

CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, April 15, 2019
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: | Shea DeVaney |
| Vice-Chairman: | Karl Kassner |
| Commissioner: | David Bega |
| Commissioner: | David Jarvis |
| Commissioner: | Dennis Tristao |
| Commissioner: | Troy Van Velson |
| Commissioner: | Janet Watkins |

FLAG SALUTE

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

2.1 Approval of minutes of the regular Planning Commission meeting on March 18, 2019.

3. RE-ORGANIZATION - None

4. **PUBLIC HEARING** - None

5. **STAFF REPORTS**

5.1 Review and decision regarding applications/requests received for zone exception pertaining to fence height.

5.2 Review and decision regarding applications/requests received for zone exception pertaining to sea trains

6. **MATTERS FOR PLANNING COMMISSION**

6.1. Information Items regarding:

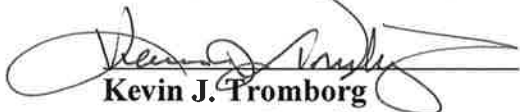
- Ordinance 612
- Date of completion of Ethics on-line training on April 19, 2019
- Burn Down The House Program

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

6.4 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 11, 2019.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
MONDAY, March 18, 2019**

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

ROLL CALL

Commissioners present: DeVaney, Kassner, Van Velson and Watkins

Commissioners absent: Bega, Felarca and Jarvis

Staff present: Kevin Tromborg and Ma. Josephine Lindsey

Also present: Joseph Beery, City Attorney

FLAG SALUTE The flag salute was led by DeVaney.

A quorum was declared in the presence of four (4) out of seven (7) Commissioners.

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

Following Commission discussion, a **motion** was made by Van Velson and seconded by Kassner to approve the minutes of the regular meeting on February 25, 2019. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

3. RE-ORGANIZATION - None

The Planning Commission agreed to move item 5.2 of the agenda ahead of item 4.1 to accommodate the citizens attending regarding zone exception request on fence height.

Tromborg presented the Zoning Code 11-12-1 and 2 regarding height limits. Tromborg explained that building permits are not required for a fence unless it is a block fence with foundation. A total of seven (7) applications were received for the past months of 2019. All residents of Corcoran was notified via mass mailer. Six month period was given to all residents or until July 31, 2019, to apply for zone exception.

Oral testimonies were heard as follow:

Mr. John Porraz, resident of 1269 Bainum Avenue, Corcoran, CA 93212, addressed the Commissioners about his fence that was built six (6) feet tall, for security and safety reason. Ms. Martha Flores, also a resident of the same property, added that the gate was not lock and in case of emergency, access inside the property was available.

Ms. Minelly Arreola of 1421 Chase Avenue, Corcoran, CA 93212, also approached the Commissioners about the front fence that was built five (5) feet in height and side fence of six (6) feet made of chain link fence with slats. With the same reason, the fence was built for security and safety purposes.

Vice-Chair, Kassner, emphasized that while the City of Corcoran continue to move and continue to grow as community, rules and regulations need to be in place and enforce, therefore, affects people and restricts freedom. Zoning Code was made for everybody and not on specific situation.

Joseph Beery, City Legal Counsel, pointed out that the six month period was offered to the community that were in violation of the zoning code to resolve the issue in a timely manner. The zone exception requests will end after six month period and future violations will be addressed accordingly.

The Commissioners suggested to the staff to request people that inquire about the fence to come to City Hall to further explain the zone regulations to avoid future violation.

5.2 Following Commission discussion, a **motion** was made by Van Velson and seconded by Watkins to approve zone exception request for fence height on property address 25541 7th Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Van Velson and seconded by Watkins to approve zone exception request for fence height on property address 1269 Bainum Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Kassner and seconded by Watkins to allow the five (5) feet fence in the front and the side fence at a current height of six (6) feet on condition that all slats must be removed from chain link fence allowing visibility. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Van Velson and seconded by Kassner to approve zone exception request for fence height on property address 1527 Chase Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Van Velson and seconded by Watkins to approve zone exception request for fence height on property address 1017 Doran Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Kassner and seconded by Watkins to approve zone exception request for fence height on property address 1612 Orange Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

Following Commission discussion, a **motion** was made by Van Velson and seconded by Watkins to approve zone exception request for fence height on property address 1409 Oregon Avenue, Corcoran, CA 93212. Motion carried by the following vote:

AYES: DeVaney, Kassner, Van Velson and Watkins

NOES:

ABSTAIN:

ABSENT: Bega, Felarca and Jarvis

4. PUBLIC HEARING

4.1 Continuance of a Public Hearing to consider criteria for zone exception request regarding use of sea train and storage units as storage in Residential Zone (R-1-6). Tromborg presented the staff report at 6:41 p.m. Tromborg clarified that approval of zone exception request/application goes with the property owner. Transfer or sell of property will result to termination of zone exception.

