



*Agri-Center of the World*

# City of Tulare

## Planning Commission

### Agenda

**Chair**  
Chuck Miguel

**Vice-Chair**  
Sandi Miller

**Commissioners**  
Chad Petersen  
Erica Cubas  
Jocelyn Limas

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**Tulare Public Library & Council Chamber**  
491 North M Street, Tulare  
[www.tulare.ca.gov](http://www.tulare.ca.gov)

**Monday, February 27, 2023**  
**7:00 p.m. – Regular Meeting**

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### Mission Statement

To promote a quality of life making Tulare the most desirable community in which to live, learn, play, work, worship and prosper.

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### Attending and Participating in Meetings

Regular Planning Commission Meetings are held on the second and fourth Monday of each month in the City Council Chamber located in the Tulare Public Library at 491 North M Street, Tulare. Additional meetings of the Planning Commission may be called as needed.

Documents related to items on the agenda are accessible on the City's website at [www.tulare.ca.gov](http://www.tulare.ca.gov) and available for viewing at the entrance of the Council Chamber.

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### Rules for Addressing Planning Commission

- Members of the public may address the Tulare Planning Commission on matters within the jurisdiction of the City of Tulare.
- If you wish to address Planning Commission, please complete one of the yellow speaker cards located at the entrance to the Council Chamber and provide to the Clerk.
- Persons wishing to address the Planning Commission concerning an **agendized** item will be invited to address the Planning Commission during the time that Planning Commission is considering that particular agenda item. Persons wishing to address Planning Commission concerning a **non-agendized** issue will be invited to address Planning Commission during the Citizen Comments portion of the meeting.
- When invited by the Commission Chair to speak, please step up to the podium, state and spell your name and city where you reside, and make your comments. Comments are limited to three minutes per speaker.

- I. CALL TO ORDER REGULAR MEETING – 7:00 p.m.**
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN COMMENTS** - This is the time for citizens to comment on subject matters, not on the agenda within the jurisdiction of the Tulare Planning Commission. The Commissioners ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Commission cannot legally discuss or take official action on citizen request items that are introduced tonight. This is also the time for citizens to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to general business items or public hearing items will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. In fairness to all who wish to speak, each speaker will be allowed three minutes, with a maximum time of 15 minutes per item, unless otherwise extended by the Planning Commission Chair. Please begin your comments by stating and spelling your name and providing your city of residence.
- IV. COMMISSIONER REPORTS OR ITEMS OF INTEREST** – G.C. 54954.2(a)(3)
- V. CONSENT CALENDAR** - All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.
- (a) Approve minutes of the February 13, 2023 regular meeting [Submitted by: M. Sanchez]
- VI. GENERAL BUSINESS – PUBLIC HEARING:** Comments related to General Business – Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Commission.

**1. Conditional Use Permit No. 2023-02**

Consider a request by TAE Architecture to expand on an existing church to an approximate 20,530 square feet. The proposed site is designated Low Density Residential and zoned R-1-8 (Singly-Family Residential). The multipurpose facility is located at 1820 North Gem Street.

**Project Planner:** Jonathan Coelho, Assistant Planner

**Recommended Motion: Adopt Resolution 5449** approving Conditional Use Permit No. 2023-02, based on the findings and subject to the conditions as listed in the staff report.

**2. Conditional Use Permit No. 2023-03**

Consider a request by Rigoberto and Jose Luis Ruvalcaba of Tacos Los Brothers to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue. (C-4 Service Commercial). Project is exempt pursuant to Section 15304(e) of the California Environmental Quality Act of 1970 as amended.

**Project Planner:** Jonathan Coelho, Assistant Planner

**Recommended Motion: Adopt Resolution 5450** approving Conditional use Permit No. 2023-03, based on the findings and subject to the conditions as listed in the staff report.

**VII. GENERAL BUSINESS – NON PUBLIC HEARING ITEMS**

**VIII. DIRECTOR/STAFF UPDATES – GC 54954.2(a)(3)**

**IX. ADJOURN REGULAR MEETING**

**Americans with Disabilities Act**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification from the Community and Economic Development Department at (559) 684-4217. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

**AFFIDAVIT OF POSTING**

State of California }  
County of Tulare } ss.  
City of Tulare }

I, MARIA SANCHEZ, Planning Commission Clerk for the City of Tulare, hereby certify, under penalty of perjury, that I caused the posting of this agenda before 5:00 p.m. on Friday, February 24, 2023, at City Hall, 411 E. Kern Avenue, as well as on the City’s website.

POSTED BY: Maria Sanchez, Planning Commission Clerk

**ACTION MINUTES  
PLANNING COMMISSION OF THE CITY OF TULARE**

**February 13, 2023**

**A regular meeting of the Planning Commission of the City of Tulare was held on Monday, February 13, 2023, at 7:00p.m. in the Tulare Public Library and Council Chamber located at 491 North M Street.**

**COMMISSIONERS PRESENT:** Sandi Miller, Chuck Miguel, Jocelyn Limas, Erica Cubas

**COMMISSIONERS ABSENT:** Chad Petersen

**TEENS ON BOARD PRESENT:** None

**STAFF PRESENT:** Mario Anaya, Interim Community Development Director  
Jonathan Coelho, Assistant Planner  
Maria Sanchez, Commission Clerk

**I. CALL TO ORDER REGULAR MEETING**

Chair Miguel called the regular meeting to order at 7:01p.m.

**II. PLEDGE OF ALLEGIANCE**

Commissioner Limas led the Pledge of Allegiance.

**III. CITIZEN COMMENTS**

There were no citizen comments.

**IV. COMMISSIONER REPORTS OR ITEMS OF INTEREST – G.C. 54954.2(a)(3)**

Chair Miguel spoke on the World Ag Expo.

**V. CONSENT CALENDAR**

**It was moved by Vice-Chair Miller, seconded by Commissioner Limas and unanimously carried for items on the Consent Calendar be approved as presented.**

**(a) Minutes of the January 9, 2023 regular meeting of the Planning Commission.**

**VI. GENERAL BUSINESS**

None

**VII. GENERAL BUSINESS – NON PUBLIC HEARING ITEMS**

None

**VIII. DIRECTOR/STAFF UPDATES – GC 54954.2(a)(3)**

Provided by staff

**IX. ADJOURN REGULAR MEETING**

Chair Miguel adjourned the meeting at 7:08pm.

**A workshop of the Planning Commission of the City of Tulare was held on Monday, February 13, 2023, at 7:08p.m. in the Tulare Public Library and Council Chamber located at 491 North M Street.**

**COMMISSIONERS PRESENT:** Sandi Miller, Jocelyn Limas, Chuck Miguel, Erica Cubas

**COMMISSIONERS ABSENT:** Chad Petersen

**TEENS ON BOARD PRESENT:** None

**STAFF PRESENT:** Mario Anaya, Interim Community Development Director  
Jonathan Coelho, Assistant Planner  
Maria Sanchez, Commission Clerk

**X. CALL TO ORDER ZONING ORDINANCE UPDATE WORKSHOP #5**

Chair Miguel called the workshop to order at 7:20pm.

**XI. CITIZEN COMMENTS**

Elvia Olea, policy advocate for Leadership Counsel for Justice and Accountability, spoke on Matheny Tract and the impacts of land use designations in that area.

Hugo Trujillo, resident of Matheny Tract, expressed concerns on the insurmountable trash buildup around his community.

Adolfo Contreras, resident of Matheny Tract, voiced his concerns on the low lighting in the community and the absence of City sewer connections.

Lucio Meza, resident of Matheny Tract, pled for improvement assistance in his community.

**XII. ADJOURN TO WORKSHOP**

1. Workshop with Planning Commissioners and the public with the City's consultants and the Zoning Ordinance Update.

Chair Miguel adjourned to workshop at 7:20pm.

**XIII. ADJOURN WORKSHOP**

Chair Miguel adjourned the workshop at 8:02pm.

