



CITY OF CORNING  
PLANNING COMMISSION AGENDA  
TUESDAY, JANUARY 19, 2016  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021

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

B. ROLL CALL:

Commissioners: Barron  
Poisson  
Mesker  
Hatley  
Chairman: Robertson

C. MINUTES:

1. Waive the reading and approve the Minutes of the December 15, 2015 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. Ordinance No. 662: Make a recommendation to the City Council on Ordinance 662, an Ordinance of the City of Corning adding Chapter 17.41, Large Lot Residential Combining District and Chapter 17.46, Alternative Housing Combining District to Title 17 of the Corning Municipal Code

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 order of the Agenda changed, please come to the podium, and explain the reason you are asking for the order of the Agenda to be changed.

3. Study Matter: AH – Alternative Housing Rezoning: Review sites for rezoning and adding the AH, Alternative Housing Combining District. Give Staff direction for conducting a public hearing on a selected site.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: THURSDAY, JANUARY 14, 2016



**CITY OF CORNING  
PLANNING COMMISSION MINUTES  
TUESDAY, DECEMBER 15, 2015  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

All members of the Commission were present.

**C. MINUTES:**

1. **Waive the reading and approve the Minutes of the October 20, 2015 meeting with any necessary corrections:**

Commissioner Poisson moved to approve with one correction, a spelling correction on page two, should state Los Costenos instead of Los Coslenos. Commissioner Barron seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker and Hatley. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**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 2015-281: Permit Dignity Health to construct an approximately 4,000 sq. ft. medical/office building and ambulance bays in a CH-CBDZ Zoning District. Site is located along the north side of Solano Street approximately 450 feet east of the Solano St. and Edith Avenue/Hwy. 99W Intersection.  
Address: 2120 Solano Street  
APN: 71-330-09**

Chairperson Robertson opened the Public Hearing. Planning Consultant John Stoufer briefed the Commission on the proposed project explaining that the project before the Commission today is construction of a medical/office building and ambulance bays on the adjacent lot to the former Clark's Drug Store Building. He presented the Commission with a letter from the owner of the former Clarks Drug Store who is currently renting this building to Dignity Health that states that the proposed Reciprocal Parking Agreement/Easement, as well as the change to the dedicated ingress and egress driveways is acceptable to 20/20 Investments, LLC. Mr. Stoufer further explained that this will basically allow both parties to use this area and that the revised design allows for an additional driveway entry/exit off of Solano Street. Commissioner Poisson asked if there is possibly a warning light that will be placed to alert vehicles on Solano Street that an emergency vehicle is entering the street. She was informed no.

Mr. Stoufer acknowledged that Applicants representatives were present tonight to respond to any questions. He further informed the Commission that property owners within 300 ft. of the proposed project had been properly notified and one business owner (Olive Pit) did come in to discuss the project. He stated that the project has 28 proposed Conditions of Approval.

Commissioner Barron inquired whether CEQA regulations would be associated with the project in relation to hazardous wastes possibly generated as this business is related to the medical field. Mr. Stoufer explained that he doesn't believe it will create a significant amount.

George Robison introduced Todd Smith from Dignity Health and Jason Vine from Realm Engineering. He stated that they are present as representatives of the applicant and to respond to any questions. He further stated that they have no opposition to the proposed 28 Conditions of Approval and responded to Commissioner Barron's question relating to the hazardous waste created. He explained that the proposed facility is primarily to provide a housing facility for the ambulance and to be a training facility. They will dispose of any medical wastes such as sharps (needles, etc.) according to regulations. He also stated that he was not aware of any such warning light equipment as mentioned by Commissioner Poisson in regards to ambulances responding via Solano Street.

Commissioner Barron then noted corrections to Conditions 8 and 18.

Commissioner Hatley moved to close the public hearing and Commissioner Barron seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker and Hatley. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

Commissioner Mesker moved to adopt the 6 Factual Subfindings and Legal Findings as presented in the Staff Report and approve Use Permit 2015-281 subject to the 28 Conditions of Approval as recommended by Staff. Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker and Hatley. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

Planning Consultant Stoufer noted that there is a 10-day appeals period.

#### **F. REGULAR AGENDA:**

##### **3. Study Matter: AH – Alternative Housing & LLR – Large Lot Residential text language. Review draft language for adding Alternative Housing and Large Lot Residential regulations to the Corning Zoning Code.**

Planning Consultant John Stoufer explained that during the General Plan Update proceedings the Commission did approve two locations....get from the recording. He further explained the current limitations to the number of animals on properties located within the R-1 Zone and discussed what uses and limits the Commission would like to have within an LLR Combining District.

He then discussed the proposed AH- Alternative Housing Combining District. He stated that what is proposed is right out of State Code (definitions were taken from the California Government Code). Mr. Stoufer then proceeded to review the target population, the permitted uses in an AH Combining District, the minimum height, bulk and space requirements (A-G), and the Development and occupancy standards (A-M). He also presented information related to the establishment of a Management and Operation Plan and suggested that this be approved by the Planning Commission prior to a Building Permit being issued. Commissioner Poisson asked if the City could establish a requirement similar to that of Salado Orchard Apartments whereas they are inspected yearly for compliance. Mr. Stoufer explained that Salado Orchard Apartments is different in that they are federally funded and stated that we will need to have the City Attorney advise us on whether this would be legal.

Mr. Stoufer noted that this would be brought back for further discussion at the next meeting.

