

# CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers  
1015 Chittenden Avenue  
Corcoran, CA 92312

Monday, May 21, 2018  
5:30 P.M.

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**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.

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## ROLL CALL

<b>Chairman:</b>	<b>David Bega</b>
<b>Vice-Chairman:</b>	<b>Shea DeVaney</b>
<b>Commissioner:</b>	<b>David Jarvis</b>
<b>Commissioner:</b>	<b>Karl Kassner</b>
<b>Commissioner:</b>	<b>Dennis Tristao</b>
<b>Commissioner:</b>	<b>Troy Van Velson</b>
<b>Commissioner:</b>	<b>Janet Watkins</b>

## FLAG SALUTE

### 1. PUBLIC DISCUSSION

### 2. APPROVAL OF MINUTES

2.1 Approval of minutes of the regular Planning Commission meeting on April 16, 2018

### 3. RE-ORGANIZATION - None

4. **PUBLIC HEARING**

4.1 Public Hearing to consider Conditional Use Permit application 18-01 regarding school activities and future school site located at 1204 Dairy Avenue, Corcoran, CA 93212, APN 034-150-12 and 034-150-025 submitted by Corcoran Unified School District. (*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**

6. **MATTERS FOR PLANNING COMMISSION**

6.1. Information Items

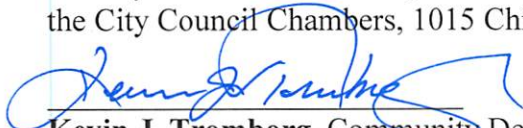
- Request from residents of San Joaquin Valley Subdivision to close the Subdivision's pathway opening
- Security cameras on new and remodel commercial businesses

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 May 17, 2018.



**Kevin J. Tromborg**, Community Development Director

**MINUTES  
CORCORAN PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, APRIL 16, 2018**

The regular session of the Corcoran Planning Commission was called to order by Vice-Chairperson, Shea DeVaney, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:31 P.M.

**ROLL CALL**

Commissioners present:           DeVaney, Jarvis, Kassner, Tristao and Van Velson

Bega arrived at 5:34 pm. Chairman Bega allowed the Vice-Chair, DeVaney to continue to preside the meeting.

Commissioners absent:           Janet Watkins

Staff present:                   Kevin Tromborg and Ma. Josephine Lindsey

Also present:                   Joseph Beery, City Attorney

**FLAG SALUTE**                   The flag salute was led DeVaney.

A quorum was declared in the presence of six (6) Commissioners.

**1. PUBLIC DISCUSSION - None**

**2. APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Jarvis and seconded by Tristao to approve the minutes of the regular meeting on February 20, 2018. Motion carried by the following vote:

**AYES:**                   Bega, DeVaney, Jarvis, Kassner and Tristao

**NOES:**

**ABSTAIN:**           Van Velson

**ABSENT:**           Watkins

**3. RE-ORGANIZATION – None**

**4. PUBLIC HEARING**

**4.1** Following Commission discussion, a **motion** was made by Tristao and seconded by Van Velson for continuance of the public hearing and to seek advice from the City Council, regarding installation of security camera for all new and remodel commercial and industrial buildings or structures for safety and security purposes, to the City Council for advice. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao Van Velson

**NOES:**

**ABSTAIN:**

**ABSENT:** Watkins

**4.2** Public Hearing to consider Resolution No. 18-02, regarding Variance 18-01, property address 1319 Yosemite Dr. Corcoran, CA 93212, for a constructed storage building 12' x 24' that infringed into the minimum setbacks required by the City Zoning Code, was declared open at 5:41 p.m. Tromborg presented the staff report. Having no oral and written testimony received, the public hearing was closed at 5:54 p.m.

Following Commission discussion, a **motion** was made by Tristao and seconded by Jarvis to approve Resolution No. 18-02, Variance 18-01 for property address 1319 Yosemite Dr. Corcoran, CA 93212. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao Van Velson

**NOES:**

**ABSTAIN:**

**ABSENT:** Watkins

**5. STAFF REPORTS**

**5.1** Following Commission discussion, a **motion** was made by Kassner to conduct a public hearing at the Planning Commission meeting and to notify residents of City Lighting District to include residents within 300 feet radius of the proposed closure of San Joaquin Valley Subdivision Subdivision's pathway opening.

In the absence of second motion, Kassner then retracted his motion.