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Chuck Miguel, Chair  
City of Tulare Planning Commission

ATTEST:

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Mario Anaya, Secretary  
City of Tulare Planning Commission

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No. 1

February 27, 2023

**CONDITIONAL USE PERMIT No. 2023-02**

<b>PROJECT PLANNER:</b>	Jonathan Coelho, Assistant Planner	
<b>APPLICANT:</b>	TAE Architecture	
<b>LOCATION:</b>	1820 N Gem Street	
<b>APN:</b>	166-020-001	
<b>ZONING CLASSIFICATION:</b>	R-1-8 (Single-Family Residential)	
<b>GENERAL PLAN DESIGNATION:</b>	Low Density Residential	
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Highway 99	
	South: Residential	R-1-12.5
	West: Residential	R-1-8
	East: Highway 99	

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2023-02 subject to the findings and conditions in Resolution No. 5449. 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 TAE Architecture to expand an existing church by expanding the existing approximate 20,530 square foot multipurpose facility located at 1820 North Gem Street (APN 166-020-001).

**RELATED PROJECTS:**

Special Use Permit 1974-10 – Request to allow construction of a church on a residentially zoned property. Tulare County approval August 6, 1974.

Conditional Use Permit 1980-12 – Request to expand existing church facilities. Planning Commission approval November 3, 1980.

Conditional Use Permit 1996-17 – Request to construct an approximate 20,606 square foot multi-use building in conjunction with the Tulare Community Church. Planning Commission approval November 4, 1996.

### **DETAILS OF THE PROPOSAL:**

The project will expand an existing facility related to an existing church which will be used for a kid’s ministry program, an after school program, and host small worship services on weekends.

Based on the applicant’s operational statement the building would be used for church services on Sunday mornings where they will have an approximate 350 attendees between two services. On Wednesday nights they will host mid-week programs for kids K-8th grade as well as programs for adults. This new facility would house the kids programming on those nights from 6 pm to 7:30 pm. Lastly, Monday through Friday this building would be used from 3:30 pm to 5:30 pm to host an after-school program

The City of Tulare Municipal Code requires churches to provide “one space per four fixed seats; or one space for each 35 sq. ft. of non-fixed seating area in the principal sanctuary conference space or auditorium, whichever is greater.” There are currently 260 stalls and the project will remove 22 stalls but install 2 new stalls. This project will have a total of 240 stalls when it completes the expansion. Staff has determined there is sufficient parking provided to accommodate the proposed extension.

### **STAFF COMMENTS:**

The proposed site is designated as Low Density Residential and zoned R-1-8 (Single-Family Residential). The City of Tulare Municipal Code states that “churches, parsonages, parish houses, monasteries, convents and other religious institutions” proposed within a Single-Family Residential 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).

Surrounding land uses are strictly residential on the west and south of the property while Highway 99 abuts the property on the east and north. The use has operated on the site for decades with no known conflicts. The proposed use and site can operate in a compatible manner with the surrounding uses.

The Site Plan Review Committee reviewed the project with the applicant on April 27, 2022 and prepared comments and conditions. The site plan and floor plan 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. 2023-02:

- 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 15332 (In-Fill 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. 2023-02 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) 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 establishment of the use is being diligently pursued.
- 3) 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.
- 4) Applicant shall comply with Fire Department, Engineering Division and, Building Division comments/conditions (Attachments IV, V, and VI).

- 5) Approval does not authorize any deviation from Fire and Building Codes.
- 6) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 7) 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.

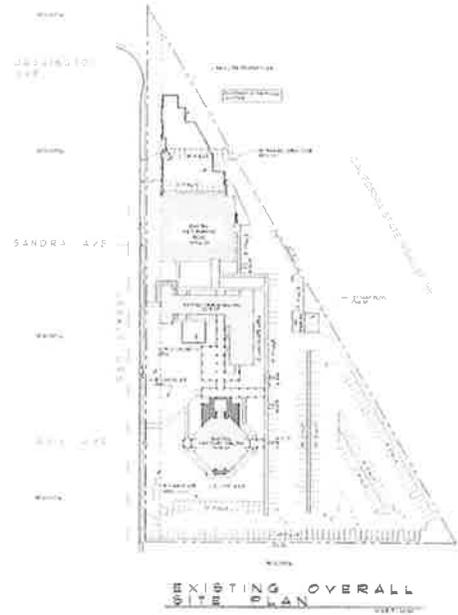
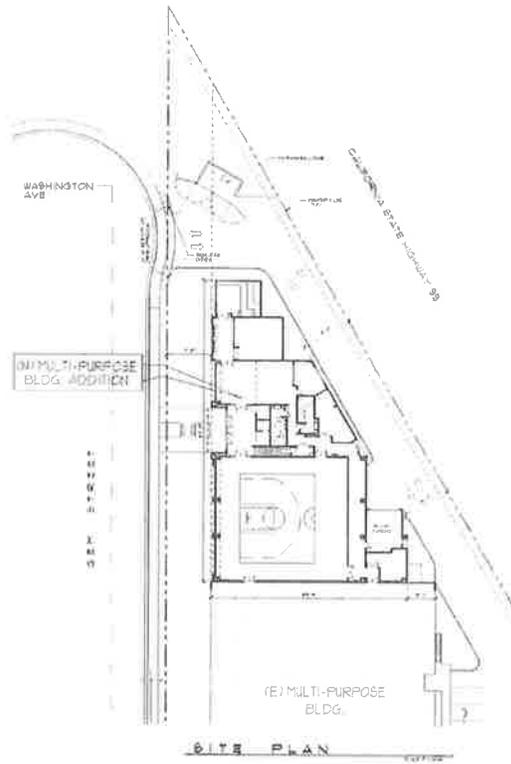
**APPEAL INFORMATION:**

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. Location Map
- II. Floor Plan
- III. Elevations
- IV. Comments – Fire
- V. Comments – Engineering
- VI. Comments - Building
- VII. Resolution





**SITE INFORMATION**

PROJECT	...
CLIENT	...
DATE	...
SCALE	...
DESIGNER	...
DATE	...
PROJECT NO.	...
DATE	...
PROJECT NO.	...
DATE	...
PROJECT NO.	...
DATE	...
PROJECT NO.	...
DATE	...

**BUILDING INFORMATION**

NAME	...
TYPE	...
USE	...
AREA	...
DATE	...
PROJECT NO.	...
DATE	...
PROJECT NO.	...
DATE	...
PROJECT NO.	...
DATE	...



**TAE**  
ARCHITECTURE AND PLANNING

PROJECT NO. ...  
DATE ...

PROJECT NO. ...  
DATE ...

PROJECT NO. ...  
DATE ...

**TULARE COMMUNITY CHURCH**

TULARE, CA

**A1.0**





**RESOLUTION NO. 5449**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2023-02**

**WHEREAS**, Conditional Use Permit 2023-02 is a request by TAE Architecture to expand an existing church by expanding the existing approximate 20,530 square feet multipurpose facility located at 1820 North Gem Street (APN 166-020-001) and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on February 27, 2023; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2023-02 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 (In-Fill Development Projects); 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 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 15332 (In-Fill Development Projects) 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. 2023-03 is hereby approved subject to the following conditions:

**Conditions:**

- 1) All requirements of Title 10 shall be met.
- 2) 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 establishment of the use is being diligently pursued.
- 3) 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.
- 4) Applicant shall comply with Fire Department, Engineering Division and, Building Division comments/conditions (Attachments IV, V, and VI).
- 5) Approval does not authorize any deviation from Fire and Building Codes.
- 6) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 7) 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.

**Fire**

The Fire Prevention Bureau conveys the following site plan comments for SP 22-34, Tulare Community Church:

1. The project must comply with all of the latest applicable codes and standards.
2. Based on the occupancy classification (A-3) and/or square footage of this building, an automatic fire sprinkler system *shall* be required.
3. A fire alarm system that provides occupant notification, as prescribed in NFPA 72, shall be required for this occupancy.
4. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the

exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"

5. 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.
6. 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.
7. A Knox box shall be required for this building. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Marshal. Online ordering is available at [www.knoxbox.com](http://www.knoxbox.com) using the department search, *Tulare City Fire Department*.

