

# CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers  
1015 Chittenden Avenue  
Corcoran, CA 92312

Monday, April 16, 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 February 20, 2018
3. **RE-ORGANIZATION** - None

4. **PUBLIC HEARING**

4.1 Continuance of Public Hearing 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. *(Information)*

- 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.

4.2 Public Hearing to consider Variance 18-01 regarding 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. *(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 Request from residents of San Joaquin Valley Subdivision to close the Subdivision's pathway opening.
- 5.2 Result of meeting with Store Managers regarding abandoned shopping carts
- 5.3 Classification of Tiny Homes

6. **MATTERS FOR PLANNING COMMISSION**

- 6.1 Information Items
  - General information regarding 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**

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 April 12, 2018.



**Kevin J. Tromborg**

Community Development Director

**MINUTES  
CORCORAN PLANNING COMMISSION  
REGULAR MEETING  
TUESDAY, FEBRUARY 20, 2018**

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 5:31 P.M.

**ROLL CALL**

Commissioners present: Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins

Commissioners absent: Van Velson

Staff present: Kevin Tromborg and Ma. Josephine Lindsey

Also present: Moses Diaz, City Attorney and Rick Joyner, City Engineer

**FLAG SALUTE** The flag salute was led by Bega.

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 Kassner and seconded by Watkins to approve the minutes of the regular meeting on December 18, 2017. A roll call vote was made by the Planning Commissioner Secretary. Motion carried by the following vote:

**AYES:** Bega, Kassner and Watkins

**NOES:** None

**ABSTAIN:** DeVaney, Jarvis and Tristao

**ABSENT:** Van Velson

3. **RE-ORGANIZATION**

The nomination for the Chairperson was declared open by the Planning Commission Secretary at 5:34 p.m.

Tristao nominated Bega as Chairperson of the Planning Commission. Having no other nomination, Tristao made a motion to close the nomination, which was seconded by Jarvis. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:** None  
**ABSTAIN:**  
**ABSENT:** Van Velson

A roll call vote was made by the Planning Commission Secretary. It was a unanimous decision by the Planning Commission to elect David Bega as the Chairperson, Planning Commission:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:** None  
**ABSTAIN:**  
**ABSENT:** Van Velson

**3.1** The nomination for the Vice-Chairperson was declared open by the Planning Commission Chairperson.

Tristao nominated DeVaney as Vice-Chairperson of the Planning Commission. Having no other nomination, Tristao made a motion to close the nomination, which was seconded by Kassner. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:** None  
**ABSTAIN:**  
**ABSENT:** Van Velson

A roll call vote was made by the Planning Commission Secretary. It was a unanimous decision by the Planning Commission to elect Shea DeVaney as a Vice-Chairperson, Planning Commission:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:** None  
**ABSTAIN:**  
**ABSENT:** Van Velson

**4. PUBLIC HEARING – None**

**4.1** Following Commission discussion, a **motion** was made by Tristao and seconded by Bega to approve the continuance of Public Hearing to the next Planning Commission meeting regarding Resolution No. 17-13, installation of security camera for all new and remodel commercial and industrial buildings or structures for safety and security purposes. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:** None  
**ABSTAIN:**  
**ABSENT:** Van Velson

**5. STAFF REPORTS**

**5.1** Following Commission discussion, a **motion** was made by Bega and seconded by Tristao to approve one year map extension for the Sequoia 2 Subdivision Map 878. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:**  
**ABSTAIN:**  
**ABSENT:** Van Velson

**5.2** Following Commission discussion, a **motion** was made by Tristao and seconded by Bega to reject the Phasing Plan of Sequoia 2 Subdivision as presented and directed the staff to inform the developer of the required two entrances and 2 exits for subdivision. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Tristao and Watkins  
**NOES:**  
**ABSTAIN:**  
**ABSENT:** Van Velson

**5.3** The commission received the Community Development Department Calendar Yearend Report 2017.

**6. MATTERS FOR COMMISSION - None**

**6.1.** The commission received updates on the following:

- Shopping carts
- Tiny homes
- High speed rail transit
- New Police Department building

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

**6.3** Committee Reports – None

7. **ADJOURNMENT**

At 6:51 p.m., the meeting was adjourned to the next regular meeting on Monday, March 19, 2018 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

City of

# CORCORAN

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**PUBLIC HEARING  
ITEM #:4.1**

## **MEMORANDUM**

**TO:** Corcoran Planning Commission

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

**SUBJECT: Continuance of Public Hearing** regarding 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: February 14, 2018**

**MEETING DATE: April 16, 2018**

## **RECOMMENDATION**

To close the Public Hearing regarding resolution 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.

