



## PLANNING COMMISSION

Tuesday, November 5, 2024 / 6:30 PM / City Hall / 405 East El Monte Way, Dinuba

District 1	District 2	District 3	District 4	District 5
Sergio Alvarado Chair	Albert Cendejas Commissioner	Linda Faust Commissioner	Estevan Benavides Commissioner	Tim Conklin Vice Chair

All attendees are advised that electronic devices should be placed on silent upon entering the Council Chambers.  
The Board will take action on all items listed on the agenda.

### 1. OPENING CEREMONIES

- 1.1. Welcome and Call to Order
- 1.2. Invocation
- 1.3. Pledge of Allegiance

### 2. ROLL CALL

### 3. AGENDA CHANGES OR DELETIONS

*To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).*

### 4. REQUEST TO ADDRESS COMMISSION

*This portion of the meeting is reserved for any person who would like to address the Planning Commission on any item that is not on the agenda. Please be advised that State law does not allow the Planning Commission to discuss or take any action on any issue not on the agenda. The Planning Commission may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the Planning Commission at this time please approach the podium and state your name and nature of the request.*

### 5. CONSENT CALENDAR

*Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.*

#### 5.1. SUBJECT

**Planning Commission Meeting Minutes, October 1 2024**

#### RECOMMENDATION

Planning Commission approve the Planning Commission meeting minutes for October 1, 2024.

### 6. PUBLIC HEARINGS

#### 6.1. SUBJECT

**Application 2024-15) Sale of beer and wine at 647#A W. El Monte Way)**

Applicant: Omar Maeen Saleh Aii

Location: 647 #A W. El Monte Way

Proposal: A request for permission to sell beer and wine for off-site consumption from an existing convenience store

#### RECOMMENDATION

It is recommended the Planning Commission conduct a public hearing and consider adoption of Resolution No. 1151 approving Conditional Use Permit (CUP) request.

#### 6.2. SUBJECT

**Amendment to Application 2023-14 (Conditional Use Permit for new gas station/convenience store site)**

Applicant: Hanjrah Petroleum, Inc.

Location: Northwest corner of W. El Monte and Englehart

Proposal: A request to amend a previously-approved Conditional Use Permit for a commercial project including a convenience store, quick-serve restaurant, gas station and car wash to eliminate the carwash and move the restaurant to a new location on the site.

#### RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1151 (Attachment "A") approving the requested amendment.

#### 6.3. SUBJECT

**Amendment to the Safety Element of the Dinuba General Plan**

Applicant: City of Dinuba

Location: Citywide

Proposal: A proposal to amend the Safety Element of the Dinuba General Plan to include a reference to the recently-adopted Local Hazard Mitigation Plan.

**RECOMMENDATION**

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1152 (Attachment "A"), recommending approval to the City Council of an amendment to the Safety Element of the Dinuba General Plan.

**7. COMMISSION REPORTS**

**8. STAFF COMMUNICATIONS**

**9. ADJOURNMENT**

This agenda was posted at least 72 hours prior to the regular meeting per GC Section 54954.2(a). A Citizens' Packet regarding this meeting is available at the City Clerk's Office located at City Hall, 405 East El Monte Way, Dinuba CA 93618.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the meeting, please contact the City Clerk's Office at 559-591-5900. Please provide at least 48 hours notification prior to the meeting to allow staff to make reasonable arrangements. (28 CFR 35.102-35.104 ADA Title II)

559.591.5900 / FAX 559.591.5902 . e-mail address: [info@dinuba.ca.gov](mailto:info@dinuba.ca.gov). [www.dinuba.org](http://www.dinuba.org)



# Planning Commission Staff Report

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Department: PUBLIC WORKS

November 5, 2024

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**To:** Planning Commission  
**From:** George Avila, Public Works Director  
**By:** Lesli Vasquez, Administrative Assistant  
**Subject:** Planning Commission Meeting Minutes, October 1 2024

## **RECOMMENDATION**

Planning Commission approve the Planning Commission meeting minutes for October 1, 2024.

## **EXECUTIVE SUMMARY**

The Planning Commission (PC) held a meeting on October 1 2024, and minutes for said meeting are attached for approval by the PC.

## **OUTSTANDING ISSUES**

None

## **DISCUSSION**

The Planning Commission (PC) held a meeting on October 1, 2024 the minutes for this meeting are attached for PC adoption.

## **FISCAL IMPACT**

None

## **PUBLIC HEARING**

None

## **ATTACHMENTS:**

Agenda Minutes October 1, 2024



## PLANNING COMMISSION MINUTES

Regular Meeting  
October 1, 2024

### **PLANNING COMMISSIONERS PRESENT:**

Faust, Conklin, Alvarado, Benavides, Cendejas

### **PLANNING COMMISSIONERS ABSENT:**

None

### **STAFF MEMBERS PRESENT:**

Schoettler and Vasquez

### **1. OPENING CEREMONIES**

#### **1.1. Welcome and Call to Order**

Commissioner Alvarado called the meeting to order at 6:30 pm.

#### **1.2. Invocation**

The invocation was given by Commissioner Faust.

#### **1.3. Pledge of Allegiance**

Commissioner Cendejas led the flag salute.

### **2. ROLL CALL**

Faust, Conklin, Alvarado, Benavides, Cendejas are all present.

### **3. AGENDA CHANGES OR DELETIONS**

*To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54954.2(b).*

None

### **4. REQUEST TO ADDRESS COMMISSION**

*This portion of the meeting is reserved for any person who would like to address the Planning Commission on any item that is not on the agenda. Please be advised that*



*State law does not allow the Planning Commission to discuss or take any action on any issue not on the agenda. The Planning Commission may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the Planning Commission at this time please approach the podium and state your name and nature of the request.*

No one from the audience came up to the podium.

## **5. CONSENT CALENDAR**

*Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.*

### **5.1. SUBJECT**

**Planning Commission Meeting Minutes, September 3, 2024**

### **RECOMMENDATION**

Planning Commission approve the Planning Commission meeting minutes for September 3, 2024.

A motion was made by Linda Faust, second by Estevan Benavides, to approve minutes for September 3, 2024.

## **6. PUBLIC HEARINGS**

### **6.1. SUBJECT**

**Application 2021-02 (Verma) General Plan Amendment and zone change for a multi-family residential development**

Applicant: Raju Verma

Schoettler presented application for a general plan amendment and zone change for a 5.8 acre site North of Surabian Drive directly West of the Holiday Inn for construction of a mutli-family residential complex. The W. El monte master plan recommended multi family development putting families near shopping and employment opportunities which supports the applicants purpose for development. The general plan also supports this concept. The applicant submitted a site plan to demonstrate how the site will be developed. An environment analysis was also done for the project that identified medication measures.

Discussion was done between commissioners and Schoettler.

**Public Hearing Opened:** Melvin Wong President of the Memorial Hall Building and Manager, Jerry Carter came up to the podium. They addressed their concerns on receiving complaints from future tenants if they have events at the hall. They also had concerns on issues with transients.

Jacob Cornejo from Class Incorporation came up to the podium. He addressed issues addressed by commissioners and Mr. Wong.

**Public Hearing Closed:**

Commissioner Alvarado closed the public hearing.

A motion was made by Albert Cendejas, second by Estevan Benavides, to recommend Resolution 1149 the Mitigated Negative Declaration of the environmental findings and resolution 1150 to amend the General Plan and zone change.

Ayes: Alvarado, Benavides, Cendejas

Nays: Conklin, Faust

**7. COMMISSION REPORTS**

Commissioner Conklin requested an update on Kamm/Alta roundabout.

**8. STAFF COMMUNICATIONS**

Schoettler presented commissioners with reconsiderations of the communitywide zone change done by City Council. City Council made changes to four cases.

Commissioners and Schoettler discussed changes and made recommendations back to council.

**8.1. SUBJECT:**

**Communitywide Zone Change reconsideration**

**RECOMMENDATION:**

It is recommended the Planning Commission consider the City Council's referral and request for recommendations on four zone change cases that are associated with the Communitywide Zone Change action, and provide direction to the City Council on this matter.

**9. ADJOURNMENT**

Commissioner Alvarado adjourned meeting at 7:45 pm.



## Planning Commission Staff Report

Department: PUBLIC WORKS

November 5, 2024

**To:** Planning Commission  
**From:** Karl Schoettler, City Planning Consultant  
**Subject:** Application 2024-15) Sale of beer and wine at 647#A W. El Monte Way)

### RECOMMENDATION

It is recommended the Planning Commission conduct a public hearing and consider adoption of Resolution No. 1151 approving the Conditional Use Permit (CUP) request.

### EXECUTIVE SUMMARY

Public Hearing to consider Application 2024- 15, an application for a Conditional Use Permit to allow the sale of beer and wine from an existing convenience store located at at 647#A W. El Monte Way.

### OUTSTANDING ISSUES

None.

### DISCUSSION

The request is a proposal to sell beer and wine for offsite consumption from an existing convenience store located at 647#A (see Attachment "B" (Location Map) and Attachment "C" (Aerial Photo)). The sale of beer and wine also requires a Type 20 permit under the regulations of the California Department of Alcoholic Beverage Control (ABC).

The site is zoned C-4 (General Commercial) and the sale of alcoholic beverages triggers a Conditional Use Permit (a public hearing before the Planning Commission).

Proposals to sell alcoholic beverages must comply with Dinuba Municipal Code Section 17.71.230. This includes policies for how close alcohol sales can occur to "sensitive uses" such as residential areas, churches, playgrounds, and other alcoholic beverage sellers. The code authorizes denial of retail licenses for alcoholic beverage sellers if they are within 600 feet of churches, schools, playgrounds, and similar uses.

Known nearby sensitive uses include existing residential neighborhoods that are north, west and northeast of the site.

There appear to be no known schools or churches within 600 feet of the site. In terms of other uses that sell alcoholic beverages, there are two facilities within 600 feet of the site:

Tacos Goyo is a restaurant in the same building and was approved by the Planning Commission in 2018 to sell beer and wine for onsite consumption.

IHOP restaurant is located in the shopping center to the southwest (along the south side of El Monte Way) and was approved to sell beer and wine for onsite consumption in 2023.

The Planning Commission has ultimate discretion to consider whether an alcohol sales use will "detrimentally affect" nearby sensitive uses. Staff does not believe this use will have negative effects. The Police Department was contacted and did not express any concerns about the proposal.

