

*Agri-Center of the World*

# City of Tulare

## Planning Commission

### Agenda

**Chair**  
Chuck Miguel

**Vice-Chair**  
Sandi Miller

**Commissioners**  
Susan Henard  
Erica Cubas  
Jocelyn Limas

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

**Monday, April 8, 2024**  
**6:00 p.m. – Work Session**  
**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 meetings of the Planning Commission are held on the second and fourth Mondays of the month in the Council Chamber located in the Tulare Public Library at 491 North M Street, Tulare, subject to cancellation. 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 the 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 the 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 agenda item will be invited to address the Planning Commission during the time the Planning Commission is considering that item. Persons wishing to address the Planning Commission concerning non-agenda items will be invited to address the Planning Commission during the Public Comments portion of the meeting.
  - When invited by the Commission Chair to speak, please step up to the podium, state your name and city where you reside, and make your comments. Comments are limited to three minutes per speaker.
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#### **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 Planning 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.

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1. **CALL TO ORDER STUDY SESSION – 6:00 p.m.**
2. **CITIZEN COMMENTS – Comments from the public are limited to items listed on the agenda (GC54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.**
3. **ADJOURN TO STUDY SESSION**
  - 3.1 **Work session with Planning Commissioners and MIG for presentation of the City of Tulare’s Draft Downtown Master Plan Update.**  
**Presented by:** Rick Barrett - MIG Principal Project Manager, Steven Davidovas – MIG Project Planner
4. **ADJOURN STUDY SESSION**
5. **CALL TO ORDER**
6. **PLEDGE OF ALLEGIANCE**
7. **PUBLIC COMMENTS** - This is the time for the public to comment on matters within the jurisdiction of the Tulare Planning Commission that are not on the agenda. The Planning Commission asks that comments are kept brief and positive. The Planning Commission cannot legally discuss or take official action on request items that are introduced tonight. This is also the time for the public 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 Public Hearing or General Business items will be heard at the time those items are discussed. 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 Planning Commission. Please begin your comments by stating your name and providing your city of residence.
8. **COMMISSIONER REPORTS AND ITEMS OF INTEREST**
9. **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.
  - 9.1 **Approve the Minutes of the March 25, 2024 Regular Meeting [Submitted by: M. Sanchez]**
  - 9.2 **Request for time extension of the Cordeniz Tentative Subdivision Map [Submitted by: S. Sopp]**
10. **PUBLIC HEARINGS** - Comments related to Public Hearing items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Planning Commission.
  - 10.1 **Conditional Use Permit No. 2024-02**

Public hearing to consider a request by Ramirez Land Planning Inc. to construct a car wash approximately 4,050 square feet with a 100-foot-long tunnel to be located on the

east side of Mooney Boulevard, north of East Bardsley Avenue. This project has been analyzed pursuant to Section 15183 of the California Environmental Quality Act of 1970, as amended.

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

**Recommended Action:** Adopt Resolution 5477 approving Conditional Use Permit No. 2024-02 based on findings and subject to the conditions as listed in the staff report.

**10.2 Conditional Use Permit No. 2024-03**

Public hearing to consider a request by Myriam Thevenet with Eden Café for a new ABC License (Type 41: On Sale Beer and Wine – Eating Place) to sell beer and wine on-site in association with a special event venue hosted at an existing restaurant. This project is exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act of 1970, as amended.

**Project Planner:** Julian Reynaga, Assistant Planner

**Recommended Action:** Adopt Resolution 5478 approving Conditional Use Permit No. 2024-03 based on findings and subject to the conditions as listed in the staff report.

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

**12. STAFF UPDATES**

**13. ADJOURNMENT**

The next regularly scheduled meeting of the Tulare Planning Commission is Monday, April 22, 2024, at 7:00 p.m. in the Council Chamber, 491 North M Street, Tulare.

**AFFIDAVIT OF POSTING AGENDA**

I, MARIA SANCHEZ, hereby certify, in conformance with Government Code Sections 54954.2 and 54956, this agenda was posted in the kiosk at the front of City Hall, 411 E. Kern Avenue, as well as on the City of Tulare’s website (www.tulare.ca.gov).

POSTED: Friday, April 5, 2024, at 5:00 p.m.

**CITY OF TULARE  
PLANNING COMMISSION MEETING MINUTES**

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**Council Chamber  
491 North M Street, Tulare**

**Monday, March 25, 2024  
7:00 p.m. - Regular Meeting**

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**COMMISSIONERS PRESENT:** Chair Chuck Miguel  
Commissioner Jocelyn Limas  
Commissioner Susan Henard  
Commissioner Erica Cubas  
Vice-chair Sandi Miller

**COMMISSIONERS ABSENT:**

Community Development Director Mario Anaya

**STAFF PRESENT:**

Principal Planner Steven Sopp

Assistant Planner Jonathan Coelho

Assistant Planner Julian Reynaga

Commission Clerk Maria Sanchez

**1. CALL TO ORDER**

Chair Miguel called the regular meeting of the Planning Commission to order at 7:00p.m. in the Council Chamber located at 491 North M Street.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Henard led the Pledge of Allegiance.

**3. PUBLIC COMMENTS**

There were no public comments.

**4. COMMISSIONER REPORTS AND ITEMS OF INTEREST**

Provided by Commissioners.

**5. CONSENT CALENDAR**

It was moved by Commissioner Limas, seconded by Commissioner Cubas, and unanimously carried to approve the items on the Consent Calendar as presented.

**5.1 Approve the minutes of the March 11, 2024 regular meeting. [Submitted by: M. Sanchez]**

**6. GENERAL BUSINESS - PUBLIC HEARINGS**

**6.1 Housing Element Annual Progress Report for 2023**

Receive and file the Housing Element Annual Progress Report for 2023 before presenting it to City Council and submitting it to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

**Recommended Action:** Receive and file the Housing Element Annual Progress Report of 2023.

**Presented by:** Steven Sopp, Principal Planner

**Commission Action:** Received and filed by the Planning Commission.

**6.2 General Plan Annual Progress Report for 2023**

Receive and file the General Plan Annual Progress Report for 2023 before presenting it to City Council and submitting it to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

**Recommended Action:** Receive and file the General Plan Annual Progress Report for 2023.

**Presented by:** Steven Sopp, Principal Planner

**Commission Action:** Received and filed by the Planning Commission.

**7. NON PUBLIC HEARING ITEMS**

None

**8. STAFF UPDATES**

Provided by Staff.

**9. ADJOURNMENT**

The regular meeting was adjourned at 7:41pm.

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CHUCK MIGUEL, CHAIR

ATTEST:

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MARIO ANAYA, SECRETARY



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*Community & Economic Development Department*

**To:** *Planning Commission*  
**From:** *Steven Sopp, Principal Planner*  
**Re:** *Cordeniz Tentative Subdivision Map*  
**Date:** *April 8<sup>th</sup> 2024*

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Department staff has received a request from Mandy Cordeniz, for a time extension of the Cordeniz Tentative Subdivision Map (TSM). The Cordeniz TSM subdivides approximately 38 acres into a 144-lot single-family residential subdivision. The subdivision consists of 5,000 sq. ft. or larger lots and would be located on the northwest corner of Cartmill Avenue and De La Vina Street.

The Cordeniz TSM was approved by the Planning Commission on April 25, 2022 and is now expiring. The Subdivision Map Act Section 66452.6(e) allows that the developer may request and the City may grant, discretionary extensions not to exceed a total of (6) years. The applicant has requested a time extension. The requested time extension would be the first extension requested and available under provisions of the Subdivision Map Act and would extend the map to April 25, 2026.

RECOMMENDATION

Staff offers no objections and recommends that an extension be approved until April 25, 2026.

Attachments

TSM Cordeniz

# CORDENIZ TENTATIVE MAP

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF TULARE, A CALIFORNIA MUNICIPAL CORPORATION BY DEED RECORDED JULY 30, 2019, INSTRUMENT NO. 2019-001069 OF OFFICIAL RECORDS

## PROJECT SITE INFORMATION

APN: 149-000-020  
 7570 E. CARTMILL AVENUE, TULARE, CA 93274  
 RECORD OWNERSHIP:  
 CORDENIZ FAMILY PROPERTIES, LLC  
 AND DOMINGO CORDENIZ

SUBMITTER:  
 WALTER JONES  
 5007 AVENIDA DE LOS ROBLEZ  
 VISALIA, CA 93291  
 (559) 732-2800



QK  
 501 EAST MAIN STREET  
 VISALIA, CA 93276  
 TEL: (559) 733-0440  
 WWW.QKINC.COM  
 (OPERATING AS QK PROPERTY, INC. UNLESS SPECIALLY INDICATED)

MARCH 2022



## UTILITIES

WATER: TULARE COUNTY WATER AGENCY  
 2425 S. BLACKSTONE STREET, TULARE, CA 93274  
 D. 559-681-2227  
 M. 559-681-2227  
 mwater@tca-water.com

SOUTHERN CALIFORNIA GAS COMPANY  
 JUAN MEXARADO  
 4747 W. 21ST STREET, VISALIA, CA 93292  
 559-739-2177  
 JMMexarado@socalgas.com

AAEL  
 ERN PECTOL  
 1700 W. MAIN AVENUE, VISALIA, CA 93291  
 D. 559-729-6949  
 C. 559-727-1837  
 ern@aael.com

COMCAST  
 CORRAL  
 1031 N. PALA DRIVE, VISALIA, CA 93291  
 D. 559-735-2904  
 C. 559-735-2904  
 Corral\_Corral@comcast.com

**PHASING**  
 THE APPLICANT RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS AND TO SUBMIT THE TENTATIVE MAP FOR THE SUBJECT TO CHANGE.

## LEGEND

- SECTION LINE
- EXISTING RIGHT OF WAY LINE
- SUBMISSION BOUNDARY LINE
- LOT LINE
- CENTER LINE
- EASEMENT
- 6" TALL CONCRETE MASONRY WALL
- EXISTING EDGE OF PAVEMENT/ROAD
- EXISTING CURB AND GUTTER
- EXISTING SANITARY SEWER
- PHASE LINE
- EXISTING STREETLIGHT
- EXISTING WHELY VALE
- EXISTING STORM DRAIN MANHOLE
- EXISTING SEWER MANHOLE
- EXISTING SKIN

## ABBREVIATIONS

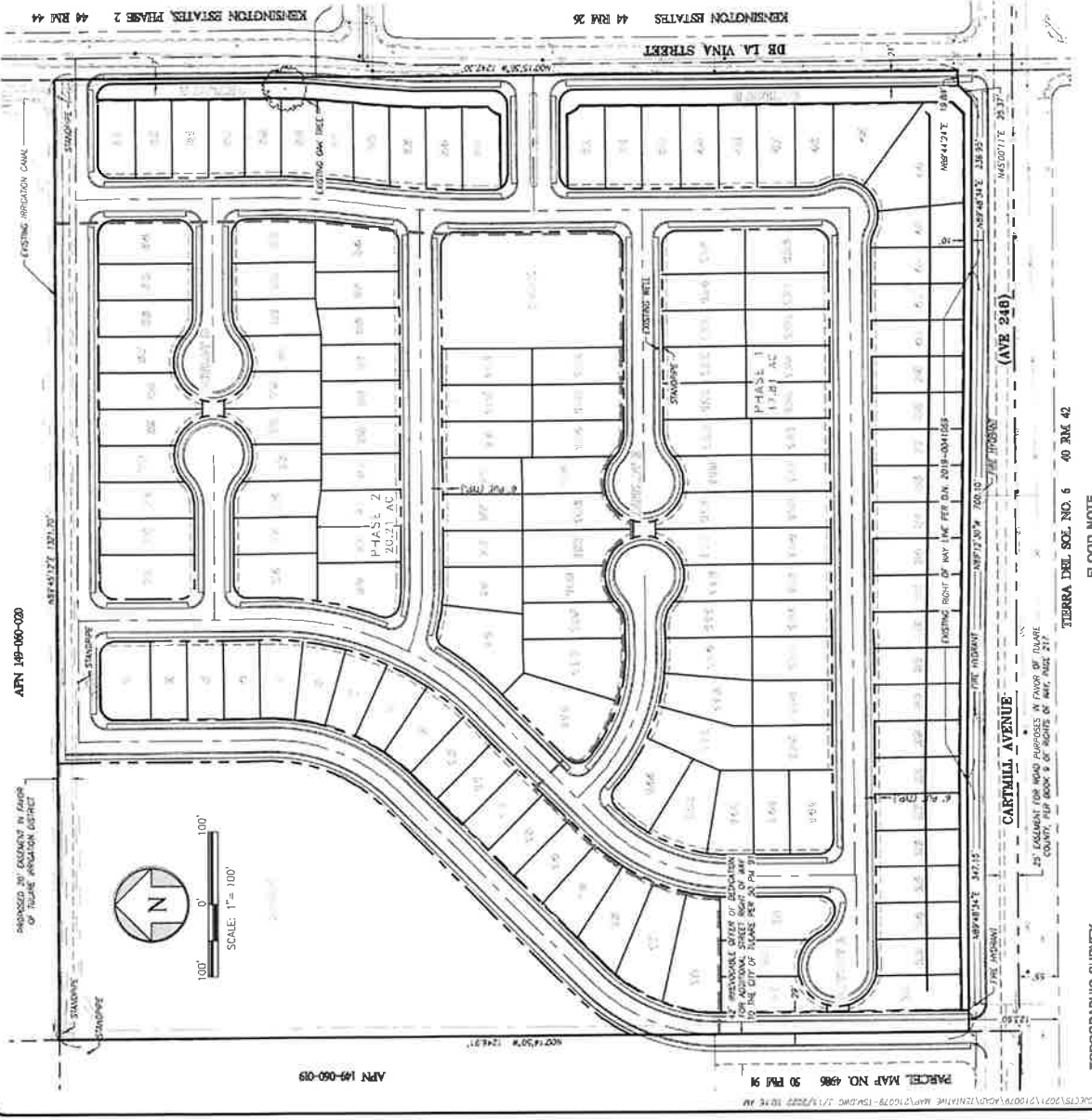
- DN: DEEDS RECORD DOCUMENT NUMBER, T.C.R.
- PVE: PUBLIC UTILITY EASEMENT
- T.C.R.: TULARE COUNTY RECORDS
- XI PM PY: BOOK XX OF PARCEL MAPS, PAGE PY, T.C.R.
- XI PM FT: VOLUME XX OF MAPS, PAGE FT, T.C.R.

## RIGHT TO FARM NOTICE

IN ACCORDANCE WITH SECTION 180040 OF THE CITY OF TULARE ORDINANCE CODE, AND AS A CONDITION OF APPROVAL OF THE ABOVE REFERENCED SUBMISSION MAP, THE OWNER HEREBY ACKNOWLEDGE THAT: IF THE PROPERTY IN WHICH YOU ARE TAKING INTEREST IS LOCATED ADJACENT TO AGRICULTURAL LANDS OR OPERATIONS, OR IS OTHERWISE ADJACENT TO AGRICULTURAL LANDS OR OPERATIONS, YOUR INTEREST IS LIMITED TO THE USES, PLANTS, ANIMALS, MACHINERY (INCLUDING AGRICULTURE) DURING ANY 24-HOUR PERIOD, STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION (BY SPRAYING OR OTHERWISE) OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES, AND PESTICIDES. YOU MAY NOT ENGAGE IN ANY OPERATION WITH EXISTING LAWS AND REGULATIONS AND ACCEPTED CUSTOMS AND STANDARDS IF YOU USE ADJACENT TO AN AGRICULTURAL OPERATION. YOU SHOULD BE PREPARED TO ACCEPT SUCH CONSEQUENCES AND DISCONTINUE AS A NORMAL AND NECESSARY ASPECT OF LIVING IN A CITY WITH A STRONG RURAL CHARACTER AND AN ACTIVE AGRICULTURAL SECTOR IN THE REGION.

## ACREAGE AND LAND USE

LOT #	ACRES	NO. OF UNITS	IDENTITY	ASSIGNED ZONE
144	31.17	144	4.62	R-11-S
N/A	0.91	N/A	N/A	OP
N/A	5.00	N/A	N/A	OP
N/A	0.94	N/A	N/A	HEROGE
144	18.02	144	4.39	HEROGE
145	28.02	145	4.38	HEROGE
146	28.21	146	1.37	HEROGE
147	35.02	147	3.79	HEROGE
TOTALS	186.32	186		



APN 149-000-020  
 44 RM 26  
 44 RM 44  
 KENNINGTON ESTATES PHASE 2  
 TERRA DEL SOL NO. 6 40 RM 42  
 FLOOD NOTE  
 THE SUBJECT SITE IS WITHIN FLOOD ZONE X AS SHOWN ON FEMA FIRM PANEL 05107125E, EFFECTIVE 6/16/2009  
 TOPOGRAPHIC SURVEY  
 TOPOGRAPHIC INFORMATION SHOWN ON THIS MAP WAS COLLECTED AND PROVIDED BY QK IN JULY 13, 2021  
 LICENSED LAND SURVEYOR: JOCELYN CORREA, PLS 5586

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

April 8, 2024

**CONDITIONAL USE PERMIT No. 2024-02**

<b>PROJECT PLANNER:</b>	Jonathan Coelho, Assistant Planner	
<b>APPLICANT:</b>	Ramirez Land Planning Inc.	
<b>LOCATION:</b>	East side of Mooney Blvd., north of East Bardsley Avenue	
<b>APN:</b>	172-150-019	
<b>ZONING CLASSIFICATION:</b>	C-3 (Retail Commercial)	
<b>GENERAL PLAN DESIGNATION:</b>	Community Commercial	
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Residential	R-1-6
	South: Little Cesar's	C-3
	West: Residential	R-1-6
	East: Vacant	C-3

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2024-02 subject to the findings and conditions in Resolution No. 5477. 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:**

Conditional Use Permit No. 2024-02 is a request by Ramirez Land Planning Inc. to construct an approximately 4,050 square foot car wash with a 100-foot-long tunnel to be located on the east side of Mooney Boulevard, north of East Bardsley Avenue (APN 172-150-019).

**RELATED PROJECTS:**

Conditional Use Permit 2023-14 – Request to develop a service station and convenience store along with an ABC license (Type 21: Off-Sale General). Planning Commission Approval September 25, 2023.



## **DETAILS OF THE PROPOSAL:**

The proposed project consists of the construction of an approximately 4,050 square foot car wash facility with a 100-foot-long tunnel and associated vacuum stations.

The proposed carwash is part of the larger overall development of the commercially zoned area located on the northeast corner of Bardsley Avenue and Mooney Boulevard. Access to the site will be from a new drive approach off Mooney Avenue with other access points being developed in the future through the overall commercial project as development occurs.

The project will install frontage improvements such as curb, gutter, and sidewalk along its frontages along Mooney Boulevard. It is envisioned that the proposed project will be one of the first of several commercial uses to be developed on the project site as part of a larger commercial development.

No other end users have not yet been identified and will be required to submit for the City's Site Plan Review process when identified and to obtain any relevant entitlement applications.

Landscaping will be provided along the parcel's frontage and around the proposed building and will meet the 5% minimum of the developed gross lot area as required by the City of Tulare Landscape Ordinance.

Operating hours for the proposed car wash will be from 7:00 a.m. to 9 p.m., Monday through Sunday. The applicant estimates that the car wash will employ 15 to 20 employees with approximately 3 employees at any time.

## **STAFF COMMENTS:**

The proposed site is designated as Community Commercial and zoned C-3 (Retail Commercial). The City of Tulare Municipal Code states that "car washes" are a permitted use within the C-3 zone upon the granting of a conditional use permit in accordance with the provisions of Chapter 10.116 Conditional Use Permits (Chapter 10.40).

Surrounding land uses include fast-food restaurants, vacant land, and residential uses to the north. A block wall will be installed along the northern property line. The applicant will be required to ensure that the block wall is a minimum of 7 ft. in height. It is staff's determination that the proposed use can operate in a compatible manner with the surrounding land uses.