Oral testimony was received from Mr. Rosalio Reynoso, resident of 1612 Orange Avenue, Corcoran, CA 93212. The property was annexed by the city in 2002. He has three (3) sea trains: one 40 ft. and two 20' size, painted in gray color, installed on a cemented area at the back of the property with fence.

Mr. Dario Gomez of 25541 7th Avenue, Corcoran, CA 93212, also addressed the Commission regarding his one sea train (20' size) on his property. He express his willingness to abide whatever regulations the city will implement.

Following Commission discussion, a **motion** was made by Van Velson and seconded by Watkins to approve criteria for zone exception request pertaining to use of sea trains in residential zone as presented with an amendment that a minimum of twenty (20) foot-wide clear access drive shall be provided to the storage area to permit free access of fire trucks or any other safety vehicles at any time is applicable to RA zone with commercial business. Motion carried by the following vote

AYES: Bega, DeVaney, Kassner and Van Velson

NOES:

ABSTAIN:

ABSENT: Felarca, Jarvis and Watkins

5 STAFF REPORTS

Tromborg presented the staff report on Large Truck Parking (LTP) ordinance 612. City of Corcoran conducted a comprehensive process in 2009 and 2010 to include: stakeholders meetings, Planning Commission and City Council meetings. The Ordinance 612 was passed by the Planning Commission and subsequently approved by the City Council. Ordinance 612 prohibit large commercial vehicle parking in residential areas with two exceptions: in residential zones, LTP on private parking is allowed on lots 20,000 square feet or more; the vehicle must be set back a minimum of 20 feet from any public improvement (sidewalk, curb and gutter, street or road) and be behind a fence or gate.

Ms. Donna Rojo, a resident of 1031 Oregon Avenue, Corcoran, CA 93212, once again mentioned the existing large truck owned by her father that was parked on their property. She requested the Planning Commission to allow them to park the commercial truck on their property. She added their willingness to move the truck twenty (20') feet front setbacks and put up a fence to keep it out of public view.

The Commission also mentioned the need to have an ordinance regarding Recreational Vehicle (RV) and tractor parking in residential zone.

5.1 Following Commission discussion, the Commission directed the staff to further study Recreational Vehicle and/or tractor parking; come up with an ordinance and look at the possibility of combining Large Truck Parking ordinance with Recreational Vehicle and/or tractor parking ordinance. The Commission further directed the staff to continue enforce Ordinance 621 while undergoing review process.

6. MATTERS FOR COMMISSION

6.1. The Commission received information on the Ethics Training scheduled on March 26, 2019 and received a reminder of the submission of Fair Political Practices Commission (FPPC) Form 700.

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

6.3 Committee Reports – None

7. ADJOURNMENT

At 7:36 p.m., the meeting was adjourned to the next regular meeting on Monday, April 15, 2019 in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED ON: _____

Shea DeVaney
Planning Commission Chairperson

ATTEST:

Kevin J. Tromborg
Community Development Director

Chairperson

Shea DeVaney

Vice-Chairperson

Karl Kassner

Commissioners

David Bega
David Jarvis
Dennis Tristao
Troy Van Velson
Janet Watkins

Planning Commission



**Community
Development
Department**

(559) 992-2151
FAX (559) 992-2348

832 Whitley Avenue, Corcoran
CALIFORNIA 93212

STAFF REPORT

Item # 5.1

To: Planning Commission
From: Kevin J. Tromborg, Community Development Director, Planner, Building Official.
Date: April 15, 2019
Subject: Fence violations exception requests

A. General Information:

City of Corcoran Zoning Code 11-12-1, Measurement of Fence and Wall Height, states “the height of a fence or wall is measured from the adjacent finished grade at the base of the fence or wall to the top edge of the fence or wall.”

Zoning Code Section 11-12-2 Height Limits:

A fence or wall shall not exceed the maximum permitted height for Residential Zoning Districts (RA, R-1, RM) and Professional Office (PO):

- Within front setbacks area - 3 ft.

(A 4 ft. height is permitted provided that the top one foot is at least 50% open.)

- Within street side setback area - 7 ft.
- Within side and rear setback areas - 7 ft.
- Traffic safety visibility area - 3 ft.

