



**CITY OF CORNING
PLANNING COMMISSION AGENDA
TUESDAY, AUGUST 21, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Hatley
Armstrong

C. WAIVE THE READING AND APPROVE MINUTES OF THE JULY 17, 2007 PLANNING COMMISSION MEETINGS 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, give your name and address, 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. REGULAR AGENDA: All items listed below are in the order, which we believe, are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

1. Extension Request; Tentative Tract Map – Blackburn Circle Subdivision, Alexander-Leggett Properties; located on the north side of Blackburn Avenue and approximately 660 feet east of the Marguerite Avenue Intersection, APN 75-080-19; approximately 20 acres.

F. 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. Continued Public Hearing; Revision to Planned Development Use Permit No. 1976-65, to revise the Use Permit to permit Residents other than Senior Citizens to occupy the Olive Grove Retirement Village. Located at 1960 Butte Street in a Planned Development Zoning District; Best Investment Group, LLC; APN 71-080-45.

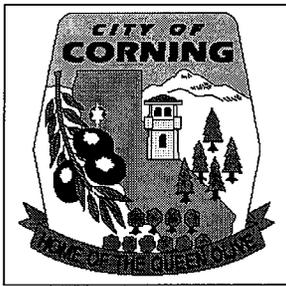
3. **Public Hearing; Vesting Tentative Tract Map No. 07-1004; Shaan Estates; to create 14 Single-Family Residential Parcels in an R-1 Zoning District. Located on the north side of Blackburn Avenue and approximately 140 feet east of Marguerite Avenue. APN 75-310-42; approximately 2.74 acres. Hirday Singh, applicant.**

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

H. **ADJOURNMENT:**

POSTED: AUGUST 17, 2007

The City of Corning is an Equal Opportunity Employer



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, JULY 17, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

Acting Chairperson, Commissioner Robertson opened the meeting and introduced new Commissioner Jason Armstrong.

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Hatley
Armstrong

All Commissioners were present except Commissioner Hatley.

C. WAIVE THE READING AND APPROVE MINUTES OF THE MAY 15, 2007 AND JUNE 19, 2007 PLANNING COMMISSION MEETINGS WITH ANY NECESSARY CORRECTIONS.

Commissioner Reilly motioned approval of the May 15, 2007 minutes and Commissioner Lopez seconded the motion. **Ayes: Robertson, Reilly, Lopez, and Armstrong. Opposed: None. Absent: Hatley. Motion was approved by a vote of 4-0 with one absent.**

Commissioner Reilly motioned approval of the June 19, 2007 minutes with a correction to the last motion on item two, the motion to continue the meeting to the July 17, 2007 meeting was made by Commissioner Lopez and seconded by Commissioner Robertson. Commissioner Lopez seconded the motion to approve the minutes as corrected. **Ayes: Robertson, Reilly, Lopez, and Armstrong. Opposed: None. Absent: Hatley. Motion was approved by a vote of 4-0 with one absent.**

D. BUSINESS FROM THE FLOOR:

Charles Nace addressed the Commissioner regarding a Variance (a side-yard setback variance) Application that he was told Staff would probably not recommend approval on due to the lot size. Planning Director John Brewer gave a brief explanation on the request. Mr. Nace referred to some "dirty linen" in regards to this property. Commissioner Reilly informed Mr. Nace that he would be happy to hear this in a Public Hearing. Commissioner Robertson stated that nothing could be done relating to this matter at this time, it would need to be agendized and brought to the Commission for a Public Hearing.

E. REGULAR AGENDA:

1. Selection of Planning Commission Chairperson by majority vote of Commission members.

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

2. Lot Line Adjustment 2007-1, to adjust the Common Boundaries between APN's 73-120-29, 30, 36, 37 and 61; Accustom Development LLC, ET AL, located at the northern boundary of the Stonefox Ranch Subdivision in the R-1-8 Zoning District.

With little discussion, Commissioner Robertson motioned approval; Commissioner Armstrong seconded the motion. **Ayes: Robertson, Reilly, Lopez and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion was approved by a vote of 4-0 with Hatley absent.**

F. **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.**

3. **Continued Public Hearing; Revision to Planned Development Use Permit No. 1976-65, to revise the Use Permit to permit Residents other than Senior Citizens to occupy the Olive Grove Retirement Village. Located at 1960 Butte Street in a Planned Development Zoning District; Best Investment Group, LLC; APN 71-080-45.**

Chairman Lopez introduced this item by title stating that this is a continued Public Hearing from the June 19, 2007 Planning Commission meeting. He stated that basically Best Group is requesting a change in the Use Permit to change from a senior housing development to an open development for anybody. Chairman Lopez stated that as this is a continued Public Hearing they are going to limit speakers to 3 minutes, and hopefully pursue new information.

A member of the audience (Art Monaise) addressed the Commission stating he and his wife have lived at this complex for about three months. He stated that some of the units along the street have actually been rented to younger people, and it seems to be working out very well. He said there has been some talk certain upgrades such as refrigerators; stoves with an oven, and covered parking. He stated that the units are in very nice shape and is something needed in the community. Virginia Monaise stated that she has a hard time with a refrigerator that holds no frozen foods and only a two-burner stove. She would like to see these upgrades made.

Darlene Cremins stated that there is not enough housing for seniors in the City.

Mr. Monaise again addressed the Commission stating that there had been some talk about possibly removing a dividing wall between some of the units to expand them which would be a great idea. The units are very, very tiny. He stated that they would hope to see that happen so that those that require more room will have more room available. He also agreed with Ms. Cremins, there are not enough senior units available within the City.

Walter Dodd addressed the Commission stating that his property at 515 Toomes Avenue adjoins this property on two sides. He reiterated his statements of opposition from the previous meeting stating that the present owners are in violation of the existing Use Permit that specified that the property be limited to senior residential.

Commissioner Reilly stated that City Staff, Best Investment Group LLC and the prospective purchaser of the property have met and have presented an additional option, Option "C". He then stated that there are currently the following proposals for considerations: "A" – Denial; "B" – Approval; and now option "C" – contains everything that was in option "B" for approval except they have reduced the number to 22 units, is that correct John? Mr. Brewer stated generally yes it is. He stated that as a Commissioner, he appreciates the give and take there, however he is for upholding the previous Use Permits. He stated that one thing that confuses him is, that when we left the Chambers on June 19th, there was much talk, not only from the audience, but from the Commission about these units are for the most part handicap accessible, and we talked about there being something written down in alternative "C" about allowing handicap residency. He said that that is not in alternative "C", so it makes him think that those 22 units that are planned to be non conditional as far as age goes, that people with physical disabilities would live in those. Commissioner Robertson stated that the primary change incorporates persons with physical disabilities. Planning Director John Brewer stated that proposed Condition 8 on option "C" deals with disabilities and the occupancy requirements and talks about the 22 units would be one ended.

Commissioner Reilly stated that wouldn't support alternative "C", stating he would be able to support something to the liking of 8-10 units for non-age restricted for those with physical disabilities, with one of those 8-10 units being for the resident manager, and the remaining 34-36 units staying age restricted for 60 years of age or older. Commissioner Robertson stated her agreement with Commissioner Reilly. She stated that she believes it sets a bad precedent to go back and change the Commission's Land Use decision, stating she is afraid that anybody that wants to build an apartment complex is going to want to say that these people got away with this, and they didn't have to do this, and they didn't have to do that.

Mr. Sullivan addressed the Commission stating that they have tried everything to make it work as a senior complex only. They have tried it with the meals at a great price, and without the meals at a great price, however nothing has worked and they don't have any more money to keep this going or to continue advertising. He stated that he thinks alternative "C" with 22 Senior and/or handicapped is a great alternative to the other two. That way we will keep the senior population in the building, but we will be able to keep the project afloat.

Chairman Lopez asked if the development was profitable prior to assuming ownership; he was informed no it was not. Mr. Sullivan stated that they purchased it knowingly, yet thinking that with the proper advertising, etc. they could turn it around. Chairman Lopez stated that he can sympathize with the situation their group is in, however he didn't feel it was this Commission's place to, and forgive me if this sounds harsh, bail you out. He understands that the current owners have someone ready to purchase the complex if the Commission changes the Use Permit and he doesn't feel it is in the best interest overall for this Commission to change it as drastically as is being hoped for in alternative "C". He stated that he would be willing to modify option "C", but not as is presented now, he feels that there is still some ground needed to be given in order for him to feel comfortable prior to acceptance.

Commissioner Reilly asked if you had 9 age unlimited and tenant disabled, one for the resident manager, and the remaining 34 for seniors would that be enough? Mr. Sullivan stated that the most seniors they had living there at one time with all the advertising they did was around 20.

Commissioner Robertson stated that she would be willing to open it up more than the 9 for disabled, maybe not restrict the number for disabled, possibly have it be a Senior/Disabled Complex. Commissioner Reilly asked for all of the 44 units, Commissioner Robertson stated yes.

Commissioner Armstrong stated his only concern is that there is uncertainty either way they go. He confirmed that there are currently 18 senior units and 12 non-senior, he asked if the project is viable now; he was informed that they are right about at break even as they speak. Commissioner Armstrong stated in alternative "C" it was proposed for 22 units each (Senior/Disabled), now provided that more single residents did come in, that's a bonus, however his fear is that by doing that and pushing more into that realm, you may lose some of your seniors because the services are no longer there (meals, etc.). He stated that he is wondering if it is viable now with 18-12, and if we go another direction and allow more singles or non-seniors and your senior number goes down, that it might not be viable either way. Mr. Sullivan stated that the senior number can't go below 22.

Nan Eller addressed the Commission stating that whether their Company can afford to continue to keep the complex open as per the existing Use Permit doesn't come into play. Basically it is just a matter of whether or not they will allow that complex, that twenty years ago worked for a senior project, which worked and it was perfect back then, she stated that her Grandfather lived there until he had to go to assisted living accommodations. They had hoped to continue as a senior complex, but unfortunately they can't afford to keep it as such.

Harry Finefrock, realtor for Kirk Silverman addressed the Commission stating that Mr. Silverman has stated that he wishes to make the improvements to the kitchens, roof repairs, etc. Mr.

Finefrock stated that he is surprised by the Commissions hesitation to approve this Use Permit revision based upon the financial conditions stated. He hopes that the Commission would consider proposal "C". Mr. Monaise asked if the adjacent property was in a Planned Development Zone; he was informed no.

Commissioner Robertson asked about the letter included in the Staff Report and Planning Director John Brewer briefed the Commission on the letter from Darlene Lindsay regarding the current manager at the Olive Grove Retirement Center. Walter Dodd stated that he has heard adverse comments about the Manager, however he has no personal knowledge one way or the other. He stated that there are non-profit organizations such as SHHIP out there and maybe this could be an option as a non-profit project. Chairman Lopez stated that he believed that would be a possibly option, however the current owner would have to pursue this, not the City. Darlene Cremins stated that the current Manager is very mean, stating that she has had some interaction with her.

Dr. Ross Tye, partner in the Olive Grove Retirement Complex stated that a lot has been said about the size of the kitchens, however should the Use Permit revision not be approved, there will be some 30 people put out on the street. Commissioner Reilly stated that he can appreciate what Dr. Tye said because he is a fact person and agree with everything he said, but the fact of the matter is this is a Senior Complex that was struggling when it was purchased. Commissioner Lopez agreed adding that it was purchased with the knowledge that it was financially struggling when they purchased it.

Commissioner Reilly asked the current owners and realtor representing the prospective purchaser if they would be agreeable to 34 units as Senior only, and 10 units including the Manager's Unit disabled and without age restrictions. Commissioner Reilly stated that he wants the owners to know that personally he lives in this town and only a few blocks from this development. He stated that he has no interest whatsoever in seeing it boarded up or the current residents look for new housing.

Mr. Finefrock stated that he could not speak for Mr. Silverman without speaking with him first, however he did not think Mr. Silverman would be agreeable to this number. Mr. Sullivan stated that they would have been happy if they could have gotten 34 Seniors interested, that would have been at a more break even point financially. He then asked the Commission if they would consider agreeing to the 22 senior and 22 non-senior residencies with a condition to revisit in a year. Commissioner Robertson stated that if it didn't work, then in a year we could have 44 non-compliant residents to remove and that wouldn't go over well. Chairman Lopez stated in answer to the question, yes that is something that could be considered.

John Brewer stated that there was a lot of truth in what Nan Eller stated, there has been a change within the last year making this projects layout not viable today. He stated that in 1976 when this project was approved it was approved for 76 Units. Since that time 4 lots are now zoned R-1 with one lot developed with a model home. Mr. Sullivan stated that the lots were sold to raise funding to keep the Olive Grove complex going.

Dr. Ross Tye asked how the 22-22 residency figure was reached; was it during the meeting between the current owners, City Staff, and the prospective property purchaser? Mr. Brewer stated that when he met with the representatives he had no preconceived numbers, they just needed a number as a starting point, it could be changed.

Commissioner Robertson then motioned to close the Public Hearing. Commissioner Reilly seconded the motion. **Ayes: Lopez, Robertson, Reilly and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion was approved by a vote of 4-0 with Hatley absent.**

Commissioner Reilly stated he was not definite on the numbers of 22 seniors and 22 seniors and disabled. Mr. Brewer stated that possibly we could better obtain a better definition of disabled.

Commissioner Robertson suggested that the Commission could delete the requirement for covered parking and a bike rack (Conditions of Approval 5 and 9). Commissioner Reilly stated that he was reluctant to remove the covered parking condition (Condition of Approval 5). Commissioner Reilly asked if they came to an agreement on the residency numbers, how would we bring this back at a subsequent meeting for the disabled definition? Mr. Brewer responded stating he wasn't sure. Commissioner Robertson stated that she was unsure of the legalities in relation to ADA Regulations should they decide to limit the disabilities acceptable. Commissioner Reilly stated that possibly this is something that the Commission should seek advice on from the City Attorney.

Mr. Brewer and the Commission members present stated that the Commission needs to narrow down the residency numbers, the restrictions, etc. and whether the current owners and prospective property purchaser are interested in pursuing this.

Chairman Lopez called for a five-minute recess so that the property owners can discuss the options discussed. Meeting was recessed at 7:55 p.m.

Chairman Lopez reconvened the meeting at 8:00 p.m.

Mr. Sullivan stated that they might be able to make this work at 44 units Senior or Disabled. Commissioner Armstrong stated that he could agree to this. Commissioner Reilly stated that he couldn't support this with the current description of disabled before the Commission.

Chairman Lopez stated that he believes SSI uses percentages to determine extent of disability; this could affect this situation dramatically. Mr. Brewer stated that we could go through the disability listing and possibly narrow it down. Dr. Ross Tye stated that he believes alcoholism has been removed as a "legal disability".

Chairman Lopez stated that people with major disabilities probably wouldn't be living on their own; he believes that the Commission could work off of the disabilities list. Commissioner Armstrong stated he was agreeable if they were able to remove alcoholism and illegal drug use as disabilities, and those with major disabilities not able to live on their own.

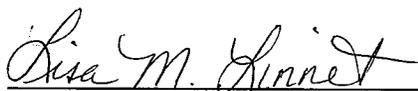
The Commission agreed to the following residential numbers: 22 seniors and 21 disabled only (only if alcoholism as a disability was removed), and 1 non-age restricted for resident manager. Commissioner Robertson also suggested removing Condition of Approval number 9 (bike rack requirement).

Commissioner Reilly motioned to re-open the Public Hearing. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Armstrong. Opposed: None. Absent: Hatley. Abstain: None. Motion was approved by a vote of 4-0 with Hatley absent.**

Commissioner Robertson stated she was willing to remove the covered parking requirement (Condition of Approval #5). Commissioner Reilly announced a Commission consensus of 22 senior only, 21 Disability restricted, and 1 non-age restricted for the resident manager, he directed Staff to meet with the City Attorney to obtain confirmation that alcoholism is not considered a physical disability, and remove Conditions of Approval 5 (Covered Parking) and 9 (Bike Rack) and to table the final vote on this item until the August 21, 2007 Planning Commission meeting.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT: 8:23 P.M.



Lisa M. Linnet, City Clerk

**ITEM NO: E-1
EXTENSION REQUEST; TENTATIVE TRACT
MAP-BLACKBURN CIRCLE SUBDIVISION,
ALEXANDER-LEGETT PROPERTIES;
LOCATED ON THE NORTH SIDE OF
BLACKBURN AVENUE, AND APPROX. 660
FEET EAST OF THE MARGUERITE AVE.
INTERSECTION, APN 75-080-19;
APPROXIMATELY 20 ACRES.**

August 21, 2007

TO: PLANNING COMMISSION OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR

JLB

PROJECT DESCRIPTION & BACKGROUND:

This is an application to extend the approval period for the Tentative Tract Map approved on August 9, 2005 by the Corning City Council with 73 Conditions of Approval. A reduced scale copy of the tentative map and the Conditions of Approval are attached. The site location is shown on the attached copy of the Zoning Map.

You will note that the proposed lots are smaller than the typical 60' X 100'. The City Council approved the alternative reduced lots dimensions and area through a Planned Development Use Permit (PDUP 2005-223). To accomplish the reduced lot area and dimensions, the project provides detached garages in the rear yards and reduced side yards. Copies of site plans showing how the typical lot would develop are also attached. The intent was to provide a more-dense development that would be affordable to "first time" homebuyers.

Since the initial approval, Mr. Leggett and his consultants have been working and negotiating with the Army Corps of Engineers to mitigate the potential loss of wetlands located along the ephemeral streambed that crosses the site from south to north. Staff understands that an agreement regarding wetland mitigation plan is nearing attainment.

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. Title 16 includes time limit information. Please see the attached copy of Section 16.18.010. Subsection "A" limits the initial approval of the tentative map to 24 months (2 years). Subsection "C" authorizes extensions of up to two years to the life of tentative maps.

SUBDIVISION MAP ACT AND "TIMELY FILING"

The tentative map was initially approved on August 9, 2005. By local ordinance (CMC Title 16), the approval would seem to have expired on August 9th, 2007. However, when an extension application has been submitted prior to the expiration, the state Subdivision Map Act automatically extends the life of a tentative map for 60 days. Please refer to the attached copy of Government Code Section 66452.6(e). Note that the extension application and fees were submitted on July 11, 2007. This statutory 60-day extension affords sufficient time for the extension application to be considered prior to expiration (to October 9, 2007).

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 PD; Planned Development. The approved tentative map complies with the General Plan and with zoning. Staff recommends approval of a two-year extension.

STAFF RECOMMENDATION:

That the Planning Commission recommend that the City Council

- **Approve a two-year extension to the Tentative Map initially approved on August 9, 2005 for Alexander-Leggett Properties as requested in the extension request submitted July 11, 2007.**

LIST OF ATTACHMENTS:

1. Extension Request
2. Approved Tentative Map (reduced Scale)
3. Conditions of Approval adopted August 9, 2005
4. Typical Site Plans incorporated into Map Approval
5. Government Code Section 66452.6(e)
6. Zoning Map

cc: Duke Leggett
735 Industrial Rd., Suite 213
San Carlos, CA 94070

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

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

PROJECT ADDRESS		ASSESSOR'S PARCEL NUMBER <i>875-080-19 875-080-22</i>	G.P. LAND USE DESIGNATION
ZONING DISTRICT	FLOOD HAZARD ZONE	SITE ACREAGE <i>25</i>	AIRPORT SAFETY ZONE?
PROJECT DESCRIPTION: (attach additional sheets if necessary) <i>RESIDENTIAL PD</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 checked="" 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 type="checkbox"/> Use Permit	
APPLICANT <i>ALEXANDER / LEGGETT LLC</i>	ADDRESS <i>735 Industrial / R Suite 213 SAN CARLOS CA 94070</i>	DAY PHONE <i>650 591-5561</i>	
REPRESENTATIVE (IF ANY) <i>DUKE LEGGETT</i>	ADDRESS <i>5042 OS COUN</i>	DAY PHONE	
PROPERTY OWNER	ADDRESS	DAY PHONE	
CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input 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.			

FOR OFFICE USE ONLY			
APPLICATION NO.	RECEIVED BY: <i>DG</i>	DATE RECEIVED <i>7/11/07</i>	DATE APPL. DEEMED COMPLETE <i>7/11/07</i>
FEE RECEIVED/RECEIPT NO. <i>7/11/2007</i>	CEQA DETERMINATION <i>Exempt</i> ND MND EIR		DATE FILED <i>N/A</i>

*ATTACHMENT
1-a*

CITY OF CORNING
PLANNING APPLICATION



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM
(To be completed by Applicant)

DATE FILED 7/9/07

General Information

1. Project Title: "Blackburn Circle"

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:

all permits required for final map entitlements

Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: _____ sq. ft. in _____ floor(s).

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

5. Proposed scheduling/development.

Spring of 2009

6. Associated project(s).

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.)

69 s.f. detached homes.

\$235,000 to \$285,000

3-4 persons per unit

1-b

**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.

N/A

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.

SEE Tentative MAP approval.

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. Relationship to a larger project or series of projects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

1-c

**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.

*Gentle rolling terrain. No vegetation.
There are no historical, cultural or
scenic aspects to this property. Structures
consist of 1 partial barn & 2 sheds.*

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, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

*Surrounding properties consist of both
estate parcels and subdivision living.*

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 7/09/07

Signature *[Handwritten Signature]*
For Alexander CEGEST LLC

ld

June 7, 2007

TENTATIVE MAP EXTENSION APPLICATION

Explanation to line items 12, 14, 21 and 22.

12) Cut and fill will be required to develop this property. Grading plans will be submitted and provide all city required data.

14) At the present time this property is barren undeveloped land used neither for farming or grazing. The finish product will be that of a single family residential community.

21) With the development of "Blackburn Circle" all necessary services related to a residential community will come in to play.

22) Please see line 21 for comments.

1-e

CITY OF CORNING
794 Third Street
Corning, California 96021

ck # 1589

NAME Alexander/Leggett Dev.

ADDRESS _____

DATE	DESC.	ACCT. NO.	AMOUNT	BALANCE
			150. ⁰⁰ ₋	
	Sub-Division Map Ext.			

CUSTOMER NO. _____

RECEIVED
JUL 11 2007
CITY OF CORNING

COR-002

1-f

GENERAL INFORMATION

OWNERS: ALFREDO AND BELVA LEAL
 CORNING CALIFORNIA PROPERTIES
 1800 874-820

SUB DIVISOR: ALEXANDER-LEGGETT PROPERTIES
 2000 JEFFREY BLVD, SUITE 201
 SAN CARLOS, CA 94060
 (415) 874-8844

ENGINEER: RUS BICKSON, PCE 8440
 1800 874-820
 AND CORNING, INC.
 800 MANALAYAN COURT, SUITE A
 CHICO, CA 95926
 (530) 894-3800

STORM DRAINAGE DETENTION: SUBSURFACE & DETENTION POND

PROPOSED MULTI-USE LOTS

GAS & ELECTRIC: IN PLACE

TELEPHONE: ABC

SEWER / CITY OF CORNING

FIRE / CITY OF CORNING

CABLE TV: COMCAST

PROPOSED ROADS OFFERED FOR DEDICATION TO THE CITY OF CORNING
 IT IS ANTICIPATED THAT THIS PROJECT WILL BE CONSTRUCTED IN PHASES
 ALL PUBLIC UTILITIES ARE TO BE LOCATED IN ROW AND ARE TO BE
 DEDICATED TO THE CITY OF CORNING.
 TOTAL AREA: 30 ACRES

GRANDERAL PLAN DESIGNATION: PLANNED DEVELOPMENT

PROPOSED CITY ZONING: R-1 RESIDENTIAL ONE-FAMILY ZONE

FLOOD PLANE: THE PROPERTY LIES WITHIN ZONE "A"
 AS SHOWN ON FIRM PANEL, CHANNEL 0878

PROJECT DENSITY:

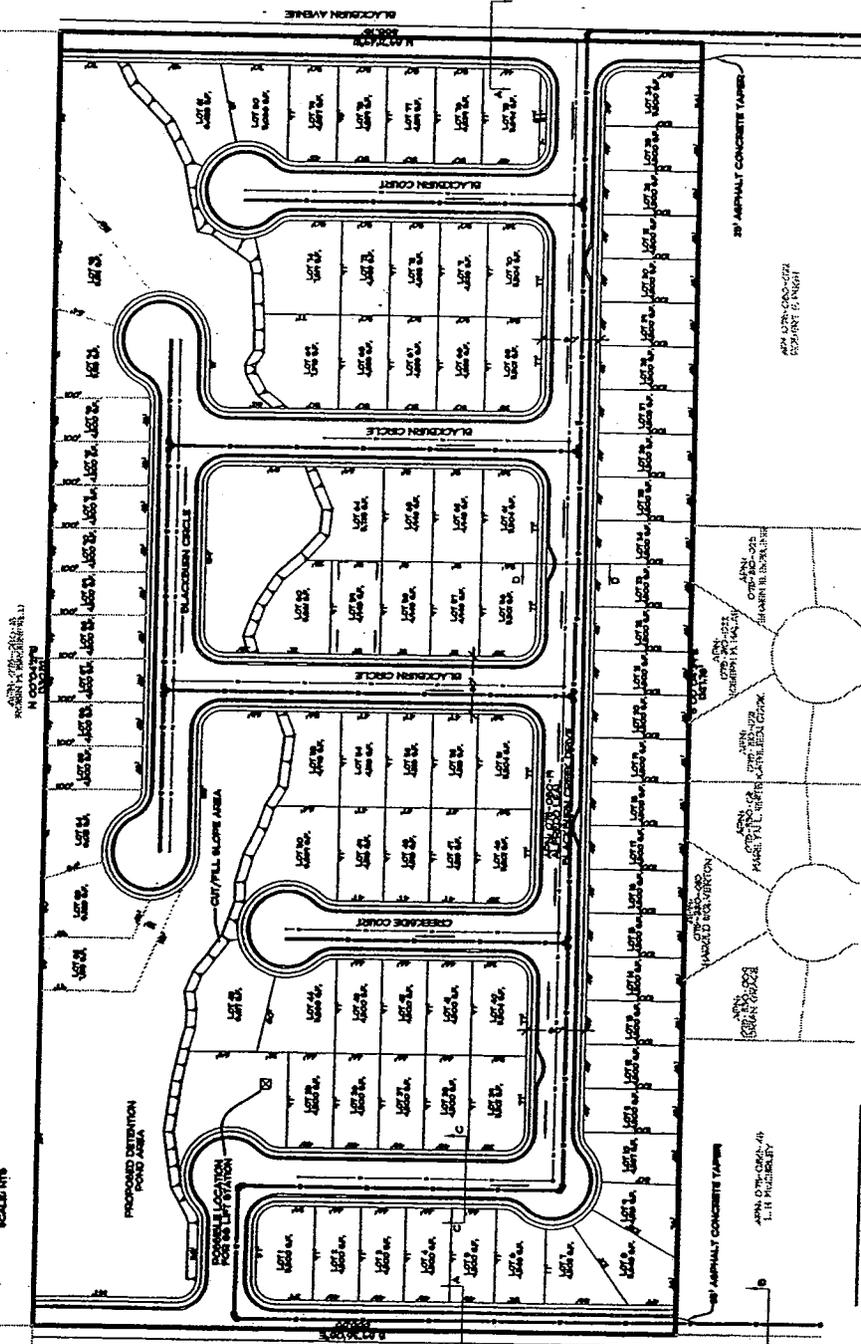
GROSS AREA: 30.0 ACRES

NUMBER OF UNITS: 70

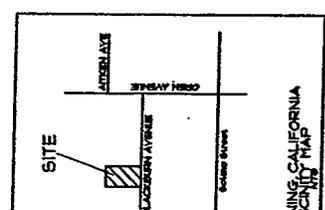
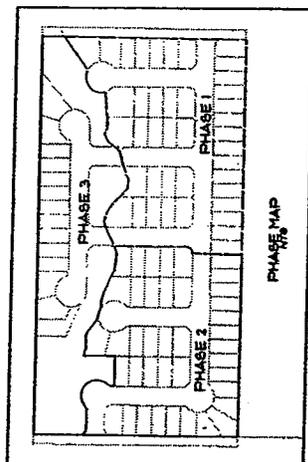
DENSITY: 2.33 U/L

NET AREA: 28.0 ACRES

DENSITY: 2.50 U/L



NUMBER OF LOTS PER PHASE
 PHASE 1 - 4 LOTS
 PHASE 2 - 4 LOTS
 PHASE 3 - 14 LOTS



LEGEND
 --- DRAINAGE PATH
 --- PROPOSED SANITARY SEWER
 --- PROPOSED WATER MAIN

NOTES:
 ALL LOTS DRAIN TO STREETS

REQUESTED EXCEPTIONS FOR PLANNED DEVELOPMENT

- 1) MINIMUM INTERIOR LOT WIDTH OF 45' & MINIMUM CORNER LOT WIDTH OF 60'
- 2) MINIMUM AREA OF INTERIOR LOT OF 4,500 S.F. & MINIMUM AREA OF CORNER LOT OF 6,000 S.F.
- 3) MINIMUM LOT DEPTH OF 87'
- 4) MINIMUM 200' AND 100' YARD SETBACKS OF 3'

RD inc
 Robertson & Dominick, Inc.
 Civil Engineers and Surveyors
 488 Main Street, Suite A
 310 894 3100 894 8811 fax
 robertson-dominick.com
 Chico - Red Bluff - Redding

**BLACKBURN CIRCLE
 TENTATIVE SUBDIVISION MAP
 CO.
 ALEXANDER-LEGGETT PROPERTIES
 2000 JEFFREY BLVD, SUITE 201
 SAN CARLOS, CA 94060
 (415) 874-8844**

SUMMARY OF CONDITIONS BLACKBURN CIRCLE TENTATIVE MAP

MITIGATION MEASURE #1: PROJECT LIGHTING

Project lighting shall not exceed an average illumination level of 0.1 foot-candles at the edge of the Blackburn Avenue right-of-way, and shall be spaced at intervals of not more than 300 feet. All outdoor lighting shall be shielded and directed inward onto the project site. All outdoor lighting on the project site, including lighting from fixtures installed on the outside of project buildings, shall be shielded so that, at a minimum, no light is emitted above a horizontal line parallel to the ground, to prevent glare from impacting surrounding residences.

MITIGATION MEASURE #2: BLACKBURN AVENUE PLANTER

A four foot, six inch wide planter strip shall be provided between the sidewalk and the southern property lines of Lots 34, 75, 76, 77, 78, 79, 80, and 81. A combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within the planter. 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.

MITIGATION MEASURE #3: AITKEN AVENUE PLANTER

Prior to approving occupancy of Lots 1 through 8, the developer shall install a combination of trees, shrubs, and groundcover. This landscaping shall be installed, irrigated, and maintained within that four foot, six inch portion of the Aitken Avenue right-of-way lying between the sidewalk and the fences along the southern side of the lots. Plant species, groundcover, and irrigation methods 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.

MITIGATION MEASURE #4: UNDERGROUND UTILITIES

All utilities, including electricity, telephone, gas, and cable television, shall be provided to each lot and undergrounded.

MITIGATION MEASURE #5: FENCING

Solid six foot tall fencing shall be installed at the side and rear property lines prior to final approval of building permits.

MITIGATION MEASURE #6: FENCING ALONG FRONTAGE OF BLACKBURN AND AITKEN AVENUES

Prior to approving occupancy of any structures on Lots 1 through 8, and Lots 34 and 75 through 81, upgraded solid (one inch spacing permitted between boards) and stained residential fencing shall be installed along their respective rear-yard frontages at Blackburn or Aitken Avenues. The fences shall utilize treated four inch by six inch (minimum) posts (on eight foot centers) set in concrete, and a treated (or redwood) two inch by six inch cap board connecting the tops of the posts.

MITIGATION MEASURE #7: LOT LANDSCAPING

Front yards and street side yards, including that portion of the street right-of-way behind the sidewalk, shall be landscaped prior to final building permit sign-off. Landscaping may include any combination of grass, groundcover, shrubs, and/or trees and is subject to Planning Department approval. Each landscaped yard shall be provided with a permanent method of irrigation for this landscaping.

MITIGATION MEASURE #8: RESIDENTIAL FAÇADE STANDARDS

SUMMARY OF CONDITIONS BLACKBURN CIRCLE TENTATIVE MAP

In accordance with Corning Municipal Code Section 16.21.135, the developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to assure that identical homes are not constructed on adjacent lots.

MITIGATION MEASURE #9: ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION

No heating, ventilation, or air conditioning equipment shall be installed on the roof of any structure.

MITIGATION MEASURE #10: CONSTRUCTION DEBRIS

Prior to approving occupancy for any residence, all construction debris shall be removed from the affected lot.

MITIGATION MEASURE #11: FUGITIVE DUST

Prior to commencing grading activities, the applicant shall obtain a Fugitive Dust Permit from and submit a construction emission/dust control plan to the Tehama County Air Pollution Control District prior to commencing any excavation or construction

MITIGATION MEASURE #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.

