

AGENDA

TULARE PLANNING COMMISSION

7:00 p.m.

MONDAY, March 14, 2022

TULARE PUBLIC LIBRARY & COUNCIL CHAMBERS

491 NORTH "M" STREET

MISSION STATEMENT

TO PROMOTE A QUALITY OF LIFE MAKING TULARE THE MOST DESIRABLE COMMUNITY IN WHICH TO LIVE, LEARN, PLAY, WORK, WORSHIP AND PROSPER

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN COMMENTS- *This is the time for citizens to comment on items within the jurisdiction of the Planning Commission. The Planning Commission cannot legally discuss or take official action on citizen comments that are introduced tonight. Each speaker will be allowed **three minutes**, with a maximum time of 10 minutes per item, unless otherwise extended by the Planning Commission.*

IV. COMMISSIONER COMMENTS

V. CONSENT CALENDAR:

(1) Minutes of the February 28, 2022 Planning Commission Meeting

VI. GENERAL BUSINESS- PUBLIC HEARING

(1) A request by AMAROK on behalf of Faria Trailers for a variance to allow for the installation of a 10 foot tall perimeter electrified security fence at 1071 E. Rankin Road, Tulare California. The subject property is zoned Service Commercial (C-4).

Project Planner: Traci Myers, Community & Economic Development Director

VII. TEENS ON BOARD REPORTS.

VIII. ITEMS OF BOARD INTERESTS – Director’s Report

IX. ADJOURNMENT

In compliance with the Americans with Disabilities and Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the City Manager's Office (559) 684-4200. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

[Note: Pursuant to Government Code 54957.5- Effective 7/1/08 Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the Planning Department at City Hall located at 411 East Kern Avenue during normal business hours.]

**CITY OF TULARE PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Tulare Public Library—Council Chambers
491 North M Street**

February 28, 2022

COMMISSIONERS PRESENT: Miguel, Miller, Petersen, Diaz

TEENS ON BOARD PRESENT: None

STAFF PRESENT: Traci Myers, Community & Economic Development
Director
Mario Anaya, Principal Planner
Steven Sopp, Senior Planner
Lucie Brown, Commission Clerk

I. CALL TO ORDER

Chairman Miguel called the regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

Commission Clerk Brown led the pledge of allegiance.

III. SELECTION OF OFFICERS-

It was motioned by Commissioner Miller and seconded by Commissioner Diaz to reappoint Chuck Miguel as Chairman of the Planning Commission.

Motion carried by unanimous vote.

It was motioned by Chairman Miguel and seconded by Commissioner Petersen to appoint Sandi Miller as Vice- Chair of the Planning Commission.

Motion carried by unanimous vote.

IV. CITIZEN COMMENTS

There were no citizen comments.

V. COMMISSIONER COMMENTS

Commissioner Miller asked staff to thank City Council and the other Committees and Boards that attended the Joint Session. She stated that it was a very interesting meeting with lots of good dialog. She stated that she would like to see these meetings more frequently.

Director Myers, noted that she would relay this information to staff.

VI. CONSENT CALENDAR

- (1) Minutes of the February 14, 2022, Regular Meeting of the Planning Commission.**
- (2) CEQA Exemption- Sycamore & San Joaquin Improvements Project.**

Commissioner Miller motioned that item 2 be pulled from the consent calendar for further discussion. Motion was seconded by Commissioner Petersen.

Commissioner Miller asked staff if there was an estimated start date to this project and also estimated date of completion.

Principal Planner Anaya stated that the project is proposed to start in May/June 2022 with an estimated completion time of 9-12 months depending on weather conditions.

It was motioned by Commissioner Miller and seconded by Commissioner Diaz to approve Consent Calendar. Motion carried by unanimous vote.

VII. GENERAL BUSINESS – PUBLIC HEARING

None

VIII. GENERAL BUSINESS – NON-PUBLIC HEARING ITEMS

(1) Findings of Consistency for SP 21-52 – Altura Street Naming

Consider request by Altura Centers for Health (Altura) contesting the Site Plan Review findings that the naming of the street is not consistent with the City of Tulare Street Naming Policy.

Director Myers reviewed with the Commission the request by applicant.

Graciela Soto Perez, 311 N. Cypress in Woodlake, provided the Commission with a power point presentation.

Following discussion, it was moved by Commissioner Diaz and seconded by Chairman Miguel to uphold the appeal of the request for Altura Centers for Health to name a soon to be constructed street "Altura Street" associated with a new medical campus currently under construction.

COMMISSIONERS

AYES: Diaz, Miguel

ABSENT: Olivares

NOES: Petersen

ABSTAIN: Miller

IX. TEENS-ON-BOARD REPORTS

There were no students present to provide a report.

Chairman Miller asked if the City would be resuming the Teens on Board program.

Director Myers stated that she hasn't heard anything but hopefully next year it will resume.

X. DIRECTOR'S REPORT

None

Chairman Miguel, announced the retirement of Commission Clerk Lucie Brown. He thanked her for her service and provided her with some flowers.

XI. ADJOURNMENT

Chairman Miguel adjourned the meeting at 7:37 p.m.

ATTEST:



Traci Myers, Secretary
City of Tulare Planning Commission

Chuck Miguel, Chairman
City of Tulare Planning Commission

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

March 14, 2022

VARIANCE APPLICATION No. 466

PROJECT PLANNER:	Traci Myers, Director	
APPLICANT:	AMAROK obo Faria Trailers	
LOCATION:	1071 E. Rankin Road	
APN:	191-260-015 & 016	
ZONING CLASSIFICATION:	C-4 (Service Commercial)	
GENERAL PLAN DESIGNATION:	Service Commercial	
SURROUNDING LAND USES AND ZONING:	North: Ana's Place	C-4
	South: Vacant Parcel	C-4
	West: Vacant Parcel	C-4
	East: Highway 99	

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Variance Application No. 466 subject to the findings and conditions in Resolution No. 5407. Staff's recommendation is based on the findings and staff's determination that there are special circumstances applicable to the property, including size, shape, topography, location and surroundings that strict application of the ordinance allowing this fencing materials only in Industrial zones would deprive the property of privileges enjoyed by other property in the vicinity.