If approved, City Staff would condition that the facility undergo periodic review by staff to ensure compliance with City requirements. The Applicant would also be required to comply with operational criteria and obtain a license from the State of California, Department of Alcoholic Beverage Control.

### CONSULTATION/PUBLIC COMMENT

As required by municipal code, the City mailed notices of the proposed use and public hearing to property owners within 300 feet of the site, and tenants within 100 feet of the site. As of the writing of this staff report, no inquiries had been made.

### FINDINGS

The use complies with the required Findings of the Dinuba Municipal Code for approval of a Conditional Use Permit contained in the attached resolution.

Background Information

APPLICANT: Omar Maeen Saleh Aii

LOCATION: 647#A W. El Monte Way

APN: 014-033-037

SITE SIZE: The store is situated within a multi-tenant building/site and the store space occupies approximately 3,700 square feet.

ZONING: C-4 (General Commercial)

GENERAL PLAN: "General Community"

EXISTING LAND USE: The space is within an existing commercial building that includes a restaurant, smoke shop, flower shop and a vacant retail space. There are several other uses on the site to the rear of the building, including a car wash and recycling business.

ADJACENT LAND USES, ZONING, AND GENERAL PLAN DESIGNATIONS:

Direction	Current Use	Zoning	General Plan Designation
North	Railroad, vacant land and single family residential areas	R-1-6 (Single Family Residential)	"Medium Density Residential"
South	Commercial (shopping center)	C-4 (General Commercial)	"General Commercial"
East	Commercial and single family dwelling	C-4 (General Commercial)	"General Commercial"
West	Vacant land and single family residential	C-4 (General Commercial) and RM-2	"General Commercial" and "Medium High Density Residential"

#### FISCAL IMPACT

The City will accrue additional revenue from sales taxes on beer and wine sold at the business.

#### PUBLIC HEARING

A public hearing notice was published in the Mid Valley Times and mailed to property owners within 300 feet of the site, and occupants within 100 feet of the site.

#### ATTACHMENTS:

- A. Resolution No. 1150
- B. Location Map
- C. Aerial Photo

**Attachment A:**

**RESOLUTION NO. 1150**

**DINUBA PLANNING COMMISSION**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA**

**A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES  
(BEER AND WINE) FOR OFFSITE CONSUMPTION FROM AN EXISTING MARKET  
LOCATED AT 647#A W. EL MONTE WAY**

**WHEREAS**, at a regularly held meeting on November 5, 2024, the Dinuba Planning Commission conducted a public hearing to consider a Conditional Use Permit application submitted by Omar Maeen Saleh Aii requesting a Conditional Use Permit to allow the sales of alcoholic beverages (beer and wine) for offsite consumption from an existing convenience store located at 647#A W. El Monte Way (Assessor Parcel Number: 014-033-037); and

**WHEREAS**, the site is zoned “C-4” (General Commercial) by the official zoning map of the City of Dinuba; and

**WHEREAS**, the City of Dinuba Municipal Code provides for the application of a Conditional Use Permit to allow serving of alcoholic beverages for offsite consumption in the “C-4” zone; and

**WHEREAS**, the Planning Commission concurs with Staff that this project is categorically exempt from additional CEQA process pursuant to CEQA Guidelines Section 15301, Existing Facilities; and

**WHEREAS**, the Dinuba Planning Commission conducted a public hearing on November 5, 2024, at the regular Commission meeting that was properly noticed pursuant to the Dinuba Municipal Code; and

**WHEREAS**, the required findings for a Conditional Use Permit were made pursuant to Section 17.80.050 (Findings) of the Dinuba Municipal Code; and

**WHEREAS**, the Applicant agrees to adhere to the Findings and Conditions of Approval detailed in this Resolution; and

**WHEREAS**, the Planning Commission, having considered the staff report and all testimony presented in this matter, was of the opinion that the Conditional Use Permit to allow the sales of alcoholic beverages for onsite consumption, should be approved as presented.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Dinuba does hereby affirm in its entirety and adopts this resolution, approving the sales of alcoholic beverages for offsite consumption, subject to the Conditions of Approval included in this Resolution.

**PASSED, APPROVED and ADOPTED** this 5th day of November 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Lesli Vasquez, Secretary Dinuba Planning Commission

**FINDINGS**

The above section requires that the following findings be made prior to approval of a Conditional Use Permit (CUP).

**FINDING NO. 1: THAT THE SITE FOR THE PROPOSED PROJECT IS ADEQUATE IN SIZE AND SHAPE.**

The subject site is developed within an existing commercial building with on-site parking.

**FINDING NO. 2: THAT THE SITE FOR THE PROPOSED USE RELATES TO STREETS ADEQUATE IN WIDTH AND PAVEMENT TO CARRY THE QUANTITY AND KIND OF TRAFFIC GENERATED BY THE PROPOSED USE.**

It is expected that the traffic generated by patrons coming to and from the site will not be significant or cause any traffic congestion. The site is served by several adjacent roadways, including El Monte Way, among others. These roadways are adequate in size and design to accommodate traffic generated by the use. No negative impacts to streets or traffic will occur.

**FINDING NO. 3: THAT THE PROPOSED USE WILL HAVE NO ADVERSE EFFECT ON ABUTTING PROPERTY OR THE PERMITTED USE THEREOF.**

The project has been conditioned to comply with standards of the Dinuba Municipal Code. No adverse impacts will occur on abutting properties as a result of the use.

**FINDING NO. 4: THAT THE CONDITIONS STATED IN THE RESOLUTION ARE DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.**

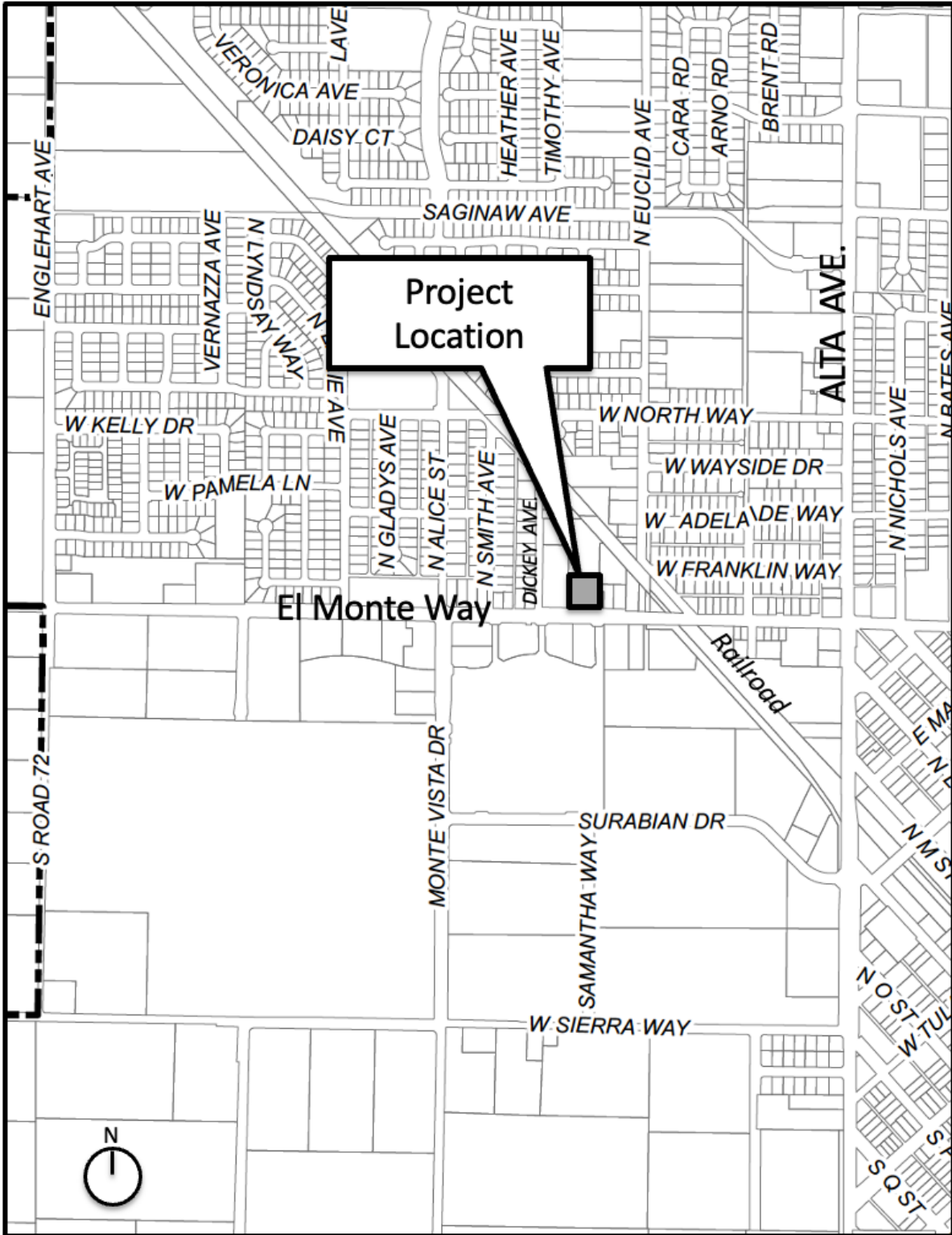
Conditions contained in this resolution will ensure the public health, safety, and welfare is protected.

**CONDITIONS OF APPROVAL**

1. The Conditional Use Permit shall become null and void within one year of approval if no action is taken to commence the proposed use.
2. The Applicant shall conduct the proposed use in conformance with the plans and applications submitted, and any presentations made, to the Dinuba Planning Commission for review at its November 5, 2024 meeting.
3. City of Dinuba staff is authorized to approve minor modifications to the plans and conditions upon written request by the Applicant or their successors, as long as said modifications do not materially affect the adopted Conditional Use Permit.
4. The City shall conduct an administrative review of the use within six months of the commencement of business. Reviews can be held earlier or at other intervals or times if a serious incident occurs, or if complaints are received from the community.
5. The applicant shall observe all building occupancy limits and ratings at all times.
6. The City shall not be liable to the applicant or to any other person, firm or corporation whatsoever for any injury or damage that may result to any person or property by or from any cause whatsoever, on or about the property for which the discretionary permit has been granted, or any part thereof. The applicant hereby releases and agrees to indemnify, defend and save the City and its agents, officials and employees harmless from and against any and all injuries to and deaths of persons and damages to property, and all claims, demands, costs, losses, damage and liability, howsoever same may be caused resulting directly or indirectly from any use of the real property for which the discretionary permit has been granted, and also from all injuries to and deaths of persons, and damage to property, all claims, demands, costs, losses, damage and liability, howsoever same may be caused, either directly or indirectly made to suffered by the applicant, the applicant's agents, employees, guests, invitees, clients and subcontractors.



