

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

September 10, 2018

CONDITIONAL USE PERMIT NO. 2018-18

PRESENTED TO:	Planning Commission
PRESENTED BY:	Steven Sopp, Associate Planner
APPLICANT:	Armando Gonzalez Montes
LOCATION:	Property is located at 1370 E. Bardsley Ave
APN:	177-044-014
ZONING CLASSIFICATION:	C-1 (Neighborhood Commercial)
GENERAL PLAN DESIGNATION:	Neighborhood Commercial
SURROUNDING LAND USES AND ZONING:	North: Single Family Residential R-1-8 South: Single Family Residential R-1-6 East: Neighborhood Commercial C-1 West: Service Commercial C-4

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-18 subject to the findings and conditions in Resolution No. 5294. 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.

REQUESTED PROPOSAL:

The applicant requests a Conditional Use Permit (CUP) to continue to operate a stationary mobile vending vehicle on the property located at 1370 E. Bardsley Avenue and currently zoned Neighborhood Commercial (C-1).

STAFF COMMENTS AND PROJECT DETAILS:

The applicant proposes to operate a vending vehicle (taco truck) in the parking lot of the existing mini-market/gas station business located at the northeast corner of Bardsley Avenue and Spruce Street, from 10 am to 11 pm, seven days a week. The proposed vending vehicle is a self-contained taco truck. The site plan depicts the vending vehicle to be parked just east of the mini-market, taking up two parking stalls. The existing parcel

requires a minimum of 1 space/250 sq. ft. of gross floor area. Spaces at pump islands may be counted, but not to exceed four spaces, provided that at least five on-site spaces are not located at pump islands. The gross floor area of the site requires 10 spaces be provided. Currently, 12 spaces are provided (8 on-site, 4 at pump islands). With the placement of the stationary mobile food vendor 10 spaces will be provided (6 on-site, 4 at pump islands). Parking requirements will continue to be met with the establishment of the proposed use. 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 also includes a table and chairs to the northwest of the truck located outside of any parking or driving areas. The vending vehicle contains refrigerator, cooking appliances, and food preparation areas.

Restrooms are located in the existing mini-mart structure and the applicant has received a letter from the owner to allow use of the restrooms throughout the business hours.

On August 14, 2017 the Planning Commission approved Conditional Use Permit No. 2017-16 for the applicant to operate a mobile food vendor at this site. The applicant has been in operation for the past year at this site.

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. 2018-18.

- 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.

RECOMMENDATIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No.2018-18, 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 by the City of Tulare.
- 7) This permit shall remain valid for one year from approval or August 14, 2019; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Hours of operation shall be from 10 am to 11 pm seven days per week.
- 9) Applicant may set up 1 table with chairs for outdoor dining. Tables and chairs are to be located on the northwest side of the vending vehicle and outside of any parking or driving areas. Table and chairs must be removed at the end of each business day.

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

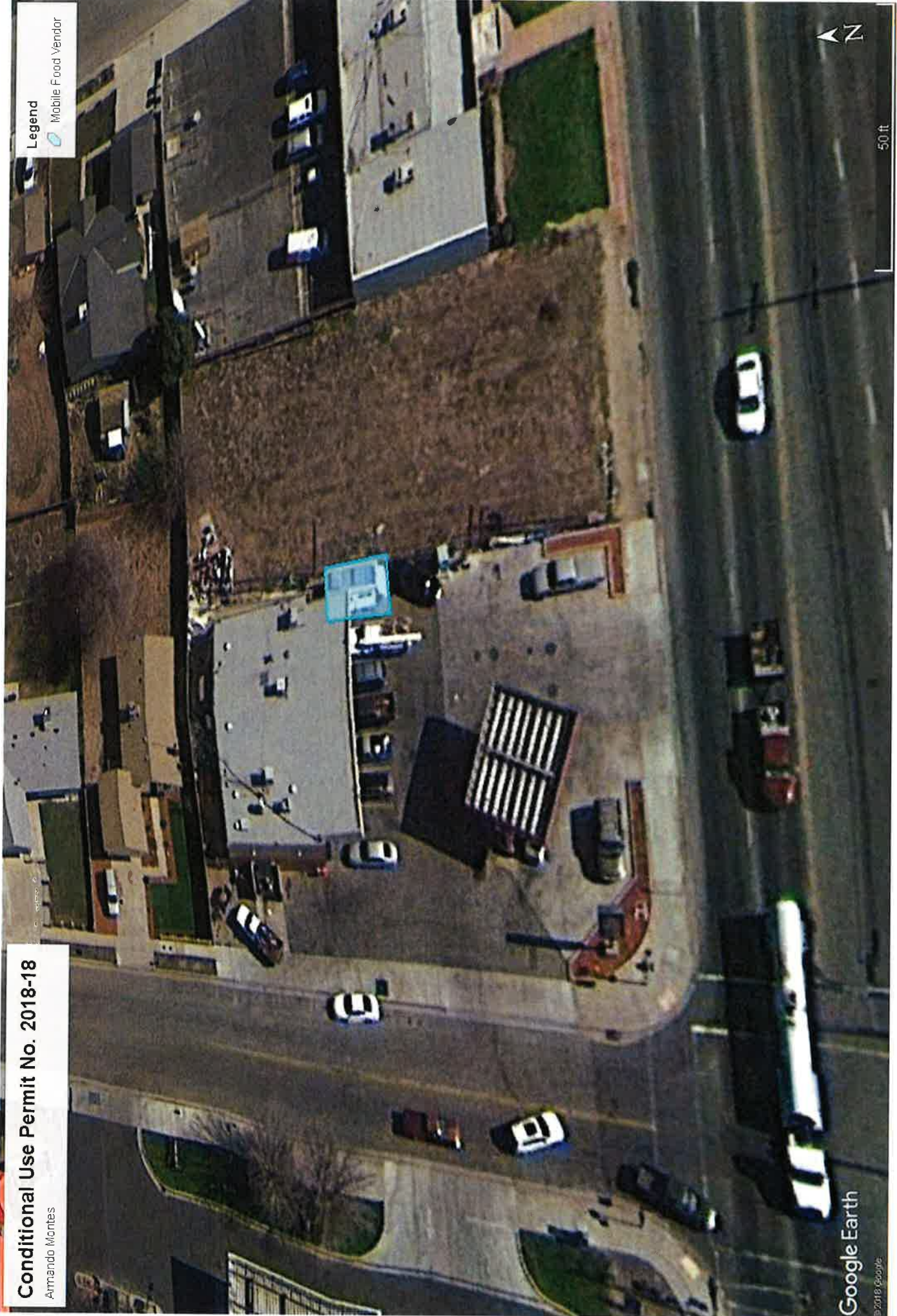
- II. Street View
- III. Photo of Vending Vehicle

