

CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, December 18, 2017
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: | David Bega |
| Vice-Chairman: | Troy Van Velson |
| Commissioner: | Shea DeVaney |
| Commissioner: | David Jarvis |
| Commissioner: | Ron Subia |
| Commissioner: | Dennis Tristao |
| Commissioner: | Janet Watkins |
| Alternate Commissioner: | Karl Kassner |

FLAG SALUTE

1. PUBLIC DISCUSSION
2. APPROVAL OF MINUTES
 - 2.1 Approval of minutes of the special Planning Commission meeting on November 6, 2017
3. RE-ORGANIZATION - None

4. **PUBLIC HEARING**

4.1 To consider Resolution No. 17-13 regarding installation of security camera for all new and remodel commercial and industrial buildings or structures for safety and security purposes. *(Tromborg) (VV)*

- A. 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**

5.1 Discussion regarding abandoned shopping carts

5.2 Discussion regarding tiny houses

6. **MATTERS FOR PLANNING COMMISSION**

6.1. Information Items

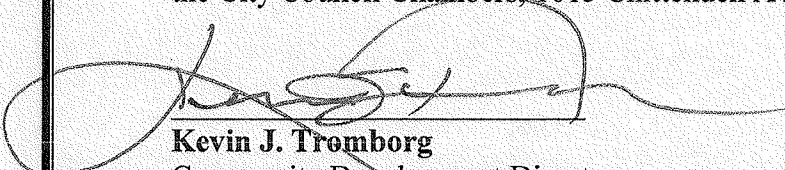
- Registration application process for personal use of Cannabis
- Residential limits on number of vehicles
- Allowed use in R-A zone

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 December 14, 2017.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
SPECIAL MEETING
MONDAY, NOVEMBER 6, 2017**

The regular session of the Corcoran Planning Commission was called to order by Chairperson David Bega, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:30 P.M.

ROLL CALL

Commissioners present: Bega, DeVaney, Jarvis, Subia and Watkins
Alternate present: Kassner
Commissioners absent: Tristao and Van Velson
Staff present: Kindon Meik, Reuben Shortnacy, Kevin Tromborg and Ma. Josephine Lindsey
Also present: Moses Diaz, City Attorney

FLAG SALUTE

The flag salute was led by Bega.

A quorum was declared in the presence of five (5) Commissioners and 1 (one) alternate Commissioner.

1. **PUBLIC DISCUSSION - None**
2. **APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Jarvis and seconded by Subia to approve the minutes of regular meeting on October 26, 2017. Motion carried by the following vote:

AYES: Bega, DeVaney, Jarvis, Kassner, Subia and Watkins

NOES: None

ABSTAIN: None

ABSENT: Tristao and Van Velson

3. **RE-ORGANIZATION – None**
4. **PUBLIC HEARING – None**

4.1 Public Hearing to consider zoning regulations on and/or banning of commercial, non-commercial, medicinal and/or non-medicinal cannabis within the City of Corcoran was declared open at 5:33 p.m. Tromborg presented the staff report on the regulations regarding personal use of cannabis. Meik also made his PowerPoint presentation on commercial cannabis, which include the allowed zoning for commercial cannabis, which is the heavy

industrial zone, benefits and disadvantages of commercial cannabis to the City of Corcoran. Three draft ordinances with corresponding resolutions were discussed as follows:

- Resolution 17-10 pertaining to review of proposed ordinance regulating or restricting certain non-commercial cannabis activity including personal use, cultivation, land uses and related buildings.
- Resolution 17-11 pertaining to review of proposed ordinance regulating commercial cannabis activity including cultivation, businesses, transactions, land uses and related buildings.
- Resolution 17-12 pertaining to review of proposed ordinance banning commercial cannabis activity including cultivation, businesses, transactions and land uses.

An oral testimony was received from Mr. Steve Mendez, resident of 1017 Norboe Avenue, Corcoran, CA 93212 in favor of cannabis for medical purposes. Mr. Ben Eilenberg, resident of Riverside, CA, representing the owner of the property, which is consider as potential use for commercial cannabis, expressed the partnership that the company offers to the City of Corcoran. Further, he explained that they are open and will abide with the City's processes and regulations should the city decided to pursue commercial cannabis.

Mr. Gerardo Cruz, resident of 6404 Niles Avenue, articulated his opposition on commercial cannabis operation in the City of Corcoran.

Having no written testimony received, the public hearing was closed at 6:46 p.m.

