

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

September 14, 2020

**CONDITIONAL USE PERMIT No. 2020-03**

<b>PROJECT PLANNER:</b>	Steven Sopp, Senior Planner
<b>APPLICANT:</b>	TAE Inc., on behalf of Darshan Singh
<b>LOCATION:</b>	Southeast corner of Prosperity Avenue and West Street
<b>APN:</b>	169-360-041
<b>ZONING CLASSIFICATION:</b>	C-3 (Retail Commercial)
<b>GENERAL PLAN DESIGNATION:</b>	Community Commercial
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Residential R-1-8/RA South: Residential R-1-6 West: Service Station/Res C-3/R-1-6 East: Residential R-1-6

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2020-03 subject to the findings and conditions in Resolution No. 5368. Staff's recommendation is based on the findings and the project's consistency with the policies and intent of the City's General Plan and Municipal Code.

**REQUEST:**

Conditional Use Permit No. 2020-03 is a request by TAE Inc., Architecture and Planning on behalf of Darshan Singh to construct a service station and convenience store with a lease space for a future tenant. The application also includes a request to obtain an ABC license (Type 20: Off Sale beer and wine). The service station and convenience store are proposed to be located on the southeast corner of Prosperity Avenue and West Street (APN 169-360-041).

**DETAILS OF THE PROPOSAL:**

The proposed project consists of the construction of a service station and convenience store with a lease space for a future tenant. The service station will include one fuel canopy with eight pumps (sixteen fueling stations) for vehicle fueling. A 4,200 sq. ft. commercial building will be constructed and will include 3,319 sq. ft. for convenience

store space associated with the service station. The commercial building will also include an approximately 881 sq. ft future tenant lease space.

Access to the site will be from two new drive approaches. One drive approach will be established off of Prosperity Avenue. The other drive approach will be established off of West Street. The applicant will be required to extend curb, gutter and sidewalk along the parcel's frontage along Prosperity Avenue and West Street. Landscaping will be provided along the parcel's frontage and will meet the 5% minimum of the developed gross lot area as required by the City of Tulare Landscape Ordinance.

The operating hours of the service station and convenience store are proposed to be from 6:00 a.m. to 11:00 p.m. seven days per week. The service station and convenience store are estimated to employ 6 employees working 2 shifts. It is anticipated that 1 fuel tanker per week will deliver diesel fuel and gasoline to the service station. Additional truck deliveries will also be required weekly in order to provide inventory for the associated convenience store and the future lease space. The application includes a request to obtain a Type 20 (Off-Sale General) Alcoholic Beverage Control license in order to sell beer and wine on-site for consumption off-site.

The commercial building will also include a future approximately 881 sq. ft. tenant lease space. Possible future tenants of the lease space will be limited to permitted uses within the C-3 (Retail Commercial) zoning designation that can operate in conjunction with the proposed service station. The most likely tenant for these spaces is a fast food or retail commercial type use such as a sandwich shop. Future tenants will be required to apply for a City of Tulare business license, at which time City of Tulare staff will review and proposed use to ensure that it is a permitted use, is compatible with the proposed service station and meets all required development standards of the C-3 zone.

Required parking breakdown is as follows:

Service Stations, convenience store mini-markets:  
1 per 250 sq. ft. – 3,319 total sq. ft. /250 = **13 spaces (4 can be at pumps)**  
Restaurants and similar establishments:  
1 per 100 sq. ft. – 881 total sq. ft. /100 = **8 spaces**

Required = **21 Spaces (4 can be at pumps)**

The site plan depicts a total 22 parking spaces (4 counted at pumps) for the site. The proposed project meets the parking requirement per Chapter 10.192 – Parking, of the City of Tulare Municipal Code.

#### **STAFF COMMENTS:**

The proposed site is designated as Community Commercial and zoned C-3 (Retail Commercial). The City of Tulare Municipal Code requires that businesses engaged in the sale of vehicle fuel including diesel fuel as well as the sale of alcohol are subject to a Conditional use Permit (Zoning Ordinance Section 10.168).

