



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, DECEMBER 16, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: at 6:30 p.m.

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Hatley
Armstrong

All Commissioners were present except Commissioner Hatley.

C. MINUTES:

- 1. Waive the Reading and Approve the Minutes of the October 21, 2008 meeting with any necessary corrections.**

Commissioner Reilly motioned to approve the minutes as written and Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion approved by vote of 4-0 with Hatley absent.**

D. BUSINESS FROM THE FLOOR:

Joe DeScala addressed the Commission in regarding his property on Loleta Avenue. He stated that he was here solely to introduce himself to the Commission, stating that he would be addressing the Commission on an item relating to his property on January 20th. He also stated that he noticed that the Planning Commission does not get paid, stating his opinion that they should.

Danny Dunigan also addressed the Commission stating that he was present for the Public Hearing Item discussion.

E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

- 2. Rezone No. 2008-2; Ordinance No. 633; Review and make a recommendation to the Corning City Council on an Ordinance that would amend Chapters 17.10, 17.12, 17.14 & 17.16 of the Corning Municipal Code regarding Minimum Height, Bulk and Space Requirements in Residential Zones.**

Chairman Lopez introduced this item by title giving a brief history of the subject before asking Planning Director John Stoufer to provide additional information and an outline of the suggested changes covered under this proposed Ordinance and Rezone.

Mr. Stoufer stated that under the new Ordinance the minimum width of stick built homes would become 20-feet. He informed the Commission that has presented the proposed terms of the Ordinance to local Realtors and received their feedback and concerns. He relayed the concerns stated by these Realtors. He also stated that he and Building Official Terry Hoofard reviewed the various 25-foot lots within the City, and of those, they found only one owner, Mr. Nace, who they believe would possibly in the future wish to build on in the future.

Commissioner Robertson asked what would happen should an existing home burn down on one of these lots. Mr. Stoufer explained that the owner could rebuild within one year from the date of destruction and that the newly constructed building could not be enlarged. Chairman Lopez then opened the public hearing.

Mr. DeScala asked if it was possible to waive this one-year limitation policy; he was informed no, not on a non-conforming property.

Planning Director Stoufer also informed the Commission and audience of the new State Building Code mandates of a 5-foot sideyard setback stating that this new code would tie the hands of the Commission on future Variances relating to sideyard setbacks.

Public Works Director John Brewer gave a brief history of the one-year code regulations.

Mr. DeScala suggested recording the Ordinance so that property owners will be aware of the one-year time frame for rebuilding should a fire occur. He was informed of the impracticality of doing that and of the Ordinance Adoption Procedures.

With no further discussion, Commissioner Armstrong motioned to close the Public Hearing. Commissioner Reilly seconded the motion. **Ayes: Lopez, Robertson, Reilly and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion approved by vote of 4-0 with Hatley absent.**

Commissioner Reilly motioned to recommend the City Council:

1. Approve the four Subfindings and Findings on Rezone No. 2008-2; and
2. Approve Ordinance 633 implementing Rezone No. 2008-2 that amends the minimum height bulk and space requirements for residential zoned parcels.

Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion approved by vote of 4-0 with Hatley absent.**

F. **REGULAR AGENDA**: None.

G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR**: None

H. **ADJOURNMENT**: 6:55 p.m.

Lisa M. Linnet, City Clerk