Chairman Bega emphasized that the decisions of the Planning Commission will serve as recommendation to the City Council for final approval on November 14, 2017.

Following Commission discussion, a **motion** was made by Kassner and seconded by Watkins to approve the Resolution No. 17-10 pertaining to review of proposed ordinance regulating or restricting certain non-commercial cannabis activity including use, cultivation, land uses and related buildings. Motion carried by the following vote:

AYES: Bega, DeVaney, Jarvis, Kassner, Subia and Watkins

NOES: None

ABSTAIN: None

ABSENT: Tristao and Van Velson

Following Commission discussion, a **motion** was made by DeVaney and seconded by Kassner to approve the Resolution No. 17-12 pertaining to review of proposed ordinance banning commercial cannabis activity including cultivation, businesses, transactions and land uses. Motion carried by the following vote:

AYES: Bega, DeVaney, Jarvis, Kassner and Subia

NOES: Watkins

ABSTAIN: None

ABSENT: Tristao and Van Velson

Planning Commission Secretary held a roll call votes for the two motions.

5. **STAFF REPORTS** - None

6. **MATTERS FOR COMMISSION** - None

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**

At 7:28 p.m., the meeting was adjourned to the next regular meeting on Monday, November 20, 2017 at 5:30 P.M. in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED ON: _____

David Bega
Planning Commission Chairperson

ATTEST:

Kevin J. Tromborg
Community Development Director

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PUBLIC HEARING

ITEM #: 4.1

MEMORANDUM

TO: Corcoran Planning Commission

FROM: Kevin Tromborg: Community Development Director/Planner/Building Official

SUBJECT: Resolution 17-13 requiring the installation of security cameras for all new business, existing business that apply for a rehab or remodel permit or existing business that applies for a modification to an existing business license permit.

DATE: December 11, 2017

MEETING DATE: December 18, 2017

RECOMMENDATION:

To approve Resolution No. 17-13 to require the installation of Security cameras on all new business and existing business that apply for a building permit or a modification to the business license. To direct staff to send the approved Ordinance to the Corcoran City Council for final review and approval.

DISCUSSION:

To help in the reduction of criminal activity and to assist the Police Department in their investigations, and to ensure the safety of businesses in Corcoran and the citizens that utilize the ingress and egress of each business the Community Development Department in conjunction with the Corcoran Police Department are proposing an Ordinance requiring all new business, existing businesses that apply for a building permit, a planning use permit, or a new or modification to an existing business license install security cameras on the exterior of the building at locations approved by the Police Chief.

ATTACHMENT:

Resolution 17-13
Ordinance 623

**RESOLUTION NO. 17-13
CORCORAN CITY PLANNING COMMISSION
PERTAINING TO
SECURITY CAMERA REQUIREMENTS FOR BUSINESSES**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on December 18, 2017, the Commission approved the following:

Whereas, the Community Development Department and the Police Department to help prevent crime and aid in investigations; and

Whereas, the city has many business, patrons and citizens to protect, and;

Whereas, these business have a positive effect on the economy of the city; and

Whereas, these city would like to ensure the protection of all its citizens and those visiting the community from crime.

IT IS THEREFORE RESOLVED that the Planning Commission approves Resolution 17-13 requiring businesses to install security cameras on the exterior of their structures; locations to be determined by the Police Chief or the Building Official whenever a building or planning permit is issued or when a business changes ownership or when a business license is modified. Additionally, high risk business that do not have an existing surveillance system with exterior cameras are given one year and six months to install an approved system.

AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED AND ADOPTED on this 18th day of December 2017.

David Bega
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. 17-13 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 18th day of December, 2017, by the vote as set forth therein.

DATED: December 18, 2017

ATTEST:

Ma. Josephine D. Lindsey
Planning Commission Secretary

Marlene Lopez, City Clerk

ORDINANCE 623
CITY OF CORCORAN
ADDING TO TITLE 11 OF THE CORCORAN MUNICIPAL CODE,
SURVEILLANCE CAMERAS FOR BUSINESSES

THE CITY COUNCIL OF THE CITY OF CORCORAN DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 11, CHAPTER 15, TITLE 11 of the Corcoran Municipal Code is hereby added: Surveillance Cameras for Businesses to read as follows:

Title 11, Chapter 15, Section 11
SURVEILLANCE CAMERAS FOR BUSINESSES

Sections:

1. Purpose.
2. Definitions.
3. Video Surveillance Systems required for certain establishments.
4. Access to Media
5. Minimum Technological Standards.
6. Minimum Coverage Standards, Site Assessment, Signage.
7. Inspections.
8. Enforcement; civil penalties.
9. Exemptions.
10. Appeal Process.

