

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

Council Chamber
491 North M Street, Tulare
www.tulare.ca.gov

Monday, June 10, 2024
7:00 p.m. – Regular Meeting

Mission Statement

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

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 and available for viewing at the entrance of the Council Chamber.

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 agendized 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-agendized issues 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.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **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.
4. **COMMISSIONER REPORTS AND ITEMS OF INTEREST**
5. **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.
 - 5.1 **Approve the Minutes of the May 13, 2024 Regular Meeting [Submitted by: M. Sanchez]**
6. **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.
 - 6.1 **Mitigated Negative Declaration / Annexation 2023-01 (East Tulare No. 37) Mission Creek / Tentative Subdivision Map – Mission Creek / Zone Amendment No. 751 / Conditional Use Permit No. 2023-16**

Consider a request by N & M Tulare LLC., to annex into the City limits approximately 39.26-acres and subdivide the area into a 255-lot single-family residential subdivision. The project includes a request to pre-zone the project site to the R-1-4 (Small-lot Residential) zoning designation to become effective upon annexation into the City limits. The project also includes a Conditional Use Permit application as required by the City's Municipal Code to implement the establishment of the R-1-4 zone. The project is located at the southwest corner of Bardsley Avenue and Oakmore Street. A Mitigated Negative Declaration has been prepared for this project pursuant to the California Environmental Quality Act of 1970, as amended.

Project Planner: Steven Sopp, Principal Planner

Recommended Motion: Adopt Resolution 5484 recommending to the City Council approval of Annexation No. 2023-01 (East Tulare No. 37) – Mission Creek, Zone Amendment No. 751, and adoption of the Mitigated Negative Declaration prepared for the project.

Recommended Motion: Adopt Resolution 5485 approving Tentative Subdivision Map – Mission Creek, and Conditional Use Permit No. 2023-16 based on the findings and subject to the recommended conditions as listed in the staff report.

6.2 Conditional Use Permit No. 2024-06

Public hearing to consider a request by Quick Fill 2 Inc. to relocate an existing convenience store from the northeast corner of the property to the westside portion of the property. The property will continue to operate with a Type 20 ABC License (Off-Sale beer and wine). Project is located at 610 West Inyo Avenue. This project is exempt pursuant to Section 15332 (In-fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

Project Planner: Jonathan Coelho, Assistant Planner

Recommended Action: Adopt Resolution 5480 approving Conditional Use Permit No. 2024-06 based on findings and subject to the conditions as listed in the staff report.

6.3 Conditional Use Permit No. 2024-07

Public hearing to consider a request by Deep Grewal to demolish an existing donut shop and replace it with a car wash and service station. The application includes a request to obtain an ABC license (Type 20: Off-Sale Beer and Wine) to sell beer and wine for consumption off-site in conjunction with the service station. Project is located at 1363 East Tulare Avenue. This project is exempt pursuant to Section 15332 (In-fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

Project Planner: Jonathan Coelho, Assistant Planner

Recommended Action: Adopt Resolution 5481 approving Conditional Use Permit No. 2024-07 based on findings and subject to the conditions as listed in the staff report.

6.4 Conditional Use Permit No. 2024-08

Consider a request by Juan Carlos Ramirez of (Jalisco's Tacos) to renew a Conditional Use Permit to operate a stationary mobile vending vehicle on the property located at 1510 North J Street.

Project Planner: Julian Reynaga, Assistant Planner

Recommended Action: Adopt Resolution 5483 approving Conditional Use Permit No. 2024-08 based on the findings and subject to the conditions as listed in the staff report.

- 7. GENERAL BUSINESS – NON PUBLIC HEARING ITEMS
- 8. STAFF UPDATES
- 9. ADJOURNMENT

The next regularly scheduled meeting of the Tulare Planning Commission is Monday, June 24, 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, June 7, 2024, at 5:00 p.m.

**CITY OF TULARE
PLANNING COMMISSION MEETING MINUTES**

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

**Monday, May 13, 2024
7:00 p.m. - Regular Meeting**

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

COMMISSIONERS ABSENT: Commissioner Erica Cubas

STAFF PRESENT: Community Development Director Mario Anaya
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 7:02p.m. in the Council Chamber located at 491 North M Street.

2. PLEDGE OF ALLEGIANCE

Vice-Chair Miller led the Pledge of Allegiance.

3. PUBLIC COMMENTS

There were no public comments.

4. COMMISSIONER REPORTS AND ITEMS OF INTEREST

Provided by Commissioners. Staff responded to questions posed.

5. CONSENT CALENDAR (6.27.22)

It was moved by Vice-Chair Miller, seconded by Commissioner Henard, and unanimously carried the two of the three items on the Consent Calendar be approved as presented.

5.1 Approve the minutes of the April 8, 2024 regular meeting. [Submitted by: M. Sanchez]

5.2 Request for time extension of the Villas at Sierra Ranch Tentative Subdivision Map [Submitted by: S. Sopp]

It was moved by Vice-chair Miller, seconded by Commissioner Limas, to remove item 5.3 from the consent calendar for further discussion.

- 5.3 Request by Bonadelle Homes to add a phase line for approved Fulton Estates Tentative Subdivision Map [Submitted by: S. Sopp]** Construction of subdivision in Phase 1 from original map be broken into two phases, different from original plan. Project to remain with existing conditions provided on initial approved project. Following discussion, it was moved by Vice-Chair Miller, seconded by Commissioner Limas, and unanimously carried to approve request by Bonadelle Homes for an addition of a phase line to approved Fulton Estates Tentative Subdivision Map.

6. GENERAL BUSINESS - PUBLIC HEARINGS

- 6.1** Public hearing to consider a request by Carlos Jimenez Villeda to operate a stationary mobile vending vehicle and corn roaster on the property located at 851 E. Bardsley Ave. This project is exempt pursuant to Section 15304(e) of the California Environmental Quality Act of 1970, as amended.

Recommend Action: Adopt Resolution 5479 approving Conditional Use Permit No. 2024-04. The recommendation is based on findings and subject to the conditions as listed in the staff report.

Presented By: Julian Reynaga, Assistant Planner

Public Comment: The public hearing was opened at 7:19p.m. With no public comments received, the public hearing was closed at 7:19pm.

Commission Action: It was moved by Commissioner Limas, seconded by Commissioner Henard , and carried 4 to 0 to adopt Resolution 5479 approving Conditional Use Permit No. 2024-04 based on findings and subject to the conditions as listed in the staff report.

- 6.2** Public hearing to consider a request by Irving Gutierrez to renew permit to operate a stationary mobile vending vehicle (Tacos San Marcos) on the property located at 1543 E. Bardsley Avenue. This project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

Recommend Action: Adopt Resolution 5482 approving Conditional Use Permit No. 2024-02. The recommendation is based on findings and subject to the conditions as listed in the staff report.

Presented By: Julian Reynaga, Assistant Planner

Public Comment: The public hearing was opened at 7:22p.m. With no public comments received, the public hearing was closed at 7:22pm.

Commission Action: It was moved by Commissioner Limas, seconded by Vice-Chair Miller , and carried 4 to 0 to adopt Resolution 5482 approving Conditional Use Permit No. 2024-05 based on findings and subject to the conditions as listed in the staff report.

7. NON PUBLIC HEARING ITEMS

None

8. STAFF UPDATES

Provided by Staff.

9. ADJOURNMENT

The regular meeting was adjourned at 7:31pm.

CHUCK MIGUEL, CHAIR

ATTEST:

MARIO ANAYA, SECRETARY

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

June 10, 2024

**ANNEXATION 2023-01 (EAST TULARE No. 37) – MISSION CREEK
MISSION CREEK – TENTATIVE SUBDIVISION MAP
ZONE AMENDMENT NO. 751
CONDITIONAL USE PERMIT No. 2023-16**

PROJECT PLANNER: Steven Sopp, Principal Planner

APPLICANT: N & M Tulare LLC

LOCATION: Southwest corner of Barsley Avenue and the Oakmore Street alignment

APN: 184-110-027

ZONING CLASSIFICATION: Project site is currently outside of the City limits.
Project proposes to pre-zone the approximately 39.26-acre site to the R-1-4 (Small-lot Residential) zoning designation.

GENERAL PLAN DESIGNATION: Low Density Residential

SURROUNDING LAND USES AND ZONING:

North:	Mission Oak High	PL
South:	Residential	R-1-6
West:	Res / Vacant	RM-3
East:	Ag / COS	PL

REQUEST

The following items are requested:

- Annexation No. 2023-01 (East Tulare No. 37) – Mission Creek – request for annexation of approximately 39.26-acres into the City limits and detachment from Tulare Irrigation District and County Service Area 1.
- Zone Amendment 751 – request to pre-zone the subject property to the R-1-4 (Small-lot Residential) zoning designation in preparation for annexation into the City limits.
- Mission Creek Tentative Subdivision Map – A request to establish a 255-lot single family residential subdivision on approximately 39.26-acres.

- Conditional Use Permit No. 2023-16 – required by the City of Tulare Municipal Code to implement the establishment of the R-1-4 (Small-lot Residential) zoning designation.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the City Council approval of Annexation No. 2023-01 (East Tulare No. 37 – Mission Creek), Zone Amendment No. 751, and adoption of the Mitigated Negative Declaration prepared for the Mission Creek Tentative Subdivision Map per Resolution No. 5484. Staff also recommends that the Planning Commission approve the Mission Creek Tentative Subdivision Map, and Conditional Use Permit No. 2023-16 subject to the findings and conditions in Resolution No. 5485. Staff’s recommendation is based on the findings and the project’s consistency with the policies and intent of the City’s General Plan and Municipal Code.

DETAILS OF THE PROPOSAL:

This is a request by N and M Tulare LLC. to annex into the City limits and subdivide approximately 39.26-acres into a 255-lot single-family residential subdivision. The subject parcel is currently outside of the City limits and is currently subject to the County’s zoning designation. The applicant is proposing to pre-zone the subject property to the R-1-4 (Small-lot Residential) and zoning designation to become effective upon annexation into the City limits.

The proposed project is located on the southwest corner of Bardsley Avenue and the Oakmore Street alignment. Entry access to the development will be established through a new point of access off of Bardsley Avenue and Oakmore Street.

STAFF COMMENTS:

Annexation

The project proponents are requesting to annex and subdivide an approximately 39.26-acre site. The project site is full encompassed by the existing City limit boundary and is considered an unincorporated County Island. The project site currently consists of vacant land that has formerly been used for agriculture. The proposed annexation represents an orderly expansion of the City limits and resolves the previous creation of an island. The project also includes a request to detach from the Tulare Irrigation District and County Service Area No. 1. Staff has reviewed the proposed annexation and determined it to be consistent with Chapter 10.26 – Annexations, of the City of Tulare Municipal Code.

Cities are allowed to approve tentative maps prior to annexation, but may not approve the final subdivision map until after the land is annexed. The Tulare County Local Agency Formation Commission (LAFCO) will need to approve and record the annexation prior to

the map being effective. Following the approval of a resolution of application by the City Council, the applicant will be required to submit an application to LAFCO in order to initiate annexation proceedings.

Zone Amendment

The subject property is currently subject to the zoning designation established by the County of Tulare. Upon annexation, the project proponents are proposing to establish the underlying zoning designation as R-1-4 (Small-lot Residential). The proposed R-1-4 zoning designation is consistent with the existing Low Density Residential land use designation.

Tentative Subdivision Map

The proposed Tentative Subdivision Map has been reviewed in accordance with § 8.24 – Subdivision Regulations of the City of Tulare Municipal Code. In addition, the proposed Tentative Subdivision Map is in compliance with the Subdivision Map Act.

The development standards of the R-1-4 zone district would apply to the Tentative Subdivision Map as well as the design standards of the Subdivision Regulations. The minimum lot size for the R-1-4 zone district is 3,200 square feet. Setbacks are to be consistent with the adopted small lot residential guidelines. The front yard setback given as a range as 7 to 12-feet. In general, a minimum of 8 feet side setback shall be provided between buildings. This means that houses can have a zero-lot-line setback as long as there are 8 feet of separation with the next house. An additional 2 feet of setback is required for each additional story. The minimum lot dimensions required would be as follows:

<i>District</i>	<i>Lot Width w/Alley</i>	<i>Lot Width wo/Alley</i>	<i>All Lots Depth</i>
R-1-4	30 feet	40 feet	65 feet

Per the City’s Quimby Act Ordinance, the development is required to provide 3-acres / 1,000 residents of park space through any combination of the dedication of land for park space or the payment of an in-lieu fee to be utilized for the establishment of park space. The project will develop a 1.15-acre park at the center of the development. The applicant will be responsible for the payment of an in-lieu fee for the remainder of the required park space.

A 7-foot tall block wall with backing lot treatment will be required along the Bardsley Avenue and Oakmore Street frontages of the proposed development. An assessment district in conformance with the Landscaping and Lighting Act of 1972 would be required to be formed to provide funding for the maintenance and servicing of landscaping improvements, sidewalks, and fences/block walls within common lot areas (including areas of backing lot treatment), and for street maintenance on local streets within the project boundaries.

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

The Site Plan Review Committee consisting of representatives from Building, Public Works, Engineering, Planning, Community Services, Fire and Solid Waste reviewed this project with the applicant multiple times with the most recent meeting occurring on November 21, 2023. The project was reviewed for consistency with the development standards and requirements of the City of Tulare Municipal Code.

The water distribution system within the project site would be provided and maintained by the City. Existing water and sewer mains are located along Bardsley Avenue. The proposed development will be required to provide connections to the existing water and sewer lines. Storm water collection from the subdivision will be provided at an existing regional basin located near Morrison Street and Levin Avenue. The applicant will be responsible for making connections to existing infrastructure in order to direct stormwater to the existing basin.

The project is proposed to be developed in 3 phases.

ENVIRONMENTAL:

An Initial Study/Mitigated Negative Declaration was prepared for this project for public review pursuant to provisions of the Public Resources Code, State of California, Section 21000 to 21177 of the California Environmental Quality Act (CEQA). The City of Tulare was the lead agency on the preparation of the Initial Study/Mitigated Negative Declaration. A notice of Public Hearing for the project, and the Notice of Intent to Adopt the Mitigated Negative Declaration was published on April 23, 2024.

Two comment letters were received during the public review period of the circulated CEQA document. Comment letters were received from the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the California Department of Toxic Substances Control (DTSC).

Comments provided by the SJVAPCD discussed the District's recommendation that the Project proponent perform a Health Risk Assessment (HRA) to evaluate the potential health risk to nearby residents and workers created by emissions output from construction equipment during construction of the project. In response to the air district's comments the project proponent revised CalEEMod emissions modeling to better reflect the Project's parameters and completed a prioritization screening and provided a prioritization score for the project. A prioritization score between 0 and less than 10 would not be required to perform a HRA and would be a less than significant impact. The prioritization screening indicated that the Project's maximum prioritization score was 9.24, therefore an HRA is not required and impacts to sensitive receptors from the Project would be less than significant.

Comments from DTSC discussed the possibility for the need of a Phase I Environmental Site Assessment. The applicant has completed a Phase I assessment and provided it to City staff.

The comments provided by DTSC and SJVAPCD have been provided (attached) and as appendix E to the IS/MND prepared for the project. The response to comments prepared for the SJVAPCD comments have been provided (attached) and as appendix F to the IS/MND. The Phase I Environmental Site Assessment has been provided as appendix G to the IS/MND.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regard to the Mission Creek Tentative Subdivision Map:

Environmental:

- 1) That a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
- 2) That the Planning Commission has considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment with the incorporation of the proposed mitigation measures.
- 3) The Planning Commission finds that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency.

Tentative Subdivision Map:

- 1) That the proposed subdivision map is consistent with applicable Tulare General Plan.
- 2) That the design or improvements of the proposed subdivision are consistent with the Tulare General Plan.
- 3) That the site is physically suitable for the type of development proposed.
- 4) That the site is physically suitable for the density of the development.
- 5) That the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.
- 6) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- 7) That a Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act of 1970 and State CEQA Guidelines.
- 8) That the proposed subdivision map is consistent with the Tulare City Municipal Code.

