Agri-Center of the World

City of Tulare

Planning Commission

Agenda

Chair
Chuck Miguel

Vice-Chair
Sandi Miller

Commissioners
Chad Petersen
Erica Cubas
Jocelyn Limas

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

Monday, November 13, 2023
7:00 p.m. – Regular Meeting

Mission Statement

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

Attending and Participating in Meetings

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

Documents related to items on the agenda are accessible on the City's website at www.tulare.ca.gov and available for viewing at the entrance of the Council Chamber.

Rules for Addressing the Planning Commission

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

Americans with Disabilities Act

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENTS -** This is the time for the public to comment on matters within the jurisdiction of the Tulare Planning Commission that are not on the agenda. The Planning Commission asks that comments are kept brief and positive. The Planning Commission cannot legally discuss or take official action on request items that are introduced tonight. This is also the time for the public to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Public Hearing or General Business items will be heard at the time those items are discussed. In fairness to all who wish to speak, each speaker will be allowed three minutes with a maximum time of 15 minutes per item unless otherwise extended by Planning Commission. Please begin your comments by stating your name and providing your city of residence.

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

5. **CONSENT CALENDAR -** All Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

   5.1 Approve the Minutes of the October 23, 2023 Regular Meeting. [Submitted by: M. Sanchez]

6. **PUBLIC HEARINGS -** Comments related to Public Hearing items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Planning Commission.

   6.1 Conditional Use Permit No. 2023-18

   Public hearing to consider a request by Tuolumne Meadows, LLC to construct a hotel with a restaurant/bar, outdoor wedding venue, and convention center. The application also includes a request to obtain an ABC license (Type 47: On-sale General for Restaurant). The hotel is proposed to be located on the east side of M Street, south of Cartmill Avenue. This project is exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended.

   Project Planner: Jonathan Coelho, Assistant Planner

   Recommended Action: Adopt Resolution 5449 approving Conditional Use Permit No. 2023-18 based on findings and subject to the conditions as listed in the staff report.

   6.2 Conditional Use Permit No. 2023-20

   Public hearing to consider a request by Rosario Herrera to construct a single-family dwelling to be located at 406 N. G Street. The proposed site is zoned RM-3 (Multi-

Family Residential. This project is exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended.

Project Planner: Jonathan Coelho, Assistant Planner

Recommended Action: Adopt Resolution 5467 approving Conditional Use Permit No. 2023-20 based on findings and subject to the conditions as listed in the staff report.

7. STAFF UPDATES

8. ADJOURNMENT

The next regularly scheduled meeting of the Tulare Planning Commission is Monday, November 27, 2023, at 7:00 p.m. in the Council Chamber, 491 North M Street, Tulare.

AFFIDAVIT OF POSTING AGENDA

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

POSTED: Thursday, November 9, 2023, at 5:00 p.m.

CITY OF TULARE
PLANNING COMMISSION MEETING MINUTES

Council Chamber	**Monday, October 23, 2023**
491 North M Street, Tulare	**7:00 p.m. - Regular Meeting**

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

COMMISSIONERS ABSENT: Commissioner Chad Petersen
Commissioner Erica Cubas

STAFF PRESENT: Community Development Director Mario Anaya
Principal Planner Steven Sopp
Assistant Planner Jonathan Coelho
Commission Clerk Maria Sanchez

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Commissioner Limas led the Pledge of Allegiance.

3. PUBLIC COMMENTS

There were no public comments.

4. COMMISSIONER REPORTS AND ITEMS OF INTEREST

Commissioners reported out on upcoming events and discussed items of interest.

5. CONSENT CALENDAR

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

5.1 Approve the minutes of the September 25, 2023 regular meeting. [Submitted by: M. Sanchez]

6. GENERAL BUSINESS - PUBLIC HEARINGS

6.1 Final Environmental Impact Report / Annexation 2020-01 East Tulare No. 36 – Chandler Grove, General Plan 2020-01, Zone Amendment No. 743
Item Description: Public hearing to consider a request by Arun Toor on behalf of AST LLC. to annex into the City limits approximately 863 acres of which 231 acres is considered the “Project Site” and is planned for future development. In addition to the annexation the Planning Commission will also consider a General Plan Amendment and Zoning Amendment for the establishment of the planned multi-use commercial and residential development consistent with the City’s

adopted Transit Oriented Development Plan. The project is located on the northeast corner of Bardsley Avenue and Oakmore Street. An Environmental Impact Report has been prepared for this project pursuant to the California Environmental Quality Act of 1970, as amended.
Recommend Action: Adopt Resolution 5465 recommending to City Council approval of Annexation No. 2020-01 (East Tulare No. 36) – Chandler Grove, General Plan Amendment No. 2022-04, Zone Amendment No. 743, and certification of the final environmental impact report with appropriate Findings, and Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program. The recommendation is based on findings and subject to the conditions as listed in the staff report.
Presented By: Principal Planner Steven Sopp
Public Comment: The public hearing was opened at 7:12 p.m. Arun Toor, of AST LLC, gave additional information about the project. Darlene Mata, Visalia resident, spoke in support of the project. Jeff Gregory, Tulare resident, voiced his concerns and posed questions on the project. Principal Planner Steven Sopp addressed all questions posed. Michael Schussel, Tulare resident, voiced concerns on traffic safety. Staff provided a response. Following discussion, the public hearing was closed at 7:24 p.m.
Commission Action: It was moved by Vice-Chair Miller, seconded by Commissioner Limas, and carried 3 to 0 to adopt Resolution 5465 recommending to City Council approval of Annexation No. 2020-01 (East Tulare No.336) – Chandler Grove, General Plan Amendment No. 2022-04, Zone Amendment No. 743 and certification of the final EIR with appropriate Findings and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program as presented.

7. STAFF UPDATES

Staff provided updates on department activities.

8. ADJOURNMENT

The regular meeting was adjourned at 8:06pm.

_____
CHUCK MIGUEL, CHAIR

ATTEST:

_____
MARIO ANAYA, SECRETARY

CITY OF TULARE PLANNING COMMISSION
STAFF REPORT

Agenda Item No. 6.1 November 13, 2023

CONDITIONAL USE PERMIT No. 2023-18

PROJECT PLANNER:	Jonathan Coelho, Assistant Planner
APPLICANT:	Tuolumne Meadows LLC,
LOCATION:	Property is located at the eastside of M Street, three properties south of Cartmill Avenue with access along M Street.
APN:	166-240-008
ZONING CLASSIFICATION:	C-3 (Commercial Retail)
GENERAL PLAN DESIGNATION:	Community Commercial
SURROUNDING LAND USES AND ZONING:	North: Tulare Fire Dep. PL South: Church R-1-7 West: Presidential Estates R-1-8 East: Highway 99

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2023-18 subject to the findings and conditions in Resolution No. 5449. Staff's recommendation is based on the findings and the project's consistency with the policies and intent of the City's General Plan and Municipal Code.

REQUEST:

This is a request by Tuolumne Meadows, LLC for a Conditional Use Permit to construct a 24,500 square foot five story/136 room hotel with a restaurant/bar, outdoor wedding venue, a convention center/hall, seventy-five-foot freeway sign, increase the building height from thirty feet to sixty feet, and an ABC Type 47 (On-sale General for Restaurant) license. The project is located the eastside of M Street and three properties south of Cartmill Avenue. (APN 166-240-008).

RELATED PROJECTS:

General Plan Amendment No. 2015-01: Request by Monterey Dynasty, LLC to change the General Plan from Low Density Residential (3.1-7 units/acres) to Community Commercial on 4.74 acres at Cartmill Avenue and SR 99.

Zone Amendment No.710: Request by Monterey Dynasty, LLC to re-zone 4.74 acres at Cartmill Avenue and SR 00 from R-1-7 (SFR, 7,000 square foot lot minimum) to C-3 (Retail Commercial)

Conditional Use Permit No. 2015-13: A request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 square foot, five- story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, seventy-five-foot-tall freeway sign and an ABC Type 47 (On-sale General for Restaurant) license. The project is located at the southwest comer of Cartmill and SR 99.

DETAILS OF THE PROPOSAL:

The site plan depicts the 24,500 square foot, five-story/136 room hotel with a swimming pool, 400-seat conference center/hall, 4,000 square foot restaurant/bar, outdoor wedding venue and parking area on an approximate 4.74 acres site. 233 parking spaces are proposed with an additional five RV/Bus spaces. Access to the site is from "M" Street. A covered entrance drive (porte cochere) is located at the main entrance of the hotel. All areas not dedicated to the parking, are shown to be landscaped, with a heavily landscaped screen along "M" Street frontage. A seventy-five-foot-tall freeway sign is proposed at the northeast corner of the site. A six-foot-high block wall is depicted along the northern end of the site. A three-foot-high block wall with a three-foot wrought iron is proposed to be separate the hotel facility and adjacent church.

STAFF COMMENTS:

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

The project proposes a four-star rate hotel, which will attract typical business-related customers, families on vacation and tourists.

Permitted Building height in commercial zones is thirty feet, or up to sixty feet with a conditional use. The building height proposed is sixty feet and requires approval of a conditional use permit.

On site storm drain flow will be existing services located in the "M" Street. Water and sewer will be served by connection to existing infrastructure in "M" Street.

The three-foot wall with a three-foot wrought iron separating the two uses is agreed upon by both the property owners and is consistent with similar design at other local hotel locations.

The proposed hotel is designed to orient the main entrance to the northwest of the site. The layout is intended to minimize the line of sight to the nearest single-family residential neighborhood to the west.

Parking for hotels/motels is calculated at one per room, plus one space per employee on evening shift, plus 50% of the parking requirements for associated on-site uses such as restaurants/ bars and convention center/halls. (Tulare Municipal Code Chapter 10.192).

This hotel project combined with ancillary uses would require 223 parking stalls. Applicant has provided 223 on-site parking spaces, in addition to five RV/truck/bus spaces. There currently exists a temporary parking/access easement between the Church site fifty-five parking spaces short of their on-site church. Staff has provided a condition requiring a shared access/parking agreement between the hotel and church site due to the connection of the parking areas; or in the alternative, the removal of the connection if a shared agreement cannot be negotiated.

On June 16, 2016, the Board of Public Utilities approved a resolution granting applicant's request for connection to the City's water system.

Applicant has prepared a Traffic Impact Analysis which outlined various transportation infrastructure improvements completed in the nearby area of the proposed project. The analysis performed concluded the increase in the project site trips is not anticipated to significantly affect roadway operations in the vicinity. Additionally, the planned project site access and on-site circulation appears adequate to the size of the project and type of trips that will be made.

