

CORCORAN PLANNING COMMISSION

AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, May 16, 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 April 18, 2016
3. RE-ORGANIZATION - None

4. **PUBLIC HEARING**

4-1. Conditional Use Permit 16-01: Proposed Recycling Center - 2000 Sherman Ave.
(034-150-026) (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.

4-2. Corcoran Zoning Code Modification on the Definition of Animal Keeping

- 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**

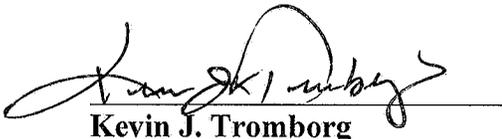
6.1. Information Items

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 May 12, 2016.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
MONDAY, APRIL 18, 2016**

The regular session of the Corcoran Planning Commission was called to order by Troy Van Velson, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:31 P.M.

ROLL CALL

Commissioners present: Cryer, Jarvis, Subia and Van Velson
Alternate present: None
Commissioners absent: Bega, Graville, Kessler, and Tristao
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 Troy Van Velson.

A quorum was declared in the presence of three (3) Commissioners and one (1) Alternate Commissioner.

1. PUBLIC DISCUSSION - None

2. APPROVAL OF MINUTES

Following Commission discussion, a **motion** was made by Jarvis and seconded by Cryer to approve the minutes of March 14, 2016. Motion carried by the following vote:

AYES: Cryer, Jarvis, Subia and Van Velson

NOES: None

ABSTAIN: None

ABSENT: Bega, Graville, Kessler, and Tristao

3. RE-ORGANIZATION

In the absence of the Chairperson and Vice-Chairperson, Atty. Moses informed the Commissioners of the need to appoint an interim Chairperson to preside the meeting.

Following Commission discussion, a **motion** was made by Cryer and seconded by Subia to elect Van Velson as the interim Chairperson. Motion carried by the following vote:

AYES: Cryer, Jarvis, and Subia

NOES: None

ABSTAIN: Van Velson

ABSENT: Bega, Graville, Kessler, and Tristao

3 PUBLIC HEARING

3.1 Public Hearing to discuss Installation of a Rapid Entry System (Knox Box), utilized by Fire and Medical services for easy access in the case of an emergency, for all new and re-model commercial and industrial buildings or structures was declared open at 5:39 p.m. Mr. Tromborg presented the staff report. There being no written or oral testimony, the hearing was declared closed at 5:46 p.m.

Following Commission discussion, a **motion** was made by Van Velson seconded by Jarvis to approve the Installation of a Rapid Entry System (Knox Box), utilized by Fire and Medical services for easy access in the case of an emergency, for all new and re-model commercial and industrial buildings or structures. Motion carried by the following vote:

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

4. STAFF REPORTS

4.1 At this point, Atty. Moses Diaz, City Attorney, explained the need to open a public hearing on proposed modification of City Zoning Code on the Definition of Animal Keeping instead of a regular staff report. This is to give the public an opportunity to be heard. The Planning Commission can then recommend to the City Council the proposed change with a public hearing.

Public Hearing to discuss modification of City Zoning Code on the Definition of Animal Keeping was declared open at 5:50 p.m. Mr. Tromborg presented the staff report. Staff proposed an addition to section 11-15-2 of City Zoning Code, Animal Keeping, and revision of the definition of Animal Keeping. Tromborg mentioned that there will be no significant environmental impact regarding this action therefore, CEQA does not apply. Proposed addition as follows:

“11-15-2 B-3: The use of animals as a form of security in commercial or industrial zones is allowed by conditional use permit”.

Under the definition of Animal Keeping and raising, recommended change was as follows:
“Any establishment that keeps animals for sale or hire or for security.

The public hearing was adjourned until the next Planning Commission meeting.

Following Commission discussion, a **motion** was made by Cryer seconded by Jarvis to adopt the language of the proposed addition and modification of City Zoning Code on the Definition of Animal Keeping until the next Planning Commission meet. Motion carried by the following vote:

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

6. MATTERS FOR COMMISSION

6.1 Commission received the following information items:

Tromborg informed the Commissioners that Transit that was under Public Works Department is now under the Community Development Department for maximum efficiency. Quarterly report on Transit Division will be provided to the Commissioners on a regular basis.

