



**CITY OF CORNING  
PLANNING COMMISSION AGENDA  
TUESDAY, AUGUST 16, 2016  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

**Commissioners: Barron  
Poisson  
Mesker  
Hatley  
Chairman: Robertson**

**C. MINUTES:**

**1. Waive the reading and approve the Minutes of the June 21, 2016 Planning Commission Meeting with any necessary corrections.**

**D. BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.**

**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. Revise Use Permit No. 1997-167; T-Mobile West: Revise Use Permit 1997-167 to allow an additional three (3) antennas on the tower for a total of nine (9) antennas. Address: 2351 Carona Avenue, APN: 69-210-83.**

**3. Ordinance 669, Multi-Family Residential Development & Design Guidelines: Review and make recommendations to the Corning City Council on Multi-Family Residential Development & Design Guidelines.**

**F. REGULAR AGENDA:**

**4. Tract Map 05-1013; Make a recommendation to the Corning City Council on a two-year time extension for Tract Map 05-1013.**

**5. Tract Map 05-1016; Make a recommendation to the Corning City Council on a two-year time extension for Tract Map 05-1016.**

**G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**H. ADJOURNMENT:**

**POSTED: FRIDAY, AUGUST 12, 2016**



**CITY OF CORNING  
PLANNING COMMISSION MINUTES  
TUESDAY, JUNE 21, 2016  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

**Commissioners: Barron  
Poisson  
Mesker  
Hatley  
Chairman: Robertson**

All members of the Commission were present except Commissioners Poisson and Hatley.

**C. MINUTES:**

- 1. Waive the reading and approve the Minutes of the May 17, 2016 Planning Commission Meeting with any necessary corrections.**

Commissioner Barron moved to approve the Minutes as written and Commissioner Mesker seconded the motion. **Ayes: Robertson, Barron and Mesker. Absent: Poisson and Hatley. Opposed/Abstain: None. Motion was approved by a 3-0 vote with Poisson and Hatley absent.**

**D. BUSINESS FROM THE FLOOR: None.**

**E. PUBLIC HEARINGS AND MEETINGS: None.**

**F. REGULAR AGENDA:**

- 2. Two-year Extension Request: Tentative Tract Map 05-1003 Phase II & III, Stonefox Ranch Subdivision, located on the south side of Solano Street at the Del Norte Avenue/Solano Street intersection.**

Planning Consultant Stoufer informed the Commissioners that this request was pretty straight forward; if approved this would extend the project by 2-years...until June 14, 2018 with no revisions or additions to the existing Conditions.

Commissioner Mesker moved to recommend that the City Council approve a two-year time extension for Tentative Tract Map 05-1003 subject to the original 53 Conditions as approved by the Corning City Council on June 14, 2005. Commissioner Barron seconded the motion. **Ayes: Robertson, Barron and Mesker. Absent: Poisson and Hatley. Opposed/Abstain: None. Motion was approved by a 3-0 vote with Poisson and Hatley absent.**

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

**H. ADJOURNMENT: 6:35 p.m.**

---

Lisa M. Linnet, City Clerk

**ITEM NO: E-2  
AMEND USE PERMIT 1997-167; ALLOW  
T-MOBILE WEST TO ESTABLISH THREE (3)  
ADDITIONAL ANTENNAS FOR A TOTAL OF  
NINE (9) ANTENNAS ON THE EXISTING  
CELL TOWER LOCATED BEHIND REILLY'S  
MUFFLER SHOP AT THE END OF CARONA  
AVE. 2351 CARONA AVE. APN: 69-210-83**

AUGUST 16, 2016

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING CONSULTANT

**PROJECT DESCRIPTION:**

T-Mobile West has applied to amend Use Permit 1997-167 originally approved to establish a cell phone tower behind Reilly's Muffler Shop adjacent to Interstate 5. There are currently six (6) antennas located on the tower, T-Mobile has applied to add three (3) additional antennas for a total of nine (9) antennas on the tower. APN: 69-210-83  
Address: 2351 Carona Avenue.

**PROJECT SUMMARY & HISTORY:**

Use Permit No. 1997-167 authorized the erection and operation of a 150' tall cell phone tower and appurtenant facilities at 2351 Carona Avenue. The Use Permit was originally approved in 1997. On September 20, 2005 the Use Permit was revised to allow the attachment of additional antennas and ground equipment with a requirement that previously imposed conditions (from 1997) regarding landscaping and fencing be completed within 90 days.

On July 18, 2006 the Planning Commission approved a revision to the Use Permit allowing the installation of six (6) antennas and additional radio cabinets within the existing fenced area at the base of the tower. No additional conditions of approval were included in the revised approval and the staff report prepared for this revision indicated that the original conditions of approval had been fulfilled.

**GENERAL PLAN LAND USE DESIGNATION**

Hwy 99-W - Highway 99W Corridor Specific Plan. The Highway 99W Corridor Specific Plan is intended to provide a more detailed examination of the planning issues in the corridor than could be achieved in the City's General Plan. The purpose of the Specific Plan is to provide a comprehensive set of plans, policies, guidelines, and implementation measures for guiding and ensuring the orderly development of the Highway 99W corridor.

**ZONING**

The site is zoned SPMU-CBDZ; Specific Plan-Mixed Use-Corning Business Development Zone. That district permits cell phone towers and equipment upon approval of a Use Permit. The applicant seeks to append additional antennas on the tower which may be authorized upon approval of this revision application.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21084 of the Public Resources Code requires a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Secretary of Resources has classified projects that do not have a significant effect on the environment and are declared to be categorically exempt from the requirement for the preparation of environmental documents.

CEQA, Section 15301, Existing Facilities, Class 1 provides exemptions for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

This project will add three (3) additional antennas to the existing cell tower which is a negligible expansion of use and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**RECOMMENDATION:**

**Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for the amendment to Use Permit 1997-167.**

**Factual Subfinding #1**

The existing cell tower currently has six (6) antennas operated by T-Mobile West mounted on existing brackets affixed to the tower.

**Legal Finding #1**

The granting of an amendment to Use Permit 1967-167 will permit the addition of three (3) additional antennas that will be mounted on the same brackets as the existing antennas which is a negligible expansion of the current use on the tower and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**Factual Subfinding #2**

The existing cell tower was constructed to allow additional antennas to be affixed to the brackets for the expansion of service by the providers located on the tower.

**Legal Finding #2**

There is adequate space on the existing cell tower to add three (3) additional antennas.

**Factual Subfinding #3**

The existing cell tower is located at the west end of Carona Avenue adjacent to commercial businesses.

**Legal Finding #3**

The tower, and leased parcel that it is located on, is adequate in size, shape and topography for additional use.

**Factual Subfinding #4**

The parcel has frontage and direct access to Carona Avenue and Highway 99W.

**Legal Finding #4**

The site has sufficient access on Carona Avenue and to Hwy. 99W. that is constructed with adequate width, pavement and capacity for the existing use.

**Factual Subfinding #5**

The additional antennas will be placed on the same brackets on the tower that currently have six (6) antennas affixed to them.

**Legal Finding #5**

The addition of three (3) additional antennas on the existing cell tower will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

**ACTION:**

**MOVE TO ADOPT THE 5 FACTUAL SUBFINDINGS AND LEGAL FINDINGS AS PRESENTED IN THE STAFF REPORT AND APPROVE AN AMENDMENT TO USE PERMIT 1997-167 ALLOWING THE ADDITION OF THREE (3) ADDITIONAL ANTENNAS ON THE EXISTING CELL TOWER.**

**OR;**

**MOVE TO DENY THE AMENDMENT TO USE PERMIT 1997-167.**

**ATTACHMENTS**

Exhibit "A"      Application & Supplemental information submitted by applicant

*Exhibit "A"*

August 1, 2016

City of Corning Planning Dept.  
794 Third Street  
Corning, CA 96021

Attn: John Stoufer, Planning Consultant

RE: Request for Amendment / Revision to Use Permit 1997-167  
T-Mobile Site I.D. SC90316M "Corning" (L1900 Capacity project)  
2351 Carona Avenue · APN 069-210-083  
Corning (Tehama County), CA 96021

Dear Mr. Stoufer:

T-Mobile West, LLC (successor by merger to MetroPCS California LLC, a Delaware limited liability company ("Applicant" or "T-Mobile") operates a wireless communication antenna facility at the captioned property pursuant to a revision to Conditional Use Permit 1997-167 following public hearing before the City of Corning Planning Commission on July 18, 2006. The approved installation included six (6) antennas on an existing cell tower and radio cabinets installed on a concrete pad within the existing fenced-in compound in an SPMU-CBDZ zoning district. The approved antennas are installed at the 133-foot level on a 150-foot tall monopole.

T-Mobile will be modifying its installation by means of replacing (3) of the (6) existing panel antennas and installing (6) new panel antennas for a new total of nine (9) panel antennas authorized for installation at the 133-foot level on the tower. The project also involves some minor revisions other appurtenant features of the installation (changes to tower-mounted-amplifiers or "TMA's", a back-up power cabinet and a new hybrid cable that will run inside the monopole).

The above described replacement antennas will be installed on the same, existing, supporting cross-arms as T-Mobile's existing antennas so there will be no enlargement of the current canopy / envelope of antennas. Additionally, the project will not increase in the overall height of the structure nor will the project require the expansion of T-Mobile's existing equipment cabinet lease area. T-Mobile will comply with all existing conditions of approval.

A set of project plans dated July 26, 2016 are enclosed. Also enclosed, please find a Planning Application and appropriate fees.

Please feel free to contact me with any questions, comments or concerns. My direct phone number is (916) 220-0085 and I can also be reached via e-mail at: [ken.crouse@sbcglobal.net](mailto:ken.crouse@sbcglobal.net).

Thank you for your assistance with the project.

Sincerely,



Kenneth E. Crouse  
Authorized Representative for T-Mobile West, LLC, Applicant

RECEIVED

CITY OF CORNING  
**PLANNING APPLICATION**  
 TYPE OR PRINT CLEARLY

AUG 01 2016  
 CITY OF CORNING

Submit Completed Applications to:  
 City of Corning  
 Planning Dept.  
 794 Third Street  
 Corning, CA 96021

<b>PROJECT INFORMATION</b>	PROJECT ADDRESS <i>2351 CORONA AVE</i>		ASSESSOR'S PARCEL NUMBER <i>069-210-083</i>	G.P. LAND USE DESIGNATION
	ZONING DISTRICT	FLOOD HAZARD ZONE	SITE ACREAGE <i>2.613 sq ft</i>	AIRPORT SAFETY ZONE?
	PROJECT DESCRIPTION: (attach additional sheets if necessary) <i>AMEND REVISION to CLIP 1997-167 APPROVED BY PLANNING COMMISSION ON 07.18.2006 for from (6) ANTENNAS to (9) ANTENNAS</i>			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
<b>APPLICANT INFORMATION</b>	APPLICANT <i>(formerly METROPCS)</i> <i>T-MOBILE WEST, LLC</i>	ADDRESS <i>1755 CREEKSIDE OAKS</i> <i>Dr. SEE 190 SACRAMENTO</i>	DAY PHONE <i>95833</i>	
	REPRESENTATIVE (IF ANY) <i>KEN CROUSE</i>	ADDRESS <i>487 STOCUM LN.</i> <i>FOLSOM, CA 95630</i>	DAY PHONE <i>916.220.0085</i>	
	PROPERTY OWNER <i>Audrey Reilly, TRUSTEE</i>	ADDRESS <i>23709 MOON Rd.</i> <i>CORNING, CA 96021</i>	DAY PHONE <i>530.824-4717</i>	
	CORRESPONDENCE TO BE SENT TO <input type="checkbox"/> APPLICANT <input checked="" type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER			
	APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct.  Signed: <i>[Signature]</i>		PROPERTY OWNER: I have read this application and consent to its filing.  Signed: _____	
By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.				

