



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, FEBRUARY 16, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Commissioners: Robertson

Reilly

Hatley

Barron

Chairman: Lopez

Lopez

Introduction of new Planning Commissioner Frank Barron.

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the December 15, 2009 Planning Commission Meeting with any necessary corrections.

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

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

2. Use Permit 2010-259; Irrigation Technology & Ag Center. To establish a business for the wholesale/retail sales of agricultural supplies and agricultural irrigation supplies in an existing warehouse building located at 2910 Highway 99 W.

F. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

G. ADJOURNMENT:

POSTED: WEDNESDAY, FEBRUARY 10, 2010

The City of Corning is an Equal Opportunity Employer



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, DECEMBER 15, 2009
WOODSON ELEMENTARY SCHOOL GYMNASIUM
150 NORTH TOOMES AVENUE**

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

B. ROLL CALL:

Commissioners: Robertson
Reilly
Hatley
Vacant
Chairman: Lopez

All Commissioners were present.

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the November 17, 2009 Planning Commission Meeting with any necessary corrections.

Commissioner Reilly moved to approve the Minutes as written. Commission Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy.**

D. BUSINESS FROM THE FLOOR: None.

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

2. Use Permit 2009-258, Sweet Seduction Tattoo; Pursuant to Section 17.54.020 (9) of the Corning Municipal Code, to establish a Tattoo Business (Parlor) in a C-3, General Business Zoning District.

Chairman Lopez introduced this item by title giving the location of the proposed business. Planning Director John Stoufer informed the Commission of a letter the City received from James and Janice Craig referencing the small Strip Mall where the 99 Cents store is located. Mr. Stoufer clarified that this is not the location where the applicant plans to locate her business. He further stated that this letter really wasn't applicable to the item on tonight's agenda. Mr. Stoufer then briefed the Commission on the Codes associated with this proposed business. He informed the Commission that surrounding residents/businesses had been notified of tonight's meeting and no other correspondence had been received.

Chairman Lopez then opened the public hearing.

Pamela Holden, Rebecca Calahan and Sam and Jessica Pierce all voiced their support of this business stating that it will bring revenue into this town.

Chairman Lopez asked if there was an age restriction for getting a tattoo, if they will have a procedure to verify patron age, and will the applicant be the only one in the shop. Commissioner Robertson asked if the applicant was required to be licensed to do this; she was informed no.

With no other comments Chairman Lopez closed the public hearing.

Commissioner Reilly moved to adopt Subfindings and Findings 1-4 as presented in the Staff Report for Use Permit 2009-258 and approve Use Permit 2009-258 subject to Conditions 1-2 as recommended by Staff. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy.**

The City of Corning is an Equal Opportunity Employer

Commissioner Reilly then requested a five-minute break in order to finish reading the material provided today from THC. Chairman Lopez recessed the meeting at 6:44 p.m. for five minutes. The meeting will reconvene at 6:49 p.m.

Chairman Lopez called the meeting back to order at 6:49 p.m.

3. Ordinance No. 639, Regulating the Cultivation of Medical Marijuana: An Ordinance of the City of Corning adding a Chapter to Title 17 of the Corning Municipal Code that would regulate the cultivation of Medical Marijuana.

Chairman Lopez introduced this item by title giving a brief explanation of the history behind this Ordinance stating that the item to be discussed tonight is just the cultivation and zoning related to Medical Marijuana.

Ken Prather addressed the Commission stating that he and his wife represent approximately 1100 members of their collective. He outlined the history of the legalization of medical marijuana and the associated Proposition 215 and SB 420.

Chairman Lopez advised the Commissioners that they are here to discuss cultivation and zoning only.

Mr. Prather asked if the Commissioners had received and read the letter from his attorney that was delivered today. Chairman Lopez stated that the Commission had. Mr. Prather stated that you cannot separate cultivation and Cooperatives; they are one and the same.

With no further comment Chairman Lopez closed the public hearing.

Commissioner Lopez stated that he and Commissioner Reilly served on the Ad-Hoc Committee. He listed his concerns which were the square footage, whether in the future anyone can grow this, and whether the City could put restrictions on it.

Mr. Stoufer stated that the Commission and Council have the ability to amend the City Code to comply with State law at any time. This Ordinance addresses cultivation and zoning only.

Chairman Lopez asked if the Commission should consider some type of security breakage meter for the glass or stricter security wording within the Ordinance? Mr. Stoufer stated that the Ordinance, as written, requires Building Official and Police Chief approval of the security measures. Chief Cardenas stated that the whole purpose is to not make the plants visible, sidewalls of the detached structure must be of a non-transparent material and this needs to be specifically stated within the Ordinance (possibly within the definitions section).

