

# CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers  
1015 Chittenden Avenue  
Corcoran, CA 92312

Monday, January 14, 2019  
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>Darita Felarca</b>
<b>Commissioner:</b>	<b>David Jarvis</b>
<b>Commissioner:</b>	<b>Karl Kassner</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  
November 19, 2018

### 3. RE-ORGANIZATION

- 3.1 Election of Chairman (Conducted by Planning Commission Secretary)
- 3.2 Election of Vice-Chairman (Conducted by the Chairman)

4. **PUBLIC HEARING**

4.1 Public Hearing to consider Conditional Permit re AT &T unmanned wireless telecommunications facility located at 2103 Whitley Avenue, Corcoran, CA 93212 (APN 034-150-009), submitted by Complete Wireless Consulting. **(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.

4.2 Public Hearing to consider use of sea train as a storage in Residential (R-1-6) zone **(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 - None**

6. **MATTERS FOR PLANNING COMMISSION**

6.1. Information Items regarding:

- Future Zoning Code text change
- General Plan update

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 January 10, 2019.

  
**Kevin J. Tromborg**  
Community Development Director

**MINUTES  
CORCORAN PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, November 19, 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 5:32 P.M.

**ROLL CALL**

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

Bega (arrived at 5:37 pm and continue presiding the meeting)

Commissioners absent:           Tristao

Staff present:                   Kevin Tromborg and Ma. Josephine Lindsey

Also present:                   Steve Brandt, Quad Knopf

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

A quorum was declared in the presence of six (6) out of seven (7) Commissioners.

**1. PUBLIC DISCUSSION – None**

**2. APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Watkins and seconded by DeVaney to approve the minutes of the regular meeting on October 15, 2018. Motion carried by the following vote:

**AYES:**                   Bega, DeVaney, Jarvis, Kassner, Van Velson and Watkins

**NOES:**

**ABSTAIN:**

**ABSENT:**               Tristao

**3. RE-ORGANIZATION – None**

**AYES:** Bega, DeVaney, Jarvis, Kassner, Van Velson and Watkins

**NOES:**

**ABSTAIN:**

**ABSENT:** Tristao

**5.2** Tromborg presented the draft Regional Active Transportation Plan. The Kings County Association of Governments requested the Commissioners to send in their comments on or before December 3, 2018. Tromborg added, the primary objective of the project is to identify high priority projects that will make walking and biking throughout Kings County safer and more convenient.

**5.3** Following Commissioners discussion, the Commissioner agreed to keep and continue to implement the zoning code regulations regarding use of sea train as a storage unit. Sea train is prohibited in residential zoning districts. Temporary use of commercial storage containers requires a Conditional Use Permit.

**5.4** Tromborg explained the process of a Site Plan Review (SPR). The SPR is required for all new commercial construction and new business that are planning a use change with a tenant improvement. He added that if an objection is filed by the proponent, the Community Development Department will notify all agencies affected by the objection and a Site Plan Review meeting will be scheduled to present and discuss the issues. This process would include two (2) member of the Planning Commission. If there is no objection received and findings are accepted by the proponent, the project will move forward.

**5.5** Considering the many fences that were built against the standard fence heights, the Community Development Director in consultation with the City legal counsel will come up with a process of zone exemptions request. Tromborg mentioned that this process will be used for code violations where the citizen was unaware of the violation. A fee will be set by the City Council and the request for exemptions will be heard by the Planning Commission on an individual basis.

**6. MATTERS FOR COMMISSION - None**

**6.1.** The Commission received information on approved planning projects for the last five months and Kings County Economic and Workforce Data (September 2018)

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

**6.3** Committee Reports – None

City of

# CORCORAN

A MUNICIPAL CORPORATION

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**MEMORANDUM**

**PUBLIC HEARING**  
ITEM 4.1

**TO: CORCORAN PLANNING COMMISSION**

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

**SUBJECT: Conditional Use Permit 18-03 filed by AT&T mobility c/o Complete Wireless Consulting Inc, regarding a proposed unmanned wireless telecommunications facilities with related ground equipment, to be located at 2103 Whitley Avenue, Corcoran Ca 93212, APN 034-150-009.**

**MEETING DATE: January 14, 2019**

**APPLICANT**

AT&T Mobility c/o  
Complete Wireless Consulting Inc.  
2009 V Street  
Sacramento Ca 95818

**PROPERTY OWNER**

Thomas Edward Hamilton Living Trust  
2103 Whitley Avenue  
Corcoran Ca 93212

**REPORT**

The applicant proposes to construct an unmanned wireless telecommunication tower and facility. The property is currently owned by the Thomas Hamilton Living Trust. The property is 0.85 Acres, 37, 026 Sq. Ft, and has an existing building that is currently used as a church or house of worship. The tower will be approximately 100 ft. in height and the secured area for the facility will be approximately 50 ft. x 50 ft.

As required, staff sent out a notice to all property owners within a 300 ft. radius and to various local, county and state agencies and stakeholders on November 19, 2018 asking for comments or concerns regarding the proposed cell tower. As of January 7, 2019 staff has received only one letter of concern. Attached is a letter received on or about November 21, 2018 from Mr. Andy Patel.

## **COMPLIANCE WITH CEQA**

The Structure proposed is exempt under CEQA Categorical Exemption 15303 (C)

A structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square Ft. in floor area.

## **CONDITIONAL USE PERMIT FINDINGS**

The following findings are proposed:

- (A) The structure is exempt under CEQA 15303 (C).
- (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 11-23-4)

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. (In this case, if the Conditional Use Permit is approved by Planning Commission, then, because this requires a letter of public convenience and necessity from 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 11-23-4 (G).

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.

**IT IS THEREFORE RESOLVED** that Conditional Use Permit 18-03 should be approved with the Conditions stated in Exhibit A, B, and C, and any additional conditions recommended by the Planning Commission.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this January 14, 2019

\_\_\_\_\_  
Planning Commission Chairman

\_\_\_\_\_  
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. 19-01 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 14<sup>th</sup> day of January, 2019, by the vote as set forth therein.

DATED: January 14, 2019

\_\_\_\_\_  
Ma. Josephine D. Lindsey  
Planning Commission Secretary

ATTEST:

\_\_\_\_\_  
Marlene Spain, City Clerk



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**Kevin Tromborg**  
Community Development Director  
/Planner/ Building Official  
kevin.tromborg@cityofcorcoran.com



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**832 Whitley Ave**  
Corcoran, CA. 93212  
(559) 992-2151 Ext. 232

Planning Department

Exhibit B

*To: Community Development, City of Corcoran*

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

*Date: January 9, 2019*

*RE: Requirements CUP 18-03*

*Based on the information submitted, the following elements shall be address.*

- 1. The structure and facility shall use the best available technology and construction to achieve maximal visual unobtrusiveness.*
- 2. The structure shall comply with the setback requirements or provide engineering documentation for seismic and structural effectiveness.*
- 3. The structure shall provide lighting at its peak (Red blinking) to avoid interference with low flying aircrafts.*
- 4. The designer of the communication facility shall promote co-location among different communication service providers or show evidence demonstrating that co-location is impractical with listed reasons.*
- 5. This project shall not interfere with public communication equipment.*
- 6. The project shall be secured with a minimum six (6) foot fence.*
- 7. The property owner or the owner of the facility shall provide for and maintain performance security acceptable to the City in the amount equal to the estimate cost of removing the tower or antenna. The performance security and the cost estimate shall be re-evaluated by the property or facility owner every year and documentation provided to the City of Corcoran.*
- 8. The owner of the facility shall provide to the City documentation regarding maintenance impacts such as equipment, traffic generation, noise and safety.*
- 9. The owner of the property or project shall provide to the City proof of liability insurance for the operation and maintenance of the proposed facility.*

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**Kevin Tromborg**  
Community Development Director/  
Planner/ Building Official  
kevin.tromborg@cityofcorcoran.com



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832 Whitley Ave  
Corcoran, CA. 93212  
(559) 992-2151 Ext. 232

## Building and Safety Department Exhibit C

To: Planning Division, City of Corcoran

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

Date: January 9, 2019

RE: CUP 18-03 Cell tower 2103 Whitley Avenue

Based on the information submitted, the following elements shall be address.