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

#### **H. ADJOURNMENT: 7:36 p.m.**

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Lisa M. Linnet, City Clerk

**ITEM NO. E-2  
ORDINANCE NO. 662; AN ORDINANCE OF THE  
CITY OF CORNING ADDING CHAPTER 17.41,  
LARGE LOT RESIDENTIAL COMBINING DISTRICT  
AND CHAPTER 17.46, ALTERNATIVE HOUSING  
COMBINING DISTRICT TO TITLE 17 OF THE  
CORNING MUNICIPAL CODE.**

**JANUARY 19, 2016**

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

**FROM: JOHN STOUFER, PLANNING CONSULTANT**

**SUMMARY CHAPTER 17.41 LARGE LOT RESIDENTIAL COMBINING DISTRICT:**

The Large Lot Residential (LLR) Land Use Classification is described in the General Plan as to; *"Provide living environments receiving minimal urban services and located in areas characterized by one or more of the following conditions: previously classified as the Agricultural Land Use Classification, lands containing agricultural characteristics, located within or in close proximity to lands categorized as floodplain and flood hazard areas, and subject to accessibility via substandard publicly maintained roads."*

The LLR Combining District will primarily be combined with R-1 Zones and limit development of new parcels to 2 acre densities. Residential and agricultural uses will be permitted with a limit set on the amount of large animals that can be kept on a parcel to one per one-half (1/2) acre of land which is the same ratio that currently exists in Chapter 17.38 the Agricultural Combining District of the Corning Municipal Code.

**BACKGROUND CHAPTER 17.41 LARGE LOT RESIDENTIAL COMBINING DISTRICT:**

The LLR Land Use Classification was created with the adoption of the 2014-2034 General Plan. Implementation Measure LU-(2) within the Community Development Group states; *"Establish zoning districts and development standards in the Zoning Ordinance consistent with the General Plan, and amend the Zoning Map to be consistent with the 2014-2034 General Plan Update Map within one year."* Adding Chapter 17.41 to the Zoning Code complies with a portion of this Implementation Measure.

**SUMMARY CHAPTER 17.46 ALTERNATIVE HOUSING COMBINING DISTRICT:**

In 2007 the state enacted legislation commonly referred to as Senate Bill 2 (SB 2) which requires local agencies to address housing needs for homeless populations in their communities, effective January 1, 2008. The law was enacted to facilitate efforts to address the critical needs of homeless populations and persons with special needs throughout all communities in California. Generally SB 2 amends housing element law regarding planning and approval for emergency shelters and transitional and supportive housing as follows:

### Planning (Government Code Section 65583)

- At least one zone shall be identified to permit emergency shelters without a conditional use permit or other discretionary action.
- Sufficient capacity must be identified to accommodate the need for emergency shelters and at least one year-round emergency shelter.
- Existing or proposed permit procedures, development and management standards must be objective and encourage and facilitate the development of or conversion to emergency shelters.
- Emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone.
- Written and objective standards may be applied as specified in statute, including maximum number of beds, provision of onsite management, length of stay and security.
- Includes flexibility for jurisdictions to meet zoning requirements with existing ordinances or demonstrate the need for emergency shelters can be accommodated in existing shelters or through a multi-jurisdictional agreement.
- Transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

### Local Approval (Government Code Section 65589.5: Housing Accountability Act)

- Limits denial of emergency shelters, transitional housing or supportive housing by requiring specific findings.
- Some findings shall not be utilized if new planning requirements of SB 2 are not met; such as identifying a zone without a conditional use permit.

The zone or zones must be sufficient to accommodate the locality's identified need for emergency shelters; provided that regardless of actual need determined, each local jurisdiction must identify at least one zone that can accommodate at least one year round emergency shelter. SB 2 is intended to disperse homeless services, shelters, and housing issues to be "fairly shared" among all California Communities in order to share responsibility for the State's homeless problems. SB 2 does not mandate that cities and counties build or fund homeless projects, only that there is zoning in place that permits development by right without a conditional use permit process or other discretionary review. SB 2 does not mandate where homeless shelter uses should be allowed in a city or county, but does require every city and county to identify actual zone or zones and site or sites that can accommodate the locality's actual unmet need. The following definitions describe the housing types the City is required to address in moving forward with compliance of SB 2:

**Please note that these definitions have been modified from the previous definitions the Commission reviewed pursuant to amendments to Housing Element Law as detailed in the attached memorandum (Exhibit "A") from H&CD dated April 24, 2014. The definitions are the same as referenced in Government Code Section 65582. A brief reference to the Lanterman Disabilities act (Exhibit "B") is also attached.**

### Emergency Shelter

“Emergency Shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of inability to pay.

### Transitional Housing

“Transitional Housing” means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program receipt at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

### Supportive Housing

“Supportive Housing” means housing with no limits on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

### Target Population

“Target Population” means persons with low-income who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with *Section 4500*) of the *Welfare and Institutions Code*) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of foster care system, individuals exiting from institutional settings, veterans, and homeless people.

