



**CITY OF CORNING  
PLANNING COMMISSION AGENDA**

**TUESDAY, MARCH 15, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

<b>Commissioners:</b>	<b>Robertson</b>
	<b>Reilly</b>
	<b>Hatley</b>
	<b>Barron</b>
	<b>Poisson</b>
<b>Chairman:</b>	<b>Vacant</b>

**C. MINUTES:**

**1. Waive the Reading and Approve the Minutes of the February 15, 2011 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 2011-261 - Immaculate Conception Church: To construct a 3,150 sq. ft. building to be used for office space and classrooms for church associated activities. The building will be located adjacent to the church Rector Building on a vacant parcel at the northeast corner of the Solano Street/1<sup>st</sup> Street intersection. Parcel is zoned R-1, Single Family Residential. Location: 818 Solano Street, APN: 73-065-03.**

**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. Selection of New Commission Chairperson.**

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

**H. ADJOURNMENT:**

**POSTED: THURSDAY, MARCH 10, 2011**

**The City of Corning is an Equal Opportunity Employer**



**CITY OF CORNING  
PLANNING COMMISSION MINUTES**

**TUESDAY, FEBRUARY 15, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

**Commissioners: Robertson  
Reilly  
Hatley  
Barron  
Chairman: Vacant**

All members of the Commission were present with one vacancy following the January 25, 2011 resignation of Chairman Lopez.

**C. MINUTES:**

**1. Waive the Reading and Approve the Minutes of the January 18, 2011 Planning Commission Meeting with any necessary corrections.**

Commissioner Barron moved to approve the January 18, 2011 Minutes as written and Commission Reilly seconded the motion. **Ayes: Robertson, Reilly, Hatley and Barron. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 4-0 with one vacancy remaining on the Council.**

**D. BUSINESS FROM THE FLOOR:**

Planning Director Stoufer announced that the City received a letter of resignation from Chairman Lopez. He explained that there is currently a vacancy on the Council in addition to the vacancy that now exists on the Planning Commission. Council is taking applications until February 17<sup>th</sup> at 5:00 p.m. for the Council vacancy and plans to interview and make a selection at a March 1<sup>st</sup> Special Meeting. Following that time the Mayor will consider the applications on file for the vacant Planning Commission and make a recommendation to Council. The City will be advertising this vacancy in the near future and currently has three applications on file.

**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. Extend Use Permit 2010-259, Lodi Irrigation; consider extending Use Permit 2010-259 and adding Conditions applicable to the Hwy. 99W Corridor Specific Plan. Project site is located along the west side of Hwy. 99W, approximately 700 feet north of the South Ave. / Hwy. 99W Intersection.**

Commissioner Robertson introduced this item by title and then opened the public hearing at 6:35 p.m. Planning Director Stoufer outlined the Use Permit extension request explaining the request is to change Condition No. 5 to a time period of eight months, which is the same as is listed in Condition No. 3, Landscaping Plans. Commissioner Robertson asked if there was a time limit on the deferred improvement agreement (DIA) and was informed no.

Commission Reilly moved to close the public hearing and Commissioner Hatley seconded the motion. **Ayes: Robertson, Reilly, Hatley and Barron. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 4-0 with one vacancy remaining on the Council.**

Commissioner Hatley moved to:

**The City of Corning is an Equal Opportunity Employer**

- Adopt the 5 Factual Subfindings and Legal Findings as presented in the Staff Report for extending Use Permit 2010-259; and
- Approve Extended Use Permit 2010-259 Subject to the five (5) Conditions as recommended by Staff with the amendment to Condition No. 5 to state “Within eight months of approval of the extension to Use Permit 2010-259, the applicant shall prepare plans, obtain an Encroachment Permit, and pave the existing commercial driveway in accordance with Standard Plan Drawing S-5 without sidewalk, curb or gutter. Pavement shall be asphalt concrete or concrete to commercial standards. Pavement interface with the highway shall be saw cut”.

Commissioner Reilly seconded the motion. **Ayes: Robertson, Reilly, Hatley and Barron. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 4-0 with one vacancy remaining on the Council.**

F. **REGULAR AGENDA:** None.

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

H. **ADJOURNMENT:** 7:45 p.m.

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Lisa M. Linnet, City Clerk

**ITEM NO: E-2  
USE PERMIT APPLICATION 2011-261;  
IMMACULATE CONCEPTION CHURCH,  
CONSTRUCT AN APPROXIMATELY 3,150  
SQ. FT. BUILDING FOR OFFICE SPACE &  
CLASSROOMS FOR CHURCH ASSOCIATED  
ACTIVITIES. LOCATED AT THE NORTHEAST  
CORNER OF THE SOLANO ST. / 1<sup>ST</sup> ST.  
INTERSECTION. APN: 73-065-03**

**MARCH 15, 2011**

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

**FROM: JOHN STOUFER; PLANNING DIRECTOR**

**PROJECT DESCRIPTION:**

The Immaculate Conception Church has applied to construct an approximately 3,150 sq. ft. building to be used for office space and classrooms for church associated activities. The building will be located adjacent to the church rector building on a vacant parcel at the northeast corner of the Solano St. / 1<sup>st</sup> Street intersection. The parcel is zoned R-1, Single Family Residential, pursuant to Section 17.10.030 (B) of the Corning Municipal Code (CMC) prior to the establishment of religious schools in this district a use permit must be approved by the Planning Commission.