Ryan Leonardo  
Fire Marshal  
April 28, 2022

### **Engineering**

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

- Resubmit with the following required revisions to the site plan:
1. Please provide cross sections of \_\_\_\_\_ on the Site Plan. Cross sections shall include (at a minimum) dimensions from right-of-way (ROW) to ROW (existing and proposed), dimensions from ROW to landscape lot (if applicable), dimensions from ROW to sections line, dimensions from sections line to curb face, dimensions from curb face to sidewalk, sidewalk width, and median width and location with respect to section line (if applicable).
  2. \_\_\_\_\_
- Proceed and comply with Engineering Conditions of Approval checked below.
1. The City of Tulare is proposing to run a water main under HWY 99 connecting the water mains in Retherford Street and Gem Street. The proposed water main will connect to Gem Street near the location of the proposed trash enclosure. To avoid relocating the proposed trash enclosure at a future date, the City requests the developer construct the trash enclosure at an alternate location approved by the Solid Waste and Engineering Department.
- Proceed. No applicable Engineering Conditions of Approval.

### **General Engineering Conditions:**

- All public improvements conditionally required for project approval shall comply with the provisions of Chapter 8.24 “Subdivision Regulations” of the Tulare Municipal Code, the “City of Tulare Design Guidelines and Public Improvement Standards”, and all other applicable City policies, specifications, ordinances and standard operating procedures in effect at the time of their construction, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Division 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.
- 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 Developer’s Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved plans. This shall be done prior to scheduling any pre-construction conferences or commencing construction of any improvements. Following the recordation of a Notice of Completion for the project, the Developer’s Engineer shall provide the City of Tulare with an AutoCAD drawing file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.
- Prior to the start of construction, a meeting will be called by the City Engineer with the Owner/Developer, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.
- Applicant shall obtain a Street Closure Permit from the City. A traffic control plan prepared by a registered civil engineer, traffic engineer or traffic control specialist shall be submitted with the Street Closure Permit application, and will be subject to the approval of the City Engineer prior to application approval.

**Required Data, Studies and Master Plan Documents:**

- The Owner/Developer shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.
- The Owner/Developer shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches and street subgrades. All soils testing shall be performed at the sole cost of the Owner/Developer. The Owner/Developer shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction

for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

- R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.
- Percolation tests are required for the design of new drainage basin facilities, or the expansion of existing drainage basin facilities.
- 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.
- A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The TIS 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. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project’s impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments, and shall specifically address the project impacts and any appropriate mitigations to the following facilities:
  1. Intersections, (including lane geometry and turn pocket lengths): \_\_\_\_\_
  2. Roadway Segments: \_\_\_\_\_
  3. Other: \_\_\_\_\_
- Compaction tests are required on all street subgrades, and at utility trench crossings of curb, gutter and sidewalk. All soil testing shall be performed at the sole cost of the Owner/Developer.
- Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets

**Right of Way Requirements**

- Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Division, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
- The following right-of-way dedications are required for street/alley purposes:

- a. 20' property corner radius: \_\_\_\_\_
- b. Chamfer property corner: \_\_\_\_\_
- c. Alley:
- d. Street:

- Waiver of direct access rights is required at the following locations: \_\_\_\_\_.
- Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

**Final Map Requirements**

- Submit to the City of Tulare a title report for the parcel(s) to be developed.
- Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.
- Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.
- Following the approval of final subdivision or parcel maps, the Developer's Licensed Surveyor or Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved final map, or GIS shapefile for the related parcels included on said final map.
- A City Clerk's Certificate is required on the final map for required dedications.
- A Public Works Certificate required on the final map if improvements are not constructed prior to recordation. This provision would require an engineer's estimate and an improvement security.

**Roadway Improvements**

- Street design shall conform to City of Tulare Design Guidelines and Public Improvement Standards. The structural section design for new roadways and pave-out areas shall be based upon the results of R-Value tests at locations approved by the City Engineer, and the design criteria provided below. Minimum structural sections allowed shall be per the City of Tulare Design Guidelines and Public Improvement Standards:

Roadway	Classification	Traffic Index	Paved Width
a)	-	-	-
b)	-	-	-

- Construct full pave-out width from lip of gutter to the existing edge of pavement on the following existing roadways impacted by the development is required: \_\_\_\_\_.
- Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: \_\_\_\_\_.

- Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: \_\_\_\_\_.
- Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: \_\_\_\_\_.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: \_\_\_\_\_.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: \_\_\_\_\_.
- Curb and Gutter** – Existing curb and gutter to remain 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. ~~New City Standard curb and gutter shall be constructed as indicated below.~~

<u>Street Frontage(s)</u>	<u>Configuration</u>
_____	-

- Construct City standard cross gutter at the following locations: \_\_\_\_\_.
- Driveway Approaches** – Existing driveway approaches to remain 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. New City Standard driveway approaches shall be constructed as indicated below.

<u>Street Frontage(s)</u>
New commercial drive approach on Gem Street per City of Tulare Standards.

- Sidewalks** – Existing sidewalk to remain 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, and cracked or raised concrete. ~~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.~~

<u>Street Frontage</u>	<u>Configuration</u>	<u>Sidewalk Width (ft)</u>
_____	-	-

- Ramped Curb Returns** – Existing ramped curb returns to remain 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. New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.

<u>Location</u>	<u>Configuration</u>
	-

- Alley Improvements** – The following alley improvements are required:

1. Construct vee gutter at the following locations: \_\_\_\_\_.
2. Construct ADA compliant alley approach at the following locations: \_\_\_\_\_.
3. Other: \_\_\_\_\_.

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

- Temporary Turnarounds** – Turnarounds are required at all dead end or stubbed streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up. Grants of easement shall be provided to the City of Tulare for all temporary turnaround locations.

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

- Street Lights** – Street lights shall be owned and maintained by Southern California Edison, and shall be installed at locations designated by the City Engineer per the City of Tulare Design Guidelines and Public Improvement Standards. Luminaires shall be LED fixtures mounted on standard concrete marbelite poles, and shall comply with the following general requirements:

Roadway Classification	Wattage	Color Rating (kelvin)	Minimum Lumens	Mounting Height	Mast Arm Length
Local Streets	31 Watt	4,000	4,000	26 feet	6 foot
Collector Streets	39 Watt	4,000	5,000	26 feet	8 foot
Minor Arterial Streets	39 Watt	4,000	5,000	32 feet	8 foot

Arterial Streets	71 Watt	4,000	8,500	32 feet	8 foot
Traffic Signal		4,000	15,000	Varies	Varies

- Traffic Control Devices – Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
- Traffic Calming Measures – The proposed development shall incorporate the following traffic calming measures: \_\_\_\_\_.
- Bicycle and Pedestrian Facilities – The proposed development shall incorporate the following bicycle/pedestrian facilities: \_\_\_\_\_.
- Transit Facilities – The proposed development shall incorporate City standard bus turnout(s) at the following location(s): \_\_\_\_\_.

**Grading Requirements**

- 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.

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

**Utility Improvements**

- All utility services to be located within paved areas shall be placed in the streets prior to paving.
- The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.
- 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 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

<u>Street</u>	<u>Location</u>

### **Water System Requirements**

- Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: \_\_\_\_\_
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.
- 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.
- 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 separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.
- Water sampling stations shall be installed as follows: \_\_\_\_\_.
- Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

### **Sewer System Requirements**

- Sewer main alignments shall be 11 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: \_\_\_\_\_
- 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.
- All sewer lines shall pass both mandrel and air pressure tests. The Owner/Developer shall video inspect all sewer mains prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.
- A sewer monitoring station, oil/sand/water separator and/or grease interceptor shall be installed as required by the wastewater manager.
- Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

### **Storm Drainage System Requirements**

- Storm drain alignments shall be 6 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following storm drain line extensions and connections: \_\_\_\_\_
- The Owner/Developer shall video inspect all storm drain mains and laterals prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

### **Landscaping and Parks Requirements**

- A landscape & irrigation master plan for all phases of the subdivision shall be submitted with the initial phase to assist City staff in the formation of the Landscape & Lighting District. The landscape & irrigation master plan shall be approved by the Director of Parks and Community Services a minimum 75 days before approval of the final map or approval of the improvement plans (whichever comes first).
- A Landscape & Lighting District will maintain common area landscaping, common area irrigation systems, common area block walls, street trees, street lights and local street maintenance. The Owner/Developer shall submit a completed Landscape & Lighting District application and all necessary calculations and supporting documentation for the formation of a the district a minimum of 75 days before approval of the final map or approval of the improvement plans (whichever comes first). Dedication to the City is required for all landscape and common area lots to be maintained by the Landscape & Lighting District.

