



Community & Economic Development Department

To: *Planning Commission*
From: *Steven Sopp, Associate Planner*
Re: *Finding of Consistency for CUP 2017-29 – Yanez Tacos: Mobile Food Vendor*
Date: *July 9, 2018*

On January 8, 2018 the City of Tulare Planning Commission approved CUP 2017-29, to operate a stationary mobile vending vehicle on the property located at 536 E Cross Avenue. Included in the resolution adopted by the Planning Commission was a condition of approval which stated “hours of operation shall be between 12 p.m. and 8 p.m. Tuesday through Sunday.

Planning Department staff has received a written request from the applicant, Irma Yanez, to adjust the hours of operation to be 9 a.m. to 11 p.m. seven days per week. The applicant states that customers are requesting that the business remain open for more hours especially around the lunch hour.

Staff has reviewed the request and concludes that, 1) it will not create additional impacts to the subject property or surrounding properties; and 2) the request is consistent with the remainder of CUP 2017-29.

RECOMMENDATION

Staff recommends that the Planning Commission approve Finding of Consistency for CUP 2017-29 that allows a revision to condition 8 found within Resolution 5271 to read “hours of operation shall be between 12 p.m. and 8 p.m. seven days per week.”

Attachments

Letter from applicant

June 29, 2018

As the owner of Tacos Yanez I would like to request a change to the hours of operation approved by the Planning Commission for Conditional Use Permit 2017-29 for a mobile food vendor at 536 E Cross Avenue Tulare CA. I would request that hours be changed to 9 am to 11 pm seven days per week.

Thank you

Jana Yanez

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

July 9, 2018

OAK CREEK 3 – TENTATIVE SUBDIVISION MAP

PROJECT PLANNER: Steven Sopp, Associate Planner

APPLICANT: Great Valley Builders

ENGINEER: A.W. Engineering

LOCATION: Property is approximately 4.0 acres located east of Mooney Blvd. and south of Seminole Avenue

APN: 172-100-001

ZONING CLASSIFICATION: RM-2 (Residential Multi-Family)

GENERAL PLAN DESIGNATION: Medium Density Residential

SURROUNDING LAND USES AND ZONING:

North: Vacant; Multi-family	RM-2
South: Residential Proposed	R-1-6
West: Residential	R-1-8
East: Residential	R-1-7

REQUEST:

Request by Great Valley Builders to subdivide approximately 4 acres into a 15-lot multi-family residential subdivision including development consisting of one or two duplex units to be developed on each proposed parcel (38 units total).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the Oak Creek 3 Tentative Subdivision Map subject to the findings and conditions in Resolution No. 5286. 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.

DETAILS OF THE PROPOSAL:

The applicant proposes to subdivide an approximately 4 acre portion of APN 172-100-001 into a 15-lot multi-family residential subdivision. The property is located east of Mooney Boulevard and south of Seminole Avenue. The applicant proposes to develop 38 total residential units consisting of either one or two duplex units on each parcel.

As part of the development the applicant will be required to extend Aberdeen Street across the full frontage of the property. Entry access to the development will be off Aberdeen Street. The subject property is currently vacant. A solid fence, a minimum of 7-feet in height is required to be constructed along the north and south perimeters of the proposed development. Units will share a common private driveway with two car garages for each unit being provided.

The proposed development will be required to be part of a Landscape Maintenance District (LMD) for the maintenance of the storm drain basin that will serve the proposed development and its related frontage landscaping and irrigation improvements. The LMD will also include surrounding development including an approved single family residential subdivision located to the south of the proposed development.

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 medium density residential within the City of Tulare adopted 2035 General Plan. The existing zoning is RM-2 (Multi-Family Residential) and is consistent with the existing General Plan designation. The proposed multi-family residential subdivision is a permitted use within the RM-2 zone district.

The development standards of the RM-2 zone district will apply to the Tentative Subdivision Map as well as the design standards of the Subdivision Regulations. The minimum lot size for the RM-2 zone district is 6,000 square feet. Front yard setbacks are 20-foot minimum and side and rear yard setbacks are five feet per story, with the exception of corner lots, which have a 10-foot side yard minimum. The minimum lot dimensions required are as follows:

<i>District</i>	<i>Interior Lot Width</i>	<i>Corner Lot Width</i>	<i>All Lots Depth</i>
RM-2	40 feet	50 feet	100 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 May 9, 2018. The Public Works Director and City Engineer, have determined that the proposed project will 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. Existing water and sewer mains are located to the north along Aberdeen Street and will be required to be extended to serve the proposed development. Storm water collection from the subdivision will be located at an existing basin along Mooney Boulevard to the west of the subdivision.

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

ENVIRONMENTAL:

This project is exempt pursuant to Section 15332 (*In-fill Development Projects*) of the California Environmental Quality Act of 1970, as amended.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Oak Creek 3 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) This project is exempt pursuant to Section 15332 (*In-fill Development Projects*) of the California Environmental Quality Act of 1970, as amended.
- 8) That the proposed subdivision map is consistent with the Tulare City Code.

CONDITIONS:

Based on the approved findings, staff recommends that the Oak Creek 3 Tentative Subdivision Map, be approved subject to the following conditions:

- 1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.

- 2) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments III, IV, V and VI).
- 3) 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.
- 4) Final acceptance of the tract shall be contingent upon the sub-divider 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.
- 5) Six-foot public utility easements shall be granted along all front yards as required for public utilities.
- 6) Final subdivision map shall depict all easements.
- 7) Comply with the requirements outlined in the Caltrans letter dated January 23, 2018, included as attachment VII.
- 8) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 9) All lots shall meet the provisions of the applicable zoning district.
- 10) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 11) Applicant to record a "Right to Farm" notice on final map.
- 12) A solid fence, a minimum of seven feet in height shall be constructed along the north and south perimeter of the site.
- 13) 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.
- 14) 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.

- 15) All outdoor areas not use for parking, walkways or other features shall be landscaped but not less than 10% of the total site area of each parcel shall be landscaped.
- 16) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 17) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 18) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 19) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 20) 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.

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. Engineering Comments
- V. Fire Comments
- VI. Parks Comments
- VII. Solid Waste Comments

- VIII. Caltrans Letter – January 23, 2018
- IX. Resolution 5286

Tentative Subdivision Map

Oak Creek 3

Legend

 Oak Creek 3



600 ft

OAK CREEK 3 TENTATIVE SUBDIVISION MAP

SITUATED IN A PORTION OF THE NORTH 1/4 OF THE SW 1/4 SEC. 6, TOWNSHIP 20 SOUTH, RANGE 25 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA
5/24/18

OWNER:

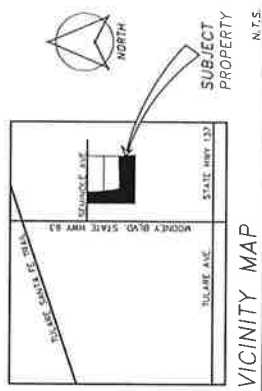
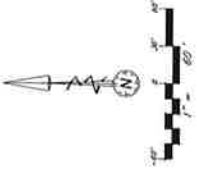
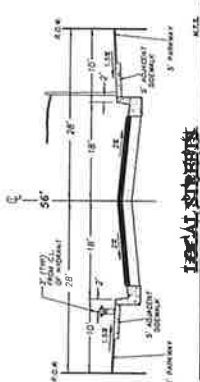
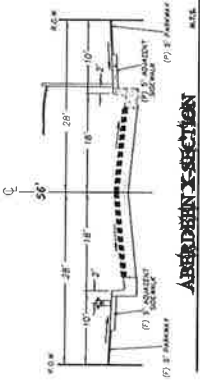
SWIFT HOMES
1969 HILLMAN
16055 130TH AVE
555-759-6993
A.P.N.: 172-070-006

ENGINEER:

A.W. ENGINEERING
724 N. BEN MADDOX WAY SUITE A
VISALIA, CA 93282
PH: 559-967-8689

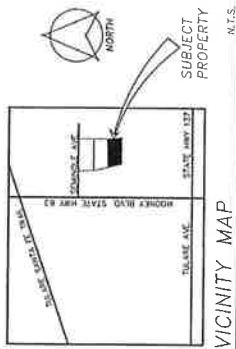
LEGEND/NOTES:

- (E) EXISTING
- (P) PROPOSED
- EXIST. USE: VACANT
- PROPOSED USE: MULTI-FAMILY
- SEWAGE DISPOSAL: CITY OF TULARE
- WATER SUPPLY: CITY OF TULARE
- STORM DRAINAGE: OFF SITE POND
- TOTAL LOTS: 15
- EXIST. ZONING: R-M-2 MULTI-FAMILY
- PROPOSED ZONING: R-M-2 MULTI-FAMILY
- GROSS TOTAL AREA: 4.0 ACRES
- FLOOD ZONE: X COMMUNITY PANEL #06107C12575E
- 1. ALL EXISTING ON-SITE IRRIGATION PIPES SHALL BE CRUSHED AND REMOVED.

