

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

April 9, 2018

**KENSINGTON ESTATES – TENTATIVE SUBDIVISION MAP  
CONDITIONAL USE PERMIT NO. 2017-17  
ZONE AMENDMENT NO. 722**

**PROJECT PLANNER:** Steven Sopp, Associate Planner

**APPLICANT:** San Joaquin Valley Homes

**ENGINEER:** 4Creeks

**LOCATION:** Property is approximately 28.6 acres located on the northeast corner of Cartmill Avenue and De La Vina Street.

**APN:** 149-060-013

**ZONING CLASSIFICATION:** R-1-6 (Single Family Residential)  
*Project proposes a Zone Change to Single Family Residential (R-1-4)*

**GENERAL PLAN DESIGNATION:** Low Density Residential

**SURROUNDING LAND USES AND ZONING:**

<b>North:</b> School (Liberty)	<b>PL</b>
<b>South:</b> Residential	<b>R-1-7</b>
<b>West:</b> Vacant Land (County)	<b>AE-20</b>
<b>East:</b> Vacant Land	<b>R-1-6</b>

**REQUEST**

The following items are requested:

- Zone Amendment 722 - request to change the existing zone from R-1-7 (Single Family Residential, 7,000 sq. ft. minimum lot area) to R-1-4 (Small Lot Single Family Residential – 3,200 square foot minimum lot area).
- Conditional Use Permit 2017-17 – A Conditional Use Permit Application is required for a small lot residential development per City of Tulare Municipal Code Section 10.33.030.
- Kensington Estates Tentative Subdivision Map – A request to establish a 134-lot single family small lot residential subdivision on approximately 28.6 acres.

## **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration addendum and approve the Kensington Estates Tentative Subdivision Map and Conditional Use Permit No. 2017-17 subject to the findings and conditions in Resolution No. 5280. Staff also recommends that the Planning Commission recommend to the City Council approval of Zone Amendment No. 722 subject to the findings and conditions in Resolution No. 5281. Staff's recommendation is based on the findings and the project's consistency with the policies and intent of the City's General Plan and Municipal Code.

## **RELATED PREVIOUS PROJECTS:**

North Tulare No. 26 Reorganization 2004-06 – annexation of approximately 160 acres and detachment from Tulare Irrigation District. LAFCO approved 10/12/05.

General Plan Amendment 2004-05 – amendment of the land use designation to include commercial at the corner of Cartmill Avenue and Mooney Boulevard and at the corner of Pacific Avenue and Mooney Boulevard; relocation of the Urban Residential designation from the southeast portion of the property to the northwest corner of the project site; provide for a public lands designation for park-pond basin and to relocate the Urban Reserve Line (URL). City Council approval 10/5/05.

Zone Amendment No. 599 – pre-zoned property to R-1-6 (single family residential – 6,000 sq. ft. minimum parcel area), R-1-7 (single family residential – 7,000 sq. ft. minimum parcel area), and RM-2 (multiple family residential – 3,000 sq. ft. minimum lot area per unit), PL (public lands) and C-3 (retail commercial). City Council approval 10/5/05.

Willow Glen Tentative Subdivision Map – 392 single family homes on 100.77 acres, 68 multi-family dwelling units on 11.28 acres and 13.70 acre retail commercial parcel. Originally approved in 2004 and revised on 9/12/2016.

Zone Amendment No. 717 – Amend zoning to redistribute 15.9 acres from Community Commercial (C-3) to Single Family Residential (R-1-6 minimum 6,000 sf lot area) and approximately 4 acres of Single Family Residential (R-1-7 minimum 7,000 sf lot area) to Multi-Family Residential (R-M-2, 3,000 sf minimum lot area per unit). City Council approval 10/18/2016.

## **DETAILS OF THE PROPOSAL:**

This is a request by San Joaquin Valley Homes to subdivide approximately 28.6 acres into a 134-lot single-family residential subdivision to be zoned R-1-4 (Small Lot Single Family Residential – 3,200 square foot minimum lot area) in three phases.

The subject parcel is currently zoned R-1-7 (Single Family Residential, 7,000 sq. ft. minimum lot area). The applicant proposes to amend the Zoning Map to allow for the proposed single family residential development. The Zone Amendment is a request to change the existing zone from R-1-7 (Single Family Residential, 7,000 sq. ft. minimum lot area) to R-1-4 (Small Lot Single Family Residential – 3,200 square foot minimum lot area).

The project is proposed on portions of three parcels totaling approximately 28.6 acres located on the northeast corner of Cartmill Avenue and De La Vina Street. Entry to the development will be off of two access points from the extension of De La Vina Street and the construction of “A” Street north of Cartmill Avenue. The subject property is vacant.

The project is a small lot, single family concept in a “five pack” or “garden style” design. The five pack refers to clusters of 5 single family lots, typically with 2 single story homes set to the front and 3 single story homes set along the rear. A 20 foot wide private driveway will provide the rear homes with access to the public street. Interior fences will be typical of traditional single family residential neighborhoods (6 foot high wood fencing). Homeowners will own their lot, and be responsible for the maintenance of their landscaping and fencing as in any traditional single family subdivision. In addition, the applicant will formulate CC&R’s which require homeowners to maintain landscaping and common driveways.

A 7-foot tall block wall with backing lot treatment will be required for parcels along De La Vina Street, Cartmill Avenue and ‘A’ Street. A 7-foot tall block wall will be required along the northern boundary of the proposed development as well as along lot boundaries which adjoin the proposed park/pond area. An assessment district in conformance with the Landscaping and Lighting Act of 1972 would be required to be formed to provide funding for the maintenance and servicing of landscaping improvements, sidewalks, and fences/block walls within common lot areas (including areas of backing lot treatment), and for street maintenance on local streets within the project boundaries.

The proposed project site was previously part of a portion of the Willow Glen Subdivision, which was originally approved by the Planning Commission on February 27, 2006. Subsequently, changes to the design and quantities of the development were requested and approved by the Planning Commission on September 12, 2016. If approved, this current tentative subdivision map will supersede the previous 2016 approval for that portion of the Willow Glen Subdivision for which the proposed Kensington Estates Tentative Subdivision pertains.

#### **STAFF COMMENTS:**

The proposed Tentative Subdivision Map has been reviewed in accordance with § 8.24 – Subdivision Regulations of the City of Tulare Municipal Code. In addition, the proposed Tentative Subdivision Map is in compliance with the Subdivision Map Act.

The existing General Plan designation for the site is low density residential within the City of Tulare’s adopted 2035 General Plan. The existing zoning is R-1-7 (Single Family Residential, 7,000 sq. ft. minimum lot area) and is consistent with the existing General Plan designation. The applicant is proposing a Zone Amendment to change the zoning designation from R-1-7 (Single Family Residential, 7,000 sq. ft. minimum lot area) to the R-1-4 (Small Lot Single Family Residential – 3,200 square foot minimum lot area) zone district, which would also be consistent with the General Plan. Staff has determined that the proposed zone amendment would not negatively affect the number of low income units counted toward the City’s Regional Housing Needs Allocation adopted within the City’s Housing Element.

The development standards of the R-1-4 zone district would apply to the Tentative Subdivision Map as well as the design standards of the Subdivision Regulations. The minimum lot size for the R-1-4 zone district is 3,200 square feet. Setbacks are to be consistent with the adopted small lot residential guidelines. The front yard setback is 7-feet. In general, a minimum of 8 feet side setback shall be provided between buildings. This means that houses can have a zero-lot-line setback as long as there are 8 feet of separation with the next house. An additional 2 feet of setback is required for each additional story. The minimum lot dimensions required would be as follows:

<i>District</i>	<i>Lot Width w/Alley</i>	<i>Lot Width wo/Alley</i>	<i>All Lots Depth</i>
R-1-4	30 feet	40 feet	65 feet

The Site Plan Review Committee, consisting of representatives from Public Works, Engineering, Planning, Community Services, Fire and Solid Waste reviewed this project with the applicant on January 16, 2018. The Public Works Director and City Engineer, have determined that the proposed project would not have a significant impact on the existing water system. The water distribution system within the project site would be provided and maintained by the City. The proposed development would provide connections to the existing, adjacent water and sewer lines. The proposed development would be required to connect to existing storm water lines. Storm water collection from the subdivision would be located at a temporary basin on-site until a planned regional basin becomes available to the west of the proposed subdivision.

Electrical and gas service to the Project site would be provided by Southern California Edison and the Gas Company. AT&T would provide telephone service and cable television service would be provided by Comcast. The Applicant would be required to extend the services to the project site.

**ENVIRONMENTAL:**

An Environmental Impact Report (EIR) was prepared, circulated, and certified for the Willow Glen Development Project in 2004 which analyzed construction of 391 single family residential units, 7.0 acres of multi-family residential units and development of 29.6 acres of community commercial land. Construction was not completed and in 2016

revisions to the quantities and design of the development were proposed. Due to changes to the environmental setting and changes to the quantities and design of the development, further environmental analysis was required. On September 12, 2016, the Planning Commission adopted an Initial Study/Mitigated Negative Declaration (MND) which analyzed the proposed changes.

The Kensington Estates Tentative Subdivision now proposes changes to design and density for a 28.6 acre portion of the Willow Glen Development and a zone change from R-1-7 to R-1-4. When a proposed project is changed or there are changes in environmental setting, a determination must be made by the Lead Agency as to whether an Addendum or subsequent MND is prepared. Based upon analysis of the Original EIR, the adopted MND and current project description, it was determined:

- No new significant impacts will result from the project or from new mitigation measures.
- No substantial increase in the severity of environmental impact will occur.
- No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact been found to be feasible.

Therefore, in accordance with California Environmental Quality Act (CEQA) sections 15162 and 15164 an Addendum to the previously adopted MND was prepared. The Addendum analyzed the changes to the project and determined no substantial changes have occurred in which the project to be undertaken would involve new significant environmental impacts.

#### **FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regards to the Kensington Estates Tentative Subdivision Map:

#### **Environmental:**

- 1) No new significant impacts will result from the project or from new mitigation measures.
- 2) No substantial increase in the severity of environmental impact will occur.
- 3) No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact been found to be feasible.
- 4) Implementation of the project will not result in new significant impacts or substantially increase the severity of impacts previously identified in the adopted IS/MND.

- 5) The preparation of an Addendum to the previously adopted IS/MND is appropriate.
- 6) The addendum adequately addresses the environmental effects associated only with the modifications to the project since the adoption of the IS/MND.
- 7) The addendum is incorporated by reference in the 2016 Willow Glen Development MND in accordance with CEQA Guidelines §15150.

**Tentative Subdivision Map:**

- 1) That the proposed subdivision map is consistent with applicable Tulare General Plan.
- 2) That the design or improvements of the proposed subdivision are consistent with the Tulare General Plan.
- 3) That the site is physically suitable for the type of development proposed.
- 4) That the site is physically suitable for the density of the development.
- 5) That the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.
- 6) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
- 7) That an Addendum to the 2016 Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act of 1970 and State CEQA Guidelines.
- 8) That the proposed subdivision map is consistent with the Tulare City Code.

**Zone Amendment No. 722:**

- 1) The proposed amendment is consistent with the Tulare General Plan.
- 2) That the proposed request will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the expected environmental impacts resulting from the proposed amendment will not have a significant impact on the environment.