### **On-site Improvements**

- 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 minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).
- All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City’s ROW.
- All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
- 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.
- A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
- 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.
- In conformance with the City of Tulare’s adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle’s engine while making deliveries shall be prominently posted at the location where deliveries are received.
- 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.

- 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.
- 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. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.
- 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.

**Oversize Construction**

- The conditions of project approval require the construction of facilities which have been designated as "masterplan facilities" by the City Engineer, and as such the Owner/Developer may be eligible to receive reimbursement for oversized construction costs in accordance with Chapter 8.64 "Oversized Construction Reimbursement" of the Tulare Municipal Code, and the oversized construction reimbursement policies of the Engineering Services Department. Eligibility for any reimbursement of oversized construction costs is subject to the City Engineer's review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Owner/Developer shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Owner/Developer shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

**Fees**

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 final map recordation or upon the date of issuance of other discretionary permit, whichever is applicable. These fees include, but are not limited to:

- Sewer front foot charges of \$ 26.00 per front foot for frontages on \_\_\_\_\_.
- Sewer lift station fee of \$ \_\_\_\_\_ per acre.
- Water front foot charges of \$ 17.50 per front foot for frontages on \_\_\_\_\_.
- Street front foot charges of \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.

- Benefit district creation fee (if applicable): \$ 1,356.00 per district.
- Traffic signal in-lieu fee of \$ \_\_\_\_\_.
- TID ditch piping in-lieu fee of \$ \_\_\_\_\_.
- Sewer main construction in-lieu fee of \$ \_\_\_\_\_.
- Water main construction in-lieu fee of \$ \_\_\_\_\_.
- Street construction in-lieu fee of \$ \_\_\_\_\_.
- Engineering inspection fee based on a percentage of the estimated cost of construction is required prior to the construction of the improvements.
- Development impact fees to be paid with building permit at rates in effect at time of permit issuance.
- Engineering plan check fee to be paid at time of plan submittal.
- Final map plan check fee to be paid at time of map submittal.
- Other: \_\_\_\_\_

Prepared By: Jan Bowen, Engineering Department

### **Building**

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

- Resubmit with the following required revisions to the site plan:
- Proceed and comply with the following comments and the conditions of approval below.  
**The comments contained herein are general items that will be looked for during subsequent plan review. A more exhaustive list of requirements, specific to the plans, will be provided following the first plan check.**
- Proceed. No applicable Building Conditions of Approval.

### **I. GENERAL BUILDING CONDITIONS OF APPROVAL:**

1. These building conditions are intended to deal with major issues apparent to the Building Division while reviewing this development proposal. Nothing in these conditions precludes the Chief Building Official from applying other conditions/modifications necessary for compliance with California Building Code requirements or applicable City standards, as might become apparent during design review and/or construction
2. All sheets of the plans and the cover sheet of any calculations must bear the stamp and wet signature of a California-licensed engineer or architect licensed to practice in the State of California. – Cal Bus & Prof. Code 5537. All documents must be signed by the person responsible for preparing them.
3. Three sets of plans are required for submittal. Two sets of calculations, compliance documents, or other supplementary documents are required for submittal.

4. Following approval of the building plans, the Developer's engineer or architect shall provide the City of Tulare with a PDF file of the approved plans. This shall be done prior to scheduling any inspection or commencing construction of any improvements. Following the approval of the final inspection for the project, the Developer's engineer or architect shall provide the City of Tulare with a PDF file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.
5. If applicable, a grading permit for grade work being performed for this project shall be obtained prior to any construction taking place.

**II. DATA, STUDIES, SUBMITTALS AND DOCUMENTS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:**

6. The Owner/Developer shall submit a soils report prepared by a licensed professional to the Chief Building Official pursuant to 2019 CBC 1803.
7. Provide the builder's name, address, zip code, phone number, and State of California contractor's license number.
8. Provide the Building Division with a receipt from the appropriate school district (Tulare City School District, Tulare Joint Union High School District, etc.) showing that all fees have been paid.

**III. REQUIRED NOTES ON BUILDING PLANS**

The following standard notes shall be included on all building plan submittals:

9. Provide a Code Analysis table with the following required information:

<b>COMMERCIAL EXAMPLE&gt;</b> to be shown on Cover Sheet			<b>City of Tulare</b>
<b>CODE SUMMARY</b>			
<b>JOB ADDRESS:</b>			
<b>TENANT NAME:</b>			
<b>PROPERTY OWNERS:</b>	<b>BUILDER:</b>	<b>DESIGNER:</b>	<b>ENGINEER:</b>
First & Last Name(s)	Name	Name	Name
Address	Address	Address	Address
City, State, Zip	City, State, Zip	City, State, Zip	City, State, Zip
Phone Number	Phone Number	Phone Number	Phone Number
Email	Email	Email	Email
<b>SCOPE OF WORK:</b>			



10. "THE APPROVAL OF THESE PLANS AND SPECIFICATIONS DOES NOT PERMIT THE VIOLATION OF ANY SECTION OF THE BUILDING CODE, MUNICIPAL ORDINANCES, OR STATE LAWS."
11. "THESE PLANS AND RELATED DOCUMENTS MUST BE AVAILABLE AT THE JOB SITE DURING ANY INSPECTION ACTIVITY."
12. "A COMPLETE REPORT OF THE COMMISSIONING PROCESS ACTIVITIES UNDERTAKEN THROUGH THE DESIGN, CONSTRUCTION AND REPORTING RECOMMENDATIONS FOR POST CONSTRUCTION PHASES OF THE BUILDING PROJECT SHALL BE COMPLETED AND PROVIDED TO THE OWNER OR OWNER'S REPRESENTATIVE." [ref. Section 120.8(i) – 2019 California Energy Code]
13. For projects that include an elevator, include the following note on plans: "ELEVATOR IS REQUIRED TO PASS STATE INSPECTION BEFORE ANY OCCUPANCY WILL BE GRANTED."
14. On the Site Plan: "ALL ENTRANCES TO BUSINESSES ARE REQUIRED TO BE SERVED BY AN ACCESSIBLE PEDESTRIAN ROUTE BETWEEN PUBLIC WAY AND BUSINESS ENTRANCE. WHERE NO SUCH ROUTE IS PROVIDED, ONE MUST BE PROVIDED AS A CONDITION OF THE BUILDING PERMIT IN ORDER TO PROVIDE PEDESTRIAN ACCESS TO THE "AREA OF WORK." IF A PEDESTRIAN ROUTE FROM THE PUBLIC WAY, INTENDED TO SERVE THE PROPOSED BUSINESS, IS PROVIDED BUT DOES NOT FULLY-COMPLY, IT MUST BE ALTERED TO COMPLY WITH THE CURRENT ACCESSIBILITY REQUIREMENTS PRIOR TO FINAL OCCUPANCY. ALL WORK OCCURRING IN THE PUBLIC WAY REQUIRES A SEPARATE ENCROACHMENT PERMIT TO BE OBTAINED THROUGH THE CITY OF TULARE ENGINEERING DIVISION PRIOR TO COMMENCING WORK. CONTACT: ENGINEERING DIVISION AT (559) 684-4208 REGARDING ENCROACHMENT PERMIT INFORMATION, OR REFER TO CITY OF TULARE WEBSITE AT <http://www.tulare.ca.gov/government/departments/engineering/permits-inspections/encroachment>." [ref. 2019 CBC 11B-206]
15. On Electrical Plans: "ALL WORK TO COMPLY WITH 2019 CALIFORNIA ELECTRICAL CODE".
16. On Plumbing Plans: "ALL WORK TO COMPLY WITH 2019 CALIFORNIA PLUMBING CODE".
17. On Mechanical Plans: "ALL WORK TO COMPLY WITH 2019 CALIFORNIA MECHANICAL CODE".
18. For projects that include medical gas piping, include the following note on plans: "MEDICAL GAS PIPING INSTALLATION REQUIRES CONTINUOUS THIRD PARTY INSPECTION AND CERTIFICATION BY AN APPROVED INSPECTION AGENCY. CERTIFICATION DOCUMENTATION IS TO BE SUBMITTED TO THE BUILDING DIVISION PRIOR TO FINAL INSPECTION."