Commissioner Reilly moved to recommend that the City Council adopt Ordinance 639 with the addition of the definition of the detached structure (Section B) to include statement that structure must be of a non-transparent material. Commissioner Robertson the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy.**

F. **REGULAR AGENDA: None.**

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

H. **ADJOURNMENT: 7:18 p.m.**

Lisa M. Linnet, City Clerk

**ITEM NO: E-2
USE PERMIT APPLICATION 2010-259;
IRRIGATION TECHNOLOGY & AG CENTER,
ESTABLISH A BUSINESS FOR THE RETAIL
SALES OF AGRICULTURAL SUPPLIES AND
AGRICULTURAL IRRIGATION SUPPLIES.
LOCATED ALONG THE WEST SIDE OF HWY
99W, APPROXIMATELY 700 FEET NORTH
OF THE SOUTH AVE./HWY 99W.
INTERSECTION. APN: 87-040-27
ADDRESS: 2920 Hwy 99W**

FEBRUARY 16, 2010

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING DIRECTOR

PROJECT DESCRIPTION:

The applicant, Stephen J. Borra Jr., has applied to establish a retail/wholesale business, known as Irrigation Technology & Ag Center that will provide for the sales of agricultural supplies and agricultural irrigation supplies. The applicant proposes to establish this business in an existing warehouse type building, that had previously been occupied by Linnet's Tire Shop, along the west side of Hwy 99W, located approximately 700 feet north of the South Ave. / Hwy 99W intersection.

DISCUSSION:

As discussed below the site where the applicant is proposing to establish the Ag Supply and Irrigation Business is in the Hwy 99W Corridor Specific Plan. The Specific Plan has architectural design guidelines for buildings and design guidelines for parking lots, landscaping, lighting, signs, etc. Staff has always felt it's a difficult challenge to meet these guidelines on parcels that have existing structures as is the case with this parcel. To occupy these structures with commercial uses, especially commercial uses just starting out in this area, compliance with the Specific Plan puts an excessive burden on the business.

To relieve this burden on a new business trying to establish in this area staff has discussed with the applicant, and is recommending that the Commission consider, granting the Use Permit for 12 months allowing the business to get established without requiring any design, parking or landscaping improvements as required in the Specific Plan. At the end of this 12 month period the Use Permit would be reviewed by the Planning Commission for a possible extension and adding conditions of approval relating to design improvements as specified in the Specific Plan.

GENERAL PLAN LAND USE DESIGNATION

Hwy99-W - Highway 99W Corridor Specific Plan. The Highway 99W Corridor Specific Plan is intended to provide a more detailed examination of the planning issues in the corridor than could be achieved in the City's General Plan. The purpose of the Specific Plan is to provide a comprehensive set of plans, policies, guidelines, and implementation measures for guiding and ensuring the orderly development of the Highway 99W corridor.

ZONING

M-1 –CBDZ, Light Industrial District – Corning Business Development Zone. The M-1 District allows commercial retail uses as allowed in C-1, C-2 and C-3 upon the securing of a conditional use permit as well as wholesale and storage warehouses as a permitted use. The CBDZ Zone has been established to achieve the following purposes:

- A. To protect the public health, safety and welfare by enhancing quality of life and improving the appearance of the city;
- B. To provide protection against haphazard and traditional strip commercial development by implementing visual design guidelines established in the Highway 99W corridor specific plan;
- C. To allow site development flexibility in return for well-conceived and efficient site planning and quality design;
- D. To establish overlay districts that carry out specific purposes prescribed by the Highway 99W corridor specific plan addressing specific subjects, such as freeway-oriented commercial development and mixed-use commercial development.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

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

This project will allow additional commercial use of a building that has historically been used for wholesale and retail sales and was a commercial tire shop for over 10 years. Reuse of the building for commercial purposes, that are less intense than previous commercial use of the building, is considered a negligible expansion of a commercial use and therefore exempt from CEQA pursuant to Section 15301, Class 1.

CONSISTENCY WITH GENERAL PLAN

LAND USE ELEMENT:

The site was designated Commercial as shown on the Current Land Use Map for the Highway 99W Specific Plan area. Development of a commercial use in an existing building at this location is consistent with the following Land Use Policies of the Corning General Plan and the Hwy. 99W Corridor Specific Plan.

Policy #6 – Encourage the location and development of businesses which generate high property and sales taxes, local employment and are environmentally compatible.

Policy #7 – Commercial development should be clustered on arterial streets and at major intersections in the downtown or near Interstate 5 interchanges

CIRCULATION:

Highway 99W. is classified as an arterial road in the Circulation Element, therefore the establishment of alternative commercial use along an arterial road is consistent with the General Plan and the Highway 99W. Corridor Specific Plan.

