

**PLANNING DIRECTOR'S REVIEW  
(Staff Report)**

Agenda Item No.

April 10, 2017

**CONDITIONAL USE PERMIT NO. 2017-05**

**PROJECT PLANNER:** Traci Myers, Community Development Deputy Director

**APPLICANT:** Bethel Assembly of God Church

**PROPERTY OWNER:** Monterey Dynasty, LLC

**APPLICANT'S ENGINEER:** 4Creeks Inc.

**LOCATION AND SIZE:** Project is located south of Cartmill Ave. between Hwy 99 and Retherford Streets containing approximately 5.82 acres.

**APN:** 166-230-002

**ZONING CLASSIFICATION:** RM-4 (1 unit/1,500 sf site area)

**GENERAL PLAN DESIGNATION:** High Density Residential

**SURROUNDING LAND USES AND ZONING:** North: Vacant commercial C-3  
South: Multifamily RM-4  
East: Vacant commercial C-3  
West: Vacant commercial C-3

**REQUEST:**

Applicant requests a conditional use permit to construct a 91 unit, two-story assisted living facility (Phase 1/ 95,720sf) and 77 unit independent living facility (Phase 2/ 77,791 sf) on approximately 5.82 acres located on the west side of Retherford Street between Cartmill Avenue and Corvina Avenue alignment. The site is currently vacant and zoned RM-4 (residential multi-family, 1 unit/1,500 sf min lot area).

**RELATED PROJECTS:**

**Parcel Map No. 2010-03** – request by Bethel Assembly of God Church to subdivide 2 commercial parcels and create 8 commercial parcels. Property is approximately 80 acres in size, zoned C-3 and located along the south side of East Cartmill Ave, between Gem and Retherford Streets. APN's 166-010-020 & 166-010-013 (**Final Parcel Map Recorded 12/31/2010**)

*Bethel Assembly of God Church*

*CUP 2017-05*

*91 Units Assisted Living  
77 Units Independent Living*

**General Plan Amendment No. 2010-05** – request by Bethel Assembly of God church to amend general plan land use designation from Regional Commercial to Urban Residential (1993 General Plan) and High-Density Residential (2030 General Plan) on approximately 11 acres and from Regional Commercial to Community Commercial (1993 & 2030 General Plan) on approximately 18 acres located along the eastern portion of the site. **(PC Approval 12/7/2010)**

**Zone Change No. 689** - request by Bethel Assembly of God church to change zoning on 11 acres from C-3 (retail commercial) to R-M-4 (multiple family residential – 1,500 sq. ft. minimum parcel area per unit. **(PC Approval 12/7/2010)**

**Conditional Use Permit No. 2017-06/Variance 456 (on current agenda)** - Request by Bethel Assembly of God Church for a conditional use permit to construct a 57,579 sf church, 21,096 sf future church building, 25,500 sf children’s classroom, 19,810 sf youth building and 2,800 sf maintenance building on 16.1 acres located at the west side of Retherford Street between Cartmill and Corvina Avenue, Tulare, CA and a variance request to allow the building height of the church building to be 83 feet. (C-3 zone district allows up to 60 feet by Conditional Use Permit.) The site is currently vacant and zoned C-3 (Retail Commercial).

**Design Review 1092 (on current agenda)** - Request by Bethel Assembly of God church for a design review approval to construct a 122,235 sf, 100 unit senior apartment building on Retherford Street between Cartmill Avenue and Corvina Avenue alignment. Property is zone RM-4 (residential multi-family, 1 unit/1,500 sf min. lot area).

**DETAILS OF THE PROPOSAL:**

Applicant proposes this project in two phases:

Phase 1 – Construction of a 95,720sf, 91 unit, two-story assisted living/memory care facility which includes 63 bed assisted living and 28 bed memory care facility as follows:

<b>91 Units</b>	<b>Bedrooms</b>	<b>Size</b>
41	One-bedroom	555 sq. ft.
4	Two-bedroom	835 sq. ft.
18	Studios - AL	404 sq. ft.
14	Studio ALZ	404 sq. ft.
14	Semi-private studios ALZ	535 sq. ft.

The facility will offer seniors over 62 years of age assistance with daily living activities. Services will include exercise and wellness programs, social cultural and religious activities. Amenities will include common areas, full service beauty and

barber salon, physical and occupational therapy, weekly housekeeping and linen service, 24/7 emergency call system and security, transportation services and 3 meals per day in the common dining room. The memory care (dementia/Alzheimer's) portion will be segregated in one wing and have their own dining and activities areas. The building is being constructed in a pattern to allow "walking paths" in which residents may walk but will always regain their starting point. The enclosed garden area is similarly configured.

Lighting, railing and other environmental cues are included to provide residents the greatest independence and dignity while supporting the limitations imposed by the dementia.

Phase 2 – Construction of a 77,791 sf three-story, 77 unit independent living facility apartment style building with limited services. Services would include exercise and wellness programs, social cultural and religious activities, common areas, beauty and barber shop, physical and occupational therapy, weekly housekeeping and linen services, transportation services and at least 2 meals per day in the common dining room.

<b>77 Units</b>	<b>Bedrooms</b>	<b>Size</b>
68	One-bedroom	550 sq. ft.
4	Two-bedroom	832 sq. ft.
5	Studios	407 sq. ft.

Assess to the site will be from Retherford Street. The on-site parking requirement for Phase 1 (91 unit, two-story assisted living/memory care facility) will be based on the number of employees on the maximum shift, plus one space per five resident units. The on-site parking requirement for Phase 2 (three-story, 77 unit independent living facility) is for retirement homes at the ratio of 1.5 spaces per unit. (*Tulare Municipal Code section 10.192.040)(5)(6)*)

The total on-site parking required is 156 spaces. The applicant is providing 164 on-site parking spaces, including 57 covered spaces with 54 sf. of secured storage, 107 visitor stalls and 9 handicapped stalls.

**STAFF COMMENTS:**

Project is consistent with the housing element and will provide an additional 168 new housing units to our regional housing goals. This project would further the city's goal to provide a mix of housing types for all segments of the community.

General Plan Consistency: The 2035 General Plan land use map depicts this property as High Density Residential or 14.1 – 29 units per acre. The proposed project (168 units total) on 5.82 acres translates to 28.86 units per acre.

Zoning Consistency: The zoning is RM-4 (1 unit/1,500 sf of site area) translates to 1 unit/1509 sf of lot area.

### **ENVIRONMENTAL FINDINGS:**

An Initial Study/Mitigated Negative Declaration was adopted on December 7, 2010 for Conditional Use Permit No. 2010-14/Variance No. 441 (Church building, youth building, classrooms), Conditional Use Permit No. 2010-15 (Assisted Living/Memory Care Facility), and Design Review No. 1033 (Senior Apartments), entitlements since expired on November 14, 2016. No new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162. An Addendum to the adopted Mitigated Negative Declaration was prepared pursuant to California Environmental Quality Act (CEQA) section 15164.

### **CONDITIONAL USE PERMIT FINDINGS:**

Staff recommends that the Planning Commission make the following findings:

- 1) That the location of the proposed use is in accordance with the purpose and objectives of this title and the purposes of the district in which the subject site is located;
- 2) That the location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or materially injurious to properties or improvements in the vicinity;
- 3) That the proposed use will not have a significant impact on the environment;
- 4) That the proposed use will comply with applicable provisions contained in this title;
- 5) That the proposed use is consistent with the Tulare General Plan; and
- 6) That the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed.

**RECOMMENDATIONS:**

Based on the approved findings, staff recommends that Planning Commission approve Conditional Use Permit No. 2017-05 subject to the following conditions:

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.
- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.
- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of Landscape and Irrigation plans consistent with the City Landscape Ordinance (Title 10, Section 10.196) and shall be approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) Applicant to comply with all mitigation measures identified in the Mitigated Negative Declaration.
- 13) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.

- 14) In accordance with Zoning Ordinance Section 10.120.130, 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.
- 15) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 16) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 17) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 18) 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.
- 19) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 20) Covered parking structures to be color matched to the apartment buildings.
- 21) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 22) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 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 challenging such exactions.

- 25) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.

**Attachments:**

- I. Location Map
- II. Site Plan
- III. Elevations
- IV. Engineering Comments
- V. Fire Department Comments
- VI. Parks & Recreation Comments
- VII. Resolution No. 5221



LOCATION MAP





# Bethel Assembly of God Church/Monterey Dynasty, LLC - Overall Site/Phasing Plan

BETHEL CHURCH  
GRANDE OAKS

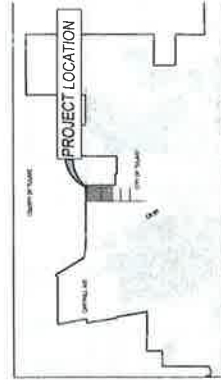
## PHASE PLAN

BEING A DIVISION OF A PROJECT OF THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

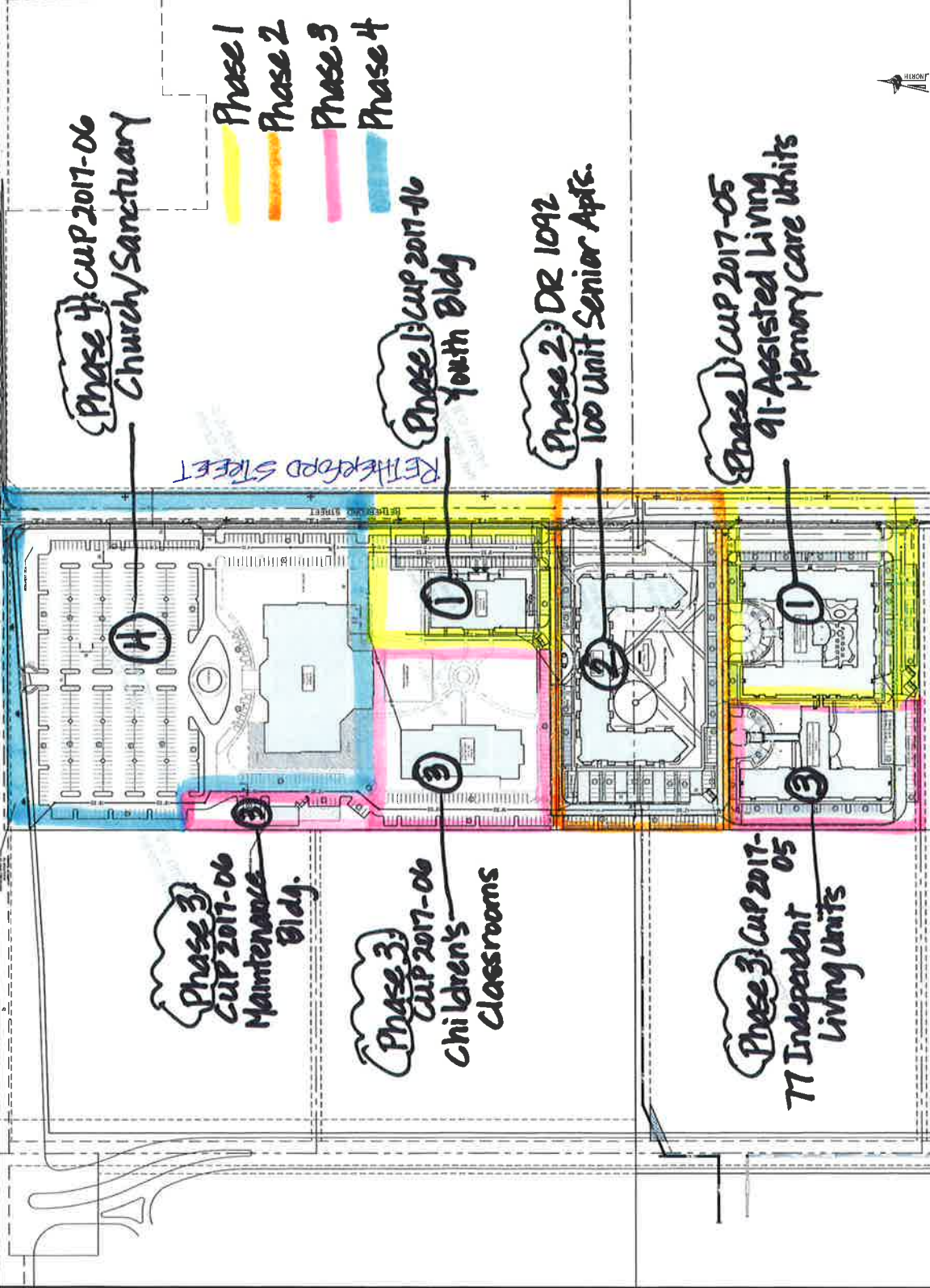
### LEGEND

- APN: 186-220-011, 186-220-012, 186-220-013, 186-230-001, 186-230-002, 186-230-003, 186-230-010
- ACREAGE: 2.27 AC
- FLOOD ZONE: ZONE X
- ZONING (EXISTING): RM-4
- ZONING (PROPOSED): RM-4
- ELECTRICITY: SOUTHERN CALIFORNIA EDISON
- WATER: CITY OF TULARE
- SEWER: CITY OF TULARE
- TELEPHONE: AT&T
- REFUSE: CITY OF TULARE
- NATURAL GAS: SOUTHERN CALIFORNIA GAS
- EXISTING USE: VACANT
- PROPOSED USE: SENIOR APARTMENTS
- PROPOSED PARKING:
  - TOTAL PARKING: 1,101
  - STANDARD/VISITOR: 915
  - SOLAR COVERED: 146
  - HANDICAPPED: 32
  - VAN: 8