Building Department Activity March 2016 was also part of information item.

6.2 Committee Reports - None

8. ADJOURNMENT

At 6:19 P.M., the meeting was adjourned to the next regularly scheduled meeting of Monday, May 16, 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: _____

CORCORAN

MEMORANDUM

**PUBLIC HEARING
ITEM 4.1**

TO: Corcoran Planning Commission

FROM: Kevin Tromborg, Community Development Director

SUBJECT: Conditional Use Permit 16-01 filed by (Rodrigo Ramirez) regarding a proposed Recycle Center located at 2000 Sherman Avenue. The business is currently located at 636 Dairy Avenue.

MEETING DATE: May 16, 2016

APPLICANT

Rodrigo Ramirez.
1845 W. Tulare
Tulare CA 93274

PROPERTY OWNER

Dulai B Corporation (Sardar Singh)
1400 Dairy Avenue
Corcoran CA. 93212

REPORT

The applicant proposes a recycling Center on the empty lot located at 2000 Sherman Avenue. The property is currently owned by the Dulai B Corporation (Take Ten). The applicant has a current license with the State of California Department of weights and measures.

SURROUNDING ZONING AND USES

	<u>Use</u>	<u>Zoning</u>
Subject	Neighborhood Commercial	CN
North	Multi-Family Residential	RM-3
South	Neighborhood Commercial	CN
East	Resource Conservation/open space	RCO
West	Multi-Family Residential	RM-3

All businesses in the Service Commercial 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 project for a Recycling Center is exempt from CEQA review pursuant to section 15061 (b) (3) of the guide lines for California Environmental Quality Act (CEQA Guidelines). This section states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

CONDITIONAL USE PERMIT FINDINGS

The following findings are proposed:

- (A) The property is an empty lot and the proposed activity on the lot is exempt under CEQA 15061 (b) (3) General Rule. (No significant effect on the environment)
- (B) That the site is Neighborhood Commercial CN. The intended use is permitted in the zoning ordinance under a conditional use permit. 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. 16-06
PERTAINING TO
CONDITIONAL USE PERMIT 16-01**

WHEREAS, Rodrigo Ramirez., submitted an application requesting approval for a recycling center located at 2000 Sherman Avenue; and

WHEREAS, this Commission considered the staff report on May 16, 2016; and

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

- (A) The business is proposed in an existing structure and is categorically exempt under CEQA 15301 as an existing facility. That the project is exempt from CEQA review in pursuant to section 15061 (b) (3), General rule, No significant effect on the environment.
- (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 16-01 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 16th day of May 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 16th day of May, 2016, by the vote as set forth therein.

DATED: May 16, 2016

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Kindon Meik, Acting City Clerk

EXHIBIT A
CONDITIONAL USE PERMIT 16-01
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 Neighborhood commercial 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 landscaped areas should Be maintained.
6. That any exterior lighting be hooded and directed on site.
7. Improvements to existing Landscaping Standards: Required as per 11-12-5-D (2) and Under general provisions 11-17-7 landscaping Corcoran Zoning Code. Required Landscape areas: Non Residential: The minimum required landscape area for the CN Zone is 15%. 11-13-1
8. All waste handling equipment shall be fully screened from public view.
9. All signs shall comply with the requirements of chapter 19 of the City of Corcoran Zoning ordinance, and the California Building Code and shall be permitted.
10. That all improvements be installed in accordance with City Standards and approved by the Building Official
11. That the area to be used for recycling, egress and path of travel be paved with asphalt or Concrete in accordance with the City of Corcoran's improvement Standards or a minimum of four (4) inches of decomposed granite.

Kings County Health Department: has the following comments

1. All materials must be managed in such a way as to prevent the creation of nuisance

conditions, litter, odor, flies, and vector control issues.

City Engineer: Quad Knopf has no comments or issues with the proposed CUP.

Public Works: has no comments or issues with the proposed CUP.

Corcoran Police Department: has no comments or issues with the proposed CUP.

Kings County Fire Marshal: has the following comments.

