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Community Development Department

To: Planning Commission  
From: Traci Myers, Community Development Deputy Director  
Re: Monterey Dynasty, LLC GPA No. 2015-01; ZA No. 710; CUP No. 2015-13  
Continued Public Hearing  
Date: November 28, 2016

On October 24, 2016, Planning Commission continued the public hearing on the following projects to allow additional time for Applicant (Monterey Dynasty, LLC) and the adjacent property owner (Living Christ Church) to discuss the terms of a possible shared parking agreement or other alternatives to resolve the expiration of a temporary access easement between the two parcels.

**General Plan Amendment No. 2015-01**

Request by Monterey Dynasty, LLC to change the General Plan from Low Density Residential (3.1-7 units/acre) 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 99 from R-1-7 (SFR, 7,000 sf 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 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license. The project is located at the southwest corner of Cartmill and SR 99.

Staff is informed that following the October 24<sup>th</sup> hearing, the property owners of each parcel met to discuss the shared parking agreement. Staff is further informed the representatives of Living Christ Church's preference is to honor the expiration of the temporary access easement to cause each parcel to remain independent and to not enter into a shared parking agreement with applicant.

Applicant has provided a revised site plan (attached) depicting a 6' high concrete block wall between the parcels, with a landscaped planter added to separate the Church parking lot from the Hotel park lot, thus eliminating the reciprocal access easement between the two properties.

While the proposed project would meet parking requirements, the adjacent Church would end up deficient an additional 56 parking spaces. While the potential exists for the lack of sufficient parking during peak use of both the Hotel and Church, the Church property does have additional vacant property available for additional parking should the Church wish to construct additional parking areas.

Additionally, the revised site plan shows a secondary point of access to the southern end of the Hotel site. The Fire Department and City Engineer have approved the location of this secondary access point subject to the condition the secondary access point meet city standard drive approach standards and the plans show the distance between the new access point and the drive approach further south on the adjacent parcel.

During this continued public hearing, Planning Commission is asked to review and consider:  
(Original staff reports with attachments attached)

**General Plan Amendment No. 2015-01**

Request by Monterey Dynasty, LLC to change the General Plan from Low Density Residential (3.1-7 units/acre) 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 99 from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial).

**Adoption of Resolution 5198** adopting the Mitigated Negative Declaration for Conditional Use Permit 2015-13.

**Conditional Use Permit No. 2015-13**

A request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license. The project is located at the southwest corner of Cartmill and SR 99.



**RESOLUTION NO. 5198**

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION  
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR  
CONDITIONAL USE PERMIT 2015-13**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on November 28, 2016 considered a request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license on 4.64 acres located at the southwest corner of Cartmill and SR 99; and,

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the City of Tulare Planning Commission adopts a Mitigated Negative Declaration for Conditional Use Permit 2015-13.

**Mitigated Negative Declaration is attached hereto and incorporated herein as fully set forth.**

**PASSED, APPROVED AND ADOPTED** on the twenty-eighth day of November, 2016 by the following recorded vote:

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

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

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

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

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

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

**RESOLUTION NO. 5199**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2015-13**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on November 28, 2016 considered a request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license on 4.64 acres located at the southwest corner of Cartmill and SR 99; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity; and,

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

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

**WHEREAS**, the City of Tulare Planning Commission determined that public convenience and necessity would be served by the issuance of an on-sale general ABC license in conjunction with a restaurant.

**WHEREAS**, the City of Tulare Planning Commission determined that this project is exempt pursuant to Section 15301 of the California Environmental Quality Act of 1970, as amended; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2015-13 is hereby approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Construction shall be in accordance with the plans approved by the Planning Commission.
- 3) Applicant to comply with conditions established by Public Works/Engineering Department, Fire Department and Parks Department.
- 4) Prior to issuance of building permit, applicant shall submit four copies of a Landscape/Irrigation Plan consistent with the City Landscape Ordinance.

- 5) Approval does not authorize any deviation from current Fire and Building Codes.
- 6) All roof top mechanical equipment shall be screened. Screening to be approved by the Community Development Director.
- 7) Lighting shall be installed so as to not cause a nuisance to surrounding residential properties.
- 8) City standard trash enclosures to be located as approved by the Solid Waste Division.
- 9) 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.
- 10) A block wall is required along the south property line of the project.
- 11) Any upgrade or change in the alcohol beverage license issued by ABC shall be subject to the approval by the Planning Commission.
- 12) Conditional Use Permit shall be subject to the approval of General Plan Amendment No. 2015-01 and Zone Amendment No. 710 by City Council.
- 13) Applicant to comply with any and all mitigation measures set forth in the Mitigated Negative Declaration dated September 2016.

**PASSED, APPROVED AND ADOPTED** this twenty-eighth day of November, 2016 by the following recorded vote:

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

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

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

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

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

ATTEST:

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

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

Agenda Item No.

October 10, 2016

**GENERAL PLAN AMENDMENT NO. 2015-01  
ZONE AMENDMENT NO. 710**

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

**APPLICANT:** Monterey Dynasty, LLC

**ENGINEER:** 4Creeks, Inc.

**LOCATION:** Property is located at the southwest corner of  
Cartmill Avenue and SR 99 with access along  
M Street.

**APN:** 166-240-008

**GENERAL PLAN DESIGNATION:** Low Density Residential (3.1-7 units/acre)

**EXISTING ZONING:** R-1-7 (SFR, 7,000 sf lot minimum)

**SURROUNDING LAND USES**

North:	City of Tulare Fire Department	(PL)
South:	Low Density Residential	(R-1-7)
East:	CA 99	
West:	Presidential Estates	(R-1-7)

**RELATED PROJECT:**

*Conditional Use Permit 2015-13:* Request by Monterey Dynasty, LLC to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, convention center/hall, 75 ft. freeway sign, for an ABC Type 47 (on-sale general for restaurant) license. (On current agenda)

**REQUEST:**

Applicant requests:

1. General Plan Amendment to change the General Plan from Low Density Residential (3.1-7 units/acre) to Community Commercial on 4.74 acres at Cartmill Avenue and SR 99.
2. Re-zone 4.74 acres from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial).

**STAFF COMMENTS:**

The proposed hotel development has several entitlements to allow for this type of development. The following describes the applications and description of each entitlement:

1. **General Plan Amendment:** The proposed project requires a General Plan Amendment to change the current Low Density Residential to Community Commercial.
2. **Zone Amendment:** The proposed project requires a Zone Amendment to change the current R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial).
3. **Conditional Use Permit:**
  - a. A hotel project is a conditional use in the C-3 and C-4 zones. (*Chapter 10.40.030 – Permitted and Conditional Uses in Commercial Zones*)
  - b. The request for a 75ft freeway sign is subject to a conditional use permit. (*Chapter 10.188.050(K) – Standards by sign type*)
  - c. The zoning ordinance requires that businesses engaged in on-sale alcoholic beverages be subject to Planning Commission approval (*Chapter 10.168.04*). This application is for an ABC Type 47 on-sale General license in conjunction with a restaurant.

**ENVIRONMENTAL FINDINGS**

On July 12, 2016, the Environmental Impact Review Committee determined from the initial study completed by Planning Staff and the Environmental Information Form submitted by the applicant, that the project will not have a significant effect on the environment with mitigation incorporated. A Mitigated Negative Declaration was prepared and available for public review and pursuant to provisions of the Public Resources Code, State of California, Section 21000 to 21176, California Environmental Quality Act (CEQA). A Mitigation Monitoring and Reporting Program is set forth in the attached Mitigation Negative Declaration.

**FINDINGS:**

Should the Planning Commission approve this request, Staff recommends that the Planning Commission make the following findings:

**Environmental:**

1. That a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
2. That the Planning Commission has considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment.

3. The Planning Commission finds that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency.

**General Plan No. 2015-01**

1. That the proposed amendment is in the public interest.
2. That the proposed amendment is consistent and compatible with the general plan and implementation programs which may be affected.
3. That the proposed amendment impacts have been adequately assessed and have not been determined to be detrimental to public health, safety, or welfare.
4. That the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

**Zone Amendment No. 710**

1. The proposed action will promote the goals and objectives of the Zoning Title as prescribed in Section 10.04.020 of the Tulare City Code.
2. That the request will not be detrimental to the public health, safety, and welfare or be materially injurious to properties or improvements in the vicinity.
3. That a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.

**RECOMMENDATION:**

1. Recommend to City Council approval of a mitigated negative declaration for General Plan Amendment No. 2015-01 and Zone Amendment No. 710. APN: 166-240-008
2. Recommend to City Council approval of General Plan Amendment No. 2015-01 to change the General Plan from Low Density Residential (3.1-7 units/acre) to Community Commercial on 4.74 acres at Cartmill Avenue and SR 99. APN: 166-240-008
3. Recommend to City Council approval of Zone Amendment No. 710 to rezone 4.74 acres at Cartmill Avenue and SR 99 from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial). APN: 166-240-008

**Attachments:**

1. Location Map
2. General Plan Map
3. Zone Map
4. Mitigated Negative Declaration, September 2016



EASTGATE HOTEL

# GENERAL PLAN AMENDMENT 2015-01

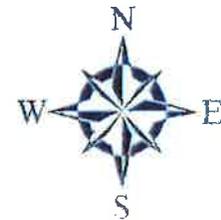
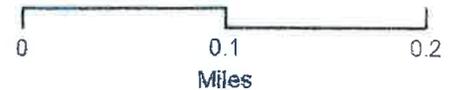
## EXISTING LAND USE: LOW DENSITY RESIDENTIAL



### Legend

-  Subject Property
-  Rural Residential 0-2
-  Residential Estate 2.1-3
-  Low Density Residential 3.1-7
-  Medium Density Residential 7.1-14
-  High Density Residential 14.1-29
-  Neighborhood Commercial
-  Community Commercial
-  Regional Commercial
-  Service Commercial
-  Central Business District
-  Office Commercial
-  Light Industrial
-  Heavy Industrial
-  Public/Quasi-Public
-  Parks & Recreation
-  Open Space/Agriculture
-  Village\*
-  COS North TOD