It is recommended that the project pay its fair share of the City's established Development Impact Fees for the City Streets and State Highways. In addition, the project will construct its required frontage improvements on "M" street as required by the City of Tulare.

Applicant is requesting a conditional use for a seventy-five-foot freeway sign to be located on site within 300 feet of SR 99 right-of-away. The freeway sign concept shows a seventy-five-foot monopole sign with stone base and 450 square feet of sign area. Per Tulare Municipal Code 10.188, the sign accommodates the placement of a City of Tulare identification.

The applicant further requests a conditional use permit for an ABC Type 47 (On-Sale General for Restaurant) license to be associated with the onsite restaurant/bar.

The Site Plan Review Committee reviewed the project with the applicant on May 25, 2023, and prepared comments and conditions. The site plan and floor plan were

reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

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

ENVIRONMENTAL FINDINGS:

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

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2023-18:

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

2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.

3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.

4) That the proposed use is consistent with the Tulare General Plan.

5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

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

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2023-18 be approved subject to the following conditions:

1) All requirements of Title 10 shall be met.

2) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and establishment of the use is being diligently pursued.

3) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.

4) Applicant shall comply with Fire Department and Engineering Division comments/conditions (Attachments VI, and VII).

5) Approval does not authorize any deviation from Fire and Building Codes.

6) City standard trash enclosures to be located as approved by solid Waste Division

7) A shared access/parking agreement shall be executed and recorded between applicant and the adjacent church for the access and shared parking between parcels in a form acceptable to the City Engineer. In the alternative, the removal of the connection if a shared agreement cannot be negotiated.

8) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.

9) A block wall is required along the south property line of the project.

10) Prior to issuance of building permits, applicant shall submit four copies of a Landscape/irrigation Plan consistent with the City Landscape Ordinance.

11) Prior to the issuance of building permits, applicant shall submit documentation of legal ownership of the property to the satisfaction of the Community Development Director.

12) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

APPEAL INFORMATION:

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

Attachments:

I. Location Map
II. Site Plan
III. Elevations

IV. Sign Elevation
V. Resolution
VI. Comments – Fire
VII. Comments – Engineering


E CARTMILL AVE
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E CARTMILL AVE
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STHY 89
STHY 89
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RAMP
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PRESIDENTIAL DR
PRESIDENTIAL DR
PRESIDENTIAL DR
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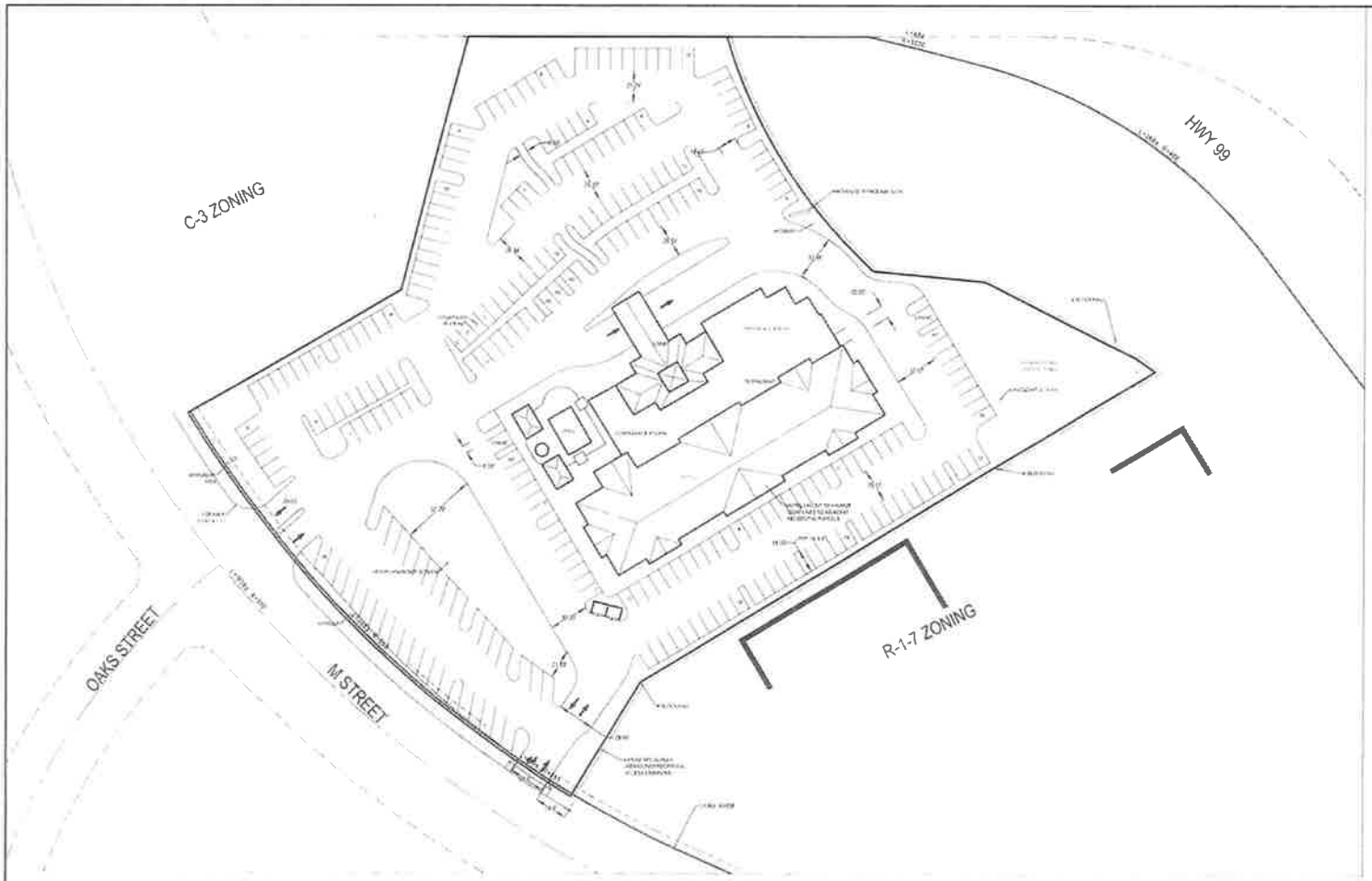
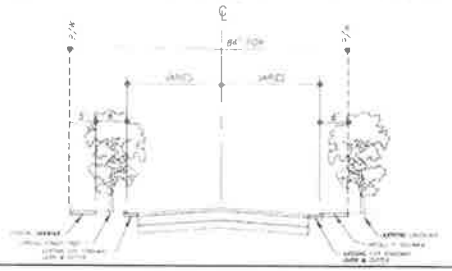
JANUARY 17, 2017

EASTGATE HOTEL DEVELOPMENT DESIGN REVIEW

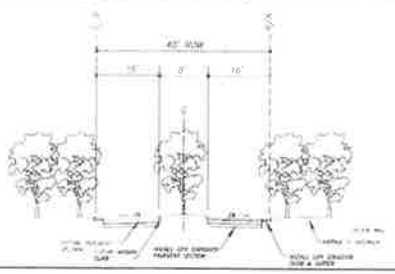
PARCEL [illegible] OF PARCEL MAP NO. 4903 [illegible] IN BOOK [illegible] OF PARCEL MAPS AT PAGE [illegible] TULARE COUNTY RECORDS LOCATED IN THE NORTHWEST QUARTER OF SECTION [illegible] TOWNSHIP 19 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN

[illegible]
ZONE [illegible]
GENERAL PLAN AMENDMENT
CONDITIONAL USE PERMIT





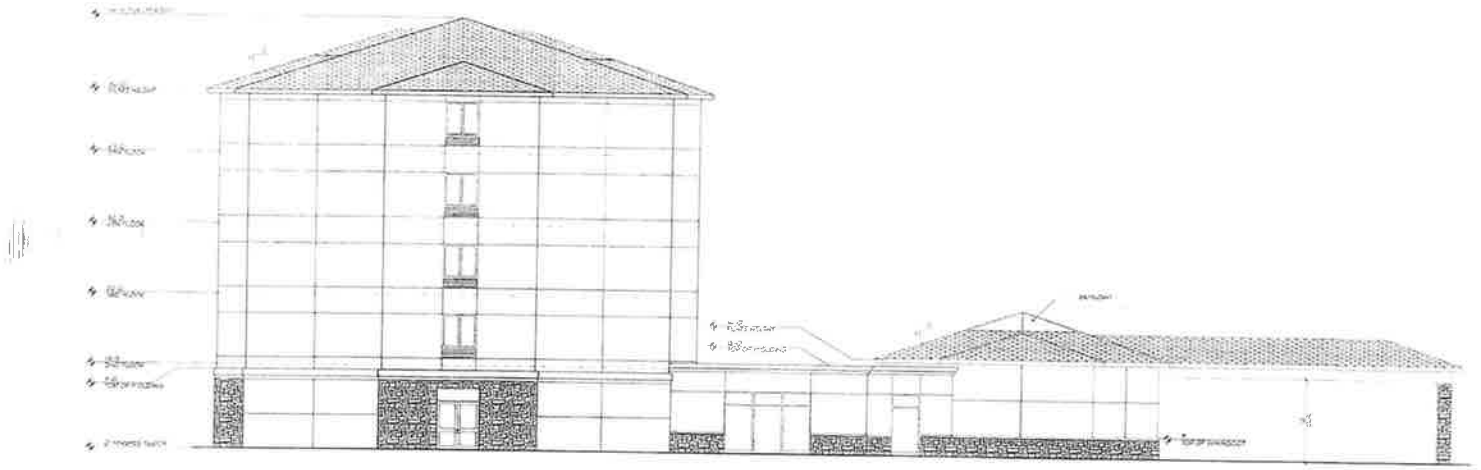
"M" STREET CROSS SECTION
(LOOKING NORTH)