1. If applicable, a surveyed site plan and cut sheet pertaining to curb, gutter, sidewalk, and pave out must be submitted to the Engineering department (Quad Knopf) for approval. The approved site plan must be submitted for plan check before building permits will be issued.
2. Building permits must be obtained from the Building and Safety Department for all structural, plumbing, electrical, or mechanical work to be done.
3. Detailed dimensioned plans, (see permit requirements City of Corcoran) residential or commercial based on the 2016 California Building, plumbing, electrical, and mechanical codes shall be submitted to the Building and Safety department for plan review prior to the issuance of building permits.
4. All provisions of the California Title 24 2016 Disabled access shall be applied if applicable.
5. All commercial buildings or structures, multiple family dwellings over four unit require engineered plans and calculations by an Engineer or Architect.
6. ~~All commercial or multi-family buildings or structures that are required by Title 24 California Building Code to provide a fire sprinkler system must submit plans for full review to the Kings County Fire Marshalls office, and an approved set submitted to the Building Official before permits will be issued.~~
7. A complete site plan showing lot lines, property pins, and all existing and proposed structures with existing and proposed setbacks must be submitted for plan review prior to the issuance of permits.
8. ~~If applicable, a FEMA elevation certificate must be provided for all construction within a flood zone.~~

Kevin Tromborg  
Community Development Director  
832 Whitley Ave  
Corcoran, CA 93212

Date:-11-21-2018

Dear Mr. Tromborg,

AT&T is currently planning to apply a conditional use permit at 2103 Whitley Ave. The adjacent property, 2111 Whitley Ave, is a motel business (Corcoran Country Inn). AT&T is planning to build a cell telecommunications tower approximately less than 200 ft from the motel business. Currently, there appears to be concern regarding radiofrequency waves and their effect on people's health; particularly, the relation of radiofrequency waves and the risk of cancer for people living near cellular communications towers for long periods of time.

We live on the premises of the motel and plan to stay for the foreseeable future. Our guests also stay as residents in the hotel. Our day to day operation consists of cleaning rooms and maintenance work, much of which occurs outdoors, and will involve direct exposure to electromagnetic fields (EMF), and radiofrequency waves, if a cell tower is to be built. As I do not know how this technology works, we would like the city to use its resources to find out more about the health risks associated with long term radiofrequency exposure, and provide us with the findings in a detailed letter.

Furthermore, an additional concern is that our property value will significantly decrease over time due to its close relation to a cellular tower. With the steady proliferation of scientific evidence that associates radiofrequency waves with damage to human stem cells, people will be afraid and less likely to buy a property that is intimately associated with a cellular tower; this will negatively impact my business as well.

We are asking that the city please study this issue further prior to approval and provide us with a letter stating their findings. We appreciate your time and assistance in this matter.

Thank you,  
Corcoran Country Inn  
Andy Patel



City of

# CORCORAN

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## MEMORANDUM

TO:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Corcoran Irrigation District
<input checked="" type="checkbox"/> Finance Director	<input checked="" type="checkbox"/> Frontier Communication
<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> Santa Rosa Rancheria
<input checked="" type="checkbox"/> Police Chief	<input checked="" type="checkbox"/> Kings County Health Department
<input checked="" type="checkbox"/> Public Works Director	<input checked="" type="checkbox"/> Resident - 300 Ft Radius
<input checked="" type="checkbox"/> City Engineer	<input checked="" type="checkbox"/> Corcoran Unified School
<input checked="" type="checkbox"/> Fire Marshal, Kings County	<input checked="" type="checkbox"/> Applicant
<input checked="" type="checkbox"/> Kings Co. Fire Battalion Chief (Corcoran Station)	

DATE: November 19, 2018

FROM: Kevin J. Tromborg, Community Development Director

SUBJECT: Conditional Use Permit 18-03, submitted by Gerie Johnson, Complete Wireless Consulting, Inc. for unmanned wireless telecommunications facility located at 2103 Whitley Avenue, Corcoran, CA 93212 with APN # 034-150-009.

Please review the application and provide any comments, conditions and/or recommendations that you feel are appropriate, including any scientific or information that would be useful in our evaluation.

**All comments and conditions must be received by December 14, 2018 in order to be considered during the review process.**

Thank you.

City of

# CORCORAN

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## PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, January 14, 2019 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue, to consider Conditional Use Permit 18-03 submitted by AT & T Wireless c/o Wireless Consulting, Inc. to build unmanned wireless telecommunications facility with related ground equipment at property address 2103 Whitley Avenue, Corcoran, CA 93212 with APN 034-150-009. The public hearing will also discuss the use of sea train as storage in a Residential Zone (R-1-6).

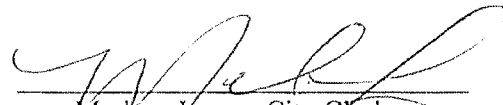
The purpose of the public hearing is to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City Clerk or the Community Development Director, 832 Whitley Avenue, Corcoran, CA 93212 or you may call telephone (559) 992-2151 ext. 232 prior to 5:00 p.m. on Monday, January 14, 2019. In addition, information may be obtained by contacting the Community Development Department from 8:00 a.m. to 5:00 p.m. on weekdays.

If you plan to attend the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, please call City Clerk (559) 992-2151 ext. 235 to arrange for those accommodations to be made.

All interested persons may appear to present testimony at the hearing. If you challenge any action or decision by the Planning Commission regarding the subject of the public hearing described in this notice in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the city council at, or prior to, the public hearings.

At the time and place noted above all persons interested in the above matter may appear and be heard.

Dated: December 11, 2018



Marlene Lopez, City Clerk

Publish: December 19, 2018, "The Corcoran Journal"

### CITY OFFICES:

832 Chittenden Avenue \* Corcoran, CA 93212 \* Phone 559-992-2151 \* [www.cityofcorcoran.com](http://www.cityofcorcoran.com)

July 2018

Re: AT&T Letter of Intent  
CVL01985 Corcoran



Dear Mr. Hamilton:

On behalf of AT&T – New Cingular Wireless PCS, LLC (Lessee) I am pleased to present this non-binding letter to you as (Lessor). This letter is intended to outline the basic business terms and conditions upon which AT&T would be willing to enter into an Agreement with you on your property located at 2103 Whitley Avenue, Corcoran, CA 93212-2019.

There is no cost to you whatsoever in the development of this facility. I ask that you review these terms, and if you are in agreement, sign this letter and return it to me. Should you have any questions or concerns, please do not hesitate to contact me.

APN: 034-150-009-000

Premises: A 50' x 50' ground space for equipment. All costs will be borne by AT&T. Exact location of ground space to be surveyed and mutually agreed upon.

Term: Five years, with options to extend the term for four (4) additional five (5) year terms.

Rent: Rent shall be \$10,800 - \$13,200 per year, paid in monthly installments of \$900 - \$1,100.

Option - Permit Period: One 12-month option to obtain necessary government approvals. Option payment of \$1,000 is payable within 45 days of contract execution. One additional 12-month option under the same conditions if necessary.

Commencement: The rent commencement date shall be the first day of the month in which notice of the exercise of the option is effective.

This letter does not address all material or essential terms that may become part of a formal land lease agreement. It is a letter of intent demonstrating a willingness by both parties to enter into an agreement based on the general terms outlined above.

AGREED





Date

# Assessment Information



[Map\\*\\*](#) [Taxes & Values](#) [Owner History](#) [Physical Characteristics](#) [Supplementals](#)  
[Other Assessments](#)

[Main Menu](#)

The Assessment number is required and consists of 12 digits.