Zone Amendment No. 751:

- 1) The proposed amendment is consistent with the Tulare General Plan.
- 2) That the proposed request will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the expected environmental impacts resulting from the proposed amendment will not have a significant impact on the environment.

Conditional Use Permit No. 2023-16

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

Annexation No. 2023-01 (East Tulare No. 37)– Mission Creek

- 1) The proposed annexation is consistent with the Tulare General Plan.

CONDITIONS:

- A. Recommend to the City Council adoption of the Mitigated Negative Declaration prepared for the Mission Creek Tentative Subdivision Map, Annexation No. 2023-01 (East Tulare No. 37), Zone Amendment No. 751, and Conditional Use Permit No. 2023-16 (Resolution 5484).
- B. Recommend to City Council approval of Zone Amendment No. 751 pre-zoning approximately 39.26-acres to the R-1-4 (Small Lot Residential) zoning designation to

become effective upon annexation into the City of Tulare City limits (Resolution 5484).

C. Based on the approved findings, staff recommends that the Mission Creek Tentative Subdivision Map, be approved subject to the following conditions:

- 1) Approval of the Mission Creek Tentative Subdivision Map shall not become effective unless Annexation No. 2023-01 (East Tulare No. 37) – Mission Creek is approved by the Tulare County Local Agency Formation Commission (LAFCO) and fully executed.
- 2) Applicant shall be responsible for providing all required LAFCO application materials and filing fees to City Staff. Staff will then submit a complete application to LAFCO upon approval by the City of Tulare City Council.
- 3) Applicant shall be responsible for the payment of California State Board of Equalization fees as required by LAFCO for all approved annexations.
- 4) Applicant to comply with all mitigation measures within the Initial Study/Mitigated Negative Declaration prepared for the project, which are hereby incorporated as Conditions of Approval.
- 5) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 6) Applicant shall comply with Engineering, Fire Department, and Solid Waste comments/conditions (Attachments IV, V and VI).
- 7) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.
- 8) Final acceptance of the tract shall be contingent upon the subdividers' providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 9) Applicant shall establish a landscape maintenance district prior to the recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with city standards and approved by the Community and Economic Development Director and/or the City Engineer.

- 10) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 11) Applicant shall record a document notifying homeowners that the subject property is within a landscape maintenance district.
- 12) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance for all required landscaped out lot areas and parks space.
- 13) Six-foot public utility easements shall be granted along all front yards as required for public utilities.
- 14) Final subdivision map shall depict all easements.
- 15) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 16) All lots shall meet the provisions of the applicable zoning district.
- 17) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 18) Applicant to record a "Right to Farm" notice on final map.
- 19) A 7-foot block wall with backing lot treatment required along Bardsley Avenue and Oakmore Street. Final block wall design is subject to the Community & Economic Development Director's approval.
- 20) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 21) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 22) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 23) Development shall meet the City's Quimby Act requirement and provide park space as outlined by Chapter 8.26 of the City of Tulare Municipal Code.
- 24) 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 changing such exactions.

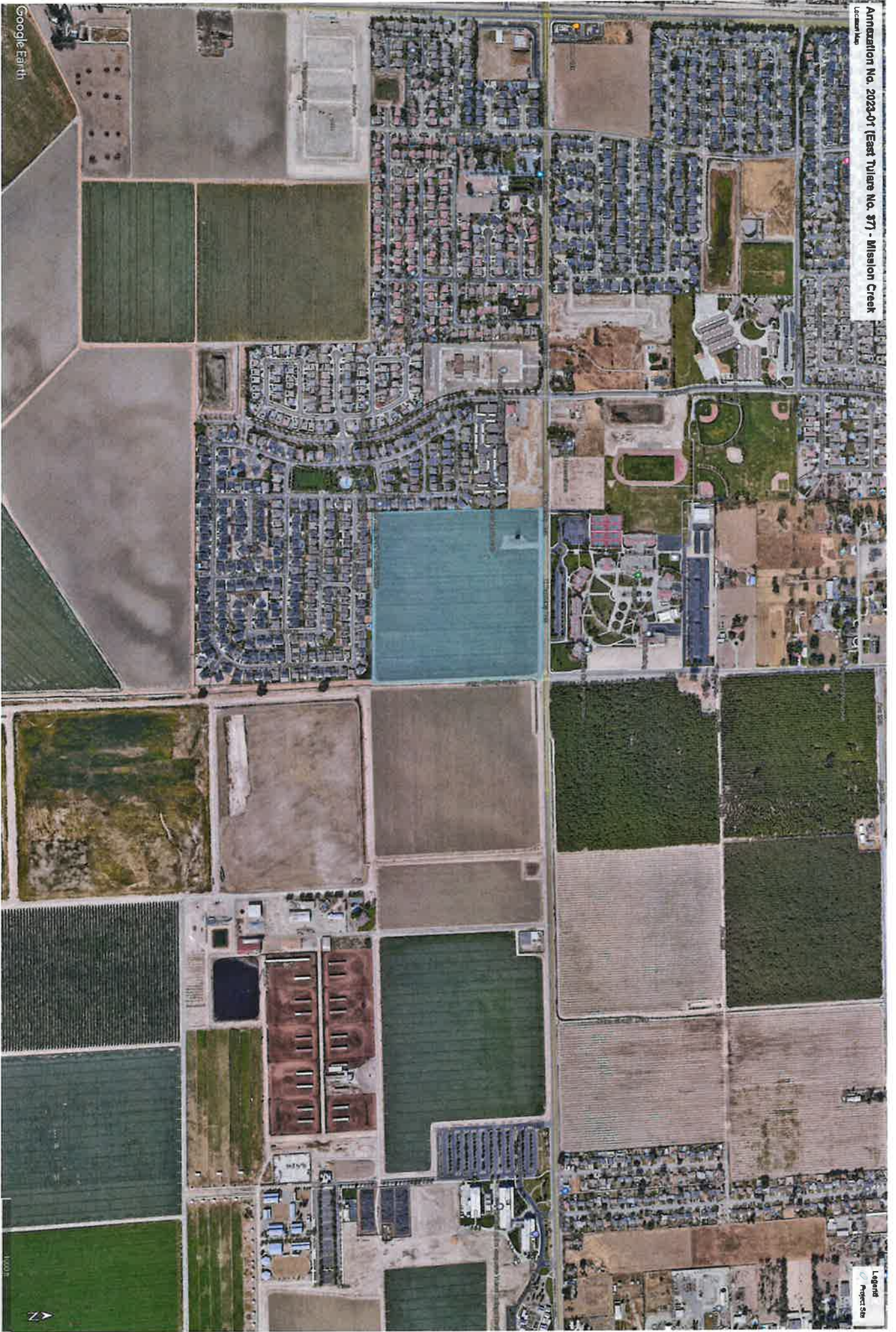
- 25) Applicant to provide a retaining wall wherever adjacent lot grades exceed six inches.

APPEAL INFORMATION:

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

Attachments:

- I. Location Map
- II. Tentative Subdivision Map
- III. Zone Amendment No. 751 Exhibit Map
- IV. Engineering Comments
- V. Fire Comments
- VI. Solid Waste Comments
- VII. Comments – San Joaquin Valley Air Pollution Control District
- VIII. Comments – Department of Toxic Substances Control
- IX. Response to SJVAPCD Comments – Padre Associates Inc.
- X. IS/MND Mission Creek Tentative Subdivision Map
- XI. Resolution 5484
- XII. Resolution 5485



TENTATIVE SUBDIVISION FOR MISSION CREEK

TULARE CALIFORNIA

OWNER

CENTRA MANAGEMENT COMPANY LLC

DEVELOPER

N.L.H. TULARE LLC
BEAR VALLEY BEARING-DRILL
TULARE, CA 95741

PROJECT INFO

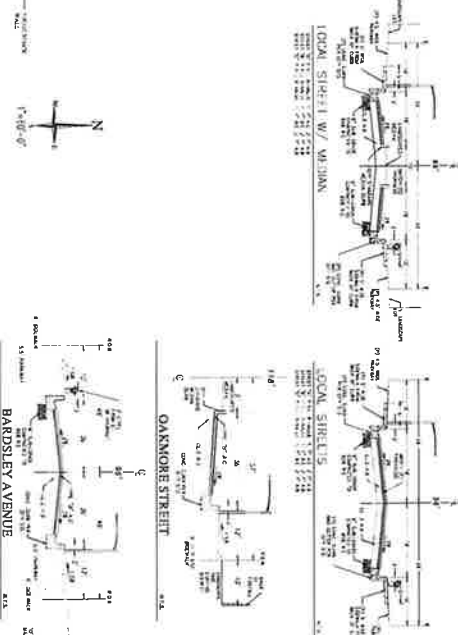
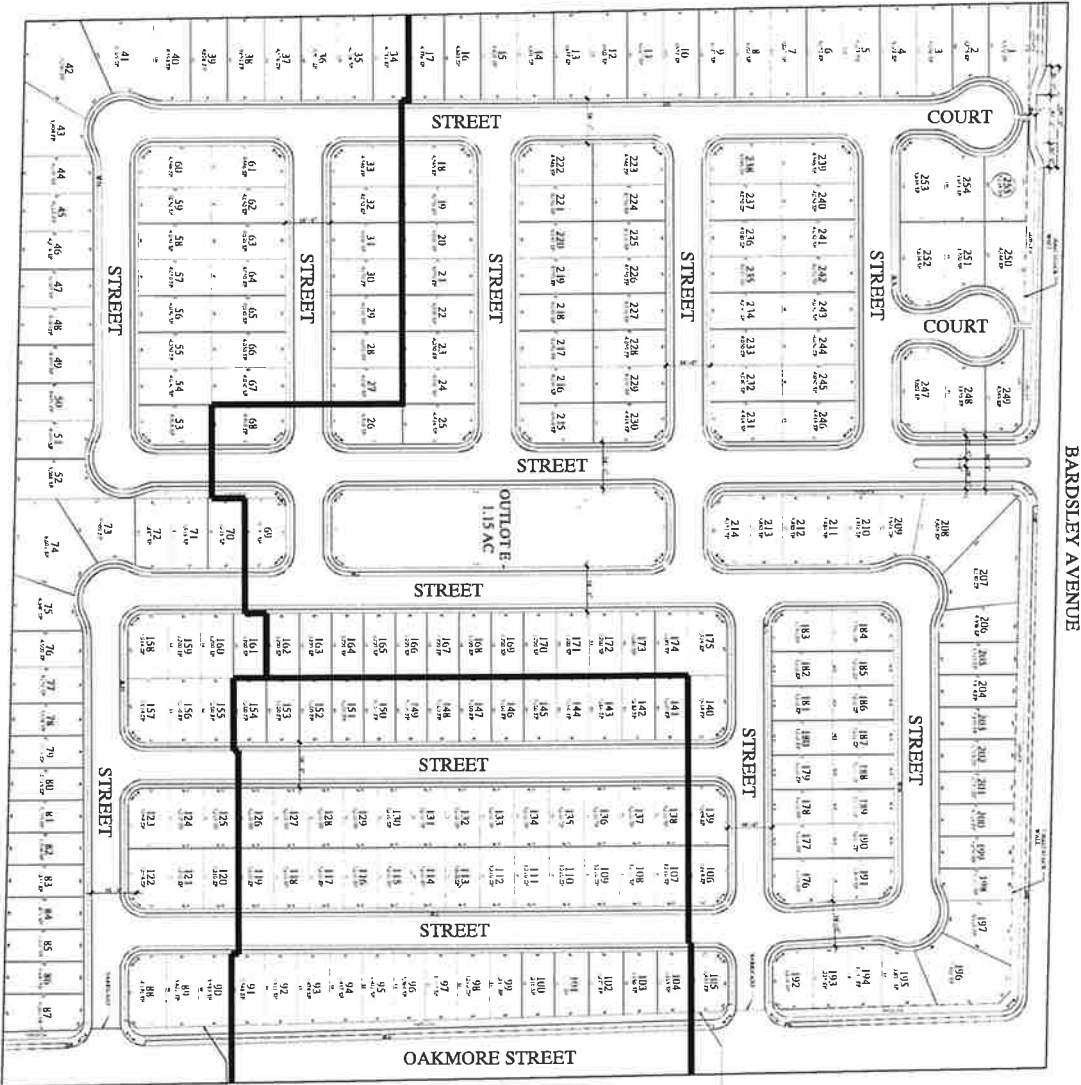
SOUTH WEST CORNER OF BARDSELEY AVENUE AND OAKMORE STREET
TOTAL AREA: 59.26 AC
EXIST. 202 VACANT
FLOOR SPACE: 1,158,000 SQ. FT.
SINGLE-FAMILY, RCH-4
CITY OF TULARE
SHOW PLANS, CITY OF TULARE
MIN. LOT SIZE: 2,500 SQ. FT. (MIN. LOT 5-22) - 4,000 SQ. FT. (MIN. LOT 1-11)
ZONING: RCH-4 (RCH)

SINGLE FAMILY INFO

40' WIDE LOTS	104	18,891 AC	6.45 WAC
40' WIDE LOTS	146	2,237 AC	6.52 WAC
TOTAL LOTS	250	21,128 AC	6.97 WAC

PHASES

PHASE 1	91 LOTS	14,891 AC	18 ACRE LOTS 18, 19
PHASE 2	73 LOTS	11,237 AC	18 ACRE LOTS 21, 22
PHASE 3	86 LOTS	5,000 AC	18 ACRE LOTS 23, 24
			45 ACRE LOTS 25





Zone Amendment 751

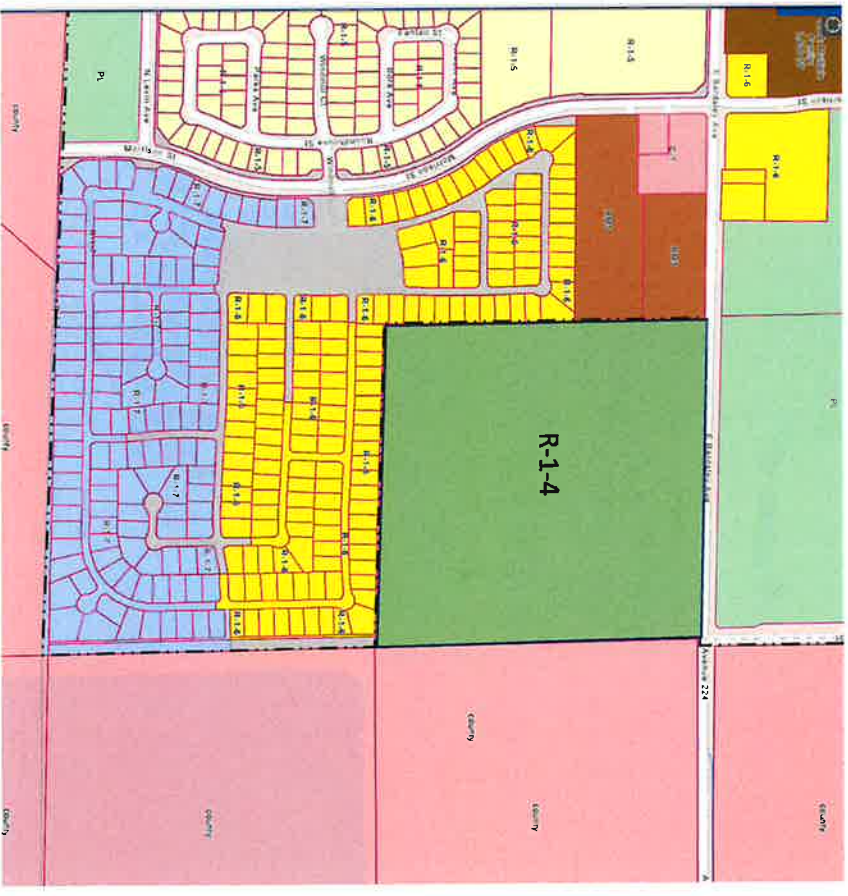
Current Zoning

(County Zoning – AE-20 (Agricultural Exclusive))



Proposed Zoning

R-1-4 (Small-lot Residential)



Legend

Color/Pattern	Description
Red	C-3 Retail Commercial
Orange	C-4 Service Commercial
Yellow	C-5 Highway Commercial
Light Green	M-1 Light Industrial
Dark Green	M-2 Heavy Industrial
Blue	P-1 Professional Office
Green	P-2 Public Lands
Grey	Urban Reserve
White	Parcel, 2019 ddp
Yellow	R-1-20 Single Family, 20,000 SF min
Orange	R-1-12.5 Single Family, 12,500 SF min
Green	R-1-4 Small Lot Residential
Light Green	R-1-5 Single Family, 5,000 SF min
Yellow	R-1-6 Single Family, 6,000 SF min
Orange	R-1-7 Single Family, 7,000 SF min
Dark Green	R-1-4 Single Family, 8,000 SF min
Light Green	RM1: Multiple Family, 3,750 SF
Yellow	RM2: Multiple Family, 3,000 SF
Orange	RM3: Multiple Family, 2,000 SF
Dark Green	RM4: Multiple Family, 1,500 SF
White	PA: Rural Residential
Blue	A: Agricultural
Light Green	C-1 Neighborhood Commercial
Dark Green	C-2 Professional Office



SITE PLAN REVIEW COMMENTS

Engineering Services Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

SITE PLAN MEETING DATE: 11/21/2023

SITE PLAN REVIEW APPLICATION NO.: SP23-085

PROJECT: Single Family Residential: Mission Creek Tentative Subdivision

PROJECT LOCATION: Southwest corner of Bardsley Avenue and Oakmore Street (APN 184-110-027)

OWNER/DEVELOPER: Uchita Management Company, LLC / Greg Nunley

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 the following, and the standard Engineering Conditions of Approval checked below:
 1. Implement mitigation measures identified in the traffic impact study prepared for the proposed project, subject to the approval of the City Engineer.
- 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. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

- 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. Included in the first plan check submittal, the Owner/Developer shall submit a Geotech report demonstrating that proposed retention basin(s) or existing basin expansions will adequately infiltrate a ten (10) year, twenty-four (24) hour event (2.01 inches) in ten (10) days.
- 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):
 - Bardsley Avenue and Oakmore Street.
 - Bardsley Avenue and Nelder Grove Street.
 - Tulare Avenue (S.R. 137) and Oakmore Street.
 2. Roadway Segments: Oakmore Street between Bardsley Avenue and Tulare Avenue (S.R. 137).