The proposed site meets the citing requirements established within Chapter 10.168.030 – Sale of Vehicle Fuel, in the City of Tulare Municipal code. The proposed service station is located at the intersection of two arterial streets and meets the minimum lot size and parcel frontage requirements. A service station exists to the west on the southwest corner of Prosperity and West Street. The proposed use and site can operate in a compatible manner with the surrounding uses.

The Site Plan Review Committee reviewed the project with the applicant on April 17, 2019 and prepared comments and conditions for the applicant. The site plan and elevations were reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

### **ENVIRONMENTAL FINDINGS:**

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study and proposed Mitigated Negative Declaration (IS/MND) evaluate the potential environmental impacts associated with the project implementation. It was found that implementation of the proposed project would not result in potentially significant impacts to the environment with the incorporation of mitigation measures.

A 30-day public notice was published on June 11, 2020, for the Conditional Use Permit and Notice of Intent to adopt (NOI) a Mitigated Negative Declaration for the proposed project.

Four comment letters were received during the public review period of the circulated CEQA document. Comment letters were received from The Tulare County Environmental Health Services Division (TCEHSD), the San Joaquin Valley Air Pollution Control District (SJVAPCD), the California Department of Fish and Wildlife (CDFW), and the California Department of Conservation Geologic Energy Management Division.

Comments provided by the TCEHSD outlined County permitting requirements for convenience stores as well as facilities where food preparation, storage, packaging or serving at the retail level occurs. Comments also included permitting requirements for the establishment and installation of underground or above-ground storage tanks. The comments provided are common permitting requirements for service stations, convenience stores and businesses that prepare or serve food at the retail level. The requirements are standard conditions of approval and are included as conditions of approval.

Comments provided by the SJVAPCD acknowledged that the project would have a less than significant impact on air quality emissions. Comments also summarized the District's established rules, regulations and regulatory permitting requirements. The comments are common permitting requirements for new construction and a recommended condition approval will ensure that these requirements are met.

Comments from the California Department of Conservation indicated that there are no oil, gas or geothermal resources, facilities or wells in the vicinity of the project. No conditions of approval or changes to the CEQA document were required.

Comments from the CDFW provided CDFW's expert opinion that San Joaquin Kit Fox (SJKF) are highly adaptable and can be found on vacant parcels near or adjacent to open space and farmland at the edges of the City. CDFW recommended several mitigation measures to mitigate the potential for SJKF dens to occur on the site. To address this comment, staff revised the draft IS/MND and added to the Biological Resources section discussions a) and d), acknowledging the potential for significant impacts based on the information provided by CDFW, and inclusion of Mitigation Measures BIO-1 through BIO-6 to reduce impacts to less than significant.

The comments received have been included in Appendix C of the CEQA document prepared. As a result of the comments provided and the inclusion of additional mitigation measures, the revised IS/MND was required to be recirculated for public review and comment. A second 30-day public notice was published on July 28, 2020 for the Conditional Use Permit and Notice of Intent to adopt (NOI) a Mitigated Negative Declaration for the proposed project.

#### **FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2020-03:

#### **Environmental:**

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

#### **Conditional Use Permit No. 2020-03**

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

- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.
- 4) That the proposed use is consistent with the Tulare General Plan.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 6) That public convenience and necessity would be served by the issuance of an “off-sale beer and wine” Type 20 ABC license.

**CONDITIONS:**

Based on the approved findings, staff recommends that Conditional Use Permit No. 2020-03 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Applicant to comply with all mitigation measures within the Mitigated Negative Declaration per adopted Resolution 5368.
- 5) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 6) Prior to construction, applicant shall obtain all required County Environmental Health Services Division permits required for the installation of underground or above ground storage tanks.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.

- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments V, VI, VII and VIII).
- 9) Approval does not authorize any deviation from Fire and Building Codes.
- 10) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 11) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 12) Applicant to maintain all licenses and/or permits required by the State.
- 13) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

**APPEAL INFORMATION:**

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

**Attachments:**

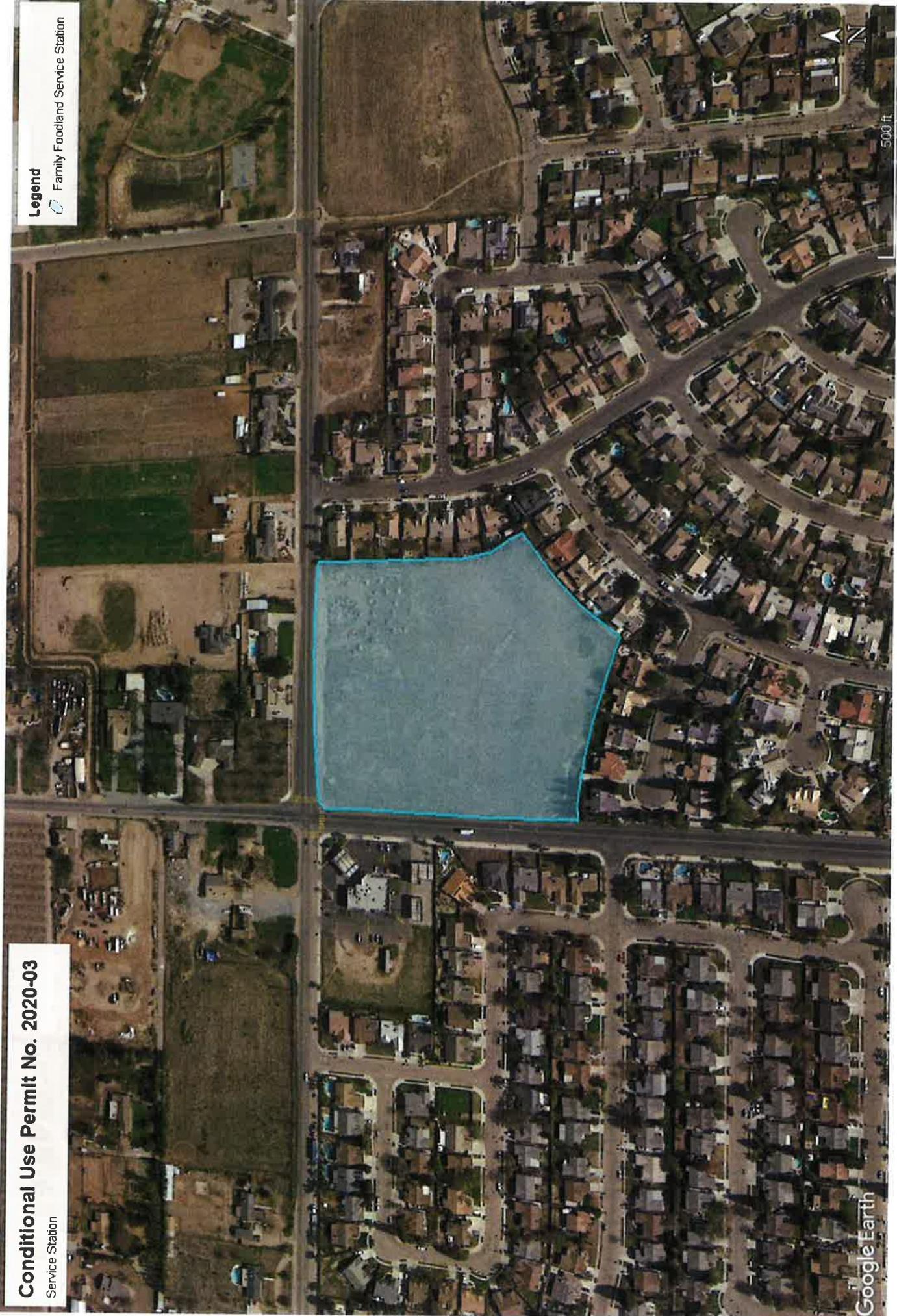
- I. Project Vicinity Map
- II. Site Plan
- III. Floor Plan
- IV. Elevations
- V. Engineering Comments
- VI. Fire Department Comments
- VII. Parks Comments
- VIII. Solid Waste Comments
- IX. TCEHSD Comment letter
- X. Resolution

**Conditional Use Permit No. 2020-03**

Service Station

**Legend**

Family Foodland Service Station











## SITE PLAN REVIEW COMMENTS

Engineering Department

Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

MEETING DATE: 4/17/19

PROJECT: Site Plan Review Application No. : SP 1934 Family Foodland

PROJECT LOCATION: 169-360-041

OWNER/DEVELOPER: Darshan Singh

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

- Resubmit:  Additional Information Required,  Redesign Required  
 Revise and Proceed, comply with comments checked below

### Engineering Comments

The following conditions assume a Parcel Map will be submitted for the proposed development with one of the Parcels being the project boundaries shown on the submitted site plan.

