



**CITY OF CORNING  
PLANNING COMMISSION AGENDA**

**TUESDAY, FEBRUARY 17, 2015  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

**C. MINUTES:**

**1. Waive the reading and approve the Minutes of the January 20, 2015 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 No. 2015-271; consider application submitted by Rick Jones to construct a duplex consisting of two 1,200 sq. ft. residential units in an R-1-2 Zoning District. Site is located along the west side of 6<sup>th</sup> Avenue and also has frontage along the east side of Link Avenue approximately 375 feet south of the South St./6<sup>th</sup> Avenue – Link Avenue intersection. APN: 71-166-04, Address: 1134 6<sup>th</sup> Avenue.**

**F. 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 Agenda order changed, please come to the podium and explain the reason you are asking for the change.**

**3. 2014-2034 General Plan Update - review potential "Land Use" changes.**

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

**H. ADJOURNMENT:**

**POSTED: THURSDAY, FEBRUARY 13, 2015**



**CITY OF CORNING  
PLANNING COMMISSION MINUTES**

**TUESDAY, JANUARY 20, 2015  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

All members of the Commission were present except Commissioner Barron.

**C. MINUTES:**

**1. Waive the reading and approve the Minutes of the December 16, 2014 Planning Commission Meeting with any necessary corrections.**

Commissioner Poisson moved to approve the Minutes as written; Commissioner Mesker seconded the motion. **Ayes: Robertson, Reilly, Poisson and Mesker. Absent: Barron. Opposed/Abstain: None. Motion was approved by a 4-0 vote with Barron absent.**

**D. BUSINESS FROM THE FLOOR:**

Planning Consultant John Stoufer announced a Special Joint Meeting of the City Council and Planning Commission to be held on Tuesday, January 27<sup>th</sup> to discuss the \$150,000 Bike and Pedestrian Trail System Grant. Upon confirmation of a set time for the Special meeting an Agenda will be distributed to each member of the Commission. Mr. Stoufer further stated that the City had originally applied for an \$85,000 Grant and Caltrans bumped it up to \$150,000.

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

**F. REGULAR AGENDA:**

**2. 2014-2034 General Plan Update:**

- a. Final Review and discussion of proposed:**
- 1. General Plan Goals;**
  - 2. Policies**
  - 3. Objectives**
  - 4. Implementation Measures**

During review and discussion of the presented Draft General Plan Goals, Objectives, Policies and Implementation Measures (pages 1-25), the following comments/corrections were stated:

- 1. Pg. 1, I-3: (Poisson) "Policies" is misspelled.**
- 2. Pg. 3: (Poisson) "Corning and Red Buff Union High School District's" - should not have an apostrophe "s" as this is plural not possessive.**
- 3. Pg. 5, D-BR-b: (Reilly) Who determines the case by case setbacks? He was informed that the Planning Commission makes that determination. Mr. Diaz stated it would be good to provide the determination process within the General Plan.**
- 4. Pg. 6, IM# W-6: (Barron via written list) Define Bio-swales. Mr. Diaz explained that this would be defined in the definitions/glossary. Also requested clarification to "no net increase in run-off"; Mr. Diaz and Mr. Stoufer stated it was a State requirement.**
- 5. Pg. 8, IM# M-1: (Barron via written list) questioned statement of low probability of mineral development within the City Limits.**