Note: Fence height in all residential zones in excess of seven feet require a variance and a building permit.

Public Input: No public input is required.

Discussion:

The citizens of Corcoran were notified through a mass mailer in February 2019, of the zone exception request application pertaining to fences. The City started a six (6) month period (or until August 1, 2019) to allow anyone in violation regarding fence heights to apply for a zoning exception request for approval by the Planning Commission.

The Community Development Department to date has received a total of eight (8) zone exception requests regarding fences that were built prior to December 2018.

Recommendation:

To consider requests for exceptions and decision regarding fence height and location violations for each applicant.

Attachment:

Chapter 11-12 Zoning Code. Fences, walls, and screening.
Summary of application
Zone exception applications

Chairperson

Shea DeVaney

Vice-Chairperson

Karl Kassner

Commissioners

David Bega
David Jarvis
Dennis Tristao
Troy Van Velson
Janet Watkins

Planning Commission



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STAFF REPORT

Item # 5.2

To: Planning Commission

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

Date: April 15, 2019

Subject: **Exception criteria for sea trains and storage units**

General Information:

City of Corcoran Zoning Code 11-11-2 (E) states "outdoor storage of equipment, materials and merchandise is prohibited in residential zoning districts. Use of commercial storage containers, including sea trains, is prohibited.

The Planning Commission at its regularly scheduled meeting on January 14, 2019, approved the use of sea train in Residential Acreage (RA) zone, minimum of 20,000 square feet through administrative use permit. Further, the Commission likewise approved to allow owners of the property that were annexed by the City after the year 2000, with sea trains as storage unit, to apply for a zone exception. Below is a summary of the approved exception criteria

Proposed criteria for zone exception:

1. One (1) sea train for lots minimum 20,000 square feet to one (1) acre;
2. Two (2) sea trains for lots over one (1) acre;
3. Maximum allowable sea train in RA zone are two (2);
4. Properties that had storage units or sea trains that were annexed after the year 2000;

5. Sea trains or storage unit must be located at the back of the property on the same lot as primary land use and must be a minimum of ten (10) feet from any other building or structure;
6. Minimum setbacks as follow:
 - Front yard, (Not allowed)
 - 5 feet - side yard set back
 - 5 feet - rear yard set back
7. Shall be completely screened from public view through the use of gates, fences, building walls, free standing walls, earth tone paints or other similar method approved by the Community Development Department;
8. Sea trains and storage containers shall not be double stacked;
9. No combustible materials shall be stored in or on the storage units or sea trains;
10. A minimum of twenty (20) foot-wide clear access drive shall be provided to the storage area to permit free access of fire trucks or any other safety vehicles at any time;

Chairperson

Shea DeVaney

Vice-Chairperson

Karl Kassner

Commissioners

David Bega

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**832 Whitley Avenue, Corcoran
CALIFORNIA 93212**

INFORMATION REPORT

Item 6.1

To: Planning Commission

From: Kevin J. Tromborg, Community Development Director

Date: April 15, 2019

Subject: **Information regarding Ordinance 612, Large Truck Parking on residential lots and Recreational Vehicles.**

A. General Information:

At the regularly scheduled meeting held on March 18, 2019, staff presented as a discussion item concerns regarding Large Truck Parking (LTP). The Commission directed staff to further study LTP in conjunction with Recreational Vehicle Parking (RVP) and present an ordinance that covers both. After appraising the request and discussion with City Attorney, staff has determined that the inclusion of both these items, (LTP & RVP) in one ordinance is not recommended. If the Planning Commission so directs, staff will bring back the discussion of RVP at a future meeting. In reference to LTP, staff is seeking direction on moving forward.

B. Recommendation: N/A

C. Attachment:

1. Staff report from March 18, 2019
2. Corcoran Zoning Code: 11-14-4- E, pg. 82
3. Ordinance 612

Chairperson

Shea DeVaney

Vice-Chairperson

Karl Kassner

Commissioners

David Bega
Darita Felarca
David Jarvis
Troy Van Velson
Janet Watkins

Planning Commission



832 Whitley Avenue, Corcoran
CALIFORNIA 93212

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STAFF REPORT

Item # 5.1

To: Planning Commission

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

Date: March 18, 2019

Subject: Discussion regarding Large Truck Parking (LTP) Ordinance 612

A. General Information:

In 2008 the Council asked the Corcoran Police Department to look at the then, current ordinance regarding large truck parking and if necessary propose revisions. Staff look at several other jurisdictions and discovered that they all prohibited LTP in residential zones. City Council asked the Planning Commission to review the issue and provide recommendations. The Commission reviewed and discussed the issue for several months. The Commission asked staff to solicit input from stakeholders, and a stakeholders meeting was held in October of 2009. It was attended by 28 citizen many of whom were truck drivers. Subsequent to that meeting staff brought the input gained from that meeting back to the Planning Commission for consideration. The Commission asked city staff to prepare specific options and to seek further input from the stakeholders.