Conditional Use Permit No. 2018-18

Armando Montes

Legend

Mobile Food Vendor



50 ft

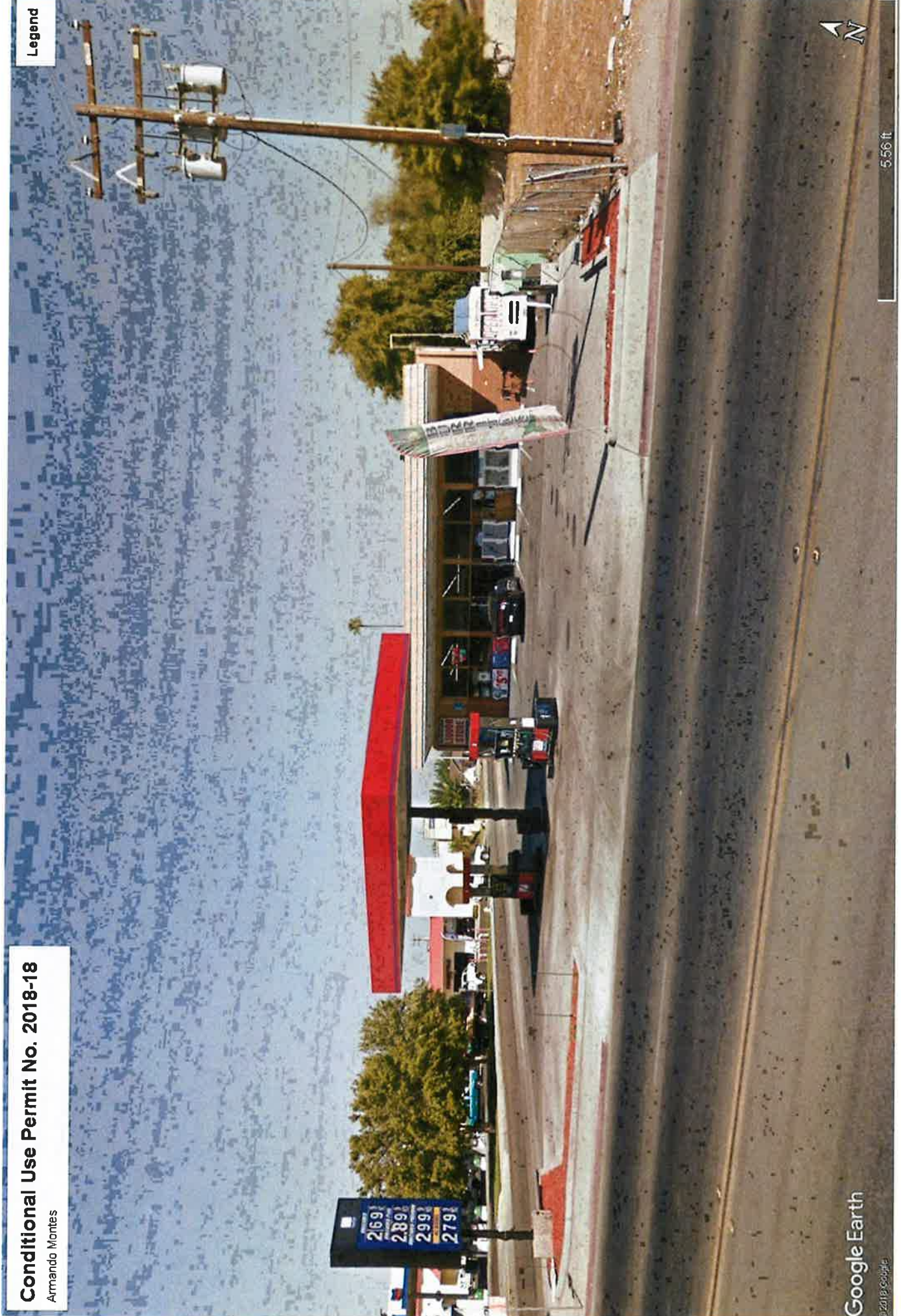
Google Earth

© 2018 Google

Conditional Use Permit No. 2018-18

Armando Montes

Legend



RESOLUTION NO. 5294

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2018-18**

WHEREAS, Conditional Use Permit 2018-18 is a request by Armando Montes to operate a stationary mobile vending vehicle on the property located at 1370 E. Bardsley Avenue; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on September 10, 2018; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2018-18 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. 2018-18 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 by the City of Tulare.
- 7) This permit shall remain valid for one year from approval or August 14, 2019; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Hours of operation shall be from 10 am to 11 pm seven days per week.
- 9) Applicant may set up 1 table with chairs for outdoor dining. Tables and chairs are to be located on the northwest side of the vending vehicle and outside of any parking or driving areas. Table and chairs must be removed at the end of each business day.

PASSED, APPROVED AND ADOPTED this tenth day of September, 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

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

September 10, 2018

CONDITIONAL USE PERMIT No. 2018-19

PROJECT PLANNER: Steven Sopp, Associate Planner

APPLICANT: Mohammad Alsaahy, Masjid Central Valley

LOCATION: West of Spruce Street between Alpine Avenue and Stockham Avenue

APN: 177-070-027

ZONING CLASSIFICATION: R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area)

GENERAL PLAN DESIGNATION: Medium Density Residential

SURROUNDING LAND USES AND ZONING:

North: Residential	R-1-6
South: Residential/Vacant	RM-2/ R-1-8
West: Vacant/Hwy 99	C-5
East: Residential	RM-2/ R-1-6

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-19 subject to the findings and conditions in Resolution No. 5295. 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.

REQUEST:

This is a request by Mohammad Alsaahy of Masjid Central Valley to construct a 4,950 sq. ft. worship center and a 3,000 sq. ft. classroom building in two phases. The project is proposed to be located on approximately 1.8 acres located west of Spruce Street between Alpine Avenue and Stockham Avenue. (APN 177-070-027).

DETAILS OF THE PROPOSAL:

The project will consist of the construction of a 4,950 sq. ft. worship center and a 3,000 sq. ft. classroom building in two phases along with other improvements to be located on the west of Spruce Street between Alpine Avenue and Stockham Avenue (APN 177-070-027). Access to the site will be provided by two new drive approaches. One of the drive approaches will require the extension of Stockham Avenue and will provide access to the south side of the property. The other access will be established off of Alpine Avenue on the north side of the property. Landscaping will be provided along the parcel's frontage and the rear of the proposed building as well as throughout the site and will meet the 5% minimum of the developed gross lot area as required by the Landscape Ordinance.