## **BACKGROUND CHAPTER 17.46 ALTERNATIVE HOUSING COMBINING DISTRICT:**

The *City of Corning Housing Element Update 2009-2014* adopted **Goal HP**, which addresses housing production to:

*“Provide adequate housing by location, price, type, and tenure, especially for Very Low, Low, and Moderate income households with special needs.”*

**Policy HP-3** was adopted as one of several policies to assist the City to attain **Goal HP** and calls to:

*“Support the development of mixed-use projects encompassing residential and commercial development.”*

The City Planning Department was tasked as the Lead City Department to implement **Policy HP-3**. The Department was to:

*“Identify sites that are: a) located with convenient access to schools, parks, shopping facilities, and employment opportunities or along public transportation routes that make such facilities accessible; b) minimally impacted by noise, flooding or other environmental constraints, or c) outside areas of concentrated lower income households. Develop a “Mixed Use” land use classification and zoning district. Utilize the Specific Plan process for large tracts of vacant and underdeveloped lands.”*

As identified in **TABLE V-1 – 2009–2014 GOALS, POLICIES, IMPLEMENTATION MEASURES, POTENTIAL FUNDING SOURCES, OBJECTIVES AND TIME FRAMES** in the *Housing Element Update* the quantified objective is”

“Amendment of the general plan to establish a new “Mixed-Use” land use classification and mapping of specific sites. Amendment of the Zoning Ordinance to provide for the “Mixed Use” classification and rezone specific sites. Identify lands within the City and Sphere of Influence for Specific Plan designation.”

The time frame for the Policy to be established was 2010. It was also identified as **Priority 1**, or **P1 Policy**, which is a priority number is assigned for the implementation of each policy given the foreseeable resources currently available and/or easily foreseen to be available to/or within the City. A **P1 Policy** is a policy that can and should be able to be implemented during the Planning Period and a commitment is made by the City to do so. The City does not need to rely on the federal or state government, other agencies, non-profits, or organizations to implement the policy. However, if state funding continues to be reduced thereby requiring the City to continue to reduce staffing levels and resources, implementation of the policy during the projected time frame, or during the entire Planning Period becomes questionable.

To comply with this requirement the City applied for and received a Planning and Technical Assistance Grant from the California Department of Housing and Community Development for the preparation of a General Plan Update with a focus on implementing some of the Goals, Policies, and Implementation Measures adopted in the 2009-2014 Housing Element Update.

To comply with **Policy HP-3** staff made the following recommendations for consideration by the General Plan Task Force that consists of the five members of the Planning Commission:

The *Housing Element Update* identified a 20-acre area for the Mixed Use general plan land use designation and zoning district. The area contains approximately 50 parcels which encompass developed, vacant, and underdeveloped residential, commercial, and light industrial general plan classified and zoned lands. The area is generally bounded by Colusa Street, East Street, Solano Street and the California Northern Railroad tracks. The Transportation Center is located across the street from the southwestern corner of this area to provide a convenient place for residents and visitors using the Tehama Rural Area Express (TRAX) Bus System.

Of the total parcels 10 are designated for light industrial use, approximately four percent are vacant averaging 17,000 square feet in size, five percent are underutilized, 10 percent have been developed for commercial uses, and the remaining are 6,000 to 10,000 square foot residential parcels. Three of these parcels contain single family residences which, due to their extremely substandard condition need to be demolished. Some of the residences, commercial, and light industrial structures need some form of rehabilitation, primarily with respect to weatherization. A full complement of utilities and services are available to all parcels and road infrastructure is in relatively good condition.

It was recommended that a "Mixed Use – MU" land use classification be adopted and incorporated into the General Plan and that the 20-acre area identified be classified as MU. The inclusion of this land use classification requires a textual and mapping an amendment to the *General Plan Land Use Element*.

It was also recommended that a "Mixed Use Overlay – MU" zoning designation be adopted and incorporated into *City of Corning Code of Ordinances Title 17 – Zoning*. The inclusion of this zoning designation requires amendment of the ordinance, *Section 17.08.010 of Chapter 17.08 – Establishment of Districts* and establishment of boundaries for the MU district. The 20-acre area identified would be designated as MU.

The overlay zone is a regulatory tool that creates a special zoning district, placed over an existing base zone(s), which identifies special provisions in addition to those in the underlying base zone. An overlay district can share common boundaries with the base zone or cut across base zone boundaries. Regulations or incentives are attached to the overlay district to protect a specific resource or guide development within a special area. Overlay zoning is commonly used to promote mixed-use development, such as near community centers, as proposed in the City's adopted Housing Element.

After reviewing potential "Mixed Use" language, regulations, and the 20 acre area recommended for the MU overlay the General Plan Taskforce decided it was not in the best interest of the City to create the "Mixed Use" land use designation in the General Plan or the "Mixed Use Overlay – MU" zoning designation.

To comply with SB 2 the Taskforce recommended a Land Use Policy (LU-k) within the General Plan to read as follows; *"create an Alternative Housing (AH) Zoning District that would permit the establishment of emergency shelters, transitional housing, or supportive housing as an outright permitted use."* With this policy would be an implementation measure in the General Plan (LU-(3) to; *"Establish the Alternative Housing (AH) Zone District and zone appropriate parcels AH to permit emergency shelters, transitional housing, or supportive housing."*

Staff has prepared Ordinance 662 that would add Chapter 17.46 to the Corning Municipal Code pursuant to Land Use Policy LU-k. If the City Council adopts Ordinance # 662 the next step to gain compliance with Senate Bill 2 would be to zone appropriate parcels AH as provided for in Implementation Measure LU-(3).