On January 11, 2010 city staff brought several options before the Planning Commission for consideration. Additionally, city staff invited the stakeholders to attend the meeting to provide their input on the options presented. During that meeting, the Planning Commission directed city staff to prepare an Ordinance that was a combination of the options that were presented. Specifically, the Planning Commission wanted the ordinance to prohibit large commercial vehicle parking in residential areas, with a couple of exceptions.

Exceptions

1. In residential zones, LTP on private parking is allowed on lots 20,000 square feet or more.
2. The vehicle must be set back a minimum of 20 feet from any public improvement. (Sidewalk, curb and gutter, street or road) and be behind a fence or gate.

Staff worked with the City Attorney to draft an ordinance that was consistent with the direction provided by the Planning Commission. At the regularly scheduled Planning Commission meeting held on February 8, 2010, a public hearing was held on the proposed ordinance. The Planning Commission voted to pass resolution 10-02 which recommended that the City Council consider approval of Ordinance 612.

Discussion: At the regularly scheduled meeting of the Planning Commission on February 18, 2019 comments from the general public were heard regarding Large Truck Parking in residential zones. The Planning Commission directed staff to bring this back for discussion at a regularly scheduled meeting.

Attached is Ordinance 612 that was approved by Corcoran City Council on April 5, 2010.

Public Input: No public input is required at this time

Recommendation: Staff is seeking direction regarding Ordinance 612

Attachment:

Ordinance 612
Resolution 10-02

2. Owners, lessees, tenants, or persons having control of the operation of a use, for which parking spaces are required, shall not prevent or restrict authorized persons from using these spaces.
3. Required parking spaces shall be used exclusively for the temporary parking of vehicles and shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, or equipment, or for any other use not authorized by the Zoning Code.

B. Covered and Garaged Parking Spaces.

1. All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space, garage, or carport.
2. Garages converted to second units do not require the construction of a new garage.

C. Location. Off-street parking shall be located:

1. On the same site as the use that requires that parking or loading facilities, or on a site adjoining the use.
2. If within the CC zoning district, within 600 feet of the use that requires the spaces.

D. Parking for Persons with Disabilities.

1. Parking spaces for persons with disabilities shall be provided in compliance with California Code of Regulations Title 24.
2. Parking spaces required for the disabled shall count toward compliance with the number of parking spaces required by Table 11-14-1.

E. Parking for Large Commercial Vehicles

1. **Definition.** A "large commercial vehicle" means a commercial vehicle:
 - a. With a maximum gross weight of 30,000 pounds or more, or
 - b. Exceeding one of the following dimensions:
 - (1) Height: 8 feet
 - (2) Width: 9 feet
 - (3) Length: 18 feet
2. Off-street parking spaces, garages, and carports for large commercial vehicles that front a public roadway or right-of-way shall be set back a minimum of 20 feet from the exterior edge of the nearest public improvement, such as a sidewalk or street.
3. Parking or storing a large commercial vehicle is prohibited on any lot less than 20,000 square feet.
4. Parking may occur only on a paved or semi-paved surface.

F. Recreational Vehicle (RV) parking. Recreational vehicles may be parked or stored in any of the residential zoning districts, provided that the parking meets the following standards.

1. **Requirements.**
 - a. Multi-family developments of 20 or more dwelling units shall provide centralized parking for recreational vehicles at a ratio of one space per ten dwelling units.

COPY

ORDINANCE NO. 612

AN ORDINANCE OF THE CITY OF CORCORAN ENACTING REASONABLE LIMITS ON PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS WITHIN THE CITY OF CORCORAN.

THE CITY COUNCIL OF THE CITY OF CORCORAN DOES ORDAIN AS FOLLOWS:

Section 1. **PURPOSE.** The provisions of this ordinance are necessary for the safety of the public in residential zones (zones RA, R-1 and RM). The provisions of this ordinance will reduce or mitigate the potential hazards that exist when commercial vehicles parked in residential zones obstruct the view of motorists entering onto or off of the corresponding public roadway. The provisions of this ordinance will also enhance the aesthetics of residential zones.