The worship center will operate intermittently throughout the week during daytime hours. Main hours will be Friday between 12 p.m. and 2 p.m. and Saturday between 2 p.m. and 3 p.m.

The site plan depicts a total of 60 parking spaces for the site, which exceeds the 59 required for a worship center. Required parking breakdown is as follows:

Worship Center – non-fixed seating area in the principal sanctuary:

1 per 35 sq. ft. – 2,058 total sq. ft. /35 = **59 spaces**

STAFF COMMENTS:

The proposed site is designated as Medium Density Residential and zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area). The City of Tulare Municipal Code states that “churches, parsonages, parish houses, monasteries, convents and other religious institutions” proposed within a single family residential zone district, shall be permitted upon the granting of a conditional use permit in accordance with the provisions of Chapter 10.116 – Conditional Use Permits (Chapter 10.32.050).

The proposed site is bordered by existing residential properties to the north, east and south. The property to the west is vacant and abuts State Highway 99. In order to provide a buffer to residential properties to the east, a 7 ft. tall block wall is proposed. In addition, a minimum side setback of 5 ft. is required and will be landscaped. The proposed use and site can operate in a compatible manner with the surrounding uses.

The worship center will include a 30 ft. tall prayer tower. The tower will be a non-functioning architectural feature for décor only. The tower will be located on the western side of the proposed worship center so that it will not be intrusive to the neighboring residences to the east. The proposed height is permitted within the R-1-6 zone district.

As part of the project the applicant will be required to extend Stockham Avenue across the site's frontage. Curb, gutter, sidewalk and drive approaches will be required to be completed along both the parcel's northern and southern boundaries. A new city standard curb return will be required a northwest corner of Stockham Avenue and Spruce Street.

The Site Plan Review Committee reviewed the project with the applicant on August 1, 2018 and prepared comments and conditions. The site plan and elevations were reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

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

ENVIRONMENTAL FINDINGS:

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 Conditional Use Permit No. 2018-19:

- 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 request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 6) This project is categorically exempt pursuant to (Section 15332 "Infill Development Projects") of the California Environmental Quality Act of 1970, as amended.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2018-19 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) 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.