<b>SUBMITTAL INFO</b>	<b>FOR OFFICE USE ONLY</b>			
	APPLICATION NO. <i>Revise UP-1997-167</i>	RECEIVED BY: <i>JS</i>	DATE RECEIVED <i>August 1, 2016</i>	DATE APPL. DEEMED COMPLETE
	FEEES RECEIVED/RECEIPT NO.	CEQA DETERMINATION <i>Exempt</i> ND MND EIR		DATE FILED



# CITY OF CORNING

## ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED 01 AUG 2016

### General Information

1. Project Title: AMENDMENT / REVISION TO USE PERMIT

2. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

BUILDING PERMIT FROM CITY OF CORNING

### Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: N/A sq. ft. in \_\_\_ floor(s).

4. Amount of off-street parking to be provided. N/A parking stalls. (Attach plans)

5. Proposed scheduling/development. 1-2 DAY CONSTRUCTION

6. Associated project(s). NONE

7. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. (This information will help the City track compliance with the objectives of the Housing Element of the General Plan.)

N/A

**CITY OF CORNING  
PLANNING APPLICATION**

8. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

REGIONAL - THIS CELL SITE IS PART OF A NETWORK OF SIMILAR SITES PROVIDING COVERAGE IN TEHAMA COUNTY

9. If industrial, indicate type, estimated employment per shift, and loading facilities.

N/A

10. If institutional, indicate the primary function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

N/A

11. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

REQUIRED TO INCREASE THE QUANTITY OF ANTENNAS APPROVED FOR THE 133 FOOT LEVEL ON THE TOWER FROM (6) TO (9).

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

	YES	NO
12. Change in existing topographic features, or substantial alteration of ground contours?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Change in scenic views or vistas from existing residential areas or public lands or roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Change in pattern, scale or character of general area of project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Significant amounts of solid waste or litter?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Change in dust, ash, smoke, fumes or odors in vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Substantial change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Is the site on filled land or on slopes of 10 percent or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22. Substantially increase energy usage (electricity, oil, natural gas, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23. Relationship to a larger project or series of projects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CITY OF CORNING  
PLANNING APPLICATION

Environmental setting

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

150 FOOT-TALL TOWER WITH ANTENNAS AT THE TOP OF  
THE TOWER & AT 133 FEET.

TOPOGRAPHY IS LEVEL. THIS PROJECT DOES NOT INVOLVE ANY  
GROUND DISTURBANCES NOR IMPACT SOILS, PLANTS, ANIMALS OR CULTURAL RESOURCES.

25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

SOUTH - AGRICULTURE

NORTH - COMMERCIAL

WEST - I-5 FREEWAY CORRIDOR

EAST - COMMERCIAL

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date

01 AUG 2016

Signature

 KEN CROUSE

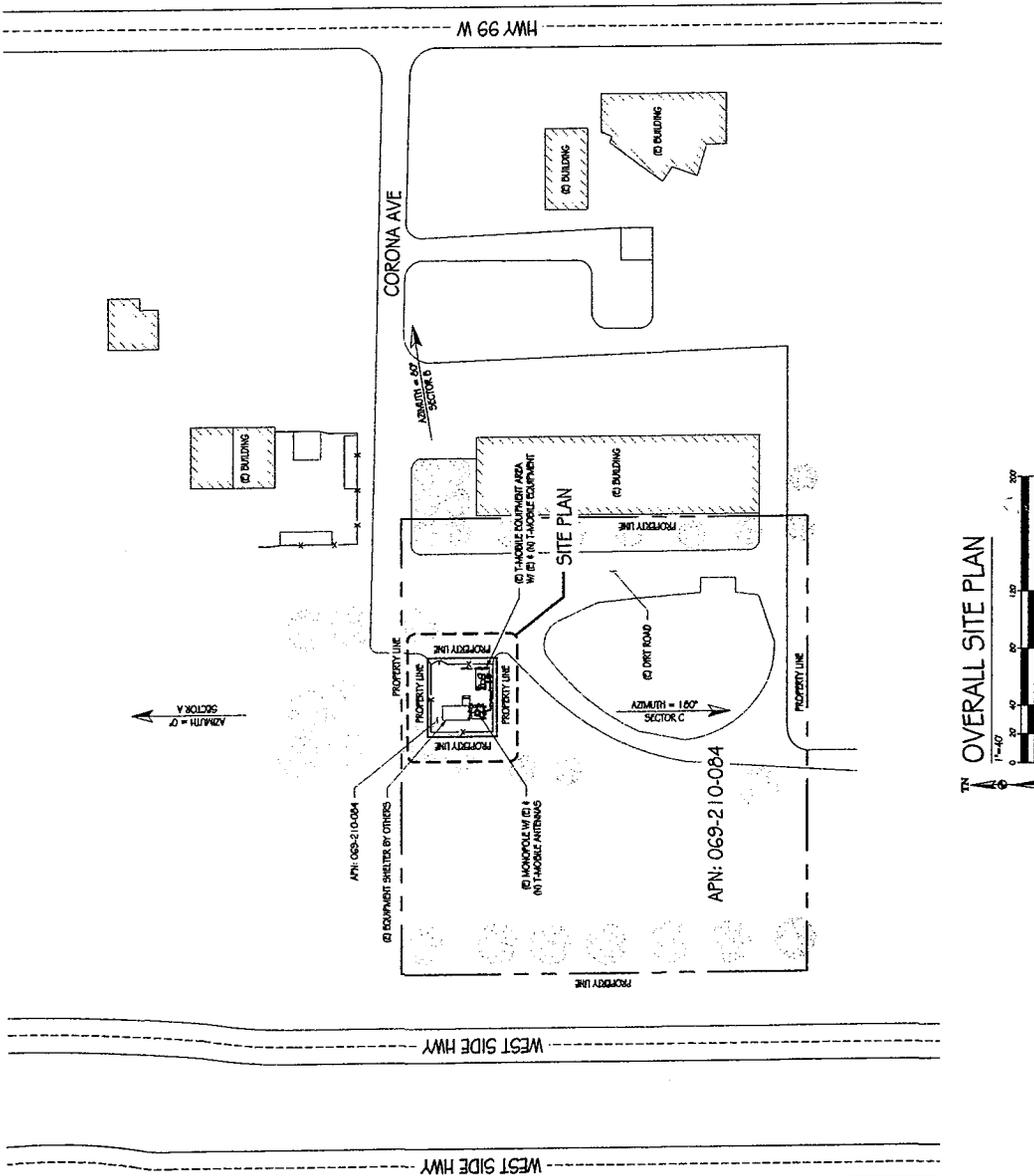
For:

T-MOBILE WISE, LLC



**PROJECT GENERAL NOTES**

1. THIS FACILITY IS AN UNLICENSED WIRELESS TELECOMMUNICATION FACILITY.
2. PLANS ARE NOT TO BE SOLD AND ARE INTENDED TO BE A DIAGNOSTIC OUTLINE ONLY UNLESS NOTED OTHERWISE.
3. THE SCOPE OF WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPROPRIATE PERMITS AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
4. PRIOR TO THE BEGINNING OF WORK, THE CONTRACTOR SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRM THAT THE WORK DESCRIBED ON THE DRAWINGS IS ACCURATE AND REPRESENTATIVE OF THE CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BRANCHED TO THE ATTENTION OF THE CONSTRUCTION MANAGER AND ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PAY FOR PERMIT FEES AND TO OBTAIN SAID PERMITS AND TO COORDINATE INSPECTIONS.
6. THE CONTRACTOR SHALL RECORD, IN WRITING, INFORMATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
7. CALL BEFORE YOU DIG. CONTRACTOR IS REQUIRED TO CALL 811 BEFORE WORKING. CONTRACTOR SHALL BE NOTIFIED AT LEAST 72 HOURS BEFORE DIGGING.
8. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL OBEY ALL NOTICES AND DEMANDS ISSUED BY ANY PUBLIC AGENCY OR THE LOCAL HEALTH OFFICIALS OR ORDERS OF ANY PUBLIC AGENCY REGARDING THE PERFORMANCE OF THE WORK.
9. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION METHODS, MATERIALS, EQUIPMENT, AND LABOR. THE CONTRACTOR SHALL ALSO COORDINATE ALL ACTIVITIES OF THE WORK UNDER THE CONTRACT, INCLUDING CONTACT AND COORDINATION WITH THE CONSTRUCTION MANAGER AND WITH THE LANDOWNER'S AUTHORIZED REPRESENTATIVE.
10. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, TRENCHES, CURBS, UNIMPAVED SURFACES, AND OTHER UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF THE PROJECT MANAGER.
11. KEEP GENERAL AREA CLEAN, HAZARDOUS WASTE, AND DISPOSAL OF ALL DEBRIS, RUSHES AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR REMAINS OF ANY NATURE.
12. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES, WHICH INTERFERE WITH THE PROGRESS OF THE WORK, SHALL BE IDENTIFIED AND PROTECTED BY THE CONTRACTOR. ALL UTILITIES DISCONNECTED AT POINTS WHICH WILL NOT INTERFERE WITH THE PROGRESS OF THE WORK, AS DIRECTED BY THE RESPONSIBLE AGENCY, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
13. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC AND ALL OTHER UTILITIES WHICH ARE ENCOUNTERED IN THE WORK SHALL BE PROTECTED AT ALL TIMES.
14. DETAILS ARE INTENDED TO SHOW THE RESULT OF DESIGN, WORK CONSTRUCTION, AND MAINTENANCE. ALL DETAILS SHALL BE SUBJECT TO CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
15. CONTRACTOR SHALL PROVIDE A TOILET FACILITY DURING ALL PHASES OF CONSTRUCTION.
16. SURVEY INFORMATION HAS NOT BEEN PROVIDED TO DETERMINE THE POSITION OF THE BOUNDARY LINES SHOWN HEREON. THE BOUNDARY INFORMATION ON THIS MAP IS BASED ON COMPLETED RECORD DATA AND NOT THE LATEST SURVEY INFORMATION. IT IS POSSIBLE FOR THE EXISTING RECORD DATA TO BE IN ERROR. THE CONTRACTOR SHALL VERIFY THE BOUNDARY LINES SHOWN HEREON WITH AN INDEPENDENT FIELD SURVEY AND RESEARCH. THEREFORE ANY SPATIAL REFERENCE MADE OR SHOWN BETWEEN THE BOUNDARY LINES AND THE FACILITY SHALL BE BASED ON THE FIELD SURVEY INFORMATION AND IS SUBJECT TO VERIFICATION BY RESOLVING THE POSITION OF THE BOUNDARY LINES.
17. CONTRACTOR TO VERIFY THE INSTRUMENT BY DESIGN.