**ENVIRONMENTAL:**

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

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

**PROPOSED ORDINANCE:**

**ORDINANCE NO. 662  
AN ORDINANCE OF THE CITY OF CORNING ADDING  
CHAPTER 17.41, LARGE LOT RESIDENTIAL COMBINING DISTRICT AND  
CHAPTER 17.46, ALTERNATIVE HOUSING COMBINING DISTRICT TO TITLE  
17, ZONING, OF THE CORNING MUNICIPAL CODE**

The City Council of the City of Corning, having conducted a public hearing in accordance with state law, on (date to be added) and having approved the legal findings recommended by staff, does hereby ordain as follows:

- A) Add Chapter's 17.41 and 17.46 to Title 17, Zoning, of the Corning Municipal Code to read as follows:

Chapter 17.41  
LLR- Large Lot Residential Combining District

Sections:

- 17.41.010 Generally.
- 17.41.020 Purpose.
- 17.41.030 Permitted uses in LLR Combining District.
- 17.41.040 Minimum height, bulk and space requirements.
- 17.46.070 Development and occupancy standards.

17.41.010 Generally. This district classification is intended to be applied in lands classified as Large Lot Residential in the General Plan. The following regulations shall apply in all districts with which are combined LLR districts in addition to the regulations specified in this title, and shall be subject to the provisions of Sections 17.04.060 and 17.04.070 and Chapter 17.50 of this title; provided, however, that if any of the regulations specified in this chapter differ from any corresponding regulations specified in this title for any district with which the LLR district is combined, then in such case the provisions of this chapter shall apply.

17.41.020 Purpose. The LLR Combining District has been established to provide living environments receiving minimal urban services and located in areas characterized and containing agricultural characteristics, and located within or in close proximity to lands categorized as floodplain and flood hazard areas.

17.41.030 Permitted uses in LLR Combining District.

- A. All uses permitted in the respective district with which the LLR district is combined.
- B. Animal husbandry and the keeping of livestock and other animals not considered domestic pets such as dogs and cats, at a rate of one animal per half acre of land contained within the parcel.

17.46.060 Minimum height, bulk and space requirements. In an LLR Combining District the minimum height, bulk and space requirements shall be as follows:

- A. Lot area, two acres;
- B. Lot width, one hundred feet;
- C. Maximum building coverage, forty-five percent of lot area. Minimum width of any residential structures twenty feet;
- D. Front yard, twenty feet;
- E. Side yard shall be not less than twenty feet for each side yard.
- F. Rear yard shall not be less than thirty feet;
- F. Building height limit, two and one-half stories, but not to exceed thirty-five feet.

Chapter 17.46

AH- Alternative Housing Combining District

Sections:

- 17.46.010 Generally.
- 17.46.020 Purpose.
- 17.46.030 Applicability.
- 17.46.040 Definitions.
- 17.46.050 Permitted uses in AH Combining District.
- 17.46.060 Minimum height, bulk and space requirements.
- 17.46.070 Development and occupancy standards.

17.46.010 Generally. The AH Combining District should be utilized on a limited basis to provide and accommodate only the need for identified homeless populations within the City limits. The location of the district should be in the proximity to transit, job centers, and public and community services.

17.46.020 Purpose. The AH Combining District has been established to achieve the following purposes:

- A. To assure that the City of Corning is in compliance with the California Housing Accountability Act by providing a Zoning District that permits the establishment of Emergency Shelters and Transitional and Supportive Housing as a permitted use.
- B. To define and provide development standards for the establishment of Emergency Shelters and Transitional and Supportive Housing.

C. To provide protection against haphazard and unattractive development by implementing visual design guidelines.

17.46.030 Applicability. In any district with which the AH Combining District is applied the regulations of this chapter shall apply, in addition to those specified in this title for such district; provided, that if conflict in regulations occurs, the regulations of this chapter shall govern.

17.46.040 Definitions. The following are defined pursuant to Government Code Section 65582:

Emergency Shelter

“Emergency Shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of inability to pay.

Transitional Housing

“Transitional Housing” means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program receipt at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Supportive Housing

“Supportive Housing” means housing with no limits on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Target Population

“Target Population” means persons with low-income who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with *Section 4500*) of the *Welfare and Institutions Code*) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of foster care system, individuals exiting from institutional settings, veterans, and homeless people.

17.46.050 Permitted uses in AH Combining District.

- A. All uses permitted in the respective district with which the AH district is combined.
- B. The establishment of Emergency Shelters, Transitional Housing, and Supportive Housing for a target population as defined in Section 17.46.040 of this code.

17.46.060 Minimum height, bulk and space requirements. In an AH Combining District the minimum height, bulk and space requirements shall be as follows:

- A. Lot area, one acre;
- B. Lot width, one hundred feet;

- C. Maximum building coverage, sixty-five percent of lot area. Minimum width of any residential structures twenty feet;
- D. Front yard, twenty feet;
- E. Side yard shall be not less than six feet for each side yard. Three feet shall be added to each required side yard for each story above the first floor 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. An additional five feet shall be added to the required rear yard for each story over the first story of any building;
- G. Building height limit, two and one-half stories, but not to exceed thirty-five feet.

17.46.070 Development and occupancy standards. The following are development and occupancy standards for the establishment of Emergency Shelters, Transitional Housing, and Supportive Housing for a target population as defined in Section 17.46.040 of this code.