Assessment Number \* 034 - 150 - 009 - 000

## General Information

Fee Number [034-150-009-000](#)

Assessment Type **FEE PARCEL**

**Active**

Description 2103 WHITLEY AVE COR

[Legal Description](#)

Comments CONVERTED FROM FIL095 - 12/19/84

Assessed To HAMILTON, THOMAS E LIVING TRUST

[Current Owners](#)

2333 CALIFORNIA ST  
OCEANSIDE CA 92054-5711

Acres 0.85 NORMAL OWNERSHIP

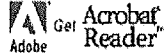
Zoning --

Tax Rate Area 001-041

Documents Current [2006R0502625](#) 01/25/2005

Created 198419999999 //

Situs 2103 WHITLEY AVE CORCORAN

\*\* Maps require Free Adobe Acrobat Reader. Click  to download now. [Top](#)



*First American Title*

**Guarantee**

CLTA Guarantee Form No. 28 -  
Condition of Title

ISSUED BY

**First American Title Insurance Company**

GUARANTEE NUMBER

**5026900-5759392**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE GUARANTEE CONDITIONS ATTACHED HERETO AND MADE A PART OF THIS GUARANTEE.

**FIRST AMERICAN TITLE INSURANCE COMPANY**  
a Nebraska corporation, herein called the Company

**GUARANTEES**

against loss or damage not exceeding the Amount of Liability stated in Schedule A sustained by the Assured by reason of any incorrectness in the Assurances set forth in Schedule A

*First American Title Insurance Company*

Dennis J. Gilmore  
President

Jeffrey S. Robinson  
Secretary

By:

Authorized Countersignature

This jacket was created electronically and constitutes an original document

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## GUARANTEE CONDITIONS (Continued)

the Company, the Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the correctness of the assurances set forth in Schedule A to prevent or reduce loss or damage to the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

### 5. Proof of Loss or Damage.

- a. In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Assured furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.
- b. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this paragraph shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonable necessary information from third parties, as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

### 6. Options to Pay or Otherwise Settle Claims: Termination of Liability.

**In case of a claim under this Guarantee, the Company shall have the following additional options:**

- a. To pay or tender payment of the Amount of Liability together with any costs, attorneys' fees, and expenses incurred by the Assured that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

- b. To pay or otherwise settle with the Assured any claim assured against under this Guarantee. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Assured that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay; or
- c. To pay or otherwise settle with other parties for the loss or damage provided for under this Guarantee, together with any costs, attorneys' fees, and expenses incurred by the Assured that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in 6 (a), (b) or (c) of this paragraph the Company's obligations to the Assured under this Guarantee for the claimed loss or damage, other than the payments required to be made, shall terminate, including any duty to continue any and all litigation initiated by the Company pursuant to Paragraph 4.

### 7. Limitation Liability.

- a. This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in Schedule A and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.
- b. If the Company, or the Assured under the direction of the Company at the Company's expense, removes the alleged defect, lien, or encumbrance or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.
- c. In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom.
- d. The Company shall not be liable for loss or damage to the Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

### 8. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the Amount of Liability under this Guarantee pro tanto.

### 9. Payment of Loss.

- a. No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- b. When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions, the loss or damage shall be payable within thirty (30) days thereafter.



*First American Title*

CLTA Guarantee Form No. 28 -  
Condition of Title

ISSUED BY  
**First American Title Insurance Company**

GUARANTEE NUMBER  
**5026900-5759392**

## Schedule A

File No.: 5759392

Guarantee No. 5759392

Amount of Liability: \$2,500.00

Date of Guarantee: July 24, 2018 at 7:30 A.M.

Fee: \$500.00

1. Name of Assured:

Complete Wireless Consulting Inc.

2. The estate or interest in the Land which is covered by this Guarantee is:

A fee.

3. The Land referred to in this Guarantee is described as follows:

Real property in the City of Corcoran, County of Kings, State of California, described as follows:

A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF CORCORAN, COUNTY OF KINGS, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT TOWNSHIP PLAT APPROVED OCTOBER 14, 1884, BEING MORE PARTICULARLY DESCRIBED AS THAT PARCEL OF LAND BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID POINT BEING ON THE CENTER LINE OF THE COUNTY ROAD, THENCE WEST A DISTANCE OF 15.00 FEET ALONG SAID CENTER LINE; THENCE SOUTH 0° 18' 00" EAST A DISTANCE OF 141.00 FEET; THENCE SOUTH 89° 43' 00" WEST, A DISTANCE OF 112.00 FEET; THENCE SOUTH 0° 17' 00" EAST, A DISTANCE OF 269.00 FEET; THENCE NORTH 89° 48' 00" EAST A DISTANCE OF 126.95 FEET; THENCE NORTH 0° 19' 00" WEST A DISTANCE OF 410.00 FEET ALONG THE EAST LINE OF THE ABOVE EAST HALF TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTH 45.00 FEET THEREOF.

APN: 034-150-009

4. ASSURANCES:

According to the Public Records as of the Date of Guarantee,

a. Title to the estate or interest in the Land is vested in:



*First American Title*

CLTA Guarantee Form No. 28 -  
Condition of Title

ISSUED BY  
**First American Title Insurance Company**

GUARANTEE NUMBER  
**5026900-5759392**

## Schedule B

File No.: 5759392

1. General and special taxes and assessments for the fiscal year 2018-2019, a lien not yet due or payable.
2. Taxes and assessments, if any, of the Cross Creek Flood Control District.
3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
4. The provisions prohibiting the buying, selling or handling of intoxicating liquors on the land in the document recorded May 8, 1907 in Book 31, Page 309 of Deeds.
5. A Deed of Trust to secure an original indebtedness of \$46,000.00 recorded May 23, 1985 as Instrument No. 7030 in Book 1334, Page 259 of Official Records.  
Dated: March 8, 1985  
Trustor: Charles E. Tolbert and Faye Tolbert, husband and wife  
Trustee: Kings County Title Company, a corporation  
Beneficiary: Crown Development Corporation of Kings County, Inc., a California corporation

Notes:

- a. If this deed of trust is to be eliminated in the policy or policies contemplated by this report/commitment, we will require all of the following prior to the recordation of any documents or the issuance of any policy of title insurance:
    - i. Original note and deed of trust.
    - ii. Payoff demand statement signed by all present beneficiaries.
    - iii. Request for reconveyance signed by all present beneficiaries.
  - b. If the payoff demand statement or the request for reconveyance is to be signed by a servicer, we will also require a full copy of the loan servicing agreement executed by all present beneficiaries.
  - c. If any of the beneficial interest is presently held by trustees under a trust agreement, we will require a certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company
6. Any irregularity in the foreclosure proceedings leading up to the Trustee's Deed recorded January 3, 2001 as Instrument No. 0100127 of Official Records.
  7. The effect of a document entitled "Grant Deed", recorded January 25, 2005 as Instrument No. 0502625 of Official Records.

The requirement the document is re-recorded to include a complete and correct legal description.