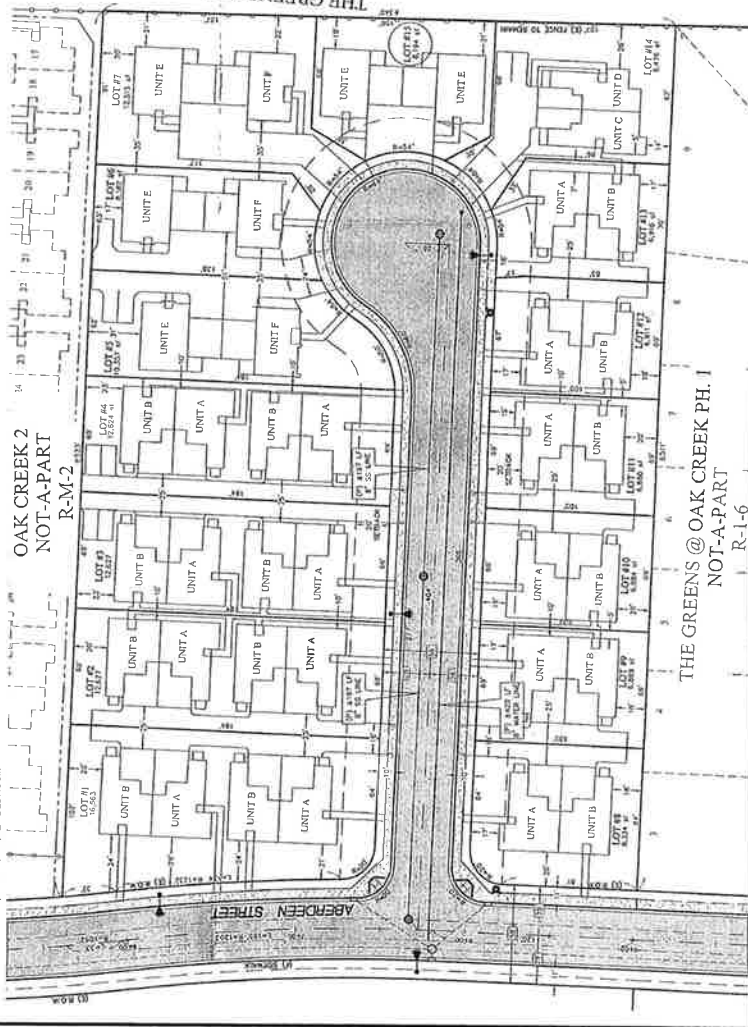


LEGEND/NOTES:

- (E) EXISTING
 - (P) PROPOSED
 - CONCRETE
 - (P) FIRE HYDRANT
 - (P) STREET LIGHT
 - SSBH SANITARY SEWER MAN HOLE
 - SDMH STORM DRAIN MAN HOLE
 - UNIT A 1,120 SQ FT, 3-BEDROOM
 - UNIT B 1,038 SQ FT, 2-BEDROOM
 - UNIT C 1,082 SQ FT, 3-BEDROOM
 - UNIT D 944 SQ FT, 2-BEDROOM
 - UNIT E 1,109 SQ FT, 3-BEDROOM
 - UNIT F 1,044 SQ FT, 2-BEDROOM
- EXIST. USE: VACANT
 PROPOSED USE: MULTI-FAMILY
 SEWAGE DISPOSAL: CITY OF TULARE
 WATER SUPPLY: CITY OF TULARE
 STORM DRAINAGE: OFF SITE POND
 TOTAL LOTS: 15
 TOTAL UNITS: 35
 DIST. LOADING: R-M-2, MULTI-FAMILY
 PROPOSED UNITS: 15 MULTI-FAMILY
 GROSS TOTAL AREA: 4.0 ACRES
 FLOOD ZONE: X COMMUNITY PANEL #06107C12575E
 1. ALL EXISTING ON-SITE IRRIGATION PIPES SHALL BE CRUSHED AND REMOVED.



VICINITY MAP



OAK CREEK 2
 NOT-A-PART
 R-M-2

THE GREENS @ OAK CREEK PH. I
 NOT-A-PART
 R-1-6

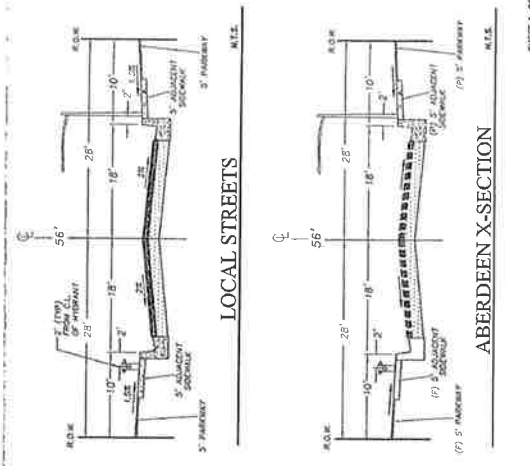
**OAK CREEK 3
 TENTATIVE MAP**

SITUATED IN A PORTION OF THE NORTH 1/2 OF THE SW 1/4 SEC. 6, TOWNSHIP 20 SOUTH, RANGE 28 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE CITY OF TULARE COUNTY OF TULARE STATE OF CALIFORNIA 4/13/18

OWNER:
 SWEET LINDSAY
 1989 HILLMAN
 TULARE, CA 93274
 559-799-8993

A.P.N.: 172-070-006

ENGINEER:
 A.W. ENGINEERING
 BEN WOODROCK WAY SUITE A
 VESALE, CA 93255
 PH. 559-987-6089



LOCAL STREETS

ABERDEEN X-SECTION

SHEET 1 OF 1



SITE PLAN REVIEW COMMENTS

Engineering Division

TO: Planning Division

FROM: Engineering Division

MEETING DATE: 5/9/2018

PROJECT: Site Plan Review Application No. : 1823 (Oak Creek No. 3)

PROJECT LOCATION: Along the east side of Aberdeen Street south of Seminole Avenue

OWNER/DEVELOPER: Great Valley Builders

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

Engineering Comments:

City Standard cul-de-sac street widths are typically 32 feet from curb face to curb face. However, given the increased density of the multi-family units and expected increased demand for street parking, the City concurs with the 36 foot local street standard width proposed on the Tentative Map.

City Standard Detail No. 7130 (eccentric cul-de-sac) is dimensioned for a parkway strip configuration (11 feet from curb face to right-of-way line). Please adjust radial dimension on cul-de-sac bulb to reflect the proposed adjacent sidewalk configuration (10 feet from curb face to right-of-way line).

Plan view dimensions for Aberdeen Street (58 feet from right-of-way to right-of-way) does not match cross section shown (56 feet from right-of-way to right-of-way). Please adjust plan view drawing to match dimensions shown in the Aberdeen Street cross section.

If Oak Creek No. 3 is constructed before The Greens at Oak Creek subdivision, a temporary turnaround on Aberdeen Street will be required. A temporary access easement in favor of the City will be required for all proposed temporary turnarounds.