- 4) A 7-foot tall block wall shall be required along the eastern boundary of the proposed development. Final block wall design is subject to the Community Services Director's approval.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Applicant shall comply with Engineering, Fire Department, Solid Waste Division, and Parks comments/conditions (Attachments V, VI, VII, and VIII).
- 9) Parking provided shall comply with City of Tulare Parking Standards.
- 10) Approval does not authorize any deviation from Fire and Building Codes.
- 11) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 12) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

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. Site Plan
- III. Floor Plan

- IV. Exterior Elevations
- V. Engineering Comments
- VI. Fire Department Comments
- VII. Solid Waste Comments
- VIII. Parks Comments
- IX. Resolution

Conditional Use Permit No. 2018-19

Masjida Warship Center

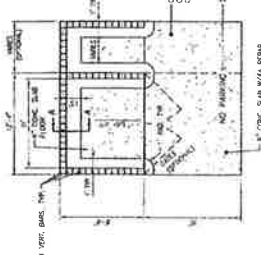
Legend

Masjida Warship Center

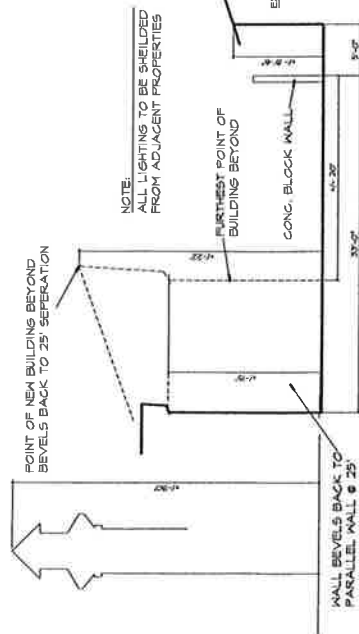




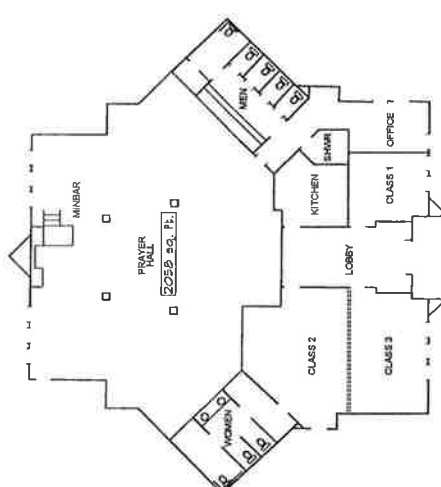
VICINITY MAP
NO SCALE



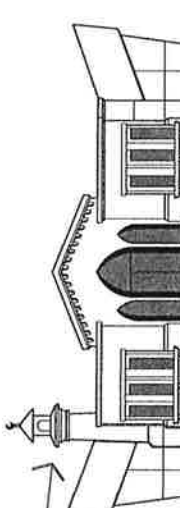
REFUSE (per city standard 9010)
(opt. grease enci. eliminated)



LANDSCAPE NOTE:
-LANDSCAPING AS DRAWN IS SCHEMATIC ONLY. NEW FACILITY TO BE FULLY LANDSCAPED IN COMPLIANCE WITH CITY ORDINANCE CHAPTER 10 SEC. 146
-LANDSCAPE TO BE PROFESSIONALLY MAINTAINED.



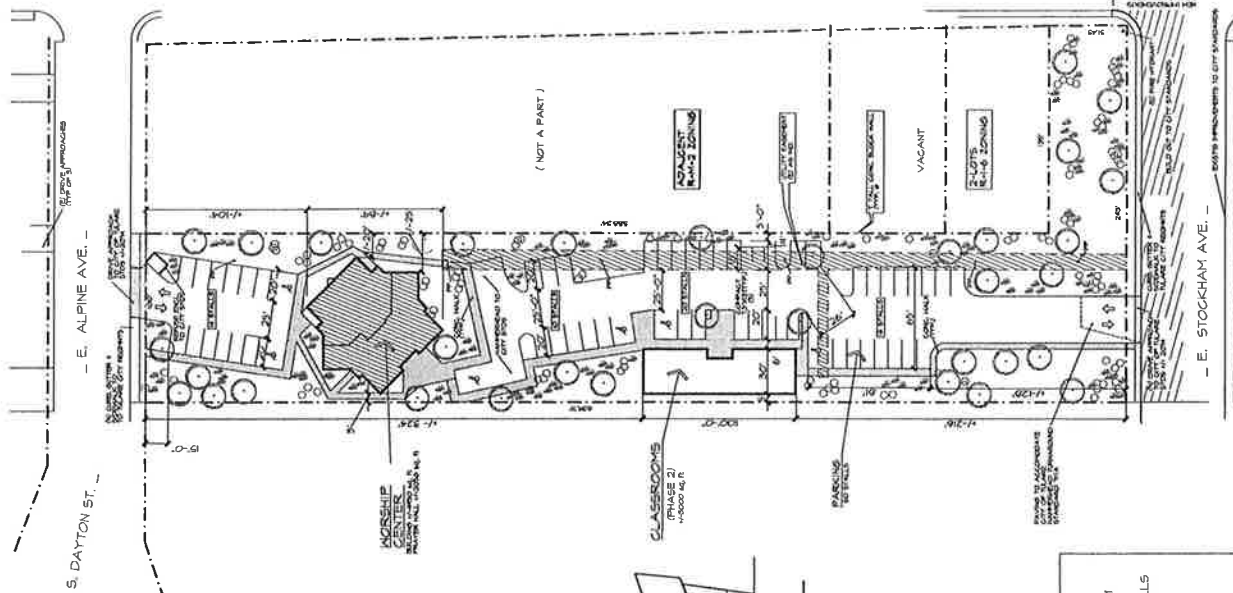
FLOOR PLAN
FLOOR AREA 47,485 SQ. FT.
Scale: 1/8"=1'-0"