## PROPOSED LAND USE: COMMUNITY COMMERCIAL

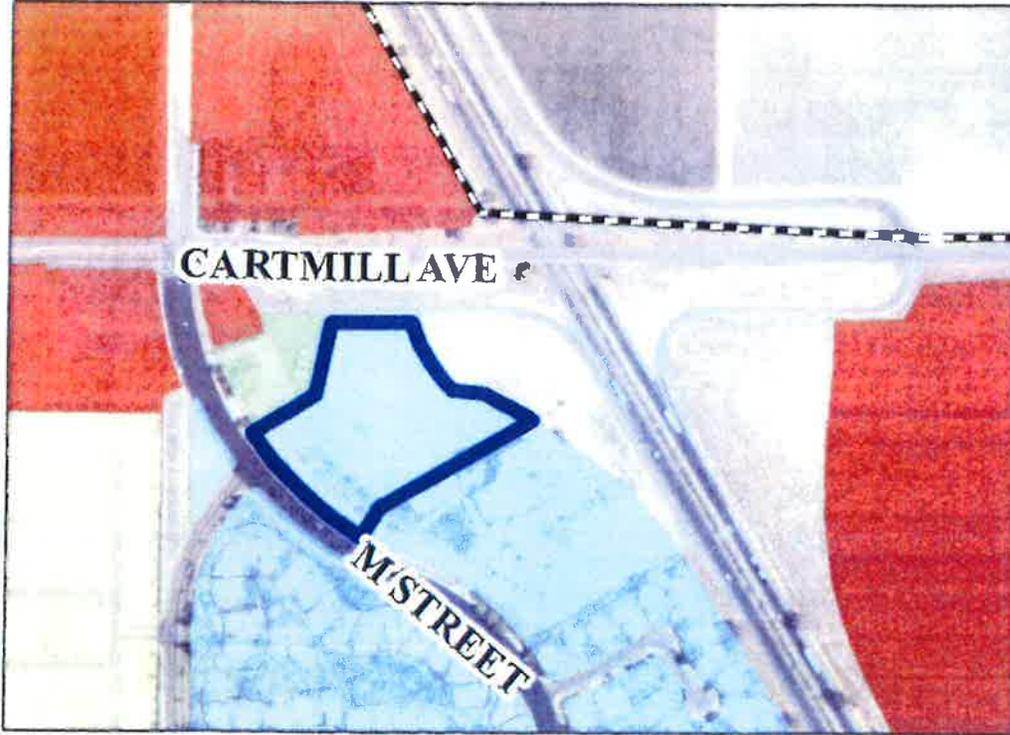


MONTEREY DYNASTY  
HOTEL PROJECT

APN: 166-240-008

# ZONING AMENDMENT 710

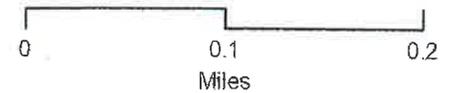
## EXISTING ZONING: R-1-7



### Legend

- Subject Property
- A: Agricultural
- County
- C-1: Neighborhood Commercial
- C-2: Professional Office
- C-3: Retail Commercial
- C-4: Service Commercial
- C-5
- M-1: Light Industrial
- M-2: Heavy Industrial
- PL: Public Lands
- R-1-20: Single Family: 20,000 SF min.
- R-1-12.5: Single Family: 12,500 SF min.
- R-1-4: Small Lot Residential
- R-1-5: Single Family: 5,000 SF min.
- R-1-5 (H): Single Family: 5,000 SF min.
- R-1-6: Single Family: 6,000 SF min.
- R-1-7: Single Family: 7,000 SF min.
- R-1-8: Single Family: 8,000 SF min.
- RA: Rural Residential
- RM1
- RM2: Multiple Family: 3,000 SF/unit
- RM3: Multiple Family: 2,000 SF/unit
- RM4: Multiple Family: 1,500 SF/unit
- Urban Reserve

## PROPOSED ZONING: C-3



## MONTEREY DYNASTY HOTEL PROJECT

APN: 166-240-008



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

Agenda Item No.

October 10, 2016

**CONDITIONAL USE PERMIT NO. 2015-13**

<b>PROJECT PLANNER:</b>	Traci Myers, Community Development Deputy Director
<b>APPLICANT:</b>	Monterey Dynasty, LLC
<b>ENGINEER:</b>	4Creeks, Inc.
<b>LOCATION:</b>	Property is located at the southwest corner of Cartmill Avenue and SR 99 with access along M Street.
<b>APN:</b>	166-240-008
<b>GENERAL PLAN DESIGNATION:</b>	Low Density Residential (3.1-7 units/acre)
<b>EXISTING ZONING:</b>	R-1-7 (SFR, 7,000 sf lot minimum)
<b>SURROUNDING LAND USES</b>	North: City of Tulare Fire Department (PL) South: Low Density Residential (R-1-7) East: CA 99 West: Presidential Estates (R-1-7)

**RELATED PROJECTS:**

1. **General Plan Amendment No. 2015-01:** Request by Monterey Dynasty, LLC to change the General Plan from Low Density Residential (3.1-7 units/acre) to Community Commercial on 4.74 acres at Cartmill Avenue and SR 99. (On current agenda)
2. **Zone Amendment No. 710:** Request by Monterey Dynasty, LLC to re-zone 4.74 acres at Cartmill Avenue and SR 99 from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial). (On current agenda)

**REQUEST:**

A request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license. The project is located at the southwest corner of Cartmill and SR 99.

**DETAILS OF THE PROPOSAL:**

The site plan depicts the 24,500 sf, 5-story/136 room hotel with swimming pool, 400-seat conference center/hall, 4000 sf restaurant/bar, outdoor wedding venue and parking area on an approximate 4.74 acre site. Two hundred twenty-three parking spaces are proposed with an additional 5 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 parking, are shown to be landscaped, with a heavily landscaped screen along "M" Street frontage. A 75 foot tall freeway sign is proposed at the northeast corner of the site. A 6 foot high block wall is depicted along the northern end of the site. A 3 foot high block wall with 3 foot wrought iron is proposed to separate the hotel facility and adjacent church.

**STAFF COMMENTS:**

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

Permitted building height in commercial zones is 30 feet, or up to 60 feet with a conditional use. The building height proposed is 60 feet.

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 space 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 centers/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 5 RV/truck/bus spaces. There currently exists a temporary parking/access easement between the church parcel and the proposed hotel parcel, which shall expire at the time of the development of the hotel. The termination of this parking/access easement will render the Church site 55 parking spaces short of their on-site parking requirement, unless a shared parking agreement can be reached between the hotel and 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.

The 3 foot block wall with 3 foot wrought iron separating the two uses is agreed upon by both property owners and is consistent with similar design at other local hotel locations.

**Conditional Use Permit 2015-13**

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

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 City Streets and State Highways. In addition, the Project will also construct its required frontage improvements on M Street as required by the City of Tulare.

Applicant is requesting a conditional use for a 75 foot freeway sign to be located on site within 300 feet of SR 99 right-of-way. The freeway sign concept shows a 75 foot monopole sign with stone base and 450sf of sign area. Per Tulare Municipal Code 10.188, the sign accommodates the placement of a City of Tulare identification.

Applicant is further requests a conditional use for an ABC Type 47 (On-sale General for Restaurant) license to be associated with the onsite restaurant/bar.

**ENVIRONMENTAL REVIEW:**

On July 12, 2016, the Environmental Impact Review Committee determined from the initial study completed by Planning Staff and the Environmental Information Form submitted by the applicant, that the project will not have a significant effect on the environment with mitigation incorporated. A Mitigated Negative Declaration was prepared pursuant to provisions of the Public Resources Code, State of California, Section 21000 to 21176, California Environmental Quality Act (CEQA). A Mitigation Monitoring and Reporting Program is set forth in the attached Mitigation Negative Declaration.

**FINDINGS:**

Should the Planning Commission approve this request, Staff recommends that the Planning Commission make the following findings:

**Environmental:**

1. That a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.

**Conditional Use Permit 2015-13**

2. That the Planning Commission has considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment.
3. The Planning Commission finds that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency.

**Conditional Use:**

1. That the location of the proposed use is in accordance with the purpose and objectives of Zoning Title and the purposes of the district in which the subject site is located;
2. That the location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or materially injurious to properties or improvements in the vicinity;
3. That this request is in conformance with the goals and objectives of the Zoning Ordinance prescribed in Section 10.04.020 of the Tulare Municipal Code;
4. That the proposed use is consistent with the Tulare General Plan; and
5. That public convenience and necessity would be served by the issuance of an on-sale general ABC license in conjunction with a restaurant.

**RECOMMENDATION:**

Should Planning Commission approve this request, staff recommends that the approval of Conditional Use Permit 2015-13 be subject to the following conditions:

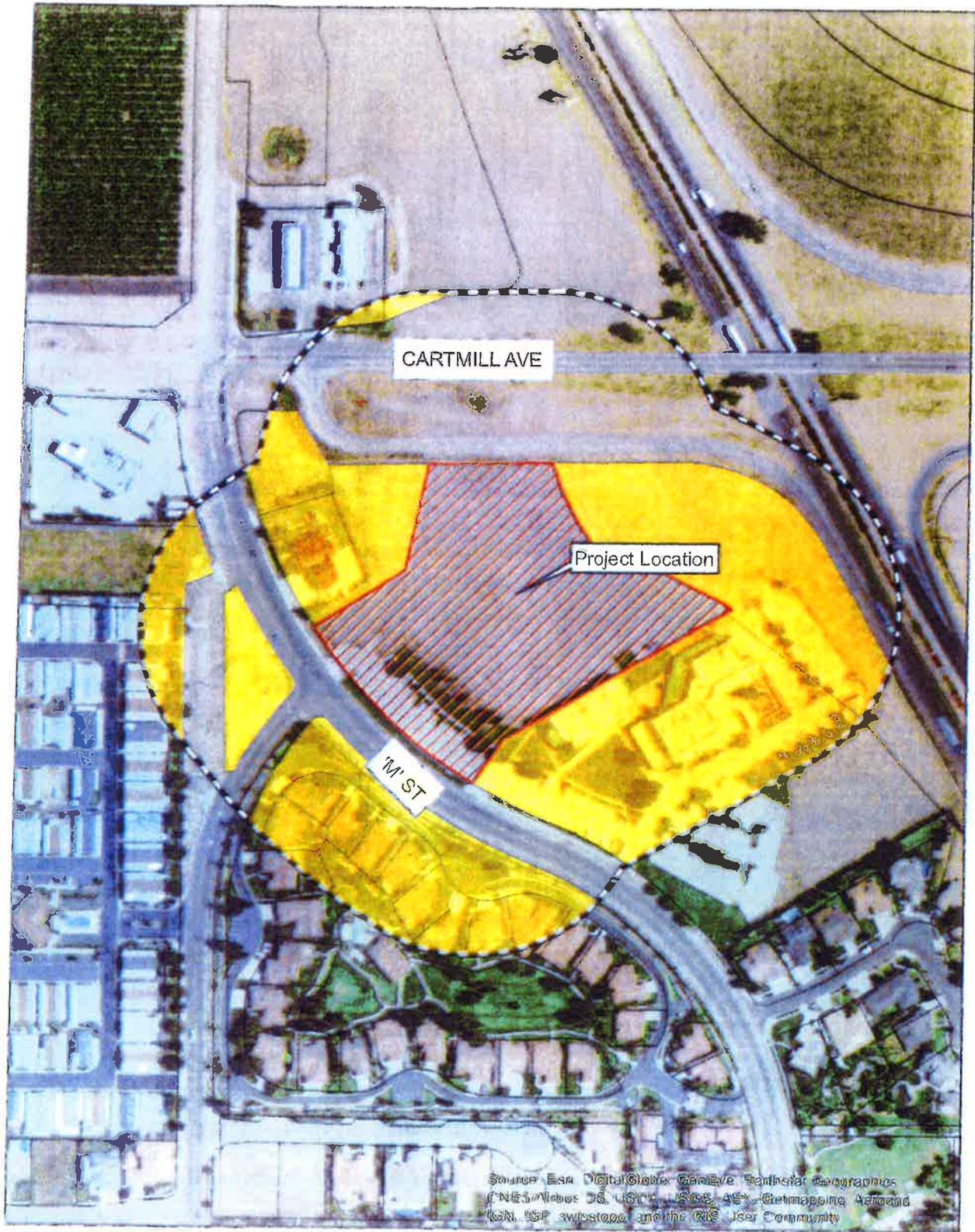
- A. Adoption of Resolution 5198 adopting the Mitigated Negative Declaration for Conditional Use Permit 2015-13.
- B. Adoption of Resolution 5199 approving Conditional Use Permit 2015-13 subject to the following conditions:
  - 1) All requirements of Title 10 shall be met.
  - 2) Construction shall be in accordance with the plans approved by the Planning Commission.

Conditional Use Permit 2015-13

- 3) Applicant to comply with conditions established by Public Works/Engineering Department, Fire Department and Parks Department.
- 4) Prior to issuance of building permit, applicant shall submit four copies of a Landscape/Irrigation Plan consistent with the City Landscape Ordinance.
- 5) Approval does not authorize any deviation from current Fire and Building Codes.
- 6) All roof top mechanical equipment shall be screened. Screening to be approved by the Community Development Director.
- 7) Lighting shall be installed so as to not cause a nuisance to surrounding residential properties.
- 8) City standard trash enclosures to be located as approved by the Solid Waste Division.
- 9) 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.
- 10) A block wall is required along the south property line of the project.
- 11) Any upgrade or change in the alcohol beverage license issued by ABC shall be subject to the approval by the Planning Commission.
- 12) Conditional Use Permit shall be subject to the approval of General Plan Amendment No. 2015-01 and Zone Amendment No. 710 by City Council.
- 13) Applicant to comply with any and all mitigation measures set forth in the Mitigated Negative Declaration dated September 2016.