MITIGATION MEASURE #13: GRADING PLANS

Complete grading plans shall be submitted to the City Engineer for approval. The Grading Plan shall incorporate the recommendations of the Geotechnical Investigation Report prepared in March 2005 by Brown & Mills, Inc. regarding expansive soils, fill and debris. The Grading Plan shall also include improvement plans for the storm water retention pond, if one is proposed.

MITIGATION MEASURE #14: REDISTRIBUTE TOPSOIL

Topsoil shall be stockpiled and redistributed over graded surfaces.

MITIGATION MEASURE #15: FINISHED SURFACES

Upon completion of development, no area greater than ten square feet shall remain where soils are completely uncovered.

MITIGATION MEASURE #16: SPRINKLE EXPOSED SOILS

During construction, unprotected or bare soils, including inactive storage piles, shall be watered at least twice daily to minimize wind erosion. Frequency should be based upon the type of operation, soil, and wind exposure. Paved roadways leading to or from the project area shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud, which may have accumulated as the result of construction activities.

MITIGATION MEASURE #17: CONSTRUCTION EQUIPMENT STANDARDS

The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained. When feasible, existing power sources, such as power poles, or clean fuel generators should be used, rather than temporary power generators. Minimize idling time to 10 minutes.

MITIGATION MEASURE #18: OPEN BURNING

No open burning shall occur on this property unless a land-clearing permit is obtained from the Tehama County Air Pollution Control District.

MITIGATION MEASURE #19: WOOD BURNING STOVES

SUMMARY OF CONDITIONS BLACKBURN CIRCLE TENTATIVE MAP

Only U.S. EPA Phase II certified wood-burning devices shall be installed in the subdivision. Total emissions shall not exceed 7.5 grams per hour from each dwelling.

MITIGATION MEASURE #20: EXTERIOR ELECTRICAL OUTLETS

To promote the use of electrical landscape equipment, at least two electrical outlets shall be provided on the exterior walls of each residence.

MITIGATION MEASURE #21: UNANTICIPATED DISCOVERY

If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery, and the City of Corning notified. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery location until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total data recovery as a mitigation, or, preferably, 2) total avoidance of the resource, if possible. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

MITIGATION MEASURE #22: HUMAN REMAINS

If human remains, or remains that are potentially human, are discovered during project construction or implementation, all work must stop within a 100-foot radius of the find. The construction supervisor must notify the county Sheriff and Coroner immediately, and take appropriate action to ensure that the discovery is protected from further disturbance or vandalism. The City of Corning shall be notified after the Sheriff and Coroner.

MITIGATION MEASURE #23: SOILS INVESTIGATION

The applicant shall initiate a soils investigation by a registered engineering geologist or civil engineer to determine if expansive soils requiring special structural foundation design is necessary.

MITIGATION MEASURE #24: EXPANSIVE SOILS & LOT COMPACTION

Prior to issuing building permits, the developer shall provide: 1) certification assuring adequate compaction of filled lots in accordance with the Uniform Building Code; and 2) for those lots with expansive soils, certification that the engineered foundation plans comply with building code requirements.

MITIGATION MEASURE #25: AVIGATION EASEMENT

Prior to recording the final tract map the applicant shall dedicate an avigation easement to the Airport Operator (City of Corning). The easement shall convey: the right of flight at any altitude above 150 feet; the right to cause noise and vibration, fumes, dust and fuel particle emissions; the right of entry to remove, mark, or light any obstructions above 150 feet in height; and the right to prohibit the creation of electrical interference, unusual light sources, and other hazards to aircraft flight.

MITIGATION MEASURE #26: EROSION CONTROL

The Grading Plan shall include measures to limit excavation near the stream bank and preparation of a groundcover plan to reduce erosion impacts.

MITIGATION MEASURE #27: LOT GRADING

**SUMMARY OF CONDITIONS
BLACKBURN CIRCLE TENTATIVE MAP**

Lots must be graded to direct runoff to storm drain facilities within the public right-of-way. No lot-to-lot runoff shall be permitted.

MITIGATION MEASURE #28: SWPPP & CONSTRUCTION STORMWATER PERMIT

Prior to any site disturbance or earthmoving activities on or adjacent to the site, 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 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 post construction period SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner.

MITIGATION MEASURE #29: STREAMBED ALTERATION AGREEMENT

Prior to commencing excavation, obtain a Streambed Alteration Agreement with the California Department of Fish and Game, if one is required.

MITIGATION MEASURE #30: STORMWATER RETENTION

Prior to recording a final map of any phase of the project the developer shall present improvement plans for retention of the net increase in runoff resulting from the development project during a 25-year storm for a duration of four hours.

MITIGATION MEASURE #31: STORMWATER FACILITIES

Stormwater retention and conveyance facilities shall be constructed in accordance with City of Corning Public Works standards.

MITIGATION MEASURE #32: SECTION 404 PERMIT

Prior to discharging any fill material into waters of the United States, the applicant shall obtain a Clean Water Act Section 404 permit from the US Army Corps of Engineers.

MITIGATION MEASURE #33: SECTION 401 PERMIT

If a Section 404 permit is required, or if the project will deposit fill into isolated wetlands, water quality certification pursuant to Section 401 of the Clean Water Act is also required.

MITIGATION MEASURE #34: DEWATERING PERMIT

Obtain the appropriate Dewatering Permit from the Regional Water Quality Control Board or verify that the general waiver is applicable to the project.

MITIGATION MEASURE #35: ZONING

Zoning for the resulting lots shall be "P-D"; Planned Development. Zoning for the un-subdivided property dedicated to the City of Corning shall be "OS"; Open Space.

MITIGATION MEASURE #36: MAINTAINANCE OF OPEN SPACE PARCEL & FACILITIES

The Landscape and Lighting District shall maintain the Open Space parcel, pedestrian trail, and stormwater retention facilities.

MITIGATION MEASURE #37: DEMOLISH EXISTING STRUCTURES

Prior to recording any final map, applicant shall demolish all existing structures and remove the debris and obtain a demolition permit, if required by the City.

MITIGATION MEASURE #38: CONSTRUCTION DAYS & HOURS

**SUMMARY OF CONDITIONS
BLACKBURN CIRCLE TENTATIVE MAP**

Construction work shall occur only between the hours of 7:00 AM to 7:00 PM, Monday through Friday, and between the hours of 8:00 AM to 6:00 PM on weekends and federally observed holidays.

MITIGATION MEASURE #39: CONSTRUCTION NOISE

The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained. When feasible, existing power sources, such as power poles, or clean fuel generators should be used, rather than temporary power generators. Minimize idling time to 10 minutes.

MITIGATION MEASURE #40: EMERGENCY ACCESS

Prior to issuing Occupancy approvals for any residence north of Lot 26, a through road shall be provided, connecting to Aitken and Marguerite Avenues and along the alignment shown as Blackburn Creek Drive. The emergency ingress/egress road may have a gravel surface, provided that the roadway shall be at least 20 feet in width and sufficiently compacted to support emergency service vehicle loads of 40,000 pounds.

MITIGATION MEASURE #41: FIRE HYDRANTS

Fire hydrants shall be AWWA-approved and installed in accordance with City standards. The developer shall provide the City of Corning with one hydrant repair kit.

MITIGATION MEASURE #42: LOOPED WATER SYSTEM

Prior to recording the Phase II final map, the developer shall provide a "looped water system" connecting the City water main between Blackburn Avenue and Marguerite Avenue via the final alignment.

MITIGATION MEASURE #43: STREET LIGHTING

The developer shall provide street lighting with 90-degree cut-off lenses that meet the City Standards per City Code Section 16.21.050.H.

MITIGATION MEASURE #44: MINIMUM SIDE YARD SETBACKS – SINGLE STORY RESIDENCES

The minimum side yard setback for one story structures shall be three feet, with no eave or overhang encroachment permitted into the required side yards, provided that no residence is nearer than ten feet to another residence, from eave to eave.

MITIGATION MEASURE #45: MINIMUM SIDE AND REAR YARD SETBACKS – SINGLE STORY DETACHED ACCESSORY BUILDING

The minimum side and rear yard setback for a one story accessory building shall be three feet, with no eave or overhang encroachment permitted into the required side and rear yards.

MITIGATION MEASURE #46: MINIMUM SIDE YARD SETBACKS – TWO STORY RESIDENCES

The minimum side yard setback for two story residences shall be four feet. Eaves or overhangs projecting from the roof of the second story may extend a maximum of one foot into that required side yard, provided that no residence is nearer than ten feet to another residence, from eave to eave.

CONDITION NO. 47. PAVE DRIVEWAYS.

Prior to issuance of the Certificate of Occupancy, each residential driveway shall be paved with concrete or asphalt concrete.

SUMMARY OF CONDITIONS BLACKBURN CIRCLE TENTATIVE MAP

MITIGATION MEASURE #48: SECOND STORY EMERGENCY EGRESS WINDOWS

Required Second Story emergency egress windows shall not be located within four foot six inches of a side or rear property line unless approved by the Corning Fire Chief.

MITIGATION MEASURE #49: LANDSCAPE AND LIGHTING DISTRICT

Prior to recording the first Phase map for the project, the developer shall establish a Landscape and Lighting District or annex to an existing district if one exists, to fund the continued maintenance of all common facilities, including the retention pond and appurtenant facilities, any gateway or entrance features, landscaped areas on Blackburn and Aitken Avenues, the pedestrian maintenance trail, street lighting, and the landscaping associated with traffic calming features. Any costs associated with the district formation or annexation shall be borne by the developer.

MITIGATION MEASURE #50: ENGINEER'S ESTIMATE OF ANNUAL MAINTENANCE COSTS

Prior to recording Phase I of the project, an engineer shall provide to the City of Corning estimates of the annual costs to electrify, irrigate, and otherwise maintain all common facilities, including the retention pond and appurtenant facilities, any gateway or entrance features, landscaped areas on Blackburn and Aitken Avenues, the bike and pedestrian trail, street lighting, and the landscaping associated with traffic calming measures.

MITIGATION MEASURE #51: DEVELOPMENT IMPACT FEES

Subsequent residential development will be subject to Development Impact Fees imposed in order to lessen new development's impacts on City facilities and services. These fees shall be assessed and payable prior to issuance of each lot Occupancy Certificate.

MITIGATION MEASURE #52: MONUMENTATION

All property corners and centerline monuments must be set before filing a Notice of Completion and issuance of building permits for the project.

MITIGATION MEASURE #53: DEDICATION OF UNDIVIDED PROPERTY

The final map or maps shall offer the undivided property to the City of Corning as open space.

MITIGATION MEASURE #54: BIKE & PEDESTRIAN TRAIL CONSTRUCTION

The developer shall construct a paved trail measuring twelve feet wide within the un-subdivided area dedicated to the City of Corning prior to recording Phase III of the map. The trail shall include features and signage to prohibit motorized vehicle usage.

MITIGATION MEASURE #55: BLACKBURN AVENUE RIGHT-OF-WAY

Final Map shall dedicate property to the City of Corning necessary to achieve a thirty-foot half-width (Collector Standard) for Blackburn Avenue.

MITIGATION MEASURE #56: BLACKBURN AVENUE ONSITE IMPROVEMENTS

Construct the northern half width of Blackburn Avenue, including: one twelve-foot travel lane; one eight-foot parking lane; curb, gutter and sidewalk; and complete an asphaltic concrete overlay for one lane width (twelve feet) on the southern half-width, in accordance with Corning Municipal Code Section 16.21.040.B.6.c. and Standard Drawing S-18. Rolled curb and gutter and sidewalk shall meet Corning Standard Drawings S-1 & S-2.

MITIGATION MEASURE #57: BLACKBURN AVENUE OFFSITE SIDEWALK

Provide a five-foot wide concrete sidewalk (or equivalent pedestrian path approved by the City Engineer) connecting the development to sidewalk at the intersection of Blackburn and Marguerite Avenues (approximately 640 feet).

SUMMARY OF CONDITIONS BLACKBURN CIRCLE TENTATIVE MAP

MITIGATION MEASURE #58: AITKEN AVENUE RIGHT-OF-WAY

Final Map shall dedicate property to the City of Corning necessary to achieve a thirty-foot half-width for Aitken Avenue.

MITIGATION MEASURE #59: AITKEN AVENUE ONSITE IMPROVEMENTS

Construct the southern half width of Aitken Avenue, including: one twelve-foot travel lane; one eight-foot parking lane; curb, gutter, and sidewalk; and complete an asphaltic concrete overlay for one lane width (twelve feet) on the northerly half-width, in accordance with Corning Municipal Code Section 16.21.040.B.6.c. and Standard Drawing S-18. Rolled curb and gutter and sidewalk shall meet Corning Standards S-1 & S-2.

MITIGATION MEASURE #60: AITKEN AVENUE OFFSITE IMPROVEMENTS

Construct Aitken Avenue from the western property boundary to Marguerite Avenue to provide two twelve foot wide travel lanes as shown on Standard Drawing S-18.

MITIGATION MEASURE #61: INTERIOR STREET IMPROVEMENTS

Interior streets shall be improved in accordance with City of Corning standard S-18 (40-foot 2 Lane Street).

MITIGATION MEASURE #62: STREET NAMES

Final street names are subject to approval of City staff and shall appear on the final map.

MITIGATION MEASURE #63: ACCESS RESTRICTIONS

No driveways will be limited on certain dual frontage lots. The Final Map or maps shall offer "1'-0" wide Non-Access" strips along the Blackburn Avenue frontage of Lots 34 and 75 through 81, the Aitken Avenue frontage of Lots 1 through 8. The driveway for Lot 1 shall be positioned along its southern street frontage.

MITIGATION MEASURE #64: STREET BARRICADES

Developer shall install temporary barricades (City of Corning Standard S-8) at each temporary street "Phase end." Barricades shall be painted bright white.

MITIGATION MEASURE #65: CUL-DE-SAC PARKING DELINEATION

Curbside parking spaces shall be delineated with traffic paint within all cul-de-sac bulbs.

MITIGATION MEASURE #66: BLACKBURN CREEK DRIVE TRAFFIC CALMING MEASURES

Measures to reduce traffic speeds on Blackburn Creek Drive such as chicanes, roundabouts, etc., shall be designed by a traffic engineer, and must be approved by the City Engineer. These features shall appear on the Improvement Plans for the project.

MITIGATION MEASURE # 67: TRAFFIC MONITORING

Monitoring of future traffic conditions at the study intersections will occur after project completion on a regular basis. The timing and nature of the mitigation documented in the traffic analysis may have to be modified in the future.

MITIGATION MEASURE #68: ABANDON WELL AND SEPTIC SYSTEMS

Prior to recording any final map, the applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the requirements of the Tehama County Environmental Health Department.

**SUMMARY OF CONDITIONS
BLACKBURN CIRCLE TENTATIVE MAP**

MITIGATION MEASURE #69: WATER & SEWER LINES

Install water and sewer lines per Public Works Standard S-11.

MITIGATION MEASURE #70: WATER SERVICE

Developer shall install water service and a meter for each lot in accordance with Public Works Standard S-20.

MITIGATION MEASURE #71: SEWER SERVICE

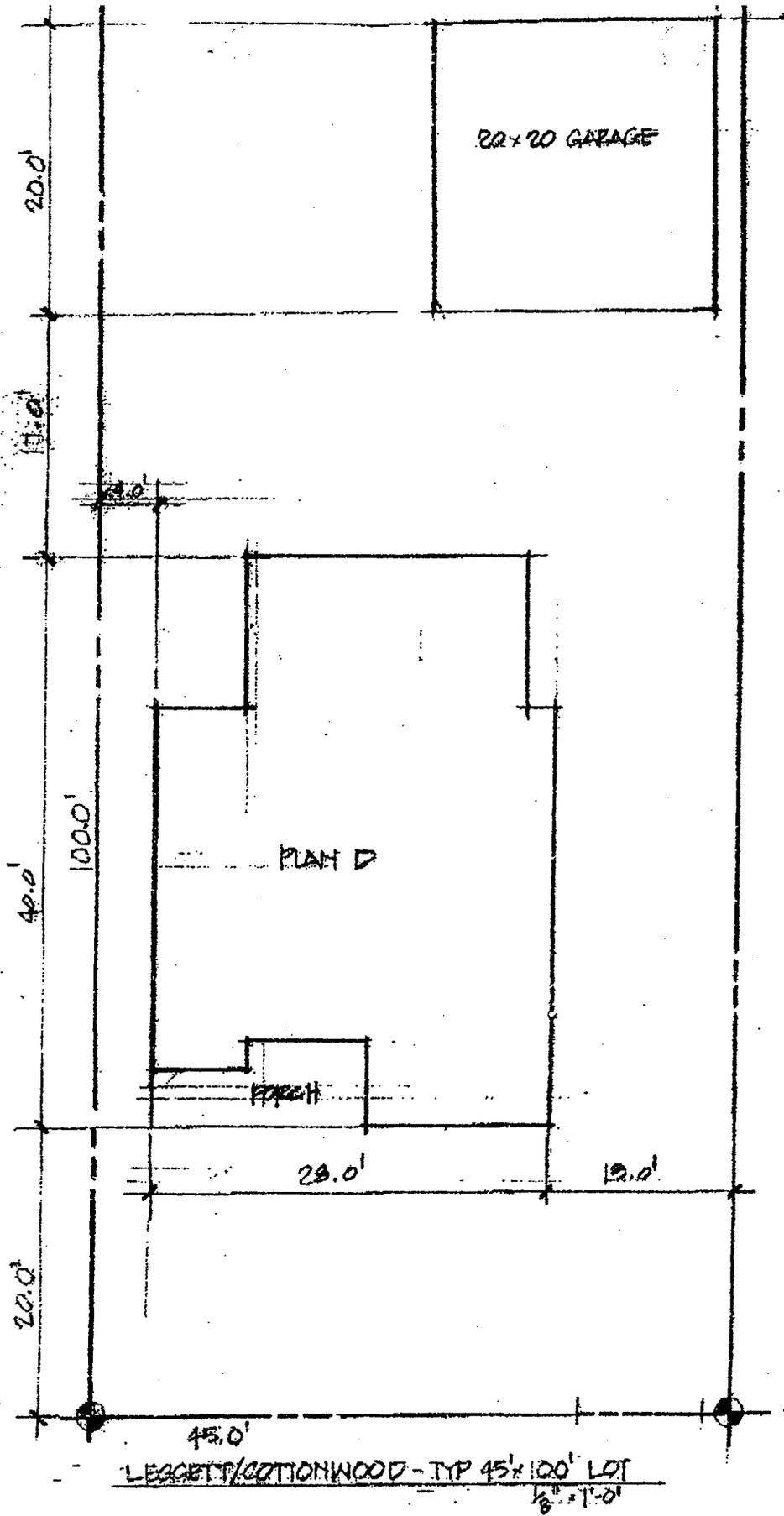
Developer shall install sewer service lines for each lot in accordance with Public Works Standard S-21.

MITIGATION MEASURE #72: SEWER LIFT STATION AND STANDBY POWER SUPPLY

Provide and install the sewer lift station at a location approved by the City Engineer. Provide a generator sufficiently sized to operate the lift station in case of power outages, inside a building. The building size and design are subject to approval by the City Engineer.

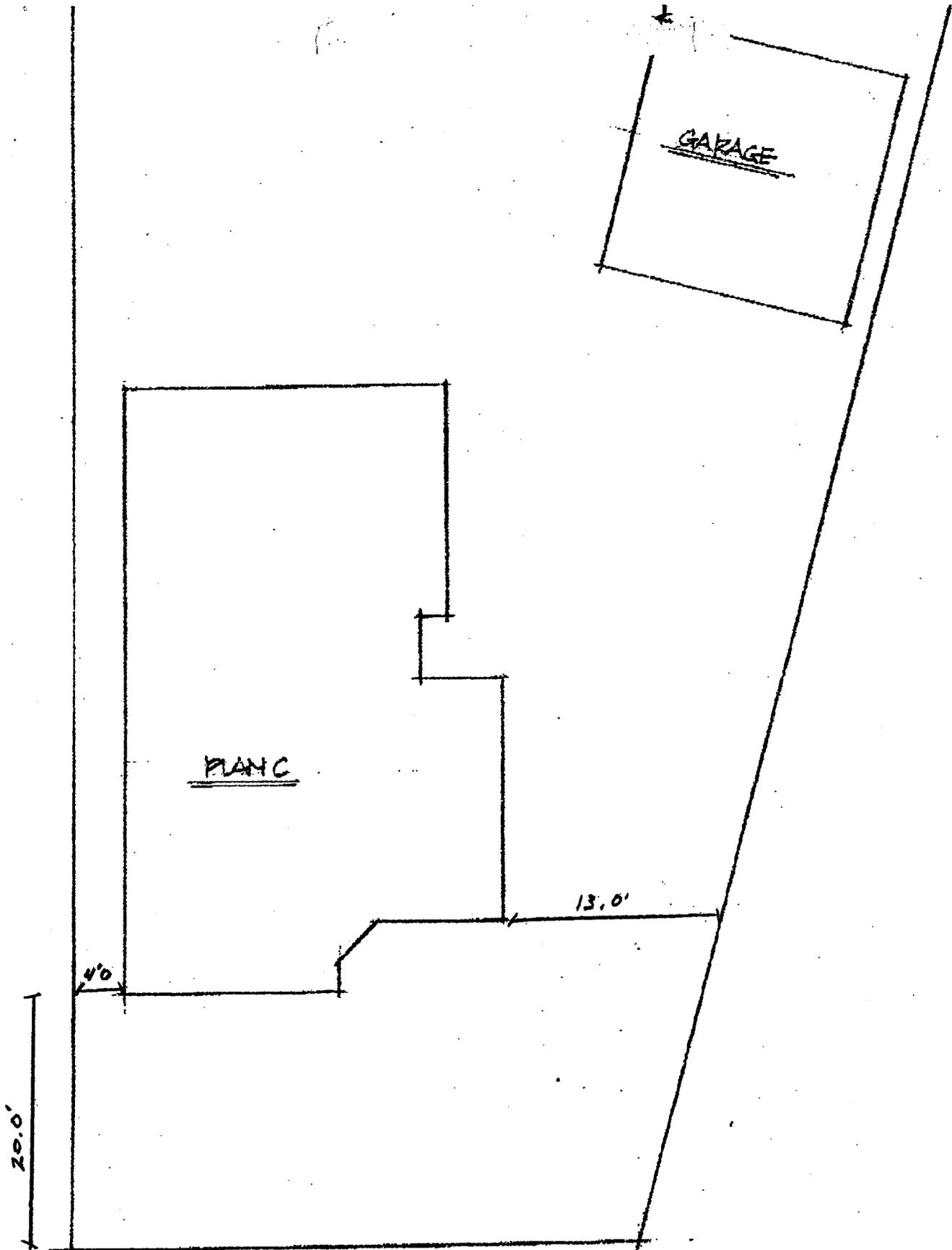
CONDITION # 73. DRAINAGE EASEMENT

The Final Map (or Maps) shall dedicate a 10'-0" wide drainage easement through the western lots to accommodate the historic drainage from the adjacent property. The specific location of this easement shall be subject to approval of the City Engineer.



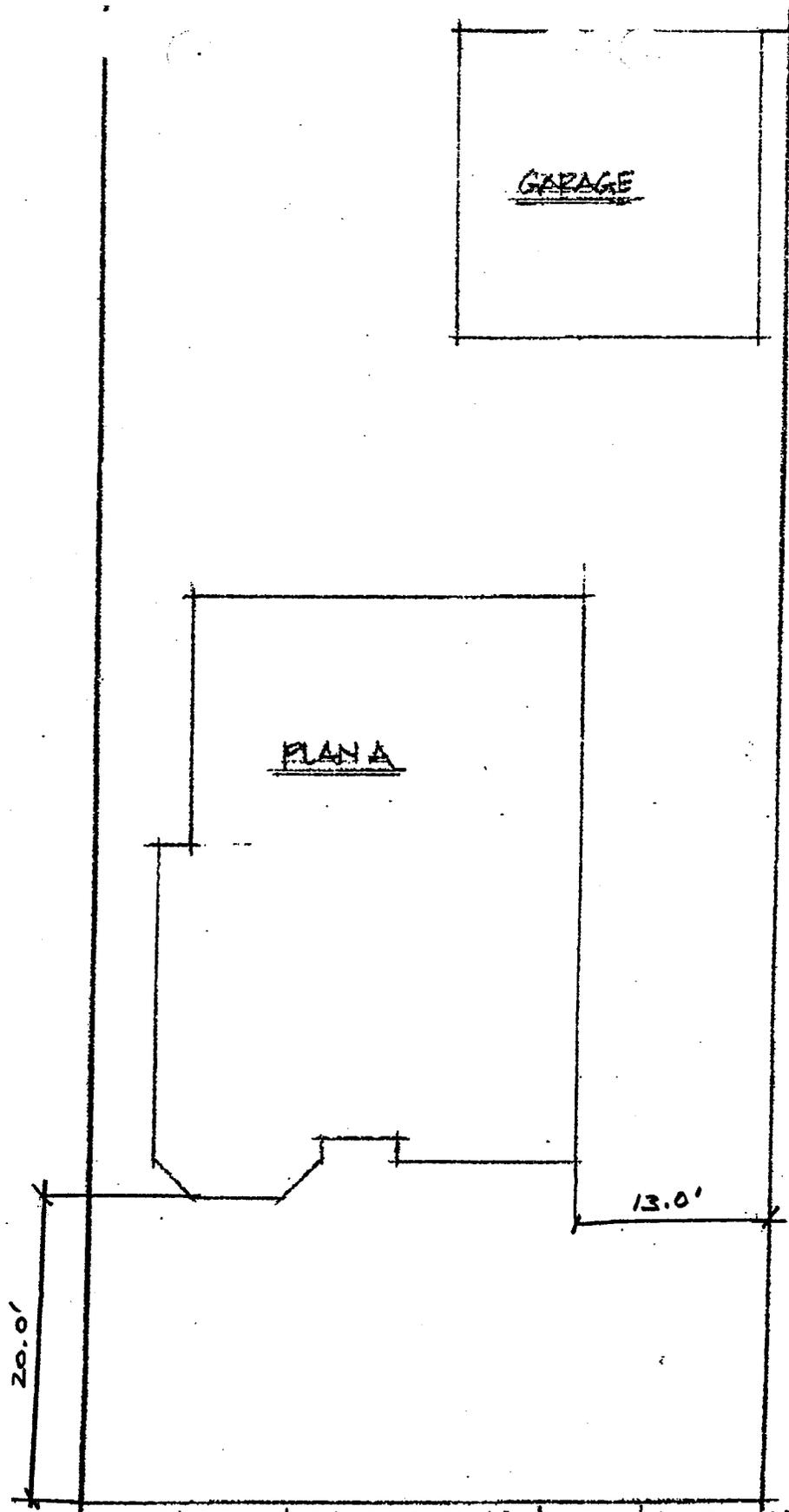
TYP SITE

4-a



PLAN C ON CORNER/IRREGULAR LOT 1:10

4-b



PLAN A # GARAGE ON 95.0' x 100.0' LOT 1410

4-c

the legislative body as provided in subdivision (b) of this section. If no further appeal is taken, the tentative map, insofar as it complies with applicable requirements of this division and **any** local ordinance, shall be deemed approved or conditionally approved as last approved or conditionally approved by the advisory agency, and it shall be the duty of the clerk of the legislative body to certify or state that approval, or if the advisory agency is one which is not authorized by local ordinance to approve, conditionally approve, or disapprove the tentative map, the advisory agency shall submit its report to the legislative body as if no appeal had been taken.

(2) If the legislative body fails to act upon an appeal within the time limit specified in this chapter, the tentative map, insofar as it complies with applicable requirements of this division and **any** local ordinance, shall be deemed to be approved or conditionally approved as last approved or conditionally approved, and it shall be the duty of the clerk of the legislative body to certify or state that approval.

(d) (1) Any interested person adversely affected by a decision of the advisory agency or appeal board may file an appeal with the ***** legislative** body concerning any decision of the advisory agency or appeal board. The appeal shall be filed with the clerk of the ***** legislative** body within 10 days after the action of the advisory agency or appeal board ***** that** is the subject of the appeal. Upon the filing of the appeal, the ***** legislative** body shall set the matter for hearing. The hearing shall be held within 30 days after the ***** date of *** a request filed by the subdivider or the appellant. If there is no regular meeting of the legislative body within the next 30 days for which notice can be given pursuant to Section 66451.3, the appeal may be heard at the next regular meeting for which notice can be given, or within 60 days from the date of the receipt of the request, whichever period is shorter.** The hearing may be a public hearing for which notice shall be given in the time and manner provided.

(2) Upon conclusion of the hearing, the ***** legislative** body shall, within 10 days, declare its findings based upon the testimony and documents produced before it or before the advisory board or the appeal board. ***** The legislative body** may sustain, modify, reject, or overrule any recommendations or rulings of the advisory board or the appeal board and may make any findings ***** that** are not inconsistent with the provisions of this chapter or **any** local ordinance adopted pursuant to this chapter.

(e) **Each decision made pursuant to this section shall be supported by findings that are consistent with the provisions of this division and any local ordinance adopted pursuant to this division.**

(f) Notice of each hearing provided for in this section shall be sent by United States mail to each tenant of the subject property, in the case of a conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, at least three days prior

to the hearing. The notice requirement of this subdivision shall be deemed satisfied if the notice complies with the legal requirements for service by mail. Pursuant to Section 66451.2, fees may be collected from the subdivider or from persons appealing or filing an appeal for expenses incurred ***** pursuant to this section.**

(Amended by Stats. 1982, Ch. 479; Amended by Stats. 1987, Ch. 982; Amended by Stats. 1988, Ch. 1408; Amended by Stats. 2006, Ch. 247)

66452.6. Expiration of tentative map

(a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months. However, if the subdivider is required to expend one hundred seventy-eight thousand dollars (\$178,000) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, each filing of a final map authorized by section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2005, and each calendar year thereafter, the amount of one hundred seventy-eight thousand dollars (\$178,000) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency which approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

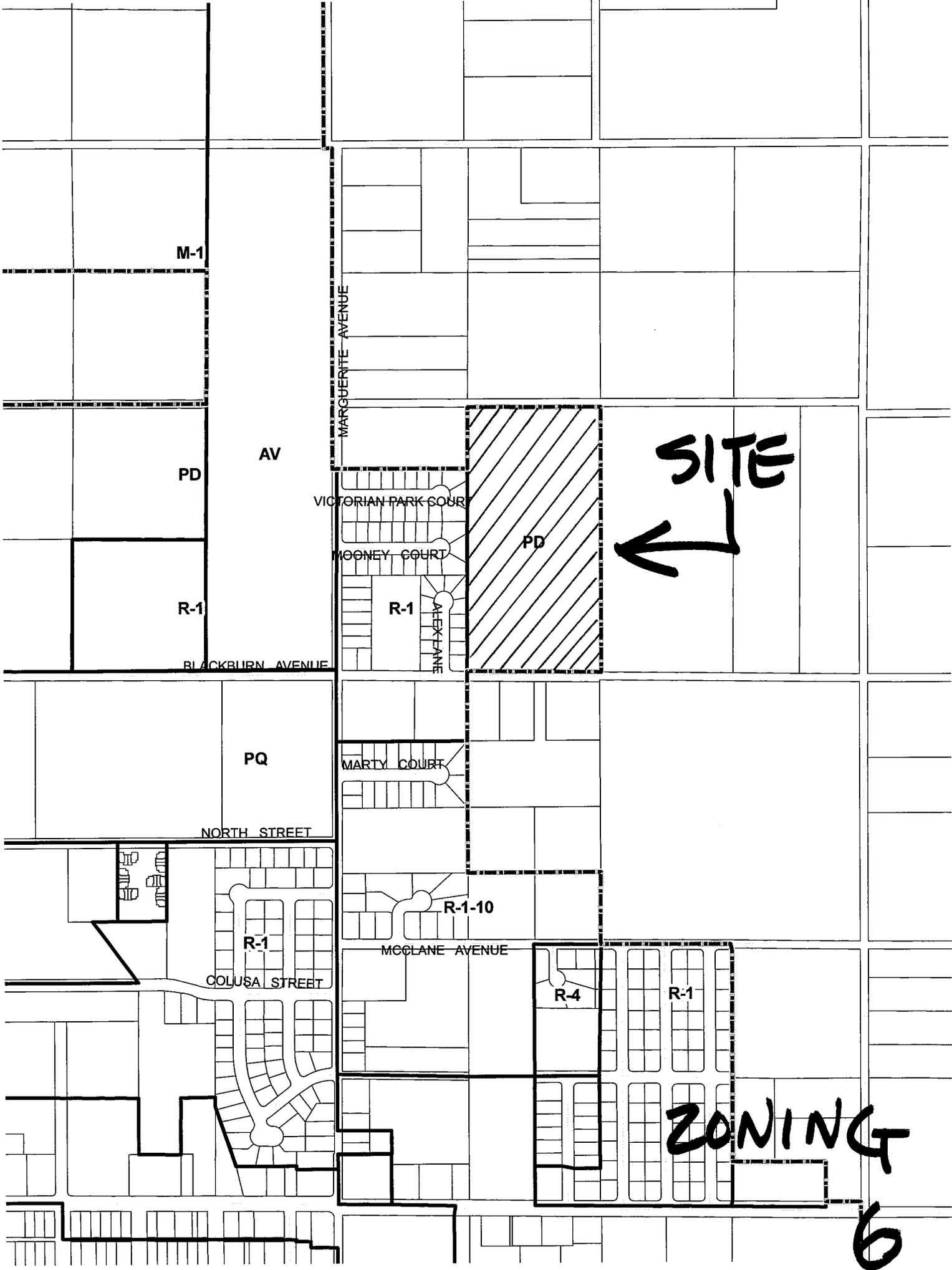
(e) Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of five years. The period of extension specified in this subdivision shall be in addition to the period of time pro-

vided by subdivision (a). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies which regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action prior to expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency which owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency which owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency which owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.