## **DISCUSSION**

Through research and discussions with our City Attorney it has been determined that this requirement, although is in the best interest of the community could present legal issues that may require litigation. Planning will continue to recommend the cameras for all new commercial and industrial business during Site Plan Review.



City of

# CORCORAN

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**PUBLIC HEARING  
ITEM #: 4.2**

## MEMORANDUM

**TO:** Planning Commission

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

**DATE:** April 11, 2018                      **Meeting Date:** April 16, 2018

**SUBJECT:** Variance 18-01, filed by David Lemay, 1319 Yosemite Dr.  
APN # 032-322-011

### APPLICANT/PROPERTY OWNER:

David Lemay  
1319 Yosemite Dr.  
Corcoran, CA 93212

### PROJECT LOCATION:

A storage unit was constructed at 1319 Yosemite Avenue that infringed into the minimum setbacks required by the City zoning code, APN 032-322-011 (See attached APN map).

### BACKGROUND:

The City of Corcoran Zoning Code requires setbacks regarding the construction of any structure. A setback is the minimum distance by which a structure must be separated from a property line or other site feature. Setbacks are measured as the distance between the property line and the nearest point of the structure.

#### Minimum Required Setbacks:

- Rear – 10 feet
- Side – 5 feet
- Separation between structures – 10 feet

The applicant has constructed a storage building using combustible materials (wood) measuring 12 feet by 24 feet (288 SF.) and over 8 Feet in height without a building permit application and submission of construction documents or a site plan. A notice was sent by the Building Official

to stop work and secure necessary permit. Upon inspection, the required setbacks do not meet the minimum required by code.

The storage unit was built with the following setbacks:

- Rear – 2 feet
- Side – 1 foot 2 inches and up to 5 feet
- Separation between structures – 14 feet

#### **DISCUSSION:**

Setbacks are determined by a jurisdiction and enforced through their Zoning or Municipal Codes. The amount of setback required by a jurisdiction is governed through the CA Building, Fire and Health and Safety codes of regulations. Setbacks effectively create open space, no building zones to keep traffic and harmful uses from impairing the health and safety of the property and neighboring properties. Setbacks are an essential tool to help minimize the spread of fire from one structure to another. Storage unit are allowed a two foot setback if the unit is under eight (8) feet in height, is less than 200 Square feet, or made of non-combustible materials.

#### **ACTION BY THE PLANNING COMMISSION:**

In approving a variance, the Commission shall add such conditions of approval as the Commission deems necessary to assure that the variance adjustment shall not constitute a grant of special privilege.

A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the Commission may prescribe. The Commission may deny a variance application.

A variance shall become effective fifteen days following the date on which the variance was granted by the Commission unless an appeal has been taken to the City Council.

#### **ACTION BY CITY COUNCIL:**

Appeal to City Council:

Within (15) fifteen days following the date of a decision of the Planning Commission on a variance application, the decision may be appealed in writing to the City Council by the applicant or any other interested party. An appeal shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record.

The City Council shall hear the appeal at its next regular meeting following a period of ten days after the filing of the appeal. The City Council may affirm, reverse or modify a decision of the Planning Commission on a variance application, provided that if a decision denying a variance is reversed or a decision granting a variance is modified, the City Council shall, on the basis of the record transmitted and such additional evidence as may be submitted, make the findings prerequisite to the granting.

A variance, which has been the subject of an appeal to the City Council, shall become effective immediately following the date on which the variance is granted by the Council.

#### Lapse of Variance

A variance shall lapse and shall become void one year following the date on which the variance becomes effective unless by condition of the variance a greater time is allowed, or unless prior to the expiration of one year, a building permit is issued by the Building Inspector and construction is commenced and diligently pursued toward completion on a site which was the subject of the variance application. A variance may be renewed for an additional one year, provided that prior to the expiration of one year from the date when the variance originally became effective, an application for renewal of the variance is made to the Planning Commission. The Commission may grant or deny an application for renewal of a variance.

#### New Application:

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within six (6) months of the date of denial of the variance application or revocation of the variance.

