



City Commissioners
Chuck Miguel, Chair
Sandi Miller, Vice Chair
Susan Henard
Jocelyn Limas
Shauna Guerrero

Planning Commission Meeting Notice & Agenda

Tulare Public Library & Council Chamber
491 North M Street, Tulare CA 93274
www.tulare.ca.gov

Tuesday, February 10, 2026
5:30 p.m. Regular Meeting

Mission Statement

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

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

Members of the public may address the Planning Commission on matters within the jurisdiction of the City of Tulare. A person desiring to address the Planning Commission is encouraged to complete a public comment card and provide to the commission clerk prior to the start of the meeting. Comments are limited to three minutes per speaker unless extended by the Commission. Depending upon the extent of the agenda and number of persons desiring to speak on an issue, the Chair may, at the beginning of the item, limit the time for individual comments. When invited by the Chair to speak, please approach the lectern and begin your comments by stating your name and city of residence.

- All remarks shall be addressed to the Commission as a body and not to any member thereof.
- No person, other than the Planning Commission and person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Planning Commission, without the permission of the Chair.
- No question shall be asked of a commissioner or a member of City staff except through the Chair.
- Questions and comments from the public shall be limited to the subject under consideration, except for those items introduced under Public Comment.
- No person shall engage in disorderly or boisterous conduct which disturb, disrupt, impede, or otherwise render the orderly conduct of the meeting infeasible. Persons engaging in such conduct may be subject to ejection of the meeting pursuant to Government Code Sections 54954.3 and 54957.95.

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

City of Tulare YouTube Channel: <https://www.youtube.com/@cityoftulare3805>

Documents related to items on the agenda are accessible on the City's website at www.tulare.ca.gov. Copies are also available for public inspection at the City Clerk's Office located at City Hall, 411 E. Kern Avenue, Second Floor, during normal business hours.



1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. **PUBLIC COMMENT** - Members of the public wishing to comment on any item not appearing on the agenda may address the Planning Commission at this time. State law prevents the Commission from acting on any matter not on the agenda; however, your comments may be referred to staff for follow up. This is also the time for the public to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Public Hearing and General Business items will be heard at the time those items are discussed. In fairness to all who wish to speak, public comment is limited to a total of fifteen minutes with each speaker allowed three minutes, unless otherwise extended by the Commission. Please begin your comments by stating your name and providing your city of residence.

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

5. **CONSENT CALENDAR** - All matters listed under the Consent Calendar are considered by the Commission to be routine and will be enacted in one motion without discussion. If discussion is desired, that item may be removed and considered separately.

5.1 **Approval of Planning Commission Meeting Minutes.**

Recommended Action: Approve the minutes of the regular meeting of January 27, 2026. [M. Sanchez]

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

6.1 **Conditional Use Permit No. 2026-02**

Recommended Action: Consider a request by Sabino Guzman to operate a mobile vending food truck that will be located at an existing gas station and zoned Neighborhood Commercial (C-1) and approve Conditional Use Permit No. 2026-02 based on the findings and subject to the recommended conditions in Resolution No. 5544. The subject property is located at 651 West Prosperity Avenue. [J. Coelho]

Environmental: The project is exempt pursuant to Section 15304 (e) of the California Environmental Quality Act.

6.2 **Variance No. 469**

Recommended Action: Consider a request by Kareem Saleem Gowani to allow the creation of 4 parcels and a remainder that do not all meet the minimum lot frontage of 20 feet on a public street as required by the City’s Municipal Code based on the findings in Resolution No. 5545. The subject property is located on the south side of Bardsley Avenue between Laspina Street and Goble Court (APN 182-310-022). [S. Sopp]

Environmental: The proposed project is exempt pursuant to Section 15315 (Minor Land Divisions) and 15332 (In-fill Development Projects) of the California Environmental Quality Act

7. **GENERAL BUSINESS** - Comments related to General Business items are limited to three minutes per speaker, for a maximum of thirty minutes per item, unless otherwise extended by the Commission.

7.1 **Appointment of Planning Commission Chair and Vice-Chair**

8. **STAFF UPDATES**

9. **ADJOURNMENT**

The next regularly scheduled meeting of the Tulare Planning Commission is Tuesday, February 24, 2026, at 5:30 p.m. in the Council Chamber, 491 North M Street, Tulare.

AFFIDAVIT OF POSTING AGENDA

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

POSTED: Friday, February 6, 2026, at 5:00 p.m.

Maria Sanchez, Commission Clerk

**CITY OF TULARE
PLANNING COMMISSION MEETING MINUTES**

**Council Chamber
491 North M Street, Tulare**

**Tuesday, January 27, 2026
5:30 p.m. - Regular Meeting**

COMMISSIONERS PRESENT: Chair Chuck Miguel
Vice-chair Sandi Miller
Commissioner Susan Henard
Commissioner Jocelyn Limas
Commissioner Shauna Guerrero

COMMISSIONERS ABSENT:

STAFF PRESENT: Community Development Director Mario Anaya
Principal Planner Steven Sopp
Associate Planner Jonathan Coelho
Associate City Attorney Nick Matoian
Commission Clerk Maria Sanchez

1. CALL TO ORDER

Chair Miguel called the regular meeting of the Planning Commission to order at 5:30p.m. in the Council Chamber located at 491 North M Street.