M-1

PD

R-1

AV

VICTORIAN PARK COURT

MOONEY COURT

R-1

ALEX LANE

PD

BLACKBURN AVENUE

PQ

MARTY COURT

NORTH STREET

R-1-10

MCCLANE AVENUE

R-1

COLUSA STREET

R-4

R-1

SITE
←

ZONING
6

ITEM NO. F-2

**CONTINUED PUBLIC HEARING; REVISION TO
PLANNED DEVELOPMENT USE PERMIT NO.
1976-65; TO REVISE THE USE PERMIT TO
PERMIT RESIDENTS OTHER THAN SENIOR
CITIZENS TO OCCUPY THE OLIVE GROVE
RETIREMENT VILLAGE. LOCATED AT 1960
BUTTE STREET IN A PLANNED
DEVELOPMENT ZONING DISTRICT; BEST
INVESTMENT GROUP, LLC; APN 71-080-45**

AUGUST 21, 2007

TO: PLANNING COMMISSION OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR

JS

CONTINUED PUBLIC HEARING:

This application seeks to revise Use Permit No. 1976-65 in order to accommodate "Non-senior" residents at the Olive Grove Retirement Village. This matter was continued from both the June and July Planning Commission meetings. Since the matter was continued, additional public hearing notice was not mailed nor published.

At the July public hearing, the Planning Commission postponed any action but indicated a willingness to amend the use permit to:

1. Allow occupancy of up to half (22 of the 44) units by non-senior, but handicapped persons, so long as the qualifying handicapped condition was not alcoholism, and,
2. Allow unrestricted occupancy for one resident manager unit, and
3. Require continued senior occupancy of not fewer than 21 of the units.

Prior to approving the use permit revision, the Commission directed staff to seek the input of the City Attorney regarding the issue of alcoholism. Two specific questions were forwarded: 1) Has "alcoholism" been removed as a condition qualifying as a "Physical Disability", and 2) If alcoholism continues to qualify as a physical disability, and If the City were to permit occupancy by "Non-senior" persons with Physical Disabilities, can the City exclude alcoholics from occupying the facility?

MEMO FROM CITY ATTORNEY:

On August 1, 2007 Mike Fitzpatrick, the City Attorney provided the attached memo. In summary, Mr. Fitzpatrick could find no information supporting the contention that "alcoholism" has been removed from the list of conditions qualifying as a "Physical Disability". He suggested the applicants' attorney continue the research and offered some legal "leads".

In regards to the second question, Mr. Fitzpatrick reported that the City amended the use permit were amended to permit residency by those with physical disabilities, it could not exclude "alcoholics" from occupying the complex.

This information was forwarded to Mr. John Eller of the Best Group LLC on August 2, 2007.

APPLICATION WITHDRAWAL:

On August 10, 2007, Mr. John Eller submitted the attached letter withdrawing this application to amend Use Permit 1976-65. Staff understands that the Best Group LLC has sold the property.

STAFF RECOMMENDATION:

That the Planning Commission:

- ◆ Close the Public Hearing, and
- ◆ Acknowledge the withdrawal of the application to amend Use Permit No 1976-65, in accordance with the letter submitted August 10, 2007.
- ◆ Direct staff to prepare a letter officially notifying the new owner of the (Use Permit 1976-65) "Senior Citizen" residency requirement and providing a 60-day "voluntary abatement" period so that non-qualifying residents may find alternative housing.
- ◆ Direct staff to advise the new owner that:"Non-Senior" residents on the premises after October 21, 2007 will constitute a violation of the approved Use Permit and may trigger consideration of Use Permit Revocation action by the Planning Commission.

To: John Brewer, Planning Director

From: Mike Fitzpatrick, City Attorney

Re: Physical Disabilities and Alcoholism

Dated: August 1, 2007

1. I have conducted some research of your question whether the definition of "Persons with Physical Disabilities" under the California Code of Regulations has been revised to exclude "alcoholism" and I've not been able to find such an amendment. Suggest you have the proponent of the project have his legal counsel conduct similar research and direct me to the amendment which was mentioned.

2. My research shows that California's laws with regard to protection of persons with disabilities or handicaps is even broader and more protective of such persons both in the housing arena and in the employment arena than federal law, specifically the Americans with Disabilities Act.

3. I have found little discussion in California case law of "alcoholism" as a "disability" but one case (Gosvener Case) does state that alcoholism would be considered a disability under federal law and would therefor be considered the same under our State law. Our California Supreme Court ruled that this particular case wasn't entirely accurate in announcing that California simply parroted the federal legislation, but in my opinion the lower court case is still valid precedent when it finds alcoholism to be a disability under California law.

4. If the attorney for the proponent wants to do further research, my suggestion would be for him or her to look at Government Code 12926 and 12926.1 which define physical and mental disabilities under our State Fair Employment and Housing laws. State Housing law also defines "handicapped" in Health and Safety Code section 50072. Health and Safety Code Section 4450 provides protection for handicapped persons in access to public buildings and Health and Safety Code 19952 through 19959 provide similar protection addressing access to private buildings. In my opinion, the Government Code sections cited above would be the most relevant to the issue you raise which has to do with discrimination in housing.

5. The second question you raise is whether the Commission can choose to exclude alcoholics from occupying the facility even if they are protected by the Fair Employment and Housing Act (FEHA) or the Americans with Disabilities Act (ADA). The answer is no.

OLIVEGROVE
1960 Butte Street
Corning, CA 96021

RECEIVED
AUG 10 2007
CITY OF CORNING

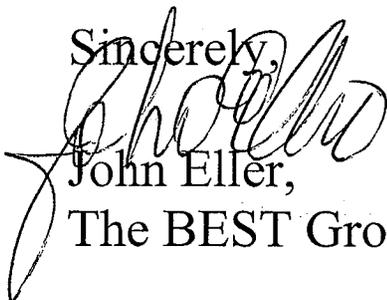
August 9, 2007

City of Corning
Attn John Brewer

Please accept this letter as our request to withdraw our application for amendment of the use permit for our apartments at 1960 Butte Street, Corning.

Thank you so much for your time on this matter.

Sincerely,



John Eller,

The BEST Group, LLC

**ITEM NO. F-3
PUBLIC HEARING; VESTING TENTATIVE TRACT
MAP NO. 07-1004; SHAAN ESTATES; TO CREATE
14 SINGLE-FAMILY RESIDENTIAL PARCELS IN
AN R-1 ZONING DISTRICT. LOCATED ON THE
NORTH SIDE OF BLACKBURN AVENUE AND
APPROX. 140 FEET EAST OF MARGUERITE AVE.
APN 75-310-42; APPROX. 2.74 ACRES. HIRDAY
SINGH, APPLICANT**

August 21, 2007

TO: PLANNING COMMISSION OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR



SUMMARY:

This Planning Application seeks to create fourteen (14) parcels for single-family residential use in an R-1 Zoning District. A reduced scale copy of the proposed Tract Map is attached as Exhibit "B". The project site appears on the Assessor's Map that is attached as Exhibit "C". The owner/applicant submitted this application (Exhibit "A" on May 30, 2007).

The project site totals 2.74 acres and is located on the north side of Blackburn Avenue and about 140 feet east of Marguerite Avenue. The project is essentially a "mirror-image" of the adjacent Blackburn Estates project that lies to the east and recorded in 2005.

DISCRETION:

The Planning Commission's authority regarding this and other Vesting Tentative Map applications stems from: Chapter 16.16 (See Exhibit "H") of Title 16 (Subdivision Code) of the Corning Municipal Code, and the State Subdivision Map Act (Government Code Section 66000 et. seq.).

This application is a "Vesting Tentative Tract Map". It differs slightly from the normal Tentative Tract Map. Vesting Tentative Maps essentially guarantee the applicant that the City's exactions (standards & fees) applicable to the development will not change during the life of the tentative map. It "freezes" the standards and fees that the City can apply to only those in effect upon the date the tentative map application was deemed complete; in this case June 25, 2007 (CMC Section 16.16.190-See Exhibits "H-1" and "H-2").

STAFF RECOMMENDATION:

**PLANNING COMMISSIONERS RECOMMEND THE CITY COUNCIL APPROVE
VESTING TENTATIVE TRACT 07-1004, SUBJECT TO THE FOLLOWING:**

1. **ADOPT THE 5 FINDINGS.**
2. **ADOPT 42 CONDITIONS OF APPROVAL ON VESTING TENTATIVE TRACT MAP 07-1004.**

FINDINGS:

1. The Vesting Tentative Tract\Parcel Map complies with the with the requirements of Chapter 16.16 (Vesting Tentative Maps) of Title 16 (Subdivisions and Planning) of the Corning Municipal Code.
2. The intended use, sizes and dimensions of the proposed parcels is/are consistent with the R-1 zoning designation, shown on the official zoning map of the City of Corning and the Residential General Plan Land Use designation as shown on the Land Use Diagram of the City of Corning.
3. Staff completed a CEQA Initial Study to determine the potential environmental effects of this project. The Initial Study identified some effects that could be considered significant. However, staff also determined that these effects could be lessened or "mitigated" to a less than significant threshold by the imposition of certain mitigation measures. For that reason, a CEQA Negative Declaration or Mitigated Negative Declaration was prepared, filed and distributed to all Responsible and Trustee agencies. All comments received regarding the Mitigated Negative Declaration have been adequately addressed. All identified significant effects of the project will be lessened or mitigated with the imposition of the Mitigation Measures and Conditions recommended in the Mitigated Negative Declaration and this staff report, and the project will not have a significant effect on the environment.
4. Approval of the proposed Tentative Map will not adversely impact Corning's ability to meet regional housing needs.
5. The design and improvements of the proposed Parcel Map allow, to the extent feasible, for the future passive solar heating and cooling opportunities.

RECOMMENDED CONDITIONS OF APPROVAL:

1. PROJECT LIGHTING.

Project lighting shall not exceed an average illumination level of 0.1 foot-candles at the edge of the Blackburn Avenue right-of-way, and shall be spaced at intervals of not more than 300 feet. All outdoor lighting shall be shielded and directed inward onto the project site. All outdoor lighting on the project site, including lighting from fixtures installed on the outside of project buildings, shall be shielded so that, at a minimum, no light is emitted above a horizontal line parallel to the ground, to prevent glare from impacting surrounding residences.

2. BLACKBURN AVENUE PLANTER.

3. CONSTRUCTION DEBRIS.

Prior to approving occupancy for any residence, all construction debris shall be removed from the affected lot.

4. UNDERGROUND UTILITIES.

All utilities, including electricity, telephone, gas, and cable television, shall be provided to each lot and undergrounded. The existing pole-mounted utility lines within the frontage of Blackburn Avenue shall also be undergrounded. The undergrounding shall include installation of underground wires along the frontage of the adjacent Blackburn Estates Tract within the existing conduits and shall be approved by the appropriate utility companies.

5. FENCING.

Solid six foot tall fencing shall be installed at the perimeter of the subdivision prior to acceptance of the public improvements. Solid six foot tall fencing shall be installed at the lot side and rear property lines prior to Occupancy approval.

CONDITION #7: LOT LANDSCAPING.

CONDITION #8: RESIDENTIAL FAÇADE STANDARDS.

In accordance with Corning Municipal Code Section 16.21.135, the developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to assure that identical homes are not constructed on adjacent lots.

CONDITION #9: ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION

No heating, ventilation, or air conditioning equipment shall be installed on the roof of any structure.

MITIGATION MEASURE #10: FUGITIVE DUST

Prior to commencing grading activities, the applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District and conform to the conditions of that permit.

MITIGATION MEASURE #11: 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.

CONDITION #12: GRADING PLANS.

CONDITION #13: REDISTRIBUTE TOPSOIL.

MITIGATION MEASURE #14: SPRINKLE EXPOSED SOILS.

MITIGATION MEASURE #15: UNANTICIPATED DISCOVERY

If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery, and the City of Corning notified. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic

archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery location until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total data recovery as a mitigation, or, preferably, 2) total avoidance of the resource, if possible. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

MITIGATION MEASURE #16: HUMAN REMAINS.

MITIGATION MEASURE #17: SOILS INVESTIGATION.

MITIGATION MEASURE #18: EXPANSIVE SOILS & LOT COMPACTION.

MITIGATION MEASURE #19. AVIGATION EASEMENT

Prior to recording the final tract map the applicant shall dedicate an avigation easement to the Airport Operator (City of Corning). The easement shall convey the right of flight at any altitude above 150 feet, the right to cause noise and vibration, fumes, dust and fuel particle emissions, the right of entry to remove, mark, or light any obstructions above 150 feet in height, and the right to prohibit the creation of electrical interference, unusual light sources and other hazards to aircraft flight.

MITIGATION MEASURE # 20: EROSION CONTROL.

CONDITION #21: LOT GRADING.

MITIGATION MEASURE #22: SWPPP & CONSTRUCTION STORMWATER PERMIT

CONDITION #23: STORMWATER RETENTION.

MITIGATION MEASURE #24: DEWATERING PERMIT.

CONDITION NO. 25. DEMOLISH EXISTING STRUCTURES. Prior to recording the final map, the applicant shall obtain the necessary demolition permits from the building department and demolish the existing structures.

MITIGATION MEASURE #25: CONSTRUCTION DAYS & HOURS.

MITIGATION MEASURE #26: CONSTRUCTION NOISE.

CONDITION #27: FIRE HYDRANTS.

Fire hydrants shall be AWWA-approved and installed in accordance with City standards. The developer shall provide the City of Corning with one hydrant repair kit.

CONDITION #28: STREET LIGHTING.

The developer shall provide street lighting with 90-degree cut-off lenses that meet the City Standards per City Code Section 16.21.050.H.

CONDITION #29: LANDSCAPE AND LIGHTING DISTRICT.

Prior to recording any final map for the project, the developer shall establish a Landscape and Lighting District or annex to an existing district if one exists, to fund the irrigation and continued maintenance of all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas along Blackburn Avenue, and electrification and maintenance of street lighting. Any costs associated with the district formation or annexation shall be borne by the developer.

CONDITION #30: ENGINEER'S ESTIMATE OF ANNUAL MAINTENANCE COSTS.

Prior to recording the final map, an engineer shall provide to the City of Corning estimates of the annual costs to electrify, irrigate, and otherwise maintain all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas on Blackburn Avenue, and street lighting.

CONDITION #31: DEVELOPMENT IMPACT FEES.

Subsequent residential development will be subject to Development Impact Fees imposed in order to lessen new development's impacts on City facilities and services. These fees shall be assessed and payable prior to issuance of each Certificate of Occupancy.

CONDITION #32: BLACKBURN AVENUE RIGHT-OF-WAY.

Final Map shall dedicate property to the City of Corning necessary to achieve a 30-foot half-width (Collector Standard) for Blackburn Avenue.

CONDITION #33: BLACKBURN AVENUE ONSITE IMPROVEMENTS. Construct the northern half width of Blackburn Avenue, including: one 12-foot travel lane; one 8-foot parking lane; curb, gutter and sidewalk; and complete an asphaltic concrete overlay for one lane width (12 feet) on the southern half-width, in accordance with Corning Municipal Code Section 16.21.040.B.6.c. and Standard Drawing S-18. Rolled curb and gutter and sidewalk shall meet Corning Standard Drawings S-1 & S-2.

CONDITION #34: INTERIOR STREET IMPROVEMENTS.

Interior streets shall be improved in accordance with City of Corning standard S-18 (40-foot 2 Lane Street).

CONDITION #35: STREET NAME.

Final street name is subject to approval of City staff and shall appear on the final map.

CONDITION #36: ACCESS RESTRICTIONS.

No new driveways shall be permitted direct access onto Blackburn Avenue. The Final Map shall offer "1 foot wide Non-Access" strips along the Blackburn Avenue frontage of Lots 1 & 14.

CONDITION #37: CUL-DE-SAC PARKING DELINEATION.

Curbside "parallel" parking spaces shall be delineated with traffic paint within the cul-de-sac bulb.

CONDITION #38: ABANDON WELL AND SEPTIC SYSTEMS.

Prior to recording any final map, the applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the

requirements of the Tehama County Environmental Health Department.

CONDITION NO. #39: REIMBURSEMENT FOR WATER & WASTEWATER SEWER TRUNK LINES.

Prior to recording the final subdivision map, the developer shall provide reimbursement to Coastal View Construction of Chico California, for their previous installation of water and sewer trunk lines within Blackburn Avenue in accordance with the Reimbursement Agreement.

CONDITION #40: WATER SERVICE.

Developer shall install water service and a meter for each lot in accordance with Public Works Standard S-20.

CONDITION #41. SEWER SERVICE LATERALS.

Developer shall install sewer service lateral lines for each lot in accordance with Public Works Standard S-21.

CONDITION #42. DEVELOPMENT AGREEMENT. Prior to filing the final Tract Map the developer shall enter into a Development Agreement with the City of Corning committing to pay the applicable "Regional Traffic Improvement Fee" at the time of building permit issuance for any of the fourteen lots resulting from the Map.

A. PROJECT DETAILS:

Please refer to the reduced scale copy of the tentative map (Exhibit "B"). The applicant, Mr. Hirday Singh, seeks to create fourteen lots for single family residential use. The project is quite similar to the subdivision that adjoins to the east; Blackburn Estates. That development appears on the copy of the Assessor's Map (Exhibit "C"). Site photographs are appended to the application as Exhibits "A-6 thru A-8".

The project includes a new street (marked Street "A") that will connect the lots driveways to Blackburn Avenue. Proposed Condition No. 35 requires that City staff approve the new street name. This assures that the street name will not duplicate an existing street name in the City or one in the unincorporated area. Duplication could confuse emergency service providers, as well as postal and other delivery services. In addition to checking for duplication, staff must make sure the proposed street name is readily pronounceable-to avoid confusion, particularly during emergency events.

The tentative map incorrectly states (under "Notes 4") that water will be provided by "Cal Water". Cal Water is the private water provider for the City of Chico. The lots will be served by City water and Sewer services. Proposed Conditions 40 and 41 require connection to the City's water and sewer utilities.

Electrical and Telephone services will be undergrounded in accordance with recommended Condition No. 4. Lot fencing is required by Conditions No. 5 & 6. An upgraded fence is required along the Blackburn Avenue frontage.

Front and Street side landscaping is required by Condition No. 7. A Landscape and Lighting District is required to maintain Blackburn Avenue landscaping and to electrify the streetlights (Conditions No. 29 & 30).

Reimbursement to the developer of the adjacent project (Blackburn Estates) is required for the water and sewer trunkline extensions that they completed/ See the "Reimbursement Agreement" between the City of Corning and Coastal View Construction that is attached as Exhibit "Y" and recommended Condition No. 39.

B. GENERAL PLAN:

1. LAND USE DESIGNATION:

Please refer to the attached copy of the General Plan Land Use Diagram (Exhibit "D"). The Site is currently designated "Residential". This application seeks to create fourteen lots for single-family residential use. The development proposal is consistent with the Residential General Plan Land Use Designation.

2. ZONING:

Please refer to the attached copy of the zoning map (Exhibit "E"). You'll note the site is zoned "R-1"; Single-Family Residential.

See the attached copy of the text from the R-1 Zoning District standards of Title 17 (Zoning) of the Corning Municipal Code (Exhibit "I"). The R-1 district permits single-family residential use per Corning Municipal Code Section 17.10.020.A. Minimum parcel sizes of 6,000 sq. ft. for interior lots and 7,000 sq. ft. for corner lots are specified in Section 17.10.040. The Vesting Tentative Tract Map application is consistent with the "R-1" zoning.

From the Zoning Map you'll note that the site is surrounded by other properties zoned for residential use. Also refer to the aerial photograph (Exhibit "J"). There are no conflicting zoning districts or land uses adjacent to this site. You will note that a large building occupies the property across Blackburn Avenue-at the southeast corner of Blackburn and Marguerite Avenues. The large building and accessory parking area is the Church of Latter Day Saints located at 111 Marguerite Avenue. Churches may be permitted in R-1 zoned upon approval of a use permit in accordance with Corning Municipal Code Section 17.10.030.C. This church was entitled in 1975 by the approval of Use Permit No. 57. The church was subsequently expanded through Use Permit No. 120 in 1989.

The aerial photo also shows the existing residence and accessory building that occupy the site. The same structures appear on the tentative map along with notes stating that they're to be demolished. Proposed Condition No. 25 requires the existing structures to be properly demolished in accordance with City requirements. Additionally, Condition No. 38 requires proper abandonment of

the existing well and septic system. The proposed lots will connect to the City's sewer and water systems.

3. CIRCULATION ELEMENT:

Please refer to the copy of the Circulation Element Map (Exhibit "F"). The site fronts Blackburn Avenue that is designated a Collector street on the map. While its not an absolute requirement, Condition No. 36 is recommended to orient the new driveways for proposed Parcels 1 & 14 to the new interior street (Street A) to limit the number of individual driveways intersecting the collector street.

Conditions No. 32 and 33 require additional right of way and the construction of street frontage improvements to Blackburn Avenue. The lots will utilize a new street (Street "A") for access. Conditions No. 34, 35 & 37 require construction of that street to City Standards and its naming in accordance with City procedures.

With the recommended conditions, the project will comply with the Circulation Element.

4. NOISE ELEMENT:

Refer to the copy of the City's Noise Element Map that is attached as Exhibit "K-1" and the Airport Noise Contour Map from the City's 2003 Airport Master Plan that's attached as Exhibit "K-2". The Noise Element "identifies the normal acceptable range for low density residential uses as less than 60dB". The project is a low-density development and the site does not lie within any heightened (60dB) Noise Contour that requires mitigation. No measures to mitigate long-term Noise are necessary or recommended.

Short-term construction-related noise will be limited in accordance with proposed Conditions No. 25 and 26.

With the recommended Conditions of Approval, the project will be consistent with the Noise Element.

5. SAFETY ELEMENT:

Please refer to the attached copies of the Flood Hazard Maps (Exhibits G-1 and G-2). Both the City and County Flood Maps are attached because the subject property was recently annexed (2005) and the FEMA Maps haven't yet been updated to reflect the changed City limits. In any event, the site is not within Flood Hazard Zone 'A'; the 100-year Floodplain. No measures to mitigate flood effects are necessary nor recommended.

Since new development overcovers pervious soils with buildings, streets, sidewalks, parking lots, etc., it most often increases stormwater runoff. The increased runoff can overburden the City's drainage system and cause localized flooding. For this reason, the City of Corning requires onsite stormwater retention in accordance with Corning Municipal Code Chapter 16.25 (Exhibit "L").

The requirement is to detain (temporarily hold) or retain (permanently hold) the increased runoff resulting from development during a 25-year storm event for a duration of four hours. There are a number of ways to accomplish this including an above-ground detention basin, or subsurface vaults of leachfield systems. Proposed Condition No. 23 requires compliance with this standard. Since there is no above ground basin proposed we assume the engineer will comply with the standard through underground vault or leachfield system.

6. CONSERVATION ELEMENT:

No sensitive riparian or wetland habitats are known to occur on the project site. No streambed will be modified, and no threatened or sensitive wildlife or plant species are known to occur. The project site is not a known source of aggregate resources such as sand or gravel, nor other valuable mineral resource. The project will not conflict with the objectives of the Conservation Element.

7. OPEN SPACE ELEMENT:

The project does not adjoin any riparian habitat areas. Neither wetlands nor lands with significant habitat value are known to occur on the site. The project will not conflict with the Open Space Element.

8. HOUSING ELEMENT:

The project proposes to create 14 parcels for single family residential use. Since it will provide additional housing opportunities for Corning residents, the project is consistent with the Housing Element.

The applicant has not indicated that the resulting residences will be “affordable” units developed for “Very Low” or “Low” income residents. You should therefore assume the project will create “market-rate” housing.

C. CORNING AIRPORT MASTER PLAN:

The City of Corning owns and operates the Corning Municipal Airport. The State requires airport operators to prepare, update and adopt documents called “Airport Master Plans” that detail how the airport is to be operated during a 20-year Planning Period. The current Airport Master Plan, updated and adopted by the Corning City Council in August of 2003, envisions the relocation and northerly extension of the airport runway. This northward shift is proposed to further separate the airstrip from the high school and other urban uses lying south of the runway. That relocation and extension is illustrated on the drawing attached as Exhibit “M” and has not yet occurred.

D. COMPREHENSIVE AIRPORT LAND USE PLAN (ALUP):

The State requires Counties to appoint “Airport Land Use Commissions” (ALUC). Their primary responsibility is to adopt “Airport Land Use Plans” for each and every airport. The purpose of the ALUP is to “protect public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards around public airports”.

The original ALUP for Corning Municipal Airport was adopted by the Tehama County ALUC in 1988. It established safety zones around the airport and recommended certain land use limitations within in and around those safety zones. Once that document was adopted, the primary duty of the ALUC shifted essentially to assuring compliance with the ALUP. The Tehama County Planning Department serves as staff to the Tehama County ALUC.

Once the 2003 Airport Master Plan was adopted, the City notified the Tehama County Airport Land Use Commission (ALUC) to advise of the planned northward shift and extension of the runway and recommended that new safety zones be appended to the ALUP. For that reason, there are currently two sets of safety zone maps incorporated into the Comprehensive Airport Land Use Plan. Please refer to the copy of the Current and Future Airport Safety Zone Maps; Exhibits "N-1" & "N-2", respectively.

The Site is located within both the existing and future "Overflight Safety Zones". The Overflight Safety Zone is the least restrictive of the three separate Airport Safety Zones. The site is actually laterally shifted-it is not along the projected runway centerline. See the attached copy of the matrix marked "Table One Part Three-Overflight Zone Safety Areas" from the ALUP (Exhibit "O"). Under the "Residential" Category you'll note that Single-Family Residential Uses are permitted. Furthermore, near the bottom of the page you'll also note that "Subdivisions" are permitted, but may be subject to individual review by the ALUC.

The ALUP also includes "General Policies" (Exhibit "P"). Regarding referral to the ALUC, the policy for tentative subdivisions states (under 1.f) "ALUC review of these actions is will not be required if the jurisdiction has amended its General Plan to be consistent with this ALUP". The Corning General Plan does address the ALUP, so ALUC review of this project is not required.

The ALUP General Nuisance Policies recommend that "Avigation Easements" be required for any project occurring within the Airport Planning Area. The site is within the Airport Planning Area. The purpose of the easement is to disclose the nearness of the airport and aircraft flight patterns and associated nuisances including overflight, noise, vibration, fumes, dust and fuel particle emissions to potential buyers. The easement also awards certain rights to the airport operator to remove lights or structures that are deemed flight hazards, and to prohibit electrical interference, and unusual light sources. The requirement for the easement is included as Condition No. 19.

E. CEQA:

This application is also subject to the provisions of the California Environmental Quality Act. CEQA is included within Division 13 of the California Resources Code; Section 21000 et. seq. CEQA is authorized locally pursuant to Title 18 of the Corning Municipal Code and then uniformly implemented (throughout the state) in accordance with the State's CEQA Guidelines; which are contained within Title 14 of the California Code of Regulations. The purpose of CEQA is to identify, quantify and mitigate the significant environmental effects resulting from development projects.

Staff completed a CEQA Initial Study for the purpose of determining the potential environmental effects of this development project. That Initial Study, completed on June 25, 2007, identified certain significant effects that could occur as a result of this project. However, staff was able to readily identify 41 Mitigation Measures and/or Conditions¹ that could be applied to the project to lessen those significant effects to a "Less than Significant" threshold. The 13 proposed Mitigation Measures and 28 Conditions are included in the Mitigated Negative Declaration and as the first 41 of the overall 42 recommended Conditions of approval of this project.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was prepared, and filed with the State Clearinghouse and County Clerks office on June 27th, and June 30th, respectively. Copies of Initial Study and MND (Exhibit "W"), along with a Public Hearing Notice (Exhibit "U") and Responsible Agency Cover Letter (Exhibit "X") were mailed to all Responsible and Trustee agencies on June 26th. The CEQA process timelines for this project are detailed on the Staff Report Summary Sheet that is attached as Exhibit "Z".

As of this date we have received comments regarding the adequacy of the MND from the following four agencies: Caltrans, Tehama County Public Works, Public Utilities Commission and Regional Water Quality Control Board (RWQCB). Copies of the comments letters are attached as Exhibits "Q" through "T". Summaries of those comments and staff responses thereto follow:

Letter from Caltrans, dated July 10, 2007 (Exhibit Q)

Comment Summary: The writer requests the City of Corning "quantify" and mitigate the cumulative impacts of development on the State Highway system. This letter is a repeat of other Caltrans comment letters delivered in response to other development projects.

Staff Response to Caltrans letter:

When the letter asks the City to "quantify" the impacts to state highway facilities, it ignores the City's participation in the "Fix-5 Committee"; a regional agency established for the purpose of identifying and mitigating the cumulative effects of development on the freeway. The Fix-5 Committee includes the Cities of Corning, Red Bluff, Anderson, Redding, Shasta Lake, and the Counties of Tehama and Shasta. The committee recently received a \$500,000.00 grant to complete a study to determine the cumulative effects of development on I-5 and come up with a suitable mitigation fee. That study is currently ongoing. The preliminary data currently suggests a regionally implemented fee of \$1,894/dwelling unit to mitigate impacts to I-5. We expect the committee to present their preliminary findings and an "interim" I-5 impact mitigation fee to the Corning City Council, as well as the

¹ For the purposes of the Initial Study and Mitigated Negative Declaration, Mitigation Measures are measures to mitigate specific environmental impacts of the specific project. Conditions on the other hand, are measures to assure compliance with City standards. In this staff report the two types of measures are collectively called "Recommended Conditions of Approval".

councils/boards of the other participating agencies within the next few months. It will ultimately be up to the Corning City Council to determine if the Fix-5 sponsored mitigation fee should be implemented in Corning.

In a previous letter addressing another project (the Blossom Avenue subdivision), Caltrans suggested that the City require the developer to enter into a Development Agreement agreeing to implement any subsequently adopted Regional Traffic Mitigation Fee. This was suggested in that case because the tentative map was a "Vesting Tentative Tract Map". Vesting tentative maps normally are subject to only the standards and fees that are applicable when the tentative map application is deemed complete. So, any fee implemented after tentative map approval could not normally be applied to the development, except with a Development Agreement specifically stating otherwise. The City required the Development Agreement that forced the developer to agree to pay any subsequently adopted regional traffic mitigation fee. Oddly, Caltrans did not make the same "Development Agreement" request for this project even though this project also is a Vesting Tentative Tract Map. Note that were this merely a standard "Tentative Tract Map", the fees applicable at the time of building permit application would be naturally assessed.

Staff arranged to meet with Caltrans staff to discuss the issue of cumulative impacts to state highway facilities. At that meeting we pointed out our frustration in receiving the recurring and impractical Caltrans request to "quantify and mitigate" noted above. We explained that it was impossible to incorporate that comment into any project approval and that the Fix-5 committee was diligently working to respond to the issue on a regional basis. Of course the Fix-5 Committee and its objectives are no secret to Caltrans, the agency has been advising the committee from its inception.

At the conclusion of the meeting, staff agreed to implement the same "Development Agreement" requirement that was applied to the Blossom Avenue subdivision. Please refer to recommended Condition No. 42.

Letter from Tehama County Public Works Dept., dated August 1, 2007 (Exhibit R)

Comment Summary: No concerns or comments.

Staff Response to Tehama County Public Works letter:

None necessary.

Letter from Public Utilities Commission, dated July 27, 2007 (Exhibit S)

Comment Summary: General concerns about increased activity at rail crossings and along railroad right of way resulting from development-particularly the crossing at North Street.