#### **ATTACHMENT:**

- Site Plan
- Photo

Junk Yard

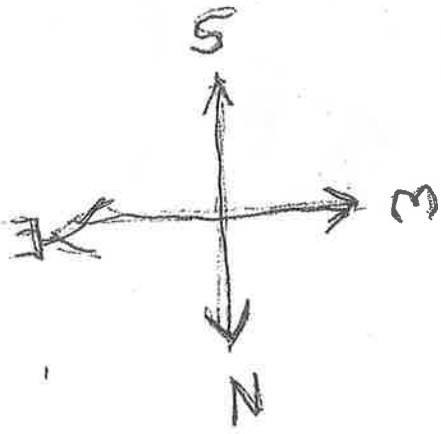
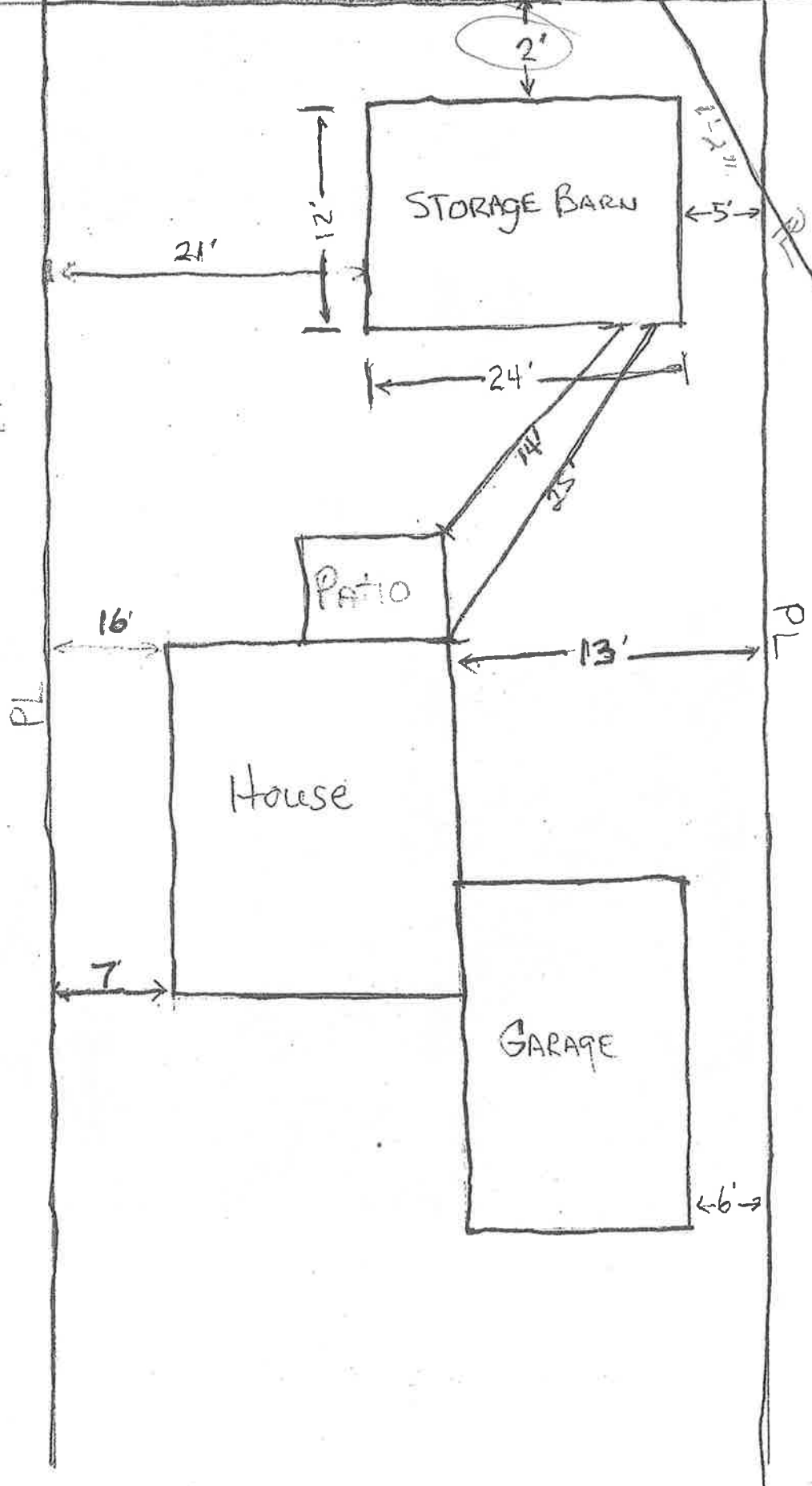
P.L. Property LINE