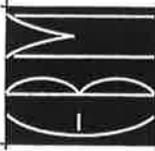
**Attachments:**

1. Location Map
2. Site Plan
3. Elevations
4. Freeway Sign Detail
5. Conceptual Rendering
6. Engineering Comments
7. Fire Comments
8. Parks & Recreation Comments
9. Caltrans Comments
10. Mitigated Negative Declaration, September 2016
12. Mitigation Monitoring and Reporting Program
13. Resolution 5198
14. Resolution 5199



EASTGATE HOTEL





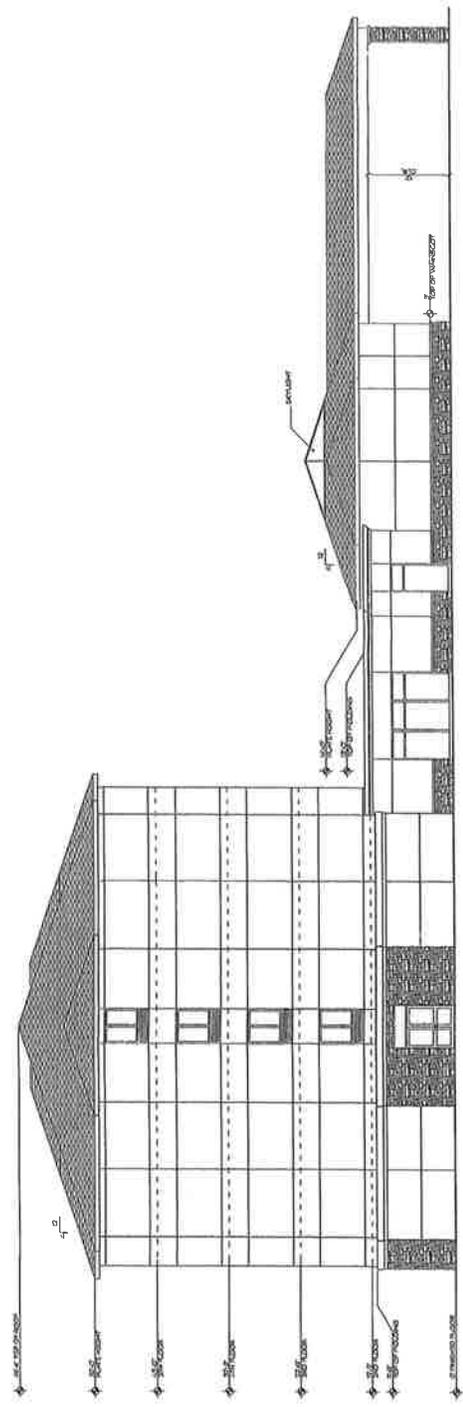
**DESIGN GROUP  
INCORPORATED**  
ARCHITECTS



140 NW 15th Street  
Fort Lauderdale, FL 33301  
954.575.5555  
www.dgi.com

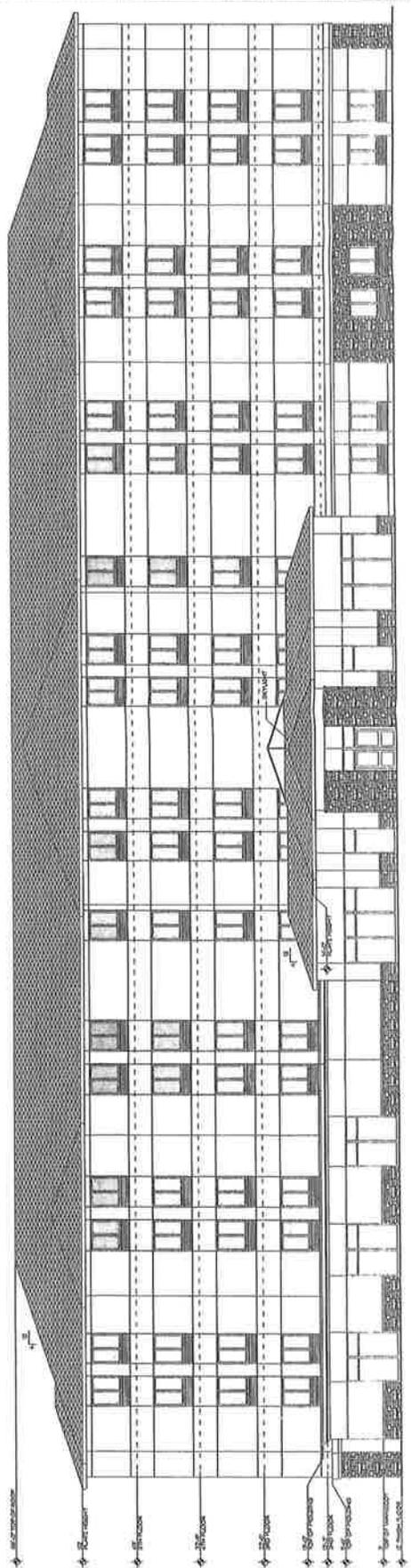
**EASTGATE HOTEL  
DEVELOPMENT**  
TULARE, CA

A-1



NORTHEAST ELEVATION

1/8" = 1'-0"



NORTHWEST ELEVATION

1/8" = 1'-0"



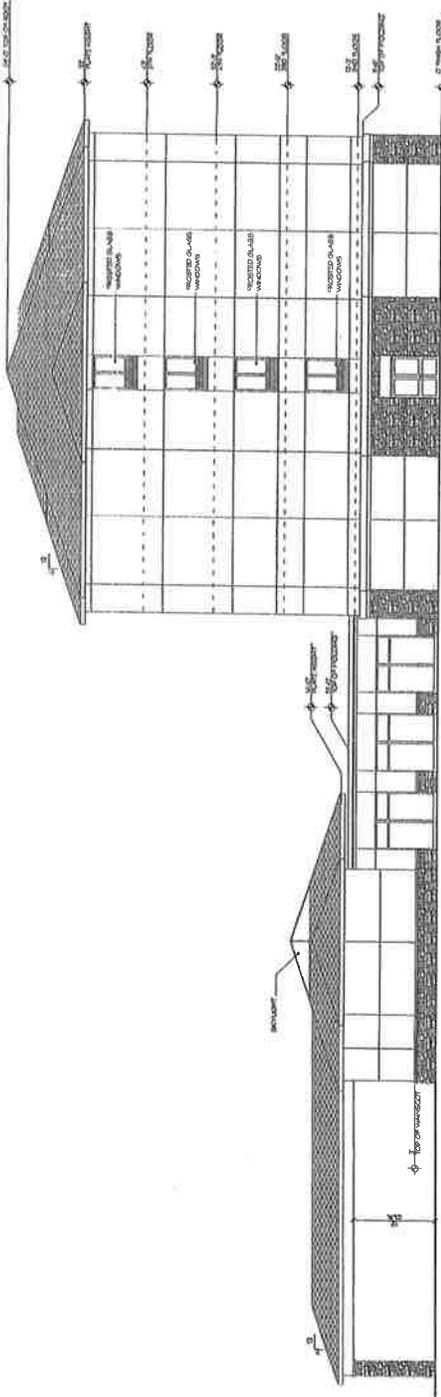
**DESIGN GROUP  
INCORPORATED**  
ARCHITECTS



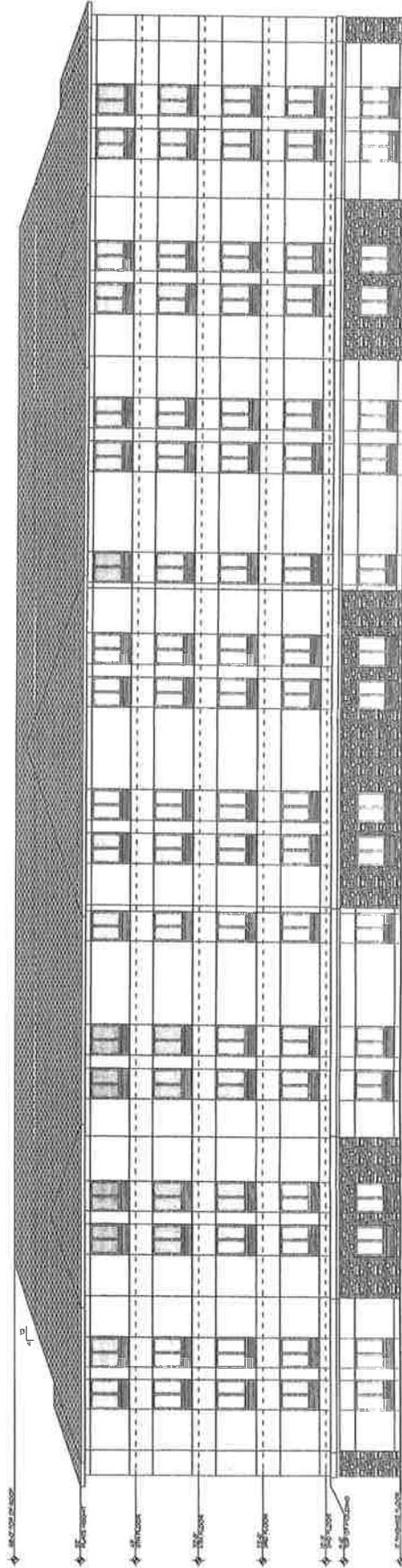
111 W. COLLETT  
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WWW.CBMARCHITECTS.COM

EASTGATE HOTEL  
DEVELOPMENT  
TULARE, CA

Sheet  
**A-2**



SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



4CREEKS  
224 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

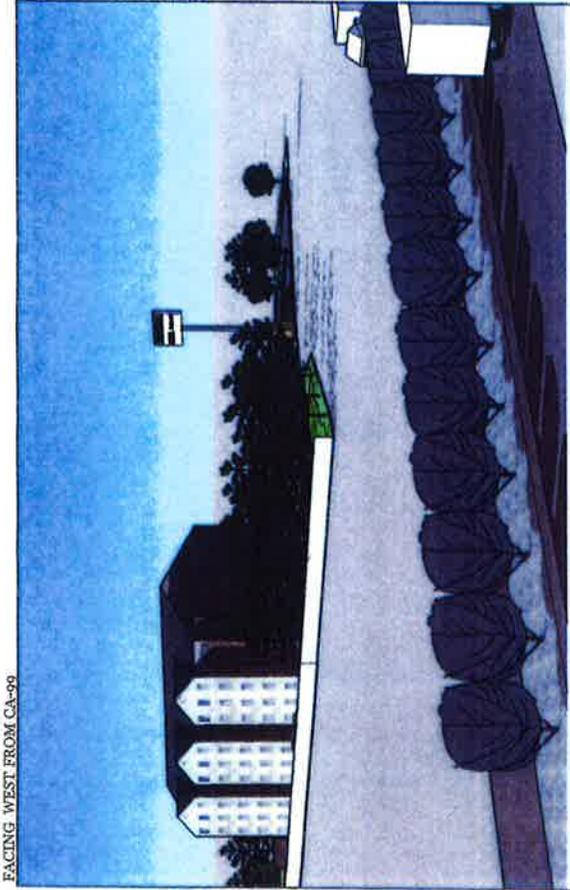
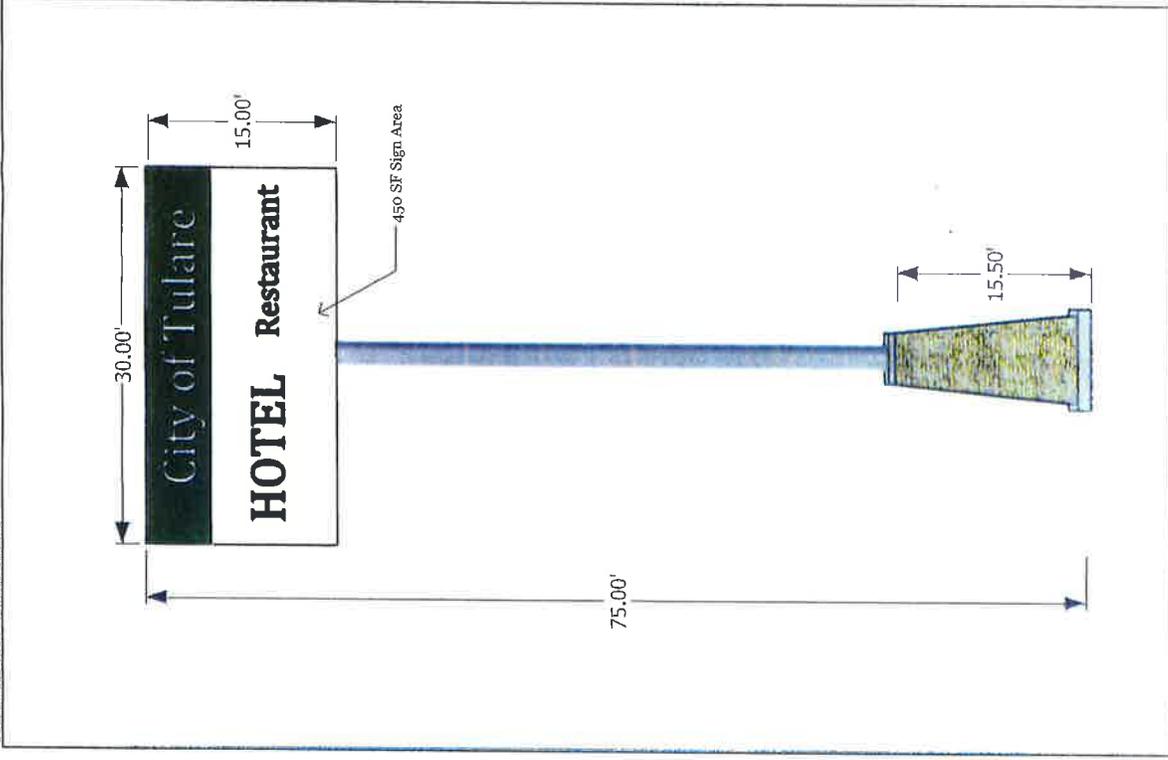
DRAWN BY  
AC