Staff Response to PUC letter: This project is located over 3,000 feet east of the railroad. For that reason the project is not expected to generate appreciable pedestrian trips across or along the railroad tracks.

The fourteen homes resulting from this project are expected to generate about 140 vehicle trips per day. At least some of those will cross the rail tracks; either at Solano Street, Colusa Street, South Street, Fig Lane, Orangewood Road, or South Avenue. Those streets currently have rail crossings with proper and functioning cross-arms and warning bells & lights. To avoid the crossings is impractical and simply ignores the fact that Corning is bisected by the railroad. In fact, the City is where it is because of the railroad-as are hundreds of other cities throughout the country. Due to the condition and closure of the Toomes Creek railroad bridge, the line has but a fraction of the rail traffic that it accommodated in the past, and is essentially operated as a "short-line" railroad.

Also, in spite of the writer's "specific concern", there is no rail crossing at North Street.

Letter from Regional Water Quality Control Board, dated July 25, 2007 (Exhibit T)

Comment Summary:

General Comments regarding compliance with the Clean Water Act, Stormwater Pollution and discharges thereof.

Staff Response to Regional Water Quality Control Board letter:

No wetlands were noted on the site. Staff believes the comments presented are adequately addressed in the Mitigated Negative Declaration and the recommended Conditions of Approval.

F. PUBLIC NOTICE AND COMMENTS:

In addition to mailing the notices of the proposed CEQA action to Responsible and Trustee agencies, staff also notified all property owners within 300/500 feet of the project site. A copy of the map showing the properties within that radius is attached as Exhibit "V". The notice (Exhibit "U") was also published in the Corning Observer.

In addition to notifying of the proposed project, the notice solicited comments regarding the project and the proposed CEQA action. As of this writing no written comments from the public have been forwarded.

LIST OF EXHIBITS

- Exhibit "A"Project Application
- Exhibit "B"Reduced Copy of Vesting Tentative Tract Map
- Exhibit "C"Assessor's Map
- Exhibit "D"General Plan Land Use Diagram
- Exhibit "E"Zoning Map
- Exhibit "F"Circulation Element Map
- Exhibit "G"Flood Hazard Map; G-1 is City of Corning Map; G-2 is County Map
- Exhibit "H"H-1 is Corning Municipal Code Chapter 16.16; H-2 is Gov't Code 66474.2
- Exhibit "I" Corning Municipal Code Chapter 17.10; (R-1 Zoning Regs.)
- Exhibit "J"Aerial Photo
- Exhibit "K"K-1 is Noise Element Map; K-2 is Airport Master Plan Noise Map
- Exhibit "L"Corning Municipal Code Chapter 16.25 (Stormwater Retention)
- Exhibit "M"Planned Airport Runway Extension Drawing
- Exhibit "N"N-1 shows Existing Airport Safety Zones; N-2 shows Future Safety Zones
- Exhibit "O"ALUP Overflight Safety Zone Land Use Matrix
- Exhibit "P"ALUP General Policies
- Exhibit "Q"Caltrans Letter
- Exhibit "R"Tehama County Public Works Letter
- Exhibit "S"Public Utilities Commission Letter
- Exhibit "T"Regional Water Quality Control Board Letter
- Exhibit "U" Planning Commission Public Hearing Notice
- Exhibit "V"Adjoining Owners' Map-Notice Radius of 300'
- Exhibit "W"Mitigated Negative Declaration
- Exhibit "X"Responsible/Trustee Agency Notice & List
- Exhibit "Y"Reimbursement Agreement with Coastal View Construction
- Exhibit "Z"Staff Report Summary Sheet

STAFF REPORT SUMMARY SHEET
Vesting Tentative Tract Map 07-1004-Shaan Estates

Application Information	
Application Type: <u>Vesting TTM</u>	Applicant: <u>Hirday Singh</u>
Assessor's Parcel No. <u>75-310-42</u>	Acreage: <u>2.74</u>
Submittal Date: <u>May 30, 2007</u>	Contact Person: <u>Tim Wood-Engr. Group</u>
Project Description: <u>To create 14 single family residential parcels in an R-1 zoning district. Located on the north side of Blackburn Avenue and approximately 140 feet east of Marguerite Avenue.</u>	
PC Action: _____	
CC Action: _____	
Land Use Information	
Current Zoning: <u>R-1</u>	Proposed Zoning: <u>R-1</u>
Current GPLU Designation: <u>Res.</u>	Proposed GPLU Designation: <u>Res.</u>
Floodplain Zone?: <u>None</u>	Airport Safety Zone: <u>Overflight</u>
Maximum Density Permitted: <u>7/acre</u>	Compliant? <u>Yes</u>
CEQA Information	
Application Complete: <u>6/20/07</u>	Exempt? \Section <u>N/A</u>
MND Filed w\County: <u>6/27/07</u>	With Clearinghouse: <u>6/30/07</u>
Adjoiners determined: <u>6/25/07</u>	PC Notice sent to AO's <u>6/26/07</u>
PC Notice to Agencies: <u>6/26/07</u>	Review Ends: <u>8/3/07</u>
PC Notice Published: <u>8/8/07</u>	PC Hearing: <u>8/21/07</u>
CC Hearing _____	CC Notices Mailed: _____
CC Notice Published: _____	NoD Filed: _____

EXHIBIT "Z"

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

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

PROJECT INFORMATION	PROJECT ADDRESS 25282 Blackburn Ave. Corning, CA 96021		ASSESSOR'S PARCEL NUMBER 075-310-42-1	G.P. LAND USE DESIGNATION Grazing lands
	ZONING DISTRICT R-1 Single Family Residential	FLOOD HAZARD ZONE Zone C	SITE ACREAGE 2.74 Acres	AIRPORT SAFETY ZONE? OVERFLIGHT
	PROJECT DESCRIPTION: (attach additional sheets if necessary) Proposed 14 Lot Subdivision on single parcel			
	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 checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
APPLICANT INFORMATION	APPLICANT Hirday Singh		ADDRESS 1771 Patty Drive Yuba City, Ca 95993	DAY PHONE (530) 701-4010
	REPRESENTATIVE (IF ANY)		ADDRESS	DAY PHONE
	PROPERTY OWNER Hirday Singh		ADDRESS 1771 Patty Drive, Yuba City, CA 95993	DAY PHONE (530) 701-4010
	CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input 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: <u>Hirday Singh</u>		PROPERTY OWNER: I have read this application and consent to its filing. Signed: <u>Hirday Singh</u>	
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.				

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. TIM 07-1004	RECEIVED BY: JB	DATE RECEIVED 5/30/07	DATE APPL. DEEMED COMPLETE 6/25/07
	FEE RECEIVED/RECEIPT NO. \$1630⁰⁰ CK# 2288	CEQA DETERMINATION Exempt ND MND EIR		DATE FILED

EXHIBIT "A"



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM

(To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title:
Shaan Estates

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:

N/A

Additional Project Information

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

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

5. Proposed scheduling/development.
Site to be developed in one phase per approval.

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.)

14 proposed units with prices ranging from approximately \$250,000- \$350,000 consisting of 1,200- 1,500 square foot houses.

**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.

N/A

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.

N/A

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"/>

A-3

**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.

There is one existing single family residence. The site is relatively flat with an overall slope of 0.30%, sloping from north to south. The site is covered mostly with native grasslands.

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.

Low density residential subdivisions have been developed on the north, east and west sides of the project.

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 5-27-07 Signature Windy Pal y's
For: _____

A-4

**CITY OF CORNING
PLANNING APPLICATION**

Required Supplementary Information:

(Note: The following are general requirements for the various types of projects. Additional information due to site or neighborhood characteristics or conditions may also be required)

General Plan Amendment:

1. Assessor's Map
2. Copy of Vesting Deed or Preliminary Title Report for all properties
3. Application fee (See Fee Schedule)

Lot Line Adjustment:

1. Copy of Preliminary Title Report for each affected property
2. Drawing marked Exhibit "A" (prepared by a Licensed Land Surveyor or Civil Engineer) showing existing and proposed parcel boundaries, streets, buildings, utilities
3. Resulting parcel descriptions marked Exhibit "B"
4. Application fee (See Fee Schedule)

Planned Development Use Permit

1. Copy of Preliminary Title Report
2. Drawing showing proposed uses of sufficient detail to identify all facets of the project, including any proposed divergence from typical City standards (setbacks, lot coverage, density, etc.)
3. A narrative describing and justifying all proposed divergence from typical City standards

Parcel Map (Submit City of Corning Tentative Map Package)

Rezone or Prezone

1. Copy of Preliminary Title Report
2. Application fee (See Fee Schedule)

Street Abandonment

1. Letter of Justification
2. Application fee (See Fee Schedule)

Subdivision (Submit City of Corning Tentative Map Package)

Time Extension:

1. Application fee (See Fee Schedule)

Use Permit:

1. Site Plan (drawn to scale) indicating existing and proposed uses, adjacent streets, utilities, driveways, parking areas, landscaped areas, signage, etc.
2. Copy of Preliminary Title Report
3. Application fee (See Fee Schedule)

Variance:

1. Copy of Preliminary Title Report
2. Ten (10) copies of a site plan (drawn to scale)) indicating all existing and proposed uses, adjacent streets, utilities, driveways, parking areas, etc. and the issue for which the variance is sought.
3. One reduced size (8 1/2" X 11") copy of the site plan.
4. Application fee (See Fee Schedule)
5. Narrative supporting and justifying the findings listed in Zoning Code Section 17.58.020.
6. Application fee (See Fee Schedule)

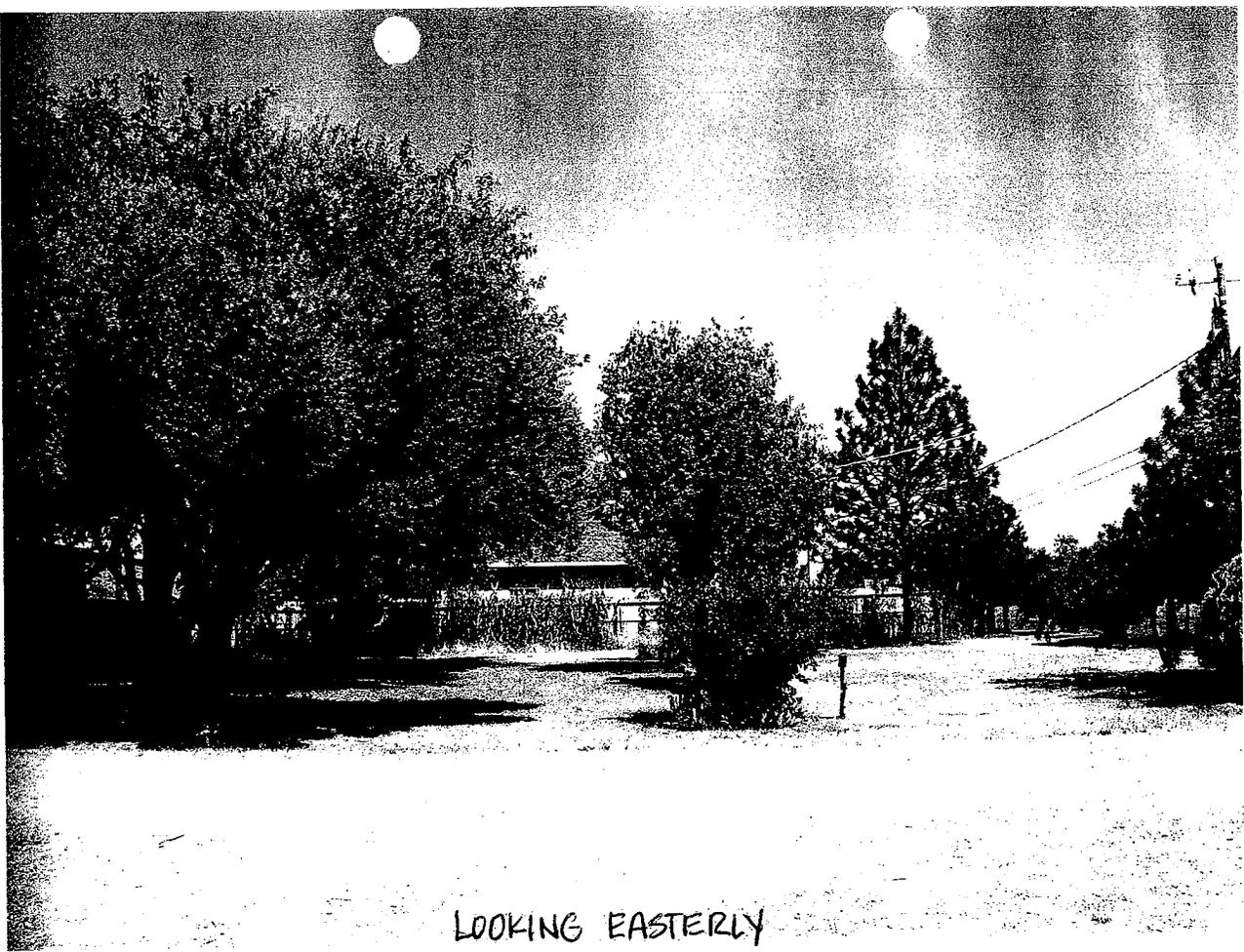


FROM BLACKBURN LOOKING AT THE SITE



FROM BLACKBURN LOOKING AT THE SITE

A-6

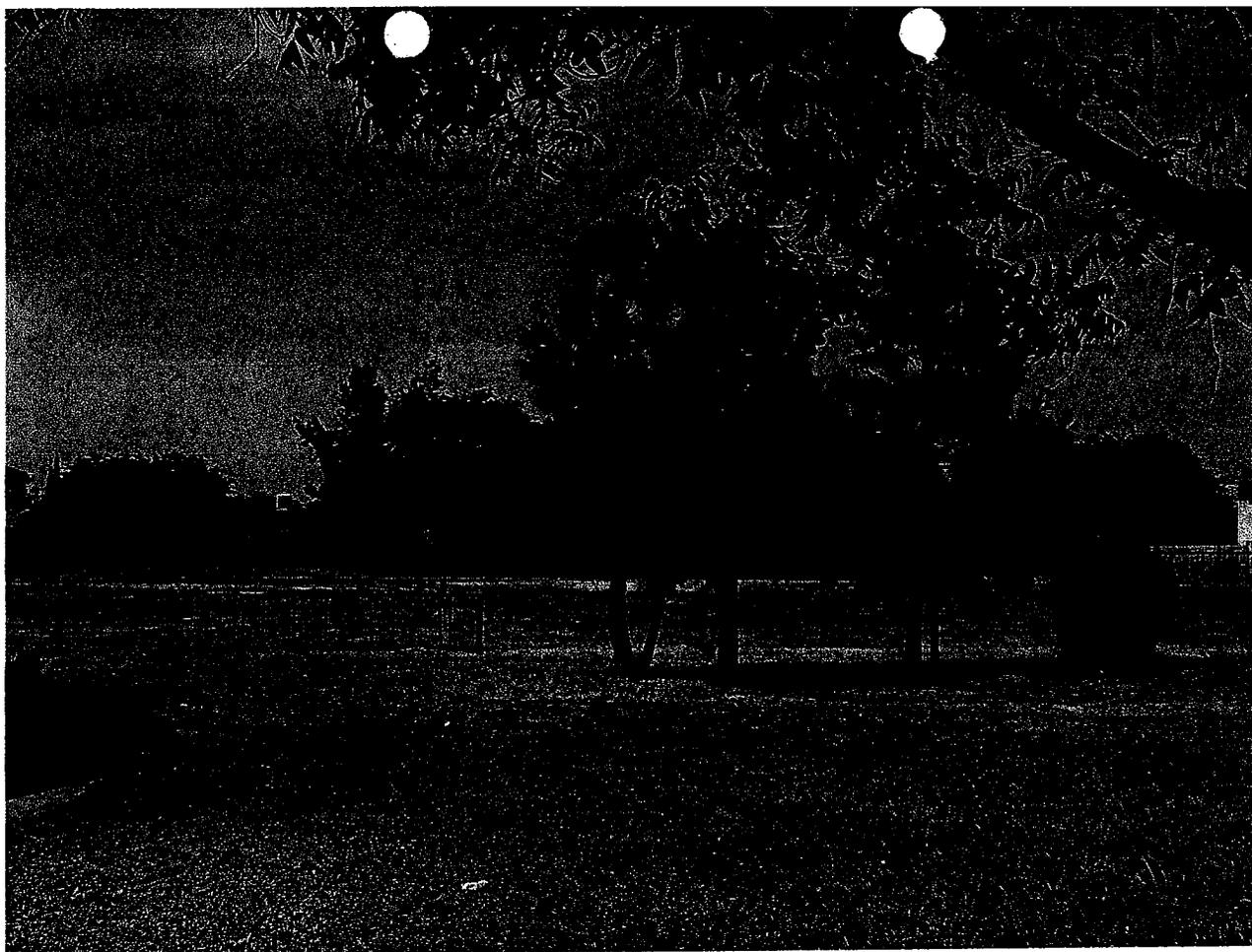


LOOKING EASTERLY



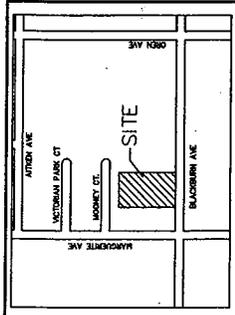
FROM BLACKBURN LOOKING AT THE SITE

A-7



LOOKING NORTHERLY

A-B



VICINITY MAP
NOT TO SCALE

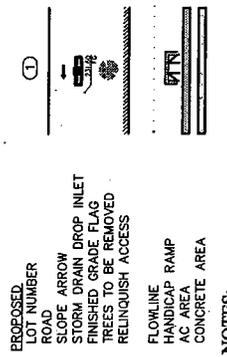


SCALE: 1"=40'

CURVE LENGTH	RADIUS	DELTA
C1	15.50	20.00
C2	15.50	20.00
C3	48.13	60.00
C4	33.57	60.00
C5	35.90	60.00
C6	34.42	60.00
C7	46.55	60.00
C8	15.50	20.00
C9	31.18	20.00
C10	31.65	20.00

TREE LIST:	TREE NO.	DIA (INCHES)	TREE TYPE
	1	14"	PINE
	2	10"	PINE
	3	20"	PINE
	4	10"	PINE
	5	10"	PINE
	6	10"	PINE
	7	12"	PINE
	8	6"	PINE
	9	10"	UNKNOWN
	10	18"	UNKNOWN
	11	18"	UNKNOWN
	12	20"	UNKNOWN
	13	18"	UNKNOWN
	14	18"	UNKNOWN
	15	8"	UNKNOWN
	16	8"	UNKNOWN
	17	8"	UNKNOWN
	18	14"	UNKNOWN
	19	6"	PINE
	20	6"	PINE
	21	2x8"	PINE
	22	8"	PINE
	23	8"	PINE
	24	8"	PINE
	25	2x6"	UNKNOWN
	26	10"	UNKNOWN
	27	20"	PINE
	28	7"	EUCALYPTUS
	29	2x10"	EUCALYPTUS
	30	2x10"	EUCALYPTUS
	31	3x8"	EUCALYPTUS
	32	2x8"	EUCALYPTUS
	33	8"	EUCALYPTUS
	34	8"	EUCALYPTUS
	35	8"	EUCALYPTUS
	36	2x10"	EUCALYPTUS
	37	10"	OLIVE
	38	8"	PINE
	39	22"	UNKNOWN
	40	10"	PINE
	41	12"	EUCALYPTUS
	42	2x10"	UNKNOWN
	43	30"	UNKNOWN

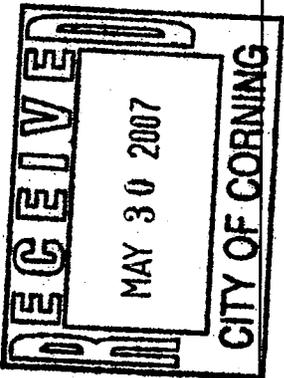
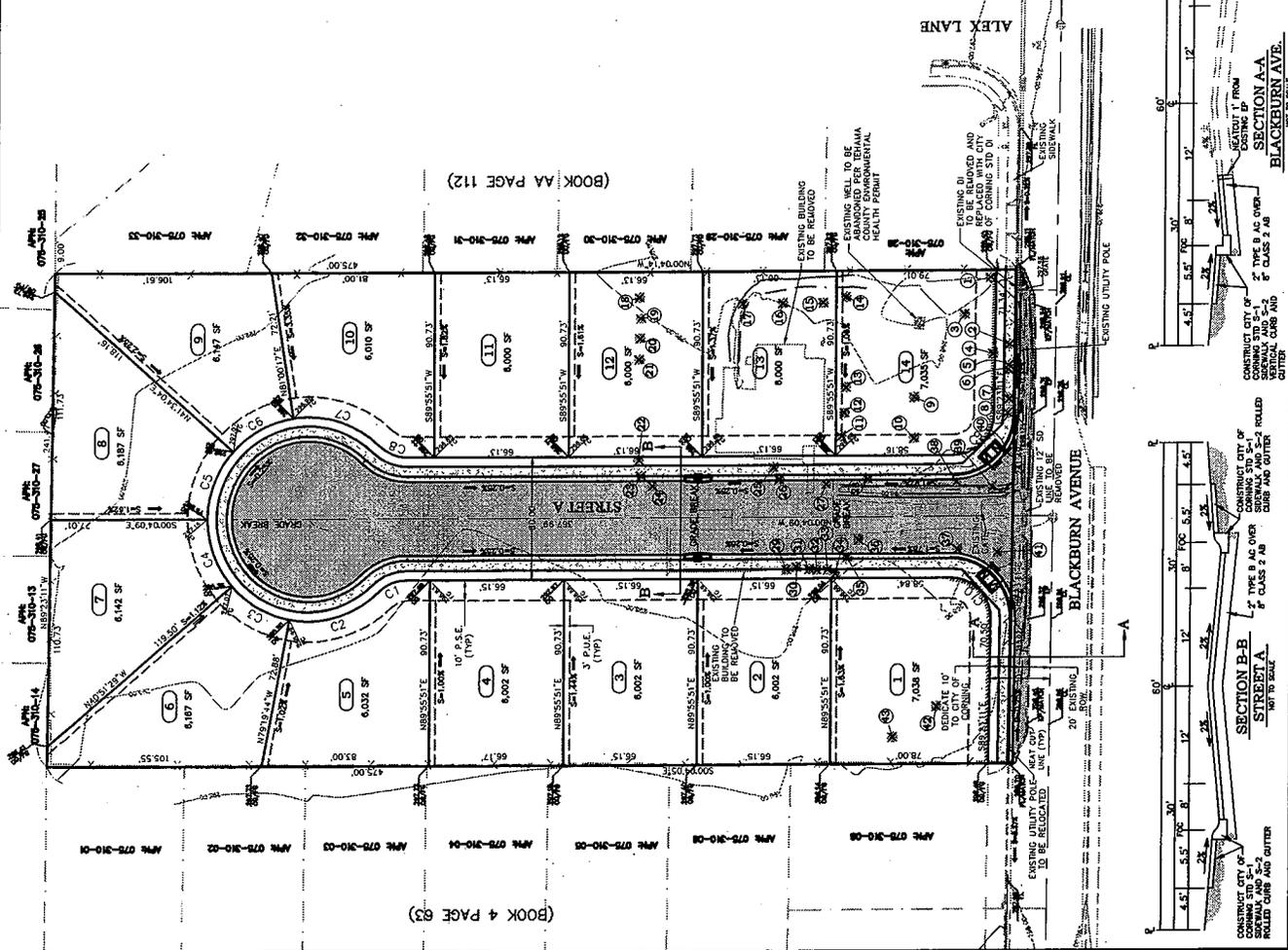
- LEGEND:**
- BOUNDARY
 - CENTERLINE
 - ADJACENT BOUNDARY LINES
- EXISTING:**
- CURB, GUTTER & SIDEWALK
 - EDGE OF PAVEMENT
 - FENCE LINE
 - FIRE HYDRANT
 - ORIGINAL GRADE FLAG
 - STORM DRAIN DROP INLET
 - STORM DRAIN MANHOLE
 - TREE NUMBER
 - UTILITY POLE
 - WATER VALVE
 - STREET LIGHT
 - WELL
- PROPOSED:**
- LOT NUMBER
 - ROAD
 - SLOPE ARROW
 - STORM DRAIN DROP INLET
 - FINISHED GRADE FLAG
 - TREES TO BE REMOVED
 - RELINQUISH ACCESS
 - FLOWLINE
 - HANDICAP RAMP
 - AC AREA
 - CONCRETE AREA



NOTES:

- CURRENT ZONING: R1 (LOW DENSITY RESIDENTIAL)
- PROPOSED ZONING: R1 (LOW DENSITY RESIDENTIAL)
- PROPOSED USE: GRASSY LANDS; PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- TOTAL LOTS = 14 AVERAGE LOT SIZE = 6,197 SF
- THE FOLLOWING SERVICES WILL BE PROVIDED BY THE FOLLOWING PROVIDERS:

- STORM DRAINAGE: CITY OF CORNING
 - SEWER: CAL WATER
 - TELEPHONE: CAL WATER
 - CABLE TELEVISION: COMCAST
- FOR R1 ZONING THE CITY OF CORNING REQUIRES THE FOLLOWING SETBACKS: 20' FRONT YARD SETBACK, 10' REAR YARD SETBACK, 6' SIDE YARD SETBACK (WITH 3 ADDITIONAL FEET FOR EACH ADDITIONAL STORY OF BUILDING ABOVE THE FIRST STORY), AND 10' SIDE YARD SETBACK FOR CORNER LOTS ALONG A STREET.
 - EXISTING SEPTIC SYSTEM TO BE ABANDONED, PER TEHAMA COUNTY ENVIRONMENTAL HEALTH PERMIT.
 - EXISTING WELLS TO BE ABANDONED, PER TEHAMA COUNTY ENVIRONMENTAL HEALTH PERMIT.
 - EXISTING BUILDINGS TO BE REMOVED.
 - THE 25 YEAR STORM WATER RUNOFF EVENT FROM THIS PROJECT WILL BE CAPTURED WITHIN STORM DRAIN FACILITIES LOCATED IN PUBLIC RIGHT OF WAYS AND PIPED TO THE EXISTING CITY OF CORNING STORM DRAIN SYSTEM LOCATED ON BLACKBURN AVENUE AS PER CITY OF CORNING STANDARDS.
 - AS PER PROPOSED PROJECT IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PROTECTION PROJECT PER FEMA'S FIRM MAPS, NUMBERS 08050408S & 08050408S BY DATED JUNE 1, 1992, AND 060396 0005 C, DATED SEPTEMBER 27, 1991.



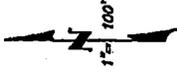
SHAAN ESTATES
(A PUBLIC STREET SUBDIVISION)

VESTING TENTATIVE SUBDIVISION MAP
A PORTION OF LOT 5 IN BLOCK 9 OF MAYWOOD COLONY NO. 1, AS THE SAME IS SHOWN ON THE MAP FILED IN THE TEHAMA COUNTY RECORDER'S OFFICE MAY 23, 1991 IN BOOK A OF MAPS AT PAGE 33, AND A PORTION OF SECTION 14, T.24N., R.3W., M.D.B.&M. APN: 075-310-72

FOR
HIRDAY SINGH
1771 FAITY DRIVE
YUBA CITY, CA 95993

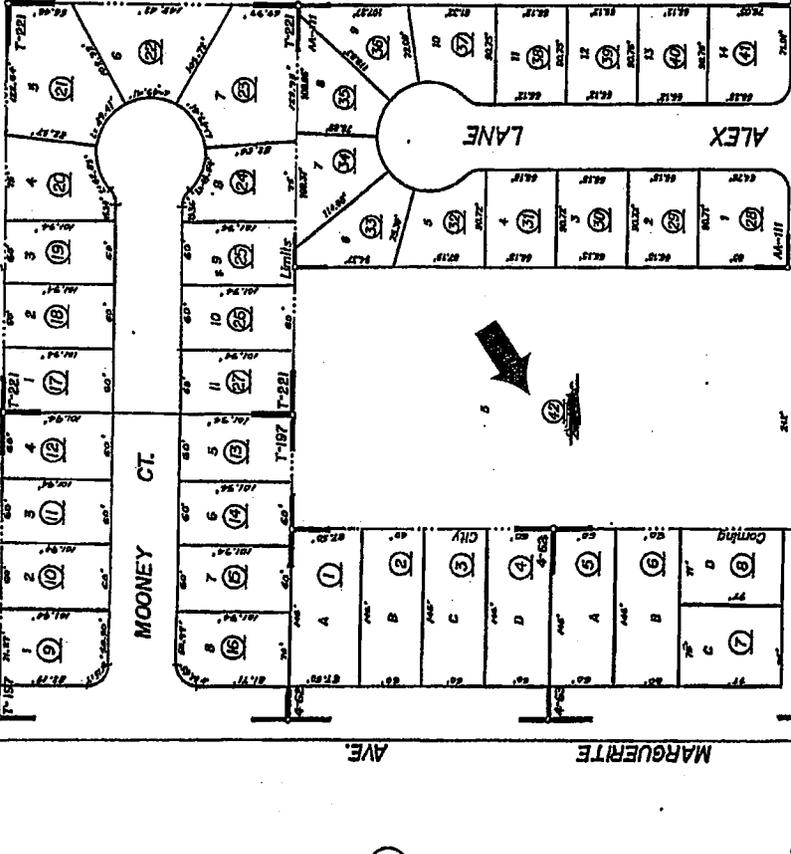
TOTAL AREA: 2.74 ACRES
BY
THE ENGINEERING GROUP, INC.
THOMAS C. WOOD, R.C.E. 61779
1250 EAST AVE., SUITE 10
YUBA CITY, CA 95926
PH: (530) 889-3069 FAX: (530) 889-0943

EXHIBIT "B"



PTN. SEC. 14, T.24N., R.3W., M.D.B.&M.

8



8

P.M. Bk. 4, Pg. 62-P.M. No. 77-68
 P.M. Bk. 4, Pg. 63-P.M. No. 77-67
 R.M. Bk. T, Pg. 197-Skyway Sub. Unit No. 1A, Tract No. 78-1037
 R.M. Bk. T, Pg. 221-Skyway Sub. Unit No. 1B, Tract No. 78-1037
 R.M. Bk. AA, Pg. 111-Blackburn Estates, Tract No. 05-1011

Bk. 73

Assessor's Map Bk. 75 -Pg. 31
 County of Tehama, Calif.

ASSESSOR'S MAP

EXHIBIT "C"

"This map may or may not be a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. PLACER TITLE COMPANY, expressly disclaims any liability for alleged loss or damage which may result from reliance on this map."