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

### General Engineering Comments:

3. 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.

4. 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.
5. 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.
6. Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
7. New City standard sidewalk shall be constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so. 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>Street Frontage</u>	<u>Configuration</u>	<u>Sidewalk Width (ft)</u>
West Street	Adjacent to Curb	6-ft
Prosperity Avenue	Adjacent to Curb	6-ft

8. New 35' City standard ramped curb returns and/or pedestrian ramps shall be installed at the corner of West Street and Prosperity Avenue.
9. New City standard driveway approach(es) shall be constructed at: West Street and Prosperity Avenue at locations shown on the approved site plan.
10. 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 Prosperity Avenue and West Street.
    - i. West Street: street shall be widened to accommodate a City Standard minor arterial intersection lane configuration, as shown on City Standard Drawing No. 7246.
    - ii. New City Standard curb and gutter shall be installed along property frontage on Prosperity Avenue and West Street.
    - iii. Pavement transition tapers beyond the proposed frontage on Prosperity Avenue and West Street may be required. The length of the taper is subject to City Engineer's approval.

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>
West Street	Minor Arterial, T.I. = 9.5
Prosperity Avenue	Minor Arterial, T.I. = 9.5

11. 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).

12. A traffic signal (8-phase, traffic actuated) designed in accordance with City Standards and subject to the approval of the City Engineer shall be constructed at the intersection of Prosperity Avenue and West Street as a required opening day improvement. Costs associated with the design and construction of the traffic signal shall be eligible for reimbursement in accordance with Chapter 8.64 of the Tulare Municipal Code and City oversize reimbursement policies.
13. 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:
    - 39-watt LED (9,500 Lumen H.P.S.V. equivalent) with 29-ft pole height and 8-ft mast arm: West Street and Prosperity Avenue.
14. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
15. The following right-of-way dedications are required for street/alley purposes:
  - a. Chamfer property corner: at Prosperity Avenue and West Street per City Standard Drawing No. 4130.
  - b. Street: The developer shall provide right-of-way dedication on West Street to accommodate a minor arterial intersection lane configuration with a dedicated right turn lane (see City Standard Drawing No. 7246).
16. Waiver of direct access rights is required at the following locations: at all locations outside of the approved drive approach locations on West Street and Prosperity Avenue.
17. The proposed development shall incorporate the following bicycle/pedestrian facilities: onsite bicycle rack.
18. Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.
19. All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (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.
20. 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.
21. 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.

22. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. 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.
24. A sewer monitoring station, oil/water separator and/or grease interceptor shall be installed as required by the wastewater manager.
25. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
26. The proposed development shall be responsible for the following storm drain line extensions and connections: As needed to server the development.
27. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
  
A letter verifying that lot grading was completed according to the approved grading / drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of any final occupancy permits or notice of completion for public improvements. The Engineer or Architect shall affix their stamp and seal to the letter.
28. All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
29. 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.
30. A Public Works Inspection Fee is required prior to the construction of improvements.
31. A City Clerk's Certificate is required on the Parcel Map for required dedications.
32. A Public Works Certificate required on the Parcel Map if improvements are not constructed prior to recordation. This provision would require an engineer's estimate and an improvement security.
33. 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.
34. 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.
35. Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
36. If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.
37. If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City.

38. 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.

39. 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 Prosperity Avenue and West Street.

Sewer lift station fee of \$ \_\_\_\_\_ per acre.

Water front foot charges of \$ 17.50 per front foot for frontages on Prosperity Avenue and West Street.

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: Jan Bowen, Engineering Department

The Fire Prevention Bureau conveys the following site plan comments for SP 1934:

1. The project must comply with all of the latest applicable codes.
2. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
  - a. All dimensions shall be clearly marked on the site plan.
3. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
4. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.