#### **IV. ARCHITECTURAL**

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19. Provide an accurate and complete sheet index that identifies and corresponds with all sheets within the set.
20. Provide a site plan.
21. Provide a “vicinity map” to accurately reflect the location.
22. Provide note on plans indicating the number of stories.
23. Provide note on plans indicating the type of construction.
24. Provide note on plans indicating the occupancy group(s).
25. Provide note on plans indicating the square footage.
26. Provide note(s) and calculation(s) on the plans indicating the occupant load.
27. Submitted plans must reference all applicable code publications on the cover/title sheet. All submittals must be designed in compliance with the 2019 CBC, CPC, CMC and CEC. Adopted Codes. Plan submittals referencing outdated and/or inapplicable code publications such as the International Codes and/or Uniform Codes cannot be accepted. Revise all general notes as needed to reflect current code references. See red-lined markup set for clarification. All applicable and referenced codes can be accessed through the California Building Standards Commission website:  
<http://www.bsc.ca.gov/codes.aspx>
28. Provide Code references on plans. Plans must reference only adopted codes:
  - 2019 California Building Code (CBC)
  - 2019 California Mechanical Code (CMC)
  - 2019 California Electrical Code (CEC)
  - 2019 California Plumbing Code (CPC)
  - 2019 California Energy Code
  - 2019 California Green Building Standards Code (Cal Green).
29. When trash enclosures are required, provide City of Tulare standard trash enclosure detail 9010 or 9015 on the plans, whichever is applicable.

## **V. BUILDING COMMISSIONING**

30. Building with conditioned space of 10,000 square feet or more are required to be commissioned. Section 120.8 - 2019 California Energy Code; (5.410.2 - 2019 CalGREEN)
31. Prior to the issuance of any permit a commissioning plan shall be completed to document how the project will be commissioned FOR ALL BUILDINGS. Include these on the submittal sheets. Section 120.8(f) – California Energy Code}.

## **VI. SAFETY GLAZING**

32. Provide safety glazing in the following hazardous locations. Each pane to be etch-marked. [ref. 2019 CBC 2403.1, 2406.3]
  - a. Glazing in doors require safety glass. [ref. 2019 CBC 2406.4.1]

- b. Glazing within 24 inches of a door with the bottom edge below 60". [ref. 2019 CBC 2406.4.2]
- c. Glazing in windows larger than 9 sf, with the bottom edge less than 18" above the floor and the top edge more than 36" above the floor, with a walking surface within 36". [ref. 2019 CBC 2406.4.3]
- d. Glazing in guards and railings. [ref. 2019 CBC 2406.4.4]
- e. Glazing within 60" of a wet surface. [ref. 2019 CBC 2406.4.5]
- f. Glazing adjacent to stairs and ramps. [ref. 2019 CBC 2406.4.6]

**VII. EGRESS SYSTEMS AND COMPONENTS**

33. Maximum Common Path Of Travel Distance

OCCUPANT LOAD	OCCUPANCY	
	A, E, M	B
30 or less (2019 CBC Table 1006.2.1 (No FS))	75 feet	100 feet
31 – 49 (2019 CBC Table 1006.2.1 (No FS))	75 feet	75 feet
49 or more (2019 CBC Table 1006.2.1 (W/ FS))	75 feet	100 feet

34. Provide a door schedule and specify door type and hardware for each door.

**EXITS – NUMBER - LOCATION**

- 35. Egress from a room or space shall not pass through a kitchen, storage room, closet or spaces used for similar purposes. [ref. 2019 CBC 1016.2]
- 36. Exits shall be separated by a distance equal to or greater than ½ the diagonal of the space in a non-sprinklered buildings. [ref. 2019 CBC 1007.1.1]
- 37. Exits shall be separated by a distance equal to or greater than 1/3 the diagonal of the space in a sprinklered building. [ref. 2019 CBC 1007.1.1]
- 38. Three exits required over 501-1000 occupants. [ref. 2019 CBC 1006.2.1.1; Table 1006.3.2]
- 39. Four exits required over 1000 occupants. [ref. 2019 CBC 1006.2.1.1; Table 1006.3.2]
- 40. All occupants shall have access to two exits from the story. [ref. 2019 CBC 1006.3.2; Table 1006.3.2]

**EXIT SIGNS – EXIT ILLUMINATION**

- 41. The means of egress including the exit discharge shall be illuminated at all times. [ref. 2019 CBC 1008.2]
- 42. When two or more exits are required, provide means of egress lighting with emergency power back-up supply. [ref. 2019 CBC 1008.3.1]

- 43. Show location of exit signs. Exit signs are required when more than 1 exit is required. Specify power source and alternate power source. [ref. 2019 CBC 1013.1]
- 44. Provide low level exit signs and path marking in corridors serving assembly occupancy and in hotels. Sign to be 6 to 8 inches above the floor and 4 inches from the door frame. [ref. 2019 CBC 1013.7]
- 45. Provide emergency lighting for exit discharge when required to have more than two exits, 90 minutes. [ref. 2019 CBC 1008.3.4]
- 46. Exit signs require emergency continuous illumination for 90 minutes when two exits are required. [ref. 2019 CBC 1013.6.3]
- 47. Exterior landings in a means of egress require automatic illumination [ref. 2019 CBC 1008.3.2 (5)]

**PANIC HARDWARE**

- 48. Doors serving a Group H occupancy and doors serving rooms or spaces with an occupant load more than 50 or more in a group A occupancy shall have panic hardware. [ref. 2019 CBC 1010.1.10]
- 49. A main exit in a Group A occupancy with an occupant load of less than 300 shall be permitted to be locking in accordance with section 1010.1.9.4. [ref. 2019 CBC Section 1010.1.10]

**STAIRWAY**

- 50. Riser heights 7 inches maximum and 4 inches minimum. [ref. 2019 CBC 1011.5.2]
- 51. Run depth is 11 inches minimum. [ref. 2019 CBC 1011.5.2]
- 52. The walls and soffits within enclosed usable spaces shall be 1-hour. [ref. 2019 CBC 1011.7.3]
- 53. Handrails shall be between 34-38 inches above the nosing of the tread. [ref. 2019 CBC 1014.2]

**TRAVEL DISTANCE**

- 54. Travel distance shall be as follows: [ref. 2019 CBC Table 1017.2]

FIRE SPRINKLER CONDITIONS	OCCUPANCY	
	A, E, F-1, M, R, S-1	B
With sprinklers	250 feet	300 feet
Non-sprinklered	200 feet	200 feet

**VIII. ACCESSIBILITY**

**Accessible Route**

- 55. Show the accessible pedestrian route of travel between the public way (City sidewalk) and the building entrance. Indicate that the pedestrian route shall be a minimum of 48” in width with a maximum cross-slope of 2% and a maximum running slope of 5%, unless a compliant ramp is utilized.

56. Detectable warning shall extend 36 inches in the direction of travel. [ref. 2019 CBC 11B-705.1.2]

### Doors

57. Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The maximum force is 5 pounds. [ref. 2019 CBC 11B-309.4]
58. Exit doors shall be capable of opening so that the clear width of the exit is not less than 32". [ref. 2019 CBC 11B-404.2.3, Figure 11B-404.2.3]
59. The floor or landing shall be not more than ½" lower than the threshold of the doorway. [ref. 2019 CBC 11B-404.2.5]
60. The bottom 10" of all doors except automatic and sliding shall have a smooth, uninterrupted surface to allow the door to be opened to a wheelchair footrest without creating a trap or hazardous condition, Where narrow frame doors are used, a 10" high smooth panel shall be installed on the push side of the door, which will allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. [ref. 2019 CBC 11B-404.2.10]
61. The space between two consecutive door openings in a vestibule shall provide a minimum of 48" plus the door width when the door is positioned at an angle of 90 degrees from is closed position. Doors in a series shall swing wither in the same direction or away from the space between the doors. [ref. 2019 CBC Figures 11B-404.2.6]

### Parking

62. Provide accessible parking spaces as required by Table 11B-208.2 of the 2019

TABLE 11B-208.2  
PARKING SPACES

TOTAL NUMBER OF PARKING SPACES PROVIDED IN PARKING FACILITY	MINIMUM NUMBER OF REQUIRED ACCESSIBLE PARKING SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

CBC:

63. For every 6 or fraction of 6 parking spaces at least one shall be a van parking space. [ref. 2019 CBC 11B-208.2.4]
64. Car and van accessible parking spaces shall have an access aisle. [ref. 2019 CBC 11B-502.2]

65. Car and Van Parking spaces shall be 216 inches (18') long minimum.
66. Car parking spaces shall be 108 inches (9') wide minimum.
67. Van parking spaces shall be 144 inches (12') wide minimum
68. Van spaces may be 108 inches (9') wide where the access aisle is 96 inches wide minimum. [ref. 2019 CBC 11B-502.2]
69. Access aisle shall be 60 inches wide minimum and be full length of the space.
70. Access aisle shall be marked in blue border. The area within the border shall be marked with hatched lines a max of 36" oc in a contrasting color, preferably blue or white. With the words NO PARKING painted. [ref. 2019 CBC 11B-502.3]
71. Access aisles shall not overlap the vehicular way, may be on either side except for van spaces must be on the passenger side. [ref. 2019 CBC 11B-502.3.4]
72. Parking spaces, access aisles must not be steeper than 1:48 (0.0208333 = 2%). [ref. 2019 CBC 11B-502.4]
73. Parking spaces, access aisles, vehicular routes must have a vertical clearance of 98 inches (8'-2"). [ref. 2019 CBC 11B-502.5]
74. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. [ref. 2019 CBC 11B-208.3.1]
75. Accessible parking spaces shall be so located that persons are not compelled to travel behind parking spaces other than their own. [ref. 2019 CBC 11B-502.7.1]
76. Each accessible car and van space shall have surface (pavement) signage. [ref. 2019 CBC 11B-502.6.4]
77. An additional sign shall also be posted, in a conspicuous place, at each entrance to off-street parking facilities, or immediately adjacent to and visible from each stall or space. The sign shall be not less than 17" by 22" in size with lettering not less than 1" in height, which clearly and conspicuously states the following:  
  
"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at owner's expense. Towed vehicles may be reclaimed by telephoning the Police Department 559-684-4290." [ref. 2019 CBC 11B-502.8]

## **IX. ENERGY**

78. Provide Building Analysis Report(s).

79. Energy compliance documents must be signed by the person responsible for preparing them.

**X. CalGREEN**

80. Submit a Waste Management Plan or will serve letter from an approved trash hauler for construction debris. [ref. 2019 California Green Building Standards, Section 4.408]

81. Bicycle Parking is required. [ref. 2019 CalGreen 5.106.4]

82. Short-term bicycle parking is required. [ref. 2019 CalGreen 5.106.4.1.1]

83. Long-term bicycle parking is required. [ref. 2019 CalGreen 5.106.4.1.2]

84. EV Charging space(s) are required. [ref. 2019 CalGreen Table 5.106.5.3.3]

**TABLE 5.106.5.3.3**

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
0-9	0
10-25	1
26-50	2
51-75	4
76-100	5
101-150	7
151-200	10
201 and over	6 percent of total <sup>1</sup>

1. Calculation for spaces shall be rounded up to the nearest whole number.

85. Designated parking required for clean air vehicles—low emitting, fuel-efficient, and carpool/van pool vehicles. [ref. 2019 CalGreen Table 5.106.5.2]

**TABLE 5.106.5.2**

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED SPACES
0-9	0
10-25	1
26-50	3
51-75	6
76-100	8
101-150	11
151-200	16
201 and over	At least 8 percent of total

86. Solar-Ready, roof areas 10,000 sf or less – Solar zone shall have a total area no less than 15% of the total roof area (excluding skylights). For buildings with roof areas 10,000sf or less, the solar zone shall be comprised of individual areas with no dimension less than 5

feet and an area of 80 square feet minimum. [ref. 2019 California Energy Code 110.10 (b)(1)(B)]

87. Solar-Ready, roof areas greater than 10,000 sf – Solar zone shall have a total area no less than 15% of the total roof area (excluding skylights). For buildings with roof areas greater than 10,000sf, the solar zone shall be comprised of individual areas with no dimension less than 5 feet and an area of 160 square feet minimum. [ref. 2019 California Energy Code 110.10 (b)(1)(B)]

## **XI. ELECTRICAL**

88. All plans and electrical calculations are to be designed by a licensed professional; provide wet stamp with signature and expiration date on all electrical sheets. Or provide signature of licensed design building electrical contractor.
89. Provide single line diagram; show electrical panel load schedules, conduit and conductor sizes and grounding electrode detail.
90. Show grounding electrode system for all electrical equipment and transformers.
91. Panels 1200 amp or more and over 6 feet in length may require an additional exit. [ref. 2019 CEC 110.26(C)(C)(2)]
92. Panic hardware is required on electric room doors of 800 or more amps when the door is less than 25 from the face of switchgear. [ref. 2019 CEC 110.26(C)(3)]
93. Illumination is required. [ref. 2019 CEC 110.26(D)]
94. Show all required clearances in front of electrical services, panels, and equipment.
95. Show all overcurrent devices, provide A.I.C rating.
96. Provide rated electrical disconnect at water heaters or lock-out device at circuit breaker.
97. Provide light fixture schedule, show manufacturer specifications, lamp wattage and total fixture wattage.
98. Provide electrical Title 24 and 2019 California energy compliance forms and mandatory measures on the plans.

## **XII. MECHANICAL**

99. All plans and mechanical calculations are to be designed by a licensed professional. Provide wet stamp with signature and expiration date or provide signature of licensed design building mechanical contractor. All sheets must be signed by the person responsible for preparing them.
100. Identify fire-rated corridors, walls, ceilings and floor assemblies on the mechanical plans to verify appropriate provisions for the fire penetration protection.
101. Show all fire dampers / fire smoke dampers and listings on plans.
102. Show automatic shut-offs in systems with excess of 2000 cfm and smoke detectors in the system. [ref. 2019 CMC 608.1]

103. Show complete distribution system of the plans. Show all size and types of ducts and sheet metal thickness and insulation materials used.
104. Show seismic restraint for HVAC system on plans.
105. Provide return and supply registers for all spaces.
106. Show all locations of HVAC equipment.
107. Show roof access to HVAC equipment on roof.
108. Show location of fan coil and condensers on plans.
109. Provide combustion air requirements and sizes for equipment located in confined spaces or spaces where infiltration does not provide the necessary air, outdoor air shall be provided, indicate on plans.
110. Provide mechanical equipment schedule identifying the equipment manufacturer and model number with specifications.
111. Provide mechanical Title 24, 2019 California Energy Efficiency Standards. All required compliance forms and mandatory measures are to be on the plans.
112. Outdoor air ventilation rate and air distribution assumptions made in the design of the ventilation system shall be clearly identified on the construction documents. [ref. 2019 CMC 402.1.1]
113. All exhausts, including dryer, cooking hood and toilet exhausts must be shown on plans. Clothes dryer exceeding 14 feet are to be engineered. [ref. 2019 CMC 504.4.2.1]
114. Provide hood/venting details for the new cooking equipment on the drawings.

**XIII. PLUMBING**

115. All plans and plumbing calculations are to be designed by a licensed professional. Provide wet stamp with signature and expiration date or provide signature of licensed design build plumbing contractor. The plumbing sheets must be signed by the person responsible for preparing them.
116. On the Plumbing Plans, provide calculations to support the proposed minimum plumbing facilities as required by Chapter 4 of the 2019 California Plumbing Code.