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.
- Submittal of the following Master Plan drawings is required prior to the submittal of project improvement plans: Water, Sewer, Storm Drain, Streets.

City approval of Master Plan drawings is required prior to the City's review of any project improvement plans that may be affected by the Master Plan drawings.

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: _____, Peoples Ditch Company.
- The following right-of-way dedications are required for street/alley purposes:
 - a. 20' property corner radius: On all local street connections to local, collector and arterial street.
 - b. Chamfer property corner: Southwest corner of Bardsley Avenue and Oakmore Street, Local Street connections to Bardsley Avenue, Local Street connections to Oakmore Street.
 - c. Intersections: _____.
 - d. Street: 56-feet (for adjacent sidewalk) or 58-feet (for sidewalk in a parkway strip) of dedication on all local streets. Dedication of an additional 18 feet of right-of-way is required along project's Bardsley Avenue frontage. Dedication along project's Oakmore Street frontage in accordance with City Standard Drawing No. 7252 with multi-purpose trail located on the east side of the street (opposite side of the proposed project).
- 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

- The Owner/Developer shall submit a preliminary soil report per the requirements of the California Map Act. The report 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.
- 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	City Std. No.
a)	Bardsley Avenue	Minor Arterial	9.5	Paveout	7250
b)	Oakmore Street (centerline is offset 14 feet E/o property line)	Major Arterial	10.5	36-foot partial width	7252
d)	Local Street	Local	5.0	36-feet	7020

- 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: Bardsley Avenue.
- 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: Paige Avenue, Pratt Street, and "E" Street.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: Bardsley Avenue.
- 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>
Bardsley Avenue	City Std. Barrier Curb
Oakmore Street	City Std. Barrier Curb
Local Streets	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>
Developer shall install City Std. residential drive approaches.

- 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>
Bardsley Avenue	In a parkway	6-feet
Oakmore Street	In a parkway	6-feet
Local Street	Either parkway or adjacent to curb, but configuration selected shall be consistent throughout the subdivision.	5-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>
Southwest corner of Bardsley Avenue and Oakmore Street.	Dual Ramp (35' Radius)
Bardsley Avenue at Local Street intersections.	Directional (20' Radius)

- 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. The Owner/Developer shall provide a street light design plan for the overall project prior to or along with the first submittal of project improvement plans, which shall be subject to the approval of the City Engineer. 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: As required by the City Engineer.
- 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): Bus Stop/Shelter as required by Tulare Regional Transit Authority.

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.

The proposed development may discharge its stormwater to existing Basin No. 30 situated at the southwest corner of Levin Avenue and Morrison Street provided that the developer's engineer is able to demonstrate to the City's satisfaction that the existing storm drain system and basin have sufficient available capacity to accommodate project impacts. With regard to storm drain system capacity, the analysis shall account for the remaining undeveloped property along the south side of Bardsley Avenue between Morrison Street and the project's western boundary. If the drainage system and/or basin do not have enough capacity, the developer will be required to construct a permanent onsite retention basin for the project.

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:

Street	Location
Bardsley Avenue	Along the project's frontage

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: 8-inch water main on local streets, 12-inch water main in Oakmore Street.
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.
- Commercial/Industrial Development: The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Multifamily Residential (one to two units fed by a single City meter): The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed. If a standalone irrigation meter is installed, a City approved backflow device is required.
- Multifamily Residential (more than two units fed by a single City meter): The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Single Family Residential: The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- This comment applies to landscape and lighting district water meters only. Developer shall install backflow cages per City Standards for all water services 2 inches and smaller. Developer shall install backflow cages for all water and fire services 3 inches and larger. Backflow cages for services 3 inches and larger shall be approved by the Fire Department and Engineering Department.
- 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: 8-inch sewer main on local streets.
- 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: As required to serve the development.
- 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 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.
- 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 \$ 28.00 per front foot for frontages on Bardsley Avenue.
- Sewer lift station fee of \$ _____ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on Bardsley Avenue.
- Street front foot charges of \$ _____ per front foot for frontages on _____.
- Benefit district creation fee (if applicable): \$ 1,356.00 per district.
- A per-lot or per-area in-lieu fee of \$ TBD shall be established to equitably distribute costs for future offsite improvements. Offsite improvements include, but not limited to:
 - Undergrounding of existing electrical lines along _____ and _____ frontage.
 - Undergrounding of existing irrigation canal along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Curb, gutter, sidewalk, and street paving along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
 - Street lights along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Intersection improvements, including but not limited to curb returns and medians at the intersection of Paige Avenue and Pratt Street.

- Storm drain system improvements along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Extension of water main along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Extension of sewer main along _____.
- Traffic signal in-lieu fee of \$ _____.
 TID ditch piping in-lieu fee of \$ _____.
 Sewer main construction in-lieu fee of \$ TBD for Oakmore Street.
 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: Michael W. Miller, Engineering Department

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 23-85, Mission Creek:

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. **Residential development**, fire hydrants shall be installed at **500-foot** intervals.
 - b. **Divided Highway**, fire hydrants shall be installed at **500-foot** alternating intervals.
4. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving on the site.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
6. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.
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 22, 2023

Solid Waste Division
Site Plan Refuse & Recycling Service
 Art Avila, Solid Waste Manager
 Office: 559-684-4326 Fax: 559-685-2378
 aavila@tulare.ca.gov



Location: SWC of Oakmore & Bardsley
 Name: Mission Creek Subdivision
 Date: 11/22/2023
 Plan #: SP 23-085

TYPE OF SERVICE

Commercial Residential Roll Off Mandatory Recycling / Composting

Revisions required prior to submitting final plans. See comments below.

Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.

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

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

Mandatory Organics/Compost Recycling **SB 1383**. Green 96 gallon containers for yard waste/food scraps required. Additional storage area attached to enclosure to store up to 3-96 gallon cans as option shown on enclosure specs is required.

A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight..

All refuse enclosures must be Triple Wide by City Standards to accommodate for yard waste / food waste as per **SB 1383**

Location of bin enclosure not acceptable. See comments below.

Bin enclosure is not to city standards double.

Inadequate number of Trash/Recycling containers to provide sufficient service. See comments below.

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

Area not adequate for allowing refuse truck turning radius of :
 Commercial () 50 ft. outside 36 ft. inside; Residential () 50 ft. outside, 36 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Enclosure gates are () required (X) optional. () Lockable
 (Gates and poles to be constructed as shown in City of Tulare enclosure specifications.)

Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. Gate shall open 180 degrees from closed position.

Standard residential can service. Trash, green waste/organics and blue recycling cans serviced once a week

All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.

Area in front of refuse enclosure must be marked off indicating "No Parking"

Enclosure will have to be designed and located for a STAB service (Direct Access)

Customer will be required to roll container out to curb or Alley for service.

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provide by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 18-07. All Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only, as per Municipal Code (No Exceptions).

Comments:

May 23, 2024

Steven Sopp
City of Tulare
Planning Division
411 E. Kern Ave.
Tulare, CA 93274

**Project: Initial Study/Mitigated Negative Declaration for the Mission Creek
Subdivision Project**

District CEQA Reference No: 20240527

Dear Mr. Sopp:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) from the City of Tulare (City) for the above project. Per the IS/MND, the project consists of the construction of 255 single-family homes and a 1.15 acre park on 39.26 acres (Project). The Project is located at the southwest corner of E. Bardsley Avenue and S. Oakmore Street in Tulare, CA (APN: 184-110-027).

The District offers the following comments at this time regarding the Project:

1) Health Risk Screening/Assessment

The IS/MND states that the project does not include any project components identified by the California Air Resources Board (CARB) that could potentially impact any sensitive receptors. Upon review by the District, it is expected that diesel particulate matter (DPM) will be emitted during the construction phase of the project. CARB has identified DPM (Pollutant ID 9901) as a carcinogen. Therefore, the health impacts from the construction phase emissions should have been evaluated as part of a Health Risk Assessment (HRA). The District performed its own analysis using the expected construction DPM emissions output (0.07 tons/year), found in the CalEEMod report in Appendix A of the IS/MND. Using a four year exposure period (between 2024-2028), the District determined that the project has the potential to cause a significant impact to public health. Therefore, the District recommends that the Project proponent investigate mitigating this source, then performing a HRA to evaluate health risk to nearby residents and workers.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.healthyairliving.com

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

2) Vegetative Barriers and Urban Greening

There are residential units located south and west of the Project, along with Mission Oak High School located north of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units, schools).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

3) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/>.

4) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

5) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

5a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the

District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

5b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 dwelling units.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

5c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule

4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>

5d) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

5e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

5f) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the

installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:
<https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>

5g) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

6) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Dylan Casares by e-mail at Dylan.Casares@valleyair.org or by phone at (559) 230-6574.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs



For: Mark Montelongo
Program Manager



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

May 13, 2024

Steven Sopp
Principal Planner
City of Tulare
411 E. Kern Avenue
Tulare, CA 93274
ssopp@tulare.ca.gov

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE MISSION CREEK
SUBDIVISION PROJECT, DATED APRIL 19, 2024, STATE CLEARINGHOUSE
NUMBER [2024040842](#)

Dear Steven Sopp,

The Department of Toxic Substances Control (DTSC) received a MND for the Mission Creek Subdivision Project (Project). The proposed project is the development of 255 single family residential units and a public park. The Project provides access to Bardley Avenue and a future street (Oakmore Street). The proposed Project includes on-site infrastructure, including new interior streets, widening of existing pavement along Bardsley Avenue, and installation of curb, gutter and a sidewalk along Bardsley Avenue and Oakmore Streets, and within the proposed subdivision. After reviewing the Project, DTSC recommends and requests consideration of the following comments:

1. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs)

for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels outlined in the [PEA](#) for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\)](#) webpage.

2. When agricultural crops and/or land uses are rezoned for residential use, a number of contaminants of concern can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are Dichlorodiphenyltrichloroethane (DDT), toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [Human Health Risk Assessment Note Number 3](#) approved thresholds outlined in the [PEA Guidance Manual](#). If they do not, remedial action must take place to mitigate them below those thresholds. For boring and analyses recommendations under 50 acres, refer to [DTSC Interim Guidance for Sampling Agricultural Properties](#); otherwise contact DTSC for approval over 50 acres.
3. Additional chemicals of concern may be found in mixing/loading/storage area, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons (PAHs) and/or Total Petroleum Hydrocarbons (TPHs) may be required.
4. Due to the Zone reclassification change of AE-20 to R-1-4, a site and/or soil assessment should be completed to determine if any Recognized Environmental Conditions (REC's) are present. This may require a Phase I Environmental Site Assessment and oversight from DTSC or a certified [local agency resource](#). If opting for DTSC oversight, enter into DTSC's Standard

Steven Sopp
May 13, 2024
Page 3

Voluntary Agreement (SVA) program so a proper evaluation of the Project is completed. The [FLUXX portal link](#) is provided and the page also has a link to the [Fluxx User Guide](#) that can help you navigate the system. You will need to create a new profile and once in the system, click "Start a Request for Lead Agency Oversight Application. If you have any questions about the application portal, please contact the DTSC Brownfield Coordinator [Gregory Shaffer](#) or contact the [Application Portal Inbox](#).

DTSC appreciates the opportunity to comment on the MND for the Mission Creek Subdivision Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Steven Sopp
May 13, 2024
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cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov



ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS

June 4, 2024

Project No. 2402-2451

Steven Sopp - Principal Planner
City of Tulare – Planning Division
411 East Kern Avenue
Tulare, California 93274

Attention: Mr. Steven Sopp

Subject: Analysis Report, Response to Comments, Mission Creek Subdivision Initial Study/Mitigated Negative Declaration, Tulare, Tulare County, California

Dear Mr. Sopp:

On behalf of N&M Tulare LLC (N&M) and DR Mata Consulting (Mata), Padre Associates, Inc. (Padre), has prepared this analysis in response to a comment letter prepared by the San Joaquin Valley Air Pollution Control District (SJVAPCD) dated May 23, 2024 (SJVAPCD, 2024). In the referenced letter SJVAPCD provided five comments to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Mission Creek Subdivision Project (Project) located in Tulare, Tulare County, California (Project Site). Each of the SJVAPCD's comments and corresponding responses are presented below:

- 1. Health Risk Screening/Assessment** - *The IS/MND states that the project does not include any project components identified by the California Air Resources Board (CARB) that could potentially impact any sensitive receptors. Upon review by the District, it is expected that diesel particulate matter (DPM) will be emitted during the construction phase of the project. CARB has identified DPM (Pollutant ID 9901) as a carcinogen. Therefore, the health impacts from the construction phase emissions should have been evaluated as part of a Health Risk Assessment (HRA). The District performed its own analysis using the expected construction DPM emissions output (0.07 tons/year), found in the CalEEMod report in Appendix A of the IS/MND. Using a four year exposure period (between 2024-2028), the District determined that the project has the potential to cause a significant impact to public health. Therefore, the District recommends that the Project proponent investigate mitigating this source, then performing a HRA to evaluate health risk to nearby residents and workers.*

Response: The Project's original CalEEMod construction emissions model prepared by Mata utilized an equipment spread that is consistent with the current California Air Resources Board (CARB) fleet average (Mata, 2024). To reduce potential Project construction emissions, the Project equipment spread was modified to include only Environmental Protection Agency (EPA) Tier 4 final compliant diesel construction equipment. In addition, the proposed Project schedule was revised to reduce onsite grading activities, and welding activities were removed

from the Project. Padre and Mata revised the CalEEMod emissions model to reflect these Project modifications. The revised construction criteria pollutant emissions are summarized in Table 1 below:

Table 1 – Revised Yearly Construction Emissions

Work Task	Units	NO _x	ROG	PM ₁₀ E	PM ₁₀ T	PM _{2.5} E	PM _{2.5} T	CO	SO ₂
Construction	tons/year	0.1633	1.5592	0.0020	0.1176	0.0020	0.0293	0.8237	0.0011
SJVAPCD Significance Threshold (tons/year)		10	10	--	15	--	15	100	27
Exceed Thresholds?		No	No	--	No	--	No	No	No
Notes: CO – Carbon Monoxide NO _x - Nitrogen Oxides PM – Particulate Matter PM ₁₀ E – PM ₁₀ from exhaust. PM _{2.5} E – PM _{2.5} from exhaust. PM ₁₀ T – Total PM ₁₀ from exhaust and fugitive dust. PM _{2.5} T – Total PM _{2.5} from exhaust and fugitive dust. ROG – Reactive Organic Gases SO ₂ – Sulfur Dioxide									

A copy of the revised CalEEMod emissions model is provided as Attachment A.