Shelli Vinson  
Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division

**FROM:** Parks Division

**SUBJECT:**

**DATE:**

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).

(l) *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.

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



**SITE PLAN**  
 Location: South West Corner Prosperity & West St.  
 Name: Family Food Land  
 Date: 5/4/2019  
 Plan #: SP 1934

**TYPE OF SERVICE**

Commercial     Residential     Roll Off     Mandatory Recycling / Composting

- Revisions required prior to submitting final plans. SEE COMMENTS ATTACHED .
- Customer responsible for setting can's out for service by 6:00 am and removing can's from curb, gutter, or alley on the same day after serviced. Customer is responsible for any violations.
- Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.
- Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers  
Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
- Mandatory Food Waste and Compost Recycling AB 1826. Green 96 gallon containers for yard waste/food scraps required.  
Additional storage area attached to enclosure to store up to 3-96 gallon cans as option shown on enclosure specs is required.
- A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight..
- All refuse enclosures must be Double Wide by City Standards. Tripple wide for restaurants or Cafeterias
- Location of bin enclosure not acceptable. See comments attached.
- Bin enclosure is not to city standards double or tripple.
- Inadequate number of Trash/Recycling containers to provide sufficient service. See comments attached.
- Drive approach too narrow for refuse truck access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :  
Commercial ( ) 50 ft. outside 36 ft. inside; Residential ( ) 50 ft. outside, 36 ft. Inside.
- Paved areas should be engineered to withstand a 60,000 lb. refuse truck.
- Enclosure gates are (X) required ( ) optional. ( ) Lockable  
(Gates and poles to be constructed as shown in City of Tulare enclosure specifications.)
- Gates shall be equipped with heavy duty hinges and cane bolts/sleeves attached to hold the gate in the open and closed positions. Gate shall shall open 180 degrees from closed position.
- Hammerhead turnaround must be built per city standards.
- All bin enclosures are for city refuse containers only. Grease drums or any other items or equipment are not allowed to be stored inside any trash/recycling/compost enclosures.
- Area in front of refuse enclosure must be marked off indicating "No Parking"
- All Enclosure will have to be designed and located for a STAB service (Direct Access)(No Roll Out)
- Customer will be required to roll container out to curb/alley for service.

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

Comments: Gas pump canopy / awning must be 14' feet or higher for refuse truck clearance

**RESOLUTION NO. 5368**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2020-03**

**WHEREAS**, Conditional Use Permit 2020-03 is a by TAE Inc., Architecture and Planning on behalf of Darshan Singh to construct a service station and convenience store with a lease space for a future tenant. The application also includes a request to obtain an ABC license (Type 20: Off Sale beer and wine). The service station and convenience store are proposed to be located on the southeast corner of Prosperity Avenue and West Street (APN 169-360-041); and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on September 14, 2020; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2020-03 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

**WHEREAS**, an Initial Study was prepared and found that the proposed project will not have a significant environmental impact with the incorporation of mitigation measures; and,

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

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

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency, and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mitigated Negative Declaration prepared for Conditional Use Permit No. 2020-03 is hereby adopted by the City of Tulare Planning Commission.

**The IS/ Mitigated Negative Declaration is attached hereto as Exhibit "A" and incorporated as fully set forth.**

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

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.

- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.
- 4) That the proposed use is consistent with the Tulare General Plan.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 6) That public convenience and necessity would be served by the issuance of an “off-sale beer and wine” Type 20 ABC license.

**BE IT FURTHER RESOLVED**, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2020-03 is hereby approved subject to the following conditions:

**Conditions:**

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) Applicant to comply with all mitigation measures within the Mitigated Negative Declaration per adopted Resolution 5368.
- 5) Prior to operation, applicant shall obtain all required County Environmental Health Services Division permits required for the operation of convenience stores and facilities where preparation, storage, packaging and/or serving food at the retail level will occur.
- 6) Prior to construction, applicant shall obtain all required County Environmental Health Services Division permits required for the installation of underground or above ground storage tanks.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.

- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments V, VI, VII and VIII).
- 9) Approval does not authorize any deviation from Fire and Building Codes.
- 10) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 11) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 12) Applicant to maintain all licenses and/or permits required by the State.
- 13) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

## **Engineering**

### Engineering Comments

The following conditions assume a Parcel Map will be submitted for the proposed development with one of the Parcels being the project boundaries shown on the submitted site plan.

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

### General Engineering Comments:

3. 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.

4. 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.
5. 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.
6. Easements will be required for all public utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements are required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
7. New City standard sidewalk shall be constructed as indicated below. For adjacent sidewalk pattern, sidewalk shall transition behind driveway approaches and maintain a minimum width of 4 feet while doing so. 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>Street Frontage</u>	<u>Configuration</u>	<u>Sidewalk Width (ft)</u>
West Street	Adjacent to Curb	6-ft
Prosperity Avenue	Adjacent to Curb	6-ft

8. New 35' City standard ramped curb returns and/or pedestrian ramps shall be installed at the corner of West Street and Prosperity Avenue.
9. New City standard driveway approach(es) shall be constructed at: West Street and Prosperity Avenue at locations shown on the approved site plan.
10. 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 Prosperity Avenue and West Street.

- i. West Street: street shall be widened to accommodate a City Standard minor arterial intersection lane configuration, as shown on City Standard Drawing No. 7246.
- ii. New City Standard curb and gutter shall be installed along property frontage on Prosperity Avenue and West Street.
- iii. Pavement transition tapers beyond the proposed frontage on Prosperity Avenue and West Street may be required. The length of the taper is subject to City Engineer's approval.

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>
West Street	Minor Arterial, T.I. = 9.5
Prosperity Avenue	Minor Arterial, T.I. = 9.5

- 11. 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).
- 12. A traffic signal (8-phase, traffic actuated) designed in accordance with City Standards and subject to the approval of the City Engineer shall be constructed at the intersection of Prosperity Avenue and West Street as a required opening day improvement. Costs associated with the design and construction of the traffic signal shall be eligible for reimbursement in accordance with Chapter 8.64 of the Tulare Municipal Code and City oversize reimbursement policies.
- 13. 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:
    - 39-watt LED (9,500 Lumen H.P.S.V. equivalent) with 29-ft pole height and 8-ft mast arm; West Street and Prosperity Avenue.
- 14. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
- 15. The following right-of-way dedications are required for street/alley purposes:
  - a. Chamfer property corner: at Prosperity Avenue and West Street per City Standard Drawing No. 4130.

- b. Street: The developer shall provide right-of-way dedication on West Street to accommodate a minor arterial intersection lane configuration with a dedicated right turn lane (see City Standard Drawing No. 7246).
16. Waiver of direct access rights is required at the following locations: at all locations outside of the approved drive approach locations on West Street and Prosperity Avenue.
17. The proposed development shall incorporate the following bicycle/pedestrian facilities: onsite bicycle rack.
18. Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA “state of the practice” standards, the Caltrans “Guide For The Preparation of Traffic Impact Studies”, and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.
19. All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (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.
20. 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.
21. 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.
22. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
23. 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.

24. A sewer monitoring station, oil/water separator and/or grease interceptor shall be installed as required by the wastewater manager.
25. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
26. The proposed development shall be responsible for the following storm drain line extensions and connections: As needed to server the development.
27. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.  
  
A letter verifying that lot grading was completed according to the approved grading / drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of any final occupancy permits or notice of completion for public improvements. The Engineer or Architect shall affix their stamp and seal to the letter.
28. All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.
29. 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.
30. A Public Works Inspection Fee is required prior to the construction of improvements.
31. A City Clerk's Certificate is required on the Parcel Map for required dedications.
32. A Public Works Certificate required on the Parcel Map if improvements are not constructed prior to recordation. This provision would require an engineer's estimate and an improvement security.
33. 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.

34. 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.
35. Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.
36. If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.
37. If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City.
38. 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.
39. 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 Prosperity Avenue and West Street.

Sewer lift station fee of \$ \_\_\_\_\_ per acre.

Water front foot charges of \$ 17.50 per front foot for frontages on Prosperity Avenue and West Street.