SAFETY

The Safety and Public Facilities Element is intended to identify risks from hazards or safety problems within the specific plan area, and to provide an assessment of existing protection services and the impact future development may have on these services. The most significant hazard, identified at the time the specific plan was prepared, was the Dudley Truckstop located on approximately 13.2 acres east of the site. This site was contaminated with petroleum from underground leaking tanks. Action was taken to remove and remediate the contaminated soils and the site is now the location of the Flying J Truckstop.

The site falls within the AO Zone as designated on the Federal Emergency Management Agency (FEMA) Maps (Exhibit D). The AO Zone means that these are areas of shallow flooding where depths are between 1 and 3 feet. The last major flooding events were in 1995 and 1997. In 1995 some areas within the specific plan area were subject to 6" to 1' of water. In 1997 no flooding occurred within the specific plan area. Increased maintenance of drains and streams has lessened the impact of flood waters in this area.

NOISE

The General Plan Noise Element identified that normally acceptable range for office and commercial land uses is an Ldn value below 70 db (Ldn values of 67.5 to 77.5 are conditionally acceptable). Ldn is described as a statistical weighting of daytime and nighttime noises and is used as the basis of noise impact evaluation for land use planning. The decibel (db) scale is a logarithmic scale used to measure sound intensities. The Use of the site for the retail sales of agricultural supplies and irrigation products will not increase the decibel level above the existing levels at the site.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Subfindings and Findings for Use Permit 2010-259:

Subfinding #1

The warehouse building where the applicant is proposing to establish an agricultural irrigation and supply business has previously been occupied by retail commercial businesses and was a tire shop for over 10 years. It is also located in an area established with a variety of commercial uses.

Finding #1

The granting of Use Permit 2010-259 is a negligible change of previous commercial and retail businesses that had been established at this site and therefore exempt from CEQA pursuant to Section 15301, Class 1.

Subfinding #2

The existing warehouse building proposed for the establishment of the wholesale and retail sales of agricultural irrigation material and supplies is located on a parcel that is zoned M-1 - CBDZ, Light Industrial District - Corning Business Development Zone.

Finding #2

The establishment of a wholesale/retail agricultural irrigation and supply business is an allowed use in an M-1 -CBDZ Zoning District pursuant to the granting of a conditional use permit by the Planning Commission.

Subfinding #3

The warehouse building proposed for use by the applicant is 60' X 120' (7,200 sq. ft.) in size and has historically been used for retail commercial uses.

Finding #3

The building, and parcel that it is located on, is adequate in size, shape and topography for the wholesale/retail sales of agricultural irrigation materials and supplies.

Subfinding #4

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

Finding #4

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

Subfinding #5

The applicant proposes to establish a business for the wholesale/retail sales of agricultural irrigation materials and supplies in an area that is established with, and designated for, commercial use within the Hwy 99W Corridor Specific Plan.

Finding #5

The establishment of a business for the wholesale/retail sales of agricultural irrigation materials and supplies will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

Subfinding #6

Irrigation Technology and Ag Center will be a new business in the City of Corning locating in an existing warehouse building in the Hwy 99W Corridor Specific Plan area.

Finding #6

Granting Irrigation Technology and Ag Center a Use Permit for 12 months will give them an opportunity to establish a customer base prior to the Planning Commission reviewing the Use Permit for the possibility of an extension at which time conditions of approval applicable to design requirement of the Hwy 99W Corridor Specific Plan can be applied.

ACTION

1. **MAKE A MOTION TO ADOPT THE 6 SUBFINDINGS AND FINDINGS AS PRESENTED IN THE STAFF REPORT FOR USE PERMIT 2010-259**
(PLEASE NOTE : PRIOR TO ADOPTING THE RECOMMENDED SUBFINDINGS & FINDINGS THE COMMISSION HAS THE ABILITY TO MODIFY OR REMOVE ANY OF THE SUBFINDINGS AND FINDINGS IF DEEMED APPROPRIATE BY A MAJORITY OF THE COMMISSION)

VOTE OF THE COMMISSION

2. **MAKE A MOTION TO APPROVE USE PERMIT 2010-259 SUBJECT TO THE CONDITIONS AS RECOMMENDED BY STAFF.**
(PLEASE NOTE: THE COMMISSION HAS THE ABILITY TO MODIFY, DELETE OR ADD CONDITIONS PRIOR TO APPROVAL OF THE PROJECT.)

VOTE OF THE COMMISSION

OR:

Failing to make findings in support of the project recommend findings in denial of the project for consideration by the Commission.