2. PLEDGE OF ALLEGIANCE

Commissioner Limas led the Pledge of Allegiance.

3. PUBLIC COMMENTS

There were no public comments.

4. COMMISSIONER REPORTS AND ITEMS OF INTEREST

None

5. CONSENT CALENDAR

It was moved by Vice-Chair Miller, seconded by Commissioner Henard, and unanimously carried for items on the Consent Calendar to be approved as presented.

5.1 Approve the minutes of the January 13, 2026 regular meeting [M. Sanchez]

6. GENERAL BUSINESS - PUBLIC HEARINGS

6.1 Conditional Use Permit No. 2026-01

Consider a request by Maria Ramirez to operate a mobile vending food truck that will be located at an existing gas station. The subject property is located at 1010 South Blackstone Street.

Recommended Action: Approve Conditional Use Permit No. 2026-01 based on the findings and subject to the recommended conditions in Resolution No. 5543.

Presented By: Jonathan Coelho, Associate Planner

Public Comment: The public hearing was opened at 5:33p.m. Receiving no public comments, the public hearing was closed at 5:33p.m. Questions posed by the Commission were answered by Staff.

Commission Action: It was moved by Commissioner Limas, seconded by Commissioner Henard, and carried out 5 to 0, to approve Conditional Use Permit No. 2026-01.

7. GENERAL BUSINESS

None

8. STAFF UPDATES

Provided by Staff.

9. ADJOURNMENT

The regular meeting was adjourned at 5:46 p.m.

CHUCK MIGUEL, CHAIR

ATTEST:

MARIO ANAYA, SECRETARY



Staff Report

Meeting: Planning Commission

Date: February 10th, 2026

Item #: 6.1
Public Hearing

Department: Community Development

Submitted by: Jonathan Coelho

Agenda Title: Conditional Use Permit No. 2026-02

RECOMMENDED ACTION

Approve Conditional Use Permit Application No. 2026-02, subject to the findings and conditions in Resolution No. 5544.

SUMMARY

Conditional Use Permit Application No. 2026-02 is a request by Sabino Guzman to operate a mobile vending food truck that will be located at an existing gas station. The subject property is located at 651 West Prosperity Avenue (APN 169-080-054). The subject property is zoned Neighborhood Commercial (C-1), and the General Plan Designation is Neighborhood Commercial. The business plans to have four employees. Operation of stationary mobile vending units requires approval of a Conditional Use Permit (*Chapter 10.08*).

The site was previously approved under CUP 2023-24 by Planning Commission on December 11, 2023.

Restrooms are located in the existing gas station, and the applicant has received a letter from the owner to allow use of the restrooms throughout business hours.

CONDITIONAL USE PERMIT FINDINGS:

Staff recommend that the Planning Commission make the following findings, as required by the Tulare Municipal Code Chapter 10.116.040 and Approve Conditional Use Permit Application No. 2026-02.

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

CONDITIONS OF APPROVAL

Based on the approved findings, staff recommends that Conditional Use Permit No. 2026-02, be approved subject to the following conditions:

- A. All requirements of Title 10 shall be met.

- B. Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
- C. The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
- D. No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
- E. Restrooms shall be readily available and which are connected to the City's wastewater system.
- F. Applicant shall obtain any other required license or permit.
- G. Hours of operation shall be 11 a.m. to 11 p.m., Monday through Sunday.
- H. Applicant shall ensure all waste materials, including grease, is disposed of appropriately off-site and not spilled or intentionally discarded on-site or in the City's drain & sewer system. If applicant is found to violate this condition, applicant may have their conditional use permit revoked
- I. This permit shall remain valid for two years from approval or February 10th, 2028; at which time Applicant may apply for a new Conditional Use Permit.
- J. Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up-to-date Tulare County Health Department license and, liability insurance as part of a one-year review.

APPEAL INFORMATION:

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

ENVIROMENTAL

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

CONFLICT OF INTEREST

Staff is not aware of any conflict of interest.

FISCAL IMPACT & FUNDING SOURCES

There is no fiscal impact associated with this action.

LEGAL REVIEW

This item does not require legal review.

PUBLIC NOTICE

A notice of public hearing was mailed to property owners within 300 feet of the subject property and was published in *The Visalia Times Delta* on January 30th, 2026. No comments have been received.