APN: 73-065-03 Address: 818 Solano St.

**GENERAL PLAN LAND USE DESIGNATION:**

R – Residential – All of the parcels owned by the Roman Catholic Diocese of Sacramento where the existing church, adjacent structures, and parking lots are located have this general plan designation.

**ZONING:**

R-1 – Single Family Residential – All of the parcels owned by the Roman Catholic Diocese of Sacramento where the existing church, adjacent structures, and parking lots are located have this zoning designation.

**DISCUSSION:**

The proposed building will replace a previously constructed building, removed from the site over 2 years ago, that was also used for office and classroom space. The Church and adjacent buildings were constructed and established prior to the site being zoned R-1. Due to the use permit requirements of Section 17.10.030 (B) the church and adjacent structures are considered a legal nonconforming use of the site and subject to the provisions of Chapter 17.52 (Nonconforming Uses) of the CMC.

Section 17.52.040 Exception- -Destruction of building states the following *“If at any time any building which is in existence at the time of the adoption of the ordinance codified in this title and which does not conform to the regulations for the district in which it is located is destroyed by natural occurrence, accident or vandalism, to the extent of more than one-half the value thereof, then without further action by the city council the building and the land on which the building was located or maintained shall, from and after the date of destruction, be subject to all the regulations of the district in which the land and/or building are located.”*

Therefore, before a new building can be constructed for office space and classroom use, to replace the previous building also used as office space and classrooms, a use permit must be granted by the Planning Commission pursuant to Section 17.10.030 (B) of the CMC.

**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 15302, Replacement or Reconstruction, Class 2 provides exemptions for the 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:

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

This project will allow the reconstruction of a building to be used as office space and classrooms for church activities which is exactly the same use as the previous building that was removed from the site and is the replacement of a commercial structure of substantially the same size, purpose and capacity and exempt from CEQA pursuant to Section 15302, Class 2 (b).

**CONSISTENCY WITH GENERAL PLAN:**

The Land Use Element of the General Plan identifies a Residential Element and states *“R-1 and R-1-2 zones are considered Single Family Residential (SFR). They are part of the built up area within the City. Allowable uses include parks, schools, libraries, home occupations, agriculture, and mobile homes.”*

Establishing a building, adjacent to an existing church, for office space and classrooms would be consistent with the Residential Land Use Designation of the General Plan.

## **PARKING**

Chapter 17.51 of the City of Corning Zoning Code establishes off-street parking requirements and states: "The purpose of this chapter is to provide reasonable requirements for off-street parking in order to expedite traffic movement, lessen street congestion, improve traffic and pedestrian safety, and to provide for the public health, safety and general welfare."

"The off-street parking requirements contained in this chapter apply to the particular use made of a lot, building or structure and not to a particular zoning classification."

This chapter does establish parking requirements for theaters and churches as well as elementary, junior high, and high schools but does not establish specific parking requirements for religious schools. The closest comparison would probably be parking requirements for commercial or business schools that require one space for every one hundred fifty gross square feet of classroom floor area.

At this ratio, and assuming that an average parking space requires 200 sq. ft., the proposed building would require 21 spaces on 4,200 sq ft. area. The Roman Catholic Diocese of Sacramento owns two vacant parcels just north of the existing church, rector building, and the parcel where the proposed building will be constructed. This area is approximately 13,000 sq. ft. which will provide sufficient parking for the new building. The existing parking does not provide for handicapped parking which will be required for access to this and the adjacent buildings.

## **RECOMMENDATION:**

**Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2011-261:**

### **Factual Subfinding #1**

CEQA, Section 15302, Replacement or Reconstruction, Class 2 provides exemptions for the 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.

### **Legal Finding #1**

The proposed 3,150 sq ft. building will be used as office space and classrooms for church activities which is exactly the same use as the previous building that was removed from the site and is the replacement of a commercial structure of substantially the same size, purpose and capacity and exempt from CEQA pursuant to Section 15302, Class 2 (b).

**Factual Subfinding #2**

The existing parcel is vacant and adjacent to the existing church and rector building and vacant parking area under the ownership of the Roman Catholic Diocese of Sacramento

**Legal Finding #2**

The building, parcel and adjacent land under the ownership of the Roman Catholic Diocese of Sacramento is adequate in size, shape and topography for the establishment of an additional building to be used as additional office space and classroom facilities.

**Factual Subfinding #3**

The parcel has frontage and direct access to Solano and First streets.

**Legal Finding #3**

The site has existing access Solano St. and First Street that are constructed with adequate width, pavement and capacity for the proposed use.

**Factual Subfinding #4**

The proposed building will be used as office space and classroom facilities in conjunction with the existing church and accessory buildings constructed on the property owned by the Roman Catholic Diocese of Sacramento.