11-15-1 Purpose.

This chapter is enacted to reduce the potential for situations where employees or patron of businesses are exposed to potential criminal activity that have the potential to cause death and/or injuries because of the actions of people with criminal intent. It is also intended to assist law enforcement with the criminal investigation of crimes that oc. Many of the businesses made subject to this chapter have certain characteristics which may tend to increase the potential risk of criminal activity at the businesses.

11-15-2 Definitions.

The definitions and provisions contained in this section shall govern the construction, meaning, and application of the following words and phrases used in this Chapter.

1. "Business Establishments" or "Establishments" means those establishments' retail or service that require a business license.
2. "High risk Business Establishments" means those establishments that possess special risks to employees or patrons listed as follows:
 - a. "Bank or Credit Union" means an establishment whose primary function is related to the custody, loan, exchange, issuance of money, extension of credit, or transmission of funds.

- b. "Carry Out - Food and Drink" means an establishment whose principal business is the sale of food and beverages in disposable containers in a ready- to-consume state for consumption either within the building or for carry-out with consumption off the premises, whose cash register is visible to the public view.
- c. "Coin Dealer" means any business who buys and sells coins, gold or any other "precious metals.
- d. "Convenience Store" means any business which sells at retail both gasoline and more than 20 "consumer products," as that term is defined by 15 USCS § 2052 (5) [Title 15. Commerce and Trade; Chapter 47. Consumer Product Safety]
- e. "Delayed Deposit Services Business" means a person who for a fee does either of the following:
 - i. Accepts a check dated subsequent to the date it was written.
 - ii. Accepts a check dated on the date it was written and holds the check for a period of time prior to deposit or presentment pursuant to an agreement with, or any representation made to, the maker of the check, whether express or implied.
- f. "Firearm Dealer" means an establishment required to obtain a Federal Firearms License to sell firearms.
- g. "Hotel or Motel" shall mean any building or structure, equipped, used, advertised as, or held out to the public as an inn, hotel, motel, motor inn, room or other place where sleeping quarters or other similar accommodations are furnished for a fee to transient guests.
- h. "Liquor or Alcohol Business" means any retailer required to obtain a permit issued by the State of California, Alcoholic Beverages Control, which authorizes the sale of beer, wine, or distilled spirits to be consumed off the premises where sold.
- i. "Media" means material conforming to the Minimum Technical Standards of this Chapter on which audio, video, and electronic data can all be recorded for the purpose of making a permanent record.
- j. "Mobile Communications Retailer" means a business that is engaged in the sale of cellular or mobile communication devices and services, but does not include kiosk stores located in a shopping mall or other business for which the sale of cellular devices or services is only incidental.

- k. "Money Transmission Service" means a business required to obtain a license issued by the State of California, pursuant to the California Code to operate a money transmission service.
 - l. "Retail business" means a business required to obtain a license issued by the City of Corcoran, pursuant to Title 3 of the Corcoran Municipal Code. To sell retail merchandise.
 - m. "Pharmacy" means a location where prescription drugs are compounded, dispensed, or sold by a pharmacist and where prescription drug orders are received or processed in accordance with the pharmacy laws as defined by the State of California
 - n. "Scrap metal dealer" means any person operating a business at a fixed or mobile location that is engaged in one of the following activities:
 - i. Buying, selling, procuring, collecting, gathering, soliciting, or dealing in scrap metal.
 - ii. Operating, managing, or maintaining a scrap metal yard.
3. "Video Surveillance System" (or VSS) means a continuous digital surveillance system including cameras, cabling, monitors, and digital video recorders (DVR) which has been approved by the Chief of Police or his/her designee in accordance with this Chapter.

11-15-3 Video Surveillance Systems Required for Business Establishments.

Every new Business Establishment, or existing business that applies for a remodel or rehab permit, or when an existing business changes ownership or applies for a new or modified business license as defined in this Chapter, is hereby required to install a Video Surveillance System in accordance with this Chapter. All Establishments which have installed a Video Surveillance System prior to the effective date of this ordinance shall ensure said Systems they are in full compliance with this chapter. All Video Surveillance Systems shall:

- a. be maintained in proper working order at all times; and
- b. be kept in continuous operation 24 hours a day, 7 days a week; and
- c. meet the minimum technological standards established in this Chapter.