Project	Floor
Area:	
Occupancy:	
CPC Occupant Load Factor (2019 CPC Chapter 4, Table A):	
CPC Load:	Occupant
Minimum Plumbing Facilities (2019 CPC, Table 422.1):	

PLUMBING FIXTURES	REQUIRED	PROVIDED
WC		
URINALS		
LAVATORIES		
DF		

117. Drinking Fountain required, see section 415, and Table 422.1, 2019 CPC.
118. Provide dimensions to restroom(s).
119. Provide complete drain and vent system schematic drawings. Show all sizes, materials, of sewer, drains, and vents.
120. Show type and location of all backflow protection.
121. Show size, material, and location of roof drain system.
122. Provide Gas schematic: Show gas piping, pipe sizes, material, and equipment, CFH requirements, total developed length including branches per Table 1215, 2019 CPC. Provide gas piping calculations using all existing and proposed piping sizes, lengths, and demands, to justify an adequate design for equipment.
123. Gas regulators must be vented to the outside. Show detail on plans. [ref. 2019 CPC 1208.8]
124. Show location and type of water heater and/or boiler.
125. Provide water heater venting detail and temperature and pressure relief piping discharge location. Safety pan to discharge to exterior observable location.
126. Provide seismic restraint detail for water heater / boiler. [ref. 2019 CPC Section 507.2]
127. Provide approved permanent access to water heater / boiler.
128. Provide location and size of all cleanouts.
129. Separate toilet facilities shall be provided for each sex. Single use facilities are permitted for occupancies with less than 10 occupants and in business or mercantile occupancies with an occupant load of 50 or less. [ref. 2019 CPC 422.2]
130. Refrigeration coils, freezers, walk-in coolers, drink dispensers, ice making Machines, steam tables, coffee brewers require indirect waste piping. [ref. 2019 CPC 801.3]

#### **XIV. FEES**

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 final map recordation or upon the date of issuance of other discretionary permit, whichever is applicable.

Prepared By: Rafael Magallan, Chief Building Official

**PASSED, APPROVED AND ADOPTED** this twenty-seventh day of February 2023 by the following recorded vote:

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

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

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

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

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

ATTEST:

\_\_\_\_\_  
Mario Anaya, SECRETARY  
City of Tulare Planning Commission

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No. 2

February 27, 2023

**CONDITIONAL USE PERMIT NO. 2023-03**

<b>PRESENTED TO:</b>	Planning Commission
<b>PRESENTED BY:</b>	Jonathan Coelho, Assistant Planner
<b>APPLICANT:</b>	Rigoberto and Jose Luis Ruvalcaba
<b>LOCATION:</b>	117 W. Inyo Avenue
<b>APN:</b>	175-185-017
<b>ZONING CLASSIFICATION:</b>	C-4 (Service Commercial)
<b>GENERAL PLAN DESIGNATION:</b>	Service Commercial
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Service Commercial    C-4 South: Residential            RM-3 East: Appliance Repair       C-4 West: Tobacco Store           C-4

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2023-03 subject to the findings and conditions in Resolution No. 5450. 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.

**REQUEST:**

Conditional Use Permit No. 2023-03 is a request by Rigoberto and Jose Luis Ruvalcaba to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue

**RELATED PROJECTS:**

Conditional Use Permit 2017-22 – Request to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue. Planning Commission approval October 23, 2017.

Conditional Use Permit 2018-26 – Request to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue. Planning Commission approval November 26, 2018.

Conditional Use Permit 2019-29 Request to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue. Planning Commission approval December 9, 2019.

Conditional Use Permit 2020-21 Request to operate a stationary mobile vending vehicle on the property located at 117 W. Inyo Avenue. Planning Commission approval January 11, 2021.

### **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 southwest corner of Inyo Avenue and “I” Street, from 10 am to 10 pm, Sunday through Tuesday and Thursday through Saturday. The proposed vending vehicle is a self-contained taco truck. The site plan depicts the vending vehicle to be parked just north of an existing mini-mart and just south of an existing planter box which contains inoperable pay phones. The proposed vending vehicle location will not occupy any of the existing parking associated with the service station and mini-mart. The applicant’s proposed operation includes setting up and removing the vending vehicle daily from the site. The vending operation is walk-up and 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.

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 the project in response to the public notice that was published in the newspaper and sent to surrounding property owners.

### **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. 2023-03.

- 1) That the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the request is in conformance with the goals and objectives of the Zoning Ordinance and General Plan.
- 4) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 5) That this project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

**CONDITIONS:**

Based on the approved findings, staff recommends that Conditional Use Permit No. 2023-03, 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) Hours of operation shall be 10 a.m. to 10 p.m. Tuesday through Sunday.
- 8) This permit shall remain valid for two years from approval or February 27, 2025; at which time Applicant may apply for a new Conditional Use Permit.
- 9) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date

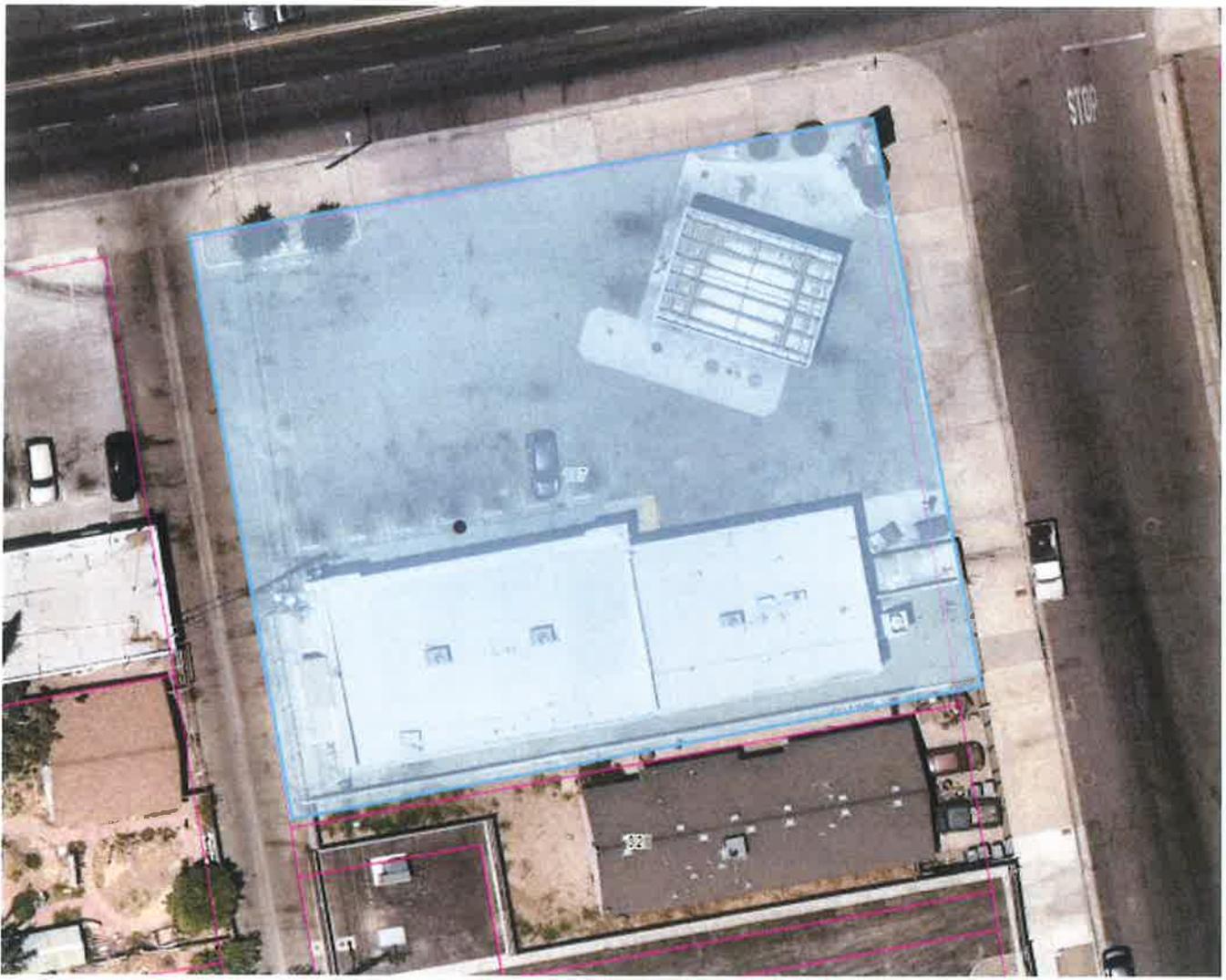
Tulare County Health Department license, California DMV license and liability insurance as part of a one-year review.

