

CORCORAN PLANNING COMMISSION

AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, June 20, 2016
5:30 P.M.

Public Inspection: A detailed Planning Commission packet is available for review at Corcoran City Hall, located at 832 Whitley Avenue

Notice of ADA Compliance: In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerks office at (559) 992-2151 ext. 235.

Public Comment: Members of the audience may address the Planning Commission on non-agenda items; however, in accordance with Government Code Section 54954.2, the Planning Commission may not (except in very specific instances) take action on an item not appearing on the posted agenda.

This is just the time for members of the public to comment on any matter within the jurisdiction of the Corcoran Planning Commission. Planning Commission will ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

After receiving recognition from the chair, speaker will walk to the podium and state name and address and proceed with comments. Each speaker will be limited to five (5) minutes.

ROLL CALL

Chairman:	Dennis Tristao
Vice-Chairman:	David Bega
Commissioner:	Clarence Cryer
Commissioner:	Mike Graville
Commissioner:	David Jarvis
Commissioner:	Al Kessler
Commissioner:	Ron Subia
Commissioner:	Troy Van Velson

FLAG SALUTE

1. PUBLIC DISCUSSION
2. APPROVAL OF MINUTES
 - 2.1 Approval of minutes of the Planning Commission meeting on May 16, 2016
3. RE-ORGANIZATION - None

4. **PUBLIC HEARING**

- 4-1. Conditional Use Permit 16-02: Proposed Manufactured Home in Mobile Home Park located at 1907 Dairy Ave. (032-210-047) (**Tromborg**) (*VV*)
- A. Open Public hearing
 - B. Staff Report
 - C. Accept written testimony
 - D. Accept oral testimony
 - E. Close hearing
 - F. Commission discussion
 - G. By motion, approve/approve with changes/deny recommendation.

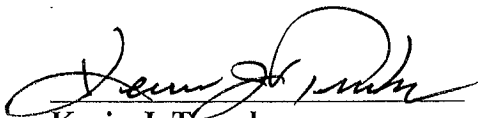
5. **STAFF REPORTS** - None

6. **MATTERS FOR PLANNING COMMISSION**

- 6.1. Information Items
- 6.2. Staff Referrals - *Items of Interest (Non-action items the Commission may wish to discuss)*
- 6.3. Committee Reports - None

7. **ADJOURNMENT**

I certify that I caused this Agenda of the Corcoran Planning Commission meeting to be posted at the City Council Chambers, 1015 Chittenden Avenue on June 16, 2016.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
MONDAY, MAY 16, 2016**

The regular session of the Corcoran Planning Commission was called to order by Tristao, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:29 P.M.

ROLL CALL

Commissioners present: Bega, Cryer), Graville, Jarvis, Van Velson and Tristao

Alternate present: Subia

Commissioners absent: Kessler

Staff present: Kevin Tromborg and Ma. Josephine Lindsey

Press present: None

Also present: Atty. Moses Diaz, City Attorney

FLAG SALUTE The flag salute was led by Tristao.

A quorum was declared in the presence of five (5) Commissioners. Bega arrived at 5:30 p.m.; Cryer arrived at 5:35 p.m.

1. **PUBLIC DISCUSSION** - None

2. **APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Graville and seconded by Jarvis to approve the minutes of April 18, 2016. Motion carried by the following vote:

AYES: Bega, Cryer, Graville, Jarvis, Subia and Van Velson

NOES: None

ABSTAIN: Tristao

ABSENT: Kessler

3. **RE-ORGANIZATION** - None

4. **PUBLIC HEARING**

4.1 Public Hearing on Conditional Use Permit 16-01: Proposed Recycle Center - 2000 Sherman Ave. (034-150-026) was declared open at 5:30 p.m. Mr. Tromborg presented the staff report. Two written comments were received and discussed. There being no oral testimony, the hearing was declared closed at 5:48 p.m.

Commissioners instructed the staff to talk to the project proponent and inform him of the following conditions:

- That the area to be used for recycling, egress, curb and gutter, path of travel, be paved with asphalt or concrete in accordance with the City of Corcoran's improvement standards or a minimum of a 4" decomposed granite;
- That water connection should be installed for necessary cleanup and maintenance of recycling facility;
- That a site plan must be submitted.