Attachment "B": Location Map



Attachment "C": Aerial Photo





# Planning Commission Staff Report

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Department: PUBLIC WORKS

November 5, 2024

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**To:** Planning Commission

**From:** Karl Schoettler, City Planning Consultant

**Subject:** Amendment to Application 2023-14 (Conditional Use Permit for new gas station/convenience store site)

## RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1151 (Attachment "A") approving the requested amendment.

## EXECUTIVE SUMMARY

Public Hearing to consider an amendment to a previously-approved Conditional Use Permit for the development of a gas station, convenience store, and restaurant pad on a portion of a 2± acre site on the northwest corner of W. El Monte Way and Englehart Avenue.

## OUTSTANDING ISSUES

None.

## DISCUSSION

In October, 2023 the Planning Commission approved an application for a Conditional Use Permit for a new convenience store (including the sales of alcoholic beverages) along with a gas station, quick-serve restaurant and car wash on the northwest corner of El Monte Way and Englehart Street. Attachment "B" shows the location map and Attachment "C" provides an aerial photo.

The applicant has now submitted a request to revise the site plan to remove the car wash and create a new pad for the restaurant on the east side of the site (see Attachment "D" (Amended Site Plan)).

The site plan proposes a drive thru lane that runs along the east side of the new restaurant pad. However the applicant has indicated they are also open to contracting with a sit-down restaurant (such as Denny's) where there would be no

drive-thru. In this sense, the space for the restaurant is subject to flexibility regarding design.

The remaining aspects of the site plan would remain substantially the same as the previous design and includes:

- Convenience store containing 5,200 square feet
- Gas station with 8 pumps (16 stations) under a canopy
- Parking with 65 spaces (which meets City requirements for number of parking spaces)
- Driveway connections to El Monte and to Englehart

Other key features of the site development are similar to those approved with the original design and include:

- Landscaping and irrigation
- 2 trash enclosures
- Walkways
- Lighting
- Underground fuel tanks
- Utility connections
- Solid masonry wall along west property line

Offsite improvements include:

- Street widening along both frontages, including paveout, curbs, gutters, sidewalks street lights and landscaping.
- Driveways
- Utility connections (water, sewer and storm drain) as well as private utilities (electricity, gas, telephone, internet, etc.)

## Facades

Attachment "E" shows the revised facades for the convenience store. The convenience store/restaurant will be surfaced primarily with stucco with other architectural accents, including stack-stone base course, lap siding and projecting cornices.

The rear and side walls of the revised convenience store were originally plain stucco; staff requested features be added to visually "break up" the walls and the applicant has responded by adding trellises, goose-neck style accent lights, and stack-stone base course. Staff intends to continue to work with the applicant to improve the façade design.

It is expected the future restaurant will include similar architectural treatments – adapted to respond to particular branding requirements of the eventual tenant.

## CONSULTATION/PUBLIC COMMENT

As required by municipal code, the City mailed notices of the proposed use and public hearing to property owners within 300 feet of the site, and tenants within 100 feet of the site. As of the writing of this staff report, no inquiries had been made.

## FINDINGS

The use complies with the required Findings of the Dinuba Municipal Code for approval of a Conditional Use Permit contained in the attached resolution.

## **BACKGROUND INFORMATION**

APPLICANT: Hanjrah-Petroleum, Inc.

LOCATION: Northwest corner of W. El Monte Way and Englehart Avenue

APN: 012-282-038

SITE SIZE: The subject site contains approximately 2.02 acres.

ZONING: C-3 (Community Commercial)

GENERAL PLAN: "Commercial-Community"

EXISTING LAND USE: Vacant

## ADJACENT LAND USES, ZONING, AND GENERAL PLAN DESIGNATIONS

Direction	Current Use	Zoning	General Plan
North	Agriculture, single-family dwellings	R-1-6 (Single Family Residential)	"Medium Density Residential"
South	Vacant	A-1 (Tulare County Agricultural zoning)	"Residential-Medium"
East	Agriculture	C-3 (Community Commercial) and R-1-6	"General Commercial"
West	Commercial buildings	C-3 (Community Commercial)	"Community Commercial"

## FISCAL IMPACT

The project will be required to pay the City's Development Impact Fees. Once operational, the project will generate sales taxes.

## **PUBLIC HEARING**

A public hearing notice was published in the Midvalley Times, ten days prior to the Planning Commission hearing.

### **ATTACHMENTS:**

- A. Resolution No. 1151
- B. Location Map
- C. Aerial Photo
- D. Amended Site Plan
- E. Amended Facade Design

**Attachment A:**

**DINUBA PLANNING COMMISSION RESOLUTION NO. 1151**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DINUBA**

**An amendment to a Conditional Use Permit for the development of a parcel at the northwest corner of El Monte Way and Englehart Avenue with a multi-use facility, including a gas station, convenience store, and restaurant. The previously-approved Conditional Use Permit also authorizes the sales of alcoholic beverages from the convenience store for offsite consumption.**

**WHEREAS**, at a regularly held meeting on November 5, 2024, the Dinuba Planning Commission conducted a public hearing to consider an amendment to a previously-approved Conditional Use Permit application submitted by Hanjrah Petroleum Inc. to allow the development of a parcel at the northwest corner of El Monte Way and Englehart Avenue with a multi-use facility, including a gas station, convenience store and food restaurant. The original Conditional Use Permit also also authorized the sales of alcoholic beverages from the convenience store for offsite consumption and this is not being changed. The Assessor Parcel Number of the site is 012-282-038; and

**WHEREAS**, the applicant is requesting approval to amend the Conditional Use Permit to eliminate the proposed car wash and shift the restaurant to a stand-alone pad situated along the east side of the site (adjacent to Englehart Road); and

**WHEREAS**, the site is zoned "C-3" (Community Commercial) by the official zoning map of the City of Dinuba; and

**WHEREAS**, the Planning Commission concurs with Staff that this project is categorically exempt from additional CEQA process pursuant to CEQA Guidelines Section 15332 (Infill Projects on sites zoned for the use); and

**WHEREAS**, the Dinuba Planning Commission conducted a public hearing on November 5, at the regular Commission meeting that was properly noticed pursuant to the Dinuba Municipal Code; and

**WHEREAS**, the required findings for a Conditional Use Permit were made pursuant to Section 17.80.050 (Findings) of the Dinuba Municipal Code; and

**WHEREAS**, the Applicant agrees to adhere to the Findings and Conditions of Approval detailed in this Resolution; and

**WHEREAS**, the Planning Commission, having considered the staff report and all testimony presented in this matter, was of the opinion that the amendment to the Conditional Use Permit, should be approved as presented.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Dinuba does hereby affirm in its entirety and adopts this resolution, approving the amended development plan for the site with a gas station, convenience store, and restaurant pad (and

associated improvements) and also the previously-approved sales of alcoholic beverages, subject to the Conditions of Approval included in this Resolution, which supersedes the previously-approved Resolution No. 1129.

**PASSED, APPROVED and ADOPTED** this 5th day of November, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Lesli Vasquez, Secretary Dinuba Planning Commission



**FINDINGS**

The above section requires that the following findings be made prior to approval of a Conditional Use Permit (CUP).

**FINDING NO. 1: THAT THE SITE FOR THE PROPOSED AMENDED PROJECT IS ADEQUATE IN SIZE AND SHAPE.**

The subject site is adequate for the proposed amended project and the site plan complies with zoning standards.

**FINDING NO. 2: THAT THE SITE FOR THE PROPOSED USE RELATES TO STREETS ADEQUATE IN WIDTH AND PAVEMENT TO CARRY THE QUANTITY AND KIND OF TRAFFIC GENERATED BY THE PROPOSED USE.**

The amended project is on a corner location bordered by an Arterial street (El Monte Way) and a Collector street (Englehart Avenue). These streets are designed to accommodate traffic expected to be generated by the amended project and the project will be installing street improvements along the site frontage to facilitate safe traffic flow.

**FINDING NO. 3: THAT THE PROPOSED USE WILL HAVE NO ADVERSE EFFECT ON ABUTTING PROPERTY OR THE PERMITTED USE THEREOF.**

The amended project has been conditioned to comply with standards of the Dinuba Municipal Code. No adverse impacts will occur on abutting properties as a result of the use.

**FINDING NO. 4: THAT THE CONDITIONS STATED IN THE RESOLUTION ARE DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.**

Conditions contained in this resolution will ensure the public health, safety and welfare is protected.

## CONDITIONS OF APPROVAL

### A. GENERAL CONDITIONS

1. The Amended Site Plan shown in Exhibit “A” is approved. Full compliance with conditions of approval shall be achieved prior to issuance of any Certificates of Occupancy or as modified by the Director of Planning and Development.
2. The Conditional Use Permit is valid for a period of one (1) year from the approval date as shown on Resolution 1129. Any extension of time shall be submitted in writing to the Planning Director thirty (30) days prior to permit expiration.
3. The City shall conduct an administrative review of the use within six months of the commencement of business. Reviews can be held earlier or at other intervals or times if a serious incident occurs, or if complaints are received from the community.
4. Prior to the commencement of any work and prior to the issuance of a building permit, the general contractor and all sub-contractors shall obtain a business license from the city of Dinuba Finance Department.
5. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Dinuba and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attach, set aside, void, or annul the City’s approval concerning this application, which action is brought within the time period provided for in Section 55499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.
6. All improvements shall be installed prior to granting of occupancy.

#### Site Plan

7. Any revisions to the Amended Site Plan must be submitted to the Planning Director for review and approval prior to issuance of grading permit to begin construction of the project.
8. If located adjacent to buildings, ALL transformers and protective bollards shall be painted to match the building and all transformers shall be screened from public view by dense landscaping.