- IM# OSR-1: (Barron via written list)** suggested that it is appropriate to conduct an inventory of the acreage or lineal footage of creeks, etc. that are publicly owned verses privately owned for handle on true potential.
6. **Pg. 9, Pol# PR-d:** Does "off road pedestrian" mean a trail that is not paved; it was stated that it means either/or, not part of the road.
  7. **PR-4: (Mesker)** likes idea of a fee for the initial build...qualification on fee for "future residential developments".
  8. **Pg.10, Flood Protection: (Barron via written list)** Suggested planning/designing a fix to the flooding problem downtown around City Hall and the Police Department when it rains like it did two months ago.
  9. **Pg.12, IM# FS 1 & 4: (Barron via written list)** What entity determines minimum average response time, how is this statistic derived? Mr. Diaz and Mr. Stoufer explained that this would be listed in the Glossary, and stated that it should be determined by the ISO Rating **(add)**.
  10. **Pg. 15 LU 6:** What is a "village" quality? This is done by scale; Mr. Diaz will better define with Exhibits.  
**LU-d: (Poisson)** How does the City plan for a weird population explosion; Mr. Diaz responded that past history and need directs this.
  11. **Pg. 16 LU-(2)** per Mr. Diaz this will need to be defined.  
**LU-o:** Development on slopes in excess of 20% could affect the eastern portion of the City. John Stoufer and Eihnard Diaz are to discuss this item to assess need for possible revisions/additions.
  12. **Pg. 17, LU-(5)** Add statement "encourage new neighborhood shopping centers are at least one mile away from existing major shopping centers".  
**LU-6:** How do "incentives to encourage office/residential mixed use" jibe with our discussion in November about "Mixed Use"? Commissioner Reilly would like to delete office/residential mixed use. Following discussion of this it was decided to insert a period after "uses" and strike everything else and leave this in the zoning code requiring a Use Permit.
  13. **Pg. 18, (Barron – via written list):** Too much information. Following discussion the decision was made to leave in.
  14. **Pg. 20, C-9 through C-13 (Poisson)** will meet with Planning Consultant John Stoufer to discuss at a later date.
  15. **Pg. 21, PF-2: (Robertson)** Second sentence worded incorrectly, add an action word such as "ensure that adequate supplies of quality water are available to serve development projected for"...
  16. **Pg. 22, PF-1:** When would this be cost effective? Mr. Stoufer provided a scenario and it was decided to leave as is.
  17. **Pg. 24, CC-b:** There is an extra "County" listed (typo), remove the first one.
  18. **Pg. 25, Pol# E-a: (Barron via written list)** How does undergrounding Public Utility Lines reduce reliance on non-renewable energy sources? Following discussion, it was decided to expand this goal and reword.

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

**H. ADJOURNMENT: 8:15 p.m.**

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**Lisa M. Linnet, City Clerk**

**ITEM NO: E-2  
USE PERMIT APPLICATION 2015-271;  
RICK JONES; TO CONSTRUCT A DUPLEX IN  
AN R-1-2 ZONING DISTRICT, LOCATED  
ALONG 6<sup>TH</sup> AND LINK AVENUES  
APPROXIMATELY 375 FEET SOUTH OF THE  
SOUTH ST./6<sup>TH</sup> AVE.-LINK AVE.  
INTERSECTIONS.  
ADDRESS: 1134 6<sup>TH</sup> AVE. APN: 71-166-04**

February 17, 2015

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING  
FROM: JOHN STOUFER; PLANNING DIRECTOR CONSULTANT

**PROJECT DESCRIPTION:**

Local Contractor Rick Jones has applied to construct a duplex consisting of two approximately 1200 sq. ft. residential units in an R-1-2; Single-Family Residential Zoning District. The subject property totals 11,250 sq. ft., or approximately 0.25 acres. In accordance with Corning Municipal Code Section 17.10.050.A, the R-1-2 zone can permit one duplex per 6,000 sq. ft. of lot area if a use permit is first approved. The site is located along the west side of 6<sup>th</sup> Avenue and also has frontage along the east side of Link Avenue approximately 375 feet south of the South St. / 6<sup>th</sup> Ave. – Link Ave. intersection. APN: 71-166-04 Address: 1134 6th Avenue

The parcel is currently vacant of any structures and the applicant indicates that a previous residential structure was removed in 1999. The applicant has scraped the parcel preparing it for construction and there are some olive trees on the south side of the parcel. The applicant has not indicated if the olive trees will be removed.

**ENVIRONMENTAL:**

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.

The California Environmental Quality Act Guidelines provides for the Categorical Exemptions of certain minor projects. Those projects are specifically listed in Guidelines Section 15303(5). Subsection (b) exempts construction of one duplex.

**LAND USE:**

The applicant plans to construct a duplex on his 11,250 sq. ft. property. The units will be three (3) bedroom, two (2) bath with about 1,200 sq. ft. of living area and attached garage for each unit. Please refer to the site plan presented with the application.