KINGS COUNTY ASSESSOR'S MAP  
 S 1/2 OF SE 1/4 OF SEC. 15-21-22

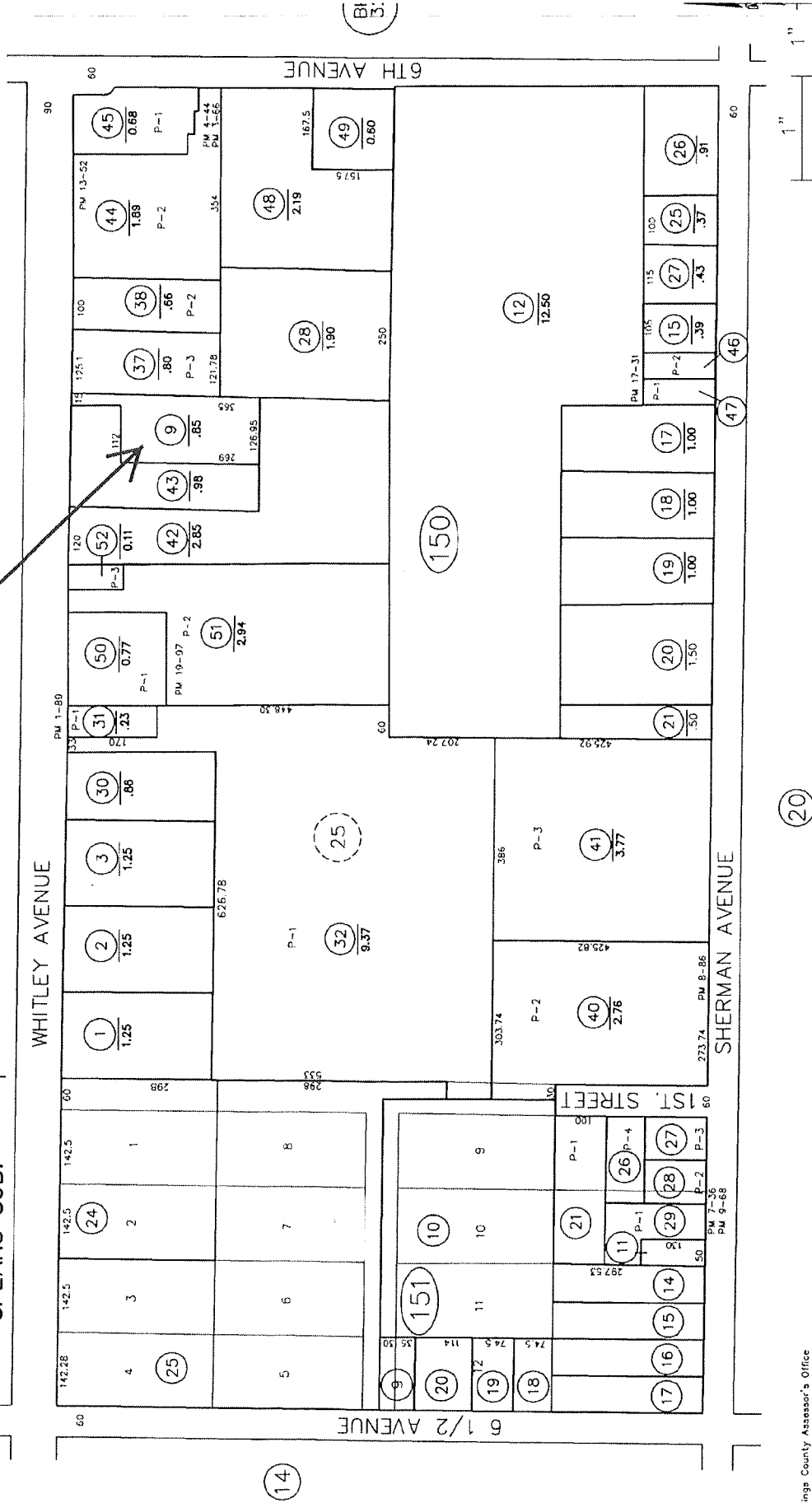
34-

FOR ASSESSMENT PURPOSES ONLY  
 TO BE CONSTRUED AS PORTRAYING  
 THE SHIP OF DIVISIONS OF LAND FOR  
 ZONING OR SUBDIVISION LAW.

BK  
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SPEARS SUB.

001-041



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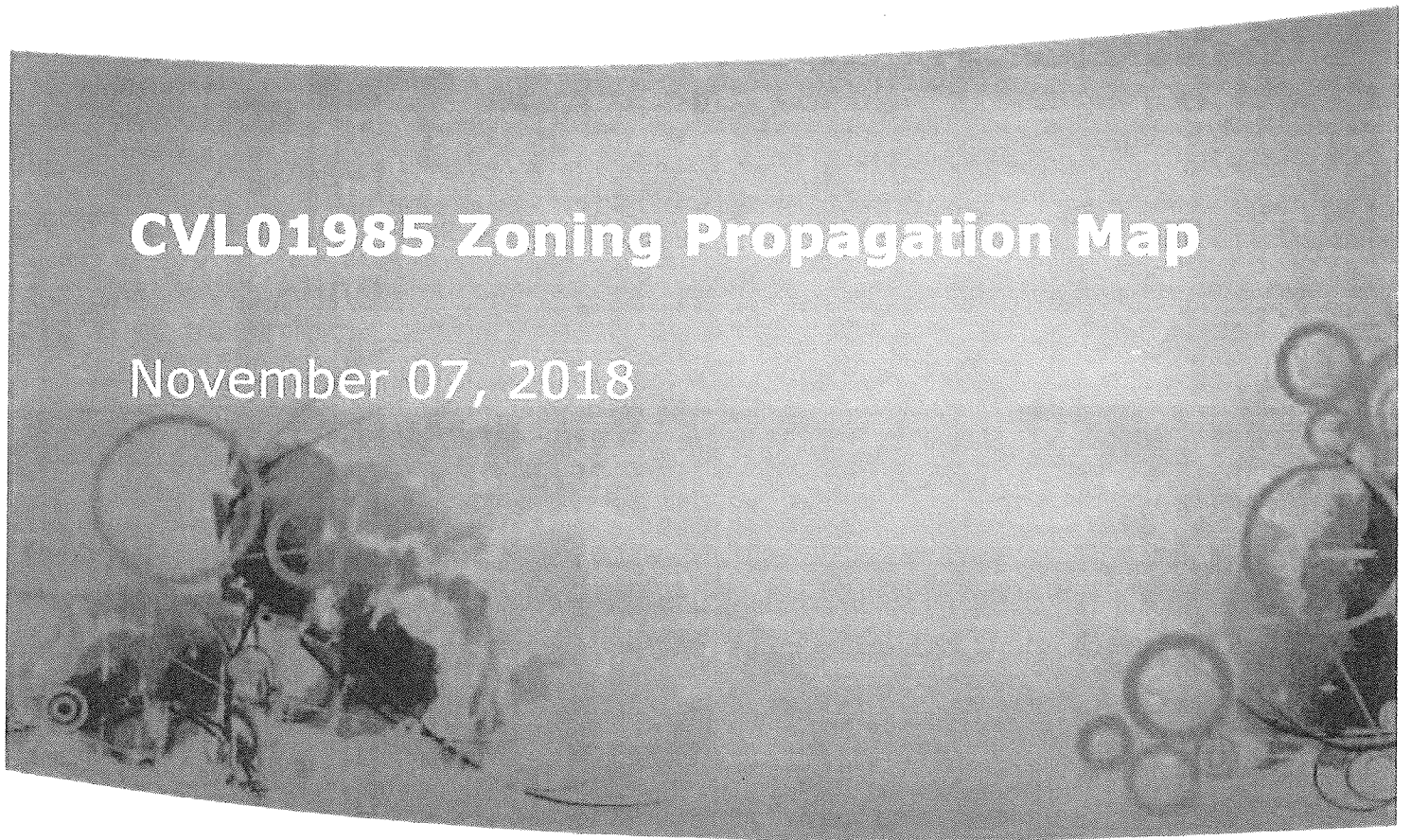