- A. The maximum number of persons allowed to occupy a bedroom is two;
- B. The maximum number of people allowed to occupy a group quarters room is ten.
- C. Each facility must have one full bathroom for every two bedrooms and two bathrooms for a group quarters room;
- D. The maximum stay at a facility shall not exceed State regulations;
- E. On-site client waiting and intake areas shall be located inside the building;
- F. A minimum of one manager, in addition to security personnel, shall be on duty and remain on-site during intake hours;
- G. Security personnel at a rate of one per every ten bedrooms, or one per every two group quarters room shall be provided on-site at all times;
- H. A minimum of one covered parking for every two bedrooms, two for every group quarters, and one covered parking space for each employee of the facility must be provided;
- I. Exterior lighting for the parking area and entire outdoor area of the facilities must be provided. Exterior lighting shall be stationary, and shall be directed away from adjacent properties and public right-of-ways;
- J. Architectural design of any structure constructed must comply with the design guidelines as described in the Highway 99W Corridor Specific Plan and must be approved by the Planning Commission prior to issuance of a building permit;
- K. The exterior boundaries of developed structures must be landscaped and fenced per a landscape plan approved by the Planning Commission;
- L. All structures, landscaping, and exterior lighting must be properly maintained at all times. Failure to properly maintain the facilities will result in revocation of the Certificate of Occupancy by the Planning Commission and closure of the facilities;
- M. Cooking and kitchen facilities are prohibited in bedrooms and group quarters and only permitted in designated kitchen areas;
- N. Prior to issuance of a Certificate of Occupancy the applicant or operator of the facility must submit a Management and Operation Plan for review and approval by the Planning Commission. Any changes to the Management and Operation Plan must be submitted to the Planning Commission for review and approval.

\* \* \* \* \*

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning, held on \_\_\_\_\_ and adopted at a regular meeting of the City Council of the City of Corning, held \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

Abstain:

It shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of Council persons voting for and against the same, in a newspaper of general circulation in the County of Tehama.

\_\_\_\_\_  
Gary R. Strack, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

PUBLISH: \_\_\_\_\_

## **STAFF RECOMMENDATION:**

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

### **Factual Subfinding #1**

Ordinance No. 662 will add Chapter 17.41, Large Lot Residential Combining District and Chapter 17.46, Alternative Housing Combining District to Title 17 of the Corning Municipal Code.

### **Legal Finding #1**

The addition of Chapter 17.41, Large Lot Residential Combining District and Chapter 17.46, Alternative Housing Combining District to Title 17 of the Corning Municipal Code., as proposed in Ordinance No. 662, will not cause a significant effect on the environment and is therefore exempt from CEQA pursuant to Section 15061 (b) (3)

### **Factual Subfinding #2**

On September 8, 2015 the Corning City Council adopted the 2014-2034 City of Corning General Plan. The General Plan grouped elements into the Natural Resources Group, Public Health and Safety Group, and Community Development Group. Each group has associated elements with goals, objectives, policies, and implementation measures.

### **Legal Finding #2**

Adding Chapter 17.41, Large Lot Residential Combining District and Chapter 17.46, Alternative Housing Combining District to Title 17 of the Corning Municipal Code is required pursuant to Implementation Measures LU-(2) and LU-(3) within the Land Use Element of the 2014-2034 Corning General Plan.

### **Factual Subfinding #3**

Table LU-1 in the 2014-2034 Corning General Plan provides a description and maximum densities for parcels designated Large Lot Residential on the adopted Land Use Map within the General Plan.

### **Legal Finding #3**

The allowed uses and densities as described in Chapter 17.41, Large Lot Residential Combining District are consistent with the General Plan Land Use Classifications as shown on Table LU-1 of the 2014-2034 Corning General Plan.

### **Factual Subfinding #4**

In 2007, SB 2 (Chapter 633, Statutes 2007) revised housing element law requiring that transitional and supportive housing be permitted as a residential use.

### **Legal Finding #4**

Chapter 17.46 the Alternative Housing Combining District will assure that the City of Corning is in compliance with the California Housing Accountability Act by permitting the establishment of Emergency Shelters and Transitional and Supportive Housing as a permitted use.

**ACTION:**

Move to recommend that the City Council adopt the Factual Subfindings and Legal Findings as presented in the staff report (or as modified by the Commission) and approve and adopt Ordinance No. 662.

Or;

Make a motion to recommend that the City Council deny approval of Ordinance No. 662.

**ATTACHMENTS:**

Exhibit "A" H&CD Memorandum dated April 24, 2014

Exhibit "B" Info on Lanterman Developmental Disabilities Act

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
www.hcd.ca.gov*Exhibit "A"*

## MEMORANDUM

**DATE:** April 24, 2014

**TO:** Planning Directors and Interested Parties

**FROM:** Lisa Bates, Deputy Director *Lisa Bates*  
Division of Housing Policy Development

**SUBJECT:** Transitional and Supportive Housing  
Chapter 183, Statutes of 2013 (SB 745)

This memorandum is to update local decision makers on recent amendments to housing element law (Government Code Section 65582) related to transitional and supportive housing zoning requirements. In 2007, SB 2 (Chapter 633, Statutes of 2007) revised housing element law requiring that transitional and supportive housing be permitted as a residential use, subject only to restrictions that apply to other residential dwellings of the same type in the same zone. SB 745, which took effect on January 1, 2014, generally amends the Section 65582 of the Government Code to replace prior Health and Safety Code definitions of "supportive housing," "target population," and "transitional housing" with definitions now more specific to housing element law.

Previously, definitions for "supportive housing," "target population," and "transitional housing" were found in subdivision (b) of Section 50675.14, subdivision (3)(a) of Section 50675.14 and subdivision (h) of Section 50675.2 of the Health and Safety Code, respectively. SB 745 deletes reference to these sections and creates new definitions in Government Code Section 65582.