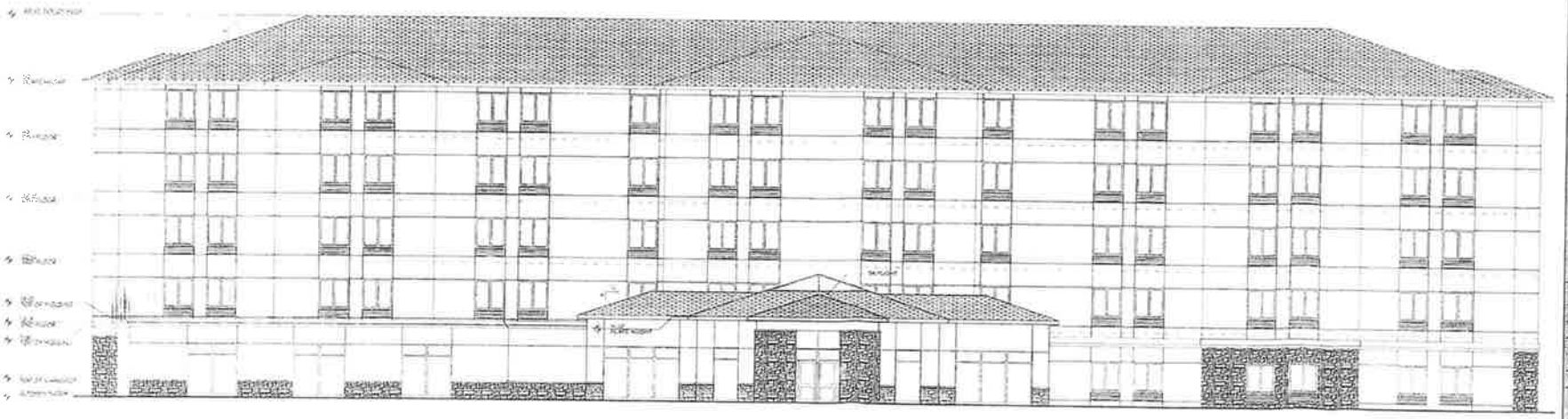
HOTEL ENTRANCE CROSS SECTION
(LOOKING NORTH EAST)

VICINITY MAP

4CREEKS



NORTHEAST ELEVATION



NORTHWEST ELEVATION

EBM DESIGN GROUP
INCORPORATED
ARCHITECTS

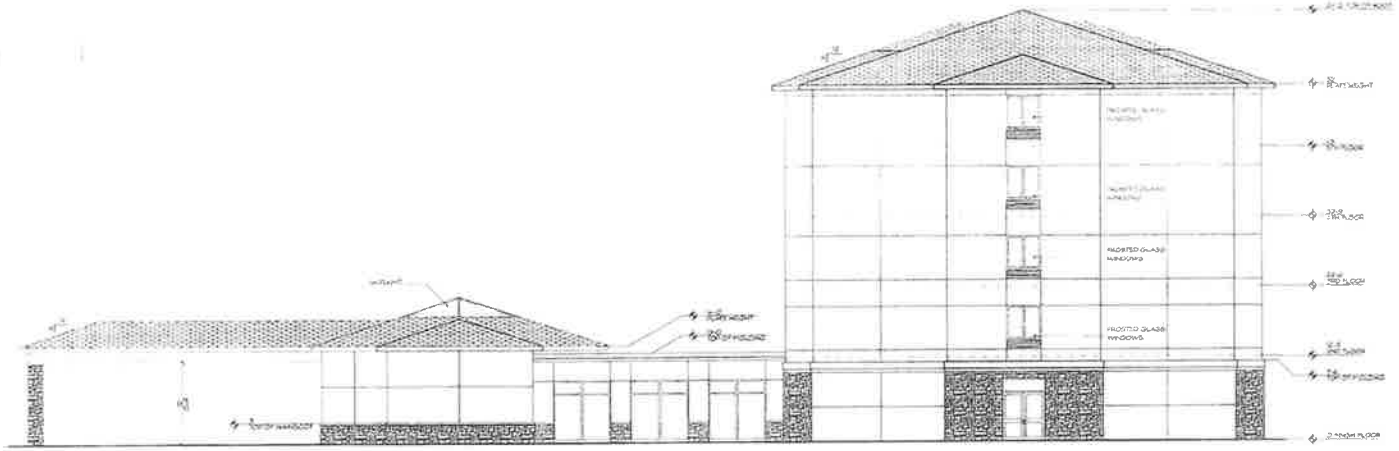
4412 W. FERGUSON
VISALIA, CA 93291
(559) 732-9230
FAX: 732-5836