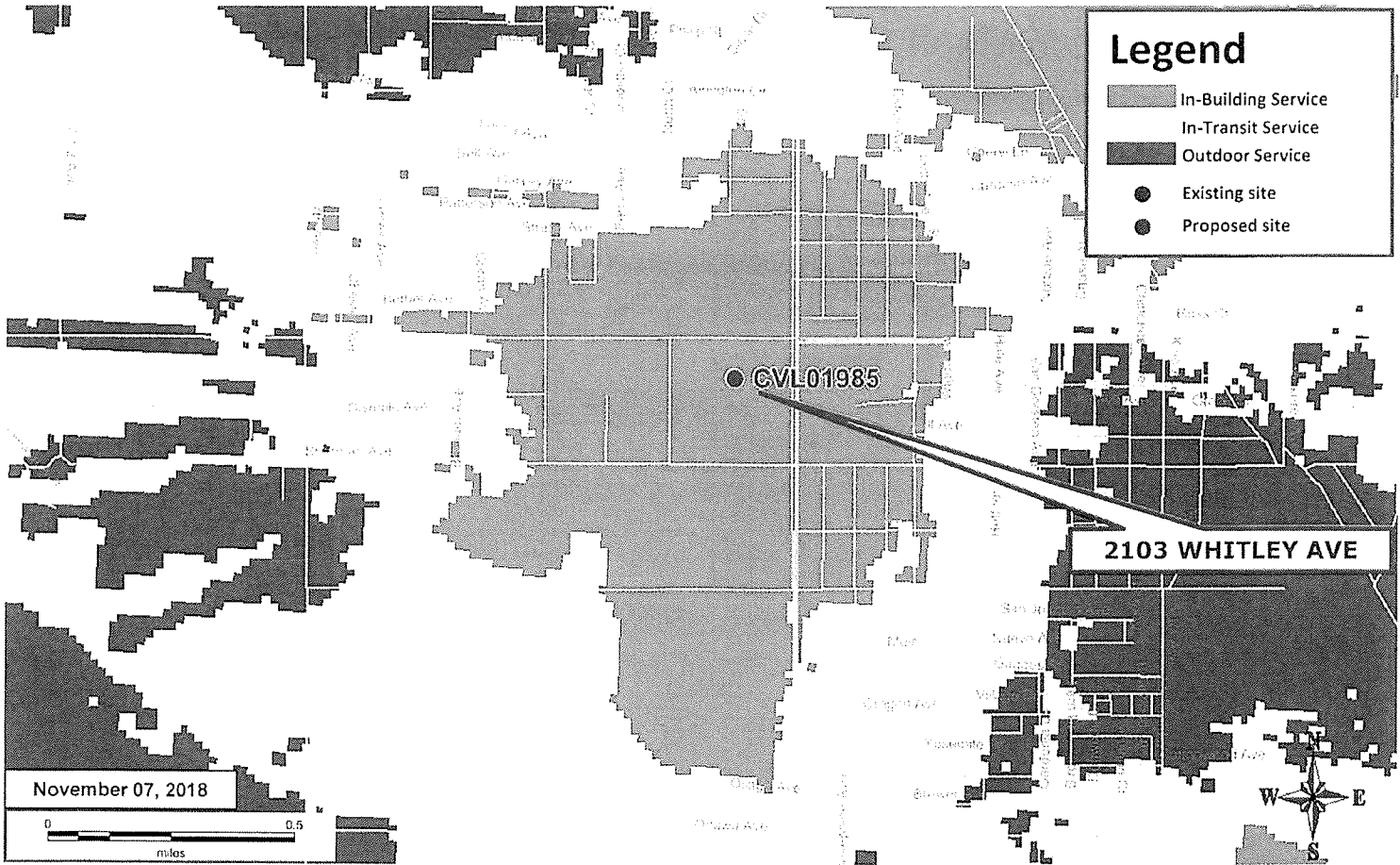


# CVL01985 Zoning Propagation Map

November 07, 2018



# Proposed LTE 700 Coverage (RC = 96 ft)



## Legend

- In-Building Service
- In-Transit Service
- Outdoor Service
- Existing site
- Proposed site

CVL01985

2103 WHITLEY AVE

November 07, 2018

0 0.5 miles



## **Executive Summary**

Occupational Safety & Compliance Engineering (OSC Engineering) has been contracted by Caldwell Compliance, Inc. to conduct an RF (radio frequency) computer simulated analysis. The Federal Communications Commission (FCC) has set limits on RF energy exposed to humans on a wireless cell site in order to ensure safety. The FCC has also mandated that all RF wireless sites must be in compliance with the FCC limits and a compliance check should be performed routinely to ensure site compliance.

This report is an in depth analysis summarizing the results of the RF modeling provided to us by AT&T and in relation to relevant FCC RF compliance standards. A reanalysis is recommended upon the site going on air.

OSC Engineering uses the FCC OET-65 as well as AT&T Standards to make recommendations based on results and information gathered from drawings and Radio Frequency Data Sheets.

For this report, OSC Engineering utilized Roofview® software for the theoretical analysis of the AT&T Cellular Facility.

A site-specific compliance plan is recommended for each transmitting site. This report serves as a single piece of the overall compliance plan.

## **Site Compliance Conclusion**

**The AT&T site CVL01985 located at 2103 Whitley Avenue Corcoran, CA 93212 will comply with FCC Guidelines.**

### **Compliance Results of the Proposed Site (theoretical simulation)**

A result over 100% does not make a site out of compliance with FCC guidelines. For results over 100% of the FCC Limit, further remediation is required to consider the site compliant per FCC Guidelines. See the last page of this report entitled **RECOMMENDATIONS** for compliance actions required for FCC and AT&T Compliance. Only areas within the demarcated areas (barriers) are over the FCC Limit. The remediation actions bring the site into compliance. Results are given in terms of the FCC General Population. Please see the page entitled **FCC MPE Limits (from OET-65)** for further information. For the purpose of theoretical simulation, OSC Engineering models antennas as if they are operating at full power (100% capacity). This assumption yields more conservative (higher) results. On-site measurements may yield different results, as antennas do not always operate at full capacity.

**Max RF Exposure Level simulated (AT&T antennas @ adjacent roofs):**

0.10 % FCC General Population MPE Limit

**Max RF Exposure Level simulated (AT&T antennas @ ground):**

4.00 % FCC General Population MPE Limit

Antenna	Operator / Technology	Frequency (MHz)	Input Power (watts)	Antenna Type	Antenna Make	Antenna Model	Azimuth (°T)	Ground (Z) (ft)	Adj. Roof (Z) (ft)
G1	AT&T LTE B17	700	120.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G1	AT&T LTE	850	120.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G1	AT&T LTE	1900	160.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G2	AT&T LTE	2100	160.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G3	AT&T LTE B14	700	160.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G3	AT&T LTE	2100	240.00	Panel	Kathrein	800-10965 K	160	92.7	72.7
G4	AT&T LTE	2300	160.00	Panel	Kathrein	800-10865 K	160	92.9	72.9

## Computer Simulation Analysis

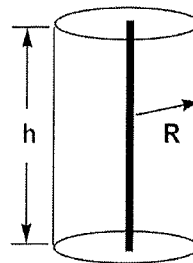
The Federal Communications Commission (FCC) governs the telecommunications services, facilities, and devices used by the public, industrial and state organizations in the United States.

"RoofView® is a software analysis tool for evaluating radiofrequency (RF) field levels at roof-top telecommunications sites produced by vertical collinear antennas of the type commonly used in the cellular, paging, PCS, ESMR and conventional two-way radio communications services."<sup>2</sup>

"RF near-field levels are computed from selected antennas by applying a cylindrical model that takes into account the antenna's aperture height, mounting height above the roof, azimuthal beam width for directional antennas and the location of the antennas on the roof. Resulting, spatially averaged power densities are expressed as a percentage of a user selectable exposure limit depending on frequency. The entire roof is composed of one-square-foot pixels and RF fields are computed for each of these pixels for each selected antenna."<sup>3</sup>

Computer simulations produced for clients are simulated with "Uptime = 100%". This means that all transmitters associated with an antenna are considered to be "on".<sup>4</sup>

RoofView® uses a near-field method of computing the field based on assuming that the total input power delivered to the antenna, at its input terminal, is distributed over an imaginary cylindrical surface surrounding the antenna. The height of the cylinder is equal to the aperture height of the antenna while the radius is simply the distance from the antenna at which the field power density is to be computed. Within the aperture of the antenna, this approximation is quite accurate but as the antenna is elevated above the region of interest, the model output must be corrected for mounting height.<sup>5</sup>



$$S = \frac{P}{2\pi Rh}$$

<sup>2</sup> Roofview User Guide 4.15, Page 7, Richard A Tell Associates

<sup>3</sup> Roofview User Guide 4.15, Page 7, Richard A Tell Associates

<sup>4</sup> Roofview User Guide 4.15, Page 10, Richard A Tell Associates

<sup>5</sup> Roofview User Guide 4.15, Page 45, Richard A Tell Associates



### **FCC MPE Limits (from OET-65)**

OSC Engineering uses the FCC's and clients' guidelines to model the computer simulation. Explained in detail in Office of Engineering & Technology, Bulletin No. 65 ("OET-65") "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Radiation".

**Occupational/controlled**<sup>6</sup> exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means. As discussed later, the occupational/controlled exposure limits also apply to amateur radio operators and members of their immediate household.