Using the revised Project emissions, Padre completed a health risk prioritization screening of the Project’s construction phase DPM¹ emissions using the SJVAPCD’s Prioritization Calculator. The Prioritization Calculator utilizes toxic profiles based on Assembly Bill (AB) 2588 Hotspots Air Toxic Profiles and project emissions to calculate a prioritization score between 0 and 100 for cancer risk, acute toxicity risk, and chronic toxicity risk. In accordance with the Air Toxics Hot Spots Program, Facility Prioritization Guidelines (CAPCOA 1990) and APR- 1906 Framework for Performing Health Risk Assessments (SJVAPCD 2015) a facility or project with a prioritization score between 0 and less than 10 would not be required to perform a Health Risk Assessments (HRA) and would have a less than significant impact.

The nearest sensitive receptors to the Project Site consist of single-family residential homes and the Mission Oak High School located on adjacent properties within 0 to 100 meters to the south, west, and north of the Project Site, respectively. The prioritization screening evaluated the impacts to receptors for the estimated Project PM₁₀E emissions as DPM associated with the construction phase. The results of the prioritization screening indicate that the Project’s maximum prioritization score was 9.24, therefore an HRA is not required and impacts to sensitive receptors from Project related DPM emissions would be less than significant. A copy of the prioritization screening calculation is provided as Attachment B.

2. Vegetative Barriers and Urban Greening - *There are residential units located south and west of the Project, along with Mission Oak High School located north*

¹ AB2588 "Hotspots" Air Toxic Profile ID136 – Diesel Engine Particulate Matter

of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units, schools).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

Response: Project construction and operational criteria pollutant emissions are below SVJAPCD screening levels, and results of the prioritization screening of Project construction DPM emissions indicate that impacts to sensitive receptors would be less than significant. Therefore, implementation of mitigation measures is not required. Prior to the start of construction, the Project will submit to the SJVAPCD a Dust Control Plan pursuant to Rule 3135 to mitigate impacts related to dust from Project construction activities. In addition, the Project will adhere to the applicable rules in Regulation VIII to further reduce construction-related dust.

3. **Clean Lawn and Garden Equipment in the Community** - *Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/>.*

Response: Project operational criteria pollutant emissions are below SVJAPCD screening levels (Mata, 2024), which indicates a less than significant impact to air quality. Therefore, implementation of mitigation measures is not required. However, the CGYM program will be taken into consideration.

4. **On-Site Solar Deployment** – *It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is*

contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

Response: A solar power system is proposed for the Project in accordance with the California Building Code.

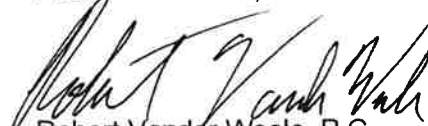
5. **District Rules and Regulations** – *The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District’s regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.*

Response: The Project will adhere to all applicable SJVAPCD rules and regulations.

CLOSURE

If you have any questions or require additional information and/or require additional information for review purposes, please contact Mr. Robert Vander Weele at (805) 748-8605 or rvanderweele@padreinc.com.

Padra Associates, Inc.



Robert Vander Weele, P.G.
Senior Geologist

Attachments:

Attachment A – Construction and Operational Emissions Model Tables

Attachment B – Prioritization Screening Calculations

RESOLUTION NO. 5484

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
RECOMMENDING APPROVAL OF ANNEXATION NO. 2023-01 (EAST TULARE No.
37) – MISSION CREEK AND ZONE AMENDMENT NO. 751 TO THE CITY COUNCIL
FOR ADOPTION**

WHEREAS, the City of Tulare Planning Commission at a regular meeting held June 10, 2024 considered a request by N & M Tulare LLC., to annex approximately 39.26-acres into the city limits of the City of Tulare. The project is located on the southwest corner of Bardsley Avenue and Oakmore Street (APN 184-110-027); and

WHEREAS, the project applicant is requesting to pre-zone the subject property to the R-1-4 (Small-lot Residential) zoning designation in preparation for annexation into the City limits; and,

WHEREAS, the proponent desires to annex said territory to the City of Tulare for the following reasons: The annexation will contribute to and facilitate orderly growth and development of both the City and the territory proposed to be annexed; will facilitate and contribute to the proper and orderly layout, design and construction of streets, gutters, sanitary and storm sewers and drainage facilities, both within the City and within the territory proposed to be annexed; and provide and facilitate proper overall planning and zoning of lands and subdivision of lands in said City and said territory in a manner most conducive of the welfare of said City and said territory; and,

WHEREAS, the proposal is made pursuant to the Cortese-Knox-Herzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code of the State of California; and,

WHEREAS, the territory proposed to be annexed is uninhabited and is not subject to a Land Conservation Contract; and

WHEREAS, the City of Tulare Planning Commission determined that the proposed amendment is in the public interest; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed amendments are consistent and compatible with the general plan and implementation programs which may be affected; and

WHEREAS, the City of Tulare Planning Commission determined the proposed amendment will promote the goals and objectives of the Zoning Title as prescribed in Section 10.04.020 of the Tulare City Code; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed request will not be detrimental to the public health, safety, and welfare or be materially injurious to properties or improvements in the vicinity; and,

WHEREAS, an Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with the incorporation of mitigation measures; and

NOW, THEREFORE, BE IT RESOLVED by the City of Tulare Planning Commission that the Mitigated Negative Declaration prepared for Zone Amendment No. 751, Annexation No. 2023-01 (East Tulare No. 37), Mission Creek and Tentative Subdivision Map – Mission Creek, and Conditional Use Permit No. 2023-16 is hereby recommended to the City Council for adoption.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City of Tulare Planning Commission that Annexation No. 2023-01 (East Tulare No. 37) Mission Creek is hereby recommended to the City Council for adoption.

BE IT FURTHER RESOLVED by the City of Tulare Planning Commission that Zone Amendment Application No. 751 is hereby recommended to the City Council for adoption.

PASSED, APPROVED AND ADOPTED this tenth day of June, 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

RESOLUTION NO. 5485

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
APPROVING TENTATIVE SUBDIVISION MAP – MISSION CREEK
CONDITIONAL USE PERMIT NO. 2023-16**

WHEREAS, the City of Tulare Planning Commission held a regular meeting on June 10, 2024 to consider a request by N & M Tulare LLC., to subdivide approximately 39.26-acres into a 155-lot single family residential subdivision on property located on the southwest corner of Bardsley Avenue and Oakmore Street (APN 184-110-027); and

WHEREAS, the City of Tulare Planning Commission determined that the proposed subdivision map is consistent with applicable Tulare General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that the design or improvements of the proposed subdivision are consistent with the Tulare General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that the site is physically suitable for the type of development proposed; and,

WHEREAS, the City of Tulare Planning Commission determined that the site is physically suitable for the proposed density of the development; and

WHEREAS, the City of Tulare Planning Commission determined that the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and,

WHEREAS, the City of Tulare Planning Commission determined that the design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision; and,

WHEREAS, an Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with mitigation measures incorporated; and,

WHEREAS, the City of Tulare Planning Commission determined that a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act; and,

WHEREAS, the City of Tulare Planning Commission considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment with mitigation measures incorporated; and,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

1. That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed location of the Tentative Subdivision Map and the conditions under which it would be built or maintained will not be detrimental to the public health, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed Tentative Subdivision Map will be in keeping with existing and future land uses on the site.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Tulare makes the additional following specific findings based on the evidence presented:

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title;
- 4) That the proposed use is consistent with the Tulare General Plan;
- 5) That the site for the proposed use is adequate in size, shape and location to accommodate the use in the district for which it is proposed;

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves Tentative Subdivision Map – Mission Creek and Conditional Use Permit No. 2023-16, subject to the following:

- 1) Approval of the Mission Creek Tentative Subdivision Map shall not become effective unless Annexation No. 2023-01 (East Tulare No. 37) – Mission Creek is approved by the Tulare County Local Agency Formation Commission (LAFCO) and fully executed.

- 2) Applicant shall be responsible for providing all required LAFCO application materials and filing fees to City Staff. Staff will then submit a complete application to LAFCO upon approval by the City of Tulare City Council.
- 3) Applicant shall be responsible for the payment of California State Board of Equalization fees as required by LAFCO for all approved annexations.
- 4) Applicant to comply with all mitigation measures within the Initial Study/Mitigated Negative Declaration prepared for the project, which are hereby incorporated as Conditions of Approval.
- 5) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 6) Applicant shall comply with Engineering, Fire Department, and Solid Waste comments/conditions (Attachments IV, V and VI).
- 7) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.
- 8) Final acceptance of the tract shall be contingent upon the subdividers' providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 9) Applicant shall establish a landscape maintenance district prior to the recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with city standards and approved by the Community and Economic Development Director and/or the City Engineer.
- 10) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 11) Applicant shall record a document notifying homeowners that the subject property is within a landscape maintenance district.
- 12) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance for all required landscaped out lot areas and parks space.
- 13) Six-foot public utility easements shall be granted along all front yards as required for public utilities.

- 14) Final subdivision map shall depict all easements.
- 15) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 16) All lots shall meet the provisions of the applicable zoning district.
- 17) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 18) Applicant to record a “Right to Farm” notice on final map.
- 19) A 7-foot block wall with backing lot treatment required along Bardsley Avenue and Oakmore Street. Final block wall design is subject to the Community & Economic Development Director’s approval.
- 20) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 21) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 22) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 23) Development shall meet the City’s Quimby Act requirement and provide park space as outlined by Chapter 8.26 of the City of Tulare Municipal Code.
- 24) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, beings as of the date of Planning Commission’s conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later changing such exactions.
- 25) Applicant to provide a retaining wall wherever adjacent lot grades exceed six inches.

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 the following, and the standard Engineering Conditions of Approval checked below:
 1. Implement mitigation measures identified in the traffic impact study prepared for the proposed project, subject to the approval of the City Engineer.
- 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. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

- 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. Included in the first plan check submittal, the Owner/Developer shall submit a Geotech report demonstrating that proposed retention basin(s) or existing basin expansions will adequately infiltrate a ten (10) year, twenty-four (24) hour event (2.01 inches) in ten (10) days.
- 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):

- Bardsley Avenue and Oakmore Street.
- Bardsley Avenue and Nelder Grove Street.
- Tulare Avenue (S.R. 137) and Oakmore Street.

2. Roadway Segments: Oakmore Street between Bardsley Avenue and Tulare Avenue (S.R. 137).

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.

Submittal of the following Master Plan drawings is required prior to the submittal of project improvement plans: Water, Sewer, Storm Drain, Streets. City approval of Master Plan drawings is required prior to the City’s review of any project improvement plans that may be affected by the Master Plan drawings.

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: _____, Peoples Ditch Company.

The following right-of-way dedications are required for street/alley purposes:

- a. 20' property corner radius: On all local street connections to local, collector and arterial street.

- b. Chamfer property corner: Southwest corner of Bardsley Avenue and Oakmore Street, Local Street connections to Bardsley Avenue, Local Street connections to Oakmore Street.
- c. Intersections: _____.
- d. Street: 56-feet (for adjacent sidewalk) or 58-feet (for sidewalk in a parkway strip) of dedication on all local streets. Dedication of an additional 18 feet of right-of-way is required along project's Bardsley Avenue frontage. Dedication along project's Oakmore Street frontage in accordance with City Standard Drawing No. 7252 with multi-purpose trail located on the east side of the street (opposite side of the proposed project).

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

The Owner/Developer shall submit a preliminary soil report per the requirements of the California Map Act. The report 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.

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	City Std. No.
a)	Bardsley Avenue	Minor Arterial	9.5	Paveout	7250
b)	Oakmore Street (centerline is offset 14 feet E/o property line)	Major Arterial	10.5	36-foot partial width	7252
d)	Local Street	Local	5.0	36-feet	7020

- 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: Bardsley Avenue.
- 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: Paige Avenue, Pratt Street, and “E” Street.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: Bardsley Avenue.
- 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.

Street Frontage(s)	Configuration
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Bardsley Avenue	City Std. Barrier Curb
Oakmore Street	City Std. Barrier Curb
Local Streets	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>
Developer shall install City Std. residential drive approaches.

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>
Bardsley Avenue	In a parkway	6-feet
Oakmore Street	In a parkway	6-feet
Local Street	Either parkway or adjacent to curb, but configuration selected shall be consistent throughout the subdivision.	5-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>
Southwest corner of Bardsley Avenue and Oakmore Street.	Dual Ramp (35' Radius)
Bardsley Avenue at Local Street intersections.	Directional (20' Radius)

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. The Owner/Developer shall provide a street light design plan for the overall project prior to or along with the first submittal of project improvement plans, which shall be subject to the approval of the City Engineer. 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: As required by the City Engineer.
- 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): Bus Stop/Shelter as required by Tulare Regional Transit Authority.

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.

The proposed development may discharge its stormwater to existing Basin No. 30 situated at the southwest corner of Levin Avenue and Morrison Street provided that the developer’s engineer is able to demonstrate to the City’s satisfaction that the existing storm drain system and basin have sufficient available capacity to accommodate project impacts. With regard to storm drain system capacity, the analysis shall account for the remaining undeveloped property along the south side of Bardsley Avenue between Morrison Street and the project’s western boundary. If the drainage system and/or basin do not have enough capacity, the developer will be required to construct a permanent onsite retention basin for the project.

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>
Bardsley Avenue	Along the project's frontage

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: 8-inch water main on local streets, 12-inch water main in Oakmore Street.
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.
- Commercial/Industrial Development: The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Multifamily Residential (one to two units fed by a single City meter): The proposed development shall install water services as approved by Planning and Building.

Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed. If a standalone irrigation meter is installed, a City approved backflow device is required.

- Multifamily Residential (more than two units fed by a single City meter): The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Single Family Residential: The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- This comment applies to landscape and lighting district water meters only. Developer shall install backflow cages per City Standards for all water services 2 inches and smaller. Developer shall install backflow cages for all water and fire services 3 inches and larger. Backflow cages for services 3 inches and larger shall be approved by the Fire Department and Engineering Department.
- 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: 8-inch sewer main on local streets.
- 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.

- 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 \$ 28.00 per front foot for frontages on Bardsley Avenue.
- Sewer lift station fee of \$ _____ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on Bardsley Avenue.
- Street front foot charges of \$ _____ per front foot for frontages on _____.
- Benefit district creation fee (if applicable): \$ 1,356.00 per district.
- A per-lot or per-area in-lieu fee of \$ TBD shall be established to equitably distribute costs for future offsite improvements. Offsite improvements include, but not limited to:
 - Undergrounding of existing electrical lines along _____ and _____ frontage.
 - Undergrounding of existing irrigation canal along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Curb, gutter, sidewalk, and street paving along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
 - Street lights along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Intersection improvements, including but not limited to curb returns and medians at the intersection of Paige Avenue and Pratt Street.
 - Storm drain system improvements along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.

- Extension of water main along Oakmore Street if construction of Oakmore Street is deferred by City Engineer.
 - Extension of sewer main along _____.
- Traffic signal in-lieu fee of \$ _____.
- TID ditch piping in-lieu fee of \$ _____.
- Sewer main construction in-lieu fee of \$ TBD for Oakmore Street.
- 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: Michael W. Miller, Engineering Department

Fire

The Fire Prevention Bureau conveys the following site plan comments for SP 23-85, Mission Creek:

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. Residential development, fire hydrants shall be installed at 500-foot intervals.

- b. Divided Highway, fire hydrants shall be installed at 500-foot alternating intervals.
- 4. An approved water supply for fire protection shall be made available prior to combustible materials arriving on the site.
- 5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
- 6. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.
- 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 22, 2023

Solid Waste

- 1. Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.
- 2. Standard residential can service. Trash, green waste / organics and blue recycling cans serviced once a week.
- 3. Customer will be required to roll container out to curb or Alley for service.