REQUEST:

This is a request by AMAROK on behalf of Faria Trailers for a variance to install a low voltage, battery powered (12 DC) 10ft tall Monitored Electrified Security Fence, which will be safely located inside the existing 6ft tall chain link fence to secure the property located at 1071 East Rankin Road during non-business hours.

DETAILS OF THE PROPOSAL:

The applicant is proposing to install a low voltage, battery powered (12 DC) 10ft tall Monitored Electrified Security Fence, which will be safely located inside the existing 6ft tall chain link fence to secure the property located at 1071 East Rankin Road during non-business hours.

The basis for the request is that Applicant, Faria Trailers, is experiencing an increase in ongoing criminal trespass and theft of property at their location. The criminal trespass and theft of trailers is disruptive to the customers that Faria serves. Over the past couple of years, Faria has had multiple incidents of criminal trespass and theft of trailers from their lot. For example, one theft involved the theft of a newly built trailer for the Tulare County Sheriff's department, which was never recovered.

STAFF COMMENTS:

According to the City of Tulare Municipal Code Title 10, Monitored Electrified Security Fences are allowed only on industrial zoned properties.

However, a variance may be granted where practical difficulties, unnecessary hardship and conditions inconsistent with the purpose and objectives of the zoning title may result from the strict application of certain provisions of the title. The Planning Commission has the power to grant variances to regulations prescribed in the Zoning Ordinance subject to the required findings. The applicant has proposed variance findings to justify their goal of having increased signage as summarized below:

- 1) **That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this title deprives the property of privileges enjoyed by other property in the vicinity and under identical district classifications.**

Applicant Response: *There are various special circumstances negatively affecting the safety and security of the property. The following are applicable to the property:*

1. *Size: Faria Trailers stores numerous vehicles and trailer in a large outdoor storage/parking lot. The configuration of the property presents a security challenge due to the extensive size of the lot and the lengthy perimeter boundary.*
2. *Topography: The property abuts the downgrade portion of the South K Street overpass. This topography conceals criminal trespasser when they have breached this portion of the fence line.*
3. *Location and surroundings: Faria Trailers abuts both Highway 99 and the South K Street overpass. This provides criminal trespassers quick and easy egress from the area of the criminal act.*

Staff Analysis: Faria Trailers in located in southern Tulare in the middle of Tulare's prime industrially zoned properties. Although the subject property is zoned service commercial, many service commercial uses as permitted in the City Municipal Code mirror those of industrial uses. Faria Trailers can be compared to a vehicle storage facility, which in Chapter 10.64.030 of the Municipal Code, allows for vehicle storage as a permitted use in both the light and heavy industrial zone districts.

- 2) **That the granting of the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district and denied to the property for which the variance is sought.**

Applicant Response: *Because the property is substantially surrounded by other service commercial and industrial zoned properties, Faria Trailers should be able to take steps necessary to protect their employees and product from criminal activity.*

Staff Analysis: The granting of the variance would allow for Faria Trailers to add an additional layer of protection to their employees and product against criminal activity.

- 3) **That the granting of the variance will not be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in such vicinity and district in which the property is located.**

Applicant Response: *The granting of the variance will not be materially detrimental to public health, safety or welfare, or injurious to property or improvements in the vicinity or district where the property is located. The security system is installed completely inside of the existing perimeter fence and therefore not exposed to the public. To come in contact with the security fence system, one would have to be intentionally trespassing by, first breaking through or scaling the existing perimeter barrier. Also, the proposed security system is safe because it conforms with the International Safety Standards (IEC 60335-2-76), CA State Law (Civil Code Section 835), and the safety parameters specified in the recently adopted zone text amendments to Chapters 10.64, 10.72 and 10.76 of the Tulare Municipal Code. The proposed security system technology has been adopted as a safe and effective means of providing perimeter security in urban environments (commercial and industrial only). With the utilization of the proposed security system, the general safety and welfare of the public is enhanced, crime is prevented and the City can redirect law enforcement resources toward more serious crimes other than property break-ins and theft. The security system is the most reliable, economical, and safest perimeter security measure available. The installation of the system will secure the property, increase the security of the surrounding properties and the immediate area by deterring the criminal element from the neighborhood.*

Staff Analysis: The Tulare Municipal Code was amended in September, 2021 to allow for electrified security fences in industrially zoned districts. Should Planning Commission grant this variance, the Applicant will be required to adhere to the design guidelines as set for in section 10.76.050 Design Guidelines as follows:

(1) *Definition: Monitored Electrified Security Fence means a perimeter alarm system with an assembly of battery powered equipment, including but not limited to: a*

monitored alarm device and energizer which is intended to periodically deliver pulses to a security fence, a battery charging device used exclusively to charge the system's battery, and other integrated components.

(2) The Monitored perimeter security fence system shall transmit a signal to an alarm monitoring business in response to an intrusion or burglary. The system shall not directly connect to or call law enforcement. The business must first verify the alarm event prior to requesting deployment of law enforcement.

(3) The design, construction, and use of Monitored Electrified Security Fences shall be allowed, subject to the following requirements:

(a) IEC Standard 60335-2-76: Unless otherwise specified herein, Monitored Electrified Security Fences shall be constructed and operated in conformance with the specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76, current edition.

(b) Power Source: The energizer for Monitored Electrified Security Fences must be driven by a commercial storage battery not to exceed 12 volts DC. The storage battery is charged by a solar panel.