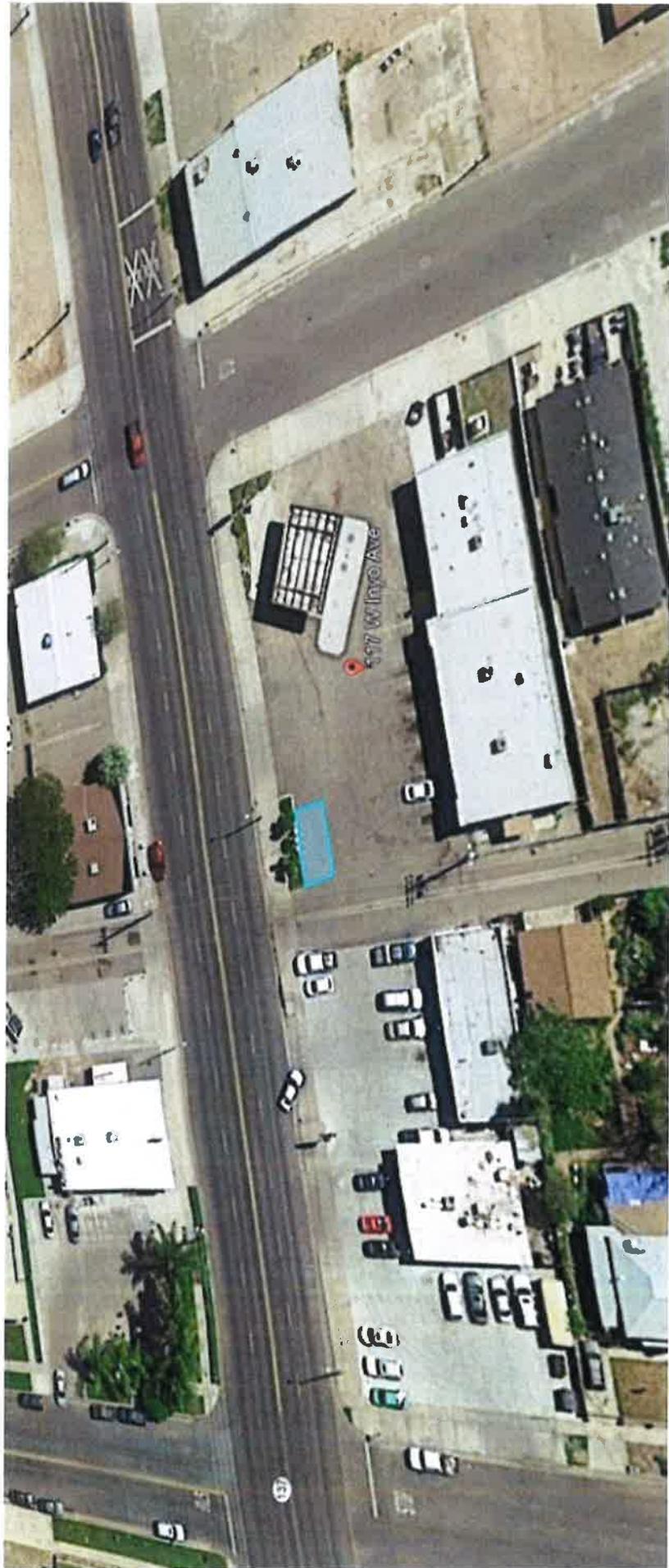
**APPEAL INFORMATION:**

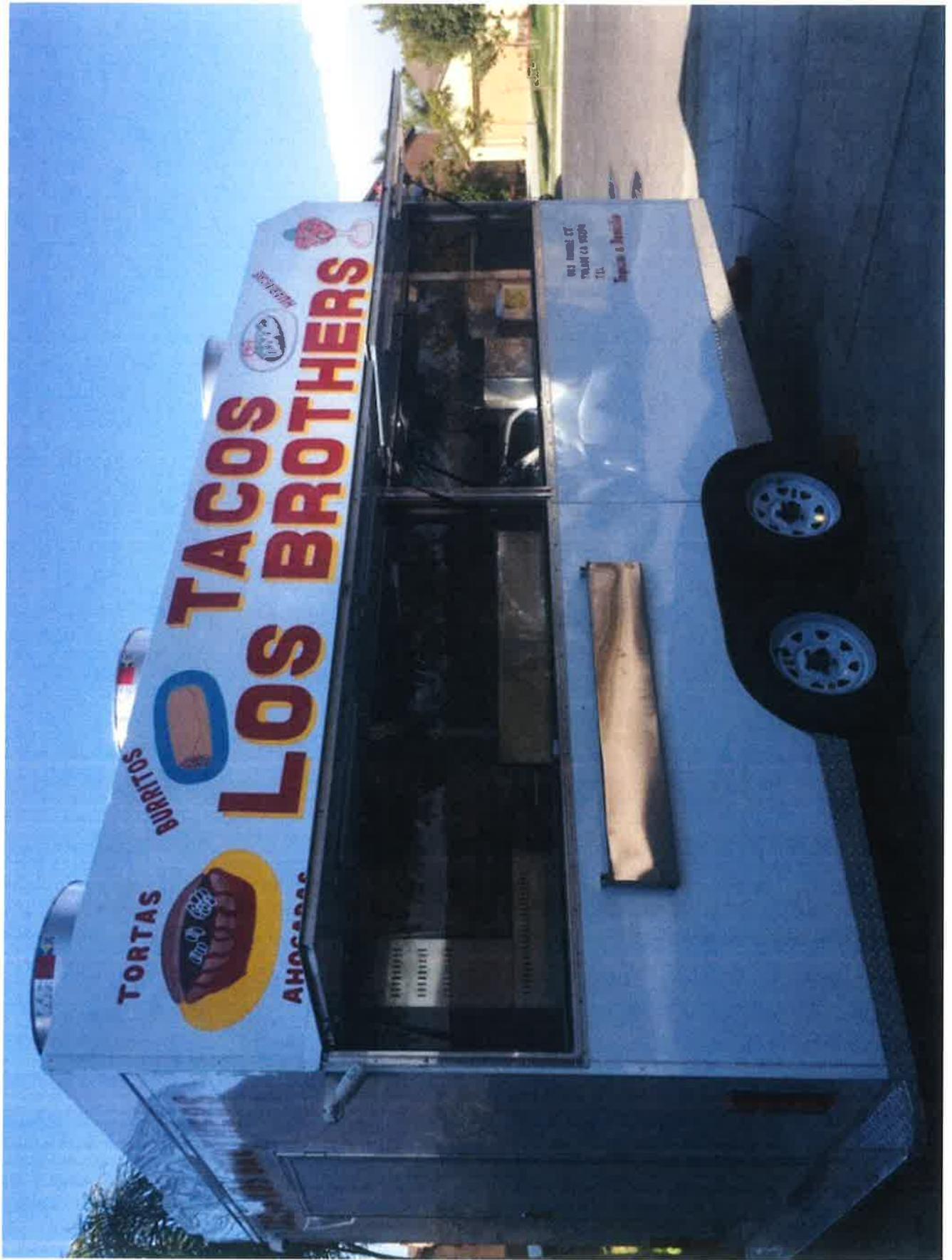
According to the City of Tulare Zoning Ordinance Section 10.20.020, decisions of the Planning Commission may be appealed by filing a letter with the City Clerk, located at 411 East Kern Avenue, Tulare, CA 93274, no later than ten (10) days after the day on which the decision was made. The appeal shall 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. Site Plan
- III. Exterior Elevation
- IV. Resolution







TORTAS

BURRITOS



LOS TACOS BROTHERS

AHOCADOS

100% Natural  
No MSG or  
Artificial Flavors  
No. 1  
Tacos & Burritos

**RESOLUTION NO. 5450**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2023-03**

**WHEREAS**, Conditional Use Permit 2023-03 is a request by Rigoberto and Jose Luis Ravalcaba to operate a stationary mobile vending vehicle on the property located at 117 West Inyo Avenue; and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on February 27, 2023; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2023-03 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. 2023-03 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) Hours of operation shall be 10 a.m. to 10 p.m. Tuesday through Sunday.
- 8) This permit shall remain valid for two years from approval or February 27, 2025; at which time Applicant may apply for a new Conditional Use Permit.
- 9) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date Tulare County Health Department license, California DMV license and liability insurance as part of a one-year review.

**PASSED, APPROVED AND ADOPTED** this **twenty-seventh** day of **February, 2023** by the following recorded vote:

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

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

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

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

ATTEST:

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

\_\_\_\_\_  
Mario Anaya, SECRETARY  
City of Tulare Planning Commission