OVERALL SITE PLAN  
1"=40'

**T-Mobile**  
WEST REGION  
1755 CRENSHAW DR., SUITE 190  
SACRAMENTO, CA 95833

**PRECISION DESIGN**  
*Precision Design, Inc.*  
1768 Arwood Rd, Suite 20 Auburn, CA 95603  
Phone: (530) 824-6546



**CORNING**  
SC90316  
251 CORONA AVE  
CORNING, CA 96021

ISSUE STATUS	
Δ	DATE DESCRIPTION
	07/24/16 CD 50%

DRAWN BY:	C. OSTRUM
CHECKED BY:	F. CASTRO
APPROVED BY:	D. MCGIBBS
DATE:	07/28/16
SHEET TITLE:	

OVERALL SITE PLAN
SHEET NUMBER
A-1



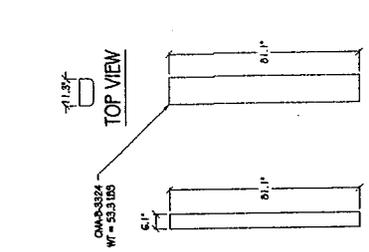




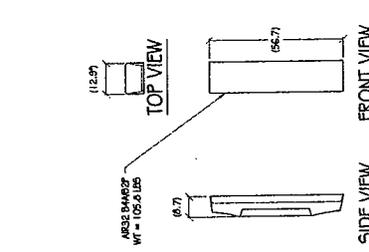


**PROJECT GENERAL NOTES**

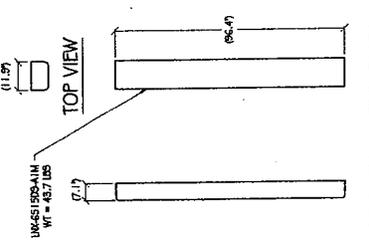
1. THIS FACILITY IS AN UNLICENSED WIRELESS TELECOMMUNICATION FACILITY.
2. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGNOSTIC OUTLINE ONLY UNLESS NOTED OTHERWISE.
3. THE SCOPE OF WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
4. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, ANY OF WHICH MAY BE INCORPORATED INTO THE WORK. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS.
5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND TO OBTAIN SAID PERMITS AND TO COORDINATE WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS.
6. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY IDENTIFIED ON THE DRAWINGS.
7. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH THE DRAWINGS AND ALL APPLICABLE LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS.
8. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, STRUCTURES, AND EQUIPMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL LOCAL, STATE, FEDERAL, AND COUNTY AGENCIES, ORGANIZATIONS, AGENCIES, REGULATIONS AND LAWS.
9. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING UTILITIES, PAVING, CURBS, GRADUATED SURFACES, ETC., AND UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF THE PROJECT MANAGER.
10. TOP GENERAL AREA, INWARD FLEE, AND REPOSE OF ALL DIRT, DEBRIS, AND OTHER MATERIALS SHALL BE REMOVED FROM THE PROJECT AREA AND FREE FROM PAINT SPOTS, DUST, OR SOLIDIFIED OF ANY MATERIAL.
11. DETAILS ARE SHOWN FOR THE RESULT OF GENERAL LABOR CONDITIONS MAY BE REQUIRED TO SUIT LOCAL CONDITIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
12. CONTRACTOR TO VERIFY THE INSTRUMENT OF DESIGN.



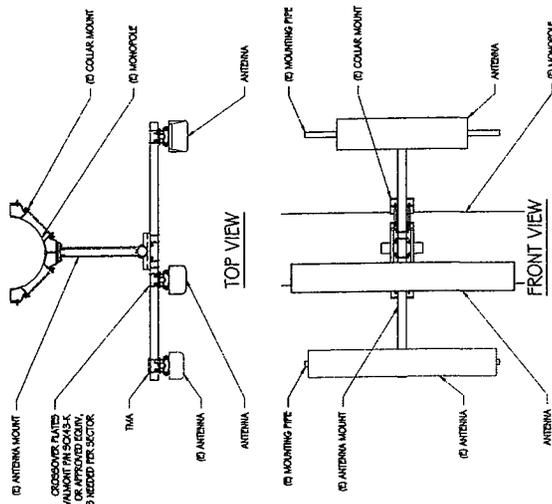
**1** (E) ANTENNA DETAIL  
1/2"=1'  
NOTE: TO REMAIN



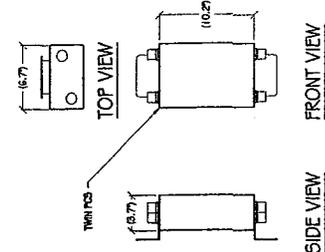
**2** (N) ANTENNA DETAIL  
1/2"=1'



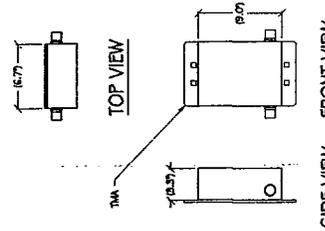
**3** (N) ANTENNA DETAIL  
1/2"=1'



**6** ANTENNA MOUNT DETAIL  
1/2"=1'



**5** (N) TMA DETAIL  
1/4"=1'



**4** (E) TMA DETAIL  
1/4"=1'  
NOTE: TO BE REMOVED & REPLACED



**CORNING**  
590903 16  
2531 CORKWAY  
CORNING, CA 96021

ISSUE STATUS	
DATE	DESCRIPTION
07/26/16	02 50%

DRAWN BY:	C. CORNING
CHECKED BY:	F. CASTILLO
APPROVED BY:	D. MCCOUB
DATE:	07/26/16
SHEET TITLE:	
DETAILS:	
SHEET NUMBER:	
<b>A-6</b>	

### ELECTRICAL NOTES

1. ALL ELECTRICAL WORK SHALL CONFORM TO THE REC AS WELL AS ALL APPLICABLE STATE AND LOCAL CODES.
2. CONTRACTOR SHALL FURNISH AND INSTALL ALL CONDUIT, CONDUIT FITTINGS, PULL BOXES, TRANSFORMERS, PADS, POLE DECKS, AND PERFORM ALL TRACING AND BRACING REQUIRED IN THE PLANS.
3. ALL ELECTRICAL ITEMS SHALL BE FULLY APPROVED OR LISTED AND PROCURED PER ILM SPECIFICATIONS.
4. ALL CIRCUIT BREAKERS, FUSES, AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTION RATING NOT LESS THAN THE AVAILABLE FAULT CURRENT TO WHICH THEY MAY BE SUBJECT TO WITH A MINIMUM OF FULCRUM ILLC OR AS REQUIRED.
5. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDING AS REQUIRED BY ALL APPLICABLE CODES.
6. ELECTRICAL WIRING SHALL BE CONDUCTOR #12 AWG WITH TYPE 90W, TRUNK, OR TRUNK INSULATION.
7. ALL OUTDOOR EQUIPMENT SHALL HAVE NEMA 3R ENCLOSURE.
8. ALL PULVED WIRE SHALL RUN THROUGH SCHEDULE 40 PVC CONDUIT UNLESS OTHERWISE NOTED.
9. A GROUND WIRE IS TO BE RUN IN ALL CONDUITS.
10. WHERE ELECTRICAL WIRING OCCURS OUTSIDE A STRUCTURE AND HAS THE POTENTIAL OF EXPOSURE TO WEATHER, WIRING SHALL BE IN WATERPROOF GALVANIZED RIGID STEEL OR FIBERGLASS CONDUIT.

### ELECTRIC LEGEND

- |       |                          |
|-------|--------------------------|
| (M)   | METER                    |
| (B)   | CIRCUIT BREAKER          |
| (GND) | SERVICE GROUND           |
| (W)   | WIRED CONNECTION         |
| (T)   | TRUNK SWITCH, WATERPROOF |
| (L)   | OUTDOOR LIGHT            |
| (E)   | ON OUTLET, WATERPROOF    |

### 120/240V PANELBOARD

ITEM/NO.	PROJ-1	CELLULAR EQUIPMENT SITE	SC. LEVEL	120/240V, 1Ø, 3W	VOLTS	DASH AMP.	1Ø, 3W	MIN. CP.
NO.	001			200A				
LOAD VA				200A				
LOAD VA				200A				
		DESCRIPTION	TYPE	NO.	AMP	POLE	LOAD DESCRIPTION	VA
100	1700	(M) 1Ø150	600	01	20	2P	(M) CABINET	3,500
150	8,700	(M) 1Ø240	600	02	60	2P	(M) TELCO FAN	75
200		(M) 1Ø240	600	03	10	2P	(M) LIGHT	300
300		(M) 1Ø240	600	04	10	2P	(M) SWAGE	
350		(M) 1Ø240	600	05	10	2P	(M) CABINET	
400		(M) 1Ø240	600	06	10	2P	(M) CABINET	
450		(M) 1Ø240	600	07	10	2P	(M) CABINET	
500		(M) 1Ø240	600	08	10	2P	(M) CABINET	
		PHASE TOTALS		11	12	2P		3,575
5,000	2,000						PHASE TOTALS	3,575
5,100	2,100							3,600

NOTE: EXISTING LOADS HAVE NOT BEEN FIELD VERIFIED. THEY ARE APPROXIMATE BASED ON EXISTING SIZE. CONTACT THE ENGINEER IF THE LOADS DIFFER FROM THAT WHICH IS SHOWN ON THE PLANS.

TOTAL LOADS = 105,55 VA

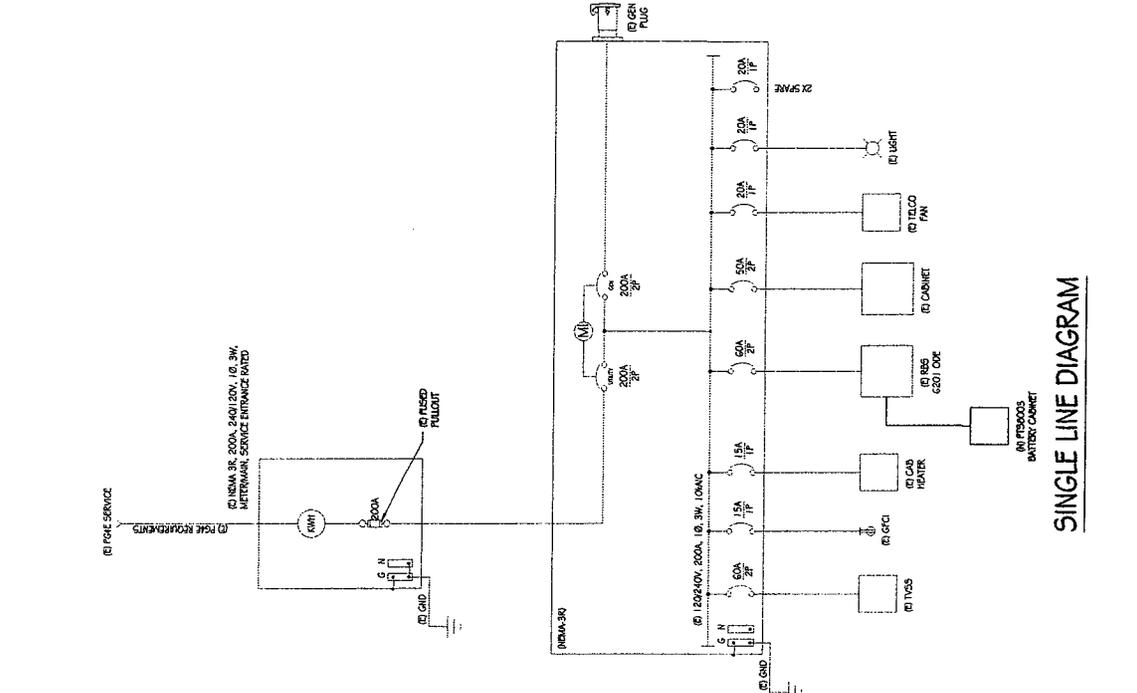
LOADS TO BE FIELD VERIFIED. THEY ARE APPROXIMATE BASED ON EXISTING SIZE. CONTACT THE ENGINEER IF THE LOADS DIFFER FROM THAT WHICH IS SHOWN ON THE PLANS.