**Legal Finding #4**

The establishment of a building that replaces a previous building used as office space and classrooms for the Immaculate Conception Church will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

**ACTION**

1. **MOVE TO ADOPT THE 4 SUBFINDINGS AND FINDINGS AS PRESENTED IN THE STAFF REPORT FOR USE PERMIT 2011-261**  
**(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. **MOVE TO APPROVE USE PERMIT 2011-261 SUBJECT TO THE FOLLOWING THREE 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 2011-261.**

**STAFF RECOMMENDS THE FOLLOWING  
CONDITIONS OF APPROVAL  
FOR USE PERMIT 2011-261**

**CONDITION #1 – AGENCY COMPLIANCE:**

The applicant must comply with all local, state and federal agencies regulations especially those imposed by the City of Corning Building & Fire Departments.

**CONDITION #2 – HANDICAPPED PARKING:**

The applicant must designate, appropriately mark, and maintain, 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"	VICINITY MAP
Exhibit "B"	AERIAL PHOTO
Exhibit "C"	GENERAL PLAN MAP
Exhibit "D"	ZONING MAP
Exhibit "E"	AESSOR'S MAP
Exhibit "F"	APPLICATION
Exhibit "G"	CHAPTER 17.52 CMC
Exhibit "H"	CHAPTER 17.10 CMC
Exhibit "I"	CEQA SECTION 15302

