

CORCORAN PLANNING COMMISSION

AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, November 21, 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:	Troy Van Velson
Commissioner:	Ron Subia

FLAG SALUTE

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

2.1 Approval of minutes of the Planning Commission meeting on October 17, 2016

3. RE-ORGANIZATION - None

4. **PUBLIC HEARING**

4-1. Conditional Use Permit 16-03 filed by Sun Outdoor Advertising, LLC, regarding a proposed monopole illuminated billboard made of steel/wood measuring 10' x 30' located at APN # 030-270-004 North side of Hwy 43. (*Tromborg*) (*VV*)

- A. Continuation of 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 November 16, 2016.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 17, 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 5:30 P.M.

ROLL CALL

Commissioners present: Cryer, Jarvis, Subia, and Tristao
Commissioners absent: Bega, Graville and Van Velson
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 four (4) out of seven (7) Commissioners.

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

Following Commission discussion, a **motion** was made by Subia and seconded by Jarvis to approve the minutes of September 19, 2016. Motion carried by the following vote:

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

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

4.1 Public Hearing on Conditional Use Permit 16-03 filed by Sun Outdoor Advertising, LLC, regarding a proposed monopole illuminated billboard made of steel/wood measuring 10' x 30' located at APN # 030-270-004 North side of Hwy 43 was declared open at 5:32 p.m. The public hearing was a continuance from the last meeting in consideration of the changes in the proposed site. Mr. Tromborg presented the staff report and informed the Commissioners that Quinn Company expressed no opposition on the proposal. There was no written or oral testimony received.

Following Commission discussion, a **motion** was made by Tristao seconded by Subia to continue the public hearing until the next planning commission meeting and bring the concerns to the City Council regarding site location vis a vis industrial use and the possible conflict if the City, in the future decide to expand the water tanks. Motion carried by the following vote:

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

- 4.2 Public Hearing on Conditional Use Permit 16-05 filed by Gabriel Mondragon Mendoza regarding a proposed Recycling Facility located at 1805 Dairy Avenue, was declared open at 5:46 p.m. Mr. Tromborg presented the staff report. There was no written testimony received. An oral testimony from Mr. Gabriel Mondragon Mendoza, proponent, was received and expressed his acceptance to all conditions set on the resolution. The hearing was declared closed at 5:54 p.m.

Following Commission discussion, a **motion** was made by Jarvis seconded by Cryer to approve Resolution No. 16-11, Conditional Use Permit 16-05 filed by Gabriel Mondragon Mendoza regarding a proposed Recycling Facility located at 1805 Dairy Avenue, Corcoran, CA 93212. Motion carried by the following vote:

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

5. **STAFF REPORTS** - None

6. **MATTERS FOR COMMISSION**

- 6.1 Commission received the Building Department Activity for the month of Sept. 2016.
- 6.2 Committee Reports - None

7. **ADJOURNMENT**

At 5:56 p.m., the meeting was adjourned to the next regularly scheduled meeting of Monday, November 21, 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: _____

PUBLIC HEARING

ITEM #: 4.1

MEMORANDUM

TO: Planning Commission

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

DATE: 11/14/2016

MEETING DATE: 11/21/2016

SUBJECT: Conditional Use Permit 16-03. Monopole Billboard proposal located at APN 030-270-004 (City owned property) utilized for water storage tanks.

Discussion:

During the regular Planning Commission meeting of October 17, 2016, it was the will of the Planning Commission to continue the public hearing and ask for guidance or comments from the City Council before making a decision regarding CUP 16-03. On the regularly scheduled City Council meeting of October 25, 2016 The Council was provided with the following.

In February of 2016 the City Council approved a lease agreement with Sun Outdoor Advertising LLC to install a monopole Billboard on City owned property. Conditional Use permit 16-03 for the proposed monopole Billboard located on the north side of Hwy 43 just west of Pickerell Avenue was presented to the Corcoran Planning Commission on the regularly scheduled meeting on October 17, 2016. The Planning Commission voted unanimously to continue the public hearing until the November 21, 2016 meeting and has asked for City Council to review and provide comments and guidance.

The Planning Commission has concerns regarding;

1. The site location as it pertains to the current use.
2. The possibility that the City may in the coming years need to expand the water tanks and how the lease regarding the billboard will affect the expansion.

The property is currently utilized by the City for water storage tanks (Site 2). These storage tanks hold water that has been treated by the Water Treatment facility (Site 1). The Public Works Superintendent stated that if and when the tanks need replacement for any reason they would be located on site one.