ISSUE STATUS	DATE	DESCRIPTION
07/26/16		ISSUE
07/26/16		ISSUE

DRAWN BY:	C. COYAK
CHECKED BY:	T. DUFFALO
APPROVED BY:	B. JACKSON
DATE:	07/26/16
SHEET TITLE:	
ONE LINE DIAGRAM #	
PANEL SCHEDULE	
SHEET NUMBER:	



**SINGLE LINE DIAGRAM**  
IN PROPOSED  
BATTERY CABINET

**CITY OF CORNING**

Planning Department  
794 Third Street  
Corning, CA 96021  
(530) 824-7036

**CONDITIONAL USE PERMIT**

Application No: 1997-167

**PROJECT APPLICANT:** Metro PCS

**PROJECT DESCRIPTION:** To install six antennae on the existing cell phone tower and additional radio cabinets within the existing fenced area in an SPMU-CBDZ zoning district. Located at 2351 Carona Avenue, APN 69-210-83.

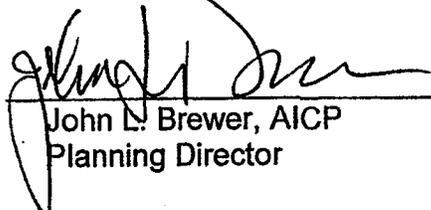
**ACTION:**

On July 18, 2006, the City of Corning

- Planning Commission
- City Council

approved the revision to Conditional Use Permit No. 1997-167, subject to:

- No Condition of Approval were appended to the project.
- the Conditions of Approval on attached sheet(s).

By:   
John L. Brewer, AICP  
Planning Director

Date: 8/7/2006

**APPEAL PERIOD:**

Any aggrieved person may appeal a decision of the Planning Commission. Corning Municipal Code Section 17.54.044 provides for an appeal period of not less than 10 days. The appeal period will close on July 31, 2006 at 12:00 p.m.

**OWNER/APPLICANT'S ACKNOWLEDGEMENT:**

I hereby accept this Use Permit subject to the conditions specified above. I understand that this entitlement becomes null and void if not used within one year and may be revoked for violation of any of the conditions of approval.

Applicant's signature:   
Karen Eienert for Metro PCS

Date: 8/4/06



# City of Corning

794 Third St. Corning, CA 96021 (530) 824-7020 Fax (530) 824-2489

November 28, 2005

Mr. Dan Dutton  
Legacy Wireless Services  
4252 SE International Way, Suite F  
Milwaukie, OR 97222

Re: Planning Commission Decision-Use Permit 1997-167

Dear Mr. Dutton,

I apologize for not sending written notification sooner. We have been quite busy processing development applications. I did speak to both you and Doug Kearney regarding the Planning Commission action regarding Use Permit No. 1997-167.

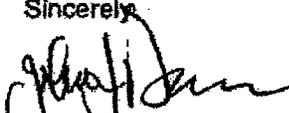
On September 20, 2005, the Corning Planning Commission approved a revision to Use Permit No. 1997-167 to authorize additional antennae and equipment shown on the attached application submitted by Legacy Wireless Services on behalf of Clearwire Wireless on July 21, 2005, subject to the following conditions:

- a) The additional panel and microwave antennae shall be attached to the existing pole as shown on the drawing marked "A-3" included in the application.
- b) The fence and landscaping modifications necessary to comply with use permit 1997-167 shall be completed within 90 days of issuance of this revised use permit.

A copy of the original conditions of approval of Use Permit No 1997-167 is attached. The Planning Commission was particularly concerned about compliance with Conditions No. 5 & 6, since the conditions had seemingly been ignored since 1997. Toward that end, the Planning Commission asked that a report regarding compliance be presented at the January (January 17<sup>th</sup>) Planning Commission meeting. If compliance is not complete the Commission could schedule a public hearing to consider revoking the Use Permit.

Please contact me if you have any questions regarding this matter.

Sincerely,



John L. Brewer, AICP  
Planning Director

# **CONDITIONAL USE PERMIT NO. 167**

To construct an Unattended Antenna Base Station for Digital Mobile Network, located at 2351 Carona Avenue in the C-3, General Commercial Zone.

## **ACTION:**

The Planning Commission of the City of Corning met on October 21, 1997 and approved Use Permit No. 167, with the following conditions of Approval and Findings:

## **CONDITIONS OF APPROVAL:**

1. The Project shall be constructed substantially in accordance with the site plan and elevation submitted.
2. Utility service to the site shall be undergrounded on-site from the nearest utility pole.
3. **ARCHITECTURAL DESIGN:** A. The building design, as shown at the elevation, is for a mechanical equipment building; it will be compatible in the Specific Plan area when the other conditions are applied. B. No additional equipment shall be added to this Project, outside the fence, without seeking an amended Use Permit. C. All storage and equipment areas shall be enclosed in accordance with Section I-J of the Standards of the Specific Plan, and screened from view.
4. **PARKING LOT DESIGN:** A. A small parking area is included within the fenced area of the proposed Project.
5. **LANDSCAPING STANDARDS:** A. A mixture of low and medium ground cover and shrubs, along with trees, shall be planted along the Carona Avenue frontage in the 10' front yard set back. A Landscape Plan shall be submitted for approval by the Planning Officer, prior to the issuance of Building Permits. 1. Planting shall ensure full ground cover and utilize a minimum of 75% 5-gallon shrubs and 25% 1-gallon shrubs.

Acknowledged *mm* *Feb*

6. **WALLS AND FENCES:** A. In accordance with Section VI-A of the Specific Plan Guidelines. Fencing along the frontage shall be a wrought iron square tubular design, utilizing vertical bars, in order to allow Police observation to the interior and security. Fencing on the east, south and west sides can be chain link; the west side facing the Freeway shall utilize diagonal strips inserted in the chain link to screen the area from Freeway view.

**FINDINGS:**

1. Based upon the initial Study and Mitigated Negative Declaration of Environmental Impact prepared by the Planning Officer, the Project will not have a significant impact.
2. The Conditional Use Permit is consistent with the goals of the General Plan for the City of Corning and the Highway 99W Corridor Specific Plan.
3. The site for the use is adequate in size, shape, topography and circumstances.
4. The site has sufficient access to streets and highways, and with developer improvements to the frontage of Highway 99W and Carona Avenue, will carry the quantity of traffic generated by the proposed use.
5. The proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.
6. The Permit is exempt from Fish and Game Fee (De Minimus Finding).
7. Approval of this Permit does not constitute the granting of a privilege inconsistent with the restrictions on other properties in the City with the same zoning designation.

**APPEAL PERIOD ENDS: OCTOBER 31, 1997**

BY: Darlene Dickerson  
City Clerk

Acknowledged mm d.d.

Page 2 of 3

I hereby agree to accept this Use Permit, subject to the conditions specified above. I am aware that this Permit becomes null and void if not used within one year, and may be revoked in any case where the conditions to the granting of this Use Permit have not been, or are not, complied with.

Applicant's Signature: Mike Mangiantini  
Date: 12/22/97

**ITEM NO. E-3  
ORDINANCE NO. 669; AN ORDINANCE  
ADDING A CHAPTER TO THE CORNING  
MUNICIPAL CODE FOR MULTI-FAMILY  
RESIDENTIAL DEVELOPMENT AND  
DESIGN GUIDELINES.**

**AUGUST 16, 2016**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**

**FROM: JOHN STOUFER, PLANNING CONSULTANT**

**BACKGROUND:**

Staff and the Planning Commission have discussed developing guidelines within the Corning Municipal Code for the development and design of Multi-Family Residential units in the City. Staff is proposing the following Ordinance that would be applicable to future Multi-Family Residential development in areas zoned R-2, R-3, and R-4. These regulations would be in addition to existing development regulations currently established in the R-2, R-3, and R-4 Zoning Districts.

**CHAPTER 17.11**  
**MULTI-FAMILY RESIDENTIAL DEVELOPMENT & DESIGN GUIDELINES**

Sections:

- 17.11.010 Purpose
- 17.11.020 Site Planning
- 17.11.030 Architectural Design
- 17.11.040 Colors
- 17.11.050 Landscaping & Lighting

17.11.010 Purpose. The multi-family development and design guidelines are intended to assure quality developments and to provide a pleasant residential environment within the context of higher density development in the City. Multi-family buildings shall contribute to the sense of community by carefully relating to the scale and form of adjacent properties, and by designing street frontages that create architectural and landscape interest for the pedestrian and neighboring residents. The guidelines established in this chapter will be applicable to all multi-family development in R-2, R-3, and R-4 Zoning Districts.

17.11.020 Site Planning.  
categories:

Site Planning shall be broken up into the following

A. Building Siting:

- Clustering of multi-family units shall be a consistent site planning element. Large projects shall be broken up into groups of structures with no more than eight residential units per building.
- Buildings shall be generally oriented to the street with varying setbacks to provide visual interest and varying shadow patterns.
- Buildings shall be oriented to promote privacy to the greatest extent possible.
- Buildings shall be located so that buffer zones are created from neighboring properties.

B. Circulation and Parking:

- Principal vehicular access into multi-family projects shall be through an entry driveway.
- All site entrances shall be visible from a public street and well lighted.
- Special accents, such as monuments, public art, ornamental features, decorative, special textured paving, flowering accents, walls, shrubs, and the use of specimen trees, shall be used to generate visual interest at entries.
- Entry drives shall have sidewalks on both sides.
- Cross circulation between vehicles and pedestrians shall be minimized. A continuous clearly marked walkway shall be provided from parking areas to main entrances of buildings.
- Walkways shall be located to minimize the impact of pedestrians on the privacy of nearby residences or private open space. Avoid siting a walkway directly against a building. A landscaped planting area between walkways and building facades is strongly encouraged.
- Parking areas shall be covered and divided into a series of smaller parking courts located within the interior of the development and shall not be visible from the street. No parking along street frontages is permitted.

- Carports, detached garages, and accessory structures shall be designed as an integral part of the architecture of the project. They shall be similar in material, color, and detail to the principal buildings of a development.
- Parking areas shall be treated as an important public space whose character is clearly and coherently delineated by landscaping, lighting, building massing, and pedestrian/vehicular circulation.

17.11.030 Architectural Design. Architectural design for multi-family residential development is a desirable concept to make the buildings more attractive and fit into the surrounding community. There are a number of desirable architectural concepts such as Mediterranean, Spanish Mission, Craftsman, Spanish Colonial Revival and Victorian that would match in with existing commercial and residential development within the City of Corning. Prior to receiving a development permit for multi-family residential projects the developer must submit photos or a prepared rendition of the multi-family residential structures for review and approval by the Planning Commission. Architectural elements that should be incorporated into multi-family structures are:

- Bays,
- Bay Windows,
- Recessed or projecting balconies,
- Verandas
- Porches,
- Mixed exteriors

As well as other elements that add visual interest, scale and character to the neighborhood and community are encouraged.

17.11.040 Colors. Color is an important element in establishing a buildings character and architectural style. The following shall be considered when establishing a color for the structures:

- The predominant color of the building and accessory structures shall be a muted, non-garish tone
- Color shall be used as an important accent in the project's appearance. More than one predominant paint color is encouraged. Compatible accent colors shall be used to enhance important architectural elements and features.
- Bright or intense colors shall be used very sparingly, and shall typically be reserved for more refined or delicate detailing.

- Materials such as brick and stone shall be left in their natural colors.