#### Architecture

9. The elevations and floor plan for the store depicted in the Site Plan enclosed herein as Exhibit “B”, are hereby tentatively approved, subject to the following requirements:
  - a. Additional goose-neck style accent lamps shall be added to the front (east-facing façade). Final construction plan sets shall be consistent with the conceptual exterior elevations approved herein.
  - b. Flat metal awnings shall be added over windows on the front (east facing façade).
  - c. Metal trellises on side and rear facades shall be increased in size and shall feature metal frames.
10. The architectural appearance of the gas station canopy shall relate visually to the architecture of the store (in colors and materials), and shall include a moulding element around the perimeter of the structure.

11. The architectural appearance of the future restaurant shall be reasonably consistent in appearance with the convenience store in terms of colors and other architectural façade elements and shall be reviewed and approved by the Planning Department prior to construction.
12. All meters, valves, pipes and any other mechanical /plumbing/electrical appurtenances on the building exterior shall be painted and/or textured to match the building color.
13. The building parapets for all buildings shall be of a design and height to effectively screen all roof top mechanical/HVAC equipment. All roof mounted mechanical equipment on the building shall be visually screened and acoustically shielded from public view and from adjacent properties. If additional design is needed, the design must be submitted and approved by the Director prior to occupancy of the building.

## **B. CONSTRUCTION**

1. The contractor shall contact the Planning and Development Services Department to schedule a pre-construction meeting with the appropriate city departments, fire department and other agencies as applicable prior to commencement of work.
2. The developer shall comply with the City of Dinuba Construction and Demolition Recycling Program. Contact Planning and Development Services Department at (559) 591-5906 for filing a C&D application.
3. The developer shall use the City's exclusive franchise roll-off waste hauler for removal of construction debris. Contact Pena's Disposal at (559) 528-6997 for construction-related refuse service.
4. The developer shall prohibit grading/construction activities including start-up of equipment/machinery between the hours of 10:00 p.m. and 7:00 a.m. Prior authorization must be obtained from the City Engineer for any work (including underground work) occurring on weekend and holidays.
5. Rattle pans to be in place with 50 ft. of gravel to keep track out of dirt/mud to a minimum.
6. All debris on parking lot/streets tracked out during construction shall be cleaned at the end of each work day.
7. All property not occupied by structures, paving or landscaping on the subject site shall be properly maintained for both health and aesthetic reasons. Grass, weeds and debris shall be promptly abated.
8. The developer/contractor shall obtain the appropriate grading permit and storm water pollution prevention permit for the project. The contractor shall include proper dust control measures as part of site grading. The site shall be kept in as clean a condition as possible avoiding the tracking of dirt, mud and debris onto adjoining property.

### Parking

9. The number of parking spaces shall comply with Section 17.64 of the Dinuba Municipal Code. The minimum parking standard is 9'x18' where a front overhang is available. The minimum parking depth is 9'x20' where no front overhang is available.
10. Handicap parking spaces shall be provided as required by code. Handicap parking spaces shall be located as near as practical to the primary entrance or shall be located to provide for safety and optimum proximity to the entrances of the building. Handicap parking shall be designed in accordance with standard requirements.

11. All markings to include parking spaces, directional signage, “No Parking” designations and Fire Lane designations shall be clearly defined (as required by the Fire Department) and said markings shall be maintained in good condition at all times.
12. All parking stalls shall be clearly striped using double striping and permanently maintained.

#### Service/Loading, Refuse and Outdoor Storage

13. Proper screening of any outdoor service, loading and storage areas shall be integrated into overall building and landscape design. Storage of refuse, supplies, crates, carts, or any other material or equipment used in the operation of the business that is visible to public view is prohibited.
14. The trash enclosure shall be per City Standard Drawing. E-4 and E-4a and be of sufficient size to house the number and size of trash bins and containers needed to accommodate waste, compost and recyclables as well as designed so that each bin can be removed and replaced without requiring removal of other bins, to avoid stacking and to maximize access.
15. A concrete pad inside the enclosure should be included to prevent damage to ground surfaces from filled containers. The pad should extend 10 feet in front of gates. The design of the enclosure should consider providing a separate person-door opening in addition to gate access.
16. The Applicant shall install trash enclosure facilities for this development as required by the Public Works Department and per City Standards. Trash enclosures shall have ADA access. Trash enclosure shall be constructed of durable materials and the color, texture and architectural detailing shall be consistent with the overall site and building design. Gates on the enclosure shall be constructed of metal or some other comparable material and shall be painted to match the enclosure. Use of chain link for gates is prohibited. The trash enclosure shall be fitted with a decorative overhead arbor made of wood timbers or a functional equivalent, and finished in a medium dark wood color.
17. The use of tractor trailers, cargo containers or any like storage units shall be prohibited on the site.
18. Any chain link fencing shall be finished gloss black for improved appearance.

#### Signage and Lighting

19. All signs must be consistent with Section 17.72 of the zone district and adopted Sign Design Guidelines. Cabinet (box type) signs are prohibited. All exterior wall-pack lights on the building shall be modified and/or replaced to reduce and/or prevent glare.
20. One monument sign for business identification is allowed along El Monte Way and one along Englehart Avenue. The design of the sign shall relate in appearance to the architectural design of the building. Each sign shall meet height and sign standards of the Dinuba Sign Ordinance, which limits freestanding signs to 10 feet high and up to 35 square feet of sign face per side.

#### Building Permit and Fees

21. The developer shall secure a building permit from the Dinuba Planning and Development Services Department prior to construction and be approved by the City and all other affected agencies prior to the issuance of the building permits. Construction plans submitted for building permits shall be 24” by 36” with city standard title block for all required improvements. The construction plans shall also include any street,

site utility, grading and drainage or other public improvement plans, as applicable. Building plans be based on the 2019 CBC, CED, CMC, CPC & Energy Code., and include the following information at time of submittal of construction drawings (if applicable):

- a. Completed and signed Building Permit Application
  - b. Five (5) sets of construction drawings
  - c. Two (2) sets of engineering calculations
  - d. Two (2) sets of energy calculations
  - e. Two (2) sets of truss calculations
  - f. Two (2) copies of soils report
22. The developer shall comply with, and be responsible for obtaining encroachment permits from the City of Dinuba Public Works Department for all work performed within the City's right-of-way.
23. Prior to issuance of building permits, the developer shall pay all fees required under the City's Development Impact Fees, and all other fees/charges for wastewater, water, and other City utilities in effect at the time of building permit issuance. Contact the Planning and Development Services Department at (559) 591-5906 for a complete schedule of fees.
24. Prior to issuance of building permits, the developer shall submit proof of payment of all applicable school facility impact fees as adopted by the Dinuba Unified School District.
25. If applicable, the developer/property owners shall pay all Department of Fish and Game fees and associated County filing fees if a Negative Declaration or Notice of Determination is filed (NOD).

#### Landscaping

26. The developer shall provide four (4) copies of complete landscape and irrigation plans for planting and permanent irrigation system for development of the site to the Director of Planning and Development for review and approval. Landscape and irrigation plans shall be submitted concurrently with the improvement plans for the site.
27. Landscape plans must comply with the City of Dinuba Model Water Efficiency Landscape Ordinance. Each set of landscape development plans must contain a "Water Conservation Certification Statement" on the title sheet that reads as follows: *I hereby certify, as the landscape architect/licensed landscape professional of record that the information provided herein meets the requirements and standards as outlined in the Dinuba Municipal Code Section 17.71.130 and the adopted design guidelines for the development of this project.*"
28. Plants shall be selected based on their required level of maintenance, durability, mature widths and heights, and water requirements and must be listed in Water Use Classifications of Landscape Species (WUCOLS III) with a water needs category of Very Low, Low, Moderate, or High.
29. Landscape plans shall comply with the Dinuba Landscape Design Guidelines and the following conditions:
- a. Tree planting shall consist of a mixture of evergreen, deciduous and flowering trees, with low to moderate water use. Use of high water use trees is subject to approval.
  - b. Root barriers shall be installed anywhere that a tree is within 10' of a hard surface.
  - c. Trees shall be a minimum seventy five percent (75%) 24" box and twenty five percent (25%) 15-gallon container.

- d. Trees must be a minimum of ten (10') from any light standard, fire hydrant and utility structures.
  - e. Shrubs shall be a minimum of eighty percent (80%) 5-gallon container and twenty percent (20%) 1-gallon containers.
  - f. The parking area and parked cars shall be adequately screened from view from the street frontages (El Monte and Englehart) with landscape (minimum 3' hedge or fence with climbing vines).
  - g. There shall be a minimum of 50% of tree shade coverage of the parking area. This is determined at  $\frac{3}{4}$  tree maturity or 15 years after installation. Provide Shade Calculations on Site Plan or Planting Plan as requested.
  - h. Walls along the north and west sided of the property shall be enhanced with climbing vines.
30. All landscape planters must contain shredded wood mulch to retain moisture, suppress weeds, and moderate soil temperature. The mulch depth, type, and maintenance frequency must be noted on the plans.
31. The landscape irrigation system shall have a separate meter from the building.
32. Voltage boxes, mailboxes, trash enclosures, maintenance structures, backflow devices, automatic controls, etc. shall be screened with landscaping.
33. Backflow preventers for landscaping irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or site entries) and shall be well-screened with shrubs and/or low screen walls. Backflow prevents shall be painted dark green.
34. Dense landscaping (vines/shrubs) shall be provided to screen outdoor trash enclosures, transformers, generators, and other elements visible from public streets. Shrubs should be a minimum one gallon in size.
35. All landscaping and irrigation systems shall be installed prior to issuance of a certificate of occupancy and shall be permanently maintained in a healthy and weed free condition.

### **C. MAPS AND PLANS**

1. The developer shall digitally submit to the City of Dinuba Public Works Department, a set of construction plans on 24" x 36" sheets for all required improvements. These plans shall be prepared by a registered civil engineer. All applicable plan check and inspection fees shall be paid with the first submittal of plans. All plans shall be approved by the City and all other involved agencies prior to the release of any development permits. The City maintains an "Improvement Plan Submittal Requirements & Review Checklist" as a resource.
2. Prior to beginning any construction, or within twenty (20) calendar days after the approved plans are released by the City, the developer shall submit to the City of Dinuba Public Works Department one (1) reproducible/electronic copy (PDF) and two (2) black line copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any.
3. Within twenty (20) calendar days after all improvements have been constructed and accepted by the City, the developer shall submit to the City of Dinuba Public Works Department one (1) reproducible/electronic copy (PDF) and two (2) black line copies of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT" for review and approval. As-Built drawings shall be revised in electronic format, a scanned or field copy of the construction plans will not be accepted. Pad Certification(s) will be required prior to construction of any structure on a lot.