Section 7.1 6.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provide by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 18-07. All Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only, as per Municipal Code (No Exceptions}.

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

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

MARIO ANAYA, SECRETARY
City of Tulare Planning Commission

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

June 10, 2024

CONDITIONAL USE PERMIT No. 2024-06

PROJECT PLANNER:	Jonathan Coelho, Assistant Planner	
APPLICANT:	Quick Fill 2, Inc.	
LOCATION:	610 West Inyo Avenue	
APN:	175-112-010	
ZONING CLASSIFICATION:	C-4 (Service Commercial)	
GENERAL PLAN DESIGNATION:	Service Commercial	
SURROUNDING LAND USES AND ZONING:	North: Residential	R-1-6
	South: Smoke Shop	C-4
	West: Residential	C-4
	East: Residential	C-4

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2024-06 subject to the findings and conditions in Resolution No. 5480. 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. 2024-06 is a request by Quick Fill 2 Inc., to relocate an existing convenience store from the northeast corner of the property to the westside portion of the property. The existing fuel canopy and underground fuel tanks will remain in their current location. The property will continue to operate with a Type 20 ABC License (Off-Sale beer and Wine). The project is located at 610 West Inyo Avenue on the northwest corner of West Inyo Avenue and South D Street (APN 175-112-010).

DETAILS OF THE PROPOSAL:

The proposed project consists of the demolition of an existing convenience store and rebuilding it on the west portion of the parcel. The service station and fuel pumps will remain in their current position. This includes one fuel canopy with 4 pumps (8 fueling stations) for vehicle fueling. A new 2,873.4 square foot commercial building will be constructed for convenience store space associated with the existing service station.

Access to the site will be from two drive approaches. One drive approach will be established off South D Street. One drive approach will be established off of West Inyo Avenue. Curb, gutter, and sidewalk has previously been constructed along West Inyo Avenue and South D Street.

The operating hours of the service station and convenience store will be from 5 A.M to 12 A.M seven days per week. It is estimated that the service station and convenience store will employ 4 employees that will be working 2 shifts with 2 employees working per shift. The project site has a current Type 20 (Off-Sale General) ABC license and is permitted to sell beer and wine for consumption off-site and will continue to maintain it.

The site plan depicts a total 19 parking spaces (8 counted at pumps) for the site. The proposed project meets the parking requirements for the proposed use.

STAFF COMMENTS:

The proposed site is designated Service Commercial and zoned C-4 (Service Commercial). The City of Tulare Municipal Code requires that businesses engaged in the sale of vehicle fuel including diesel fuel are subject to a Conditional Use Permit (Zoning Ordinance Section 10.168).

The Site Plan Review Committee reviewed the project with the applicant on June 29, 2023 and prepared comments and conditions for the applicant. The site plan and elevations were reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

The California Department of Transportation (Caltrans) has reviewed the proposed site plan and made a request from the applicant to submit a truck turning template to ensure that fuel delivery trucks would be able to enter and exit the property without any issues.

ENVIRONMENTAL FINDINGS:

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

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2024-06:

- 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. 2024-06 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 7) Use requires a minimum of 5% of the parcel area to consist of landscaping at all times. After installation, all landscaping shall continue to be maintained, watered, and trimmed.
- 8) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 9) Applicant shall comply with Engineering, Fire Department, and Solid Waste Division comments/conditions (Attachments V, VI, and VII).

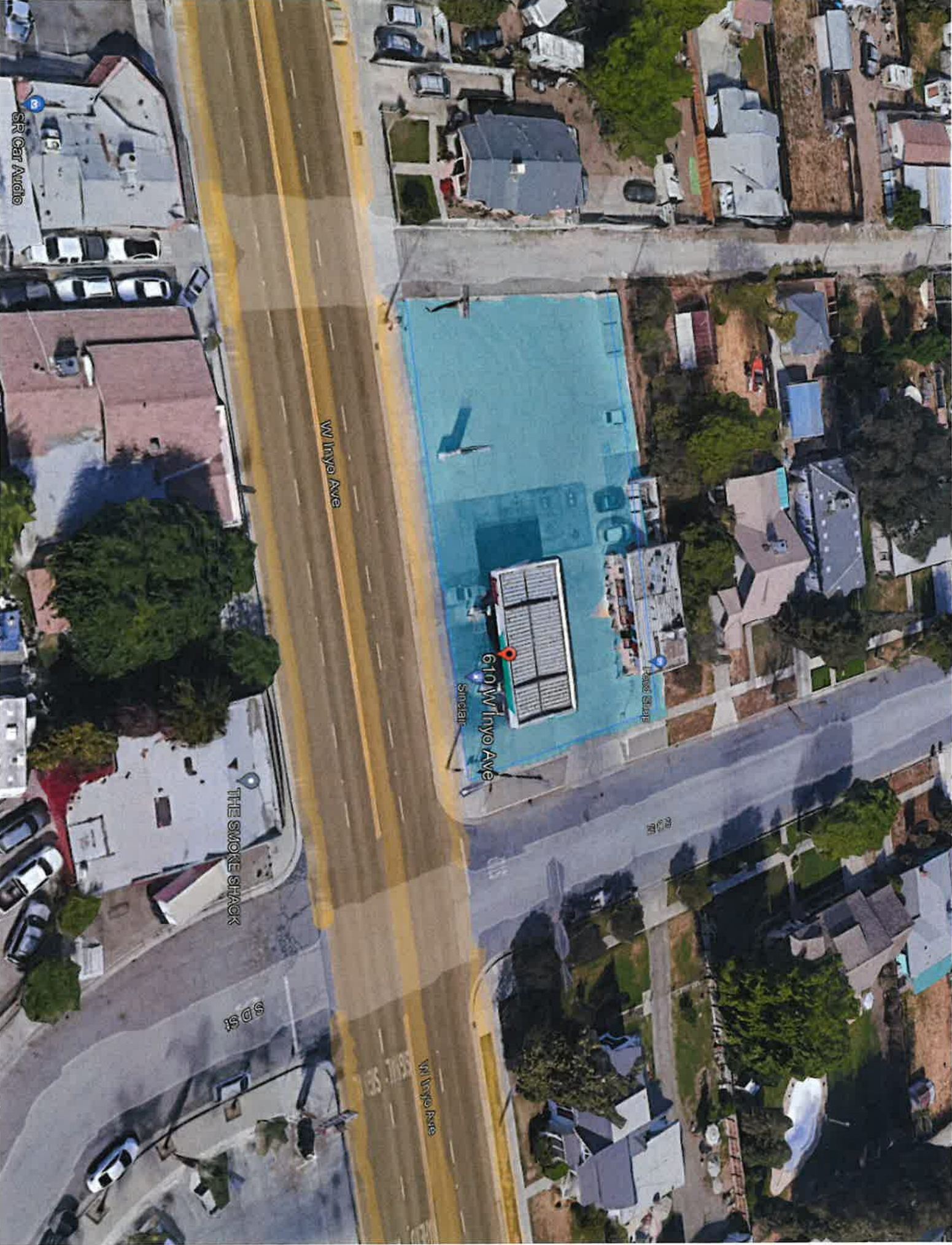
- 10) Approval does not authorize any deviation from Fire and Building Codes.
- 11) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 12) Any significant changes to the site plan or floor plan layout shall be subject to review and approval by the Planning Commission.
- 13) Applicant to maintain all licenses and/or permits required by the State.
- 14) 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 Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

APPEAL INFORMATION:

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

Attachments:

- I. Project Vicinity Map
- II. Site Plan
- III. Floor Plan
- IV. Elevations
- V. Engineering Comments
- VI. Fire Department Comments
- VII. Solid Waste Comments
- VIII. Resolution



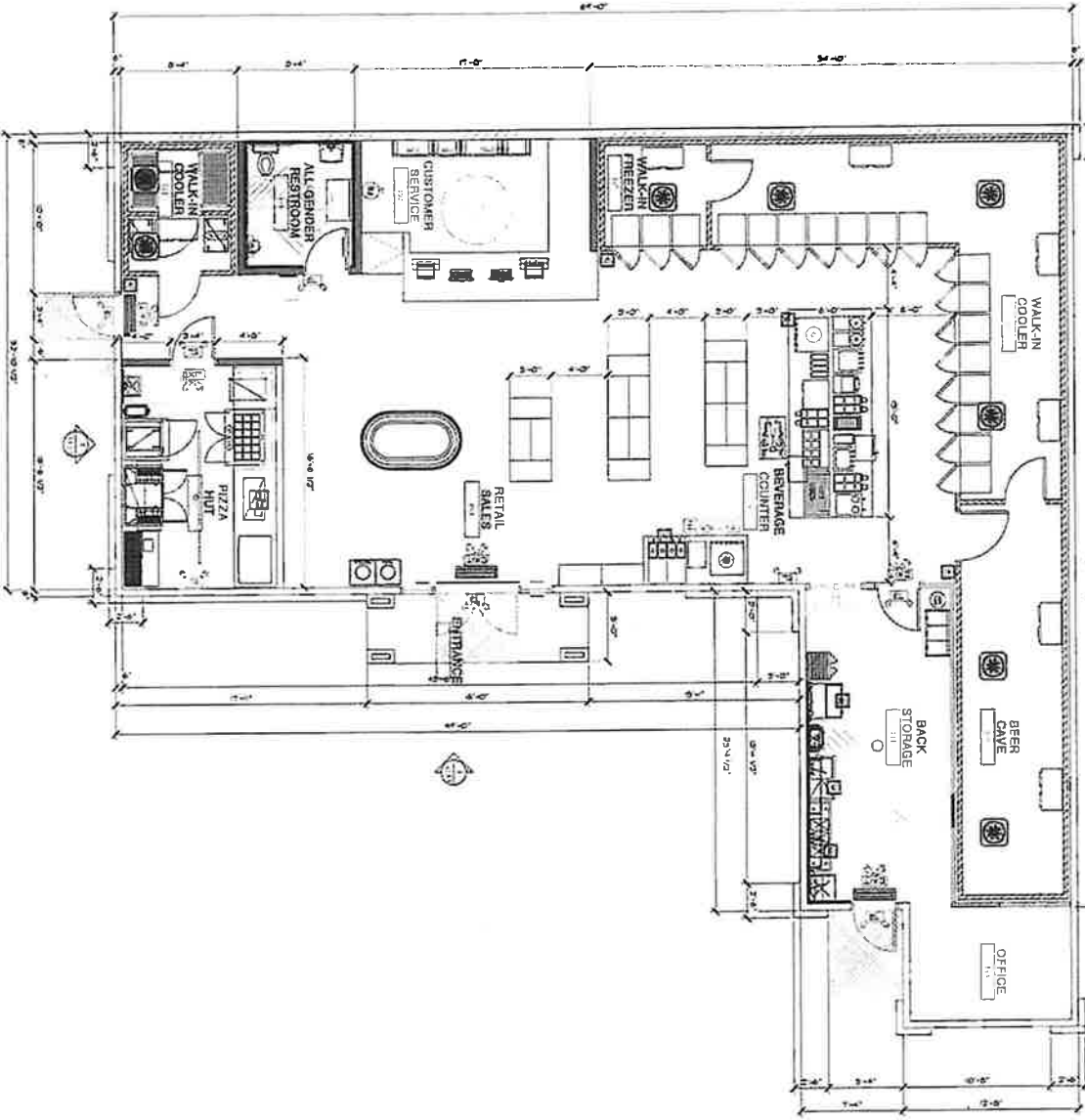
SR Car Audio

Willyo Ave

610 Willyo Ave
Sincere

THE SMOKE SHACK

Willyo Ave



PROPOSED FLOOR PLAN

FLOOR PLAN NOTES

1. FLOOR FINISHES TO BE DETERMINED BY THE ARCHITECT.
2. ALL FINISHED MATERIALS EXCEPT CEILING SHALL BE MATCHED TO THE EXISTING MATERIALS.
3. ALL FINISHED MATERIALS EXCEPT CEILING SHALL BE MATCHED TO THE EXISTING MATERIALS.
4. THIS PROJECT HAS BEEN DESIGNED FOR A 10,000 SQ. FT. STORE.
5. THE STORE SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING EQUIPMENT: BEVERAGE COUNTER, PIZZA HIT, ALL-GENDER RESTROOM, CUSTOMER SERVICE, BACK STORAGE, BEER CAVE, OFFICE, WALK-IN COOLERS, RETAIL SALES AREA, AND WALK-IN FREEZER.
6. ALL INTERIOR WALLS, CEILING, AND FLOOR SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
7. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
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20. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.

WALL LEGEND

LETTER	DESCRIPTION
A	NON-EXTERIOR WALL
B	EXTERIOR WALL
C	WALL WITH DOOR
D	WALL WITH WINDOW
E	WALL WITH GLASS DOOR
F	WALL WITH GLASS WINDOW
G	WALL WITH GLASS PARTITION
H	WALL WITH GLASS PARTITION AND DOOR
I	WALL WITH GLASS PARTITION AND WINDOW
J	WALL WITH GLASS PARTITION, DOOR, AND WINDOW
K	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS DOOR
L	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS WINDOW
M	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION
N	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION AND DOOR
O	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION AND WINDOW
P	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION, DOOR, AND WINDOW
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U	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION AND WINDOW
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W	WALL WITH GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION, DOOR, WINDOW, AND GLASS PARTITION, DOOR, WINDOW, AND GLASS DOOR
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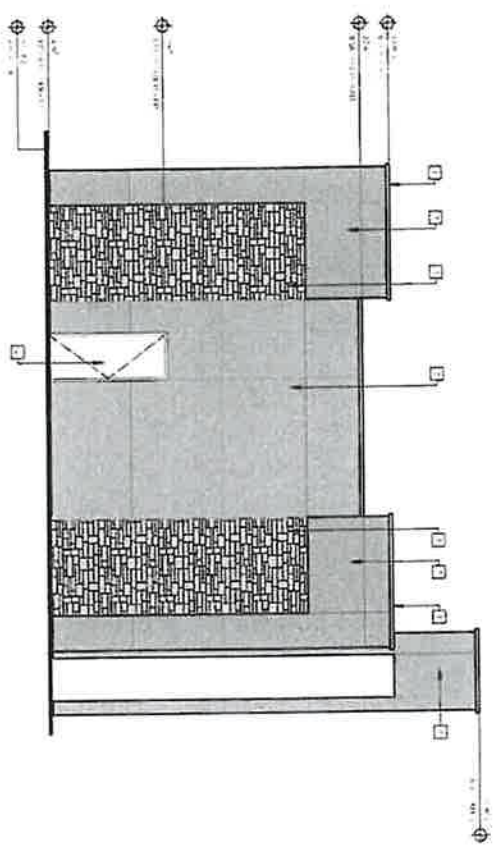
PROJECT

PROPOSED CONVENIENCE STORE FOR MR GURPREET & PAWANDEEP
 610 W INYO AVE
 TULARE, CA 93274-3728
 APN: 175-112-010

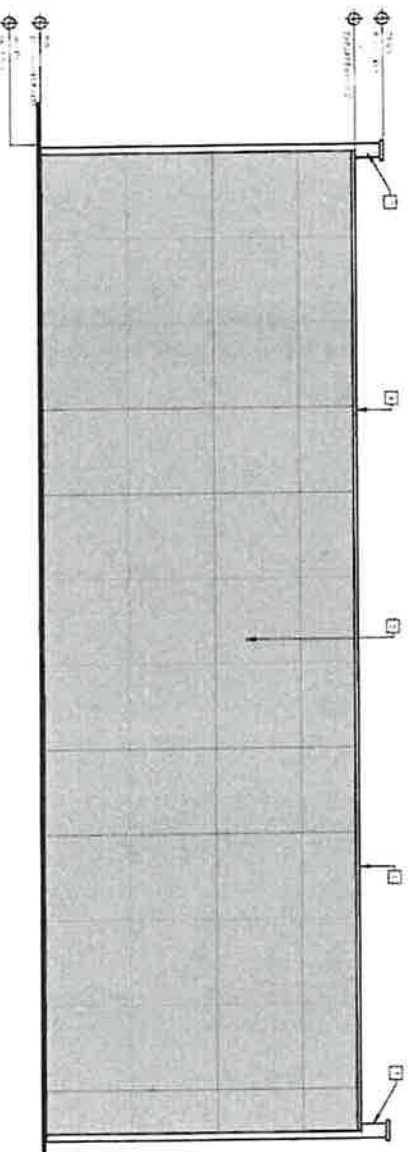
CENTRAL VALLEY ENGINEERING & ARCHITECTURE, INC.
 200 LOVELL BLVD
 TULARE, CA 93274
 TEL: 559-932-1111
 FAX: 559-932-1112
 WWW.CVLS-CA.COM