**Conditional Use Permit No. 2017-17:**

- 1) That the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the request is in conformance with the goals and objectives of the Zoning Ordinance and General Plan.
- 4) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

**CONDITIONS:**

- A. Recommend to the City Council approval of Zone Amendment No. 722 changing the zoning on approximately 28.6 acres from the R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area) zone district to the R-1-4 (Small Lot Residential) zone district (Resolution 5281)
- B. Based on the approved findings, staff recommends that Kensington Estates Tentative Subdivision Map and Conditional Use Permit No. 2017-17, be approved subject to the following conditions:
  - 1) A mitigated Negative Declaration Addendum shall be adopted by the Planning Commission and incorporated by reference in the 2016 Willow Glen Mitigated Negate Declaration.
  - 2) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
  - 3) This approval shall supersede that portion for which the proposed boundaries overlap the previously approved Willow Glen tentative subdivision map that was approved on September 12, 2016.
  - 4) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments VII, VIII, IX and X).
  - 5) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.

- 6) Final acceptance of the tract shall be contingent upon the subdivider providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 7) Six-foot public utility easements shall be granted along all street frontages as required for public utilities.
- 8) Final subdivision map shall depict all easements.
- 9) Comply with the requirements outlined in the Caltrans letter dated December 13, 2017.
- 10) Applicant to provide for CC&R's with provisions that require maintenance of landscaping and building elevations and with enforcement provisions by the City of Tulare.
- 11) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 12) All lots shall meet the provisions of the applicable zoning district.
- 13) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 14) Applicant to record a "Right to Farm" notice on final map.
- 15) Applicant to establish a landscape maintenance district prior to recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with City standards and approved by the Community and Economic Development Director and/or Community Services Director.
- 16) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 17) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 18) A 7-foot tall block wall is required along De La Vina Street, Cartmill Avenue, "A" Street, the northern boundary of the proposed development and along any lot boundaries which are adjacent to the proposed park/pond. Final block wall design is subject to the Community & Economic Development Director approval.



- 19) The final map shall waive access rights to Cartmill Avenue, De La Vina Street, and 'A' Street, entry road off of De La Vina and entry road off of 'A' Street.
- 20) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 21) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 22) Recording of the final map is subject to the approval of Zone Amendment No. 722.
- 23) Applicant to comply with all mitigation measures within the Mitigated Negative Declaration per adopted Resolution 5191.
- 24) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 25) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, beings as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later changing such exactions.
- 26) Applicant to provide a retaining wall where ever adjacent lot grades exceed six inches.

**APPEAL INFORMATION:**

According to the City of Tulare Zoning Ordinance Section 10.20.020, decisions of the Planning Commission may be appealed by filing a letter with the City Clerk, located at 411 East Kern Avenue, Tulare, CA 93274, no later than ten (10) days after the day on which the decision was made. The appeal shall state the name of the person making the appeal, the decision that is being appealed, and the reasons for the appeal, including an error, abuse of discretion or a decision that is not supported by the evidence in the record.

**Attachments:**

- I. Project Vicinity Map
- II. Tentative Subdivision Map

- III. Site Plan
- IV. Typical '5-pack' Layout
- V. Zone Amendment No. 722 Exhibit Map
- VI. Addendum to IS/MND
- VII. Willow Glen 2016 IS/MND
- VIII. Engineering Comments
- IX. Fire Comments
- X. Parks
- XI. Solid Waste Comments
- XII. Caltrans Letter – December 13, 2017
- XIII. Resolution 5280
- XIV. Resolution 5281

**Kensington Estates**  
Conditional Use Permit No. 2017-17  
Zone Amendment No. 722  
Kensington Estates TSM

**Legend**  
Kensington Estates TSM



# KENSINGTON ESTATES VESTING

## TENTATIVE SUBDIVISION MAP

BEING A DIVISION OF THE S. 1/2 SEC. 25, T. 18S., R. 24E., S. 100.0 & 101.0 AC. CITY OF TULARE, STATE OF CALIFORNIA.

**LEGEND:**

- APN 149-660-013
- ACREAGE 28.6 AC
- FLOOD ZONE ZONE X
- ZONING R-17
- OWNER SOUTHERN CALIFORNIA EDISON
- ELECTRICITY CITY OF TULARE
- WATER CITY OF TULARE
- SEWER AT&T
- TELEPHONE CITY OF TULARE
- REFUSE SOUTHERN CALIFORNIA GAS
- NATURAL GAS SOUTHERN CALIFORNIA GAS
- EXISTING USE VACANT
- PROPOSED USE SINGLE FAMILY RESIDENTIAL
- R-17 (PD)
- TOTAL UNITS 134 DU
- GROSS ACREAGE 28.6 AC
- GROSS DU/AC 4.8 DU/AC
- NET ACREAGE 22.06 AC
- NET DU/AC 6.07 DU/AC

LOTS A-B TO BE DEDICATED TO CITY OF TULARE

- UTILITIES
- WATERS CITY OF TULARE (CARTMILL AVE)
- SEWER CITY OF TULARE (CARTMILL AVE)
- STORM TEMPORARY BASIN TO BE LOCATED ON-SITE (TBD)



VICINITY MAP

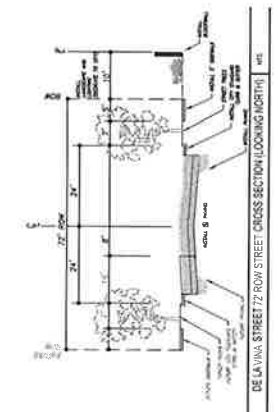
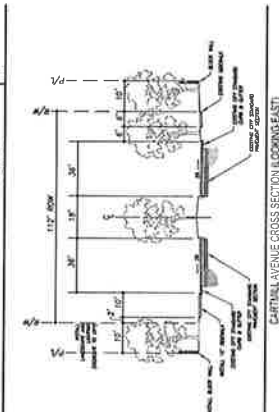
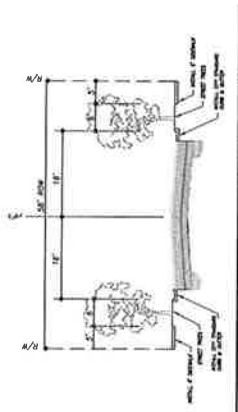
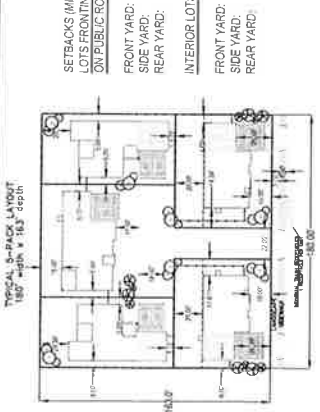


PREPARED BY  
**4CREEPS**  
200 S SANDRILE STE A  
TULARE, CA 93202  
TEL: 559.807.2827  
WWW.4CREEPS.COM



SETBACKS (MINIMUM):  
LOTS FRONTING ON PUBLIC ROW:  
FRONT YARD: 15' (18' to garage)  
SIDE YARD: 5'  
REAR YARD: 10'

INTERIOR LOTS:  
FRONT YARD: 5' (18' to garage)  
SIDE YARD: 5'  
REAR YARD: 5'



# KENSINGTON ESTATES VESTING

## TENTATIVE SUBDIVISION MAP

BEING A DIVISION OF A PORTION OF DK S 1/2 SEC. 23, T.12S, R.24E, M.O.B. & N., IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

**LEGEND:**

- APN: 145-050-013
- ACREAGE: 28.6 AC
- FLOOD ZONE: ZONE X
- ZONING: R-17
- GENERAL PLAN: SOUTHERN CALIFORNIA EDISON
- ELECTRICITY: LDR
- CITY OF TULARE
- CITY OF TULARE
- CITY OF TULARE
- CITY OF TULARE
- SOUTHERN CALIFORNIA GAS
- VACANT
- PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- R-17 (PD)
- TOTAL UNITS: 134 DU
- GROSS ACREAGE: 28.6 AC
- GROSS DU/AC: 4.81 DU/AC
- NET ACREAGE: 20.86 AC
- NET DU/AC: 6.67 DU/AC

LOTS 4-8 TO BE DEDICATED TO CITY OF TULARE

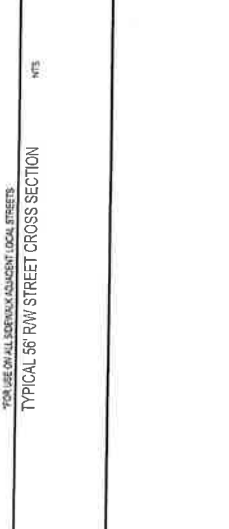
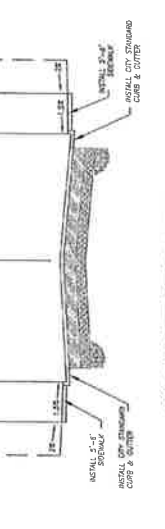
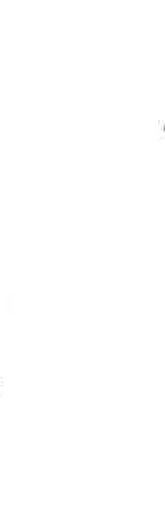
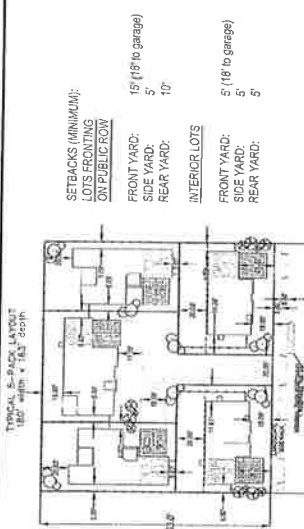
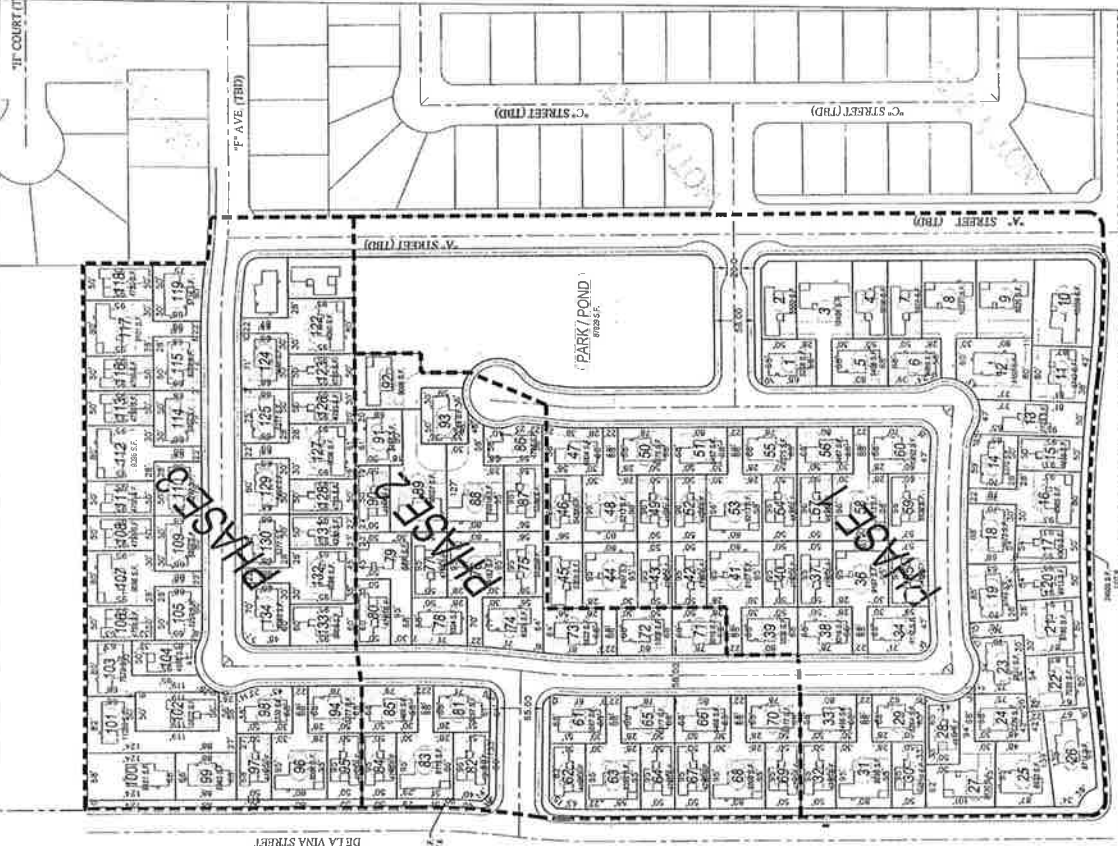
- UTILITIES
- WATER: CITY OF TULARE (CARTMILL AVE)
- SEWER: CITY OF TULARE (CARTMILL AVE)
- STORM: TEMPORARY BASIN TO BE LOCATED ON-SITE (TBD)