Following Commission discussion, a **motion** was made by Van Velson seconded by Bega to continue the discussion of the Conditional Use Permit 16-01: Recycling Center - 2000 Sherman Ave. (034-150-026) in the next Planning Commission meet. Motion carried by the following vote:

AYES: Bega, Cryer, Graville, Jarvis, Subia and Van Velson and Tristao
NOES: None
ABSTAIN: None
ABSENT: Kessler

4.2 Public Hearing on Corcoran Zoning Code Modification on the Definition of Animal Keeping was declared open at 5:56 p.m. Mr. Tromborg presented the staff report.

Margaret Lirones, resident of 1509 Hall Avenue in Corcoran, addressed the Commissioners and clarified on how the enforcement process will be done. Tromborg explained that it would be based on a complaint received and Code Enforcement Department will do its own investigation process. Further, the Police Department, with a 24-hour patrol service can also be notified of any animal keeping violation. Lirones was also encouraged to put forward her complaint to the Code Enforcement Department.

There being no written testimony, the hearing was declared closed at 6:37p.m.

Following Commission discussion, a **motion** was made by Van Velson seconded by Jarvis to recommend to the City Council to amend the Zoning Code, Chapter 11-15-2, Animal Keeping, Section B, Applicability, to reflect the following:

- Remove Section B - 2, "Animal keeping is not permitted in the C, IL and IH zoning districts";
- Replace Section B- 2, with "The use of animals as a form of security in commercial or industrial zones is allowed by conditional use permit";
- Modify the definition of Animal Keeping and Raising into "Any establishment that keeps animals for sale or hire or security....."

Motion carried by the following vote:

AYES: Bega, Graville, Jarvis, Kessler, Subia and Van Velson and Tristao
NOES: None
ABSTAIN: Cryer
ABSENT: None

5. STAFF REPORTS - None

6. MATTERS FOR COMMISSION

6.1 Commission received the Building Department Activity of April 2016 as information item.

6.2 Committee Reports - None

7. ADJOURNMENT

At 6:40 p.m., the meeting was adjourned to the next regularly scheduled meeting of Monday, June 20, 2016 at 5:30 P.M. in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED:

Dennis Tristao
Planning Commission Chairperson

ATTEST:

Kevin J. Tromborg
Community Development Director

Approved on: _____

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

MEMORANDUM

**PUBLIC HEARING
ITEM 4.1**

TO: Corcoran Planning Commission

FROM: Kevin J. Tromborg, Community Development Director

SUBJECT: Conditional Use Permit 16-02 filed by Capital Mobile Community Corcoran LLC regarding a new manufactured home at Mobile Home Park Sp. # 21 located at 1907 Dairy Avenue.

MEETING DATE: June 20, 2016

APPLICANT

PROPERTY OWNER

Capital Mobile Community Corcoran LLC
P.O. Box 194
Sunset Beach, CA 90742

Capital Mobile Community Corcoran LLC
P.O. Box 194
Sunset Beach, CA 90742

REPORT

The applicant proposes a new manufactured home at Mobile Home Park Sp. # 21 located at 1907 Dairy Avenue. The property is currently owned by Capital Mobile Community Corcoran LLC. The business is applying for a Conditional Use permit as a requirement by the Housing and Community Development Department (HCD) of the State of California. 1907 Dairy Avenue is a Mobile Home Park under HCD authority. However, HCD authority extends to only mobile homes within the park. Single Family dwellings or any other structure not a mobile home is under local jurisdiction. At the North West corner of the lot, facing Dairy Avenue, existed a Single Family Dwelling built on a foundation. The SFD was torn down under a demolition permit in 2015. HCD requires that before a mobile home can replace a SFD a conditional use permit must be approved by the local jurisdiction. The City approved the mobile home to be installed without the understanding of this HCD requirement.

SURROUNDING ZONING AND USES

	<u>Use</u>	<u>Zoning</u>
Subject	Residential	R-16

North	Neighborhood Commercial	CN
South	Neighborhood Commercial / Residential	CN / R-16
East	Residential	R-16
West	Neighborhood Commercial / Residential	CN / R-16

COMPLIANCE WITH CEQA

The proposed Mobile home is exempt from CEQA review pursuant to section 15302 Replacement and reconstruction Class 2 Replacement or reconstruction of existing facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This activity is not subject to CEQA.