Oak Creek No. 3 shall be a part of an Assessment District for the maintenance of the storm drain basin and its related frontage landscaping and irrigation improvements. The Assessment District shall also include the Oak Creek No. 2, Oak Creek No. 4 and The Greens at Oak Creek projects.

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. Master Plan drawings are needed for: Water, Sewer, Storm Drain, Streets
3. 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.
4. 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.
5. Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
6. New City standard sidewalk shall be constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Street Frontage</u>	<u>Configuration</u>	<u>Sidewalk Width (ft)</u>
Cul-De-Sac	Adjacent to Curb	5 feet
Aberdeen Street	Adjacent to Curb	5 feet

7. New City standard ramped curb returns and/or pedestrian ramps shall be installed at the northwest and southwest corner of Aberdeen Street and the cul-de-sac street. Curb return ramps shall be directional in nature and oriented in the north/south direction.
8. New City standard driveway approach(es) shall be constructed at locations shown on the Tentative Map.
9. The following minimum street improvements are required:
 - a. If the developer is planning to defer the construction of the curb and gutter on the west side of Aberdeen Street until the development to the west occurs, a minimum street width of 32 feet (8 foot parking and two 12 foot lanes) from curb face on Aberdeen Street will be required.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Aberdeen Street	Local Street, T.I. = 5.0
Cul-de-sac	Residential Cul-de-sac, T.I. = 4.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. 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. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows: 32-watt LED (5,800 Lumen H.P.S.V. equivalent) with 25-ft pole height and 4-ft mast arm: Proposed cul-de-sac and Aberdeen Street.
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The following right-of-way dedications are required for street/alley purposes:
 - a. 20' property corner radius: Northwest and southwest corner of Aberdeen Street and the cul-de-sac.
 - b. Street: 56 foot right-of-way dedication for Aberdeen Street and the proposed cul-de-sac.
14. Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.
15. All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. 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.
16. The proposed development shall be responsible for the following water main extensions and connections: across the full frontage of the property on Aberdeen Street and as required in the proposed cul-de-sac to meet the needs of the development and in accordance with the approved water master plan for the overall Oak Creek development.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. 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.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: across the full frontage of the property on Aberdeen Street and as required in the proposed

cul-de-sac to meet the needs of the development and in accordance with the approved sewer master plan for the overall Oak Creek development.

21. 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
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: as needed to serve the development and in accordance with the approved storm drain master plan for the overall Oak Creek development.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.

A letter verifying that lot grading was completed according to the approved grading / drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of any final occupancy permits or notice of completion for public improvements. The Engineer or Architect shall affix their stamp and seal to the letter.

25. A Public Works Inspection Fee is required prior to the construction of improvements.
26. If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.
27. Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
28. If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.
29. If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City.
30. 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.
31. 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:
 - Sewer front foot charges of \$ 25.00 per front foot for frontages on _____.
 - Sewer lift station fee of \$ _____ per acre.
 - Water front foot charges of \$ 17.50 per front foot for frontages on _____.
 - Street front foot charges of \$ _____ per front foot for frontages on _____.

- Benefit district creation fee (if applicable): \$ 1,008.19 per district.
- Traffic signal in-lieu fee of \$ _____.
- TID ditch piping In-lieu fee of \$ _____.
- Sewer main construction in-lieu fee of \$ _____.
- Water main construction in-lieu fee of \$ _____.
- Street construction in-lieu fee of \$ _____.
- Engineering inspection fee based on a percentage of the estimated cost of construction.
- Development impact fees to be paid with building permit.
- Engineering plan check fee to be paid at time of plan submittal.
- Final map plan check fee to be paid at time of map submittal.
- Other: _____

Prepared By: Jan Bowen, Engineering Division

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 1823:

1. The project must comply with all of the latest applicable codes.
2. Based on the occupancy classification and/or square footage of this building, an automatic fire sprinkler system *shall* be required.
3. Depending on the location of the existing fire hydrant(s), 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.
4. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving on the site.
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 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"
 - a. Remove the additional parking between lots 3 & 4 to reduce the length of the driveway.
6. All roads 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. 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.
8. All buildings/units shall be provided with approved address identification. In addition to each unit being labeled, a monument sign (or other approved method) shall be installed visible from the road. All addresses shall be printed with a minimum of 4" numbers.

Ryan Leonardo
Fire Inspector III
May 9, 2018

INTEROFFICE MEMORANDUM

TO: Development Services Division
FROM: Parks Division
SUBJECT: Oak Creek 3 Tentative Subdivision Map
DATE: June 11, 2018

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 this chapter shall comply with the following development standards.

(A) *General standards.*

(1) 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 this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round

up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § [10.196.030](#)) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § [10.196.063\(A\)\(3\)](#). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls*. Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots*. Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at www.ci.tulare.ca.us. If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

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: Alberdeen Street
Name: Oak Creek 3
Date: 5/9/2018
Plan #: SP 1823

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 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 Organics/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 55,000 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.
- Standard residential can service. Trash, green waste/organics and blue recycling cans serviced once a week
- 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 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 greenwaste 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 (No Exceptions).

Comments:

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

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www.dot.ca.gov



*Making Conservation a
California way of life.*

January 23, 2018

06-TUL-63-0.426
2135-IGR/CEQA
OAK CREEK #3
38 UNITS MFR

Mr. Steven Sopp, Associate Planner
Community Development – Planning Division
City of Tulare
411 E. Tulare Street
Tulare, CA 93274

Dear Mr. Sopp:

Thank you for the opportunity to review the site plan for the Oak Creek #3 development proposing to construct 38 units for Multi-Family Residential use on 3.66 acres. The project site is located at the southwest corner of Seminole Avenue and Aberdeen Street (new street), approximately .25 mile east of the State Route (SR) 63/Seminole 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. Caltrans estimated that Oak Creek 3 would generate approximately 24 trips during the weekday afternoon peak-hour period that will impact SR 63.
2. Please provide a copy of the traffic signal warrant study for the intersection of SR 63 and Seminole Avenue for Caltrans review.
3. The project proponent should pay their fair share towards the future improvements at the intersection of SR 63 and Seminole Avenue.
4. The existing dedicated right turn lane on northbound SR 63 to Seminole Avenue should be lengthened to at least 580 feet to accommodate new trips generated by the development.

5. 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.

6. 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 bicycle racks, security, and lockers). 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.

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

Sincerely,



DAVID DEEL
Associate Transportation Planner
Transportation Planning - North

RESOLUTION NO. 5286

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
APPROVING TENTATIVE SUBDIVISION MAP 2018-13- OAK CREEK 3**

WHEREAS, the City of Tulare Planning Commission held a regular meeting on July 9, 2018 to consider a request by Great Valley Builders to subdivide approximately 4 acres into a 15-lot multi-family residential subdivision on property located east of Mooney Blvd. and south of Seminole Avenue on the east side of Aberdeen Street (APN 172-100-001); 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 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, the Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA):

NOW, THEREFORE BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA section 15332; and,

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 2018-13 subject to the following conditions::

- 1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 2) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions.
- 3) 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.
- 4) Final acceptance of the tract shall be contingent upon the sub-divider 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.
- 5) Six-foot public utility easements shall be granted along all front yards as required for public utilities.
- 6) Final subdivision map shall depict all easements.
- 7) Comply with the requirements outlined in the Caltrans letter dated January 23, 2018.
- 8) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 9) All lots shall meet the provisions of the applicable zoning district.

- 10) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 11) Applicant to record a "Right to Farm" notice on final map.
- 12) A solid fence, a minimum of seven feet in height shall be constructed along the north and south perimeter of the site.
- 13) 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.
- 14) 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.
- 15) All outdoor areas not use for parking, walkways or other features shall be landscaped but not less than 10% of the total site area of each parcel shall be landscaped.
- 16) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 17) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 18) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 19) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 20) 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.

Engineering:

City Standard cul-de-sac street widths are typically 32 feet from curb face to curb face. However, given the increased density of the multi-family units and expected increased demand for street parking, the City concurs with the 36 foot local street standard width proposed on the Tentative Map.