7/5/2016

DESCRIPTION  
CONCEPT  
FREEWAY SIGN

# A0.1

FREEWAY SIGN DIMENSIONS



FACING WEST FROM CA-99



FACING SOUTH FROM CARTMILL AVE

# CONCEPT DESIGN

FACING NORTH



CONCEPTUAL HOTEL DESIGN: TULARE, CA



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional User Permit No.: 2015-13

LOCATION: East side "M" Street south of Cartmill Avenue

OWNER/DEVELOPER: Monterey Dynasty, LLC

DATE: 6/16/16

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

6. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
"M" Street	Adjacent to curb	6-ft

7. New City standard driveway approach shall be constructed at centerline of Oaks Street.
8. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
9. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
10. The proposed development shall remove or relocate as per serving utility company requirements, any existing utility which conflicts with the installation of required improvements.
11. 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.
12. The current emergency drought condition in the City and the entire State, as well as reduced production of certain wells in the City's system due to contamination, along with significant rise in water service demand on the City's system, has created a need for ensuring that future connections to the system do not adversely affect the City's ability to deliver safe water supply to all of its customers. A full analysis of project impacts to the City's overall water system shall be completed at Developer's expense. The analysis shall be based upon the City's official hydraulic model of the system, and shall be performed by the City's selected consultant. The scope and final determination of the analysis shall be subject to the approval of the Public Works Director, whose decision can be appealed to the Board of Public Utilities. Should the hydraulic model show that connection of the project shall have adverse impacts on the City overall water system, the Developer shall be required to mitigate the adverse impacts to the satisfaction of the Public Works Director and City Engineer prior to approval being granted for connection to the system.
13. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
14. Water sampling stations shall be installed as follows: "M" Street frontage.
15. 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.
16. A sewer monitoring station, oil/water separator and/or grease interceptor shall be installed as required by the wastewater manager.
17. 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 certifying that construction was completed according to the approved grading/ drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.

18. 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.
19. A Public Works Inspection Fee is required prior to the construction of improvements.
20. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
21. 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.
22. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ 25.00 per front foot for frontages on \_\_\_\_\_.
  - Sewer lift station fee of \$ \_\_\_\_\_ per acre.
  - Water front foot charges of \$ 17.50 per front foot for frontages on \_\_\_\_\_.
  - Street front foot charges of \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
  - Benefit district creation fee (if applicable): \$ 1,008.19 per district.
  - Traffic signal in-lieu fee of \$ \_\_\_\_\_.
  - TID ditch piping In-lieu fee of \$ \_\_\_\_\_.
  - Sewer main construction in-lieu fee of \$ \_\_\_\_\_.
  - Water main construction in-lieu fee of \$ \_\_\_\_\_.
  - Street construction in-lieu fee of \$ \_\_\_\_\_.
  - Engineering inspection fee based on a percentage of the estimated cost of construction.
  - Development impact fees to be paid with building permit.
  - Engineering plan check fee to be paid at time of plan submittal.
  - Final map plan check fee to be paid at time of map submittal.
  - Other: \_\_\_\_\_

23. Additional Conditions:

Any required new or modifications to existing reciprocal access easement(s) between the proposed hotel and the church just south of subject property shall record prior to certificate of occupancy.

Prepared By: Steve Allen, Engineering Assistant

TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU

SITE ADDRESS: "M" St.

DATE: May 31, 2016

DBA: Eastgate Hotel

OWNER: Monterey Dynasty

ARCHITECT/ENGINEER: Four Creeks

PROJECT: CUP 2015-13 / Zone Amendment 710 / General Plan Amendment 2015-01

SITE PLAN CORRECTION COMMENTS

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

Based on the occupancy classification/square footage of this building a fire alarm and an automatic sprinkler system *will* be required.

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

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

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

An approved water supply for fire protection shall be made available prior to combustible material arriving on site.

Additional fire hydrants will be required, and fire hydrant spacing shall be as follows:

In **Commercial development**, one hydrant shall be installed at **300-foot** intervals, or as required by Appendix C California Fire Code.

Approved fire apparatus access roads shall provide the following minimum clear spacing of 20' wide and 13'6" high (*including the porte cochere*) be provided for every facility, building or portion of a building constructed or moved onto or within the City of Tulare. The fire lane shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility.

All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with the California Fire Code.

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

Additional access may be required per CFC 2013 Chapter 5. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.

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

Ryan Leonardo  
Fire Inspector II

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** GPA No. 2015-01, ZA No. 710, CUP 2015-13 (Hotel)  
**DATE:** October 5, 2016

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

Development projects should include the following basic standards from the City's landscape Ordinance:

1. Four (4) sets of detailed landscape and irrigation plans that meet the City of Tulare's standards are required to be submitted prior to building permit issuance.
2. All areas not set aside for parking, storage, driveways, and walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be developed.
3. Landscaped areas over 2,500 sq. ft. must comply with AB 1881 Water Efficient Landscape Standards and be certified by the developer.
4. Landscaped areas that front onto a street shall have a minimum tree density of one tree for every 200 sq. ft. of planter area.
5. Shrubs: At least 50% of shrubs within planter areas are to be 5 gallon size and spaced in such a way as to achieve a minimum of 1 plant per 20 square feet.
6. Trees used in parkways shall be from the approved City of Tulare Street Tree list.
7. All parking lots with a capacity of 20 cars or more shall contain shade trees, which within 10 years from installation, shall shade 50% of the parking lot.
8. For each ten parking spaces, a minimum of one 15-gallon shade tree shall be installed, but more may be required to meet the 50% shading requirement.
9. A minimum of 25% of the trees planted shall be 24 inch box trees or larger. The remaining trees shall be 15 gallon or larger and double staked per City Standards.
10. Shade trees planted within a parking lot shall be evenly distributed throughout the lot.
11. Turf shall not exceed 50% of the total landscaped area.
12. A minimum of 2" of forest humus or walk-on bark shall be applied to all planting areas except turf.
13. An approved back-flow device is required upstream of the irrigation system.
14. An automated irrigation controller is required, as well as an automatic rain shut-off device on irrigation systems with seven (7) or more valves.

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

**DEPARTMENT OF TRANSPORTATION**

**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

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2135-IGR/CEQA

MITIGATED NEGATIVE DECLARATION

CONDITIONAL USE PERMIT 2015-13

EASTGATE HOTEL

Ms. Traci Myers  
Deputy Director - Community Development  
City of Tulare  
411 E. Kern Avenue  
Tulare, CA 93274

Dear Ms. Myers:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Eastgate Hotel (CUP 2015-13). The project proposes to construct and operate a 24,500 square foot, 5-story hotel with a 4,000 square foot restaurant within the hotel and a 60-seat outdoor wedding venue. The project is located within the southwest quadrant of State Route (SR) 99/Cartmill Avenue interchange, on the eastside of M Street approximately 700 feet south of its intersection with Cartmill Avenue.

Given the reasons stated below which are included in the MND, the project is expected to have no significant impact to the State Highway System:

1. The recent traffic impact study for the SR99/Cartmill Avenue interchange analyzed the existing conditions (2007) as well as future (2033) with and without the interchange project. This included construction of the Eastgate Hotel project based on the current land use zoning (residential) for the subject site.
2. The M Street/Cartmill Avenue intersection will be most impacted by the increase in trips to the proposed Eastgate Hotel Project. The Traffic Impact Statement (TIS) completed by 4-Creeks, Inc., for the Eastgate Hotel found that this intersection is projected to operate at LOS "C" in the AM peak hour and "D" in the PM peak hour in the year 2033. The 2033 ADT on Cartmill Avenue is projected to be 49,800 vehicles per day according to the interchange environmental report. Assuming that 80% of the Eastgate Hotel project trips utilize Cartmill Avenue, this represents an increase of 1.4% on Cartmill Ave.
3. Cartmill Avenue is an arterial street, recently constructed to its ultimate width, with 6 lanes and raised medians, west of Road 100, which is approximately ¼ mile east of the proposed project.

4. Two significant transportation infrastructure projects have been completed in the nearby area in the last couple years, a railroad grade separation and an interchange reconstruction. The Cartmill railroad grade separation project was completed in 2012. This project constructed an overpass to allow Cartmill Avenue to cross both J Street and the UP railroad, approximately 1 mile west of the proposed project. The SR99/Cartmill Avenue interchange project completely reconstructed the interchange with significant transportation capacity and operational improvements between M Street and Road 100. The SR99/Cartmill Avenue interchange project included new ramps, including slip ramps and a partial cloverleaf, a completely new Cartmill Avenue overcrossing, and traffic signals.

If you have any other questions, please call David Deel, Associate Transportation Planner at (559) 488-7396.

Sincerely,

MICHAEL NAVARRO, Chief  
Planning North Branch

# MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Eastgate Hotel Development proposed by Monterey Development, LLC in the City of Tulare. The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements as well as conditions recommended by responsible agencies who commented on the project.

The first column of the Table identifies the mitigation measure. The second column, entitled "Party Responsible for Implementing Mitigation," names the party responsible for carrying out the required action. The third column, "Implementation Timing," identifies the time the mitigation measure should be initiated. The fourth column, "Party Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that individual mitigation measures have been monitored.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p><b>BIO-1</b> To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 shall be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey shall be conducted within 14 days prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer ranging in size from 75 to 200 feet, depending upon the species and as determined by a qualified biologist, shall be demarcated with bright orange construction fencing. No ground disturbing or other construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is complete and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31.</p>	<p>City of Tulare</p>	<p>Prior to construction</p>	<p>City of Tulare</p>	
<p><b>CUL-1</b> If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching), all</p>	<p>City of Tulare</p>	<p>Prior to and during construction</p>	<p>City of Tulare</p>	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p>construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure.</p>				
<p><b>NO-1</b> Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.</p>	City of Tulare	During construction and on-going operations	City of Tulare	
<p><b>NO-3</b> Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year's Day).</p>				
<p><b>NO-3</b> The construction contract shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction</p>				

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p>equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.</p>				
<p><b>TR-1</b> As determined by the City, the Project Applicant shall revise / update signage and pavement delineation as necessary to create dedicated left-turn lanes for southbound and northbound traffic at the intersection of M Street and Oaks Street.</p> <p><b>TR-2</b> The Project Applicant shall pay its fair share of the City's established Development Impact Fees for City Streets and State Highways.</p>	<p>City of Tulare</p>	<p>Prior to Construction</p>	<p>City of Tulare</p>	

**RESOLUTION NO. 5198**

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION  
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR  
CONDITIONAL USE PERMIT 2015-13**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on October 24, 2016 considered a request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license on 4.64 acres located at the southwest corner of Cartmill and SR 99; and,

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the City of Tulare Planning Commission adopts a Mitigated Negative Declaration for Conditional Use Permit 2015-13.