11-15-4 Notification of Incidents; Access to Media, Images and Data

If a crime occurs, or any employee of an Establishment believes or suspects a crime has occurred at the Establishment premises, the Establishment shall contact the Police Department immediately and the Establishment shall provide the Police immediate access to the media containing the recorded event. The establishment shall retain the continuous digital images recorded by this system for no less than thirty (30) days.

If the Video Surveillance System is web-enabled or has wireless capability, the Establishment shall enable the Police Department to directly access the live system during incidents requiring a police response or intervention.

11-15-5 Minimum Technological Standards.

Minimum Technological Standards required for Video Surveillance Systems shall be established by resolution of the City Council, which may be updated periodically. The Police Chief or the Building Official shall review the Minimum Technical Standards every 5 years to ensure they are consistent with current technology, and shall recommend appropriate updates to the Council.

11-15-6 Minimum Coverage Standards, Site Assessment, Signage.

The Video Surveillance System shall have no less than one camera dedicated to each exterior door entrance/exit, loading dock, and parking lot or area designated for customer and/or employee parking use. The placement of cameras included in Video Surveillance Systems required under this chapter must be approved by the Police Chief or the Building Official. The Chief of Police or the Building Official or their designees will conduct an assessment of each site required to install a Video Surveillance System prior to installation of said System, and upon approval will issue an approval notice which will be placed in plain view inside the Establishment premises. This approval notice will also inform customers and employees of the presence of the Video Surveillance System.

11-15-7 Inspections.

The Video Surveillance System shall be subject to yearly inspection by the Chief of Police or The Building Official or their designee, who is authorized to inspect any such System at reasonable times to determine whether it conforms to this chapter and any regulations and Standards adopted by Council resolution pursuant hereto. If the Video Surveillance System does not so conform, the Establishment in question shall take immediate steps to bring the system back into compliance.

11-15-8 Enforcement; civil penalties.

- a. High risk Establishments shall have one (1) year (6) months from the effective date of this ordinance to comply with the regulations set forth in this Chapter. All other business shall be required to install the surveillance system when a building or planning permit is issued or when a business changes ownership or when a modification of the business license is required.
- b. The Chief of Police or Building Official or their designee is authorized to investigate all alleged violations of this Chapter. Violation of any provision of this Chapter by any owner or principal operator of an Establishment shall result in a Notice and Order of violation from the Chief of Police or the Building Official or their designee to said Establishment at the address provided by the Establishment at the time a Video Surveillance System is approved pursuant to this Chapter.
- c. The Notice and Order of violation required under this section shall be in writing, set forth the grounds for the violation, and inform the owner or principal business operator of the Establishment that he/she has 10 days from the date of mailing of the notice to file a written request for a hearing.
- d. Violators shall have 30 days after receipt of the notice to provide the Police Department or Building Department proof that the violation has been corrected. If the violation continues after the 30-day period, the Chief of Police or Building Official or their designee shall issue a citation against the violator and, subject in any event to the appeal process afforded under this chapter, the violator shall pay a civil penalty not to exceed \$100.00 for the first violation, \$200.00 second violation, and \$500.00 third violation.

- f. In addition to the foregoing, the violation of any provision of this chapter shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

11-15-9 Exemptions.

A business which is otherwise required to install a video surveillance system may apply, on an annual basis, to the Chief of Police, the Building Official or their designee for exemption from the provisions of this chapter. The Chief of Police, Building Official or their designee may exempt a business for a period of twelve months if he/she finds that the business has or will undertake alternative security procedures which are substantially equal to or more effective in preventing criminal activity and in assisting in the apprehension of the perpetrators of crime or for the protection of employees. In addition, the Chief of Police, or the Building Official, or their designee may authorize alternate procedures on an experimental basis. Such an exemption shall carry a maximum duration of twelve months, and a business must either reapply for an exemption at the end of the exemption period or obtain the City's approval of a Video Surveillance System no later than 30 days prior to the end of the exemption period. The Chief of Police or the Building Official or their designee may also authorize temporary extensions of time for installation when an Establishment demonstrates to the satisfaction of the City that it is temporarily unable to comply for good cause shown.

11-15-10 Appeal process.