### VICINITY MAP



PREPARED BY  
**4CREKS**  
400 S. WASHINGTON ST. #100  
TULARE, CA 95324  
TEL: 559.232.1234  
WWW.4CREKS.COM



1/16" = 1' (VERTICAL SCALE)



TYPICAL 5-PACK LAYOUT  
180' width x 163' depth



**SETBACKS (MINIMUM):**  
**LOTS FRONTING**  
**ON PUBLIC ROW**

**FRONT YARD:** 15' (18' to garage)  
**SIDE YARD:** 5'  
**REAR YARD:** 10'

**INTERIOR LOTS**

**FRONT YARD:** 5' (18' to garage)  
**SIDE YARD:** 5'  
**REAR YARD:** 5'

PREPARED BY:



**4CREEKS**

324 S. SANTA FE, STE A  
P.O. BOX 7593  
VISALIA, CA 93292  
TEL: 559.802.3052  
FAX: 559.802.3215

# ZONING AMENDMENT 722

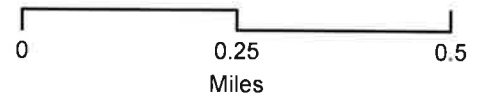
## EXISTING ZONING: R-1-7



### Legend

- Project Location
- A: Agricultural
- County
- C-1: Neighborhood Commercial
- C-2: Professional Office
- C-3: Retail Commercial
- C-4: Service Commercial
- C-5
- M-1: Light Industrial
- M-2: Heavy Industrial
- PL: Public Lands
- R-1-20: Single Family: 20,000 SF min.
- R-1-12.5: Single Family: 12,500 SF min.
- R-1-4: Small Lot Residential
- R-1-5: Single Family: 5,000 SF min.
- R-1-5 (H): Single Family: 5,000 SF min.
- R-1-6: Single Family: 6,000 SF min.
- R-1-7: Single Family: 7,000 SF min.
- R-1-8: Single Family: 8,000 SF min.
- RA: Rural Residential
- RM1
- RM2: Multiple Family: 3,000 SF/unit
- RM3: Multiple Family: 2,000 SF/unit
- RM4: Multiple Family: 1,500 SF/unit
- Urban Reserve

## PROPOSED ZONING: R-1-4



**Willow Glen - Garden Homes  
Kensington Estates TSM**

**APN: 149-060-013**



## SITE PLAN REVIEW COMMENTS

Engineering Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

MEETING DATE: March 21, 2018

PROJECT: Tentative Subdivision Map: Kensington Estates

PROJECT LOCATION: NE Corner of Cartmill Avenue and De La Vina Street

OWNER/DEVELOPER: San Joaquin Valley Homes

The Engineering Division recommends the following Site Plan Review Status for the subject project:

- Resubmit:  Additional Information Required,  Redesign Required  
 Revise and Proceed, comply with comments checked below  
 Final Comments

### ITEMS TO ADDRESS IN FINAL SUBMITTAL:

In conformance with City Standard Detail 7020, the typical 58' R/W cross section on the tentative map should include 11' of R/W behind face of curb consisting of 5' wide sidewalk and a 5.5' parkway width with the remaining 0.5' being top of curb width. The most recent version of the tentative map submitted shows only 10' of R/W behind face of curb.

The De La Vina Street cross section should call out a 72' R/W width in the title, not 76' as shown in the most recent tentative map submittal.

The Cartmill Avenue Cross Section shown on the most recent map submittal shows a sidewalk width of 6'. It should be 10' wide sidewalk, same as the Willow Glen No. 1 subdivision immediately to the east.

### STANDARD CONDITIONS OF APPROVAL:

#### SOILS:

The Subdivider shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.



The Subdivider shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches. All soils testing shall be performed at the sole cost of the Subdivider. The Subdivider shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

#### STREETS:

Street widths shall be as shown on approved tentative map, unless otherwise noted in Attachment "A."

R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

The structural section of all streets shall be not less than the thicknesses shown in Item 1 of Attachment "A," except that a greater thickness may be required by soils test results and engineered structural section calculations. The design of the pavement structural section for streets shall be asphalt concrete over aggregate base materials.

All streets shall have the City standard cross section with curb, gutter and sidewalk.

All utility services shall be placed in the streets prior to paving.

Compaction tests are required on all street subgrades. All soil testing shall be performed at the sole cost of the Subdivider.

Knuckles and transition curves to knuckles shall have 50-foot radii.

The centerlines of all streets shall be the continuations of the centerlines of existing streets, or shall be offset at least two hundred (200) feet.

The centerline curve radius for roadway design shall be a minimum of 250 feet for local streets, 600 feet for collector streets, and 1,200 feet for arterial streets. Provision for a smaller radius shall be subject to the approval of the City Engineer.

Street monuments shall be installed at locations as required by the City Engineer.

Driveway widths and spacing shall conform to City Code requirements.

Side lines of all lots wherever practicable shall be at right angles or radials to the centerline of the street.

Property line radii are to be 20 feet at all street intersections.

The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For Landscape and Lighting Act District parcels, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

Turnarounds are required at all dead end streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up.

A barricade and a 2" x 8" rough redwood header shall be provided at dead end streets. As an option, an additional 1-foot of paving beyond the required limits of paving may be installed in lieu of a redwood header.

In conformance with Section 8.24.040 (A) 7 of the City of Tulare Municipal Code, "each street intersection shall be as near to a right angle as practicable."

If work by the Subdivider or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Subdivider shall maintain the street in its repaired state for the duration of the development's construction activities.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### UTILITY RELOCATIONS AND UNDERGROUNDING REQUIREMENTS:

The Subdivider shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the subdivision bonds.

#### SANITARY SEWERS:

Sanitary sewers shall be installed to City standards.

Sewer laterals shall be installed to the property lines of all lots before the streets are surfaced. Laterals shall be located 8 feet from the centerline of each lot, unless otherwise approved to accommodate driveway approach locations.

All sewer lines shall pass both mandrel and air pressure tests, and shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire sewer line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### STORM DRAINAGE:

The storm drain layout shall be designed to City standards.

All pipe sizes where necessary shall be adjusted to carry the design flow at the final design slope.

All gutter runs shall be limited to 1000 feet by installing pipe and storm water inlets.

The minimum fall around curb returns shall be 0.3 foot.

All storm drain lines shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire storm drain line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### FIRE HYDRANTS:

Fire hydrants are to be located as required by the Fire Chief and City Engineer.

#### EASEMENTS:

Easements will be required for all utilities outside of dedicated rights-of-way. Six-foot Public Utility Easements will be required along all street frontages.

The Subdivider shall submit to the City of Tulare a title report for areas outside of the parcel to be developed where easements are to be dedicated for City utilities.

#### WATER SUPPLY:

Water mains shall be installed to City standards.

Water services shall be installed to the property line of all lots before the streets are surfaced. Services shall be located either 8 feet from the centerline of each lot or 2 feet from property line. The minimum horizontal distance between water services and sewer laterals shall be 10 feet.

The Engineer shall propose locations for water services that will accommodate ultimate driveway approach locations.

Individual 1" polyethylene water services with meter boxes and meter idlers per City standards shall be installed to all single-family residential lots.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Subdivider.

#### STREET NAMES:

Street names shall be approved by the Director of Planning and Building.

Street name sign posts shall be installed at each intersection as required by the City Traffic Engineer, and the Subdivider shall pay for the new street name signs and mounting hardware prior to recordation of the final map, at the rate established at the time of recordation of the final map. Actual installation of the street name signs shall be completed by City personnel at such time that the development reaches a sufficient state of completion.

#### TRAFFIC SIGNS:

Types, sizes and locations of traffic signs shall be as required by the City Traffic Engineer and City standards.

#### PAVEMENT DELINEATION:

The Subdivider shall install traffic striping, pavement markers, and pavement markings as required by the City Traffic Engineer.

#### STREET LIGHTS AND ELECTRICAL SERVICE:

The Subdivider must make provisions for the underground installation of electrical services and street lighting. Pole type shall be marbelite. Fixture type shall be LED unless otherwise approved by City Engineer. Design of the street lighting system shall comply with applicable City standards, and shall be subject to the approval of the City Engineer. Subdivider shall provide the City Engineer with an AutoCAD drawing file used as the basis of street light layout. The cost of the systems shall be included in the subdivision bonds.

GAS SERVICE:

The Subdivider must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

PRIVATE IRRIGATION PIPELINES:

Existing private irrigation pipelines will need to be removed within street right of ways.

IRRIGATION CANALS:

Other than TID's Main Canal, if any portion of an existing irrigation canal (including ditch banks and maintenance access roads) falls within the development, said ditch shall be piped, relocated, or abandoned and shall be so designated on the plan drawings. The proposed method of piping shall be shown on one of the master plans, if full piping does not occur within the first phase. Alternatively, irrigation canals may be incorporated into a landscaped trail if approved by the City of Tulare and the affected irrigation district. The TID Main Canal can be left open, with the installation of fencing and an adjacent 25' alley or multi-use trail, as approved by the City and TID.

TELEPHONE/CABLE:

The Subdivider must make provisions for the installation of underground telephone and cable service.

EXISTING STRUCTURES:

Any existing structures within the subdivision boundary shall be removed.

WELLS:

Any existing wells on the site shall be abandoned and sealed in accordance with City standards.

ELEVATIONS:

Any elevations shall be based on the official City of Tulare datum.

GENERAL CONDITIONS:

All design and construction shall be in accordance with all applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering considerations are intended to deal with major issues apparent to this office while reviewing this tentative map. Nothing in these conditions precludes our office from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

ADDITIONAL REQUIREMENTS:

Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.

Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.

Following approval of the final map, provide the City of Tulare with an electronic copy.

Following approval of the improvement drawings, provide the City of Tulare with one reproducible copy, four (4) prints and an electronic copy. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements. The reproducible copy of the improvement plans shall be on high-quality mylar.

Submit to the City of Tulare a title report for the parcel(s) to be developed.

The Subdivider's engineer will be required to certify in writing that all lot grading has been performed in accordance with the approved lot-grading plan prior to issuance of any building permits.

Prior to constructing any improvement that involves City reimbursements, the Subdivider shall submit to the City copies of their contractor's bid prices to be reviewed and approved by the City Engineer. If the Subdivider fails to obtain approval of reimbursable costs before the start of construction, the City reserves the right to reduce the reimbursable cost if deemed excessive by the City Engineer.

Prior to the start of construction, a meeting will be called by the City Engineer with the Subdivider, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

This project involves construction activity including clearing, grading and excavation which may require filing a Notice of Intent with the State Water Resources Control Board under the General Permit to discharge storm water associated with construction activity, the preparation of a storm water pollution prevention plan, and monitoring program.

Prepared By: Michael W. Miller, City Engineer

## ATTACHMENT "A"

The engineering considerations checked below shall be made a condition of approval of the subject subdivision.