(c) Perimeter Barrier: Monitored Electrified Security Fences shall be installed behind a minimum five-foot high non-electrified perimeter barrier.

(d) Emergency Gate Access: Before a Monitored Perimeter Security Fence is activated, a Knox device shall be approved by the Fire Department. The Knox device will be installed at the main entry gate and fully functional at all times when the Monitored Electrified Security Fence is operational.

(e) Setback: The Monitored Electrified Security Fence shall be setback 4-inches to 12 inches from the non-electrified perimeter barrier.

(f) Height: Monitored Electrified Security Fences shall have a height of 10 feet, or 2 feet higher than the perimeter barrier, which is higher.

(g) Warning Signs: Monitored Electrified Security Fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than thirty feet.

(4) It shall be unlawful for any person to install, maintain or operate a Monitored Electrified Security Fence in violation of this Chapter.

Additionally, the Chief of Police and Fire Marshall support the installation of Monitored Electrified Security Fences and have determined they are not a threat to first responders.

4) That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and district in which such property is located.

Applicant Response: *Faria Trailers is requesting a variance for a security measure that will enable them to rightfully use their property for its intended use; a trailer sales and repair facility. Faria employees need the assurance of a safe and secure facility and certainly the customers of Faria demand that their personal trailers remain undamaged and not stolen. Under Chapter 10.76 – Industrial District Design Guidelines in Section 10.76.020(E), it explicitly states that a key Objective is "To improve the safety and security of the residents and*

visitors to Tulare.” As stated previously, Faria is an employer of local residents and securing their property addresses their responsibility for providing a safe workplace. Lastly, Faria’s property is appropriately zoned for its intended use and all surrounding properties share the same zoning (C-4) with Industrial uses. The proposed security system does not change the permitted use of the property, nor does it intensify its permitted use. Security is not a privilege. It is a fundamental right and responsibility shared by all members of a community. And Faria Trailers is making an effort to support crime prevention through security its facility.

Staff Analysis: The granting of a variance would not constitute a grant of special privilege as the purpose of the variance is to enable the business for which the signage pertains to obtain adequate visibility which is generally enjoyed by surrounding businesses.

- 5) **That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.**

Applicant Response: *The proposed variance is limited to the installation of a Monitored Electrified Security Fence and doesn’t alter the use or any other regulation pertaining to the site.*

Staff Analysis: The variance will not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

- 6) **That granting the variance will not be inconsistent with the General Plan.**

Applicant Response: *The proposed project will support the City of Tulare General Plan by enhancing the economic viability of a respected local business and improving the safety of the surrounding area through crime prevention.*

Goal LU-2: To grow in an orderly pattern consistent with the economic, social, and environmental needs of Tulare and taking regional impacts into account. The proposed project will meet the economic needs (reduce losses) of this respected local business and Tulare by addressing the ongoing issue of criminal trespass and theft of property.

Goal LU-4: To promote commercial development that meets present and future needs of Tulare residents, the regional community, and visitors and to enhance economic vitality and sustainability. The security system is essential to meet the present need to secure the perimeter of Faria’s property. The continual exposure to criminal trespass and theft is a threat to their economic vitality.

Goal LU-6: To attract economic development that provides a stable, long-term, and diverse economic and employment base for Tulare residents. Faria is a long standing, respected local business that employs Tulare residents. Being able to

secure their property is critical to their economic vitality and continued ability to employ their workers.

Staff Analysis: The granting of the variance is not inconsistent with the goals and objectives of the General Plan.

ENVIRONMENTAL FINDINGS:

This project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act of 1970, as amended.

FINDINGS:

Staff recommends that the Planning Commission make the **following findings** with regards to Variance Application No. 466:

- 1) **That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this title deprives the property of privileges enjoyed by other property in the vicinity and under identical district classifications.**

Faria Trailers is located in southern Tulare in the middle of Tulare's prime industrially zoned properties. Although the subject property is zoned service commercial, many service commercial uses as permitted in the City Municipal Code mirror those of industrial uses. Faria Trailers can be compared to a vehicle storage facility, which in Chapter 10.64.030 of the Municipal Code, allows for vehicle storage as a permitted use in both the light and heavy industrial zone districts.

- 2) **That the granting of the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district and denied to the property for which the variance is sought.**

Because the property is substantially surrounded by other service commercial and industrial zoned properties, Faria Trailers should be able to take steps necessary to protect their employees and product from criminal activity. The granting of the variance would allow for Faria Trailers to add an additional layer of protection to their employees and product against criminal activity.

- 3) **That the granting of the variance will not be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in such vicinity and district in which the property is located.**

The Tulare Municipal Code was amended in September, 2021 to allow for electrified security fences in industrially zoned districts. The Applicant will be

required to adhere to the design guidelines as set for in section 10.76.050 Design Guidelines.

- 4) **That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and district in which such property is located.**

The granting of the variance will not constitute a grant of special privilege in that Faria Trailers is requesting a variance for a security measure that will enable them to rightfully use their property for its intended use; a trailer sales and repair facility. Faria employees need the assurance of a safe and secure facility and certainly the customers of Faria demand that their personal trailers remain undamaged and not stolen. Under Chapter 10.76 – Industrial District Design Guidelines in Section 10.76.020(E), it explicitly states that a key Objective is “To improve the safety and security of the residents and visitors to Tulare.” As stated previously, Faria is an employer of local residents and securing their property addresses their responsibility for providing a safe workplace. Faria’s property is appropriately zoned for its intended use and all surrounding properties share the same zoning (C-4) with Industrial uses. The proposed security system does not change the permitted use of the property, nor does it intensify its permitted use.

- 5) **That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.**

The proposed variance is limited to the installation of a Monitored Electrified Security Fence and doesn’t alter the use or any other regulation pertaining to the site.