**EXHIBIT "A"  
VICINITY MAP**



CA NORTHERN RAILROAD

**SITE**



2ND STREET

EXHIBIT "B"  
AERIAL PHOTO

1ST STREET

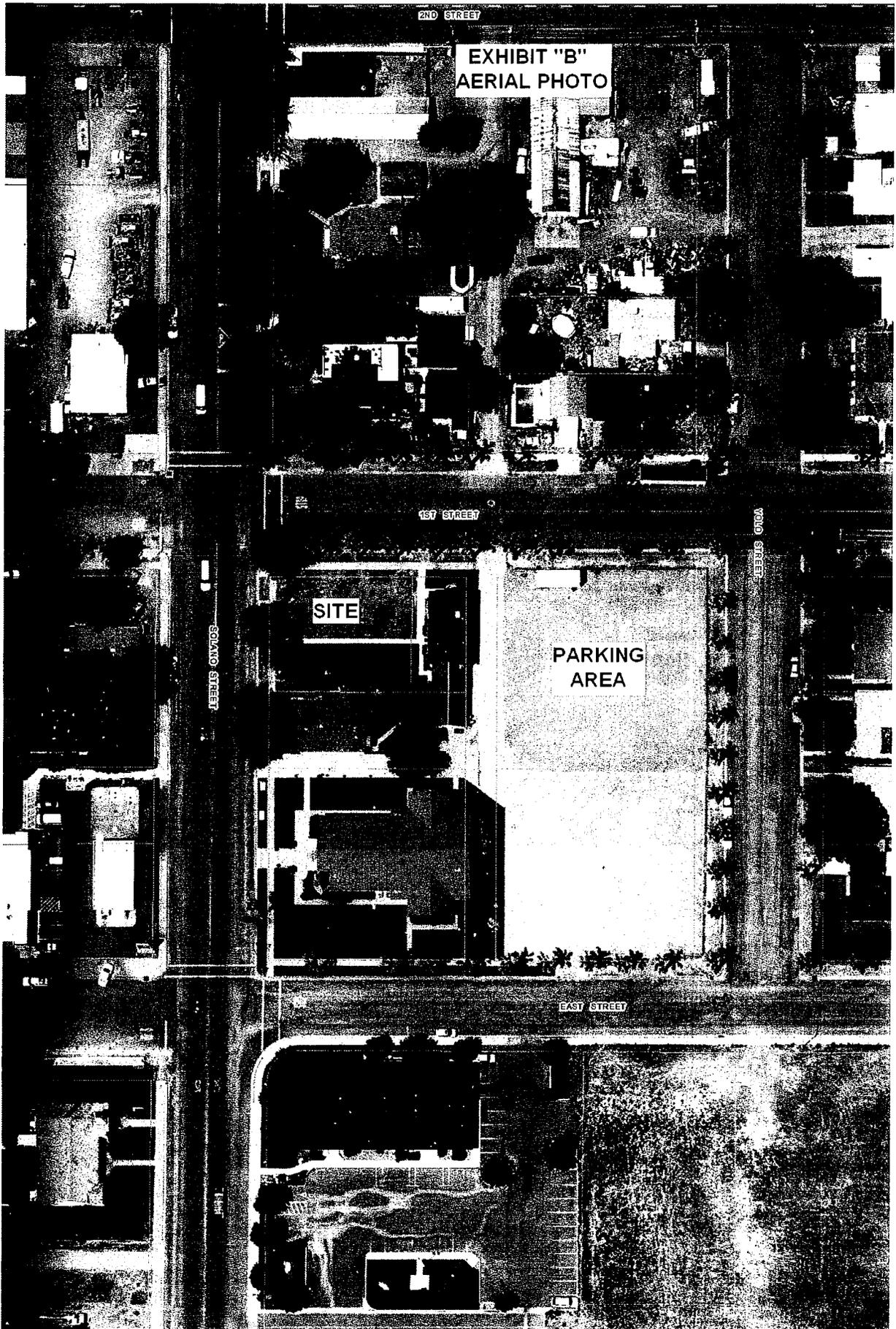
SITE

PARKING  
AREA

LEBBIE OLIVOS

LEBBIE OLIVOS

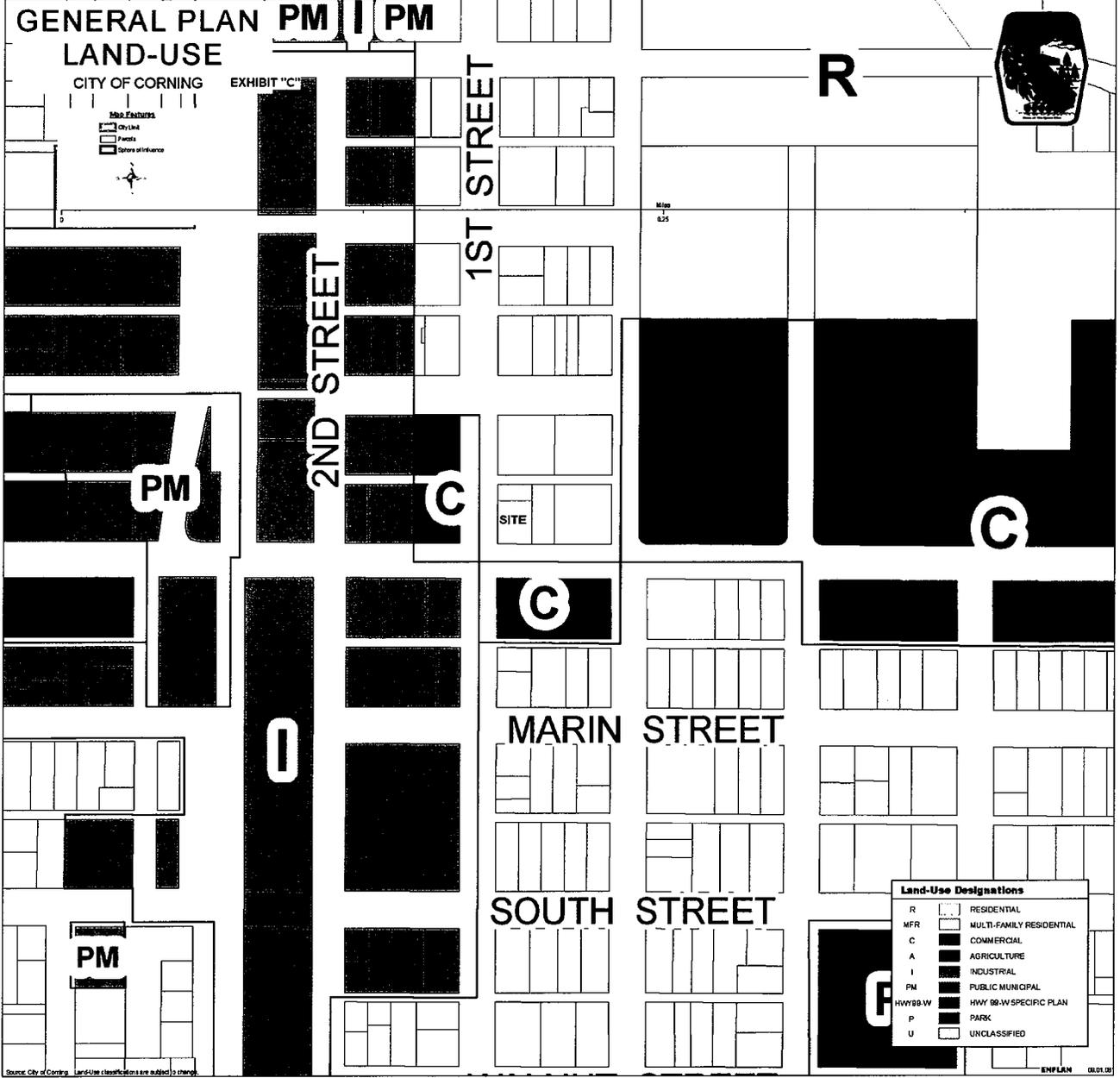
EAST STREET



**GENERAL PLAN PM | PM**  
**LAND-USE**

CITY OF CORNING

EXHIBIT "C"



Land-Use Designations	
R	RESIDENTIAL
MFR	MULTI-FAMILY RESIDENTIAL
C	COMMERCIAL
A	AGRICULTURE
I	INDUSTRIAL
PM	PUBLIC MUNICIPAL
HWY 99-W	HWY 99-W SPECIFIC PLAN
P	PARK
U	UNCLASSIFIED

Source: City of Corning. Land-use classifications are subject to change.