The intent for this change is to remove cross references in Government Code Section 65582 to the definitions of "supportive housing" and "transitional housing" that are used in the statutes governing the Multifamily Housing Program (MHP) and replace them with the current definitions that are used for the purposes of zoning applicable at the time SB 2 (Cedillo, Chapter 633, Statutes of 2007) passed. For your assistance, the specific language of SB745 that amends Section 65582 of the Government Code is included in Attachment A.

For a full copy of the statute, please refer to <http://leginfo.legislature.ca.gov/>.

For more information regarding transitional and supportive housing, see the Department's *Building Blocks*' website at [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_variety.php](http://www.hcd.ca.gov/hpd/housing_element2/SIA_variety.php). If you have any questions, please contact Paul McDougall, Housing Policy Manager, at 916-263-7420.

**ATTACHMENT A**  
**Changes to State Housing Element Law**  
**AB 745 (Chapter 183, Statutes of 2013)**

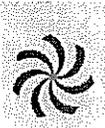
**Government Code Section 65582**

**SB 745 (Changes in underline)**

As used in this article, the following definitions apply:

- (a) "Community," "locality," "local government," or "jurisdiction" means a city, city and county, or county.
- (b) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1.
- (c) "Department" means the Department of Housing and Community Development.
- (d) "Emergency shelter" has the same meaning as defined in subdivision (e) of Section 50801 of the Health and Safety Code.
- (e) "Housing element" or "element" means the housing element of the community's general plan, as required pursuant to this article and subdivision (c) of Section 65302.
- (f) "Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
- (g) "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
- (h) "Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Exhibit "B"



FRANK D. LANTERMAN REGIONAL CENTER

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# The Lanterman Developmental Disabilities Services Act

The Lanterman Developmental Disabilities Services Act, known as the "Lanterman Act," is an important piece of legislation that was passed in 1969. This is the California law that says people with developmental disabilities and their families have a right to get the services and supports they need to live like people without disabilities.

The Lanterman Act outlines the rights of individuals with developmental disabilities and their families, how the regional centers and service providers can help these individuals, what services and supports they can obtain, how to use the individualized program plan to get needed services, what to do when someone violates the Lanterman Act, and how to improve the system.

Please take the time to view the following reader-friendly documents.

If you have questions, contact the Koch-Young Resource Center at 213.252.5600, toll-free at 800.546.3676, or [kyrc@lanterman.org](mailto:kyrc@lanterman.org) (mailto:kyrc@lanterman.org).

Click on the following links to access the full text of:

- ☞ [Lanterman Act and Related Laws \(http://www.dds.ca.gov/Statutes/Statutes\\_Home.cfm\)](http://www.dds.ca.gov/Statutes/Statutes_Home.cfm)
- ☞ [Lanterman Act \(http://www.dds.ca.gov/Statutes/Statutes\\_Home.cfm\)](http://www.dds.ca.gov/Statutes/Statutes_Home.cfm) (client-friendly version)
- ☞ [Rights Under the Lanterman Act \(http://www.disabilityrightscalifornia.org/pubs/PublicationsRULAEnglish.htm\)](http://www.disabilityrightscalifornia.org/pubs/PublicationsRULAEnglish.htm) (written by Disability Rights California)

## Quick Links

DDS Safety Net



DDS Safety Net

(http://www.ddssafety.net/) Check out the DDS Safety Net Web site - Helping Californians with developmental disabilities to be safe and healthy (http://www.ddssafety.net/)

Register to Vote



(http://www.sos.ca.gov/elections/) Get all the info and resources you need on elections and registering to vote online at the California Secretary of State Web site (http://www.sos.ca.gov/elections/)

Be Prepared in the Event of a Disaster

Learn more about how best to be prepared in the event of a disaster by visiting our Project Prepare page (http://www.lanterman.org/disaster\_preparedn) where you will find information about getting prepared and links to lots of local and state disaster planning resources.

Check out Project Prepare (http://www.lanterman.org/disaster\_preparedn)

Home Page (/)

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- Calendar of Events (http://lanterman.org/calendar)
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- E-Bulletins Archive (http://lanterman.org/eblasts)

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- Internships (http://lanterman.org/internships)
- Volunteer Opportunities (http://lanterman.org/volunteer)
- Calendar (http://lanterman.org/calendar)

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- Quality Guidelines (http://lanterman.org/quality\_guidelines)
- SPAC (http://lanterman.org/spac)
- Zero Tolerance Policy (http://lanterman.org/zero-tolerance-policy)

**ITEM NO. F-3**

**STUDY MATTER: REVIEW POSSIBLE LOCATIONS  
AND PARCELS FOR REZONING WITH THE AH,  
ALTERNATIVE HOUSING COMBINING DISTRICT.**

**JANUARY 19, 2016**

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

**FROM: JOHN STOUFER; PLANNING CONSULTANT**

**BACKGROUND:**

With the adoption of Ordinance 662 the City will create Chapter 17.46, AH, Alternative Housing Combining District. To comply with the provisions of State Law (Senate Bill 2) the City must now zone an appropriate site or sites with the AH Combining District that would permit by right the development of Emergency Shelters, Transitional Housing, and Supportive Housing.

During the General Plan Update workshops the Commission held discussions on the AH Combining District and possible locations that would be appropriate for rezoning. The Commission may recall that staff did send out notices to adjoining property owners for one of the workshops regarding adding the AH Combining District to a particular parcel located between Hwy 99W. and Interstate 5, at the northwest corner of the Fig Ln./Hwy 99W. intersection. One reason this parcel was considered is that the daughter and son-in-law of the property owner had discussions with staff regarding adding the AH Combining District to the existing zoning and did not have objections. Two property owners that received notices did attend the workshop and objected to this location.