The City Council discussed the proposed project and asked questions regarding the Planning Commissions concerns. The City Council enquired about the long term plan for the property as it relates to the water tanks. Joe Faulkner, Public Works Superintendent, stated that at this time or in the future there are no plans to add or reconstruct the water tanks. He further stated that if the City were to need additional water storage capacity the additional tanks would be built on site (1). Questions concerning any underground water lines would be addressed at the time of construction however, it is believed that the water lines are located at the south end of the property and will not be affected by the construction of the monopole. Members of the Council we also concerned with Quinn Company and their comments regarding the new location. I stated that I had a verbal conversation with Greg Thomas the Store Manager and he informed me that since the project had been moved across the street, Quinn had no further objection. The Council did bring up the length of the contract but only as it pertained to its termination and who would own the Monopole at that time. The City Attorney advised the Council that the lease was signed without stipulation as to ownership of the monopole after termination and that they would inquire. The City Council decision was to stand with the signed lease and the signed amendment to the lease.

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 16-03 FILED BY (SUN OUTDOOR ADVERTISING LLC) REGARDING A PROPOSED MONOPOLE ILLUMINATED BILLBOARD LOCATED AT SE COR OF APN 030-270-004 ON THE NORTH SIDE OF HWY 43 WEST OF PICKERELL AVE.**

MEETING DATE: OCTOBER 17, 2016

APPLICANT

Sun Outdoor Advertising LLC
11221 Pacific Hwy SW
Lakewood, WA 98499-5170

PROPERTY OWNER

City of Corcoran
832 Whitley Avenue
Corcoran CA. 93212

REPORT

The applicant proposes an outdoor illuminated billboard on the north side of Hwy 43 Just west of Pickerell Avenue. The property is currently owned by the City of Corcoran.

SURROUNDING ZONING AND USES

	<u>Use</u>	<u>Zoning</u>
Subject	Light Industrial	IL
North	Light Industrial	IL
South	Heavy Industrial	IH
East	Light Industrial	IL
West	Heavy Industrial	IH

All businesses or Projects in the Industrial District shall be subject to standards that may be

required for new businesses or projects as adopted in the Corcoran Zoning Code. Standards may include, but are not limited to:

COMPLIANCE WITH CEQA

The proposed project for a illuminated billboard 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 portion of the property is empty 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 Light Industrial IL. 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.

REVOCATION

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. 16-09
PERTAINING TO
CONDITIONAL USE PERMIT 16-03**

WHEREAS, Sun Outdoor Advertising, LLC, submitted an application to put up a monopole illuminated billboard made of steel/wood with two faces measuring 10' x 30' located at the SE corner of APN 030-270-004 on the North Side of Hwy 43 west of Pickerell Avenue; and

WHEREAS, this Commission considered the staff report on October 17, 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 16-03 should be approved with the Conditions.

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 17th day of October 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. 16-09 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 17th day of October 2016, by the vote as set forth therein.

DATED: October 17, 2016

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Lopez, City Clerk

EXHIBIT A
CONDITIONAL USE PERMIT 16-03

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 Light Industrial 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
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

Kings County Health Department: has no comments

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 no comments

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.



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

DATE	INFORMATION ITEM	STATUS
11/21/16	Building Department Activity October 2016	

City of Corcoran

City of Corcoran Building Division

BUILDING DEPARTMENT ACTIVITY REPORT

Report Date Range : 10/01/2016 to 10/31/2016

Structure / Permit Type	# of Permits	Valuation
COMMERCIAL		
COMMERCIAL TENANT IMPROVEMENT	1	200,000.00
PLUMBING PERMIT	1	6,500.00
OTHER NON-RESIDENTIAL BLDG	1	65,700.00
	3	
ENGINEERING		
COMM WELL DRILLING	1	1,500.00
	1	
MULTI FAMILY 5 OR MORE UNITS		
PLUMBING PERMIT	1	5,000.00
	1	
RESIDENTIAL		
SOLAR SYSTEM	14	312,732.00
RESIDENTIAL REPAIR	3	63,300.00
SINGLE FAMILY DWELLING	1	167,850.30
RESIDENTIAL CARPORT NEW/ADD	1	3,000.00
RESIDENTIAL PATIO NEW/ADD	2	4,500.00
ELECTRIC PERMIT	2	1,400.00
PLUMBING PERMIT	1	2,500.00
MECHANICAL PERMIT	4	18,750.00
RE-ROOF	5	37,780.00
	33	
<u>TOTALS</u>	<u>38.00</u>	<u>890,512.30</u>