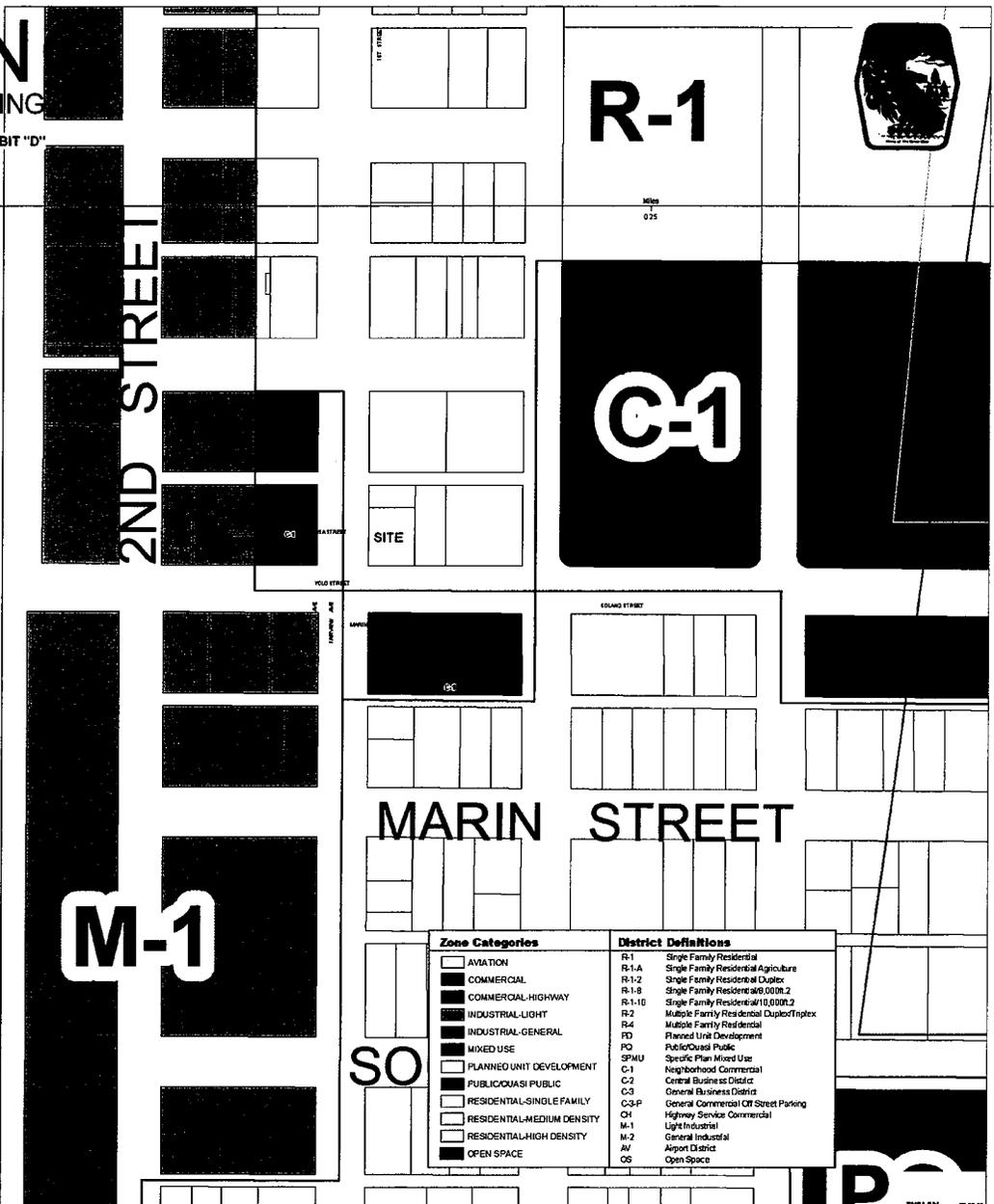
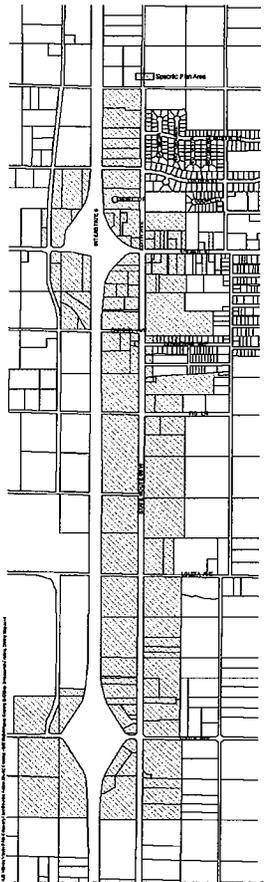
# ZONING

CITY OF CORNING

EXHIBIT "D"



- Map Features**
- City Limit
  - Existing Airport Safety Zone
  - Future Airport Safety Zone
  - Zone Districts
  - Pavement



R-1

Miles  
0.25

C-1

SITE

9C

MARIN STREET

M-1

SO

Zone Categories	District Definitions
AVIATION	R-1 Single Family Residential
COMMERCIAL	R-1-A Single Family Residential Agriculture
COMMERCIAL-HIGHWAY	R-1-2 Single Family Residential Duplex
INDUSTRIAL-LIGHT	R-1-B Single Family Residential 10,000/2
INDUSTRIAL-GENERAL	R-1-10 Single Family Residential 10,000/2
MIXED USE	R-2 Multiple Family Residential Duplex/Triplex
PLANNED UNIT DEVELOPMENT	R-4 Multiple Family Residential
PUBLIC/QUASI-PUBLIC	FD Planned Unit Development
RESIDENTIAL-SINGLE FAMILY	PO Public/Quasi Public
RESIDENTIAL-MEDIUM DENSITY	SPMU Specific Plan Mixed Use
RESIDENTIAL-HIGH DENSITY	C-1 Neighborhood Commercial
OPEN SPACE	C-2 General Business District
	C-3 General Business District
	C-3-P General Commercial Off Street Parking
	CH Highway Service Commercial
	M-1 Light Industrial
	M-2 General Industrial
	AV Airport District
	OS Open Space

LAND IN SW1/4 SEC. 14 & NW1/4 SEC. 23, T.24N., R.3.W., M.D.B.&M.