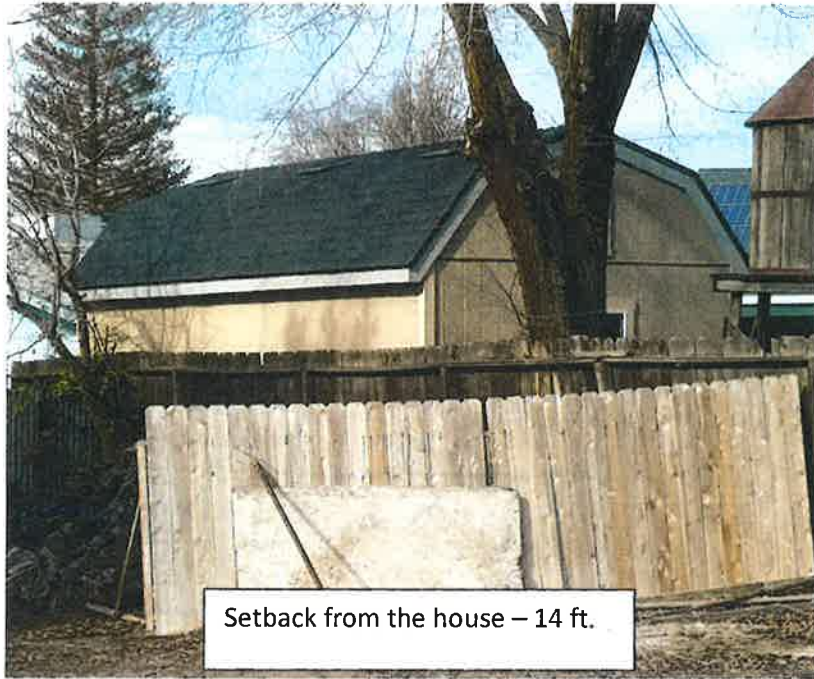
RECEIVED

JAN 16 2018

BY: .....

1319 YOSEMITE





Setback from the house - 14 ft.



Setback from the back - 2 ft.



Setback from the side - 1 ft.

**CORCORAN CITY PLANNING COMMISSION  
RESOLUTION NO. 18-02  
PERTAINING TO  
VARIANCE 18-01**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on April 16, 2018 on motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ and duly carried, the following Resolution was adopted.

Whereas, the subject property is located at 1319 Yosemite Avenue, APN: 032-322-011; and

Whereas, the Commission held a public hearing to obtain citizen input on April 16, 2018 for Variance 18-01; and

Whereas, the Commission considered the staff report on April 16, 2018; and

Whereas, the Variance request includes the following:

**I. Side yard setback**

The applicant proposes the allowance of a 2' rear setback, a side yard setback that varies from 1' 2" to 5' for the 288 SF storage shed that was built or placed on the property. The lot size is 25 ft. by 127.27 ft.

The property owner received a Stop Work Notice and Order from the Building Official to cease and desist all construction until permits were applied for and approved.

**II. Back yard setback**

The applicant proposes the allowance of a 2' back yard setback from the property line

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

I. **Variance Findings**

A. The property line at the south side of the property is a semi vacant lot without a structure within 50' of the property line.

B. The property owners to the south and west of the applicants property were notified and were without comment or complaint.

C. The property owner has used his property as his residence for many years.

D. The property owner has received a Stop Work Notice and Order from the Building Official;

E. The literal interpretation and enforcement of the regulations would cause a hardship for the applicant to dis-assemble and re-assemble the storage shed.

F. That the granting of the variance may constitute a grant of special privilege As it pertains to the enforcement of the zoning regulations on other properties

**II. Environmental Findings**

(A) That the application is statutorily exempt from CEQA under Section 15268, Ministerial projects.

IT IS THEREFORE RESOLVED that Variance 18-01 is approved with the conditions stated in Exhibit A (General).

AYES: Commissioners:

NOES:

ABSENT: Commissioners:

ABSTAIN:

Adopted this 16th day of April, 2018

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Planning Commission Chairman

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Community Development Director

CORCORAN CITY PLANNING COMMISSION  
RESOLUTION NO. 18-02  
PERTAINING TO  
VARIANCE 18-01

EXHIBIT A

- A. In addition to the requirements of the City of Corcoran Zoning Ordinance, the proposed improvements as shown on the site plan are hereby incorporated as conditions of approval for this project.
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 approval of the Variance does not give authority to construct or add any additional structure without a building permit or complying with all zoning regulations.