CONDITIONAL USE PERMIT FINDINGS

The following findings are proposed:

- (A) The property is a mobile home park and the proposed mobile home will replace a SFD. The lot is exempt under CEQA 15302 Class 2. (Replacement or Reconstruction)
- (B) That the site is Residential R-16. The intended use is permitted in the zoning ordinance however, the conditional use permit is a requirement of HCD by the local jurisdiction. The use will not involve any process, equipment or materials which would be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried waste, noise, vibration, illumination, glare, unsightliness, working before or after designated times, or to involve any hazard or nuisances, fires or explosions.
- (C) That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Title to adjust said use with land and use in the neighborhood;
- (D) That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use:
- (E) That the proposed use will have no adverse effects upon adjoining or other properties. In making this determination, the Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; paving or ground protection; setbacks; height of buildings; walls and fences; landscaping; outdoor lighting; signs; and such other characteristics as will affect surrounding property;
- (F) That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned developments approved by the City;

CONDITIONAL USE PERMIT-ACTION BY THE PLANNING COMMISSION (from Zoning Ordinance Section 11-23-4)

The Planning Commission, by written resolution, may approve, approve with conditions, disapprove, or disapprove without prejudice a conditional use permit application.

The decision of the Planning Commission shall be final unless appealed to the City Council in accordance with the procedure outlined below. 11-27-2 (b)

No building permit or business license shall be issued where a conditional use permit has been approved or conditionally approved by the Planning Commission until such permit has been granted by the Planning Commission and after the appeal period has expired, and then only in accordance with the terms and conditions of the conditional use permit granted and only if the approval or conditional approval of the conditional use permit by the Planning Commission has not been appealed to the City Council pursuant to the procedure specified in Section 11-27

CONDITIONAL USE PERMIT-APPEAL TO THE CITY COUNCIL (Section 11-27)

In case the applicant or any other party is not satisfied with the action of the Planning Commission he may, within ten days after the date of the adoption of the Planning Commission resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date a date for the public hearing and shall post notices as set forth in Section 11-27.3 (e). The date for the public hearing shall not be less than ten nor more than thirty days from the date in which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the granting of a conditional use permit as required in Section 11-27.

The decision of the City Council shall be final, and shall have immediate effect.

TIME LIMIT FOR DEVELOPMENT-RENEWAL RESTRICTIONS (Zoning Ordinance Section 11-23-4)

A conditional use permit shall lapse and become void one year following the date on which the conditional use permit became effective unless by conditions of the conditional use permit a lesser or greater time is prescribed, or unless, prior to the expiration, either the use is being diligently pursued in accordance with the conditional use permit, or a building permit is issued by the Building Official and construction is commenced and is being diligently pursued in accordance with the conditional use permit. A conditional use permit may be renewed for an additional period of one year or for a lesser or greater period as may be specified, provided that an application for renewal is filed with the Planning Commission prior to the expiration of the

time period granted. The Planning Commission, pursuant to the procedure set forth in Section 11-23-4, may grant or deny an application for renewal.

A conditional use permit shall lapse and become void if there is discontinuance for a continuous period of six months of the exercise of rights granted under said permit.

NEW APPLICATION

Should the Planning Commission deny an application for a use permit, no application for a use permit for the same or substantially the same use on the same or substantially the same site shall be filed within six (6) months from the date of denial or revocation of the use permit, except when the Planning Commission denies "without prejudice".

USE PERMIT TO RUN WITH THE LAND (Zoning Ordinance, Section 11-25-8).

A use permit granted pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

Any expansion of the use or structures or area associated with such use not originally approved in the conditional use permit shall require a modification to the conditional use permit through the public hearing process.

REVOCAION

Upon violation of any applicable provisions of this Code, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a use permit shall be suspended automatically. Notice of such suspension shall be sent immediately to the person or persons responsible for noncompliance by the Planning Department. Within thirty (30) days of the suspension, the City Council shall consider the suspension. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the use permit or take such action as may be necessary to ensure compliance with the regulation, general provision, condition or conditions. Before acting on the suspension, the City Council may refer the matter to the Planning Commission for a report and recommendations.

