

CORCORAN PLANNING COMMISSION MEETING AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, March 16, 2020
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:	Vicente Carrasco Sanchez
Commissioner:	Dennis Tristao
Commissioner:	Janet Watkins

FLAG SALUTE

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

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

3. RE-ORGANIZATION - None

4. PUBLIC HEARING

- 4.1** Public hearing to consider variance application regarding lot size in an R-1-6 zone (Single Family Residential) submitted by Erik Volden for property located at 507 Claire Avenue, Corcoran, CA 93212 with APN 030-262-022 (*VV Tromborg*)
- 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 Conditional Use Permit 20-01 submitted by Luis Baez, for type 47 liquor license to sell beer, wine and mixed spirits at restaurant located at 917 Whitley Avenue, Corcoran, CA 93212 with APN: 032-041-006 (*VV Tromborg*)
- 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
- 4.3** Public hearing to consider zone text change pertaining to Duplex Housing in an R-1-6 or Single Family Dwelling Zone (*VV Tromborg*)
- 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
- 4.4** Public hearing to consider zone text change pertaining to Digital Signs (*VV Tromborg*)
- 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

4.5 Public hearing to consider zone text change pertaining to Mobile Home Park in a Neighborhood Commercial (CN) Zone (*VV Tromborg*)

- 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**

6. **MATTERS FOR PLANNING COMMISSION**

- 6.1. Information Item on installation of water meter
- 6.2. Staff Referrals - *Items of Interest (Non-action items the Commission may wish to discuss)*
- 6.3. Committee/Seminar 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 March 12, 2020.


Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
Tuesday, February 18, 2020**

The regular session of the Corcoran Planning Commission was called to order by Chairperson, DeVaney, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:30 P.M.

ROLL CALL

Commissioners present: Bega, DeVaney, Kassner, Carrasco Sanchez, Tristao and Watkins

Commissioners absent: Jarvis

Staff present: Kevin J. Tromborg and Ma. Josephine Lindsey

Also present: Joseph Beery, City Attorney

FLAG SALUTE The flag salute was led by DeVaney.

1. PUBLIC DISCUSSION

Mr. Daniel Ortiz, resident of 1841 Estes Avenue, Corcoran, CA 93212, also the owner of property address 2012 Josephine Avenue, approached the Commission and mentioned about the seatrain that was on his property since 1970s when the property still under Kings County jurisdiction. He explained further that the City did their best to notify him of the zone exception and the process that underwent that time, however, due to his medical condition (he went to surgery) he missed the opportunity to apply for zone exception.

Mr. Ortiz requested the Commission to allow him to keep the seatrain which he use as storage unit.

The Commission directed the staff to make a report regarding this matter.

2. APPROVAL OF MINUTES

Following Commission discussion, a **motion** was made by Tristao and seconded Kassner to approve the minutes of the regular meeting on January 21, 2020. Motion carried by the following vote:

AYES: Bega, DeVaney, Kassner, Carrasco Sanchez, Tristao and Watkins

NOES:

ABSTAIN:

ABSENT: Jarvis

3. RE-ORGANIZATION - None

Following Commission discussion, a **motion** was made by Tristao and seconded Kassner to elect DeVaney as the Chair and Kassner as the Vice-Chair of the Planning Commission. Motion carried by the following vote:

AYES: Bega, DeVaney, Kassner, Carrasco Sanchez, Tristao and Watkins

NOES:

ABSTAIN:

ABSENT: Jarvis

4. PUBLIC HEARING

4.1 Public Hearing to consider adoption of the Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and rezoning of existing parcel from Neighborhood Commercial (CN)/Single Family Dwelling (R-1-6) to Resource Conservation and Open Space (RCO) for the Gateway Park project located at southwest corner of the intersection of Orange and Otis Avenues, Corcoran, CA 93212, was declared open 5:44 pm. Tromborg presented the staff report. Having no oral or written testimony received, the public hearing was closed at 5:50 pm.

Following Commission discussion, a **motion** was made by Bega and seconded by DeVaney to adopt of the Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and rezone of existing parcel from Neighborhood Commercial (CN)/Single Family Dwelling (R-1-6) to Resource Conservation and Open Space (RCO) for the Gateway Park project located at southwest corner of the intersection of Orange and Otis Avenues, Corcoran, CA 93212 and approve Resolution # 2020-02. Motion carried by the following vote

AYES: Bega, DeVaney, Kassner, Carrasco Sanchez, Tristao and Watkins

NOES:

ABSTAIN:

ABSENT: Jarvis

5. STAFF REPORTS

5.1 Tromborg presented the Community Development Annual Report Year 2019

6. MATTERS FOR COMMISSION

6.1. Commission received information item on the zone text change pertaining to Mobile Home Park in a Neighborhood Commercial (CN) zone. The Commission directed the staff to put this matter through a public hearing.

Additionally, the staff was directed to give information regarding compliance with water meter installation by 2025, in the next Planning Commission meeting.

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

6.3 Committee Reports – None

7. **ADJOURNMENT**

At 6:21 p.m., the meeting was adjourned to the next regular meeting on Monday, March 17, 2020 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
Vicente Carrasco Sanchez
Dennis Tristao
Janet Watkins

Planning Commission



Community
Development
Department

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

832 Whitley Avenue, Corcoran
CALIFORNIA 93212

STAFF REPORT Public Hearing

Item # 4.1

To: Planning Commission

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

Date: March 9, 2020

Subject: **Variance 20-01 application and Resolution No. 2020-04 regarding lot size in an R-1-6 zone (Single Family Residential) located at 507 Claire Avenue, Corcoran, CA 93212 with APN 030-262-022**

A. **General Information:**

The applicant proposes to construct a Single Family dwelling on a non-conforming lot. The lot is 50 feet wide and 125 feet in length and a total of 6,189 Square feet. The minimum lot size without a Variance and approval by the Planning Commission is 60 feet in width, 100 feet in length and a minimum of 6, 000 Square feet. The lot does not meet the minimum width and therefore requires a variance and Planning Commission approval to construct any structure.

1. Owner:	Eric Volden P.O. Box 3244, Visalia Ca 93278
2. Applicant:	Erik Volden - P.O. Box 3244, Visalia, CA 93278
3. Site Location:	507 Claire Avenue, Corcoran, CA 93212 APN 030-262-022
4. Property Description:	Vacant Lot sire 6, 189 Sq. Ft.
5. General Plan Designation:	Low density
6. Current Zone Classification:	R-1-6
7. Existing Use:	Single Family Residential
8. Proposed Use:	Single Family Dwelling

Project Location & Description:

SURROUNDING ZONING AND USES

<u>Use</u>	<u>Zoning</u>
Subject: Single Family Dwelling	R-1-6 Single Family Residential
North: Single Family Housing	R-1-6 Single Family Residential
South: Single Family Housing	R-1-6 Single Family Residential
East: Single Family Housing	R-1-6 Single Family Residential
West: Single Family Housing	R-1-6 Single Family Residential

B. Compliance with General Plan and Zoning:

COMPLIANCE WITH CEQA

The building proposed project is exempt under CEQA 15268, Ministerial project and 15303 new housing construction.

C. Public Input:

A notice of public hearing regarding a lot size adjustment for property located at 507 Claire Avenue, Corcoran, CA 93212 with APN 030-262-022 was posted in Corcoran Journal. Additionally, letters were sent to property owners within a 300 foot radius of the site to notify them of the proposed variance. No comments have been received to date.

D. Comments from Other Agencies/Departments:

Referrals were made to City Departments and other agencies and comments have been incorporated in this report.

E. Environmental Impact Assessment and compliance with CEQA

That the application is categorically exempt from CEQA under Section 15303, New Construction and 15268, Ministerial project.

F. FINDINGS

The following findings are proposed:

1. The property in this area of town were all the same 50 ft. wide lots;
2. The property owner will use his property to build a new Single Family Dwelling;
3. The property owner came to City Hall to comply with the planning processes;

4. A new home would be an improvement to the neighborhood;
5. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations of other property owners because this particular piece of property is smaller than most of the surrounding properties;
6. Continuing the utilization of the property as single family residential falls within the Blueprint model objectives of allowing a higher density for residential development;
7. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the vicinity and in the same zoning district;
8. That the propose use will have no adverse effects upon adjoining or other properties in the vicinity. In making this determination, the Commission or Council shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal Circulation, external circulation, setbacks; heights of buildings or structures; wall or fences; landscaping; outdoor lighting; signs; and any other characteristics that will affect the property or properties in the vicinity;

RECOMMENDATION:

The City of Corcoran has several lots that do not meet our minimum lot size or configuration. This lot meets the minimum total square footage and lacks only ten (10) feet regarding the minimum width. Typical Single family Dwelling are between Thirty five (35) and forty (40) feet in width. Adding our minimum side yard setback of five (5) feet to both sides meets our zoning code, Building Code and Fire Code requirements. Therefore, Staff recommends approval of Variance 20-01 and Resolution No 2020-04 with the proposed findings.

VARIANCE PERMIT FINDINGS

The following findings are proposed:

ACTION BY THE PLANNING COMMISSION (from Zoning Ordinance Section 11-24-6)

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

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

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

ACTION BY CITY COUNCIL

Appeal to City Council:

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

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

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

LAPSE VARIANCE

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

NEW APPLICATION

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

USE PERMIT TO RUN WITH THE LAND

A use permit granted pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

Any expansion of the use or structures or area associated with such use not originally approved in the conditional use permit shall require a modification to the conditional use permit through the public hearing process.

REVOCAION 11-25-6

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.

**RESOLUTION NO. 2020-04
CORCORAN CITY PLANNING COMMISSION
PERTAINING TO
VARIANCE 20-01**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on March 16, 2020, the Commission approved the following:

Whereas, Erik Volden, submitted an application requesting approval for a Variance; and

Whereas, the subject property is generally located at 507 Dairy Avenue, Corcoran, CA 93212, APN 030-262-022, zone as Single Family Residential (R-1-6); and

Whereas, the Commission held a public hearing and considered the staff report on March 16, 2020; and

Whereas, the Variance requested for lot adjustment, total lot size of the property is 6, 189 sq.ft. or 50 ft. width and 125 ft. deep. The Municipal Zoning Code required by the City is 60 ft. width to build a Single Family Dwelling in an R-1-6 zone

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

- (A) The proposed business is to be located in an existing building that is zoned for this type of business and therefore is categorically exempt under CEQA 15301 as an existing facility.
- (B) The property in this area of town were all the same 50 ft. wide lots;
- (C) The property owner will use his property to build a new Single Family Dwelling;
- (D) The property owner came to City Hall to comply with the planning processes;
- (E) A new home would be an improvement to the neighborhood;
- (F) The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations of other property owners because this particular piece of property is smaller than most of the surrounding properties;
- (G) Continuing the utilization of the property as single family residential falls within the Blueprint model objectives of allowing a higher density for residential development;
- (H) That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the vicinity and in the same zoning district;

- (I) That the propose use will have no adverse effects upon adjoining or other properties in the vicinity. In making this determination, the Commission or Council shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal Circulation, external circulation, setbacks; heights of buildings or structures; wall or fences; landscaping; outdoor lighting; signs; and any other characteristics that will affect the property or properties in the vicinity;

IT IS THEREFORE RESOLVED that Resolution No. 2020-04 and Variance 20-01 be approved with the Conditions stated in resolution 2020-04, and that the Planning Commission recommends to the City Council approval of Resolution No. 2020-04 and Variance 20-01.