The Site Plan Review Committee reviewed the project with the applicant on November 15, 2023, and prepared comments and conditions for the applicant. The site plan was reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

**ENVIRONMENTAL FINDINGS:**

The Project has been analyzed pursuant to CEQA Guidelines Section 15183. Documentation has been prepared in accordance with the procedural and substantive requirements of CEQA and has been attached. The CEQA analysis uses streamlining and tiering to tier from the program level analysis prepared for the General Plan and its Environmental Impact Report (EIR). The Project will be required to implement all applicable mitigation measures set forth in the General Plan EIR mitigation monitoring and reporting program (MMRP) to avoid, reduce, or offset environmental impacts resulting from buildout of the General Plan.

**FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2024-02:

- 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.

**CONDITIONS:**

Based on the approved findings, staff recommends that Conditional Use Permit No. 2024-02 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual elevations for the proposed building are approved as shown in the attachments hereto. The conceptual site plan shall be amended per attached Engineering Division conditions of approval. Development shall conform to the site plan (subject to engineering conditions) and elevations for the proposed project as shown in attachment III.
- 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.

- 6) Applicant to provide and maintain landscaping in accordance with Chapter 10.196- Landscaping of the City of Tulare Municipal Code.
- 7) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 8) A 7 ft. tall block wall shall be established / maintained along the northern property line between the proposed use and existing single-family residences.
- 9) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 10) Applicant shall comply with Engineering, and Fire Department comments/conditions (Attachments V, and VI).
- 10) The proposed use shall adhere to the requirement of Chapter 6.40 – Noise of the City of Tulare Municipal Code.
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) Applicant to meet the requirements of City of Tulare Municipal Code Section 10.60.020(B) by providing sidewalk along the eastern property line (western side of entry drive) to provide for future pedestrian access to the overall development.
- 13) A final map consistent with Tentative Parcel Map No. 2023-01 shall be recorded prior to issuance of building permits if limiting the scope of required improvements to only the area occupied by the car wash.
- 14) Any significant changes to the site plan layout shall be subject to review and approval by the Planning Commission.
- 15) Applicant to meet all required mitigation requirements as outlined within the CEQA analysis provided for the project.
- 16) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 17) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

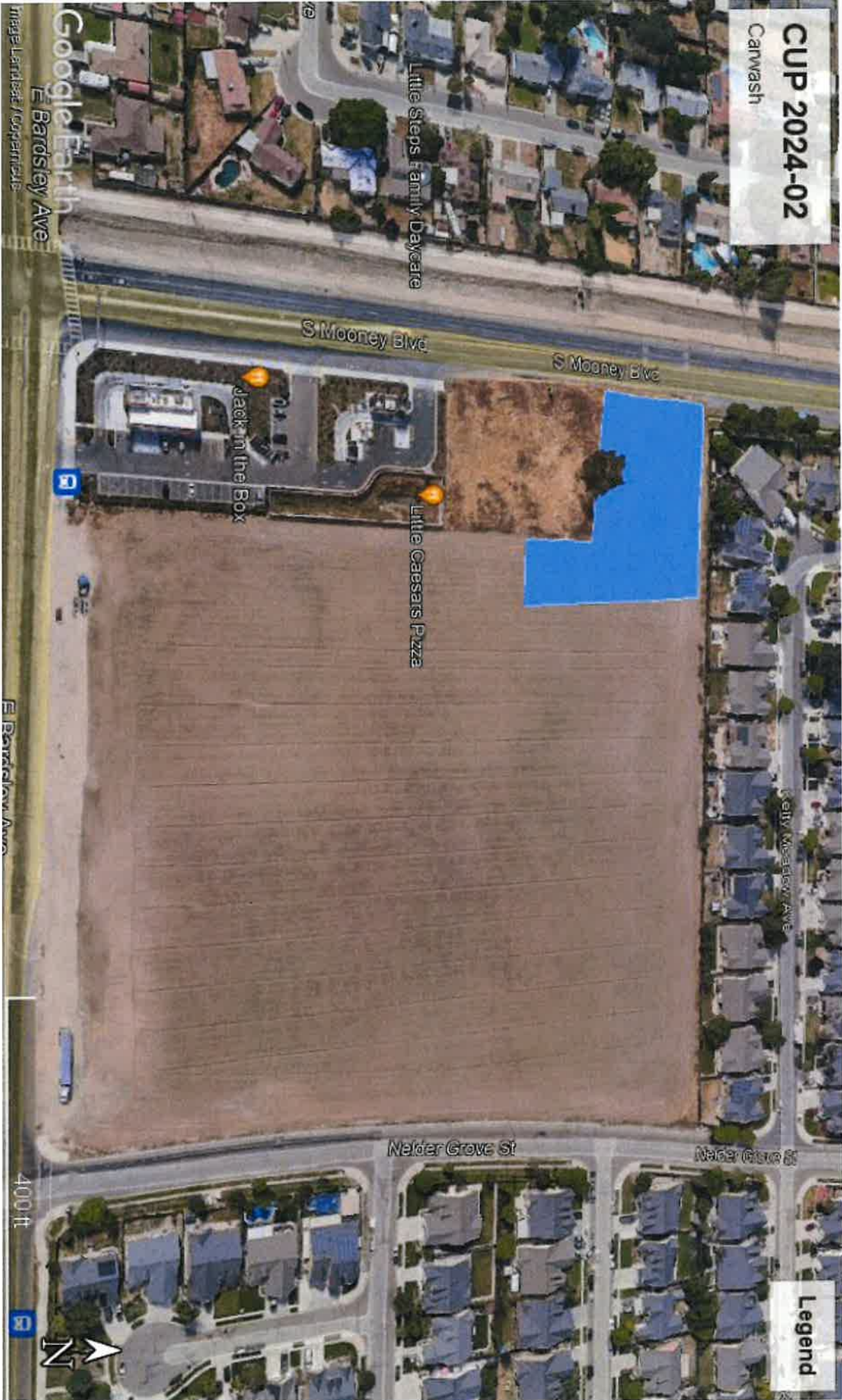
**APPEAL INFORMATION:**

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

**Attachments:**

- I. Project Vicinity Map
- II. Site Plan
- III. Elevations
- IV. Operational Statement
- V. Engineering Comments
- VI. Fire Department Comments
- VII. Environmental Checklist for Streamlined Review
- VIII. Resolution

CUP 2024-02  
Carwash



Little Steps Family Daycare

S Mooney Blvd

S Mooney Blvd

Jack in the Box

Little Caesars Pizza

Kelly Meadow Ave

Nelder Grove St

Nelder Grove St

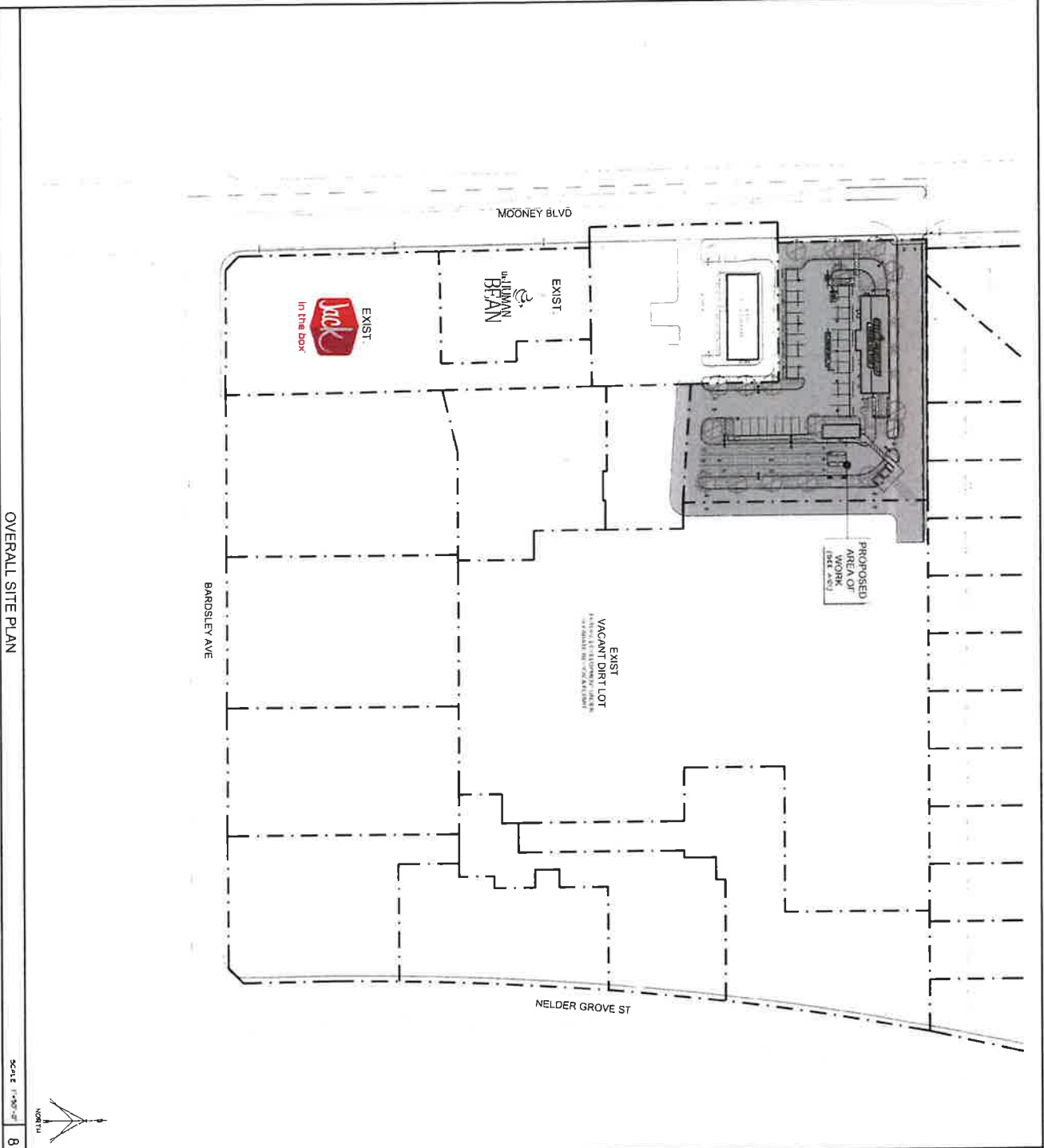
Google Earth  
E Bardsley Ave

E Bardsley Ave

400 ft



Legend



<p>APPROX. SECOND TRAPEZOIDAL LOT N.E. COR. OF MOONEY BLVD &amp; BARDOSLEY AVE</p> <p>SITE INFORMATION: PROPOSED SITE AREA 0.21 AC (9,100 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY) 0.17 AC (7,400 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY) 0.04 AC (1,700 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY)</p> <p>PROPOSED SITE AREA 0.21 AC (9,100 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY) 0.17 AC (7,400 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY) 0.04 AC (1,700 SQ FT) (1/4 AC (9,000 SQ FT) FOR BLDG. &amp; DRIVEWAY)</p> <p>EXISTING BUILDING 8,000 SF 1 VAN ACCESSIBLE STALL</p> <p>EXISTING BUILDING 4,000 SF 8 ST</p> <p>EXISTING BUILDING 4,000 SF 1 VAN ACCESSIBLE STALL</p> <p>EXISTING BUILDING 4,000 SF 1 VAN ACCESSIBLE STALL</p>	<p>SCALE 1" = 80'-0"</p> <p>8</p> <p>VICINITY MAP</p> <p>SCALE N.T.S.</p> <p>4</p>
<p>SCALE N.T.S.</p> <p>3</p> <p>SITE INFORMATION</p>	<p>SCALE N.T.S.</p> <p>4</p>

**VERMELFLOORT ARCHITECTS, INC.**  
Architecture and Planning  
8523 North Cedar Avenue, Suite 106  
Fresno, California 93720  
Office: 559.477.7444  
Email: vermel@vermel.com

**SURF & THRU EXPRESS CAR WASH**

NEC OF MOONEY BLVD & BARDOSLEY RD  
TULARE, CA 93274

**A100**

OVERALL SITE PLAN

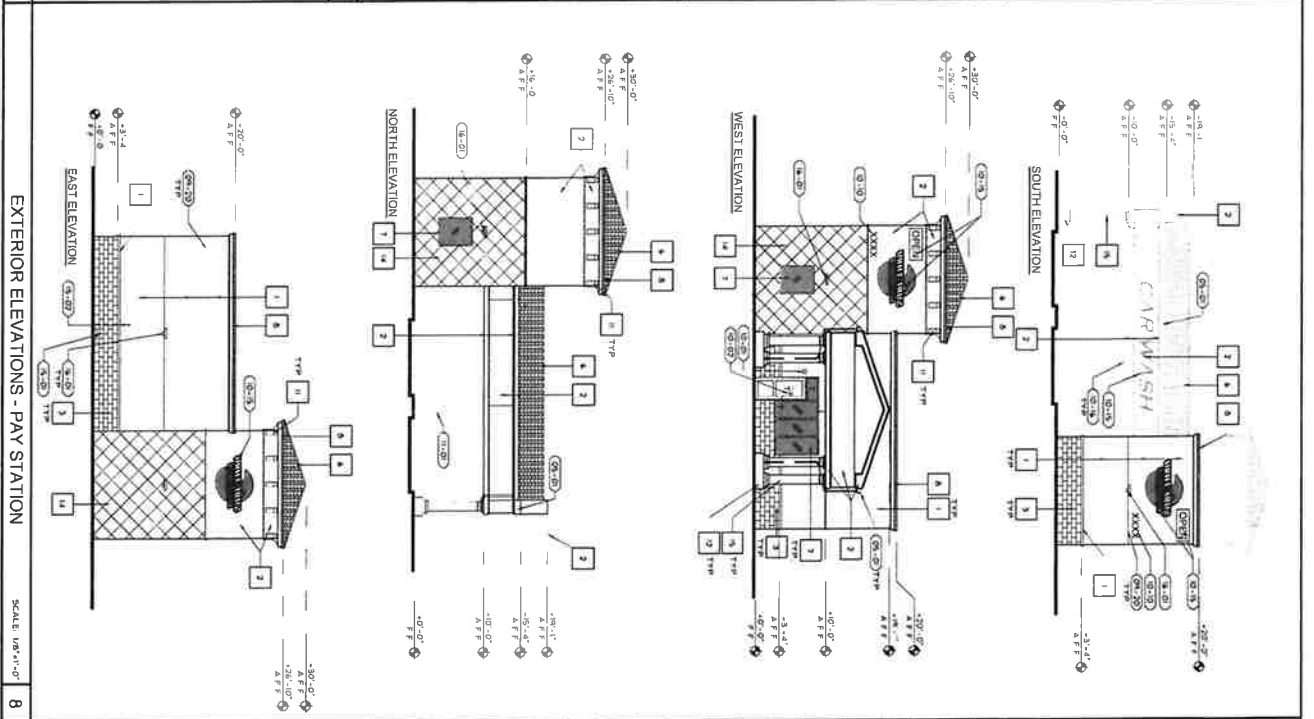
DATE: 10/27/21  
DRAWN: [Name]  
CHECKED: [Name]  
SCALE: N.T.S.







17	13
18	14
19	15
20	16



KEYNOTES		1
KEY	INTERNAL	COLOR / FINISH
1	7/8" EXTERIOR CERAMIC TILE ON 1/2" LATH AND OVERBOND	SURFIN TULARE SS400 HORIZONTAL WHITE
2	7/8" EXTERIOR CERAMIC TILE ON 1/2" LATH AND OVERBOND	SURFIN TULARE SS400 HORIZONTAL WHITE
3	SMALT-FACED BLOCK	BLOCKLITE 5.8(1/8) DRAPERY SABLES DARK BRONZE ANODIZED FINISH 4 DUAL CLEAR GLAZING
4	STONE/TILE SLATING	MATCH ADJACENT COLOR
5	PARABET CAP	MATCH ADJACENT COLOR
6	MISC. METALS	MATCH ADJACENT COLOR
7	METAL CANDLES	PAINT TO MATCH 1
8	CONCRETS	PAINT TO MATCH 2
9	CONCRETS	PAINT TO MATCH 2
10	CONCRETS	PAINT TO MATCH 2
11	CONCRETS	PAINT TO MATCH 2
12	CONCRETS	PAINT TO MATCH 2
13	CONCRETS	PAINT TO MATCH 2
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15	CONCRETS	PAINT TO MATCH 2
16	CONCRETS	PAINT TO MATCH 2
17	CONCRETS	PAINT TO MATCH 2
18	CONCRETS	PAINT TO MATCH 2
19	CONCRETS	PAINT TO MATCH 2
20	CONCRETS	PAINT TO MATCH 2

**GENERAL NOTES**

1. EXTERIOR FINISH SCHEDULE

2. GLAZING: PPG SOLARBAN 40 CLEAR

3. GLASS DOOR: 1/2" GLAZING

4. GLASS DOOR: 1/2" GLAZING

5. GLASS DOOR: 1/2" GLAZING

6. GLASS DOOR: 1/2" GLAZING

7. TYPED GLAZING

**KEYNOTES**

1. EXTERIOR FINISH SCHEDULE

2. GLAZING: PPG SOLARBAN 40 CLEAR

3. GLASS DOOR: 1/2" GLAZING

4. GLASS DOOR: 1/2" GLAZING

5. GLASS DOOR: 1/2" GLAZING

6. GLASS DOOR: 1/2" GLAZING

7. TYPED GLAZING

**VERMELFOOT ARCHITECTS, INC.**  
 Architecture and Planning  
 8525 North Cedar Avenue  
 Suite 116  
 Fresno, California 93720  
 Office: 559.437.7444  
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**SURF THRU EXPRESS CAR WASH**  
 ELEVATIONS - PAYSTA

**TULARE**  
 NIC OF MOONEY BLVD.  
 & BARDISLEY RD.  
 TULARE, CA 93274

**A301**

## NEC Mooney and Bardsley

### Surf Thru Express Supplemental Operational Statement

The project site is located on an approximate 12.62 -acre parcel that is situated directly at the NEC Mooney Boulevard and Bardsley Avenues in the City of Tulare. The proposed project will encompass a roughly 1.3ac portion of the overall parcel.

The proposed mechanical carwash facility has an overall building area of approximately 4,050 s.f. that is inclusive of a 100- foot-long washing tunnel and equipment, storage and staff areas. The site also includes self-service vehicle vacuum areas with associated parking.

The Project will be accessible primarily from Mooney Blvd and will have additional points of ingress and egress through cross access agreements as the center develops. Development of the site will provide 20-plus parking/vacuum stalls.

The facility will operate Monday through Sunday from 7am to 9pm.

It is estimated that the facility would require up to 15-20 employees in varying shifts with approximately 3 employees at any given time.

Parking-lot and exterior lighting will be provided as necessary for public safety purposes and will meet the Lighting Standards provided by the City of Tulare. Lighting fixtures will be architecturally integrated with the character of the main structure and surrounding area. Site lighting will also be appropriately shielded including cut-off lenses that avoid light spillage and glare onto any existing commercial/residential properties and the public right-of-way. Overall, development of the site and any required on-site lighting will comply with City of Tulare Municipal Code.

The drive-through carwash facility is expected to generate noise from its operations. The primary sources of noise generated would likely be from the washing and drying systems of the facility. Additional noise sources can be attributed to the vacuum system, however vacuum noises are expected to be less than significant. Although noise generation is inevitable from a facility such as this, with its location and proximity to existing surrounding uses, the expected noise levels would not be negatively impactful to the public. The project site is located within commercially designated property with development that is compatible with the proposed facility. Additionally, the facility is directly adjacent to Mooney Blvd, which generates its own level of traffic noise. The City's general plan also identifies noise-sensitive land uses including residential uses, schools, commercial, etc. which are not adversely affected by the project. Moreover, the site will be designed in accordance to the City's development standards inclusive of building setbacks and landscaping to provide additional barriers/ separation. Additionally, the proposed building is configured to minimize noise impacts to the adjacent office uses. Lastly, the building's orientation was carefully considered so that the wash system's air blowers would orient towards Mooney Blvd, further minimizing any potential noise concerns. The project will not cause substantial noise impacts, therefore exempting the project subject to CEQA Code Section 15332.