Adopt findings in denial of the project and deny Use Permit 2010-259.

STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL FOR USE PERMIT 2010-259

CONDITION #1 – 12 MONTH TIME LIMIT:

Use Permit 2010-259 will be initially granted for 12 months. At no cost to the applicant the Use Permit will be scheduled for review by the Planning Commission at the February, 2011 Planning Commission meeting for consideration of extending the Use Permit and adding additional conditions of approval applicable to the Hwy 99W Corridor Specific Plan design requirements.

CONDITION #2 – HANDICAPPED PARKING:

Prior to opening the business to the public the applicant must designate and appropriately mark, as approved by the Building Official, a handicapped parking space.

CONDITION #3 SIGN REGULATIONS

The business must comply with the City of Corning sign regulations established by Resolution 10-25-05-01.

ATTACHMENTS

Exhibit "A"	CEQA Section 15301
Exhibit "B"	Vicinity Map/Aerial Photo
Exhibit "C"	General Plan Map
Exhibit "D"	Zoning Map
Exhibit "E"	Picture Inside Sales Area
Exhibit "F"	Picture Outside Storage
Exhibit "G"	Picture Outside Pipe Storage
Exhibit "H"	Application

EXHIBIT "A"
CEQA Section 15301

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Note: Authority cited: Section 21083, Public Resources Code; References: Sections 21084 and 21084.1, Public Resources Code; *Wildlife Alive v. Chickering* (1977) 18 Cal.3d 190; *League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896; *Citizens for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4th 925; *City of Pasadena v. State of California* (1993) 14 Cal.App.4th 810; *Association for the Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720; and *Baird v. County of Contra Costa* (1995) 32 Cal.App.4th 1464.

15300.3. Revisions to List of Categorical Exemptions

A public agency may, at any time, request that a new class of categorical exemptions be added, or an existing one amended or deleted. This request must be made in writing to the Office of Planning and Research and shall contain detailed information to support the request. The granting of such request shall be by amendment to these Guidelines.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

15300.4. Application By Public Agencies

Each public agency shall, in the course of establishing its own procedures, list those specific activities which fall within each of the exempt classes, subject to the qualification that these lists must be consistent with both the letter and the intent expressed in the classes. Public agencies may omit from their implementing procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes and examples in this article except under the provisions of Section 15300.2.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

Examples include but are not limited to:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;
- (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;
- (e) Additions to existing structures provided that the addition will not result in an increase of more than:
 - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
 - (2) 10,000 square feet if:
 - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
 - (B) The area in which the project is located is not environmentally sensitive.
- (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices;
- (g) New copy on existing on and off-premise signs;
- (h) Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides, as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code);
- (i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources;
- (j) Fish stocking by the California Department of Fish and Game;
- (k) Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt;
- (l) Demolition and removal of individual small structures listed in this subdivision;
 - (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption.
 - (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished.
 - (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant

load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.

(4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(m) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.

(n) Conversion of a single family residence to office use.

(o) Installation, in an existing facility occupied by a medical waste generator, of a steam sterilization unit for the treatment of medical waste generated by that facility provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.

(p) Use of a single-family residence as a small family day care home, as defined in Section 1596.78 of the Health and Safety Code.

Note: Authority cited: Section 21083, Public Resources Code; References: Sections 21084, Public Resources Code; *Bloom v. McGurk* (1994) 26 Cal.App.4th 1307.

15302. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.