ALTERNATIVE ACTION

Approve with changes

Deny

Table

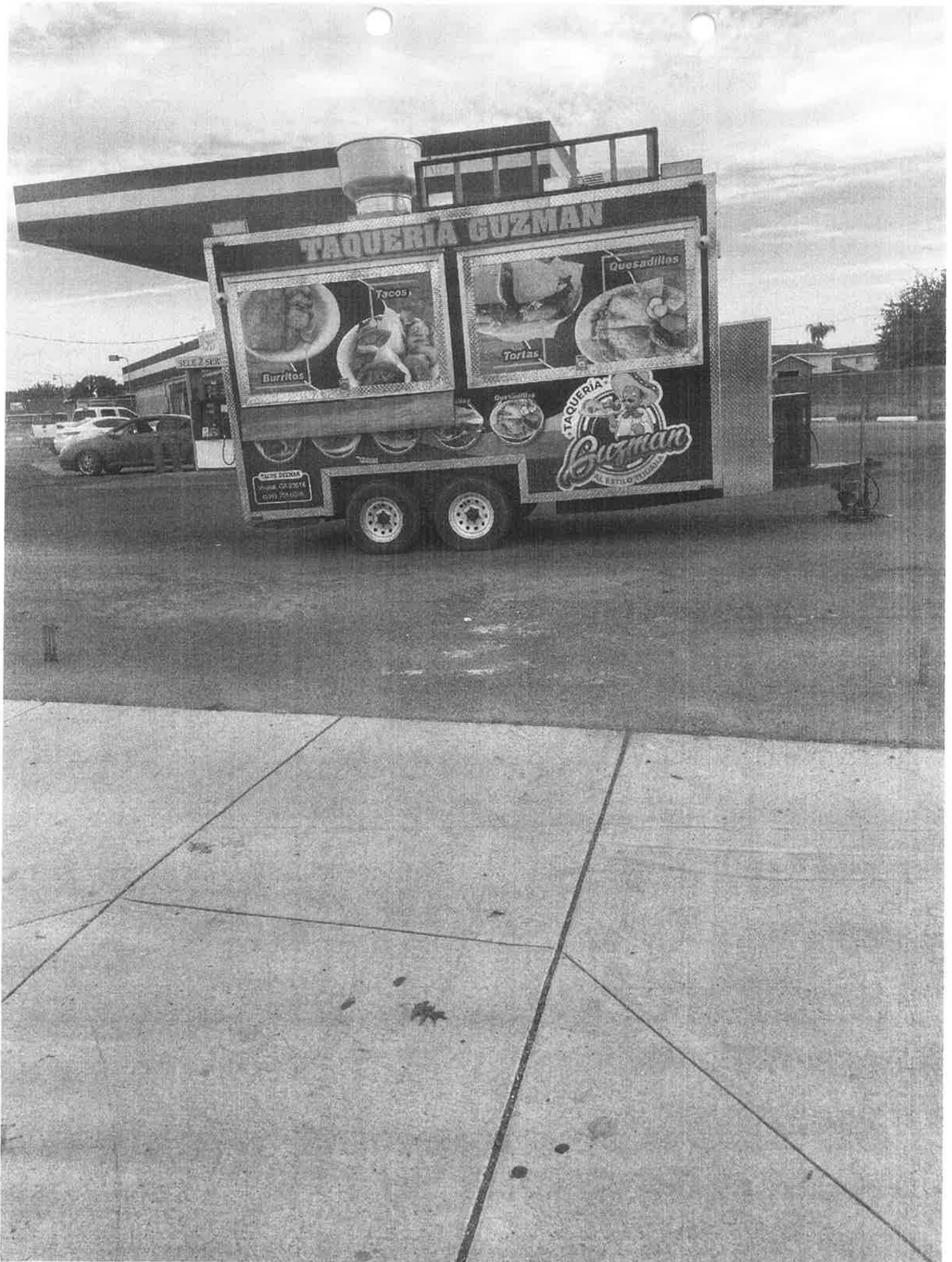
ATTACHMENTS

Attachment 1- Project Location

Attachment 2- Pictures

Attachment 2- Resolution

Reviewed/Approved: _____

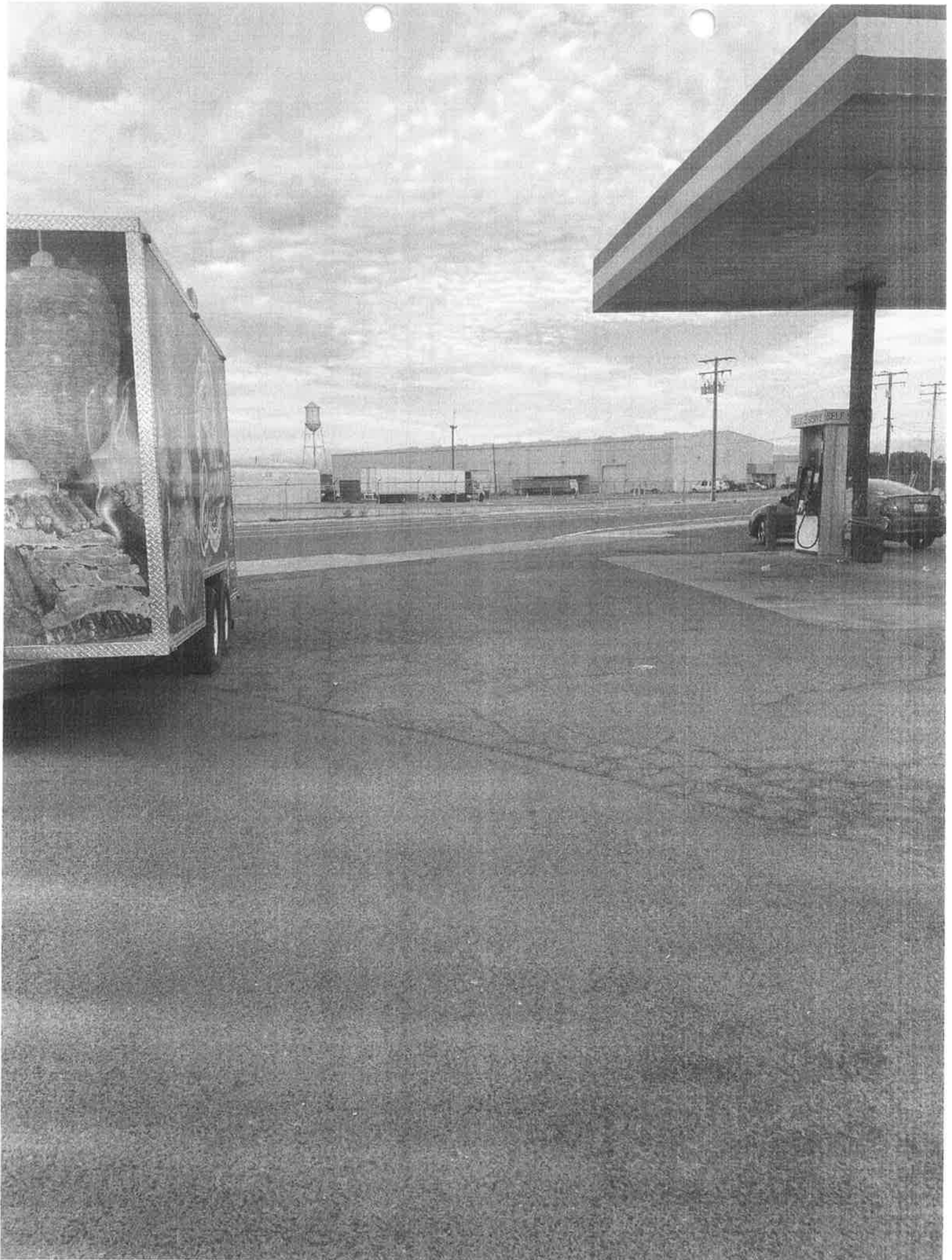




Regular 449
Plus 469
Premium 489
GALLON
CASH PRICE

10 GALLONS 4490 4640
20 GALLONS 8980 9280
30 GALLONS 13470 15040







W PROSPERITY AVE

W PROSPERITY AVE

W PROSPERITY AVE

N 5TH

651

633



RESOLUTION NO. 5544

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION APPROVING
CONDITIONAL USE PERMIT NO. 2026-02**

WHEREAS, Conditional Use Permit 2026-02 is a request by Sabino Guzman to operate a stationary mobile vending vehicle at a gas station located at 651 West Prosperity Avenue; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on February 10th, 2026;

WHEREAS, the Planning Commission of the City of Tulare determines that Conditional Use Permit No. 2026-02 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

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

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

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

- 1) The proposed use will comply with the purpose and objectives of this title and the purposes of the district in which the subject site is located.
- 2) The proposed use would be compatible with existing land uses and future permitted land uses within the zoning district in which the proposed use is to be located.
- 3) The site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed.
- 4) The proposed use is consistent with the General Plan.
- 5) The proposed use will not have a significant impact on the environment.
- 6) The proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interests, health, safety, convenience, or welfare of the City or materially injurious to properties or improvements in the vicinity, and that any incompatible impacts of the proposed use are mitigated by conditions of approval.

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2026-02 is hereby approved subject to the following conditions:

Conditions:

1. All requirements of Title 10 shall be met.

2. Valid permits are required by the Tulare County Health Department and shall be prominently displayed at the mobile vending unit stand.
3. The vending stand permit issued by the City of Tulare shall be prominently affixed to the side of the stand.