Carwash facilities experience the most traffic on Saturdays and peak periods can vary between 10:00 AM to 1:00 PM and 3:00 PM to 5:00 PM, respectively. Generally, service demand rates at these specific carwash facilities are 20 percent higher on Saturdays than on a typical weekday. Peak hour demand rate

on Saturday is generally 20% higher than on weekdays. Based on a peak rate number of 14.2 peak trips per 1,000 sf gross floor area (4,000 sf. building), anticipated peak trips will not exceed 62 vehicle peak hour demand rate and is anticipated to generally occur between 3:00 and 4:15 pm. Trip generation rates for the proposed project was gathered through analysis of the 10th Edition Trip Generation Manual published by the Institute of Transportation Engineers (ITE). Subsequently, the project includes site improvements to the project area that upon full buildout, the carwash is anticipated to be used by 300-400 vehicles per day. The carwash design includes two (2) pay aisles and a combined total storage (que) capacity of approximately 25 vehicles, provides adequate storage capacity that exceeds typical queuing demand during the busiest day of week. With a storage capacity for 25 vehicles, the potential impacts to the public street, common shared drive aisles, and pedestrian walkways would be minimized if not eliminated.



## SITE PLAN REVIEW COMMENTS

Engineering Services Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

SITE PLAN MEETING DATE: 11/13/2023 (conditions updated 3/21/2024)

SITE PLAN REVIEW APPLICATION NO.: SP23-084

PROJECT: Commercial: Surf Thru Express Carwash

PROJECT LOCATION: Mooney Boulevard north of Bardsley Avenue

OWNER/DEVELOPER: Todd Gall

The Engineering 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 Engineering Conditions of Approval checked below.
1. The Mooney Blvd. cross-section identified on the site plan incorrectly shows the right-of-way located six (6) feet off the face curb. The right-of-way shall be located twelve (12) feet off the face of curb per City standards.
  2. The site plan incorrectly shows the median island terminating at the northern edge of the property. The median island shall extend a minimum of fifty (50) feet past the northern edge of the property.
  3. Developer shall install a water recycling system for the proposed car wash.
  4. Prior to issuance of a building permit, a record parcel map is required for the proposed development.
  5. Developer shall secure all required ingress/egress easement through adjacent properties.
- 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 (Face of AC Dike to Face of Curb)

a) Mooney Boulevard Major Arterial 10.5 98 feet

- 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: Mooney Boulevard.
- 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: Mooney Boulevard.
- 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>
Mooney Boulevard	City Std. Barrier Curb

- 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>
Install City Std. drive approaches at locations shown on the approved site plan

- 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>
Mooney Boulevard	Adjacent to Curb	6 feet

- 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.

Developer shall drain onsite storm water to the storm drain system located in Nelder Grove Street or construct a temporary onsite storm water retention basin.

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. All unused culverts and irrigation lines shall be removed from the City right-of-way.
- 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 \$ 31.90 per front foot for frontages on Mooney Boulevard.
- Sewer lift station fee of \$ \_\_\_\_\_ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on Mooney Boulevard.

- 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

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 23-84:

1. The project must comply with all of the latest applicable codes and standards.
2. When any portion of the facility or building to be protected is more than 400 feet from an existing fire hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
3. Additional fire hydrants shall be required. Fire hydrant spacing shall be as follows:
  - a. **Commercial development**, fire hydrants shall be installed at **300-foot** intervals.
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.
  - a. The drive aisles on the north and east sides of the project shall be properly painted and labeled as "fire lanes"
7. All buildings shall be provided with approved address identification. Numbers and letters shall be on contrasting backgrounds and be a minimum of 4" high.

Ryan Leonardo  
Fire Marshal  
November 15, 2023

**ENVIRONMENTAL CHECKLIST FOR STREAMLINED  
REVIEW**

**PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE  
SECTION 21083.3 AND CEQA GUIDELINES SECTION 15183**

**Sequoia Marketplace  
Commercial Development**

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**Attachments:**

- 1: Summary of Impact and Mitigation Measures from General Plan EIR**
- 2: Taylor Archaeology Records Search**

## **1. INTRODUCTION**

This California Environmental Quality Act (CEQA) Analysis evaluates environmental impacts from the proposed Sequoia Marketplace Commercial Project (hereinafter referred to as the "Project"), which would result in the construction of a commercial shopping center. The proposed project includes the construction of approximately 105,000 square feet and will include retail shops, fast food, gas station and a car wash. Project related activities will also include grading, landscaping, and off-site improvements.

### **1.1. OVERVIEW OF CEQA ANALYSIS**

Documentation herein has been prepared by the City of Tulare as lead agency in full accordance with the procedural and substantive requirements of CEQA, the CEQA Guidelines. This CEQA Analysis uses streamlining and tiering in accordance with CEQA Guidelines 15183 to tier from the program level analysis prepared for the General Plan and its Environmental Impact Report (EIR).

The Project is required to implement all applicable mitigation measures set forth in the General Plan EIR mitigation monitoring and reporting program (MMRP) to avoid, reduce, or offset environmental impacts resulting from buildout of the General Plan.

### **1.2. PUBLIC REVIEW PROCESS**

The Project has been analyzed pursuant to CEQA Guidelines Section 15183 and does not require circulation for public review and comment. Nonetheless, the City will make this CEQA Analysis available to the Public as part of the public hearing process, which is subject to review by the Planning Commission.

### **1.3. PURPOSE AND SUMMARY OF THIS CEQA DOCUMENT**

The purpose of this document is to evaluate the environmental effects of the Project under CEQA. This document considers the specific environmental effects of the Project as proposed and considers whether such impacts were adequately addressed in prior environmental analyses in the City of Tulare General Plan EIR. The Project is required to incorporate or comply with all applicable mitigation measures identified in the General Plan EIR, uniformly applied development standards, and applicable conditions of approval. As presented herein, the Project is consistent with the General Plan and qualifies for a General Plan Exemption pursuant to provisions of CEQA (15183).



## 2. PROJECT DESCRIPTION

### 2.1. ENVIRONMENTAL SETTING

#### **Regional Setting**

The City and County of Tulare are located in the San Joaquin Valley, part of California's Central Valley, one of the most important and productive agricultural regions in the United States. The City of Tulare is in the central western portion of Tulare County, approximately 45 miles southeast of the City of Fresno and about 60 miles northwest of the City of Bakersfield. While surrounded by agriculture, Tulare is a growing city, home to regional shopping destinations, employment centers, and the College of Sequoias (COS) campus. Tulare benefits from easy access to Highway 99 which runs north-south through the city and is served by local and regional transit. Additionally, Tulare has a central downtown area, the Tulare Outlet Center, a major regional shopping destination to the northeast, a large dairy manufacturing industry, and a mix of housing options.

#### **Vicinity Setting**

The Project is located in East Tulare approximately \_\_\_ mile from the City Center or Downtown. A small area along the east side of Mooney Boulevard, adjacent to the project site is developed with a Human Bean coffee shop and drive-through and a Jack and the Box with drive-through. It is anticipated that the subject property will include a grocery store and ancillary uses, such as a gas station, fast foods, car wash, retail and other uses allowed in the C-2 zone.

Across the street to the south is an existing church and single family residential uses, to the north, east and west is existing single family residential uses. At the southwest corner of Mooney Boulevard and Bardsley is a CVS, Taco Bell with drive-through, and several retail and food service restaurants. The site and the adjacent property are not located in a flood zone according to Panel Number 06107C1275E, dated June 16, 2009. The property is in Zone X, therefore the property is outside the 500-year flood zone.

#### **Project Site**

The site is located at the northwest corner of Mooney Boulevard and Bardsley Avenues. The site is currently vacant. Curb, gutter and pavement exist along the east side of the project at Nelder Grove Street. The project will require the construction of street improvements on Mooney Boulevard and Bardsley Avenue. A Phase 1 was completed for the project, which resulted in no findings.

### 2.2. Project Description

**Project Title:** Sequoia Marketplace

**Lead Agency:** City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274

(559) 684-4210

**Applicant:** NFDI LLC  
1878 N. Mooney Blvd.  
Tulare, CA 93274  
(559) 799-6993

**Project Location:** The project is located on the northeast corner of Mooney Blvd. and Bardsley Avenue. APN 172-050-019. See Figure 1: Regional Location Map and Figure 2: Project Vicinity.

**General Plan Designation** The site is designated in the Tulare General Plan as Community Commercial, Figure 3.

**Zoning Designation:** The site is currently zoned C-3 Retail Commercial., Figure 4.

**Project Description:** The proposed project is the development of a commercial center that will include a car wash, gas station, fast food and general retail consisting of approximately 105,000 square feet. The project will have access to Bardley Avenue, Mooney Blvd and Nelder Grove streets. The proposed project will include on-site infrastructure and off-site improvements to Bardsley Ave., Mooney Blvd., and Nelder Grove Street. The project will also include the subdivision of the project site into 11 parcels in order to facilitate the development of the Project as well as for ownership purposes. See Figure 5 for the proposed site plan.

**Surrounding Land Use Designations and Settings:**

North: Low Density Residential – Existing Single Family Residential

South: Low Density Residential – Existing Church and Single Family Residential

East: Low Density Residential – Existing Single Family Residential

West: Low Density Residential – Existing Single Family Residential

**Parking and access:** Vehicular Access to the project will be from Bardsley Avenue, Mooney Blvd. and Nelder Grove. The project will provide 511 parking spaces, where 353 are required by the parking standards in the City Zoning Ordinance.

**Landscaping and Design:** The landscape and design plans will be required at time the project submits for building permit on the project and will be subject to the City of Tulare's Water Efficient Landscape Ordinance (WELO).

**Utilities and Electrical Services:** The proposed project will connect to City services (water, sewer, storm drain as part of the development

2.3. **REQUIRED APPROVALS**

The following discretionary approvals are required from The City of Tulare for the proposed project:

- City of Tulare Tentative Parcel Map
- City of Tulare Conditional Use Permit for Gas Station and Carwash.
- Other conditional use permits may be required.

Figure 1: Regional Location



Figure 2: Project Vicinity

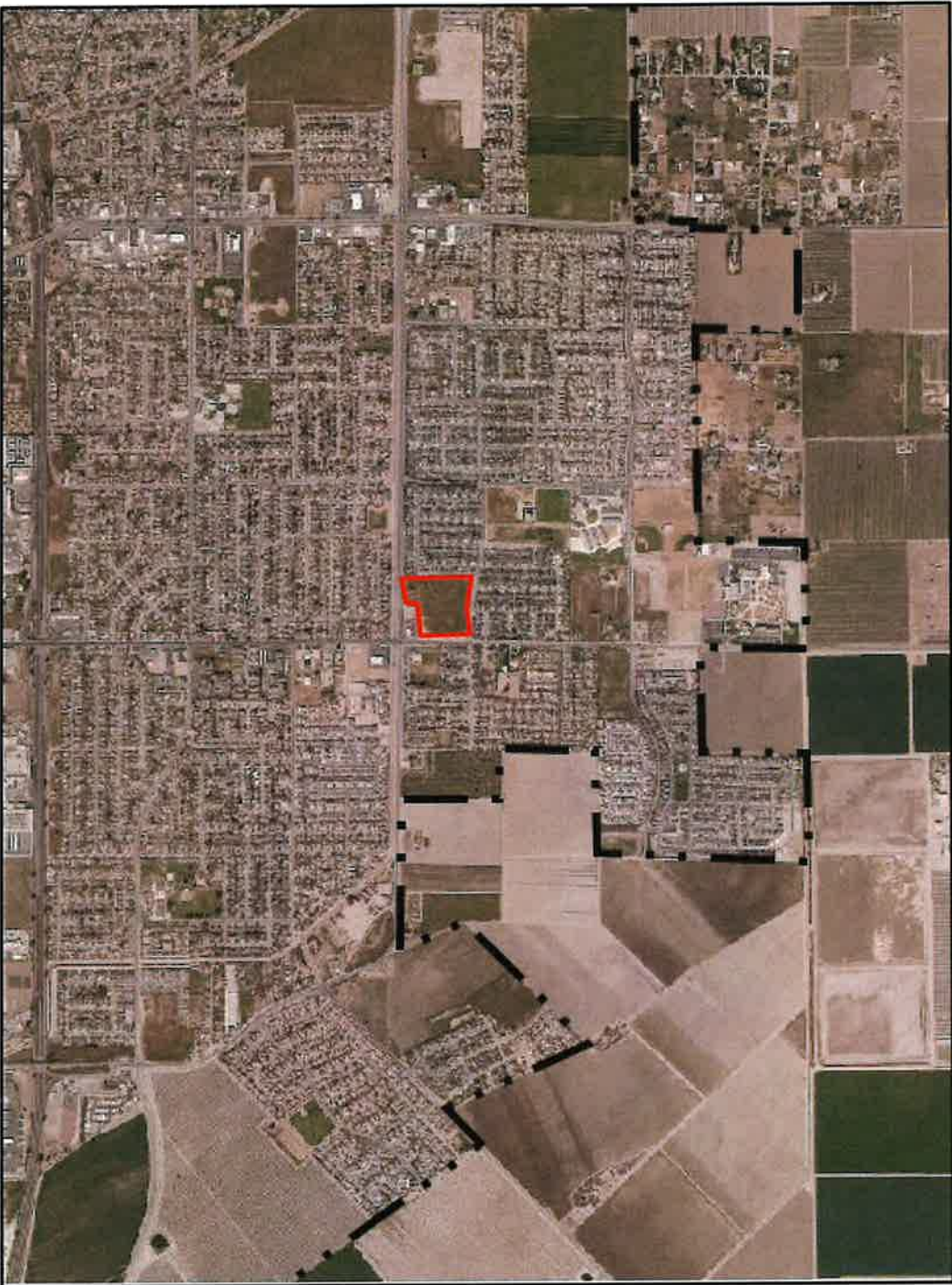


Figure 3: General Plan Land Use

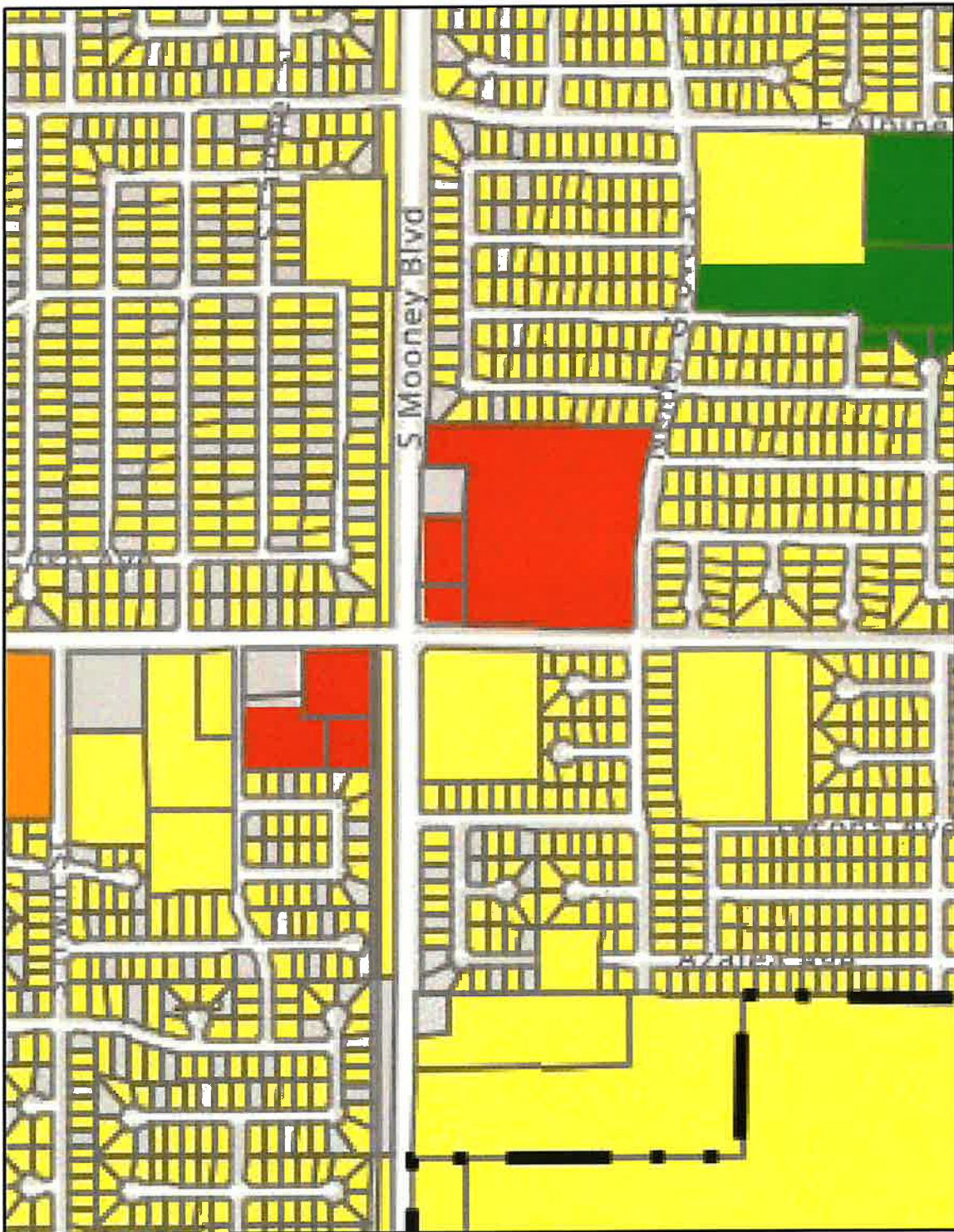


Figure 4: Zoning Map

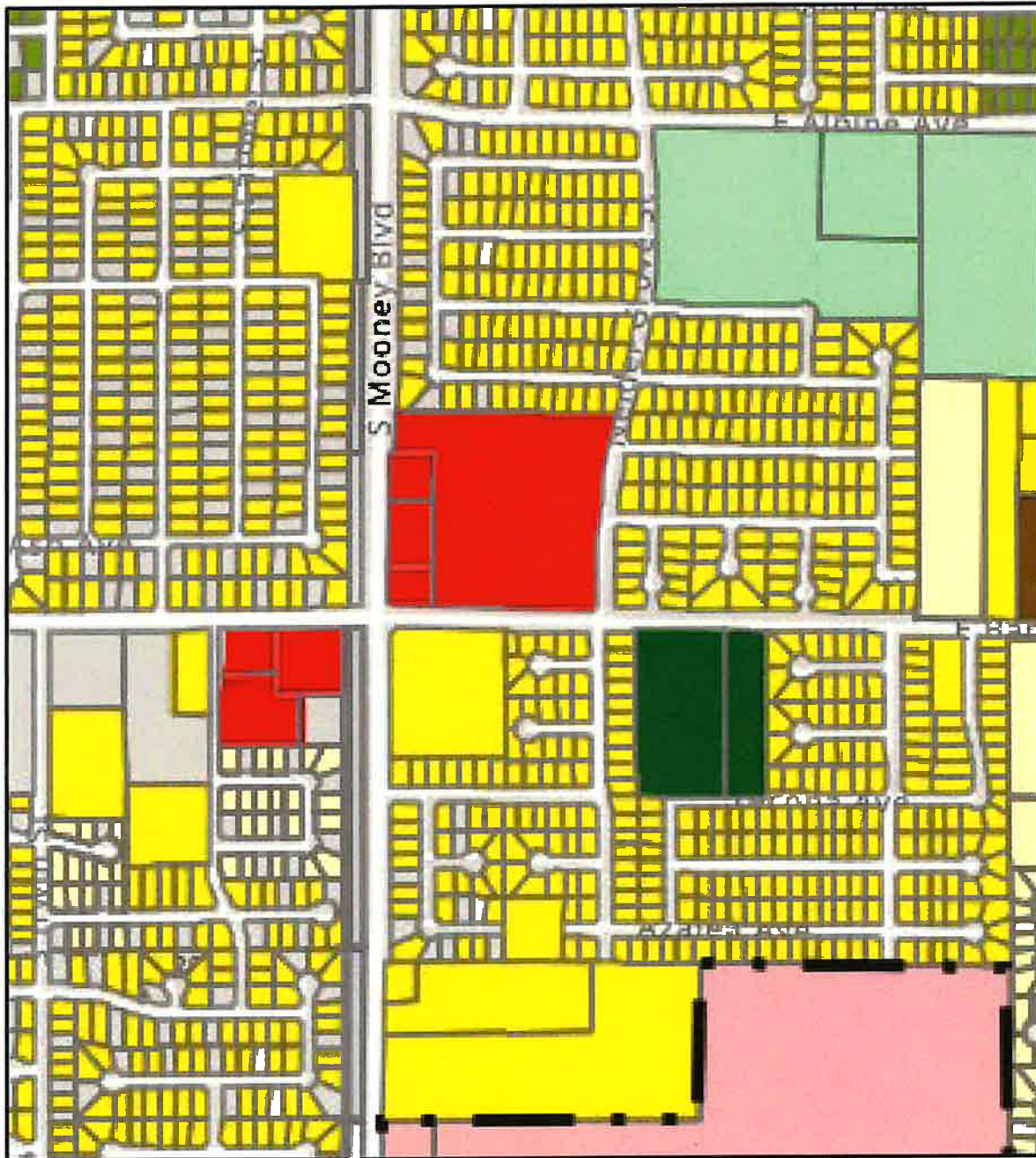


Figure 5: Site Plan





### **3. APPLICABLE CEQA PROVISIONS AND FINDINGS**

The following discussion presents the relevant provisions of CEQA to which the proposed Project complies and provides a determination of consistency with the General Plan EIR. A description of how the Project complies with the General Plan EIR is also provided. This section concludes with the CEQA finding and determination that the Project is exempt from further environmental review.

