

**CITY OF TULARE PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**

**Tulare Public Library—Council Chambers**  
**491 North M Street**

**August 13, 2018**

**COMMISSIONERS PRESENT:** Miller, Rocha, Cox, Olivares, Miguel

**TEENS ON BOARD PRESENT:** None

**STAFF PRESENT:** Josh McDonnell, Community & Economic  
Development Director  
Jaskaran S. Gill, Assistant Interim City Attorney  
Steven Sopp, Associate Planner  
Michael Miller, City Engineer  
Luis Nevarez, Interim Fire Chief  
Lucie Brown, Commission Clerk

**CALL TO ORDER:**

Chairman Miguel called the regular meeting to order at 7:02 p.m.

**PLEDGE OF ALLEGIANCE:**

Commissioner Olivares led us in the flag salute.

**CITIZEN COMMENTS:**

None.

**COMMISSIONER COMMENTS:**

None

**CONSENT CALENDAR:**

**(1) Minutes of the July 23, 2018 regular meeting**

**(2) Time Extension for Quail Hollow Court Tentative Subdivision Map**

It was motioned by Commissioner Rocha and seconded by Commissioner Cox to approve the consent calendar as presented and carried by unanimous vote.

**PUBLIC HEARING:**

**(1) Zone Amendment No. 730:**

Director McDonnell reviewed with the Commission a request by City of Tulare to revise Zoning Ordinance Chapter 10.26 “Annexations” of the Tulare Municipal Code. This Zoning Ordinance Amendment is exempt from Environmental Review under the California Environmental Quality Act, pursuant to Section 15061 (B) (3).

Chairman Miguel opened the public hearing.

There being no one else to speak in favor of or against the project the public hearing was closed.

Following Commission discussion it was motioned by Commissioner Rocha and seconded by Commissioner Miller to adopt Resolution 5291, recommending to the City Council approval of Zone Amendment No. 730 based on the findings and subject to the conditions as listed in the staff report.

**COMMISSIONERS**

AYES: Rocha, Miller, Cox, Olivares  
Miguel

ABSENT: None

NOES: None

ABSTAIN: None

**(2) Mitigated Negative Declaration/ General Plan Amendment No. 2018-01/ Zone Amendment No. 728 and Tentative Subdivision Map- Liberty Hill:**

Commissioner Cox recused himself citing conflict of interest due to owning property within the project area.

Steven Sopp, Associate Planner, reviewed with the Commission a request by Central Pacific Development Group to subdivide approximately 79.5 acres into a 384-lot single family residential subdivision, rezone property from R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area) and C-1 (Neighborhood Commercial) to R-1-5 (Single Family Residential- 5,000 sq. ft. minimum lot area) and amend General Plan on approximately 7 acres of the subject property from Neighborhood Commercial to Low Density Residential. A Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.

Chairman Miguel opened the public hearing.

There being no one else to speak in favor of or against the project the public hearing was closed.

Following Commission discussion it was motioned by Commissioner Miller and seconded by Commissioner Rocha to adopt Resolution 5288, approving Tentative Subdivision Map 2018-12- Liberty Hill, adopting Mitigated Negative Declaration for Liberty Hill Tentative Subdivision Map, General Plan Amendment No. 2018-01, Zone Amendment No. 728 and adopting Resolution 5289 recommending to the City Council approval of General Plan Amendment No. 2018-01 and Zone Amendment No. 728, based on the findings and subject to the conditions as listed in the staff report..

### **COMMISSIONERS**

AYES: Miller, Rocha, Olivares, Miguel

ABSENT: None

NOES: None

ABSTAIN: Cox

Commissioner Cox returned to his seat.

### **(3) Conditional Use Permit No. 2018-16**

Steven Sopp, Associate Planner, reviewed with the Commission a request by Herminio Chavez of Chavez Tacos to operate a stationary mobile vending vehicle on the property located at 1314 North "J" Street. This project is exempt pursuant to 15304 (e) of the California Environmental Quality Act of 1970, as amended.

Steven Sopp, Associated Planner, noted that staff is recommending denial of this project due to the conclusion that findings cannot be made when reviewing project

details and the projects' inconsistency with the policies and intent of the City's General Plan and Municipal Code.

Chairman Miguel opened the public hearing.

Director McDonnell asked Interim Fire Chief Nevarez to ask the applicant in Spanish if he wished to speak on the project.

Chief Nevarez asked the applicant and the applicant declined.

There being no one else to speak in favor of or against the project the public hearing was closed.

Following Commission discussion it was motioned by Commissioner Rocha and seconded by Commissioner Olivares to adopt Resolution 5292, denying Conditional Use Permit No. 2018-16 based on the conclusion that findings cannot be made when reviewing project details and the projects' inconsistency with the policies and intent of the City's General Plan and Municipal Code.

### **COMMISSIONERS**

AYES: Rocha, Olivares, Miller, Cox  
Miguel

ABSENT: None

NOES: None

ABSTAIN: None

The applicant was notified that he may appeal the Planning Commission's decision to the City Council.

Staff also noted that they are willing to work with the applicant to find a more suitable site for his business.

### **GENERAL BUSINESS—NON PUBLIC HEARING ITEMS**

None

### **TEENS ON BOARD:**

None present

**DIRECTORS REPORT:**

Director McDonnell introduced and welcomed the new Planning Commissioner, Anthony Olivares as well as the Assistant Interim City Attorney, Jaskaran S. Gill.

**AJOURNMENT:**

There being no other items to come before the Commission, the meeting was adjourned at 7:51 p.m.

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CHUCK MIGUEL, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

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JOSH MCDONNELL SECRETARY  
City of Tulare Planning Commission