4. No trash or empty boxes shall be piled up outside of the mobile vending unit at any time.
5. Restrooms shall be readily available and which are connected to the City's wastewater system.
6. Applicant shall obtain any other required license or permit.
7. Hours of operation shall be 11 a.m. to 11 p.m., Monday through Sunday.
8. Applicant shall ensure all waste materials, including grease, is disposed of appropriately off-site and not spilled or intentionally discarded on-site or in the City's drain & sewer system. If applicant is found to violate this condition, applicant may have their conditional use permit revoked
9. This permit shall remain valid for two years from approval or January 27th, 2028; at which time Applicant may apply for a new Conditional Use Permit.
10. Conditional Use Permit approval shall be subject to a one-year review by the Planning Commission to ensure that the applicant is meeting the conditions of approval adopted for the use. The applicant shall provide proof of up-to-date Tulare County Health Department license and, liability insurance as part of a one-year review.

PASSED, APPROVED, AND ADOPTED this tenth day of February, 2026 by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

 CHUCK MIGUEL, CHAIRMAN
 City of Tulare Planning Commission

ATTEST:

 MARIO ANAYA, SECRETARY
 City of Tulare Planning Commission



Staff Report

Meeting: Planning Commission

Date: February 10, 2026

Department: Community Development - Planning

Submitted by: Steven Sopp, Principal Planner

Agenda Title: Variance No. 469

RECOMMENDED ACTION

Adopt a resolution approving Variance No. 469 to allow the creation of 4 parcels and a remainder that do not all meet the minimum lot frontage of 20 feet on a public street.

SUMMARY

This is a request by Kareem Saleem Gowani to allow the creation of 4 parcels and a remainder that do not all meet the minimum lot frontage of 20 feet on a public street as required by the City’s Municipal Code. The subject property is located on the south side of Bardsley Avenue between Laspina Street and Goble Ct. (APN 182-310-022). The subject property is zoned RH-14, which is a multi-family residential zone district. The applicant has been working to establish a 17-unit multi-family residential development on the subject property. In order to more easily finance the project, the applicant is looking to subdivide the subject property into 4 parcels and a remainder.