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

OPERATIONAL STATEMENT
"IT IS NOT INTENDED THAT THE FACILITY WILL BE USED FOR MASS FUNCTIONS BUT WILL BE USED INTERMITTENTLY BY REFUGEES FOR INDIVIDUAL WORSHIP."
"A. TO COMPLY WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS FOR THE PROVISION OF ACCESS TO THE FACILITY FOR THE DISABLED."
"THE CURRENT FACILITY WILL BE USED FOR 4-20 PEOPLE AND IT IS ANTICIPATED TO GROW TO 40-60 PEOPLE IN THE FUTURE."
"THE SELECTION OF THIS FACILITY WAS MADE BECAUSE OF THE LOCATION AND THE ACCESSIBILITY TO THE FACILITY FOR THE DISABLED."
"CONSTRUCTION OF THE FACILITY WILL BE COMPLETED BY THE END OF 2010."
"A. THE FACILITY WILL BE USED FOR INDIVIDUAL WORSHIP."
"A. THE FACILITY WILL BE USED FOR INDIVIDUAL WORSHIP."

BUILDINGS:	MASJID VALLEY CENTER	4850 SQ. FT. WORSHIP CENTER
SITE AREA:	47,12 ACRES	2000 SQ. FT. FUTURE CLASSROOM
PROJECT DESCRIPTION:	WORSHIP CENTER	51 STALLS PROVIDED (5) ADA PARKING STALLS 47-35% COVERAGE
PROJECT ADDRESS:	E. ALPINE / E. STOCKHAM	LANDSCAPE: 47,361,000 sq. ft. 46%
ZONING:	R-1-H	BUILDING: 47-10%
DESIGN DISTRICT:	URBAN RESIDENTIAL	ELECTRICAL SERVICE: SOUTHERN CALIF. EDISON
CONTACT:	STEVE SPARSHOTT	SEAS SERVICE
PHONE:	819-1965	SOUTHERN CALIF. GAS CO
EMAIL:	SPARSHOT@YAHOO.COM	WATER SERVICE: CITY OF TULARE
		SOLID WASTE: CITY OF TULARE



S I T E P L A N
Scale: 1/8"=1'-0"

2050 SQ. FT. PRAYER HALL/35: 54 PARKING STALLS REQUIRED
60 ADA PARKING STALLS TO COMPLY IN CITY OF TULARE
(B) COMPACT STALLS
(C) PARKING STALLS

APN 177-070-027
TULARE, CALIFORNIA

PROJECT ADDRESS:
E. ALPINE / E. STOCKHAM
TULARE, CA.