City Standard Detail No. 7130 (eccentric cul-de-sac) is dimensioned for a parkway strip configuration (11 feet from curb face to right-of-way line). Please adjust radial dimension on cul-de-sac bulb to reflect the proposed adjacent sidewalk configuration (10 feet from curb face to right-of-way line).

Plan view dimensions for Aberdeen Street (58 feet from right-of-way to right-of-way) does not match cross section shown (56 feet from right-of-way to right-of-way). Please adjust plan view drawing to match dimensions shown in the Aberdeen Street cross section.

If Oak Creek No. 3 is constructed before The Greens at Oak Creek subdivision, a temporary turnaround on Aberdeen Street will be required. A temporary access easement in favor of the City will be required for all proposed temporary turnarounds.

Oak Creek No. 3 shall be a part of an Assessment District for the maintenance of the storm drain basin and its related frontage landscaping and irrigation improvements. The Assessment District shall also include the Oak Creek No. 2, Oak Creek No. 4 and The Greens at Oak Creek projects.

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. Master Plan drawings are needed for: Water, Sewer, Storm Drain, Streets
3. 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.

4. 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.
5. Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
6. New City standard sidewalk shall be constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Street Frontage</u>	<u>Configuration</u>	<u>Sidewalk Width (ft)</u>
Cul-De-Sac	Adjacent to Curb	5 feet
Aberdeen Street	Adjacent to Curb	5 feet

7. New City standard ramped curb returns and/or pedestrian ramps shall be installed at the northwest and southwest corner of Aberdeen Street and the cul-de-sac street. Curb return ramps shall be directional in nature and oriented in the north/south direction.
8. New City standard driveway approach(es) shall be constructed at locations shown on the Tentative Map.
9. The following minimum street improvements are required:
 - a. If the developer is planning to defer the construction of the curb and gutter on the west side of Aberdeen Street until the development to the west occurs, a minimum street width of 32 feet (8 foot parking and two 12 foot lanes) from curb face on Aberdeen Street will be required.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Aberdeen Street	Local Street, T.I. = 5.0

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. 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. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows: 32-watt LED (5,800 Lumen H.P.S.V. equivalent) with 25-ft pole height and 4-ft mast arm: Proposed cul-de-sac and Aberdeen Street.
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The following right-of-way dedications are required for street/alley purposes:
 - a. 20' property corner radius: Northwest and southwest corner of Aberdeen Street and the cul-de-sac.
 - b. Street: 56 foot right-of-way dedication for Aberdeen Street and the proposed cul-de-sac.
14. Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.
15. All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. 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.
16. The proposed development shall be responsible for the following water main extensions and connections: across the full frontage of the property on Aberdeen Street and as required in the proposed cul-de-sac to meet the

needs of the development and in accordance with the approved water master plan for the overall Oak Creek development.

17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. 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.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: across the full frontage of the property on Aberdeen Street and as required in the proposed cul-de-sac to meet the needs of the development and in accordance with the approved sewer master plan for the overall Oak Creek development.
21. 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
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: as needed to serve the development and in accordance with the approved storm drain master plan for the overall Oak Creek development.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.
A letter verifying that lot grading was completed according to the approved grading / drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of any final occupancy permits or notice of completion for public improvements. The Engineer or Architect shall affix their stamp and seal to the letter.
25. A Public Works Inspection Fee is required prior to the construction of improvements.

26. If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.
27. Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
28. If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.
29. If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City.
30. 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.
31. 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:
 - Sewer front foot charges of \$ 25.00 per front foot for frontages on _____.
 - Sewer lift station fee of \$ _____ per acre.
 - Water front foot charges of \$ 17.50 per front foot for frontages on _____.
 - Street front foot charges of \$ _____ per front foot for frontages on _____.
 - Benefit district creation fee (if applicable): \$ 1,008.19 per district.
 - Traffic signal in-lieu fee of \$ _____.
 - TID ditch piping In-lieu fee of \$ _____.

- Sewer main construction in-lieu fee of \$ _____.
- Water main construction in-lieu fee of \$ _____.
- Street construction in-lieu fee of \$ _____.
- Engineering inspection fee based on a percentage of the estimated cost of construction.
- Development impact fees to be paid with building permit.
- Engineering plan check fee to be paid at time of plan submittal.
- Final map plan check fee to be paid at time of map submittal.
- Other: _____.

Fire:

1. The project must comply with latest applicable codes.
2. Based on the occupancy classification and/or square footage of this building, an automatic fire sprinkler system shall be required
3. Depending on the location of the existing fire hydrant(s), 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
4. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving onsite.
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 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".
 - a. Remove the additional parking between lots 3 & 4 to reduce the length of the driveway.
6. All roads 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. 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.
8. All buildings/units shall be provided with approved address identification. In addition to each unit being labeled, a monument sign (or other approved method)

shall be installed visible from the road. All addresses shall be printed within a minimum of 4" numbers.

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 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 Organics/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 55,000 lb. refuse truck.
6. Standard residential can service. Trash, green waste/organics and blue recycling cans serviced once a wee.
7. Customer will be required to roll container out to curb for service.
8. 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).

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 this chapter shall comply with the following development standards.

(A) *General standards.*

- (1) 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 this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § 10.196.030) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls.* Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or comer segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots.* Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at www.ci.tulare.ca.us. If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

PASSED, APPROVED AND ADOPTED this ninth day of July, 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

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.*

January 23, 2018

06-TUL-63-0.426
2135-IGR/CEQA
OAK CREEK #3
38 UNITS MFR

Mr. Steven Sopp, Associate Planner
Community Development – Planning Division
City of Tulare
411 E. Tulare Street
Tulare, CA 93274

Dear Mr. Sopp:

Thank you for the opportunity to review the site plan for the Oak Creek #3 development proposing to construct 38 units for Multi-Family Residential use on 3.66 acres. The project site is located at the southwest corner of Seminole Avenue and Aberdeen Street (new street), approximately .25 mile east of the State Route (SR) 63/Seminole 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. Caltrans estimated that Oak Creek 3 would generate approximately 24 trips during the weekday afternoon peak-hour period that will impact SR 63.
2. Please provide a copy of the traffic signal warrant study for the intersection of SR 63 and Seminole Avenue for Caltrans review.
3. The project proponent should pay their fair share towards the future improvements at the intersection of SR 63 and Seminole Avenue.
4. The existing dedicated right turn lane on northbound SR 63 to Seminole Avenue should be lengthened to at least 580 feet to accommodate new trips generated by the development.

5. 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.

6. 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 bicycle racks, security, and lockers). 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.

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

Sincerely,



DAVID DEEL
Associate Transportation Planner
Transportation Planning - North

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

July 9, 2018

CONDITIONAL USE PERMIT NO. 2018-12

PRESENTED TO:	Planning Commission
PRESENTED BY:	Steven Sopp, Associate Planner
APPLICANT:	Veronica Ortiz
LOCATION:	1414 W Tulare Avenue
APN:	168-060-010
ZONING CLASSIFICATION:	M-1 (Light Industrial)
GENERAL PLAN DESIGNATION:	Light Industrial
SURROUNDING LAND USES AND ZONING:	North: Residence M-1 South: CVS Pharmacy C-3 East: Residence R-1-6 West: Family Dollar M-1

REQUEST

Conditional Use Permit No. 2018-12 is a request by Veronica Ortiz of Tacqueria Michoacan to operate a stationary mobile vending vehicle on the property located at 1414 W. Tulare Avenue.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-12 subject to the findings and conditions in Resolution No. 5287. Staff's recommendation is based on the findings and the projects consistency with the policies and intent of the City's General Plan and Municipal Code.

STAFF COMMENTS AND PROJECT DETAILS:

The applicant proposes to operate a vending vehicle (Taco Truck) in the parking lot of an existing service station/carwash, located on the northwest corner of Tulare Avenue and West Street. The proposed vending vehicle is a self-contained mobile food vending truck. The location map depicts the vending vehicle to be parked on the west side of the business in front of the carwash area of the business and will not occupy any parking stalls. The applicant proposes to operate the vending vehicle from 6 p.m. to 12 a.m.