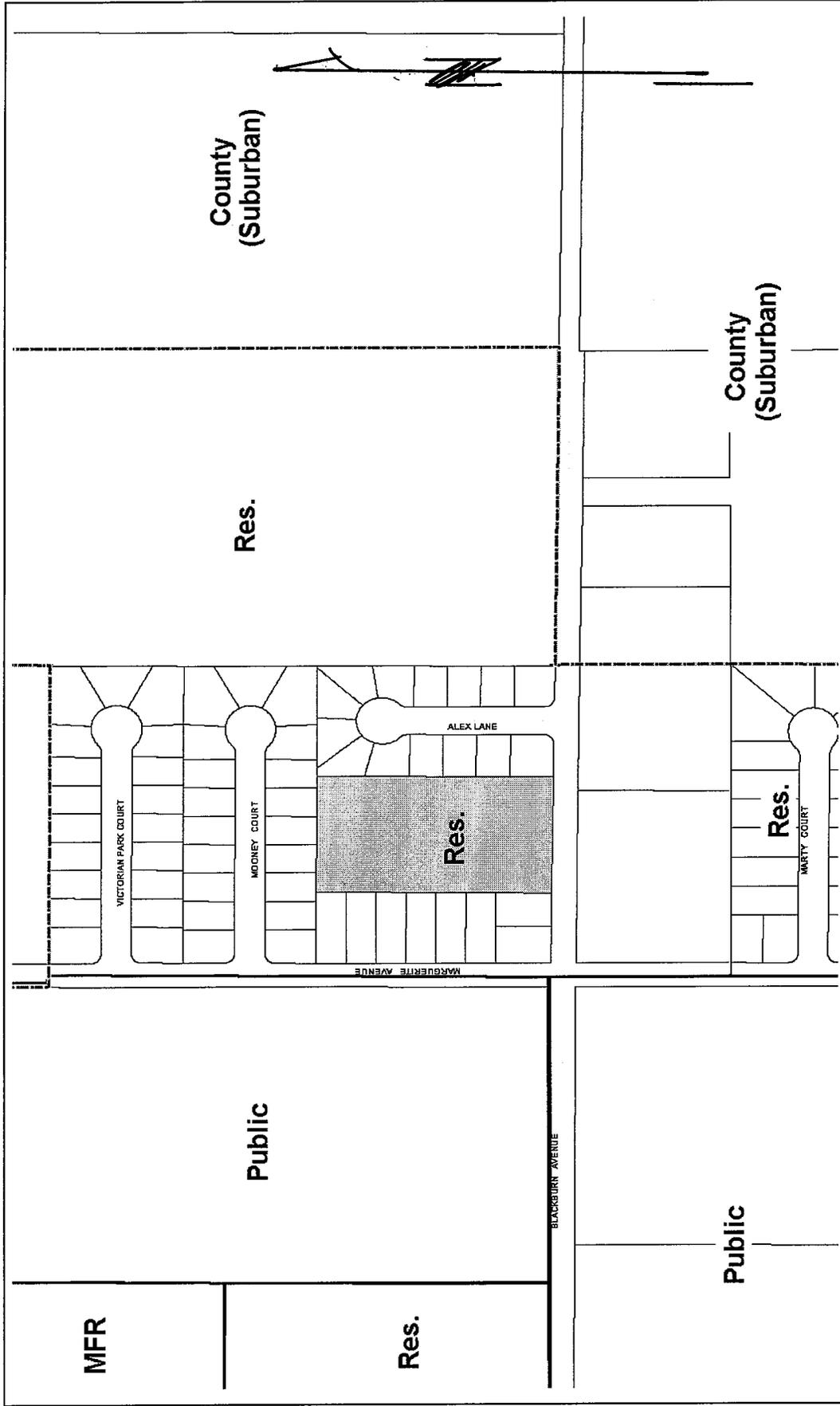


EXHIBIT "D" GENERAL PLAN LAND USE DIAGRAM

M-1

PD

R-1

BLACKBURN AVENUE

AV

VICTORIAN PARK COURT

MOONEY COURT

R-1

ALEXLANE

PD

PQ

NORTH STREET

MARTY COURT

R-1-10

R-1

COLUSA STREET

MCCLANE AVENUE

R-4

R-1

SITE

EXHIBIT "E"

ZONING

MARGUERITE AVENUE



APPROXIMATE SCALE IN FEET
1000 0 1000

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
CORNING, CALIFORNIA
TEHAMA COUNTY

ONLY PANEL PRINTED

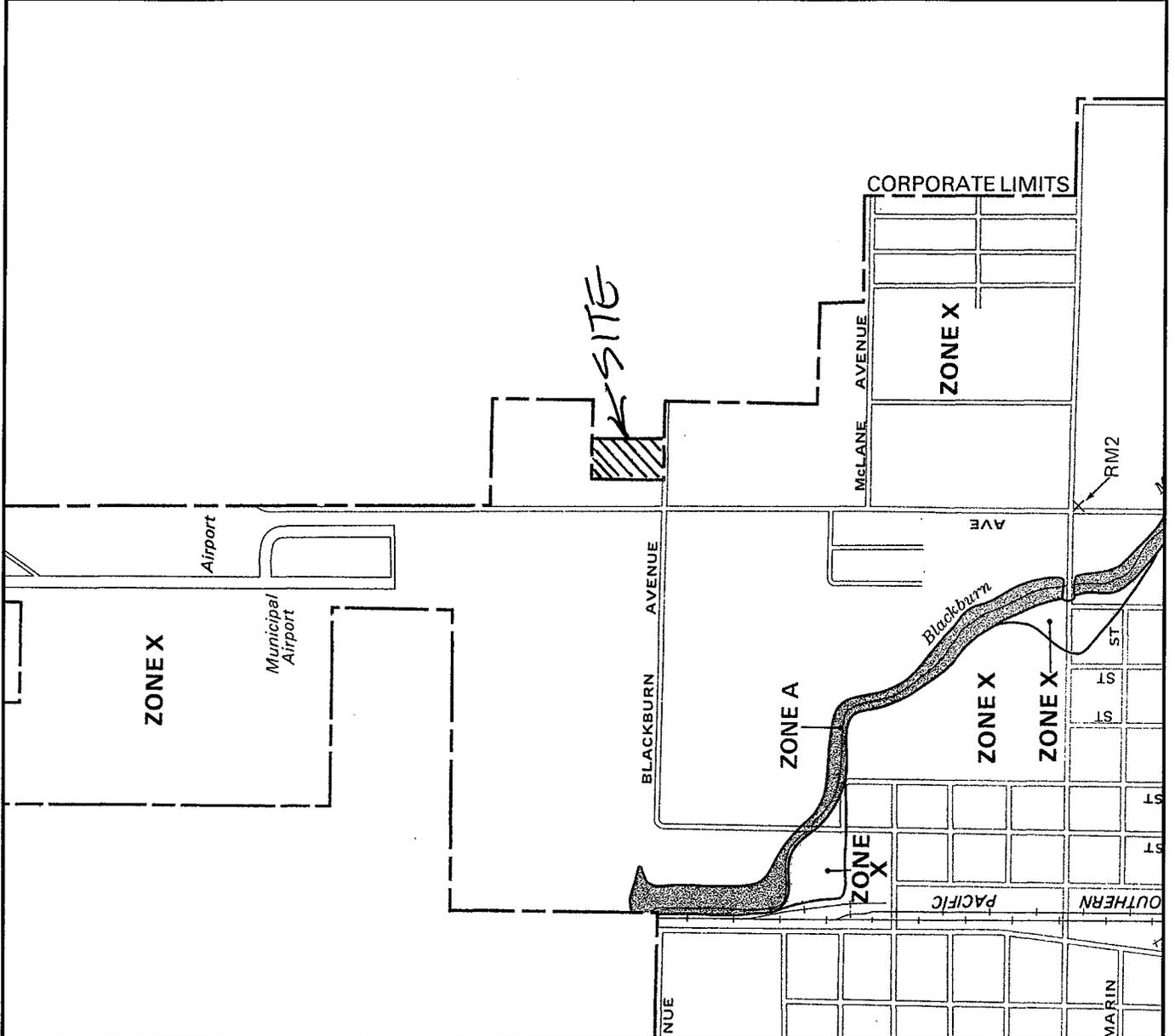
COMMUNITY-PANEL NUMBER
060398 0005 C

MAP REVISED:
SEPTEMBER 27, 1991

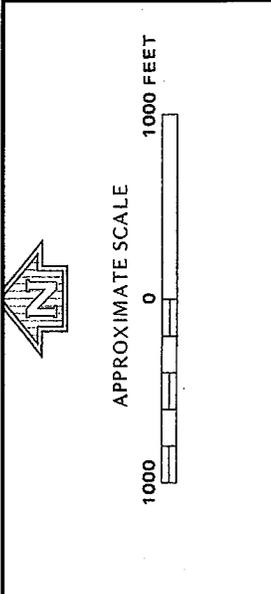


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nsc.fema.gov



G-1



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

**TEHAMA COUNTY,
 CALIFORNIA**
 (UNINCORPORATED AREAS)

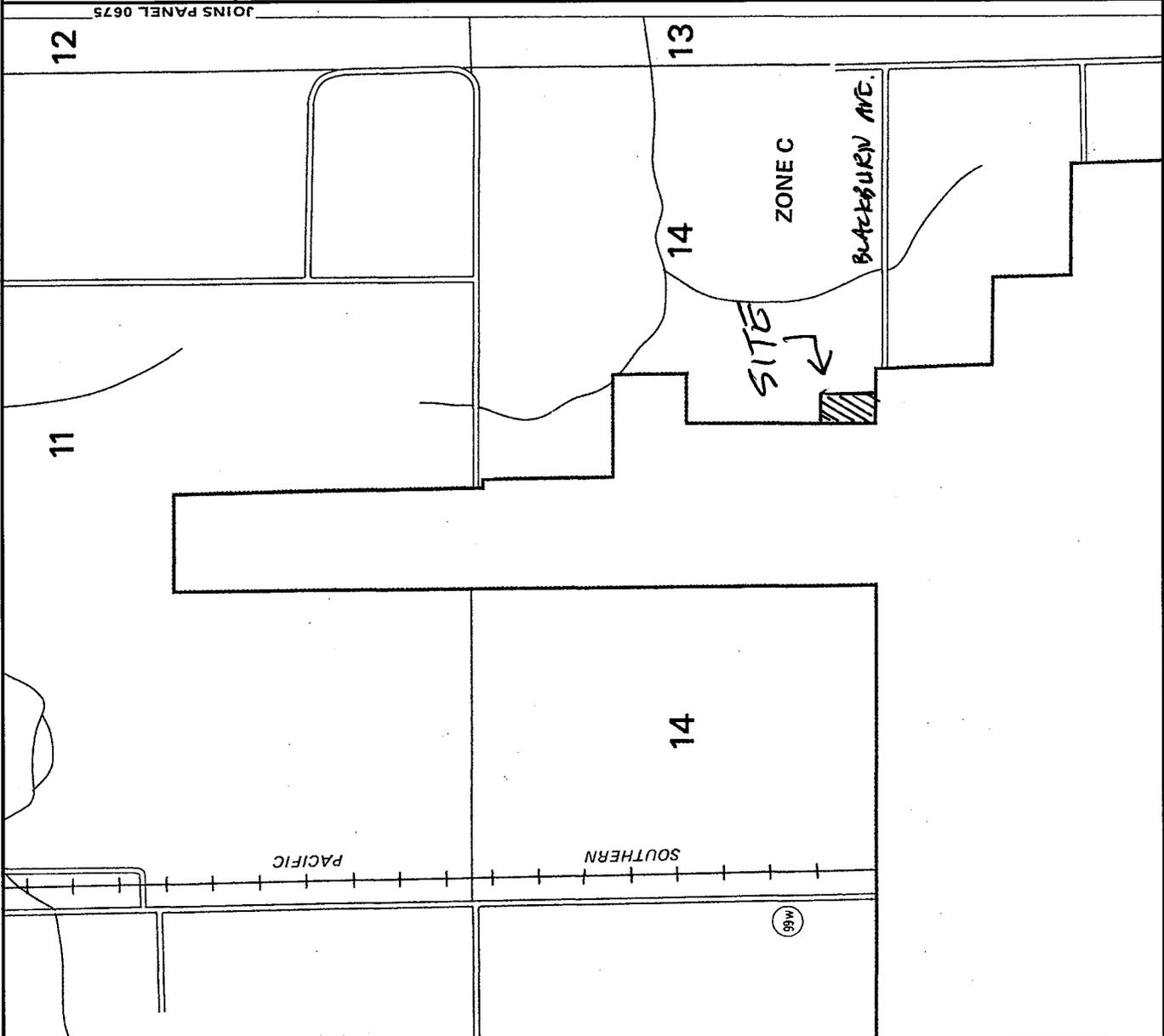
PANEL 665 OF 850
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
 065064 0665 B

EFFECTIVE DATE:
 JUNE 1, 1982

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



G-2

Chapter 16.16

VESTING TENTATIVE MAPS

Sections:

- 16.16.010 Preliminary conference.
- 16.16.020 Submittal.
- 16.16.030 Form of map--Size and scale.
- 16.16.040 Form of map--Information required.
- 16.16.050 Form of map--Subdivider's statement required.
- 16.16.060 Form of map--Environmental review forms required.
- 16.16.070 Design information required.
- 16.16.080 Acceptance.
- 16.16.090 Fees.
- 16.16.100 Environmental review.
- 16.16.110 Distribution.
- 16.16.120 Preparation of environmental documents.
- 16.16.130 Application--Deemed not received.
- 16.16.140 Filing.
- 16.16.150 Planning commission hearing on environmental document.
- 16.16.160 Notification of public hearing--Vesting tentative map.
- 16.16.170 Planning commission action--Vesting tentative map.
- 16.16.180 City council action--Vesting tentative map.
- 16.16.190 Vesting on approval of vesting tentative map.
- 16.16.200 Development inconsistent with zoning--Conditional approval.
- 16.16.210 Applications inconsistent with current policies.

Section 16.16.010 Preliminary conference.

Prior to the preparation of a vesting tentative map, the subdivider is encouraged to consult with planning department staff for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. The planning staff will schedule a conference with the subdivider to discuss the preliminary map and make recommendations concerning the submittal of a vesting tentative map. (Ord. 550 (part), 1994).

Section 16.16.020 Submittal.

Thirty copies, or additional copies as deemed necessary by the planning staff, of the vesting tentative map, three copies of all supplemental design information, a statement of the proposed division of land, a completed environmental questionnaire, and appropriate fees shall be submitted to the planning department. (Ord. 550 (part), 1994).

Section 16.16.030 Form of map--Size and scale.

Vesting tentative maps shall be eighteen by twenty-six inches in size and to a scale of one inch equals fifty feet for small areas unless otherwise approved by the planning department. (Ord. 550 (part), 1994).

EXHIBIT "H-1"

Section 16.16.040 Form of map--Information required.

Every vesting tentative map shall be clearly and legibly reproduced and shall contain the following information:

- A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;
- B. The tract name or number, date, north point, scale and sufficient description to define location and boundaries of the proposed tract;
- C. Name and address of recorded owner or owners;
- D. Name and address of subdivider;
- E. Name and business address of the person who prepared the map;
- F. Acreage of proposed tract to the nearest tenth of an acre;
- G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;
- H. The locations, names, widths and grades of all roads, streets, highways and ways in the proposed subdivision which are to be offered for dedication (names must be approved by the county street name coordinator);
- I. The locations, names and existing widths of all adjoining and contiguous highways, streets and ways;
- J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;
- K. The widths, location and purposes of all existing and proposed easements;
- L. Lot layout, dimensions of each lot, and lot numbers;
- M. City limit lines occurring within the general vicinity of the subdivision;
- N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;
- O. Names and owners of land immediately adjacent to the subdivision;
- P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leach fields;
- Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of-way;
- R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width and direction of all watercourses based upon a one-hundred-year storm occurrence;
- S. Typical section of the proposed street improvements. (Ord. 550 (part), 1994).

Section 16.16.050 Form of map--Subdivider's statement required.

A statement shall be presented by the subdivider in written form accompanying the vesting tentative map and shall contain the following information:

- A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;
- B. Proposed plan for drainage;
- C. Proposed fire hydrant placement;
- D. Provision for sewerage and sewage disposal;
- E. Provision for proposed water supply;
- F. Provision for proposed electric power supply;
- G. Public areas proposed;
- H. Type and location of street lighting proposed;
- I. Proposed building setback lines and width of side yards;
- J. Justification and reasons for any exceptions to provisions of this title, or for any amendments to the general plan and/or zoning ordinance which may be required in conjunction with the subdivision

EXHIBIT "H-1"

proposed;

K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;

L. The existing use or uses of the property;

M. The proposed use or uses of the property;

N. The tree planting proposed;

O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;

P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision. (Ord. 550 (part), 1994).

Section 16.16.060 Form of map--Environmental review forms required.

The subdivider shall also complete and submit with the vesting tentative map an environmental questionnaire to be provided by the planning department. (Ord. 550 (part), 1994).

Section 16.16.070 Design information required.

The subdivider shall provide complete design information with the vesting tentative map to permit the planning staff and the planning commission to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to city standards;

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to city standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions and restrictions which may be placed on the proposed subdivision which may effect the use, appearance or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

H. All other applicable design information which may be required by other sections of this title, applicable city standards, codes or regulations. (Ord. 550 (part), 1994).

Section 16.16.080 Acceptance.

The authorized representative of the planning department will examine the vesting tentative map, design information, subdivider's statement, and environmental questionnaire upon or soon after submittal and shall, within thirty calendar days, determine in writing whether such application is complete. The planning staff will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete. (Ord. 550 (part), 1994).

Section 16.16.090 Fees.

At the time a vesting tentative map is submitted to the planning department, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the city council. (Ord. 550 (part), 1994).

Section 16.16.100 Environmental review.

Upon finding the application complete, the authorized representative of the planning department will conduct an initial study environmental review of the subdivision, as required by city and State EIR Guidelines, as amended, and will determine within thirty calendar days what further environmental documentation is necessary, prior to approval of the vesting tentative map. The planning staff will immediately transmit such determination to the subdivider. (Ord. 550 (part), 1994).

Section 16.16.110 Distribution.

Upon completion of the initial environmental study, the planning department shall either:

A. (EIR not required.) Prepare required environmental document, i.e., notice of exemption or negative declaration. Transmit the requested number of copies of the vesting tentative map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twenty-one days from receipt of a copy of a vesting tentative map, forward to the planning department a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as defined in Section 15039 of the State EIR Guidelines shall be given an opportunity to comment on any proposed negative declaration prior to its adoption. If any responsible agencies are state agencies, a proposed negative declaration shall be circulated through the State Clearinghouse as required by Section 15161.5(a) of the State EIR Guidelines.

B. (EIR required.) Prepare a notice of preparation and distribute as prescribed in the State EIR Guidelines. (Ord. 550 (part), 1994).

Section 16.16.120 Preparation of environmental documents.

The planning staff will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the city council within the time periods prescribed in Section 15054.2 of the State EIR Guidelines. (Ord. 550 (part), 1994).

Section 16.16.130 Application--Deemed not received.

A vesting tentative map shall not be deemed received for filing under the Map Act until the environmental documentation required by the California Environmental Quality Act has been completed. (Ord. 550 (part), 1994).

Section 16.16.140 Filing.

Upon its finding that the vesting tentative map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the planning staff will officially file the vesting tentative map. The planning staff will review the vesting tentative map, and the recommendations of the various agencies involved, and will provide the subdivider or his duly authorized representative with information regarding the map and agency comments within ten days from the date of the official filing of the vesting tentative map. The planning staff will prepare a report to the planning commission on the vesting tentative map for further proceedings in accordance with the provisions of this title, said report to represent the recommendations of the various departments consulted by the planning staff as well as taking into consideration other recommendations made by other

EXHIBIT "H-1"

interested agencies. The report will also discuss the conformity of the vesting tentative map to the provisions of the general plan, the zoning ordinance, and all regulations of the city. Any report of recommendations on the vesting tentative map will be served on the subdivider at least three days prior to any hearing or action on such map by the planning commission or the city council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid. (Ord. 550 (part), 1994).

Section 16.16.150 Planning commission hearing on environmental document.

After appropriate notice of public hearing, pursuant to Paragraph G of the city environmental review guidelines, the planning commission shall hold a public review of draft environmental impact reports or negative declarations and shall solicit input from interested members of the public. Approval of the environmental document is necessary prior to any formal action on the vesting tentative map. (Ord. 550 (part), 1994).

Section 16.16.160 Notification of public hearing--Vesting tentative map.

The planning staff will give notice of the planning commission hearing to review the vesting tentative map at least ten days prior to the date of the hearing by:

- A. Publication of notice of public hearing;
- B. Posting the subject property with the notice of public hearing; and
- C. Mailing to the property owners of record of property located within three hundred feet of the boundary of the subject property the notice of public hearing. (Ord. 550 (part), 1994).

Section 16.16.170 Planning commission action--Vesting tentative map.

The planning commission shall review at a public hearing the vesting tentative map within fifty days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings--Determination. If the planning commission finds that the proposed map complies with the requirements of this title, and the Subdivision Map Act and the zoning ordinance of the city, it shall recommend approval of the vesting tentative map. The planning commission shall recommend denial of the vesting tentative map if it makes any of the following findings:

1. That the proposed map is not consistent with applicable general and specific plans;
2. That the design or improvements of the proposed subdivision are not consistent with applicable general and specific plans;
3. That the site is not physically suitable for the proposed density of development;
4. That the site is not physically suitable for the type of development;
5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;
6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the planning commission may recommend approval of the map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

B. Report to Subdivider. The planning commission recommendation will be reported to the

EXHIBIT "H-1"

subdivider or designated representative, within ten days of the hearing.

C. Report to the City Council. Following the hearing by the planning commission, a copy of the vesting tentative map, together with the environmental documents and a copy of the planning commission recommendations thereon, shall be transmitted to the city council within fourteen days of the hearing.

D. Extension of Time for Preparation of Environmental Impact Report. Notwithstanding the requirements of this subsection for making the report required to be made by the planning commission, if an environmental impact report is prepared for the vesting tentative map, the planning commission shall render its report within forty-five days after certification of the environmental impact report. (Ord. 550 (part), 1994).

Section 16.16.180 City council action--Vesting tentative map.

A. Hearing by City Council. At the next regular meeting of the city council following the filing of the planning commission report with the city council, the city council shall set a date for a public hearing for the consideration of the vesting tentative map, which date shall be within thirty days thereafter, and the city council shall approve, conditionally approve, or disapprove the vesting tentative map within the thirty-day period.

B. The planning staff will give notice of the city council hearing to review and approve, conditionally approve or disapprove the vesting tentative map at least ten days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation within the city;
2. Mailing to the owner of the subject real property, or the owner's duly authorized agent, and to the project applicant;
3. Mailing to Corning Union Elementary School District and Corning Union High School District; and
4. Mailing to the property owners of record, pursuant to Government Code Section 65091, of property located within three hundred feet of the boundary of the subject property the notice of public hearing.

C. Request for Reconsideration of City Council Action. Any aggrieved person may request that the city council reconsider its determination on the vesting tentative map in accordance with Chapter 16.32 of this title, entitled "Reconsideration of Decision." (Ord. 550 (part), 1994).

Section 16.16.190 Vesting on approval of vesting tentative map.

A. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Government Code Section 66474.2.

However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

B. Notwithstanding subsection (A) of this section, a permit, approval, extension or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both;
2. The condition or denial is required, in order to comply with state or federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of twelve months. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each

EXHIBIT "H-1"

phase when the final map for the phase is recorded.

2. The initial time period set forth in subdivision (1) of this subsection shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds thirty days, from the date a complete application is filed.

3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subdivision (1) of this subsection expires. If the extension is denied, the subdivider may appeal that denial to the city council within fifteen days.

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions (1) through (3) of this subsection, the rights referred to in this section shall continue until the expiration of that permit, or any extension of that permit. (Ord. 550 (part), 1994).

Section 16.16.200 Development inconsistent with zoning--Conditional approval.

A. Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The city may deny such a vesting tentative map or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is obtained, the approved or conditionally approved vesting tentative map shall, notwithstanding Section 16.16.190(A), confer the vested right to proceed with the development in substantial compliance with the change in the zoning ordinance and the map, as approved.

B. The rights conferred by this section shall be for the time periods set forth in Section 16.16.190(C). (Ord. 550 (part), 1994).

Section 16.16.210 Applications inconsistent with current policies.

Notwithstanding any provision of this chapter, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies, and standards described in this chapter, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law. (Ord. 550 (part), 1994).

Excerpts from the Government Code

66474.2. (a) Except as otherwise provided in subdivision (b) or (c), in determining whether to approve or disapprove an application for a tentative map, the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete pursuant to Section 65943 of the Government Code.

(b) Subdivision (a) shall not apply to a local agency which, before it has determined an application for a tentative map to be complete pursuant to Section 65943, has done both of the following:

(1) Initiated proceedings by way of ordinance, resolution, or motion.

(2) Published notice in the manner prescribed in subdivision (a) of Section 65090 containing a description sufficient to notify the public of the nature of the proposed change in the applicable general or specific plans, or zoning or subdivision ordinances.

A local agency which has complied with this subdivision may apply any ordinances, policies, or standards enacted or instituted as a result of those proceedings which are in effect on the date the local agency approves or disapproves the tentative map.

(c) If the subdivision applicant requests changes in applicable ordinances, policies or standards in connection with the same development project, any ordinances, policies or standards adopted pursuant to the applicant's request shall apply.

Chapter 17.10

R-1 SINGLE-FAMILY RESIDENCE DISTRICT

Sections:

- 17.10.010** **Generally.**
- 17.10.020** **Permitted uses.**
- 17.10.030** **Uses requiring permits.**
- 17.10.035** **Large lot designations.**
- 17.10.040** **Minimum height, bulk and space requirements.**
- 17.10.042** **Determination of compatibility.**
- 17.10.044** **Appeal.**
- 17.10.050** **Additional designation.**

Section 17.10.010 **Generally.**

The following specific regulations and the general rules set forth in Sections 17.04.060 and 17.04.070 and Chapter 17.50 of this title shall apply in all R-1 districts. It is intended that this district classification be applied in areas subdivided and used, or designated to be used for single-family residential development. (Ord. 153 §5.01, 1959).

Section 17.10.020 **Permitted uses.**

In R-1 districts, the following are permitted uses:

- A. One-family dwellings, including private garages, accessory buildings and uses;
- B. Agriculture, horticulture, gardening, keeping of animals as permitted by city ordinances, but not including stands or structures for sale of agricultural or nursery products;
- C. Underground utility installations, and aboveground utility installations for local service, except that substations, generating plants, and gas holders must be approved by the planning commission prior to construction, and the route of any proposed transmission line shall be discussed with the planning commission prior to acquisition;
- D. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses included in the master plan;
- E. Mobile homes installation, provided such mobile homes are:
 - 1. Certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 USC Section 5401, et seq.), and
 - 2. Are placed on a foundation system, in compliance with the provisions of Section 18551 of the Health and Safety Code of California, and
 - 3. Are placed on a lot designed for single-family dwellings, and
 - 4. Have a minimum width of twenty feet, and
 - 5. Bear an insignia of approval by the California Department of Housing and Community Development or the U.S. Department of Housing and Urban Development, and
 - 6.
 - a. Is covered with an exterior material, customarily used on conventional dwellings, which shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation, and
 - b. Has roof with a pitch of not less than two inch vertical rise for each twelve inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings, and
 - c. Which shall have porches and eaves, or roofs with eaves, when, in the opinion of the planning department of the city of Corning, it is necessary to make it compatible with the dwellings in the area;
- F. Grannie housing. (Ord. 524 §5, 1992; Ord. 368 §1, 1981; Ord. 153 §5.02, 1959).

EXHIBIT "I"
I-1

Section 17.10.030 Uses requiring permits.

In R-1 districts, uses requiring use permits are as follows:

- A. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses not included in the master plan;
 - B. Private and religious schools, nursery schools and day care centers;
 - C. Churches;
 - D. Golf courses and country clubs;
 - E. Temporary real estate offices, tract sales offices and advertising signs, and tract construction offices and equipment yards;
 - F. Home occupations, permit to be approved by the planning department.
- (Ord. 524 §6, 1992; Ord. 153 §5.03, 1959).

Section 17.10.035 Large lot designations.

In areas designated R-1-8,000 or R-1-10,000 on the city zoning map, minimum lot size shall be eight thousand and ten thousand square feet respectively. All other height, bulk and space requirements are as set forth in Section 17.10.040(B) through (H). (Ord. 547 §2(part), 1994).

Section 17.10.040 Minimum height, bulk and space requirements.

In R-1 districts, the following minimum height, bulk and space requirements shall apply:

- A. Minimum lot area, six thousand square feet for interior lots and seven thousand square feet for corner lots;
- B. Minimum lot width, sixty feet for interior lots, seventy-five feet for corner lots;
- C. Maximum main building coverage, thirty-five percent of lot area;
- D. Minimum front yard setback shall be twenty feet;
- E. Side yard shall not be less than six feet for each side yard. Three feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of each corner lot shall not be less than ten feet. A twenty foot minimum side yard shall be required where a two-story residential structure will be located on a lot which abuts the rear yard of a single-family lot;
- F. Rear yard shall not be less than ten feet;
- G. Building height limit, two and one-half stories, but not exceeding thirty-five feet;
- H. Main building area, the main building shall have a minimum floor area of eight hundred square feet, living space. The definition of "main building" includes a mobile home. (Ord. 558 (part), 1996; Ord. 547 §2(part), 1994; Ord. 524 §7, 1992; Ord. 497 §1(part), 1989; Ord. 368 §2, 1981; Ord. 180 §1, 1963; Ord. 153 §§5.10--5.18, 1959).

Section 17.10.042 Determination of compatibility.

It shall be the responsibility of the planning commission to determine if a proposed mobile home installation in an R-1 or R-1-2 district will be compatible with the neighborhood. Upon applying for a building permit for the installation of a mobile home, the applicant shall furnish the building official with a site plan, a description of the roof and siding materials, and roof pitch, and pictures of the mobile home from all four sides. This data shall be submitted to the planning commission, who shall determine compatibility of the proposed installation with the neighborhood, and who shall, within forty days of submission to it of the data, make a determination as to compatibility of the mobile home with the neighborhood, and report its findings to the building official. If the findings recommend approval of issuance of the building permit, the building official shall issue the permit, subject to any other conditions

applicable to construction in an R-1 or R-1-2 district. Failure of the planning commission to make findings within forty days of submission to them of the required data shall constitute approval of the application. (Ord. 368 §3, 1981).

Section 17.10.044 Appeal.

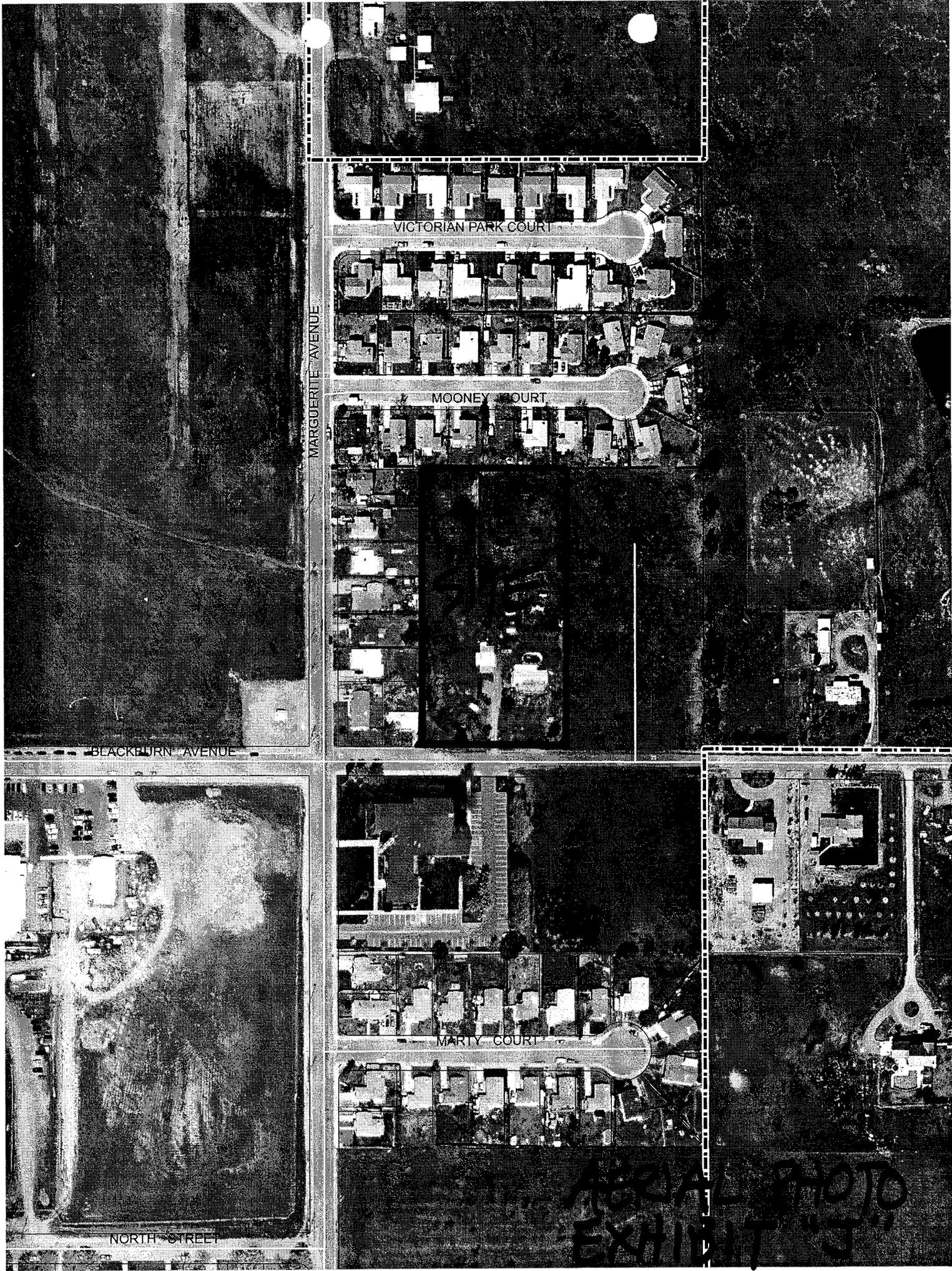
If the planning commission recommends denial of the building permit for a mobile home, the applicant may appeal the decision to the city council, in the manner provided by Section 17.54.060. Only the denial of a permit is appealable, excepting that if conditions to the issuance of a building permit are imposed which the applicant believes to be excessive, the applicant may appeal the imposition of those conditions. (Ord. 368 §4, 1981).

Section 17.10.050 Additional designation.

Wherever the numeral "-2" is added to the R-1 district designation on the zoning map to establish an R-1-2 district, the following provisions shall apply:

A. One two-family dwelling (duplex) may be permitted for each six thousand square feet of land area upon the securing of a use permit.