#### D. GENERAL

1. The developer shall comply with all conditions set forth in Title 16 of the Dinuba Municipal Code (Subdivisions).
2. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant 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 Section 66020, the applicant will be legally barred from later challenging such exactions.
3. Applicant shall pay all applicable development impact fees at the rate in effect at the time of payment. The developer may be eligible for fee credits or fee reimbursements for over-sizing of facilities or construction of other eligible facilities included in the applicable City of Dinuba's Impact Fee Study(s). The City Engineer will determine the type and extent of improvements that are eligible for fee credits or reimbursements.
4. The developer shall furnish security in a sum to be determined by the City Engineer, prior to final acceptance of the off-site improvements by the City, for the guarantee and warranty of the improvements for a period of one (1) year following the completion and acceptance thereof by the City Council.
5. The developer shall submit a soils report for approval by the City Engineer with the first submittal of the improvement plans.
6. The developer shall comply with all the requirements of the local utility (gas and electric), telephone, cable, and other communication companies. It shall be the responsibility of the developer to notify the local utility, telephone, cable, and other communication companies to remove or relocate utility poles where necessary. The City will not accept first submittal of improvement plans without proof that the developer has provided the improvement plans and documents showing all proposed work to the utility, telephone, cable, and other communication companies.
7. The developer shall contact and address all requirements of the United States Postal Service for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction.
8. The developer shall comply with and be responsible for obtaining encroachment permits from the City of Dinuba for all work performed within the City's right-of-way and easements.
9. The developer shall install all improvements within public right-of-way and easements in accordance with the City of Dinuba standards, specifications, master plans, and record drawings.
10. All existing overhead and any new utility facilities located on-site, and within the street right-of-way or easements along the streets adjacent to this tract shall be undergrounded unless otherwise approved by the City Engineer.
11. The developer shall provide and pay for all compaction testing required by the QAP (Quality Assurance Plan). Compaction test results shall be submitted to the City Engineer for review and approval.
12. During the site construction, any public streets fronting the project shall be kept clear of any construction or landscaping debris and shall not be used as a storage area for equipment, materials, or other items.

13. To provide for reasonable municipal protection during all phases of construction, the developer shall maintain pedestrian and vehicular access to all surrounding properties and buildings to the satisfaction of the City of Dinuba Police and Fire Department, and City Engineer.
14. The developer shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site. The developer shall designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the developer. Said authorized representative shall be present at the site of the work at all times while work is actually in progress on the development. During periods when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work which may be required. When the developer or his authorized representative is not present on any particular part of the work where it may be desired to give directions, orders may be given by the City Engineer which shall be received and obeyed by the person or persons in charge of the particular work in reference to which the orders are given. Whenever orders are given to the developer's representative or superintendent or foreman to do work required for the convenience and safety of the general public because of inclement weather or any other such cause, such work shall be done at the developer's expense.
15. The developers contractors shall not work on, place debris on, store supplies or equipment on, or in any other way encroach upon any other properties without the written permission of such property owners. In the event other properties are encroached upon without written permission, work shall be automatically shut down until resolved.

#### **E. DEDICATIONS AND STREET IMPROVEMENTS**

1. The developer shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve all streets to City standards:
  - a. Improvements shall include curb and gutter, parkways with street trees, sidewalk, drive approaches, curb ramps, streetlights, landscape and irrigation, and permanent paving.
2. Developer shall install a City Standard median island on Englehart Avenue along the property frontage to match the alignment of the median island approximately 1,500 feet to the north.
3. Modify existing median island on El Monte Way to accommodate a left turn pocket into the gas station from El Monte Way.
4. Developer shall dedicate a 6'-10' public utility easement (width as required by affected utility companies) along all streets and all other locations requested by utility companies. Alternate widths must be approved in writing by all utility companies and a copy of said written approval shall be submitted to the City Engineer.
5. Developer shall provide a preliminary title report, legal description, and drawings for all dedications required which are not within the boundary of the subdivision.
6. The developer shall install streetlights in accordance with City Standards at the locations designated by the City Engineer. Streetlight locations shall be shown on the utility plans submitted with the final map for approval. Streetlights at traffic signal locations shall be installed on approved traffic signal poles. Streetlights shall be owned and maintained by City of Dinuba. Developer shall prepare a street lighting plan for approval by the City Engineer.
  - a. The City will require 2 City Standard streetlights along the Englehart Avenue frontage. One spaced 75' off of the traffic signal pole heading north and the second one 225' from the traffic signal pole heading north.
  - b. Install a new traffic signal pole on the northeast corner of Englehart Avenue and El Monte Way to match the traffic signal pole on the southwest corner. Improvement plans for the traffic signal pole/equipment shall follow the latest edition of the Caltrans Standard Plans.



Developer shall ensure new pole is properly connected back into the existing traffic signal controller.

7. Developer shall provide for all striping, stenciling, pavement markers, delineators and signage required of all street improvements. All traffic signs and street name signs shall be installed in accordance with City Standards and the CA MUTCD (latest edition). A striping and signage plan shall be included with the construction plans and submitted for review and approval by the City Engineer.
8. All streets shall be designed to include parkways for street trees. Said parkways shall be at least five feet wide and include tree species approved by the City's landscape design consultant and follow the City's landscape design guidelines, prior to planting.
9. Replace the curb ramp located along the property frontage.
10. As part of street dedications, developer shall provide corner cut-offs at all street intersections. Corner cut-offs shall be sufficient to provide for sight distances and accommodate curb ramps.
11. The developer shall, at his expense, obtain "R Value" tests in quantity sufficient to represent all street areas, and have street structural sections designed by a registered civil engineer based on these "R Value" tests.
12. Standard barricades, per City Standard, with reflectors shall be installed at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.
13. The developer shall, at the end of any permanent pavement abutting undeveloped property, install 2"x6" redwood header boards placed prior to street paving.

#### **F. SANITARY SEWER IMPROVEMENTS**

1. The developer shall identify and abandon all existing septic systems per City Standards and any other governing regulations.
2. The nearest sanitary sewer main available to serve the development is at Englehart Avenue. The developer shall connect to this existing sewer. The developer's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of sewer service must be approved by the City Engineer and supported by appropriate calculations.
3. The developer shall dedicate a minimum 15' wide easement for all onsite sewer mains not located in otherwise dedicated rights-of-way, if applicable.
4. The developer shall install a City Standard sewer service, size as necessary, to the development in accordance with City Standards.

#### **G. WATER IMPROVEMENTS**

1. The developer shall identify and abandon all existing water wells per City Standards and any other governing regulations.
2. The developer's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.
3. The developer shall dedicate a 10' wide easement for all onsite water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way, if applicable.
4. The developer shall install a City Standard water service, size as necessary, to the development in accordance with City Standards.
5. The developer shall install a City Standard landscape water service, size as necessary, to each public landscape area within the development in accordance with City Standards.

6. No water service connection shall be made to the City of Dinuba Water System until a bacteriological report has been accepted by the City Engineer.
7. Fire hydrants shall be installed at locations approved by the Fire Department. Fire hydrants and curbs shall be painted per City Standards.

#### **H. GRADING AND DRAINAGE**

1. The developer shall, for construction activity prior to clearing, grading or excavation on one (1) acre or more of land area or are part of a larger common plan of development or sale, obtain a NPDES permit and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the construction plan set and shall be submitted to and approved by the City Engineer.
2. Plans for the required storm drainage systems shall be prepared by a registered civil engineer and conform to the City of Dinuba Storm Drain Design Guidelines (Attachment 'F'), Developer's engineer shall implement best management practices (BMPs) outlines in the Design Guidelines for peak flow reduction. The BMPs recommended in the report are designed to accommodate either the 85th percentile storm (0.32 inches) or the 100-year, 24-hour storm.
3. A percolation test signed and sealed by a California registered civil or geotechnical engineer shall demonstrate that BMPs can completely infiltrate within 96 hours.
4. Developer shall follow the City's storm drain design guidelines. All storm drain piping necessary for the development will not be reimbursable unless it is necessary for storm drain master plan facilities. City will reimburse the oversized piping costs.
5. Grade differentials between lots and adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City Standards. Any retaining walls required 12" or higher shall be masonry or concrete construction and any retaining walls required less than 12" may be wood, masonry, or concrete construction. All retaining walls shall be designed by a registered civil engineer.
6. Prior to the approval of grading plan, approvals and permits from the San Joaquin Valley Air Pollution Control District shall be obtained. The Project shall comply with all rules, regulations and conditions of approval imposed by the District.
7. The developer shall maintain a program of dust control to prevent air pollution as well as discomfort or damage to adjacent and surrounding properties. The developer shall follow all requirements and recommendations made by the San Joaquin Valley Air Pollution Control District for dust and emission reduction.

#### **I. LANDSCAPING AND IRRIGATION**

1. The developer, as a portion of the required tract improvements, shall provide landscaping and irrigation as required herein. The landscaping and irrigation shall be installed in public right-of-way and all other areas reserved for landscaping. Plans for the required landscaping and irrigation systems shall be prepared by an appropriately qualified professional and conform to the City of Dinuba Standard Drawings, Landscape Design Guidelines, Low Impact Development Technical Memo and the California Model Water Efficiency Ordinance. Public landscaping and irrigation shall be installed in the following locations:
  - a. Planter strips
2. The developer shall contact and address all requirements of the Alta Irrigation District (AID). This may also include, but not be limited to, dedicating easements, piping or relocating any existing AID canals or ditches, replacing any existing irrigation piping, concrete lining or improving any

existing canals, construction or reconstruction of any canals, culverts, and bridge crossings. Plans for these requirements and improvements shall be included in the previously required set of construction plans and submitted to and approved by AID prior to the release of any development permits or recording of the final map. If an AID or private irrigation line is proposed to be abandoned, the developer shall provide waivers from AID and all downstream users.