(b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

(d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

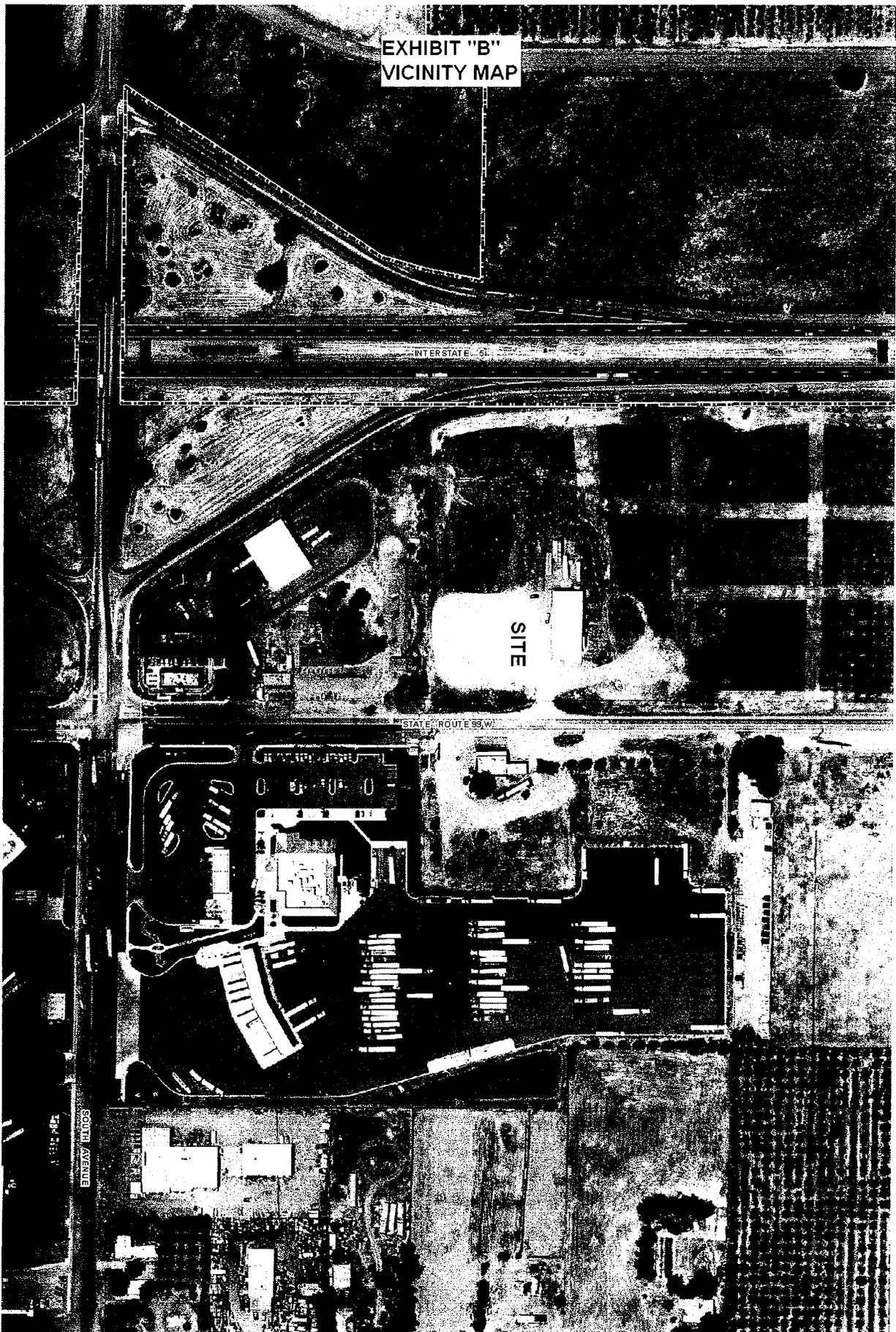
Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

