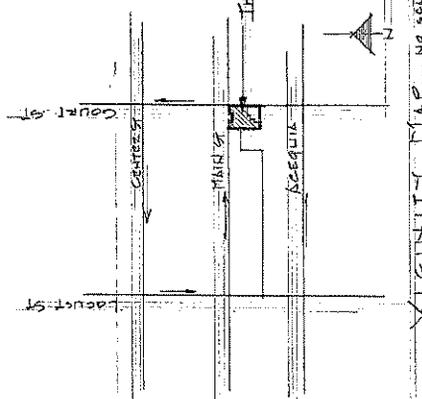


Exhibit "A"

APPELLATE PASS CORRIDOR / SERVICE AREA

BUSINESS NAME: THE CELLAR DOOR

ZONE: CENTRAL BUSINESS DISTRICT

ADDRESS: 101 W. MAIN ST

PARKING: 4 STALLS: REAR DOOR

# L. LEWIS ARCHITECT

INTERIORS

PLANNING

ARCHITECTURE

JOB No. DATE DRAWN BY:

SHEET No

TITLE: CONCEPTUAL PERMIT FOR THE CELLAR DOOR

100 N. CENTER, VESPA, CA 93080

100 N. CENTER, VESPA, CA 93080

**Cellar Door Operations Statement/Business Plan**

**Current operations:**

**Weekly**

Monday- Football (seasonal) /Movies (public domain)  
Wednesday- Nintendo Wii play  
Fri & Sat- Live music  
Occasional live music on weekdays & Sundays

**Monthly**

Open Microphone night (1-2 times)  
Wine Club tasting  
Themed party

**Yearly**

Visalia All Music Festival  
Movie screenings (purchased copyright)

**About The Cellar Door**

The Cellar Door, located at 101 W Main Street (on the corner of court and main) has been in business for nearly 2 years serving wine, beer, and appetizers. It is owned by Dan and Denise Littleton and employs 7-10 staff members. The Cellar Door operates from 4pm- 2am Monday through Saturday. A recent change in management, as well as a relationship with music promoters (Aaron Gomes with Sound & Vision Magazine) has increased our customer base and popularity exponentially. We believe that this benefits Visalia in a positive way, and we strive to add an element of interest and uniqueness while focusing on the strength of Downtown Visalia and the many talents of local artists and musicians. We also enjoy referring customers to other downtown business, as we believe that we should work together as a community.

The Cellar Door would like to be allowed to host live music and events 2-4 times a week. We have offered live music every Friday and Saturday, with special events sometimes mid-week, and often during our monthly wine club events. These musical groups include genres of acoustic, folk, pop, rock, jazz, blues, country, Americana, covers, latin, funk, R&B, electronic, and more. Every act is chosen based on their ability to appease a broad range of customers, and it is not abnormal to see an age range of 21-60 at our events. Other events include a broad range of entertainment not limited to music (**See attached list**). We pride ourselves on hosting events in our safe environment, with one of the lowest records of police incidents of any similar establishment downtown. Our head of security possesses more than 10 years of experience in crowd control and can easily diffuse a situation without violence. We staff 2-3 security personnel during high occupancy events who communicate via electronic headsets, and our head of security keeps a counter at the door. While we do enjoy a lively environment with dancing, we do not cater to a rough or raucous environment, and mostly avoid types of music that encourage that behavior; including rap, heavy metal and punk.

### **How Visalia benefits:**

- The Cellar Door adds a unique venue to downtown. We offer a broad range of events that cross boundaries of age groups and demographics.
- We serve drinks responsibly, our focus is often more on the entertainment than simply drinking. Drinks are served from 4pm-1:30am.
- We don't congest business parking because our events usually take place after 9pm and/or on weekends.
- The Cellar Door believes strongly in working with other downtown businesses, by referring customers and taking part in community events
- We add to Visalia tourism- our music events often bring patrons from Los Angeles and San Francisco, who then rent hotel rooms and eat at local restaurants. We make sure to tell them about the National Forest and offer to keep them updated on future events for repeat visits.