3. The developer shall indicate on construction drawings the depth, location and type of material of any existing AID irrigation line along the proposed or existing street rights-of-way or onsite. Any existing canals or ditches shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by the City Engineer.
4. All existing onsite agricultural irrigation systems either onsite or within public rights-of-way, whether AID or privately owned shall be identified prior to any construction activity on the site. Service to all downstream users of irrigation water shall be maintained at all times through preservation of existing facilities or, if the existing facilities are required to be relocated, the relocation and replacement of the existing facilities. It is the intent that downstream users not bear any burden as a result of the development. Therefore, the developer shall bear all costs related to modification, relocation, or repair of any existing irrigation facilities resulting from or necessitated by the development. The developer shall identify on the construction plans all existing irrigations systems and their disposition (abandonment, repair, relocation, and or piping) for approval by the City Engineer. The developer shall consult with the AID for any additional requirements for lines to be abandoned, relocated, or piped. The developer shall provide waivers from all users in order to abandon or modify any irrigation systems or for any service interruptions resulting from development activities.

#### **J. MISCELLANEOUS**

1. It shall be the responsibility of the developer to remove all existing structures, trees, shrubs, etc., that are within or encroaching on existing or proposed rights-of-way or easements. Existing street improvements shall be preserved, at the discretion of the City Engineer.
2. The developer shall provide clean-up, street sweeping and dust control during the construction of the development to the satisfaction of the City Engineer and Public Works Director. A deposit of \$5,000.00 shall be submitted to the City to guarantee compliance. At any time, developer is deemed to be non-compliant by the City Engineer or Public Works Director, the City may draw from said deposit to pay for necessary activities to bring the site into compliance.
3. The developer shall install monuments at all section corners, quarter section corners, all street centerline intersection points, angle points, and beginning of curves and end of curves on streets adjacent to or within the development. Any existing section corner or property corner monuments damaged or destroyed by the development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance
4. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the developer shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.
5. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
6. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.
7. The developer shall install a 6'-8" CMU block wall along the westerly property line.
8. The developer shall install a 6-8" fence along the northerly property line.

9. The project shall comply with the requirements of the Dinuba Fire Department (see Conditions K. 1. a-o.) Dinuba Police Department and the City's solid waste contractor (Pena's Disposal).
10. Parking stalls to be laid out per City Standard M-8.
11. Final improvement plans shall be signed by a certified Casp.
12. Developer shall submit a Lot Line Adjustment for the shift in the property line per the approved site plan.

#### **K. FIRE DEPARTMENT**

1. The applicant shall comply with requirements of the Dinuba Fire Department, including:
  - a. A Knox Box shall be installed
  - b. Emergency lighting shall be installed
  - c. A Fire hydrant shall be installed as directed by the Fire Department, within the public right-of-way, immediately east of the driveway onto El Monte Way.
  - d. Automatic fire sprinkler systems shall be installed in all buildings. System plans and specifications shall be submitted to Fire Department for plan check and approval prior to installation. [Code Requirement] Fire department inlet connections (FDC) for the systems shall be placed within 25 ft. of a fire hydrant. [City Improvement Standard]
  - e. Fire lanes marked on plan with "No Parking, Fire Lane" every 50 feet or as needed, and noted on site plan.
  - f. Additional 2 Fire hydrants, 1 to be located on the north west corner of the property, with bollard post protection, and 2<sup>nd</sup> to be located on the north side of the entrance off Englehart Ave. Hydrant Location(s) will be marked on plans, and required to meet distance per CFC Appendix CC
  - g. Provide turning radius on building plans for the driveway turn on the north west corner of the convenience store
  - h. Proved proposed location from the FDC connection in relation to the hydrant locations.
  - i. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type-1 hood, in accordance with the California Mechanical Code, and shall be provided with an automatic fire extinguishing system installed in accordance with the Fire Code. The fire extinguishing system shall be listed and labeled for its intended use and shall be a wet-chemical extinguishing system, complying with UL 300. All hood fire extinguishing systems and all portable fire extinguishers shall have a current California State Fire Marshal service tag attached to the pull station. A Class K fire extinguisher shall be installed within thirty feet of the hood and along the exit pathway. (CFC 904)
  - j. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. They shall be designed and maintained to support the imposed loads of fire apparatus (75,000 pounds - CFC D102). Fire apparatus access roads shall be surfaced so as to provide all-weather driving capabilities and shall not be obstructed in any manner, including the parking of vehicle. The minimum widths and clearances shall be maintained at all times. Fire apparatus access roads shall be identified utilizing an approved method. (CFC 503) All Fencing; materials used, height and location marked on plans. (current plans do not meet fire lane requirements for drive way behind building.
  - k. Other common Items required to be indicated on plans include fire extinguishers, emergency lighting, exit signs, Knox box and fire alarm system.

- I. Stock rooms will be kept in compliance for access/egress and will be kept in a manor to not create or constitute a fire hazard.
- m. Address located on building 12 inches in height and visible from the Street.
- n. The list of Fire Department conditions is not all-inclusive and does not exclude builder/owner from all required applicable codes. If something is missed in the plan check process, the owner/ builder will be expected to comply with the applicable code, regulation, or ordinance.

Exhibit "A" (Site Plan (amended))

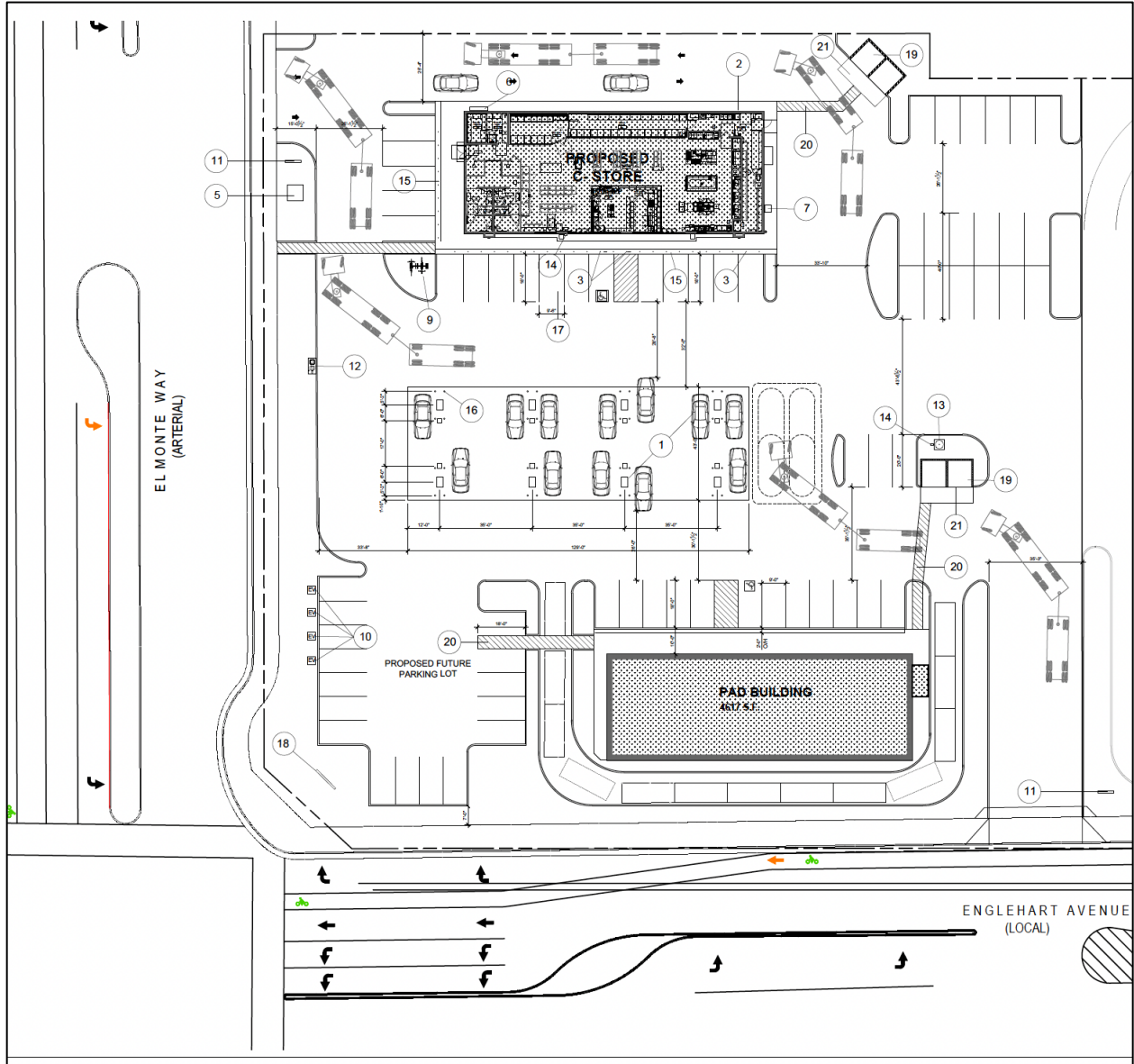


Exhibit “B” (Façade Design for Convenience Store)