The subject property is designated "Residential" on both the current Land Use Maps. The application for expanded residential use is consistent with Land Use Designation and Element.

**ZONING:**

See the Zoning Map (Exhibit "C"). The site totals about 11,250 square feet and is within the R-1-2 zoning district. The Corning Municipal Code Section 17.10.050 reads as follows;

*"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."*

The R-1-2 zoning district permits single family dwellings and, upon approval of a use permit, duplexes at the rate of one per 6,000 sq. ft. of lot area. The lot exceeds the minimum lot area necessary to support a duplex once a use permit is acquired. The application therefore meets the density requirements of Corning Municipal Code Section 17.10.050.A as stated above.

**RECOMMENDATION:**

**Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2015-271;**

**Factual Subfinding #1**

Use Permit 2015-271 will permit the construction of a single duplex in an R-1-2, Single Family Residential Duplex Zoning District.

**Legal Finding #1**

The granting of Use Permit 2015-271 would permit the construction of a duplex and is categorical exempt from CEQA pursuant to Section 15303, Class 3 (b).

**Factual Subfinding #2**

The parcel where the duplex will be constructed is 11,250 sq. ft. or approximately .25 acres in size.

**Legal Finding #2**

The site for where the duplex will be constructed is adequate in size, shape, topography and complies with applicable codes relative to building set backs and lot coverage.

### **Factual Subfinding #3**

The site has 75 feet of frontage along 6<sup>th</sup> Avenue and Link Avenue with both streets providing access to the proposed residential units.

### **Legal Finding #3**

The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

### **Factual Subfinding #4**

The duplex will be constructed on a vacant lot in an area currently developed with single family residential units and other duplexes within the City of Corning.

### **Legal Finding #4**

The proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

### **RECOMMENDED CONDITIONS OF APPROVAL:**

**Staff recommends the following conditions of approval should the Planning Commission approve Use Permit 2015-271;**

1. **BUILDING AND FIRE CODE COMPLIANCE.** Prior to the construction of the duplex the applicant must obtain a building permit and comply with the requirements of the Uniform Building and Fire Codes as adopted by the City of Corning.
2. **LANDSCAPE REQUIREMENTS.** Prior to Occupancy approval, the applicant shall install landscaping within the yard areas fronting along 6<sup>th</sup> Avenue and Link Avenue. Landscaping shall include a combination of groundcover, shrubs and not fewer than two street trees that shall be at least 15 gallon in size at time of planting, and a permanent irrigation system installed to maintain the landscaped areas.
3. **CURB, GUTTER, SIDEWALK CONSTRUCTION.** The applicant must obtain an encroachment permit and construct curb, gutter and sidewalk to the City of Corning's Public Works Construction Specifications as detailed in Standard S-1 for sidewalks and Standard S-2 for rolled curb and gutter along the frontage of both 6<sup>th</sup> Avenue and Link Avenue This encroachment permit will also require pavement rehabilitation as directed by the Public Works Director.
4. **PAVED DRIVEWAYS AND ENCROACHMENT.** The applicant must obtain an encroachment permit and construct paved driveways/aprons to the City of Corning's Public Works Construction Specifications as detailed in Standard S-5 for standard driveway approach, or as approved by the Public Works Director.

## **ACTION**

**Move to adopt the Four (4) Factual Subfindings and Legal Findings and approve Use Permit 2015-271 subject to the four (4) conditions as presented in the staff report:**

(Please note that the Planning Commission has the ability to add, modify, or delete any factual subfindings, legal findings, and conditions of approval as recommended by staff if deemed appropriate by a majority of the Commission.)