**General population/uncontrolled**<sup>7</sup> exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

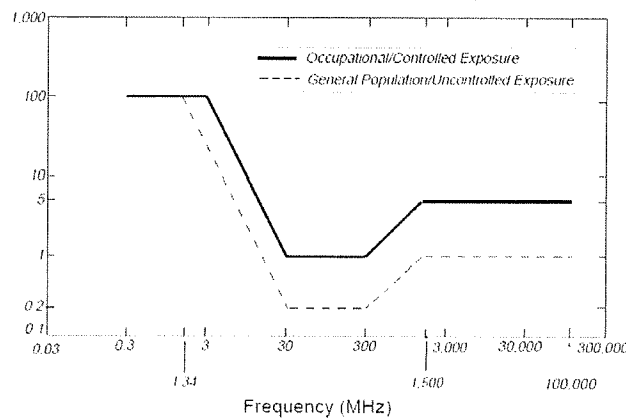
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<sup>6</sup> OET-65 "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields pg. 9.

<sup>7</sup> OET-65 "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields pg. 9.

Limits for Maximum Permissible Exposure (MPE) continued<sup>10</sup>

Figure 1. FCC Limits for Maximum Permissible Exposure (MPE)  
Plane-wave Equivalent Power Density



"MPE Limits are defined in terms of power density (units of milliwatts per centimeter squared: mW/cm<sup>2</sup>), electric field strength (units of volts per meter: V/m) and magnetic field strength (units of amperes per meter: A/m). In the far-field of a transmitting antenna, where the electric field vector (E), the magnetic field vector (H), and the direction of propagation can be considered to be all mutually orthogonal ("plane-wave" conditions), these quantities are related by the following equation:

$$S = \frac{E^2}{3770} = 37.7H^2$$

where: S = power density (mW/cm<sup>2</sup>)  
E = electric field strength (V/m)  
H = magnetic field strength (A/m)

<sup>10</sup> OET-65 "FCC Guidelines Table 1 pg. 72.

## **AT&T Antenna Shut-Down Protocol**

AT&T provides Lockout/Tagout (LOTO) procedures in Section 9.4<sup>12</sup> (9.4.1- 9.4.9) in the ND-00059. These procedures are to be followed in the event of anyone who needs access at or in the vicinity of transmitting AT&T antennas. Contact AT&T when accessing the rooftop near the transmitting antennas. Below is information regarding when to contact an AT&T representative.

### **9.4.7 Maintenance work being performed near transmitting antennas**

Whenever anyone is working within close proximity to the transmitting antenna(s), the antenna sector, multiple sectors, or entire cell site may need to be shut down to ensure compliance with the applicable FCC MPE limit. This work may include but is not limited to structural repairs, painting or non-RF equipment services by AT&T personnel/contractors or the owner of a tower, water tank, rooftop, or other low-centerline sites. The particular method of energy control will depend on the scope of work (e.g., duration, impact to the antenna or transmission cabling, etc.) and potential for RF levels to exceed the FCC MPE limits for General Population/Uncontrolled environments

### **9.4.8 AT&T Employees and Contractors**

AT&T employees and contractors performing work on AT&T cell sites must be trained in RF awareness and must exercise control over their exposure to ensure compliance with the FCC MPE limit for Occupational/Controlled Environments ("Occupational MPE Limit").

The rule of staying at least 3 feet from antennas is no longer always adequate to prevent exposure above the Occupational MPE Limit. That general rule was applied early in the development of cellular when omni-directional antennas were primarily used and later when wide-beamwidth antennas were used. That application was then appropriate for the Occupational exposure category. However, the current prevalence of antennas with 60- and 70- degree horizontal half-power beamwidths at urban and suburban GSM and UMTS/HSDPA sites raises some question about the continued reliability of the 3-foot rule. Antennas with low bottom-tip heights and total input powers around 70-80 W can produce exposure levels exceeding the Occupational MPE Limits at 4 feet, and these levels can be augmented by emissions of co-located operators. Therefore, AT&T employees and contractors should apply the above general work procedures and use an RF personal monitor to assess exposure levels within the work vicinity.

### **9.4.9 Other Incidental Workers**

All other incidental workers who are not trained in RF safety are considered general public and subject to the FCC MPE limits for General Population/Uncontrolled Environments. In such instance, the M-RFSC (primary contact) or R-RFSC (secondary contact) must refer to the Mobility RF site survey plan to assess the potential RF exposure levels associated with the antenna system. If capable of exceeding the FCC General Population/Uncontrolled MPE limit, then local sector/site shutdown is necessary. The FE/FT must also follow the local shutdown procedure and use their RF personal monitor as a screening tool for verification, as necessary.

<sup>12</sup> ND-00059\_Rev\_5.1 "Lockout/Tagout (LOTO) Procedures" Page 45.



November 2, 2018

*Via GSO Courier*

**Attn.: City Planner**

Community Development Department, Planning Division

City of Corcoran, 832 Whitley Avenue

Corcoran, California 93212

**CONDITIONAL USE PERMIT – Wireless Telecommunications Facility**

**Re: AT&T "Corcoran" (CVL01985)**

2103 Whitley Avenue, Corcoran, CA 93212

**APN: 034-150-009**

To Whom It May Concern:

This package is intended as a formal application for an unmanned AT&T Broadband and Wireless telecommunications facility at the above-referenced location. All materials are included as required by the City's *Submittal Requirements* and the City's Development Standards.

Enclosed please see the following:

1. Filing Fee: [paid via Check No. 21042 (\$2,479.00);
2. **Planning Application (Conditional Use Permit);**
3. **Letter of Authorization (Property Owner);**
4. Project Support Statement;
5. EME/ RF Study;
6. Photo-Simulations;
7. Parcel Map;
8. Preliminary Title Report;
9. (1) copy – Site Plans 8.5 x 11 (Zoning Drawings)
10. (10) Copies – Site Plans 11" x 17" (Zoning Drawings); and
11. (10) Copies – Site Plans 24" x 36" (Zoning Drawings).

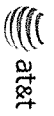
I am the main point of contact for this Application. Should you have any questions or comments regarding the submittal or need additional materials, I can be reached at (916) 709-2057 or via email at: [gjohnson@completewireless.net](mailto:gjohnson@completewireless.net).

Respectfully,

Gerie Johnson, Land Use Planning Specialist

Enclosures

Aerial photograph showing the viewpoints for the photosimulations.



**Corcoran**  
2103 Whitley Ave  
Corcoran, CA 93212  
CVL01985

Copyright © 2004, National Aerial Photography Program. All rights reserved. This photograph is for informational purposes only. It is not intended to be used for any other purpose. The photograph is not to be used for any other purpose. The photograph is not to be used for any other purpose.



2

Stationary drone for height and placement

**Existing**

Photosimulation of the view looking west from the nearest point along Dairy Ave.

**Corcoran**  
 2103 Whitley Ave  
 Corcoran, CA 93212  
 CVL01985




Proposed 100 ft monopole

**Proposed**

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**PROJECT SUPPORT STATEMENT  
DEVELOPMENT APPLICATION FOR AT&T MOBILITY  
BROADBAND AND WIRELESS COMMUNICATIONS SITE  
CVL01985 - CORCORAN**