- PHASE 1: SENIOR HOUSING (67 ASSISTED LIVING UNITS), YOUTH BUILDING
- PHASE 2: SENIOR HOUSING (100 UNITS)
- PHASE 3: MAINTENANCE BUILDING
- PHASE 4: CHURCH



BETHEL ASSEMBLY OF GOD CHURCH  
REPRESENTED BY



Phase 4: CUP 2017-06  
Church/Sanctuary

Phase 1  
Phase 2  
Phase 3  
Phase 4

Phase 1: CUP 2017-16  
Youth Bldg

Phase 2: DR 1092  
100 Unit Senior Apts.

Phase 1: CUP 2017-05  
91-Assisted Living  
Memory Care Units

Phase 3: CUP 2017-06  
Maintenance  
Bldg.

Phase 3: CUP 2017-06  
Children's  
Classrooms

Phase 3: CUP 2017-05  
77 Independent  
Living Units

CUP 2017-05

# INDEPENDENT & ASSISTED LIVING CONDITIONAL USE PERMIT

BEING A DIVISION OF THE N. 1/2 OF THE 1/4 SEC. 35, T. 35S., R. 24E., M. 0.8 & 1.0, IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

### LEGEND

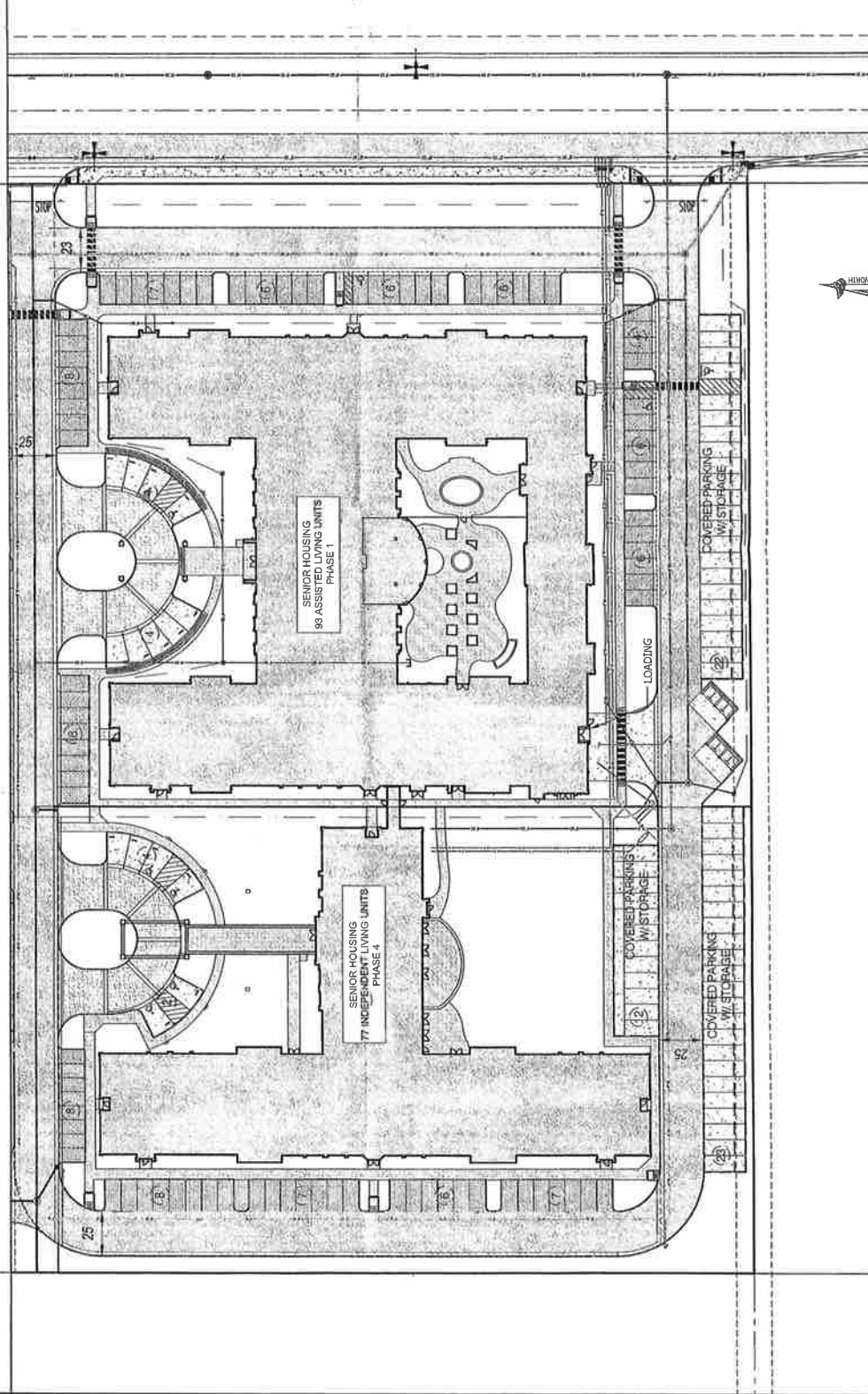
APN: 166-230-008, 166-230-010  
 ACREAGE: 5.82 AC  
 FLOOD ZONE: ZONE X  
 ZONING (EXISTING): RM-4  
 ZONING (PROPOSED): RM-4  
 ELECTRICITY: SOUTHERN CALIFORNIA EDISON  
 WATER: CITY OF TULARE  
 SEWER: CITY OF TULARE  
 TELEPHONE: AT&T  
 REFUSE: CITY OF TULARE  
 NATURAL GAS: SOUTHERN CALIFORNIA GAS  
 EXISTING USE: VACANT  
 PROPOSED USE: ASSISTED & INDEPENDENT SENIOR UNITS  
 REQUIRED PARKING: 119 REQUIRED STALLS  
 (RETIREMENT HOME: 1 STALL PER 1.5 UNITS)

PROPOSED PARKING: 164 STANDARD PARKING  
 SQUARE COVERED: 57 STALLS  
 VISITOR: 107 STALLS  
 HANDICAPPED: 9 STALLS

STORAGE: 57 STORAGE UNITS  
 6x8' STORAGE UNITS: 3,076 SF  
 TOTAL STORAGE: 3,076 SF

BUILDING SQUARE FOOTAGE:  
 PHASE 1: ASSISTED LIVING UNITS: 50,045 SF (89 UNITS)  
 PHASE 2: INDEPENDENT LIVING UNITS: 26,468 SF (77 UNITS)

PROPOSED ON-SITE UTILITY PLANS:  
 SEWERS 8"  
 WATER 8"  
 STORM DRAIN: 18"



SCALE: 1\"/>
 PREPARED BY:  
 BETHLEHEM ASSEMBLY OF GOD CHURCH



Unit 2011-05  
DR 1092  
Elevations



WATKINS ARCHITECTURAL GROUP

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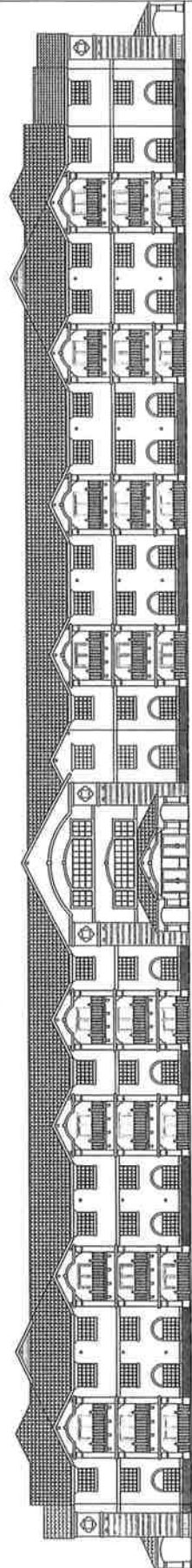


CUP 2017-05  
DR 1092  
Elevations

**R. MESSNER CONSTRUCTION**  
CONTRACTORS AND ARCHITECTS  
1000 S. GARDEN AVENUE, SUITE 100  
TULSA, OKLAHOMA 74106  
PHONE: 918.438.1111 FAX: 918.438.1112  
WWW.RMESSNERCONSTRUCTION.COM

**THE CONDOMINIUMS AT HARMONY VILLAGE**  
300 N. MAIN STREET  
TULSA, CALIFORNIA  
REV. DENNIS SUDERLAND

NO.	DESCRIPTION	DATE
1	PRELIMINARY FRONT ELEVATION	10/17/17



PRELIMINARY FRONT ELEVATION  
10/17/17

PRELIMINARY ELEVATIONS



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize



reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification



signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
  - Development impact fees to be paid with building permit.
  - 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 CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit CUP 2017-05:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § ~~10.196.060~~(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § 10.196.030) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls.* Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots.* Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.



A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**RESOLUTION NO. 5221**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2017-05**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on April 10, 2017 considered a request by Bethel Assembly of God Church for a conditional use permit to construct a 91 unit, two-story assisted living facility (Phase 1/ 95,720sf) and 77 unit independent living facility (Phase 2/ 77,791 sf) on approximately 5.82 acres located on the west side of Retherford Street between Cartmill Avenue and Corvina Avenue alignment. The site is currently vacant and zoned RM-4 (residential multi-family, 1 unit/1,500 sf min lot area); and,

**WHEREAS**, the City of Tulare Planning Commission determined 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; and,

**WHEREAS**, the City of Tulare Planning Commission determined 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; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed conditional use will comply with each of the applicable provisions of the Zoning Ordinance and General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that this request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site; and,

**WHEREAS**, the City of Tulare Planning Commission determined no new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2017-05 is hereby approved subject to the following conditions:

**Planning:**

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.
- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.

- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of Landscape and Irrigation plans consistent with the City Landscape Ordinance (Title 10, Section 10.196) and shall be approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) Applicant to comply with all mitigation measures identified in the Mitigated Negative Declaration.
- 13) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 14) In accordance with Zoning Ordinance Section 10.120.130, 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.
- 15) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 16) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 17) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 18) 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.

- 19) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 20) Covered parking structures to be color matched to the apartment buildings.
- 21) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 22) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 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 challenging such exactions.
- 25) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.
  - A) *City of Tulare **Engineering** Department Comments are attached hereto and incorporated herein as though fully set forth.*
  - B) *City of Tulare **Fire Department** Comments are attached hereto and incorporated herein as though fully set forth.*
  - C) *City of Tulare **Parks and Recreation** Comments are attached hereto and incorporated herein as though fully set forth.*

**PASSED, APPROVED AND ADOPTED** this tenth day of **April, 2017** by the following recorded vote:

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

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

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

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

\_\_\_\_\_  
**JEFF KILLION, CHAIRMAN**  
City of Tulare Planning Commission

**ATTEST:**

\_\_\_\_\_  
**ROB HUNT, SECRETARY**  
City of Tulare Planning Commission



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize



reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification

signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
  - Development impact fees to be paid with building permit.
  - 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 CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit CUP 2017-05:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § 10.196.030) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*



(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots*. Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls*. Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots*. Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**PLANNING DIRECTOR'S REVIEW  
(Staff Report)**

Agenda Item No.