17.11.050 Landscaping and Lighting. Landscaping and lighting provide a unifying element within a project and provide security to occupants and their guests. The following features shall be incorporated into the landscaping and lighting of multi-family residential units:

- Landscaped areas shall incorporated plantings using a three-tier system of grasses and ground covers, shrubs and vines, and trees.
- Landscaping around building perimeters is required.
- Shrub areas shall have weed mat placed in unplanted areas and shrub and bare dirt areas must be covered with rock, bark or alternative coverings approved by the Planning Commission.
- All landscaped areas must have automatic irrigation systems installed that comply with the City of Corning's Water Efficient Landscape Regulations.
- All lighting areas shall be arranged to provide safety and security for residents and visitors but prevent direct glare of illumination onto adjacent units or parcels.
- All entry ways and pedestrian travel ways must be lite with appropriately scaled lighting.

**ENVIRONMENTAL:**

The California Environmental Quality Act (CEQA) Section 15061 (b) (3) states: "a project is exempt from CEQA if: The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA."

This section is based on the idea that CEQA applies jurisdictionally to activities which have the potential for causing environmental effects. Where an activity has no possibility of causing a significant effect, the activity will not be subject to CEQA. This approach has been noted with approval in a number of appellate court decisions including the State Supreme Court opinion in *No Oil, Inc. v. City of Los Angeles*.

**STAFF RECOMMENDATION:**

Staff recommends the following Factual Subfindings, Legal Findings and Action for consideration by the Planning Commission:

**Factual Subfinding #1**

The California Department of Housing and Community Development (H&CD) requires that communities meet the Regional Housing Needs Assessment (RHNA) numbers that they determine are needed to provide for affordable housing within the community.

**Legal Finding #1**

The City of Corning adopted the 2014-2034 General Plan and designated more land Multi-Family Residential to assure that the City met the RHNA numbers as determined by H&CD.

**Factual Subfinding #2**

To comply with State Law the City of Corning must zone parcels designated Multi-Family Residential (MFR) to either R-2, R-3, or R-4.

**Legal Finding #2**

Development of multi-family residential units on parcels zoned R-2, R-3, and R-4 will provide affordable housing within the City of Corning.

**Factual Subfinding #3**

The City of Corning does not have architectural design requirements established in the Corning Municipal Code.

**Finding #3**

Adoption of Ordinance 669 will assure quality multi-family residential development and will protect the health, safety, and welfare of the citizens of Corning.

**ACTION:**

**Move to recommend that the City Council adopt the three (3) Factual Subfindings and Legal Findings as presented in the staff report (or as modified by the Commission) and approve and adopt Ordinance No. 669.**

Or;

**Make a motion to recommend that the City Council deny approval of Ordinance No. 669.**

**ITEM NO: F-4  
EXTENSION REQUEST; TENTATIVE TRACT  
MAP 05-1013-MARGUERITE, LLC; LOCATED  
ON THE SOUTH SIDE OF CARONA AVENUE  
AND EAST OF MARGUERITE AVENUE,  
APN 73-120-16, 24 & 31;  
APPROXIMATELY 16 ACRES.**

**AUGUST 16, 2016**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**

**FROM: JOHN STOUFER, PLANNING CONSULTANT**

**PROJECT DESCRIPTION & BACKGROUND:**

Pursuant to Section 66452.6 of the Subdivision Map Act, and Section 16.18.010 (C) of the Corning Municipal Code (CMC), a request for a 2 year time extension for Tentative Tract Map 05-1013, approved on February 14, 2006 by the Corning City Council has been submitted. The approved tentative map proposed 58 parcels and was approved subject to 54 conditions of approval.

Tentative Subdivision Maps are approved for an initial two (2) year period with the ability to be extended for an additional six (6) years as explained by discussion below referencing the Corning Subdivision Ordinance. On January 8, 2008 the City Council approved a two year extension for Tract Map 05-1013. After this and starting with SB 1185 the California legislation approved seven (7) years of automatic extensions for tentative maps.

With these automatic extensions, and previous extension granted by the City Council, the map is still valid until February 14, 2017. Aaron Mount representing the current owners and developers submitted an extension request. If the extension request is granted the tentative map would be active until February 14, 2019 with a possibility of receiving another two year extension until February 14, 2021. After this no extensions would be provided unless the California Legislation passes more automatic extensions.

**CORNING SUBDIVISION ORDINANCE:**

The Corning Subdivision Ordinance (CMC Title 16) is the local ordinance that implements the provisions of the state Subdivision Map Act. The ordinance describes the process for consideration and approval or denial of subdivision applications. On April 14, 2009 the Corning City Council adopted Ordinance 634 that amended Section 16.18.010 (C) of the CMC to read as follows:

Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for an initial period of two years. Additional extensions, upon application of the subdivider, are available for a period or periods not to exceed the limits established by Section 66452.6 (e), or any amendments thereto, of

the California Government Code. If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body within fifteen days after the advisory agency denied the extension.

**DENIAL CRITERIA:**

Tentative Map time extensions are not automatic; the City has discretion to deny the requests. However, denials should not be capricious. The City should have a legitimate reason to deny an extension, and must make appropriate supporting findings. An example of a legitimate reason might be if the City had amended its General Plan, and designated the project site for non-residential use (commercial or industrial). In that case, the changing land use objectives of the community would be sufficient grounds for denial.

In this case there have been no Land Use Element revisions. The site remains designated for residential use and zoned R-1; Single-Family Residential. The approved tentative map complies with the General Plan and Zoning Code, therefore, staff recommends approval of a two-year extension.

**ACTION:**

**Move to recommend that the City Council approve a two-year time extension for Tentative Tract Map 05-1013 subject to the original 54 conditions as approved by the Corning City Council on February 14, 2006.**

**OR;**

**Direct staff to prepare findings for denial and recommend that the City Council deny a two-year time extension for Tentative Tract Map 05-1013.**

**ATTACHMENTS**

EXHIBIT "A"- Original conditions of approval

EXHIBIT "B" -Reduced copy of tentative map

EXHIBIT "C" – Extension Request Letter

## EXHIBIT "A"

### Conditions of Approval adopted February 14, 2006:

- 1. Underground Utilities.** All existing and proposed utilities, within the development and along the Marguerite and Carona Avenue street frontages, including electricity, telephone, gas, and cable television, shall be undergrounded. *(MM 1.1.)*
- 2. Fencing.** Solid 6'-0" tall fencing shall be installed at side and rear property lines prior to final inspections on building permits. *(MM 1.2)*
- 3. Fencing along Marguerite and Carona Avenue.** Final Improvement plans shall include an upgraded, more durable fencing standard for the Marguerite Avenue frontage of Parcels 33 and 46 thru 50, and Carona Avenue frontage of Parcel 1. *(MM 1.3)*
- 4. Lot Landscaping.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to final building inspection permit sign-off. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each front and street side yard shall be provided with a permanent method of irrigation for this landscaping. *(MM 1.4)*
- 5. Residential Façade Standards.** The City of Corning has an ordinance/ policy (CMC 16.21.135) prohibiting the construction of identical homes within sight of each other. The developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this standard. *(MM 1.5)*
- 6. Roof-Mounted Equipment Prohibition.** No heating, ventilation, air-conditioning or similar types of equipment shall be installed on the roof of any structure. *(MM 1.6)*
- 7. Carona Avenue Planter.** Prior to approving occupancy of Parcel 1, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within that 4'-6" portion of the Carona Avenue right of way lying between the sidewalk and the fence along the north side of the lot. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. *(MM 1.7)*
- 8. Marguerite Avenue Planter.** Prior to approving occupancy of Parcels 33, or 46 thru 50, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within that 4'-6" portion of the Marguerite Avenue right of way lying between the sidewalk and the fence along the north side of the lot. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. *(MM 1.8)*

**9. Open Space Property.** The property marked "Unused Portion" on the tentative map shall be offered for dedication as Open Space to the City of Corning on the final map. The property shall be landscaped with a combination of street trees, groundcover, shrubs and lawn. A permanent automatic irrigation system shall be provided. *(MM 1.9)*

**10. Disclosure of Nearby Agricultural Operations.** A note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards. *(MM 2.1)*.

**11. Fugitive Dust.** Prior to commencing grading operations, the developer shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District. *(MM 3.1)*

**12. Sprinkle Exposed Soils.** During construction, unprotected soils shall be sprinkled to minimize wind erosion. *(MM 3.2)*

**13. Grading Plans.** The developer shall complete grading plans for review and approval by the City Engineer. *(MM 3.3)*

**14. Cover Exposed Soils.** Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion. *(MM 3.4)*

**15. Finished Surfaces.** Upon completion of development, no substantial area shall remain where soils are completely uncovered. *(MM 3.5)*

**16. Avoid Drainage Channel.** In order to ensure that construction activities do not inadvertently occur in potentially jurisdictional portions of the Drain, the channel and banks of the Blackburn-Moon Drain shall be shown as an avoidance area on the construction and grading plans for the project. The edge of the Drain shall be marked with high-visibility fencing, flagging or signage prior to the onset of construction activities. Contractors and work crews shall be briefed by the developer on the need to protect the established avoidance area. *(MM 4.1)*

**17. Olive Tree Removals.** In order to ensure that no potential impacts occur to white-tailed kite or other raptors, the removal of any trees with a diameter at breast-height (DBH) of six-inches or more should only occur during the non-breeding season (August 1 – March 15). If the removal of such trees must occur during the breeding season, a qualified biologist should perform a survey just prior to the onset of tree removal activities to ensure that no active raptor nests are present. If active nests are present, tree removal activities should be suspended until appropriate conservation measures can be determined, in consultation with the California Department of Fish and Game and the project biologist. *(MM 4.2)*

**18. Blackburn-Moon Drain Open Space Dedication.** Pursuant to the Tentative Map, the developer shall dedicate to the City the 22.5-foot wide easement that contains the western portion of the Blackburn-Moon Drain and additional adjacent area necessary to accommodate the 12'-0" wide pedestrian and bicycle path. (MM 4.3).