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED AND ADOPTED on this 16th day of March 2020

Shea DeVaney
Planning Commission Chairman

Kevin J. Tromborg
Community Development Director

CERTIFICATE

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

I, Ma. Josephine D. Lindsey, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 2020-04 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 16th day of March, 2020, by the vote as set forth therein.

DATED: March 16, 2020

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

MEMORANDUM

TO: City Manager
 Police Chief
 Public Works Director
 City Engineer
 Fire Department (Corcoran)
 Applicant/Property Owner
 Kings County Assessor
 Residents within 300 ft. radius

DATE: February 10, 2020

FROM: Kevin J. Tromborg: Community Development Director

SUBJECT: **Planning Project Identification # 20-003 for Variance 20-01**

The City of Corcoran has received an application for a variance review submitted by Erik Volden regarding a lot size adjustment for property located at 507 Claire Avenue, Corcoran, CA 93212 with APN 030-262-022. Total lot size of the property is 6, 189 sq.ft. or 50 ft. width and 125 ft. deep. The Municipal Zoning Code required by the City is 60 ft. width to build a Single Family Dwelling in an R-1-6 zone.

The City has determined that this project is Categorically Exempt from the California Environmental Quality Act (CEQA) and therefore, the preparation of an Environmental Document is not necessary. However, if your organization has substantial evidence that would indicate to the contrary, Please explain.

All comments must be received by February 28, 2020 in order to be considered during this review process.

Thank you.

Public Notification/Address

Public Notification

Select or search for a feature in the map

507 Clare Ave Corcoran, CA 90212 USA X

Apply a search distance

300 Feet

Address(es) Layer

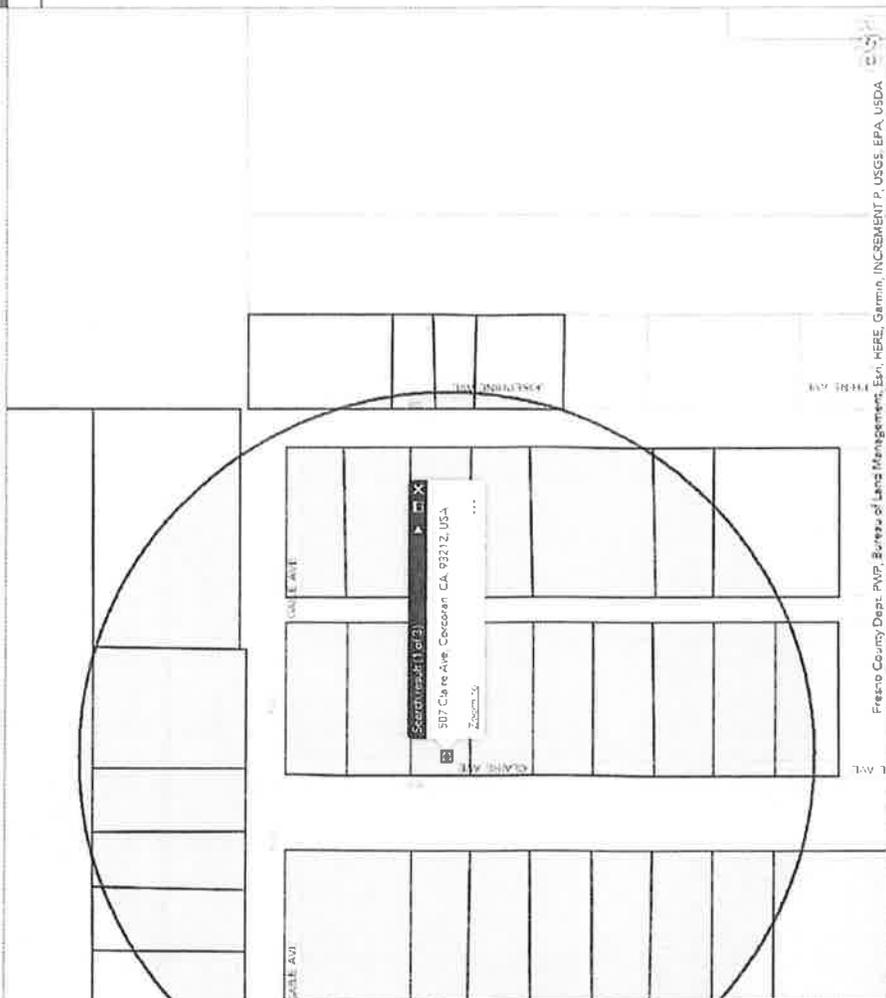
CorcoranParcePublishing_PRIVATE

Format:

PDF label 11 x 2.516 inches, 30 per page

43 addresses found, do you want to core nut?

Download



ZARAGOZA, JAIME R M
2013 NORTH AVE
CORCORAN CA 93212

DIAZ, FAUSTINO A
512 CLAIRE AVE
CORCORAN CA 93212

GUTIERREZ, MATTHEW
1008 PATTERSON AVE
CORCORAN CA 93212

HERNANDEZ, MODESTA C 33.33%
507 JOSEPHINE AVE
CORCORAN CA 93212

SALAZAR, VALENTIN & SILVIA H/W
523 CLAIRE AVE
CORCORAN CA 93212

CRUZ, BENIGNO G 33.333%
503 JOSEPHINE AVE
CORCORAN CA 93212

LAU, KEANG C & CHEN Y H/W
P O BOX 27677
FRESNO CA 93729

HACKER, SARAH M
P O BOX 634
HANFORD CA 93232

MARTINEZ, LILLIAN L
524 CLAIRE AVE
CORCORAN CA 93212

GRIJALVA, MARY LOUISE
1900 GABLE AVE
CORCORAN CA 93212

ESCALANTE, FREDERICK S & PETRA M H/W
1226 JAMES AVE
CORCORAN CA 93212

GUIZAR, EPIFANIO
1806 GABLE AVE
CORCORAN CA 93212

VELA, DANIEL & MARIA F DE H/W
511 DAIRY AVE
CORCORAN CA 93212

JONES, STANLEY L & DONNA H/W
401 DAIRY AVE
CORCORAN CA 93212

PORRAS, MANUEL LIV TRUST
2106 W RIO HONDO WAY
HANFORD CA 93230

NUNES, PAUL
18675 ROAD 32
TULARE CA 93274

ATILANO FAMILY TRUST
614 LETTS AVE
CORCORAN CA 93212

TORRES, ESTELLA H
2750 STRATFORD CT
HANFORD CA 93230

GODINA, JOSEPH B JR
901 JAMES AVE
CORCORAN CA 93212

QUIROZ, PAUL JR & ALICIA H/W
1916 GABLE AVE
CORCORAN CA 93212

CORTEZ, VALERIE 50%
P O BOX 3832
PINEDALE CA 93650

MARTINEZ FAMILY REVOCABLE TRUST
1913 GABLE AVE
CORCORAN CA 93212

VELA, JOSE R
516 CLAIRE AVE
CORCORAN CA 93212

TORRES, VIRGINIA G & ALVARO A SR W/H
P O BOX 661
CORCORAN CA 93212

HERNANDEZ, MODESTA C 33.33%
507 JOSEPHINE AVE
CORCORAN CA 93212

ROBERTSON REVOCABLE LIVING TRUST
2331 WHITLEY AVE
CORCORAN CA 93212

HERNANDEZ, LINDA
508 N JOSEPHINE AVE
CORCORAN CA 93212

MYGATT, JUDSON V
241 RAINBOW DR #14103
LIVINGSTON TX 77399-2041

NEVAREZ, DAVID P & REGINA VASQUEZ H/W
524 JOSEPHINE AVE
CORCORAN CA 93212

VELA, JOSE R
516 CLAIRE AVE
CORCORAN CA 93212

WELCH, KENDALL M LIVING TRUST
414 ARBUTUS AVE
MORRO BAY CA 93442

MYGATT, JUDSON V
241 RAINBOW DR #14103
LIVINGSTON TX 77399-2041

MOLINA, JOSE A & CLAUDIA H/W
515 DAIRY AVE
CORCORAN CA 93212

PORRAS, RUTH B
248 W FARGO AVE
HANFORD CA 93230

LAU, KEANG C & CHEN YU H/W
P O BOX 27677
FRESNO CA 93729

BORBA, DOUG O
24081 RD 48
TULARE CA 93274

ATILANO FAMILY TRUST
614 LETTS AVE
CORCORAN CA 93212

VELA, JOSE R
516 CLAIRE AVE
CORCORAN CA 93212

ROBERTSON REVOCABLE LIVING TRUST
2331 WHITLEY AVE
CORCORAN CA 93212

MARTINEZ, RUTH & EUGENE SR W/H
521 CLAIRE AVE
CORCORAN CA 93212

MOHAMED, AREFA ABDO A
1124 CONSUELO ST
DELANO CA 93215

BERROSPE, ALEXANDER
509 CLAIRE AVE
CORCORAN CA 93212

CABRERA, JOSE J & ALEJANDRA H/W
1830 GABLE AVE
CORCORAN CA 93212

Affidavit of Publication

STATE OF CALIFORNIA,

COUNTY OF KINGS--SS

Robert A. Atilano....., being first duly sworn, Deposes and says that at all times hereinafter mentioned, he was a citizen of the United States, over the AGE of eighteen years, and a resident of said county, and was at and during all said times the principal clerk to the printer and the publisher of THE CORCORAN JOURNAL, a newspaper of general circulation, printed and published weekly in the City of Corcoran in said County of Kings, State of California; adjudicated as such by order Number 11739 of the Superior Court of the State of California in and for the County of Kings on January 28, 1952; that said THE CORCORAN JOURNAL is and was at all times herein mentioned a newspaper of general circulation as that term is defined by section 6000 of the Government Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of general character, having a bonafide subscription list of paid subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction or any number of such classes, professions, trades, callings, races or denominations; that at all times said newspaper had been established, printed and published in the City of Corcoran, in said County and State, at regular intervals, for more than one year preceding the first publication of the notice herein mentioned; that the

CITY OF CORCORAN
Public Hearing-Variance Application

Of which the annexed is a printed copy, was printed and published in said newspaper at least 1 week(s), as follows, and the date of first publication was

February 27, 2020



PUBLIC NOTICE

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, March 16, 2020 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue, to consider a Variance application regarding lot size in an R-1-6 zone (Single Family Residential) submitted by Erik Volden for property located at 507 Claire Avenue, Corcoran, CA 93212 with APN 030-262-022.