#### **3.1. GENERAL PLAN/COMMUNITY PLAN EXEMPTION (CEQA GUIDELINES SECTION 15183)**

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified.

Section 15183(a) "mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project- specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies."

Section 15183(b) of the CEQA Guidelines specifies that "in approving a project meeting the requirements of Section 15183, examination of environmental effects shall be limited to those that:

1. Are peculiar to the project or the parcel on which the project would be located,
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR."

Section 15183(c) specifies that impacts which are not peculiar to the project site which have been addressed as a significant effect in the prior EIR or can be substantially mitigated by applying uniformly applied development standards and policies shall not require preparation of an additional EIR on the basis of that impact. As such, the Project is required to implement all applicable mitigation measures set forth in the General Plan EIR to avoid, reduce, or offset environmental impacts.

#### **APPLICABILITY OF THE SEQUOIA MARKETPLACE COMMERCIAL PROJECT TO 15183**

The Project is consistent with the General Plan land use designation and zoning for the site, as outlined above, and meets the streamlining provisions under CEQA Guidelines Section 15183(d)(1)(C) as follows:

- The Tulare 2035 General Plan was adopted in October of 2014 and the Tulare General Plan EIR (SCH# 2012071064) was certified October 16, 2014. The Tulare General Plan and General Plan EIR accommodates the construction of up to 2.2 million square feet of commercial building space.
- The Tulare General Plan EIR was certified to include the evaluation of the Tulare Transit Oriented Development Plan and the Climate Action Plan.
- The project site is designated as Community Commercial in the General Plan and this land use classification allows for uses with a community-wide market base. Uses typically include community commercial centers, shopping plazas, and shopping centers that included a junior department store or a large variety, discount, or department store with direct and convenient arterial access and access for pedestrians, bicyclists and public transit. These centers typically contain 100,000 to 300,000 square feet of floor area on 7 – 20 acres. The maximum allowable floor area ratio (FAR) is 0.27 and a minimum development site of 7 acres.
- The Project is consistent with the Community Commercial land use classification in that it provides a mix of retail commercial uses and anticipated supportive uses such as the car wash, gas station and fast food restaurants. The anticipated FAR would be less than .27 (0.18 FAR is proposed), The Project is also consistent with General Plan Policies which promote a range of land uses, seeking to use land efficiently through promoting infill development.

#### **CITY OF TULARE GENERAL PLAN AND EIR**

The Tulare 2035 General Plan, adopted in 2014, serves the following purposes:

- Reduce GHG emissions as required by State Assembly Bill (AB) 32 and Senate Bill (SB) 375.
- Plan for and create a multi-modal transportation network city through compact and mixed-use transit oriented development as required by Assembly Bill 1358, The Complete Streets Act.
- Provide a mix of housing options including single-family homes, townhomes, senior housing, and affordable housing, as required by California State housing law and as encouraged by the Tulare County Association of Government's Tulare County Regional Blueprint.
- Provide adequate infrastructure, using best management sustainability practices and measures, to meet the demand of growth and development.
- Maintain a vibrant economy by supporting a diversity of business and employment opportunities.
- Provide a General Plan Update that complies with the applicable legal requirements, including the Government Code (Government Code Sections 65300 et seq.).
- Alleviate the groundwater overdraft situation affecting the Kaweah Groundwater

Subbasin from which the City of Tulare draws its water.

The General Plan EIR reviewed all potentially significant environmental impacts and developed measures and policies to mitigate impacts from buildout of the General Plan. Nonetheless, significant and unavoidable impacts were determined to occur. Therefore, the City adopted a statement of overriding considerations, which balances the merits of approving the Project despite the potential environmental impacts. The areas impacts were identified as significant and unavoidable in the General Plan EIR are:

- Agriculture
- Air Quality
- Greenhouse Gas Emissions
- Hydrology
- Noise

### 2.3. CEQA DETERMINATION AND SUMMARY OF FINDINGS

As summarized above and presented herein, the Sequoia Marketplace project is eligible for the following CEQA provisions:

**Consistency with Program EIR.** The City of Tulare General Plan EIR provides for streamlining and/or tiering provisions under CEQA Guidelines Section 15183 and California Public Resources Code Section 21083.3. This CEQA Analysis demonstrates that the Sequoia Marketplace project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR because the level of development proposed is within the development assumptions analyzed in the program level EIR for the General Plan, and furthermore, the Project does not contain elements that are peculiar to the Project or project site that would result in new or more severe environmental impacts relative to the General Plan EIR. As such, no further environmental review is required.

As described herein, the proposed Project is within the scope of development projected under the General Plan and analyzed in the General Plan EIR. The proposed Sequoia Marketplace project will implement applicable mitigation measures identified in the General Plan EIR to address potential environmental impact and these have been incorporated as environmental conditions of project approval. In addition, the Project would be required to comply with applicable conditions of approval from planning, building, public works, fire, police, and other City departments as applicable. With implementation of identified conditions of approval, the Project would not result in a substantial increase in the severity or significant impacts that were previously identified in the program level EIR, nor would the Project introduce any new significant impacts that were not previously identified. Therefore, there would be no additional environmental impacts beyond those analyzed in the General Plan EIR.

I hereby certify that the above determination has been made pursuant to State and Local requirements.

**Signature: Mario Anaya, Community Development Director**

**Date**

#### 4. EVALUATION OF ENVIRONMENTAL EFFECTS

This section examines the Sequoia Marketplace project's potential environmental effects within the parameters outlined in CEQA Guidelines Section 15183(b). The "Prior EIR" (as defined in CEQA Guidelines Section 15183(b)(3), is the City of Tulare 2035 General Plan EIR, inclusive of all impact determinations, significance thresholds and mitigation measures identified therein.

This evaluation builds from the Appendix G Environmental Checklist and has been modified to reflect the parameters outlined in CEQA Guidelines Section 15183(b). The checkboxes in the evaluation below indicate whether the proposed project would result in environmental impacts, as follows:

- **New Significant Impact** – The proposed project would result in a new significant impact that was not previously identified in the General Plan EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR** – The proposed project's specific impact would be substantially greater than the specific impact described in the General Plan EIR.
- **Equal or Less Severity of Impact than Previously Identified in GP EIR** – The severity of the specific impact of the proposed project would be the same as or less than the severity of the specific impact described in the General Plan EIR.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the General Plan EIR, the checkbox for "Equal or Less Severity of Impact Previously Identified in GP EIR" is checked. Where the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR" or "New Significant Impact" is checked, there are significant impacts that are:

- Peculiar to the project or project site (CEQA Guidelines Section 15183(b)(3));
- Not analyzed as significant impacts in the previous EIRs, including off-site and cumulative impacts (CEQA Guidelines Section 15183(b)(2));
- Due to substantial changes in the project (CEQA Guidelines Section 15162(a)(1));
- Due to substantial changes in circumstances under which the project will be undertaken (CEQA Guidelines Section 15162(a)(2)); or
- Due to substantial new information not known at the time the EIRs were certified (CEQA Guidelines Sections 15162(a)(3) and 15183(b)(4)).

Following the Checklist, a summary of the potential environmental impacts relevant to the proposed project that may result from the Tulare General Plan, as evaluated in the General Plan EIR, are described. Next, the potential project-specific environmental effects of the proposed project, including the project's consistency with the General Plan EIR, are discussed. Last, applicable General Plan EIR mitigation measures are identified.

As described herein, the proposed project will be required to comply with all applicable mitigation measures identified in the Tulare General Plan EIR, included as Attachment 1.

This evaluation hereby incorporates by reference the Tulare 2035 General Plan EIR discussion and analysis of all environmental topics. The General Plan EIR significance thresholds have been consolidated and abbreviated in this Checklist; a complete list of the significance thresholds can be found in the Tulare General Plan EIR.

The General Plan EIR is a program level document that consider the combined effects of

implementing several related projects. As such, the analyses presented in the General Plan EIR represent a cumulative analysis of environmental impacts that may occur from buildout of the General Plan.

4.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; Site Plan .

There are no aesthetic resources identified in the City of Tulare General Plan. As shown in the following photos, the proposed project is flat and excludes any features, including trees, rock outcropping or historic buildings that that may be considered a scenic resource. No nearby or adjacent roadways are eligible or designated as a scenic highway within the City of Tulare. The relatively flat topography of the site, and the scale and height of the proposed buildings that are no taller or larger than surrounding buildings, would ensure that the project would not have an impact on a scenic resource. Therefore, the Project would have no impact on scenic resources or impact any scenic vista from the project site.



Photo taken from the northeast corner of the property.



Photo taken from the south side of the property.

**DETERMINATION:** The proposed Project will not substantially increase light levels relative to existing conditions. The Project proposes outdoor lighting, consisting of lighting for buildings, landscape lighting, and accent lighting and this new lighting is in conformance with City standards by being shielded downward in accordance with the Municipal Code. The Project would have no greater impacts to lighting relative what was analyzed in the program level EIR.



**4.2 AGRICULTURAL AND FORESTRY RESOURCES**

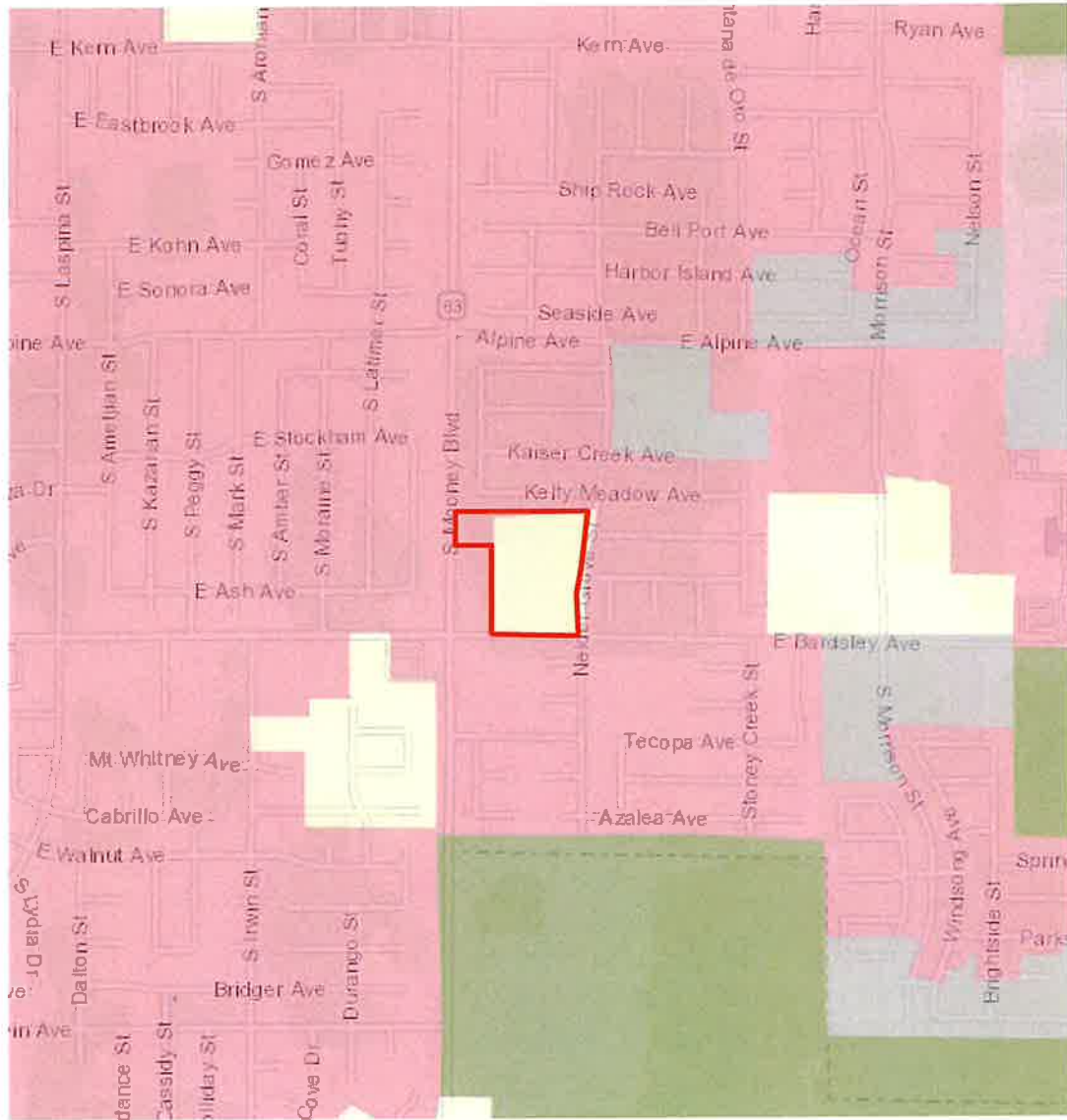
Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; and California Department of Conservation Farmland Mapping and Monitoring Program.

The project location is currently designated as Farmland of Local Importance and Urban Built Up Land on the California Department of Conservation Farmland and Map, as shown on Figure 1. The property was designated as Prime Farmland and Urban Built Up in 2014 when the Tulare 2035 General Plan Update and EIR were adopted. Given that the property is no longer designated as Prime Farmland, mitigation for the loss of farmland is not required. As part of the certification of the General Plan EIR a Statement of Overriding Considerations was adopted for the loss of agricultural land.

**DETERMINATION:** The area to be developed does not contain prime farmland or forest land pursuant to Section 12220(g) of the Public Resources Code. As the Project is within the scope of development projected under the General Plan, there would be no new or more severe impacts to agricultural and forestry resources beyond those analyzed in the General Plan EIR.

Figure 6 : California Department of Conservation Farmland Mapping and Monitoring Program



**4.3 AIR QUALITY**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Exposure of sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR

The General Plan EIR concluded that with Air Quality impacts were significant and unavoidable and a State of Overriding Considerations was adopted with the certification of the General Plan EIR. Impacts from the proposed project would be consistent with those evaluated in the General Plan EIR as the project is consistent with the commercial land use identified and the anticipated development. The General Plan EIR also included mitigation measures pertaining to Air Quality such as following the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJAPCD) including the, but not limited to the Indirect Source Rule and preparation of a fugitive dust control plan, see the full mitigation measures contained within Attachment 1.

DETERMINATION: The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. As stated above, the project will be subject to all SJAPCD rules and regulations and no additional impacts to air quality beyond those analyzed in the General Plan EIR would result from the Project.

**4.4 BIOLOGICAL RESOURCES**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (Formerly Fish and Game) or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (formerly Fish and Game) or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Tulare General Plan and EIR.

The General Plan EIR concluded that with the policies set forth in the General Plan, impacts to biological resources would be less than significant with mitigation. The project does not contain any trees or vegetation that would be required to be removed to facilitate the project. Mitigation Measure BIO-2 would therefore not apply. If the project is delayed and vegetation is necessary to be removed, then construction shall be performed outside the breeding season for birds, or a qualified biologist is required to perform a pre-construction nest survey. See Attachment 1 for the full language of Mitigation Measure BIO-2. The proposed project is consistent with the development anticipated and evaluated in the General Plan EIR.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected and no additional impacts to biological resources beyond those analyzed in the General Plan EIR would result from the Project. The Project would not result in any new or more severe impacts to biological resources relative to what was analyzed in the General Plan EIR

**4.5 CULTURAL RESOURCES**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: City of Tulare General Plan EIR, Tailored Archaeology Technical Memo

The General Plan EIR concluded that with the policies set forth in the General Plan, impacts to Cultural resources would be less than significant. Policy COS-P5.18 requires that prior to project approval the applicant is required to have a qualified archaeologist conduct the following activities: (1) conduct a record search at the Regional Archaeological Information Center located at California State University Bakersfield and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Report)s. A qualified archaeologist, Taylor Archaeology, completed a records search and provided a technical memo, Attachment 2. No cultural resources were identified.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. The results of the records search are that there are no known cultural resources on the project site. No additional impacts to cultural resources beyond those analyzed in the General Plan EIR would result from the Project. For these reasons, impacts to cultural resources are less than significant and the Project would not result in any new or more severe impacts to cultural resources relative to what was analyzed in the General Plan EIR.

**4.6 ENERGY**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan EIR; and Climate Action Plan

The General Plan EIR concluded that with the following goals and policies set forth in the General Plan and the Climate Action Plan impacts to Energy would be less than significant.

**Goal COS-6:** To encourage energy conservation in new and existing developments throughout the city.

**Policy COS-P6.1: Energy Conservation Measures.** The City shall require the use of energy conservation features in new construction and renovation of existing structures in accordance with state law. New features that may be applied to construction and renovation include: Green building techniques (such as use of recycled, renewable, and reused materials; efficient lighting/power sources; design orientation; building techniques; etc.); Cool roofs; Enhanced insulation; Application of solar technologies (e.g. photovoltaic, water heating, etc.); and Energy Star compliance programs.

**Policy COS-P6.2: Landscape Improvements for Energy Conservation.** The City shall encourage the planting of shade trees along all city streets and as part of new development to reduce radiation heating.

**Policy COS-P6.3: Promote Energy Conservation Awareness.** The City shall coordinate with local utility providers to provide public education energy conservation programs. **Policy COS-P6.4: Local and State Programs.** The City shall participate to the extent feasible in local, regional and state programs that strive to reduce the consumption of natural or man-made energy sources. **Policy COS-P6.5: Promote Renewable Energy Industry Clusters.** The City shall promote development of and capital investment in renewable energy.

**Policy COS-P6.6: Solar Energy.** The City shall work with developers to encourage the incorporation of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. Additionally, the City shall work with developers to ensure that building and site design take into account the solar orientation of buildings during design and construction. Action Plan to the City Council.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. No additional impacts to Energy resources beyond those analyzed in the General Plan EIR would result from the Project. For these reasons, impacts to Energy resources are considered less than significant and the Project would not result in any new or more severe impacts to cultural resources relative to what was analyzed in the General Plan EIR.

**4.7 GEOLOGY AND SOILS**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Publication 42.</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure, including liquefaction</li> <li>iv. Landslides?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR .

The General Plan EIR concluded that with the policies set forth in the General Plan, impacts to Geology and Soils would be less than significant. A soils report will be required to be submitted to the City of Tulare for the project site. The findings in the report will be incorporated into construction plans and specifications as part of the building permit review and approval. The proposed project is within the scope of the General Plan and will be subject to standard conditions of approval and uniformly applied development standards, such as compliance with a NPDES.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. No additional impacts to geology and soils beyond those analyzed in the General Plan EIR will result from implementation of the project.

**4.8 GREENHOUSE GAS EMISSIONS**

	<b>New Significant Impact</b>	<b>Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR</b>	<b>Equal or Less Severity of Impact than Previously Identified in GP EIR</b>
<b>Would the Project:</b>			
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan EIR; Climate Action Plan

The General Plan EIR that impacts to Greenhouse Gas Emission were significant and unavoidable. A Statement of Overriding Considerations was adopted with the certification of the General Plan EIR. The City also adopted a Climate Action Plan (CAP), and determined that with the adoption and implementation of the CAP, GHG emissions would be reduced to a less than significant level. Impacts from the proposed project would be consistent with those evaluated in the General Plan EIR as the project is consistent with the commercial land use identified and the anticipated development.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected and no additional impacts to greenhouse gases beyond those analyzed in the General Plan EIR would result from the Project.