April 10, 2017

**CONDITIONAL USE PERMIT NO. 2017-06  
VARIANCE NO. 456**

**PROJECT PLANNER:** Traci Myers, Community Development  
Deputy Director

**APPLICANT:** Bethel Assembly of God Church

**APPLICANT'S ENGINEER:** 4Creeks Inc.

**LOCATION AND SIZE:** Project is located on the south side of East Cartmill Avenue, between Gem and Retherford Streets and contains approximately 16.1 acres.

**APN's:** 166-220-002; 166-220-003

**ZONING CLASSIFICATION:** C-3 (retail commercial)

**GENERAL PLAN DESIGNATION:** Regional Commercial

**SURROUNDING LAND USES  
AND ZONING:**

North: Ag land	County
South: Multifamily Residential	RM-4
East: Vacant commercial	C-3
West: Vacant commercial	C-3

**REQUEST:**

Request by Bethel Assembly of God Church for a conditional use permit to construct a 57,579 sf church, 21,096 sf future church building, 25,500 sf children's classroom, 19,810 sf youth building and 2,800 sf maintenance building on 16.1 acres located at the west side of Retherford Street between Cartmill and Corvina Avenue, Tulare, CA and a variance request to allow the building height of the church building to be 83 feet in a C-3 zone district which allows 60 feet. The site is currently vacant and zoned C-3 (Retail Commercial).

**RELATED PROJECTS:**

**Parcel Map No. 2010-03** – request by Bethel Assembly of God church to subdivide 2 commercial parcels and create 8 commercial parcels. Property is approximately 80 acres in size, zoned C-3 and located along the south side of East Cartmill Ave, between Gem and Retherford Streets. APN's 166-010-020 & 166-010-013 (**Final Parcel Map Recorded 12/31/2010**)

**General Plan Amendment No. 2010-05** – request by Bethel Assembly of God church to amend general plan land use designation from Regional Commercial to Urban Residential (1993 General Plan) and High-Density Residential (2030 General Plan) on approximately 11 acres and from Regional Commercial to Community Commercial (1993 & 2030 General Plan) on approximately 18 acres located along the eastern portion of the site. (**PC Approval 12/7/2010**)

**Zone Change No. 689** - request by Bethel Assembly of God church to change zoning on 11 acres from C-3 (retail commercial) to R-M-4 (multiple family residential – 1,500 sq. ft. minimum parcel area per unit. (**PC Approval 12/7/2010**)

**Conditional Use Permit No. 2017-05 (on current agenda)** – Request by Bethel Assembly of God church to construct a 91 unit, two-story assisted living facility (Phase 1/ 95,720sf) and 77 unit independent living facility (Phase 2/ 77,791 sf) on approximately 5.82 acres located on the west side of Retherford Street between Cartmill Avenue and Corvina Avenue alignment. The site is currently vacant and zoned RM-4 (residential multi-family, 1 unit/1,500 sf min lot area).

**Design Review 1092 (on current agenda)** - Request by Bethel Assembly of God church for a design review approval to construct a 122,235 sf, 100 unit senior apartment building on Retherford Street between Cartmill Avenue and Corvina Avenue alignment. Property is zoned RM-4 (residential multi-family, 1 unit/1,500 sf min. lot area).

**DETAILS OF THE PROPOSAL:**

Applicant requests approval to construct a 57,579 sf church, 21,096 sf future church building, 25,500 sf children's classroom, 19,810 sf youth building and 2,800 sf maintenance building on 16.1 acres located at the west side of Retherford Street between Cartmill and Corvina Avenue.

The church seating is proposed to be constructed in phases: Phase 1 - 57,579 sf church with 892 fixed seating in the sanctuary. Phase 2 will add an additional 21,096 sf with 294 fixed

seating. Total fixed seating for the 78,675 sf worship center is 1186. On-site parking spaces required will be 297 (1 space/4 fixed seating)

The 25,500 sf children's classroom and 19,810 sf youth building will require an additional 223 parking stalls. The total on-site parking required is 520 spaces. (44,647 sf / 200 sf of gfa) Total depicted on the site plan is 813 on-site spaces. Access is provided from both Cartmill Avenue and Retherford Street.

Bethel Church will hold Sunday worship service 10am to Noon and Wednesday night service 6:30pm to 8:00pm.

The Youth Center will provide after school activities for the youth, services on Wednesday's 6:00pm to 8:00pm, evening activities for adults and a food bank for those in need one day per week.

The Children's Classroom building will offer children's classes Sunday 10:00am to Noon and Wednesday 6:30pm to 8:00pm.

The onsite maintenance building is to provide for all maintenance services for the campus.

When Cartmill Avenue is widened, the parking stalls at the northwest corner of the site may need to be modified, or eliminated, to accommodate at least 10 feet of landscaping. However, the applicant is providing more parking than is required.

A variance is requested for the overall height of the building. The property is zoned C-3 (retail commercial) which allows for a height of 60 feet with a conditional use permit. To the roof top it is 60 feet, to the top of the architectural feature it is 73 feet, and to the top of the cross it is 83 feet. The variance for height is needed to ensure the architectural stability of the building.

**STAFF COMMENTS:**

Public or quasi-public uses of an educational or religious type, including schools or colleges, churches, or other religious institutions are subject to a conditional use permit in a C-3 zone. (*Tulare Municipal Code Section 10.40(J)(1)*)

Due to the size and scale of the Church building, the spire or steeple extends an additional 21 feet (81 feet total height) beyond the 60 feet as allowed by Conditional Use Permit for the structural stability of the building. (*Tulare Municipal Code Section 10.52.040(H)*)

**ENVIRONMENTAL FINDINGS:**

An Initial Study/Mitigated Negative Declaration was adopted on December 7, 2010 for Conditional Use Permit No. 2010-14/Variance No. 441 (Church building, youth building, classrooms), Conditional Use Permit No. 2010-15 (Assisted Living/Memory Care Facility), and Design Review No. 1033 (Senior Apartments), entitlements since expired on November 14, 2016. No new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162. An Addendum to the adopted Mitigated Negative Declaration was prepared pursuant to California Environmental Quality Act (CEQA) section 15164.

**FINDINGS:**

Staff recommends that the Planning Commission make the following findings:

**Variance No. 456:**

- 1) That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Title.
- 2) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same Zoning District.
- 3) That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same Zoning District.
- 4) That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same Zone District.
- 5) That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

**Conditional Use Permit No. 2017-06**

- 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 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 applicable provisions of the Zoning Title.
- 4) That the request is in conformance with the goals and objectives of the Zoning Ordinance.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

**RECOMMENDATIONS:**

Based on the approved findings, staff recommends that Planning Commission approve Conditional Use Permit No. 2017-06 subject to the following conditions:

- 1) Approve Variance No. 441 to allow the overall height of the building to be 83 ft.
- 2) Construction shall be in accordance with the plans approved by the Planning Commission.
- 3) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.
- 4) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.
- 5) Approval does not authorize any deviation from Fire and Building Codes.
- 6) All requirements of Title 10 shall be met.
- 7) Applicant shall submit three copies of Landscape and Irrigation plans consistent with the City Landscape Ordinance (Title 10, Section 10.196) and shall be approved prior to building permits being issued.

- 8) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 9) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 10) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 11) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 12) All roof mounted equipment shall be screened from view.
- 13) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 14) In accordance with Zoning Ordinance Section 10.120.130, this Design Review 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.
- 15) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 16) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 17) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 18) 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.



- 19) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 20) Covered parking structures to be color matched to the apartment buildings.
- 21) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 22) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 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 challenging such exactions.
- 25) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.

**Attachments:**

- I. Location map
- II. Site Plan
- III. Elevations
- IV. Engineering Comments
- V. Fire Department Comments
- VI. Parks & Recreation Comments
- VII. Resolution No. 5222
- VIII. Resolution 5224 (Variance)

LOCATION MAP





# Bethel Assembly of God Church/Monterey Dynasty, LLC - OVERALL SITE/PHASING PLAN

## BETHEL CHURCH GRANDE OAKS PHASE PLAN

BEING A DIVISION OF A PORTION OF THE 1/2 OF AC. IN SAC. 35, T. 10S, R. 24E, S. 04 & 5 N., IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

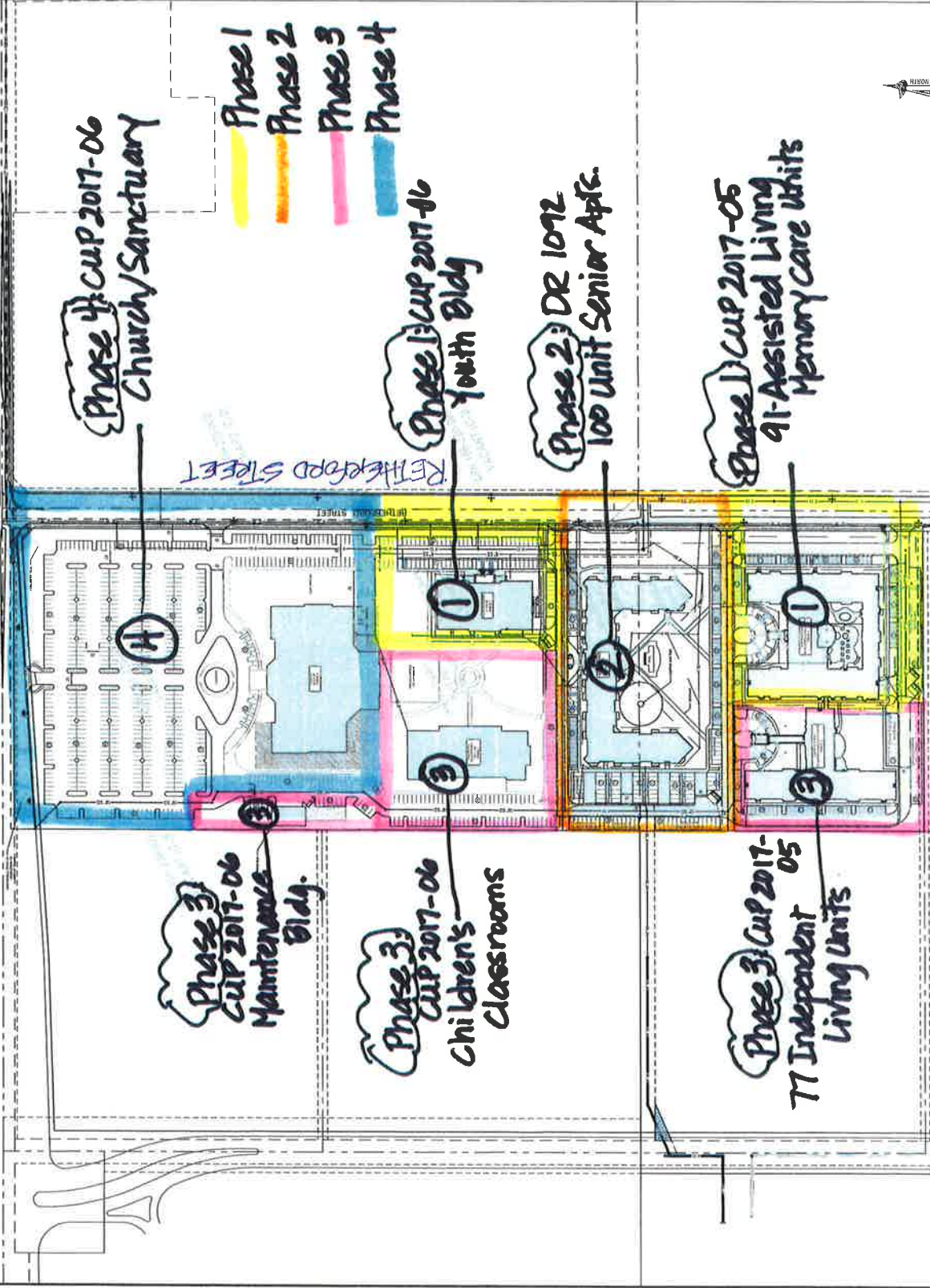
### LEGEND

APN 166-220-011, 166-220-012, 166-220-013, 166-230-001, 166-230-002, 166-230-003, 166-230-010  
 ACREAGE: 27.66 AC  
 PLANNING: RM 4  
 ZONING (EXISTING): RM 4  
 ZONING (PROPOSED): RM 4  
 ELECTRICAL: CITY OF TULARE  
 WATER: CITY OF TULARE  
 SEWER: CITY OF TULARE  
 TELEPHONE: CITY OF TULARE  
 REFUSE: CITY OF TULARE  
 NATURAL GAS: CITY OF TULARE  
 EXISTING USE: VACANT  
 PROPOSED USE: SENIOR APARTMENTS  
 PROPOSED PARKING:  
 TOTAL PARKING: 1,101  
 STANDARD/VISITOR: 515  
 SOLAR COVERED: 146  
 HANDICAPPED: 32  
 VAN: 6