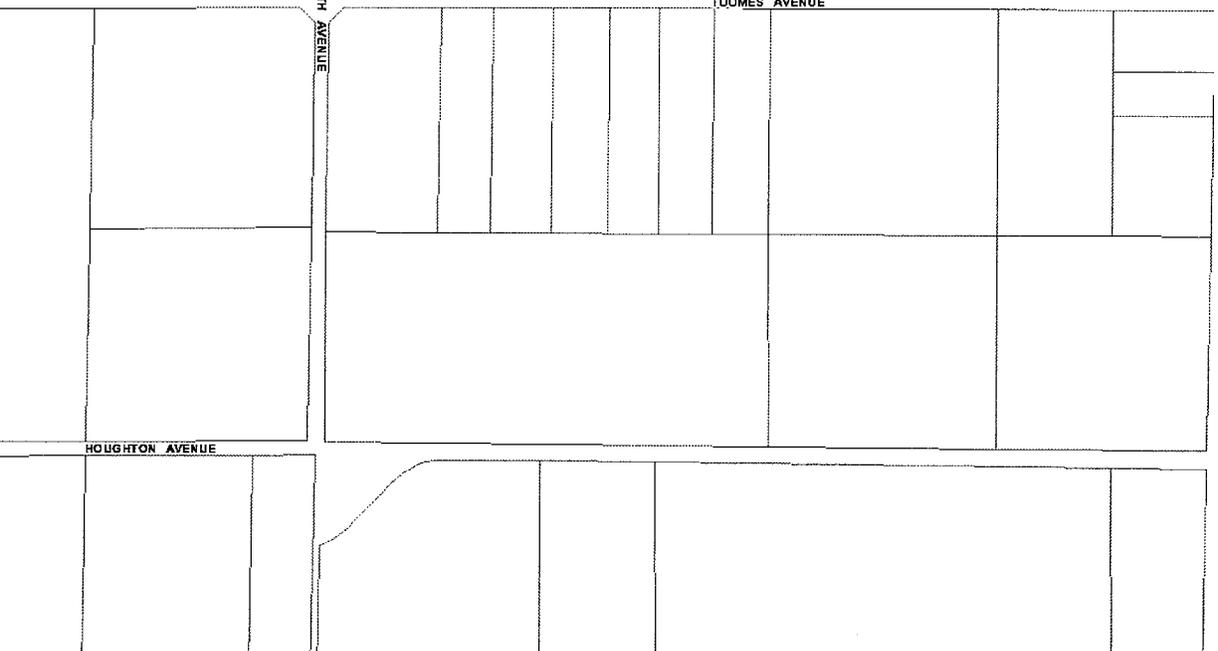
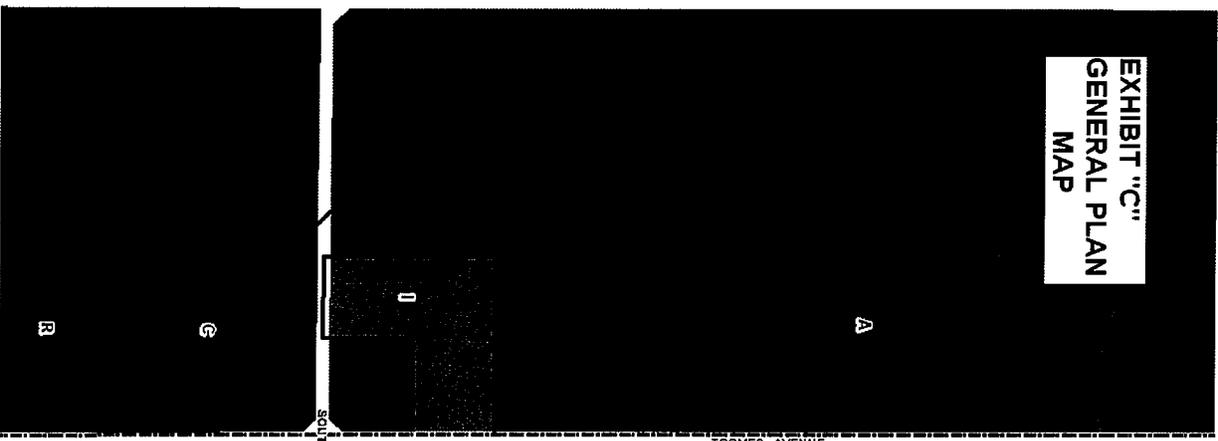
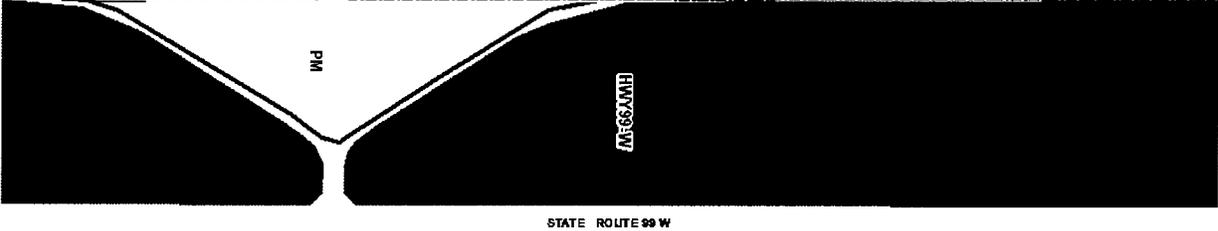
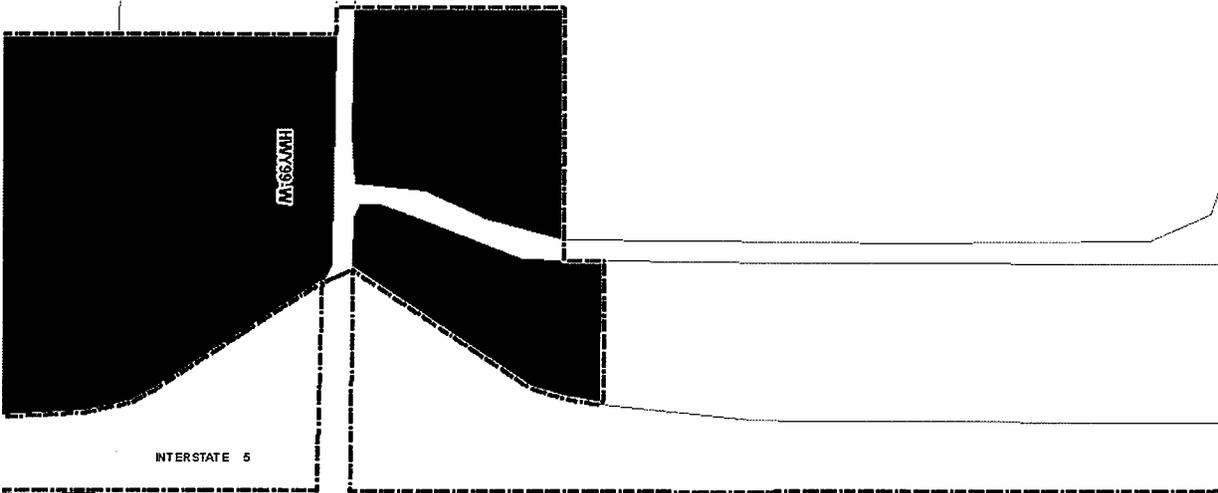
15303. New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to