- 1) A master plan for street layout for the entire development shall be submitted for approval prior to approval of any portion thereof. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new street layout.
- 2) Roadway design criteria shall be as indicated below. Structural section design shall be based upon the indicated traffic index:

	Roadway	Classification	Traffic Index	Sidewalk Width	Sidewalk Configuration
a)	Cartmill Avenue	114' Principal Arterial	10.5	10 ft	Multi-use Path
b)	De La Vina	72' Collector	6.5	5 ft	Parkway
c)	Internal Streets	58' Local Street	5.0	5 ft	Adjacent
d)	Internal Cul-de-sacs	54' Cul-de-sac	4.5	5 ft	Adjacent

- The Subdivider shall be responsible for the following minimum Arterial improvements:
- Full paveout from lip of gutter to the existing edge of pavement
  - Reconstruction of the following portions of existing pavement:
  - Install medians (curbing only) within the following frontages:
  - Provide at least            feet of paving on the opposite side of the median
  - Provide stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines
  - Provide a pavement transition from the existing roadway cross-section to the new roadway cross-section, of a width and length as approved by the City Traffic Engineer
  - Other:
- The Subdivider shall be responsible for the following minimum improvements along existing non-arterial streets adjacent to this development:
- Full paveout, from lip of gutter to the existing edge of pavement
  - Reconstruction of the following portions of existing pavement:
  - Rehabilitation of the following portions of existing pavement, by methods approved by the City Engineer
  - Other:
- 3) Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
    - LED, SCE Owned/Maintained on a metered service billed to existing City account. Design of the LED street lighting system shall be approved by City Engineer. The following street light design criteria shall be used:  
 Minimum 16,000 Lumen equivalent with cut-off luminaires with 29' pole height and 8' mast arm to be installed in accordance with City standards on: Cartmill Avenue
    - LED, SCE Owned/Maintained on a separate metered service to be billed to Assessment District. Design of the LED street lighting system shall be approved by City Engineer. The following street light design criteria shall be used:

Minimum 5,800 Lumen equivalent with cut-off luminaires with 26' mounting height and 6' mast arm to be installed in accordance with City standards on: Local Streets.

Minimum 9,500 Lumen equivalent with cut-off luminaires with 29' pole height and 8' mast arm to be installed in accordance with City standards on: De La Vina Street.

- 4) Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: Cartmill Avenue, De La Vina, "A" Street, entry road off of De La Vina, entry road off of "A" Street.
- 5) Waiver of direct access rights shall be provided as follows: Cartmill Avenue, De La Vina, "A" Street, entry road off of De La Vina, entry road off of "A" Street.
- 6) Project trip generation data based upon the ITE Trip Generation Manual is required. A technical memorandum addressing the increased density resulting from the proposed revision to a small lot subdivision and identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The technical memorandum shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the technical memorandum shall specifically address the project impacts and any appropriate mitigations to the following facilities: Intersections of Cartmill Avenue / De La Vina, Pacific Avenue / De La Vina Street, and Cartmill Avenue / Mooney Blvd. (State Route 63). In accordance with Caltrans recommendations contained in their review letter of December 13, 2017, traffic signal warrant studies shall be completed with submission of each phased map for the intersection of Pacific Avenue / Mooney Blvd. (State Route 63).
- 7) The Subdivider shall submit a plan for landscaping/street trees and irrigation along streets with backing lot treatment to be approved by the Director of Parks and Community Services. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- 8) A Landscape & Lighting District will maintain common area landscaping, common area irrigation systems, common area block walls, street trees, street lights and local street maintenance. The Subdivider shall submit a completed Landscape & Lighting District application and all necessary calculations and supporting documentation for the formation of a the district a minimum of 75 days before approval of the final map. Dedication to the City is required for all landscape and common area lots to be maintained by the Landscape & Lighting District.
- 9) A master plan for sanitary sewer for the entire development shall be submitted for approval prior to approval of any portion of the system. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new subdivision layout.
- 10) The sanitary sewer alignments shall be 6 feet north and/or east of street centerline, unless other alignments are approved by the City Engineer. The existing sewer system will need to be extended eastward in Cartmill Avenue from its current stubbed location at the intersection of Cartmill Avenue and Hillman Street. Elsewhere, the sewer system shall be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- 11) A master plan for storm drainage for the entire development shall be submitted for approval prior to approval of any portion of the system. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new subdivision layout.
- 12) The storm drain alignments shall be 11 feet south and/or west of centerline unless other alignments are approved by the City Engineer. The storm drain system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The storm drain system will need to be sized to serve any future developments that are anticipated to connect to the system, and shall include regional facilities identified in the City's Storm Drainage System Master Plan.
- 13) A master plan for water for the entire development shall be submitted for approval prior to approval of any portion of the system. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new subdivision layout.

- 14) The water main alignments shall be 6 feet south and/or west of street centerline, unless other alignments are approved by the City Engineer. The water system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The water system will need to be sized to serve any future developments that are anticipated to connect to the system.
- 15) An encroachment permit is required for any work performed within existing City rights-of-way or easements. A traffic control plan subject to the approval of the City Engineer is required for any work impacting existing roadways.
- 16) Miscellaneous Comments:
  - a) Completion of City well to be located within Willow Glen subdivision, and extension/connection of 12" water mains from the well to existing water main in Cartmill Avenue and water mains within proposed project shall be required prior to issuance of any building permits.
  - b) The alignment of De La Vina Street north of the entrance road off of De La Vina Street shall shift easterly to conform to the existing alignment of De La Vina south of Pacific Avenue across the Liberty Elementary School frontage. All transitions in the alignment shall conform to City standards and be subject to the approval of the City Engineer.



## ATTACHMENT "B"

The Subdivider shall pay to the City at the time of approval of the final map all applicable fees, including, but not limited to, those checked below:

### Benefit Districts

- 1) Sewer front foot charges: \$ TBD per front foot for frontages on portion of Cartmill Avenue with existing sewer main.
- 2) Sewer Lift Station Fee of \$ \_\_\_\_\_ per acre.
- 3) Water front foot charges: \$ 17.50 per front foot for frontages on portion of Cartmill Avenue with existing water main.
- 4) Street front foot charges: \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
- 5) Benefit District Creation Fee (if applicable and subject to City approval): \$ 1,008.19 per district.
- 6) Other: \_\_\_\_\_

### Special In-Lieu Fees

- 6) Traffic Signals Fee: \$ \_\_\_\_\_.
- 7) TID Ditch Piping Fee: \$ \_\_\_\_\_.
- 8) Sewer Main Fee: \$ \_\_\_\_\_.
- 9) Water Main Fee: \$ \_\_\_\_\_.
- 10) Street Fee: \$ \_\_\_\_\_.
- 11) Other Fees: \$ \_\_\_\_\_.

### Plan Check, Inspection, and Impact Fees

- 12) Engineering Inspection Fee to be based on a percentage of the estimated cost of construction.
- 13) Development Impact Fees to be paid with Building Permit.
- 14) Engineering Plan Review Fee to be paid at time of submittal.
- 15) Final Map Plan Check Fee to be paid at time of submittal.

**All fees shall be based on the current fee schedule in effect at the time of recordation of the final map.**

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following comments for TSM 717:

**Project Name: Kensington Estates**

**Date: 12/6/17**

1. The project must comply with all of the latest applicable codes.
2. Additional fire hydrants shall be required. Fire hydrant spacing shall be as follows:
  - a. **Residential development**, one hydrant shall be installed at **500-foot** intervals.  
Or as required by Appendix C California Fire Code.
3. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving on the site.
4. All new buildings shall be provided with approved address identification. Due to the configuration of these "5 packs" a monument sign shall be placed at the street, and it shall be printed with a minimum of 4" numbers.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the commercial buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
6. All roads and driveways shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
7. Additional access may be required per CFC 2010 Section 503.1.2. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code Section 22500.1.
  - a. The secondary entrance to Phase I shall be clearly identified on the site plan.
8. All dead-end access roads in excess of 150 feet (*including driveways*) must be provided with an approved turn-around complying with City Engineering Standards.

Ryan Leonardo *RL*  
Fire Inspector III



# SITE PLAN REVIEW COMMENTS

Community Services Department – Parks Division

Rob A. Hunt, Director, Community Services

TO: Planning Division

FROM: Community Services Department – Parks Division

MEETING DATE: December 6, 2017

PROJECT: Tentative Subdivision Map Kensington Estates

PROJECT LOCATION: Northeast Corner of Cartmill Avenue and De La Vina Street

OWNER/DEVELOPER: SJVH

The Parks Division recommends the following Site Plan Review Status for the subject project:

- Resubmit:  Additional Information Required,  Redesign Required
- Revise and Proceed, comply with comments below
- Proceed, comply with comments below

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to Chapter 10.196 of MC shall comply with the following development standards:

## **GENERAL STANDARDS:**

All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of the Landscape Ordinance Chapter 10.196 of the Municipal Code. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in Municipal Code § 10.196.060(B)(1)(i).

*Elements of the Landscape Documentation Package:*

(A) Projects 2,500 square feet and less: Projects 2,500 square feet and less may comply with the requirements of this chapter by conforming to the prescriptive measures. Compliance with all of the items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option.

(B) Any project including all projects over 2,500 square feet: The Landscape Documentation Package shall include the following six elements:

- (1) Project information;
  - (a) Date;
  - (b) Project applicant;

- (c) Project address (if available, parcel and/or lot number(s));
  - (d) Total landscape area (square feet);
  - (e) Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
  - (f) Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well;
  - (g) Checklist of all documents in Landscape Documentation Package;
  - (h) Project contacts to include contact information for the project applicant and property owner;
  - (i) Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."
- (2) Water Efficient Landscape Worksheet;
    - (a) Hydrozone information table.
    - (b) Water budget calculations.
      - 1. Maximum applied water allowance (MAWA).
      - 2. Estimated total water use (ETWU).
    - (3) Soil management report;
    - (4) Landscape design plan;
    - (5) Irrigation design plan; and
    - (6) Grading design plan.

Landscape and irrigation plans for individual residential lots are to be submitted to the Building Department along with building permit submittals for review and approval. Attachment "A" are copies of the landscape prescriptive compliance and sample landscape plan and water calculation sheets. A complete copy of the City's landscape standards may be viewed on-line at [www.tulare.ca.gov](http://www.tulare.ca.gov).

**ADDITIONAL REQUIREMENTS:**

1. All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Community Services Department (Parks, Recreation and Library Division) Improvements Standards; area specific plans and other applicable documents.
2. The maintenance and upkeep of all proposed Outlots and Pocket Park are to be part of the Landscape and Lighting District that will be formed in conjunction with this subdivision.
3. Proposed Pocket Park is required under Small Lot Ordinance MC § 10.33 at a minimum ratio of 225 sq. ft. per unit.
4. Proposed Pocket Park is not eligible for Park Development Impact Fee credits and shall be constructed as part of the proposed subdivision.
5. Proposed Pocket Park and Outlots shall be dedicated to the City upon recordation of the proposed Tentative Subdivision Map.
6. Should a storm basin be located on the proposed park site, it is recommended that a standard retention basin with 3:1 side slopes be constructed within the northern portion of the proposed Pocket Park site, with the remaining area to be developed as at-grade park space. Or in the alternative, if it is desired to utilize the entire site as usable park space combined with a turfed basin, maximum slopes shall be 6:1 with the remainder area to be developed at grade.
7. Proposed Pocket Park amenities shall include but not limited to turf, trees and landscape plantings, 6 ft. wide ADA compliant walking path with low level lighting, and multiple benches and trash receptacles.
8. All Outlot and Pocket Park landscape and irrigation improvement plans shall be reviewed and approved by the Community Services Director and City Engineer.
9. Prior to the start of construction of landscape and irrigation improvements on all Outlots and Pocket Park, a meeting will be held by the Community Services Director with the Subdivider and Contractor to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City landscape and irrigation requirements are met. The Contractor shall perform no construction in the field until after this meeting.