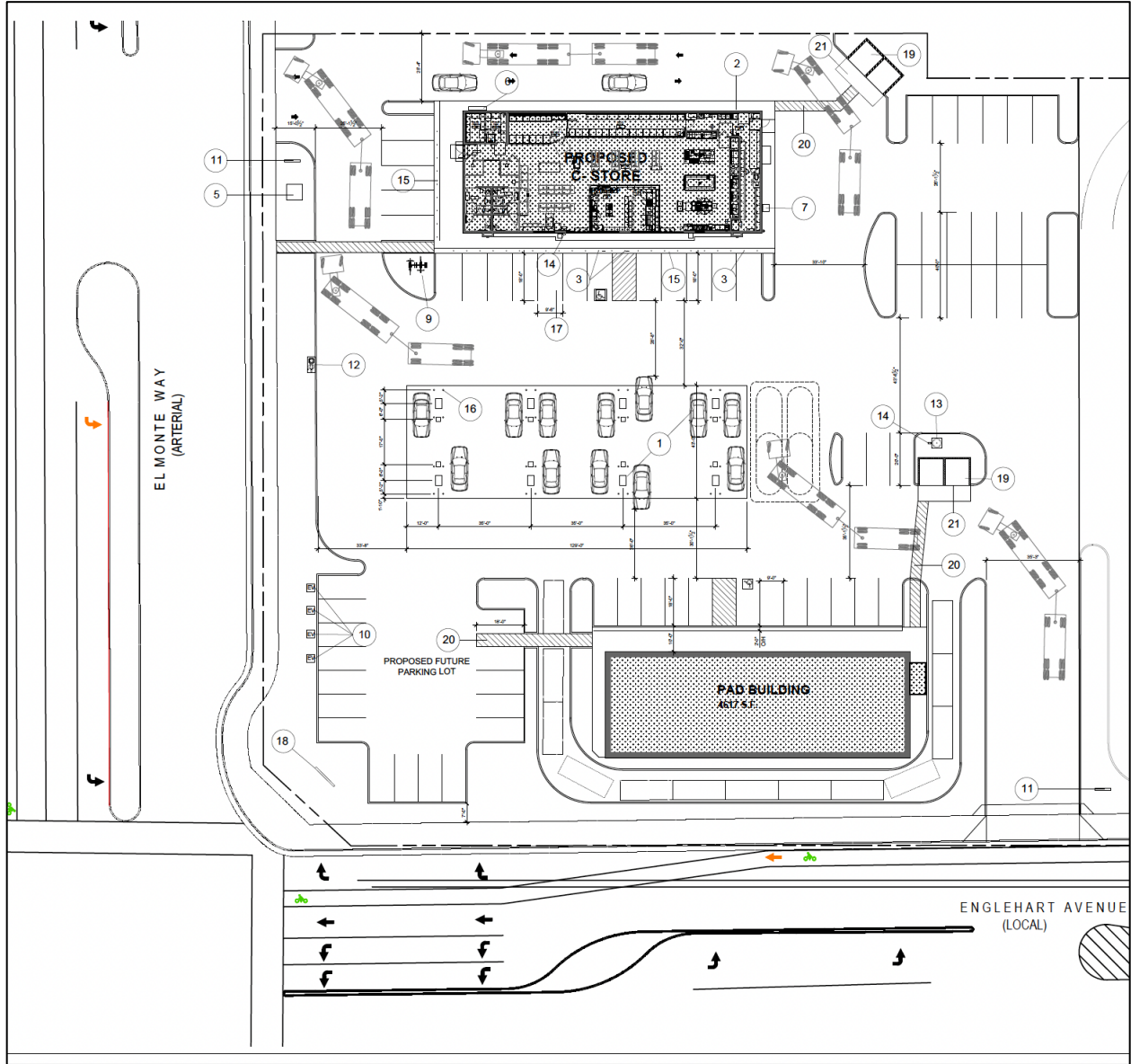




Attachment "C" (Aerial Photo)



Attachment "D": Proposed Revised Site Plan



# Attachment "E": Revised Façade Drawings for Convenience Store







# Planning Commission Staff Report

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Department: PUBLIC WORKS

November 5, 2024

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**To:** Planning Commission

**From:** Karl Schoettler, City Planning Consultant

**Subject:** Amendment to the Safety Element of the Dinuba General Plan

## RECOMMENDATION

It is recommended the Commission conduct a public hearing and consider adoption of Resolution No. 1152 (Attachment "A"), recommending approval to the City Council of an amendment to the Safety Element of the Dinuba General Plan.

## EXECUTIVE SUMMARY

Public Hearing to consider an amendment to the Safety Element of the Dinuba General Plan to incorporate a reference to the Tulare County Local Hazard Mitigation Plan.

## OUTSTANDING ISSUES

None.

## DISCUSSION

The Dinuba Fire Department has forwarded the subject request that the Safety Element of the Dinuba General Plan be amended to incorporate language that references the recently-adopted Tulare County Hazard Mitigation Plan.

The Safety Element is that part of the City's General Plan that analyzes and establishes policies to minimize safety hazards as the community grows. Issues such as flooding, fires and earthquakes are among those topics that are addressed.

The Local Hazard Mitigation Plan (LHMP) is a separate (but similar) safety/hazard-related document that is required by the Federal government that guides planning and recovery from natural and man-made disasters.

The City must adopt the LHMP to be eligible for funding to recover from natural and

man-made disasters. Specifically, the LHMP must be approved by the City Council and also by the Federal Emergency Management Agency (FEMA) in order for the City to be eligible for Hazard Mitigation Grant Program (HMGP) funding. HMGP funding is used to assist local governments in rebuilding following a presidentially-declared disaster.

The LHMP was recently updated and adopted by the City Council. One of the requirements is that the City must amend the Safety Element to include a reference to the LHMP. This ensures that all parties are aware of the City's safety and hazard planning efforts and policies.

The attached resolution includes an exhibit with a copy of the amended Dinuba Safety Element. New language (referencing the LHMP) appears on Page 2 of the Safety Element in **bold underlined** font.

If approved by the Planning Commission, the amendment to the Safety Element will next be forwarded to the City Council for final action.

## **FISCAL IMPACT**

None.

## **PUBLIC HEARING**

A public hearing notice was published in the Midvalley Times, ten days before the Planning Commission's hearing.

## **ATTACHMENTS:**

A. Resolution No. 1152

**RESOLUTION 1152**

**BEFORE THE PLANNING COMMISSION  
CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
DINUBA APPROVING AN AMENDMENT TO THE SAFETY ELEMENT OF THE  
DINUBA GENERAL PLAN AND ADOPTING AN ENVIRONMENTAL  
EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA).**

**WHEREAS**, the City of Dinuba (the "City") has prepared an update to the Safety Element of the Dinuba General Plan, consistent with Government Code Sections 65302 (g) (1) and 65302.6; and

**WHEREAS**, the Safety Element is a part of Dinuba's General Plan and is the City's policy document to ensure that safety and hazard issues are analyzed and mitigated as the community grows, and

**WHEREAS** the City has also adopted a Local Hazard Mitigation Plan (LHMP) as required by federal law and the LHMP requires the Safety Element be amended to reference the LHMP, and

**WHEREAS**, the Dinuba Safety Element has been amended to reference the Local Hazard Mitigation Plan as shown in Exhibit "A", and

**WHEREAS**, consistent with the California Environmental Quality Act (CEQA) the City has determined the amendment is exempt from review for environmental impacts and a Notice of Exemption has been prepared, and

**WHEREAS**, a public hearing notice was published and posted ten days prior to the Planning Commission's public hearing on the Safety Element update, and

**WHEREAS**, the Planning Commission accepted public testimony and reviewed the Planning Department's staff report.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission that the following findings are hereby considered and adopted regarding the Safety Element update:

1. The Safety Element update will not have a significant impact on the

environment and a Notice of Exemption is hereby adopted, consistent with the California Environmental Quality Act of 1970, as amended.

2. The Safety Element update will help the City to more effectively address planning of hazards and safety issues.

3. The Safety Element update is consistent with other sections of the Dinuba General Plan.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby recommends approval of the update of the Safety Element and Notice of Exemption.

The foregoing resolution was adopted upon a motion of Commission member \_\_\_\_\_ second by Commission member \_\_\_\_\_ at a meeting of the Dinuba Planning Commission on the 5th day of November, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Lesli Vasquez, Secretary  
Dinuba Planning Commission

## Exhibit “A”

# 8.0 SAFETY ELEMENT

## **INTRODUCTION**

The quality of life in Dinuba is directly impacted by the sense of security of its residents and businesses. In order to provide a safe and enjoyable environment for residents, it is important to address the issues of crime, violence, and other human caused hazards, and to prepare a response to uncontrollable natural hazards. The Safety Element establishes objectives and policies and standards to ensure that there is an adequate, coordinated, and expedient response to public safety concerns.

## **PURPOSE OF THE SAFETY ELEMENT**

The purpose of the Safety Element is to identify and address those features or characteristics existing in or near Dinuba that represent a potential hazard to the community’s citizens, sites, structures, public facilities, and infrastructure. The Safety Element establishes policies to minimize the danger to residents, workers, and visitors, while identifying actions needed to manage crisis situations such as earthquakes, fires, and floods. The Element also focuses on preventing criminal activity and violence before they occur. Additionally, the Safety Element contains specific policies to regulate existing and proposed development in hazard-prone areas.

## **SCOPE AND CONTENT OF THE SAFETY ELEMENT**

The Safety Element satisfies the requirements of state planning law and is a mandated component of the General Plan. Government Code §65302 (g) sets forth a list of hazards that the Element must cover, if they pertain to conditions in the City. These hazards are:

- Seismically induced conditions including ground shaking, surface rupture, ground failure, tsunami, and seiche;
- Slope instability leading to mudslides and landslides;
- Subsidence and other geologic hazards;
- Flooding;



- Wildland and urban fires; and
- Evacuation routes.

The Safety Element contains four sections: the Introduction; Purpose of the Safety Element; Scope and Content of the Safety Element; and Objectives, Policies and Standards. In the Objectives, Policies and Standards section, major issues pertaining to hazardous conditions and safety are identified, and related



policies established. The policies serve as guidelines for reducing the risks associated with humans, including criminal activity and natural hazards. The policies also serve to direct and maximize community emergency preparedness.

**Alongside the Housing Element the City has also adopted The Dinuba Local Hazard Mitigation Plan (LHMP). The LHMP for the City of Dinuba’s planning area was developed in according with the federal Disaster Mitigation Act of 2000 and followed the Federal Emergency Management Agency’s (FEMA’s) Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The LHMP for Dinuba (and Tulare County as a whole) can be viewed online at:**

**<https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-2023-multi-jurisdictional-local-hazard-mitigation-plan-mjlhmp/>**

## **8.1 STRUCTURAL SAFETY, TREATMENT PLANT, SANITARY SEWER, AND STORM DRAINAGE**

### **OBJECTIVE**

The following objectives and policies are excerpted from the Safety Element of the Tulare County General Plan. The objectives and policies have been adopted by the City of Dinuba and are incorporated in this General Plan Update. Additional policies and standards have been added where applicable.

- A. Maintain the economic well-being of structures and prevent structural damage.