ZONING: R-1-H
DESIGN DISTRICT: URBAN RESIDENTIAL
CONTACT: STEVE SPARSHOTT
PHONE: 819-1965
EMAIL: SPARSHOT@YAHOO.COM

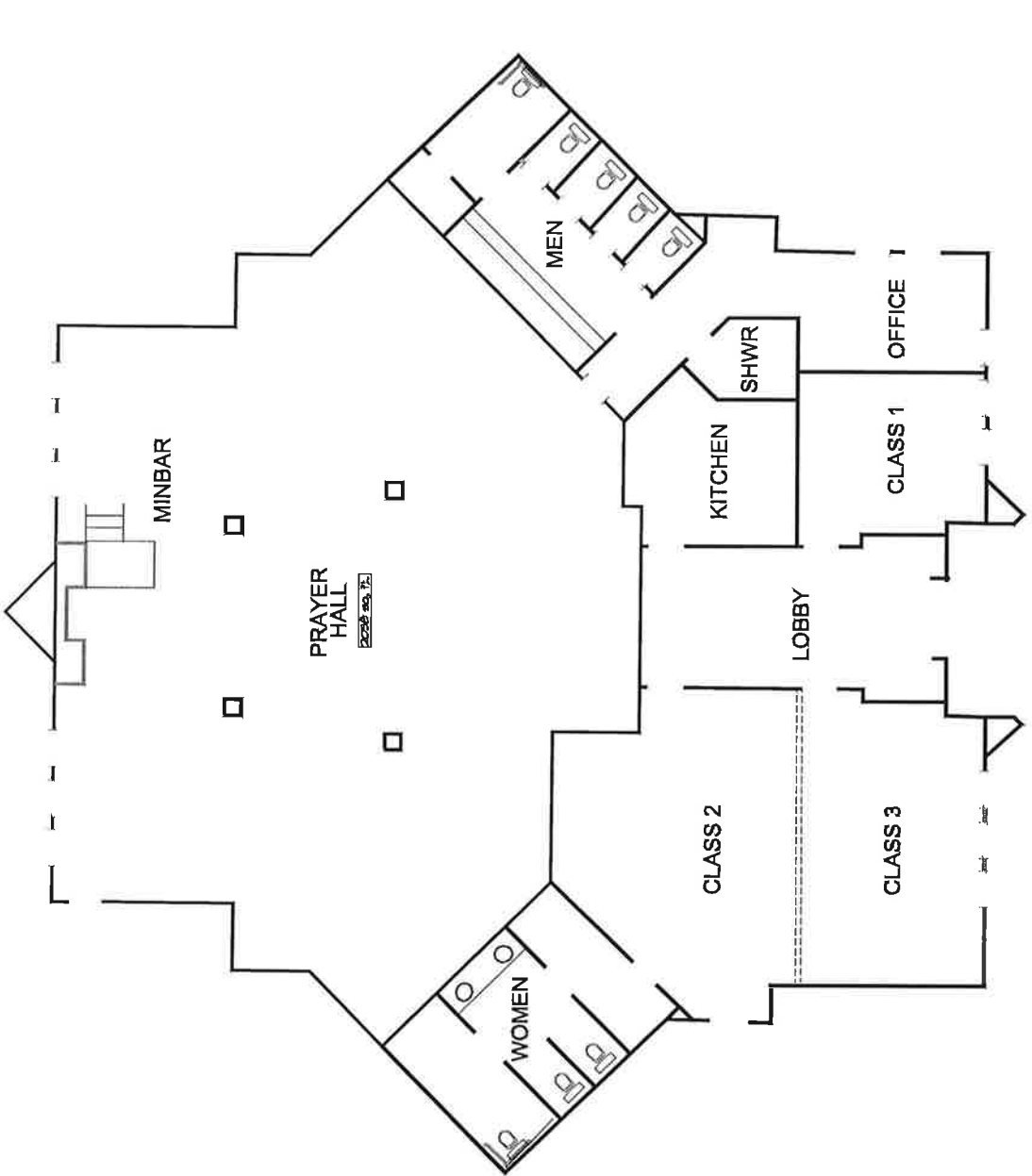
LANDSCAPE NOTE:
-LANDSCAPING AS DRAWN IS SCHEMATIC ONLY. NEW FACILITY TO BE FULLY LANDSCAPED IN COMPLIANCE WITH CITY ORDINANCE CHAPTER 10 SEC. 146
-LANDSCAPE TO BE PROFESSIONALLY MAINTAINED.

STRENGTH & SPACING
DESIGN & DRAWING
VOLTA ENGINEERING
ARCHITECTS
11000 15th Ave S
Suite 100
Tulare, CA 93274
TEL: 559-325-1100
WWW.VOLTAENGINEERING.COM

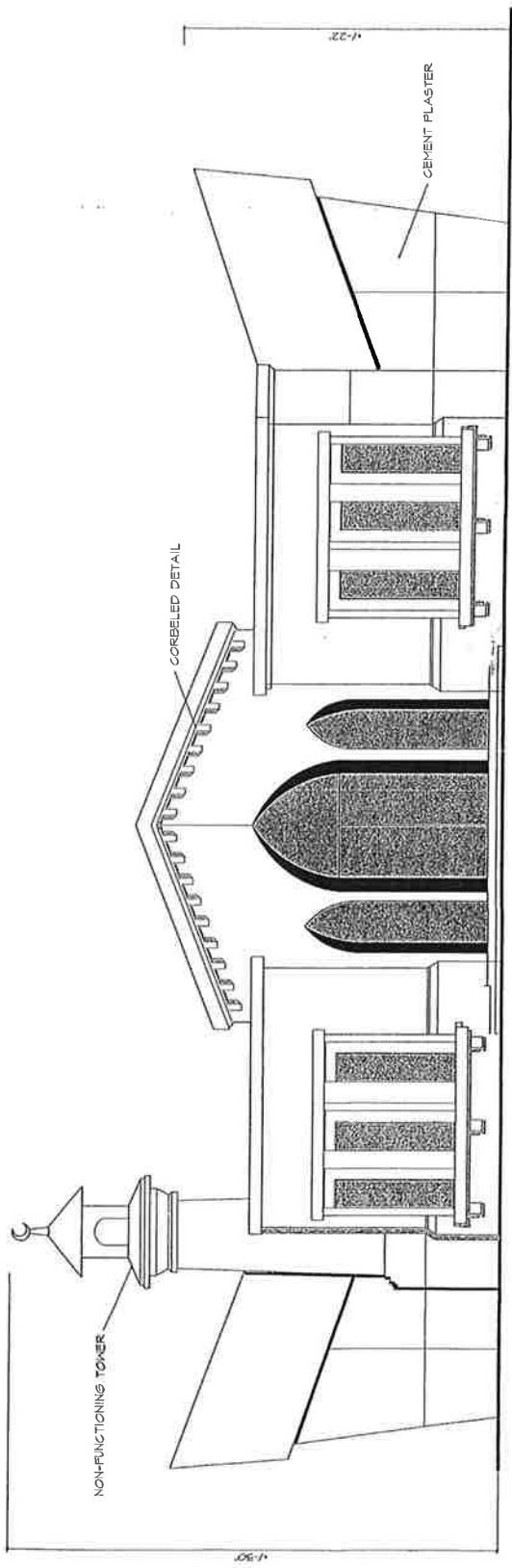


MASJID CENTER VALLEY
TULARE

SHEET
SEPR-105
OF
CIP 8/15/18

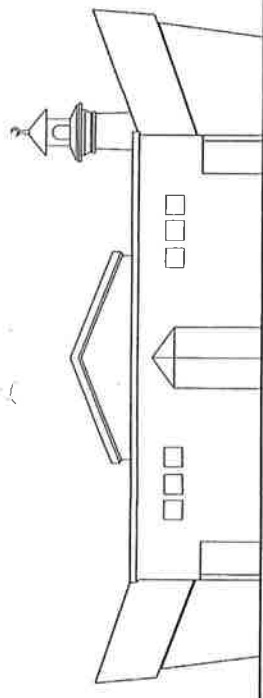


FLOOR PLAN
Scale: 1/4"=1'-0"
FLOOR AREA +/- 400 SQ. FT.