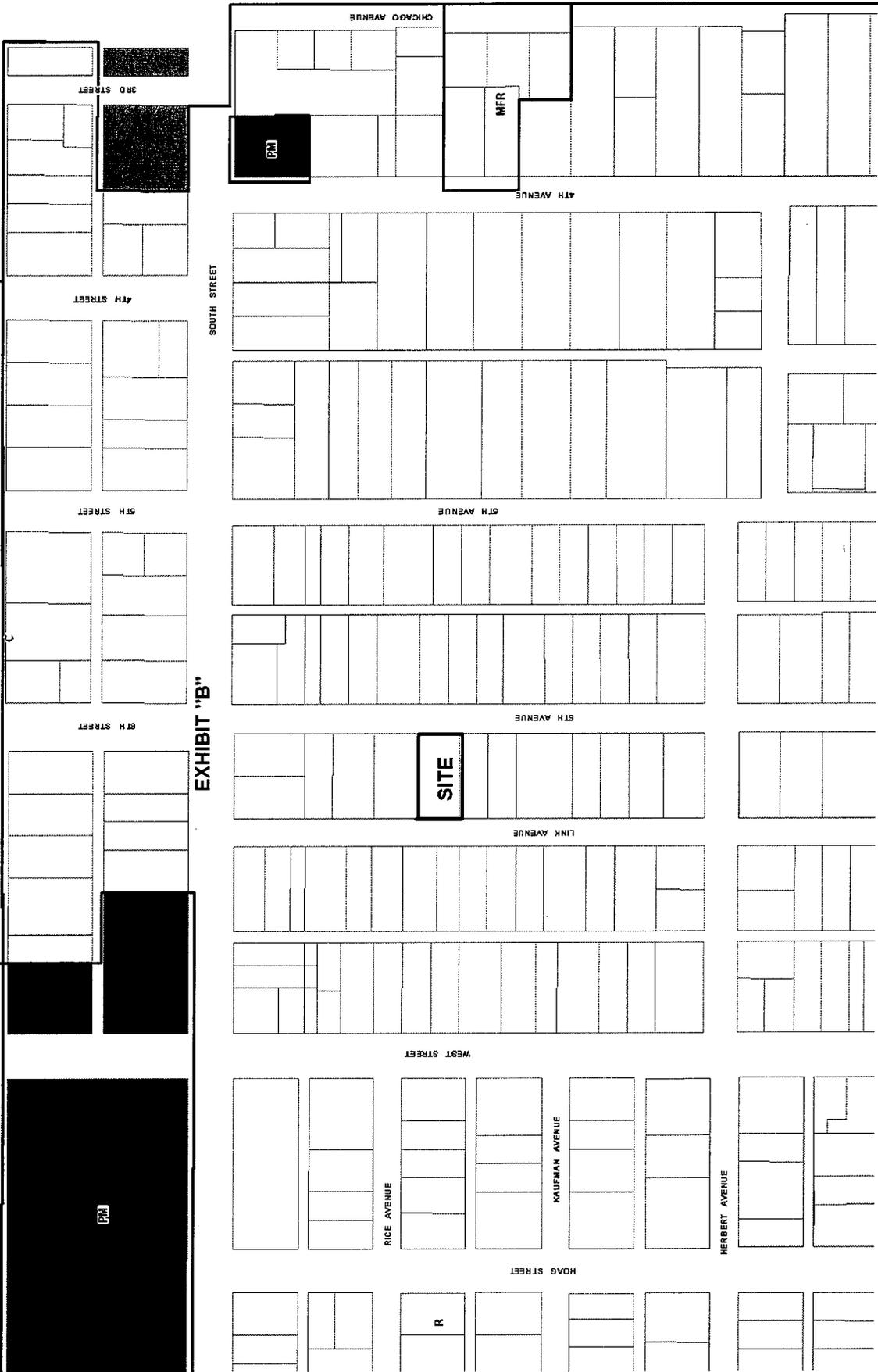
**OR;**

**Failing to adopt the mandatory Legal Findings move to deny Use Permit 2015-271.**

## **EXHIBITS**

EXHIBIT "A"	VICINITY MAP – AERIAL PHOTO
EXHIBIT "B"	GENERAL PLAN MAP
EXHIBIT "C"	ZONING MAP
EXHIBIT "D"	APPLICATION AND SITE PLAN