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, March 16, 2020. 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: February 4, 2020

Marlene Spain, City Clerk

Publish: February 27, 2020,
"The Corcoran Journal"

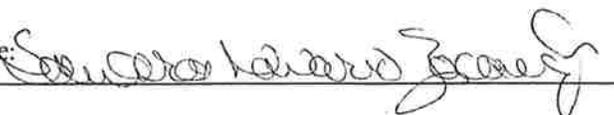
CALIFORNIA JURAT WITH AFFIANT STATEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kings,

Subscribed and sworn to (or affirmed) before me on this 27 day of February, 2020, by Robert A. Atilano, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature: 

Assessment 030-262-022-000
 Description 507 CLAIRE AVE COR

Current Assessee CORTEZ, VALERIE 50%
 P O BOX 3832
 PINEDALE CA 93650

Physical Characteristics *
Single Family Residence

Location	CORCORAN	Dwelling Units	0000
Nbr of Bedrooms	0	Building Class	LAND
Total Nbr of Rooms	0	Nbr of Baths	0.0
Lot Size	6,189 Sq Ft	Stories	0.0
Basement Unfinished Area	0 Sq Ft	Total Living Area	0 Sq Ft
Nbr of Fireplaces	0	2nd Floor Unfinished Area	0 Sq Ft
A/C Type	UNKNOWN	Misc Improvements	NO
Garage Area	0 Sq Ft	Carport	NO
Pool	UNKNOWN	2nd Residential Structure	NO
Year Built		Effective Year	

***IMPORTANT NOTICE:** The following disclaimer appears in California Revenue and Taxation Code Section 408.3. The County of Kings' Assessor, Assessor's Office, and its employees provide characteristics information pursuant to and subject to the provisions of that Section.

"The Legislature finds and declares that information concerning property characteristics is maintained solely for assessment purposes and is not continuously updated by the assessor. Therefore, neither the county nor the assessor shall incur any liability for errors, omissions, or approximations with respect to property characteristics information provided by the assessor to any party pursuant to this section. Further, this subdivision shall not be construed to imply liability on the part of the county or the assessor for errors, omissions, or other defects in any other information or records provided by the assessor pursuant to the provisions of this part."

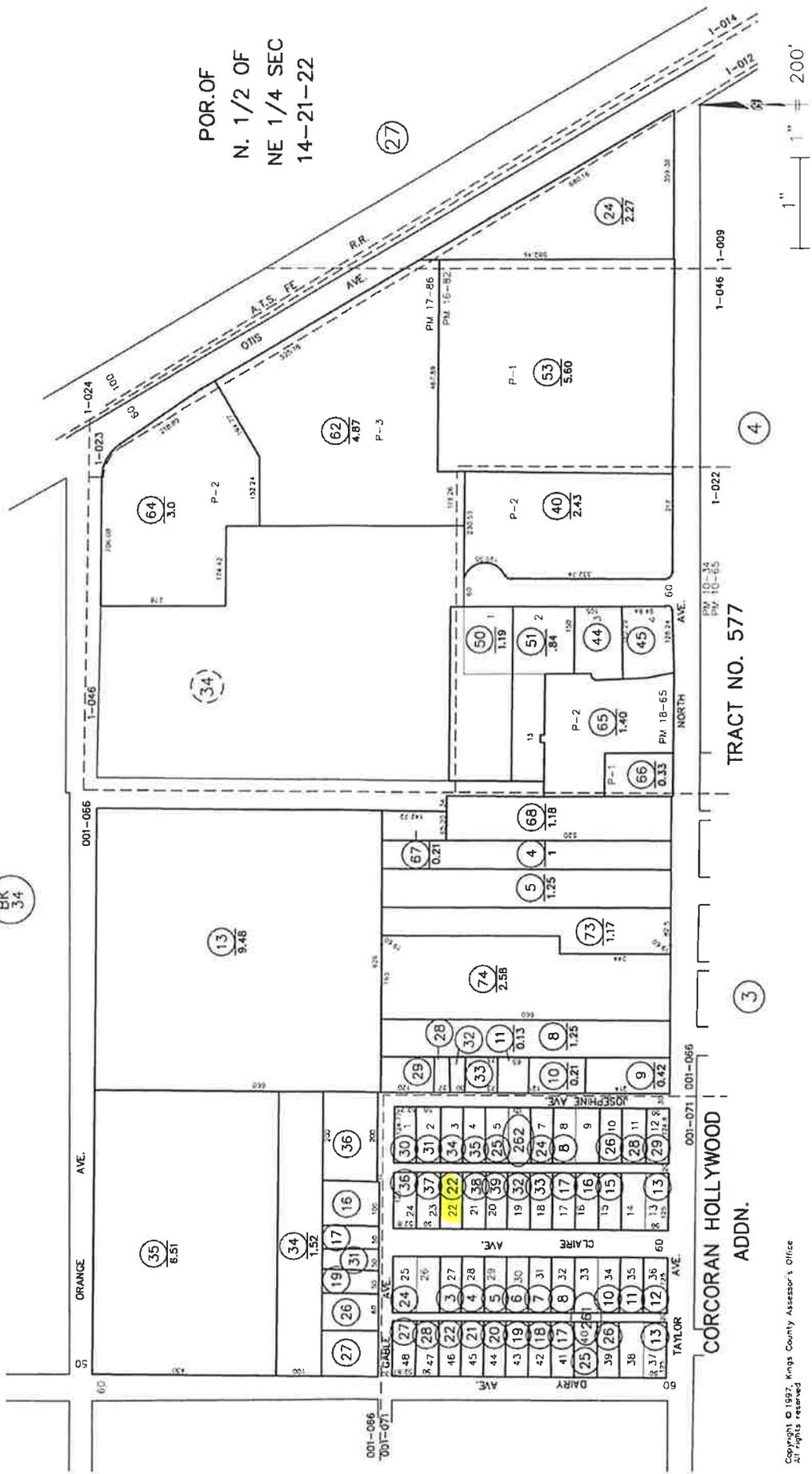
KINGS COUNTY ASSESSOR'S MAP
 N. 1/2 OF NW. 1/4 SEC. 14-21-22

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
 IT IS NOT TO BE CONSTRUED AS PORTRAYING
 LEGAL OWNERSHIP OF DIVISIONS OF LAND FOR
 PURPOSES OF ZONING OR SUBDIVISION LAW
 DECEMBER 2014

30-26

BK
34

POR.OF
 N. 1/2 OF
 NE 1/4 SEC
 14-21-22



Chairperson
Shea DeVaney

Vice-Chairperson
Karl Kassner

Commissioners
David Bega
David Jarvis
Vicente Carrasco Sanchez
Dennis Tristao
Janet Watkins

Planning Commission



**Community
Development
Department**

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

832 Whitley Avenue, Corcoran
CALIFORNIA 93212

STAFF REPORT Public Hearing

CUP

Item # 4.2

To: Planning Commission

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

Date: March 16, 2020

Subject: **Conditional Use Permit 20-01, Resolution No 2020-03 for a type 47 alcohol/liquor license to sell beer, wine and mixed spirits on property located at 917 Dairy Avenue. Pirate Pizza APN: 032-041-006**

General Information:

APPLICANT

Luis Morales Baez
1307 Yosemite Avenue
Corcoran Ca 93212

PROPERTY OWNER

Luis Morales Baez
1307 Yosemite Avenue
Corcoran Ca 932128

REPORT

The applicant proposes to sell and consume on-site alcoholic beverages at proposed El Pirata Pirate Pizza located at 917 Whitley Avenue, Corcoran, CA 93212. The applicant is in the process of applying to the Department of Alcoholic Beverages Control (ABC) for an on-site sale license type 47. According to ABC, there are four (4) off sale licenses and one (1) on-site licenses in census tract 0014.02 adding a second on site license creates an over concentration of licenses. In an area of over concentration, a letter of convenience and necessity is required from the City Council before the office of Alcoholic Beverages Control will approve the license.

SURROUNDING ZONING AND USES

<u>Use</u>	<u>Zoning</u>
Subject: Pizza Restaurant	CD: Downtown Commercial
North: Retail and service	CD: Downtown Commercial
South: Retail and service	CD: Downtown Commercial
East: Retail and service	CD: Downtown Commercial
West: Retail and service	CD: Downtown Commercial

All businesses in the downtown commercial zone shall be subject to standards that may be required for new businesses as adopted in the Corcoran Zoning Code. Standards may include, but are not limited to:

1. Landscaping requirements
2. Parking requirements
3. Water ordinance requirements
4. Public improvement requirements

COMPLIANCE WITH CEQA

The building proposed for on-site alcoholic beverage sale and is existing and exempt under CEQA 15301, Class1, Existing Facilities.

CONDITIONAL USE PERMIT FINDINGS

The following findings are proposed:

- (A) The building is existing and categorically exempt under CEQA 15301, Existing Facilities.
- (B) There is an over concentration of alcohol beverage licenses in the area as identified by the Office of Alcohol Beverage Control.
- (C) A letter of convenience and necessity will be required from the City Council if the Planning Commission approves the CUP.
- (D) 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;
- (E) 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;
- (F) 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;

(G) 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 11-21 and 11-23)

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 11-27

CONDITIONAL USE PERMIT-APPEAL TO THE CITY COUNCIL (Section 11-27-2 B)

In case the applicant or any other party is not satisfied with the action of the Planning Commission he may, within ten days after the date of the adoption of the Planning Commission resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date a date for the public hearing and shall post notices as set forth in Section 11-27. The date for the public hearing shall not be less than ten nor more than thirty days from the date on which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the granting of a conditional use permit as required in Section 11-27

The decision of the City Council shall be final, and shall have immediate effect.