**STAFF REPORT  
ITEM #5.1**

**MEMORANDUM**

**TO:** Planning Commission

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

**DATE:** April 11, 2018

**MEETING DATE:** April 16, 2018

**SUBJECT:** Request to close pathway at the Sequoia Sub-Division.

**Recommendation:** Staff is looking for direction on the request to close the pathway

**Discussion:**

Staff has received two written requests in the past few months from residents of the Sequoia Sub-Division to close the pathway at the north end of Sequoia Ct. This access pathway was a condition of the sub-division developer during the planning stages of the project. During the process in 2005 the sub-division was arranged into three (3) phases. Phase one (1) is the 77 lots between Sherman Avenue and Bainum Avenue that have been completed. Phase two (2) is the property south of Bainum Ave and phase three (3) was the property to the west of phase one (1). The original three (3) phases would have included over 240 homes. Keeping with environmental regulation to provide walkability throughout the community and the sub-division, egress opening in the block walls and landscaping were provided at specific points throughout the development project to afford easy access to those who travel on foot or on bicycle. The access at Sequoia Ct is the only egress that has currently been completed.

Provided in the packet are the letters received asking for the pathway to be closed are for security reasons to prevent the rise of crime that they have experience in the past two years. If the planning commission choses to close the pathway, staff will bring back at the next scheduled meeting a resolution from the Planning Commission to the Corcoran City Council with their recommendation.



12-14-17

Noel Estrada

1401 sequoia Ct

Corcoran Ca 93212

To whom it may concern

The reason for this letter is for the walkway from sequoia Ct to Sherman ave I would like to be closed. The reason is because there's a lot of people walking thru here and riding bicycle's that don't even live here and there's been break is on cars and homes and the walkway makes it easy access for them to get in and out. My work truck has been broken in and they have taken some of my tools. For that reason and for the safety of my family. Thank you . If you have any questions feel free to call me at (559)469-2775

*Noel Estrada*



To City of Corcoran Office

December 21, 2017

My name is Danny Villagomez, I and my family reside at 1400 Sequoia Ct, Corcoran CA, 93212. We have lived here for 3 years now. It is one of the new developments in houses that Corcoran has recently had. We enjoy living here. The reason why we our writing you today is to bring to your attention that the gate on the side brick wall remains open, never closed. Now because of this we and neighbors have experienced Theft. There have been 4 recent theft incidents just on my residency. I took it upon myself to even install security cameras which did not do much help.

We would like to ask of City of Corcoran, that this gate remain closed just because it gives trespassers an easy access to intrude and cause theft in short period of time. This is a great community and we would like to make sure it remains safe and convenient. We were told we would have to contact you the city to make such a request.

If you would like to reach me please feel welcomed to do so at (559)381-0153.

Thank you,

Danny Villagomez

1/3/18

City of

# CORCORAN

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**STAFF REPORT**

**ITEM #: 5.2**

## MEMORANDUM

**TO:** Corcoran City Council

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

**SUBJECT:** Recommendation from meeting with Store Managers regarding shopping carts left off site.

**DATE:** April 12, 2018

**MEETING DATE:** April 16, 2018

### DISCUSSION:

At a previous regularly scheduled meeting, the Planning Commission recommended that staff meet with store managers to discuss possible resolutions to the continuous problem of shopping carts taken off site and abandoned. Written invitations were sent to all the retail stores that provide shopping carts to their customers. The meeting took place at City Hall on March 13, 2018. Attached is the minutes from the meeting.

**BUDGET IMPACT:** Undetermined at this time

## Minutes of Meeting Regarding Shopping Carts

March 13, 2018

10:00 a.m.

Present:

Kevin Tromborg

Danny Trujillo, Manager, Costless Food Inc.

Gary Cramer

Ma. Josephine Lindsey

Letter was sent to Costless Food, Inc., Dollar General, Family Dollar, La Mission Market and Rite Aid

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### 1. Background

Tromborg gave a brief background regarding the purpose of the meeting. It was a recommendation of the Planning Commission to meet with all store managers (of grocery store with shopping carts) to discuss the proliferation of abandoned shopping carts.

### 2. Issues and concerns

- Apprehension of homeless people that often take out shopping carts and put their personal belongings inside the cart;
- Shopping carts left inside the apartment areas;
- Dial-a-Ride limited number of carry-on grocery bags;
- Abandoned shopping cart is not included as a nuisance in Municipal Code Chapter 4, Public Nuisance;

### 3. Proposed resolutions

- Collective effort of the City of Corcoran Code Enforcement/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.

### 4. Adjournment

**STAFF REPORT****ITEM #: 5.3****MEMORANDUM**

**TO:** Corcoran Planning Commission

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

**SUBJECT:** **The classification and determination of Tiny Homes.**

**DATE:** April 12, 2018**MEETING DATE:** April 16, 2018

**DISCUSSION** In December of 2017, staff brought before the Planning Commission information on Tiny Homes. 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.

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?

After more research and discussions with Building Official groups through CALBO (California Associations of Building Officials), the consensus is that, this is a Building Department Policy issue that can be address simply:

1. 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.
2. 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.