EXHIBIT "B"
VICINITY MAP





**EXHIBIT "D"
ZONING MAP**



Exhibit "E"

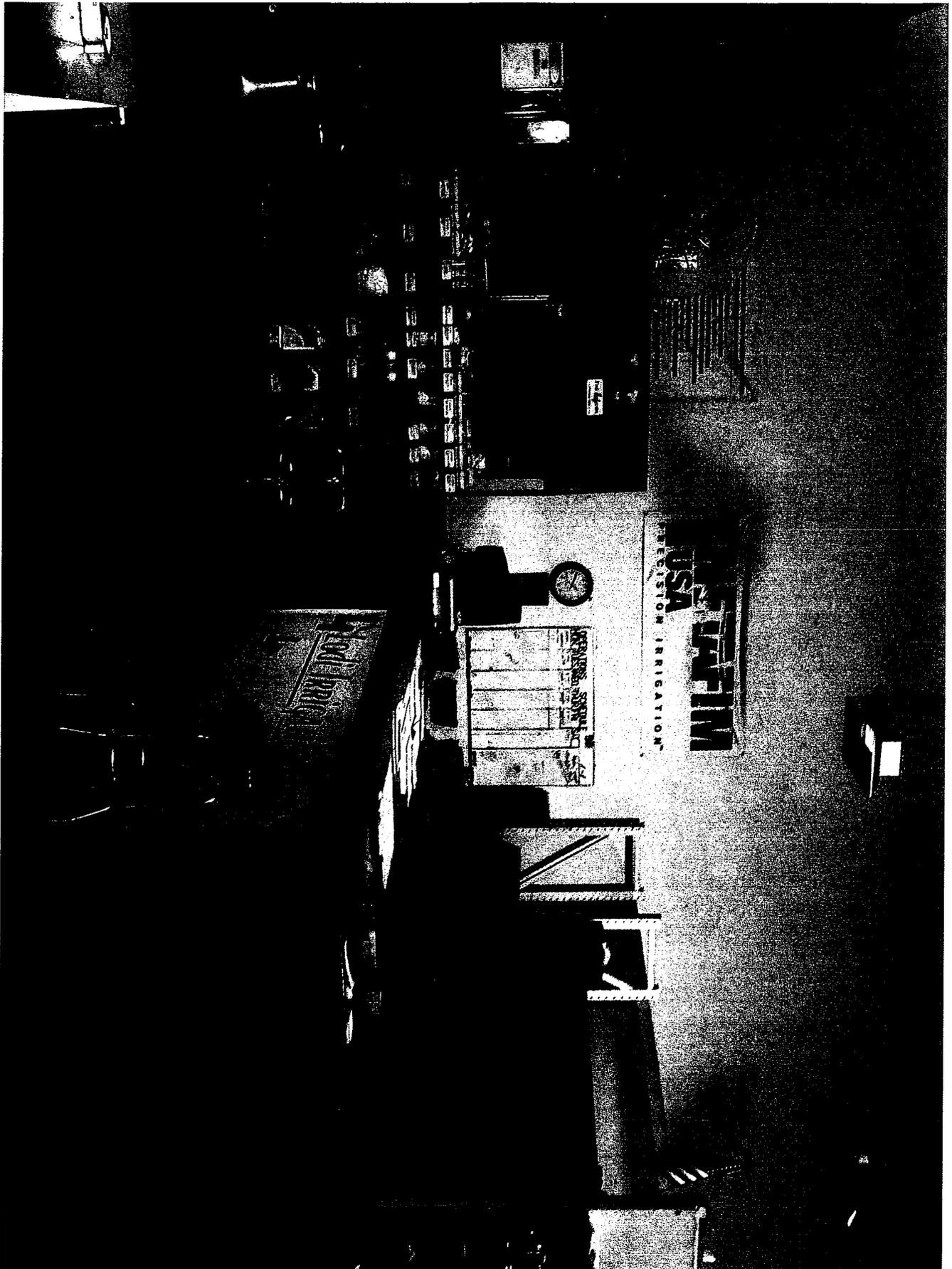


Exhibit "F"