- a. Any Establishment found to be in violation of this chapter by the Chief of Police, or the Building Official, or their designee shall have the right to a hearing before a third party hearing officer
- b. Within ten days of mailing of the written notice of violation by the Chief of Police, the Building Official or their designee, the owner or principal business operator of an Establishment to which a notice of violation has been issued may appeal by requesting a hearing before the hearing officer. Such a request must be made in writing and must set forth the specific grounds for the appeal. Within 10 days after any timely request for a hearing, the Police Chief or Building Official or his/her designee shall set a time and place for the hearing. That hearing shall be conducted no sooner than 10 days after the date of the notice which sets the hearing and no later than 45 days after receipt of the request for a hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witness against them. The decision of the hearing officer or his/her designee to grant or deny the appeal shall be in writing and shall be rendered within two weeks of the hearing. The decision shall be considered a final administrative action.

If any section, subsection, sentence, clause or phrase of this ordinance or chapter as codified is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or chapter. The City Council hereby declares that it would have passed the ordinance codified in this chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion hereof would be subsequently declared invalid or unconstitutional.

This ordinance shall take effect thirty (30) days after adoption and either (a) a summary of this ordinance, including the names of the Council members voting for and against it, shall be published twice, five (5) days prior to adoption and again within fifteen (15) days after adoption, or (b) the entire ordinance, including the names of the Council members voting for and against it, shall be published once, within fifteen (15) days after adoption, in a newspaper of general circulation that is circulated in the City of Corcoran.

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**STAFF REPORT
ITEM #: 5.1**

MEMORANDUM

TO: Planning Commission

FROM: Kevin Tromborg: Community Development Director

DATE: December 11, 2017

MEETING DATE: December 18, 2017

SUBJECT: Discussion regarding shopping cart abatement and to consider ordinance revision to amend Title 4 of the Corcoran Municipal Code, entitled Public Nuisance.