Following Commission discussion, a **motion** was made by Tristao and seconded by Van Velson to conduct a public hearing at the City Council and to notify residents of City Lighting District/residents within 300 feet radius of the proposed closure of San Joaquin Valley Subdivision Subdivision's pathway opening. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao Van Velson

**NOES:**

**ABSTAIN:**

**ABSENT:** Watkins

**5.2** Tromborg informed the commission of the meeting with store managers and Police Department represented by Deputy Chief, Gary Cramer that was held on March 13, 2018. Invitations were given to Costless Food, Inc., Dollar General, Family Dollar, La Mission Market and Rite Aid. However, only Costless Store Manager was in attendance. The following proposed recommendations/solutions regarding proliferation of abandoned shopping carts are for implementation beginning FY 2018-2019:

Collective effort of the City of Corcoran Code Enforcement (CE)/Public Works, Police Department (PD) and store owners:

- the City will notify management of multi-family/apartment complexes to designate area for shopping carts for pick-up by the store owner;
- continue existing effort by the store e.g. Costless, that hire Veterans Outreach to collect abandoned shopping carts;
- PD to cite the person with shopping carts outside the store and notify either CE or Public Works or the store manager to pick-up the carts;
- If shopping cart is found inside one's property, a letter/notice will be sent by the CE to return the cart back to the store within 72 hours.

**5.3** Based on research and discussions with Building Official groups through CALBO (California Associations of Building Officials), Tromborg informed the commission about the classification of Tiny Homes. Building Department Policy issue that can be addressed simply by the following:

- When the Tiny House is located on a lot for permanent housing, it will be classified as a Mobile Home or Manufactured Home and thus subject to all the requirements of chapter 11-10 of the Corcoran Zoning Code.
- When a Tiny Home is used strictly as a "home away from home", it will be categorized as RV. Then the rules and regulations regarding recreational vehicles will be enforced.

**6. MATTERS FOR COMMISSION - None**

**6.1.** The commission received general information regarding zone change e.g. from a residential zone to commercial zone. According to the California Environmental Quality Act (CEQA), the Planning Commission can decide whether Environmental Impact Review (EIR) is required prior to zone change.

**6.2** Staff Referrals - *Items of Interest (Non-action items the Commission may wish to discuss)*

**6.3** Committee Reports – None

**7. ADJOURNMENT**

At 6:40 p.m., the meeting was adjourned to the next regular meeting on Monday, May 21, 2018 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

City of

# CORCORAN

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**MEMORANDUM**

**PUBLIC HEARING  
ITEM # 4.1**

**TO:** Corcoran Planning Commission

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

**Date:** May 15, 2018                      **Meeting Date:** May 21, 2018

**SUBJECT:** **Conditional use permit 18-01, filed by Corcoran Unified School District regarding property zoned multi-family residential (RM-3) to be used for school activities and future school site. Project is located at 1204 Dairy Avenue, Corcoran Ca 93212, APN 034-150-012.**

**APPLICANT**

Corcoran Unified School District  
1520 Patterson Avenue,  
Corcoran Ca 93212

**PROPERTY OWNER**

Corcoran Unified School District  
1520 Patterson Avenue,  
Corcoran Ca 93212

**REPORT**

The applicant proposes to use the property for school activities (practice fields and parking lot) and the future use as a new school site. The Corcoran Zoning Code (Table 11-5-1) allows educational institutions in the RM-3 zone with a conditional use permit. The previous owner was Karl M. Smith Inc. Corcoran Unified School has held public hearings regarding any potential environmental issues or abatement that may exist regarding the property.

**SURROUNDING ZONING AND USES**

	<u>Zoning</u>
Subject	RM-3
North	CN
South	CN & RM-3
East	RCO
West	R-16

All businesses, organizations, or institutions in the RM-3 Zone District shall be subject to standards that may be required for new businesses as adopted in the Corcoran Zoning Code. Standards may include, but are not limited to:

### **COMPLIANCE WITH CEQA**

The proposed use is exempt under CEQA 15332 Class 32 in-fill development projects.

### **CONDITIONAL USE PERMIT FINDINGS**

The following findings are proposed:

- (A) The property is categorically exempt under CEQA 15332, Class 32 in-fill development projects.
- (B) 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;
- (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 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; setbacks; height 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 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 11-19-9)

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. If, at the request of the City Council, the request will also go to the City Council).

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 11-19-10.