The Commission did direct staff to research additional sites closer to the truck stops and the South Avenue interchange. Attached are two letters staff sent to property owners regarding rezoning their parcels with the AH Combining District. One of the letters (Exhibit "A") is to Janice Bettencourt who owns APN 69-210-20, the 9.78 acre parcel located at the northwest corner of the Fig Ln./Hwy 99W. intersection that was previously discussed at a workshop. Another letter (Exhibit "B") was sent to James Chandler who owns four parcels, APN's 87-100 55 (3.84 acres), 87-100-56 (2 acres), 87-100-57 (2 acres), and 87-100-58 (2 acres). These parcels are all contiguous and located along the west side of Toomes Avenue approximately 660 feet south of the Toomes Ave./South Ave. intersection. Attached to each letter is an aerial photo of the sites.

**ACTION:**

**Direct staff on parcels to be considered for rezoning at future Public Hearings.**

**ATTACHMENTS**

Exhibit "A" Letter to Janice Bettencourt

Exhibit "B" Letter to James Chandler



Exhibit "A"

# City of Corning

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

December 29, 2015

Janice Bettencourt, Etal  
38860 Cherry Court  
Fremont, CA 94536

RE: Assessor's Parcel Number 69-210-20

Dear Ms. Bettencourt;

To comply with State Law the City of Corning must provide a Zoning District and zone a parcel or parcels within the city limits that permits by right the establishment Emergency Shelters, Transitional Housing, and Supportive Housing. The State defines each of these as follows:

Emergency Shelter (Health and Safety Code Section 50801 (e))

"Emergency Shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of inability to pay.

Transitional Housing (Health and Safety Code Section 50675(h))

"Transitional Housing" and "Transitional Housing Development" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program receipt at some predetermined future point in time, which shall be no less than six months.

Supportive Housing (Health and Safety Code Section 50675.14 (b))

"Supportive Housing" means housing with no limits on length of stay, that is occupied by the target population, that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.

The City is currently in the process of adding a new chapter to the Municipal Code, specifically within the Zoning Code, that will be titled AH, Alternative Housing Combining District. Attached for your review is draft language for the new AH Combining District.

You are receiving this letter because are records indicate that you are the owner of Assessor's Parcel Number 69-210-20, a 9.78 acre parcel located in the City and currently zoned SPMU-CBDZ, Specific Plan Mixed Use – Corning Business Development Zone. These zoning designations allow a variety of commercial and residential uses subject to the approval and issuance of a Use Permit.

BUILDING 824-7027 • PLANNING 824-7036 • CITY MANAGER 824-7034 • CITY CLERK 824-7033 • FINANCE 824-7020

PUBLIC WORKS 824-7025 • POLICE DEPARTMENT 824-7000 • FIRE DEPARTMENT 824-7044

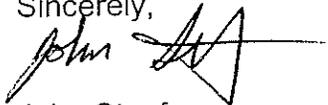
**"THE CITY OF CORNING IS AN AFFIRMATIVE ACTION-EQUAL OPPORTUNITY EMPLOYER"**

Your parcel has been identified as a parcel of interest that the City may consider rezoning and adding the AH Combining District so that the parcel would then be zoned SPMU-CBDZ-AH. The existing uses would still be allowed subject to the issuance of a Use Permit and the AH Combining District would allow the establishment of Emergency Shelters, Transitional Housing, and Supportive Housing by right if an interested party wanted to establish one at this location.

On January 19, 2016 at 6:30 PM, the City of Corning Planning Commission will conduct a study session to consider a location to rezone and add the AH Combining District. The meeting will be held in the City Council Chambers, 794 Third Street, Corning, CA. 96021. Your parcel will be part of this discussion and you are invited to attend the meeting to express your opinion on rezoning your parcel.

If you cannot attend the meeting you can respond by letter or contact me and I can forward your comments to the Planning Commission. Also if you have any questions or feel you need more information please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John Stoufer", with a long horizontal line extending to the right.

John Stoufer  
Planning Consultant  
City of Corning  
(530) 824-7036  
[jistoufer@corning.org](mailto:jistoufer@corning.org)



SPRINGING ROAD

CARONA AVENUE

BOB QUE AVENUE

INTERSTATE 5

SITE

CARONA AVENUE

STATE ROUTE 99W

EDITH AVENUE

BETTENCOURT PROPERTY

FIG LANE

BLOSSOM AVENUE

DORTCHAM AVENUE

LINCOLN AVENUE

GRANT AVENUE

McKIMLEY AVENUE

TART AVENUE

FAIRVIEW AVENUE

SCOTT AVENUE

ELIZABETH AVENUE

MANZANILLO LANE

HOUGHTON AVENUE

VOLO STREET

HOAG STREET

RICE AVENUE

HERBERT AVENUE

ALGER AVENUE

FIG LANE

HOAG STREET

Exhibit "B"



# City of Corning

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

December 29, 2015

James Chandler  
48371 Sawleaf Street  
Fremont, CA 94539

RE: Assessor's Parcel Number's 87-100-55,56,57,58

Dear Mr. Chandler;

To comply with State Law the City of Corning must provide a Zoning District and zone a parcel or parcels within the city limits that permits by right the establishment Emergency Shelters, Transitional Housing, and Supportive Housing. The State defines each of these as follows:

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The City is currently in the process of adding a new chapter to the Municipal Code, specifically within the Zoning Code, that will be titled AH, Alternative Housing Combining District. Attached for your review is draft language for the new AH Combining District.