### **Plans for growth**

The Cellar Door plans to continue serving the public with entertainment and value in a safe atmosphere. Our future plans include, but are not limited to:

- Expanding our kitchen and food serving hours
- Increasing staff
- Becoming more involved with community projects and fundraisers
- Obtaining permits to pour off-premises for fundraisers
- Obtaining permits/licensing to allow minors for special events such as weddings
- Increasing technology for communications, such as teleconferencing
- Incorporating a "virtual experience" on our website, including aspects of downtown visalia and local businesses
- Serving as an operations center for online sales of wine, merchandise, and local art

## **Attachment**

### **Additional Events**

The Cellar Door offers events that are unique and artistic, in addition to the music events we are known for. Here is a list of events that we have hosted or would like to host in the future.

- Fundraisers/benefits (St. Paul School, Boys & Girls club, Visalia Emergency Aid)
- Art exhibits (paintings, drawing, photographic, sculptures, etc)
- Meeting services for local businesses (USGBC, Rotary, etc)
- Wine club meetings (future beer club planned)
- Wine education classes
- Movie screenings (public domain and approved copyrighted)
- Nintendo Wii parties
- Book signings/ celebrity meet & greets
- Ethnic dancing/belly dancing/Ethnic appreciation
- Plays & melodramas
- Dinner theatre
- Themed parties (masquerade balls, 80's, costume parties)
- Private & public parties (Weddings, reception, anniversaries, holiday, office gatherings)
- Wine tasting
- Retail wine expos
- Magic shows
- Filming locations
- Recording live demos for musicians
- Fashion shows/ beauty seminars and demonstrations
- Live radio & TV broadcasts
- Karaoke
- Training seminars
- (LEAD) Responsible serving training hosted by ABC
- Grape stomping
- Workshops/ Seminars/ Product demonstrations
- Open microphone nights
- Comedy shows
- Historic celebrations and awareness
- Crafting classes
- Job opportunity seminars
- Business showcase events

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- Comedy shows
- Historic celebrations and awareness
- Crafting classes
- Job opportunity seminars
- Business showcase events

**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 2009-17

**PROJECT TITLE**

101 West Main Street

**PROJECT LOCATION**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

A request to allow live entertainment and dancing within the Cellar Door in the C-DT (Central Business District) zone.

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

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Dan Littleton, 101 West Main Street; Visalia, CA 93291

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

N/A

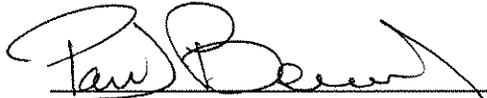
**NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT**

**EXEMPT STATUS:** (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - Section 15305
- Statutory Exemptions- State code number:

Change in use of existing structure which is less than 10,000 sq. ft.

**REASON FOR PROJECT EXEMPTION**



Paul Bernal, Associate Planner  
**CONTACT PERSON**

February 26, 2009

**DATE**

(559) 713-4025

**AREA CODE/PHONE**



Fred Brusuelas, AICP  
**ENVIRONMENTAL COORDINATOR**

## Chapter 17.38

### CONDITIONAL USE PERMITS

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#### 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)

# Attachment "I"

**Colleen Moreno**

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**From:** fmpi@att.net  
**Sent:** Tuesday, February 17, 2026 2:29 PM  
**To:** Planning  
**Subject:** CUP # 2009-17

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Some people who received this message don't often get email from fmpi@att.net. [Learn why this is important](#)

City of Visalia Planning Commission  
315 East Acequia Avenue  
Visalia, CA 93291

Re: Public Comment – Support for Revocation of Conditional Use Permit  
Cellar Door, 101 West Main Street

Dear Planning Commission Members,

My name is Eric Hanson, and I am the owner of a parcel inside the 300 ft radius of the subject property location. My mailing address is P.O. Box 382, Visalia, CA 93279. I am writing to express my support for the revocation of the Conditional Use Permit associated with the Cellar Door business located at 101 West Main Street.

As a member of the local community, I believe that conditional use permits are granted with the expectation that the business will operate in a manner consistent with public safety, neighborhood compatibility, and the conditions imposed by the City. When those expectations are not met, the City has a responsibility to protect the surrounding community and enforce its own standards.

Based on the issues that have led to this hearing, it appears that the conditions of the permit have not been adequately maintained or enforced. Allowing continued operation under these circumstances would undermine the purpose of conditional use permits and set a precedent that conditions are optional rather than mandatory.