**Mitigated Negative Declaration is attached hereto and incorporated herein as fully set forth.**

**PASSED, APPROVED AND ADOPTED** on the **twenty-fourth** day of **October, 2016** by the following recorded vote:

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

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

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

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

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

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

# MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Eastgate Hotel Development proposed by Monterey Development, LLC in the City of Tulare. The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements as well as conditions recommended by responsible agencies who commented on the project.

The first column of the Table identifies the mitigation measure. The second column, entitled "Party Responsible for Implementing Mitigation," names the party responsible for carrying out the required action. The third column, "Implementation Timing," identifies the time the mitigation measure should be initiated. The fourth column, "Party Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that individual mitigation measures have been monitored.

Mitigation Measure	Party responsible for Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p><b>BIO-1</b> To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 shall be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey shall be conducted within 14 days prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer ranging in size from 75 to 200 feet, depending upon the species and as determined by a qualified biologist, shall be demarcated with bright orange construction fencing. No ground disturbing or other construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is complete and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31.</p>	City of Tulare	Prior to construction	City of Tulare	
<p><b>CUL-1</b> If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching), all</p>	City of Tulare	Prior to and during construction	City of Tulare	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p>construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure.</p>				
<p><b>NO-1</b> Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.</p>	City of Tulare	During construction and on-going operations	City of Tulare	
<p><b>NO-3</b> Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year's Day).</p>				
<p><b>NO-3</b> The construction contractor shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction</p>				

<b>Mitigation Measure</b>	<b>Party responsible for Implementing Mitigation</b>	<b>Implementation Timing</b>	<b>Party responsible for Monitoring</b>	<b>Verification (name/date)</b>
<p>equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.</p>				
<p><b>TR-1</b> As determined by the City, the Project Applicant shall revise / update signage and pavement delineation as necessary to create dedicated left-turn lanes for southbound and northbound traffic at the intersection of M Street and Oaks Street.</p>	City of Tulare	Prior to Construction	City of Tulare	
<p><b>TR-2</b> The Project Applicant shall pay its fair share of the City's established Development Impact Fees for City Streets and State Highways.</p>				

**RESOLUTION NO. 5199**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2015-13**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on October 24, 2016 considered a request by Monterey Dynasty, LLC for a Conditional Use Permit to construct a 24,500 sf, 5-story/136 room hotel with restaurant/bar, outdoor wedding venue, a convention center/hall, 75 ft. freeway sign and an ABC Type 47 (On-sale General for Restaurant) license on 4.64 acres located at the southwest corner of Cartmill and SR 99; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity; and,

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

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

**WHEREAS**, the City of Tulare Planning Commission determined that public convenience and necessity would be served by the issuance of an on-sale general ABC license in conjunction with a restaurant.

**WHEREAS**, the City of Tulare Planning Commission determined that this project is exempt pursuant to Section 15301 of the California Environmental Quality Act of 1970, as amended; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2015-13 is hereby approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Construction shall be in accordance with the plans approved by the Planning Commission.
- 3) Applicant to comply with conditions established by Public Works/Engineering Department, Fire Department and Parks Department.
- 4) Prior to issuance of building permit, applicant shall submit four copies of a Landscape/Irrigation Plan consistent with the City Landscape Ordinance.

- 5) Approval does not authorize any deviation from current Fire and Building Codes.
- 6) All roof top mechanical equipment shall be screened. Screening to be approved by the Community Development Director.
- 7) Lighting shall be installed so as to not cause a nuisance to surrounding residential properties.
- 8) City standard trash enclosures to be located as approved by the Solid Waste Division.
- 9) 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.
- 10) A block wall is required along the south property line of the project.
- 11) Any upgrade or change in the alcohol beverage license issued by ABC shall be subject to the approval by the Planning Commission.
- 12) Conditional Use Permit shall be subject to the approval of General Plan Amendment No. 2015-01 and Zone Amendment No. 710 by City Council.
- 13) Applicant to comply with any and all mitigation measures set forth in the Mitigated Negative Declaration dated September 2016.

**PASSED, APPROVED AND ADOPTED** this twenty-fourth day of October, 2016 by the following recorded vote:

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

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

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

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

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

ATTEST:

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

**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

November 28, 2016

**DESIGN REVIEW 1085**

**PROJECT PLANNER:** Amy Wilson, Planning Tech

**APPLICANT:** Scott Wright, Supreme Construction, Inc.

**LOCATION:** Tulare Business Park LOT 12, South "Q" Place (Private Street), off of Bardsley Avenue

**APN:** 181-070-068

**ZONING CLASSIFICATION:** M-1 (Light Industrial)

**GENERAL PLAN DESIGNATION:** Light Industrial

**SURROUNDING LAND USES AND ZONING:**

North:	Vacant	M-1
South:	Vacant	M-2
West:	Vacant	M-1
East:	Vacant	M-1

**REQUEST:**

Request by Supreme Construction, Inc., to construct a 21,850 sq. ft. metal building (3,116 sq. ft. office, 18,734 sq. ft. warehouse in two phases) with associated parking lot, landscaping and on-site drainage basin on approximately 3.23 acre site for a general construction/metal fabrication business. Property is zoned M-1 (light industrial) and is located off of Bardsley Avenue, on "Q" Place (Lot 12 of PM No. 4777, APN 181-070-068), a private street.

**DETAILS OF THE PROPOSAL:**

The project will be constructed in two phases. The first phase includes a 7,934 sq. ft. warehouse building with an attached 3,116 sq. ft. two story office building. The second phase will construct a second warehouse building that is approximately 10,800 sq. ft. Proposed landscaped area meets the 5% minimum of the developed gross lot area as required by Landscape Ordinance. One double wide trash enclosure will be located on site. Access to the new building will be off of "Q" Place (a private street) through two drive approaches, one to the west of the building and one to the east of the building. Applicant will install sidewalk, curb and gutter along the north side of the property to meet current city standards.

The site plan depicts a total 24 parking spaces for the first phase and five additional parking spaces for the second phase. Required parking breakdown is as follows:

Retail/Office:	1 per 300 sf – 3,116 total sf/300	=	10 spaces
Warehouse (Phase I):	1 per 1,000 sf – 7,934 total sf/1,000	=	8 spaces
Warehouse (Phase II):	1 per 1,000 sf – 10,800 total sf/1,000	=	<u>11 spaces</u>
			<b>29 spaces total</b>

Elevations depict the new building will have two hydraulic doors on the east side, and one hydraulic door on the west side of the building. The front of the building has multiple windows and trees on either side of the building.

Supreme Construction operates Monday through Friday from 5:30 am to 3:30 pm, with a total of 25 employees (four office staff, 3-5 shop employees and the rest doing field installations).

#### **STAFF COMMENTS:**

The project is subject to the Design Review approval process to move forward with the project (*Chapter 10.120 – Design Review*).

Proposed elevations depict articulated facades. Roof parapet will screen any roof top mechanical from view.

The Site Plan Review Committee reviewed the project with the applicant on November 15, 2016 and prepared comments back to the applicant. The site plan and elevations were then revised and submitted to the City for compliance with the Zoning Ordinance.

The proposed project has been reviewed by the Public Works Director and City Engineer and determined that the proposed project will not have a significant impact on the existing water system, therefore the project will be **exempt** from the water model analysis.

#### **ENVIRONMENTAL FINDINGS:**

This project is categorically exempt pursuant to (Section 15332 “Infill 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 Design Review No. 1085:

- 1) That the proposed project is consistent with the purpose and objectives of this chapter and the zone district in which the project is located.

- 2) That the proposed project will not be detrimental to the public interest, health, safety, convenience or welfare or materially injurious to properties or improvements in the vicinity.
- 3) That the proposed project is consistent with the Tulare General Plan.
- 4) That this project is categorically exempt pursuant to (Section 15332 “Infill Development Projects”) of the California Environmental Quality Act of 1970, as amended.

**RECOMMENDATIONS:**

Based on the approved findings, staff recommends that Design Review No. 1085, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Section 10.120.130, this Design Review approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) All roof mounted equipment shall be screen from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 5) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect and approved prior to building permits being issued. At time of building permit, applicant shall submit four copies of a Landscape/Irrigation plan consistent with the City Landscape Ordinance.
- 6) Applicant shall comply with Engineering, Fire Department and Parks Division comments/conditions (Attachments V, VI and VII).
- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Approval does not authorize any deviation from Fire and Building Codes.
- 9) 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.

10) 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.

Attachments:

- I. Project Vicinity Map
- II. Site Plan
- III. Floor Plan
- IV. Exterior elevations
- V. Engineering Comments
- VI. Parks Comments
- VII. Fire Department Comments
- VIII. Resolution 5204

# Design Review 1085 - Project Location

Supreme Construction, Inc.

## Legend



Supreme Construction, Inc.



Google Earth

© 2016 Google

1000 ft

SOS

E Almond Ave

E O Neal Ave

E Walnut Ave

E Bardsley Ave

E Ash Ave

Ash Ct

S Blackstone St



EP

**PROJECT DATA:**

PROPOSED USE: GENERAL CONSTRUCTION OFFICE / FAB SHOP  
 TELEPHONE: SPC TELEPHONE COMPANY  
 WATER: CITY OF TULARE  
 SEWER: CITY OF TULARE  
 GAS: THE GAS COMPANY  
 POWER: SOUTHERN CALIFORNIA EDISON CO.  
 A.P.N.: 181-07-01  
 OCC. PANCY GRO. P. FI  
 CONSTRUCTION TYPE: II-B  
 FIRE SPRINKLERED: NO  
 SETBACKS: FRONT 63'-6" PROPOSED  
 SIDE 105'-0"  
 REAR 256'-6"