Section 2. **REPEAL.** Subsection 6-2-8(A) of Chapter 2 of Title 6 of the Municipal Code is hereby repealed in its entirety.

Section 3. **CODE ADOPTION.** Subsections 6-2-8(A), 6-2-8(D) and 6-2-8(E) of Chapter 2 of Title 6 of the Municipal Code of the City of Corcoran are added to read as follows:

6-2-8 Parking Requirements for Large Vehicles.

A. *Residentially Zoned Areas:* It is unlawful to leave, park or allow to be parked any large commercial vehicle, whether attended or not, on any public street, or alley fronting on any real property zoned as residential, or in a residential area within the city. Nothing in this section relating to the parking or standing of large commercial vehicles in a residential area will be effective with respect to any commercial vehicle, or trailer component thereof, making pickups or deliveries of goods, wares, merchandise from or to any building or structure located on the restricted streets or highways or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted streets or highways for which a building permit has previously been obtained. For purposes of this section, "large commercial vehicle" means a commercial vehicle with a maximum gross weight of thirty thousand (30,000) pounds or more, or which exceeds either eight (8) feet in height, nine (9) feet in width or eighteen (18) feet in overall length.

B. *Truck Routes Excluded.* The parking restriction in subsection (A) of this section, for large commercial vehicles, shall not apply on those portions of public streets during such times as they are designated as a "truck route" pursuant to section 6-4-1. This subsection shall not apply to those portions of a "truck route" that are within 200 feet of any school zone as defined by California Vehicle Code section 40802(b)(2), as amended from time to time.

C. *Required Signage:* This section shall not be enforceable until signs or markings giving adequate notice thereof have been posted.

Section 4. **CODE ADOPTION.** Section 11-14-6 is revised as follows to add subsection (B.) and now reads in its entirety:

11-14-6 Location of Off-Street Parking and Loading Facilities.

A. Off-street parking and off-street loading facilities prescribed in Sections 11-14-2 and 11-14-4 of this Chapter shall be located on the same site with the use for which the berths are required or on an adjoining site, except that in the CC District, located within the Central Business District, off-street parking facilities prescribed in Section 11-14-2 of this Chapter may be located within six hundred feet (600') of the use for which the spaces are required, measured by the shortest route of pedestrian access. No off-street loading space shall be required where buildings are served by a public alley. (Ord. 527, 8-4-1997).

B. This subsection applies only in residential districts zoned as RA, R-1 and RM. After the effective date of this subsection, all off-street parking spaces and garages used to park or store a large commercial vehicle as defined in section 6-2-8, and which front a public roadway or right-of-way, must be set back a minimum of fifty (20) feet from the exterior edge of the nearest public improvement (such as a sidewalk or street). The parking or storing of a large commercial vehicle is prohibited on any lot less than twenty-thousand (20,000) square feet. On lots where the parking of large commercial vehicles is not prohibited, such parking must occur only on a paved or semi-paved surface.

Section 5. POSTING. The City shall post appropriate signage at all City entrances to provide notice of Section 6-2-8.

Section 6. CEQA REVIEW. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. The City Manager is hereby directed to ensure that a NOTICE OF EXEMPTION is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

Section 7. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Corcoran, or any official, employee or agent thereof.

Section 8. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 9. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or

circumstance. The City Council of the City of Corcoran hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 10. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Corcoran Municipal Code as amended by this ordinance are substantially the same as provisions in the Corcoran Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 11: EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the passage hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Corcoran Journal, a newspaper printed and published in the City of Corcoran, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Corcoran, State of California, on April 5, 2010 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

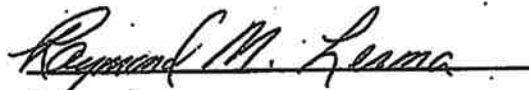
AYES: Councilmembers: Baltierra, Haile, Wadsworth, and Hanshew

NOES: Councilmember: Lerma

ABSENT: None

ABSTAIN: None

APPROVED:


Raymond Lerma, Mayor

ATTEST:


Lorraine P. Lopez, City Clerk

CLERKS CERTIFICATE

City of Corcoran }
County of Kings } ss.
State of California }

I, Lorraine P. Lopez, City Clerk of the City of Corcoran do hereby certify that the foregoing is a full, true and correct copy of an Ordinance duly passed by the City Council of the City of Corcoran at a meeting held on the 5th day of April, 2010, by the vote as set forth therein.

DATED: April 5, 2010

ATTEST:



Lorraine P. Lopez, City Clerk