1. A2A-1BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point within the recycle area.
2. Employees should be familiar with the use of fire safety equipment.
3. All storage of recycling material shall not exceed six feet in height and shall not be stored within 25 feet of any structure.
4. Storage area shall be free of combustible material, vegetation and waste materials at all times.
5. Storage of materials shall be in an organized manner and shall not interfere with fire apparatus access to any structure or vehicle areas.

Building and Planning:

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

Corcoran Unified School District: has no comments or issues with the proposed CUP.

State of California, Weights and Measures:

1. That the business comply with all State regulation and requirements at all times.

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

MEMORANDUM:

Date: April 1, 2016

To: Kevin Tromborg, Community Development Director

From: Kindon Meik, City Manager

Re: Conditional Use Permit 16-01

Please see the comments and recommendations below pertaining to the proposed recycling center to be located at 636 Dairy Ave. (northwest corner of Dairy and Sherman):

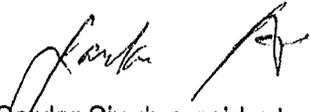
- The proposed parcel is an undeveloped (dirt) without utility services. Recommendation to install asphalt or cement. Recommendation to have (at minimum) water connection for necessary cleanup and maintenance of recycling facility.
- The proposed site is situated at a heavily transited intersection. Recommendation for traffic study to determine proper entrances and exits for facility and overall changes in traffic patterns as a result of the proposed use.
- Recommendation for the City to consider adopting standards for recycling centers to address among other issues appearance, setbacks, parking, entrances/exits and flow of vehicles.

City Offices

Regarding Conditional use permit 16-01,

His container will be placed on the North west corner of the lot.

He must have valid liability insurance for himself, his employees and all the customers for the whole lot.


Sardar Singh president
Dulai B Corporations

04/04/16

received
4/5/16

City of

CORCORAN

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**PUBLIC HEARING
ITEM #: 4.2**

MEMORANDUM

TO: Planning Commission

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

DATE: May 9, 2016 **MEETING DATE:** May 16, 2016

SUBJECT: Revision to the Corcoran Zoning Code Regarding Animal Keeping

Recommendation: To approve the revision to Corcoran Zoning Code and recommend staff to prepare an Ordinance and Public Hearing for City Council review.

Discussion: At the regularly scheduled Planning Commission meeting of April 18, 2016 a Public Hearing was opened and continued following discussions regarding the zoning code as it pertains to the use of animals as a form of security for commercial and industrial properties. The Planning Commission asked staff to bring back language and a revision to the Zoning Code that will help alleviate potential problems. Staff proposes addition to section 11-15-2 Animal Keeping, and revision of the definition of Animal Keeping. There is no significant environmental impact regarding this action therefore, CEQA does not apply.

Proposed Addition:

11-15-2 B-3: The use of animals as a form of security in commercial or industrial zones is allowed by conditional use permit.

Under definition of Animal Keeping and raising: Recommended change.

“Any establishment that keeps animals for sale or hire or for security

Budget Impact:

There is no significant impact to the City Budget.



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

DATE	INFORMATIO ITEM	STATUS
05/16/16	Building Department Activity April 2016	

City of Corcoran

City of Corcoran Building Division

BUILDING DEPARTMENT ACTIVITY REPORT

Report Date Range : 04/01/2016 to 04/30/2016

Structure / Permit Type

	# of Permits	Valuation
ENGINEERING		
COMM WELL DRILLING	1	7,500.00
ELECTRIC PERMIT	1	10,000.00
	2	
RESIDENTIAL		
SOLAR SYSTEM	3	52,900.00
RESIDENTIAL REPAIR	2	16,500.00
SINGLE FAMILY DWELLING	1	231,781.20
RESIDENTIAL PATIO NEW/ADD	4	14,100.00
MECHANICAL PERMIT	2	4,250.00
RE-ROOF	2	14,500.00
NEW DUPLEX DWELLING	1	136,231.20
	15	
UNKNOWN		
RESIDENTIAL PATIO NEW/ADD	1	2,500.00
	1	
<u>TOTALS</u>	<u>18.00</u>	<u>490,262.40</u>