You are receiving this letter because are records indicate that you are the owner of Assessor's Parcel Number's 87-100-55,56,57,58 located in the City and currently zoned R1-A, Single Family Residential – Animal Combining District.

BUILDING 824-7027 • PLANNING 824-7036 • CITY MANAGER 824-7034 • CITY CLERK 824-7033 • FINANCE 824-7020

PUBLIC WORKS 824-7025 • POLICE DEPARTMENT 824-7000 • FIRE DEPARTMENT 824-7044

**"THE CITY OF CORNING IS AN AFFIRMATIVE ACTION-EQUAL OPPORTUNITY EMPLOYER"**

Your parcel's have been identified as parcels of interest that the City may consider rezoning and adding the AH Combining District so that the parcels would then be zoned R1-A-AH. The existing residential uses would still be allowed and the AH Combining District would allow the establishment of Emergency Shelters, Transitional Housing, and Supportive Housing by right if an interested party wanted to establish one at this location.

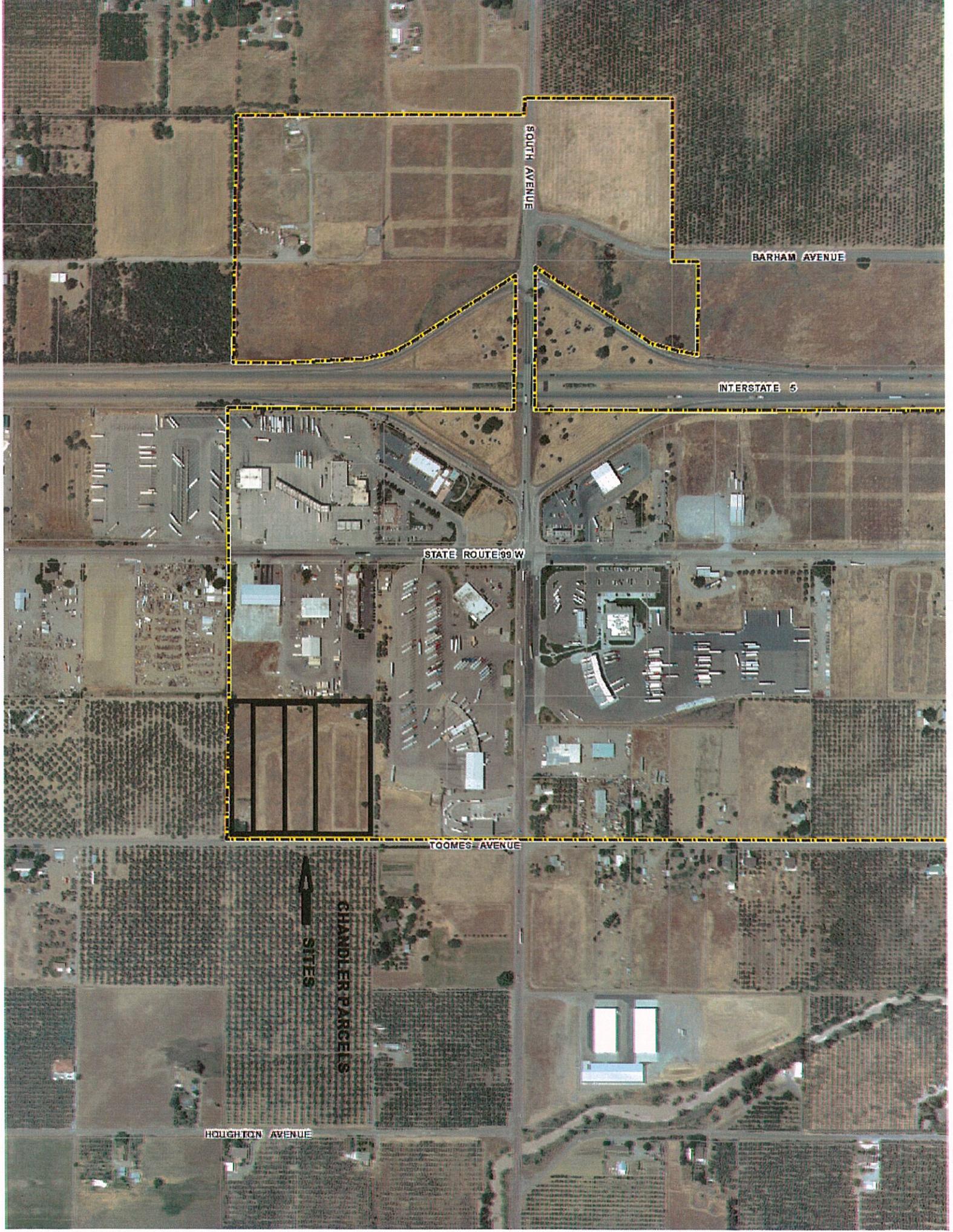
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Sincerely,

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John Stoufer  
Planning Consultant  
City of Corning  
(530) 824-7036  
[istoufer@corning.org](mailto:istoufer@corning.org)



SOUTH AVENUE

BARHAM AVENUE

INTERSTATE 5

STATE ROUTE 99 W

TOOMES AVENUE

HUGHTON AVENUE

CHANDLER PARCELS  
SITES