**EXHIBIT "B"**

**SITE**

**MFR**

**RM**

**R**

3RD STREET

4TH STREET

5TH STREET

6TH STREET

**RM**

CHICAGO AVENUE

4TH AVENUE

5TH AVENUE

6TH AVENUE

LINK AVENUE

WEST STREET

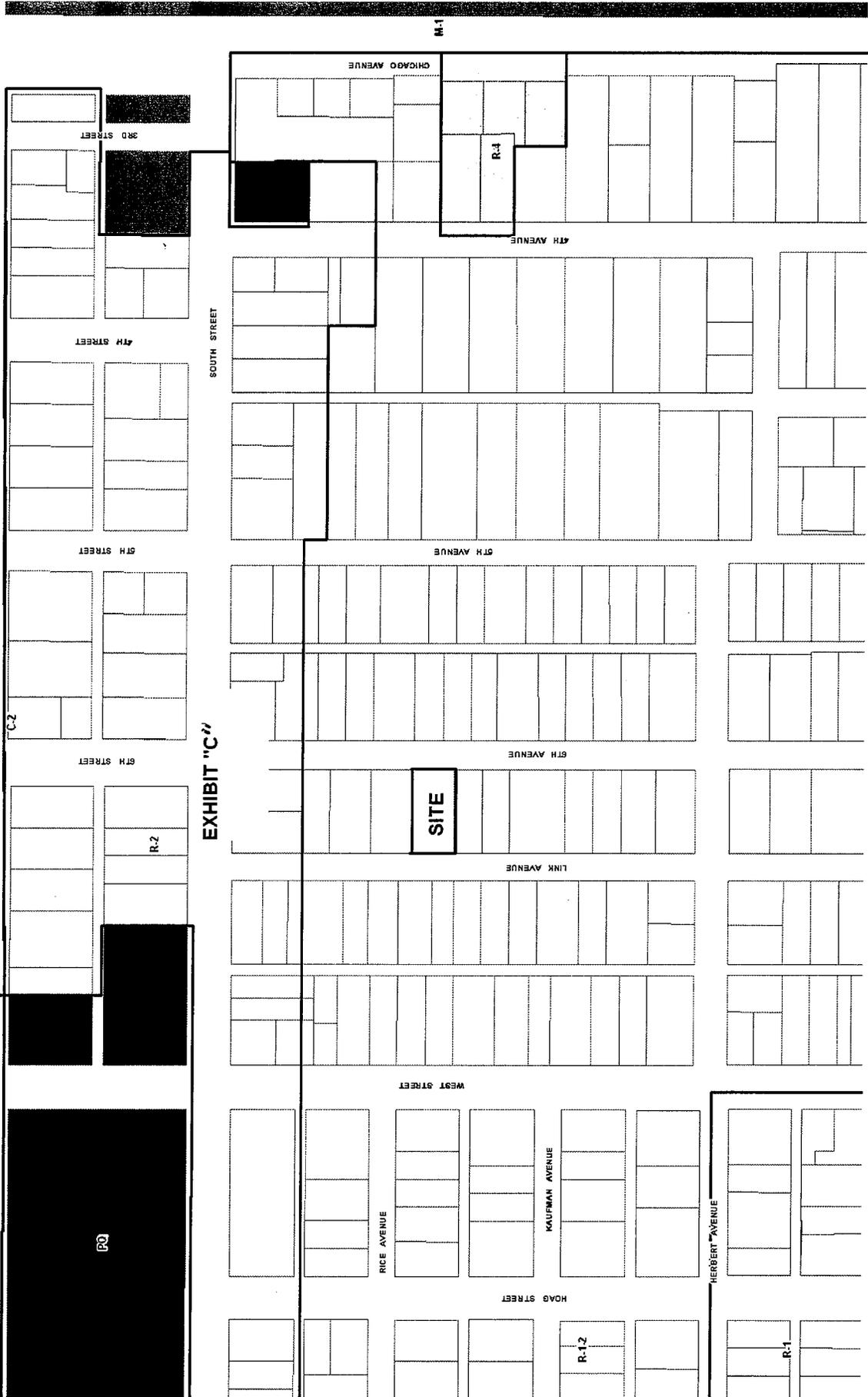
HOAG STREET

RICE AVENUE

KAUFMAN AVENUE

HERBERT AVENUE

SOUTH STREET



**PLANNING APPLICATION**  
TYPE OR PRINT CLEARLY

Exhibit "D"