PHASE 1: SENIOR HOUSING (91 ASSISTED LIVING UNITS), YOUTH BUIL  
 PHASE 2: SENIOR HOUSING (100 UNITS)  
 PHASE 3: INDEPENDENT LIVING (77 UNITS), CHILDREN'S CLASSROOMS  
 PHASE 4: MAINTENANCE BUILDING  
 CHURCH



VICINITY MAP  
SCALE 1/8" = 1'



DESIGNED BY  
 BETHEL ASSEMBLY OF GOD CHURCH

CUP 2017-06

# BETHEL FAMILY WORSHIP CENTER CONDITIONAL USE PERMIT

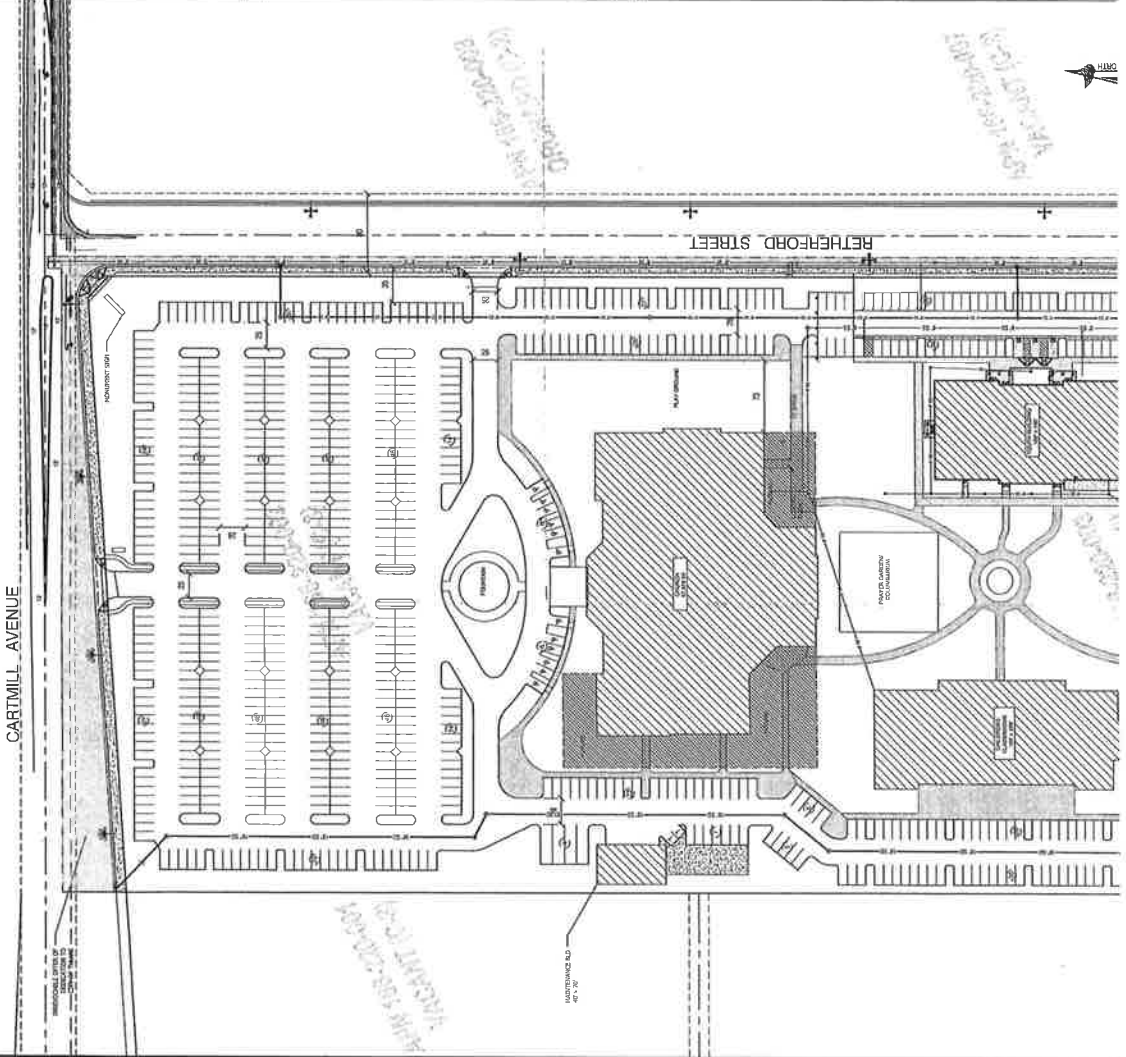
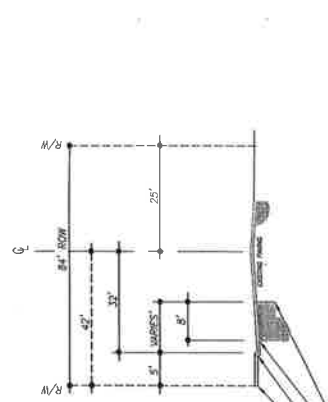
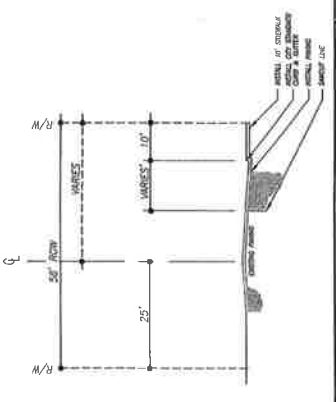
BEING A DIVISION OF A PORTION OF THE N 1/2 OF THE 1/4 SEC. 35, T. 18S., R. 24E., J. 03E. & K., IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

**LEGEND**

- APN: 166-220-002, 003
- ACREAGE: 16.1 AC
- FLOOD ZONE: ZONE X
- ZONING (EXISTING): C-3
- ZONING (PROPOSED): C-3
- ELECTRICITY: SOUTHERN CALIFORNIA EDISON
- WATER: CITY OF TULARE
- SEWER: CITY OF TULARE
- TELEPHONE: AT&T
- REUSE: CITY OF TULARE
- EXISTING GAS: SOUTHERN CALIFORNIA GAS
- PROPOSED USE: VACANT
- CHURCH FACILITY: CLASSROOMS
- REQUIRED PARKING: 590 REQUIRED STALLS
- PROPOSED PARKING: 801 STANDARD PARKING, 12 HANDICAP PARKING (813 TOTAL PARKING)
- BUILDING SQUARE FOOTAGE: CHURCH: 57,579 SF, CHURCH (FUTURE): 21,096 SF, CHILDREN'S CLASSROOM: 25,500 SF, YOUTH BUILDING: 19,970 SF, MAINTENANCE: 2,600 SF
- PROPOSED ON-SITE UTILITY PLANS: SEWERS: 8", WATERS: 8", STORM DRAIN: 18"



PREPARED BY: BETHEL ASSEMBLY OF GOD CHURCH  
DRAWN BY: [Name]



CUP 2017-16/Variance 456  
Church Elevation

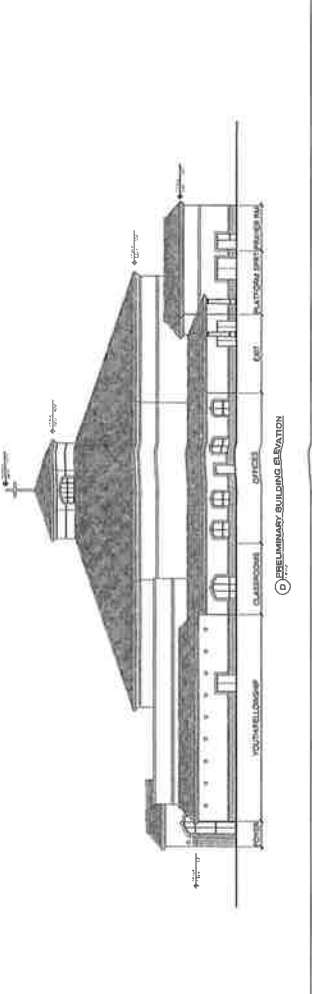
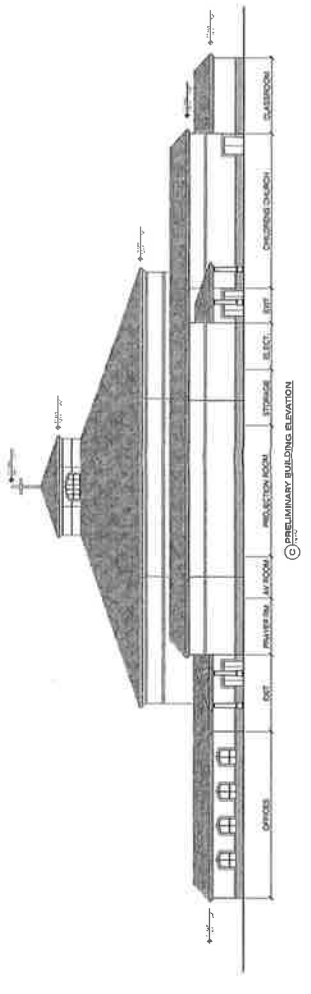
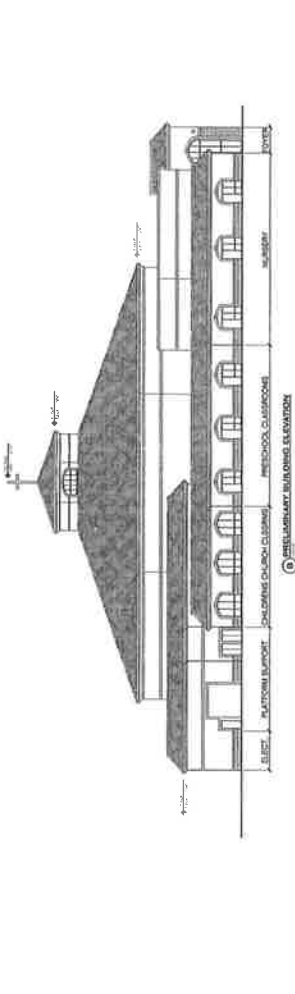
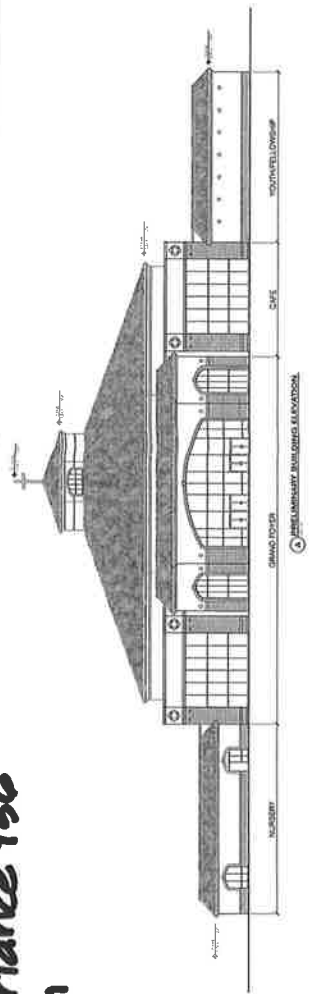


Cwp 2017-16 Variance 456  
Church Elevation

R. MESSNER CONSTRUCTION  
PROJECT ARCHITECT  
3001 W. GARDEN AVENUE, SUITE 200  
TULARE, CALIFORNIA 93208  
TEL: 559.937.3333  
WWW.RMESSNERCONSTRUCTION.COM