B. All other provisions and regulations as specified for R-1 districts shall apply in R-1-2 districts. (Ord. 469 §4, 1988; Ord. 366 §1, 1981; Ord. 184 §1, 1963; Ord. 153 §5.19, 1959).



MARGUERITE AVENUE

VICTORIAN PARK COURT

MOONEY COURT

BLACKBURN AVENUE

NORTH STREET

MARTY COURT

AERIAL PHOTO
EXHIBIT 1

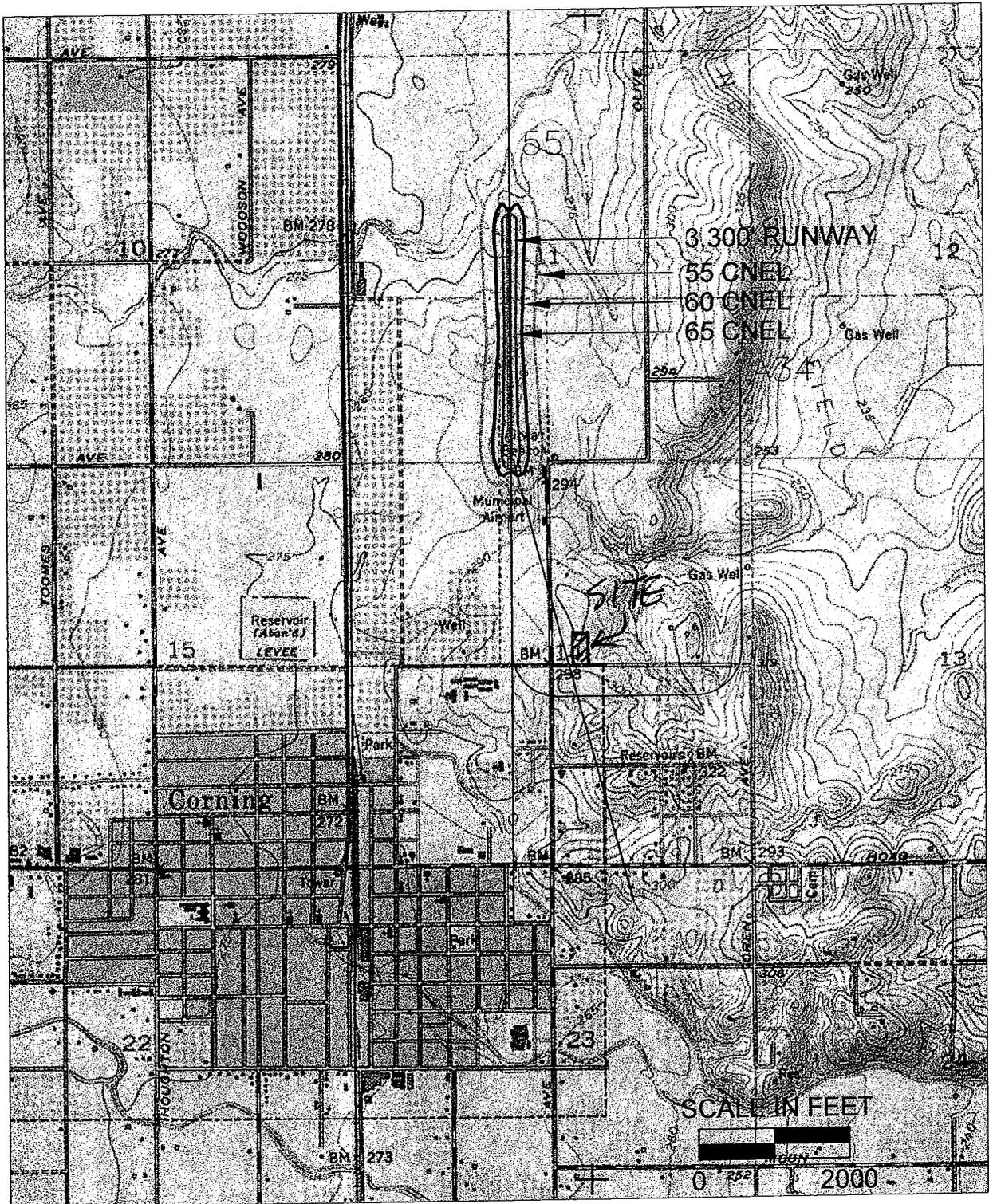


Exhibit 12
 Future Noise Contours
 Corning Municipal Airport



WADELL ENGINEERING CORPORATION

EXHIBIT "K-2"

Chapter 16.25

STORMWATER RETENTION--CRITERIA FOR DESIGN

Sections:

- 16.25.010** **General.**
- 16.25.020** **Purpose.**
- 16.25.030** **Definitions.**
- 16.25.040** **General criteria and standards.**
- 16.25.050** **Subdivision and improvement regulations.**
- 16.25.060** **Required information--Final plans.**
- 16.25.070** **Subdivision design.**
- 16.25.080** **Detention basin.**
- 16.25.090** **Wet bottom basins.**
- 16.25.100** **Dry bottom basins.**
- 16.25.110** **Building regulations.**
- 16.25.120** **Safety features.**
- 16.25.130** **Administration.**

Section 16.25.010 **General.**

These instructions have been prepared for the use of the designer of public improvement within the city of Corning, Tehama County, California. The purpose is to encourage uniformity of design criteria and to aid in the preparation of plans and specifications. (Ord. 550 (part), 1994).

Section 16.25.020 **Purpose.**

The purpose of this section is to diminish threats to public health and safety caused by the runoff of excessive stormwaters, reduce economic losses to individuals and the community at large, enhance broader social and economic development of land and water resources. The provisions of this section further regulate, guide and control:

- A. The subdivision, layout and improvement of lands within the city of Corning;
 - B. The excavating, filling and grading of lots and other parcels or areas;
 - C. The construction of buildings and the drainage of the sites on which those structures are located, to include parking and other paved areas;
 - D. The design, construction and maintenance of stormwater drainage facilities and systems.
- (Ord. 550 (part), 1994).

Section 16.25.030 **Definitions.**

As used in this chapter:

“Based flood elevation” means the elevation at all locations delineating the maximum level of high water should the adopted design flood occur.

“Capacity of storm drainage facility” means the maximum ability of a storm drainage facility to convey stormwater flows without causing substantial damage to public or private property, and in the case of a pipe, without surcharging.

“Channel” means a natural or artificial open watercourse with definite bed and banks which periodically or continuously contains moving water, or which forms a connecting link between two bodies of water.

“Compensatory storage” means an artificially excavated volume of storage within a flood storage

EXHIBIT "L"

capacity with artificial fill or structures.

“Conduit” means any channel, pipe, sewer or culvert used for the conveyance or movement of water, whether open or closed.

“Detention basin” means a facility constructed or modified to restrict the flow of stormwater to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet.

“Detention storage” means the temporary detaining or storage of stormwater in storage basins, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.

“Discharge” means the rate of outflow of water from detention storage.

“Drainage area” means the area from which water flows from detention storage.

“Dry bottom detention basin” means a basin designed to be completely dewatered after having provided its planned detention of runoff during a storm event.

“Excess stormwater runoff” means the volume and rate of flow of stormwater discharged from a drainage area which is or will be in excess of that volume and rate which pertained before urbanization.

“Flood fringe” means the higher portion of the floodplain, immediately adjacent to and on either side of the floodway occupied by quiescent or slow-moving waters during floods.

“Floodplain” means the special flood hazard lands adjoining a watercourse, the surface elevation of which is lower than the base flood elevation, which are subject to periodic inundation during floods.

“Floodway” means the channel of a water course and those portions of the adjoining floodplain which are reasonably required to carry and discharge the design floods.

“High water elevation” means the elevation of floodwater of a flood of specified frequency or occurrence at any given point.

“Hydrograph” means a graph showing, for a given point on a stream or conduit, the runoff flow rate with respect to time.

“Lag” means the elapsed time between the center of mass of a rain event and center of mass of the resultant hydrograph at a specific site.

“Leach trench” means a trench designed to hold storm-water and percolate the water into the ground, usually consisting of a horizontal perforated pipe and backfilled with leach rock.

“Off-site detention basin” means a feature or structure for temporarily storing excess stormwater originating at two or more urbanized locations, having devices for controlling the rate of release of the stored waters, and located downstream of all controlled areas.

“One-hundred-year storm runoff” means the stormwater runoff from a rain event of specific intensity and duration having a one-percent probability of occurring in any one year.

“One-hundred-year storms” means rainstorms of varying durations and intensities, having a one-percent probability of recurring in any one year.

“On-site detention basin” means a feature or structure for temporarily storing excess stormwaters, having devices for controlling the rate of release of the stored waters, and located within the urbanized site where the runoff originates. (See “off-site detention basin.”)

“Peak flow” means the maximum rate of flow of water at a given point in a channel or conduit resulting from a predetermined storm or flood.

“Retention basin” means a structure or feature designed to retain stormwater over a period of time, with its release being positively controlled over a longer period of time than in detention basin.

“Storm sewer” means a closed conduit for conveying collected stormwater.

“Stormwater drainage facility” means any element in a stormwater drainage system which is made or improved by man.

“Stormwater drainage system” means all means, nature or man-made, used for conducting stormwater to, through or from a drainage area to the point of final outlet, including but not limited to any of the following: conduits and appurtenant features, canals, channels, ditches, streams, culverts, streets and pumping stations.

“Stormwater runoff” means the water derived from melting snow or rain falling within a tributary drainage basin, flowing over the surface of the ground or collected in channels or conduits.

“Time of concentration” means the elapsed time for stormwater to flow from the most distant point in a drainage basin to the outlet or point in question.

“Urbanization” means the development, change or improvement of any parcel of land consisting of one or more lots for residential, commercial, industrial, institutional, recreational or public utility purposes.

“Watercourse” means any stream, natural or artificial depression, slough, gulch, reservoir, lake, pond or natural or man-made drainage way in or into which stormwater runoff and floodwaters flow either regularly or intermittently.

“Wet bottom detention basin” means a basin designed to retain a permanent pool of water after having provided its planned detention of runoff during a storm event. (Ord. 550 (part), 1994).

Section 16.25.040 General criteria and standards.

A. Applicability. This title shall apply to any new residential, commercial, industrial, institutional or utility development.

B. Maximum Allowable Release Rate. This maximum allowable release rate of stormwater originating from the proposed development shall not exceed 0.15 cubic feet per second per acre and shall not exceed the predetermined safe carrying capacity of any limiting downstream restriction. If more than one detention basin is involved in the development of the area upstream of the limiting restriction, the allowable release rate from any one detention basin shall be in direct ratio that its drainage area bears to the entire drainage area of the watershed.

C. On-Site Detention of Excess Stormwater Runoff. The increased stormwater runoff resulting from the proposed development will be detained on site by the provision of appropriate wet or dry bottom reservoirs, by leach trenches, by storage on flat roofs, parking lots or street, or by other acceptable techniques. Storage will be sufficient to store flows from twenty-five-year storms of four-hour durations in excess of the runoff from the site before development. Control devices shall limit the discharge from storage to a rate no greater than that prescribed by this title.

D. Other Retarding Measures. Measures which retard the rate of overland flow and the velocity in runoff channels such as swales or ponding are encouraged to partially control runoff rates.

E. Joint Development of Control Systems. Stormwater control systems may be planned in coordination by two or more property owners as long as flood or stormwater hazards are not increased at intervening locations.

F. Detention Facilities in Floodplains. If detention storage is provided within a floodplain, only the net increase in storage volume above that which naturally existed on the floodplain shall be credited to the development. No credit will be granted for volumes below the elevation of the regulatory flood at that location unless compensatory storage is also provided.

1. Facilities in Floodway Fringes. An exception to the above policy is authorized when the floodways and floodway fringes have been established for floodplains by state or federal agencies. Under those conditions, detention facilities may be authorized in floodway fringe areas and no compensatory storage will be deemed necessary.

G. Flows from Upland Areas. The total tributary area must be used in calculating the allowable release rate. The required storage volume will be based on the project area only, with extraneous flows from upland areas being by-passed or discharged via overflow spillways or other devices.

H. Certification of Documents. All computations, plans and specifications related to the implementation to this title must be prepared and sealed by a professional engineer registered in California. (Ord. 550 (part), 1994).

Section 16.25.050 Subdivision and improvement regulations.

A. Required Information--Preliminary Plans. Accompanying the preliminary plans of each proposed

subdivision, there shall be furnished the following information and data:

1. The location of streams and other floodwater runoff channels, their normal channels, and the extent of the floodplains at the established high water elevations, and the limits of the floodway (if available), all properly identified;

2. Storm drains and sewers;
3. Septic tank systems and outlets, if any;
4. Wells and springs.

B. Preliminary Drainage Plan. A preliminary drainage plan is intended to describe the present conditions and the general method and features proposed for handling storm-water runoffs after development. The plan will be accompanied by preliminary maps or other descriptive materials prepared by and bearing the seal of a registered civil engineer showing the following:

1. Drainage sub-areas;
2. General alignment of storm sewers and other drains;
3. Areas where special provisions may be necessary to reduce the impacts of high stormwater flows;
4. Existing streams and floodplains and proposed realignments or modifications;
5. Locations of existing and proposed culverts, detention ponds and basins, and other features which now affect, or will affect, stormwater runoffs and areas inundated by high stream flows.

C. Site Plan. A plan showing the dimensions of the site with existing and currently proposed structures properly located, together with elevations and/or contours of the terrain before and after the proposed grading and filling, if any, has been completed.

D. Lot Coverage. For the purpose of increasing rainfall infiltration and reducing storm runoff, a minimum percentage of the development lot area should be left in open space. Development plans shall be submitted showing the proportion of each development lot which will be left unimproved or with previous surfaces. The portion of this type of area is inversely related to development density. (Cluster or density transfer sites in planned development projects will be exempted from these provisions with approval of the planning commission.) The percent of each lot which must remain in pervious open space for each zoning density district follows:

Zoning District Minimum Open Space

R-1	50%
R-2	40%
R-3	33%
R-4	25%

(Ord. 550 (part), 1994).

Section 16.25.060 Required information--Final plans.

Accompanying the final plans of each proposed subdivision, there shall be furnished the following information and data prepared by and bearing the seal of a registered civil engineer.

A. Contour Map. As described above.

B. Comprehensive Drainage Plan. A comprehensive drainage plan is a plan designed to handle safety of the stormwater runoff following the rainstorms which exceed the pre-development capacity of storm sewer systems by detention of the increased stormwater runoff. The plan shall provide or be accompanied by maps or other descriptive material showing the following:

1. The extent and area of each watershed tributary to the drainage channels in the subdivision;
2. The storm drains to be built, the basis of their design, the outfall and outlet locations and elevations, receiving stream or channel and its high water elevation, and the functioning of the drains

L-24

during high water conditions;

3. The part of the proposed street system where pavements are planned to be depressed sufficiently to convey or temporarily store overflow from storm drains and runoff over the curb resulting from the heavier rainstorms and the outlets for such overflow;

4. Existing streams and floodplains to be maintained, enlarged, altered and eliminated; and new channels to be constructed, their locations, cross-sections and profiles;

5. Existing culverts and bridges, drainage areas, elevation and adequacy of waterway openings; and new culverts and bridges to be built, their materials, elevations, waterway openings and the basis of their design;

6. Existing detention ponds and basins to be maintained, enlarged, and altered and new ponds or basins to be built with dams, if any;

7. The estimated location and extent of impervious surfaces existing and expected to be constructed when the subdivision is completely developed;

8. The slope, type and size of all storm drains, culverts and other waterways;

9. For all detention basins, a plot or tabulation of storage volume with corresponding water surface elevations and of the basin outflow rates for those water surface elevations;

10. For all detention basins, design hydrography of inflow and outflow for the twenty-five-year design runoff events for the site under developed conditions and the calculated twenty-five-year peak flows from the site under natural and developed condition, unless the hydrograph requirement is waived by the city engineer. C. Site Plan. As described in Section 16.25.050(C). (Ord. 550 (part), 1994).

Section 16.25.070 Subdivision design.

The following rules shall govern the design of improvements with respect to controlling the runoff of stormwaters:

A. Design. Streets, lots, parks and other public grounds shall be located and laid out in such a manner as to reduce the velocity of overland flow and allow the maximum opportunity for infiltration of stormwaters into the ground, and to preserve and utilize natural streams, channels and detention basins.

B. Channel Straightening. Meandering streams or channels may be partly straightened and minor changes made in other channels where it can be demonstrated that downstream flooding will not be increased in frequency or depth.

C. Streets Designed for Detention. Cross sections of streets selected by the developer for the detention of stormwater runoff shall be constructed above flood elevations and shall be designed to temporarily store and convey flows in excess of storm drain capacities, together with over-the-curb runoff. Those streets also shall be provided with adequate outlets for the safe disposal of flows. Where grading of lots is necessary to avoid damage to adjoining buildings, the lot grade adjacent to each building should be at least two feet higher than the crown of the pavement, and the minimum sill elevation of openings in the outer walls of such habitable buildings shall be at least two and one-half feet above the crown elevation.

D. Manholes. All sanitary sewer and storm-drain manholes constructed in a floodplain, in a street designed for detention, or in an area designed for the storage or passage of flood or storm water, shall be provided with either a watertight bolted manhole cover, or be constructed with a rim elevation of a minimum of one foot above the high water elevation of the design flood or the high water elevation of the design storm, whichever is applicable to the specific area. (Ord. 550 (part), 1994).

Section 16.25.080 Detention basin.

Basins may be constructed to temporarily detain the stormwater runoff which exceeds the maximum peak flow rate authorized by this title.

A. Storage Volumes. The volume of storage provided in these basins, together with such storage

as may be authorized in other on-site facilities, will be sufficient to control the runoff from the twenty-five-year storm of four-hour duration.

B. **Maximum Depth.** The maximum planned depth of stormwaters stored shall not normally exceed six feet.

C. **Side Slopes.** The side slopes of the basin will conform as closely as possible to natural land contours and preferably shall be under ten percent. If the side slopes exceed twenty percent, erosion control and safety measures shall be provided.

D. **Outlet Control Structures.** Outlet control structures shall be designed to operate simply and automatically. They will limit discharges into existing or planned downstream channels or conduits so as not to exceed predetermined maximum authorized peak flow rates.

E. **Emergency Spillway.** Emergency overflow facilities must be provided in all instances so that stored waters will not exceed the safe capacity of the basin. (Ord. 550 (part), 1994).

Section 16.25.090 Wet bottom basins.

For basins designed with permanent pools:

A. **Wet bottom basins** shall not be permitted unless specifically approved by the city council. (Ord. 550 (part), 1994).

Section 16.25.100 Dry bottom basins.

For detention basins designed to be completely dewatered:

A. **Interior Drainage.** Provisions must be incorporated to facilitate complete interior drainage of dry bottom basins, to include the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities, pumps, or the installation of subsurface drains.

B. **Multipurpose Features.** These shall be designed to serve secondary purposes for recreation, open space or other types of use which will not be adversely affected by occasional or intermittent flooding.

C. **Aesthetics.** Designs should result in aesthetically pleasing configurations which will enhance public acceptability. (Ord. 550 (part), 1994).

Section 16.25.110 Building regulations.

A. **Rooftop Storage.** Detention storage requirements may be met in total or in part by detention on flat roofs. Details of such designs to be included in the building permit application shall include the depth and volume of storage, scuppers, design loadings for the roof structure and emergency overflow provisions.

B. **Parking Lot Storage.** Paved parking lots may be designed to provide temporary detention storage of stormwaters on all or portion of their surfaces. Outlets will be designed so as to slowly empty the stored water, and depths of storage must be limited to a maximum depth of seven inches so as to prevent damage to parked vehicles and access to parked vehicles is not impaired. Ponding should be relegated to those positions of the parking lots farthest from the area served.

C. **Other Detention Storage.** All or a portion of the detention storage may also be provided in underground or surface detention facilities, to include basins, tanks, swales or leach trenches.

D. **Maintenance.** Designs of detention facilities will incorporate features which facilitate their inspection and maintenance. The growth of obnoxious weeds, the creation of insects, and the decrease in available storage by accumulated sediments will all be controlled. The cleanup of accumulated debris and other materials after runoff events have subsided will be assured.

Assignment of responsibility for maintaining facilities serving more than one lot or holding will be documented by appropriate covenants to property deeds or by other methods acceptable to the city

L-6

unless responsibility is formally assigned to a public body.

1. Inspections. All privately owned detention storage facilities may, as resources permit, be inspected by representatives of the city not less often than once every three years. A certified report will be submitted covering the physical conditions, required storage capacity and operational conditions of key elements of the facility.

2. Corrective Measures. If deficiencies are found by the inspector, the owner(s) of the detention facility may be required to take the necessary measures to eliminate nuisances and correct structural deficiencies. If the owner(s) fails to do so, the city may undertake the work and collect from the owner(s) using lien rights if necessary. (Ord. 550 (part), 1994).

Section 16.25.120 Safety features.

Designs of detention facilities will incorporate safety features, particularly at outlets, on steep slopes, and at any attractive nuisances to include, as necessary, fencing, hand rails, lighting and steps in order to restrict access during critical periods and to afford some measure of safety to both authorized persons. (Ord. 550 (part), 1994).

Section 16.25.130 Administration.

A. Responsibility. The administration of this chapter shall be the responsibility of the director of the department of public works.

1. Variances. No variance shall be issued without the prior concurrence of the city council.

2. Special Use Permit. No special use permit shall be issued without the prior concurrence of the city council.

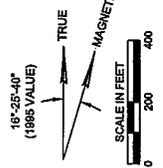
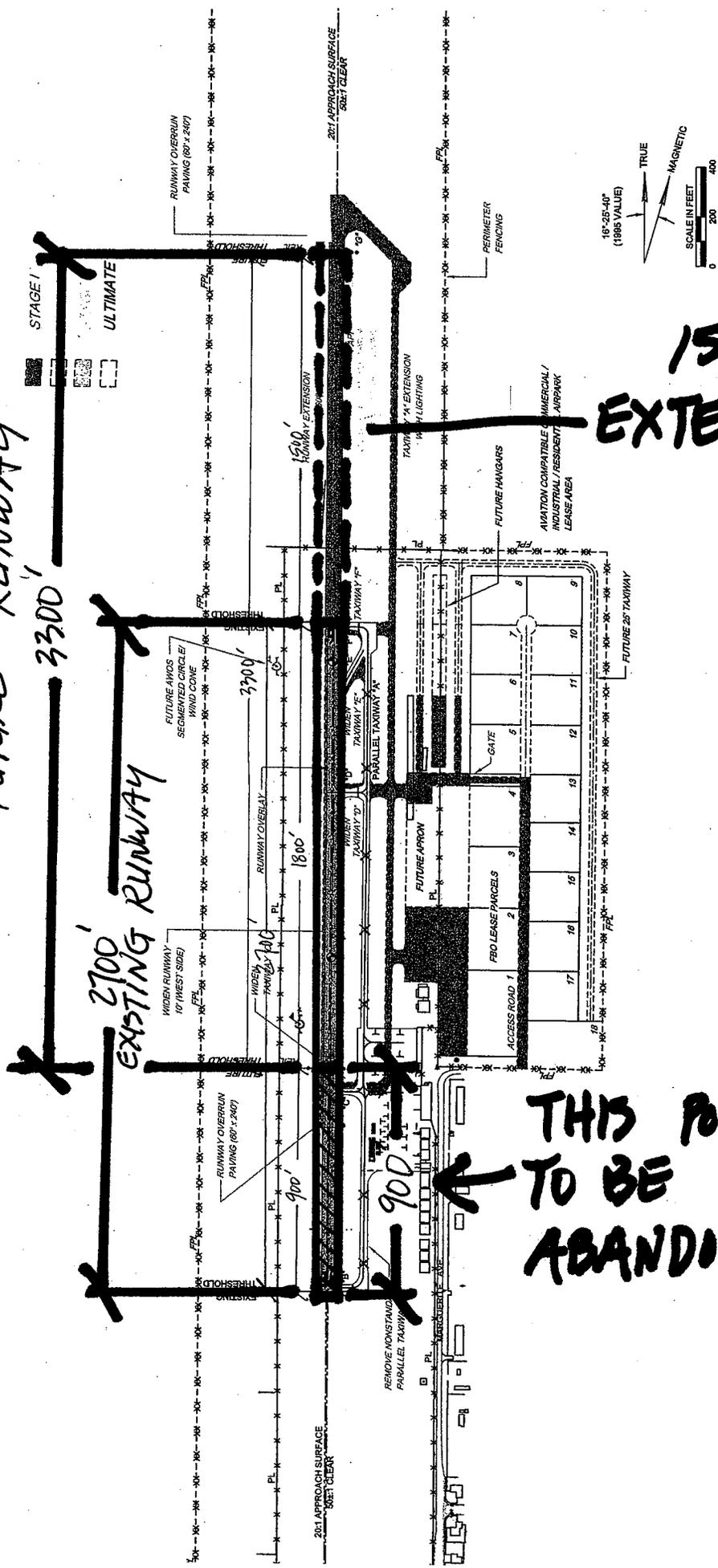
B. Interpretation. In the interpretation and application of this title, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the city of Corning and shall not be deemed a limitation or repeal of any other powers granted by state statutes or exercised by Uniform Building Code requirements. (Ord. 550 (part), 1994).

FUTURE RUNWAY
3300'

EXISTING RUNWAY
2700'

1500' EXTENSION

THIS PORTION TO BE ABANDONED



THE PREPARATION OF THIS DOCUMENT WAS FINANCED IN PART THROUGH A PLANNING AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AS PROVIDED UNDER SECTION 504 OF THE FEDERAL AVIATION ACT OF 1958. THE FEDERAL AVIATION ADMINISTRATION HAS REVIEWED THIS REPORT FOR THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THIS REPORT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE FAA TO FUND OR PARTICIPATE IN ANY DEVELOPMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

WADELL ENGINEERING CORPORATION
AIRPORT PLANNING • ENGINEERING • MANAGEMENT
san francisco bay area

CORNING MUNICIPAL AIRPORT
A CITY OF CORNING AVIATION FACILITY
CALIFORNIA

STAGE DEVELOPMENT DRAWING

EXHIBIT 13

SCALE AS SHOWN
DATE OCT 2002

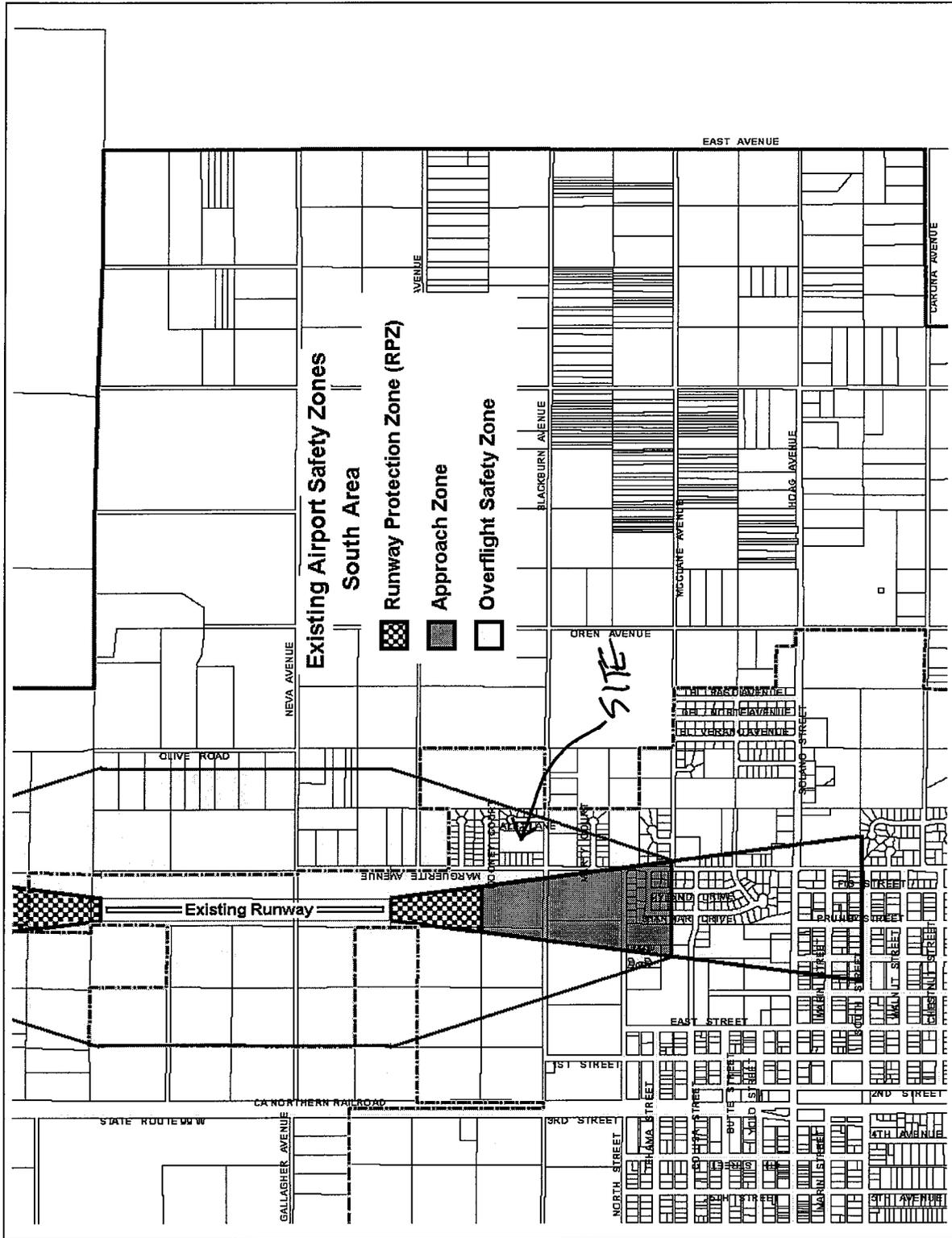
PROJECT NO. 1224
SHEET NO. 201-EX13

DATE 10/20/02

DESIGNED BY: []
CHECKED BY: []
DRAWN BY: []
SCALE: []

EXHIBIT 'M'

**CORNING MUNICIPAL AIRPORT LAND USE PLAN AIRPORT
EXISTING SOUTH SAFETY ZONES**



**CORNING MUNICIPAL AIRPORT LAND USE PLAN AIRPORT
FUTURE SOUTH SAFETY ZONES**

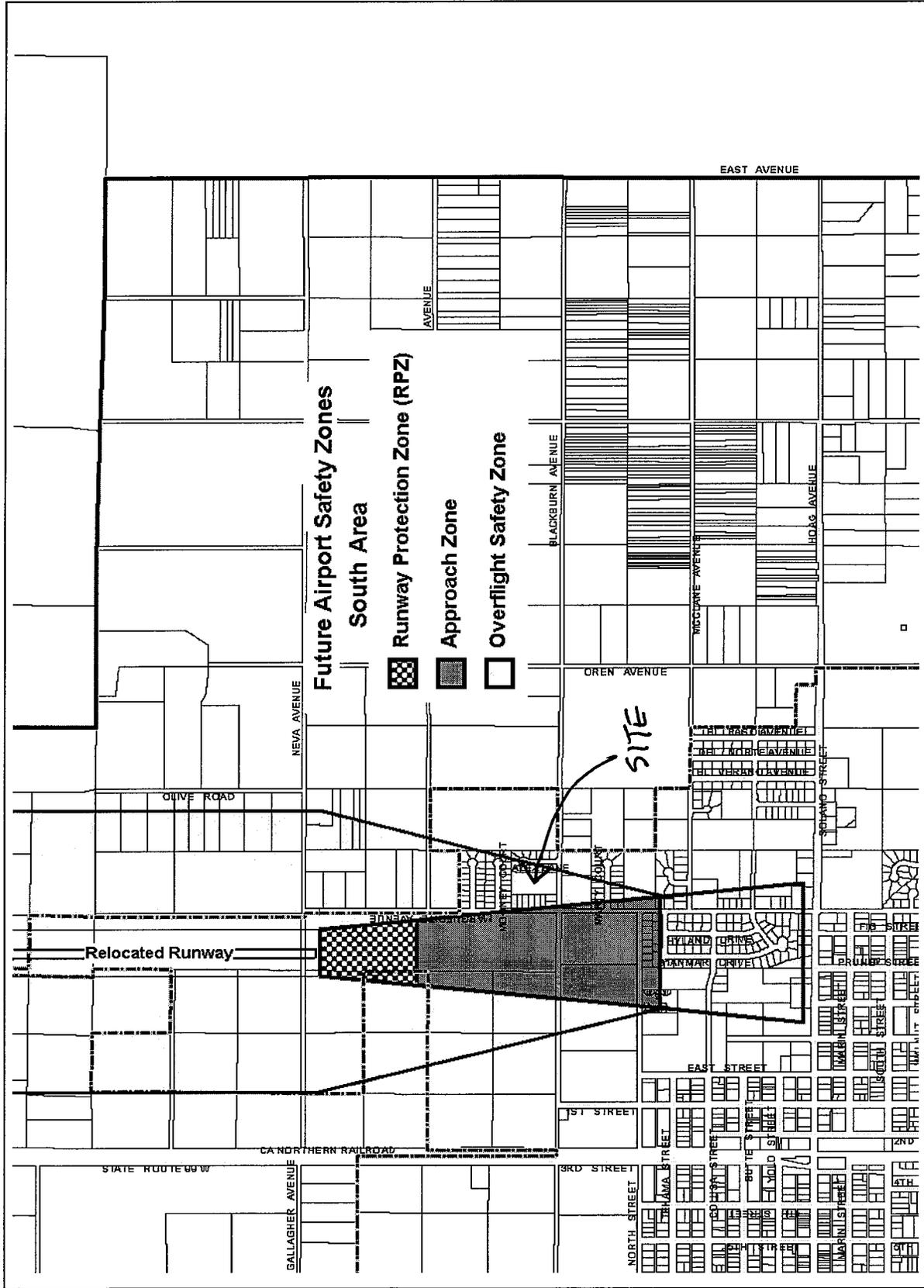


EXHIBIT "N-2"

TABLE ONE, PART THREE
OVERFLIGHT ZONE SAFETY AREAS

The following land use guidelines shall be applied to the Overflight Safety Area depicted on Map 2 as Safety Area 3.