TIME LIMIT FOR DEVELOPMENT-RENEWAL RESTRICTIONS (Zoning Ordinance Section 11-25-05)

A conditional use permit shall lapse and become void one year following the date on which the conditional use permit became effective unless by conditions of the conditional use permit a lesser or greater time is prescribed, or unless, prior to the expiration, either the use is being diligently pursued in accordance with the conditional use permit, or a building permit is issued by the Building Official and construction is commenced and is being diligently pursued in accordance with the conditional use permit. A conditional use permit may be renewed for an additional period of one year or for a lesser or greater period as may be specified, provided that an application for renewal is filed with the Planning Commission prior to the expiration of the time period granted. The Planning Commission, pursuant to the procedure set forth in Section 11-25, may grant or deny an application for renewal.

A conditional use permit shall lapse and become void if there is discontinuance for a continuous period of six months of the exercise of rights granted under said permit.

NEW APPLICATION

Should the Planning Commission deny an application for a use permit, no application for a use permit for the same or substantially the same use on the same or substantially the same site shall be filed within six (6) months from the date of denial or revocation of the use permit, except when the Planning Commission denies "without prejudice".

USE PERMIT TO RUN WITH THE LAND (Zoning Ordinance, Section 11-25-08).

A use permit granted pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

Any expansion of the use or structures or area associated with such use not originally approved in the conditional use permit shall require a modification to the conditional use permit through the public hearing process.

REVOCAION

Upon violation of any applicable provisions of this Code, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a use permit shall be suspended automatically. Notice of such suspension shall be sent immediately to the person or persons responsible for noncompliance by the Planning Department. Within thirty (30) days of the suspension, the City Council shall consider the suspension. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the use permit or take such action as may be necessary to ensure compliance with the regulation, general provision, condition or conditions. Before acting on the suspension, the City Council may refer the matter to the Planning Commission for a report and recommendations.

**RESOLUTION NO. 2020-03
CORCORAN CITY PLANNING COMMISSION
PERTAINING TO
CONDITIONAL USE PERMIT 20-01**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on March 16, 2020, the Commission approved the following:

Whereas, Luis Morales Baez, submitted an application requesting approval for a Conditional Use Permit to sell alcohol/liquor for a proposed business located at 917 Whitley Avenue, Corcoran, CA 93212 with APN 032-041-006; and

Whereas, this Commission considered the staff report on March 16, 2020; and

Whereas, the Alcohol Beverage Control Department (ABC) has determined that there is an over concentration of off-site and on-site licenses in the 0014-02 census tract area; and

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

- (A) The proposed business is to be located in an existing building that is zoned for this type of business and therefore is categorically exempt under CEQA 15301 as an existing facility.
- (B) There is an over concentration of alcohol beverage licenses in the area as identified by the Office of Alcohol Beverage Control.
- (C) A letter of convenience and necessity will be required from the City Council if the Planning Commission approves the CUP.
- (D) That the site for the proposed use is adequate in size and shape to accommodate the 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;
- (E) 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;
- (F) That the proposed use will have no adverse effect upon adjoining or other properties and that a Site Plan Review application be submitted for full review by Community Development Staff and other agencies as may be required.
- (G) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;

IT IS THEREFORE RESOLVED that Resolution No. 2020-03 and Conditional Use Permit 20-01 be approved with the Conditions stated in Exhibit A, General Conditions, and that the Planning Commission recommends to the City Council approval of Resolution No. 2020-03 and Conditional Use Permit 20-01.

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED AND ADOPTED on this 16th day of March, 2020

Shea DeVaney
Planning Commission Chairman

Kevin J. Tromborg
Community Development Director

CERTIFICATE

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

I, Ma. Josephine D. Lindsey, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 2020-03 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 16th day of March, 2020, by the vote as set forth therein.

DATED: March 16, 2020

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk

EXHIBIT A
CONDITIONAL USE PERMIT

General Conditions:

1. That the applicant in consideration of the approval of said project hereby agrees to hold harmless the City of Corcoran and all of its departments, officers, agents, or employees free and harmless of, and from any claims or any kind of nature arising out of or by reason of said project, and the development of said project by any person, firm or corporation, public or private, and from the cost and expense of defending the same including attorney's fees.
2. That all proposals of the applicant be conditions of approval if not mentioned herein.
3. That the business complies with any and all local, state and federal laws and regulations governing the sale of alcohol.
4. That an approved, (by the Building Official or Kings County Fire), Know box be installed within 30 day if not already installed.
5. That all rules and regulation governing the sale and consumption of alcohol by the State of California, the Federal Government or the local Police Department be adhered to at all Times.

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

MEMORANDUM

TO:

- City Manager
- Finance Director
- City Attorney
- Police Chief
- Public Works Director
- Fire Marshal, Kings County
- Kings Co. Fire Battalion Chief (Corcoran Station)
- Corcoran Unified School
- Kings County Health Department
- Resident - 500 Ft Radius
- Applicant

DATE: February 10, 2020

FROM: Kevin J. Tromborg, Community Development Director

SUBJECT: Conditional Use Permit 20-01, submitted by Luis Baez for a type 47 liquor license to sell beer, wine and mixed spirits at a restaurant located at 917 Whitley Avenue, Corcoran, CA 93212 with APN # 032-041-006.

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 February 28, 2020 in order to be considered during the review process.

Thank you.

Public Notification Address

517 Whitney Ave, Corcoran, CA 92212, US

Apply a search distance: 500 Feet

Addressed Layer: CorcoranParcelPublishing_PRIVATE

Format: PDF label 1 x 2.5/8 inches, 30 per page

48 addresses found: do you want to continue?

Download

BRAZIL, EUGENE L & ELIZABETH B FAM TRUST
C/O ELIZABETH B BRAZIL, TRUSTEE
9620 ELDER AVE
HANFORD CA 93230

COUNTY OF KINGS
KINGS COUNTY GOVERNMENT CENTER
1400 W LACEY BLVD
HANFORD CA 93230

KUL, YOUNG C
1956 MALVASIA CT
TULARE CA 93274

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
- 1126 KINGS AVE
- CORCORAN CA 93212

BRAZIL, EUGENE L & ELIZABETH B FAM TRUST
C/O ELIZABETH B BRAZIL, TRUSTEE
9620 ELDER AVE
HANFORD CA 93230

POMINCO INC
85 HELENE ST
LEMOORE CA 93245

UNITED HEALTH CENTERS OF SAN JOAQUIN VAL
ATTN COLLEEN CURTIS, CEO
650 ZEDIKER AVE
PARLIER CA 93648

SANCHEZ, JOAQUIN 18.33%
800 WHITLEY AVE
CORCORAN CA 93212

KUL, YOUNG C
1956 MALVASIA CT
TULARE CA 93274

BAJWA, BHUPINDER & GLORIA H/W
1317 WHITLEY AVE
CORCORAN CA 93212

MACIEL, JOE & JENA REV FAM TRUST
C/O JENA MACIEL, TRUSTEE
101 E SOLAR DR
HANFORD CA 93230

CITY OF CORCORAN
836 WHITLEY AVE
CORCORAN CA 93212

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

CORCORAN STATION LP
680 N DOUTY ST
HANFORD CA 93230

COUNTY OF KINGS
1400 W LACEY BLVD
HANFORD CA 93230

BERGMAN, RAY
197 S 10TH ST #B
GROVER BEACH CA 93433

CITY OF CORCORAN
ATTN: KINDON MEIK, CITY MANAGER
832 WHITLEY AVE
CORCORAN CA 93212

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

- PEARL TERRA INC
217 WEST D ST
LEMOORE CA 93245

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

PEARL TERRA INC
217 WEST D ST
LEMOORE CA 93245

CORCORAN MACHINE WORKS INC
1145 KING AVE
CORCORAN CA 93212

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
1126 KINGS AVE
CORCORAN CA 93212

- PEARL TERRA INC
217 WEST D ST
LEMOORE CA 93245

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
1126 KINGS AVE
CORCORAN CA 93212

ARREOLA, RAUL
1504 OTTAWA AVE
CORCORAN CA 93212

- ARREOLA, RAUL
1504 OTTAWA AVE
CORCORAN CA 93212

BAJWA, BHUPINDER S & GLORIA H/W
1317 WHITLEY AVE
CORCORAN CA 93212

CITY OF CORCORAN
ATTN: KINDON MEIK, CITY MANAGER
832 WHITLEY AVE
CORCORAN CA 93212

- CORCORAN MACHINE WORKS INC
1145 KING AVE
CORCORAN CA 93212

MEDINA, JUAN & CONSUELO REVOC FAM TRUST
C/O JUAN & CONSUELO MEDINA TRUSTEES
12230 GRANGEVILLE BLVD
HANFORD CA 93230

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
1126 KINGS AVE
CORCORAN CA 93212

BAEZ, LUIS M 50%
917 WHITLEY AVE
CORCORAN CA 93212

MCNEALLEY-HARLER LLC
912 LARKSPUR LN
CHESAPEAKE VA 23322

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

ANGIOLA WATER DISTRICT
944 WHITLEY AVE
CORCORAN CA 93212

CONTINENTAL TELEPHONE CO OF CALIF
UNKNOWN

AURAND, WAYNE F
P O BOX 1237
CORCORAN CA 93212

H & G FARMS INC
2411 WHITLEY AVE
CORCORAN CA 93212

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
1126 KINGS AVE
CORCORAN CA 93212

CITY OF CORCORAN
832 WHITLEY AVE
CORCORAN CA 93212

LAU, KEANG & CHEN YU H/W
RE: FIXTURES/NEW CHINA RESTAURANT
P O BOX 27677
FRESNO CA 93729

GARCIA, RICHARD D BYPASS TRUST 50%
C/O RICHARD'S CHEVROLET,ATTN CAROL GARCIA
1126 KINGS AVE
CORCORAN CA 93212

BAJWA, BHUPINDER S & GLORIA H/W
1317 WHITLEY AVE
CORCORAN CA 93212

SANWA BANK CALIFORNIA
BANK OF THE WEST CORCORAN #706
P O BOX 5155
SAN RAMON CA 94583

FIGUEROA, FRED
1508 NORTH AVE
CORCORAN CA 93212

- CITY OF CORCORAN
ATTN: KINDON MEIK, CITY MANAGER
832 WHITLEY AVE
CORCORAN CA 93212

Affidavit of Publication

STATE OF CALIFORNIA,

COUNTY OF KINGS--SS

Robert A. Atilano....., being first duly sworn, Deposes and says that at all times hereinafter mentioned, he was a citizen of the United States, over the AGE of eighteen years, and a resident of said county, and was at and during all said times the principal clerk to the printer and the publisher of THE CORCORAN JOURNAL, a newspaper of general circulation, printed and published weekly in the City of Corcoran in said County of Kings, State of California; adjudicated as such by order Number 11739 of the Superior Court of the State of California in and for the County of Kings on January 28, 1952; that said THE CORCORAN JOURNAL is and was at all times herein mentioned a newspaper of general circulation as that term is defined by section 6000 of the Government Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of general character, having a bonafide subscription list of paid subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction or any number of such classes, professions, trades, callings, races or denominations; that at all times said newspaper had been established, printed and published in the City of Corcoran, in said County and State, at regular intervals, for more than one year preceding the first publication of the notice herein mentioned; that the

CITY OF CORCORAN
Public Hearing-Conditional Permit 20-01

Of which the annexed is a printed copy, was printed and published in said newspaper at least 1 week(s), as follows, and the date of first publication was

February 27, 2020



PUBLIC NOTICE

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, March 16, 2020 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue; to consider Conditional Permit 20-01 submitted by Luis Baez, for type 47 liquor license to sell beer, wine and mixed spirits at restaurant located at 917 Whitley Avenue, Corcoran, CA 93212 with APN: 032-041-006.