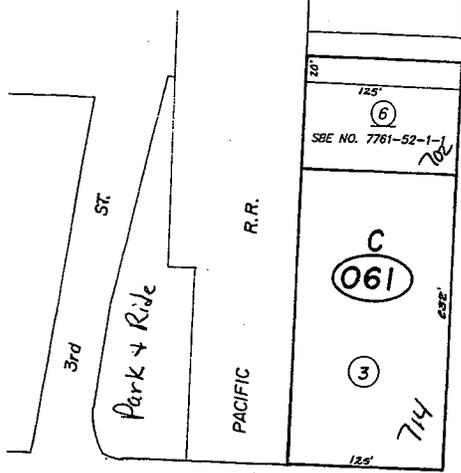
73-12

73-06

10-12-07

Tax Area Code

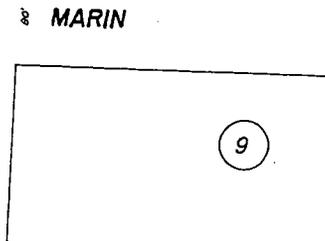
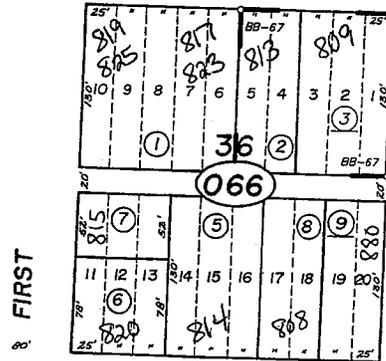
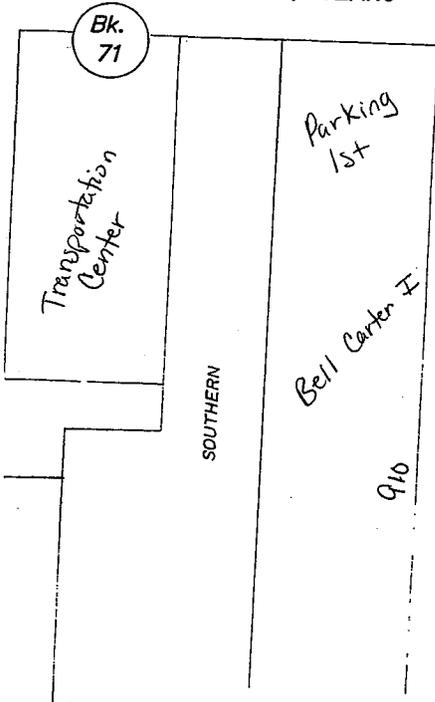
# Exhibit "E"



1" = 100'

Abandoned  
Atty  
4/04

## SITE



Assessor's Map Bk. 73 -Pg. 06  
County of Tehama, Calif.

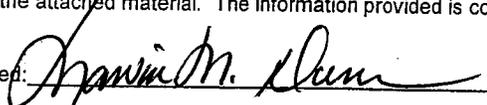
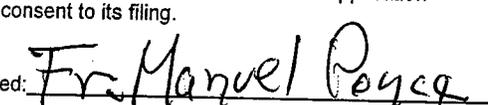
NOTE-Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

# Exhibit "F"

PROJECT INFORMATION

PROJECT ADDRESS <b>818 Solano St.</b>	ASSESSOR'S PARCEL NUMBER <b>73-065-03</b>	G.P. LAND USE DESIGNATION <b>R-Residential</b>	
ZONING DISTRICT <b>R-1</b>	FLOOD HAZARD ZONE <b>N/A</b>	SITE ACREAGE	AIRPORT SAFETY ZONE?
PROJECT DESCRIPTION: (attach additional sheets if necessary) <b>Construct an approximately 3,150 sq. ft. building for office + classroom use.</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 INFORMATION

APPLICANT <b>IMMACULATE CONCEPTION CHURCH</b>	ADDRESS <b>814 Solano St Corning</b>	DAY PHONE <b>824-5879</b>
REPRESENTATIVE (IF ANY) <b>MARVIN DUNN</b>	ADDRESS <b>6169 NAPA RD CORNING</b>	DAY PHONE <b>824-2849</b>
PROPERTY OWNER <b>ROMAN CATHOLIC DIOCESE OF SACRAMENTO</b>	ADDRESS <b>2110 BROADWAY SACRAMENTO CA</b>	DAY PHONE <b>916-733-0277</b>
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. <b>2011-261</b>	RECEIVED BY: <b>JS</b>	DATE RECEIVED <b>2/15/2011</b>	DATE APPL. DEEMED COMPLETE <b>2/18/11</b>
FEE RECEIVED/RECEIPT NO.	CEQA DETERMINATION <b>Exempt</b> ND MND EIR		DATE FILED

**RECEIVED**

**FEB 15 2011**

CITY OF CORNING



# CITY OF CORNING

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

DATE FILED \_\_\_\_\_

### General Information

1. Project Title:

IMMACULATE CONCEPTION PARISH CENTER

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 and Building permits with City of Corning

### Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: 3150 sq. ft. in 1 floor(s).