LAND USE GUIDELINES

Residential



Single Family	Yes
Multiple Family	Yes (1)
Mobile Home Parks	Yes (1)
Hotels, Motels	Yes (1)

<u>Commercial/Retail</u>	Yes (1)
--------------------------	---------

Industrial/Manufacturing

Warehousing, Storage of non-flammables	Yes
All Others	Yes (1)

<u>Transportation</u>	Yes
-----------------------	-----

<u>Communications, Utilities</u>	Yes
----------------------------------	-----

Public and Quasi-Public Services

Cemeteries	Yes
Schools, Hospitals	Yes (1)
Other Public and Quasi-Public Services and Facilities	Yes (1)

<u>Outdoor Recreation Facilities</u>	Yes (1)
--------------------------------------	---------

<u>Resource Production, Extraction and Open Space</u>	Yes
---	-----



<u>Subdivisions</u>	Yes (1)
---------------------	---------

- (1) Projects must be reviewed on individual basis. A finding, supported by facts in the record, must be made for any project approval stating: Approval of the project is consistent with the need to protect public health, safety and welfare by ensuring the orderly expansion of the airport and the adoption of land use measures that minimize the public's exposure to substantial noise and safety hazards within areas around public airports.

IV. GENERAL POLICIES

Within the boundaries of the airport planning area the Airport Land Use Commission recognizes that its authority and jurisdiction is limited by the California Public Utilities Code. General policies regarding the scope of the Commission shall be as follows:

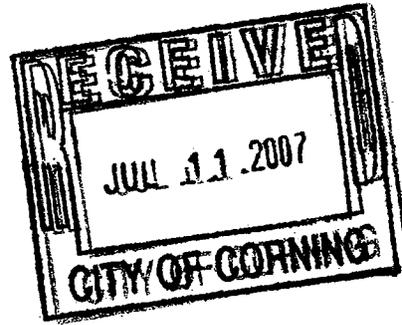
1. For the purpose of referral to the Tehama County Airport Land Use Commission, a "proposed project" shall include the following:
 - a) adoption of general and specific plans
 - b) amendment of general and specific plans
 - c) adoption and/or amendment of zoning ordinances
 - d) adoption of building regulations
 - e) adoption of airport layout and master plans
 - f) Conditional Use Permits and Tentative Parcel or Subdivision Map approvals-- Airport Land Use Commission review of these actions will not be required if the jurisdiction has amended its general plan to be consistent with this Airport Land Use Plan.
 - g) Projects which conflict with any policies contained in this plan shall be referred to the Commission prior to an action taken by local advisory and governing bodies.
2. Evaluation of projects shall primarily be based on the land use compatibility policies set forth in this Plan. Where an overlap occurs among noise, airspace protection, safety, and general nuisance zones, all policies applicable to the particular location shall be considered.
3. All proposed projects within the Planning Area Boundary listed in Item #1 above shall be referred to the Airport Land Use Commission.
4. The Commission may, at its own discretion request information and review any project occurring within the airport's referral area. Such projects, however, need not be routinely submitted to the Commission for review.
5. The Airport Land Use Commission has no jurisdiction over airport operations which include the number and type of aircraft taking off and landing, time of aircraft activity and airport traffic pattern used.
6. A copy of any notice of Construction or Alteration submitted to the Federal Aviation Administration in accordance with FAR (Federal Aviation Regulations) Part 77, Subpart B, shall concurrently be submitted to the Airport Land Use Commission for review regardless of where in the County the object involved is proposed to be located.





*Flex your power!
Be energy efficient!*

DEPARTMENT OF TRANSPORTATION
OFFICE OF COMMUNITY PLANNING
1657 RIVERSIDE DRIVE
P. O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 229-0517
FAX (530) 225-3578
TTY (530) 225-2019



July 10, 2007

IGR/CEQA Review
TEH-5-8.975
SHAAN Estates, Hirday Singh
TTM 07-1004
SCH #2007072018

Mr. John Brewer
City of Corning
794 Third Street
Corning, CA 96021

Dear Mr. Brewer:

Thank you for the opportunity to review and comment on the Shaan Estates (Hirday Singh) tentative Tract Map 07-1004 to create 14 buildable parcels from parcel 75-310-42. In the past year, we have reviewed project proposals for at least ten other developments in this area, equaling a total of 525 single-family housing units and one 48-unit apartment complex. We have asked the City of Corning for quantification of the impacts of development on the State Highway system for most of these projects.

Again, for this project, we would like to restate that the project direct and cumulative impacts of development on the State Highways needs to be analyzed and mitigation measures proposed. Just as the City of Corning has found that development needs to pay for its own infrastructure (City of Corning Development Impact Fees established in 2005), development also needs to pay for its fair share of costs to expand the state highway system to accommodate the increase in traffic caused by their development project.

Many cities and counties in California are facing a similar situation of having no additional capacity on the State highways in their area and are jointly planning, along with Caltrans and the local Regional Transportation Planning Agency, on how to fund transportation projects on the State highways. As you are probably aware, there are not enough transportation dollars available to expand the State highways. Other areas are addressing the funding shortfall in a variety of ways. Some local jurisdictions have voted additional sales taxes dedicated to transportation; some have instituted development impact fees justified by an SB 1600 nexus study; and, some jurisdictions have refused to address State highway impacts resulting in litigation. Currently, the Fix Five Study's goal is to provide the necessary justification to institute development impact fees for I-5 projects. We hope that the City of Corning will look favorably on the study efforts and decide to participate.

July 10, 2007

Page 2

In the meantime, we would be glad to meet with you or staff regarding this particular project. Please feel free to call me at (530) 229-0517 if you would like to discuss this matter further. I would be glad to come to your offices in Corning. At a minimum, I would appreciate receiving a copy of the staff report and recommended conditions of approval for this project.

Sincerely,



MICHELLE MILLETTE, Chief
Office of Community Planning
Caltrans District 2

c: SCH 2007072018
Tehama County Transportation Commission



**COUNTY OF TEHAMA
DEPARTMENT OF PUBLIC WORKS**

9380 SAN BENITO AVENUE
GERBER, CA 96035-9701
BUS: (530) 385-1462
FAX: (530) 385-1189

ROAD COMMISSIONER
SURVEYOR
ENGINEER
PUBLIC TRANSIT
FLOOD CONTROL AND
WATER CONSERVATION DISTRICT
SANITATION DISTRICT No. 1

August 01, 2007

R-07-906

John L. Brewer, AICP
~~Planning Director~~
City of Corning
794 Third Street
Corning, CA 96021

RE: Comments on Tentative Tract Map 07-1004; Shaan Estates; Hirday Singh.

Dear John,

Thank you for allowing our department the opportunity to review and comment on the environmental document for the Tentative Tract Map for Shaan Estate; Hirday Singh.

Public Works has no concerns or comments on the proposed project. Thank you for your time and consideration of this matter.

Sincerely,

Gary Antone, P.E., P.L.S.
Director of Public Works

By: Mary Oliver
Mary Oliver, Eng. Tech. I

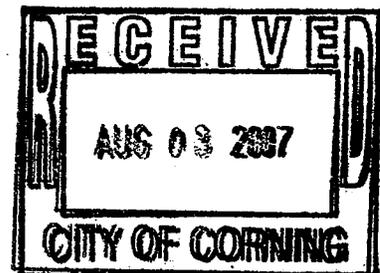


EXHIBIT "R"

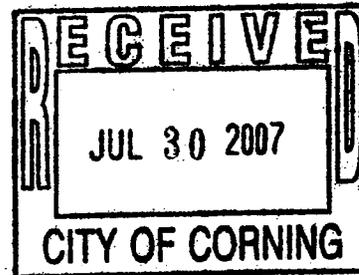
PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 27, 2007

John L. Brewer
City of Corning
794 Third Street
Corning, CA 96021



RE: Shaan Estates, SCH# 2007072018

Dear Mr. Brewer:

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the City be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way (ROW).

Safety factors to consider include, but are not limited to, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

Of specific concern is the potential impact from increased traffic on the existing at-grade highway-rail crossing on North Street.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the City.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Boles".

Kevin Boles
Environmental Specialist
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Don Seil, Cal Northern Railroad

EXHIBIT "5"



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair.



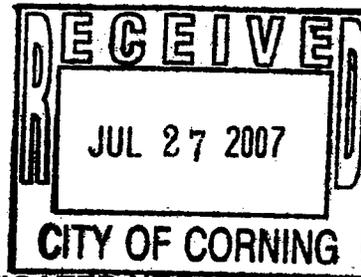
Linda Adams
Secretary for
Environmental Protection

Redding Branch Office
415 Knollcrest Drive, Suite 100, Redding, California 96002
(530) 224-4845 • Fax (530) 224-4857
<http://www.waterboards.ca.gov/centralvalley>

Arnold Schwarzenegger
Governor

25 July 2007

John Brewer
City of Corning
794 Third Street
Corning, CA 96021



COMMENTS ON THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED SHAAN ESTATES TRACT MAP (07-1004), ASSESSORS PARCEL NUMBER 75-080-22, CORNING, TEHAMA COUNTY

On 9 July 2007, our office received an Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration and request for Comments Letter from your office regarding the proposed development referenced above. The Central Valley Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA).

The Request for Comments Letter contained a cover sheet stating that City of Corning has received an application from property owner Hirday Singh, proposing to subdivide the 2.74-acre property into 14 lots for single family-residential development and use. The property is located on the north side of Blackburn Avenue, approximately 140 feet east of Marguerite Avenue.

The following comments are provided to help outline the potential permitting required by the Regional Water Board's agency, policy issues concerning the project, and suggestions for mitigation measures. Our present comments focus primarily on discharges regulated under our CWA §401 and storm water programs.

Water Board entitlements include:

- Fill or dredged material discharges Clean Water Act (CWA) §401 water quality certification for federal waters; or Waste Discharge Requirements for non-federal waters
- Storm water and other wastewater discharges CWA §402 NPDES permit

The following summarizes project permits that may be required by our agency depending upon potential impacts to water quality:

Water Quality Certification (401 Certification) – Permit issued for activities resulting in dredge or fill within waters of the United States (including wetlands). All projects must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the state. Destruction of, or impacts to these waters should be avoided. Under the Clean Water Act

California Environmental Protection Agency

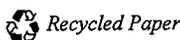


EXHIBIT "T"

T-1

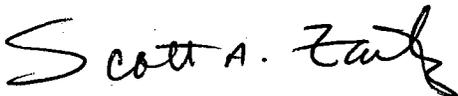
Section 401 and 404, disturbing these waters requires a Corp permit and a State 401 permit. The Section 404 and 401 permits are required for activities involving a discharge (such as fill or dredged material) to Waters of the United States. "Waters" include wetlands, riparian zones, streambeds, rivers, lakes, and oceans. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. If required, the Section 404 and 401 permits must be obtained prior to site disturbance.

General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) – Land disturbances on proposed projects of 1 acre or more requires the landowner to obtain coverage under the General Permit. As the land disturbance for the Shaan Estates Project will be in excess of 1 acre, the owner of the property will need to file a Notice of Intent (NOI), along with a vicinity map, a Storm water Pollution Prevention Plan (SWPPP), and appropriate fees to the State Water Resources Control Board (SWRCB), prior to the commencement of activities on site. The owner may call our office to receive a permit package or download it off the Internet at <http://www.waterboards.ca.gov/stormwtr/index.html>.

Dewatering Alternative 1: discharge to storm drains or waters of the United States - A dewatering permit, *General Order for Dewatering and Other Low Threat Discharges to Surface Waters*, may be required for construction activities. This general NPDES (National Pollutant Discharge Elimination System) permit covers the discharge to waters of the United States of clean or relatively pollutant-free wastewater that poses little or no threat to water quality. The following categories are covered by the dewatering permit: well development water; construction dewatering; pump/well testing; pipeline/tank pressure testing; pipeline/tank flushing or dewatering; condensate discharges; water supply system discharges; miscellaneous dewatering/low threat discharges. The dewatering permit applies only to direct discharges to waters of the United States. Failure to obtain a dewatering permit, when required, may result in enforcement action. An application form and a copy of the permit are available at this office.

Dewatering Alternative 2: discharges to land - Construction dewatering discharges that are contained on land (i.e., will not enter waters of the United States) are allowed under a general waiver adopted under Regional Board Resolution No. R5-2003-0008, provided the following conditions are met: (1) the dewatering discharge is of a quality as good as or better than underlying groundwater; and (2) there is a low risk of nuisance. Examples of dewatering discharges to land include a terminal basin, irrigation (with no return to waters of the United States), and dust control. You may request written confirmation from this office that the waiver is applicable.

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at szaitz@waterboards.ca.gov.



Scott A. Zaitz, R.E.H.S., Environmental Scientist
Storm Water & Water Quality Certification Unit

SAZ: knr

cc: Hirday Singh, Yuba City

CEQA CL, Shaan Estates.doc

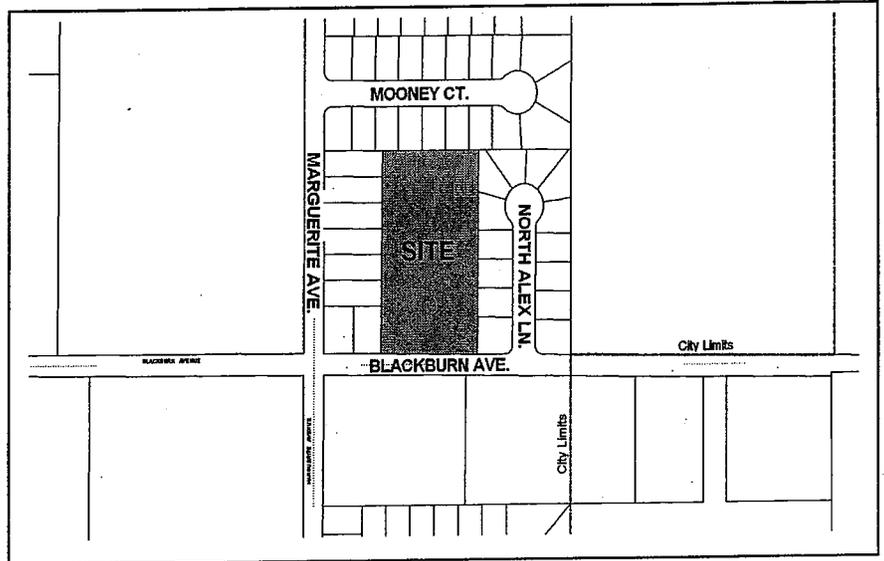
PUBLIC NOTICE-PUBLIC HEARING-MITIGATED NEGATIVE DECLARATION; Tentative Tract Map 07-1004; Shaan Estates; Hirday Singh

The City of Corning must inform you of a development project proposed for the property shown highlighted on the inset map below.

WHAT IS BEING PLANNED:

Hirday Singh has submitted a Tentative Tract Map that proposes to create 14 parcels in an R-1; Single Family Residential Zoning District.

The subject property is located on the north side of Blackburn Avenue and about 140 feet east of Marguerite Avenue. Assessor's Parcel No. 75-310-42; approximately 2.74 acres.



WHY THIS NOTICE:

The City of Corning has completed a preliminary environmental analysis of the project and determined that the project will not have a significant environmental effect. City staff has filed a "Mitigated Negative Declaration", which is a document describing why the project will not have a significant effect on the environment.

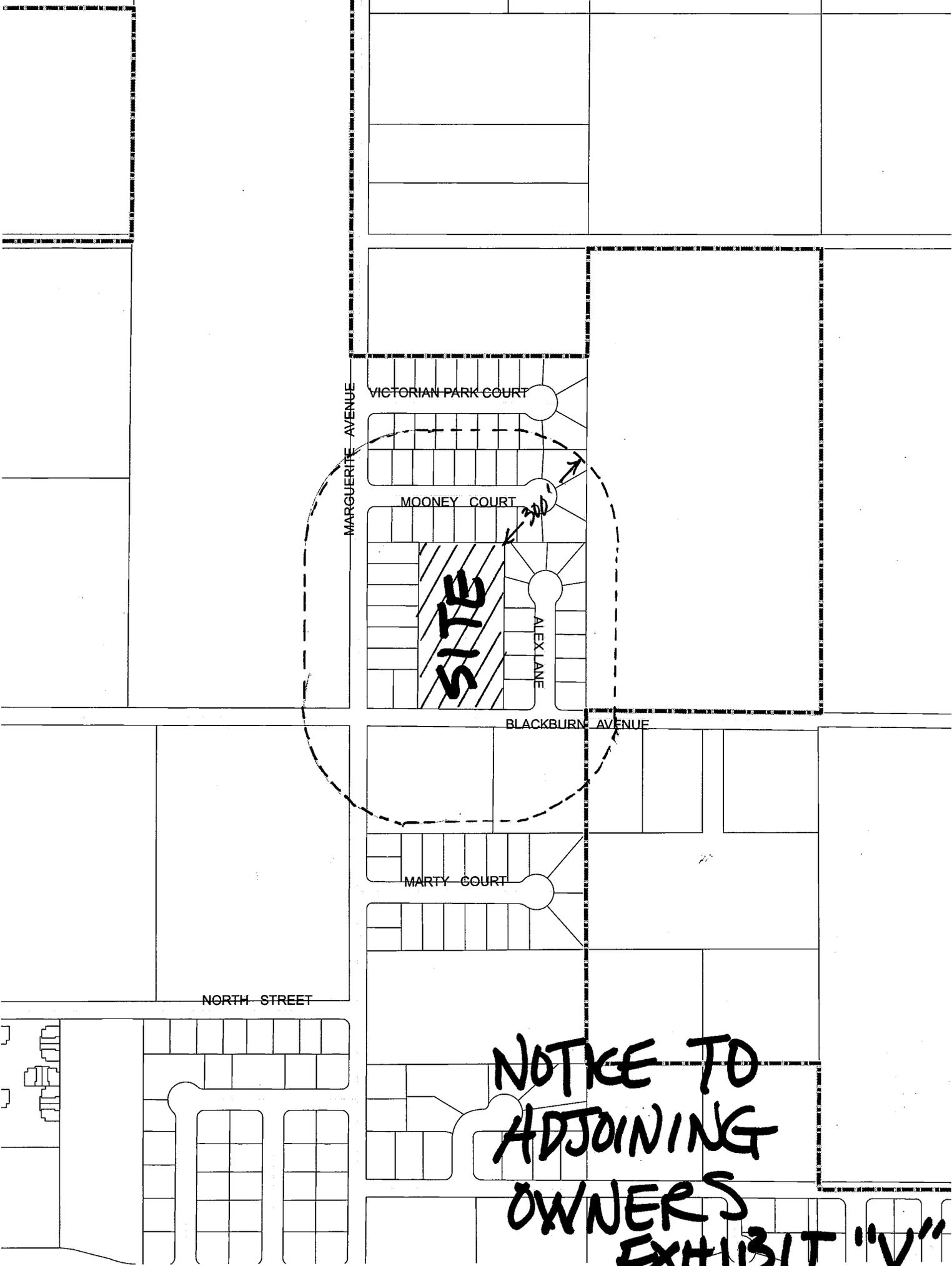
The City wants you to be aware that the plans and other project information are available for your review at City Hall, 794 Third Street in Corning. You are invited to attend a Public Hearing to be conducted by the Planning Commission in the City Council Chambers in City Hall at 794 Third Street at 6:30 p.m. on Tuesday, August 21, 2007. Please note if this project is challenged in court, you may be limited to raising only those issues that were raised at the Public Hearing or in writing delivered to the Planning Commission at or prior to the Public Hearing.

WHAT CAN YOU DO:

Please call or stop by City Hall if you have any questions or want to review the project information. You are welcome to attend the Public Hearing to ask questions or to comment. Your written comments may be given to the Planning Commission at the Hearing. If mailed, comments must be received by the City Clerk prior to the meeting. We are sorry but City staff cannot forward your verbal comments or questions to the City Planning Commission. Verbal comments or questions must come from you during the Public Hearing.

FOR MORE INFORMATION REGARDING THIS PROJECT PLEASE CONTACT:

John Brewer, Planning Director
794 Third Street
Corning, CA 96021
(530) 824-7036



MARGUERITE AVENUE

VICTORIAN PARK COURT

MOONEY COURT

SITE

ALEX LANE

BLACKBURN AVENUE

MARTY COURT

NORTH STREET

**NOTICE TO
ADJOINING
OWNERS
EXHIBIT "V"**

CITY OF CORNING
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

DATE: June 25, 2007

SUBJECT: CEQA MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970", as amended to date, a Draft Negative Declaration is hereby made on the project listed below:

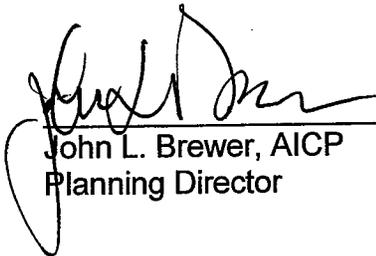
Tentative Tract Map 07-1004-Shaan Estates. To subdivide the 2.74 acre property into 14 lots for single-family residential development and use. Located on the north side of Blackburn Avenue and approximately 140 feet east of Marguerite Avenue. Assessor's Parcel No. 75-310-42.

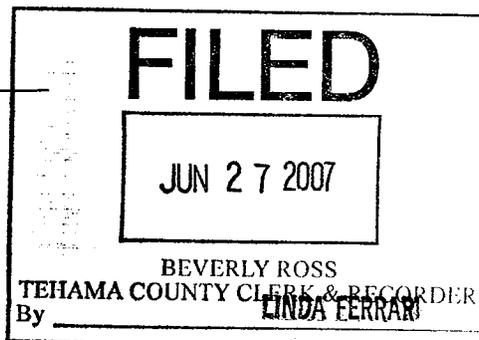
The reason for the determination that a Mitigated Negative Declaration is appropriate:

The "Initial Study" has found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in the attached Initial Study have been added to the project and therefore a Negative Declaration has been prepared.

The Initial Study prepared for the Project is available for review at City Hall. **Written comments on the proposed Negative Declaration will be accepted until 5:00 PM Tuesday, August 21, 2007.**

The Planning Commission Public Hearing for a recommendation regarding the adequacy of the Mitigated Negative Declaration of Environmental Impact and Approval of the Tentative Subdivision is scheduled for Tuesday, August 21, 2007 at 6:30 PM in the City Council Chambers, City of Corning, 794 Third Street, Corning, California.


John L. Brewer, AICP
Planning Director



6/25/2007
Date Signed

EXHIBIT "W"

CITY OF CORNING

Initial Study Environmental Checklist Form

1. Project title: Tentative Tract Map 07-1004-Shaan Estates
2. Lead agency name and address:
City of Corning
794 Third St.
Corning, CA 96021
3. Contact person and phone number: John Brewer; (530) 824-7036
4. Project location: On the north side of Blackburn Avenue, approximately 140 feet east of Marguerite Avenue. Assessor's Parcel No. 75-080-22.
5. Project sponsor's name and address: Hirday Singh, 1771 Patty Drive, Yuba City, CA 95993
6. General plan designation: Residential
7. Zoning: R-1
8. Description of project: To subdivide the property into 14 lots for single-family residential development and use.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
Suburban residential, church, and vacant land uses.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
The California Regional Water Quality Control Board regarding grading and water quality issues resulting from grading. The Tehama County Air Pollution District regarding Fugitive Dust Control Permitting.

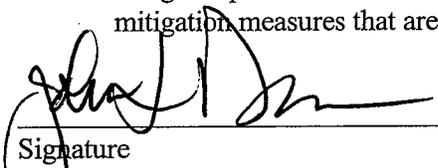
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

6/25/2007
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	-------------------------------------	--------------------------	--------------------------

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

VII. HAZARDS AND HAZARDOUS

MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are

intermixed with wildlands?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY				
-- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

XV. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

RESPONSES TO ISSUES IDENTIFIED ON ENVIRONMENTAL CHECKLIST

I. AESTHETICS.

This project has no impacts on any designated scenic vistas or resources, nor will the project degrade the visual character of the site. Blackburn Avenue is not designated as a scenic corridor, nor are any of the local streets designated as scenic roadways in the City General Plan. Standard street lighting will create a new source of light for neighbors, but that lighting is not expected to be significant if the following condition is imposed & implemented.

CONDITION #1: PROJECT LIGHTING.

Project lighting shall not exceed an average illumination level of 0.1 foot-candles at the edge of the Blackburn Avenue right-of-way, and shall be spaced at intervals of not more than 300 feet. All outdoor lighting shall be shielded and directed inward onto the project site. All outdoor lighting on the project site, including lighting from fixtures installed on the outside of project buildings, shall be shielded so that, at a minimum, no light is emitted above a horizontal line parallel to the ground, to prevent glare from impacting surrounding residences.

Additionally, the City of Corning requires the following as conditions of project approval.

CONDITION #2: BLACKBURN AVENUE PLANTER.

A four foot, six inch wide planter strip shall be provided between the sidewalk and the southern property lines of Lots 1 and 14. A combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within the planter. 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.

CONDITION #3: CONSTRUCTION DEBRIS.

Prior to approving occupancy for any residence, all construction debris shall be removed from the affected lot.

CONDITION #4: UNDERGROUND UTILITIES.

All utilities, including electricity, telephone, gas, and cable television, shall be provided to each lot and undergrounded. The existing pole-mounted utility lines within the frontage of Blackburn Avenue shall also be undergrounded. The undergrounding shall include installation of underground wires along the frontage of the adjacent Blackburn Estates Tract within the existing conduits and shall be approved by the appropriate utility companies.

CONDITION #5: FENCING.

Solid six foot tall fencing shall be installed at the perimeter of the subdivision prior to acceptance of the public improvements. Solid six foot tall fencing shall be installed at the lot side and rear property lines prior to Occupancy approval.

CONDITION #6: FENCING ALONG FRONTAGE OF BLACKBURN AVENUE.

Prior to approving occupancy of any structures on Lots 1 or 14, upgraded solid (one inch spacing permitted between boards) and stained (or painted) residential fencing shall be installed along their street side-yard frontage at Blackburn Avenue. The fence shall utilize treated four inch by six-inch

(minimum) posts (on eight foot centers) set in concrete, and a treated (or redwood) two inch by six-inch cap board connecting the tops of the posts.

CONDITION #7: LOT LANDSCAPING.

Front yards and street side yards, including that portion of the street right-of-way behind the sidewalk, shall be landscaped prior to final building permit sign-off. Front and Street Side Yard landscaping may include any combination of grass, groundcover, shrubs, and not fewer than two trees and is subject to Planning Department approval. Each landscaped yard shall be provided with a permanent method of irrigation for this landscaping.

CONDITION #8: RESIDENTIAL FAÇADE STANDARDS.

In accordance with Corning Municipal Code Section 16.21.135, the developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to assure that identical homes are not constructed on adjacent lots.

CONDITION #9: ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION

No heating, ventilation, or air conditioning equipment shall be installed on the roof of any structure.

II. .AGRICULTURAL RESOURCES.

The Corning area contains seven land classification types identified by the USDA Soil Conservation Service as Important Farmlands, including Prime Farmlands and Farmlands of Statewide Importance. The area to the north and northeast of the City includes Farmland of Local Importance and Grazing Land, of which a significant portion is delineated. According to the Important Farmland Map series, no Important Farmlands are located on or adjacent to the project site. Additionally, no soil types found on site are candidates for listing as Prime Farmland or Farmland of Statewide Importance (USDA 1995). Based on this information, no adverse impacts to Important Farmland or agricultural products are anticipated.

III. AIR QUALITY

The project area is located in the Northern Sacramento Valley Air Basin. The California Air Resources Board lists Tehama County as unclassified or in attainment of State Ambient Air Quality Standards (NAAQS) for carbon monoxide, and particulate matter less than 2.5 microns in diameter (PM2.5), nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and visibility reducing particles. Tehama County is considered in non-attainment for ozone and particulate matter less than 10 microns in diameter (PM10). Project implementation would result in temporarily increased air emissions, primarily due to earthwork and construction activities. Compliance with existing regulations of the Tehama County Air Pollution Control District (APCD) will adequately minimize the potential for emissions. The most significant sources of PM10 emissions will be earthwork and use of unpaved roads as haul roads.

The current project area is located within an area that is considered to be in nonattainment of State standards for ozone and PM10. Increases in ozone could result from the release of hydrocarbons, and subsequent photochemical reaction. Increases in particulate matter would result from fugitive dust, wind erosion, and combustion, among other causes. To ensure that project construction activities do not impact air quality, all work undertaken will be in accordance with the following mitigation measure during the construction phase of the project.

Potential Impacts: Wind erosion can result in airborne particulates. Concentrations of idling diesel vehicles can create excessive particulates and hydrocarbon pollution. To reduce potential impacts to Less Than Significant, the following mitigation measures and/or conditions are required by the City of Corning.

MITIGATION MEASURE #10: FUGITIVE DUST

Prior to commencing grading activities, the applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District and conform to the conditions of that permit.

MITIGATION MEASURE #11: 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.

CONDITION #12: GRADING PLANS.

Complete grading plans shall be submitted to the City Engineer for approval.

CONDITION #13: REDISTRIBUTE TOPSOIL.

Topsoil shall be stockpiled and redistributed over graded surfaces.

MITIGATION MEASURE #14: SPRINKLE EXPOSED SOILS.

During construction, unprotected or bare soils, including inactive storage piles, shall be watered as necessary to minimize wind erosion. Frequency should be based upon the type of operation, soil, and wind exposure. Paved roadways leading to or from the project area shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud, which may have accumulated as the result of construction activities.

IV. BIOLOGICAL RESOURCES

The site was surveyed for sensitive flora and fauna as part of the initial study completed for General Plan Amendment 2005-1A (Leggett et al) . No sensitive species were noted.

The initial study for General Plan Amendment 2005-1A also examined the site's value for wildlife habitat and offers the following:

"Field investigation determined that the site is unlikely to support sensitive wildlife species. All avian species observed were common, commensal species known to tolerate humans and disturbed sites. Signs of rodents were uncommon and limited to gopher mounds. Current heavy use by livestock, including goats, severely limits the use of the site by terrestrial wildlife species such as ground-nesting birds, rodents, or reptiles. The lack of substantial vegetative cover reduces habitat potential for small or secretive species."

V. CULTURAL RESOURCES

No evidence of cultural resources is known to occur on the site. No adverse impacts are anticipated; however, subsurface material may not have been discovered. To reduce potential impacts to unanticipated discovery of cultural resources to Less Than Significant, the following mitigation measures are required.

MITIGATION MEASURE #15: UNANTICIPATED DISCOVERY

If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery, and the City of Corning notified. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery location until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total data recovery as a mitigation, or, preferably, 2) total avoidance of the resource, if possible. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

Although no indications of human remains were identified on the surface, subsurface human remains may become evident during construction activities. Applicable procedures should be followed upon the unanticipated discovery of human remains, in accordance with provisions of the State Health and Safety Code, Sections 7052 and 7050.5 and the State Public Resources Code Sections 5097.9 to 5097.99. Sections 7052 and 7050.5 of the State Health and Safety Code define the disturbance of Indian cemeteries as a felony. The code further requires that construction or excavation be stopped in the vicinity of discovered human remains and the Sheriff and Coroner notified immediately. The Coroner must determine whether the remains are those of a Native American within 48 hours. If the remains are determined to be Native American, the Coroner shall contact the California Native American Heritage Commission within 24 hours. Subsequent procedures shall be followed, according to State Public Resources Code Sections 5097.9 to 5097.99, regarding the role of Native American participation of a Most Likely Descendant.