Chapter 10.18.040 of the City of Tulare Municipal Code requires all parcels created within the RH-14 (Multiple Family Residential) zone to have a minimum lot frontage of 20 feet on a public street. The subject property is currently shaped as a flag lot with the ‘pole’ portion of the lot fronting on Bardsley Avenue and the ‘flag’ portion of the lot being behind a parcel that fronts Bardsley Avenue and is currently under separate ownership. The subject property currently has 59 feet of frontage on Bardsley Avenue. Due to the shape of the existing parcel, it is not possible to meet the lot frontage requirement and divide the parcel as proposed by the applicant. The proposed parcels meet all other requirements such as lot size, depth, and width of the municipal code. The applicant is requesting a variance from the lot frontage requirement.

A variance may be granted where practical difficulties, unnecessary hardship, and conditions inconsistent with the purpose and objectives of the zoning title may result from the strict application of certain provisions of the title. The Planning Commission has the power to grant variances from regulations prescribed in the Zoning Ordinance subject to the required findings. The applicant has provided response below to the required variance findings to justify their request. Staff has also provided analysis of each variance finding.

FINDINGS

- (1) There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, are such that the strict application deprives such property of privileges enjoyed by other properties in the vicinity that are in the same zone district.

Applicant Response: The property is irregular in shape and requires a variance to accommodate development which is zoned for. This project will not produce a precedence in the area.

Staff Analysis: The parcel that is requested to be divided is shaped as a flag lot with limited existing street frontage. The parcel’s existing shape makes it impossible to be divided and all parcels to meet the 20 ft. minimum street frontage requirement. The proposed parcels will meet all other development standards required by the base zone.

- (2) The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity and that is in the same zone district and denied to the property for which the variance is sought.

Applicant Response: The project does not set a precedence in the city, similar developments on constraint lots have been approved. Additionally, the project is consistent with the zoning and land use designation, therefore this finding can be made.

Staff Analysis: The granting of the requested variance would facilitate the division of the project site into 4 parcels and a remainder where not all of the parcels will meet the zoning requirement to have 20 feet of frontage on a public street. While city staff try to ensure consistency and that all parcels meet the street frontage requirement there are examples of other properties that are also zoned for multiple family residential development that do not meet the requirement. Examples can be found in the vicinity of the project at the southeast corner of Aronian Street and Academy Avenue as well as at the southwest corner of Spruce Street and Alpine Avenue and other places throughout the city. The granting of the requested variance would be necessary for the subject property to possess the same property right that is possessed by other properties in the same vicinity and district.

- (3) The variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and that are in the same zone district in which the property is located.

Applicant Response: The project is consistent with zoning and the land use designation. The project is consistent with the surrounding area and will not be a detriment to the surrounding areas.

Staff Analysis: The variance will not be materially detrimental to the public health or safety of the property or improvements in the vicinity. The variance would allow the establishment of invisible lines for ownership purposes. This has no potential to create an unsafe condition. The variance is being requested for financing purposes to enable the construction of a multiple-family residential development. City staff will work to ensure that the development meets the development standards of the city's municipal code as well as the building code. This will ensure that the development will not be detrimental to the public health safety or welfare.

- (4) The variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and that are in the same land use district in which such property is located.

Applicant Response: The project does not set a precedence in the city, similar developments on constraint lots have been approved. Additionally, the project is consistent with the zoning and land use designation, therefore this finding can be made.

Staff Analysis: The granting of a variance would not constitute a grant of special privilege. The variance would allow lines on a map to be drawn to subdivide the parcel for ownership purposes. While city staff try to ensure consistency and that all parcels meet the street frontage requirement there are examples of other properties that are also zoned for multiple family residential development that do not meet the requirement. Examples can be found in the vicinity of the project at the southeast corner of Aronian Street and Academy Avenue as well as at the southwest corner of Spruce Street and Alpine Avenue and other places throughout the city.

- (5) The variance does not allow a use or activity that is prohibited in the zone district where the property is located.

Applicant Response: The variance will not allow a use or activity that is prohibited. The variance will enable the construction of housing consistent with the existing zoning and the goals established by the State.

Staff Analysis: The proposed variance will not allow a use or activity that is prohibited in the zone district where the property is located. The variance will allow for the creation of lots that do not meet the minimum requirement for frontage on a public street. The variance will not change or effect the uses or activities allowed to be established on the subject property. The applicant is proposing to establish a 17-unit residential development that will meet the requirements of the RH-14 (Multiple Family Residential) zone.

- (6) The variance is consistent with the purposes of the zoning ordinance.

Applicant Response: The project is consistent with the zoning and land use designation and will not set a precedence.

Staff Analysis: The applicant is proposing to vary from the requirement for a parcel to have 20 ft. minimum frontage on a public street. The purpose for this requirement is to ensure that parcels are not created that are landlocked and do not have legal access to them. If approved, city staff will ensure that a easement or similar instrument is recorded ensuring that all parcels have legal access. The proposed parcels will meet all other zoning ordinance requirements such as parcel size, lot width, lot depth, etc. The applicant is also proposing to develop a multiple family residential development on the subject property. The proposed development will meet the standards of the RH-14 (Multiple Family Residential) zone.

- (7) The variance will be consistent with the General Plan.