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, March 16, 2020. 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: February 10, 2020

Marlene Spain, City Clerk

Publish: February 27, 2020,
"The Corcoran Journal"

CALIFORNIA JURAT WITH AFFIANT STATEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kings,

Subscribed and sworn to (or affirmed) before me on this 27 day of February, 2020, by Robert A. Atilano, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

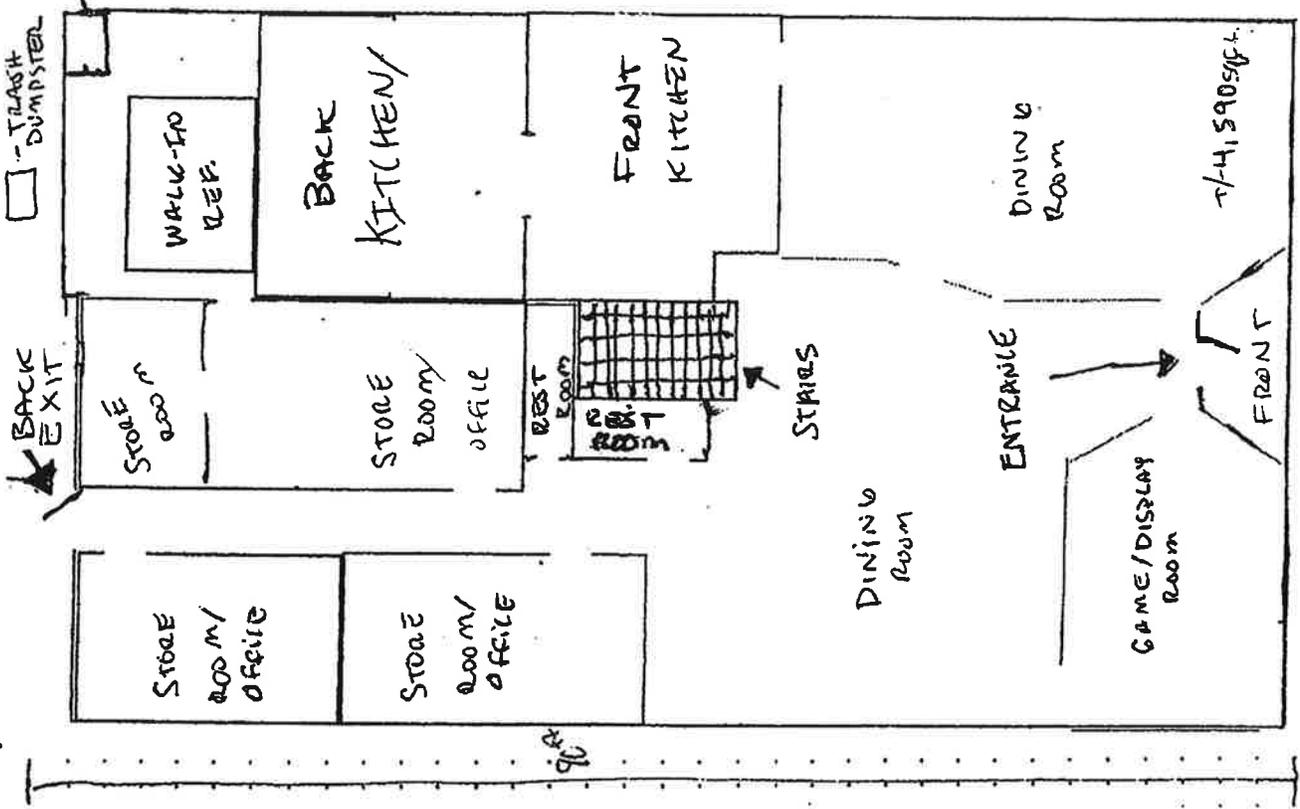
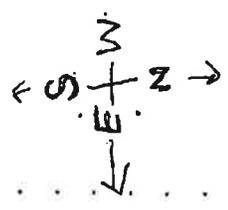


Signature: 

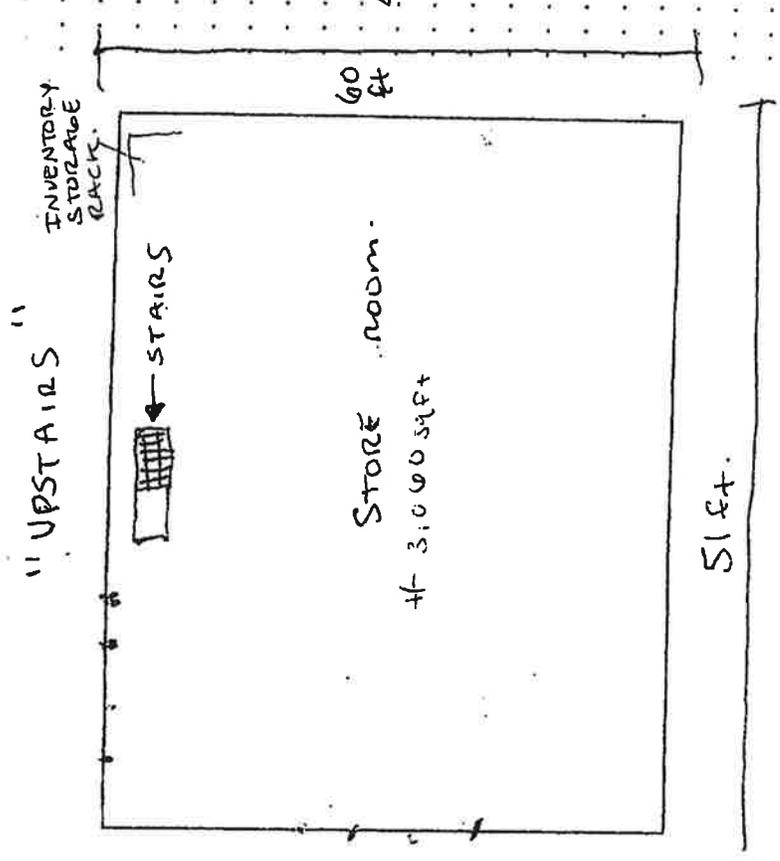
SITE PLAN [A]

1/30/2020

BUISS: EL PIRATA PIRATE PIZZA
 OWNERS: BAEZ, LUIS MORALES
 BAEZ, MARIA DELA LUZ MORALES
 ADDRESS: 917 WHITLEY AVE, CORCORAN, CA 93212
 PHONE: (559) 992-5116 & 5117
 APN: 032-041-006-000



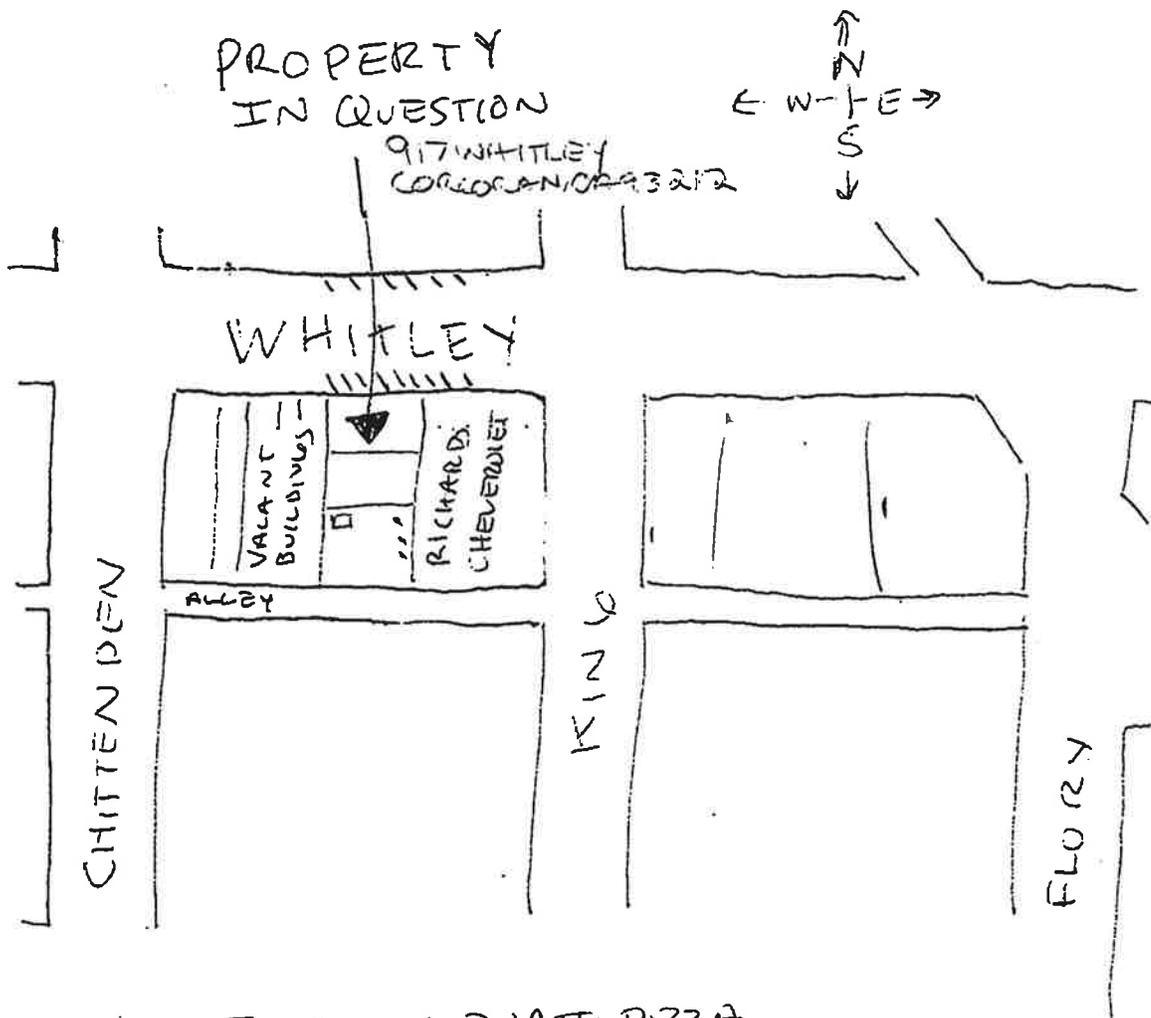
51 FT
FIRST FLOOR



51 FT
SECOND FLOOR

SITE PLAN LS

01/30/2020



BUSS: EL PIRATA PIRATE PIZZA.