- 6) **That granting the variance will not be inconsistent with the General Plan.**

The granting of the variance is not inconsistent with the goals and objectives of the General Plan.

- 7) **The project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act of 1970, as amended.**

CONDITIONS:

Based on the approved findings, staff recommends that Variance No. 466 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Approval does not authorize any deviation from Fire and Building Codes.

- 3) The conceptual site plan and elevations are approved as shown in the attachments hereto.
- 4) In accordance with Zoning Ordinance Section 10.128.090, this Variance approval shall lapse and become void (1) year from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.

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:

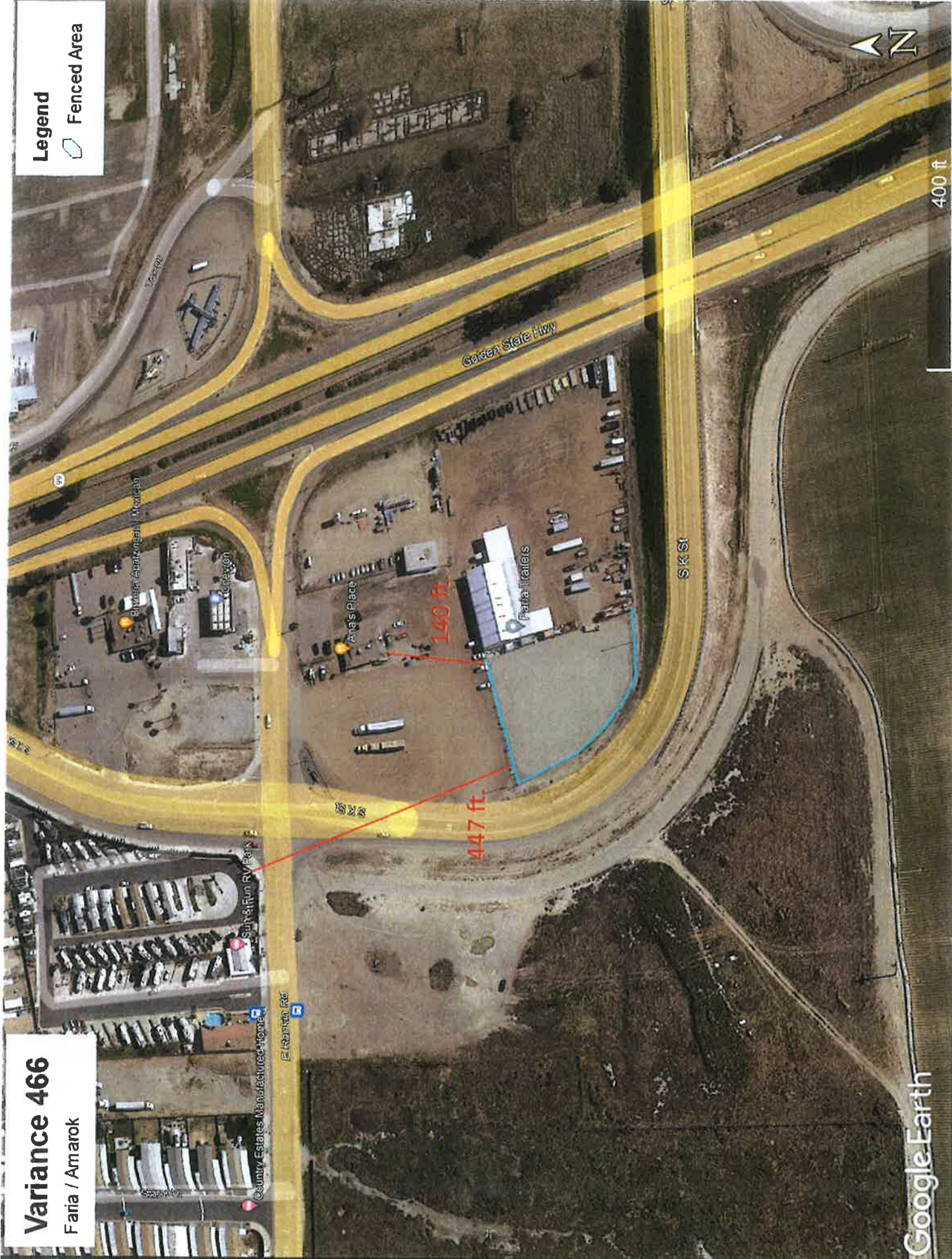
- I. Project Vicinity Map
- II. Site Plan
- III. Fence Detail
- IV. Applicant's Justification Letter
- V. Resolution No. 5407

Variance 466

Faria / Amarok

Legend

Fenced Area



DATE / DESCRIPTION



AMAROK
ULTIMATE PERIMETER SECURITY

155 Assembly Street, 5th Floor, Cambridge, MA 02142 | Tel: 617 552 7848 | B333

SHEET TITLE
SITE PLAN

PROJECT
FARIA TRAILERS
1071 E RANKIN RD
TULARE, CA 93274

DATE: 08/15/2017
DRAWN BY: J. GARCIA
CHECKED BY: J. GARCIA
SCALE: AS SHOWN

DATE: 08/15/2017
DRAWN BY: J. GARCIA
CHECKED BY: J. GARCIA
SCALE: AS SHOWN

DATE: 08/15/2017
DRAWN BY: J. GARCIA
CHECKED BY: J. GARCIA
SCALE: AS SHOWN

**SITE PLAN REQUEST TO AUTHORIZE
A SECURITY SYSTEM FOR:**
FARIA TRAILERS
1071 E RANKIN RD
TULARE, CA 93274

PROPERTY OWNER
FARIA NO. 2 LIMITED PARTNERSHIP
408 E MERRITT AVE.
TULARE, CA 93274

PROJECT DATA
APN: 191-260-015-000
ZONING: C-4
ACRES: 4.73

NOTES

- POLE LOCATIONS
- AREA POLES TO BE LOCATED, APPROXIMATELY ON EACH END OF GATES & APPROXIMATELY ON EACH END OF PERIMETER FENCE LINE
- FIBER OPTIC CABLES TO BE INSTALLED APPROXIMATELY EVERY 20'
- DISCONNECTS
- POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