**CONDITIONAL USE PERMIT-APPEAL TO THE CITY COUNCIL** (Section 11-19-10)

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 fourth in Section 11-19-6. The date for the public hearing shall not be less than ten nor more than thirty days from the date on 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 11-19-8.

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

**TIME LIMIT FOR DEVELOPMENT-RENEWAL RESTRICTIONS** (Zoning Ordinance Section 11-19-11)

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 11-19-9, 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 11-19-15).

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. 18-03  
PERTAINING TO  
CONDITIONAL USE PERMIT 18-01**

At a regular meeting of the Planning Commission of the City of Corcoran duly called and held on May 21, 2018, the Commission approved the following:

**WHEREAS**, Corcoran Unified School District, submitted an application requesting approval of the use of a property zoned RM-3 for educational activities located at 1204 Dairy Avenue, Corcoran, CA 93212, APN: 034-150-012; and

**WHEREAS**, this Commission considered the staff report on May 21, 2018; and

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

- (A) The proposed use is categorically exempt under CEQA 15332 Class 32 “In-fill Developments.
- (B) That the site for the proposed use is adequate in size and shape to accommodate the 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;
- (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;
- (F) That the City’s approved Improvement Standard requirements are performed and Inspected.
- (G) That the design of the City sidewalks and landscaping adjacent to the sidewalk be approved by the City.
- (H) That the requirements of the Kings County Fire Department are performed and inspected.
- (I) That all requirement of the Kings County Health department are performed and inspected.

(J) That the CID irrigation ditch be constructed underground.

**IT IS THEREFORE RESOLVED** that Conditional Use Permit 18-01 be approved with the conditions stated in Exhibit A, General Conditions; Fire Department conditions; and; Building and Safety conditions.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 21<sup>st</sup>, day of May 2018

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David Bega, Planning Commission Chairman

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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. 18-03 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 21<sup>th</sup> day of May, 2018, by the vote as set forth therein.

DATED: May 21, 2018

ATTEST BY:

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Ma. Josephine D. Lindsey  
Planning Commission Secretary

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Marlene Lopez, City Clerk

**EXHIBIT A**  
**CONDITIONAL USE PERMIT**

**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 business complies with any and all local, state and federal laws and regulations.
5. Landscaping Standards: Required as per 11-13-4-A-B (2) and 11-13-5-B landscaping Corcoran Zoning Code.
6. All waste handling equipment shall be stored in an approved trash enclosure and fully screened from public view.
7. All signage shall comply with the requirements of chapter 19 of the City of Corcoran zoning ordinance, and the California Building Code.
8. Kings County Health Department has no comments or issues with the proposed CUP
9. **City Engineer, Quad Knopf**, requires all engineering plans to be submitted regarding curb, gutter and sidewalks as well as landscaping.
10. Public Works has no comments or issues with the proposed CUP.
11. Corcoran Police Department has no comments or issues with the proposed CUP.
12. **Kings County Fire Marshal** has comments or issues with the proposed CUP.
  - A. Spacing for fire hydrants shall be no more than 500 feet.
  - B. Fire hydrants shall have two, two and one half inch outlets and one four and one half outlet. Outlets shall be equipped with national hose standard thread. All outlets shall be provided with caps to prevent debris from accumulating within the hydrant.

- C. Fire hydrants and roads of an all-weather surface capable of supporting heavy fire apparatus, shall be in place before combustible construction materials begin to accumulate.
  - D. All plans shall comply with the current California Fire code and all regulations of the Kings County Fire Department.
  - E. Adjustments shall not interfere with fire department access. No structure or future structure shall farther than 150 feet from the fire apparatus. Access roads and adequate turnaround provisions shall be provided if the fire apparatus distance is exceeded.
  - F. Any future development must comply with applicable Fire Code, including rural. Fire-fighting water supply requirements.
13. Corcoran Unified School District has no comments or issues with the proposed CUP.
14. **Community Development Building and Safety Division.** Based on the information submitted, the following elements shall be addressed:
- A. A complete site plan with details regarding the proposed site use shall be submitted in triplicate.
  - B. Provide engineered cut sheets regarding the sidewalks and landscape design for the easement areas on Dairy Avenue and Sherman Avenue.
  - C. Provide address identification on site as per fire, building and zoning code requirements.
  - D. That all required Improvements to the sidewalks, curb and gutter and landscaping in designated and easement areas be approved and installed according to City Standards.
  - E. That engineering plans be submitted in triplicate and approved prior to engineering permit being issued.