**CORCORAN CITY PLANNING COMMISSION
RESOLUTION NO. 16-07
PERTAINING TO
CONDITIONAL USE PERMIT 16-02**

WHEREAS, Capital Mobile Community Corcoran LLC submitted an application to put up a new manufactured home at Mobile Home Park Sp. # 21 located at 1907 Dairy Avenue.; and

WHEREAS, this Commission considered the staff report on June 20, 2016; and

WHEREAS, the Planning Commission has made the following findings pursuant to the City of Corcoran Zoning Ordinance;

- (A) The project is categorically exempt under CEQA 15302 class 2 replacement or reconstruction.
- (B) That the site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Title to adjust said use with land and use in the neighborhood;
- (C) That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- (D) That the proposed use will have no adverse effect upon adjoining or other properties. In making this determination, the Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; heights of buildings; walls and fences; landscaping; outdoor lighting; signs; and such other characteristics as will affect surrounding property;
- (E) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;

IT IS THEREFORE RESOLVED that Conditional Use Permit 16-02 should be approved with the Conditions stated in Exhibit A, General, Kings County Health Department, Kings County Fire Department, and Building and Planning conditions, State of California Weights and Measures.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Corcoran by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 20h day of June 2016

Dennis Tristao, Planning Commission Chairman

Kevin J. Tromborg, Community Development Director

CERTIFICATE

City of Corcoran }
County of Kings } ss.
State of California }

I, Ma. Josephine D. Lindsey, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 16-06 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 20th day of June 2016, by the vote as set forth therein.

DATED: June 20, 2016

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Lopez, Acting City Clerk

EXHIBIT A
CONDITIONAL USE PERMIT 16-02
RESOLUTION

General Conditions:

1. That the applicant in consideration of the approval of said project hereby agrees to hold harmless the City of Corcoran and all of its departments, officers, agents, or employees free and harmless of, and from any claims or any kind of nature arising out of or by reason of said project, and the development of said project by any person, firm or corporation, public or private, and from the cost and expense of defending the same including attorneys fees.
2. That all proposals of the applicant be conditions of approval if not mentioned herein.
3. That the property conforms to the provisions of the Residential zone District.
4. That the property be kept in good repair at all times.
5. That the property is kept free of weeds and debris at all times, and the front yard meet all the landscape requirements of a single family dwelling.
6. That any exterior lighting be hooded and directed on site.
7. No signage shall be allowed in the front setback of the mobile home
8. All waste handling equipment shall be fully screened from public view.

Building and Planning:

1. A complete site plan showing lot lines, property pins, and all proposed and existing setbacks must be submitted for review.
2. A full inspection by the Building Department and Fire Department is required before occupancy.
3. A yearly inspection of the provisions of this conditional use permit shall be performed by Code enforcement to insure compliance.



**PLANNING COMMISSION UPDATES
PENDING FURTHER ACTION or RESOLUTION BY STAFF**

DATE	INFORMATION ITEM	STATUS
6/20/16	CUP 16-01: Recycling Center	Staff met with the project proponent and discussed the conditions set to establish the recycling facility. Proponent decided to not continue with the project and possibly look for alternative site.
06/20/16	Building Department Activity May 2016	

City of Corcoran

City of Corcoran Building Division

BUILDING DEPARTMENT ACTIVITY REPORT

Report Date Range : 05/01/2016 to 05/31/2016

Structure / Permit Type	# of Permits	Valuation
COMMERCIAL		
COMMERCIAL TENANT IMPROVEMENT	1	30,000.00
	1	
RESIDENTIAL		
SOLAR SYSTEM	2	19,800.00
RESIDENTIAL GARAGE NEW/ADD/REM	2	36,304.00
RESIDENTIAL CARPORT NEW/ADD	2	22,000.00
RESIDENTIAL STORAGE BUILDING	2	12,000.00
SWIMMING POOL / SPA	1	52,145.00
ELECTRIC PERMIT	1	1,000.00
PLUMBING PERMIT	1	1,800.00
MECHANICAL PERMIT	5	12,500.00
RE-ROOF	5	33,300.00
	21	
<u>TOTALS</u>	<u>22.00</u>	<u>220,849.00</u>