OWNERS: BAEZ, LUIS MORALES & BAEZ MARIA DE LA LOZ MORALES

ADDRESS: 917 WHITLEY AVE, CORCORAN CA 93212

PHONE: 559 992-5116, 992-5117

APN: 032-041-004-000

LEGAL DESCRIPTION:

LOT 7, 8 AND THE WEST ONE AND ONE-HALE FEET OF THE NORTH 80 FEET OF LOT 9 IN BLOCK 31 OF THE CITY OF CORCORAN, IN THE COUNTY OF KINGS, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14 PAGE 85 OF MAPS, KINGS COUNTY RECORDS.

- ELECTRICITY: PG&E CO.
- GAS: SO CAL GAS CO
- SEWER/WATER: CITY OF CORCORAN.

Assessment Information

[Logout](#)

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

[Main Menu](#)

The Assessment number is required and consists of 12 digits.

Assessment Number * 032 - 041 - 006 - 000

General Information

Fee Number [032-041-006-000](#)

Assessment Type **BUSINESS**

Active

Description 917 WHITLEY AVE COR

[Legal Description](#)

Comments SEE NOTES CONVERTED FROM FIL095 - 12/19/84

Assessed To BAEZ, LUIS M 50%

[Current Owners](#)

917 WHITLEY AVE
CORCORAN CA 93212

Acres 0.00 BUSINESS OWNERSHIP

Zoning --

Tax Rate Area 001-040

Documents Current [2019R1803965](#) 03/13/2018

Created 1984I9999999 //

Situs 917 WHITLEY AVE CORCORAN

Business Attributes

DBA Name PIRATE PIZZA

Business Type EATING/DRINKING-BEER/WINE

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

Chairperson
Shea DeVaney

Vice-Chairperson
Karl Kassner

Commissioners
David Bega
Dennis Tristao
David Jarvis
Vicente Carrasco Sanchez
Janet Watkins

Planning Commission



832 Whitley Avenue, Corcoran
CALIFORNIA 93212

**Community
Development
Department**

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

Community
Development
Director
559-992-2151 (232)

**Zone Text
Change**

**STAFF REPORT
Public Hearing**

Item # 4.3

To: Planning Commission

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

Date: March 16, 2020

Subject: **Zone Text Change 20-01: Duplex Housing as an allowed use in Residential (R-16 Zones)**

A. General Information

The current zoning code excludes duplex housing from Residential R1-6 zones. The 2019 California Residential Codes definition of a dwelling “*Any building that contains one or two dwelling units that are occupied for living purposes.*” Currently, the City has several duplex homes in R1-6 zones. Staff reviewed several California zoning codes and the majority allow duplex homes in R1-6 zones. The definition of Multi-family in our zoning code is “*a residential structure that contains three or more dwelling units*”.

1. Owner:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
2. Applicant:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
3. Location of text:	Corcoran Zoning Code, Table 11-5-1
4. Proposed zone text change:	To add duplex housing to table 11-5-1 to R1-6 zones by administrative approval

B. Compliance with CEQA

The zone text change is considered ministerial and is exempt from CEQA requirements. (15268)

C. Compliance with General Plan and Zoning

The proposed zone text change is consistent with the objectives and policies of the Corcoran General Plan, or an specific plans, or planned developments approved by the City of Corcoran.

D. Public Input

A notice of public hearing was published in the Corcoran Journal regarding the proposed Zone Text Change. Additionally, Public hearing notice was posted outside the City Council chambers and at the counter at City Hall. No comments have been received to date.

E. Zone Change and General Plan Amendment Findings

The following findings are proposed:

- (A) The project is exempt from CEQA
- (B) That the proposed zone text change will have, no adverse effects upon adjoining properties or neighborhoods.
- (C) That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned development approved by the City

RECOMMENDATION

Staff recommends that the staff report be given, public hearing be opened and testimony taken. Staff recommend approval of Zone Text Change 20-01 to allow duplex housing in R1-6 zones under Administrative approval. Staff also recommends that the Planning Commission take action based on the following findings and on the attached Resolution recommending the City Council approve Zone Text Change 20-01 and resolution 2020-06.

F. ZONE CHANGE, GENERAL PLAN AMENDMENT-ACTION BY THE PLANNING COMMISSION

The Planning Commission, by written resolution, may approve, approve with conditions, disapprove, or disapprove without prejudice a zone change, General Plan amendment application.

The decision of the Planning Commission, if approved shall be forwarded to the City Council for final approval. The decision of the City Council is final.

G. ZONE CHANGE, GENERAL PLAN AMENDMENT-APPEAL TO THE CITY COUNCIL

In case the applicant or any other party is not satisfied with the action of the Planning Commission they may, within ten (10) days after the date of the adoption of the Planning Commission Resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date for the public hearing and shall post notices. The date for the public hearing shall not be less than ten (10) nor more than thirty (30) days from the date on which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the approval of a zone change, General Plan Amendment.

H. NEW APPLICATION

Should the Planning Commission deny an application for a zone change, no application for a zone change of the same type shall be filed within six (6) months from the date of the denial, except when the Planning Commission denies "without prejudice"

**CORCORAN CITY PLANNING COMMISSION
RESOLUTION NO. 2020-06
PERTAINING TO
ZONE TEXT CHANGE AND GENERAL PLAN AMENDMENT 20-01**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on March 16, 2020, the Commission approved the following:

Whereas, The City of Corcoran, Community Development Department, submitted an application requesting approval for a zone text change allowing duplex housing in Residential R1-6 zones with Administrative Approval; and

Whereas, this Commission considered the staff report on March 16, 2020; and

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

(A) The zone text change to allow duplex housing in R1-6 zones in table 11-5-1 of the zoning code with administrative approval is ministerial and exempt from CEQA (15268)

(B) That the proposed zone text change to the zoning code will have no adverse effect upon adjoin properties or neighborhoods. In making this determination, the Commission shall consider characteristics that may affect surrounding properties.

(C) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;

IT IS THEREFORE RESOLVED that Zone Text Change and General Plan Amendment 20-01 and Resolution 2020-06 should be approved with the Conditions stated in section “E” of the Staff Report and the finding of the Resolution 2020-06, and that the Planning Commission recommends to the City Council approval of Zone Text Change and General Plan Amendment 20-01 and Resolution 2020-06.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 16th, day of March, 2020

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.2020-06 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 16th day of March, 2020, by the vote as set forth therein.

DATED: March 16, 2020

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk

Chapter 11-5 RESIDENTIAL ZONING DISTRICTS

Sections:

- 11-5-1 Purpose of the Residential Zoning Districts
- 11-5-2 Land Use Regulations
- 11-5-3 Development Standards for Residential Zoning Districts
- 11-5-4 Second Units

11-5-1 Purpose of the Residential Zoning Districts

- A. **Residential Acreage (RA).** The RA zoning district is intended to provide opportunities for large lot residential development in a rural setting.
- B. **Single-Family Residential (R-1).** The R-1 zoning district is intended to provide an area for detached single-family dwellings and other land uses typically compatible with a low-density residential setting. The R-1 zoning district is divided into three subzones allowing for a range of minimum lot sizes.
- C. **Multi-Family Residential (RM).** The RM zoning district is intended to provide an area for a full range of residential uses, including single-family dwellings, duplex homes, multi-family dwellings, and other land uses typically compatible with a medium density residential setting. The RM zoning district is divided into two subzones allowing for a range of permitted residential densities.

11-5-2 Land Use Regulations

- A. **Permitted Land Uses.** Table 11-5-1 identifies land uses permitted in residential zoning districts.

TABLE 11-5-1 PERMITTED LAND USES IN RESIDENTIAL ZONING DISTRICTS

Key			
P Permitted Use			
C Conditional Use Permit Required			
A Administrative Review Permit Required			
- Use Not Allowed			
	RA	R-1	RM
Residential Uses			
Caretakers Homes	P	P	P
Duplex Homes	-	-	P
Employee Housing	P[1]	P[1]	P[1]
Group Homes			
Small (6 persons or fewer)	P	P	P
Large (more than 6 persons)	-	-	C
Guest Houses and Accessory Living Quarters	P	P	P
Mobile Home Parks	C	C	C
Multiple-Family Homes			
Less than 5 Units	-	-	P
5 Units or More	-	-	P

Affidavit of Publication

STATE OF CALIFORNIA,

COUNTY OF KINGS--SS

Robert A. Atilano....., being first duly sworn, Deposes and says that at all times hereinafter mentioned, he was a citizen of the United States, over the AGE of eighteen years, and a resident of said county, and was at and during all said times the principal clerk to the printer and the publisher of THE CORCORAN JOURNAL, a newspaper of general circulation, printed and published weekly in the City of Corcoran in said County of Kings, State of California; adjudicated as such by order Number 11739 of the Superior Court of the State of California in and for the County of Kings on January 28, 1952; that said THE CORCORAN JOURNAL is and was at all times herein mentioned a newspaper of general circulation as that term is defined by section 6000 of the Government Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of general character, having a bonafide subscription list of paid subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction or any number of such classes, professions, trades, callings, races or denominations; that at all times said newspaper had been established, printed and published in the City of Corcoran, in said County and State, at regular intervals, for more than one year preceding the first publication of the notice herein mentioned; that the

CITY OF CORCORAN
Public Hearing-Duplex Housing

Of which the annexed is a printed copy, was printed and published in said newspaper at least 1 week(s), as follows, and the date of first publication was

February 27, 2020



PUBLIC NOTICE

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, March 16, 2020 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue, to consider Zone Text Change pertaining to Duplex Housing in an R-1-6 or Single Family Dwelling Zone.