SCALE: AS NOTED
JOB # 15-008

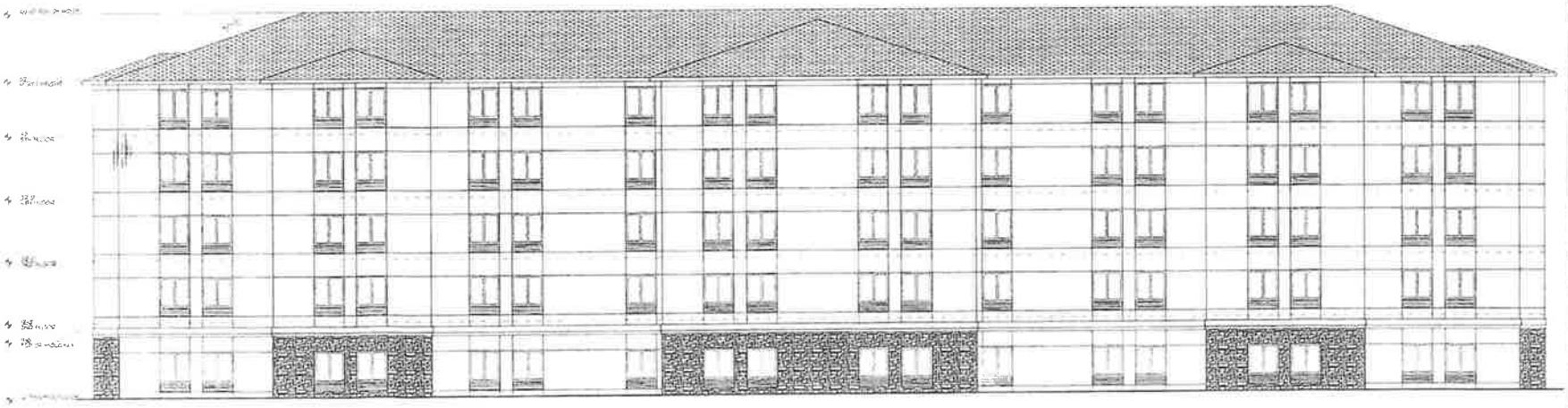
EASTGATE HOTEL
DEVELOPMENT
TULARE, CA

DATE: 08-18-15

A-1



SOUTHWEST ELEVATION



SOUTHEAST ELEVATION

DESIGN GROUP
INCORPORATED
ARCHITECTS

4417 W. FERGUSON
VISALIA, CA 93291
(559) 732-8236
FAX: 737-5436

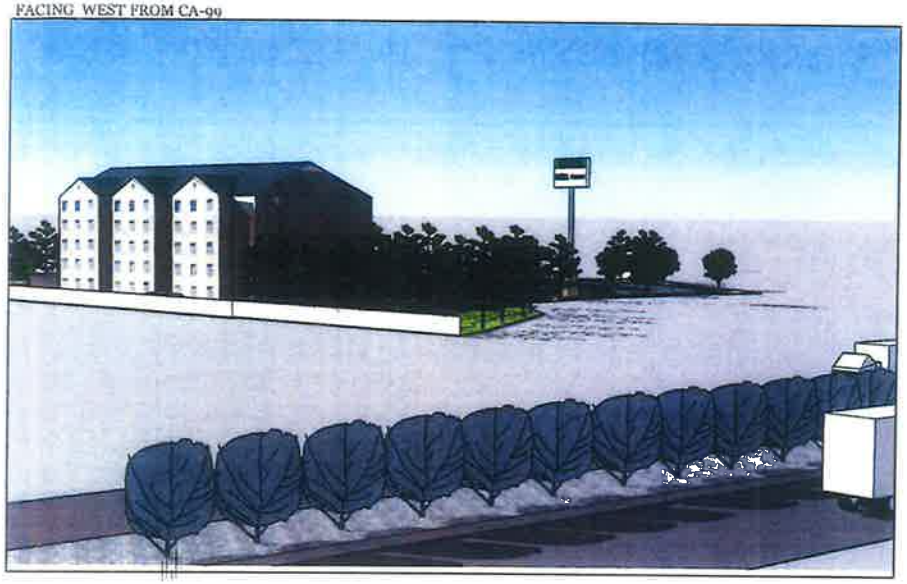
SCALE AS NOTED
JOB # 15-025

EASTGATE HOTEL
DEVELOPMENT
TULARE, CA

DATE 04-13-15

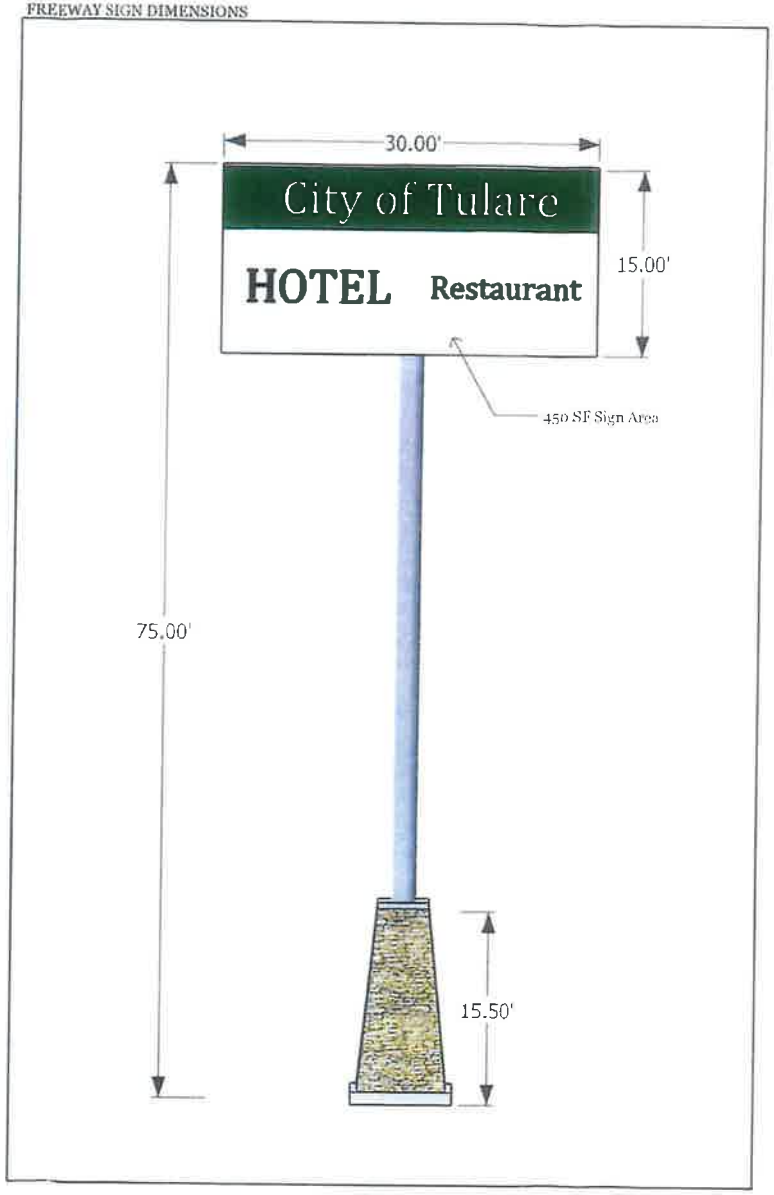
A-2

FACING WEST FROM CA-99



FACING SOUTH FROM CARTMILL AVE

FREEWAY SIGN DIMENSIONS



4 CREEKS
324 S. SANTA FE STREET
VISALIA, CA 93292

PROJECT
EASTGATE HOTEL
APN: 166-240-008

CUP 2015-13
ZA 710
GPA 2015-01

CLIENT
MONTEREY DYNASTY

DRAWN BY
AC

7/3/2016

DESCRIPTION
CONCEPT
FREEWAY SIGN

A0.1

RESOLUTION NO. 5466

A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2023-18

WHEREAS, Conditional Use Permit 2023-18 is a request by Tuolumne Meadows, LLC for a Conditional Use Permit to construct a 24,500 square foot five story/136 room hotel with a restaurant/bar, outdoor wedding venue, a convention center/hall, seventy-five-foot freeway sign, increase the building height from thirty feet to sixty feet, and an ABC Type 47 (On-sale General for Restaurant) license. The project is located the eastside of M Street and three properties south of Cartmill Avenue. (APN 166-240-008). and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on November 13, 2023; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2023-18 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

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

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

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

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

2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.

3) That the proposed conditional use will comply with each of the provisions of the Zoning Title.

4) That the proposed use is consistent with the Tulare General Plan.

5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.

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

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2023-18 is hereby approved subject to the following conditions:

Conditions:

1) All requirements of Title 10 shall be met.

2) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and establishment of the use is being diligently pursued.

3) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.

4) Applicant shall comply with Fire Department and Engineering Division comments/conditions (Attachments VI, and VII).

5) Approval does not authorize any deviation from Fire and Building Codes.

6) City standard trash enclosures to be located as approved by solid Waste Division

7) A shared access/parking agreement shall be executed and recorded between applicant and the adjacent church for the access and shared parking between parcels in a form acceptable to the City Engineer. In the alternative, the removal of the connection if a shared agreement cannot be negotiated.

8) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.

9) A block wall is required along the south property line of the project.

10) Prior to issuance of building permits, applicant shall submit four copies of a Landscape/irrigation Plan consistent with the City Landscape Ordinance.

11) Prior to the issuance of building permits, applicant shall submit documentation of legal ownership of the property to the satisfaction of the Community Development Director.

12) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community

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

Engineering

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

☐ Resubmit with the following required revisions to the site plan:

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

☒ Proceed and comply with Engineering Conditions of Approval checked below.

☐ Proceed. No applicable Engineering Conditions of Approval.

General Engineering Conditions:

☒ All public improvements conditionally required for project approval shall comply with the provisions of Chapter 8.24 "Subdivision Regulations" of the Tulare Municipal Code, the "City of Tulare Design Guidelines and Public Improvement Standards", and all other applicable City policies, specifications, ordinances and standard operating procedures in effect at the time of their construction, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Division while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

☐ All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans.

☐ Following approval of the improvement plans, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved plans. This shall be done prior to scheduling any pre-construction conferences or commencing construction of any improvements. Following the recordation of a Notice of Completion for the project, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.

☐ Prior to the start of construction, a meeting will be called by the City Engineer with the Owner/Developer, Contractor and all concerned including utility companies to

coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

☐ Applicant shall obtain a Street Closure Permit from the City. A traffic control plan prepared by a registered civil engineer, traffic engineer or traffic control specialist shall be submitted with the Street Closure Permit application and will be subject to the approval of the City Engineer prior to application approval.

Required Data, Studies and Master Plan Documents:

☒ The Owner/Developer shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

☒ The Owner/Developer shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches and street subgrades. All soils testing shall be performed at the sole cost of the Owner/Developer. The Owner/Developer shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

☒ R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

☐ Percolation tests are required for the design of new drainage basin facilities, or the expansion of existing drainage basin facilities.

☒ Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.

☐ A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the

project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments, and shall specifically address the project impacts and any appropriate mitigations to the following facilities:

1. Intersections, (including lane geometry and turn pocket lengths): _____
2. Roadway Segments: _____
3. Other: _____

☒ Compaction tests are required on all street subgrades, and at utility trench crossings of curb, gutter and sidewalk. All soil testing shall be performed at the sole cost of the Owner/Developer.

☐ Master Plan drawings are needed for: ☐ Water, ☐ Sewer, ☐ Storm Drain, ☐ Streets

Right of Way Requirements

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

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

a. 20' property corner radius: _____
b. Chamfer property corner: _____
c. Alley:
d. Street:

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

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

Final Map Requirements

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

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

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

☐ Following the approval of final subdivision or parcel maps, the Developer's Licensed Surveyor or Engineer shall provide the City of Tulare with an AutoCAD drawing file of

the approved final map, or GIS shapefile for the related parcels included on said final map.

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

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

Roadway Improvements

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

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

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

☐ Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.

☐ Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.

☐ Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.

☐ Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.

☐ Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.

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

~~Street Frontage(s)~~	~~Configuration~~

———	-

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

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

Street Frontage(s)
Reconstruct existing drive approaches to be ADA compliant. Drive approaches to comply with City Standards.

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

Street Frontage	Configuration	Sidewalk Width (ft)
M Street	Adjacent to curb	6 feet

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

Location	Configuration
	-

☐ Alley Improvements – The following alley improvements are required:

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

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

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

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

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

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

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

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

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

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

Grading Requirements

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

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

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

Utility Improvements

☒ All utility services to be located within paved areas shall be placed in the streets prior to paving.

☐ The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

☒ All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

Street	Location

Water System Requirements

☐ Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____

☐ Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

☒ Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.

☒ The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.

☐ Water sampling stations shall be installed as follows: _____.

☒ Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

☐ Sewer main alignments shall be 11 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: _____

☒ The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.

☐ All sewer lines shall pass both mandrel and air pressure tests. The Owner/Developer shall video inspect all sewer mains prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

☒ A sewer monitoring station, oil/sand/water separator and/or grease interceptor shall be installed as required by the wastewater manager.

☒ Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Storm Drainage System Requirements

☐ Storm drain alignments shall be 6 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following storm drain line extensions and connections: _____

☐ The Owner/Developer shall video inspect all storm drain mains and laterals prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

Landscaping and Parks Requirements

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

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

On-site Improvements

☒ On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).

☒ All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.

☒ All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.

☒ A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

☒ A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.

☐ If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.

☒ In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.

☒ Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.

☐ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.

☒ If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.

☒ The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

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

Fees

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

- ☐ Sewer front foot charges of $ 28.00 per front foot for frontages on M Street.
- ☐ Sewer lift station fee of $ _____ per acre.
- ☐ Water front foot charges of $ 19.00 per front foot for frontages on M Street.
- ☐ Street front foot charges of $ _____ per front foot for frontages on _____.
- ☐ Benefit district creation fee (if applicable): $ 1,356.00 per district.
- ☐ Traffic signal in-lieu fee of $ _____.
- ☐ TID ditch piping in-lieu fee of $ _____.
- ☐ Sewer main construction in-lieu fee of $ _____.
- ☐ Water main construction in-lieu fee of $ _____.
- ☐ Street construction in-lieu fee of $ _____.
- ☒ Engineering inspection fee based on a percentage of the estimated cost of construction is required prior to the construction of the improvements.
- ☒ Development impact fees to be paid with building permit at rates in effect at time of permit issuance.
- ☒ Engineering plan check fee to be paid at time of plan submittal.
- ☐ Final map plan check fee to be paid at time of map submittal.
- ☐ Other: _____

Prepared By: Jan Bowen, Engineering Department

Fire

The Fire Prevention Bureau conveys the following site plan comments for SP 23-48, Hilton Gardens:

1. The project must comply with all of the latest applicable codes and standards.

2. Based on the occupancy classification and/or square footage of this building, an automatic fire sprinkler system *shall* be required.

3. When a fire sprinkler system is required, all valves and switches controlling the water supply, and water flow shall be electronically monitored.

4. A fire alarm system that provides occupant notification, as prescribed in NFPA 72, shall be required for this occupancy.

5. For automatic fire sprinklers systems, underground plans must be submitted along with the above ground plans. *A fire hydrant shall be required within 50 feet of the fire department connection.*

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

7. Additional fire hydrants shall be required. Fire hydrant spacing shall be as follows:
    a. **Commercial development,** fire hydrants shall be installed at **300**-foot intervals.

8. An approved water supply for fire protection ***shall*** be made available prior to combustible materials arriving on the site.

9. 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.

    a. The road shall be a minimum of 26'wide and have a minimum height clearance of 13'6"
    b. Based on the proposed building height, the access road must be located between 15' and 30' from the building and it shall position parallel to one entire side.

10. 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.

11. 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.

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

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

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

Ryan Leonardo
Fire Marshal
June 19, 2023

PASSED, APPROVED AND ADOPTED this **thirteenth** day of **November 2023** by the following recorded vote:

AYES: _____

_____

NOES: _____

ABSENT: _____

ABSTAIN: _____

_____
CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

_____
Mario Anaya, SECRETARY
City of Tulare Planning Commission

CITY OF TULARE PLANNING COMMISSION
STAFF REPORT

Agenda Item No. 6.2 November 13, 2023

CONDITIONAL USE PERMIT NO. 2023-20

PRESENTED TO:	Planning Commission
PROJECT PLANNER:	Jonathan Coelho, Assistant Planner
APPLICANT:	Rosario Herrera
LOCATION:	406 North G Street
APN:	169-153-008
ZONING CLASSIFICATION:	RM-3 (Multi-Family Residential)
GENERAL PLAN DESIGNATION:	Medium Density Residential

SURROUNDING LAND USES AND ZONING:			
	North:	Single-Family Residence	RM-3
	South:	Single-Family Residence	R-1-5
	East:	Multi-Family Residence	RM-3
	West:	Single-Family Residence	RM-3

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2023-20 subject to the findings and conditions in Resolution No. 5467. Staff's recommendation is based on the findings and the project's consistency with the policies and intent of the City's General Plan and Municipal Code.