Planning Dept.  
794 Third Street  
Corning, CA 96021

PROJECT INFORMATION	PROJECT ADDRESS <b>1134 6<sup>TH</sup> AVE</b>		ASSESSOR'S PARCEL NUMBER <b>071-166-04</b>		G.P. LAND USE DESIGNATION <b>R</b>	
	ZONING DISTRICT <b>R-1-2</b>		FLOOD HAZARD ZONE <b>NO</b>		SITE ACREAGE <b>11,250 Sqft</b>	
					AIRPORT SAFETY ZONE? <b>NO</b>	
	PROJECT DESCRIPTION: (attach additional sheets if necessary) <b>DUPLEX 3BD 2BA 1200 □ each</b>					
	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	
	APPLICANT <b>RICK JONES</b>			ADDRESS <b>PO BOX 225</b>		DAY PHONE <b>530-586-0394</b>
REPRESENTATIVE (IF ANY) <b>SAME</b>			ADDRESS —		DAY PHONE	
PROPERTY OWNER <b>SAME</b>			ADDRESS —		DAY PHONE	
CORRESPONDENCE TO BE SENT TO <input 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: <b>Rick B Jones</b>			
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. <b>2015-273</b>	RECEIVED BY: <b>JS</b>	DATE RECEIVED <b>1/15/2015</b>	DATE APPL. DEEMED COMPLETE
	FEE RECEIVED/RECEIPT NO. <b>1/15/2015</b>	CEQA DETERMINATION <b>Exempt</b> ND MND EIR		DATE FILED



# CITY OF CORNING

## ENVIRONMENTAL INFORMATION FORM

(To be completed by Applicant)

DATE FILED 1-16-15

### General Information

1. Project Title: DUPLEX

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:

USE PERMIT

### 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.

PROJECT START DATE APPROX MID FEB.

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.)

2 UNITS

2431 sq ft BUILDING

## PLANNING APPLICATION

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

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

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

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

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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"/> |

# 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.

EMPTY 75' x 150' LOTS - SOME TREES & VEGETATION  
PREVIOUS ~~WAS~~ STRUCTURE - RESIDENTIAL HOUSE UNTIL 2009 APPROX  
HOUSE WAS REMOVED IN 1999

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.