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, March 16, 2020. 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: January 29, 2020

Marlene Spain, City Clerk

Publish: February 27, 2020,
"The Corcoran Journal"

CALIFORNIA JURAT WITH AFFIANT STATEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kings,

Subscribed and sworn to (or affirmed) before me on this 27 day of February, 2020, by Robert A. Atilano, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature: 

Chairperson
Shea DeVaney

Vice-Chairperson
Karl Kassner

Commissioners
David Bega
Dennis Tristao
David Jarvis
Vicente Carrasco Sanchez
Janet Watkins

Planning Commission



832 Whitley Avenue, Corcoran
CALIFORNIA 93212

**Community
Development
Department**

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

Community
Development
Director
559-992-2151 (232)

**Zone Text
Change**

**STAFF REPORT
Public Hearing**

Item # 4.4

To: Planning Commission

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

Date: March 16, 2020

Subject: **Zone Text Change 20-02 and Resolution 2020-07, regarding proposed change of zoning code 11-19-5 (D) Moving or digital signs, to allow digital signs in commercial zones with a conditional use permit.**

A. General Information:

The current zoning code 11-19-5 (D) prohibits signs that appear to flash, blink, move, change color, or change intensity. This excludes digital signs of any type to be installed on the exterior of any building or lot within the city limits. Digital signage, also called dynamic signage, is a specialized form of silver casting in which video or multimedia content is displayed in public places for informational or advertising purposes. A digital sign usually consist of a computer or playback device connected to a large, bright digital screen such as an LED or plasma display. Today, digital signs are used for exterior applications for schools, libraries, office buildings, train and bus stations, banks, auto dealerships and public venues. Many cities throughout California have digital signs at the entrance to the community to advertise public issues and activities. In today's society that is technologically driven business and organizations seek the most efficient way of reaching their potential customers and digital signs are more captivating than any other type of signage. Other Cities have prohibited them in an effort to keep small town charm and limit the visual distractions as they drive through their downtown. Digital signs require power and can, (depending on the type) have high energy use and are not considered a green product.

1.	Owner:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
2.	Applicant:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
3.	Location of text:	Corcoran Zoning Code, 11-19-5
4.	Proposed zone text change:	To remove digital signs from a prohibited sign and add digital signage as an approved use with a conditional use permit in commercial and industrial zones.

B. Compliance with CEQA

The zone text change is considered ministerial and is exempt from CEQA requirements. (15268)

C. Compliance with General Plan and Zoning:

The proposed zone text change is consistent with the objectives and policies of the Corcoran General Plan, or an specific plans, or planned developments approved by the City of Corcoran.

D. Public Input:

A notice of public hearing was published in the Corcoran Journal regarding the proposed Zone Text Change. Additionally, Public hearing notice was posted outside the City Council chambers and at the counter at City Hall. No comments have been received to date.

E. Zone Change, General Plan Amendment Findings

The following findings are proposed:

1. The project is exempt from CEQA
2. That the proposed zone text change will have, no adverse effects upon adjoining properties or neighborhoods.
3. That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned development approved by the City
4. That the proposed zone text change regarding digital signs require a conditional use Use permit
5. That a list of conditions of approval be vetted and approved by the Planning Commission prior to issuance of any permit.

RECOMMENDATION

Staff recommends that the staff report be given, public hearing be opened and testimony taken. Staff recommend approval of Zone Text Change 20-02 to remove digital signs or signs that flash, blink, move, change color or intensity from prohibited signs and add the same to 11-19-9 (K) New section for Digital signs. Staff also recommends that the Planning Commission take action based on the following findings and on the attached Resolution recommending the City Council approve Zone Text Change 20-02 and resolution 2020-07.

F. ZONE CHANGE, GENERAL PLAN AMMENDMENT-ACTION BY THE PLANNING COMMISSION

The Planning Commission, by written resolution, may approve, approve with conditions, disapprove, or disapprove without prejudice a zone change, General Plan amendment application.

The decision of the Planning Commission, if approved shall be forwarded to the City Council for final approval. The decision of the City Council is final.

G. ZONE CHANGE, GENERAL PLAN AMMENDMENT-APPEAL TO THE CITY COUNCIL

In case the applicant or any other party is not satisfied with the action of the Planning Commission they may, within ten (10) days after the date of the adoption of the Planning Commission Resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date for the public hearing and shall post notices. The date for the public hearing shall not be less than ten (10) nor more than thirty (30) days from the date on which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the approval of a zone change, General Plan Amendment.

H. NEW APPLICATION

Should the Planning Commission deny an application for a zone change, no application for a zone change of the same type shall be filed within six (6) months from the date of the denial, except when the Planning Commission denies "without prejudice"

**CORCORAN CITY PLANNING COMMISSION
RESOLUTION NO. 2020-07
PERTAINING TO
ZONE TEXT CHANGE AND GENERAL PLAN AMENDMENT 20-02**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on March 16, 2020, the Commission approved the following:

Whereas, The City of Corcoran, Community Development Department, submitted an application requesting approval for a zone text change removing digital signs or signs that flash, blink, move, change color or intensity from the prohibited signage and add digital signs or signs that flash, blink, move, change color or intensity to 11-19-9 (K) (a new section for Digital signs) of the zoning code that require a conditional use permit; and

Whereas, this Commission considered the staff report on March 16, 2020; and

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

- (A) The zone text change to allow digital signs or signs that flash, blink, move change color or intensity in Commercial and Industrial zones with a conditional use permit is ministerial and exempt from CEQA (15268)
- (B) That the proposed zone text change to the zoning code will have no adverse effect upon adjoin properties or neighborhoods. In making this determination, the Commission shall consider characteristics that may affect surrounding properties.
- (C) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;
- (D) That the proposed zone text change will require a conditional use permit
- (E) That a list of conditions of approval be vetted and approved by the Planning Commission Prior to the issuance of a permit.

IT IS THEREFORE RESOLVED that Zone Text Change and General Plan Amendment 20-02 and Resolution 2020-07 should be approved with the Conditions stated in section “E” of the Staff Report and the finding of the Resolution 2020-07, and that the Planning Commission recommends to the City Council approval of Zone Text Change and General Plan Amendment 20-02 and Resolution 2020-07.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 16th, day of March, 2020

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.2020-07 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 16th day of March, 2020, by the vote as set forth therein.

DATED: March 16, 2020

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk

11-19-5 Prohibited Signs

The following signs are prohibited:

- A. Signs that have been abandoned or have an advertised use that has ceased to function for a period of 90 days or more.
- B. Bench signs.
- C. Signs that encroach into any right-of-way or easement, means of ingress or egress, or path of travel, except as specifically allowed by this chapter.
- D. Signs that include any part that appears to flash, blink, move, change color, or change intensity, excluding standard barber poles, time and temperature signs located in commercial and industrial zones, and community identification signs.
- E. Signs located on public property, excluding official signs that are posted or required by a government agency, public utility, or public service.
- F. Signs attached to a tree.
- G. Off-site signs except for the ones permitted by Administrative Approval. Maximum number of off-site signs:
 - 1. Lots 1 acres or less: one sign per lot.
 - 2. Lots over 1 acre: one per acre and at least 100 feet apart between signs.
- H. Outdoor advertising structures, except informational structures approved by the Planning Commission.
- I. Signs painted on fences or roofs.
- J. Windblown devices.
- K. Roof signs except for signs placed within the lower two thirds of a mansard roof. Mansard roof signs shall not extend into the top one third of the roof and shall be integrated into the mansard structure.

11-19-6 General Standards

A. Measurement of Sign Area.

- 1. Calculation of Sign Area.
 - a. Sign area is measured as the smallest rectangle that encloses all words, characters, images, and symbols on the sign face. See Figure 11-19-1.
 - b. Structural elements, borders, and frames that are incidental to the display of a sign and do not transmit information are excluded from the calculation of sign area.
 - c. For signs consisting of module letters and logo symbols attached directing to a building wall, window, or awning, each word and logo symbol shall be measured separately when calculating sign area.

Affidavit of Publication

STATE OF CALIFORNIA,

COUNTY OF KINGS--SS

Robert A. Atilano....., being first duly sworn, Deposes and says that at all times hereinafter mentioned, he was a citizen of the United States, over the AGE of eighteen years, and a resident of said county, and was at and during all said times the principal clerk to the printer and the publisher of THE CORCORAN JOURNAL, a newspaper of general circulation, printed and published weekly in the City of Corcoran in said County of Kings, State of California; adjudicated as such by order Number 11739 of the Superior Court of the State of California in and for the County of Kings on January 28, 1952; that said THE CORCORAN JOURNAL is and was at all times herein mentioned a newspaper of general circulation as that term is defined by section 6000 of the Government Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of general character, having a bonafide subscription list of paid subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction or any number of such classes, professions, trades, callings, races or denominations; that at all times said newspaper had been established, printed and published in the City of Corcoran, in said County and State, at regular intervals, for more than one year preceding the first publication of the notice herein mentioned; that the

CITY OF CORCORAN
Public Hearing-Zone Text Change-Digital Sign

Of which the annexed is a printed copy, was printed and published in said newspaper at least 1 week(s), as follows, and the date of first publication was

February 27, 2020



PUBLIC NOTICE

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, March 16, 2020 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue, to consider Zone Text Change pertaining to Digital Sign.

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, March 16, 2020. 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: January 29, 2020

Marlene Spain, City Clerk

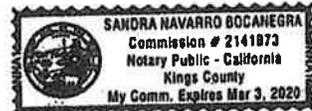
Publish: February 27, 2020,
"The Corcoran Journal"

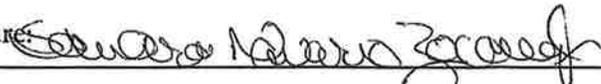
CALIFORNIA JURAT WITH AFFIANT STATEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kings,

Subscribed and sworn to (or affirmed) before me on this 27 day of February, 2020, by Robert A. Atilano, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature: 

Chairperson

Shea DeVaney

Vice-Chairperson

Karl Kassner

Commissioners

David Bega

Dennis Tristao

David Jarvis

Vicente Carrasco Sanchez

Janet Watkins

Planning Commission



832 Whitley Avenue, Corcoran
CALIFORNIA 93212

**Community
Development
Department**

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

Community
Development
Director
559-992-2151 (232)

**Zone Text
Change**

**STAFF REPORT
Public Hearing**

Item # 4.5

To: Planning Commission

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

Date: March 16, 2020

Subject: **Zone Text Change 20-03 Allowing Mobile Home Parks in Neighborhood Commercial Zones.**

A. General Information:

The current zoning code allows Mobile Home Parks in Multi-Family Residential zones (RM) and Professional Office zones (PO). The City of Corcoran has three (3) Mobile Home Parks. One on south Dairy Avenue, one on Whitley Avenue and one on Otis Avenue. Two parks, the one on Whitley and the one on Dairy Avenue are in Neighborhood Commercial Zones and the park on Otis Avenue is located in a Service Commercial zone. This makes all three parks non-conforming uses. Zoning code section 11-17 *Nonconforming Parcels, Uses, and Structures* 11-17-1 "Purpose" (C) States "To restrict the enlargement or intensification of nonconforming uses and structures". 11-17-1 (E) "Provides for the elimination of nonconforming uses as appropriate due to abandonment, obsolescence, and destruction. Having mobile Home Parks as a nonconforming use is a property insurance issue for the Individual home owner and the park itself. It also restricts expansion of the existing park or rebuilding the park in case of fire or disaster.