CVLS

A1.12



SIDE ELEVATION - SOUTH
SCALE: 1/8" = 1'-0"



BACK SIDE ELEVATION - WEST
SCALE: 1/8" = 1'-0"

ELEVATION KEYED NOTES

1. PAINTWORK
2. BRICK PAINT APPLIED TO PAINT
3. BRICKWORK ABOVE WINDOW
4. BRICKWORK ABOVE WINDOW
5. BRICKWORK ABOVE WINDOW
6. BRICKWORK ABOVE WINDOW
7. BRICKWORK ABOVE WINDOW
8. BRICKWORK ABOVE WINDOW
9. BRICKWORK ABOVE WINDOW
10. BRICKWORK ABOVE WINDOW

PROJECT
PROPOSED CONVENIENCE STORE
FOR MR GURPREET & PAWANDEEP
610 W INYO AVE
TULARE, CA 93274-3728
APN: 175-112-010

CENTRAL VALLEY ENGINEERS & ARCHITECTS, INC.
 200 LOCAL STREET, SUITE 200
 TULARE, CALIFORNIA 93274-3728
 TEL: (559) 338-1111
 FAX: (559) 338-1112
 WWW.CENTRALVALLEYENGINEERS.COM

CIVIL ENGINEERING • LAND SURVEYING • CONSULTING • STRUCTURAL DESIGN • ARCHITECTURAL GRAPHING • COMMERCIAL & RESIDENTIAL BUILDING DESIGN • PLANNING & PROJECT MANAGEMENT

REGISTERED PROFESSIONAL ENGINEER
 CIVIL ENGINEERING
 STATE OF CALIFORNIA
 NO. 45822
 EXPIRES 12/31/2024

ELEVATIONS STORE

DATE	REVISION
PLANNING CONSULTING, INC.	20/20/20
PLANNING CONSULTING, INC.	20/20/20
DESIGN BY	ME
CHECKED BY	ME
SCALE	AS SHOWN

A114



SITE PLAN REVIEW COMMENTS

Engineering Services Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

SITE PLAN MEETING DATE: June 28, 2023

SITE PLAN REVIEW APPLICATION NO.: SP23-052

PROJECT: Commercial: Gas Station "INYO"

PROJECT LOCATION: 610 W. Inyo Avenue (SR 137) (APN 175-112-010)

OWNER/DEVELOPER: Quick Fill 2 Inc. / Gurpreet Singh

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

Resubmit with the following required revisions to the site plan:

1. Please provide cross sections of _____ on the Site Plan. Cross sections shall include (at a minimum) dimensions from right-of-way (ROW) to ROW (existing and proposed), dimensions from ROW to landscape lot (if applicable), dimensions from ROW to sections line, dimensions from sections line to curb face, dimensions from curb face to sidewalk, sidewalk width, and median width and location with respect to section line (if applicable).
2. _____

Proceed and comply with Engineering Conditions of Approval checked below.

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: Inyo Avenue (State Route 137), Tulare Irrigation District.
- The following right-of-way dedications are required for street/alley purposes:
 - a. 20' property corner radius: _____
 - b. Chamfer property corner: NW Corner of Inyo and "D" Street per Caltrans requirements.
 - c. Alley:
 - d. Street: Inyo Avenue per Caltrans requirements
- Waiver of direct access rights is required at the following locations: _____.
- Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

Final Map Requirements

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

Roadway Improvements

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

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

- Construct full pave-out width from lip of gutter to the existing edge of pavement on the following existing roadways impacted by the development is required: _____.

- Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.
- Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.
- Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.
- Curb and Gutter** – Existing curb and gutter to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. New City Standard curb and gutter shall be constructed as indicated below.

<u>Street Frontage(s)</u>	<u>Configuration</u>
"D" Street – Per City of Tulare Requirements	-
Inyo Avenue (SR 137) – Per Caltrans Requirements	

- 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>
"D" Street – Per City of Tulare Requirements
Inyo Avenue (SR 137) – Per Caltrans Requirements

- 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>
"D" Street – Per City of Tulare Requirements	-	-
Inyo Avenue (SR 137) – Per Caltrans Requirements		

- 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>
NW corner of Inyo Avenue (SR 137) and "D" Street.	Per Caltrans

- 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: C/D Alley at Inyo Avenue (SR 137) – per Caltrans requirements.
 3. Other: _____.
- Street monuments** – Street monuments shall be installed at locations as required by the City Engineer.
- Temporary Turnarounds** – Turnarounds are required at all dead end or stubbed streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up. Grants of easement shall be provided to the City of Tulare for all temporary turnaround locations.
- Damage to Existing Street Improvements** – If work by the Owner/Developer or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Owner/Developer shall maintain the street in its repaired state for the duration of the development's construction activities.
- Street Lights** – Street lights shall be owned and maintained by Southern California Edison, and shall be installed at locations designated by the City Engineer per the City of Tulare Design Guidelines and Public Improvement Standards. Luminaires shall be LED fixtures mounted on standard concrete marbelite poles, and shall comply with the following general requirements:

Roadway Classification	Wattage	Color Rating (kelvin)	Minimum Lumens	Mounting Height	Mast Arm Length
Local Streets	31 Watt	4,000	4,000	26 feet	6 foot
Collector Streets	39 Watt	4,000	5,000	26 feet	8 foot
Minor Arterial Streets	39 Watt	4,000	5,000	32 feet	8 foot
Arterial Streets	71 Watt	4,000	8,500	32 feet	8 foot
Traffic Signal		4,000	15,000	Varies	Varies

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

Grading Requirements

- A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.

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

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

Utility Improvements

- All utility services to be located within paved areas shall be placed in the streets prior to paving.
- The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.
- All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

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

Water System Requirements

- Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.
- Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
- The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.
- Water sampling stations shall be installed as follows: _____.
- Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

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

Storm Drainage System Requirements

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

Landscaping and Parks Requirements

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

On-site Improvements

- On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).
- All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.
- All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
- A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.
- A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.

- If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.
- In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.
- Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.
- If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.
- The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

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

Fees

All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of final map recordation or upon the date of issuance of other discretionary permit, whichever is applicable. These fees include, but are not limited to:

- Sewer front foot charges of \$ 26.00 per front foot for frontages on _____.
- Sewer lift station fee of \$ _____ per acre.
- Water front foot charges of \$ 17.50 per front foot for frontages on _____.
- Street front foot charges of \$ _____ per front foot for frontages on _____.
- Benefit district creation fee (if applicable): \$ 1,356.00 per district.

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

Prepared By: Michael W. Miller, City Engineer

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 23-52, Gas Station INYO”:

1. The project must comply with all of the latest applicable codes and standards.
2. An approved, fire apparatus access road shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20’ wide and have a minimum height clearance of 13’6”
 - a. The height clearance also applies to the fuel canopy.
3. 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.
4. 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.
5. 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
June 29, 2023

Solid Waste Division
Solid Waste & Recycling Service
 Art Avila, Solid Waste Manager
 Office: 559-684-4326 Fax:559-685-2378
 aavila@tulare.ca.gov



SITE PLAN

Location: 610 West Inyo
 Name: Gas Station "Inyo"
 Date: 6/28/2023
 Plan #: SP 23-52

TYPE OF SERVICE

- Commercial Residential Roll Off Mandatory Recycling / Composting

- Revisions required prior to submitting final plans. SEE COMMENTS ATTACHED .

- Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.

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

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

- Mandatory Food Waste and Compost Recycling as per **SB 1383** is required. Additional storage area attached to the enclosure to store up to 3-96 gallon cans as shown on enclosure specs is required.

- A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight..

- All refuse enclosures must be Triple Wide by City Standards to accommodate for yard waste / food waste as per **SB 1383**

- Location of bin enclosure not acceptable. See comments attached.

- Bin enclosure is not to city standards triple wide.

- Inadequate number of Trash / Recycling containers to provide sufficient service. See comments attached.

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

- Area not adequate for allowing refuse truck turning radius of :
 Commercial () 50 ft. outside 36 ft. inside; Residential () 50 ft. outside, 36 ft. inside.

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

- Enclosure gates are (X) required () optional. () Lockable
 (Gates and poles to be constructed as shown in City of Tulare enclosure specifications.)

- Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. **Gate shall open 180 degrees from closed position.**

- Hammerhead turnaround must be built per city standards.

- All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash / recycling / compost enclosures.

- Area in front of refuse enclosure must be marked off indicating "No Parking"

- All Enclosures will have to be designed and located for a STAB service (Direct Access) (No Roll Out)

- Customer will be required to roll container out to curb/alley for service.

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provide by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 18-07. Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

Comments: As discussed at the site plan meeting the fuel island awning must be 14' or higher to allow clearance for the refuse truck, it was recommended by staff that the triple wide enclosure be flipped so that the trash and recycle be on the east side of the enclosure for direct access for the refuse truck coming off of Inyo.

RESOLUTION NO. 5480

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2024-06**

WHEREAS, Conditional Use Permit 2024-06 is a request by Quick Fill 2 Inc., to relocate an existing convenience store from the northeast corner of the property to the westside portion of the property. The existing fuel canopy and underground fuel tanks will remain in their current location. The property will continue to operate with a Type 20 ABC License (Off-Sale beer and Wine). The project is located at 610 West Inyo Avenue on the northwest corner of West Inyo Avenue and South D Street (APN 175-112-010); and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on June 10, 2024; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2024-06 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

WHEREAS, the Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA):

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15332 (In-fill Development); and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.
- 4) That the proposed use is consistent with the Tulare General Plan.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2024-06 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 7) Use requires a minimum of 5% of the parcel area to consist of landscaping at all times. After installation, all landscaping shall continue to be maintained, watered, and trimmed.
- 8) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 9) Applicant shall comply with Engineering, Fire Department, and Solid Waste Division comments/conditions (Attachments V, VI, and VII).
- 10) Approval does not authorize any deviation from Fire and Building Codes.
- 11) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 12) Any significant changes to the site plan or floor plan layout shall be subject to review and approval by the Planning Commission.
- 13) Applicant to maintain all licenses and/or permits required by the State.
- 14) 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 Development Director. Any minor modifications shall be submitted to the Director to review.

Engineering

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

- Resubmit with the following required revisions to the site plan:
 1. Please provide cross sections of _____ on the Site Plan. Cross sections shall include (at a minimum) dimensions from right-of-way (ROW) to ROW (existing and proposed), dimensions from ROW to landscape lot (if applicable), dimensions from ROW to sections line, dimensions from sections line to curb face, dimensions from curb face to sidewalk, sidewalk width, and median width and location with respect to section line (if applicable).
 2. _____
- Proceed and comply with Engineering Conditions of Approval checked below.
- 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: Inyo Avenue (State Route 137), Tulare Irrigation District.

The following right-of-way dedications are required for street/alley purposes:

a. 20' property corner radius: _____

b. Chamfer property corner: NW Corner of Inyo and "D" Street per Caltrans requirements.

c. Alley:

d. Street: Inyo Avenue per Caltrans requirements

Waiver of direct access rights is required at the following locations: _____.

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

Final Map Requirements

Submit to the City of Tulare a title report for the parcel(s) to be developed.

Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.

Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.

Following the approval of final subdivision or parcel maps, the Developer's Licensed Surveyor or Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved final map, or GIS shapefile for the related parcels included on said final map.

A City Clerk's Certificate is required on the final map for required dedications.

- A Public Works Certificate required on the final map if improvements are not constructed prior to recordation. This provision would require an engineer's estimate and an improvement security.

Roadway Improvements

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

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

- Construct full pave-out width from lip of gutter to the existing edge of pavement on the following existing roadways impacted by the development is required: _____.
- Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.
- Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare’s adopted PM-10 control guidelines: _____.
- Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.
- Curb and Gutter** – Existing curb and gutter to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. New City Standard curb and gutter shall be constructed as indicated below.

<u>Street Frontage(s)</u>	<u>Configuration</u>
“D” Street – Per City of Tulare Requirements Inyo Avenue (SR 137) – Per Caltrans Requirements	-

- 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>
“D” Street – Per City of Tulare Requirements Inyo Avenue (SR 137) – Per Caltrans Requirements

- 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>
“D” Street – Per City of Tulare Requirements Inyo Avenue (SR 137) – Per Caltrans Requirements	-	-

- 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>
NW corner of Inyo Avenue (SR 137) and “D” Street.	Per Caltrans

- 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: C/D Alley at Inyo Avenue (SR 137) – per Caltrans requirements..

3. Other: _____.

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

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

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

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

Roadway Classification	Wattage	Color Rating (kelvin)	Minimum Lumens	Mounting Height	Mast Arm Length
Local Streets	31 Watt	4,000	4,000	26 feet	6 foot
Collector Streets	39 Watt	4,000	5,000	26 feet	8 foot
Minor Arterial Streets	39 Watt	4,000	5,000	32 feet	8 foot
Arterial Streets	71 Watt	4,000	8,500	32 feet	8 foot
Traffic Signal		4,000	15,000	Varies	Varies

Traffic Control Devices – Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.

Traffic Calming Measures – The proposed development shall incorporate the following traffic calming measures: _____.

Bicycle and Pedestrian Facilities – The proposed development shall incorporate the following bicycle/pedestrian facilities: _____.

- Transit Facilities** – The proposed development shall incorporate City standard bus turnout(s) at the following location(s): _____.

Grading Requirements

- A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.

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

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

Utility Improvements

- All utility services to be located within paved areas shall be placed in the streets prior to paving.
- The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.
- All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

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

Water System Requirements

- Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

- Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
- The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.
- Water sampling stations shall be installed as follows: _____.
- Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

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

Storm Drainage System Requirements

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

Landscaping and Parks Requirements

- A landscape & irrigation master plan for all phases of the subdivision shall be submitted with the initial phase to assist City staff in the formation of the Landscape & Lighting District. The landscape & irrigation master plan shall be approved by the Director of Parks and Community Services a minimum 75 days before approval of the final map or approval of the improvement plans (whichever comes first).

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

On-site Improvements

- On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).
- All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.
- All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
- A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.
- A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
- If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.
- In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.
- Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.

- If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.
- The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

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

Fees

All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of final map recordation or upon the date of issuance of other discretionary permit, whichever is applicable. These fees include, but are not limited to:

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

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

Prepared By: Michael W. Miller, City Engineer

Fire

1. The project must comply with all of the latest applicable codes and standards.
2. An approved, fire apparatus access road shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
 - a. The height clearance also applies to the fuel canopy.
3. 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.
4. 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.
5. 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
 June 29, 2023

Solid Waste

1. Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.
2. Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers. Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
3. Mandatory Food Waste and Compost Recycling SB 1383 is required. Additional storage area attached to the enclosure to store up 3–96-gallon cans as shown on enclosure specs is required.
4. A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of 8 inches thick to withstand truck weight.
5. All refuse enclosures must be Triple Wide by City Standards to accommodate for yard waste / food waste as per SB 1383.
6. Paved areas should be engineered to withstand a 60,000 lb. refuse truck.
7. Enclosure gates are required. (Gates and poles to be constructed as shown in City of Tulare enclosure specifications)
8. Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. Gate shall open 180 degrees from closed position.
9. All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.
10. Area in front of refuse enclosure must be marked off indicating “No Parking.”
11. Enclosure will have to be designed and located for a STAB service (Direct Access).