BETHEL ASSEMBLY OF GOD  
TULARE, CALIFORNIA  
2016 N. MAIN STREET  
REV. DENNIS SUNDERLAND

DATE: 08/14/2018  
DRAWN BY: RMC  
CHECKED BY: RMC  
PROJECT: BETHEL ASSEMBLY OF GOD  
SHEET: A5.1



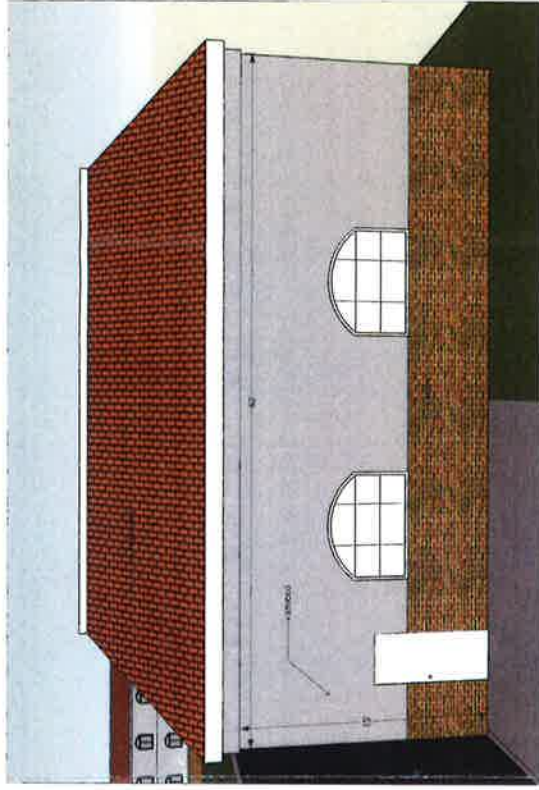


**City 2017-16  
Maintenance Building**

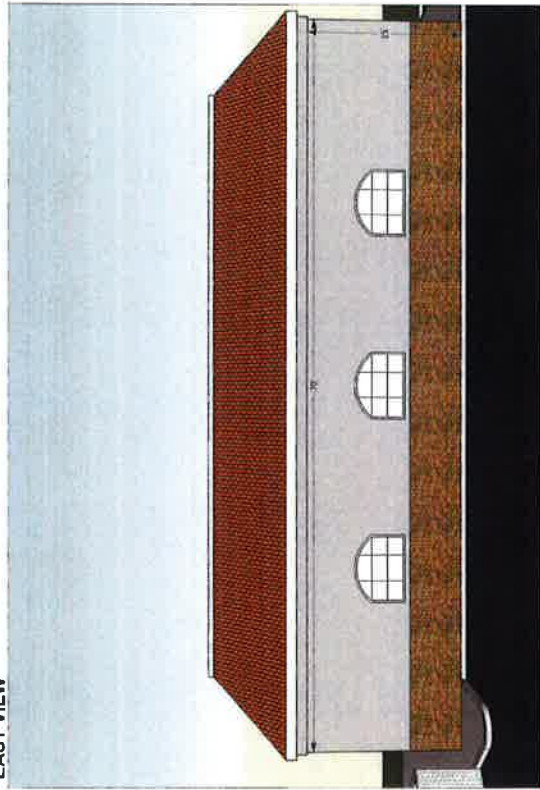
LOOKING NORTH WEST



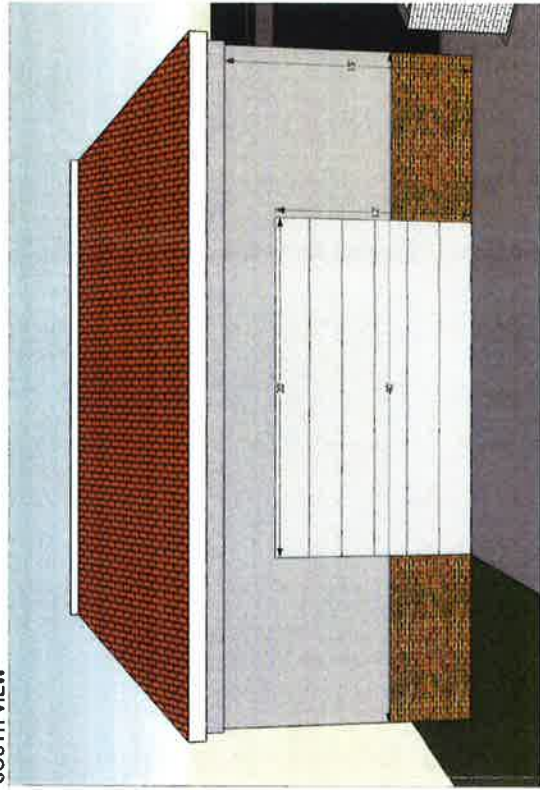
NORTH VIEW



EAST VIEW



SOUTH VIEW



4CREEKS, INC.  
324 S. SANTA FE ST, STE A  
VISA, CA 93292  
559.802.3052

CLIENT DENNIS SUNDERLAND

ISSUE 5.16.16  
RE-ISSUE N/A

PROJECT NO. 16024  
PROJECT BETHEL ASSEMBLY  
OF GOD

DESCRIPTION MAINTENANCE BUILDING  
AC

10  
a

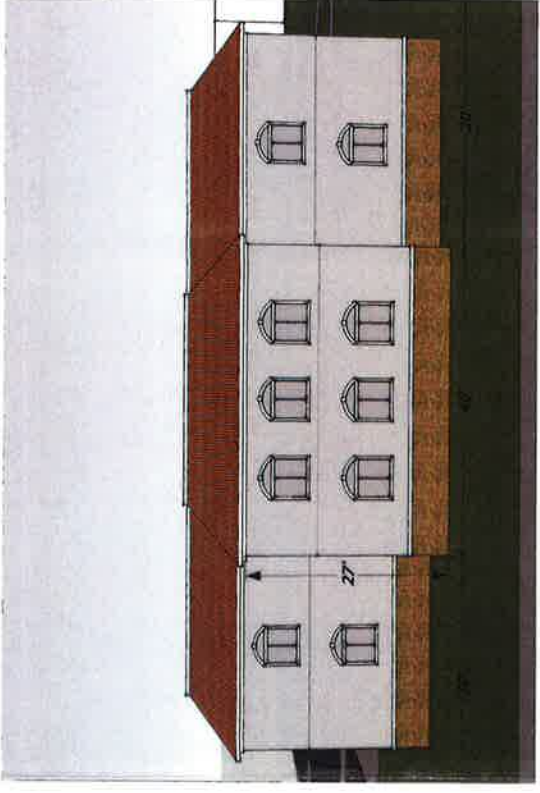
DRAWN BY

*2017-16  
Children's Classrooms*

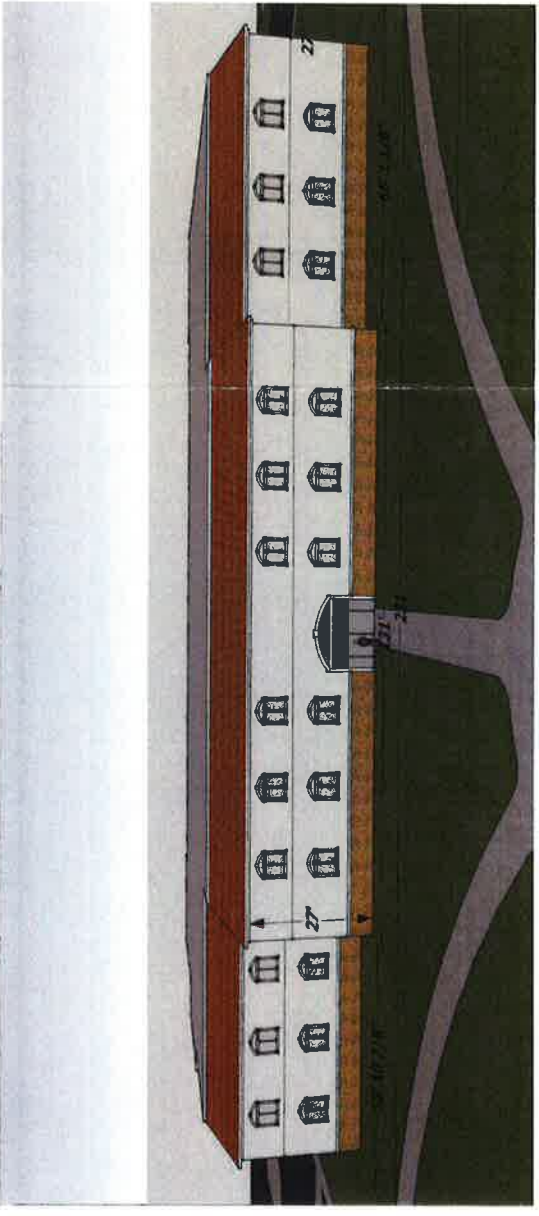
LOOKING NORTH WEST



SOUTH ELEVATION



EAST ELEVATION



DRAWN BY  
AC  
DESCRIPTION  
CHILDREN'S CLASSROOMS

PROJECT NO.  
16024  
PROJECT  
BRETEL ASSEMBLY  
OF GOD

ISSUE  
5.16.16  
RE-ISSUE  
M.H.D.D.Y

CLIENT  
DENNIS SUNDERLAND

4CREKES, INC.  
324 S. SANTA FE ST, STE A  
VISTA, CA, 92082  
559.802.3052







## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

- 6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
- 7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

- 8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
- 9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

- 10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
- 11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street

- 12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
- 13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize

reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification

signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:

- Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
- Development impact fees to be paid with building permit.
- 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 CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit CUP 2017-06:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § [10.196.030](#)) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.



(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls.* Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots.* Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**RESOLUTION NO. 5222**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2017-06**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on April 10, 2017 considered a request by Bethel Assembly of God Church for a conditional use permit to construct a 57,579 sf church, 21,096 sf future church building, 25,500 sf children's classroom, 19,810 sf youth building and 2,800 sf maintenance building on 16.1 acres located at the west side of Retherford Street between Cartmill and Corvina Avenue, Tulare, CA and a variance request to allow the building height of the church building to be 83 feet in a C-3 zone district which allows 60 feet. The site is currently vacant and zoned C-3 (Retail Commercial); and,

**WHEREAS**, the City of Tulare Planning Commission determined 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; and,

**WHEREAS**, the City of Tulare Planning Commission determined 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; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed conditional use will comply with each of the applicable provisions of the Zoning Ordinance and General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that this request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site; and,

**WHEREAS**, the City of Tulare Planning Commission determined no new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2017-06 is hereby approved subject to the following conditions:

**Planning:**

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.

- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.
- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of Landscape and Irrigation plans consistent with the City Landscape Ordinance (Title 10, Section 10.196) and shall be approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 13) In accordance with Zoning Ordinance Section 10.120.130, this Design Review 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.
- 14) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
  - 15) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
  - 16) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
  - 17) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

- 18) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 19) Covered parking structures to be color matched to the apartment buildings.
- 20) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 21) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 23) 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.
- 24) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.
  - A) *City of Tulare **Engineering Department** Comments are attached hereto and incorporated herein as though fully set forth.*
  - B) *City of Tulare **Fire Department** Comments are attached hereto and incorporated herein as though fully set forth.*
  - C) *City of Tulare **Parks and Recreation** Comments are attached hereto and incorporated herein as though fully set forth.*

**PASSED, APPROVED AND ADOPTED** this tenth day of **April, 2017** by the following recorded vote:

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

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

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

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

\_\_\_\_\_  
JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

\_\_\_\_\_  
ROB HUNT, SECRETARY  
City of Tulare Planning Commission





## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize

reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification

signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
  - Development impact fees to be paid with building permit.
  - 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: \_\_\_\_\_

**TULARE CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit CUP 2017-06:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20' width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § ~~10.196.060~~(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § ~~10.196.040~~) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § ~~10.196.070~~ as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § ~~10.196.030~~ 10.196.030) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.



(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots.* Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls.* Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots.* Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**RESOLUTION NO. 5224**

**A RESOLUTION OF THE CITY OF TULARE  
PLANNING COMMISSION APPROVING  
VARIANCE NO. 456**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on April 10, 2017 to consider a request by Bethel Assembly of God Church for a variance request to allow the building height of the church building to be 83 feet in a C-3 zone district which allows 60 feet. The site is currently vacant and zoned C-3 (Retail Commercial) and,

**WHEREAS**, the City of Tulare Planning Commission determined that strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship consistent with the objectives of the Zoning Title; and,

**WHEREAS**, the City of Tulare Planning Commission determined that there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same Zoning District; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same Zoning Districts; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same Zone District; and,

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

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Variance No. 456 is hereby approved subject to the following conditions:

**Planning:**

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.

- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.
- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of Landscape and Irrigation plans consistent with the City Landscape Ordinance (Title 10, Section 10.196) and shall be approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 13) In accordance with Zoning Ordinance Section 10.120.130, this Design Review 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.
- 14) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 15) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 16) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 17) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

- 18) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 19) Covered parking structures to be color matched to the apartment buildings.
- 20) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 21) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 23) 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.
- 24) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.

*A) City of Tulare **Engineering** Department Comments are attached hereto and incorporated herein as though fully set forth.*

*B) City of Tulare **Fire Department** Comments are attached hereto and incorporated herein as though fully set forth.*

*C) City of Tulare **Parks and Recreation** Comments are attached hereto and incorporated herein as though fully set forth.*

**PASSED, APPROVED AND ADOPTED** this tenth day of April, 2017 by the following recorded vote:

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

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

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

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

\_\_\_\_\_  
JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

\_\_\_\_\_  
ROB HUNT, SECRETARY  
City of Tulare Planning Commission



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.



6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street

12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize

reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification

signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:

- Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
- Development impact fees to be paid with building permit.
- 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: \_\_\_\_\_

**TULARE CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit CUP 2017-06:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20' width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall from be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § ~~10.196.030~~) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*



(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots*. Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls*. Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots*. Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.

A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**PLANNING DIRECTOR'S REVIEW  
(Staff Report)**

Agenda Item No.

April 10, 2017

**DESIGN REVIEW NO. 1092**

<b>PROJECT PLANNER:</b>	Traci Myers, Community Development Deputy Director
<b>APPLICANT:</b>	Bethel Assembly of God Church
<b>PROPERTY OWNER:</b>	Monterey Dynasty, LLC
<b>APPLICANT'S ENGINEER:</b>	4Creeks Inc.
<b>LOCATION AND SIZE:</b>	Project is located south of Cartmill Ave. between Hwy 99 and Retherford Streets containing approximately 4.87 acres.
<b>APN's:</b>	166-220-004; 166-230-001
<b>ZONING CLASSIFICATION:</b>	RM-4 (1 unit/1,500 sf site area)
<b>GENERAL PLAN DESIGNATION:</b>	High Density Residential
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Vacant commercial C-3 South: Multifamily RM-4 East: Vacant commercial C-3 West: Vacant commercial C-3

**REQUEST:**

Applicant requests design review approval to construct a 122,235 sf, 100 unit senior apartment building on Retherford Street, south of Cartmill Avenue.

**RELATED PROJECTS:**

**Parcel Map No. 2010-03** – request by Bethel Assembly of God church to subdivide 2 commercial parcels and create 8 commercial parcels. Property is approximately 80 acres in size, zoned C-3 and located along the south side of East Cartmill Ave, between Gem and Retherford Streets. APN's 166-010-020 & 166-010-013 (**Final Parcel Map Recorded 12/31/2010**)

**General Plan Amendment No. 2010-05** – request by Bethel Assembly of God church to amend general plan land use designation from Regional Commercial to Urban Residential (1993 General Plan) and High-Density Residential (2030 General Plan) on approximately 11 acres and from Regional Commercial to Community Commercial (1993 & 2030 General Plan) on approximately 18 acres located along the eastern portion of the site. **(PC Approval 12/7/2010)**

**Zone Change No. 689** - request by Bethel Assembly of God church to change zoning on 11 acres from C-3 (retail commercial) to R-M-4 (multiple family residential – 1,500 sq. ft. minimum parcel area per unit. **(PC Approval 12/7/2010)**

**Conditional Use Permit No. 2017-06/Variance 456 (on current agenda)** - Request by Monterey Dynasty, LLC for a conditional use permit to construct a 57,579 sf church, 21,096 sf future church building, 25,500 sf children’s classroom, 19,810 sf youth building and 2,800 sf maintenance building on 16.1 acres located at the west side of Retherford Street between Cartmill and Corvina Avenue, Tulare, CA and a variance request to allow the building height of the church building to be 83 feet.(C-3 zone district allows up to 60 feet by Conditional Use Permit) The site is currently vacant and zoned C-3 (Retail Commercial).

**Conditional Use Permit No. 2017-05 (on current agenda)** – Request by Bethel Assembly of God church to construct a 91 unit, two-story assisted living facility (Phase 1/ 95,720sf) and 77 unit independent living facility (Phase 2/ 77,791 sf) on approximately 5.82 acres located on the west side of Retherford Street between Cartmill Avenue and Corvina Avenue alignment. The site is currently vacant and zoned RM-4 (residential multi-family, 1 unit/1,500 sf min lot area).

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

Applicant requests design review approval to construct a 122,235 sf sq. ft. 100 unit senior apartment complex south of the proposed Bethel church site. The apartment building will be 3 stories; 49 feet in height which is within the 50 feet allowed in the R-M-4 zone district. The building is fully enclosed with elevators centrally located. There will be 45 one-bedroom units (664 to 727 square feet); 49 two-bedroom units (1044 to 1850 square feet - some have a den) and 6 three-bedroom units (1186 to 1195 square feet). The units will be market rate. The minimum age is 55 years old. Each unit will come equipped with a full kitchen and laundry facilities. Other amenities include an exercise room, meeting room, and a library. There are two hotel style guest units located on the second floor for visiting friends and family. The building will be fully sprinklered. There will be an on-site manager and a part-time caretaker/maintenance person. Both will reside on-site. The building will be accessed with a card lock entrance for security. During the day the front lobby area will be open.

This 100-unit senior apartment complex project is proposed to be constructed as Phase 2 of the overall 4-Phase Worship Center/Residential campus. Reciprocal access easements were recorded between parcels on Parcel Map No. 5020 recorded December 31, 2010. Access to the site is from Retherford, with cross access easements in place between parcels.

*Tulare Municipal Code section 10.192.040(3)* provides for one covered parking space per senior apartment unit (1 space/unit) in addition to one uncovered guest space per five units (1 uncovered space/5 units). This project requires 120 covered parking spaces, 100 covered and 20 uncovered. There are 164 parking spaces depicted on the site plan for this area. (100 covered; 48 visitor; 8 handicapped; 8 van accessible) The applicant proposes to meet the storage requirement for apartments by adding storage units in the covered carport area. The storage area would be 6' x 9' (54 sf.) within the allowable area. (*Tulare Municipal Code Section 10.36.060(J)*)

**STAFF COMMENTS:**

Project is consistent with the housing element and will provide an additional 100 new housing units to our regional housing goals. This project would further the city's goal to provide a mix of housing types for all segments of the community.

General Plan Consistency: The 2035 General Plan land use map depicts this property as High Density Residential or 14.1 – 29 units per acre. The proposed project (100 units total) on 4.87 acres translates to 20.53 units per acre.

Zoning Consistency: The zoning is RM-4 (1 unit/1,500 sf of site area) translates to 1 unit/2121 sf of lot area.

**ENVIRONMENTAL FINDINGS:**

An Initial Study/Mitigated Negative Declaration was adopted on December 7, 2010 for Conditional Use Permit No. 2010-14/Variance No. 441 (Church building, youth building, classrooms), Conditional Use Permit No. 2010-15 (Assisted Living/Memory Care Facility), and Design Review No. 1033 (Senior Apartments), entitlements since expired on November 14, 2016. No new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162. An Addendum to the adopted Mitigated Negative Declaration was prepared pursuant to California Environmental Quality Act (CEQA) section 15164.

**DESIGN REVIEW FINDINGS:**

Staff recommends that the Planning Commission make the following findings:

- 1) That the request is in conformance with the goals and objectives of the General Plan.
- 2) 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.
- 3) 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.
- 4) That the project meets the intent of the Design Review policies of the City of Tulare.

**RECOMMENDATIONS:**

Based on the approved findings, staff recommends that Planning Commission approved Design Review No. 1092 subject to the following conditions:

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.
- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.
- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of a Landscape/Irrigation plan consistent with City Landscape Ordinance (Title 10, Section 10.196) and shall approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.

- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) Applicant to comply with all mitigation measures identified in the Mitigated Negative Declaration.
- 13) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 14) In accordance with Zoning Ordinance Section 10.120.130, this Design Review 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.
- 15) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 16) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 17) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 18) 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.
- 19) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 20) Covered parking structures to be color matched to the apartment buildings.



- 21) Applicant to provide and locate mailbox cluster as approved by the U.S. Postmaster, Tulare.
- 22) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 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 challenging such exactions.
- 25) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.

**Attachments:**

- I. Location Map
- II. Site Plan
- III. Elevations
- IV. Engineering Comments
- V. Fire Department Comments
- VI. Parks & Recreation Comments
- VII. Resolution No. 5223

LOCATION MAP





# Bethel Assembly of God Church/Monterey Dynasty, LLC - Overall Site/Phasing Plan

BETHEL CHURCH  
GRANDE OAKS  
PHASE PLAN

BEING A DIVISION OF A PORTION OF THE 1/2 OF THE 1/4 SEC. 35, T. 205, R. 2E, M.D.B.A. 14, IN THE CITY AND COUNTY OF TULARE, STATE OF CALIFORNIA.

## LEGEND

- APN: 186-220-011, 186-220-012, 186-220-013, 186-220-014, 186-220-001, 186-230-009, 186-230-010
  - ACREAGE: 2.27 AC
  - FLOOD ZONE: ZONE X
  - ZONING (EXISTING): RM-4
  - ZONING (PROPOSED): RM-4
  - ELECTRICITY: SOUTHERN CALIFORNIA EDISON
  - WATER: CITY OF TULARE
  - SEWER: CITY OF TULARE
  - TELEPHONE: CITY OF TULARE
  - REFUSE: CITY OF TULARE
  - NATURAL GAS: SOUTHERN CALIFORNIA GAS
  - EXISTING USE: VACANT
  - PROPOSED USE: SENIOR APARTMENTS
- PROPOSED PARKING:
- |                  |       |
|------------------|-------|
| TOTAL PARKING    | 1,101 |
| STANDARD/VISITOR | 915   |
| SOLAR COVERED    | 146   |
| HANDICAPPED:     | 32    |
| VAN              | 8     |
- PHASE 1:  SENIOR HOUSING (91 ASSISTED LIVING UNITS), YOUTH BUIL  
 PHASE 2:  SENIOR HOUSING (100 UNITS)  
 PHASE 3:  INDEPENDENT LIVING (77 UNITS), CHILDREN'S CLASSROOM  
 PHASE 4:  CHURCH  
 MAINTENANCE BUILDING

- Phase 1
- Phase 2
- Phase 3
- Phase 4

Phase 4: CUP 2017-06  
Church/Sanctuary

Phase 1: CUP 2017-16  
Youth Bldg

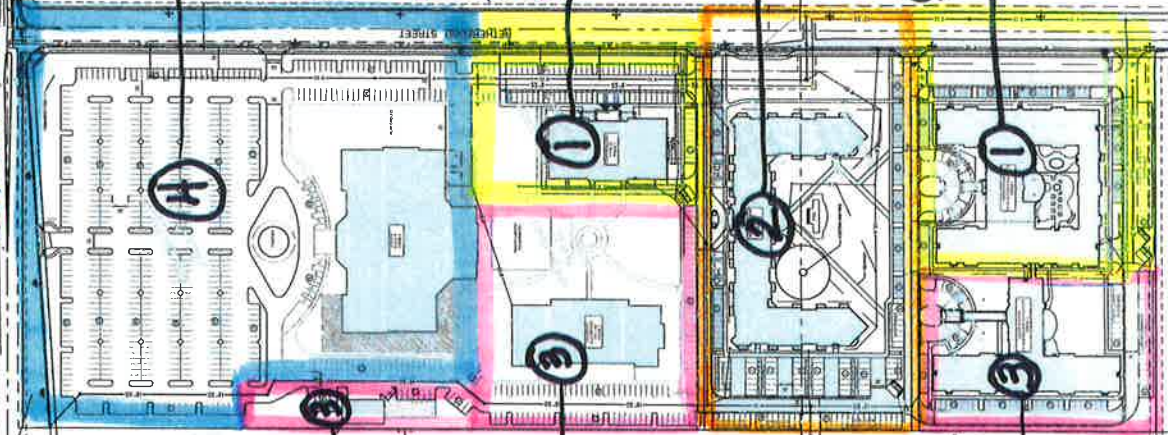
Phase 2: DR 1092  
100 Unit Senior Aptc.