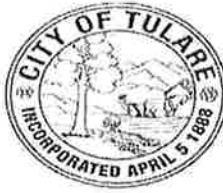
10. All common area landscaping and irrigation areas shall be subject to a 12 month maintenance period after the Notice of Completion has been issued.

If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Community Services Department at 559-684-4310.

Prepared By: Rob Hunt

Date: December 7, 2017

**Solid Waste Division**  
**Site Plan Refuse & Recycling Service**  
 Frank Rodriguez, Solid Waste Manager  
 Office: 559-684-4328 Fax:559-685-2378  
 frodriguez@tulare.ca.gov



Location: Cartmill between Mooney and Hillman  
 Name: Kensington Estates  
 Date: 12/6/2017  
 Plan #: Portion of Willow Glenn

**TYPE OF SERVICE**

Commercial     Residential     Roll Off     Mandatory Recycling / Composting

- Revisions required prior to submitting final plans. See comments below.
- Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.
- Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.
- Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers  
Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
- Mandatory Food Waste and Compost Recycling AB 1826. Green 96 gallon containers for yard waste/food scraps required.  
Additional storage area attached to enclosure to store up to 3-96 gallon cans as option shown on enclosure specs is required.
- A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight..
- All refuse enclosures must be Double Wide by City Standards
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure is not to city standards double.
- Inadequate number of Trash/Recycling containers to provide sufficient service. See comments below.
- Drive approach too narrow for refuse truck access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :  
Commercial ( ) 50 ft. outside 36 ft. inside; Residential ( ) 50 ft. outside, 36 ft. inside.
- Paved areas should be engineered to withstand a 60,000 lb. refuse truck.
- Enclosure gates are ( ) required (X) optional. ( ) Lockable  
(Gates and poles to be constructed as shown in City of Tulare enclosure specifications.)
- Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. Gate shall shall open 180 degrees from closed position.
- Hammerhead or Temporary turnaround must be built per city standards.
- All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.
- Area in front of refuse enclosure must be marked off indicating "No Parking"
- Enclosure will have to be designed and located for a STAB service (Direct Access)
- Customer will be required to roll container out to curb/alley for service.

**Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provide by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 07-04. Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (**

**Comments:**

Must provide temporary turnaround for refuse trucks during each phase

**DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 488-7396  
FAX (559) 488-4088  
TTY 711  
www.dot.ca.gov



*Making Conservation a  
California way of life.*

December 13, 2017

06-TUL-63-2.07  
PRELIMINARY REVIEW  
ZONE AMENDMENT  
134 LOT SUBDIVISION  
KENSINGTON ESTATES

Mr. Steven Sopp, Associate Planner  
Community & Economic Development Division  
City of Tulare  
411 E. Kern Street  
Tulare, CA 93274

Dear Mr. Sopp:

Thank you for the opportunity to review Vesting Tentative Subdivision Map (VTSM) to construct 134 lots for single family residential use on a 28.6 acre site. A Zone Amendment proposing to change the zoning from R-1-6 to R-1-4 will also be processed. The Kensington Estates VTSM site is located at the northeast corner of Cartmill Avenue and Dela Vina Street, approximately ½ mile west of the State Route (SR) 63/ Cartmill Avenue intersection.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. The Kensington Estates VTSM proposes a revision to a portion of the previously approved 134-acre Willow Glenn subdivision. The Kensington Estates subdivision proposes an increase of 72 lots (134 lots total) for the area that was previously approved for 63 lots under phases 1A & 2A of the Willow Glenn subdivision. The phased Willow Glenn subdivision was approved in 2004 and in 2016 a 5% reduction in the overall number of lots was approved (page 3-79 of the August 2016 Initial Study & Mitigated Negative Declaration for Willow Glenn).

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

Mr. Steven Sopp – Kensington Estates  
December 13, 2017  
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2. Caltrans recommends that the project comply with the following requirements of Mitigation Measure 3.15.2.1 of the Willow Glenn Mitigated Negative Declaration:
  - a. Complete a traffic signal warrant study at the SR 63 (Mooney Boulevard)/Pacific Street intersection (with submission of each phased final map),
  - b. Pay the projects fair share of the improvements as identified in the Mitigated Negative Declaration,
  - c. Pay Development Impact Fees to the City.
3. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted. This assessment should be used to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:
  - a. Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.
  - b. The project should consider bicycles as an alternative mode of transportation and offer internal amenities to encourage bicycle use which should include parking, security, and lockers. However, internal bicycle paths should be coordinated with local and regional pathways to further encourage the use of bicycles for commuter and recreational purposes.
  - c. If transit is not available within ¼-mile of the site, transit should be extended to provide services to what will be a high activity center.

If you have any other questions, please call me at (559) 488-7396.

Sincerely,



DAVID DEEL  
Associate Transportation Planner  
Transportation Planning - North



**RESOLUTION NO. 5280**

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION  
APPROVING TENTATIVE SUBDIVISION MAP 2017-09- KENSINGTON  
ESTATES AND CONDITIONAL USE PERMIT NO. 2017-17 AND ADOPTING  
AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION FOR CUP  
2017-17, ZONE AMENDMENT 722 AND TENTATIVE SUBDIVISION MAP 2017-**

**17**

**WHEREAS**, the City of Tulare Planning Commission held a regular meeting on April 9, 2018 to consider a request by San Joaquin Valley Homes to subdivide approximately 28.6 acres into a 134-lot single family residential subdivision on property located on the northeast corner of Cartmill Avenue and De La Vina Street (APN 149-060-013); and

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed subdivision map is consistent with applicable Tulare General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the design or improvements of the proposed subdivision are consistent with the Tulare General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that Conditional Use Permit No. 2017- 17 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the site is physically suitable for the type of development proposed; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the site is physically suitable for the proposed density of the development; and

**WHEREAS**, the City of Tulare Planning Commission determined that the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision; and,

**WHEREAS**, an Addendum to the Initial Study/Mitigated Negative Declaration prepared for the Willow Glen Development and approved by the Planning Commission on September 12, 2016 was prepared and analyzed the changes to the project and determined no substantial changes have occurred in which the project to be undertaken would involve new significant environmental impacts; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed Mitigated Negative Declaration Addendum reflects the independent judgement of the lead agency; and,

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

- 1) No new significant impacts will result from the project or from new mitigation measures.
- 2) No substantial increase in the severity of environmental impact will occur.
- 3) No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact been found to be feasible.
- 4) Implementation of the project will not result in new significant impacts or substantially increase the severity of impacts previously identified in the adopted IS/MND.
- 5) The preparation of an Addendum to the previously adopted IS/MND is appropriate.
- 6) The addendum adequately addresses the environmental effects associated only with the modifications to the project since the adoption of the IS/MND.
- 7) The addendum is incorporated by reference in the 2016 Willow Glen Development MND in accordance with CEQA Guidelines §15150.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that a Mitigated Negative Declaration Addendum prepared for Tentative Subdivision Map 2017-09, Zone Amendment 722 and Conditional Use Permit 2017-17 is hereby adopted by the City of Tulare Planning Commission.

**The Mitigation Negative Declaration Addendum is attached hereto as Exhibit “A” and incorporated as fully set forth.**

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

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title;
- 4) That the proposed use is consistent with the Tulare General Plan;
- 5) That the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed;

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

- 1) That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- 2) That the proposed location of the Tentative Subdivision Map and the conditions under which it would be built or maintained will not be detrimental to the public health, or welfare, or materially injurious to properties or improvements in the vicinity.
- 3) That the proposed Tentative Subdivision Map will be in keeping with existing and future land uses on the site.

**BE IT FURTHER RESOLVED**, that the Planning Commission hereby approves Tentative Subdivision Map 2017-09 and Conditional Use Permit No. 2017-17, subject to the following conditions::

- 1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 2) This approval shall supersede that portion for which the proposed boundaries overlap the previously approved Willow Glen tentative subdivision map that was approved on September 12, 2016.
- 3) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments VII, VIII, IX and X).

- 4) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.
- 5) Final acceptance of the tract shall be contingent upon the subdivider providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 6) Six-foot public utility easements shall be granted along all street frontages as required for public utilities.
- 7) Final subdivision map shall depict all easements.
- 8) Comply with the requirements outlined in the Caltrans letter dated December 13, 2017.
- 9) Applicant to provide for CC&R's with provisions that require maintenance of landscaping and building elevations and with enforcement provisions by the City of Tulare.
- 10) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 11) All lots shall meet the provisions of the applicable zoning district.
- 12) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 13) Applicant to record a "Right to Farm" notice on final map.
- 14) Applicant to establish a landscape maintenance district prior to recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with City standards and approved by the Community and Economic Development Director and/or Community Services Director.
- 15) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 16) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 17) A 7-foot tall block wall is required along De La Vina Street, Cartmill Avenue, "A" Street, the northern boundary of the proposed development

and along any lot boundaries which are adjacent to the proposed park/pond. Final block wall design is subject to the Community & Economic Development Director approval.

- 18) The final map shall waive access rights to Cartmill Avenue, De La Vina Street, and 'A' Street, entry road off of De La Vina and entry road off of 'A' Street.
- 19) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 20) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 21) Recording of the final map is subject to the approval of Zone Amendment No. 722.
- 22) Applicant to comply with all mitigation measures within the Mitigated Negative Declaration per adopted Resolution 5191.
- 23) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 24) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later changing such exactions.
- 25) Applicant to provide a retaining wall where ever adjacent lot grades exceed six inches.

**Engineering:**

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest

regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

SOILS:

The Subdivider shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

The Subdivider shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches. All soils testing shall be performed at the sole cost of the Subdivider. The Subdivider shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

STREETS:

Street widths shall be as shown on approved tentative map, unless otherwise noted in Attachment "A."

R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

The structural section of all streets shall be not less than the thicknesses shown in Item 1 of Attachment "A," except that a greater thickness may be required by soils test results and engineered structural section calculations. The design of the pavement structural section for streets shall be asphalt concrete over aggregate base materials.

All streets shall have the City standard cross section with curb, gutter and sidewalk.

All utility services shall be placed in the streets prior to paving. Compaction tests are required on all street subgrades. All soil testing shall be performed at the sole cost of the Subdivider.

Knuckles and transition curves to knuckles shall have 50-foot radii.

The centerlines of all streets shall be the continuations of the centerlines of existing streets, or shall be offset at least two hundred (200) feet.

The centerline curve radius for roadway design shall be a minimum of 250 feet for local streets, 600 feet for collector streets, and 1,200 feet for arterial streets. Provision for a smaller radius shall be subject to the approval of the City Engineer.

Street monuments shall be installed at locations as required by the City Engineer.

Driveway widths and spacing shall conform to City Code requirements. Side lines of all lots wherever practicable shall be at right angles or radials to the centerline of the street.

Property line radii are to be 20 feet at all street intersections.

The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For Landscape and Lighting Act District parcels, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

Turnarounds are required at all dead end streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up.

A barricade and a 2" x 8" rough redwood header shall be provided at dead end streets. As an option, an additional 1-foot of paving beyond the required limits of paving may be installed in lieu of a redwood header.

In conformance with Section 8.24.040 (A) 7 of the City of Tulare Municipal Code, "each street intersection shall be as near to a right angle as practicable."

If work by the Subdivider or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Subdivider shall maintain the street in its repaired state for the duration of the development's construction activities.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial

statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### UTILITY RELOCATIONS AND UNDERGROUNDING REQUIREMENTS:

The Subdivider shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the subdivision bonds.