SCALE OF WORK

SCALE: 1" = 20'

EXISTING PERIMETER FENCE - THE SYSTEM WILL BE INSTALLED ALONG THE EXISTING PERIMETER FENCE



SITE PLAN
SCALE 1" = 20'

0 10' 20' 40'

1 PERIMETER FENCE SECTION
1/2" = 20'

DATE	DESCRIPTION



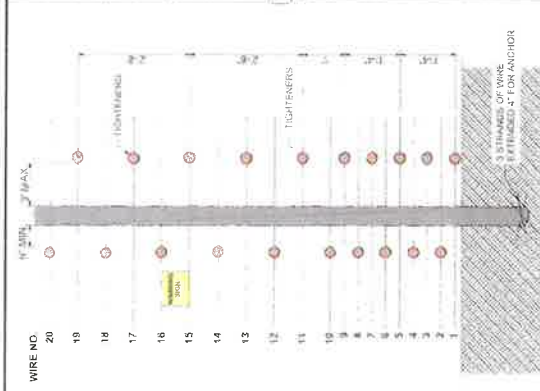
AMAROK
ULTIMATE PERIMETER SECURITY

255 Assessor's Street, P.O. Box 5000, San Francisco, CA 94117-0500
Tel: 415-778-8433

TYPICAL DETAILS

PROJECT: FARRIA TRAILERS
1071 E RANKIN RD
TULARE, CA 93274

SHEET TITLE	TYPICAL DETAILS
DATE	10/20/2023
SCALE	SCALE: 1/8" = 1'-0"
DRAWN BY	
CHECKED BY	
APPROVED BY	
DATE	



- WIRE NO.**
- 20
 - 19
 - 18
 - 17
 - 16
 - 15
 - 14
 - 13
 - 12
 - 11
 - 10
 - 9
 - 8
 - 7
 - 6
 - 5
 - 4
 - 3
 - 2
 - 1
- RAPID TIGHTENERS**
- 1. RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION BETWEEN RINGS AND 1 FEET FROM AN OVERLAP POINT TOWARD THE CENTER OF THE RING.
 - 2. THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT LOADS FROM HITTING WIRES WITH CURRENT.
 - 3. WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.
- WARNING SIGNS**
- 1. WARNING SIGNS MUST BE INSTALLED EVERY 30 FEET ALONG THE GATE. DISTANCE BETWEEN WARNING SIGNS MUST BE 30 FEET.
 - 2. ALL WARNING SIGNS SHOULD BE MOUNTED BEHIND A SOLID FENCE, PLACED ON OR ABOVE THE PERIMETER FENCE.
 - 3. WARNING SIGNS SHALL BE VISIBLE FROM BOTH SIDES OF FENCING.

WIRE CONNECTIONS

N I S

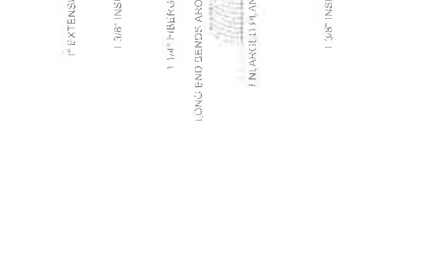


- DOUBLE PANEL GATE**
- NOTES**
1. INSULATORS ARE LOCATED ON TOP OF #1 UNDER #9, TO AS HIGH ON THE GATE AS POSSIBLE.
 2. ALL CONTACTS MUST INCLUDE SPRINGS.
 3. ALL CONTACTS MUST INCLUDE SPRINGS.
 4. ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS!).
 5. ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.
 6. ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.
 7. GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.



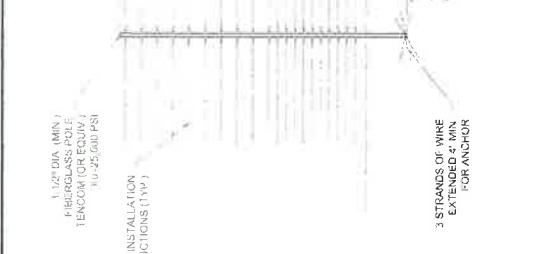
STEEL POLE DETAIL

N I S



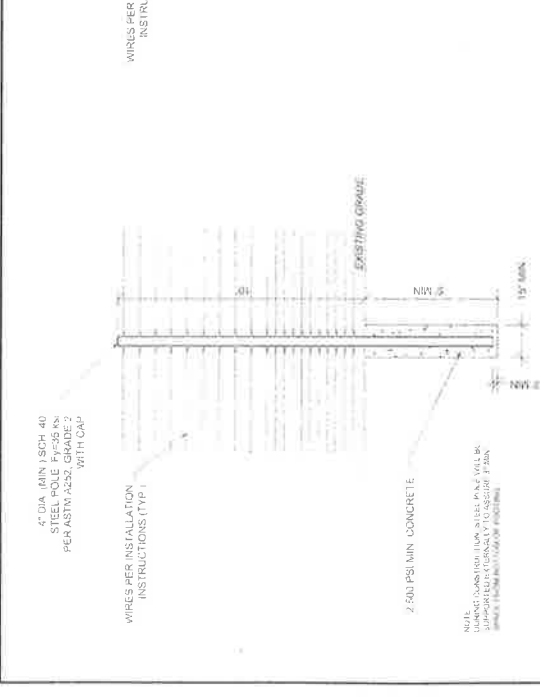
FIBERGLASS POLE DETAIL

N I S



EXAMPLE WARNING SIGNS

WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND 30 FEET ON CENTER THEREAFTER. WARNING SIGNS SHALL BE VISIBLE FROM BOTH SIDES OF FENCING AND BE 9"x12" IN SIZE.