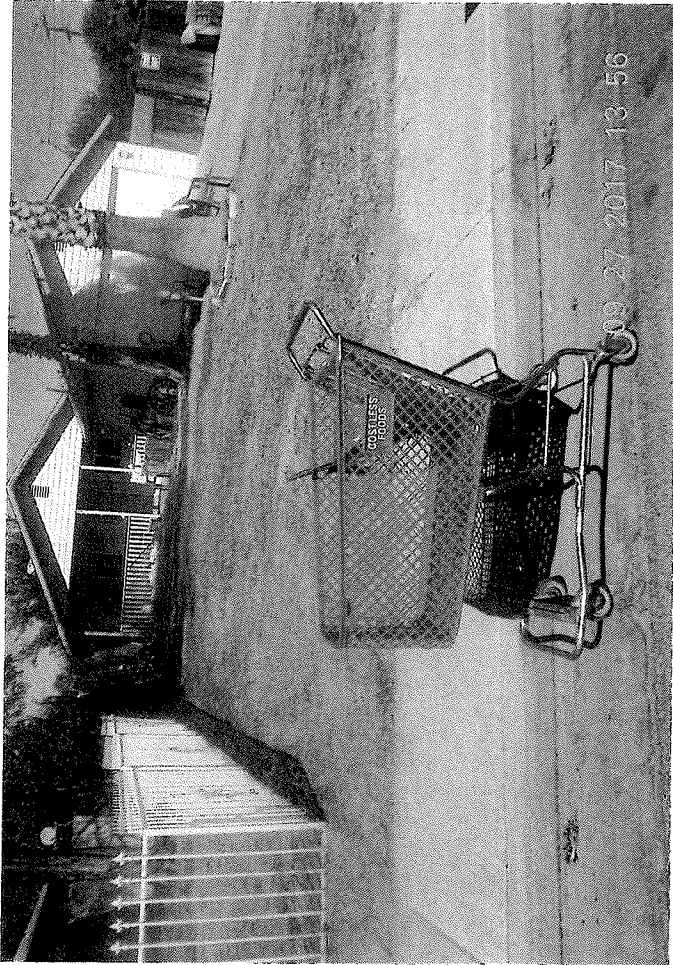
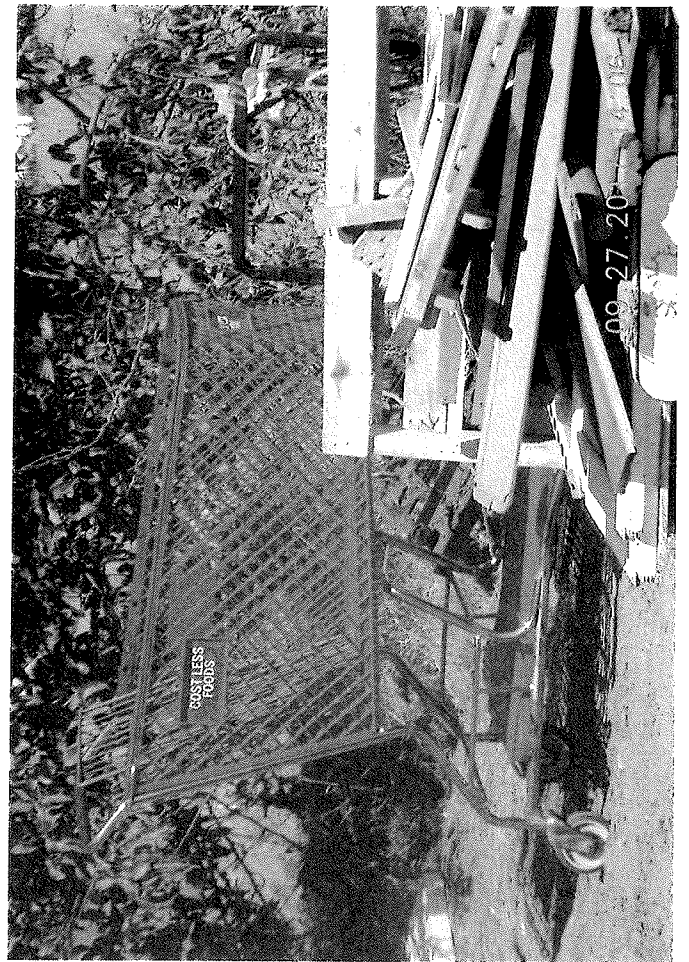
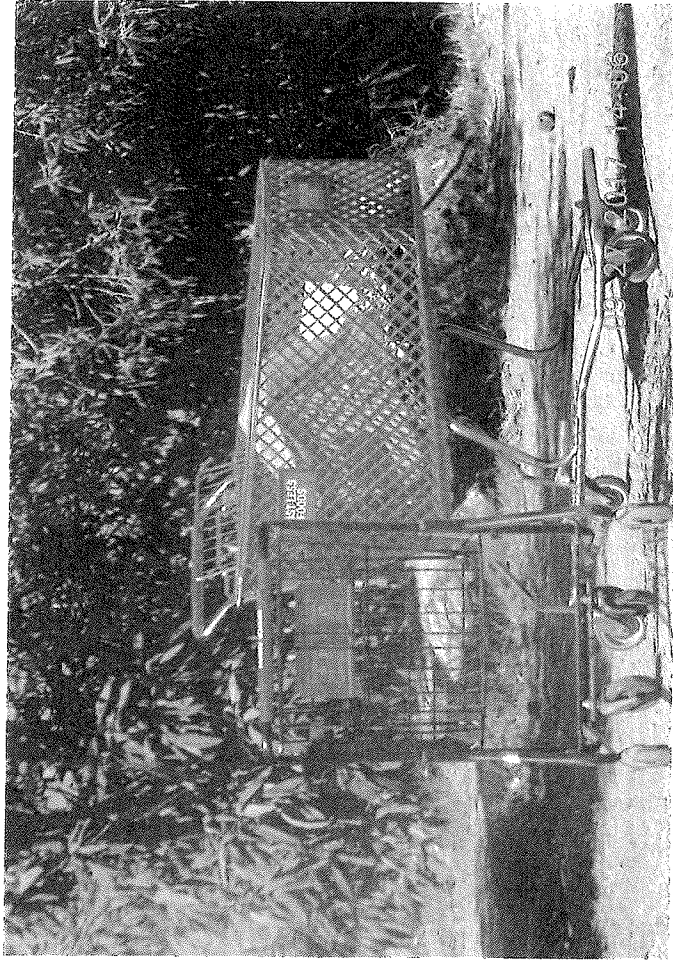
DISCUSSION:

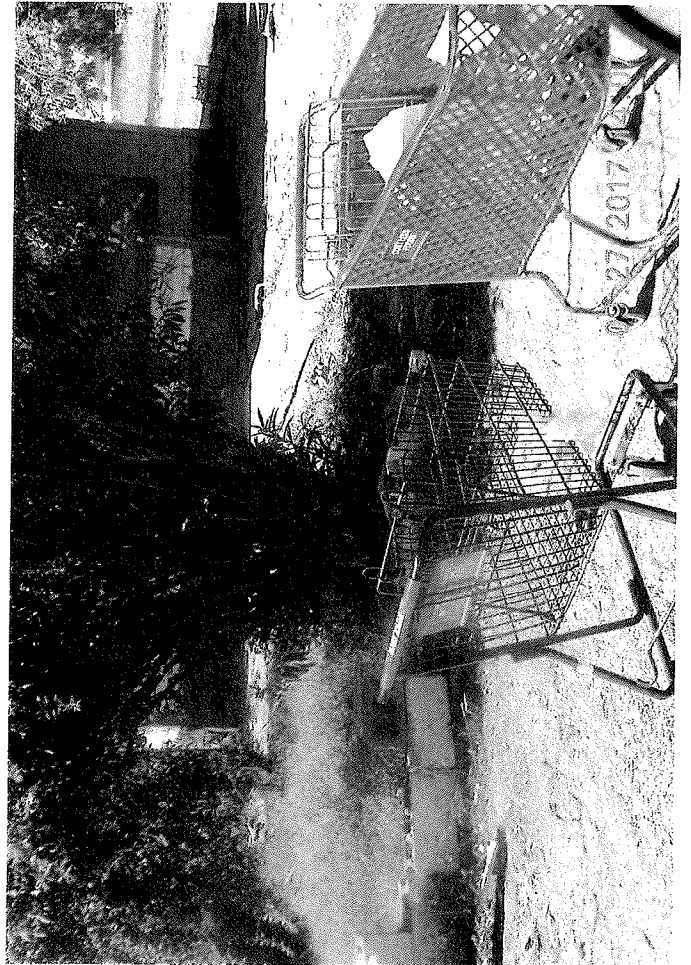
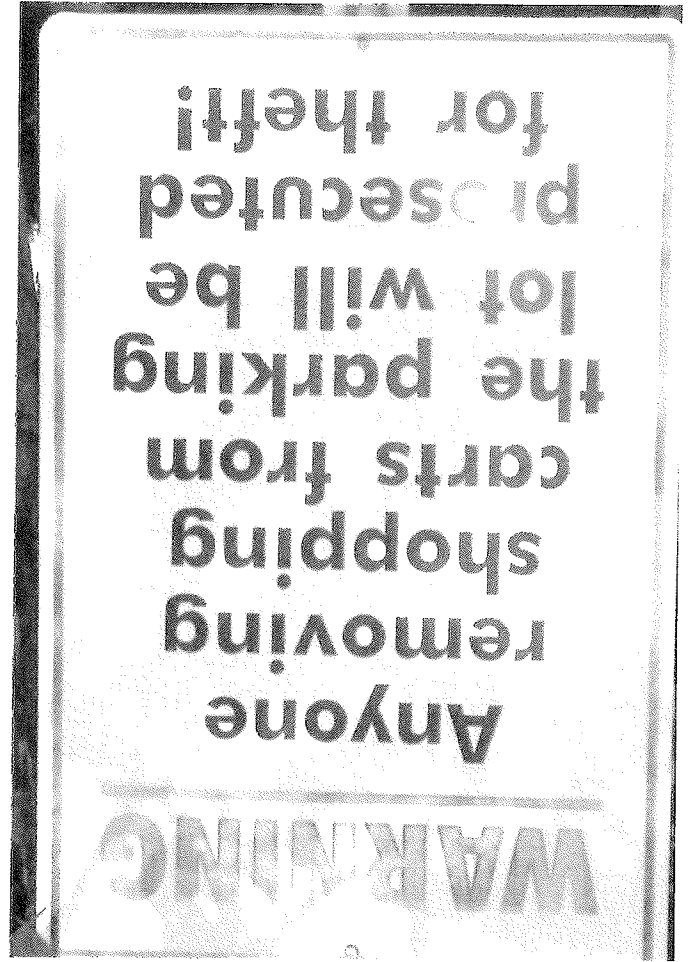
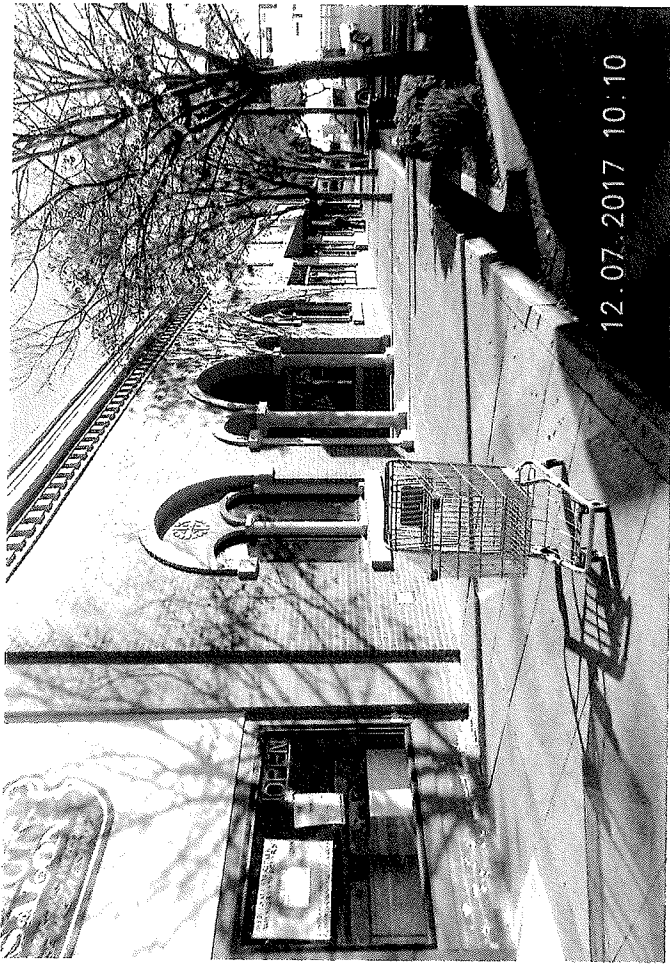
Many retail establishments provide shopping carts for the convenience of customers while shopping on the premises of such businesses. However, shopping carts removed from the premises and abandoned on public or private property throughout the City constitute a public nuisance and a potential hazard to the health and safety of the public. The proliferation of lost, stolen or abandoned shopping carts on public and private property causes blighted conditions in the community, results in the obstruction of free access to public and private sidewalks, streets, parking lots and other ways, interferes with pedestrian and vehicular traffic on public and private streets, and impedes emergency services. The business owners have a responsibility to take reasonable measures to either prevent the removal of the shopping carts from the business premises and parking lots, or provide the prompt retrieval of all lost, stolen or abandon shopping carts.