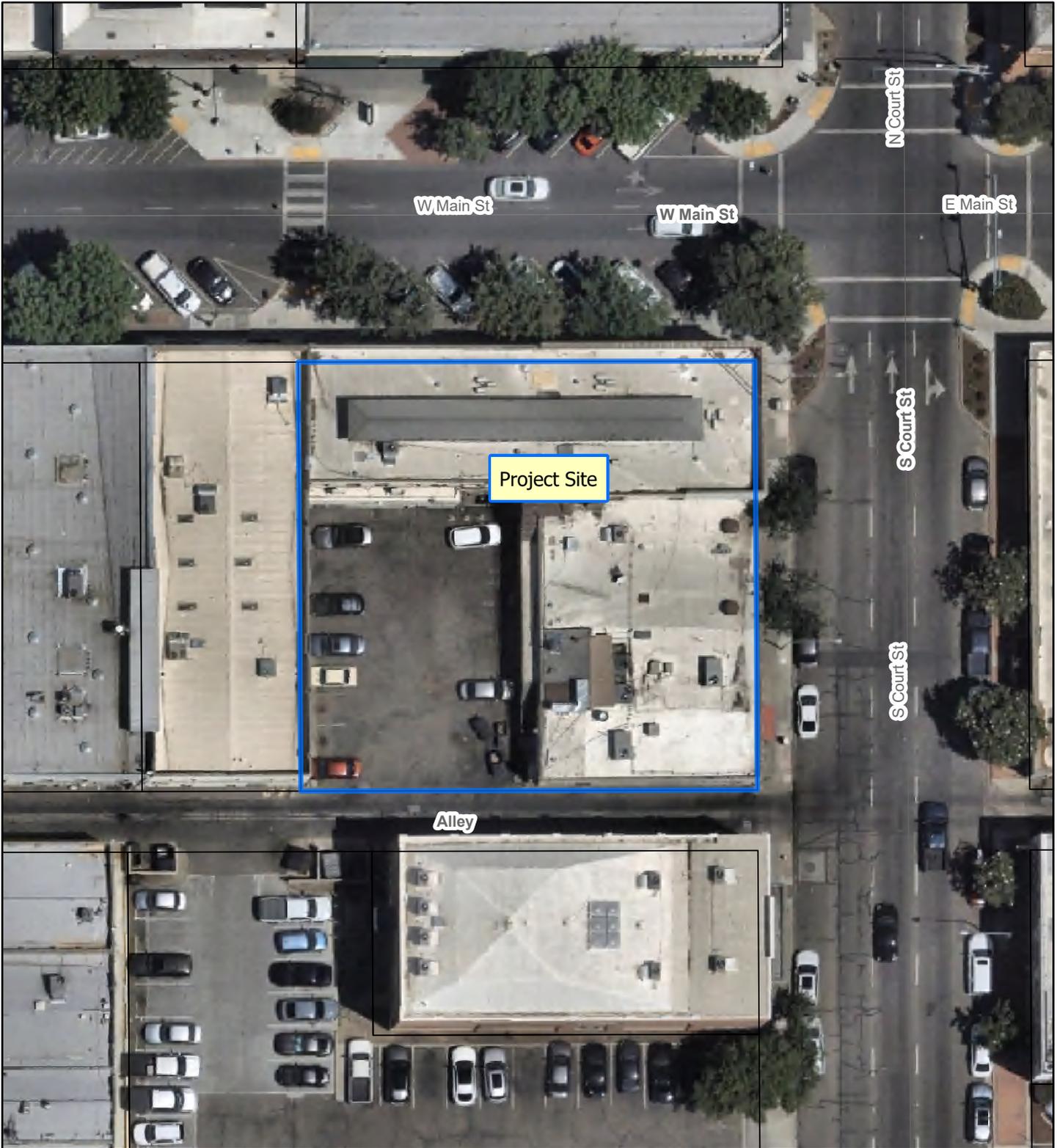
Downtown Visalia should remain a safe, welcoming, and family-friendly environment for residents, visitors, and other businesses. Revoking the permit in this case would reinforce the City's commitment to accountability and to maintaining a high standard for establishments operating under special permissions.

For these reasons, I respectfully request that the Planning Commission vote in favor of revoking the Conditional Use Permit for the Cellar Door at 101 West Main Street.

Thank you for your time and consideration.

Sincerely,

Eric Hanson  
P.O. Box 382  
Visalia, CA 93279



Project Site

W Main St

W Main St

E Main St

N Court St

S Court St

S Court St

Alley



Vicinity Map

# Aerial Map