2103 Whitley Avenue, Corcoran, Kings County, California 93212  
APN: 034-150-009

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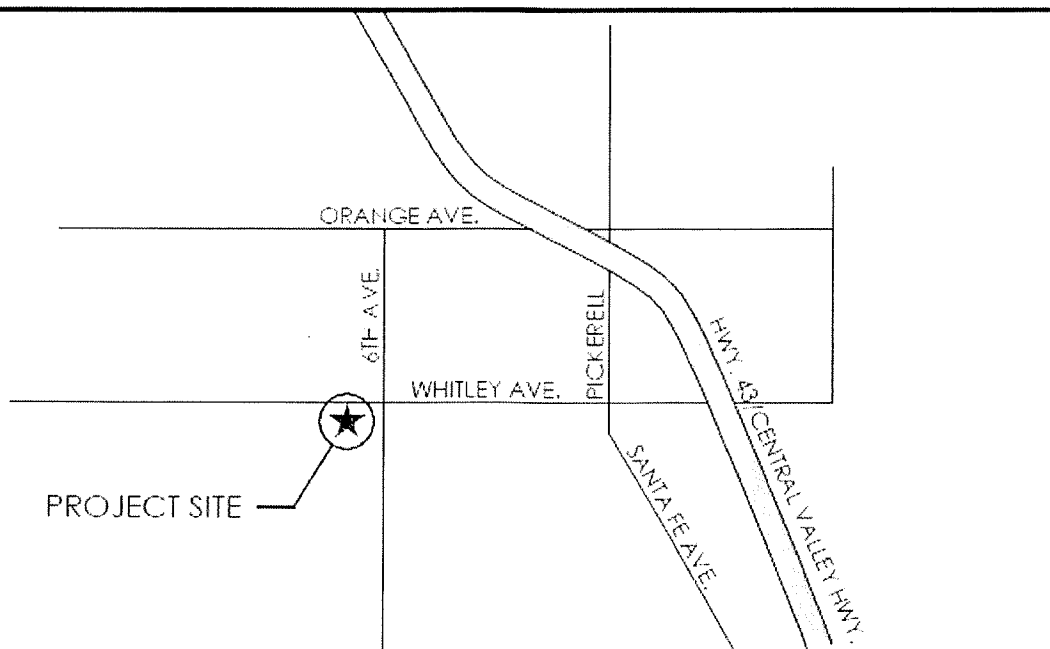
**INTRODUCTION**

AT&T Mobility (AT&T) is seeking to improve communication services in Kings County. More specifically, AT&T would like to bring improved fixed wireless internet and cellular coverage to the area near Highway 43 Central Valley and living units within the general and immediate area. The service objective is to improve cellular coverage in the area. AT&T maintains a strong customer base in Corcoran and strives to improve coverage for both existing and potential customers. The increase in wireless services will benefit residents, local businesses, travelers, and, public safety communications systems in the County of Kings, including police, fire, and medical services.

**PROJECT LOCATION**

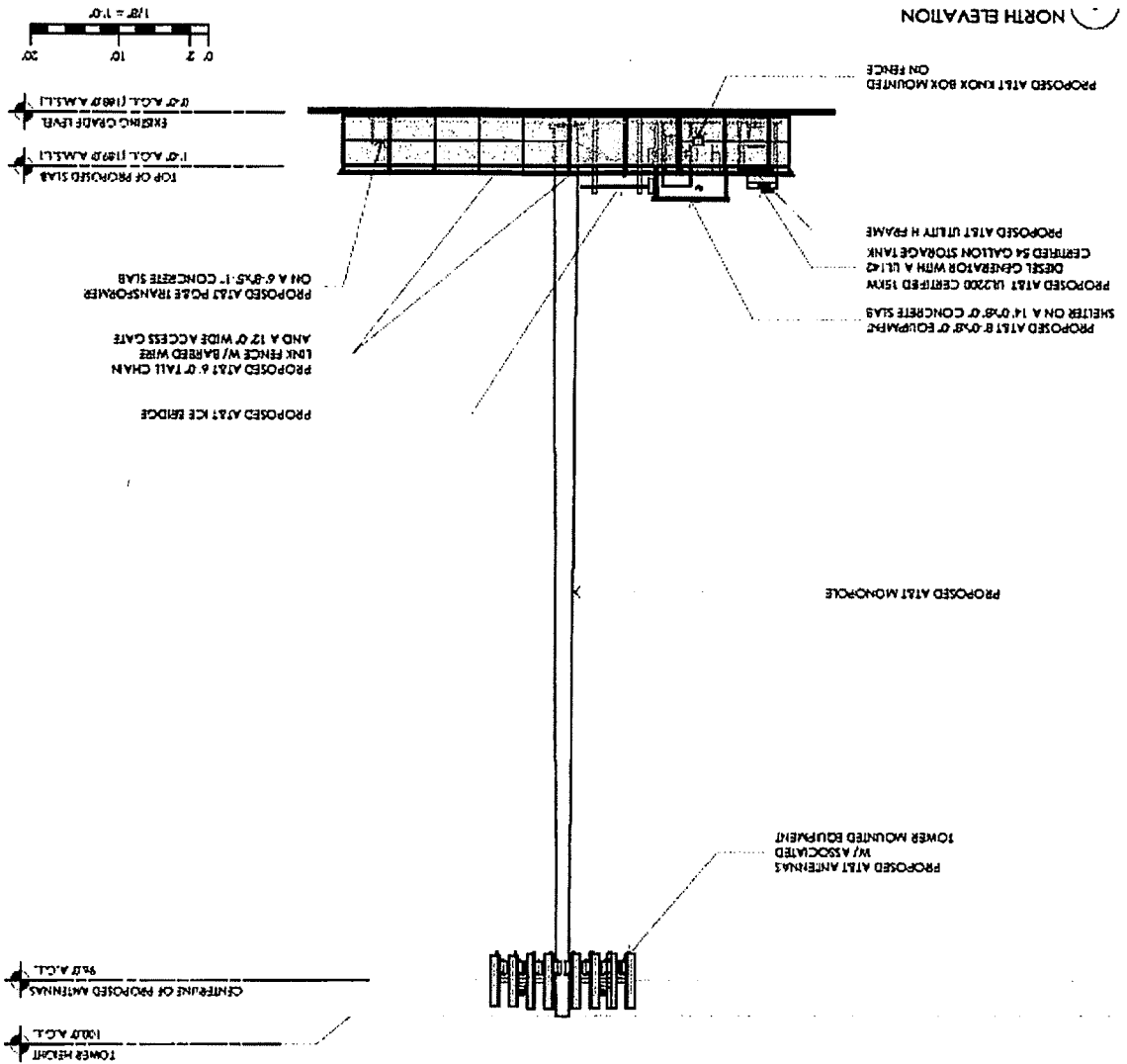
This project is located on a parcel zoned Service Commercial (CS) and is surrounded by similarly zoned parcels. This facility is intended to provide and improve cellular coverage and wireless services within the area. The parcel is currently used primarily as a religious facility/religious organization for worship and/or the promotion of religious activities.

VICINITY MAP



**PROJECT DESCRIPTION**

The proposed unmanned telecommunications facility will include a 100' monopole, 12 panel antennas three (3) antenna sectors with four (4) antennas per sector, (15) remote radio head (RRH) units, walk-in equipment cabinet, 15 KW standby diesel generator, located within a 50' x 50' lease area surrounded by a 6' tall chain link fence with barbed wire and a 12' wide access gate. The pole will be structurally engineered to support the collocation of two additional carriers.