STEEL POLE DETAIL

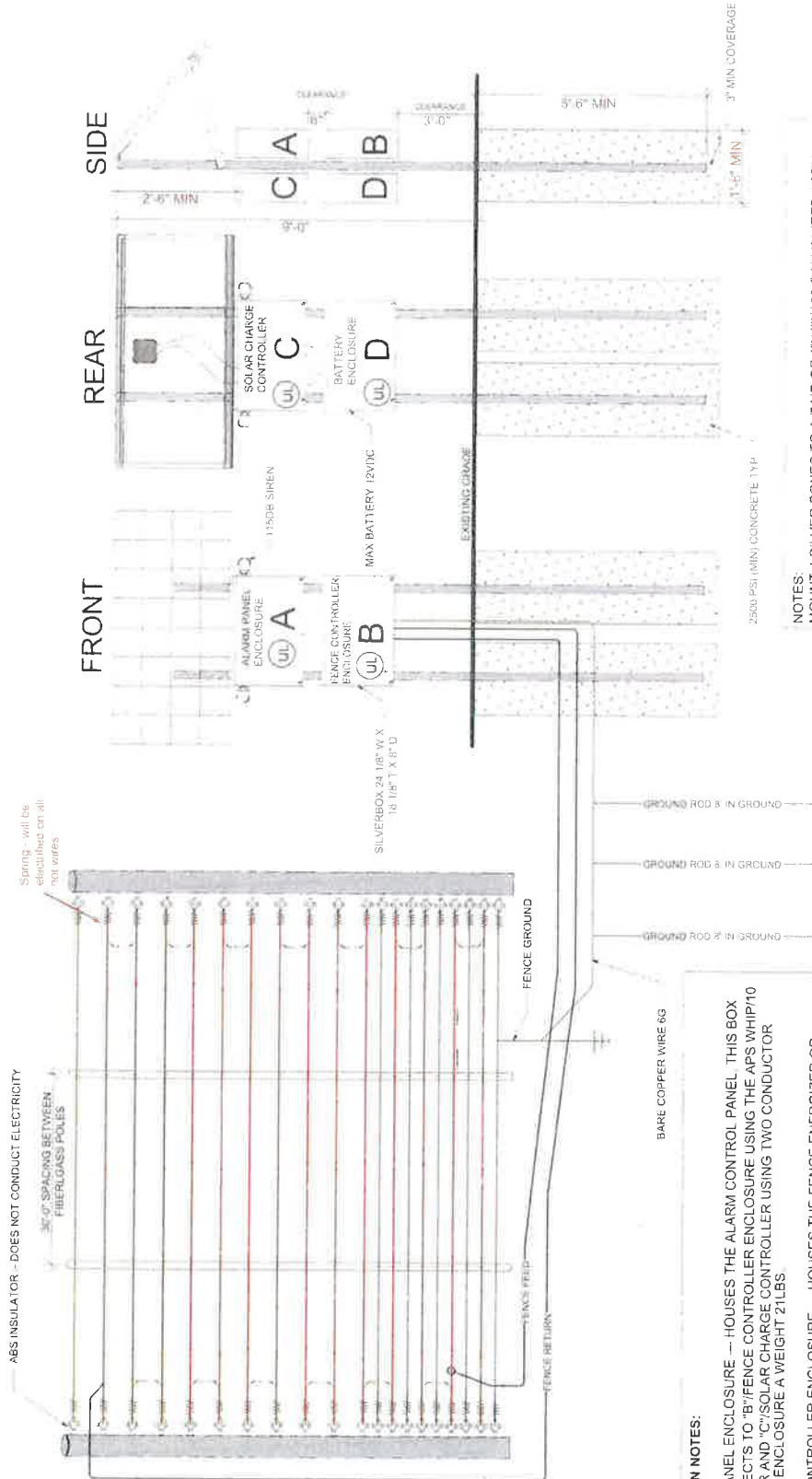
N I S



FIBERGLASS POLE DETAIL

N I S

WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH STEEL POLE DETAIL



CONNECTION NOTES:

A. ALARM PANEL ENCLOSURE — HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "B"/FENCE CONTROLLER ENCLOSURE USING THE APS WHIP/10 CONDUCTOR AND "C"/SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. MAX ENCLOSURE A WEIGHT 21LBS.

B. FENCE CONTROLLER ENCLOSURE — HOUSES THE FENCE ENERGIZER OR EQUIVALENT. THIS BOX INTERCONNECTS TO "A"/ALARM PANEL ENCLOSURE USING THE APS WHIP/10 CONDUCTOR CABLE. MAX ENCLOSURE B WEIGHT 22LBS.

C. SOLAR CHARGE CONTROLLER ENCLOSURE — POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY AND LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLER BY THE LOAD BREAKER. MAX SOLAR CHARGE CONTROLLER ENCLOSURE WEIGHT 25LBS.

D. BATTERY ENCLOSURE — THIS ENCLOSURE INTERCONNECTS TO "C"/SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G AND 10G THWN. MAX BATTERY ENCLOSURE WEIGHT 62LBS.

BATTERY WILL NOT EXCEED 70KWH

NOTES:

MOUNT 4 SILVER BOXES TO A PAIR OF 4"x4"x80 GALVANIZED ASTM A500 STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM 2 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE EMBEDDED AT MINIMUM 5'-6" BELOW GROUND LEVEL.