#### 4.9 HAZARDS/HAZARDOUS MATERIALS

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, and result in a safety hazard or excessive noise for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR

The General Plan EIR concluded that impacts to Hazards and Hazardous Materials were not significant. The proposed project is within the scope of the General Plan and will be subject to standard conditions of approval and uniformly applied development standards.

DETERMINATION: The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. No additional impacts to Hazards and Hazardous Materials beyond those analyzed in the General Plan EIR will result from implementation of the project.

#### 4.10 HYDROLOGY AND WATER QUALITY

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; Site Plan

**4.11 LAND USE AND PLANNING**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan EIR;

The Project is within the scope of development projected under the General Plan and is consistent with land use planning, zoning, and City policies. The Project is consistent with the Community Commercial land use designation, and the C-3 (Retail Commercial) zoning designation. Uses to be developed on the proposed site are all permitted or conditionally permitted uses and would be developed according to the development standards of the C-3 zone district.

**DETERMINATION:** There are no additional impacts to potential land use and planning conflict beyond those analyzed in the General Plan EIR.

**4.12 MINERAL RESOURCES**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR.

The General Plan EIR concluded that no mineral resources would be affected from implementation of the General Plan.

**DETERMINATION:** The Project is consistent with the General Plan and would not result in any impacts related to mineral resources.

**4.13 NOISE**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
Cause the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cause the generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and as a result, expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan EIR;

The General Plan EIR concluded that impacts to Noise were significant and unavoidable. A Statement of Overriding Considerations was adopted with the certification of the General Plan EIR. Impacts from the proposed project would be consistent with those evaluated in the General Plan EIR as the project is consistent with the commercial land use identified and the anticipated development analyzed in the General Plan EIR.

**DETERMINATION:** The Project is consistent with the City of Tulare General Plan as it is within the scope of development projected. No additional impacts to Noise beyond those analyzed in the General Plan EIR will result from implementation of the project.

**4.14 POPULATION AND HOUSING**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; and 2015-2023 City of Tulare Housing Element, revised November 19, 2018.

The General Plan EIR concluded that impacts to Population and Housing were less than significant with the adoption of the General Plan Update, Transit-Oriented Development Plan and Climate Action Plan. The Project would not directly or indirectly induce population growth, but rather would serve the commercial uses of the residential neighborhoods that have developed over the years in that segment of the city. The Project would also not displace any people or housing, as it would be developed on a vacant infill lot.

**DETERMINATION:** As the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to population and housing beyond those analyzed in the General Plan EIR.

**4.15 PUBLIC SERVICES**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; and City of Tulare Development Impact Fees.

The General Plan EIR concluded that impacts to Public Services were less than significant with the adoption of the General Plan Update, Transit-Oriented Development Plan and Climate Action Plan.

The City of Tulare charges one-time impact fees on new private development to offset the cost of improving or expanding City facilities to accommodate the demand generated by new development. Impact fees are used to fund the construction or expansion of capital improvements for water, sewer, storm drainage, traffic, police, fire, library, general government, wastewater and parks. Development impact fees finance public facilities and service improvements and pay for new development's fair share of the costs of the City planned public facilities and service improvements identified to accommodate buildout of the General Plan.

The Project is not anticipated to induce substantial growth in the area, either directly or indirectly beyond what was anticipated by the General Plan. The Project will incrementally increase demands for fire and police services, schools, and parks but not a level that would be considered potentially significant. As a standard condition of project approval, the applicant shall pay all development impact fees applicable to a commercial development.

As the proposed project is within the scope of development projected under the General Plan there would be no new or more severe impacts to public services beyond those analyzed in the General Plan EIR.

**DETERMINATION:** As the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to Public Services beyond those analyzed in the General Plan EIR.

**4.16 RECREATION**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; and City of Tulare Development Impact Fees.

The General Plan EIR concluded that impacts to Recreation were less than significant with the adoption of the General Plan Update, Transit-Oriented Development Plan and Climate Action Plan. The Project consists of retail commercial development and thus, would not increase demand on the city's recreational facilities beyond what was envisioned and analyzed for recreational needs and potential impacts in the General Plan EIR.

**DETERMINATION:** As the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to Recreation beyond those analyzed in the General Plan EIR.



**4.17 TRAFFIC and TRANSPORTATION**

<b>Would the Project:</b>	<b>New Significant Impact</b>	<b>Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR</b>	<b>Equal or Less Severity of Impact than Previously Identified in GP EIR</b>
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; Tec Technical Advisory on Evaluating Transportation Impact in CEQA, prepared by the California Office of Planning and Research, December 2018, [https://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)

The General Plan EIR concluded that impacts to Traffic and Transportation were less than significant with the adoption of the General Plan Update, Transit-Oriented Development Plan and Climate Action Plan.

**DETERMINATION:** As the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to Traffic and Transportation beyond those analyzed in the General Plan EIR.

**4.18 TRIBAL CULTURAL RESOURCES**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
<p>Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> <p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1©. In applying the criteria set forth in Public Resource Code Section 5024.1©, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>

Sources: City of Tulare General Plan and EIR; and Taylored Archaeology Report.

Tulare 2035 General Plan Policy COS-P5.18 Archaeological Resource Surveys requires that prior to project approval, the City shall require project applicant to have a qualified archaeologist conduct the following activities: (1) conduct a record search at the Regional Archaeological Information Center located at California State University Bakersfield and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports). A records search at the Regional Archaeological Information Center at California State Bakersfield was completed and a letter containing those findings prepared by Taylored Archaeology is included in Attachment 2. There were no findings as a result of the records search.

Determination: Based on the information above, the Project will not result in any new or more severe impacts to tribal cultural resources beyond what was identified in the General Plan EIR.

**4.19 UTILITIES AND SERVICE SYSTEMS**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR; City of Tulare Urban Water Management Plan

The General Plan EIR concluded that impacts to Utilities and Infrastructure were less than significant with the adoption of the General Plan Update, Transit-Oriented Development Plan and Climate Action Plan.

**DETERMINATION:** As the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to Utilities and Infrastructure beyond those analyzed in the General Plan EIR

**4.20 WILDFIRE**

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR.

The project site is located within a developed area and is surrounded by roadways and urban uses. There are no additional factors, such as steep slopes, prevailing winds, or the installation or maintenance of new infrastructure that would exacerbate fire risk or expose occupants to the uncontrolled spread of a wildfire, pollutant concentrations from a wildfire, post-fire slope instability, or post-fire flooding. The project site is not in a wildfire risk area and is not located within one mile of a high fire hazard area. The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. The buildings will be constructed according to the latest California Building Code, which contains standards for building materials, systems, and assemblies used in the exterior design and construction of new buildings that are fire resistant.

Wildfire Impacts were added to the CEQA checklist after the General Plan EIR was adopted, however wildfire risks were evaluated under the Hazards and Hazardous Materials section of the General Plan Update EIR. Based on that evaluation and the above information, there would be no additional impacts of the Project associated with wildfire risks beyond those analyzed in the General Plan EIR.

**DETERMINATION:** Based on the above information, the proposed project is within the scope of development projected under the General Plan, there would be no additional or more severe impacts to Wildfire beyond those analyzed in the General Plan EIR

**4.21 MANDATORY FINDINGS OF SIGNIFICANCE**

A focused or full environmental impact report for a project may be required where the project has a significant effect on the environment in any of the following conditions:

Would the Project:	New Significant Impact	Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR	Equal or Less Severity of Impact than Previously Identified in GP EIR
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Tulare General Plan and EIR.

The Project does not have the potential to substantially reduce the habitat for wildlife species as the site is surrounded by urban uses. The Project is consistent with the General Plan and supports the goals, policies, and programs outlined therein.

The Project will contribute to cumulative impacts identified in the City's General Plan EIR but will not result in any new or more severe cumulative impacts not previously considered.

Consistent with the policies and programs of the General Plan and the mitigation measures set forth in the General Plan EIR, the Project is subject to conditions of approval relating to air quality and Biological Resources. As the proposed project is within the scope of development projected under the General Plan, there would be no new or more severe impacts beyond those analyzed in the General Plan EIR.

## **5. REFERENCE DOCUMENTS**

The following reference documents are hereby incorporated by reference and are available for review during normal business hours at the City of Tulare.

- Tulare General Plan Update
- Tulare Transit Oriented Design (TOD) Plan
- Tulare Climate Action Plan (CAP)
- Tulare General Plan, TOD Plan and CAP EIR

**Attachment 1**

Summary of Impacts and Mitigation Measures adopted for General Plan EIR

**CITY OF TULARE  
DRAFT GENERAL PLAN, TOD PLAN, & CAP EIR  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>AESTHETICS</b>			
<i>Since there are no significant impacts related to aesthetics as a result of the Draft General Plan, Draft TOD Plan, and C-AP, no mitigation measures are required.</i>			
<b>AGRICULTURE AND FORESTRY RESOURCES</b>			
AG-1: Although the Draft General Plan includes policies that would reduce and partially offset the conversion of farmland, it designates approximately 6,419 acres of farmlands of concern under CHQA for non-agricultural uses.	SU	No feasible mitigation measures are available.	
AG-2: The Draft General Plan and Draft TOD Plan would conflict with existing zoning by designating land currently zoned agriculture for non-agricultural uses.	SU	No feasible mitigation measures are available.	
AG-3: The Draft General Plan and Draft TOD Plan would conflict with Williamson Act contracts by designating land currently under contract for non-agricultural uses.	SU	No feasible mitigation measures are available.	
<b>AIR QUALITY</b>			
AQ-1: The Project would generate a substantial increase in criteria air pollutants that would exceed the SJVAPCD's significance thresholds. Because dispersion modeling is not applicable for a program FTR, projects with emissions that exceed these values are considered to have the potential to exceed the AAQS, resulting in a potentially significant impact with regard to consistency with SJVAPCD's air quality plans. Therefore, despite being consistent with the control measures in the air quality management plans, to be conservative, the Project is considered to be inconsistent with the SJVAPCD's air quality plans because emissions would exceed the regional significance thresholds. Mitigation Measures AQ-2(a) through AQ-2(d) would reduce emissions, to the extent financially and	SU	No feasible mitigation measures are available.	



**CITY OF TULARE  
DRAFT GENERAL PLAN, TOD PLAN, & CAP EIR  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significance Before Mitigation	Significant Impact	Mitigation Measures	Significance With Mitigation
S	<p>technologically feasible. Goals and policies included in the General Plan Update would facilitate continued emissions reductions. However, due to the programmatic nature of the General Plan Update, no additional mitigating policies are available to reduce emissions to less than significant levels. Because the Project's emissions cannot be reduced to a less than significant level, the Project's impacts in this regard would be <i>significant and unavoidable</i>.</p> <p><b>AQ-2:</b> Subsequent environmental review of future projects within the City of Tulare may identify that construction and operational phase emissions would exceed SJVAPCD's project-level significance thresholds. While feasible mitigation measures would be imposed (as set forth below), due to the nature and scope of the Project along with its anticipated buildout horizon, regional construction and operational phase emissions would be considered <i>significant</i>.</p>	<p><b>AQ-2a:</b> Each applicant for individual, site-specific developments under the General Plan shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document its compliance with this mitigation measure.</p> <p><b>AQ-2b:</b> If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Tulare Community Development Director shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include but are not limited to:</p> <ul style="list-style-type: none"> <li>◆ Using construction equipment as required by the United States Environmental Protection Agency rated as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request.</li> <li>◆ Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.</li> <li>◆ Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible.</li> <li>◆ Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g. 5-minute maximum).</li> </ul>	SU

**LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact**

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2 <i>continued</i>		<ul style="list-style-type: none"> <li>◆ Preparation and implementation of a fugitive dust control plan that may include the following measures:               <ul style="list-style-type: none"> <li>• Disturbed areas (including storage piles) that are not being actively utilized for construction purposes shall be effectively stabilized using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover (e.g. revegetated).</li> <li>• On-site unpaved roads and off-site unpaved access roads shall be effectively stabilized using water or chemical stabilizer/suppressant.</li> <li>• Land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled utilizing application of water or by presoaking.</li> <li>• Material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained when materials are transported off-site.</li> <li>• Operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden).</li> <li>• Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</li> <li>• Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.</li> <li>• Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.</li> <li>• Limit traffic speeds on unpaved roads to 15 mph.</li> <li>• Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.</li> <li>• Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the project area.</li> <li>• Adhere to Regulation VIII's 20 percent opacity limitation, as applicable.</li> </ul> </li> </ul>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2	continued	<p>If, during subsequent project-level environmental review, operational-related criteria air pollutants are determined to have the potential to exceed the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Tulare Community Development Director shall require that applicants for new development projects incorporate mitigation measures as identified in the CHQA document prepared for the project to reduce air pollutant emissions during operational activities. Mitigation measures that may be identified during the environmental review include but are not limited to:</p> <ul style="list-style-type: none"> <li>◆ Site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug in of the anticipated number of refrigerated trailers to reduce idling time and emissions.</li> <li>◆ Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power (CHP) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</li> <li>◆ Site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 Section 2485).</li> <li>◆ Site-specific development shall demonstrate an adequate number of electrical vehicle Level 2 charging stations are provided onsite. The location of the electrical outlets shall be specified on building plans and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy.</li> <li>◆ Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Division during plan check.</li> <li>◆ Applicants for large development projects shall establish an employee trip commute reduction program (CTR), in conformance with the San Joaquin Valley Unified Air Pollution Control District Rule 9410. Large development projects are defined as businesses with 50 or more employees. The program shall identify South Valley Rideshare and/or Valley Rides commute programs, which provides information about commute options and needs commuters for carpooling, ridesharing and other activities. The CTR program shall identify alternative modes of transportation to the project site, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these</li> </ul>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2 <i>continued</i>		<p>programs shall be readily available to employees and clients and shall be posted in a highly visible location and/or made available online. The project applicant shall include the following incentives for commuters as part of the CTR program:</p> <ul style="list-style-type: none"> <li>• Ride-matching assistance (e.g. subsidized public transit passes)</li> <li>• Preferential carpool parking</li> <li>• Flexible work schedules for carpools</li> <li>• Vanpool assistance or employer-provided vanpool/shuttle</li> <li>• Telecommute and/or flexible work hour programs</li> <li>• Car-sharing program (e.g. Zipcar)</li> <li>• Bicycle end-trip facilities, including bike parking, showers, and lockers</li> </ul> <p>◆ End-of-trip facilities shall be shown on site plans and architectural plans submitted to the Community Development Director. The CTR program shall be prepared to the satisfaction of the Community Development Director prior to occupancy permits.</p> <p>◆ Applicants for future development projects located along existing and planned transit routes shall coordinate with the City of Tulare Transit Manager to ensure that bus pads and shelters are <b>incorporated, as necessary.</b></p>	
AQ-3: Subsequent environmental review of future projects within the City of Tulare may identify that construction and operational phase emissions would exceed SJVAPCD's project-level significance thresholds. Compliance with Rule 9510 frequently reduces project specific operational emissions to less than significant levels. However, some construction activities and some development project (industrial or warehouse) have the potential to result in substantial onsite emissions, and additional mitigation may be required. Because dispersion modeling is not applicable for a program EIR, projects with emissions that exceed these values are considered to have the potential to exceed the California and National AAQS, resulting in a potentially significant impact. Mitigation Measures AQ-2(a) through AQ-2(d) and AQ-4a below would re-	SU	<p>AQ-2d: Applicants for individual, site-specific developments shall consider establishing a Voluntary Emission Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District. Under this agreement, project proponents may enter into an agreement where funds are used to <b>develop and implement emission reduction projects.</b></p> <p>No feasible mitigation measures are available.</p>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>duce emissions, to the extent feasible. Goals and policies included in the General Plan Update would facilitate continued emissions reductions. However, due to the programmatic nature of the General Plan Update, no additional mitigating policies are available to reduce emissions to less than significant levels. Therefore, in accordance with the SJV AQMD methodology, the Project's localized (ambient air quality) impacts in this regard would be <i>significant and unavoidable</i>.</p>	<p><b>S</b></p>	<p><b>AQ-4:</b> Buildout of the City of Tulare General Plan Update could place sensitive receptors proximate to major sources of air pollution or result in the creation of new sources of Toxic Air Contaminants (TACs). New warehousing and other industrial land uses permitted under the City of Tulare General Plan that generate 100 or more truck trips or 40 trucks with transport refrigeration units (TRUs) within 1,000 feet of a sensitive land use could generate elevated concentrations of TACs at nearby sensitive receptors. Consequently, health risk impacts of the Project would be considered <i>significant</i>.</p>	<p><b>LTS</b></p>
<p><b>AQ-4a:</b> Applicants for industrial or warehousing land uses that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Tulare prior to future discretionary project approval.</p>	<p>The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the San Joaquin Valley Air Pollution Control District (SJVAPCD). If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), the appropriate noncancer hazard index exceeds 1.0, or if the PM<sub>10</sub> or PM<sub>2.5</sub> ambient air quality standard increment exceeds the Significant Impact Levels (SILs), the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. The SIL for PM<sub>10</sub> and PM<sub>2.5</sub> are identified below:</p>		

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		24-Hour	Annual
PM <sub>10</sub> Point Sources or Combined Point + Fugitive Source		5.0	1.0
PM <sub>10</sub> Fugitive Source		10.4	2.08
PM <sub>2.5</sub> Point Sources or Combined Point + Fugitive Source		1.2	0.3
PM <sub>2.5</sub> Fugitive Source		2.5	0.63

AQ-4 *continued*

T-BACTs may include but are not limited to:

- ◆ Restricting idling on-site.
- ◆ Electrifying warehousing docks.
- ◆ Requiring use of newer equipment and/or vehicles.
- ◆ Restricting off-site truck travel through the creation of truck routes.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project.

AQ-4b: Applicants for sensitive land uses within 1,000 feet of a major sources of Toxic Air Contaminants (TACs) (e.g. warehouses, industrial, or roadways with traffic volumes over 50,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Tulare prior to future discretionary project approval.