#### SANITARY SEWERS:

Sanitary sewers shall be installed to City standards.

Sewer laterals shall be installed to the property lines of all lots before the streets are surfaced. Laterals shall be located 8 feet from the centerline of each lot, unless otherwise approved to accommodate driveway approach locations. All sewer lines shall pass both mandrel and air pressure tests, and shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire sewer line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### STORM DRAINAGE:

The storm drain layout shall be designed to City standards.

All pipe sizes where necessary shall be adjusted to carry the design flow at the final design slope.



All gutter runs shall be limited to 1000 feet by installing pipe and storm water inlets.

The minimum fall around curb returns shall be 0.3 foot.

All storm drain lines shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire storm drain line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

#### FIRE HYDRANTS:

Fire hydrants are to be located as required by the Fire Chief and City Engineer.

#### EASEMENTS:

Easements will be required for all utilities outside of dedicated rights-of-way. Six-foot Public Utility Easements will be required along all street frontages.

The Subdivider shall submit to the City of Tulare a title report for areas outside of the parcel to be developed where easements are to be dedicated for City utilities.

#### WATER SUPPLY:

Water mains shall be installed to City standards.

Water services shall be installed to the property line of all lots before the streets are surfaced. Services shall be located either 8 feet from the centerline of each lot or 2 feet from property line. The minimum horizontal distance between water services and sewer laterals shall be 10 feet.

The Engineer shall propose locations for water services that will accommodate ultimate driveway approach locations.

Individual 1" polyethylene water services with meter boxes and meter idlers per City standards shall be installed to all single-family residential lots.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Subdivider.

#### STREET NAMES:

Street names shall be approved by the Director of Planning and Building.

Street name sign posts shall be installed at each intersection as required by the City Traffic Engineer, and the Subdivider shall pay for the new street name signs and mounting hardware prior to recordation of the final map, at the rate established at the time of recordation of the final map. Actual installation of the street name signs shall be completed by City personnel at such time that the development reaches a sufficient state of completion.

#### TRAFFIC SIGNS:

Types, sizes and locations of traffic signs shall be as required by the City Traffic Engineer and City standards.

#### PAVEMENT DELINEATION:

The Subdivider shall install traffic striping, pavement markers, and pavement markings as required by the City Traffic Engineer.

#### STREET LIGHTS AND ELECTRICAL SERVICE:

The Subdivider must make provisions for the underground installation of electrical services and street lighting. Pole type shall be marbelite. Fixture type shall be LED unless otherwise approved by City Engineer. Design of the street lighting system shall comply with applicable City standards, and shall be subject to the approval of the City Engineer. Subdivider shall provide the City Engineer with an AutoCAD drawing file used as the basis of street light layout. The cost of the systems shall be included in the subdivision bonds.





## ATTACHMENT "A"

The engineering considerations checked below shall be made a condition of approval of the subject subdivision.

- 1) A master plan for street layout for the entire development shall be submitted for approval prior to approval of any portion thereof. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new street layout.
- 2) Roadway design criteria shall be as indicated below. Structural section design shall be based upon the indicated traffic index:

	Roadway	Classification	Traffic Index	Sidewalk Width	Sidewalk Configuration
a)	Cartmill Avenue	114' Principal Arterial	10.5	10 ft	Multi-use Path
b)	De La Vina	72' Collector	6.5	5 ft	Parkway
c)	Internal Streets	58' Local Street	5.0	5 ft	Adjacent
d)	Internal Cul-de-sacs	54' Cul-de-sac	4.5	5 ft	Adjacent

The Subdivider shall be responsible for the following minimum Arterial improvements:

- Full paveout from lip of gutter to the existing edge of pavement
- Reconstruction of the following portions of existing pavement:
- Install medians (curbing only) within the following frontages:
- Provide at least \_\_\_\_\_ feet of paving on the opposite side of the median
- Provide stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines
- Provide a pavement transition from the existing roadway cross-section to the new roadway cross-section, of a width and length as approved by the City Traffic Engineer
- Other:

The Subdivider shall be responsible for the following minimum improvements along existing non-arterial streets adjacent to this development:

- Full paveout, from lip of gutter to the existing edge of pavement
- Reconstruction of the following portions of existing pavement:
- Rehabilitation of the following portions of existing pavement, by methods approved by the City Engineer
- Other:

3) Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:

- LED, SCE Owned/Maintained on a metered service billed to existing City account. Design of the LED street lighting system shall be approved by City Engineer. The following street light design criteria shall be used:

Minimum 16,000 Lumen equivalent with cut-off luminaires with 29' pole height and 8' mast arm to be installed in accordance with City standards on: Cartmill Avenue

- LED, SCE Owned/Maintained on a separate metered service to be billed to Assessment District. Design of the LED street lighting system shall be approved by City Engineer. The following street light design criteria shall be used:

Minimum 5,800 Lumen equivalent with cut-off luminaires with 26' mounting height and 6' mast arm to be installed in accordance with City standards on: Local Streets.

Minimum 9,500 Lumen equivalent with cut-off luminaires with 29' pole height and 8' mast arm to be installed in accordance with City standards on: De La Vina Street.

- 4) Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: Cartmill Avenue, De La Vina, "A" Street, entry road off of De La Vina, entry road off of "A" Street.
- 5) Waiver of direct access rights shall be provided as follows: Cartmill Avenue, De La Vina, "A" Street, entry road off of De La Vina, entry road off of "A" Street.
- 6) Project trip generation data based upon the ITE Trip Generation Manual is required. A technical memorandum addressing the increased density resulting from the proposed revision to a small lot subdivision and identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The technical memorandum shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the technical memorandum shall specifically address the project impacts

and any appropriate mitigations to the following facilities: Intersections of Cartmill Avenue / De La Vina, Pacific Avenue / De La Vina Street, Cartmill Avenue / Mooney Blvd (State Route 63), and Cartmill Avenue / Mooney Blvd. (State Route 63). In accordance with Caltrans recommendations contained in their review letter of December 13, 2017, traffic signal warrant studies shall be completed with submission of each phased map for the intersection of Pacific Avenue / Mooney Blvd. (State Route 63).

- 7) The Subdivider shall submit a plan for landscaping/street trees and irrigation along streets with backing lot treatment to be approved by the Director of Parks and Community Services. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- 8) A Landscape & Lighting District will maintain common area landscaping, common area irrigation systems, common area block walls, street trees, street lights and local street maintenance. The Subdivider shall submit a completed Landscape & Lighting District application and all necessary calculations and supporting documentation for the formation of a the district a minimum of 75 days before approval of the final map. Dedication to the City is required for all landscape and common area lots to be maintained by the Landscape & Lighting District.
- 9) A master plan for sanitary sewer for the entire development shall be submitted for approval prior to approval of any portion of the system. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new subdivision layout.
- 10) The sanitary sewer alignments shall be 6 feet north and/or east of street centerline, unless other alignments are approved by the City Engineer. The existing sewer system will need to be extended eastward in Cartmill Avenue from its current stubbed location at the intersection of Cartmill Avenue and Hillman Street. Elsewhere, the sewer system shall be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- 11) A master plan for storm drainage for the entire development shall be submitted for approval prior to approval of any portion of the system. The Willow Glen master plan submittal currently being reviewed by City will require revision to reflect new subdivision layout.
- 12) The storm drain alignments shall be 11 feet south and/or west of centerline unless other alignments are approved by the City Engineer. The storm drain system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The storm drain system will need to be sized to serve any future developments that are anticipated to connect to the system, and shall





## ATTACHMENT "B"

The Subdivider shall pay to the City at the time of approval of the final map all applicable fees, including, but not limited to, those checked below:

### Benefit Districts

- 1) Sewer front foot charges: \$ TBD per front foot for frontages on portion of Cartmill Avenue with existing sewer main.
- 2) Sewer Lift Station Fee of \$ \_\_\_\_\_ per acre.
- 3) Water front foot charges: \$ 17.50 per front foot for frontages on portion of Cartmill Avenue with existing water main.
- 4) Street front foot charges: \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
- 5) Benefit District Creation Fee (if applicable and subject to City approval): \$ 1,008.19 per district.
- 6) Other: \_\_\_\_\_

### Special In-Lieu Fees

- 6) Traffic Signals Fee: \$ \_\_\_\_\_.
- 7) TID Ditch Piping Fee: \$ \_\_\_\_\_.
- 8) Sewer Main Fee: \$ \_\_\_\_\_.
- 9) Water Main Fee: \$ \_\_\_\_\_.
- 10) Street Fee: \$ \_\_\_\_\_.
- 11) Other Fees: \$ \_\_\_\_\_.

### Plan Check, Inspection, and Impact Fees

- 12) Engineering Inspection Fee to be based on a percentage of the estimated cost of construction.
- 13) Development Impact Fees to be paid with Building Permit.
- 14) Engineering Plan Review Fee to be paid at time of submittal.
- 15) Final Map Plan Check Fee to be paid at time of submittal.

**All fees shall be based on the current fee schedule in effect at the time of recordation of the final map.**

## **Fire:**

1. The project must comply with latest applicable codes.
2. Additional fire hydrants shall be required. Fire hydrant spacing shall be as follows:
  - a. **Residential development**, one hydrant shall be installed at **500-foot** intervals  
Or as required by Appendix C California Fire Code.
3. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving on the site.
4. All new buildings shall be provided with approved address identification. Due to configuration of these “5packs” a monument sign shall be placed at the street, and it shall be printed with a minimum of 4” numbers.
5. An approved fire apparatus access road shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the commercial buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20’ wide and have a minimum height clearance of 13’6”.
6. All roads and driveways shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
7. Additional access may be required per CFC 2010 Section 503.1.2. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.
  - a. The secondary entrance to Phase I shall be clearly identified on the site plan
8. All dead-end access roads in excess of 150 feet (including driveways) must be provided with an approved turn-around complying with City Engineering Standards.

## **Solid Waste:**

1. Customer responsible for setting cans out for service by 6:00 am and removing cans from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.
2. Mandatory Commercial Recycling AB 341. All Commercial Businesses, Multi Family and Residential customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.

3. Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers. Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
4. Mandatory Food Waste and Compost Recycling AB 1826. Green 96 gallon containers for yard waste/food scraps required. Additional storage area attached to enclosure to store up to 3-96 gallon cans as option shown on enclosure specs is required.
5. Paved areas should be engineered to withstand a 60,000 lb. refuse truck.
6. Hammerhead or Temporary turnaround must be built per City standards.
7. All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.
8. Customer will be required to roll container out to curb/alley for service.
9. Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provided by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 07-04. Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

#### Comments

Must provide temporary turnaround for refuse trucks during each phase.

#### Parks

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to Chapter 10.196 of MC shall comply with the following development standards:

#### **GENERAL STANDARDS:**

All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of the

Landscape Ordinance Chapter 10.196 of the Municipal Code. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in Municipal Code § 10.196.060(B)(1)(i).

*Elements of the Landscape Documentation Package:*

(A) Projects 2,500 square feet and less: Projects 2,500 square feet and less may comply with the requirements of this chapter by conforming to the prescriptive measures. Compliance with all of the items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option.

(B) Any project including all projects over 2,500 square feet: The Landscape Documentation Package shall include the following six elements:

- (1) Project information;
  - (a) Date;
  - (b) Project applicant;
  - (c) Project address (if available, parcel and/or lot number(s));
  - (d) Total landscape area (square feet);
  - (e) Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
  - (f) Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well;
  - (g) Checklist of all documents in Landscape Documentation Package;
  - (h) Project contacts to include contact information for the project applicant and property owner;
  - (i) Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."
- (2) Water Efficient Landscape Worksheet;
  - (a) Hydrozone information table.
  - (b) Water budget calculations.
    1. Maximum applied water allowance (MAWA).
    2. Estimated total water use (ETWU).
- (3) Soil management report;
- (4) Landscape design plan;
- (5) Irrigation design plan; and
- (6) Grading design plan.