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provided by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used, must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 07-04. Commercial front load bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

PASSED, APPROVED AND ADOPTED this tenth day of June, 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

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

June 10, 2024

CONDITIONAL USE PERMIT No. 2024-07

PROJECT PLANNER:	Jonathan Coelho, Assistant Planner	
APPLICANT:	Deep Grewal	
LOCATION:	1363 East Tulare Avenue	
APN:	177-123-011	
ZONING CLASSIFICATION:	C-4 (Service Commercial)	
GENERAL PLAN DESIGNATION:	Service Commercial	
SURROUNDING LAND USES AND ZONING:	North: Offices	C-4
	South: Tow yard	C-4
	West: Highway 99	
	East: Restaurant	C-4

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2024-07 subject to the findings and conditions in Resolution No. 5481. 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. 2024-07 is a request by Deep Grewal, to demolish an existing donut shop and replace it with a carwash and service station and to install a convenience store inside an existing commercial building. The application also includes a request to obtain an ABC license (Type 20: Off-Sale Beer and Wine) to sell beer and wine for consumption off-site in conjunction with the service station. The project is located at 1363 East Tulare Avenue on the southwest corner of East Tulare Avenue and South Spruce Street (APN 177-123-011).

DETAILS OF THE PROPOSAL:

The proposed project consists of the demolition of an existing donut shop and replacing it with a 1,344 square foot carwash along with a service station and installing a convenience store inside an existing commercial building. Development includes one 2,822 square foot fuel canopy with 6 pumps (12 fueling stations) for vehicle fueling.

Access to the site will be from one drive approach. The drive approach will be off of South Spruce Street. A previous drive currently exists off of E Tulare Avenue, however, Caltrans have requested it be closed off once development begins. Curb, gutter, and sidewalk has previously been constructed along East Tulare Avenue and South Spruce Street.

The operating hours of the service station and convenience store will be twenty-four hours a day seven days per week. It is estimated that the service station and convenience store will employ twenty-four employees that will be working three shifts with eight employees working per shift. The project site has a current Type 20 (Off-Sale General) ABC license and is permitted to sell beer and wine for consumption off-site and will continue to maintain it.

Once development is completed there will be a total of fifty-seven parking spots. Staff has determined that there is sufficient parking for the entire site.

STAFF COMMENTS:

The proposed site is designated Service Commercial and zoned C-4 (Service Commercial). The City of Tulare Municipal Code requires that businesses engaged in the sale of vehicle fuel including diesel fuel, carwash and the sale of alcohol are subject to a Conditional use Permit (Zoning Ordinance Section 10.168).

The Site Plan Review Committee reviewed the project with the applicant on April 24, 2024 and prepared comments and conditions for the applicant. The site plan and elevations were reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

The California Department of Transportation (Caltrans) has reviewed the proposed site plan and made a request for the applicant to close off the drive approach off of East Tulare Avenue. The applicant has since then updated their site plan showing the drive approach has been closed and will be replaced with parking, curb, gutter, and sidewalk.

ENVIRONMENTAL FINDINGS:

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

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2024-07:

- 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. 2024-07 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 5) Prior to construction, applicant shall obtain all required County Environmental Health Services Division permits required for the installation of underground or above ground storage tanks.
- 6) 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.
- 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) Use requires a minimum of 5% of the parcel area to consist of landscaping at all times. After installation, all landscaping shall continue to be maintained, watered, and trimmed.

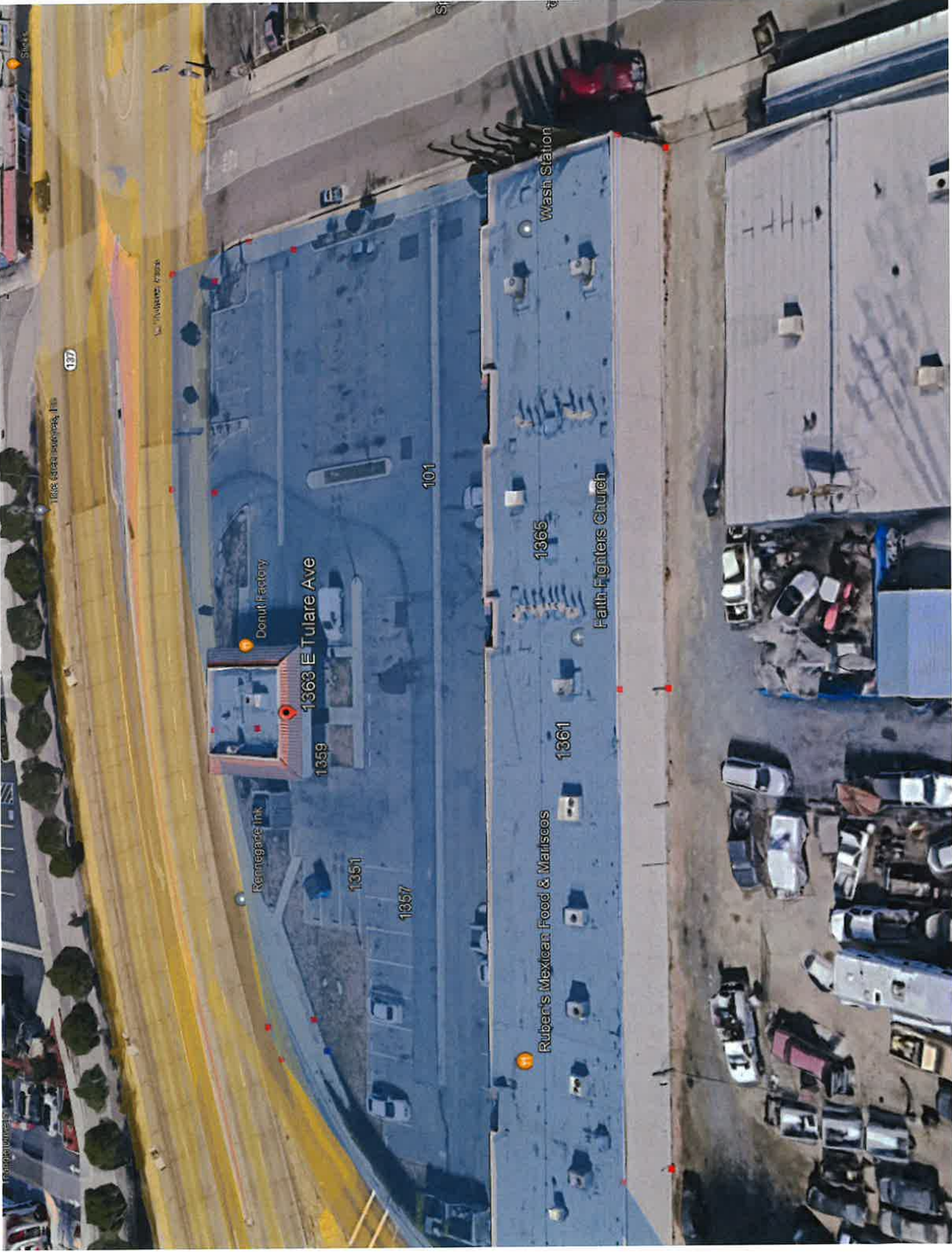
- 9) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 10) Applicant shall comply with Engineering, Fire Department, and Solid Waste Division comments/conditions (Attachments IV, V, and VI).
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 13) Any significant changes to the site plan or floor plan layout shall be subject to review and approval by the Planning Commission.
- 14) Applicant to maintain all licenses and/or permits required by the State.
- 15) 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 Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

APPEAL INFORMATION:

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

Attachments:

- I. Project Vicinity Map
- II. Site Plan
- III. Floor Plan
- IV. Engineering Comments
- V. Fire Department Comments
- VI. Solid Waste Comments
- VII. Resolution



137
13000 Street Business, Inc

13000 Street Business, Inc

Donut Factory

1363 E Tulare Ave

1359

Renegade Ink

1351

1357

101

Ruben's Mexican Food & Mariscos

1361

1365

Faith Fighters Church

Wash Station

1, 1955

RECORD OF SURVEY
k. 13, Pg. 69, T.C.R.

(E) BUILDING

AREA OF
IMPROVEMENT
(C-STORE)

PROPOSED
CANOPY

CAR WASH

AVENUE 232

AVENUE 232

SPRUCE STREET
CENTRAL LINE OF SPRUCE STREET

PROPOSED SITE PLAN
SCALE: 1"=20'

PROPOSED PLAN OF IMPROVEMENT
OR ANY PART THEREOF SHALL BE
VOID AND AVOIDABLE UNLESS
IT IS APPROVED BY THE CITY OF
TULARE AS SHOWN ON THIS PLAN.

- SITE PLAN REVISION NOTES**
- 1) REVISIONS
 - 2) ADD 1" x 1" SIGN
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CIVIL ENGINEERING • LAND SURVEYING • CONSULTING • STRUCTURAL DESIGN • ARCHITECTURAL DRAFTING • COMMERCIAL & RESIDENTIAL BUILDING DESIGN • PLANNING & PROJECT MANAGEMENT

PROPOSED SITE PLAN

DATE: 4/28/2014

SCALE: AS SHOWN

PROJECT: TENANT IMPROVEMENT FOR EXTRA MILE C-STORE 1363 E TULARE AVENUE TULARE, CA 93274 APN: 177-123-011

CENTRAL VALLEY

ENGINEERING & SURVEYING, INC.

1000 N. G STREET, SUITE 200

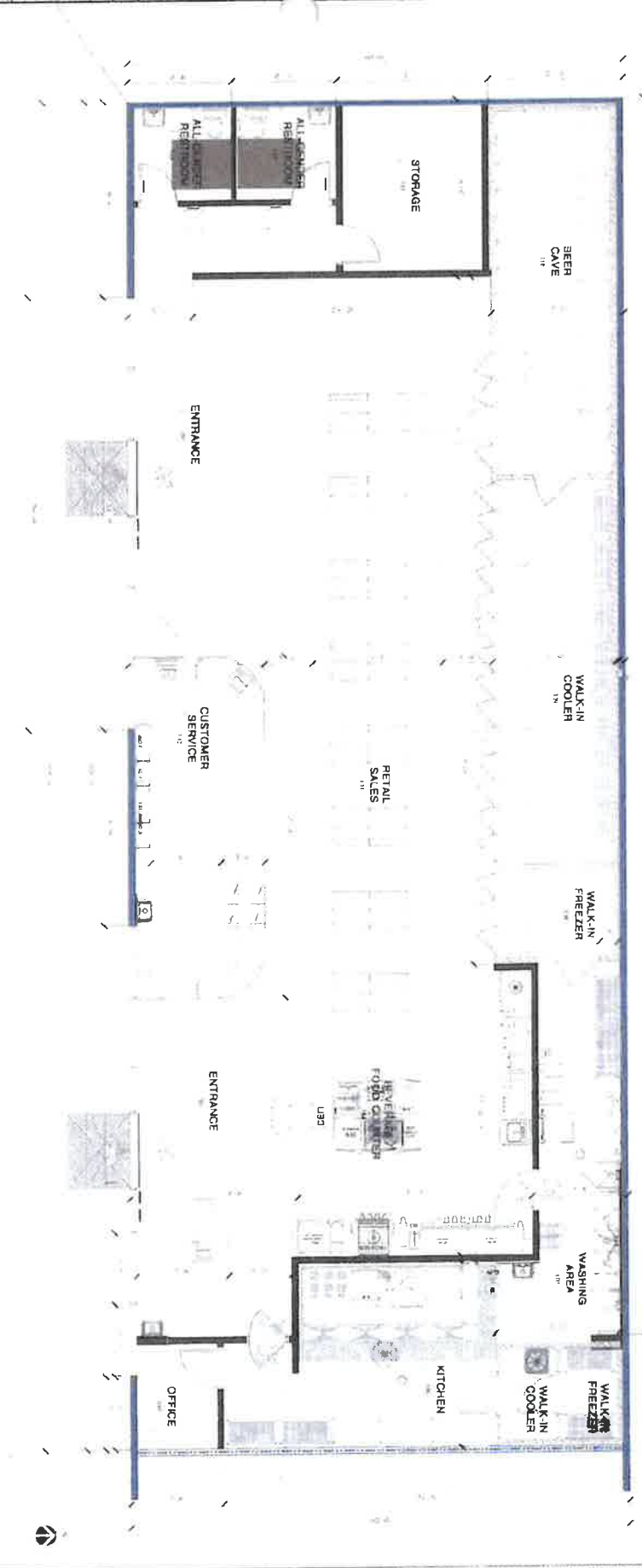
TULARE, CA 93274

TEL: 559-281-1111

FAX: 559-281-1112



PROPOSED FLOOR PLAN



EXISTING INSULATION LEGEND

INSULATION TYPE	THICKNESS	NOTATION
ROCK WOOL	4" R-13	(Symbol)
GLASS WOOL	4" R-13	(Symbol)
PERIMETER INSULATION	2" R-10	(Symbol)

WALL LEGEND

WALL TYPE	NOTATION
CONCRETE	(Symbol)
CMU	(Symbol)
BRICK	(Symbol)
STUCCO	(Symbol)
GLASS	(Symbol)
GLASS BLOCK	(Symbol)
GLASS CURTAIN WALL	(Symbol)
GLASS PARTITION	(Symbol)
GLASS DOOR	(Symbol)
GLASS WINDOW	(Symbol)
GLASS SKYLIGHT	(Symbol)
GLASS PARTITION	(Symbol)
GLASS DOOR	(Symbol)
GLASS WINDOW	(Symbol)
GLASS SKYLIGHT	(Symbol)



SITE PLAN REVIEW COMMENTS

Engineering Services Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

SITE PLAN MEETING DATE: 4/24/2024

SITE PLAN REVIEW APPLICATION NO.: SP24-025

PROJECT: Commercial: T.I. for Extra Mile C-Store

PROJECT LOCATION: 1363 E. Tulare

OWNER/DEVELOPER: Brenda Ramirez

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

Resubmit with the following required revisions to the site plan:

1. Please provide cross sections of _____ on the Site Plan. Cross sections shall include (at a minimum) dimensions from right-of-way (ROW) to ROW (existing and proposed), dimensions from ROW to landscape lot (if applicable), dimensions from ROW to sections line, dimensions from sections line to curb face, dimensions from curb face to sidewalk, sidewalk width, and median width and location with respect to section line (if applicable).

2. _____

Proceed and comply with the following, and the standard Engineering Conditions of Approval checked below:

1. Drive aisle width and parking stall dimensions shall comply with City of Tulare standards.
2. The area under the gas pump canopy shall not directly discharge to the City's storm drain system.

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. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

- 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. Included in the first plan check submittal, the Owner/Developer shall submit a Geotech report demonstrating that proposed retention basin(s) or existing basin expansions will adequately infiltrate a ten (10) year, twenty-four (24) hour event (2.01 inches) in ten (10) days.
- 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.
- Submittal of the following Master Plan drawings is required prior to the submittal of project improvement plans: Water, Sewer, Storm Drain, Streets.

City approval of Master Plan drawings is required prior to the City's review of any project improvement plans that may be affected by the Master Plan drawings.

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 Avenue (State Route 137), 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

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

Roadway Improvements

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

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

- Construct full pave-out width from lip of gutter to the existing edge of pavement on the following existing roadways impacted by the development is required: _____.
- Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.
- Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.
- Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.
- Curb and Gutter – Existing curb and gutter to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City Standard curb and gutter shall be constructed as indicated below.~~

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

- Construct City standard cross gutter at the following locations: _____.
- Driveway Approaches – Existing driveway approaches to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City Standard driveway approaches shall be constructed as indicated below.~~

<u>Street Frontage(s)</u>

- Sidewalks – Existing sidewalk to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, and cracked or raised concrete. ~~New City Standard sidewalk shall be~~

~~constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so.~~

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

- Ramped Curb Returns – Existing ramped curb returns to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.~~

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

- Alley Improvements – The following alley improvements are required:
 1. Construct vee gutter at the following locations: _____.
 2. Construct ADA compliant alley approach at the following locations:
 3. Other: _____.
- Street monuments – Street monuments shall be installed at locations as required by the City Engineer.
- Temporary Turnarounds – Turnarounds are required at all dead end or stubbed streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up. Grants of easement shall be provided to the City of Tulare for all temporary turnaround locations.
- Damage to Existing Street Improvements – If work by the Owner/Developer or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Owner/Developer shall maintain the street in its repaired state for the duration of the development's construction activities.
- Street Lights – Street lights shall be owned and maintained by Southern California Edison, and shall be installed at locations designated by the City Engineer per the City of Tulare Design Guidelines and Public Improvement Standards. The Owner/Developer shall provide a street light design plan for the overall project prior to or along with the first submittal of project improvement plans, which shall be subject to the approval of the City Engineer. 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: Bike Rack.
- Transit Facilities** – The proposed development shall incorporate City standard bus turnout(s) at the following location(s): _____.