**19. Cultural Resources.** Should cultural or paleontological resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its consultant shall inspect the site to determine what, if any, steps necessary to address and mitigate the discovery. (MM 5.1)

**20. Geological and Soils Conditions.** Prior to issuance of any grading or building permits, the developer shall comply with the recommendations of the Preliminary Geotechnical Investigation Report prepared on October 3, 2005 regarding final site development, including additional soils and engineering analyses relative to foundation development, compaction of soils and similar issues. (MM 6.1)

**21. Redistribute Topsoil.** Topsoil shall be stockpiled and redistributed over graded surfaces. (MM 6.2)

**22. Construction Stormwater Permit and SWPPP.** Prior to any site disturbance or earthmoving activities on or adjacent to the project site, applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Construction Period and Post Construction Period Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and presented to the Central Valley Regional Water Quality Control Board and presented to and approved by the City of Corning. The objective of the plan shall be no net loss of soil (above an undisturbed natural, stable background state) from the site due to erosion. All requirements of the SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner. (*modified* MM 6.3)

**23. Grading Plan.** The developer shall provide a grading plan for the project, including the pedestrian/bicycle path by the Blackburn-Moon Drain, for City Engineer review and approval. The plans shall include measures to minimize excavation near the Drain. Prior to undertaking grading actions, the developer shall install protective fencing to ensure grading and soils movement/stockpiling does not encroach into the Drain channel. (MM 6.4)

**24. Underground Gasoline Tank.** Prior to recordation of the Final Map, the developer shall complete removal of the underground gasoline storage tank located on the property, and obtain all necessary governmental approvals for tank removal and, if necessary, soils remediation. (MM 7.1)

**25. Abandon existing Irrigation Wells.** Prior to recording any final map, properly abandon the wells in accordance with the permit process administered by the Tehama County Environmental Health Department. (MM 7.2)

**26. Abandon existing structures.** Obtain a demolition permit from the City of Corning and demolish any onsite structures. Survey the structures for asbestos-containing building materials and lead paint and properly dispose of any such materials. (MM 7.3)

**27. Fire Hydrants.** Fire hydrants shall be installed at or near the locations shown on the tentative map and in accordance with City standards. The developer shall provide the City with one hydrant repair kit. (MM 7.4)

**28. Storm Water Drainage.** Prior to recordation of the Final Map, the developer shall present improvement plans for retention of the net increase in run-off resulting from the development during a 25-year storm for a duration of 4 hours. (MM 8.1)

**29. Storm Water Facilities.** Stormwater retention and conveyance facilities shall be constructed in accordance with City of Corning Public Works standards. (MM 8.2)

**30. Lot 1 Grading.** It is recommended that an open corridor over the north portion of Lot 1 (corridor width to be determined as a part of improvement plan preparation) be provided in a manner that will preserve a low-lying area adjacent to the south side of Carona Avenue. The purpose of this open corridor will be to allow any excess flow accumulated in Carona Avenue to re-enter the Blackburn Moon Drain during a major storm event, up to and including the 100-year storm event. The open corridor could be co-located with the planned pedestrian/bicycle pathway. As Lot 1 is developed, we recommend that the finished pad grade for the building site be set a minimum of 1 foot above the adjacent 100-year water surface elevation for the Blackburn Moon Drain. (MM 8.3)

**31. Minimum Lot Grades adjacent to Blackburn-Moon Drain.** The finished grades for the remaining lots that are subject to shallow inundation shall be raised to a minimum of 0.5 feet above the applicable 100-year water surface elevation for the Blackburn Moon Drain, with filling occurring to the west edge of the proposed bike path easement. Based on HEC-RAS modeling of this proposed condition, the filling and reclaiming of the applicable portions of these lots from the flood area will not produce any rise in water surface elevations and will not impact other properties. The City shall ~~should~~ not allow encroachments into the flood area (fill, fences, etc.) beyond the edge of the proposed bike path easement. (MM 8.4)

**32. Minimum Floor Elevations.** Finished floor elevations for all subdivision units shall be a minimum of 1 foot above the most applicable 100-year base flood elevation (shown on Figure 4 (for both drains). The lowest finished floor elevation (base flood elevation plus one foot) shall be shown for each lot on an informational sheet of the recorded final map. (MM 8.5)

**33. Street "A" Grades.** Street "A" shall either have a continuous grade to the north from its southernmost point to Carona Avenue to prevent the creation of a low drainage collection point in the cul-de-sac at the south end of the property (or) shall contain a roadway crest that is elevated to roughly elevation 264 provided near the midway point in the street with a provision for excess flow to escape the subdivision at the south end of the cul-de-sac without causing flooding of any subdivision units. The City Engineer may approve alternative design measures that prevent inundation of Street "A". (MM 8.6)

**34. Street "C" Grades.** Street C should drain north and gravity drain to either Marguerite Avenue or Carona Avenue to prevent entrapment of overflow waters. (MM 8.7)

**35. Street Inundation.** The subdivision streets shall meet City standards with respect to allowable depths of flow occurring during the 100-year storm event. (MM 8.8)

**36. Construction Days and Hours.** Construction work shall occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 6:00 p.m. on weekends and federally observed holidays. (MM 11.1)

**37. Landscape and Lighting District.** Prior to recordation of the Final Map, the developer shall establish (or annex into an existing) a landscape and lighting district or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting, landscape strips in the public right-of-way, the landscape area alongside the entry road to the project off of Carona Avenue, and the bicycle/pedestrian path along the Blackburn-Moon Drain. The project engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure. (MM 13.1)

**38. Trail Construction and Dedication.** The Final Map shall dedicate sufficient right-of-way for a 12'-0" wide trail to the City of Corning. The developer shall construct a 12'-0" wide paved trail within the area dedicated for that purpose prior to completion of a final inspection (occupancy) of the first residence within the project. The improvement plans shall include a cross-section of the trail showing a minimum 6-inch aggregate base and 2-inch asphalt surface. (MM 14.1)

**39. Traffic Signal Installation and Development Impact Fees.** Development of the project residences will require payment of City Development Impact Fees in order to lessen development impact on City transportation systems. These fees shall be paid prior to issuance of Certificates of Occupancy~~building permits~~. (MM 15.1)

**40. Carona Avenue Sight Distance.** The intersection design at Carona Avenue and Street A shall ensure that the sight distance is in accordance with the American Association of Transportation Officials (AASHTO) standard.

**41. Carona and Marguerite Avenue Right-of-Way Dedications.** The Final Map shall offer additional right-of-way dedication to provide a 30' half-width (60' full width) for Carona and Marguerite Avenues along the project site frontages. (MM 15.3)

**42. Carona Avenue Improvements.** Prior to recordation of the Final Map, the developer shall improve the frontage sections of Carona Avenue to provide full south half-width improvements as shown on Drawing S-18 (40' 20-lane street), including one 12' wide travel lane an 8' wide parking lane, vertical curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12') on the southerly half-width. (MM 15.4)

**43. Marguerite Avenue Improvements.** Prior to recordation of the Final Map, the developer shall improve the frontage sections of Marguerite Avenue to provide full east half-width improvements as shown on Drawing S-18 (40' 20-lane street), including one 12' wide travel lane an 8' wide parking lane, vertical curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12') on the westerly half-width. (MM 15.5)

**44. Street Names.** Final street names are subject to City approval and shall appear on the Final Map. (MM 15.6).

**45. Street Lighting.** The developer shall provide street lighting that meets City standards. (MM 15.7)

**46. Interior Street Improvements.** Interior streets shall be within 60' right of ways and improved in accordance with City of Corning Standard S-18 (40' 2 lane street). (MM 15.8)

**47. Access Restrictions.** A 1'-0" "Non-access" strip shall be dedicated to the City along the lot frontages of Marguerite or Carona Avenues. No driveways from these lots may be placed onto Marguerite or Carona Avenues. (MM 15.9)

**48. Carona Avenue Pedestrian Walkway.** The developer shall install a pedestrian walkway on the south side of the Carona Avenue bridge over the Blackburn-Moon Drain. The walkway shall provide a 4'-0" wide path, designed by a registered civil engineer and be part of the improvement plans for the project. Final design is subject to approval by the City Engineer. The developer may be eligible for partial reimbursement for the costs of the design and construction when the adjoining lands to the east are developed. (MM 15.10)

**49. Water and Sewer Lines.** The developer shall install sewer and water lines within street rights of ways per City Public Works Standard S-11. (MM 16.1)

**50. Sewer Line Extension.** Extend sewer line south along Marguerite Avenue and connect to City sewer main at Fig Lane and install new manhole if applicable. (MM 16.2)

**51. Water Service.** The developer shall install water services and meters for each lot in accordance with Public Works Standard S-20. (MM 16.3)

**52. Sewer Service.** The developer shall install sewer services for each lot in accordance with Public Works Standard S-21. (MM 16.4)

**53. Looped Water System.** The developer shall provide a "looped water system" connecting to existing City water facilities at locations as directed by the City Engineer (including Hickory St. at Marguerite Avenue, Almond Street at Marguerite Avenue and Carona Avenue at Street "A"). (MM 16.5)

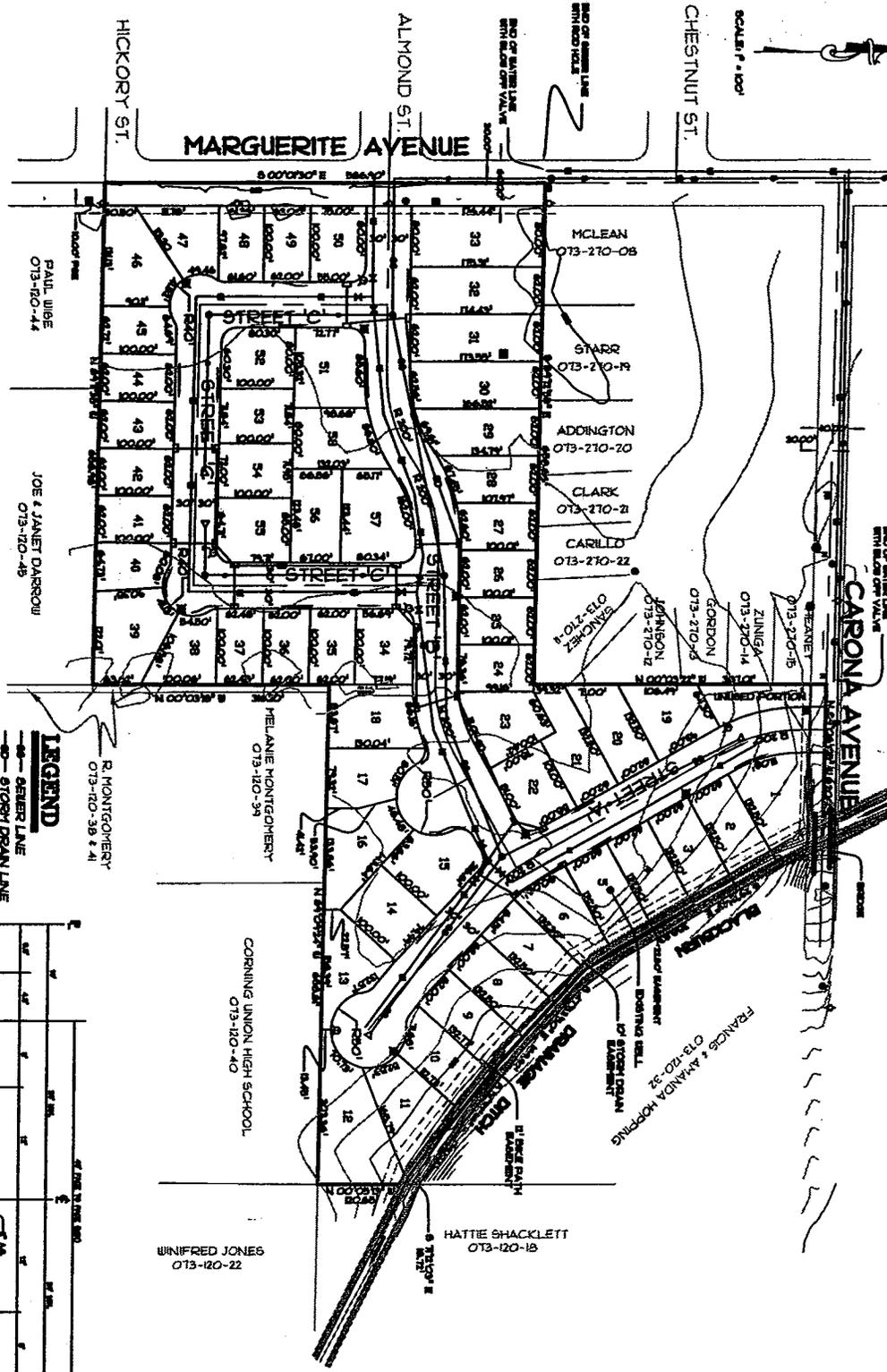
**54. Community Postal Box(es).** Provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the improvement plans for the subdivision. *(MM 16.6)*