RESIDENTIAL HOUSING - OLDER NEIGHBORHOOD  
VARIETY OF PLANTS & TREES THROUGHOUT AREA  
NO ANIMALS PRESENT

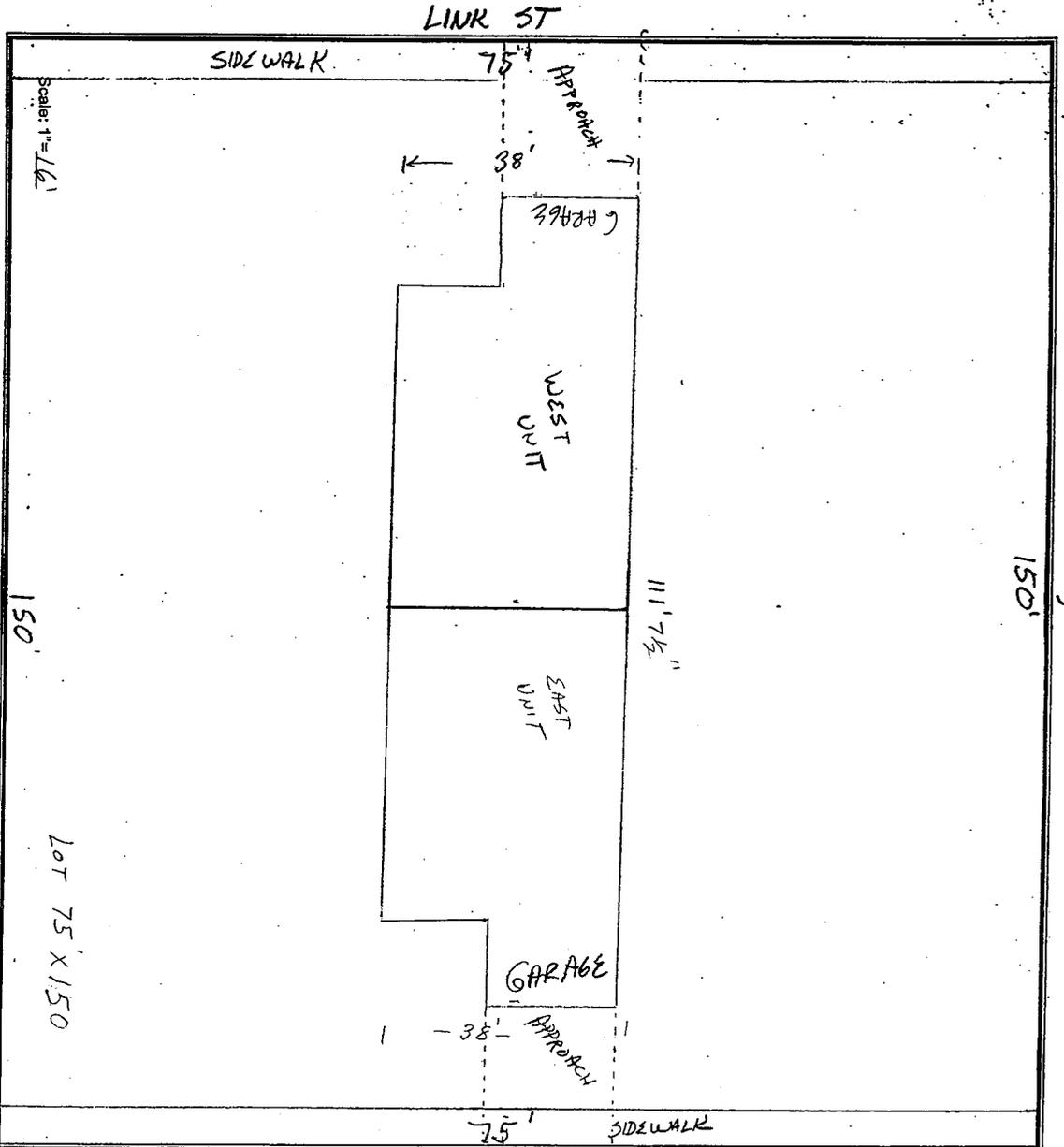
## Certification

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 1-16-15

Signature Rick Jones

For: RICK JONES



# City of Corning Site Plan Form

**Planning Department:**  
 The improvements proposed on this Site Plan are consistent with the \_\_\_\_\_ Zoning District requirements and the general requirements and provisions of the Corning Zoning Code (Title 17), Sign Regulations, Highway 99-W Specific Plan, the Corning Municipal Airport Land Use Plan, the General Plan, and any other applicable Land Use regulations.

Reference Permit: \_\_\_\_\_ Conditions? \_\_\_\_\_  
 Setbacks: \_\_\_\_\_ Use: \_\_\_\_\_ Height: \_\_\_\_\_  
 ALUP: \_\_\_\_\_ Specific Plan: \_\_\_\_\_ Sign Regs: \_\_\_\_\_

John Stouffer \_\_\_\_\_ Date \_\_\_\_\_  
 Planning Director

**Public Works Department:**  
 The improvements proposed on this Site Plan are generally in conformance with and do not conflict with regulations administered by the Public Works Department.

An Encroachment Permit is \_\_\_\_\_ is not \_\_\_\_\_ required for this project.

D/F Sheet attached: \_\_\_\_\_ N/A \_\_\_\_\_

Patrick Walker \_\_\_\_\_ Date \_\_\_\_\_  
 Public Works Director

**Building & Safety Department:**  
 The improvements proposed on this Site Plan conform with the regulations administered by the Building & Safety Department.

The subject property is \_\_\_\_\_ is not \_\_\_\_\_ within a FEMA Flood Hazard Zone "A".

Terry Hoofard \_\_\_\_\_ Date \_\_\_\_\_  
 Building Official

Permit No.: \_\_\_\_\_ Address File No. \_\_\_\_\_

**Applicant's Information:**

Name: RICK JONES

Telephone No. 530 586 0394

Site Address: 1134 6TH AVE

APN: 071-126-04

Proposed Use: DUPLEX

Date Submitted: 1-16-15