Phase 1: CUP 2017-05  
91-Assisted Living  
Memory Care Units

Phase 3: CUP 2017-06  
Maintenance  
Bldg.

Phase 3: CUP 2017-06  
Children's  
Classrooms

Phase 3: CUP 2017-05  
77 Independent  
Living Units



SCALE: 1"=40'

DESIGNED BY: BETHEL ASSEMBLY OF GOD CHURCH

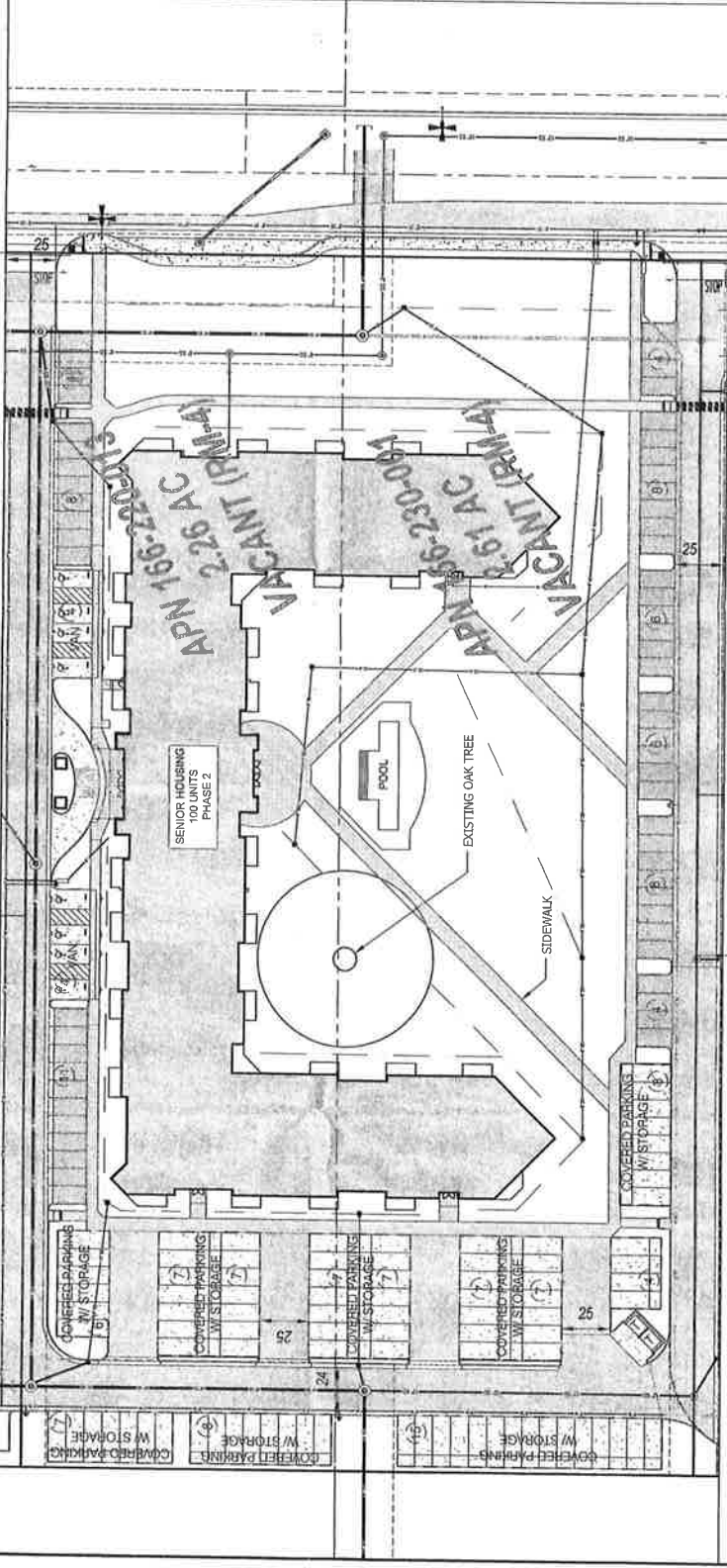
DR 1092

# SENIOR APTS DESIGN REVIEW

BEING A DIVISION OF A PORTION OF THE PL. D. OF THE S.F. SEC. 36, T. 14 S., R. 10 E., S. 14, IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

### LEGEND

- APN: 166-230-013, 166-230-007
- ACREAGE: 2.26 AC
- FLOOD ZONE: X
- ZONING (EXISTING): RM-4
- ZONING (PROPOSED): RM-4
- ELECTRICITY: SOUTHERN CALIFORNIA EDISON
- WATER: CITY OF TULARE
- SEWER: CITY OF TULARE
- TELEPHONE: AT&T
- REFUSE: CITY OF TULARE
- NATURAL GAS: SOUTHERN CALIFORNIA GAS
- EXISTING USE: VACANT
- PROPOSED USE: SENIOR APARTMENTS
- REQUIRED PARKING: 106 REQUIRED STALLS
- SENIOR APTS 1 COVERED W/ STORAGE PER UNIT: 86 STALLS
- VISITOR PARKING (1 STALL PER 5 UNITS): 8 STALLS
- PROPOSED PARKING: 167 STANDARD PARKING
- SOLAR COVERED: 86 STALLS
- VISITOR: 86 STALLS
- HANDICAPPED: 8 STALLS
- VAN: 8 STALL
- STORAGE: 6x8' STORAGE UNITS: 787 STORAGE UNITS TOTAL
- TOTAL STORAGE: 4,750 SF
- BUILDING SQUARE FOOTAGE: SENIOR APARTMENTS: 40,900 SF (100 UNITS)
- PROPOSED ON-SITE UTILITY PLANS: SEWER, WATER, STORM DRAIN: 18"



APN 166-230-010  
2.30 AC  
RM-4

APN 166-230-009  
2.52 AC  
RM-4

BETHEA ASSEMBLY OF CALIFORNIA



CUT 2017-05  
DR 1092  
Elevations



MARTIN ARCHITECTURAL GROUP

DATE: 5/17/2017  
PROJECT: 1092 - 1092 - 1092 - 1092



CUP 2017-05  
DR 1092  
Elevations

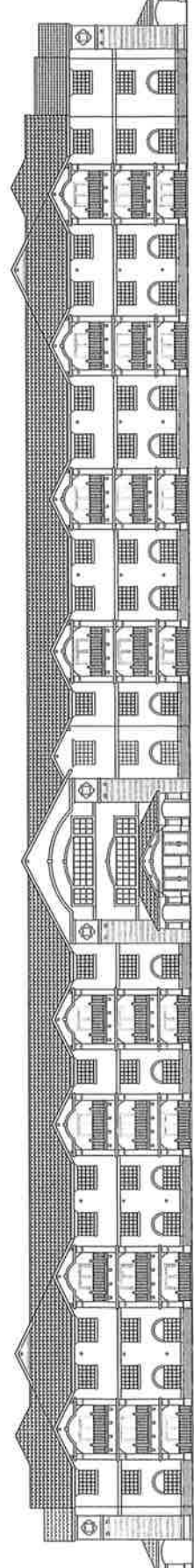
THE CONDOMINIUMS AT HARMONY VILLAGE  
2016 N. MAIN STREET  
TULARE, CALIFORNIA  
REV. DENNIS SUNDERLAND

R. MESSNER CONSTRUCTION

PHYSICIAN: DR. DENNIS SUNDERLAND  
ARCHITECT: DR. DENNIS SUNDERLAND  
GENERAL CONTRACTOR: R. MESSNER CONSTRUCTION

No.	Description

PRELIMINARY ELEVATIONS



PRELIMINARY FRONT ELEVATION  
3/27/17 10:47 AM



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize



reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification

signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
  - Development impact fees to be paid with building permit.
  - 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 CITY FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: Retherford @ Cartmill & Corvina

DATE: March 24, 2017

OWNER: Bethel Church

ARCHITECT/ENGINEER: 4 Creeks

*SITE PLAN REVIEW COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding Conditional Use Permit DR 1092:

The project shall comply with all of the latest applicable codes

**A utility plan showing all fire lines (hydrants and any fire sprinkler connections) shall be submitted for approval to City of Tulare Fire Department. The fire/water system shall have components of reliability, redundancy and quality.**

Based on the occupancy classification/square footage of building a fire alarm and/or an automatic sprinkler system is required.

When a commercial fire sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers exceeds 20.

**For automatic sprinkler systems, underground plans must be submitted with above ground plans. A hydrant will be required within 50 feet of each Fire Department connection.** Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.

When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.**

Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required.

**Fire hydrant spacing shall be as follows:**

**Residential development, one hydrant shall be installed at 500-foot intervals.**

**Commercial development, one hydrant shall be installed at 300-foot intervals.**

**Or as required by Appendix C California Fire Code**

Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto 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.

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 and comply with CFC.

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

Additional emergency access may be required per CFC 2013 Sec 503.1.2 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.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit"

Shelli Vinson/Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2017-05  
CUP 2017-06/Variance 452  
DR 1092  
**DATE:** April 6, 2017

The main objectives of the City of Tulare’s Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare’s Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

All projects that require a landscaping and irrigation plan pursuant to this chapter shall comply with the following development standards.

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

(2) All exterior areas not devoted to parking, storage, driveways, walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be landscaped, unless the district in which the project is located does not require yard areas in which case only street trees are required.

(3) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.

(4) Planting and irrigation shall conform to the water use efficiency sections of this code in such a manner that the site-wide estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA). Landscape plans shall document compliance with the ordinance by submitting a Landscape Documentation Package and providing supporting documentation as required in the ordinance.

(5) All landscaping on city-owned property shall conform to city landscaping and irrigation standards including the City of Tulare Recreation, Parks and Library Department Improvements Standards; City of Tulare Parking Lot Tree Shading Design and Maintenance Guidelines; area specific plans and other applicable documents, as may be updated from time to time.

(6) Certain landscapes (see § 10.196.040) are exempt from the water efficiency documentation requirements of this section. These landscapes must still comply with the development standards in § 10.196.070 as much as is practical.

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

(2) Street tree location can be in the landscape parkway between the curb and sidewalk, in tree wells if approved in the site plan, or on the property-side of the sidewalk as appropriate for the particular situation. The species selection shall respect the available root area in the planting zone.

(3) The front, rear and side setbacks facing public streets shall be planted with trees and shrubs to provide an attractive buffer between the building and/or parking and the adjacent roadways and shade for walks and parking lots.

(4) Trees in the setback area, yards and around the parking lot shall be 15 gallon or larger.

(5) Trees planted near sidewalks, curbs or other hardscape shall be appropriately sized for the root area of the trees and shall be irrigated on a dedicated irrigation valve. If the center of the trunk of the tree is within eight feet of a curb, sidewalk, building, trash enclosure or other hardscape improvement the tree shall be installed with an 18-inch by 10-foot root barrier installed in a linear fashion adjacent to the concrete improvement.

(6) Trees shall be planted in locations where they do not interfere with service lines, basic property rights of adjacent owners, or the right of solar access.

(C) *Shrubs.*

(1) Shrubs and living ground covers shall be used in the city right-of-way in lieu of turf. Spacing of shrubs shall not exceed 120% of the mature size stated for the shrubs in the current edition of the Sunset Western Garden Book.

(2) Front, side and rear setback areas that abut public streets shall be planted with a combination of shrubs, groundcovers and mulches in such a manner that the landscape meets the water efficiency requirements elsewhere in this section.

(3) Shrubs and ground covers in setbacks shall be spaced at no more than 120% of the mature size stated in the current edition of the Sunset Western Garden Book.

(4) Unplanted mulch areas may comprise no more than 30% of the planter area. Tree canopy over unplanted mulch areas is encouraged.

(5) Fifty of the shrubs and ground covers shall be five-gallon containers or larger, the remainder shall be from one-gallon containers.

(6) Vines that self-cling shall be planted on all frontage masonry walls for graffiti control.