Exhibit "B"

# CITY OF CORNING VESTING TENTATIVE TRACT MAP

SCALE: 1" = 100'

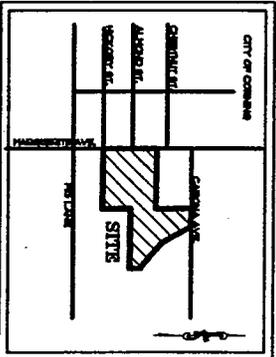
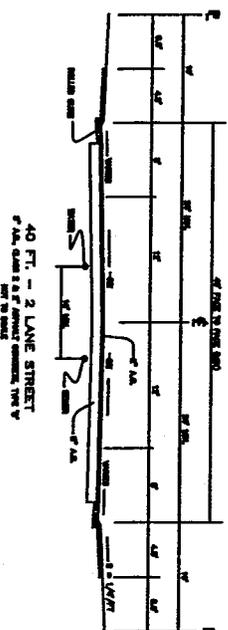


### NOTES:

- 1. PROJECT SITE IS 40 ACRES
- 2. CITY OF CORNING IS REQUESTING VESTING TENTATIVE TRACT MAP FOR THE ENTIRE PROJECT SITE
- 3. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 4. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 5. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 6. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 7. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 8. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 9. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL
- 10. THE PROJECT SITE IS CURRENTLY USED FOR SINGLE FAMILY RESIDENTIAL

### LEGEND

- G - GENERATOR
- S - STORAGE TANK
- W - WATER LINE
- M - EXISTING BELT
- M - WATER VALVE
- M - EXISTING BELT
- M - WATER METER
- M - ELECTRICAL BOX
- M - POWER POLE
- M - FIRE HYDRANT
- M - SANITARY SEWER MAN HOLE
- M - WATER FLOW DIRECTION
- M - AREA DRAIN FOR STORM RIMOFF
- M - CONTOUR ELEVATION



### SUBDIVIDER

OWNER  
 CONTACT PERSON  
 BRIAN HILLMAN  
 (530) 260-8444

### APPLICANT INFORMATION

Tractmap Filed Map No.: 05-023  
 Owner's Name: MARGUERITE LLC  
 Owner's Address: 221 G STREET, SUITE 22  
 DAVIS, CA, 95834  
 Owner's Phone: (530) 260-4634  
 Agent's Name: ROBERTSON AND DONINICK  
 Agent's Address: 1484 BIRCHMOUNT DR, BERKELEY, CA, 94709  
 Agent's Phone: (510) 222-2024  
 State: CA  
 Licensed by: SUPERVISOR LAND AND NATURAL RESOURCES  
 License No.: 12345  
 License Expiration Date: 12/31/2024  
 Assessor's Parcel No.: 073-120-38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50  
 The location of each parcel is shown on Parcel Map No. 05-023  
 DATED AND FILED IN THE OFFICE OF THE CLERK OF SUPERVISOR LAND AND NATURAL RESOURCES  
 DATE: 11/15/2024  
 OFFICE: CORNING, CALIFORNIA

Date Application Complete: \_\_\_\_\_  
 Approved: \_\_\_\_\_  
 Technical Advisory Committee Approved: \_\_\_\_\_  
 Planning Commission Approved: \_\_\_\_\_  
 Board of Supervisors Approved Date: \_\_\_\_\_

*Exhibit "C"*

**RECEIVED**

**JUL 05 2016**

**CITY OF CORNING**

John,

I have included a check for \$300 for the 2 year Tentative Map extensions for the 2 following Tentative Tract Map #'s 05-1013 ( Marguerite LLC) and 05-1016 ( Fig Lane LLC). Thank you very much for your help in regards to this.

All the best,

A handwritten signature in black ink, appearing to be 'A. Mount', with a long horizontal flourish extending to the right.

Aaron Mount

**ITEM NO. F-5  
TWO YEAR EXTENSION REQUEST;  
TENTATIVE TRACT MAP 05-1016; FIG LANE  
TRACT; LOCATED AT THE SOUTHWEST  
CORNER OF THE FIG LANE/TOOMES AVE.  
INTERSECTION. APN: 71-250-06;  
APPROXIMATELY 11.69 ACRES**

**AUGUST 16, 2016**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**

**FROM: JOHN STOUFER, PLANNING CONSULTANT**

**PROJECT DESCRIPTION & BACKGROUND:**

Pursuant to Section 66452.6 of the Subdivision Map Act, and Section 16.18.010 (C) of the Corning Municipal Code (CMC), a request for a 2 year time extension for Tentative Tract Map 05-1016, approved on April 11, 2006 by the Corning City Council has been submitted. The approved tentative map proposed 44 parcels and was approved subject to 42 conditions of approval.

Tentative Subdivision Maps are approved for an initial two (2) year period with the ability to be extended for an additional six (6) years as explained by discussion below referencing the Corning Subdivision Ordinance. On January 8, 2008 the City Council approved a two year extension for Tract Map 05-1016. After this and starting with SB 1185 the California legislation approved seven (7) years of automatic extensions for tentative maps.

With these automatic extensions, and previous extension granted by the City Council, the map is still valid until April 11, 2017. Aaron Mount representing the current owners and developers submitted an extension request. If the extension request is granted the tentative map would be active until April 11, 2019 with a possibility of receiving another two year extension until April 11, 2021. After this no extensions would be provided unless the California Legislation passes more automatic extensions.

**CORNING SUBDIVISION ORDINANCE:**

The Corning Subdivision Ordinance (CMC Title 16) is the local ordinance that implements the provisions of the state Subdivision Map Act. The ordinance describes the process for consideration and approval or denial of subdivision applications. On April 14, 2009 the Corning City Council adopted Ordinance 634 that amended Section 16.18.010 (C) of the CMC to read as follows:

Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for an initial period of two years. Additional extensions, upon application of the subdivider, are available for a period or periods not to exceed the limits established by Section 66452.6 (e), or any amendments thereto, of

the California Government Code. If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body within fifteen days after the advisory agency denied the extension.

**DENIAL CRITERIA:**

Tentative Map time extensions are not automatic; the City has discretion to deny the requests. However, denials should not be capricious. The City should have a legitimate reason to deny an extension, and must make appropriate supporting findings. An example of a legitimate reason might be if the City had amended its General Plan, and designated the project site for non-residential use (commercial or industrial). In that case, the changing land use objectives of the community would be sufficient grounds for denial.

In this case there have been no Land Use Element revisions. The site remains designated for residential use and zoned R-1; Single-Family Residential. The approved tentative map complies with the General Plan and Zoning Code, therefore, staff recommends approval of a two-year extension.

**ACTION:**

**Move to recommend that the City Council approve a two-year time extension for Tentative Tract Map 05-1016 subject to the original 42 conditions as approved by the Corning City Council on April 11, 2006.**

**OR;**

**Direct staff to prepare findings for denial and recommend that the City Council deny a two-year time extension for Tentative Tract Map 05-1016.**

**ATTACHMENTS**

EXHIBIT "A" - Original conditions of approval

EXHIBIT "B" - Reduced copy of tentative map

EXHIBIT "C" - Extension Request Letter

## EXHIBIT "A"

### Conditions of Approval adopted April 11, 2006:

1. **Underground Utilities. Underground Existing and Proposed Utilities.** All utilities, including existing and proposed electricity, telephone, gas, and cable television, shall be provided to each lot and installed underground. *(MM 1.a.)*
2. **Fencing.** Solid 6'-0" tall fencing shall be installed at side and rear property lines prior to final inspections on building permits. *(MM 1.b)*
3. **Fencing along Fig Lane and Toomes Avenue.** Final Improvement plans shall include an upgraded, more durable fencing standard for the Fig Lane frontage of Parcels 1 thru 4 and 27 thru 30, and Toomes Avenue frontage of Parcels 21 thru 27. *(MM 1.c)*
4. **Lot Landscaping.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to final building inspection permit sign-off. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each lot shall be provided with a permanent method of irrigation for this landscaping. *(MM 1.d)*
5. **Residential Façade Standards.** The City of Corning has a policy prohibiting the construction of identical homes within sight of each other. The developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this standard. *(MM 1.e)*
6. **Roof-Mounted Equipment Prohibition.** No heating, ventilation, air-conditioning or similar types of equipment may be installed on the roof of any structure. *(MM 1.f)*
7. **Fig Lane Planter.** Prior to approving occupancy of Parcels 1 through 4 or 27 through 30, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within that 4'-6" portion of the Fig Lane right of way lying between the sidewalk and the fence along the north side of the lot. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. *(MM 1.g)*
8. **Toomes Avenue Planter.** Prior to approving occupancy of Parcels 21 through 27, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within that 4'-6" portion of the Toomes Avenue right of way lying between the sidewalk and the fence along the north side of the lot. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. *(MM 1.h)*

9. Disclosure of Nearby Agricultural Operations. An note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards. *(MM 2.a)*
10. Fugitive Dust. Prior to commencing grading operations, the developer shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District. *(MM 3.a)*
11. Sprinkle Exposed Soils. During construction, unprotected soils shall be sprinkled to minimize wind erosion. *(MM 3.b)*
12. Cover Exposed Soils. Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion. *(MM 3.c)*
13. Grading Plans. The developer shall complete grading plans for review and approval by the City Engineer. *(MM 3.d)*
14. Finished Surfaces. Upon completion of development, no substantial area shall remain where soils are completely uncovered. *MM 3.e.*
15. Cultural Resources. Should cultural resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its consultant shall inspect the site to determine what, if any, steps necessary to address and mitigate the discovery. *(MM 5.a).*
16. Geological and Soils Conditions. Prior to issuance of any grading or building permits, the developer shall comply with the recommendations of the Preliminary Geotechnical Investigation Report prepared on November 28, 2005 regarding final site development, including additional soils and engineering analyses relative to foundation development, compaction of soils and similar issues. *(MM 6.a)*
17. Redistribute Topsoil. Topsoil shall be stockpiled and redistributed over graded surfaces. *(MM 6.b)*
18. Construction Stormwater Permit and SWPPP. Prior to any site disturbance or earthmoving activities on or adjacent to the project site, applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Construction Period and Post Construction Period Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and presented to the Central Valley Regional Water Quality Control Board and presented to and approved by the City of Corning. The objective of the plan shall be no net loss of soil (above an undisturbed natural, stable background state) from the site due to erosion. All requirements of the SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner. *(MM 6.c)*

19. Grading Plan. The developer shall provide a grading plan for the project, which shall be subject to approval by the City Engineer. (MM 6.d)

20. Demolish structures-Asbestos and Lead based Paint. Applicant shall demolish the existing residential structure and accessory structures on APN 71-250-06 prior to recording the final map. The applicant shall test the existing structures for asbestos containing materials and lead based paint. If found, the applicant shall incorporate measures for the safe demolition and disposal of the structures into the demolition permit application. The City of Corning shall not issue a Demolition Permit for the structures until the test results and, if necessary, a demolition and disposal plan have been provided. (modified MM 7.a)

21. Fire Hydrants. Fire hydrants shall be installed in accordance with City standards. The developer shall provide the City with one hydrant repair kit. (MM 7.b)

22. Abandon existing Water Wells. Prior to recording any final map, properly abandon the two water wells in accordance with the permit process administered by the Tehama County Environmental Health Department. (MM 7.c)

23. Storm Water Drainage. Prior to recordation of the Final Map, the developer shall present improvement plans for retention of the net increase in run-off resulting from the development during a 25-year storm for a duration of 4 hours. (MM 8.a)