REQUEST:

This is a request by Rosario Herrera to construct an approximately 2,139 square foot single-family dwelling to be located at 406 North G Street on the north side of West Pine Avenue and south of West Cross Street (APN 169-153-008).

DETAILS OF THE PROPOSAL:

The project will include the construction of an approximately 2,139 square foot single-family dwelling that will be located at 406 North G Street on the north side of the Tulare Santa Fe Trail and south of West Cross Street (APN 169-153-008). The residence will include four bedrooms and two bathrooms. The residence will have a two-car garage with access off North G Street.

STAFF COMMENTS:

The proposed site is designated Medium Density Residential and is zoned RM-3 (Multi-Family Residential). The City of Tulare Municipal Code states that "one family dwellings" proposed within the RM zone, shall be permitted upon the granting of a conditional use permit in accordance with the provisions of Chapter 10.116 Conditional Use Permits Chapter 10.36.050 (L).

A single-family residence previously existed on the project site. The single-family residence at the time was an existing non-conforming use which was lawfully established and maintained prior to the adoption of the current zoning title but did not conform with the use regulations for the zoning district in which it was located. The single-family residence was subsequently demolished in 1999 per City permit records. Per the City of Tulare Municipal Code, "whenever a structure, which contains a non-conforming use, is damaged by fire, flood or other calamity, and the extent of the damage is more than 50% of the floor area of the structure or 50% or more of the replacement value of the structure, as determined by the Building Official, the structure shall not be restored unless in conformity with the use and development standard regulations of this title. Due to the demolition of the residence the property lost its non-conforming status, and a Conditional Use Permit is required in order to re-establish the use.

The surrounding parcels are zoned Multi-Family Residential and Single-Family Residential and consist of existing non-conforming single-family residential residences. The proposed use and site can operate in a compatible manner with the surrounding uses.

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

ENVIRONMENTAL FINDINGS:

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

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2023-20:

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

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2023-20, be approved subject to the following conditions:

1) All requirements of Title 10 shall be met.

2) Approval does not authorize any deviation from Fire and Building Codes.

3) Applicant shall comply with Engineering comments/conditions (Attachment III).

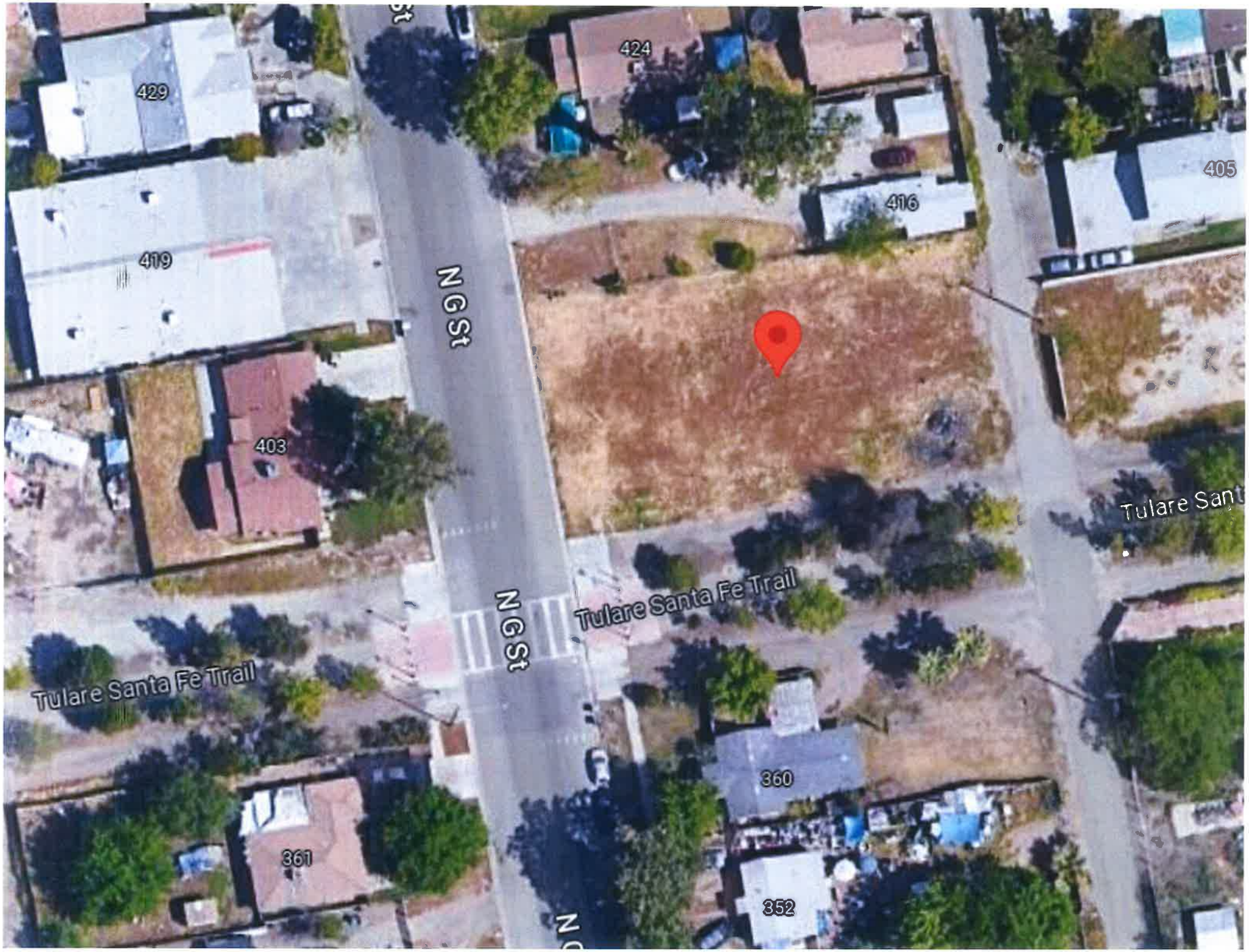
4) If the use ceases to operate for a continuous period of one year, said conditional use permit shall lapse and become void.

5) If any conditions of approval are violated, this conditional use permit may be revoked as prescribed in the Municipal Code.

APPEAL INFORMATION:

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

Attachments:
I. Project Location Map
II. Site Plan
III. Engineering – Comments
IV. Resolution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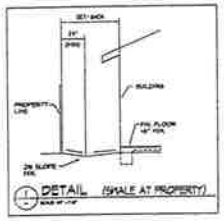
352

SITE PLAN NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING, VERIFYING & STAKING OUT ALL DIMENSIONS, GRADES AND OTHER CONDITIONS AT JOB SITE PRIOR TO THE START OF ANY WORK. ACCEPTANCE OR APPROVAL BY THE ARCHITECT/DESIGNER SHALL NOT CONSTITUTE RELEIF OF THE CONTRACTORS RESPONSIBILITY OF ACCURACY
2. CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTNESS OF LAYOUTS AND ESTABLISHED LOCATIONS OF BURIED UTILITY LINES. ANY UTILITIES REQUIRING RELOCATION SHALL BE THE RESPONSIBILITY AND AT THE EXPENSE OF THE DEVELOPER. CONTACT APPLICABLE GOVERNING AGENCIES REGARDING ARRANGEMENT AND COORDINATION OF WORK.
3. a. PROVIDE 1% SLOPE AWAY FROM THE PROPOSED BUILDING FOR A MINIMUM OF 10 FEET (IF PHYSICAL OBSTRUCTIONS OR LOT LINES PROHIBIT 5' OF HORIZ. DIST. FOR A 2nd THEN A SWALE THAT RUNS PARALLEL TO THE 2nd MAY BE USED AND IS REQUIRED TO BE A MIN SLOPE OF 2%
   b. ALL OTHER SITE GRADING OUTSIDE OF THE BUILDING ENVELOPE IS REQUIRED TO BE A MINIMUM OF 5% DIRECTED TOWARDS THE STREET
   c. SHOULD THERE BE SIGNIFICANT "GRADING", THEN A CERTIFIED GRADING PLAN WILL BE REQUIRED TO BE SUBMITTED BY A REGISTERED CIVIL ENGINEER (ALTERNATE MEANS AND METHODS MAY BE CONSIDERED)
4. NO ON-SITE WATER RETENTION OR DRAINAGE INTO ADJACENT PROPERTIES. DRAIN TO THE STREET OR DESIGNED BASINS
5. THE ENTIRE SITE SHALL HAVE A MINIMUM OF 5 PERCENT SLOPE FOR 10' FROM END FOR DRAINAGE. ALL WATER DRAINAGE SHALL BE TO THE STREET OR APPROVED LOCATION
6. GRADE DIFFERENTIALS GREATER THAN ONE FOOT SHALL BE DONE WITH AN APPROVED RETAINING WALL
7. ANY HVAC EQUIPMENT LOCATED ON SITE SHALL NOT BE LOCATED WITHIN THE BUILDING SETBACKS
8. REPAIR AND DAMAGED AND/OR OFF GRADE OFF SITE CONCRETE IMPROVEMENTS AS DETERMINED BY CONSTRUCTION MANAGEMENT DIVISION PRIOR TO OCCUPANCY
9. ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR.
10. ALL PUBLIC CONCRETE SIDEWALK FLATWORK TO BE INSPECTED PRIOR TO PLACEMENT OF CONCRETE
11. INSTALL STREET ADDRESS NUMBERS, AT LEAST 6" HIGH WITH MINIMUM 1/2" STROKE, MOUNTED ON A CONTRASTING BACKGROUND CLEARLY VISIBLE FROM THE STREET PRIOR TO CALLING FOR THE FIRST INSPECTION
12. DRIVEWAYS TO RESIDENTIAL GARAGES SHALL HAVE A MAX SLOPE OF 12 PERCENT FOR A MIN OF 22'-0" FRO THE GARAGE. NO PORTION OF THE DRIVEWAY SHALL EXCEED A GRADE OF 18 PERCENT
13. BUILDING SITE SHALL BE CLEARED AND ALL VEGETATION, TREE ROOTS OR OTHER FOREIGN MATTER SHALL BE REMOVED TO A MINIMUM OF 12"
14. 2 WORKING DAYS BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT OF WAY AND/ON UTILITY EASEMENT, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA) CALL 1-800-642-2444
15. ALL EXISTING DRIVEWAY APPROACHES WHICH NO LONGER PROVIDE APPROVED ACCESS TO APPROVED VEHICLE PARKING AREAS SHALL BE REMOVED, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. SUCH AREAS SHALL BE RECONSTRUCTED WITH CURB, GUTTER AND SIDEWALK TO MATCH EXISTING ADJACENT STREET IMPROVEMENTS. THIS WORK SHALL BE COMPLETED AND ACCEPTED BEFORE A PERMIT OF OCCUPANCY IS ISSUED OR THE BUILDING IS OCCUPIED
16. CONSTRUCT CONCRETE SIDEWALKS, CURBS, GUTTERS, AND DRIVEWAY APPROACHES TO PUBLIC WORKS STANDARDS SPECIFICATIONS
17. CHEMICAL TOILET IS REQUIRED ON SITE DURING CONSTRUCTION
18. APPLICABLE BUILDING CODES