MITIGATION MEASURE #16: HUMAN REMAINS.

If human remains, or remains that are potentially human, are discovered during project construction or implementation, all work must stop within a 100-foot radius of the find. The construction supervisor must notify the county Sheriff and Coroner immediately, and take appropriate action to ensure that the discovery is protected from further disturbance or vandalism. The City of Corning shall be notified after the Sheriff and Coroner.

VI. GEOLOGY AND SOILS

Potential geologic hazards are addressed in the City of Corning General Plan (City of Corning 1994). Included are hazards due to surface faulting, ground shaking, ground failure, and landslides. Based on that analysis, the environmental effects associated with these potential hazards are considered to be low. The nearest surface fault to the City of Corning is the Elder Creek Fault, which lies approximately 11 miles west of the City. The most recent active surface fault is the Cleveland Hills Fault, which lies in southeastern Butte County approximately 51 miles from the City of Corning (City of Corning 1994). The project area is situated on rolling ground surrounding an unnamed drainage unconnected to any jurisdictional waters. Three major soil series are represented within the project area: the Corning, Newville, and Redding series. The major soil type represented onsite (USDA 1967) is Corning-Newville gravelly loam, 3 to 10 percent slope. This soil has a capability unit (c.u.) of IVE-3. This soil is characterized as having good drainage and slow permeability, as well as a high shrink/swell potential or expansivity. Several of these characteristics, including very slow permeability and high expansivity (USDA 1967), require specialized construction techniques. Other soils represented onsite include Redding gravelly loam, 0 to 3 percent slope (c.u. IVs-8) and Corning

gravelly loam, 0 to 3 percent slope (c.u. IVs-3).

The proposed project will be annexed to the City of Corning and connected to the city sewer system. Based upon this, there will be no impacts associated with septic systems.

Potential Impacts: Significant adverse affects could result from project implementation in the form of increased erosion. Implementation of the erosion control procedures presented in Section C will sufficiently reduce the potential for soil erosion resulting from project construction. Expansive clays may be present. Therefore, to reduce potential impacts to Less Than Significant, the following mitigation measures are required.

MITIGATION MEASURE #17: SOILS INVESTIGATION.

The applicant shall initiate a soils investigation by a registered engineering geologist or civil engineer to determine if expansive soils requiring special structural foundation design is necessary.

MITIGATION MEASURE #18: EXPANSIVE SOILS & LOT COMPACTION.

Prior to issuing building permits, the developer shall provide: 1) certification assuring adequate compaction of filled lots in accordance with the Uniform Building Code; and 2) for those lots with expansive soils, certification that the engineered foundation plans comply with building code requirements.

VII. HAZARDS AND HAZARDOUS MATERIALS.

The site is near the Corning Municipal Airport. The Comprehensive Airport Land Use Plan adopted by the Tehama County Airport Land Use Commission includes a map showing three safety areas around the perimeter of the airport. The site is not beneath the runway centerline, nor within the Runway Protection or Approach Zone; the zones where most aircraft accidents occur. At least a portion of the site is within the Overflight Safety Zone; the least restrictive of those safety zones. Future residents may be subjected to aircraft overflight. In order to comply with the Airport Land Use Plan and implementation measures of the Corning General Plan (Noise Element No. 6, pg.4-25 & Land Use No. 10, pg. 1-26), the following mitigation measure must be implemented. The measure will assure the continuance of airport operations and disclose to potential residents the effects of the nearby airport.

MITIGATION MEASURE #19. AVIGATION EASEMENT

Prior to recording the final tract map the applicant shall dedicate an avigation easement to the Airport Operator (City of Corning). The easement shall convey the right of flight at any altitude above 150 feet, the right to cause noise and vibration, fumes, dust and fuel particle emissions, the right of entry to remove, mark, or light any obstructions above 150 feet in height, and the right to prohibit the creation of electrical interference, unusual light sources and other hazards to aircraft flight.

VIII. HYDROLOGY AND WATER QUALITY

The project site lies within an area identified on the FEMA Flood Insurance Rate Map as "Zone C", defined as "Areas of minimal flooding.". The closest 100-year flood plain identified by FEMA is the Blackburn Moon Drain, which passes through downtown Corning near the intersection of Marguerite Avenue and Solano Street. This small floodplain is located approximately 0.5 mile southwest of the project site.

Project implementation will not alter existing drainage patterns, increase the exposure of people or property to flooding, or violate waste discharge requirements. However, the project could create minor increases in storm water runoff and has the potential to degrade water quality without erosion control measures.

Potential Impacts: The project would increase runoff due to decreased permeability and potentially impact water quality. To reduce potential impacts to Less Than Significant, the following mitigation measures and conditions are required.

MITIGATION MEASURE # 20: EROSION CONTROL.

The Grading Plan shall include measures to limit erosion impacts.

CONDITION #21: LOT GRADING.

Lots must be graded to direct runoff to storm drain facilities within the public right-of way or facilities within approved drainage easements.

MITIGATION MEASURE #22: SWPPP & CONSTRUCTION STORMWATER PERMIT

Prior to any site disturbance or earthmoving activities on or adjacent to the site, 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 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 post construction period SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner.

CONDITION #23: STORMWATER RETENTION.

Prior to recording a final map of any phase of the project the developer shall present improvement plans for retention of the net increase in runoff resulting from the development project during a 25-year storm for a duration of four hours.

MITIGATION MEASURE #24: DEWATERING PERMIT.

Obtain the appropriate Dewatering Permit from the Regional Water Quality Control Board or verify that the general waiver is applicable to the project.

IX. LAND USE AND PLANNING.

The site was annexed to the City of Corning in 2005. General Plan Amendment 2005-1A affected this site and other properties and amended the Corning General Plan to add the annexed properties with a "Residential" land use designation. This site was also zoned R-1 in 2005, which is consistent with the Residential Land Use Designation and this application for residential development. No issues were identified as potentially significant.

CONDITION NO. 25. DEMOLISH EXISTING STRUCTURES. Prior to recording the final map, the applicant shall obtain the necessary demolition permits from the building department and demolish the existing structures.

X. MINERAL RESOURCES

The project will have no effect on Mineral resources.

XI. NOISE

Note: The following is reprinted from the Initial Study prepared for General Plan Amendment 2005-1A which included this project site and other property in the vicinity.

The Noise Element of the City of Corning General Plan (1994) regulates exposure of persons to, or generation of noise levels in excess of standards. Figure 3 of the Noise Element lists an hourly Ldn (day-night noise level; 24-hour average noise level) or Community Noise Exposure Level (CNEL) of 55 decibels (dB) as acceptable for exterior noise levels for areas near the Corning Municipal Airport.

At this level, “conventional construction methods will eliminate most noise intrusions upon indoor activities” (Noise Element 1994: 4-11, Figure 3). Noise levels between 55 and 60 dB are marginally acceptable, where use should be permitted on the conditions that outdoor activities are minimal and construction features provide sufficient noise attenuation (Noise Element 1994: 4-11, Figure 3). Noise levels above 60 dB are unacceptable and development is usually not feasible.

The project area is situated near several potential periodic noise sources, including the Corning Municipal Airport, Corning Union High School, and traffic using Blackburn Avenue. Potentially sensitive receptors include existing and future residents in the immediate vicinity of these sources. As a result, an acoustical analysis was required to assess the impacts of these sources on future residents of the proposed project. An acoustical analysis for the proposed project was conducted and is included in Appendix D. The review of previous studies and the current analysis determined that the aircraft noise impact areas are on airport property and close to the runway, and concluded that “no sensitive receptors are affected by [the 65, 60, or 55 dB] noise contours” (Wadell 2003:20). Therefore, current and foreseeable future air traffic using the airport facility will not impact residents in or around the current project area. Vehicular traffic, however, could potentially have a greater impact on noise levels in the area.

A traffic noise impact analysis was conducted using the US Housing and Urban Development noise models (see Appendix D). Traffic on Blackburn Avenue at Marguerite Avenue was determined to have an Average Daily Traffic count (ADT) of 909 in 2005 (post-project), which results in an adjusted Auto ADT of 181.8. Extrapolation on Workchart 1 indicates that this corresponds to a Day-night noise level (Ldn) of approximately 55 dB.

To assess cumulative impacts from the proposed project and approximately 250 additional planned units on adjoining property, the data compiled by Chambers and Ferrara (2005) was extrapolated to an estimated ADT of 3,302. This results in an adjusted Auto ADT of 660.4, which corresponds to a Ldn of approximately 57 dB.

According to the Noise Element, noise levels between 55 and 60 dB are conditionally acceptable, where use should be permitted on the conditions that outdoor activities are minimal and construction features provide sufficient noise attenuation (Noise Element 1994: 4-11, Figure 3).

The acoustical study of the project area determined that sound levels generated by existing and projected sources in the project vicinity fall within sound levels established by the City. However, the proposed project has the potential to cause short-term temporary noise levels above City standards during the construction phases of the project’s implementation. To mitigate potential adverse impacts on existing neighbors, two mitigation measures are recommended.

Potential Impacts: Project construction is likely to increase short-term noise levels in the project area due to onsite activities and construction traffic. Construction equipment typically generates on the order of 80 to 95 dBA at a distance of 50 feet. As a result, receptors in the vicinity may experience significantly increased noise levels during project construction. Limiting the idling of trucks may also decrease local ambient noise levels during construction. To reduce potential impacts to Less Than Significant, the following mitigation measures are required by the City of Corning.

MITIGATION MEASURE #25: CONSTRUCTION DAYS & HOURS.

Construction work shall occur only between the hours of 7:00 AM to 7:00 PM, Monday through Friday, and between the hours of 8:00 AM to 6:00 PM on weekends and federally observed holidays.

MITIGATION MEASURE #26: CONSTRUCTION NOISE.

The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained. When feasible, existing power sources, such as power poles, or clean fuel generators should be used, rather than temporary power generators. Minimize idling time to 10 minutes.

XII. POPULATION AND HOUSING

The project proposes to add 14 residential homes within the City of Corning. The City of Corning General Plan recognizes the need for additional housing in order to maintain available housing for an increasing population, as well as to maintain a desirable jobs/housing balance as commercial development increases (City of Corning 1994). The addition of 14 homes near central Corning is anticipated to have a beneficial impact upon the community.

Project implementation will not induce substantial population growth. The project will not remove any residences. Therefore, no adverse impacts to population and housing are anticipated.

XIII. PUBLIC SERVICES

The project will add 14 housing units to the city. These additional dwellings will incrementally lessen the level of service provided by the fire, police and public works departments. However, the effect of adding 14 dwellings amounts to a minor addition to the current housing stock of 2,713 amounts to an increase of less than ½ of one percent and is not considered significant so long as development occurs in a manner that complies with City standards.

Ongoing maintenance of public facilities such as landscaping in the public right of way and street lighting will further diminish City general fund revenues. To provide the funding for these facilities, the City has adopted a policy requiring the formation of Landscape and Lighting Districts. The following Mitigation Measures or Conditions are necessary to comply with that policy and City standards:

CONDITION #27: FIRE HYDRANTS.

Fire hydrants shall be AWWA-approved and installed in accordance with City standards. The developer shall provide the City of Corning with one hydrant repair kit.

CONDITION #28: STREET LIGHTING.

The developer shall provide street lighting with 90-degree cut-off lenses that meet the City Standards per City Code Section 16.21.050.H.

CONDITION #29: LANDSCAPE AND LIGHTING DISTRICT.

Prior to recording any final map for the project, the developer shall establish a Landscape and Lighting District or annex to an existing district if one exists, to fund the irrigation and continued maintenance of all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas along Blackburn Avenue, and electrification and maintenance of street lighting. Any costs associated with the district formation or annexation shall be borne by the developer.

CONDITION #30: ENGINEER'S ESTIMATE OF ANNUAL MAINTENANCE COSTS.

Prior to recording the final map, an engineer shall provide to the City of Corning estimates of the annual costs to electrify, irrigate, and otherwise maintain all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas on Blackburn Avenue, and street lighting.

CONDITION #31: DEVELOPMENT IMPACT FEES.

Subsequent residential development will be subject to Development Impact Fees imposed in order to lessen new development's impacts on City facilities and services. These fees shall be assessed and payable prior to issuance of each Certificate of Occupancy.

Other impacts to City streets, parks and schools will largely be addressed by the payment of Development Impact Fees. These fees are due when the individual building permits are issued and are collected by the school districts and the City, respectively. With the implementation of the Mitigation Measures there will be no significant impact to Public Services.

XIV. RECREATION

The 14 proposed homes will have little individual effect of recreation in the City. However, the cumulative effect of these new dwellings combined with that of others resulting from new development will diminish the effectiveness of the recreational opportunities. This effect will largely be mitigated by payment of the Recreation related Development Impact Fees.

XV. TRANSPORTATION

Transportation effects of this project and that occurring from development of adjacent properties were evaluated in the Initial Study prepared for General Plan Amendment 2005-1A. These effects were found to be less than significant with the implementation of certain Mitigation Measures requiring street improvements. Those mitigation measures or conditions from that previous Initial Study that are applicable to this specific project must be implemented to reduce impacts:

CONDITION #32: BLACKBURN AVENUE RIGHT-OF-WAY.

Final Map shall dedicate property to the City of Corning necessary to achieve a 30-foot half-width (Collector Standard) for Blackburn Avenue.

CONDITION #33: BLACKBURN AVENUE ONSITE IMPROVEMENTS. Construct the

northern half width of Blackburn Avenue, including: one 12-foot travel lane; one 8-foot parking lane; curb, gutter and sidewalk; and complete an asphaltic concrete overlay for one lane width (12 feet) on the southern half-width, in accordance with Corning Municipal Code Section 16.21.040.B.6.c. and Standard Drawing S-18. Rolled curb and gutter and sidewalk shall meet Corning Standard Drawings S-1 & S-2.

CONDITION #34: INTERIOR STREET IMPROVEMENTS.

Interior streets shall be improved in accordance with City of Corning standard S-18 (40-foot 2 Lane Street).

CONDITION #35: STREET NAME.

Final street name is subject to approval of City staff and shall appear on the final map.

CONDITION #36: ACCESS RESTRICTIONS.

No new driveways shall be permitted direct access onto Blackburn Avenue. The Final Map shall offer "1 foot wide Non-Access" strips along the Blackburn Avenue frontage of Lots 1 & 14.

CONDITION #37: CUL-DE-SAC PARKING DELINEATION.

Curbside "parallel" parking spaces shall be delineated with traffic paint within the cul-de-sac bulb.

XVI. UTILITIES AND SERVICE SYSTEMS

The proposed development would be connected to the City of Corning storm water and sewer systems. City standard streetlights would provide night lighting for the project. Pacific Gas & Electric would supply power, SBC will provide telecommunications, and the City of Corning would supply domestic water. In each case there is sufficient system capacity to serve the 14 residences proposed by the project. The City of Corning, however, requires the following mitigation measures to comply with City standards.

A previous adjacent project developer (Coastal View Construction-Blackburn Estates) extended the water and sewer trunk lines along within Blackburn Avenue. That developer is due some reimbursement for those extensions in accordance with the Reimbursement Agreement between the City of Corning and Coastal View Construction.

CONDITION #38: ABANDON WELL AND SEPTIC SYSTEMS.

Prior to recording any final map, the applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the requirements of the Tehama County Environmental Health Department.

CONDITION NO. #39: REIMBURSEMENT FOR WATER & WASTEWATER SEWER TRUNK LINES.

Prior to recording the final subdivision map, the developer shall provide reimbursement to Coastal View Construction of Chico California, for their previous installation of water and sewer trunk lines within Blackburn Avenue in accordance with the Reimbursement Agreement.

CONDITION #40: WATER SERVICE.

Developer shall install water service and a meter for each lot in accordance with Public Works Standard S-20.

CONDITION #41: SEWER SERVICE LATERALS.

Developer shall install sewer service lateral lines for each lot in accordance with Public Works Standard S-21.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

a, b, & c) No impacts are expected from this project.

BIBLIOGRAPHY

Source:

City of Corning General Plan
Land Use Element
Circulation Element
Open Space Element
Housing Element
Safety Element
Noise Element
Conservation Element
Public Facilities Element
Economic Development Element

City of Corning Municipal Code
Zoning Code
Subdivision Ordinance
Building & Construction Ordinance

Initial Study prepared for General Plan Amendment 2005-1A.

State of California Regulations
Subdivision Map Act
California Environmental Quality Act
Planning and Zoning Law

Persons/Agencies Contacted
Tom Russ-Corning Public Works Director
Jack Alexander-Corning Building Official
Bob Pryatel-Corning Fire Chief
Tony Cardenas-Corning Police Chief
Steve Kimbrough-Corning City Manager
Ed Anderson-Corning City Engineer

Principal Author:
John L. Brewer, AICP-Planning Director; City of Corning

**TENTATIVE TRACT MAP 07-1004; SHAAN ESTATES
SUMMARY OF MITIGATION MEASURES & CONDITIONS**

CONDITION #1: PROJECT LIGHTING.

Project lighting shall not exceed an average illumination level of 0.1 foot-candles at the edge of the Blackburn Avenue right-of-way, and shall be spaced at intervals of not more than 300 feet. All outdoor lighting shall be shielded and directed inward onto the project site. All outdoor lighting on the project site, including lighting from fixtures installed on the outside of project buildings, shall be shielded so that, at a minimum, no light is emitted above a horizontal line parallel to the ground, to prevent glare from impacting surrounding residences.

CONDITION #2: BLACKBURN AVENUE PLANTER.

A four foot, six inch wide planter strip shall be provided between the sidewalk and the southern property lines of Lots 1 and 14. A combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within the planter. 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.

CONDITION #3: CONSTRUCTION DEBRIS.

Prior to approving occupancy for any residence, all construction debris shall be removed from the affected lot.

CONDITION #4: UNDERGROUND UTILITIES.

All utilities, including electricity, telephone, gas, and cable television, shall be provided to each lot and undergrounded. The existing pole-mounted utility lines within the frontage of Blackburn Avenue shall also be undergrounded. The undergrounding shall include installation of underground wires along the frontage of the adjacent Blackburn Estates Tract within the existing conduits and shall be approved by the appropriate utility companies.

CONDITION #5: FENCING.

Solid six foot tall fencing shall be installed at the perimeter of the subdivision prior to acceptance of the public improvements. Solid six foot tall fencing shall be installed at the lot side and rear property lines prior to Occupancy approval.

CONDITION #6: FENCING ALONG FRONTAGE OF BLACKBURN AVENUE.

Prior to approving occupancy of any structures on Lots 1 or 14, upgraded solid (one inch spacing permitted between boards) and stained (or painted) residential fencing shall be installed along their street side-yard frontage at Blackburn Avenue. The fence shall utilize treated four inch by six-inch (minimum) posts (on eight foot centers) set in concrete, and a treated (or redwood) two inch by six-inch cap board connecting the tops of the posts.

CONDITION #7: LOT LANDSCAPING.

Front yards and street side yards, including that portion of the street right-of-way behind the sidewalk, shall be landscaped prior to final building permit sign-off. Front and Street Side Yard landscaping may include any combination of grass, groundcover, shrubs, and not fewer than two trees and is subject to Planning Department approval. Each landscaped yard shall be provided with

**TENTATIVE TRACT MAP 07-1004; SHAAN ESTATES
SUMMARY OF MITIGATION MEASURES & CONDITIONS**

a permanent method of irrigation for this landscaping.

CONDITION #8: RESIDENTIAL FAÇADE STANDARDS.

In accordance with Corning Municipal Code Section 16.21.135, the developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to assure that identical homes are not constructed on adjacent lots.

CONDITION #9: ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION

No heating, ventilation, or air conditioning equipment shall be installed on the roof of any structure.

MITIGATION MEASURE #10: FUGITIVE DUST

Prior to commencing grading activities, the applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District and conform to the conditions of that permit.

MITIGATION MEASURE #11: 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.

CONDITION #12: GRADING PLANS.

Complete grading plans shall be submitted to the City Engineer for approval.

CONDITION #13: REDISTRIBUTE TOPSOIL.

Topsoil shall be stockpiled and redistributed over graded surfaces.

MITIGATION MEASURE #14: SPRINKLE EXPOSED SOILS.

During construction, unprotected or bare soils, including inactive storage piles, shall be watered as necessary to minimize wind erosion. Frequency should be based upon the type of operation, soil, and wind exposure. Paved roadways leading to or from the project area shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud, which may have accumulated as the result of construction activities.

MITIGATION MEASURE #15: UNANTICIPATED DISCOVERY

If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery, and the City of Corning notified. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery location until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total data recovery as a mitigation, or, preferably, 2) total avoidance of the resource, if possible. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

MITIGATION MEASURE #16: HUMAN REMAINS.

**TENTATIVE TRACT MAP 07-1004; SHAAN ESTATES
SUMMARY OF MITIGATION MEASURES & CONDITIONS**

If human remains, or remains that are potentially human, are discovered during project construction or implementation, all work must stop within a 100-foot radius of the find. The construction supervisor must notify the county Sheriff and Coroner immediately, and take appropriate action to ensure that the discovery is protected from further disturbance or vandalism. The City of Corning shall be notified after the Sheriff and Coroner.

MITIGATION MEASURE #17: SOILS INVESTIGATION.

The applicant shall initiate a soils investigation by a registered engineering geologist or civil engineer to determine if expansive soils requiring special structural foundation design is necessary.

MITIGATION MEASURE #18: EXPANSIVE SOILS & LOT COMPACTION.

Prior to issuing building permits, the developer shall provide: 1) certification assuring adequate compaction of filled lots in accordance with the Uniform Building Code; and 2) for those lots with expansive soils, certification that the engineered foundation plans comply with building code requirements.

MITIGATION MEASURE #19. AVIGATION EASEMENT

Prior to recording the final tract map the applicant shall dedicate an avigation easement to the Airport Operator (City of Corning). The easement shall convey the right of flight at any altitude above 150 feet, the right to cause noise and vibration, fumes, dust and fuel particle emissions, the right of entry to remove, mark, or light any obstructions above 150 feet in height, and the right to prohibit the creation of electrical interference, unusual light sources and other hazards to aircraft flight.

MITIGATION MEASURE # 20: EROSION CONTROL.

The Grading Plan shall include measures to limit erosion impacts.

CONDITION #21: LOT GRADING.

Lots must be graded to direct runoff to storm drain facilities within the public right-of way or facilities within approved drainage easements.

MITIGATION MEASURE #22: SWPPP & CONSTRUCTION STORMWATER PERMIT

Prior to any site disturbance or earthmoving activities on or adjacent to the site, 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 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 post construction period SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner.

CONDITION #23: STORMWATER RETENTION.

Prior to recording a final map of any phase of the project the developer shall present improvement plans for retention of the net increase in runoff resulting from the development project during a 25-year storm for a duration of four hours.

MITIGATION MEASURE #24: DEWATERING PERMIT.

**TENTATIVE TRACT MAP 07-1004; SHAAN ESTATES
SUMMARY OF MITIGATION MEASURES & CONDITIONS**

Obtain the appropriate Dewatering Permit from the Regional Water Quality Control Board or verify that the general waiver is applicable to the project.

CONDITION NO. 25. DEMOLISH EXISTING STRUCTURES. Prior to recording the final map, the applicant shall obtain the necessary demolition permits from the building department and demolish the existing structures.

MITIGATION MEASURE #25: CONSTRUCTION DAYS & HOURS.

Construction work shall occur only between the hours of 7:00 AM to 7:00 PM, Monday through Friday, and between the hours of 8:00 AM to 6:00 PM on weekends and federally observed holidays.

MITIGATION MEASURE #26: CONSTRUCTION NOISE.

The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained. When feasible, existing power sources, such as power poles, or clean fuel generators should be used, rather than temporary power generators. Minimize idling time to 10 minutes.

CONDITION #27: FIRE HYDRANTS.

Fire hydrants shall be AWWA-approved and installed in accordance with City standards. The developer shall provide the City of Corning with one hydrant repair kit.

CONDITION #28: STREET LIGHTING.

The developer shall provide street lighting with 90-degree cut-off lenses that meet the City Standards per City Code Section 16.21.050.H.

CONDITION #29: LANDSCAPE AND LIGHTING DISTRICT.

Prior to recording any final map for the project, the developer shall establish a Landscape and Lighting District or annex to an existing district if one exists, to fund the irrigation and continued maintenance of all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas along Blackburn Avenue, and electrification and maintenance of street lighting. Any costs associated with the district formation or annexation shall be borne by the developer.

CONDITION #30: ENGINEER'S ESTIMATE OF ANNUAL MAINTENANCE COSTS.

Prior to recording the final map, an engineer shall provide to the City of Corning estimates of the annual costs to electrify, irrigate, and otherwise maintain all common facilities, including the stormwater retention system and appurtenant facilities, any gateway or entrance features, landscaped areas on Blackburn Avenue, and street lighting.

CONDITION #31: DEVELOPMENT IMPACT FEES.

Subsequent residential development will be subject to Development Impact Fees imposed in order to lessen new development's impacts on City facilities and services. These fees shall be assessed and payable prior to issuance of each Certificate of Occupancy.

CONDITION #32: BLACKBURN AVENUE RIGHT-OF-WAY.

Final Map shall dedicate property to the City of Corning necessary to achieve a 30-foot half-width

**TENTATIVE TRACT MAP 07-1004; SHAAN ESTATES
SUMMARY OF MITIGATION MEASURES & CONDITIONS**

(Collector Standard) for Blackburn Avenue.

CONDITION #33: BLACKBURN AVENUE ONSITE IMPROVEMENTS. Construct the northern half width of Blackburn Avenue, including: one 12-foot travel lane; one 8-foot parking lane; curb, gutter and sidewalk; and complete an asphaltic concrete overlay for one lane width (12 feet) on the southern half-width, in accordance with Corning Municipal Code Section 16.21.040.B.6.c. and Standard Drawing S-18. Rolled curb and gutter and sidewalk shall meet Corning Standard Drawings S-1 & S-2.

CONDITION #34: INTERIOR STREET IMPROVEMENTS.
Interior streets shall be improved in accordance with City of Corning standard S-18 (40-foot 2 Lane Street).

CONDITION #35: STREET NAME.
Final street name is subject to approval of City staff and shall appear on the final map.

CONDITION #36: ACCESS RESTRICTIONS.
No new driveways shall be permitted direct access onto Blackburn Avenue. The Final Map shall offer "1 foot wide Non-Access" strips along the Blackburn Avenue frontage of Lots 1 & 14.

CONDITION #37: CUL-DE-SAC PARKING DELINEATION.
Curbside "parallel" parking spaces shall be delineated with traffic paint within the cul-de-sac bulb.

CONDITION #38: ABANDON WELL AND SEPTIC SYSTEMS.
Prior to recording any final map, the applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the requirements of the Tehama County Environmental Health Department.

CONDITION NO. #39: REIMBURSEMENT FOR WATER & WASTEWATER SEWER TRUNK LINES.
Prior to recording the final subdivision map, the developer shall provide reimbursement to Coastal View Construction of Chico California, for their previous installation of water and sewer trunk lines within Blackburn Avenue in accordance with the Reimbursement Agreement.

CONDITION #40: WATER SERVICE.
Developer shall install water service and a meter for each lot in accordance with Public Works Standard S-20.

CONDITION #41: SEWER SERVICE LATERALS.
Developer shall install sewer service lateral lines for each lot in accordance with Public Works Standard S-21.



City of Corning

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

Date: June 25, 2007

To: Responsible Agencies

From: John L. Brewer, AICP; Planning Director

JB

Re: Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15072(a).

Be advised that the following Planning Application has been submitted for City consideration:

Project Title: Tentative Tract Map 07-1004; Shaan Estates; Hirday Singh

Project Description: To create fourteen (14) parcels in an R-1; Single Family Residential Zoning District. Located on the north side of Blackburn Avenue and approx. 140 feet east of Marguerite Avenue. Assessor's Parcel No. 75-310-42; Approx. 2.74 acres.

The City of Corning proposes to adopt a Mitigated Negative Declaration regarding the environmental effects posed by the proposed project. The proposed Negative Declaration does X does not ___ include mitigation measures. A copy of the Mitigated Negative Declaration is attached.

This project is scheduled for Planning Commission consideration on August 21, 2007. A copy of the public hearing notice is attached. Approval of the project will require subsequent City Council approval. Please provide any comments prior to August 21, 2007.

Questions or comments regarding the environmental effects of this project should be directed to John Brewer at (530) 824-7036.

EXHIBIT "X"

RESPONSIBLE AGENCIES MAILING LIST

Corning Water District
P.O. Box 738
Corning, CA 96021

Tehama County Planning Dept.
444 Oak Street, Room I
Red Bluff, CA 96080

Corning Union Elem. School Dist.
1590 South Street
Corning, CA 96021

Corning Union High School Dist.
643 Blackburn Avenue
Corning, CA 96021

Tehama County Public Works
9380 San Benito Avenue
Gerber, CA 96035

California Dept. of Fish & Game-
Region 1
601 Locust Street
Redding, CA 96001

Caltrans District 2
P.O. Box 496073
Redding, CA 96049-6073

Dept. of Water Resources
2440 Main Street
Red Bluff, CA 96080

Tehama Co. Env. Health Dept.
633 Washington St., Room 36
Red Bluff, CA 96080

Pacific Gas & Electric
3600 Meadowview Dr.
Redding, CA 96002

SBC Engineering
Attn: Brian Stone
4434 Mountain Lakes Blvd.
Redding, CA 96003

Comcast Cable
Attn: Jim Keeler
427 Eaton Rd.
Chico, CA 95973

Regional Water Quality Control Board
Central Valley Region
415 Knollcrest Dr., Suite 100
Redding, CA 96002

Tehama Co. APCD
1750 Walnut St.
Red Bluff, CA 96080

Tehama County Clerk
P.O. Box 250
Red Bluff, CA 96080

State Clearinghouse
P.O. Box 3044
Sacramento, CA 95814

EXHIBIT "X"
(LIST)

REIMBURSEMENT AGREEMENT

THIS AGREEMENT, entered into this 21st Day of June, 2007, between Corning, a municipal corporation, hereinafter called "City", and Coastal View Construction, Inc., hereinafter called "Owner", is made on the following terms and conditions:

1. Owner is developing a subdivision in the City, known as Blackburn Estates Subdivision. All improvements, including water and sewer lines, in this subdivision are to be constructed at the expense of the Owner. Because of the location of the subdivision, certain "off-site" improvements are necessary, including sewer and water line extensions within Blackburn Avenue. The Engineer's estimate of the total off-site costs is \$41,987.96; including \$24,061.80 for water, and \$17,926.16 for sewer line extensions.
2. City desires the new water lines in order to improve public safety, and new sewer lines to serve the lands of the Owner, but also other parcels of land adjacent to the new water and sewer lines.
3. Because the extended water and sewer lines will serve and benefit additional lands, it is agreed hereby that the City will collect funds from the owners of other lands adjoining Owner's land when said other lands subdivide and develop, and reimburse the Owner ninety percent of the main frontage charge paid by each person benefiting from the improvements within a period of ten (10) years from the date this agreement is signed.
4. It is clearly understood that City is not indebted or obligated hereby in any manner whatsoever, except that City agrees to remit to Owner 90% of the portion of the street improvement costs and water connection fees collected and received by City from other owners of property connecting to said water lines, and to the extent provided herein, provided however, that the total amount of said reimbursement shall not exceed 50% of the total cost of the sewer and water line extensions. Said 50% of the

EXHIBIT "Y"

total costs amounts to \$12,030.90 for water line and 8,963.08 for sewer line.

5. City shall collect \$17.85 per parcel frontage foot from owners developing property fronting Blackburn Avenue and within the area benefiting from the water line extension.
6. City shall collect \$16.66 per parcel frontage foot from owners developing property fronting Blackburn Avenue and within the area benefiting from the sewer line extension.
7. City shall reimburse Coastal View Construction at 90% of the rates noted with 5 and 6 above, or \$16.07 for water line and \$14.99 for sewer line.
8. The Owner shall have a current mailing address on file with the City Clerk of the City. All refunds to the Owner shall be in accordance with the applicable provisions set forth herein and Section 13.08.045 of the Corning Municipal Code.
9. This agreement or the benefits thereof may be assigned by Owner to a single assignee or entity in entirety. No partial or divisible assignment or assignments hereof will be recognized or accepted by the City. Notice of such assignment shall be in writing and filed with the City Clerk of City and, in such event the rights and obligations of the assignee shall be the same as imposed herein on Owner.
10. This agreement shall terminate at the end of ten (10) years from the date hereof.

OWNER:

By: _____

Wanda Starr
Wanda Starr
President
Coastal View Construction, Inc.

CITY OF CORNING:

Stephen J. Kimbrough
Stephen J. Kimbrough
City Manager

Y-2