### **POLICIES AND STANDARDS**

- 8.1 The City of Dinuba will maintain an on-going active program designed to eliminate unfit, unhealthy, dangerous, structurally unsafe and fire hazardous housing units which are in such condition as to be reasonably beyond repair or rehabilitation. All departments or agencies having knowledge of such units or the vacancy of such units should notify the appropriate or concerned agencies.
- 8.2 The City of Dinuba will continue the program to have unsafe structures repaired or removed.
- 8.3 The City of Dinuba will give preference to those families that are displaced by code enforcement activities in the allocation of housing units that are produced by publicly assisted housing programs.
- 8.4 Encourage and assist families living in unsafe structures to find safer living units. It is policy to give priority, when possible, to locate those families in public housing programs.
- 8.5 The policies regarding unsafe and unsanitary structures as contained herein shall apply even more importantly to structures that are used by the public, such as restaurants and theaters, and what is termed in this report “Critical Facilities”.
- 8.6 The City of Dinuba, through the land use planning process and Development Department programs, shall require structures such as nursing homes, housing for the elderly, and other housing for the mentally and physically infirm to locate within

reasonable distance (less than one mile) from fire stations and other emergency service providers.

- 8.7 Develop better standards for numbering buildings on private driveways so as to assist emergency service personnel in locating structures in case of an emergency.
- 8.8 Encourage the installation of a system of heat and/or smoke detection devices and encourage a sprinkler system and other fire suppression equipment including fire hoses and water storage tanks or fire hydrants for all structures that exceed 5,000 square feet in floor area for the following facilities:
  - a. Critical facilities (public buildings).
  - b. Permanent industrial facilities employing ten or more people on a year-round basis.
  - c. Housing for the elderly, children and mentally infirm.
  - d. Nursing homes and hospitals.
  - e. Structures where large amounts of chemicals or fuels are known to be stored and are considered to be significantly dangerous by the Fire Chief.
  - f. Any structure as required by the Fire Chief or other legislation.
- 8.9 The City of Dinuba will require a system of heat and/or smoke detection devices for the following facilities:
  - a. Existing homes upon resale, and apartments every two years.
  - b. New homes to be constructed.
  - c. Structures with high value storage capacity.
  - d. Mobile homes.
  - e. Existing offices and other buildings.

- 8.10 Encourage fire alarm systems, as referred to in this Element, to be tied directly and automatically to the Tulare County Fire alarm receiving center. This would apply to private companies that wish to have better protection as well as public buildings and other structures where the Fire Chief and/or the Building Official deem it necessary to have such protection.



## **8.2 EDUCATION AND DISASTER PREPAREDNESS**

### **OBJECTIVE**

Participate in regional education and disaster preparedness programs.

### **POLICIES AND STANDARDS**

- 8.11 Encourage fire and law enforcement departments to periodically conduct joint training exercises with the goal of developing the best possible coordinated action in fire suppression and crowd control.
- 8.12 The City of Dinuba shall maintain inventories of available resources to be used during disasters.
- 8.13 Continue to upgrade preparedness strategies and techniques at all levels of government in order to be prepared when natural or man-made disasters occur.
- 8.14 Work to reduce the possibilities of fire, flood and seismic disasters so that the objectives of the Insurance Services Office can be adequately met.

- 8.15 The City of Dinuba shall continue to coordinate a public education program in order to foster public awareness of fire hazards with the intention of reducing injury and loss of life, damage to property and degradation of the natural environment, particularly in conjunction with the public school system and “critical facility” personnel.
- 8.16 Carry out regular education programs through the public and private schools, the libraries, police and fire departments, news media, civic organizations, and through various related City departments.
- 8.17 Education programs conducted by the City of Dinuba shall seek to reach all age groups, socio-economic classes, and both urban and rural residents. Education programs should be offered in both Spanish and English languages as appropriate.

### **8.3 ENVIRONMENT**

#### **OBJECTIVE**

Promote safety standards which maintain the physical environment.

#### **POLICIES AND STANDARDS**

- 8.18 The City of Dinuba has incorporated and will utilize the Multihazard Functional Plan (MFP) that adheres to all County, State and Federal guidelines. Incorporated within this Plan are guidelines for responding to emergencies related to:
- Major Earthquake
  - Imminent/Actual Flooding
  - Imminent/Actual Dam Failure
  - Hazardous Material Incident
  - War Emergencies
  - Major Petroleum Shortages

Along with these guidelines, the City’s administrative staff, department heads and City Council members have been trained in the MFP and the use of the Emergency Operation Center (EOC), which is located at the City Police Department’s training room. These same

personnel have also been trained in the basic use of the Incident Command System (ICS) as well as the Standardized Emergency Management System (SEMS).

- 8.19 Continue to locate and construct fuel breaks and greenbelts in appropriate locations on the periphery of the City in concurrence with other agencies.
- 8.20 The City of Dinuba shall require weed abatement programs in order to promote fire safety.
- 8.21 Assist in solving the incendiary problem by improving present law enforcement and investigation equipment; adapting equipment available in other fields; and purchasing new equipment where needed.

#### **8.4 MANAGEMENT AND FUNDING**

##### **OBJECTIVES**

- A. Maintain statistical information for safety issues.
- B. Establish responsibility and authority of agencies for emergency procedures.
- C. Provide cost-benefit analysis for participating agencies/jurisdictions.

##### **POLICIES AND STANDARDS**

- 8.22 The City will continue to collect and keep fire data in a form that combines the following:
  - a. Number of fires by activity and area.
  - b. Number of users in the activity.
  - c. Number of fires by ignition index in State responsibility areas.
- 8.23 Damages and costs per fire should be computed and compiled by burn index and activity.

- 8.24 It is recommended that the City Fire Chief maintain statistical information in a form that can be geographically indexed for cost-benefit analysis by the City Council.
- 8.25 As part of the planning process, consideration shall be given to potential fire hazard. The Fire Chief may make recommendations regarding risk of hazard associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.
- 8.26 The City of Dinuba will continue to implement the subdivision and zoning ordinances.
- 8.27 The City of Dinuba, in conjunction with the Tulare County Association of Governments, will participate in technical assistance programs.
- 8.28 The City of Dinuba will encourage the enlistment of the aid of courts, prosecuting attorneys, and the general public to make present laws more effective in dealing with the problems of illegal use of fire and fire causing practices.
- 8.29 The City of Dinuba will have a technically qualified communications officer to address the problem of communications within the County.
- 8.30 During major disasters, the primary coordinating official on behalf of the City shall be the City Manager.

## **8.5 PUBLIC SAFETY STANDARD**

### **OBJECTIVE**

Adopt and implement safety standards for varying hazards.

### **POLICIES AND STANDARDS**

- 8.31 A 30 foot brush clearance zone around homes should be extended to greater distances where homes are situated on or near slopes (i.e. Smith Mountain). A formula should be adopted which relates percent of slope to width of brush

clearance required and the formula should be included within the Zoning Ordinance.

- 8.32 Environmental Impact Reports shall be required on all projects in areas of extreme hazard as defined herein (a project is defined within the California Environmental Quality Act).
- 8.33 Water supply systems shall be related to the size and configuration of land developments. Standards as set forth in the current subdivision ordinance shall be maintained and improved as necessary.
- 8.34 Development proposals shall take into consideration required fire standards, particularly in regard to critical facilities.
- 8.35 The City of Dinuba will enforce Chapter 70 of the Uniform Building Code as it relates to grading.
- 8.36 The City's Fire services response goal shall be five minutes from "turnout" to arrival on scene.
- 8.37 Enforce policies and objectives of the 1974 Housing and Community Development Act, and all subsequent amendments, in order to insure safe and decent housing for low and moderate income families.
- 8.38 It is the policy of the City to maintain adequate street width and connectivity in the circulation system to enable prompt response and emergency access. Street widths shall conform to the State fire code which requires 20-feet of clear travel way on public roads or fire lanes. Development shall also conform with the following connectivity guidelines:
  - a. Access to arterials, collectors or minor collectors should be provided at least every 500 feet.
  - b. Provide at least 250 street intersections per square mile to ensure a grid network of connectivity. Pedestrian cul-de-sac connections to public streets shall be counted as intersections if accessible by emergency vehicles.
- 8.39 Neighborhood and local streets shall be designed for speeds of 25 miles per hour.



- 8.40 Traffic calming devices such as bulbouts, chokers, mid-block bulbs, traffic circles and textured sidewalks shall be encouraged, to keep speeds below 20 miles per hour.

## **8.6 FLOODING**

### **OBJECTIVE**

Protect the lives and property of residents from the hazards of flooding.

### **POLICIES AND STANDARDS**

- 8.41 Consistent with Federal standards, the City shall implement FEMA regulations and design guidelines to address 80-year flood events, and require adequate storm drainage facilities (either retention or detention basins) to prevent flooding within the community.
- 8.41 All flood-proofing shall be done in a manner that will not cause floodwaters to be diverted onto adjacent property, increase flood hazards to property located elsewhere, or otherwise adversely affect other property.

Flood-proofing measures such as, but not limited to, the following may be required:

- a. Anchorage to resist flotation and lateral movement.
- b. Use of special water-resistant paints, membranes, or mortars to reduce seepage of water through walls.
- c. Addition of weight to structures to resist flotation.
- d. Construction of water and waste systems to prevent the entrance of floodwaters.
- e. Construction to resist rupture or collapse caused by water pressure or floating debris.

- f. Location of all electrical equipment, circuits, and installed electrical appliances in a manner that will assure they are not subject to inundation by an 80-year flood.
- g. Flood-proofing shall be required for structural storage facilities containing chemicals, explosives, buoyant materials, flammable liquids, or other toxic materials which could be hazardous to public health, safe, and welfare. These shall be located in a manner which will assure that the facilities are (1) situated at elevations above the height associated with the 80-year flood protection elevation, or (2) adequately floodproofed to prevent flotation or storage containers or damage to storage containers which could result in the escape of toxic materials into floodwaters.
- h. In flood-hazard areas, all public utilities and facilities, such as road, sewage disposal, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage to the facilities. This work shall be done in a manner that will not adversely affect other property.
- i. In flood-hazard areas, natural watercourses should be identified, and their flow capacities shall be preserved. This does not prohibit relocation. All grading, including relocation and agricultural grading, which can substantially affect natural drainage channels shall require a grading plan and City permit. The Director of Public Works shall review and approve the grading plan before work may be initiated.
- j. Open space uses should be encouraged in all flood-hazard areas. Land Conservation Contracts and Open Space and Scenic Easements should be made available to property owners within 80-year flood areas.
- k. The City should initiate a public awareness program to inform affected property owners of flood hazards on lands that can expect potential flooding.
- l. The City's Zoning Ordinance shall be amended to reflect the mandatory policies expressed herein.