2022 CALIFORNIA BUILDING CODE	2022 CALIFORNIA ADMINISTRATIVE CODE
2022 CALIFORNIA PLUMBING CODE	2022 CALIFORNIA GREEN CODE
2022 CALIFORNIA MECHANICAL CODE	2022 CALIFORNIA RESIDENTIAL CODE
2022 CALIFORNIA ELECTRICAL CODE	CITY OF TULARE
2022 CALIFORNIA FIRE CODE	
2022 CALIFORNIA ENERGY CODE	

19. CHANGES FROM THE APPROVED PLANS DURING CONSTRUCTION OTHER THAN:
    1 - CABINET CHANGES WHEN NOT NEW/SUPPORTED ENTIRELY BY THE ROOF STRUCTURE
    2 - INTERIOR DOOR AND FIREPLACE RELOCATION SHOWN ON THE APPROVED PLANS
    3 - A SINGLE NON-BEARING WALL RELOCATION WHEN NOT CREATING AN ADDITIONAL ROOM
    4 - INTERIOR NONSTRUCTURAL WALL FINISHES
    SHALL CAUSE PLAN APPROVAL AND CONSTRUCTION TO BE SUSPENDED. A NEW PLAN CHECK (FOR A NEW PLAN SHOWING CHANGES) WILL BE SUBMITTED FOR REVIEW AND APPROVED THROUGH THE NORMAL PLAN CHECK PROCESS.
20. JOB CARD REQUIRED TO BE AVAILABLE FOR SIGNATURE AT JOB SITE. CBC 305
21. GRADING PLANS FOR INDIVIDUAL LOCATIONS WILL BE REQUIRED TO BE SUBMITTED FOR PLAN CHECK AS PART OF THE LOT REVIEW PROCESS
22. PROVIDE VERIFICATION FROM PROJECT ENGINEER FOR THE INDIVIDUAL LOCATIONS AS PART OF THE "LOT REVIEW" SUBMITTAL TO VERIFY THE SEISMIC CATEGORY IS IN COMPLIANCE WITH THE ORIGINAL APPROVED LATERAL ANALYSIS OR BRACED WALL DESIGN REQUIREMENTS. A SOILS REPORT WILL BE REQUIRED FOR ALL PROJECTS LOCATED IN SEISMIC CATEGORY "D"
23. FINISH FLOOR ELEVATION IS TO BE ABOVE THE CROWN OF THE STREET
24. CHANGES FROM THE APPROVED PLANS DURING THE COURSE OF CONSTRUCTION SHALL CAUSE CONSTRUCTION TO BE SUSPENDED UNTIL SUCH TIME AS THE PLANS CAN BE AMENDED BY THE DESIGNER AND SUBMITTED TO THE COUNTY FOR REVIEW & APPROVAL
25. PROVIDE A CONSTRUCTION WASTE MANAGEMENT PLAN - PLAN MUST BE FINALIZED PRIOR TO OCCUPANCY
26. THE SOILS ENGINEER SHALL BE RESPONSIBLE FOR REVIEWING AND COORDINATING THE SITE PLAN AND THE FOUNDATION PLAN PREPARED BY OTHERS FOR CONFORMANCE WITH THE RECOMMENDATIONS



THE PERMIT FOR THIS PROJECT REQUIRED FIRE SPRINKLERS

SEPARATE PENALTY AND REVIEW FOR FIRE SPRINKLERS

GROUND SNOW LOAD	WIND DESIGN SPEED (MPH)	WIND DESIGN TOPOGRAPHIC EFFECTS	SEISMIC DESIGN CAT	SUBJECT TO DAMAGE FROM WEATHERING	SUBJECT TO DAMAGE FROM FROST LINE DEPTH	SUBJECT TO DAMAGE FROM TERMITE	WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
0	100 MPH	NO EXP. "C"	D	1000" MIN	18" MIN	YES	24°	YES	NONE	1500 DEG-DAYS	63.2°

OCCUPANCY OF BUILDING ——— R3 (RESIDENCE) U (GARAGE)
CONSTRUCTION TYPE ——— VB

BASIC WIND SPEED AND WIND EXPOSURE 110MPH, EXPOSURE C

SEISMIC DESIGN CATEGORY AND SITE CLASS (SDC D, SITE CLASS D), I = 1
SMs = 0.939 Fa = 1.2
SM1 = Fv =
SD = 0.626 Sa = 0.792
SD1 = S1 = 0.284
LATITUDE 36.088192
LONGITUDE -119.569431
ALLOWABLE SOIL BEARING PRESSURE 1500 PSF
CONCRETE DESIGN STRENGTH 2500 PSF

ROOF LOAD PER TRUSS CO
LOAD CASE STANDARD
TCLL 20.0
TCDL 14.0
BCDL 10.0

CLIMATE ZONE 13

ANY CHANGES TO THESE PLANS MUST BE APPROVED BY THE BUILDING DEPT THE ISSUANCE OF THIS PERMIT AND APPROVAL OF THESE PLANS SHALL NOT BE CONSTRUED TO BE A PERMIT FOR OR AN APPROVAL OF ANY VIOLATION OF CITY OR STATE LAW

SEC-22-22476 10/11/23
APPROVED BY CITY OF TULARE DATE

G STREET
80' WIDE

SQUARE FOOTAGE

MAIN LEVEL	1531 SF
GARAGE	408 SF
COVERED PORCH	40 SF
COVERED PATIO	160 SF

406 G STREET
TULARE, CALIFORNIA 93274

TULARE COUNTY
CALIFORNIA

APN 169-153-08

SITE PLAN

SCALE 1" = 10'-0"

NORTH

THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION UNLESS IT BEARS THE "APPROVAL" STAMP OF THE JURISDICTIONAL BUILDING DEPARTMENT

REVISIONS	BY

SANTOS HERRERA
406 N G STREET
TULARE CA 93274
559-689-3288

Melissa F. Camp
Drafting & Design Services
Phone (559) 300-7661
ask4prints@gmail.com

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DRAWN MFC
CHECKED M Camp
DATE 9-26-2023
JOB NO
SHEET NO 1

SITE PLAN REVIEW COMMENTS

Engineering Services Department | Michael W. Miller, City Engineer

TO: Planning Division

FROM: Engineering Division

SITE PLAN MEETING DATE: October 25, 2023

SITE PLAN REVIEW APPLICATION NO.: SP23-079

PROJECT: : Single-Family Residence

PROJECT LOCATION: 406 N. "G" Street (APN 169-153-008)

OWNER/DEVELOPER: Rosario Herrera

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

☐ Resubmit with the following required revisions to the site plan:

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

☒ Proceed and comply with Engineering Conditions of Approval checked below.

☐ Proceed. No applicable Engineering Conditions of Approval.

General Engineering Conditions:

☒ All public improvements conditionally required for project approval shall comply with the provisions of Chapter 8.24 "Subdivision Regulations" of the Tulare Municipal Code, the "City of Tulare Design Guidelines and Public Improvement Standards", and all other applicable City policies, specifications, ordinances and standard operating procedures in effect at the time of their construction, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Division while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

☒ All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans.

☐ Following approval of the improvement plans, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved plans. This shall be done prior to scheduling any pre-construction conferences or commencing construction of any improvements. Following the recordation of a Notice of Completion for the project, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.

☐ Prior to the start of construction, a meeting will be called by the City Engineer with the Owner/Developer, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

☐ Applicant shall obtain a Street Closure Permit from the City. A traffic control plan prepared by a registered civil engineer, traffic engineer or traffic control specialist shall be submitted with the Street Closure Permit application, and will be subject to the approval of the City Engineer prior to application approval. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

☒ The Owner/Developer shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

☒ The Owner/Developer shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches and street subgrades. All soils testing shall be performed at the sole cost of the Owner/Developer. The Owner/Developer shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

☐ R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

☐ Percolation tests are required for the design of new drainage basin facilities, or the expansion of existing drainage basin facilities.

☐ Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.

☐ A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments, and shall specifically address the project impacts and any appropriate mitigations to the following facilities:

1. Intersections, (including lane geometry and turn pocket lengths): _____
2. Roadway Segments: _____

3. Other: _____

☒ Compaction tests are required on all street subgrades, and at utility trench crossings of curb, gutter and sidewalk. All soil testing shall be performed at the sole cost of the Owner/Developer.

☐ Master Plan drawings are needed for: ☐ Water, ☐ Sewer, ☐ Storm Drain, ☐ Streets

Right of Way Requirements

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

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

a. 20' property corner radius: _____

b. Chamfer property corner:

c. Alley:

d. Street:

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

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

Final Map Requirements

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

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

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

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

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

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

Roadway Improvements

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

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

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

☐ Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.

☐ Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.

☐ Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.

☐ Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.

☐ Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.

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

Street Frontage(s)	Configuration
	-

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

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

Street Frontage(s)
At location shown on approved site plan, maintain 5-foot separation from adjacent property lines and aboveground facilities.

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

Street Frontage	Configuration	Sidewalk Width (ft)
"G" Street	in a parkway pattern	5-ft

☐ Ramped Curb Returns – Existing ramped curb returns to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval, Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes

that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.

Location	Configuration

☐ Alley Improvements – The following alley improvements are required:

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

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

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

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

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

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

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

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

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

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

Grading Requirements

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

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

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

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

Utility Improvements

☐ All utility services to be located within paved areas shall be placed in the streets prior to paving.