The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD). The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 9 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), the appropriate non-cancer hazard index exceeds the Significant Impact Levels (SILs), the applicant will be required to identify and demonstrate that mitigation measures are capable of

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>AQ-4 <i>continued</i></p> <p>reducing potential cancer and non-cancer risks to an acceptable level (i.e. below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. The SIL for PM<sub>10</sub> and PM<sub>2.5</sub> are identified below:</p>			
<p><b>Significant Impact Levels (SILs)</b> <b>(<math>\mu\text{g}/\text{m}^3</math>)</b></p>			
		<b>24-Hour</b>	<b>Annual</b>
PM <sub>10</sub> Point Sources or Combined Point + Fugitive Source		5.0	1.0
PM <sub>10</sub> Fugitive Source		10.4	2.08
PM <sub>2.5</sub> Point Sources or Combined Point + Fugitive Source		1.2	0.3
PM <sub>2.5</sub> Fugitive Source		2.5	0.63
<p>Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> <li>◆ Air intakes located away from high volume roadways and/or truck loading zones.</li> <li>◆ Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.</li> <li>◆ Heating, ventilation, and air conditioning systems for units that are installed with MERV filters shall maintain positive pressure within the building's filtered ventilation system to reduce infiltration of unfiltered outdoor air.</li> </ul> <p>Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Community Development Director.</p>			

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>AQ-5: Transfer stations, composting facilities, paint/coating operations, food manufacturing plants, and similar industrial facilities identified by SJVAPCD have the potential to generate substantial odors. Consequently, odors generated by these facilities may be <i>significant</i>.</p>	S	<p>AQ-5: If it is determined during project-level environmental review that a project has the potential to emit nuisance odors beyond the property line in compliance with the SJVAPCD's buffer distances, an Odor Management Plan shall be prepared and submitted by the project applicant prior to project approval to ensure compliance with SJVAPCD Rule 4102.</p> <p>The Odor Management Plan prepared for these facilities shall identify the Best Available Control Technologies for Toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (e.g. air pollution control devices) at an industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.</p>	LTS
<p><b>BIOLOGICAL RESOURCES</b></p>			
<p>BIO-1: Implementation of the Draft General Plan, Draft TOD Plan, and the CAP could have a substantial adverse effect, either directly or through habitat modifications, on fish or wildlife species, including those officially designated species identified as an endangered, threatened, candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.</p>	S	<p>BIO-1: The loss of habitat within the EIR Study Area should be offset by the preservation of similar habitat at an off-site location. Off-site habitat preservation is normally implemented when native vegetation communities and natural habitats are destroyed by projects and actions, but in this case may be applied to the destruction of agricultural lands that provide foraging, breeding, and migratory stopover habitats for wildlife species. The goal of habitat preservation is to maintain areas that are occupied by the same suite of species present in the impact area; therefore, preservation of off-site lands that contain or may be converted to native grassland communities would be most appropriate. The mitigation ratio will be determined by the value of the habitat that is impacted compared to the value of that proposed for preservation. Ultimately the final ratio will be established through negotiations with the CDFW and USFWS during the project permitting process.</p>	LTS
<p>BIO-2: Implementation of projects under the Draft General Plan, Draft TOD Plan, and the CAP could interfere substantially with the movement of wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	S	<p>BIO-2: Ground-disturbing and vegetation removal activities associated with construction of projects implemented under the Draft General Plan, Draft TOD Plan, or CAP shall be performed outside of the breeding season for birds, which is generally from February 1 through August 31. If these activities cannot be implemented outside of the breeding period, the project applicant shall retain a qualified biologist to perform pre-construction nest surveys to identify active nests within and adjacent to (up to 500 feet) the Study Area. Any active nests identified within and adjacent to the projects shall be avoided by construction activities to prevent failure of the nest(s).</p> <p>Mitigation Measure BIO-1 would also apply to this impact. Any off-site lands considered for acquisition to mitigate the loss of lands within the EIR Study Area that are used by migrating waterfowl and other bird species should contain habitat suitable for migratory stopovers for these species.</p>	LTS
<p><b>CULTURAL RESOURCES</b></p>			

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact



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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<i>Since there are no significant impacts related to cultural resources as a result of the Draft General Plan, Draft TOD Plan, and CAP no mitigation measures are required.</i>			
<b>GEOLOGY, SOILS, AND MINERAL RESOURCES</b>			
<i>Since there are no significant impacts related to geology, soils, or mineral resources as a result of the Draft General Plan, Draft TOD Plan, and CAP no mitigation measures are required.</i>			
<b>GREENHOUSE GAS EMISSIONS</b>			
If the City does not adopt the CAP in its entirety, GHG emissions within the City and Urban Development Boundary would not achieve the SJVAPCD BAU target of 29.5 percent and would result in a substantial increase in GHG emissions from existing conditions. Implementation of the City's CAP would reduce GHG emissions to less than significant levels. However, in the absence of the City's CAP, GHG emissions from the General Plan could be significant and unavoidable.	SU	No feasible mitigation measures are available.	
GHG-2: If the City does not adopt the CAP in its entirety, GHG emissions within the City and Urban Development Boundary would not meet a 15 percent reduction from 2005 (current levels), consistent with the GHG reduction targets of AB 32. Implementation of the City's CAP would reduce GHG emissions to less than significant levels. However, in the absence of the City's CAP, consistency with plans adopted for the purpose of reducing GHG emissions towards the short-term target of AB 32 could be significant and unavoidable.	SU	No feasible mitigation measures are available.	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>GHG-3:</b> At this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under S-03-05. Because the City of Tulare cannot meet the long-term GHG reduction goals without assistance from the state, even with the local measures identified, the City would not achieve the long-term GHG reduction target. While the City would not achieve the GHG reduction target, the City's CAP would place the City on a path to reduce GHG emissions consistent with the state's long-term goals. Although there is no GHG reduction plan prepared at this time for the long-term goal of Executive Order S-03-05, for the purpose of this EIR, consistency with plans adopted for the purpose of reducing GHG emissions towards the long-term goal of Executive Order S-03-05 is conservatively considered to be <i>significant and unavoidable</i>.</p>	<p>SU</p>	<p>No feasible mitigation measures are available.</p>	
<p><b>HAZARDS AND HAZARDOUS MATERIALS</b></p>			
<p><i>Since there are no significant impacts related to hazardous and hazardous materials as a result of the Draft General Plan, Draft TOD Plan, and CAP, no mitigation measures are required.</i></p>			
<p><b>HYDROLOGY AND WATER QUALITY</b></p>			
<p><b>HYDRO-1:</b> Although the Draft General Plan's policies reduce risks associated with dam or levee failure, they do not eliminate risks to people and property.</p>	<p>SU</p>	<p>No feasible mitigation measures are available.</p>	
<p><b>CUM-HYDRO-1:</b> The proposed project would contribute to development in dam and levee inundation areas, resulting in a significant cumulative impact.</p>	<p>SU</p>	<p>No feasible mitigation measures are available.</p>	
<p><b>LAND USE</b></p>			
<p><i>Since there are no significant impacts related to land use as a result of the Draft General Plan, Draft TOD Plan, and CAP, no mitigation measures are required.</i></p>			

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>NOISE</b>			
<p><b>NOISE-1:</b> Although the Draft General Plan includes numerous policies that would prevent or reduce substantial permanent increase to ambient noise levels in the Study Area, substantial permanent increases to noise levels would still occur as result of increases to both vehicular and railway traffic.</p>	SU	No feasible mitigation measures are available.	
<p><b>NOISE-2:</b> Although the Draft General Plan includes numerous policies that would prevent or reduce substantial temporary or periodic increases to ambient noise levels in Study Area, substantial permanent increases to noise levels would still occur as result of increases to both vehicular and railway traffic.</p>	SU	No feasible mitigation measures are available.	
<b>POPULATION AND HOUSING</b>			
<i>Since there are no significant impacts related to population and housing as a result of the Draft General Plan, Draft TOD Plan, and CAP, no mitigation measures are required.</i>			
<b>PUBLIC SERVICES AND RECREATION</b>			
<i>Since there are no significant impacts related to public services and recreation as a result of the Draft General Plan, Draft TOD Plan, and CAP, no mitigation measures are required.</i>			
<b>TRAFFIC AND TRANSPORTATION</b>			
<i>Since there are no significant impacts related to traffic and transportation as a result of the Draft General Plan, Draft TOD Plan, and CAP, no mitigation measures are required.</i>			
<b>UTILITIES AND INFRASTRUCTURE</b>			
<i>There are no significant impacts related to water supply as a result of implementation of the Draft General Plan, Draft TOD Plan, and CAP, thus, no mitigation measures are required.</i>			

**Attachment 2**  
Taylor Archaeology Records Search

## TECHNICAL MEMORANDUM

**Date:** July 26, 2023  
**To:** Darlene Mata, DR Mata Consulting, Inc.  
**From:** Consuelo Sauls, M.A., RPA, Archaeologist, Taylored Archaeology  
**Subject:** Cultural Resources Technical Memorandum Desktop Review for the Sequoia Marketplace Project, City of Tulare, County of Tulare, California

### Introduction

Taylored Archaeology has conducted a records search for the Sequoia Marketplace Project (Project). The proposed Project consists of a commercial development located in the City of Tulare, Tulare County, California. The purpose of the records search is to identify all previously recorded cultural resources within the Project area. It entails a review of all previously recorded archaeological sites and historic properties situated within a half-mile radius of the surrounding area.

The Project is currently undergoing environmental evaluation under the California Environmental Quality Act (CEQA) with the City of Tulare serving as lead agency.

### Project Location

The Project site is currently a 12.61-acre vacant lot and is located at the northeast corner of Mooney Boulevard and Bardsley Avenue in Tulare County, California, consisting of Tulare County Assessor's Parcel Number 172-050-019 (Figure 1). The Project site is in Township 20 South, Range 25 East, Section 7 on the United States Geological Survey (USGS) 7.5-minute series Tulare, California topographic quadrangle map (Figure 2).

### Methodology

Taylored Archaeology researched potential cultural resources within the Project vicinity by requesting a cultural resources records search from the Southern San Joaquin Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS), at California State University, Bakersfield and reviewing records in relationship to the Project area. The records search covered the Project area and all land within a 0.5-mile radius of the Project and included a review of the following: the Archaeological Determinations of Eligibility, the National Register of Historic Places, the California Registry of Historic Resources, the California Points of Historical Interest, the California Historical Landmarks, the California State Historic Resources Inventory, and a review of cultural resources reports on file with the SSJVIC. Archival research of available historic maps, historic aerial photographs, records, and databases was additionally conducted.

### Records Search Results

The SSJVIC provided the results of cultural resources records search (File No. 23-270) for the Project on July 24, 2023 (Attachment B).

The SSJVIC records search revealed two cultural resource reports within the Project boundary as shown in Table 1 (William Self Associates 1995 and Mitchell 1957). Further review of these reports revealed that Self 1995 (TU-00041) is a literature review of different regions of Fresno County and Mitchell 1957 (TU-01190) is a narrative book account of the 1851 Mariposa War and not relevant to the Project area. No cultural resources were encountered on the Project site during either survey.

**Table 1  
Previous Cultural Resource Reports within the Project Area**

Report Number	Author(s)	Date	Report Title	Study
<b>TU-00041</b>	William Self	1995	Class I Overview, Santa Fe Pacific Pipeline Partners, L.P., Proposed Concord to Colton Pipeline Project	Archaeological Literature Review
<b>TU-01190</b>	Annie R. Mitchell	1957	Jim Savage and the Tulareño Indians	Book; No survey of Project area

Three cultural reports, as shown in Table 2, were listed as being conducted within a 0.5-mile radius of the Project boundary. Two of the prior surveys, TU-1847 and TU-1891, were conducted across East Bardsley Avenue from the Project site. The third survey, TU-01292, was conducted 0.28 miles west of the Project site. All three surveys listed in Table 2 resulted in negative findings for archaeological resources within a 0.5-mile radius of the Project boundary.

**Table 2  
Previous Cultural Resource Reports within a 0.5-mile radius of the Project Area**

Report Number	Author(s)	Date	Report Title	Study
<b>TU-01292</b>	Wayne H. Bonner	2006	Cultural Resource Records Search Results and Site Visit for Clearwire Telecommunications Facility Candidate VIS039-E (Bardsley Avenue), 1929 East Bardsley Avenue, Visalia, Tulare County, California	Archaeological Field survey
<b>TU-01847</b>	Douglas McIntosh and Carrie D. Willa	2018	Cultural Resource Records Search Results and Site Visit for Clearwire Telecommunications Facility Candidate VIS039-E (Bardsley Avenue), 1929 East Bardsley Avenue, Visalia, Tulare County, California	Archaeological Field Survey
<b>TU-01891</b>	Consuelo Y. Sauls and Diana T. Dyste	2018	Historic Properties Inventory for the City of Tulare 1,2,3-TCP Mitigation Treatment Project, Tulare County, California	Archaeological and Architectural/Historical Field Survey

One cultural resource, as shown in Table 3, was previously recorded within a 0.5-mile radius of the Project area. The resource, P-54-005296, was a historic era canal segment of the Tulare Irrigation District Canal located across Mooney Boulevard from the Project site. The segment of the Tulare Irrigation District Canal within a 0.5-mile radius of the Project site was not previously surveyed. Overall, the Project will not impact the identified resource summarized in Table 3.

**Table 3  
Previous Recorded Cultural Resource within a 0.5-mile radius of the Project Area**

Resource Number	Age Association	Resource Type	Resource Description	Distance from Project Boundary
P-54-005296	Historic	Structure	Tulare Irrigation District Canal (canal segment)	0.02 miles west

### Archival Research

A review of available USGS 7.5-minute topographic maps of the Tulare, CA quadrangle from 1925, 1927, 1950, 1950 photorevised 1969, 2012, 2015, 2018, and 2021 showed the Project boundary was mostly agricultural fields (USGS). Additional topographic maps from 1942 and 1963 show the site had an unnamed branch of the Tulare Irrigation District Canal that ran along the northern and eastern boundaries of the Project site (NETROnline 2023). Multiple structures are depicted immediately outside to the southwestern boundary of the Project site in the 1950 USGS map.

A review of available historic aerial photographs from 1956 to present day showed the Project site was mostly fields. (NETROnline 2023; Google Earth Pro 2023). In 1956, the site was utilized for agricultural fields except for a single rural residence along the northern central portion of the site and the unnamed branch of the Tulare Irrigation District Canal. In the following 1969 aerial photograph both the rural residence and the canal branch appears to have been removed. By 2005 the surrounding area appears to have undergone a rapid transition from rural agricultural to suburban land use, and by 2009 the area around the Project site appears similar to present day. Finally, between 2018 and 2021, the agricultural buildings adjacent to the southwest boundary of the Project site were demolished and replaced with restaurants.

### Conclusion and Recommendations

No evidence of prior cultural resources within the Project boundary were found within the course of this investigation, including a review of the SSJVIC records search and subsequent archival research. Therefore, the chance of encountering subsurface archaeological or historical resources within the Project boundary is low.

Taylored Archaeology therefore recommends the following:

In the event of accidental discovery of unidentified archaeological remains during development or ground-moving activities in the Project area, all work should be halted in the immediate vicinity (within a 100-foot radius) until a qualified archaeologist can identify the discovery and assess its significance.



If human remains are uncovered during construction, the Tulare County Coroner is to be notified to investigate the remains and arrange proper treatment and disposition. If the remains are identified on the basis of archaeological context, age, cultural associations, or biological traits to be those of a Native American, California Health and Safety Code 7050.5 and PRC 5097.98 require that the coroner notify the Native American Heritage Commission within 24 hours of discovery. The Native American Heritage Commission will then identify the Most Likely Descendent who will be afforded an opportunity to make recommendations regarding the treatment and disposition of the remains.

Taylored Archaeology appreciates the opportunity to assist you on this project. If you have any questions concerning this letter, please do not hesitate to contact Consuelo Sauls at [csaulsarchaeo@gmail.com](mailto:csaulsarchaeo@gmail.com).

Sincerely,

A handwritten signature in black ink that reads "Consuelo Sauls".

Consuelo Sauls, M.A., RPA 41591505  
Professional Archaeologist

Attachment A: Project Maps

Attachment B: Records Search Results Letter



## References

Google Earth Pro.

2023 Google Earth Software, Google, Inc.

Mitchell, Annie R.

1957 *Jim Savage and the Tulareño Indians*. Westernlore Press, Tucson, Arizona.

NETROnline

2023 "Historic Aerials". <https://www.historicaerials.com/> Accessed July 26, 2023.

Self, William

1995 *Class I Overview, Santa Fe Pacific Pipeline Partners, L.P., Proposed Concord to Colton Pipeline Project*. William Self Associates, Orinda, California. Prepared for Bechtel Group, San Francisco, California.

United States Geological Survey (USGS)

1925 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

1927 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

1950 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

1969 *Tulare, California, Quadrangle Map, 1950, photo revised 1969*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

2012 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

2015 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

2018 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

2021 *Tulare, California, Quadrangle Map*. 7.5-minute series. U.S. Geological Survey, Denver, Colorado.

## **ATTACHMENT A**

### **Project Maps**

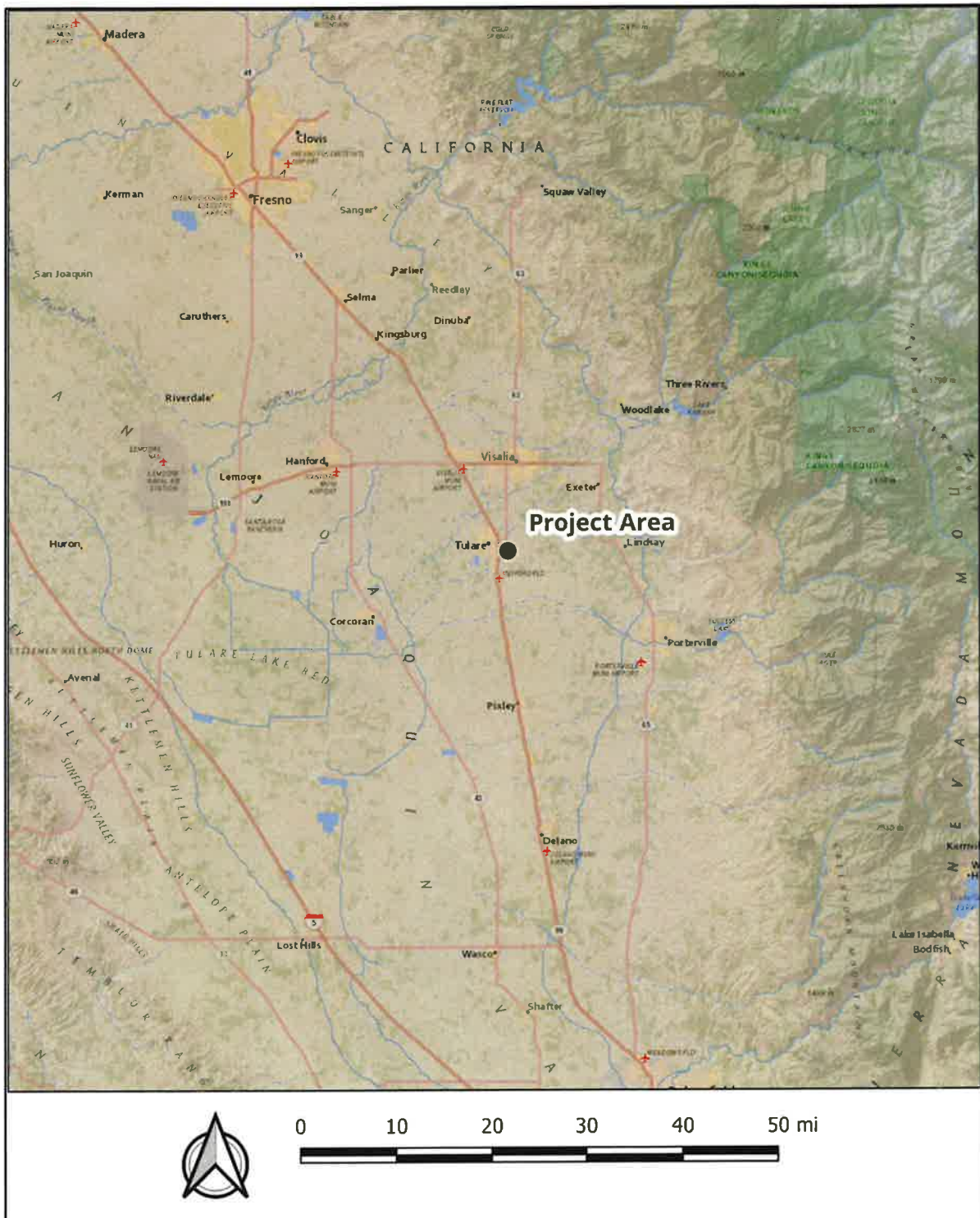
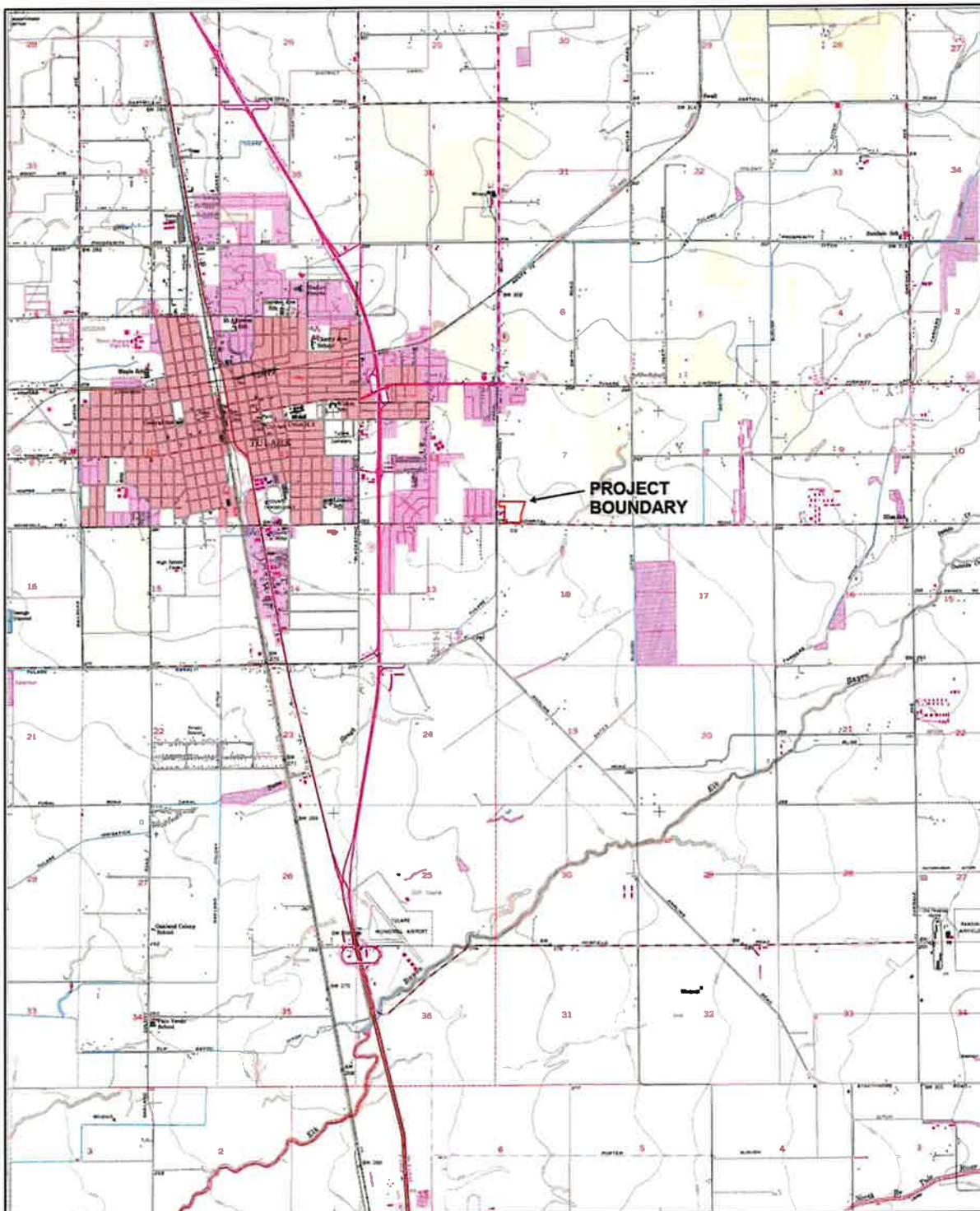