DATE / DESCRIPTION



AMAROK
ULTIMATE PERIMETER SECURITY

SHEET TITLE	TYPICAL DETAILS
PROJECT	FARIA TRAILERS 1071 E RANKIN RD TULARE, CA 93274

DATE	BY	CHECKED

SHEET	C-3
3 OF 3	

February 25, 2022

City of Tulare
Attn: Traci Myers, Director
Community & Economic Development
411 E Kern Avenue
Tulare CA 93274

SUBJECT: Variance Findings
Monitored Electrified Security Fence System
1071 E Rankin Road / APN: 191-260-015 & 016

Director Myers:

On behalf of Faria Trailers (Faria) located at 1071 E Rankin Road, we are applying for a variance to install a low voltage, battery powered (12V DC) 10' tall Monitored Electrified Security Fence, which will be safely located inside of the existing 6'-0" tall chain link fence to secure the property during non-business hours.

The AMAROK monitored electrified security fence system has proven to be the most effective theft and crime deterrent for businesses across the country such as Faria. Even in cases where businesses were experiencing frequent theft and loss, the installation of this security system immediately results in the prevention of any further attempted break-ins by criminal trespassers. Even more, the proposed security system is to ensure workplace safety from intruders and enhance public safety by discouraging criminals from targeting this facility and seeking other incidental crimes of opportunity in the surrounding area.

§ 10.136.060 Report and findings.

Please explain the special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical district classifications:

There are various special circumstances negatively affecting the safety and security of the property. The following are applicable to the property:

1. Size: Faria Trailers stores numerous vehicles and trailers in a large outdoor storage/parking lot. The configuration of the property presents a security challenge due to the extensive size of the lot and the lengthy perimeter boundary.
2. Topography: the property abuts the downgrade portion of the S. K Street overpass. This topography conceals criminal trespassers when they have breached this portion of the fence line.
3. Location and Surroundings: Faria Trailers abuts both the Highway 99 corridor and the S. K Street overpass. This provides criminal trespassers quick and easy egress from the area after a criminal act.

Please explain how granting the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and district in which the property is located:

The granting of the variance will not be materially detrimental to public health, safety or welfare, or injurious to property or improvements in such vicinity or district where the property is located. The security system is installed completely inside the existing perimeter fence and therefore not exposed to the public. To come in contact with the security fence system, one would have to be intentionally trespassing by, first, breaking through or scaling the existing perimeter barrier (chain link fencing at Faria).

Also, the proposed security system safe because it conforms with international safety standards (IEC 60335-2-76), CA State Law (Civil Code Section 835), and the safety paraments specified in the recently adopted zone text amendments to Chapters 10.64, 10.72 and 10.76 of the Tulare Municipal Code. The proposed security system technology has been adopted as a safe and effective means of providing perimeter security in urban environments (commercial and industrial areas only).

With the utilization of the proposed security system, the general safety and welfare of the public is enhanced, crime is prevented, and the City can redirect law enforcement resources toward more serious crimes other than property break-ins and theft.

The security system is the most reliable, economical, and safest perimeter security measure available. The installation of the system will secure the property, increase the security of the surrounding properties and the immediate area by deterring the criminal element from targeting the neighborhood.

In what way will the strict or literal interpretation and enforcement of the applicable regulation deprive you of privileges enjoyed by owners of other properties classified in the same Zoning District:

Strict or literal interpretation and enforcement of the Tulare Municipal Code will deprive Faria Trailers from adequately securing their property. Owners of other properties are not all faced with the same security challenges as Faria Trailers – these challenges are as follows:

- **Outdoor Storage:** the permitted use of this property is for the storage and parking of trailers and vehicles. Faria Trailers does not have the option to store valuable assets inside of a secured building. And often, these assets are the property of others (Tulare residents/customers, local Sheriff, et. al.)
- **Exposure:** the property is exposed to street access on three sides, thereby making it an easy target for criminal trespassers to burglarize and leave the area quickly.
- **Location:** this business is located at the southernmost boundary of Tulare, with properties to the south being agricultural land. During the evening hours, this area is very dark and receives very minimal traffic. Chief Hensley has even stated that this general area is subject to longer response times due to its remote proximity.

That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is located:

Faria is requesting a variance for a security measure that will enable them to rightfully use their property for its intended use, a trailer sales and repair facility. Faria employees need the assurance of a safe and secure facility, and certainly the customers of Faria demand that their personal trailers remain undamaged and not stolen.

Under Chapter 10.76 - Industrial District Design Guidelines in Section 10.76.020(E) it explicitly states that a key Objective is "To improve the safety and security of the residents and visitors to Tulare." As stated previously, Faria is an employer of local residents and securing their property addresses their responsibility for providing a safe workplace.

Lastly, Faria's property is appropriately zoned for its intended use and all surrounding properties share the same zoning (C-4) with Industrial uses. The proposed security system does not change the permitted use of the property, nor does it intensify its

permitted use. Security is not a special privilege. It is a fundamental right and responsibility share by all members of a community. And Faria Trailers is making an effort to support crime prevention through securing its facility.

That the granting of the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district and denied to the property for which the variance is sought.

Like the response in the aforementioned finding, Faria is requesting a variance for a security measure that will enable them to rightfully use their property for its intended use, a trailer sales and repair facility. Also, Faria employees need the assurance of a safe and secure workplace, and certainly the customers of Faria demand that their personal trailers remain undamaged and not stolen.

Faria needs the approval to efficiently and effectively secure its property and that of others. The proposed project supports the implementation of the goals and policies of the Tulare General Plan. The security measure improves safety through enhancing workplace safety and deterring criminals from targeting Faria and other properties in the community. This private-public partnership is mutually beneficial for everyone in the community.

That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

The granting of a variance will not change the permitted use or activities of Faria Trailers. They will remain a trailer sales and repair facility and approving this variance will further enable Faria to better serve the community of Tulare and the surrounding area.