☐ The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

☒ All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

Street	Location

Water System Requirements

☐ Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____

☐ Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

☒ Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.

☒ The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.

☐ Water sampling stations shall be installed as follows: _____.

☒ Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

☐ Sewer main alignments shall be 11 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: _____

☒ The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.

☐ All sewer lines shall pass both mandrel and air pressure tests. The Owner/Developer shall video inspect all sewer mains prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

☐ A sewer monitoring station, oil/sand/water separator and/or grease interceptor shall be installed as required by the wastewater manager.

☒ Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Storm Drainage System Requirements

☐ Storm drain alignments shall be 6 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following storm drain line extensions and connections: _____

☐ The Owner/Developer shall video inspect all storm drain mains and laterals prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

Landscaping and Parks Requirements

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

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

On-site Improvements

☐ On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).

☐ All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.

☐ All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.

☐ A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

☒ A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement

plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.

☐ If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.

☐ In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.

☐ Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.

☐ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.

☐ If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.

☒ The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

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

Fees

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

☐ Sewer front foot charges of $ 28.00 per front foot for frontages on _____.

☐ Sewer lift station fee of $ _____ per acre.

☐ Water front foot charges of $ 19.00 per front foot for frontages on _____.

- ☐ Street front foot charges of $ _____ per front foot for frontages on _____.
- ☐ Benefit district creation fee (if applicable): $ 1,356.00 per district.
- ☐ A per-lot or per-area in-lieu fee of $ _____ shall be established to equitably distribute costs for future offsite improvement on _____ and _____. Offsite improvements include, but not limited to:
  - Undergrounding of existing electrical lines along _____ and _____ frontage.
  - Undergrounding of existing irrigation canal along _____ and _____ frontage.
  - Curb, gutter, sidewalk, and street paving along _____ and _____ frontage.
  - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
  - Streetlight along _____ and _____frontage.
  - Intersection improvements, including but limited to curb returns and medians at the intersection of _____ and _____.
  - Storm drain system improvements along_____ and _____frontage
  - Extension of water main along_____ and _____frontage
  - Extension of sewer main along _____ and _____frontage
- ☐ Traffic signal in-lieu fee of $ _____.
- ☐ TID ditch piping in-lieu fee of $ _____.
- ☐ Sewer main construction in-lieu fee of $ _____.
- ☐ Water main construction in-lieu fee of $ _____.
- ☐ Street construction in-lieu fee of $ _____.
- ☒ Engineering inspection fee based on a percentage of the estimated cost of construction is required prior to the construction of the improvements.
- ☐ Development impact fees to be paid with building permit at rates in effect at time of permit issuance.
- ☒ Engineering plan check fee to be paid at time of plan submittal.
- ☐ Final map plan check fee to be paid at time of map submittal.
- ☐ Other: _____

Prepared By: Michael W. Miller, City Engineer

RESOLUTION NO. 5467

A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2023-20

WHEREAS, Conditional Use Permit No. 2023-20 is a by Rosario Herrera to construct an approximately 2,139 square foot single-family dwelling to be located at 406 North G Street (APN 169-153-008); and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on November 13, 2023; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2023-20 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

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

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15332(*in-Fill Developments);* 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) This project is categorically exempt pursuant to 15332 (In-Fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2023-20 is hereby approved subject to the following conditions:

Conditions:

1) All requirements of Title 10 shall be met.

2) Approval does not authorize any deviation from Fire and Building Codes.

3) Applicant shall comply with Engineering comments/conditions (Attachment IV).

4) If the use ceases to operate for a continuous period of one year, said conditional use permit shall lapse and become void.

5) If any conditions of approval are violated, this conditional use permit may be revoked as prescribed in the Municipal Code

Engineering

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

☐ Resubmit with the following required revisions to the site plan:

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

☒ Proceed and comply with Engineering Conditions of Approval checked below.

☐ Proceed. No applicable Engineering Conditions of Approval.

General Engineering Conditions:

☒ All public improvements conditionally required for project approval shall comply with the provisions of Chapter 8.24 "Subdivision Regulations" of the Tulare Municipal Code, the "City of Tulare Design Guidelines and Public Improvement Standards", and all other applicable City policies, specifications, ordinances and standard operating procedures in effect at the time of their construction, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Division while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

☒ All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of

1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans.

☐ Following approval of the improvement plans, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved plans. This shall be done prior to scheduling any pre-construction conferences or commencing construction of any improvements. Following the recordation of a Notice of Completion for the project, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.

☐ Prior to the start of construction, a meeting will be called by the City Engineer with the Owner/Developer, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

☐ Applicant shall obtain a Street Closure Permit from the City. A traffic control plan prepared by a registered civil engineer, traffic engineer or traffic control specialist shall be submitted with the Street Closure Permit application, and will be subject to the approval of the City Engineer prior to application approval. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

☒ The Owner/Developer shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

☒ The Owner/Developer shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches and street subgrades. All soils testing shall be performed at the sole cost of the Owner/Developer. The Owner/Developer shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

☐ R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

☐ Percolation tests are required for the design of new drainage basin facilities, or the expansion of existing drainage basin facilities.

☐ Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current

CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.

☐ A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments, and shall specifically address the project impacts and any appropriate mitigations to the following facilities:

1. Intersections, (including lane geometry and turn pocket lengths): _____
2. Roadway Segments: _____
3. Other: _____

☒ Compaction tests are required on all street subgrades, and at utility trench crossings of curb, gutter and sidewalk. All soil testing shall be performed at the sole cost of the Owner/Developer.

☐ Master Plan drawings are needed for: ☐ Water, ☐ Sewer, ☐ Storm Drain, ☐ Streets

Right of Way Requirements

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

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

a. 20' property corner radius: _____
b. Chamfer property corner:
c. Alley:
d. Street:

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

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

Final Map Requirements

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

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

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

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

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

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

Roadway Improvements

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

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

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

☐ Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.

☐ Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.

☐ Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.

☐ Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.

☐ Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.

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

Street Frontage(s)	Configuration
	-

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

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

Street Frontage(s)
At location shown on approved site plan, maintain 5-foot separation from adjacent property lines and aboveground facilities.

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

Street Frontage	Configuration	Sidewalk Width (ft)
"G" Street	in a parkway pattern	5-ft

☐ Ramped Curb Returns – Existing ramped curb returns to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval,

Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.

Location	Configuration

☐ Alley Improvements – The following alley improvements are required:

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

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

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

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

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

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

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

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

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

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

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

Grading Requirements

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

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

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

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

Utility Improvements

☐ All utility services to be located within paved areas shall be placed in the streets prior to paving.

☐ The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

☒ All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal

Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

Street	Location

Water System Requirements

☐ Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____

☐ Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

☒ Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.

☒ The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.

☐ Water sampling stations shall be installed as follows: _____.

☒ Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

☐ Sewer main alignments shall be 11 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: _____

☒ The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.

☐ All sewer lines shall pass both mandrel and air pressure tests. The Owner/Developer shall video inspect all sewer mains prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

☐ A sewer monitoring station, oil/sand/water separator and/or grease interceptor shall be installed as required by the wastewater manager.

☒ Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Storm Drainage System Requirements

☐ Storm drain alignments shall be 6 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following storm drain line extensions and connections: _____

☐ The Owner/Developer shall video inspect all storm drain mains and laterals prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

Landscaping and Parks Requirements

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

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

On-site Improvements

☐ On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).

☐ All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.

☐ All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.

☐ A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

☒ A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees

that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.

☐ If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.

☐ In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.

☐ Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.

☐ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.

☐ If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.

☒ The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

☐ The conditions of project approval require the construction of facilities which have been designated as "masterplan facilities" by the City Engineer, and as such the Owner/Developer may be eligible to receive reimbursement for oversized construction costs in accordance with Chapter 8.64 "Oversized Construction Reimbursement" of the Tulare Municipal Code, and the oversized construction reimbursement policies of the Engineering Services Department. Eligibility for any reimbursement of oversized construction costs is subject to the City Engineer's review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Owner/Developer shall file with the City Engineer a financial statement, in the form

specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Owner/Developer shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Fees

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

- ☐ Sewer front foot charges of $ 28.00 per front foot for frontages on _____.
- ☐ Sewer lift station fee of $ _____ per acre.
- ☐ Water front foot charges of $ 19.00 per front foot for frontages on _____.
- ☐ Street front foot charges of $ _____ per front foot for frontages on _____.
- ☐ Benefit district creation fee (if applicable): $ 1,356.00 per district.
- ☐ A per-lot or per-area in-lieu fee of $ _____ shall be established to equitably distribute costs for future offsite improvement on _____ and _____. Offsite improvements include, but not limited to:
  - Undergrounding of existing electrical lines along _____ and _____ frontage.
  - Undergrounding of existing irrigation canal along _____ and _____ frontage.
  - Curb, gutter, sidewalk, and street paving along _____ and _____ frontage.
  - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
  - Streetlight along _____ and _____frontage.
  - Intersection improvements, including but limited to curb returns and medians at the intersection of _____ and _____.
  - Storm drain system improvements along_____ and _____frontage
  - Extension of water main along_____ and _____frontage
  - Extension of sewer main along _____ and _____frontage
- ☐ Traffic signal in-lieu fee of $ _____.
- ☐ TID ditch piping in-lieu fee of $ _____.
- ☐ Sewer main construction in-lieu fee of $ _____.
- ☐ Water main construction in-lieu fee of $ _____.
- ☐ Street construction in-lieu fee of $ _____.
- ☒ Engineering inspection fee based on a percentage of the estimated cost of construction is required prior to the construction of the improvements.

☐ Development impact fees to be paid with building permit at rates in effect at time of permit issuance.

☒ Engineering plan check fee to be paid at time of plan submittal.

☐ Final map plan check fee to be paid at time of map submittal.

☐ Other: _____

Prepared By: Michael W. Miller, City Engineer

PASSED, APPROVED AND ADOPTED this **thirteenth** day of **November 2023** by the following recorded vote:

AYES: _____

_____

NOES: _____

ABSENT: _____

ABSTAIN: _____

_____
CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

_____
Mario Anaya, SECRETARY
City of Tulare Planning Commission

RESOLUTION NO. 5467

A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2023-20

WHEREAS, Conditional Use Permit No. 2023-20 is a by Rosario Herrera to construct an approximately 2,139 square foot single-family dwelling to be located at 406 North G Street (APN 169-153-008); and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on November 13, 2023; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2023-20 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

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

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15332(*in-Fill Developments);* 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) This project is categorically exempt pursuant to 15332 (In-Fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2023-20 is hereby approved subject to the following conditions:

Conditions:

1) All requirements of Title 10 shall be met.