Grading Requirements

- A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.

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

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

Utility Improvements

- All utility services to be located within paved areas shall be placed in the streets prior to paving.
- The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.
- All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

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

Water System Requirements

- Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.
- Commercial/Industrial Development: If they currently don't exist at the site, the proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.

- Multifamily Residential (one to two units fed by a single City meter): The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed. If a standalone irrigation meter is installed, a City approved backflow device is required.
- Multifamily Residential (more than two units fed by a single City meter): The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Single Family Residential: The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Developer shall install backflow cages per City Standards for all water services 2 inches and smaller. Backflow cages for water services 3 inches and larger shall be approved by the Fire Department and Engineering Department.
- 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 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.
- 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 \$ 28.00 per front foot for frontages on _____.
- Sewer lift station fee of \$ _____ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on _____.
- Street front foot charges of \$ _____ per front foot for frontages on _____.
- Benefit district creation fee (if applicable): \$ 1,356.00 per district.
- A per-lot or per-area in-lieu fee of \$ _____ shall be established to equitably distribute costs for future offsite improvement on _____ and _____. Offsite improvements include, but not limited to:
 - Undergrounding of existing electrical lines along _____ and _____ frontage.
 - Undergrounding of existing irrigation canal along _____ and _____ frontage.
 - Curb, gutter, sidewalk, and street paving along _____ and _____ frontage.
 - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
 - Streetlight along _____ and _____ frontage.
 - Intersection improvements, including but limited to curb returns and medians at the intersection of _____ and _____.
 - Storm drain system improvements along _____ and _____ frontage
 - Extension of water main along _____ and _____ frontage
 - Extension of sewer main along _____ and _____ frontage
- 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: _____

Solid Waste Division

Solid Waste & Recycling Service

Art Avila, Solid Waste Manager

Office: 559-684-4326 Fax: 559-685-2378

aavila@tulare.ca.gov



SITE PLAN

Location: 1363 East Tulare

Name: Coffee Drive Thru and Gas Station

Date: 10/10/2023

Plan #: SP 23-077

TYPE OF SERVICE

Commercial Residential Roll Off Mandatory Recycling / Composting

Revisions required prior to submitting final plans. SEE COMMENTS ATTACHED .

Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.

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

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

Mandatory Food Waste and Compost Recycling as per **SB 1383** is required. Additional storage area attached to the enclosure to store up to 3-96 gallon cans as shown on enclosure specs is required.

A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight..

All refuse enclosures must be Triple Wide by City Standards to accommodate for yard waste / food waste as per **SB 1383**

Location of bin enclosure not acceptable. See comments attached.

Bin enclosure is not to city standards triple wide.

Inadequate number of Trash / Recycling containers to provide sufficient service. See comments attached.

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

Area not adequate for allowing refuse truck turning radius of :
Commercial () 50 ft. outside 36 ft. inside; Residential () 50 ft. outside, 36 ft. inside.

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

Enclosure gates are (X) required () optional. () Lockable
(Gates and poles to be constructed as shown in City of Tulare enclosure specifications.)

Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. **Gate shall open 180 degrees from closed position.**

Hammerhead turnaround must be built per city standards.

All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash / recycling / compost enclosures.

Area in front of refuse enclosure must be marked off indicating "No Parking"

All Enclosures will have to be designed and located for a STAB service (**Direct Access**) (**No Roll Out**)

Customer will be required to roll container out to curb/alley for service.

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provide by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 18-07. Commercial Front Load Bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

Comments: Customer will build a new city standard trash enclosure to accommodate complex.

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following site plan comments for SP 24-25:

1. The project must comply with all of the latest applicable codes and standards.
2. An automatic hood suppression system shall be installed to protect all of the grease laden cooking appliances. A minimum of one audio/visual signaling device shall be installed and interconnected with the suppression system.
3. 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"
4. 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.
5. 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.
6. A Knox box shall be required for this building. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Marshal. Online ordering is available at www.knoxbox.com using the department search, *Tulare City Fire Department*.
 - a. The convenience store will require a Knox box.
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
April 24, 2024

RESOLUTION NO. 5481

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2024-07**

WHEREAS, Conditional Use Permit 2024-07 is a request by Deep Gerwal, to demolish an existing donut shop and replace it with a carwash and service station and to install a convenience store inside an existing commercial building. The application also includes a request to obtain an ABC license (Type 20: Off-Sale Beer and Wine) to sell beer and wine for consumption off-site in conjunction with the service station. The project is located at 1363 East Tulare Avenue on the southwest corner of East Tulare Avenue and South Spruce Street (APN 177-123-011); and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on June 10, 2024; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2024-06 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

WHEREAS, the Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA):

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15332 (In-fill Development); and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.
- 4) That the proposed use is consistent with the Tulare General Plan.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2024-07 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 5) Prior to construction, applicant shall obtain all required County Environmental Health Services Division permits required for the installation of underground or above ground storage tanks.
- 6) 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.
- 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) Use requires a minimum of 5% of the parcel area to consist of landscaping at all times. After installation, all landscaping shall continue to be maintained, watered, and trimmed.
- 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, Fire Department, and Solid Waste Division comments/conditions (Attachments V, VI, and VII).
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 13) Any significant changes to the site plan or floor plan layout shall be subject to review and approval by the Planning Commission.
- 14) Applicant to maintain all licenses and/or permits required by the State.

- 15) 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 Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

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

Resubmit with the following required revisions to the site plan:

1. Please provide cross sections of _____ on the Site Plan. Cross sections shall include (at a minimum) dimensions from right-of-way (ROW) to ROW (existing and proposed), dimensions from ROW to landscape lot (if applicable), dimensions from ROW to sections line, dimensions from sections line to curb face, dimensions from curb face to sidewalk, sidewalk width, and median width and location with respect to section line (if applicable).
2. _____

Proceed and comply with the following, and the standard Engineering Conditions of Approval checked below:

1. Drive aisle width and parking stall dimensions shall comply with City of Tulare standards.
2. The area under the gas pump canopy shall not directly discharge to the City's storm drain system.

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. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

- 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. Included in the first plan check submittal, the Owner/Developer shall submit a Geotech report demonstrating that proposed retention basin(s) or existing basin expansions will adequately infiltrate a ten (10) year, twenty-four (24) hour event (2.01 inches) in ten (10) days.
- 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.

Submittal of the following Master Plan drawings is required prior to the submittal of project improvement plans: Water, Sewer, Storm Drain, Streets.

City approval of Master Plan drawings is required prior to the City’s review of any project improvement plans that may be affected by the Master Plan drawings.

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 Avenue (State Route 137), 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

The Owner/Developer shall submit a preliminary soil report per the requirements of the California Map Act. The report 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.

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

Roadway Improvements

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

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

- Construct full pave-out width from lip of gutter to the existing edge of pavement on the following existing roadways impacted by the development is required: _____.
- Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.
- Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.
- Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.
- Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.
- Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.
- Curb and Gutter – Existing curb and gutter to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be

required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City Standard curb and gutter shall be constructed as indicated below.~~

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

Construct City standard cross gutter at the following locations: _____.

Driveway Approaches – Existing driveway approaches to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City Standard driveway approaches shall be constructed as indicated below.~~

<u>Street Frontage(s)</u>

Sidewalks – Existing sidewalk to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, and cracked or raised concrete. ~~New City Standard sidewalk shall be constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so.~~

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

Ramped Curb Returns – Existing ramped curb returns to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. ~~New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.~~

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

Alley Improvements – The following alley improvements are required:

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

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

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

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

Street Lights – Street lights shall be owned and maintained by Southern California Edison, and shall be installed at locations designated by the City Engineer per the City of Tulare Design Guidelines and Public Improvement Standards. The Owner/Developer shall provide a street light design plan for the overall project prior to or along with the first submittal of project improvement plans, which shall be subject to the approval of the City Engineer. 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: Bike Rack.
- Transit Facilities** – The proposed development shall incorporate City standard bus turnout(s) at the following location(s): _____.

Grading Requirements

- A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is required not required.

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

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

Utility Improvements

- All utility services to be located within paved areas shall be placed in the streets prior to paving.
- The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.
- All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

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

Water System Requirements

- Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____
- Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

- Commercial/Industrial Development: If they currently don't exist at the site, the proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Multifamily Residential (one to two units fed by a single City meter): The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed. If a standalone irrigation meter is installed, a City approved backflow device is required.
- Multifamily Residential (more than two units fed by a single City meter): The proposed development shall install water services with backflow devices, as approved by Planning and Building. Water sizing calculations shall be provided at the time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Single Family Residential: The proposed development shall install water services as approved by Planning and Building. Domestic services shall be metered services using the make and model of the meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
- Developer shall install backflow cages per City Standards for all water services 2 inches and smaller. Backflow cages for water services 3 inches and larger shall be approved by the Fire Department and Engineering Department.
- 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 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.
- 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 oversized 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 \$ 28.00 per front foot for frontages on _____.
- Sewer lift station fee of \$ _____ per acre.
- Water front foot charges of \$ 19.00 per front foot for frontages on _____.
- Street front foot charges of \$ _____ per front foot for frontages on _____.

- Benefit district creation fee (if applicable): \$ 1,356.00 per district.
- A per-lot or per-area in-lieu fee of \$ _____ shall be established to equitably distribute costs for future offsite improvement on _____ and _____. Offsite improvements include, but not limited to:
 - Undergrounding of existing electrical lines along _____ and _____ frontage.
 - Undergrounding of existing irrigation canal along _____ and _____ frontage.
 - Curb, gutter, sidewalk, and street paving along _____ and _____ frontage.
 - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
 - Streetlight along _____ and _____ frontage.
 - Intersection improvements, including but limited to curb returns and medians at the intersection of _____ and _____.
 - Storm drain system improvements along _____ and _____ frontage
 - Extension of water main along _____ and _____ frontage
 - Extension of sewer main along _____ and _____ frontage
- 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

1. The project must comply with all of the latest applicable codes and standards.
2. An automatic hood suppression system shall be installed to protect all of the grease laden cooking appliances. A minimum of one audio/visual signaling device shall be installed and interconnected with the suppression system.
3. 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"

4. 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.
5. 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.
6. A Knox box shall be required for this building. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Marshal. Online ordering is available at www.knoxbox.com using the department search, *Tulare City Fire Department*.
 - a. The convenience store will require a Knox box.
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
April 24, 2024

Solid Waste

1. Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.
2. Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers. Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
3. Mandatory Food Waste and Compost Recycling SB 1383 is required. Additional storage area attached to the enclosure to store up 3-96-gallon cans as shown on enclosure specs is required.
4. A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of 8 inches thick to withstand truck weight.
5. All refuse enclosures must be Triple Wide by City Standards to accommodate for yard waste / food waste as per SB 1383.

6. Paved areas should be engineered to withstand a 60,000 lb. refuse truck.
7. Enclosure gates are required. (Gates and poles to be constructed as shown in City of Tulare enclosure specifications)
8. Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. Gate shall open 180 degrees from closed position.
9. All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.
10. Area in front of refuse enclosure must be marked off indicating "No Parking."
11. Enclosure will have to be designed and located for a STAB service (Direct Access).

Section 7.16.040 of the Tulare Municipal Code prohibits private companies/haulers from providing refuse services without authorization. Roll Off services for construction and demolition, recycling, compost or green waste and metal are to be provided by the City of Tulare Solid Waste Division. Any Private Roll Off companies/haulers used, must be listed on the Board of Public Utilities City Resolution Approved Authorized Haulers List, Resolution No. 07-04. Commercial front load bin service in the City of Tulare is provided exclusively by the City of Tulare Solid Waste Division only as per Municipal Code (No Exceptions).

PASSED, APPROVED AND ADOPTED this tenth day of June, 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

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

June 10th, 2024

CONDITIONAL USE PERMIT NO. 2024-08

PRESENTED TO:	Planning Commission
PRESENTED BY:	Julian Reynaga, Assistant Planner
APPLICANT:	Juan Carlos Ramirez (Jalisco's Tacos)
LOCATION:	Property is located at 1510 N. J Street
APN:	164-082-028
ZONING CLASSIFICATION:	C-4 (Service Commercial)
GENERAL PLAN DESIGNATION:	Service Commercial
SURROUNDING LAND USES AND ZONING:	North:.....Service Commercial (C-4) South:.....Service Commercial (C-4) East:.....Single Family Residential (R-1-8) West:..... Heavy Industrial (M-2)

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2024-08 subject to the findings and conditions in Resolution No. 5483. 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. 2024-08 is a request by Juan Carlos Ramirez to renew the Conditional Use Permit to operate a stationary mobile vending vehicle (Jalisco's Tacos) on the property located at 1510 North J Street.

RELATED PROJECTS:

Conditional Use Permit 2014-05 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North 'J' Street. Planning Commission approval April 28, 2014.

Conditional Use Permit 2015-11 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North 'J' Street. Planning Commission approval September 14, 2015.

Conditional Use Permit 2016-20 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North ‘J’ Street. Planning Commission approved October 10, 2016.

Conditional Use Permit 2018-24 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North ‘J’ Street. Planning Commission approved October 22, 2018.

Conditional Use Permit 2019-27 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North ‘J’ Street. Planning Commission approved January 27, 2020.

Conditional Use Permit 2021-04 – Request to operate a stationary mobile vending vehicle on the property located at 1510 North ‘J’ Street. Planning Commission approved March 22, 2021.

STAFF COMMENTS AND PROJECT DETAILS:

The applicant has been operating a stationary mobile vending unit (Jalisco’s Tacos) in the parking lot of the existing ‘J’ Street Mini-Market. The vehicle is parked in the northwest portion of the parking lot and utilizes 2 existing parking stalls and has a sit-down area with tables. The mobile vending unit is open from 9:00 a.m. to 11:30 p.m. seven days per week. The unit will have a total of 6 employees, 2 shifts of 3 employees.

The vehicle is a walk-up service only. Restrooms are located in the existing retail structure and the applicant has received a letter from the owner to allow continued use of the restrooms throughout the business hours.

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

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

ENVIRONMENTAL FINDINGS:

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

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2024-08.

- 1) That the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.

- 3) That the request is in conformance with the goals and objectives of the Zoning Ordinance and General Plan.
- 4) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 5) That this project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act of 1970, as amended.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No.2024-08, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain any other required license or permit.
- 7) Hours of operation shall be 9 a.m. to 11 p.m., Monday through Sunday.
- 8) Applicant shall ensure all waste materials, including grease, is disposed of appropriately off-site and not spilled or intentionally discarded on-site or in the City's drain & sewer system. If applicant is found to violate this condition, applicant may have their conditional use permit revoked
- 9) This permit shall remain valid for two years from approval or June 10th, 2026; at which time the applicant may apply for a new Conditional Use Permit.
- 10) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date Tulare County Health Department license and, liability insurance as part of a one-year review.

APPEAL INFORMATION:

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

Attachments:

- I. Project Location Map
- II. Resolution

RESOLUTION NO. 5483

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
APPROVING CONDITIONAL USE PERMIT NO. 2024-08**

WHEREAS, Conditional Use Permit 2024-08 is a request by Juan Carlos Ramirez (Jalisco’s Tacos) to operate a stationary mobile vending vehicle on the property located at 1510 North ‘J’ Street; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on June 10th, 2024;

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2024-08 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

WHEREAS, the Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA); and,

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

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

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

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2024-08 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.

- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain City of Tulare business license.
- 7) This permit shall remain valid for two years from approval or June 10th, 2026; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date Tulare County Health Department license, California DMV license and liability insurance as part of a one-year review.
- 9) Hours of operation shall be 9 a.m. to 11:30 p.m. seven days per week.
- 10) Applicant may set up tables with chairs for outdoor dining. Tables and chairs are to be located outside of any parking or driving areas

PASSED, APPROVED, AND ADOPTED this tenth day of June, 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