24. Storm Water Facilities. Stormwater retention and conveyance facilities shall be constructed in accordance with City of Corning Public Works standards. (MM 8.b)

25. Base Flood Elevations. The Final Map shall plot not fewer than three approximate cross-sectional contour lines to indicate the Base Flood Elevation expected to occur during a 100-year flood event. (MM 8.c)

26. Minimum Floor Elevations. The lowest floor elevations for residences occurring in the tract shall be at least one foot (1'-0") above the Base Flood Elevation determined for Jewett Creek to the north as shown below:

Lots 3 through 13 (west portion).....Finished Floor Elev>281.0 feet  
Lots 20-28 (east portion)..... Finished Floor Elev>280.0 feet  
Lots 1, 2, 14-19 & 29-44 (central portion) Finished Floor Elev> 280.5 feet

- Additionally, finished residential floors on all lots must be at least 2.0 feet above the adjacent grade of Toomes Avenue.
- Residential garages floors shall not be less than 6" (0.5') above the Base Flood Elevation. The final map shall include a note referencing these minimum floor elevations. (MM 8.d)

27. Construction Days and Hours. Construction work shall occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 6:00 p.m. on weekends and federally observed holidays. *(MM 11.a)*

28. Landscape and Lighting District. Prior to recordation of the Final Map, the developer shall establish a landscape and lighting district or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting and landscape strips in the public right-of-way. The project engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure. *(MM 13.a)*

29. Development Impact Fees. Development of the project residences will require payment of City Development Impact Fees. *(MM 15.a)*

30. Fig Lane and Toomes Avenue Right-of-Way Dedications. The Final Map shall offer additional right-of-way dedication to provide a 30' half-width (60' full width) for Fig Lane and Toomes Avenue along the project site frontages. *(MM 15.b)*

31. Fig Lane Improvements. Prior to recordation of the Final Map, the developer shall improve the frontage sections of Fig Lane to provide full south half-width improvements as shown on Drawing S-18 (40' 20-lane street), including one 12' wide travel lane an 8' wide parking lane, curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12') on the northerly half-width. *(MM 15.c)*

32. Toomes Avenue Improvements. Prior to recordation of the Final Map, the developer shall improve the frontage sections of Toomes Avenue to provide full west half-width improvements as shown on Drawing S-18 (40' 20-lane street), including one 12' wide travel lane an 8' wide parking lane, curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12') on the easterly half-width. *(MM 15.d)*

33. Street Names. Final street names are subject to City approval and shall appear on the Final Map. *(MM 15.e)*

34. Street Lighting. The developer shall provide street lighting that meets City standards. *(MM 15.f)*

35. Interior Street Improvements. Interior streets shall be improved in accordance with City of Corning Standard S-18 (40' 2 lane street). *(MM 15.g)*

36. Access Restrictions. Lots with frontage along Fig Lane and Toomes Avenue shall include a 1'-0" wide Non-Access strip along the street frontage. No driveways from these lots may be placed onto Fig Lane or Toomes Avenue. *(MM 15.h)*

37. Water and Sewer Lines. The developer shall install sewer and water lines per City Public Works Standard S-11. Trunk lines shall be extended along the entire Fig Lane and Toomes Ave. frontages of the property. *(MM 16.a)*

38. **Water Services.** The developer shall install water services and meters for each lot in accordance with Public Works Standard S-20. *(MM 16.b)*

39. **Sewer Services.** The developer shall install sewer services for each lot in accordance with Public Works Standard S-21. *(MM 16.c)*

40. **Looped Water System.** Prior to recordation of the Final Map, the developer shall provide a "looped water system" connecting to City water facilities at two locations as determined by the City Engineer. *(MM 16.d)*

41. **Community Postal Box(es).** Provide and install one or more "Cluster Box Units" (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the improvement plans for the subdivision. *(MM 16.e)*

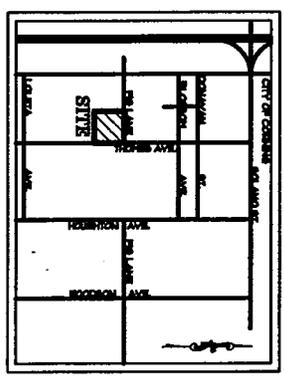
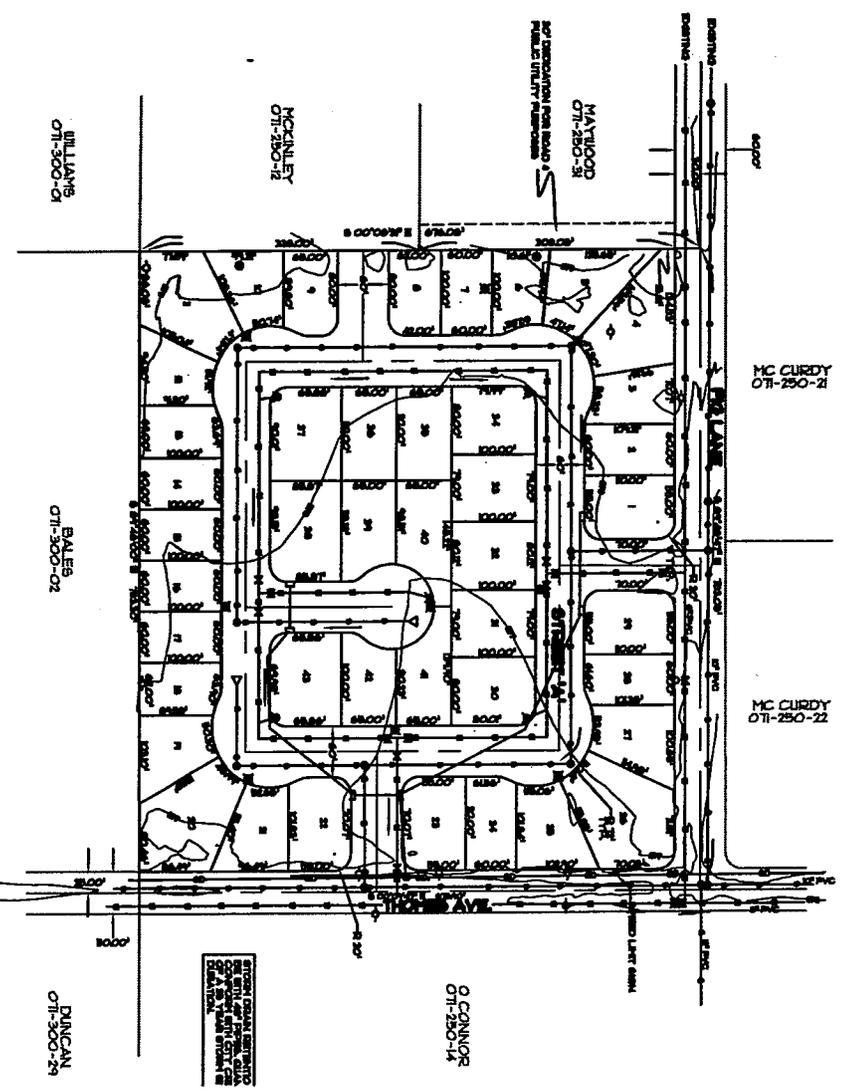
42. **Offsite Drainage Conveyance.** Property should be developed in a manner that offsite drainage may pass through the site and not be impeded or diverted during a major storm event that produces shallow overflow from Jewett Creek. Measures could include a combination of the following:

- Inclusion of openings along the base of fences and walls constructed along the west boundary of the project, with provision to drain from the rear to the front of applicable lots to the internal streets serving the subdivision.
- Provision for drainage conveyance along and adjacent to Fig Lane on the north side of the project.
- Provision to accept runoff into the subdivision street system at the Fig Lane entrance to be conveyed internally to the Toomes Avenue entrance for downstream release.
- Installation of a drainage collection and conveyance system along the west property line, with drainage entering internal streets serving the subdivision via drainage facilities and easements extending between lots at one or more locations.

EXHIBIT "B"

# CITY OF CORNING VESTING TENTATIVE TRACT MAP

SCALE: 1" = 100'



## SUBDIVIDER

OWNER  
 CONTACT PERSON  
 BRIAN WILLIAMS  
 (830) 252-0644

## CONTACT INFORMATION

Tentative Tract Map No. : 07-238  
 Owner's Name : THE LABEL LLC  
 Owner's Address : 281 G STREET 8TH FL  
 DAVIS, CA 95618  
 Owner's Phone : (830) 252-8444

Agent's Name : ROBERTSON AND DOMINICK  
 Agent's Address : 481 BROADWAY, SUITE 200, CORNING, CA 96021  
 Agent's Phone : (830) 222-8194  
 State : CA

Located in: UNINCORPORATED LAND IN 1/4 SEC 28  
 T24N, R24E, W12E, S1/4, CITY OF CORNING,  
 YUBA COUNTY, CALIFORNIA  
 Assessor's Parcel No. : 28802-08  
 The portion of lot(s)/parcel(s) on which this Tract Map No. /  
 Tentative Tract Map No. is being submitted is shown on the  
 Assessor's Parcel Map (APN) 28802-08, YUBA COUNTY, CALIFORNIA.

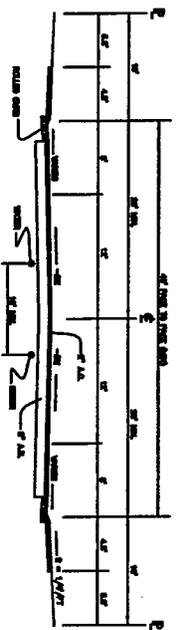
Date Applicant Completed : \_\_\_\_\_  
 Date Applicant Completed : \_\_\_\_\_  
 Technical Advisory Committee Approval : \_\_\_\_\_  
 Planning Commission Approval : \_\_\_\_\_  
 Board of Supervisors Approval Date : \_\_\_\_\_

## LEGEND

- GENERATOR LINE
- STORAGE DRAIN LINE
- WATER LINE
- STREET LIGHT
- WATER VALVE
- EXISTING WELL
- WATER METER
- ELECTRICAL BOX
- POWER POLE
- FIRE HYDRANT
- SANITARY GENERATOR HOLE
- WATER FLOW DIRECTION
- AREA DRAIN FOR STORAGE RAINOFF
- CONTOUR ELEVATION

## NOTES:

PROJECT SITE: 1/4 ACRES  
 G.P. DESIGNATION: RESIDENTIAL (PROPOSED)  
 CURRENT ZONING: R1  
 EXISTING USE: OLIVE ORCHARD W/ SINGLE FAMILY RESIDENCE  
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
 TRACT MAP: 07-238-02  
 GROUND AND SURFACE: PEAC  
 SHADING DISPOSAL: CITY OF CORNING  
 ELECTRICAL SERVICE: PG&E  
 DOMESTIC WATER: CITY OF CORNING  
 SOLID WASTE: WASTE MANAGEMENT  
 PROPOSED DENSITY: 3.66 UNITS PER ACRE



APPROVED FOR THE CITY OF CORNING

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

SEAL: \_\_\_\_\_

Exhibit "C"

**RECEIVED**

JUL 05 2016

CITY OF CORNING

John,

I have included a check for \$300 for the 2 year Tentative Map extensions for the 2 following Tentative Tract Map #'s 05-1013 ( Marguerite LLC) and 05-1016 ( Fig Lane LLC). Thank you very much for your help in regards to this.

All the best,

A handwritten signature in black ink, appearing to be 'A. Mount', with a long horizontal line extending to the right.

Aaron Mount