Landscape and irrigation plans for individual residential lots are to be submitted to the Building Department along with building permit submittals for review and approval. Attachment "A" are copies of the landscape prescriptive compliance

and sample landscape plan and water calculation sheets. A complete copy of the City's landscape standards may be viewed on-line at [www.tulare.ca.gov](http://www.tulare.ca.gov).

**ADDITIONAL REQUIREMENTS:**

1. All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Community Services Department (Parks, Recreation and Library Division) Improvements Standards; area specific plans and other applicable documents.
2. The maintenance and upkeep of all proposed Outlots and Pocket Park are to be part of the Landscape and Lighting District that will be formed in conjunction with this subdivision.
3. Proposed Pocket Park is required under Small Lot Ordinance MC § 10.33 at a minimum ratio of 225 sq. ft. per unit.
4. Proposed Pocket Park is not eligible for Park Development Impact Fee credits and shall be constructed as part of the proposed subdivision.
5. Proposed Pocket Park and Outlots shall be dedicated to the City upon recordation of the proposed Tentative Subdivision Map.
6. Should a storm basin be located on the proposed park site, it is recommended that a standard retention basin with 3:1 side slopes be constructed within the northern portion of the proposed Pocket Park site, with the remaining area to be developed as at-grade park space. Or in the alternative, if it is desired to utilize the entire site as usable park space combined with a turfed basin, maximum slopes shall be 6:1 with the remainder area to be developed at grade.
7. Proposed Pocket Park amenities shall include but not limited to turf, trees and landscape plantings, 6 ft. wide ADA compliant walking path with low level lighting, and multiple benches and trash receptacles.
8. All Outlot and Pocket Park landscape and irrigation improvement plans shall be reviewed and approved by the Community Services Director and City Engineer.
9. Prior to the start of construction of landscape and irrigation improvements on all Outlots and Pocket Park, a meeting will be held by the Community Services Director with the Subdivider and Contractor to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City landscape and irrigation requirements are met. The Contractor shall perform no construction in the field until after this meeting.
10. All common area landscaping and irrigation areas shall be subject to a 12 month maintenance period after the Notice of Completion has been issued.

**PASSED, APPROVED AND ADOPTED** this ninth day of April, 2018 by the following recorded vote:

AYES: \_\_\_\_\_

\_\_\_\_\_

NOES: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
CHUCK MIGUEL, CHAIRMAN  
City of Tulare Planning Commission

\_\_\_\_\_  
JOSH MCDONNELL, SECRETARY  
City of Tulare Planning Commission

**RESOLUTION NO. 5281**

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION  
RECOMMENDING APPROVAL OF ZONE AMENDMENT NO. 722 TO THE CITY  
COUNCIL FOR ADOPTION**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held April 9, 2018 considered a request by San Joaquin Valley Homes to change the existing zone district from R-1-7 to the R-1-4 zone district. The project is located on the northeast corner of Cartmill Avenue and De La Vina Street (portion of APNs 149-060-013 & 022); and

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed amendment is in the public interest; and,

**WHEREAS**, the City of Tulare Planning Commission determined the proposed action will promote the goals and objectives of the Zoning Title as prescribed in Section 10.04.020 of the Tulare City Code; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed request will not be detrimental to the public health, safety, and welfare or be materially injurious to properties or improvements in the vicinity; and,

**WHEREAS**, in accordance with California Environmental Quality Act (CEQA) sections 15162 and 15164, the City of Tulare has prepared an addendum to an initial study/mitigated negative declaration that was previously adopted by the Planning Commission on September 12, 2016. The Addendum analyzed the minor technical changes or additions to the project and determined no substantial changes have occurred to the circumstances in which the project to be undertaken would involve new significant environmental impacts; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Zone Amendment Application No. 722 is hereby recommended to the City Council for adoption.

**PASSED, APPROVED AND ADOPTED** this ninth day of April, 2018 by the following recorded vote:

AYES: \_\_\_\_\_

\_\_\_\_\_

NOES: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
CHUCK MIGUEL, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

\_\_\_\_\_  
JOSH MCDONNELL, SECRETARY  
City of Tulare Planning Commission





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*Community & Economic Development Department*

**To:** *Planning Commission*  
**From:** *Steven Sopp, Associate Planner*  
**Re:** *Finding of Consistency for CUP 2017-11 – Plimilco Properties Inc.:  
Water Dispensing Kiosk*  
**Date:** *April 9, 2018*

---

On March 26, 2016 the Planning Commission considered a request for a finding of consistency for CUP 2017-11 by Plimilco Properties Inc. to remove engineering conditions that relate to improvements to existing curb, gutter, sidewalk and driveway approaches within the public right-of-way along West Street (engineering conditions 5,6,7,8 and 9). During consideration of the item the Commission received comment in which Council Member Sigala offered to meet with the applicant to explore possible alternatives for meeting the requirements. The Commission, in response to the Council Member's offer, continued the item to the April 9, 2018 regularly scheduled meeting.

Staff is not aware of any alternative solutions that have been identified at this time.

Therefore, given the implications to public safety and protection of public facilities, the recommendation of the City Engineer is that the requirements associated with improvement to the curb, gutter, sidewalk and driveway approaches within the City's right-of-way of West Street should remain in effect.

#### RECOMMENDATION

Staff recommends that the Planning Commission deny the request for a Finding of Consistency for CUP 2017-11 which if approved would allow the removal of engineering conditions 5, 6, 7, 8 and 9 as found within Resolution 5242.

#### Attachments

Resolution 5242  
Request from applicant  
City Engineer response to request  
Caltrans Comments  
Existing Site Conditions

RESOLUTION NO. 5242

FILE COPY

A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2017-11

WHEREAS, the City of Tulare Planning Commission at a regular meeting held on June 26, 2017, considered a request by Pimlico Properties, LLC to construct a water dispensing kiosk to be located within the parking area on property located at 1400 W. Inyo Avenue; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed conditional use will comply with each of the applicable provision of the Zoning Ordinance and General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that this request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site; and,

WHEREAS, the City of Tulare Planning Commission determined that this project is exempt pursuant to Sections 15301 of the California Environmental Quality Act of 1970, as amended;

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2017-11 is hereby approved subject to the following conditions:

**Planning Conditions:**

- 1) All requirements of Title 10 shall be met.
- 2) The applicant shall apply for and maintain an active business license with the City at all times of operation.
- 3) All roof top equipment shall be screened from public right of way view. Screening to be approved by the Community Development Director.
- 4) Applicant to provide contact information on the exterior of the kiosk in case of emergency.

- 5) If the use ceases to operate for a continuous period of one year, said conditional use permit shall lapse and become void.
- 6) Applicant shall comply with the attached Engineering Department, Fire Department and CalTrans comments.
- 7) If any conditions of approval are violated, this conditional use permit may be revoked as prescribed in the Municipal Code.

**Engineering Conditions:**

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  State: Inyo Avenue (State Route 137).
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. Easements will be required for all utilities to be located outside of dedicated rights-of-way.
5. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
6. Existing curb and gutter has been inspected by the Engineering Division. The following sections have been determined to be defective or non-compliant and in need of replacement in accordance with current City standards:

<u>Street Frontage</u>	<u>Length (ft)</u>	<u>Reason</u>
West Street from NW corner of Inyo/West intersection to north end of existing drive approach to be removed.	Approx. 75 feet	Existing curb and gutter cracked/raised resulting in drainage problems or potential roadway damage; Existing curb and gutter does not comply with City standards

7. Existing sidewalk has been inspected by the Engineering Division. The following sections have been determined to be defective or non-compliant and in need of replacement in accordance with current City standards:

<u>Location</u>	<u>Length (ft)</u>	<u>Reason</u>
West Street from NW corner of Inyo/West intersection to north end of existing drive approach to be removed.	Approx. 75 feet	Cracked/Raised sidewalk creating trip hazard; Slopes exceed maximum allowed by ADA

8. Existing driveway approaches have been inspected by the Engineering Division. The following location has been determined to be defective or non-compliant and in need of replacement in accordance with current City standards. Alternatively, the driveway approach can be removed and replaced with City standard barrier curb, gutter, and sidewalk.

<u>Location</u>	<u>Reason</u>
West Street approx. 75 feet north of Inyo Avenue	Slopes of pedestrian path of travel exceed maximum allowed by ADA; Truncated dome panels needed to meet current ADA standards; Existing driveway approach does not comply with current City standards

9. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
10. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
11. The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building

permit application. All points of connection to the City water system are subject to the approval of the City Engineer. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.

12. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
13. A Public Works Inspection Fee is required prior to the construction of improvements.
14. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.
15. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Engineering inspection fee based on a percentage of the estimated cost of construction.
  - Engineering plan check fee to be paid at time of plan submittal.

**Fire Conditions:**


1. The project must comply with all of the latest applicable codes and standards.

**Caltrans Comments:**

See attached letter

**PASSED, APPROVED AND ADOPTED** this twenty-sixth day of June, 2017 by the following recorded vote:

AYES: Rocha, Miller, Crase, Davros  
Herrera, Mequiel, Kellera

NOES: \_\_\_\_\_ 

ABSENT: \_\_\_\_\_ 

ABSTAIN: \_\_\_\_\_ 

  
JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

  
MICHAEL W. MILLER, SECRETARY  
City of Tulare Planning Commission



# CENTRAL VALLEY ENGINEERING AND SURVEYING

2132 High Street Selma, CA 93662 Phone: (559) 891-8811 Fax: (559) 891-8815 info@cveas.com www.cveas.com

March 8, 2018

City of Tulare  
411 E. Kern Ave.  
Tulare, CA 93274

Attention: Planning Commission  
Community Development Department

Re: Ice House Kiosk  
1400 W. Inyo Ave.  
Tulare, CA 93274

### Findings of Consistency:

Applicant, Pimlico Properties, understands the City of Tulare Planning Commissions concerns with safety for their residents and the importance of meeting all ADA requirements and standards. However, Applicant is requesting a revision to the Engineering Conditions of Approval 5, 6, 7, 8 and 9, and proposes alternative affordable solutions.

Reasons for this request are as follows:

1. Applicant is a small business owner. The vending machine, they are placing on the above mentioned property, provides Ice & Water to City of Tulare's local residents. A gallon of water will only cost twenty five cents. It is not economically feasible for applicant to meet all these redevelopment conditions as requested. The cost of redevelopment exceeds their budget considerably and would hinder any type of ROI which would create economic hardship.
2. Applicant met engineering and building officials on site to discuss options. Applicant is stating the following:
  - a. Existing curb, gutter and drive approach along West Street was measured by Building Official, John Karlie, and it meets all ADA Requirements and Standards and is in acceptable conditions. We would like to request these conditions be waived.
  - b. Existing curb and gutter along Inyo Avenue from Caltran's ROW to the Fire Hydrant applicant agrees, there should be some redevelopment in this location.
    - i. Applicant proposes to surround the canal drain with a 34" high hand/guard rail for safety. Note: There is a raised, broken drain in the middle of the walkway. This is a raised grate, unsafe condition for pedestrians Replacing this is not an option, as it covers an underground canal system and applicant has no rights to redevelop this system.
    - ii. Applicant proposes, to wrap a new concrete sidewalk around the existing canal drain inlet designed to ADA standards and clearance.
    - iii. Existing curb and gutter along Inyo Avenue West of the fire hydrant meets all ADA requirements and standards. We would like to request these conditions be waived.
3. In addition, the original ADA path of travel was not optimal because there is a guide wire from existing telephone pole and a street sign blocking access to the sidewalk. Solution was to relocate the path of travel.