Figure 1 Project vicinity in Tulare, California

6083 N Figarden Dr., Ste. 616, Fresno, CA 93722  
559.797.1572 / csaulsarchaeo@gmail.com



**Figure 2 Project location on the USGS Tulare, CA 7.5-minute quadrangle**

**6083 N Figarden Dr., Ste. 616, Fresno, CA 93722  
559.797.1572 / csaulsarchaeo@gmail.com**

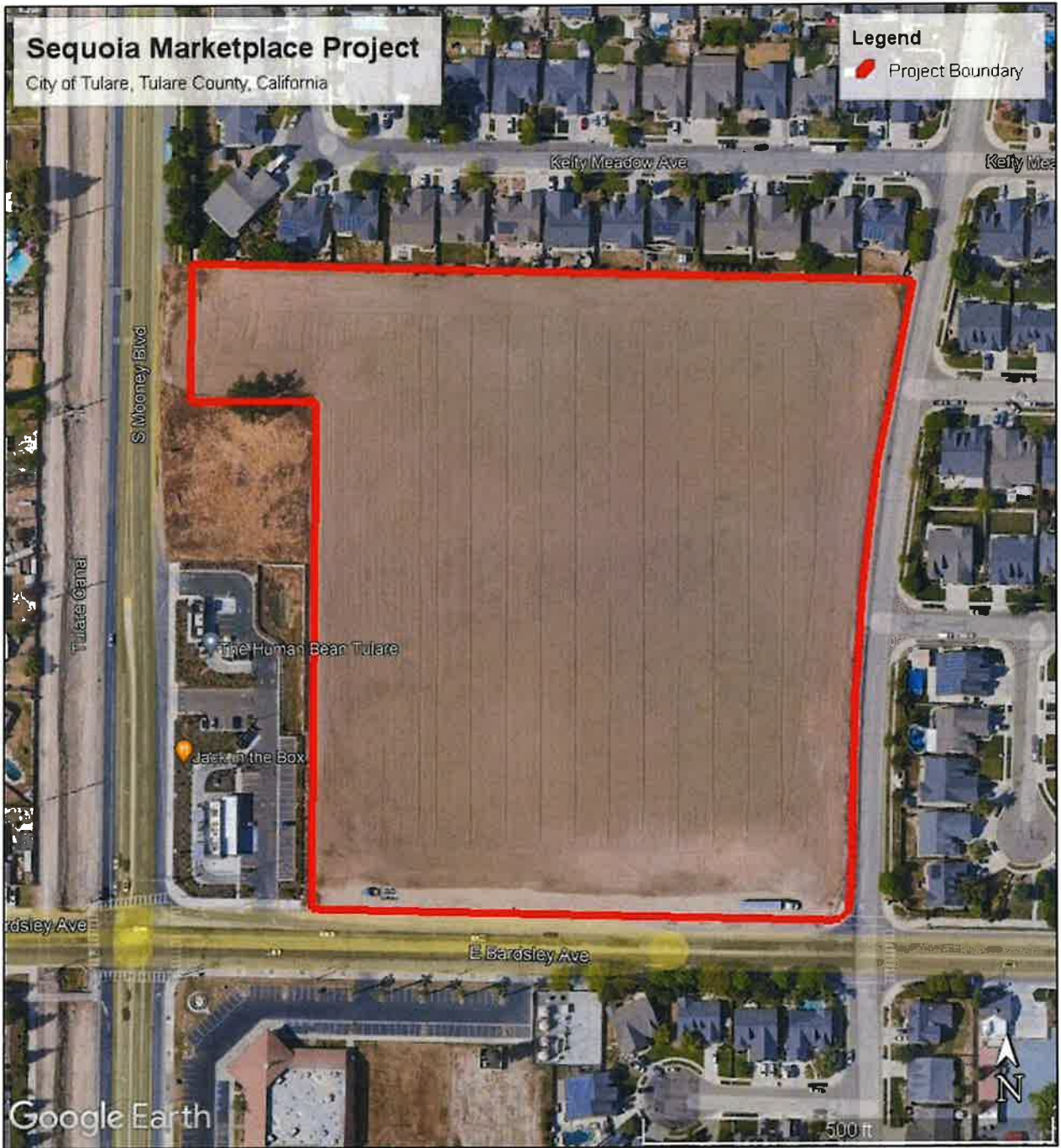


Figure 3 Aerial view of the Project boundary



## **ATTACHMENT B**

### **Records Search Results**



7/24/2023

Consuelo Sauls  
Taylored Archaeology  
6083 N. Figarden Dr. Ste. 616  
Fresno, CA 93722

Re: Sequoia Marketplace Project  
Records Search File No.: 23-270

The Southern San Joaquin Valley Information Center received your record search request for the project area referenced above, located on the Tulare USGS 7.5' quad. The following reflects the results of the records search for the project area and the 0.5 mile radius:

As indicated on the data request form, the locations of resources and reports are provided in the following format:  custom GIS maps  GIS data

Resources within project area:	None
Resources within 0.5 mile radius:	P-54-005296
Reports within project area:	TU-00041, 01190
Reports within 0.5 mile radius:	TU-01292, 01847, 01891

**Resource Database Printout (list):**  enclosed  not requested  nothing listed

**Resource Database Printout (details):**  enclosed  not requested  nothing listed

**Resource Digital Database Records:**  enclosed  not requested  nothing listed

**Report Database Printout (list):**  enclosed  not requested  nothing listed

**Report Database Printout (details):**  enclosed  not requested  nothing listed

**Report Digital Database Records:**  enclosed  not requested  nothing listed

**Resource Record Copies:**  enclosed  not requested  nothing listed

**Report Copies:**  enclosed  not requested  nothing listed

**OHP Built Environment Resources Directory:**  enclosed  not requested  nothing listed

**Archaeological Determinations of Eligibility:**  enclosed  not requested  nothing listed

**CA Inventory of Historic Resources (1976):**  enclosed  not requested  nothing listed

**Caltrans Bridge Survey:** Not available at SSJVIC; please see  
<https://dot.ca.gov/programs/environmental-analysis/cultural-studies/california-historical-bridges-tunnels>

**Ethnographic Information:** Not available at SSJVIC

**Historical Literature:** Not available at SSJVIC

**Historical Maps:** Not available at SSJVIC; please see  
<http://historicalmaps.arcgis.com/usgs/>

**Local Inventories:** Not available at SSJVIC

**GLO and/or Rancho Plat Maps:** Not available at SSJVIC; please see  
<http://www.glorerecords.blm.gov/search/default.aspx#searchTabIndex=0&searchByTypeIndex=1> and/or  
<http://www.oac.cdlib.org/view?docId=hb8489p15p;developer=local;style=oac4;doc.view=items>

**Shipwreck Inventory:** Not available at SSJVIC; please see  
<https://www.slc.ca.gov/shipwrecks/>

**Soil Survey Maps:** Not available at SSJVIC; please see  
<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

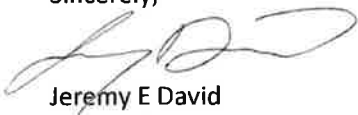
The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,



Jeremy E David  
Assistant Coordinator



**RESOLUTION NO. 5477**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2024-02**

**WHEREAS**, Conditional Use Permit No. 2024-02 is a request by Ramirez Land Planning Inc. to construct an approximately 4,050 square feet car wash with a 100-foot-long tunnel to be located on the east side of Mooney Boulevard and north of East Bardsley Avenue (APN 172-150-019); and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on April 8, 2024; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2024-02 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 that the project has been analyzed pursuant to CEQA Guidelines Section 15183 of the California Environmental Quality Act of 1970, as amended; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Tulare finds that the project has been analyzed pursuant to CEQA Guidelines Section 15183 of the California Environmental Quality Act of 1970, as amended.

**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.

**BE IT FURTHER RESOLVED**, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2024-02 is hereby approved subject to the following conditions:

**Conditions:**

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual elevations for the proposed building are approved as shown in the attachments hereto. The conceptual site plan shall be amended per attached Engineering Division conditions of approval. Development shall conform to the site plan (subject to engineering conditions) and elevations for the proposed project as shown in attachments III.
- 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.
- 6) Applicant to provide and maintain landscaping in accordance with Chapter 10.196- Landscaping of the City of Tulare Municipal Code.
- 7) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 8) A 7 ft. tall block wall shall be established / maintained along the northern property line between the proposed use and existing single-family residences.
- 9) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 10) Applicant shall comply with Engineering and Fire Department, comments/conditions (Attachments V, VI, VII, and VIII).
- 10) The proposed use shall adhere to the requirement of Chapter 6.40 – Noise of the City of Tulare Municipal Code.
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) Applicant to meet the requirements of City of Tulare Municipal Code Section 10.60.020(B) by providing sidewalk along the eastern property line (western side of entry drive) to provide for future pedestrian access to the overall development.
- 13) A final map consistent with Tentative Parcel Map No. 2023-01 shall be recorded prior to issuance of building permits if limiting the scope of required improvements to only the area occupied by the carwash.
- 14) Any significant changes to the site plan layout shall be subject to review and approval by the Planning Commission.
- 15) Applicant to meet all required mitigation requirements as outlined within the CEQA analysis provided for the project.

- 16) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 17) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

### **Engineering**

The Engineering 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 Engineering Conditions of Approval checked below.
  1. The Mooney Blvd. cross-section identified on the site plan incorrectly shows the right-of-way located six (6) feet off the face curb. The right-of-way shall be located twelve (12) feet off the face of curb per City standards.
  2. The site plan incorrectly shows the median island terminating at the northern edge of the property. The median island shall extend a minimum of fifty (50) feet past the northern edge of the property.
  3. Developer shall install a water recycling system for the proposed car wash.
  4. Prior to issuance of a building permit, a record parcel map is required for the proposed development.
  5. Developer shall secure all required ingress/egress easement through adjacent properties.
- 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 (Face of AC Dike to Face of Curb)
a) Mooney Boulevard	Major Arterial	10.5	98 feet

- 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: Mooney Boulevard.
- 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: Mooney Boulevard.

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>
Mooney Boulevard	City Std. Barrier Curb

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>
Install City Std. drive approaches at locations shown on the approved site plan

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>
Mooney Boulevard	Adjacent to Curb	6 feet

- 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.

Developer shall drain onsite storm water to the storm drain system located in Nelder Grove Street or construct a temporary onsite storm water retention basin.

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. All unused culvers and irrigation lines shall be removed from the City right-of-way.
- 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 \$ 31.90 per front foot for frontages on Mooney Boulevard.
- Sewer lift station fee of \$ \_\_\_\_\_ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on Mooney Boulevard.
- 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

### **Fire Department**

1. The project must comply with all of the latest applicable codes and standards.
2. When any portion of the facility or building to be protected is more than 400 feet from an existing fire hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

3. Additional fire hydrants shall be required. Fire hydrant spacing shall be as follows:
  - a. **Commercial development**, fire hydrants shall be installed at **300-foot** intervals.
  
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.
  - a. The drive aisles on the north and east sides of the project shall be properly painted and labeled as "fire lanes"
  
7. All buildings shall be provided with approved address identification. Numbers and letters shall be on contrasting backgrounds and be a minimum of 4" high.

**PASSED, APPROVED AND ADOPTED** this eighth day of April, 2024 by the following recorded vote:

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

\_\_\_\_\_

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

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

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

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

ATTEST:

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

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Prepared By: Jan Bowen, Engineering Department

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7. All buildings shall be provided with approved address identification. Numbers and letters shall be on contrasting backgrounds and be a minimum of 4" high.

**PASSED, APPROVED AND ADOPTED** this eighth day of April, 2024 by the following recorded vote:

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

\_\_\_\_\_

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

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

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

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

ATTEST:

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



**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

April 8<sup>th</sup>, 2024

**CONDITIONAL USE PERMIT No. 2024-03**

<b>PROJECT PLANNER:</b>	Julian Reynaga, Assistant Planner
<b>APPLICANT:</b>	Myriam Thevenet
<b>LOCATION:</b>	210 East Tulare Avenue Located on the North East Corner of North K Street and East Tulare Avenue intersection.
<b>APN:</b>	176-092-015
<b>ZONING CLASSIFICATION:</b>	C-3 (Retail Commercial)
<b>GENERAL PLAN DESIGNATION:</b>	Central Business District
<b>SURROUNDING LAND USES AND ZONING:</b>	North:...Retail Commercial C-3 South:....Retail Commercial C-3 West:....Retail Commercial C-3 East:.....Retail Commercial C-3

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2024-03 subject to the findings and conditions in Resolution No. 5478. 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:**

Conditional Use Permit No. 2024-03 is a request by Myriam Thevenet with Eden Café for an ABC license (Type 41: On Sale Beer and Wine—Eating Place) to sell beer and wine on-site at an existing restaurant located on the northeast corner of North K Street and East Tulare Avenue, within the Downton District (210 E. Tulare Avenue); (APN 176-092-015). The applicant would also like to request to host and provide special events by reservation on the site.

**DETAILS OF THE PROPOSAL:**

The applicant operates an existing restaurant (Eden Café) located on the northeast corner of North K Street and East Tulare Avenue. The applicant is looking to add beer and wine sales in conjunction with the restaurant. The restaurant is approximately 4,489 square feet and has a max

occupancy of 94 guests in the main dining room and 34 guests in the coffee bar; both sections are open regularly. Events are booked depending on the capacity of the event and event layout. Eden Café is a full-service restaurant with ovens, stove, dishwashers, etc. The restaurant plans to host special events such as corporate parties or events, bridal showers, birthday parties, retirement parties, etc... The restaurant's hours of operation are Tuesday through Saturday 7:00 AM to 2:00 PM. and Friday and Saturday from 7:00 AM – 9:00 PM upon ABC License approval. The business currently employs 5 employees working 1 shift each day. The C-3 District requires 1 parking stall per 100 square feet of gross floor area. This results to 44 parking stalls for this location and currently there are 36 parking stalls, including 2 accessible stalls and 7 “K Street” stalls. The restaurant does not meet the parking requirement however, it can be waived by the Planning Commission since the location is within the Downtown District.

**STAFF COMMENTS:**

The zoning ordinance requires that businesses engaged in on-sale alcoholic beverages are subject to a conditional use permit (Zoning Ordinance Section 10.168.04). This application is for an ABC Type 41 On Sale Beer and Wine – Eating Place) in conjunction with a restaurant.

The previous establishment at this location had obtained a Conditional Use Permit for an ABC License (CUP-17-00023), but had it revoked by the state. The license has been revoked for over a year therefore the applicant must re-apply for this location. Staff would like to note that this is a new business and new establishment applying for the ABC License and Conditional Use Permit. No comments have been received by staff in response to the public notice that was published and mailed to surrounding property owners.

**ENVIRONMENTAL FINDINGS:**

This project is exempt pursuant to Section 15301 (existing facilities) of the California Environmental Quality Act of 1970, as amended.

**FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regard to Conditional Use Permit No. 2024-03:

- 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) The project is exempt pursuant to Section 15301 (existing facilities) of the California Environmental Quality Act of 1970, as amended.
- 7) That public convenience and necessity would be served by the issuance of an “On-Sale Beer and Wine — Eating Place” Type 41 license.

**CONDITIONS:**

Based on the approved findings, staff recommends that Conditional Use Permit No. 2024-03, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) This permit is limited to the sale of beer and wine for consumption on or off the premises where sold. Applicant must operate and maintain the licensed premises as a bona fide eating place.
- 3) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 4) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 5) The restaurant’s hours of operation shall be Tuesday through Saturday 7:00 AM to 2:00 PM. and Friday and Saturday from 7:00 AM – 9:00 PM. The restaurant will host special events such as corporate parties or events, bridal showers, birthday parties, retirement parties, etc...
- 6) Applicant to maintain all licenses and/or permits required by the state.