4. Amount of off-street parking to be provided. 40+ parking stalls. (Attach plans)

5. Proposed scheduling/development.

Construct of building proposed for  
Spring + Summer 2011.

6. Associated project(s).

Office + classroom facilities for the Immaculate  
Conception Parish Center.

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.)

Building will be non-residential.

**PLANNING APPLICATION**

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

N/A

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

N/A

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

OFFICES AND CLASSROOMS, EMPLOYMENT M-F 1-2 PEOPLE (9-5pm)

ESTIMATED OCCUPANCY FOR CLASSROOMS: 30-70 STUDENTS 2 AFTERNOONS PER WEEK.

LOADING FACILITIES: LARGE PARKING LOT BEHIND EXISTING HALL. COMMUNITY BENEFITS: CLASSROOMS NECESSARY FOR WEEKLY INSTRUCTION

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

ZONED R-1; THE BUILDING WOULD BE USED FOR 4 CLASSROOMS AND

2 OFFICES. CLASSROOM USE: MONDAYS 5-7pm; TUESDAYS 4-7pm FOR APPROXIMATELY 60-70 STUDENTS ON MONDAY; 30-40 STUDENTS ON TUESDAY.

OFFICES: NEED LARGER & EASILY ACCESSIBLE TO PUBLIC

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.

The parcel is currently vacant and covered with annual grass. The parcel previously had an old building that was used as the original church and later used as classrooms similar to the proposed use.

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.

THE PROPOSED PARISH CENTER WILL BE BUILT ON A PARCEL THAT HAD AN EXISTING STRUCTURE (BUILT IN 1903 - 1ST CHURCH, CONVERTED TO CLASSROOMS). IT WILL BE USED FOR RELIGIOUS PURPOSES, AS IS THE ENTIRE BLOCK ON WHICH IT SITS: CHURCH, HALL, RECTORY, GARAGE, STORAGE FACILITY.

## 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

2/15/11

Signature

Fr. Manuel Ponce

For:

IMMACULATE CONCEPTION CHURCH  
ROMAN CATHOLIC DIOCESE OF SACRAMENTO



# Exhibit "G"

## Chapter 17.52

### NONCONFORMING USES\*

#### Sections:

- 17.52.010 Continuation of previous use.
- 17.52.030 Exception--Abandonment of use.
- 17.52.040 Exception--Destruction of building.
- 17.52.050 Modification permitted.
- 17.52.070 Amendment of districts.

17.52.010 Continuation of previous use. The lawful use of land existing at the time of the passage of the ordinance codified in this title, although such use does not conform to the provisions of this title, may be continued except as provided in this chapter. (Ord. 441 §1, 1986).

17.52.030 Exception--Abandonment of use. If any nonconforming use is abandoned or is discontinued for a period of six months or more, subsequent use of the land shall be in conformity with the provisions of this title. (Ord. 441 §3, 1986).

17.52.040 Exception--Destruction of building. If at any time any building which is in existence at the time of the adoption of the ordinance codified in this title and which does not conform to the regulations for the district in which it is located is destroyed by natural occurrence, accident or vandalism, to the extent of more than one-half the value thereof, then and without further action by the city council the building and the land on which the building was located or maintained shall, from and after the date of such destruction, be subject to all the regulations of the district in which the land and/or building are located. For the purposes of this title, the "value of any building" shall be the estimated cost of the replacement of the building in kind, as determined by the building inspector. (Ord. 441 §5, 1986).

17.52.050 Modification permitted. A. Change of Classification. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restrictive classification.

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\* Prior ordinance history: Ord. 153, Sections 24.01--24.07.

B. Structural Alterations. No existing building designed, arranged, or intended for or devoted to a use not permitted under the regulations of this title for the district in which such building or premises is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted under the regulations specified by this title for such district in which the building is located; provided, however, that authorized maintenance shall be permitted not exceeding a total amount, during a period of five years, of fifty percent of the assessed value of the building, according to the assessments thereof by the county assessor. (Ord. 441 §5, 1986).

C. Nonconforming Dwellings. Notwithstanding Section 17.52.040, a nonconforming dwelling or dwellings destroyed by natural occurrence, accident or vandalism, may be replaced, regardless of the degree of destruction, provided that a complete building permit application is submitted within one year of the date of destruction and the replacement dwelling(s) does (do) not increase the degree of nonconformity that previously existed. (Ord. 604, 2004).

17.52.070 Amendment of districts. The provisions set forth in this chapter shall also apply to nonconforming uses in districts hereafter changed or established, and any time limit for the suspension of a nonconforming use of land shall

# Exhibit "H"

A. Where such boundaries indicated as approximately following property, street or alley lines, such lines shall be construed to be such boundaries.