# CENTRAL VALLEY ENGINEERING AND SURVEYING

2132 High Street Selma, CA 93662 Phone: (559) 891-8811 Fax: (559) 891-8815 [info@cveas.com](mailto:info@cveas.com) [www.cveas.com](http://www.cveas.com)

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Furthermore, below are the corrections for the approved building plan redlines comments provided by the building official, John Karlie. Enclosed are 3 revised sets of plans and a copy of the original approved building plans are included for your reference.

### Sheet A1.2:

1. All site details have been relocated on to Sheet A1.3.
2. Wheel stop has been moved and Accessible Aisle enlarged as shown on site plan.
3. Ice Kiosk Machine has been relocated westward as shown on site plan.
4. Path of travel has been relocated on east side of the existing fire hydrant as shown on site plan.
5. Keynote #10, truncated domes size has been changed to 3'x 4'.

### Sheet A1.3:

1. Detail 2 has been moved to sheet A1.3. Note removed.
2. Detail 3 has been moved to sheet A1.3. CBC section reference updated.
3. Detail 4 has been moved to sheet A1.3. Dimensions and color contrast updated.
4. Detail 6 has been moved to sheet A1.3. City Police contact information updated.
5. Detail 7 has been moved to sheet A1.3. CBC section reference updated.

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Ken Xiong

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Date





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ENGINEERING MEMORANDUM

March 15, 2018

**TO:** Josh McDonnell, Community & Economic Development Director

**FROM:** Michael Miller, City Engineer

**SUBJECT:** Ice House Kiosk Conditions of Approval

I have reviewed the March 8, 2018 letter submitted by Central Valley Engineering & Surveying requesting revisions to the conditions of approval imposed on Conditional Use Permit No. 2017-11 for Ice House America. Regarding the requested revisions detailed in items 2 and 3 of the letter, I offer the following comments:

- The City's conditions of approval discussed in item 2a require that the Applicant repair or replace any damaged or deficient curb, gutter, sidewalk and driveway approaches along the project's West Street frontage. Said frontage was determined to extend from the north right-of-way line of Inyo Avenue (State Route 137) to the north end of the existing driveway approach located approximately 75 feet north of the curb line of Inyo Avenue. The intent of this requirement is to address existing deficiencies that pose a trip hazard for pedestrians, impede the flow of drainage, or result in the infiltration of drainage into the adjacent roadway structural section. These are standard conditions of approval routinely applied to discretionary permits. Given the implications to public safety and protection of public facilities, I would not recommend modification of these conditions.
- The improvements addressed in item 2b relate to the right-of-way of Inyo Avenue (State Route 137), and are subject to Caltrans approval. The proposed relocation of sidewalk improvements around the existing Tulare Irrigation District structure would likely result in them being located outside the existing right-of-way of Inyo Avenue, thereby resulting in the need for the property owner to dedicate an easement for sidewalk purposes to the State. Waiver of the requirement to repair or replace existing curb and gutter along the project's Inyo Avenue frontage should be subject to the approval of Caltrans.
- The information presented in Item 3 is simply further justification for relocation of sidewalk improvements along Inyo Avenue discussed in Item 2.

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In summary, I am of the opinion that the requirements associated with improvements to the curb, gutter, sidewalk and driveway approach within the City's right-of-way of West Street should remain in effect. I have no objections to modifications of the conditional requirements associated with improvements within State right-of-way, provided that Caltrans concurs.

**DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 488-7396  
FAX (559) 488-4088  
TTY 711  
www.dot.ca.gov



*Making Conservation a  
California way of life.*

May 18, 2017

06-TUL-137-14.21  
2135-IGR/CEQA  
CUP 2017-11

Ms. Amy Wilson, Planning Tech  
City of Tulare – Community Development – Planning Division  
411 E. Tulare Street  
Tulare, CA 93274

Dear Ms. Wilson:

Thank you for the opportunity to review Conditional Use Permit (CUP) 2017-11 proposing to allow a self-serve Water and Ice Kiosk. The 106 square foot Kiosk building will occupy approximately 2 parking spaces from in the shopping centers 135 parking stalls. The site is located at 1400 W. Inyo Street, at the northwest corner of State Route (SR) 137 and West Street.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Page A1.2 of the site plan indicates that the kiosk will tie into the City water system via connection within SR 137 (Inyo Street).
2. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue

obtaining an encroachment permit. **Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.**

3. The project proponent may be required to schedule a “Pre-Submittal” meeting with District 6 Encroachment Permit Office. Please contact District 6 Encroachment Permit Office at (559) 488-4058 to schedule the meeting.
4. The site plan indicates the kiosk will be setback approximately 36 feet from the curb along SR 137. Caltrans recommends this distance as a *minimum*. This will allow additional right of way to be acquired if needed for future intersection improvements to SR 137 and West Street and not require the Kiosk to be moved.
5. All existing concrete curb, gutter and sidewalk that is damaged, broken and/or cracked shall be removed and replaced in accordance with ADA and/or applicable State or Federal requirements.
6. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.
7. Caltrans recommends that the street curb along SR 137 be re-painted red due to the fire hydrant location and to prevent any on-street parking.

If you have any other questions, please call me at (559) 488-7396.

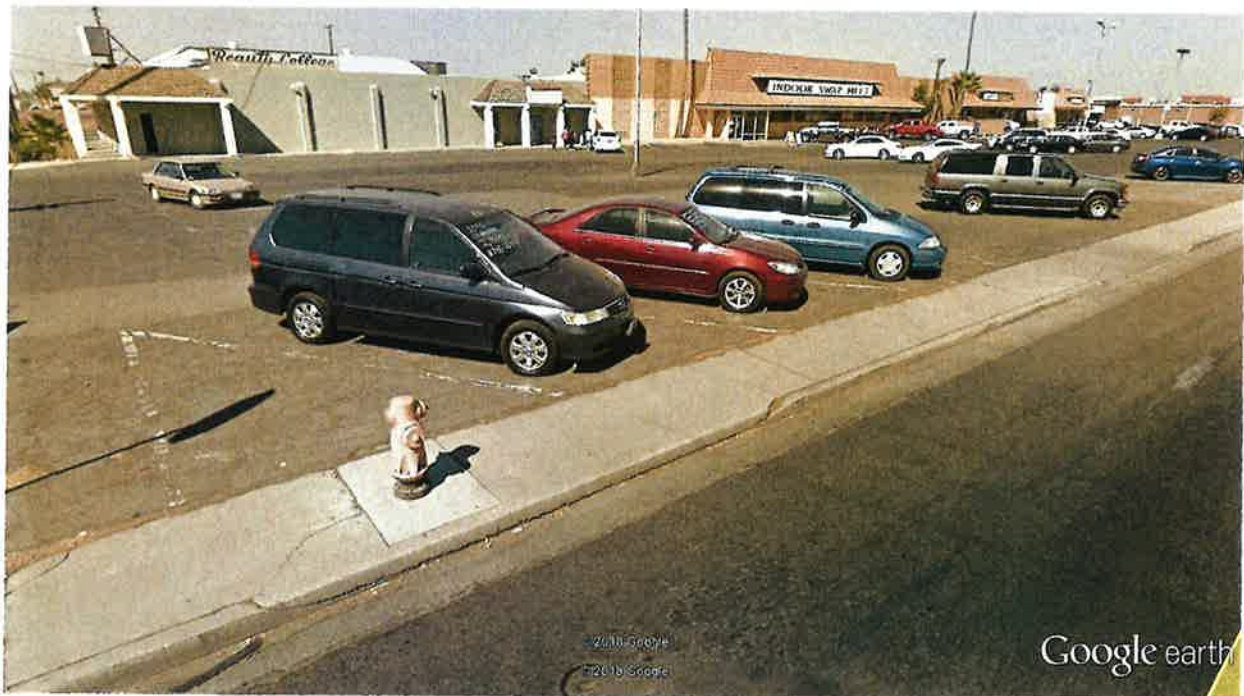
Sincerely,



DAVID DEEL  
Associate Transportation Planner  
Planning North Branch



West Street – West side at curb return of Inyo Avenue. Severe cracking in curb and gutter, moderate cracking in sidewalk.



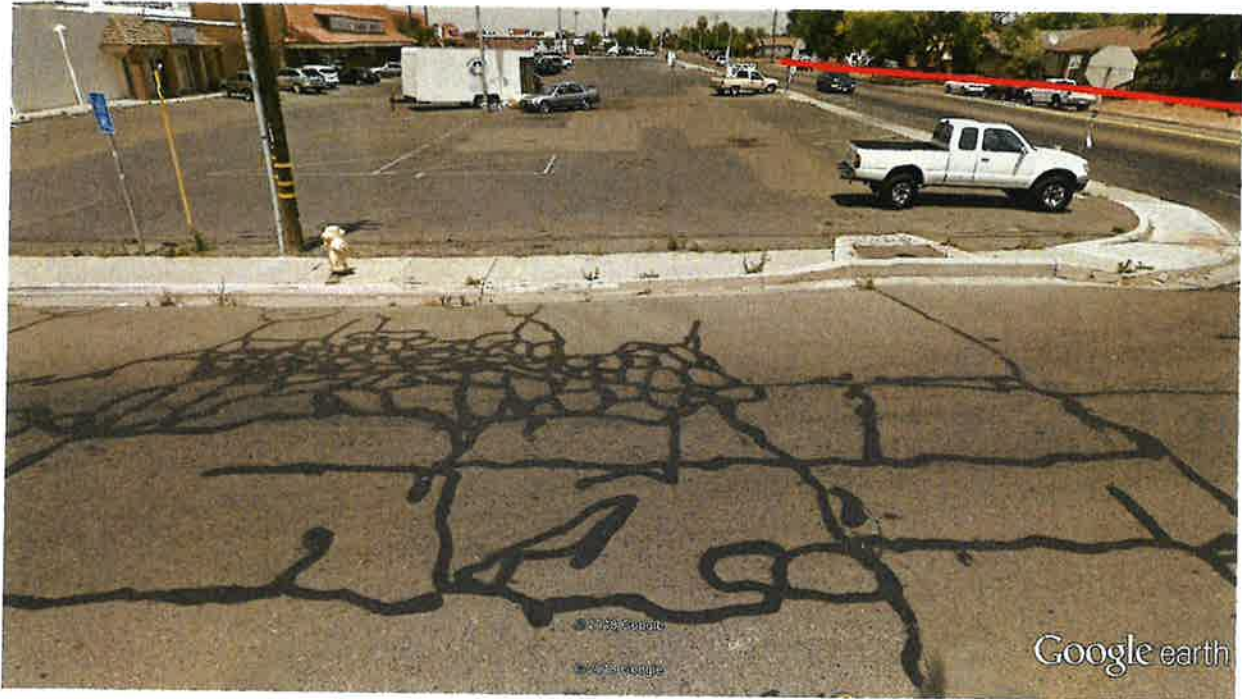
West Street – West side north of curb return at Inyo Avenue. Modification of old driveway approach with barrier curb is failing with severe cracking in curb and gutter, minor cracking in sidewalk.



West Street – West side south of driveway approach at north end of project site. Major cracking in curb and gutter and moderate cracking in expansion joints of sidewalk.



West Street – Driveway approach at north end of project site. Major cracking in curb and gutter and driveway approach. No accessible path of travel behind driveway approach.



Inyo Avenue (State Route 137) – North side between driveway approach and West Street. Improvements to curb, gutter and sidewalk as required by Caltrans.



Inyo Avenue (State Route 137) – North side from west end project to east end of driveway approach. Improvements to curb, gutter, sidewalk and driveway approach as required by Caltrans.