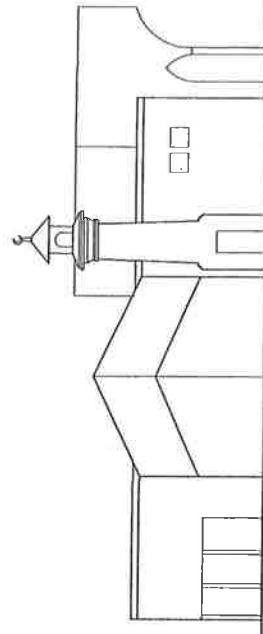
SOUTH-WEST ELEVATION

1/4"=1'-0"



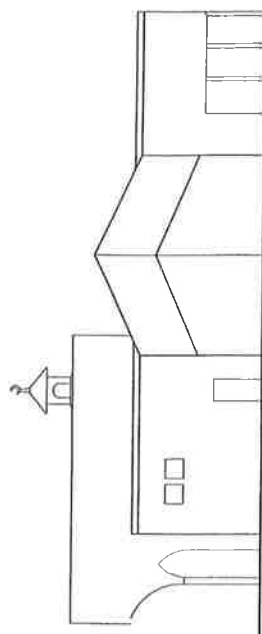
NORTH-EAST ELEVATION

1/8"=1'-0"



NORTH-WEST ELEVATION

1/8"=1'-0"



SOUTH-EAST ELEVATION

1/8"=1'-0"



SITE PLAN REVIEW COMMENTS

Engineering Department

Jan Bowen

TO: Planning Division

FROM: Engineering Division

MEETING DATE: 08/01/2018

PROJECT: Site Plan Review Application No.: 1844 Masjid Center

PROJECT LOCATION: Stockham, East of Spruce

OWNER/DEVELOPER: Ashammad Alshybi

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

Standard Engineering Comments:

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits may also be required from Tulare Irrigation District and Southern California Edison for work within their rights-of-way or on their facilities.
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

4. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be 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.
5. Existing curb and gutter, driveway approaches, sidewalk and ramped curb returns shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels.
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>
Alpine Avenue	In a Parkway Pattern	5 Feet
Stockham Avenue	In a Parkway Pattern	5 Feet
Spruce Street	In a Parkway Pattern	5 Feet

7. New City standard ramped curb returns and/or pedestrian ramps shall be installed at the northwest corner of Stockham Avenue and Spruce Street.
8. New City standard driveway approach(es) shall be constructed at proposed entrances located on Stockham Avenue and Alpine Avenue.
9. The following minimum street improvements are required:

Full paveout from lip of gutter to the existing edge of pavement along the project's frontage on Stockham Avenue.

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>
Stockham Avenue	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 26-ft pole height and 6-ft mast arm:
Alpine Avenue and Stockham Avenue.
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: As needed for proposed curb return at the northwest corner of Stockham Avenue and Spruce Street.
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: 8 inch water main shall be extended from Spruce Street across the parcels frontage along Stockham Avenue.
 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: 8 inch sewer main shall be extended from Spruce Street across the parcel's frontage along Stockham Avenue.
 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 standards if found to be broken or substandard.
 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 required to serve the project.
 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. All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.
27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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 \$ TBD per front foot for frontages on Spruce Street and Alpine Avenue.
 - Water front foot charges of \$ 17.50 per front foot for frontages on Spruce Street and Alpine Avenue.
 - 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.

Prepared By: Jan Bowen, Engineering Department

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 1844:

1. The project must comply with all of the latest applicable codes.
2. A fire hydrant shall be installed within 400 feet of building. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided where required by the fire code official.
3. The building may require an automatic fire sprinkler system and fire alarm system if the occupant load exceeds 300 based on the square footage of the building. The occupant load shall be issued by the Chief Building official.
4. If an automatic fire sprinkler system is installed, all valves controlling the water supply for the automatic fire sprinkler systems and water-flow switches on all fire sprinkler systems shall be electronically monitored where the number of sprinkler heads exceeds 20.
5. For automatic fire sprinkler systems, underground plans must be submitted along with the above ground plans. *A fire hydrant will be required within 50 feet of the Fire Department Connection.* The project **must** meet the minimum fire flow requirements per the California Fire Code.
6. An approved water supply for fire protection **shall** be made available prior to combustible materials arriving on the site.
7. A UL300 compliant hood suppression system shall be required if, commercial cooking appliances are installed.
8. 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 throughout and have a minimum height clearance of 13'6"
9. 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.
10. 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.
11. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.