Applicant Response: The project is consistent with the General Plan. The request is due to the constraint upon the legal lot.

Staff Analysis: The granting of the variance will be consistent with the General Plan. The General Plan designates the property as High Density Residential (HDR). The HDR land use designation sets a density range of 14-29 units per acre. The proposed development would establish a density of 14 units per acre. The proposed multi-family residential development is consistent with the existing General Plan land use designation. The General Plan also calls for the city to encourage in-fill development (Policy LU-P2.3). The proposed development would be considered in-fill development.

ENVIROMENTAL

The proposed project is exempt pursuant to Section 15315 (Minor Land Divisions) and 15332 (In-fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

FISCAL IMPACT & FUNDING SOURCES

There is no fiscal impact associated with this action.

LEGAL REVIEW

This item does not require legal review.

PUBLIC NOTICE

A notice of public hearing was mailed to property owners within 300 feet of the subject property and was published in The Visalia Times Delta on January 30th, 2026, which is at least 10 days prior to the public hearing. No comments have been received regarding the project in response to the public notice that was provided.

ALTERNATIVE ACTION

Approve with changes

Deny

Table

ATTACHMENTS

Attachment 1- Location Map

Attachment 2- Proposed Parcel Map

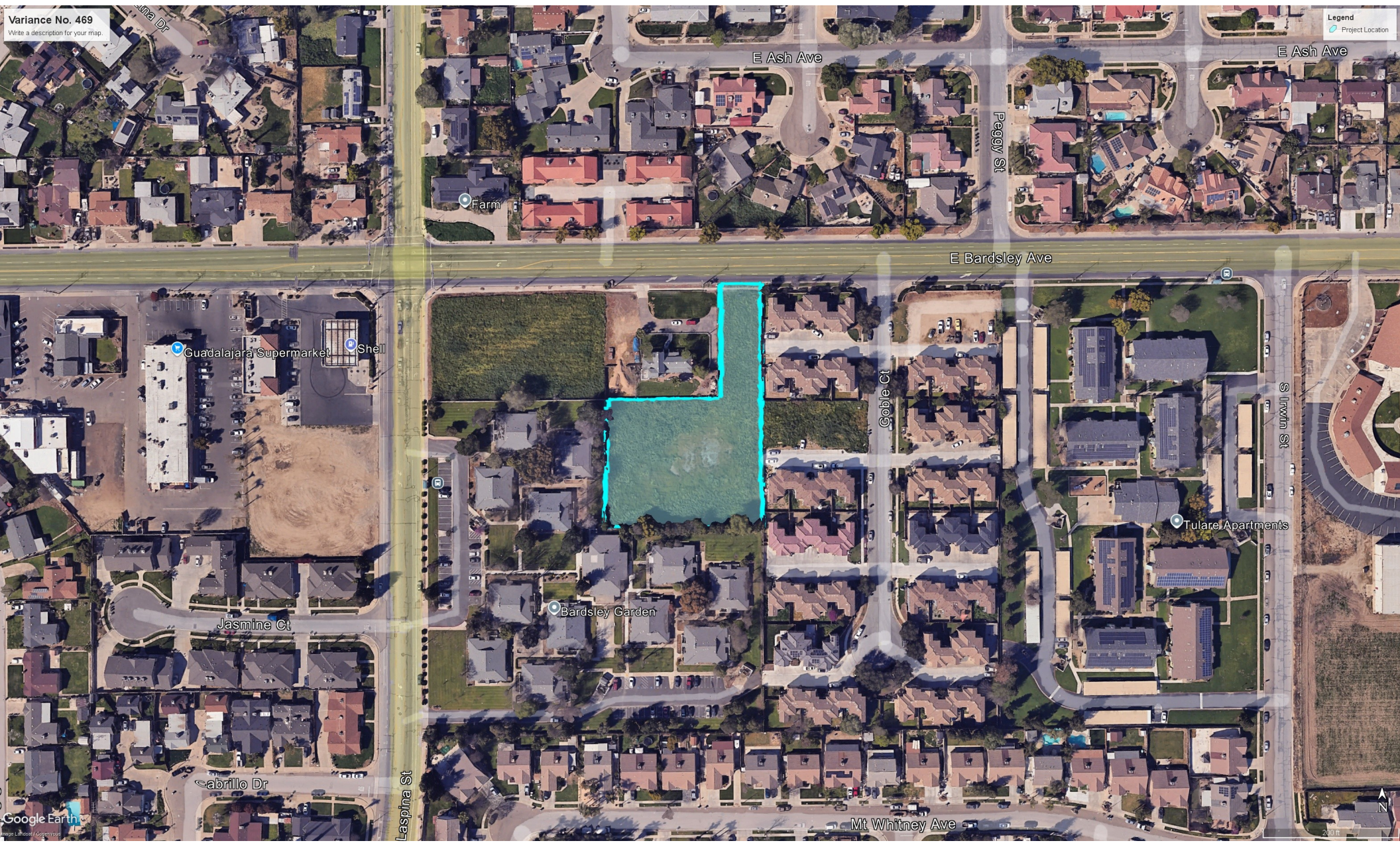
Attachment 3- Proposed Site Plan

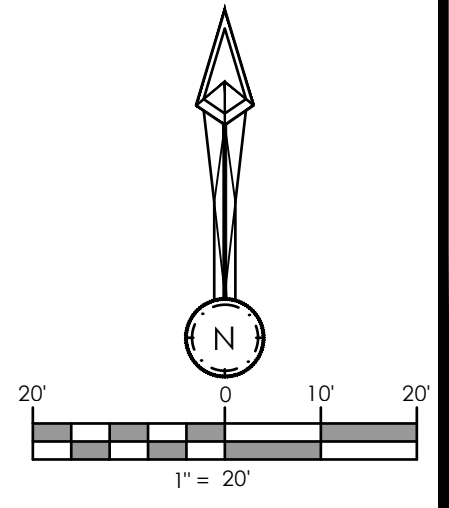
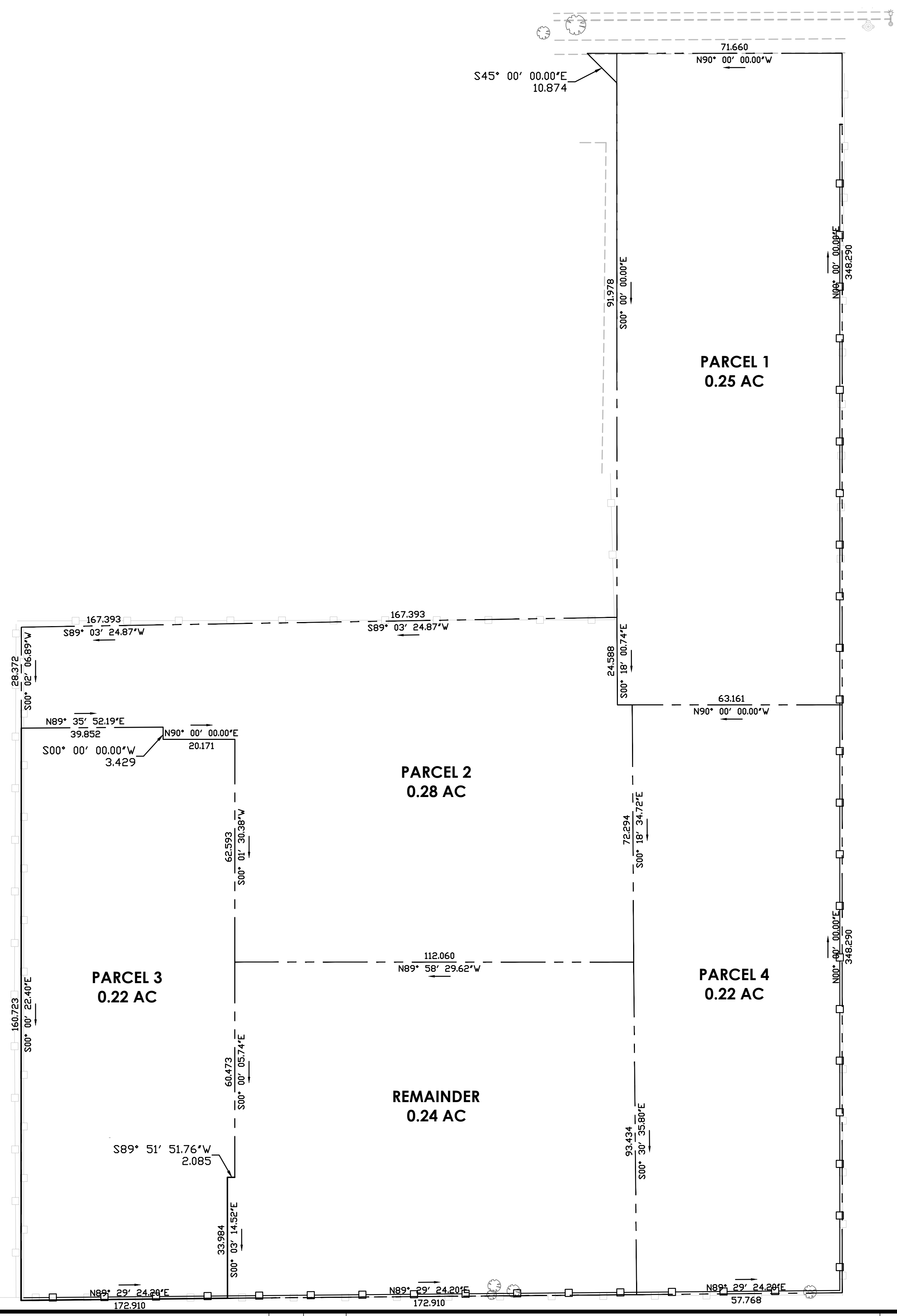
Attachment 6- Planning Commission Resolution No. 5545

Reviewed/Approved: __

Variance No. 469
Write a description for your map.