Wednesday through Monday. The applicant's proposed operation includes setting up and the removal of the vending vehicle daily from the site. The vending operation is walk-up and contains refrigeration, cooking and food preparation areas. The applicant proposes to set up 1 table and chairs immediately adjacent to the vending vehicle for customer use.

Restrooms are located in the existing service station. The applicant has received a letter from the owner allowing the use of the restrooms throughout the business hours.

On June 12, 2017 the Planning Commission approved Conditional Use Permit (CUP) No. 2017-13 to allow the applicant to operate a mobile food vendor at this location. The Planning Commission's approval was valid for one-year and on June 12, 2018 CUP 2017-13 expired. The applicant is applying to remain at this location and continue to operate. The applicant was approved to set up 1 table and chairs immediately adjacent to the vending vehicle for customer use as part of CUP 2017-13.

Operation of stationary mobile vending units require approval of a Conditional Use Permit (*Chapter 10.180 – Vending Stands on private property*).

No comments have been received by staff regarding this project during the public comment period.

ENVIRONMENTAL FINDINGS:

This project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2018-12.

- 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.

- 5) That this project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No.2018-12, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain any other required license or permit.
- 7) This permit shall remain valid for one year from approval or July 9, 2019; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Applicant to be permitted to set up 1 table and chairs immediately adjacent to the vending vehicle for customer use. Table and chairs to remain outside of vehicle paths of travel and to be removed to close each evening.
- 9) Hours of operation shall be from 6 p.m. to 12 a.m. Wednesday through Monday.

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:

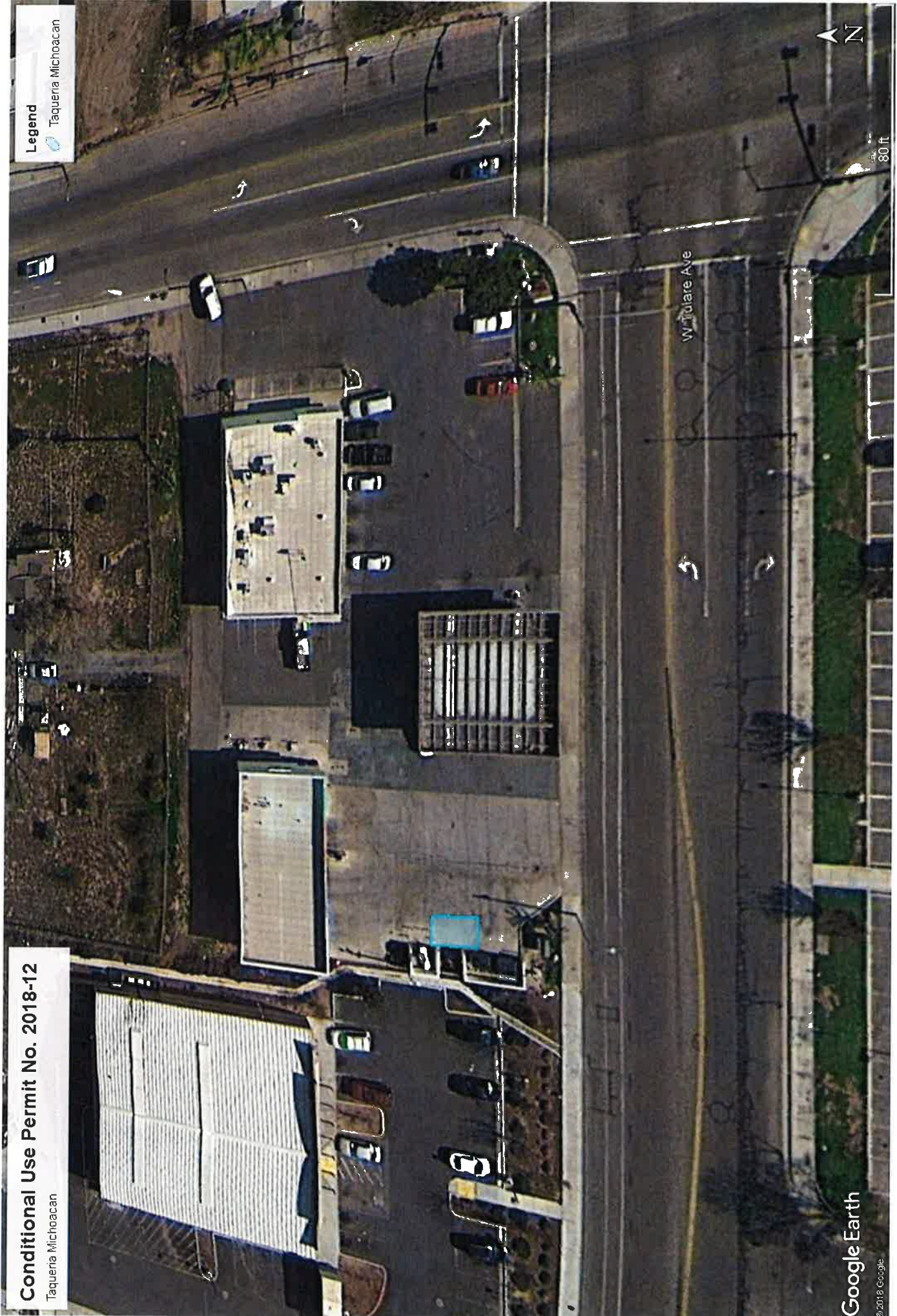
- I. Project Location Map
- II. Exterior Elevation – Front
- III. Exterior Elevation - Back
- IV. Resolution

Conditional Use Permit No. 2018-12

Taquerna Michoacan

Legend

Taquerna Michoacan



Taqueria Michoacacan

TACOS
BURRITOS
QUESADILLAS
SOPES
TORTAS
TOSTADAS

CARNES

ASADA, CABEZA
PASTOR, LENGUA
CHORIZO

MARISCOS

COCTEL DE CAMARON
TOSTADAS
PESCADO
Y MAS



**Taqueria
Michoacan**

HONDA



RESOLUTION NO. 5287

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2018-12**

WHEREAS, Conditional Use Permit 2018-12 is a request by Veronica Ortiz of Tacqueria Michoacan to operate a stationary mobile vending vehicle on the property located at 1414 Tulare Avenue; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on July 9, 2018; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2018-12 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 Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA); and,

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15304(e); and,

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 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.
- 5) That this project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2018-12 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain any other required license or permit.
- 7) This permit shall remain valid for one year from approval or July 9, 2019; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Applicant to be permitted to set up 1 table and chairs immediately adjacent to the vending vehicle for customer use. Table and chairs to remain outside of vehicle paths of travel and to be removed to close each evening.
- 9) Hours of operation shall be from 6 p.m. to 12 a.m. Wednesday through Monday.

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

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTEST

CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

JOSH McDONNELL, SECRETARY
City of Tulare Planning Commission

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

July 9, 2018

CONDITIONAL USE PERMIT APPLICATION NO. 2018-15

PROJECT PLANNER:	Steven Sopp, Associate Planner
APPLICANT:	City of Tulare
LOCATION:	Northwest corner of Cartmill Avenue and Mooney Boulevard
APN:	149-060-013
ZONING CLASSIFICATION:	RM-2 (Multi-Family Residential)
GENERAL PLAN DESIGNATION:	Medium Density Residential
SURROUNDING LAND USES AND ZONING:	North: Vacant RM-2 South: Vacant RM-2 West: Vacant R-1-6 East: Vacant RM-2

REQUEST:

Request by the City of Tulare – Public Works Department - to construct a new water well, 1.5 million gallon concrete water storage tank and associated equipment and improvements located near the northwest corner of Cartmill Avenue and Mooney Boulevard. (APN 149-060-013).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-15 subject to the findings and conditions in Resolution No. 5290. 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:

Through an analysis of the condition of the City's water supply and distribution system in late 2014, it was determined that the existing system had numerous deficiencies, ultimately resulting in low pressures and limited capacity. A list of needed improvements was developed, totaling over \$22 million. The City has been working to make these improvements, including the design and construction of new wells and water storage tanks, as well as making necessary replacements of and upgrades to the distribution system.