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: \_\_\_\_\_

**Fire**

1. The project must comply with all the latest applicable codes.
2. An approved fire apparatus access road shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6".
  - a. All dimensions shall be clearly marked on the site plan
3. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
4. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.

**Solid Waste**

1. Revisions required prior to submitting final plans. See comments attached.
2. Mandatory Commercial Recycling AB 341. All Commercial Businesses and Multi Family customers must have a blue recycle Bin, Roll Off, or Can for clean paper, cardboard, cans, bottles etc.
3. Customer is required to flatten, breakdown all cardboard and other bulky recyclables in blue containers. Customer is responsible for any contamination in containers and all fines and charges resulting from contaminated recyclables.
4. A concrete slab/apron is required in front of enclosure as shown in enclosure specifications. The apron shall be the width of the enclosure by 10 feet in front and be a minimum of eight inches thick to withstand truck weight.
5. All refuse enclosures must be Double Wide by City Standards. triple wide for restaurants.

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

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

Comments:

Gas pump canopy / awning must be 14' feet or higher for refuse truck clearance.

## **Parks**

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.

**PASSED, APPROVED AND ADOPTED** this fourteenth day of September, 2020 by the following recorded vote:

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

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

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

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

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

ATTEST:

\_\_\_\_\_  
TRACI MYERS, SECRETARY  
City of Tulare Planning Commission



p.m. on Sunday. The applicant's proposed operation includes setting up and the removal of the vending vehicle daily from the site. The vending operation is walk-up and contains refrigeration, cooking and food preparation areas.

Restrooms are located in the existing commercial business. The applicant has received a letter from the owner allowing the use of the restrooms throughout the business hours.

On September 9, 2019 the City of Tulare Planning Commission approved Conditional Use Permit No. 2019-22 to allow the applicant to operate a mobile food vendor on the proposed site. The applicant is requesting to renew the Conditional Use Permit and continue to be allowed to operate on the proposed site.

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

No comments have been received by staff regarding this project in response to the public notice that was mailed to surrounding property owners and published.

#### **ENVIRONMENTAL FINDINGS:**

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

#### **FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2020-15.

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

## **CONDITIONS:**

Based on the approved findings, staff recommends that Conditional Use Permit No.2020-15, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain any other required license or permit.
- 7) This permit shall remain valid for two-years from approval or September 14, 2022; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date Tulare County Health Department license, California DMV license and liability insurance as part of a one-year review.
- 9) Hours of operation shall be from 1 p.m. to 8 p.m. Monday and Wednesday through Saturday and from 1 p.m. to 5 p.m. on Sunday.