For the aforesaid reasons we are asking that such lost, stolen or abandoned shopping carts be declared a public nuisance and be subject to the fines set forth in Chapter four of the Corcoran Municipal Code.

BUDGET IMPACT:

The proposed addition of lost, stolen and abandoned shopping carts to the list of public nuisance has the potential of generating revenues for the City of Corcoran through fines applied for non-compliance.





STAFF REPORT

ITEM #: 5.2

MEMORANDUM

TO: Corcoran Planning Commission

FROM: Kevin J. Tromborg: Community Development Director,
Planner, Building Official, Transit Director

SUBJECT: To direct staff on the classification and determination of Tiny Homes.

DATE: December 12, 2017

MEETING DATE: December 18, 2017

DISCUSSION Tiny Homes are a nationally growing trend among varying groups of people. Some of the reasons for wanting a Tiny Home vary from individual to individual.

1. Looking for a way to reduce debt by having a smaller home, smaller piece of land, smaller utility bills, smaller footprint, environmentally applicable compared to traditional housing.
2. Wanting a minimalist life style. Life is about experiences not possessions.
3. To have a more mobile lifestyle one might experience in an RV.

Currently, Tiny Homes are not significantly address in the current California Building Code. Some of the challenges facing cities and counties in California is how to classify tiny homes and determining where and what zone to allow tiny homes to reside. Tiny homes have wheels and are built on a trailer chassis and can range in size from 150 square feet to 800 square feet however, most fall between 200 and 600 square feet. The cities that have addresses this issue have taken a few stances.

1. Do not allow tiny homes on a permanent basis. See them as RV.
2. Only allow them in Mobile Home Parks.
3. Allow them as secondary units or accessory unit only (Granny apartment, Mother-in-law flat, caretaker cottage)
4. Require or not to be on permanent foundation
5. Require their own city utilities hook ups
6. Require building and planning permits
7. Allow on less than a 6000 square foot lot
8. If allowed as an RV should they be registered?

If the Planning Commission chooses to classify tiny homes as an RV, then they would only be allowed in Mobile Home Parks for permanent residence. All mobile homes in parks or on infill lots are registered with the State of California and the City of Corcoran.