City Staff was directed by the Board of Public Utilities to seek out and evaluate property for use as future City well and/or water storage tank sites to address current and future City water needs. A test well was completed on the project site located near the northwest corner of Cartmill Avenue and Mooney Boulevard in April of 2017. Test results indicated that a permanent well at this location would provide needed yields and further analysis determined that it would be beneficial to install a water storage tank at this same location to serve existing demand and future growth.

On September 12, 2016 the Planning Commission approved the Willow Glen Tentative Subdivision Map to subdivide approximately 166.63 acres into 192 single family residential lots, 16 multi-family lots and a 13.7 acre parcel for future commercial development. The proposed well will be located within the overall Willow Glen development. The proposed tank and well will provide the necessary supply and pressures at peak demand to the surrounding area.

The attached site plan depicts a 1.5 million gallon concrete water tank, 100' in diameter and 22' 6" tall with associated appurtenances situated on the vacant lot. Development of the well site will occur before areas immediately surrounding the well site are developed.

Temporary access will be provided from Mooney Boulevard until development of the surrounding area occurs. Upon development of the surrounding area, improvements such as streets, curb, gutter and sidewalk will be installed along the south and east frontages of the proposed site. Access will then be provided by a 20' rolling access gate from street frontages to both the east and the south. Trees will provide landscape screening along the perimeter of the site.

STAFF COMMENTS:

City water wells are a permitted use in multi-family-zoned areas. However, it was determined that the water storage tank component of the proposed use is subject to the approval of a Conditional Use Permit in accordance with Chapter 10.116 of the City of Tulare Municipal Code.

In accordance with the requirements of the RM-2 zone there is a 20 ft. front yard setback along the south side of the site. There is a 10 ft. street side setback along the east side of the site and a 5 ft. side and rear setback along the north and west sides of the site. A 6' chain link fence with slats will surround the lot and will be set outside of the required front and side yard setbacks.

The City Engineering department reviewed the site plan and prepared the attached comments associated with project.

ENVIRONMENTAL FINDINGS:

This project is exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2018-15:

- 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; and
- 6) The project is exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2018-15 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) Noise associated with the site shall not be at a level that exceeds the standards established in the City of Tulare Noise Ordinance.
- 4) Lighting shall be shielded, as necessary, to prevent the direct or indirect glare of light from falling into adjacent residential uses.
- 5) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 6) Applicant shall comply with the Engineering and parks comments attached (attachments V and VI).

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. Location Map – Willow Glen
- III. Site Plan
- IV. Elevations
- V. Engineering Comments
- VI. Parks Comments
- VII. Resolution

Tentative Parcel Map 2018-02

David Safina

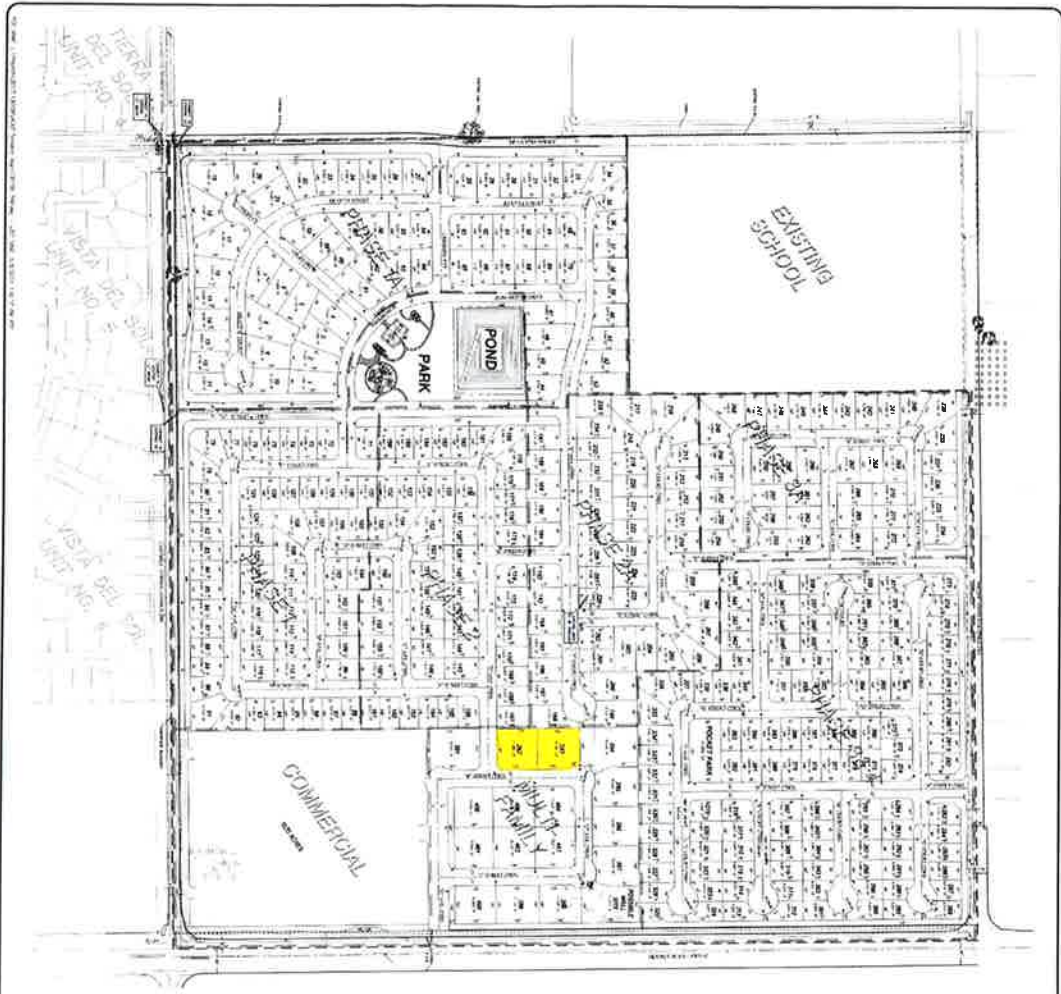
Legend

 Tentative Parcel Map



800 ft

Google Earth
© 2018 Google



WILLOW GLEN VESTING TENTATIVE SUBDIVISION MAP

DATE OF ORIGINAL QUARTER OF CORNER: 10/01/2014
 DATE OF REVISION: 03/15/2018

03/15/2018

Quad Knopf
 4000 E. CENTRAL AVENUE
 SUITE 100
 DENVER, CO 80231

1. THIS MAP IS A TENTATIVE SUBDIVISION MAP. IT IS NOT TO BE CONSIDERED A GUARANTEE OF ANY KIND.

SITE DATA

LOT AREA	1,564.44 SQ. FT.
PERMITS	PERMITS: N/A
RECORDS	RECORDS: N/A
PLANS	PLANS: N/A
DEEDS	DEEDS: N/A

RIGHT TO FARM NOTICE

A person who uses or occupies any real property for a use that is an agricultural use as defined in Section 3-10-1, C.R.S., shall have a right to farm in that property for a period of five (5) years from the date that the property is converted to residential use, whether by a deed, a lease, or otherwise.