2) Approval does not authorize any deviation from Fire and Building Codes.

3) Applicant shall comply with Engineering comments/conditions.

4) If the use ceases to operate for a continuous period of one year, said conditional use permit shall lapse and become void.

5) If any conditions of approval are violated, this conditional use permit may be revoked as prescribed in the Municipal Code

Engineering

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

☐ Resubmit with the following required revisions to the site plan:

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

☒ Proceed and comply with Engineering Conditions of Approval checked below.

☐ Proceed. No applicable Engineering Conditions of Approval.

General Engineering Conditions:

☒ All public improvements conditionally required for project approval shall comply with the provisions of Chapter 8.24 "Subdivision Regulations" of the Tulare Municipal Code, the "City of Tulare Design Guidelines and Public Improvement Standards", and all other applicable City policies, specifications, ordinances and standard operating procedures in effect at the time of their construction, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Division while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

☒ All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of

1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans.

☐ Following approval of the improvement plans, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file of the approved plans. This shall be done prior to scheduling any pre-construction conferences or commencing construction of any improvements. Following the recordation of a Notice of Completion for the project, the Developer's Engineer shall provide the City of Tulare with an AutoCAD drawing file showing all As-Built revisions approved by the City and incorporated into the construction of the project improvements.

☐ Prior to the start of construction, a meeting will be called by the City Engineer with the Owner/Developer, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

☐ Applicant shall obtain a Street Closure Permit from the City. A traffic control plan prepared by a registered civil engineer, traffic engineer or traffic control specialist shall be submitted with the Street Closure Permit application, and will be subject to the approval of the City Engineer prior to application approval. Applicant shall provide, setup, and remove all traffic control associated with the street closure. Applicant to apply for and receive a City of Tulare encroachment permit prior to setting up traffic control.

Required Data, Studies and Master Plan Documents:

☒ The Owner/Developer shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

☒ The Owner/Developer shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches and street subgrades. All soils testing shall be performed at the sole cost of the Owner/Developer. The Owner/Developer shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

☐ R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

☐ Percolation tests are required for the design of new drainage basin facilities, or the expansion of existing drainage basin facilities.

☐ Project trip generation data based upon the ITE Trip Generation Manual is required. A Transportation Impact Study identifying the project impacts and proposed mitigation measures may be required as a condition of project approval, and shall be subject to the approval of the City Engineer. Traffic impact studies shall conform to current

CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. Traffic impact studies shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating project impacts to existing roadway facilities, traffic impact studies shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments (TCAG), and shall specifically address the project impacts and any appropriate mitigations to facilities identified by the City Engineer.

☐ A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to the City for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by the Tulare County Association of Governments, and shall specifically address the project impacts and any appropriate mitigations to the following facilities:

1. Intersections, (including lane geometry and turn pocket lengths): _____
2. Roadway Segments: _____
3. Other: _____

☒ Compaction tests are required on all street subgrades, and at utility trench crossings of curb, gutter and sidewalk. All soil testing shall be performed at the sole cost of the Owner/Developer.

☐ Master Plan drawings are needed for: ☐ Water, ☐ Sewer, ☐ Storm Drain, ☐ Streets

Right of Way Requirements

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

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

a. 20' property corner radius: _____
b. Chamfer property corner:
c. Alley:
d. Street:

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

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

Final Map Requirements

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

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

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

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

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

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

Roadway Improvements

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

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

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

☐ Reconstruct/rehabilitate the following existing roadway segments impacted by the development in accordance with methods to be approved by the City Engineer: _____.

☐ Provide stabilized shoulders along the following existing roadway segments in accordance with the City of Tulare's adopted PM-10 control guidelines: _____.

☐ Backing lot treatment with common area landscaping, irrigation and block wall improvements shall apply to the following frontages: _____.

☐ Install median improvements per the requirements of the City Engineer within the following existing roadway segments impacted by the development: _____.

☐ Provide pavement transitions from existing roadway cross-sections to new roadway cross-sections per the requirements of the City Engineer at the following locations: _____.

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

Street Frontage(s)	Configuration
	-

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

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

Street Frontage(s)
At location shown on approved site plan, maintain 5-foot separation from adjacent property lines and aboveground facilities.

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

Street Frontage	Configuration	Sidewalk Width (ft)
"G" Street	in a parkway pattern	5-ft

☐ Ramped Curb Returns – Existing ramped curb returns to remain shall be subject to inspection by the City Public Works Inspector. As a condition of project approval,

Owner/Developer shall be required to replace any existing improvements that are determined to be non-compliant with regard to current City standards, or to be otherwise defective. Examples of deficiencies include, but are not limited to, slopes that exceed accessibility standards, cracked or raised concrete, and lack of truncated dome panels. New City standard ramped curb returns and/or pedestrian ramps shall be installed as indicated below.

Location	Configuration

☐ Alley Improvements – The following alley improvements are required:

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

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

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

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

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

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

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

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

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

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

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

Grading Requirements

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

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

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

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

Utility Improvements

☐ All utility services to be located within paved areas shall be placed in the streets prior to paving.

☐ The Owner/Developer must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

☒ All costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements shall be the responsibility of the project. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.500 (M) of the City of Tulare Municipal

Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project. The following streets have above ground utilities that will need to be undergrounded:

Street	Location

Water System Requirements

☐ Water main alignments shall be 6 feet south and/or west of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following water main extensions and connections: _____

☐ Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Owner/Developer.

☒ Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.

☒ The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be separate metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. All R-M-2 lots shall require individual water services (1 ½" minimum) with meter boxes.

☐ Water sampling stations shall be installed as follows: _____.

☒ Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Sewer System Requirements

☐ Sewer main alignments shall be 11 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following sanitary sewer main extensions and connections: _____

☒ The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.

☐ All sewer lines shall pass both mandrel and air pressure tests. The Owner/Developer shall video inspect all sewer mains prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

☐ A sewer monitoring station, oil/sand/water separator and/or grease interceptor shall be installed as required by the wastewater manager.

☒ Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.

Storm Drainage System Requirements

☐ Storm drain alignments shall be 6 feet north and/or east of street centerline unless otherwise approved by the City Engineer. The proposed development shall be responsible for the following storm drain line extensions and connections: _____

☐ The Owner/Developer shall video inspect all storm drain mains and laterals prior to placement of asphalt concrete and again after paving is complete. City Public Works Inspector shall review each video inspection prior to approval.

Landscaping and Parks Requirements

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

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

On-site Improvements

☐ On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following minimum traffic index requirements: 4.5 for parking areas/travel lanes and 5.0 for truck routes (including path of travel of solid waste collection vehicles).

☐ All on-site water, sewer, and storm drain shall be privately owned. All City owned water meters shall be located within the City's ROW.

☐ All unused culverts and irrigation lines shall be abandoned and plugged in a manner acceptable to the City Engineer.

☐ A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.

☒ A landscaping plan subject to the review and approval of the Planning and Building Divisions shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees

that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.

☐ If applicable, existing irrigation ditches and/or canals shall be piped, developed into a trail, or relocated outside the project boundaries per the direction of the City Engineer and affected irrigation district. Related irrigation facilities shall be subject to the same requirements for piping or relocation.

☐ In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.

☐ Fugitive dust shall be controlled in accordance with the applicable rules of the San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City.

☐ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application shall be provided to the City.

☐ If the project meets the one acre of disturbance criteria of the States Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is required. A copy of the approved permit and the SWPPP shall be provided to the City. When construction activities are not covered under the General Permit, storm water pollution control shall be implemented per the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit.

☒ The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Oversize Construction

☐ The conditions of project approval require the construction of facilities which have been designated as "masterplan facilities" by the City Engineer, and as such the Owner/Developer may be eligible to receive reimbursement for oversized construction costs in accordance with Chapter 8.64 "Oversized Construction Reimbursement" of the Tulare Municipal Code, and the oversized construction reimbursement policies of the Engineering Services Department. Eligibility for any reimbursement of oversized construction costs is subject to the City Engineer's review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Owner/Developer shall file with the City Engineer a financial statement, in the form

specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Owner/Developer shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Fees

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

- ☐ Sewer front foot charges of $ 28.00 per front foot for frontages on _____.
- ☐ Sewer lift station fee of $ _____ per acre.
- ☐ Water front foot charges of $ 19.00 per front foot for frontages on _____.
- ☐ Street front foot charges of $ _____ per front foot for frontages on _____.
- ☐ Benefit district creation fee (if applicable): $ 1,356.00 per district.
- ☐ A per-lot or per-area in-lieu fee of $ _____ shall be established to equitably distribute costs for future offsite improvement on _____ and _____. Offsite improvements include, but not limited to:
  - Undergrounding of existing electrical lines along _____ and _____ frontage.
  - Undergrounding of existing irrigation canal along _____ and _____ frontage.
  - Curb, gutter, sidewalk, and street paving along _____ and _____ frontage.
  - Landscaping, irrigation, and multi-use trail along _____ and _____ frontage.
  - Streetlight along _____ and _____frontage.
  - Intersection improvements, including but limited to curb returns and medians at the intersection of _____ and _____.
  - Storm drain system improvements along_____ and _____frontage
  - Extension of water main along_____ and _____frontage
  - Extension of sewer main along _____ and _____frontage
- ☐ Traffic signal in-lieu fee of $ _____.
- ☐ TID ditch piping in-lieu fee of $ _____.
- ☐ Sewer main construction in-lieu fee of $ _____.
- ☐ Water main construction in-lieu fee of $ _____.
- ☐ Street construction in-lieu fee of $ _____.
- ☒ Engineering inspection fee based on a percentage of the estimated cost of construction is required prior to the construction of the improvements.

☐ Development impact fees to be paid with building permit at rates in effect at time of permit issuance.

☒ Engineering plan check fee to be paid at time of plan submittal.

☐ Final map plan check fee to be paid at time of map submittal.

☐ Other: _____

Prepared By: Michael W. Miller, City Engineer

PASSED, APPROVED AND ADOPTED this **thirteenth** day of **November 2023** by the following recorded vote:

AYES: _____

_____

NOES: _____

ABSENT: _____

ABSTAIN: _____

_____
CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

_____
Mario Anaya, SECRETARY
City of Tulare Planning Commission