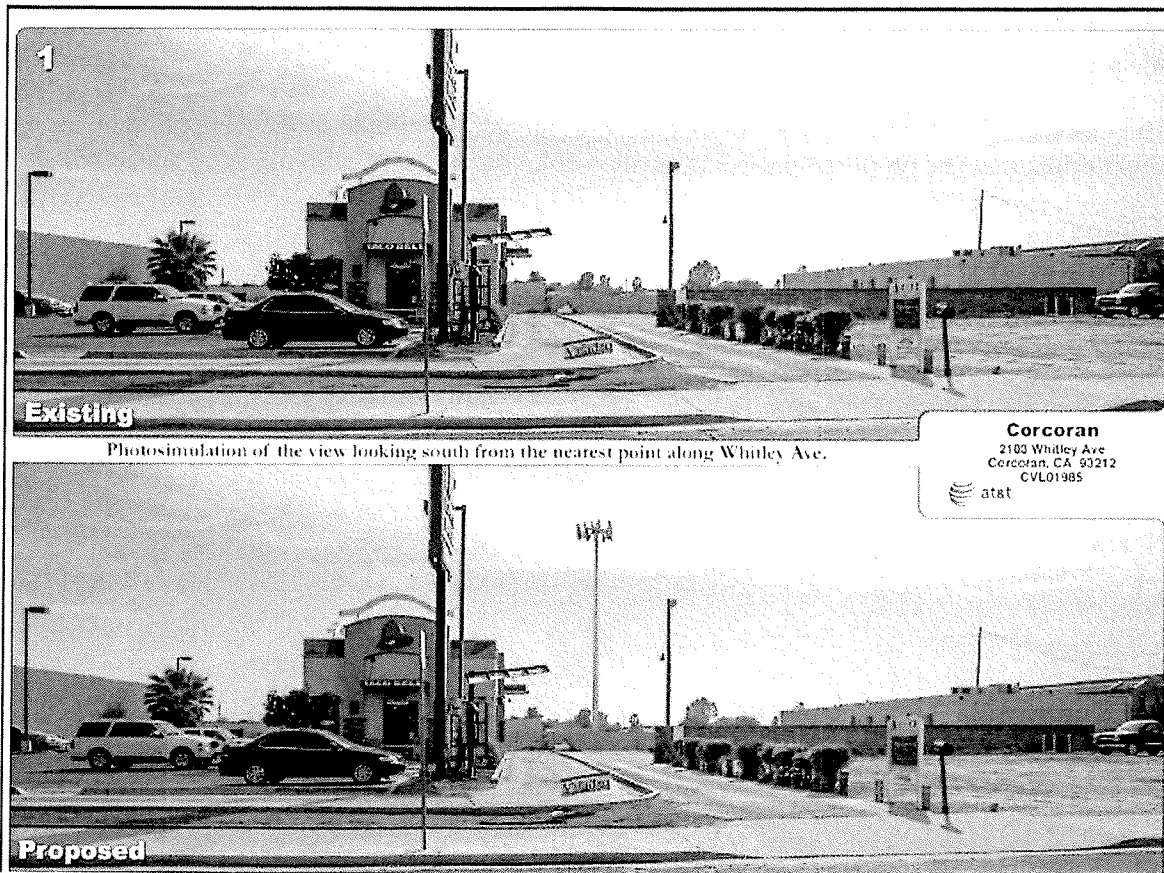




## Project Support Statement CVL01985 "Corcoran"

Two alternative candidates showed interest in the project. One candidate – Burnett (2021 Whitley Avenue, Corcoran, CA 93212) showed interest in the project, however, a commitment could not be made to AT&T at the time. As such, AT&T investigated the secondary candidate, Gilkey (2411 Whitley Avenue, Corcoran, CA 93212). At first, lease negotiations progressed smoothly, however, a decision was made to proceed with the selected candidate Thomas Edward Hamilton.

### Photo-simulations of Proposed Project



### Required Finds Necessary for Granting a Conditional Use Permit Application City of Corcoran Municipal Code Section 11-23-2(F).

#### Findings for Approval.

The Community Development Department may approve an application for a Administrative Permit application if all of the following findings can be made:

1. The site for the proposed use is adequate in size and shape to accommodate the use, all development standards, and other features required by the Zoning Code to adjust the proposed use with land and uses in the neighborhood.
2. The site for the proposed use relates to streets and highways adequately in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
3. The proposed use will have no adverse effect upon adjoining or other properties. In making this determination, the City shall consider the proposed location of improvements on the site;

South



East



### **SAFETY BENEFITS OF IMPROVED WIRELESS SERVICE**

Mobile phone use has become an extremely important system for public safety. Motorists with disabled vehicles (or worse) can use their phone to call in and request appropriate assistance. With strong cellular coverage along important roadways, emergency response is just a phone call away. Furthermore, as a back-up system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

### **LIGHTING**

Unless tower lighting is required by the FAA the tower will not utilize lights. Downward tilted work lights will be installed for maintenance and technician visits. The work lights will only be utilized during necessary maintenance visits.

### **NOISE**

The standby generator will be operated for approximately 15 minutes per week for maintenance purposes, and during power outages and disasters. Testing and maintenance will take place weekdays between 8:00 a.m. and 7:00 p.m.

During construction of the facility, which typically lasts around two months, acceptable noise levels will not exceed City standards.

### **SITE MAINTENANCE**

A technician will visit the site approximately once or twice a month to check the facility and perform any necessary maintenance.

### **COMPLIANCE WITH FCC STANDARDS**

This project will not interfere with any TV, radio, telephone, satellite, or any other signals. Any interference would be against the Federal Law and would be a violation AT&T's FCC License.

### **CONSTRUCTION SCHEDULE**

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two months. The crew size will range from two (2) to ten (10) individuals.

### **NOTICE OF ACTIONS AFFECTING THIS DEVELOPMENT PERMIT**

In accordance with California Government Code Section 65945(a), AT&T Mobility requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to:

Gerie Johnson  
Land Use Planning Specialist  
Complete Wireless Consulting, Inc.  
2009 V Street, Sacramento, CA 95818.

City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

## PUBLIC HEARING ITEM #: 4.2

### MEMORANDUM

**TO:** Planning Commission

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

**DATE:** January 10, 2019

**MEETING DATE:** January 14, 2019

**SUBJECT:** Public hearing to discuss zoning requirements regarding Sea trains and Pods.

**Recommendation** Staff recommends allowing Sea Trains in Residential Acreage zones minimum 20,000 square feet under a conditional use permit.

1. One (1) sea train for lots under one (1) acre.
2. Two (2) sea trains for lots over one (1) acre.
3. Maximum allowed, Two (2)

Staff recommends to retain the current text regarding Residential (R-16 and Multi Family zones and the current text regarding industrial and commercial zones.

**Discussion:** At the regularly scheduled Planning Commission meeting held on November 19, 2018 Community Development Staff brought to the attention of the Planning Commission complaints received from concerned citizens regarding the Code Enforcement Division issuing Notice and Orders regarding Zoning code section 11-11-2 (E)

**“Outdoor storage and Seatrains.** Our current code reads:

1. **Permanent use:** Outdoor storage of equipment, materials, is prohibited in residential zoning districts. Use of commercial storage containers, including sea trains, is prohibited
2. **Temporary use:** Temporary use of commercial storage containers in commercial or industrial zones including sea trains, requires a conditional use permit.

Attached is a copy of the minutes of November 19, 2018.

The Commission’s decision was to not move forward with any changes to the zoning regulations regarding sea trains. At the regularly scheduled City Council meeting on November 27, 2018, citizen spoke to the City Council regarding allowing sea trains in residential zones.

seconded by Kassner to approve the extension of Tentative Subdivision Map Tract 880, North of Patterson and East of James Avenues with APN 034-120-003. Motion carried by the following vote:

**AYES:** Bega, DeVaney, Jarvis, Kassner, Van Velson and Watkins

**NOES:**

**ABSTAIN:**

**ABSENT:** Tristao

**5.2** Tromborg presented the draft Regional Active Transportation Plan. The Kings County Association of Governments requested the Commissioners to send in their comments on or before December 3, 2018. Tromborg added, the primary objective of the project is to identify high priority projects that will make walking and biking throughout Kings County safer and more convenient.

**5.3** Following Commissioners discussion, the Commission agreed to keep and continue to implement the zoning code regulations regarding use of sea train as a storage unit. Sea train is prohibited in residential zoning districts. Temporary use of commercial storage containers requires a Conditional Use Permit.

**5.4** Tromborg explained the process of a Site Plan Review (SPR). The SPR is required for all new commercial construction and new business that are planning a use change with a tenant improvement. He added that if an objection is filed by the proponent, the Community Development Department will notify all agencies affected by the objection and a Site Plan Review meeting will be scheduled to present and discuss the issues. This process would include two (2) member of the Planning Commission. If there is no objection received and findings are accepted by the proponent, the project will move forward.

**5.5** Considering the many fences that were built against the standard fence heights, the Community Development Director in consultation with the City legal counsel will come up with a process of zone exemptions request. Tromborg mentioned that this process will be used for code violations where the citizen was unaware of the violation. A fee will be set by the City Council and the request for exemptions will be heard by the Planning Commission on an individual basis.

## **6. MATTERS FOR COMMISSION - None**

**6.1.** The Commission received information on approved planning projects for the last five months and Kings County Economic and Workforce Data (September 2018)

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