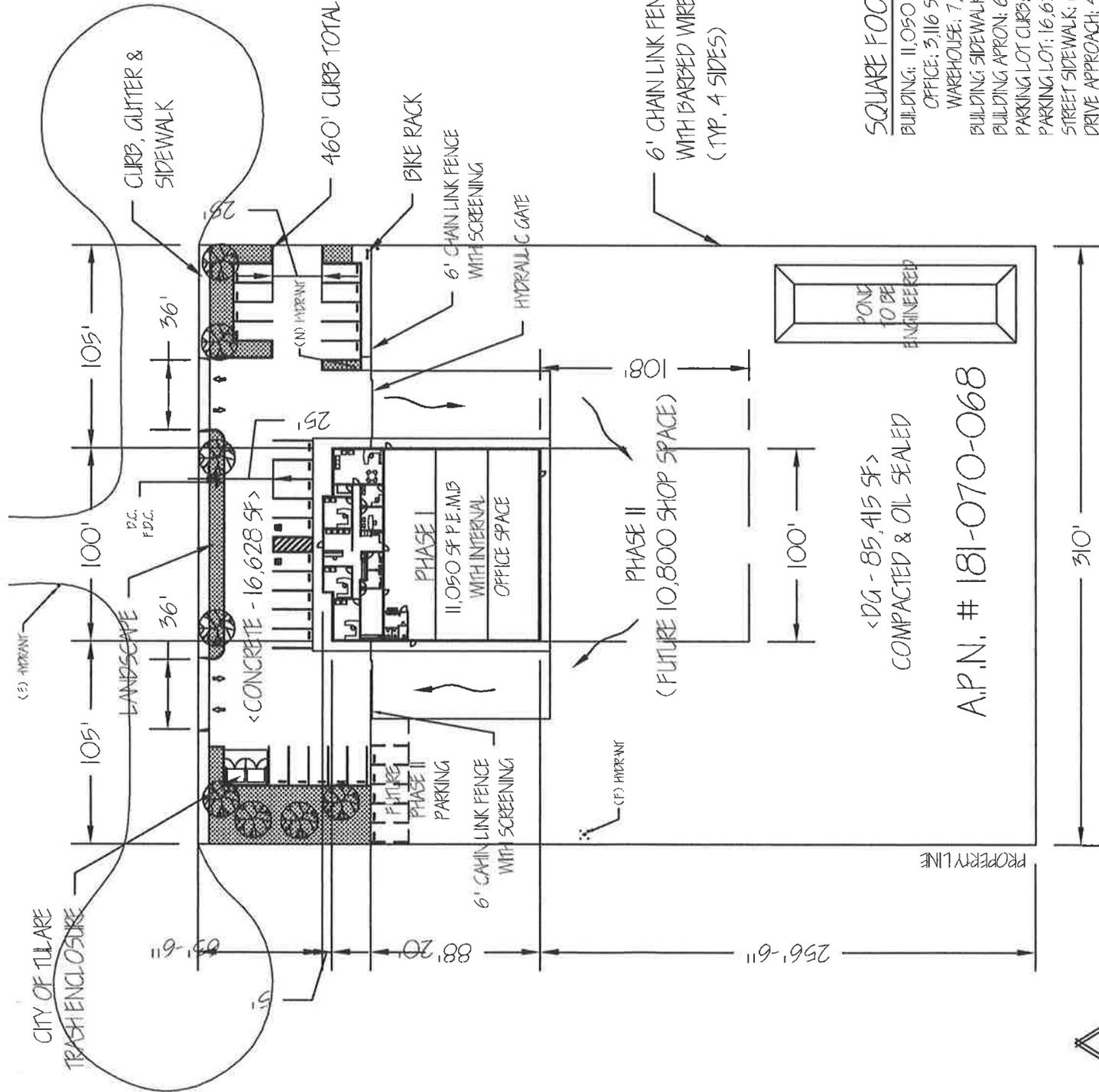
LANDSCAPE SETBACKS:  
 FRONT 5'-6" PROPOSED  
 SIDE NONE REQ'D  
 REAR NONE REQ'D

BUILDING HEIGHT: 29'-6"  
 PARKING REQUIREMENTS:  
 PARKING BASED ON

1 STALL / 1,000 SQUARE FEET OF SPACE = 11 STALLS REQUIRED  
 NEW STANDARD STALLS PROVIDED = 22  
 NEW STANDARD ACCESSIBLE STALLS PROVIDED = 1  
 NEW VAN ACCESSIBLE STALLS PROVIDED = 1  
 TOTAL STALLS PROVIDED = 24 STALLS  
 BICYCLE PARKING:  
 BASED ON 10% OF AUTOMOBILE SPACES PROVIDED  
 24 STALLS x 10% = 2.4 BIKE STALLS  
 STALLS PROVIDED = 3 BIKE STALLS

**SITE PLAN**

JOB NAME:	Supreme Construction, Inc. Shop
CLIENT:	Supreme Construction, Inc. 19717 Avenue 20A Lindsay, CA 95247
SITE:	South G Street Tulare, CA 95274
TITLE:	SITE PLAN
DRAWN BY:	ERIC WHITE
DATE:	11/18/16
SCALE:	AS NOTED
PROJECT NO.:	16001



**SQUARE FOOTAGE:**

BUILDING: 11,050 SF  
 OFFICE: 3,116 SF  
 WAREHOUSE: 7,934 SF  
 BUILDING SIDEWALK: 2,480 SF  
 BUILDING APRON: 6,510 SF  
 PARKING LOT CURB: 460 LF  
 PARKING LOT: 16,628 SF  
 STREET SIDEWALK: 1,288 SF  
 DRIVE APPROACH: 418 SF  
 HOLDING POND AREA: 5,000 SF  
 LANDSCAPE AREA: 4,782 SF  
 YARD DG: 85,055 SF

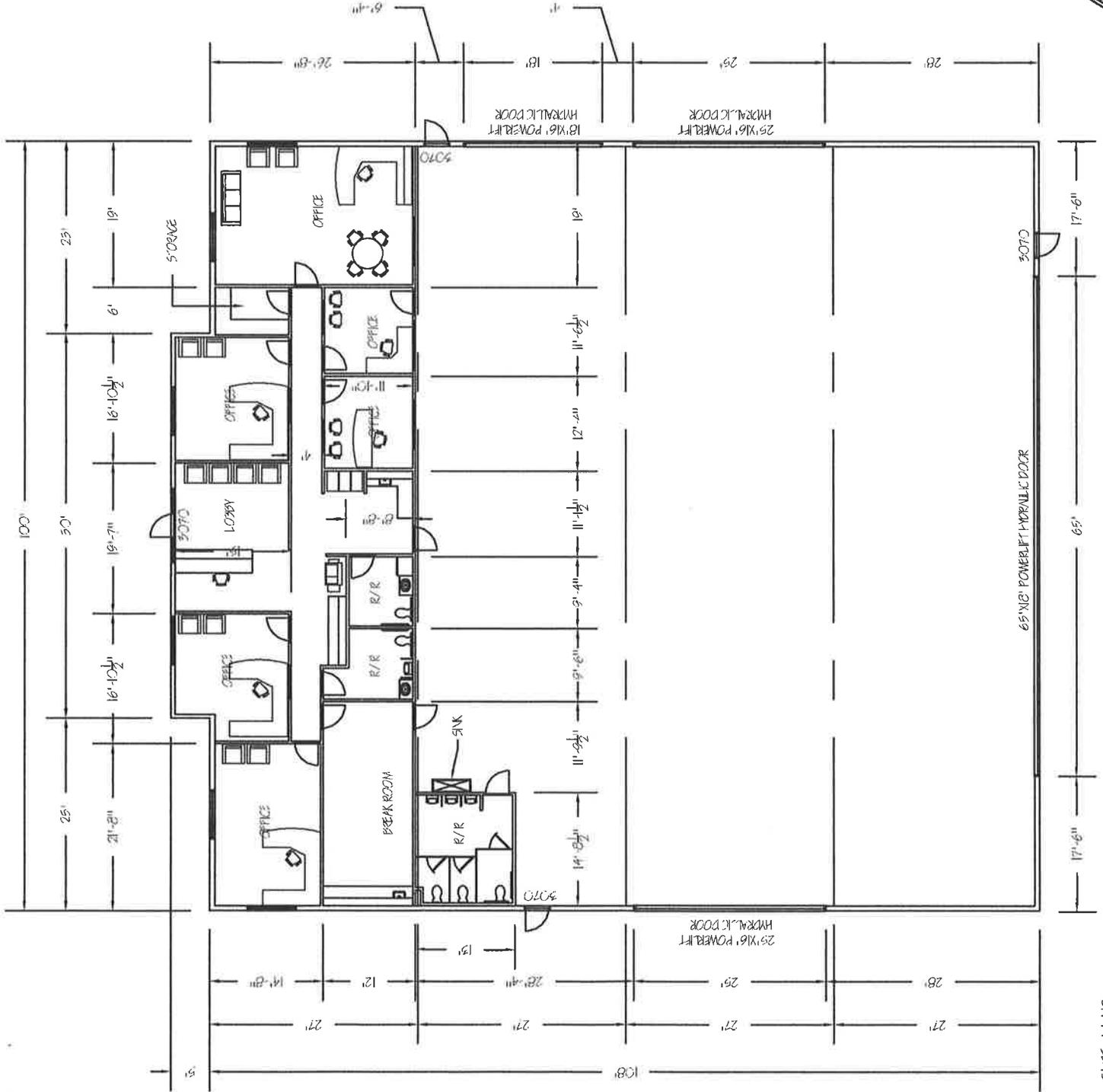
< DG - 85,415 SF >  
 COMPACTED & OIL SEALED

A.P.N. # 181-070-068

SITE MAP

SCALE: 1" = 80'-0"





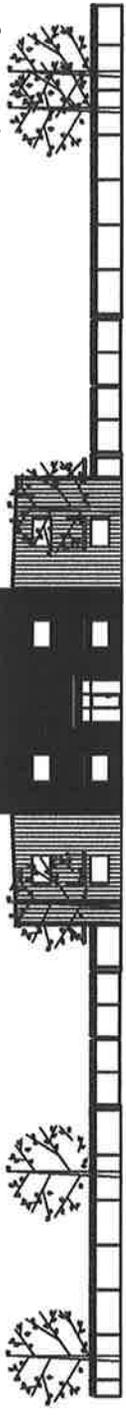
# FLOOR PLAN

JOB NAME: Supreme Construction, Inc. Shop	
CLIENT: Supreme Construction, Inc. 19717 Avenue 204 Lindsay, CA 95247	
SITE: South G Street Tulare, CA 95274	
TITLE: FLOOR PLAN	
DESIGNED BY: ERIC WHITE	DATE: 11/18/16
SCALE: AS NOTED	SHEET: A-1
PROJECT NO.: 16001	

SITE MAP

SCALE: 1/8" = 1'-0"

# Elevation



NORTH ELEVATION

SCALE: 1" = 45'-0"



EAST ELEVATION

SCALE: 1" = 45'-0"



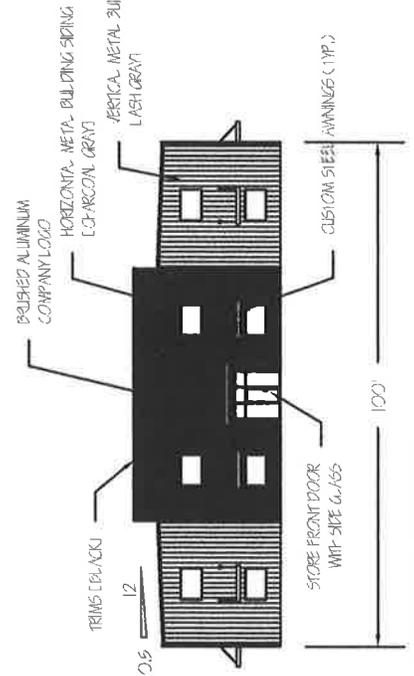
SOUTH ELEVATION

SCALE: 1" = 45'-0"



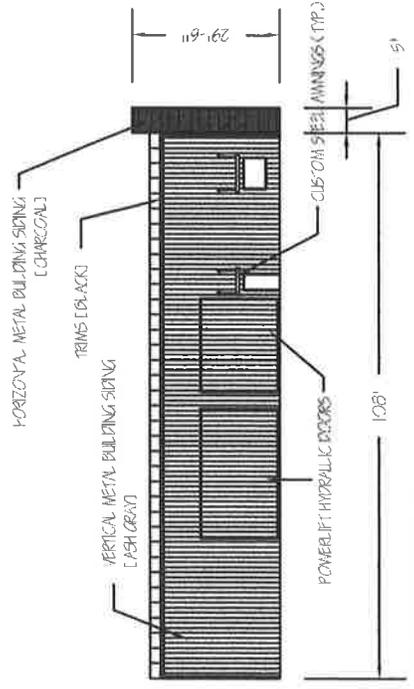
WEST ELEVATION

SCALE: 1" = 45'-0"



NORTH ELEVATION (BUILDING ONLY)

SCALE: 1" = 40'-0"



EAST ELEVATION (BUILDING ONLY)

SCALE: 1" = 40'-0"

JOB NAME:

Supreme Construction, Inc. Shop

CLIENT:

Supreme Construction, Inc.  
19717 Avenue 204  
Lindsay, CA 95247

SITE:

South Q Street  
Tulare, CA 95274

TITLE:

EXTERIOR ELEVATIONS

DESIGNED BY:

ERIC WHITE

DATE:

11/18/16

SCALE:

AS NOTED

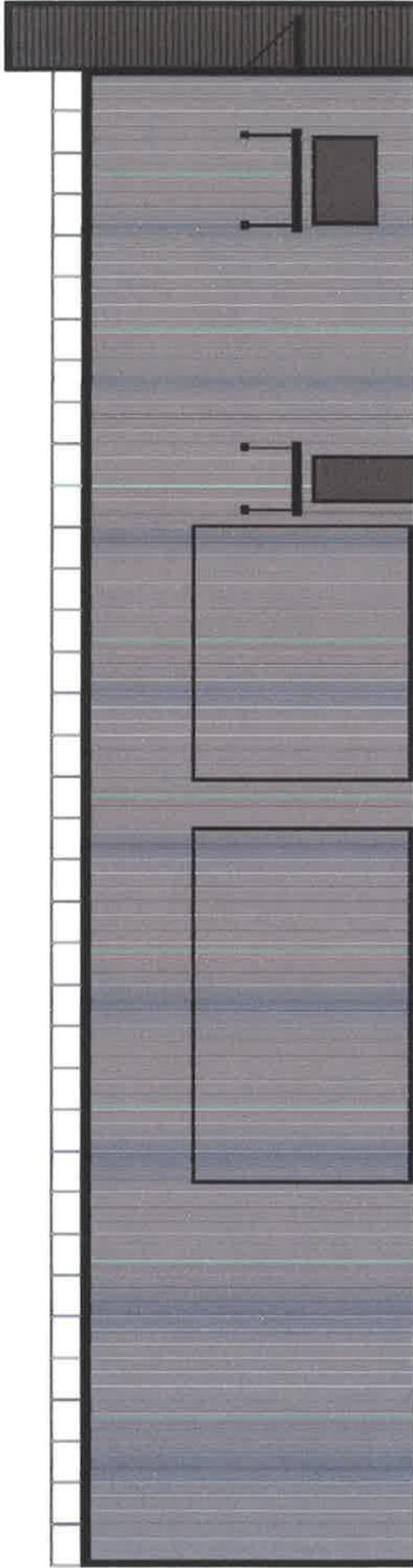
SHEET:

A2-0

PROJECT NO.:

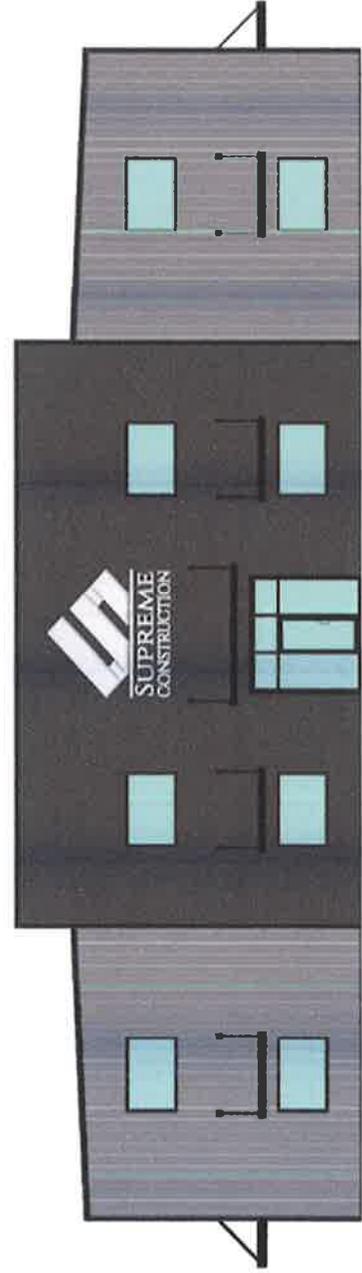
16001

# Elevation



EAST ELEVATION (BUILDING COLOR SELECTIONS)

SCALE: N.T.S.



NORTH ELEVATION (BUILDING COLOR SELECTIONS)

SCALE: N.T.S.

LIC# N/A/E.	
Supreme Construction, Inc. Shop	
CLIENT:	Supreme Construction, Inc. 19717 Avenue 204 Lindsay, CA 95247
SITE:	South Q Street Tulare, CA 95274
TITLE:	COLOR ELEVATIONS
DESIGNED BY:	ERIC WHITE
DATE:	11/18/16
SCALE:	AS NOTED
PROJECT NO.:	16001
	A2-1



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Design Review Application No.: 1085

LOCATION: S of Bardsley Ave on "Q" Place

OWNER/DEVELOPER: Supreme Construction Inc

DATE: November 15, 2016

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

5. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
"Q" Place	adjacent to curb	6-ft

6. New City standard ramped curb returns and/or pedestrian ramps shall be installed at drive approaches at entrance and exit if required by Chief Building Official.
7. New City standard driveway approach(es) shall be constructed at entrance and exit of proposed development.
8. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
9. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
10. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
11. 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.
12. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. Domestic services require a traffic-rated meter box if placed within proposed drive approach.
13. 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.
14. The proposed development shall be responsible for the following storm drain line extensions and connections: With the proposed re-location of the storm drain basin to the southeast corner of the subject property, the existing drain inlet will have to drain into the proposed basin. Show adjusted storm drain lines from existing drain inlet and also on-site pipes, additional drain inlets and their sizes and slopes.
15. 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 certifying that construction was completed according to the approved grading/ drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.

16. 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.
17. A Public Works Inspection Fee is required prior to the construction of improvements.
18. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
19. 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.
20. 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.
21. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Sewer front foot charges of \$ TBD per front foot for frontages on "Q" Place.
  - Sewer lift station fee of \$ \_\_\_\_\_ per acre.
  - Water front foot charges of \$ 17.50 per front foot for frontages on "Q" Place.
  - Street front foot charges of \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
  - Benefit district creation fee (if applicable): \$ 1,008.19 per district.
  - Traffic signal in-lieu fee of \$ \_\_\_\_\_.
  - TID ditch piping In-lieu fee of \$ \_\_\_\_\_.
  - Sewer main construction in-lieu fee of \$ \_\_\_\_\_.
  - Water main construction in-lieu fee of \$ \_\_\_\_\_.
  - Street construction in-lieu fee of \$ \_\_\_\_\_.
  - Engineering inspection fee based on a percentage of the estimated cost of construction.
  - Development impact fees to be paid with building permit.
  - Engineering plan check fee to be paid at time of plan submittal.
  - Final map plan check fee to be paid at time of map submittal.
  - Other: \_\_\_\_\_

22. Additional Conditions:

\_\_\_\_\_

Prepared By: Tony Trevino, Engineering Assistant

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** Design Review No. 1085 (Supreme Construction)  
**DATE:** November 18, 2016

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

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

(A) *General standards.*

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

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

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

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

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

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

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round

up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

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

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

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

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

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

(C) *Shrubs.*

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

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

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

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

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

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

(D) *Turf.*

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

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

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

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

(E) *Irrigation.*

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

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

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

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

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

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

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

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

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

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

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

(F) *Mulch.*

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

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

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

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

(G) *Mounding.*

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

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

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

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

(2) Specimen trees.

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

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

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

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

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

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

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

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

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

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

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

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

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

SITE ADDRESS: South Q. St.

DATE: November 18, 2016

DBA: Supreme Construction

OWNER: Supreme Construction

ARCHITECT/ENGINEER: Supreme Construction

*PLAN CORRECTION COMMENTS*

The Fire Prevention Bureau conveys the following comments regarding DR #1085:

The project must comply with latest applicable codes.

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

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

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

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

An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site. CFC 3312.1

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

Fire hydrant spacing shall be as follows:

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

Or as required by Appendix C California Fire Code.

**\*Additional fire hydrants are required for Phase two of this project.**

All fire suppression systems shall be approved by the City of Tulare Fire Prevention Bureau. Such Systems shall be reviewed for access, redundancy, reliability and quality.

Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility.

All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with CFC 2013 Section D102.1

Additional access may be required per CFC 2013 Section 503.1.2. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code Section 22500.1.

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

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

Shelli Vinson  
Fire Inspector III

**RESOLUTION NO. 5204**

**A RESOLUTION OF THE CITY OF TULARE  
PLANNING COMMISSION APPROVING  
DESIGN REVIEW NO. 1085**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on November 28, 2016 to consider a request by Scott Wright, Supreme Construction, Inc. to construct a 21,850 sq. ft. metal building (3,116 sq. ft. office, 18,734 sq. ft. warehouse in two phases) with associated parking lot, landscaping and on-site drainage basin on approximately 3.23 acre site for a general construction/metal fabrication business. Property is located at the Tulare Business Park, South “Q” Place (Private Street) off of Bardsley Avenue; and,

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

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

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

**WHEREAS**, the City of Tulare Planning Commission determined that this project is categorically exempt pursuant to Section 15332 (“Infill Development Projects”) of the California Environmental Quality Act of 1970, as amended; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Design Review Application No. 1085 is hereby approved subject to the following conditions:

**Planning:**

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed building are approved as shown in the attachments hereto.
- 3) In accordance with Section 10.120.130, this Design Review approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 4) All roof mounted equipment shall be screen from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.

- 5) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect and approved prior to building permits being issued. At time of building permit, applicant shall submit four copies of a Landscape/Irrigation plan consistent with the City Landscape Ordinance.
- 6) Applicant shall comply with Engineering, Fire Department and Parks Division comments/conditions (Attachments V, VI and VII).
- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 8) Approval does not authorize any deviation from Fire and Building Codes.
- 9) 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.
- 10) 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.

**Engineering:**

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also

required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.

3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
5. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
"Q" Place	adjacent to curb	6-ft

6. New City standard ramped curb returns and/or pedestrian ramps shall be installed at drive approaches at entrance and exit if required by Chief Building Official.
7. New City standard driveway approach(es) shall be constructed at entrance and exit of proposed development.
8. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
9. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
10. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
11. 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.
12. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the

make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed. Domestic services require a traffic-rated meter box if placed within proposed drive approach.

13. 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.
14. The proposed development shall be responsible for the following storm drain line extensions and connections: With the proposed re-location of the storm drain basin to the southeast corner of the subject property, the existing drain inlet will have to drain into the proposed basin. Show adjusted storm drain lines from existing drain inlet and also on-site pipes, additional drain inlets and their sizes and slopes.
15. 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 certifying that construction was completed according to the approved grading/drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
16. 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.
17. A Public Works Inspection Fee is required prior to the construction of improvements.
18. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
19. 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.
20. 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.

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

- Sewer front foot charges of \$ TBD per front foot for frontages on "Q" Place.
- Sewer lift station fee of \$ \_\_\_\_\_ per acre.
- Water front foot charges of \$ 17.50 per front foot for frontages on "Q" Place.
- Street front foot charges of \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
- Benefit district creation fee (if applicable): \$ 1,008.19 per district.
- Traffic signal in-lieu fee of \$ \_\_\_\_\_.
- TID ditch piping In-lieu fee of \$ \_\_\_\_\_.
- Sewer main construction in-lieu fee of \$ \_\_\_\_\_.
- Water main construction in-lieu fee of \$ \_\_\_\_\_.
- Street construction in-lieu fee of \$ \_\_\_\_\_.
- Engineering inspection fee based on a percentage of the estimated cost of construction.
- Development impact fees to be paid with building permit.
- Engineering plan check fee to be paid at time of plan submittal.
- Final map plan check fee to be paid at time of map submittal.
- Other: \_\_\_\_\_

22. Additional Conditions:

\_\_\_\_\_

**Parks:**

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

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

(A) *General standards.*

(1) All landscape development over 500 square feet (new) or 2,500 square feet (rehabilitated) that requires a permit, plan check or design review shall meet the water efficiency and site design requirements detailed in other sections of this chapter. The project applicant, and

owner (if different) shall sign the Landscape Documentation Package as required in § 10.196.060(B)(1)(i).

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

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

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

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

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

(B) *Trees.*

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

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

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

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

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

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

(C) *Shrubs.*

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

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

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

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

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

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

(D) *Turf.*

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

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

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

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

(E) *Irrigation.*

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

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

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

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

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

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

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

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

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

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

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

(F) *Mulch.*

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

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

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

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

(G) *Mounding.*

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

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

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

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

(2) Specimen trees.