**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:**

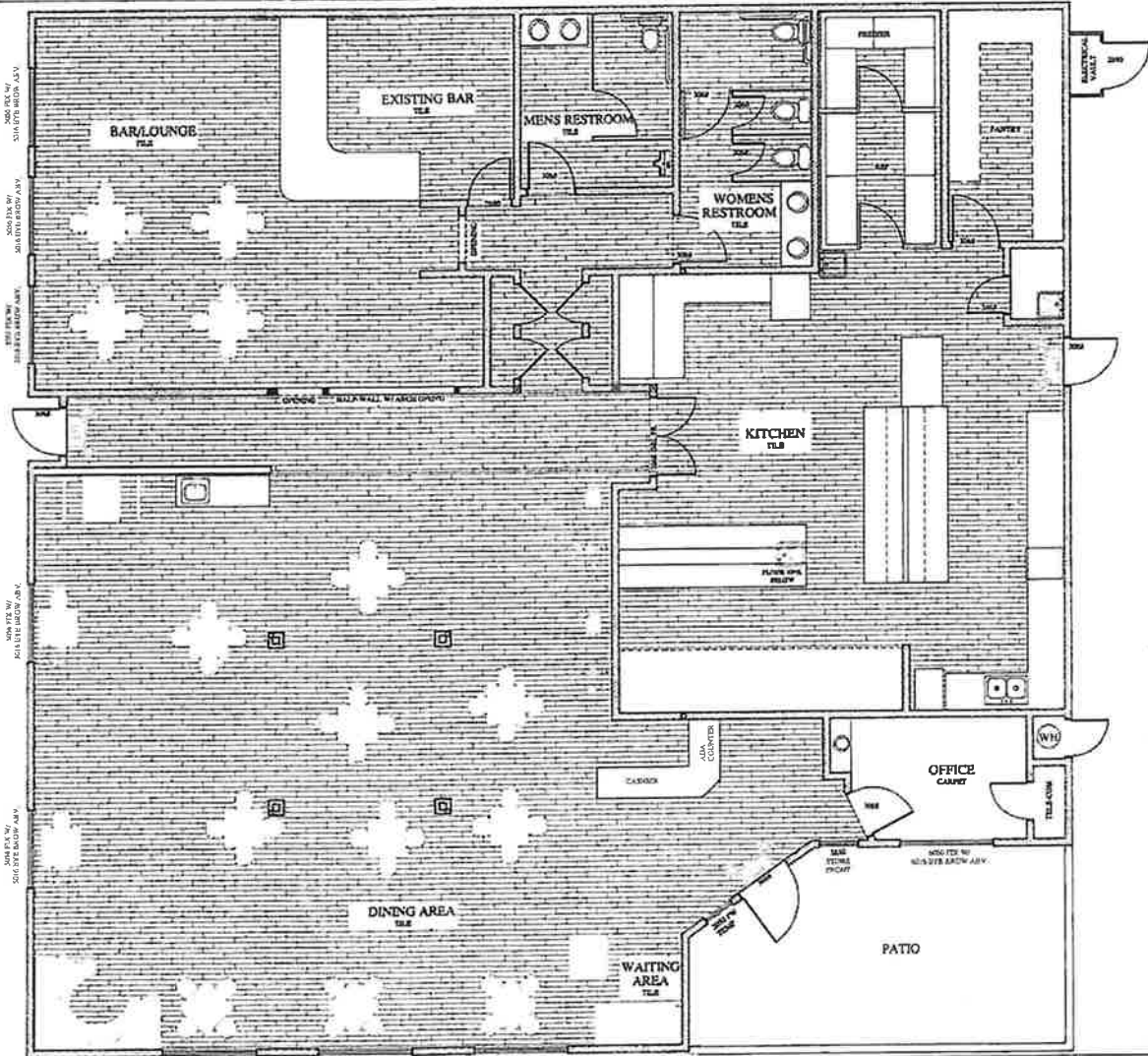
- I. Site Plan
- II. Operational Statement
- III. Event Site Plan (I) & (II)
- IV. Location Map
- V. Resolution

**LICENSED PREMISES DIAGRAM (RETAIL)**

1. APPLICANT'S NAME(S) (If an individual, last name, first name, middle name. Name of entity if corporation, limited partnership or limited liability company.)	2. LICENSE TYPE
3. PREMISES ADDRESS (Street number and name, city, zip code)	4. NEAREST CROSS STREET

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.). The area to be licensed must be outlined in red.

**DIAGRAM**



It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)	DATE SIGNED	
<b>FOR ABC USE ONLY</b>		
CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE



## **BUSINESS PLAN**

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- C. Competition

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- B. Sales Tactics
- C. Advertising and Promotion
- D. Location
- E. Youth Enrichment Program

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- B. Facilities and Improvements
- C. Staffing Needs
- D. Pricing Structure
- E. Suppliers Philosophy and strategy

## **D. PRODUCTS OFFERED BY EDEN CAFÉ**

- Homemade coffee
- Espressos
- Cappuccino, Café Latte, Macchiato, Chai, Mocha/White Mocha, Matcha etc....
- Café Liégeois
- Tea
- Fresh bakery items baked in house by Eden Café (baguettes croissant, etc....)
- Croque Monsieur
- French Sandwiches
- Cordon Bleu
- Quiche Lorraine, Veggie Quiche, etc...
- Ratatouille
- French Crepes
- Waffles
- Sides (fresh salads, mashed potatoes, French Fries, and more
- Entrées “French Specialty of the week (Beef Bourguignon etc. .. )

## **E. SERVICES OFFERED BY EDEN CAFÉ: MORE THAN A CAFÉ, A COMMUNITY PLACE (additional information in the marketing plan)**

**UNITY:** Among races, generations, beliefs, and status.

**MOBILIZING:** Young teens, young adults, adults, foster kids, etc.

**ENGAGING:** Provide a place for people to come and share their knowledge, experiences, education, and training.

**MENTORING:** Bringing together those in search of vision and direction with those who have gone before them and have the experiences they need (Mentor a young person for 3 months).

**PARTNERSHIP:** First Responders and Veterans, business community, teachers, culinary schools, churches, retirement homes, CSET, retirement homes, homeless community throughout the city.

**VOLUNTEERING AND DEPLOYING:** As a non-profit Eden Café will be able to receive training while volunteering with us and receive tips during their services.

**WORKSHOPS OPPORTUNITIES:** Painting, knitting, book club, lectures from Veterans, cultural exchanges, cooking classes, provide helps for single moms, providing training for interviews, budget, etc...

# MARKETING PLAN

## **A. TARGET MARKET:**

Our primary target market consists of various segments, which we will focus on to create a thriving community hub:

- **Residents:**  
We are committed to offering local residents in Tulare and nearby communities a cozy and welcoming environment where they can savor authentic French Cuisine and specialty coffee.
- **Tourists and Visitors:**  
With our strategic location and proximity to key events and tourist routes, we aim to attract tourists looking for a unique dining experience and a taste of French Culture. This includes visitors during events like the World Ag Expo and the Summer Tourism season when travelers pass through the 99 freeway.
- **Working Professionals:**  
Downtown Tulare is a bustling center for local businesses with exciting projects and downtown transformations on the horizon. We aim to become a preferred choice for professionals seeking a place for meetings, remote work, or relaxation after a day of work. The development around Zumwalt and the presence of an incubator will further enhance our reach to this demographic.
- **Students:**  
We will also cater to students from nearby schools and colleges, providing them with a place to study, socialize, and enjoy high-quality food and beverages.

## **B. SALES TACTICS:**

To attract and retain customers, we will employ the following sales tactics as a collective effort:

- **Loyalty Programs:**  
We will implement a loyalty program that offers discounts and rewards to repeat customers through our POS system, promotional cards, and gift cards.
- **Special Promotions:**  
Our cafe will host special events like French-Themed nights, live music, wine tasting, open mic nights, and youth engagement events to create excitement and attract new customers.
- **Catering Services:**  
We will offer catering services for local events, parties, and corporate gatherings to increase brand visibility.
- **Online Ordering:**  
Creating an easy-to-use online ordering platform will allow customers to enjoy our offerings via takeout and delivery services.

## **E. YOUTH ENRICHMENT PROGRAM:**

Given our prime location within 7 miles of every high school, we have a unique opportunity to offer after-school enrichment programs for students:

**After-School Enrichment Programs:** We plan to provide students with tutoring sessions, study groups, and extracurricular activities, including language classes, art workshops, and music lessons. We will create a safe and conducive environment for students to learn and socialize, becoming an essential part of the community.

**Targeting High School Students:** To attract high school students, we will implement the following strategies:

- **Student Discounts:**  
Special discounts will be offered to high school students during specific hours or days of the week.
- **Study Sessions:**  
Our cafe will be promoted as a quiet, comfortable, and study-friendly place. Free Wi-Fi and power outlets will be available for students to do homework or study.
- **Group Reservations:**  
We will allow high school clubs or organizations to reserve space for meetings or group study sessions.
- **Event Space:**  
A section of our cafe will be made available for school-related events, such as fundraisers, club meetings, or pre-dance gatherings.

**Partnerships with High Schools: Collaboration with local high schools will include:**

- **School Events:**  
Sponsorship or hosting of school events, such as fundraisers, art exhibitions, or book fairs.
- **School Catering:**  
Providing catering services for school events or special occasions like proms and graduations.
- **Promotions through Schools:**  
Working with schools to promote our after-school programs, events, and discounts directly to students and parents.



# **OPERATING PLAN**

## **A. LOCATION & HOURS OF OPERATION**

**Downtown Tulare**  
210 E Tulare Ave, Tulare CA, 93274

### **Breakfast & Lunch**

Tuesday to Saturday from 7am to 4pm

### **Dinner**

Friday and Saturday from 6pm to 10pm

## **B. IMPROVEMENTS / CONTINGENCY:**

We have completed renovations to the building as we imagined it and to date we have no plans for additional major renovations over the next 6 to 8 months after the opening of Eden Café.

We have received feedback from former customers who frequently visited the previous restaurants who occupied this building. The main consensus is there is an echo in the main dining area that could be a problem in terms of gaining patrons to the café. Currently we are researching acoustical paneling, and curtains that can help reduce the overall café noise but still provide a busy café feel.

Eden Café will be open for dinner on Friday and Saturday evenings. We are currently in the process of applying for an ABC Beer and Wine License from the State of CA ABC. This will be essential to our operations as we excel when we can offer wine and beer to pair with our traditional French dishes and recipes.

We will put aside \$300 each month to anticipate possible unforeseen events as a contingency.

## **C. STAFF**

Eden Café will be staffed in year 1 by:

- 1 Barista
- 1 Executive Chef
- 1 Sous Chef
- 1 Kitchen manager/cook
- 1 Server
- 1 Café Manager/waitress

We also plan to have interns and volunteers from the Culinary School, High School, C-SET programs, and other sources.

We anticipate an average of 200/250 customers per day with an average ticket price at \$15.70. and an average of 20 days open per month.

**Reactivity:**

We expect our partners to be responsive and to be able to deliver our fresh products to us according to our needs, multiple times per week. No product will be frozen at Eden Café.

Another valuable partner will be Sysco for additional groceries, flour, products, butter, etc.

Finally the Webstaurant store will be a preferred supplier for equipment, dishes, cups, boxes to go, smallware and ffe, etc..

**EXHIBIT A**  
**One Year Projected Profit & Loss - Monthly 12/2023-11/2024**

* DESCRIPTION	December	January	February	March	April	May	June	July	August	September	October	November	TOTAL
<b>REVENUE</b>													
1 Gross Revenue	\$ 89,700.00	\$ 89,700.00	\$ 89,700.00	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 59,350.00	\$ 37,120.00	\$ 37,120.00	\$ 59,350.00	\$ 80,000.00	\$ 80,000.00	\$ 862,040.00
<b>TOTAL INCOME</b>	\$ 89,700.00	\$ 89,700.00	\$ 89,700.00	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 59,350.00	\$ 37,120.00	\$ 37,120.00	\$ 59,350.00	\$ 80,000.00	\$ 80,000.00	\$ 862,040.00
<b>COST OF GOODS SOLD</b>													
Credit/debit Card Expense													
Food	\$ 26,080.00	\$ 26,080.00	\$ 26,080.00	\$ 19,960.00	\$ 19,960.00	\$ 19,960.00	\$ 18,100.00	\$ 11,060.00	\$ 11,060.00	\$ 18,100.00	\$ 18,100.00	\$ 18,100.00	\$ 232,640.00
<b>TOTAL COST OF GOODS SOLD (COGS)</b>	\$ 26,080.00	\$ 26,080.00	\$ 26,080.00	\$ 19,960.00	\$ 19,960.00	\$ 19,960.00	\$ 18,100.00	\$ 11,060.00	\$ 11,060.00	\$ 18,100.00	\$ 18,100.00	\$ 18,100.00	\$ 232,640.00
<b>GROSS PROFIT (Revenue - COGS)</b>	\$ 63,620.00	\$ 63,620.00	\$ 63,620.00	\$ 60,040.00	\$ 60,040.00	\$ 60,040.00	\$ 41,250.00	\$ 26,060.00	\$ 26,060.00	\$ 41,250.00	\$ 61,900.00	\$ 61,900.00	\$ 629,400.00
<b>Gross Profit Margin</b>													
<b>FIXED EXPENSES (OVERHEAD)</b>													
2 Payroll	\$ 5,760.00	\$ 5,760.00	\$ 5,760.00	\$ 5,760.00	\$ 5,760.00	\$ 5,760.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 95,210.00
Employer Taxes 20%	\$ 1,152.00	\$ 1,152.00	\$ 1,152.00	\$ 1,152.00	\$ 1,152.00	\$ 1,152.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 19,042.00
workers Compensation rate	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 325.00	\$ 325.00	\$ 325.00	\$ 325.00	\$ 325.00	\$ 325.00	\$ 8,150.00
Other Employee Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Rent	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 42,000.00
PG&E	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,400.00	\$ 2,500.00	\$ 3,000.00	\$ 3,200.00	\$ 3,200.00	\$ 3,200.00	\$ 3,000.00	\$ 2,500.00	\$ 2,400.00	\$ 31,400.00
Janitorial	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 625.00	\$ 7,500.00
Security	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 57.00	\$ 684.00
Internet	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 1,200.00
Insurance	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 900.00
Advertising/Marketing	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 3,000.00
Licenses & Permits BL	\$ 214.00												\$ 214.00
Subscription Chamber commerce						\$ 325.00							\$ 325.00
Bank Fees POS SYSTEM	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 12,000.00
Postage	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Bookkeeping/Accounting/Taxes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 3,600.00
3 Improvements / Contingency	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 3,600.00
Legal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contingency / improvement	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 200.00	\$ 100.00	\$ 100.00	\$ 120.00	\$ 250.00	\$ 250.00	\$ 2,820.00
Loan	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 1,325.00	\$ 15,900.00
<b>TOTAL FIXED EXPENSES</b>	\$ 17,458.00	\$ 17,244.00	\$ 17,244.00	\$ 17,644.00	\$ 20,994.00	\$ 21,819.00	\$ 21,594.00	\$ 21,494.00	\$ 21,494.00	\$ 24,000.00	\$ 23,630.00	\$ 23,530.00	\$ 248,145.00
<b>TOTAL EXPENSES</b>	\$ 43,538.00	\$ 43,324.00	\$ 43,324.00	\$ 37,604.00	\$ 40,954.00	\$ 41,779.00	\$ 39,694.00	\$ 32,554.00	\$ 32,554.00	\$ 42,100.00	\$ 41,730.00	\$ 41,630.00	\$ 480,785.00
<b>NET INCOME (Gross Profit - F/E)</b>	\$ 46,162.00	\$ 46,376.00	\$ 46,376.00	\$ 42,396.00	\$ 39,046.00	\$ 38,221.00	\$ 19,656.00	\$ 4,566.00	\$ 4,566.00	\$ 17,250.00	\$ 38,270.00	\$ 38,370.00	\$ 381,255.00

## Eden Café Equipment Needs 2023

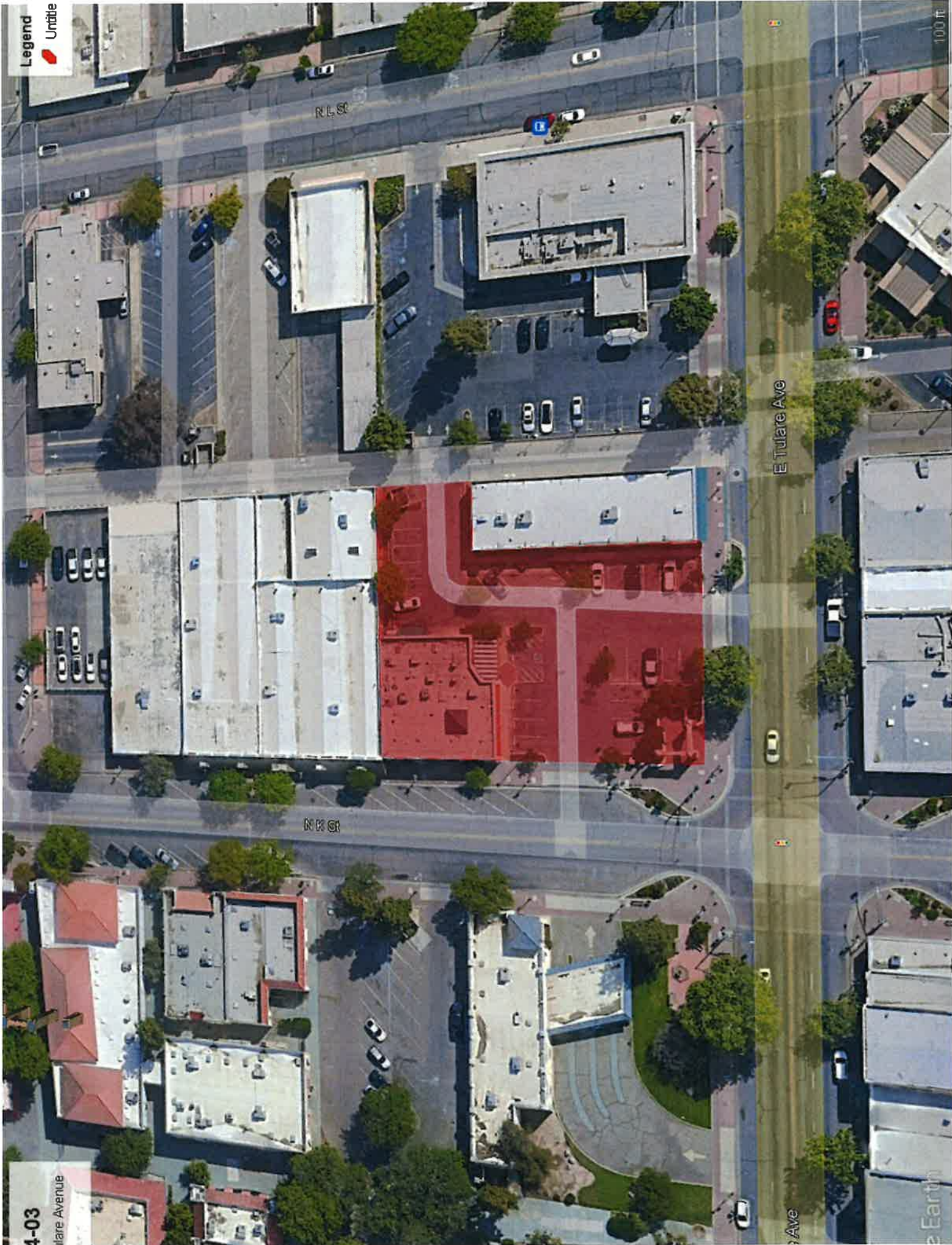
	Equipment	Price	Notes
1	Bread Oven (stone and steamer)	\$ 9,190.00	Simply Bread
2	Espresso machine	\$ 6,000.00	Los Angeles
3	Reversible Dough Sheeter	\$ 3,655.00	Webstaurant Store
4	Dough Proofer	\$ -	Donated \$1,650.00
5	Salamander X2	\$ 3,260.00	Webstaurant Store
6	Waffle Maker	\$ 1,624.00	Webstaurant Store
7	Crepes Maker	\$ 1,470.00	Webstaurant Store
8	Espresso/Coffee Grinder	\$ 850.00	Webstaurant Store
9	Commercial Gas Range (Stove)		Used \$1,800.00
10	Commercial Gas Range (Stove)	\$ 3,506.00	New
11	Contingency	\$ 445.00	
	Grand Total	\$ 30,000.00	





Legend

Untitled



N L St

E Tulare Ave

N K St

4-03

Tulare Avenue

Earth

100 ft

**RESOLUTION NO. 5478**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2024-03**

**WHEREAS**, Conditional Use Permit No. 2024-03 is a request by Myriam Thevenet with Eden Café for a new (Type 41: On Sale Beer and Wine—Eating Place) ABC License to sell beer and wine on-site in association with a special event venue hosted at an existing restaurant located on the intersection of K Street and East Tulare Avenue within the Downtown District; 210 East Tulare Avenue (APN 176-092-015); and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on April 8<sup>th</sup>, 2024; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2024-03 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).

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15301(*existing facilities*); 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; and,
- 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; and,
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title; and,
- 4) That the proposed use is consistent with the Tulare General Plan; and,
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site; and,
- 6) The project is exempt pursuant to Section 15301 (existing facilities) of the California Environmental Quality Act of 1970, as amended; and,
- 7) That public convenience and necessity would be served by the issuance of an “Type 41 On-sale, Beer and Wine – Eating Place” ABC License.



**BE IT FURTHER RESOLVED**, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2024-03 is hereby approved subject to the following conditions:

**Conditions:**

- 1) All requirements of Title 10 shall be met.
- 2) This permit is limited to the sale of beer and wine for consumption on or off the premises where sold. Applicant must operate and maintain the licensed premises as a bona fide eating place.
- 3) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 4) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 5) The restaurant’s hours of operation will be from Tuesday through Saturday 7:00 AM to 2:00 PM. and Friday and Saturday from 7:00 AM – 9:00 PM. The restaurant will host special events such as corporate parties or events, bridal showers, birthday parties, retirement parties, etc...
- 6) Applicant to maintain all licenses and/or permits required by the State.

**PASSED, APPROVED AND ADOPTED** this eighth day of April, 2024 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