NOTES

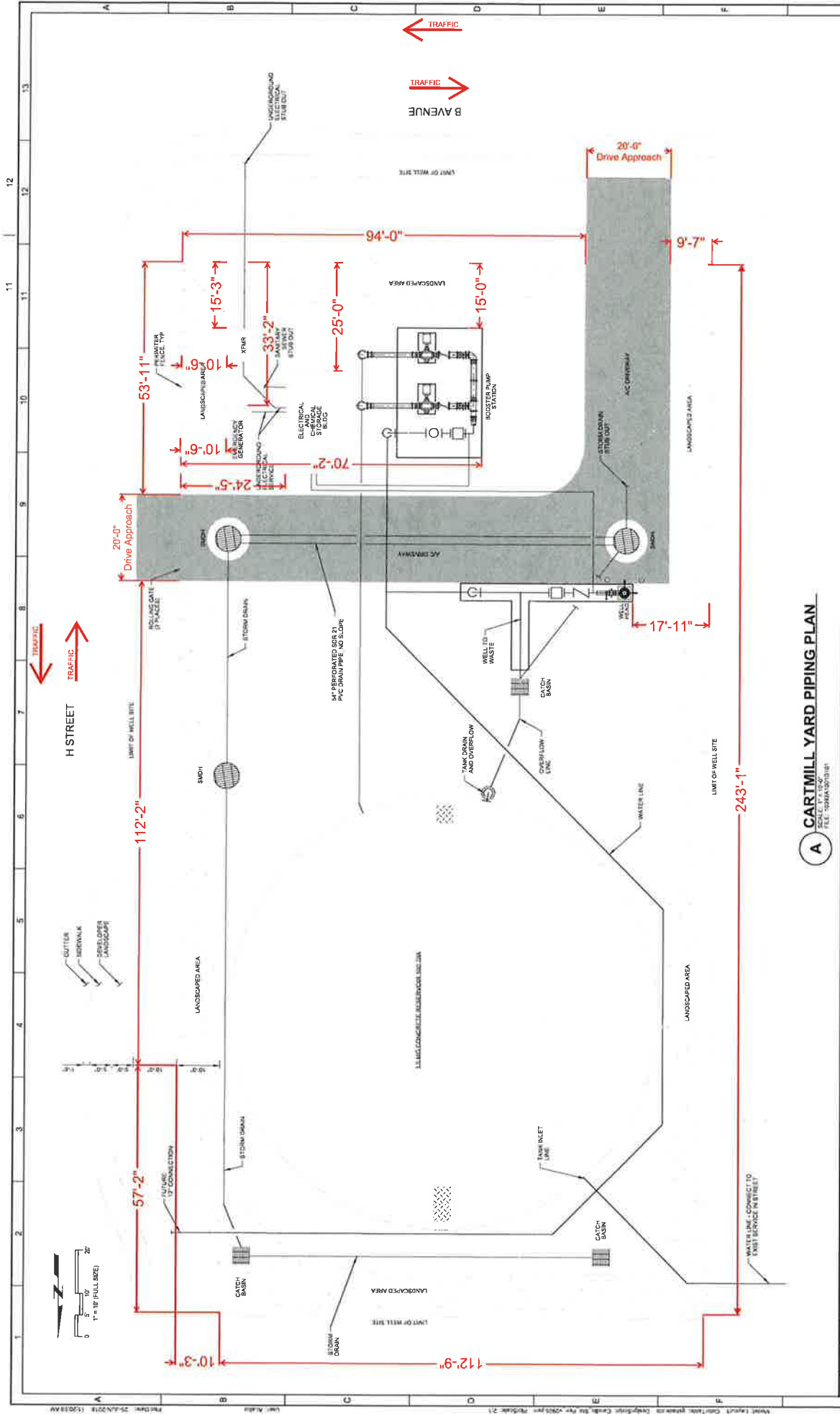
1. THIS MAP IS A TENTATIVE SUBDIVISION MAP. IT IS NOT TO BE CONSIDERED A GUARANTEE OF ANY KIND.

2. THIS MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, RULES AND REGULATIONS OF THE CITY AND COUNTY OF DENVER.



VICINITY MAP SHEET 1 OF 1

TENTATIVE SUBDIVISION MAP SHOWING WELL SITE



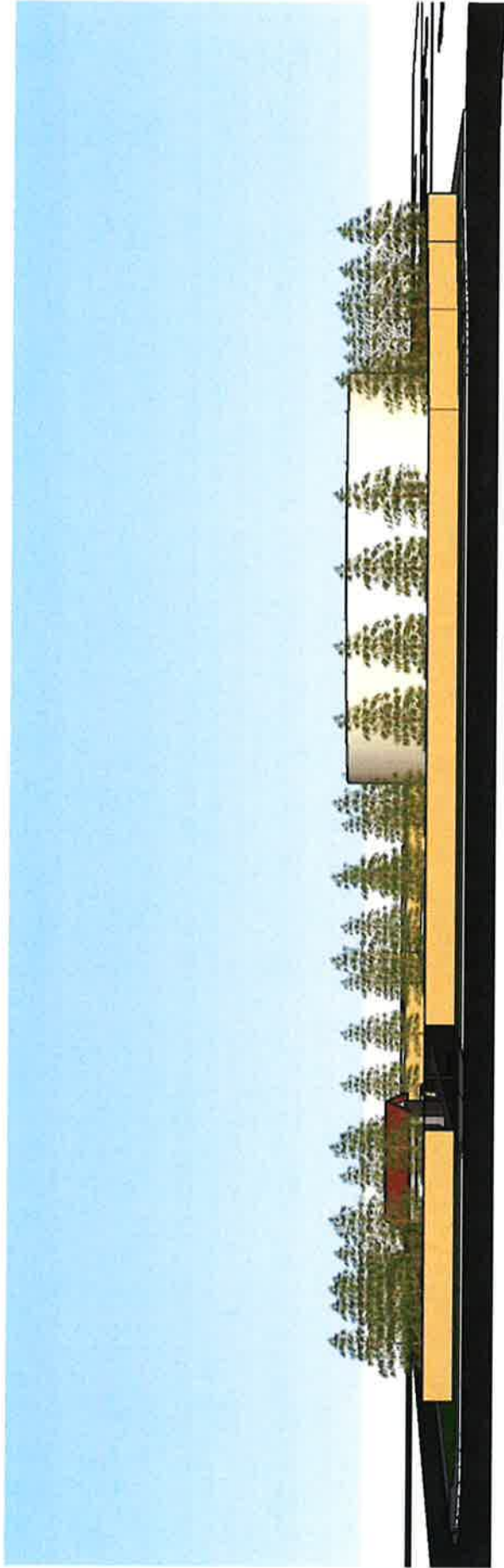
PROJECT NO. 10380-05-010-01	DATE: 07/1/2011	DESIGNED BY: MWR	CHECKED BY: RF	DATE: JULY 2011				CITY OF TULARE WATER STORAGE TANK IMPROVEMENTS PROJECT SITE PLAN - CARTMILL SITE ALTERNATIVE No. 4	VERIFY SCALES DRAWING NO. 10380-10 SHEET NO. C-107D OF 14
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A CARTMILL YARD PIPING PLAN

SCALE: 1" = 10'
 FULL: 10/20/10/10/10'