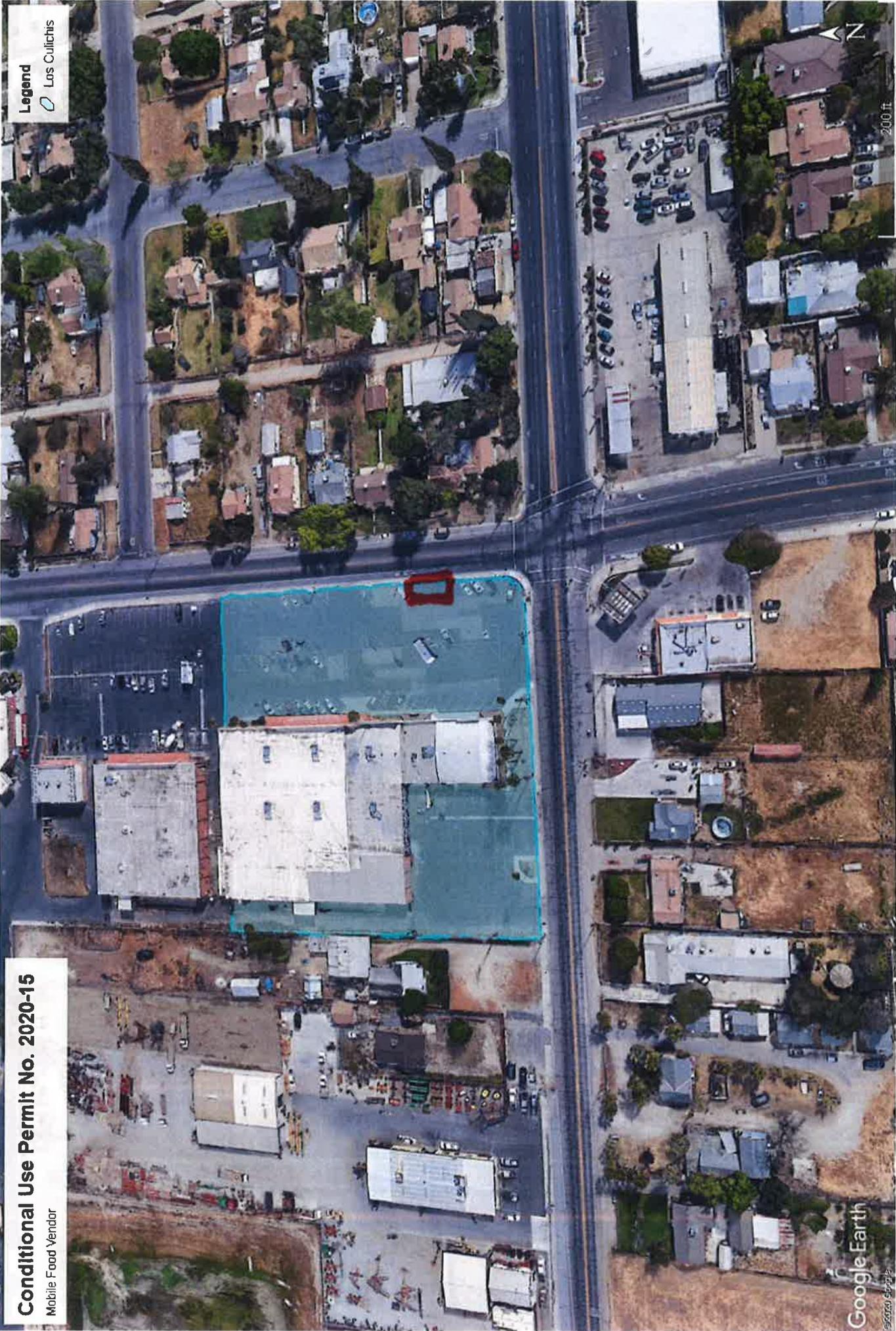
## **APPEAL INFORMATION:**

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

Attachments:

- I. Project Location Map
- II. Exterior Elevation
- III. Resolution

**Conditional Use Permit No. 2020-15**  
Mobile Food Vendor



**Legend**  
Los Culichis

Google Earth  
©2020 Google



200 ft



Los Salsichis  
CALIDAD Y BIEN SERVIDO ASES DESTINADOS  
PARA SU TIPO DE NEGOCIO  
© 5595568246

Los Salsichis

**RESOLUTION NO. 5374**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2020-15**

**WHEREAS**, Conditional Use Permit 2020-15 is a request by Jose Antonio Martinez of Los Culichis to operate a stationary mobile vending vehicle on the property located at 265 S. West Street; and,

**WHEREAS**, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on September 14, 2020; and,

**WHEREAS**, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2020-15 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

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

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

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

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

**BE IT FURTHER RESOLVED**, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2020-15 is hereby approved subject to the following conditions:

**Conditions:**

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

- 2) Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- 3) The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- 4) No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- 5) Restrooms shall be readily available and which are connected to the City's wastewater system.
- 6) Applicant shall obtain any other required license or permit.
- 7) This permit shall remain valid for two-years from approval or September 14, 2022; at which time Applicant may apply for a new Conditional Use Permit.
- 8) Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up to date Tulare County Health Department license, California DMV license and liability insurance as part of a one-year review.
- 9) Hours of operation shall be from 1 p.m. to 8 p.m. Monday and Wednesday through Saturday and from 1 p.m. to 5 p.m. on Sunday.

**PASSED, APPROVED AND ADOPTED** this fourteenth day of September, 2020 by the following recorded vote:

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

\_\_\_\_\_

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

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

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

ATTEST

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

\_\_\_\_\_  
 TRACI MYERS, SECRETARY  
 City of Tulare Planning Commission