Shelli Vinson
Fire Inspector III
August 3, 2018

Solid Waste Division

Solid Waste & Recycling Service

Frank Rodriguez, Solid Waste Manager
Office: 559-684-4328 Fax:559-685-2378
frodriguez@tulare.ca.gov



SITE PLAN

Location: East Alpine and Stockh:
Name: Masjid Center Valley Worship
Date: 8/2/2018
Plan #: SP 1844

TYPE OF SERVICE

Commercial Residential Roll Off Mandatory Recycling / Composting

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

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or 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:

Enclosure needs to be angled to be facing north/west for a direct acces to bin from Alpine Street. Approach will need to be widend to accommodate the size of the truck at an angle when servicing container.

INTEROFFICE MEMORANDUM

TO: Development Services Division
FROM: Parks Division
SUBJECT: SP 1844 Masjid Worship Center
DATE: August 1, 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. 5295

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2018-19**

WHEREAS, Conditional Use Permit 2018-19 is a request by Mohammad Alshyh of Masjid Central Valley to construct a 4,950 sq. ft. worship center and a 3,000 sq. ft. classroom building in two phases, located west of Spruce Street between Alpine Avenue and Stockham Avenue (APN 177-070-027); and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on September 10, 2018; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2018-19 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. 2018-19 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) 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.
- 4) A 7-foot tall block wall shall be required along the eastern boundary of the proposed development. Final block wall design is subject to the Community Services Director's approval.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Applicant shall comply with Engineering, Fire Department, Solid Waste Division, and Parks comments/conditions (Attachments V, VI, VII, and VIII).
- 9) Parking provided shall comply with City of Tulare Parking Standards.
- 10) Approval does not authorize any deviation from Fire and Building Codes.
- 11) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 12) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

Engineering

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development

shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.

2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits may also required from Tulare Irrigation District and Southern California Edison for work within their rights-of-way or on their facilities.
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be 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.
5. Existing curb and gutter, driveway approaches, sidewalk and ramped curb returns shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels.
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>
Alpine Avenue	In a Parkway Pattern	5 Feet
Stockham Avenue	In a Parkway Pattern	5 Feet

Spruce Street	In a Parkway Pattern	5 Feet
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7. New City standard ramped curb returns and/or pedestrian ramps shall be installed at the northwest corner of Stockham Avenue and Spruce Street.
8. New City standard driveway approach(es) shall be constructed at proposed entrances located on Stockham Avenue and Alpine Avenue.
9. The following minimum street improvements are required:

Full paveout from lip of gutter to the existing edge of pavement along the project's frontage on Stockham Avenue.

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>
Stockham Avenue	Local Street, Ti = 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 26-ft pole height and 6-ft mast arm:

Alpine Avenue and Stockham Avenue.

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: As needed for proposed curb return at the northwest corner of Stockham Avenue and Spruce Street.

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: 8 inch water main shall be extended from Spruce Street across the parcels frontage along Stockham Avenue.
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: 8 inch sewer main shall be extended from Spruce Street across the parcel's frontage along Stockham Avenue.
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 standards if found to be broken or substandard.
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 required to serve the project.
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. All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.
27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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 \$ TBD per front foot for frontages on Spruce Street and Alpine Avenue.

- Water front foot charges of \$ 17.50 per front foot for frontages on Spruce Street and Alpine Avenue.
- 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.

Fire

1. The project must comply with all the latest applicable codes.
2. A fire hydrant shall be installed within 400 feet of building. Where a portion of the facility of building hereafter constructed or moved into or within the jurisdiction is than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided where required by the fire code official.
3. The building may require an automatic fire sprinkler system and fire alarm system if the occupant load exceeds 300 based on the square footage of the building. The occupant load shall be issued by the Chief Building Official.
4. If an automatic fire sprinkler system is installed, all valves controlling the water supply for the automatic fire sprinkler systems and water-flow switches on all fire sprinkler systems shall be electronically monitored where the number of sprinkler heads exceeds 20.
5. For automatic fire sprinkler systems, underground plans must be submitted along with the above ground plans. *A fire hydrant will be required within 50 feet of the Fire Department Connection.* The project **must** meet the minimum fire flow requirements per the California Fire Code.
6. An approved water supply for fire protection **shall** be made available prior to combustible materials arriving on the site.
7. A UL300 compliant hood suppression system shall be required if, commercial cooking appliances are installed.
8. 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 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 throughout and have a minimum height clearance of 13'6"

9. 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.
10. 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.
11. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.

Solid Waste

Revisions required prior to submitting final plans.

Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard cans, bottles etc.

Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers. Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.

Organics 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 specification. 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. Triple wide for restaurants.

Location of bin enclosure not acceptable See comments attached.

Drive approach too narrow for refuse truck access. See comments below.

Paved areas should be engineered to withstand a 60,000 lb. refuse truck.

Enclosure gates are required. Gates and poles to be constructed as shown in City of Tulare enclosure specifications.

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"

All Enclosures will be designated and located for STAB service (Direct Access) (No Roll Out).

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 and green waste and metal are to be provided by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 07-04. Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

Comments:

Enclosure needs to be angled to be facing north/west for a direct access to bin from Alpine Street. Approach will need to be widened to accommodate the size of the truck at an angle when servicing the container.

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 be from 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 tenth day of September, 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