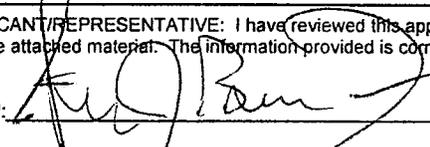
Exhibit "G"



Exhibit "H"

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

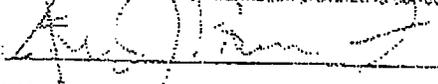
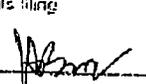
Submit Completed Applications to:
City of Corning
Planning Dept.
794 Third Street
Corning, CA 96021

PROJECT INFORMATION	PROJECT ADDRESS 2920 Hwy 99 W. Corning, CA 96021		ASSESSOR'S PARCEL NUMBER 87-040-27	G.P. LAND USE DESIGNATION Hwy 99 W Specific Plan
	ZONING DISTRICT M-1 CBD2	FLOOD HAZARD ZONE	SITE ACREAGE 1.44	AIRPORT SAFETY ZONE? N/A
	PROJECT DESCRIPTION: (attach additional sheets if necessary) Rent and utilize the property (2920 Hwy 99 W, Corning CA 96021) for retail sales of agricultural supplies and agricultural irrigation supplies.			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
APPLICANT INFORMATION	APPLICANT Stephen J. Borra Jr.	ADDRESS 1301 E. Armstrong Rd. Lodi, CA 95240		DAY PHONE 209-368-5082
	REPRESENTATIVE (IF ANY) Stephen J. Borra, Jr.	ADDRESS 1301 E. Armstrong Rd. Lodi, CA 95242		DAY PHONE 209-368-5082
	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: 		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.				

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. 2010-259	RECEIVED BY: JS	DATE RECEIVED 1/21/2010	DATE APPL. DEEMED COMPLETE
	FEE RECEIVED/RECEIPT NO.	CEQA DETERMINATION Exempt ND MND EIR		DATE FILED

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

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

PROJECT INFORMATION	PROJECT ADDRESS 2920 Hwy 99 W Corning, CA 96021		ASSESSOR'S PARCEL NUMBER 87-040-27	G.P. LAND USE DESIGNATION Hwy 99 W Specific Plan
	ZONING DISTRICT M-1 CBDZ	FLOOD HAZARD ZONE	NET ACREAGE 1.44	AIRPORT SAFETY ZONE? N/A
	PROJECT DESCRIPTION (attach additional sheets if necessary) Rest area, food stand, and picnic area along Hwy 99 W, Corning, CA 96021 for retail service of agricultural products.			
	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 Day Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezoning <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
APPLICANT INFORMATION	APPLICANT Stephen J. Benson		ADDRESS 2920 Hwy 99 W Corning, CA 96021	DAY PHONE 707 535 5656
	REPRESENTATIVE (IF ANY) Stephen J. Benson		ADDRESS 2920 Hwy 99 W Corning, CA 96021	DAY PHONE 707 535 5656
	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: 		PROPERTY OWNER: I have read this application and consent to its filing. Signed:  2/4/10	
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 2010-259	RECEIVED BY JS	DATE RECEIVED 1/21/2010	DATE APPL. DEEMED COMPLETE
	FEE RECEIVED/RECEIPT NO	CEQA DETERMINATION <u>Exempt</u> NO MND EIR		DATE FILED



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM

(To be completed by Applicant)

DATE FILED _____

General Information *Irrigation Technology & Ag Center:*

1. Project Title: *Rent and utilize the property (2920 Hwy 19 W., Corning CA 96021),
for retail sales of agricultural supplies and agricultural irrigation supplies.*

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. *5* parking stalls. (Attach plans)

5. Proposed scheduling/development.

*Proceed for 12 months.
Work w/ City on Extending use permit/compliance with
specific plan requirements.*

6. Associated project(s).

N/A

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

N/A

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

120' X 60' Bldg., Regionally oriented as business.

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"/>

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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.

We intend to use an existing approx 120' x 60' building that was previously used as a tire shop as our retail agricultural center.

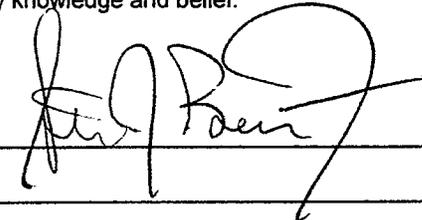
25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development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

Commercial truck stops, truck washes, vacant commercial structures.

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 2/19/10

Signature 

For: _____