1.	Owner:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
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2.	Applicant:	City of Corcoran 832 Whitley Avenue Corcoran Ca 93212
3.	Location of text:	Corcoran Zoning Code, Chapter 11-17 Nonconforming Parcels, uses, and Structures
4.	Proposed zone text change:	To add Mobile Home Parks to the Service Commercial zone and the Neighborhood commercial zones.

B. Compliance with CEQA

The zone text change is considered ministerial and is exempt from CEQA requirements. (15268)

C. Compliance with General Plan and Zoning:

The proposed zone text change is consistent with the objectives and policies of the Corcoran General Plan, or an specific plans, or planned developments approved by the City of Corcoran.

D. Public Input:

A notice of public hearing was published in the Corcoran Journal regarding the proposed Zone Text Change. Additionally, Public hearing notice was posted outside the City Council chambers and at the counter at City Hall. No comments have been received to date

E. ZONE CHANGE, GENERAL PLAN AMMENDMENT FINDINGS

The following findings are proposed:

- (A) The project is exempt from CEQA
- (B) That the proposed zone text change will have, no adverse effects upon adjoining . properties or neighborhoods.
- (C) That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned development approved by the City

Recommendation:

Staff recommends that the staff report be given, public hearing be opened and testimony taken. Staff recommend approval of Zone Text Change 20-03 add Mobile Home Parks as an allowed use in the Service Commercial zone (CS) and the Neighborhood Commercial Zone (CN). Mobile Home Parks in any zone require a conditional use permit. Staff also recommends that the Planning Commission take action based on the following findings and on the attached Resolution recommending the City Council approve Zone Text Change 20-03 and resolution 2020-05.

F. ZONE CHANGE, GENERAL PLAN AMMENDMENT-ACTION BY THE PLANNING COMMISSION

The Planning Commission, by written resolution, may approve, approve with conditions, disapprove, or disapprove without prejudice a zone change, General Plan amendment application.

The decision of the Planning Commission, if approved shall be forwarded to the City Council for final approval. The decision of the City Council is final.

G. ZONE CHANGE,GENERAL PLAN AMMENDMENT-APPEAL TO THE CITY COUNCIL

In case the applicant or any other party is not satisfied with the action of the Planning Commission they may, within ten (10) days after the date of the adoption of the Planning Commission Resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date for the public hearing and shall post notices. The date for the public hearing shall not be less than ten (10) nor more than thirty (30) days from the date on which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the approval of a zone change, General Plan Amendment.

H. NEW APPLICATION

Should the Planning Commission deny an application for a zone change, no application for a zone change of the same type shall be filed within six (6) months from the date of the denial, except when the Planning Commission denies “without prejudice”

**CORCORAN CITY PLANNING COMMISSION
RESOLUTION NO. 2020-05
PERTAINING TO
ZONE TEXT CHANGE AND GENERAL PLAN AMENDMENT 20-003**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on March 16, 202, the Commission approved the following:

Whereas, The City of Corcoran, Community Development Department, submitted an application requesting approval for a zone text change allowing Mobile Home Parks in Service Commercial zones and Neighborhood Commercial zones; and

Whereas, this Commission considered the staff report on March 16, 2020; and

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

(A) The zone text change to allow Mobile Home Parks in Neighborhood Commercial and Service Commercial zones is ministerial and exempt from CEQA (15268)

(B) That the proposed zone text change to the zoning code will have no adverse effect upon adjoin properties or neighborhoods. In making this determination, the Commission shall consider characteristics that may affect surrounding properties.

(C) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;

IT IS THEREFORE RESOLVED that Zone Text Change and General Plan Amendment 20-03 and Resolution 2020-05 should be approved with the Conditions stated in section “E” of the Staff Report and the finding of the Resolution 2020-05, and that the Planning Commission recommends to the City Council approval of Zone Text Change and General Plan Amendment 20-03 and Resolution 2020-05.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 16th, day of March, 2020

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.2020-05 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 16th day of March, 2020, by the vote as set forth therein.

DATED: March 16, 2020

Ma. Josephine D. Lindsey
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk

Chapter 11-6 COMMERCIAL AND OFFICE ZONING DISTRICTS

Sections:

- 11-6-1 Purpose of the Commercial and Office Zoning Districts
- 11-6-2 Land Use Regulations for Commercial and Office Zoning Districts
- 11-6-3 Development Standards for Commercial and Office Zoning Districts

11-6-1 Purpose of the Commercial and Office Zoning Districts

- A. **Neighborhood Commercial (CN).** The CN zoning district is intended to provide areas for retail and personal service facilities that serve the day-to-day needs of residential neighborhoods.
- B. **Central Commercial (CC).** The CC zoning district is intended to be applied both to the central commercial core of the city and to certain commercial areas outside the central core as designated by the General Plan. These areas constitute the primary commercial zoning districts of the community and encourage a wide range of retail, financial, governmental, professional, business service, and entertainment uses.
- C. **Highway Commercial (CH).** The CH zoning district is intended to provide retail business opportunities near the intersections of State Highway 43 and major local streets. A broad range of retail businesses and services are envisioned, including restaurants, motels, truck stops, fueling, convenience shopping, vehicle services, and similar services used by the traveling public.
- D. **Downtown Commercial (CD).** The CD zoning district is intended to stabilize and expand the retail and commercial opportunities for businesses serving the community in the downtown core. A broad range of business opportunities are allowed in combination with residential uses.
- E. **Service Commercial (CS).** The CS zoning district is intended for establishments which use equipment, materials, and products, but which do not require manufacturing, assembling, packaging, or processing of articles or merchandise for distribution and retail sale. Most service commercial uses require locations along arterial streets, which mainly lie close to Central Commercial, Highway Commercial, and Industrial zoning districts, in accordance with the General Plan.
- F. **Professional Office (PO).** The PO zoning district is intended to provide areas for professional and nonretail commercial offices and businesses while protecting offices from noise, disturbances, traffic hazards, and potentially incompatible land uses, which could adversely affect professional and business practices.

11-6-2 Land Use Regulations for Commercial and Office Zoning Districts

- A. **Permitted Uses.** Table 11-6-1 identifies land uses permitted in commercial and office zoning districts.

TABLE 11-6-1 PERMITTED LAND USES IN COMMERCIAL AND OFFICE ZONING DISTRICTS

Key						
P Permitted Use						
C Conditional Use Permit Required						
A Administrative Review Permit Required						
- Use Not Allowed						
	CN	CC	CH	CD	CS	PO
Residential Uses						
Carotakers Homes	A	A	A	P	A	P
Duplex Homes	-	-	-	P	-	P
Employee Housing	A	A	A	P[1]	A	P[1][2]
Group Homes						
Small (6 persons or fewer)	-	-	-	-	-	C
Large (More than 6 persons)	-	-	-	-	-	C
Guest Houses and Accessory Living Quarters	A	A	A	A	A	C
Mobile Home Parks	-	-	-	-	-	C
Multiple-Family Homes						
Less than 5 Units	-	-	-	P	-	P
5 Units or More	-	-	-	P	-	C
Nursing Homes	A	A	A	A	A	C
Residential Care Facilities						
Small (6 persons or fewer)	A	A	A	A	A	P
Large (More than 6 persons)	A	A	A	A	A	C
Secondary Dwelling Units	A	A	A	A	A	P
Single-Family Homes	A	A	A	P	A	P[2]
Single-Room Occupancy	C	C	C	C	C	-
Public and Quasi-Public Uses						
Cemeteries and Columbarium	-	-	-	-	C	-
Community Assembly						
Community Centers [3]	C	C	C	P	C	C
Membership Organizations	C	A	A	A	C	C
General	C	C	C	C	C	C
Meeting Halls	C	C	C	P	C	C
Cultural Institutions						
Libraries and Museums [3]	C	C	-	P	C	C
Other Cultural Institutions	C	C	C	P	C	C
Day Care Centers	P	P	-	P	-	C
Educational Institutions						
Colleges and Universities	C	C	C	C	C	C
Schools, Public and Private	-	A	C	A	A	C
Schools, Studios for Instructional Services	A	P	A	P	C	C
Schools, Trade and Vocational	A	A	C	P	A	C
Emergency Shelters	-	-	-	-	P	-
Health and Exercise Clubs	P	P	A	P	A	A
Home Day Care, Licensed						

Affidavit of Publication

STATE OF CALIFORNIA,

COUNTY OF KINGS--SS

Robert A. Atilano....., being first duly sworn, Deposes and says that at all times hereinafter mentioned, he was a citizen of the United States, over the AGE of eighteen years, and a resident of said county, and was at and during all said times the principal clerk to the printer and the publisher of THE CORCORAN JOURNAL, a newspaper of general circulation, printed and published weekly in the City of Corcoran in said County of Kings, State of California; adjudicated as such by order Number 11739 of the Superior Court of the State of California in and for the County of Kings on January 28, 1952; that said THE CORCORAN JOURNAL is and was at all times herein mentioned a newspaper of general circulation as that term is defined by section 6000 of the Government Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of general character, having a bonafide subscription list of paid subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professions, trades, callings, races or denominations; that at all times said newspaper had been established, printed and published in the City of Corcoran, in said County and State, at regular intervals, for more than one year preceding the first publication of the notice herein mentioned; that the

CITY OF CORCORAN
Public Hearing-Mobile Home Park (CN)

Of which the annexed is a printed copy, was printed and published in said newspaper at least 1 week(s), as follows, and the date of first publication was

February 27, 2020



PUBLIC NOTICE

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Corcoran Planning Commission will conduct a public hearing on Monday, March 16, 2020 at 5:30 p.m. at the City Council Chambers, 1015 Chittenden Avenue, to consider Zone Text Change pertaining to Mobile Home Park in a Neighborhood Commercial (CN) Zone as an allowed use through a Conditional Use Permit.

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, March 16, 2020. 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: February 19, 2020
Marlene Spain, City Clerk

Publish: February 27, 2020,
"The Corcoran Journal"

CALIFORNIA JURAT WITH AFFIANT STATEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kings,

Subscribed and sworn to (or affirmed) before me on this 27 day of February, 2020, by Robert A. Atilano, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature: 