INTERMEDIATE DESIGN
 SUBMITTAL
 NOT FOR CONSTRUCTION

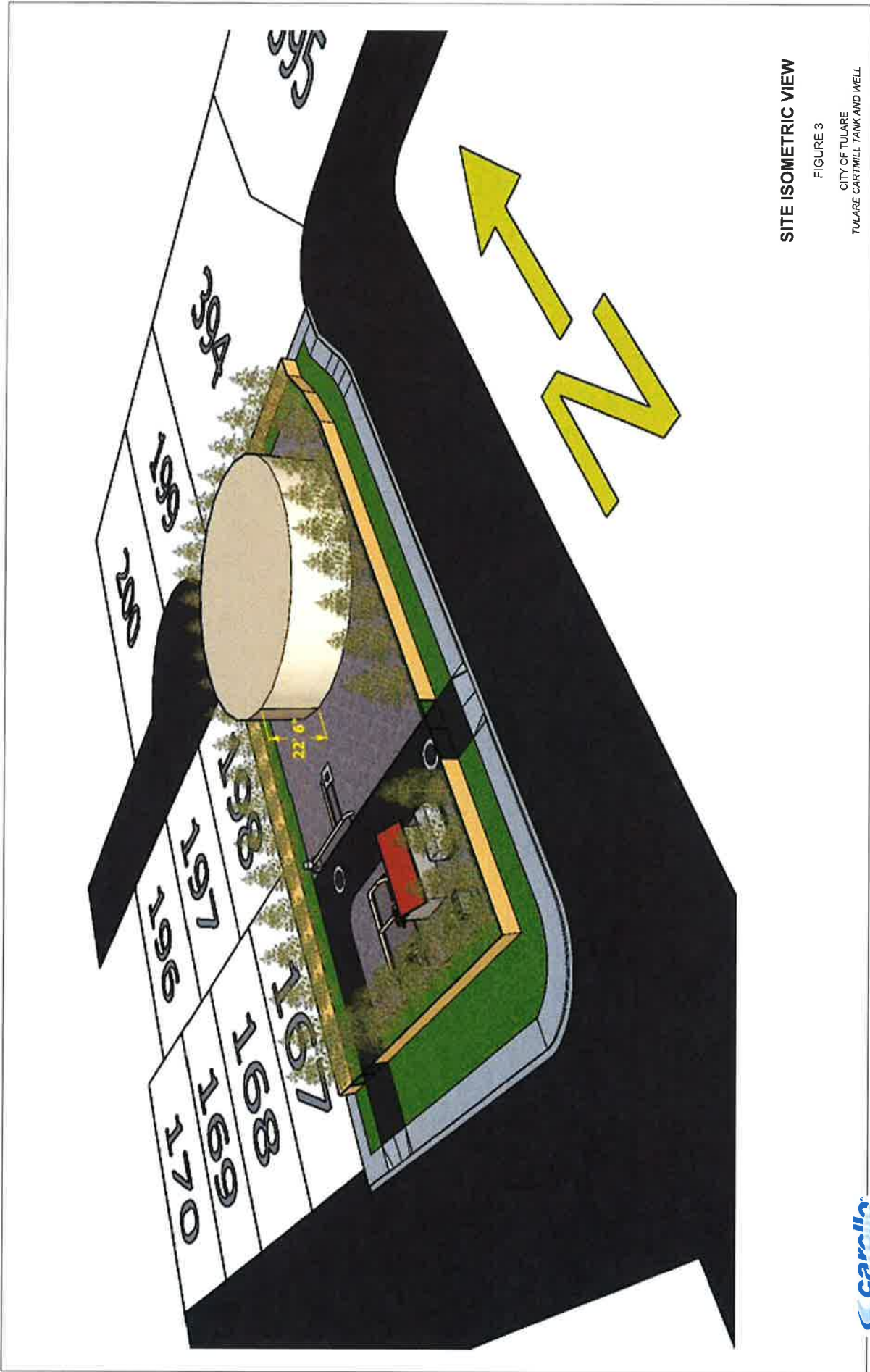
PROJECT NO. 10380-05-010-01
 DATE: 07/1/2011



SITE ELEVATION VIEW

FIGURE 1

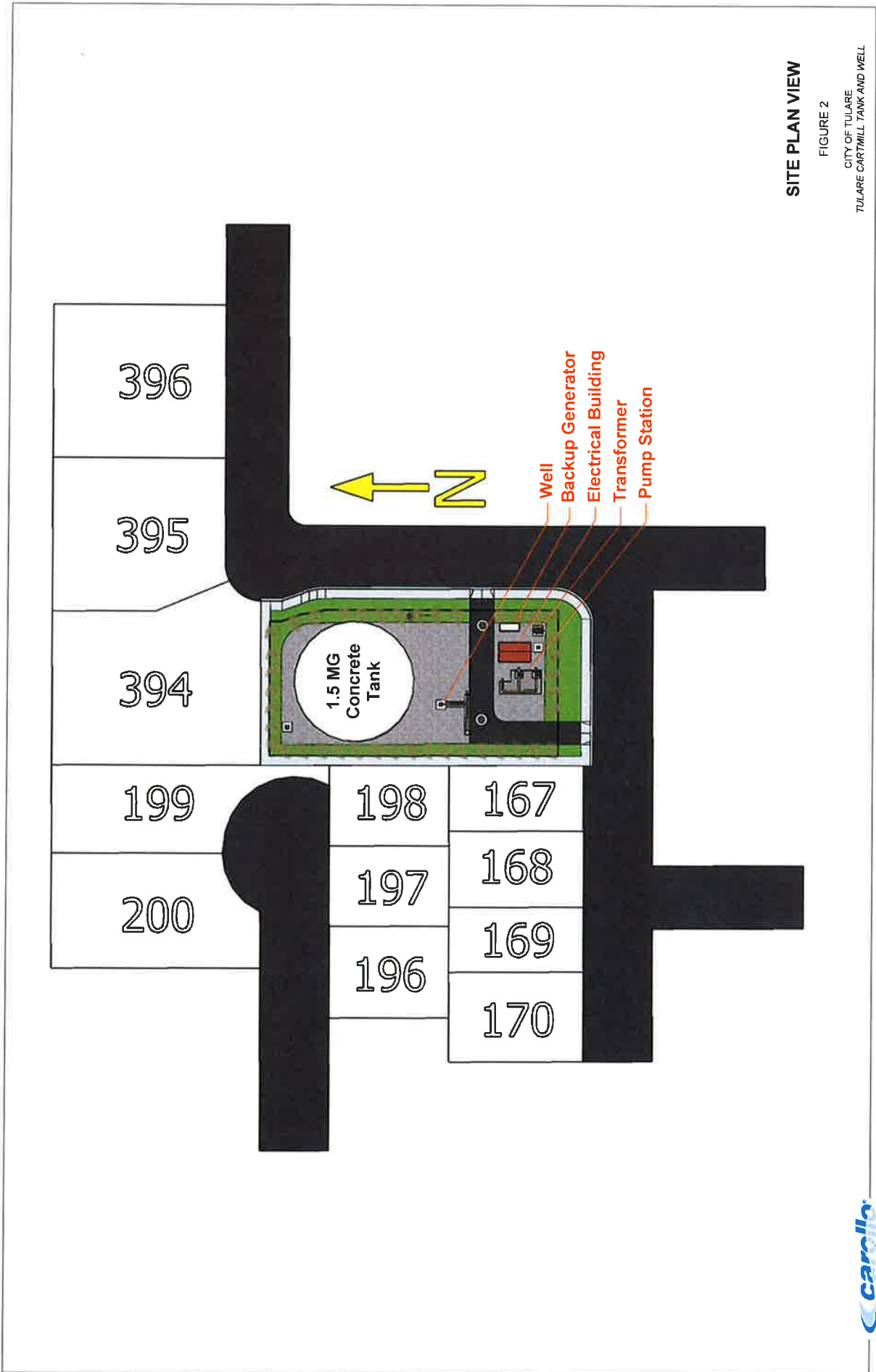
CITY OF TULARE
TULARE CARTMILL TANK AND WELL



SITE ISOMETRIC VIEW

FIGURE 3

CITY OF TULARE
TULARE CARTMILL TANK AND WELL



SITE PLAN VIEW

FIGURE 2

CITY OF TULARE
TULARE CARTMILL TANK AND WELL

INTEROFFICE MEMORANDUM

TO: Development Services Division
FROM: Parks Division
SUBJECT: CUP 2018-15 City of Tulare Well Site and Storage Tank
DATE: June 26, 2018

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 this chapter shall comply with the following development standards.

(A) *General standards.*

(1) 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 this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round

up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § [10.196.030](#)) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § [10.196.063\(A\)\(3\)](#). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls*. Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots*. Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at www.ci.tulare.ca.us. If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

RESOLUTION NO. 5290

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2018-15**

WHEREAS, Conditional Use Permit 2018-15 is a request by the City of Tulare Department of Public Works to construct a new water well, 1.5 million gallon concrete water storage tank and associated equipment and improvements to be located near the northwest corner of Cartmill Avenue and Mooney Boulevard; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on July 9, 2018; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2018-15 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 Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA):

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

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 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; and
- 6) The project is exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2018-15 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) Noise associated with the site shall not be at a level that exceeds the standards established in the City of Tulare Noise Ordinance.
- 4) Lighting shall be shielded, as necessary, to prevent the direct or indirect glare of light from falling into adjacent residential uses.
- 5) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 6) Applicant shall comply with the Engineering and Parks comments attached (attachments V and VI).

PASSED, APPROVED AND ADOPTED this ninth day of July, 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