B. In unsubdivided property and where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the zoning map.

C. A symbol indicating the classification of property on the zoning map shall in each instance apply to the whole of the area within the district boundaries.

D. Where a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to such vacated or abandoned street or alley. (Ord. 469 §1, 1988; Ord. 153 §21.02, 1959).

## Chapter 17.10

### R-1 SINGLE-FAMILY RESIDENCE DISTRICT

#### Sections:

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

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

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

A. One-family dwellings, including private garages, accessory buildings and uses;

B. Agriculture, horticulture, gardening, keeping of animals as permitted by city ordinances, but not including stands or structures for sale of agricultural or nursery products;

C. Underground utility installations, and aboveground utility installations for local service, except that

substations, generating plants, and gas holders must be approved by the planning commission prior to construction, and the route of any proposed transmission line shall be discussed with the planning commission prior to acquisition;

D. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses included in the master plan;

E. Mobile homes installation, provided such mobile homes are:

1. Certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 USC Section 5401, et seq.), and

2. Are placed on a foundation system, in compliance with the provisions of Section 18551 of the Health and Safety Code of California, and

3. Are placed on a lot designed for single-family dwellings, and

4. Have a minimum width of twenty feet, and

5. Bear an insignia of approval by the California Department of Housing and Community Development or the U.S. Department of Housing and Urban Development, and

6. a. Is covered with an exterior material, customarily used on conventional dwellings, which shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation, and

b. Has roof with a pitch of not less than two inch vertical rise for each twelve inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings, and

c. Which shall have porches and eaves, or roofs with eaves, when, in the opinion of the planning department of the city of Corning, it is necessary to make it compatible with the dwellings in the area;

F. Grannie housing. (Ord. 524 §5, 1992; Ord. 368 §1, 1981; Ord. 153 §5.02, 1959).

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

A. Public parks, schools, playgrounds, libraries, firehouses and other public buildings and uses not included in the master plan;

B. Private and religious schools, nursery schools and day care centers;

C. Churches;

D. Golf courses and country clubs;

E. Temporary real estate offices, tract sales offices and advertising signs, and tract construction offices and equipment yards;

F. Home occupations, permit to be approved by the planning department. (Ord. 524 §6, 1992; Ord. 153 §5.03, 1959).

17.10.035 Large lot designations.

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

17.10.040 Minimum height, bulk and space requirements.

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

- A. Minimum lot area, six thousand square feet for interior lots and seven thousand square feet for corner lots;
- B. Minimum lot width, sixty feet for interior lots, seventy-five feet for corner lots;
- C. Maximum building coverage, forty-five percent of lot area. Minimum width of any residential structures shall be twenty feet.
- D. Minimum front yard setback shall be twenty feet;
- E. Side yard shall not be less than six feet for each side yard. Three feet shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of each corner lot shall not be less than ten feet. A twenty foot minimum side yard shall be required where a two-story residential structure will be located on a lot which abuts the rear yard of a single-family lot;
- F. Rear yard shall not be less than ten feet;
- G. Building height limit, two and one-half stories, but not exceeding thirty-five feet;
- H. Main building area, the main building shall have a minimum floor area of eight hundred square feet, living space. The definition of "main building" includes a mobile home. (Ord. 558 (part), 1996; Ord. 547 §2(part), 1994; Ord. 524 §7, 1992; Ord. 497 §1(part), 1989; Ord. 368 §2, 1981; Ord. 180 §1, 1963; Ord. 153 §§5.10-5.18, 1959). (Ord. No. 633, § 1, 1-27-2009)

17.10.042 Determination of compatibility.

It shall be the responsibility of the planning commission to determine if a proposed mobile home installation in an R-1 or R-1-2 district will be compatible with the neighborhood. Upon applying for a building permit for the installation of a mobile home, the applicant shall furnish the building official with a site plan, a description of the roof and siding materials, and roof pitch, and pictures of the mobile home from all four sides. This data shall be submitted to the planning commission, who shall determine compatibility of the proposed installation with the neighborhood, and who shall, within forty days of submission to it of the data, make a determination as to compatibility of the mobile home with the neighborhood, and report its findings to the building official. If the findings recommend approval of issuance of the building permit, the building official shall issue the permit, subject to any other conditions applicable to construction in an R-1 or R-1-2 district. Failure of the planning commission to make findings within forty days of submission to them of the required data shall constitute approval of the application. (Ord. 368 §3, 1981).

17.10.044 Appeal.

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

17.10.050 Additional designation.

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

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

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

# Exhibit "I"

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: Sections 21083 and 21087, Public Resources Code; References: Sections 21084 and 21084.2, Public Resources Code; *Bloom v. McGurk* (1994) 26 Cal.App.4th 1307.

**Discussion:** This section describes the class of projects wherein the proposed activity will involve negligible or no expansion of the use existing at the time the exemption is granted. Application of this exemption, as all categorical exemptions, is limited by the factors described in section 15300.2. Accordingly, a project with significant cumulative impacts or which otherwise has a reasonable possibility of resulting in a significant effect does not qualify for a Class 1 exemption.

## 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: Sections 21083 and 21087, Public Resources Code; Reference: Section 21084, Public Resources Code.

## 15303. New Construction or Conversion of Small Structures