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

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

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

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

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

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

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

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

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

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

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

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

**Fire:**

The Fire Prevention Bureau conveys the following comments regarding DR #1085:

The project must comply with latest applicable codes.

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

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

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

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

An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site. CFC 3312.1

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

Fire hydrant spacing shall be as follows:

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

Or as required by Appendix C California Fire Code.

**\*Additional fire hydrants are required for Phase two of this project.**

All fire suppression systems shall be approved by the City of Tulare Fire Prevention Bureau. Such Systems shall be reviewed for access, redundancy, reliability and quality. Approved fire apparatus access roads shall (min 20'width/ height 13'6") be provided for every facility, building or portion of a building constructed or moved onto or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all

portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility.

All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with CFC 2013 Section D102.1

Additional access may be required per CFC 2013 Section 503.1.2. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code Section 22500.1.

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

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

**PASSED, APPROVED AND ADOPTED** this twenty-eighth day of November , 2016 by the following recorded vote:

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

\_\_\_\_\_

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

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

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

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

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

## PLANNING DIRECTOR'S REVIEW

(Staff Report)

Agenda Item No.

November 28, 2016

### DESIGN REVIEW NO. 1086

**PROJECT PLANNER:** Rob Hunt, Community Development Director

**APPLICANT:** Greg Nunley

**LOCATION:** Project is located in the Plaza Del Lago Shopping Center (Prosperity Avenue and Brentwood Street), north of Surf Thru Car Wash, west of Home Depot on a portion of APN's 149-120-037 & 044 (approximately 1.35 acre/59,024 sq. ft. site)

**ZONING CLASSIFICATION:** C-3 (Retail Commercial)

**GENERAL PLAN DESIGNATION:** Community Commercial

**SURROUNDING LAND USES AND ZONING:**

North:	vacant	C-3
South:	Surf-Thru Car Wash	C-3
East:	Home Depot parking lot	C-3
West:	Parking Lot	C-3

#### REQUEST:

Applicant proposes to construct an 11,322 sq. ft. retail commercial shell building (including a 3,962 sq. ft. Orthodontist Office) with associated parking lot and landscaping.

#### DETAILS OF THE PROPOSAL:

Applicant requests design review approval to construct an 11,322 sq. ft. retail commercial shell building, which includes a 3,962 sq. ft. Orthodontist Office. Site plan depicts 80 parking spaces, landscape planters and a double wide trash enclosure at the southeast corner of the proposed building. Building elevations depict a stucco tri-tone beige colored building with architecture and design that is consistent with the established theme in the Plaza Del Lago development, which includes tile roofs, articulated facades and roof parapet/cornice to screen roof top mechanical from view. Access to the site is provided off the internal shared access drive (Brentwood alignment) off of Prosperity Avenue, also connecting to the Home Depot parking lot to the east.

**STAFF COMMENTS:**

Subject development is located on two parcels which total 4.61 acres (200,812 sq. ft.). The proposed project would develop a portion of the property; approximately 1.35 (59,024 sq. ft.) with the balance of the property left vacant for future development. Existing shared access easements provide cross access connectivity throughout in the Plaza Del Lago shopping center. Parking provided exceeds the combined minimum required for medical/dental offices, (10 spaces for first 2,000 sq. ft. of floor area plus 1 space for each additional 175 sq. ft.) plus general retail commercial uses (1 space per 300 sq. ft. gross floor area) which requires 46 spaces (80 provided). (Zoning Ordinance section 10.192). Future development of the remainder of the property will be subject to Planning Commission review.

**ENVIRONMENTAL FINDINGS:**

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

**FINDINGS:**

Staff recommends that Planning Commission make the following findings with regards to Design Review No. 1086:

- 1) That the request is in conformance with the goals and objectives of the General Plan.
- 2) That this request is in conformance with the goals and objectives of the Zoning Ordinance prescribed in Section 10.04.020 of the Tulare City code.
- 3) That this request will not have a significant negative effect on the surrounding properties or improvements in the vicinity.
- 4) That the request meets the intent of design review policies of the City of Tulare.

**RECOMMENDATIONS:**

Based on the findings, staff recommends that Design Review No. 1086 be approved subject to the following conditions:

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Applicant shall comply with conditions established by the Public Works/Engineering Department, Fire Department and Parks Department.

- 3) Approval does not authorize any deviation from Fire and Building Codes.
- 4) All requirements of Title 10 (Tulare Zoning Ordinance) shall be met.
- 5) Applicant shall comply with San Joaquin Valley Air Pollution Control district regarding dust control during construction as required by SJVAPCD.
- 6) Prior to issuance of building permit, applicant shall submit **three copies of a Landscape/Irrigation plan** consistent with City Landscape Ordinance.
- 7) All landscaping shall be installed and maintained consistent with the City Landscape Ordinance.
- 8) 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 to determine compliance with the original Conditions of Approval.

**Attachments:**

Location Map

Site Plan

Elevations

Comments Received:

Engineering Department

Fire Department

Parks

Resolution 5205

# DR-1086 LOCATION MAP

Google Maps

E Prosperity Ave & Brentwood St

DR 1086











## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Design Review Application No.: 1086

LOCATION: South east corner of Bardolino Drive and Paseo Del Lago

OWNER/DEVELOPER: Greg Nunley

DATE: 11/18/16

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license.
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Bardolino Drive	Adjacent to curb	6-ft

5. New City standard curb and gutter shall be installed along the following street frontage(s): Bardolino Drive.
6. New City standard ramped curb returns and/or pedestrian ramps shall be installed at: Bardolino Drive.
7. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
8. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
9. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
10. 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.
11. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
12. 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.
13. 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 certifying that construction was completed according to the approved grading/ drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.

14. 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.
15. A Public Works Inspection Fee is required prior to the construction of improvements.
16. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
17. 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.

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

- Engineering inspection fee based on a percentage of the estimated cost of construction.
- Development impact fees to be paid with building permit.
- Engineering plan check fee to be paid at time of plan submittal.



Prepared By: Steve Allen, Engineering Assistant

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following comments for DR-1086:

**Project Name: Unique Orthodontist**  
**Contractor: Great Valley Builders**

**Date: 11/15/16**

1. The project must comply with all of the latest applicable codes and standards.
2. The existing fire hydrant(s) location is approved for phase I of this project. Additional fire hydrants *shall* be required for the remaining phases. Fire hydrant spacing shall be as follows:
  - a. **Commercial development:** hydrants shall be installed at **300-foot** intervals.
3. An approved water supply for fire protection shall be made available prior to combustible materials arriving on the site.
4. A fire alarm system shall be installed throughout the entire fire area, unless the ambulatory care facility is separated from the remainder of the occupancy by an approved method.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the commercial buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
6. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with engineering standards.
7. 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 recognized as "Fire Lanes" must be identified as such per the requirements set forth in the California Vehicle Code.
8. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) using the department search, *Tulare Cit.*

Ryan Leonardo  
Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** Design Review No. 1086  
**DATE:** November 21, 2016

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

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

(A) *General standards.*

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

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

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

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

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

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

(B) *Trees.*

(1) Fifteen-gallon street trees shall be planted in the right-of-way along all public streets. The number of street trees required shall be determined by dividing the total street frontage measured at the property line by 30. Round

up to whole trees. Actual spacing of trees can vary to accommodate driveways, buried and overhead utilities and other obstructions. Trees shall be spaced at reasonable mature canopy width.

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

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

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

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

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

(C) *Shrubs.*

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

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

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

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

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

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

(D) *Turf.*

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

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

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

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

(E) *Irrigation.*

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

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

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

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

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

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

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

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

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

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

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

(F) *Mulch.*

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

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

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

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

(G) *Mounding.*

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

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

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

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

(2) Specimen trees.

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

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

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

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

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

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

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

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

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

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

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

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

**RESOLUTION NO. 5205**

**A RESOLUTION OF THE CITY OF TULARE  
PLANNING COMMISSION APPROVING  
DESIGN REVIEW NO. 1086**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on November 28, 2016 to consider a request by Greg Nunley to construct an 11,322 sq. ft. retail commercial shell building (including a 3,962 sq. ft. Orthodontist Office) with associated parking lot and landscaping on property located in the Plaza Del Lago Shopping Center (Prosperity Avenue and Brentwood Street), north of Surf Thru Car wash, west of Home Depot on a portion of APN's 149-120-037 & 44); and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request is in conformance with the goals and objectives of the General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request is in conformance with the goals and objectives of the of the Zoning Ordinance prescribed in Section 10.04.020 of the Tulare City code; and,

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

**WHEREAS**, the City of Tulare Planning Commission determined that this request meets the intent of the design review policies of the City of Tulare; and,

**WHEREAS**, the City of Tulare Planning Commission determined that this project is categorically exempt pursuant to Section 15332 of the California Environmental Quality Act of 1970, as amended; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Design Review Application No. 1086 is hereby approved subject to the following conditions:

**Planning:**

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Applicant shall comply with conditions established by the Public Works/Engineering Department, Fire Department and Parks Department.
- 3) Approval does not authorize any deviation from Fire and Building Codes.
- 4) All requirements of Title 10 (Tulare Zoning Ordinance) shall be met.

- 5) Applicant shall comply with San Joaquin Valley Air Pollution Control district regarding dust control during construction as required by SJVAPCD.
- 6) Prior to issuance of building permit, applicant shall submit **three copies of a Landscape/Irrigation plan** consistent with City Landscape Ordinance.
- 7) All landscaping shall be installed and maintained consistent with the City Landscape Ordinance.
- 8) 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 to determine compliance with the original Conditions of Approval.

**Engineering:**

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license.
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Bardolino Drive	Adjacent to curb	6-ft

5. New City standard curb and gutter shall be installed along the following street frontage(s):  
Bardolino Drive.

6. New City standard ramped curb returns and/or pedestrian ramps shall be installed at: Bardolino Drive.
7. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles).
8. Street name signs, traffic control signs, pavement delineation and/or pavement markings shall be installed as required by the City Engineer.
9. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
10. 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.
11. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
12. 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.
13. 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 certifying that construction was completed according to the approved grading/drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.
14. 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.
15. A Public Works Inspection Fee is required prior to the construction of improvements.
16. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to

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

17. 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.
18. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:
  - Engineering inspection fee based on a percentage of the estimated cost of construction.
  - Development impact fees to be paid with building permit.
  - Engineering plan check fee to be paid at time of plan submittal.

**Fire:**

The Fire Prevention Bureau conveys the following comments for DR-1086:

1. The project must comply with all of the latest applicable codes and standards.
2. The existing fire hydrant(s) location is approved for phase I of this project. Additional fire hydrants *shall* be required for the remaining phases. Fire hydrant spacing shall be as follows:
  - a. **Commercial development:** hydrants shall be installed at **300-foot** intervals.
3. An approved water supply for fire protection shall be made available prior to combustible materials arriving on the site.
4. A fire alarm system shall be installed throughout the entire fire area, unless the ambulatory care facility is separated from the remainder of the occupancy by an approved method.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the commercial buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"

6. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with engineering standards.
7. 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 recognized as "Fire Lanes" must be identified as such per the requirements set forth in the California Vehicle Code.
8. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official. An application is available at [www.knoxbox.com](http://www.knoxbox.com) using the department search, *Tulare Cit.*

### **Parks:**

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

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

(A) *General standards.*

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

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

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

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

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

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

(B) *Trees.*

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

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

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

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

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

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

(C) *Shrubs.*

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

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

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

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

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

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

(D) *Turf.*

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

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

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

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

(E) *Irrigation.*

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

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

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

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

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

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

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

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

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

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

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

(F) *Mulch.*

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

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

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

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

(G) *Mounding.*

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

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

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

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

(2) Specimen trees.

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

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

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

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

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

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

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

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

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

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

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

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

**PASSED, APPROVED AND ADOPTED** this twenty-eighth day of November, 2016  
by the following recorded vote:

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

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

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

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

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

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