Legend
Project Location

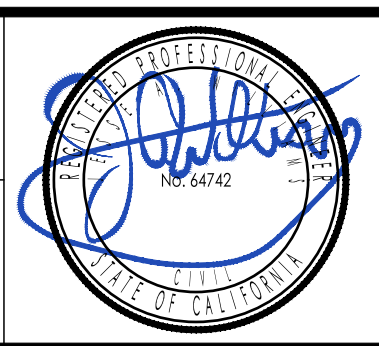




SCALE	AS NOTED
DATE	January 7, 2026
DRAWN BY	RJY
CHECKED BY	---

AWEngineering
 CIVIL ENGINEERS & LAND SURVEYORS
 810 W ACEQUIA AVENUE, VISALIA CA 93291
 559-713-6139

APPROVED BY
 JESSE ALLEN WILLIAMS R.C.E. 64742
 DATE
 APPROVED BY
 DATE



FOR
 KAREEM SALEEM GOWANI
 PROJECT
 TULARE MULTIFAMILY
 TULARE, CA

SHEET TITLE
 PARCEL EXHIBIT

SHEET	---
FLOOD ZONE	" X "
JOB NUMBER	24022

G:\AW\2024\24022 - Parcel Exhibit - Submittal\24022 - Parcel Exhibit - Final.dwg - 1/7/2026 10:42:12 AM

RESOLUTION NO. 5545

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING VARIANCE APPLICATION No. 469**

WHEREAS, the City of Tulare Planning Commission held a regular meeting on February 10, 2026 to consider a request by Kareem Saleem Gowani for a variance to allow 4 parcels and a remainder to be created that do not meet the minimum requirement for street frontage within the RH-14 (Multiple-family Residential zone. The subject property is located on the south side of Bardsley Avenue between Laspina Street and Goble Court (APN 182-310-022); and,

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

WHEREAS, the Planning Commission of the City of Tulare finds that A variance from the zoning code and proposed parcel map are exempt pursuant to Section 15315 (Minor Land Divisions) and 15332 (In-fill Development Projects) of the California Environmental Quality Act of 1970, as amended.

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

- 1) There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, are such that the strict application deprives such property of privileges enjoyed by other properties in the vicinity that are in the same zone district.

The parcel that is requested to be divided is shaped as a flag lot with limited existing street frontage. The parcel's existing shape makes it impossible to be divided and all parcels to meet the 20 ft. minimum street frontage requirement. The proposed parcels will meet all other development standards required by the base zone.

- 2) The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity and that is in the same zone district and denied to the property for which the variance is sought.

The granting of the requested variance would facilitate the division of the project site into 4 parcels and a remainder where not all of the parcels will meet the zoning requirement to have 20 feet of frontage on a public street. While city staff try to ensure consistency and that all parcels meet the street frontage requirement there are examples of other properties that are also zoned for multiple family residential development that do not meet the requirement. Examples can be found in the vicinity of the project at the southeast corner of Aronian Street and Academy Avenue as well as at the southwest corner of Spruce Street and Alpine Avenue and other places throughout the city. The granting of the requested variance would be necessary for the subject property to possess the same property right that is possessed by other properties in the same vicinity and district.

- 3) The variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and that are in the same zone district in which the property is located.

The variance will not be materially detrimental to the public health or safety of the property or improvements in the vicinity. The variance would allow the establishment of invisible lines for ownership purposes. This has no potential to create an unsafe condition. The variance is being requested for financing purposes to enable the construction of a multiple-family residential development. City staff will work to ensure that the development meets the development standards of the city's municipal code as well as the building code. This will ensure that the development will not be detrimental to the public health safety or welfare.

- 4) The variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and that are in the same land use district in which such property is located.

The granting of a variance would not constitute a grant of special privilege. The variance would allow lines on a map to be drawn to subdivide the parcel for ownership purposes. While city staff try to ensure consistency and that all parcels meet the street frontage requirement there are examples of other properties that are also zoned for multiple family residential development that do not meet the requirement. Examples can be found in the vicinity of the project at the southeast corner of Aronian Street and Academy Avenue as well as at the southwest corner of Spruce Street and Alpine Avenue and other places throughout the city.

- 5) The variance does not allow a use or activity that is prohibited in the zone district where the property is located.

The proposed variance will not allow a use or activity that is prohibited in the zone district where the property is located. The variance will allow for the creation of lots that do not meet the minimum requirement for frontage on a public street. The variance will not change or effect the uses or activities allowed to be established on the subject property. The applicant is proposing to establish a 17-unit residential development that will meet the requirements of the RH-14 (Multiple Family Residential) zone.

- 6) The variance is consistent with the purposes of the zoning ordinance.

The applicant is proposing to vary from the requirement for a parcel to have 20 ft. minimum frontage on a public street. The purpose for this requirement is to ensure that parcels are not created that are landlocked and do not have legal access to them. If approved, city staff will ensure that a easement or similar instrument is recorded ensuring that all parcels have legal access. The proposed parcels will meet all other zoning ordinance requirements such as parcel size, lot width, lot depth, etc. The applicant is also proposing to develop a multiple family residential development on the subject property. The proposed development will meet the standards of the RH-14 (Multiple Family Residential) zone..

- 7) The variance will be consistent with the General Plan.

The granting of the variance will be consistent with the General Plan. The General Plan designates the property as High Density Residential (HDR). The HDR land use designation sets a

density range of 14-29 units per acre. The proposed development would establish a density of 14 units per acre. The proposed multi-family residential development is consistent with the existing General Plan land use designation. The General Plan also calls for the city to encourage in-fill development (Policy LU-P2.3). The proposed development would be considered in-fill development.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City of Tulare Planning Commission that Variance No. 469 is hereby approved.

PASSED, APPROVED AND ADOPTED this tenth day of February, 2026 by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

MARIO ANAYA, SECRETARY
City of Tulare Planning Commission