That granting the variance will not be inconsistent with the General Plan.

The proposed project will support the City of Tulare General Plan by enhancing the economic viability of a respected local business and improving the safety of the surrounding area through crime prevention.

<p>Goal LU-2 To grow in an orderly pattern consistent with the economic, social, and environmental needs of Tulare and taking regional impacts into account.</p>

The proposed project will meet the economic needs (reduce losses) of this respected local business and Tulare by addressing the ongoing issue of criminal trespass and theft

of property. The incidence of property crime is impacting businesses regionally and Faria is no different.

Goal LU-4 To promote commercial development that meets present and future needs of Tulare residents, the regional community, and visitors and to enhance economic vitality and sustainability.

The security system is essential to meet the present need to secure the perimeter of Faria's property. The continual exposure to criminal trespass and theft is a threat to their economic vitality and sustainability as a local business.

Goal LU-6 To attract economic development that provides a stable, long-term, and diverse economic and employment base for Tulare residents.

Faria is a long standing, respected local business that employs Tulare residents. Being able to secure their property is critical to their economic vitality and continued ability to employ their workers.

On the business side, criminal trespass and theft of trailers and components is disruptive to the customers that Faria serves. Over the past couple of years, Faria has had multiple incidents of criminal trespass and theft of trailers from their lot. One of the most egregious incidents involved the theft of a newly built trailer for the Tulare County Sheriff's Department – the trailer was never recovered. A single incident of criminal trespass and theft has a cascading effect on the customers that Faria serves.

Ultimately, Faria is concerned about safety,... the safety of their employees and the public. Criminal trespass brings endangerment to their employees when an intruder is lurking in their yard. Furthermore, the visitation by the criminal element to the surrounding area is a threat to the public, as it is common for criminals to seek other crimes of opportunity while "shopping" the neighborhood.

Finally, the proposed security system would be helpful to Tulare's law enforcement community by preventing burglary and theft, thereby allowing them to focus their limited time and resources on other important community needs.

The following photos show a couple of the many incidences of criminal trespass onto Faria's property:



In summary, Faria Trailers and AMAROK respectfully request approval of a variance for the proposed monitored electrified security fence system to address and deter further criminal trespass and the associated effects (theft, vandalism, and employee endangerment).

Thank you,



Keith Kaneko

Director, Government Relations

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RESOLUTION NO. 5407

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING VARIANCE APPLICATION No. 466**

WHEREAS, Variance Application No. 466 is a request by AMAROK on behalf of Faria Trailers for a variance to install a low voltage, battery powered (12 DC) 10ft tall Monitored Electrified Security Fence, which will be safely located inside the existing 6ft tall chain link fence to secure the property located at 1071 East Rankin Road during non-business hours; and

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on March 14, 2022; and,

WHEREAS, the City of Tulare Planning Commission determined that there are special circumstances applicable to the property, including size, shape, topography, location and surroundings that strict application of the ordinance allowing this fencing materials only in Industrial zones would deprive the property of privileges enjoyed by other property in the vicinity; 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 FURTHER RESOLVED that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

- 1) **That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this title deprives the property of privileges enjoyed by other property in the vicinity and under identical district classifications.**

Faria Trailers in located in southern Tulare in the middle of Tulare's prime industrially zoned properties. Although the subject property is zoned service commercial, many service commercial uses as permitted in the City Municipal Code mirror those of industrial uses. Faria Trailers can be compared to a vehicle storage facility, which in Chapter 10.64.030 of the Municipal Code, allows for vehicle storage as a permitted use in both the light and heavy industrial zone districts.

- 2) **That the granting of the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district and denied to the property for which the variance is sought.**

Because the property is substantially surrounded by other service commercial and industrial zoned properties, Faria Trailers should be able to take steps necessary to

protect their employees and product from criminal activity. The granting of the variance would allow for Faria Trailers to add an additional layer of protection to their employees and product against criminal activity.

- 3) **That the granting of the variance will not be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in such vicinity and district in which the property is located.**

The Tulare Municipal Code was amended in September, 2021 to allow for electrified security fences in industrially zoned districts. The Applicant will be required to adhere to the design guidelines as set for in section 10.76.050 Design Guidelines.

- 4) **That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and district in which such property is located.**

The granting of the variance will not constitute a grant of special privilege in that Faria Trailers is requesting a variance for a security measure that will enable them to rightfully use their property for its intended use; a trailer sales and repair facility. Faria employees need the assurance of a safe and secure facility and certainly the customers of Faria demand that their personal trailers remain undamaged and not stolen. Under Chapter 10.76 – Industrial District Design Guidelines in Section 10.76.020(E), it explicitly states that a key Objective is “To improve the safety and security of the residents and visitors to Tulare.” As stated previously, Faria is an employer of local residents and securing their property addresses their responsibility for providing a safe workplace. Faria’s property is appropriately zoned for its intended use and all surrounding properties share the same zoning (C-4) with Industrial uses. The proposed security system does not change the permitted use of the property, nor does it intensify its permitted use.

- 5) **That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.**

The proposed variance is limited to the installation of a Monitored Electrified Security Fence and doesn’t alter the use or any other regulation pertaining to the site.

- 6) **That granting the variance will not be inconsistent with the General Plan.**

The granting of the variance is not inconsistent with the goals and objectives of the General Plan.

- 7) That the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3); and,

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Variance Application No. 466 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Approval does not authorize any deviation from Fire and Building Codes.
- 3) The conceptual site plan and elevations are approved as shown in the attachments hereto.
- 4) In accordance with Zoning Ordinance Section 10.128.090, this Variance approval shall lapse and become void (1) year from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.

PASSED, APPROVED AND ADOPTED this **fourteenth** day of **March, 2022** by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

TRACI MYERS, SECRETARY
City of Tulare Planning Commission