(D) *Turf.*

(1) Turf (as defined in § 10.196.030) is only allowable in cases where the water budget will demonstrate that adequate irrigation water is available.

(2) Concrete mow strips shall separate all turf areas from planter beds on city-owned property.

(3) Turf beds shall be a minimum of ten feet in width unless irrigated with subsurface irrigation; turf may not be used in storm drainage ponds with slopes steeper than 1:6 or on mounds or berms with slopes steeper than 1:8, except as provided for by the Recreation and Parks Department.

(4) Use of artificial turf on city-owned property may be used subject to approval by the Recreation and Parks Director.

(E) *Irrigation.*

(1) All components of the irrigation system and the irrigation design must meet the water efficiency requirements elsewhere in this section, including:

(a) Low-volume systems (drip, low volume sprays, or individual bubblers) shall be used whenever feasible. In city-owned shrub areas low-volume irrigation shall be installed using hard pipe underground with low volume sprays or bubblers above grade.

(b) Irrigation for sports turf and recreational turf may use overhead irrigation subject to the restrictions elsewhere in this chapter.

(c) All irrigation systems shall be equipped with an automatic Smart-controller with ET sensing, weather-sensing and with multiple cycle capabilities and a flexible calendar program.

(d) Plants shall be grouped into hydro zones of like water requirements.

(e) Sprinkler heads must have matched application rates within each control valve.

(f) Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of 50% of the diameter of throw for square spacing and 60% for triangular spacing.

(g) Overhead sprays shall not throw water onto hardscape, bare ground areas, or other non-planted areas, including sidewalks between landscaped areas. Irrigation water must stay in landscape areas and not drain off to storm drains or gutters.

(h) Pop-up sprinklers must have a six-inch pop-up height and must clear all plant material and obstacles in their throw zone.

(i) Automatic rain shut-off devices shall be required on all irrigation systems.

(j) One valve shall be dedicated to tree irrigation and shall be able to run independently of any other irrigation valve.

(F) *Mulch.*

(1) As required elsewhere in this chapter, a minimum of three inches of mulch is required in all non-turf planters.

(2) Mulch may be organic (such as bark, compost or straw) or mineral (such as cobble or decomposed granite).

(3) Mulch on city-owned property must be course ground cedar or redwood bark product. Dyed products are prohibited.

(4) Plastic or other non-porous sheeting is prohibited in city-owned and landscape and lighting District planters and discouraged elsewhere.

(G) *Mounding.*

(1) Mounds that contain turf or groundcover shall be no steeper than 1:8 and 1:5, respectively. Slopes steeper than 1:8 may contain shrubs if this material is irrigated with a drip or other low-volume system.

(2) Incorporate compost into the mounds prior to compaction per § 10.196.063(A)(3). Mounds shall be compacted prior to planting.

(H) *Corner lots*. Landscape and irrigations plans for any development involving corner lots at project entries shall include additional special design requirements, including but not limited to the following:

(1) Incorporate significant landscape or hardscape feature, including specimen trees; wall breaks, angled walls or walls with different material treatment; special signing or lighting or statue.

(2) Specimen trees.

(3) Corner landscape and irrigation plans shall be designed so that proper sight lines across the corner are maintained consistent with the Traffic Safety Sight Area as defined in § 10.212.030 (Definitions).

(I) *Walls*. Plans for development project walls facing public streets should include the following special design requirements, including but not limited to the following:

(1) Wall material should vary. Caps, pilasters or corner segments of the wall should vary in appearance from the primary portion of the wall.

(2) Masonry walls shall be planted with vines in order to soften the appearance of the wall and discourage graffiti.

(3) Non-masonry fences facing public streets or property shall be set back from the back of walk a minimum of three feet and planted with shrubs or other plant materials.

(J) *Parking lots*. Parking lot plans for nonresidential developments serving 20 parking stalls or greater should include the following design requirements. These requirements will promote an attractive visual environment, promote a transition between land uses, reduce energy consumption in buildings adjacent to parking lots, and decrease glare and high summer temperatures community-wide by reducing the amount of exposed pavement.

(1) A combination of landscaping and/or low walls and/or mounding shall be installed between the parking lot and the street to screen the parking lot from view from the public right-of-way.

(2) All parking lots with a capacity of 20 cars or more shall contain shade trees, which within ten years from installation, shall shade 50% of the parking lot. All surfacing on which a vehicle can drive is subject to shade calculation, including parking stalls, drive aisles, and all maneuvering areas. Guidelines for shade calculations and a list of approved parking lot trees are contained in the Parking Lot Tree Shading Design Manual.

(3) For each ten parking spaces, a minimum of one 15-gallon or larger shade tree shall be installed, but more may be required to meet the 50% shading requirement. Trees shall be contained in tree wells or planters with an outside measurement of not less than five feet by five feet that are enclosed with a concrete curb not less than six inches high. Continuous planting islands between rows of cars are encouraged to allow for multiple tree plantings and increased soil volume for tree roots.

(4) Shade trees planted within a parking lot should be evenly distributed throughout the lot.

(5) Shrubs and trees shall be planted in locations that do not conflict with the front of cars that extend into a planter area. If within eight feet of the curb, trees shall be located aligned with parking lot stripes and shall be provided with root barriers as in division (B)(5) above.



A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.

**RESOLUTION NO. 5223**

**A RESOLUTION OF THE CITY OF TULARE  
PLANNING COMMISSION APPROVING  
DESIGN REVIEW NO. 1092**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on April 10, 2017 to consider a request by Request by Bethel Assembly of God Church for a design review approval to construct a 122,235 sf, 100 unit senior apartment building on Retherford Street between Cartmill Avenue and Corvina Avenue alignment. Property is zoned RM-4 (residential multi-family, 1 unit/1,500 sf min. lot area); and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the project is consistent with the purpose and objectives of this chapter and the zone district in which the project is located; and,

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

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed project is will comply with each of the provisions of the Zoning Title; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed project is consistent with the Tulare General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed; and,

**WHEREAS**, the City of Tulare Planning Commission determined no new significant changes are proposed to the project which required the preparation of a subsequent mitigated negative declaration pursuant to California Environmental Quality Act (CEQA) section 15162; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Design Review Application No. 1092 is hereby approved subject to the following conditions:

**Planning:**

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Any substantial change in the project including floors plans, number of approved units, and elevations shall be subject to Planning Commission approval.
- 3) Applicant shall comply with conditions established by the Public Works/Engineering Department, and Fire Department.

- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All requirements of Title 10 shall be met.
- 6) Applicant shall submit three copies of a Landscape/Irrigation plan consistent with City Landscape Ordinance (Title 10, Section 10.196) and shall approved prior to building permits being issued.
- 7) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions, including, but not limited to design review conditions of approval.
- 8) All units shall provide a minimum of 50 square feet of area per unit, devoted to secured storage space, exclusive of habitable area. The space may be located within a garage if parking and driveway access is not encumbered.
- 9) Applicant to provide city standard trash enclosure. Location subject to approval of the Solid Waste Manager and City Engineer.
- 10) Applicant to provide for on-site manager as per city code section 10.36.06 (L).
- 11) All roof mounted equipment shall be screened from view.
- 12) Applicant to comply with all mitigation measures identified in the Mitigated Negative Declaration.
- 13) On site circulation and access between all project phases shall be approved by the City Engineer and Fire Marshal.
- 14) In accordance with Zoning Ordinance Section 10.120.130, this Design Review 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.
- 15) Applicant to record a Lot Line Adjustment or Lot Merger prior to Certificate of Occupancy.
- 16) Applicant shall record a shared parking agreement in a form acceptable to the City Engineer.
- 17) Any change in the project phasing shall be subject to the Community Development Director and City Engineer approval.
- 18) 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.

- 19) Landscaping shall be used to screen storage areas, trash enclosures, parking, public utilities and other similar elements. The landscaping shall screen these elements within three years of installation.
- 20) Covered parking structures to be color matched to the apartment buildings.
- 21) Applicant to provide and locate mailbox cluster as approved by the U.S .Postmaster, Tulare.
- 22) Applicant to allow for an annual inspection by the City of Tulare to ascertain compliance with fire, building code and City standards and conditions including but not limited to Conditional Use Permit Conditions of approval.
- 23) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required.
- 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 challenging such exactions.
- 25) Applicant shall comply with Tulare Municipal Code section 10.852.100 regarding the preservation and maintenance of existing heritage trees (Valley Oak) during construction and thereafter.

A) *City of Tulare **Engineering** Department Comments are attached hereto and incorporated herein as though fully set forth.*

B) *City of Tulare **Fire Department** Comments are attached hereto and incorporated herein as though fully set forth.*

C) *City of Tulare **Parks and Recreation** Comments are attached hereto and incorporated herein as though fully set forth.*

**PASSED, APPROVED AND ADOPTED** this tenth day of April, 2017 by the following recorded vote:

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

\_\_\_\_\_

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

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

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

\_\_\_\_\_  
JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

\_\_\_\_\_  
ROB HUNT, SECRETARY  
City of Tulare Planning Commission



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional Use Permit No.: 2017-06

LOCATION: Southwest Corner of Cartmill Avenue and Retherford Street

OWNER/DEVELOPER: Monterey Dynasty, LLC / Bethel Family Worship Center

DATE: April 7, 2017

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Master Plan drawings are needed for:  Water,  Sewer,  Storm Drain,  Streets
3. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
4. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
5. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.

6. New City standard curb and gutter shall be installed along the following street frontage(s): Retherford Street. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.
7. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Cartmill Avenue	in a full-width pattern	10-ft
Retherford Street	adjacent to curb	6-ft

8. New City standard driveway approach(es) shall be constructed at Cartmill Avenue and Retherford Street project entrances.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Cartmill Avenue and Retherford Street.
  - b. Reconstruction or rehabilitation of the existing pavement by methods approved by the City Engineer on: As required by the City Engineer.
  - c. Provide 4-ft stabilized shoulders on the opposite side of the street in accordance with the City of Tulare's adopted PM-10 control guidelines along Cartmill Avenue and Retherford Street.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Cartmill Avenue	Principal Arterial, T.I. = 10.5
Retherford Street	Minor Arterial, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. Design of the LED street lighting system shall be approved by City Engineer. The following street lights are required on roadways as follows:
    - 88-watt LED (16,000 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Cartmill Avenue
    - 41-watt LED (9,500 Lumen H.P.S.V. equivalent) with 31-ft pole height and 6-ft mast arm:  
Retherford Street
12. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
13. The intersection of Cartmill Avenue and Retherford Street shall be improved to accommodate a westbound left-turn lane and an eastbound right-turn lane in accordance with City and State design standards, including required transitions for lane additions and drops. Based upon the results of a traffic signal warrant study conducted in March 2017 for the intersection of Retherford Street and Cartmill Avenue, installation of a traffic signal is required. Improvements to the intersection of Cartmill Avenue and Retherford Street shall be completed as required opening day improvements for the proposed project. Construction of the improvements would be subject to the City's standard oversize

reimbursement policies, which provide for reimbursement of eligible oversize paving width, roadway structural section thickness, and traffic signal improvements.

14. The proposed development shall incorporate the following bicycle/pedestrian facilities: Bike Racks.
15. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
16. The proposed development shall be responsible for the following water main extensions and connections: Water main shall be extended in Retherford Street from current terminus south of project site to Cartmill Avenue, and extended in Cartmill Avenue between Retherford Street and Hillman Street resulting in a looped system.
17. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
18. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
19. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
20. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: Sewer main shall be extended in Retherford Street from its existing terminus south of the project site across the project frontage.
21. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
22. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. The proposed development shall be responsible for the following storm drain line extensions and connections: As required to convey storm drainage to existing City regional basin. As each phase of the overall project is developed, it will be necessary for the Developer to verify that there is adequate capacity in the regional basin to accommodate additional flows.
24. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
A letter verifying that construction 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 final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
25. All unused culverts shall be abandoned and plugged in a manner acceptable to the City Engineer.
26. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification



signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

27. A Public Works Inspection Fee is required prior to the construction of improvements.
28. A landscaping plan subject to the review and approval of the Director of Parks and Community Services 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.
29. 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.
30. 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.
31. 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.
32. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:

- Sewer front foot charges of \$ 25.00 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): \$ 1,008.19 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.
- Development impact fees to be paid with building permit.
- 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