

**CITY OF CORNING
PLANNING COMMISSION AGENDA
TUESDAY, MARCH 18, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Hatley
Armstrong

C. MINUTES:

- 1. Waive the Reading and Approve the Minutes of the January 15, 2008 meeting with any necessary corrections.**
- 2. Waive the Reading and Approve the Minutes of the February 19, 2008 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, give your name and address, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however, unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.

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

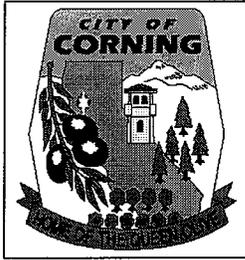
- 3. Use Permit No. 2008-250; AAA Truck Wash to establish & operate a Truck Wash, Vehicle in a C3-CBDZ Zoning District. Located at 3525 Highway 99-W; APN 87-100-80.**
- 4. Use Permit No. 2008-249; Bud & Jaimie Walberg; to establish and operate a Landscape Rock and Supplies Yard within an M-1 CDBZ Light Industrial-Corning Business Development Zone. Located at 2791 Highway 99-W.; APN 87-050-05, approximately 1.10 acres.**

F. BUSINESS REGULAR AGENDA: All items listed below are in the order, which we believe, are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, state your name and address, and explain the reason you are asking for the order of the Agenda to be changed.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: MARCH 14, 2008



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, JANUARY 15, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Commissioners: Robertson
Reilly
Armstrong
Hatley
Chairperson: Lopez

All Commissioners were present.

C. WAIVE THE READING AND APPROVE MINUTES OF THE DECEMBER 18, 2007 PLANNING COMMISSION MEETINGS WITH ANY NECESSARY CORRECTIONS.

Commissioner Reilly motioned approval of the minutes as written and Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

D. BUSINESS FROM THE FLOOR: None.

F. REGULAR AGENDA:

- 1. Extension Request; Tentative Tract Map 05-1021 – TK Ranch Tract; located on the south side of Carona Avenue and approximately 660 feet west of Oren Avenue. APN 73-120-18; Tom Kaye.**

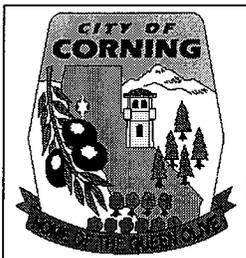
Chairperson Lopez introduced this item by title briefing the Commission on the location, and the project history stating that the Tract Map was approved by the City Council on May 9, 2006 with 55 Conditions of Approval.

After little discussion, Commissioner Armstrong motioned to approve the two-year extension request to the TK Ranch Tentative Tract Map 05-1021. Commissioner Hatley seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

H. ADJOURNMENT: 6:34 p.m.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, FEBRUARY 19, 2008
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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

B. ROLL CALL:

Commissioners: Robertson
Reilly
Lopez
Hatley
Armstrong

All Commissioners were present.

C. THE JANUARY 15, 2008 PLANNING COMMISSION MINUTES WILL BE PRESENTED FOR APPROVAL AT THE NEXT SCHEDULED PLANNING COMMISSION MEETING.

D. BUSINESS FROM THE FLOOR: None.

E. BUSINESS 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.

- 1. Use Permit No. 2008-247; to establish & operate a Tire Shop, Vehicle Rental Yard and Metal Shop in a CH-CBDZ Zoning District. Located at 1080 Hwy 99W; APN 69-210-89; Linnet's Tire and Michael Ray.**

Chairman Lopez introduced this item by title, listed the parties involved and briefly described the area to be discussed. He stated that Mr. Linnet is losing the lease at his current location. Mr. Brewer then recommended an increase to the original six Conditions of Approval presented. Mr. Brewer he stated that he is recommending a modification to Condition No. 1 and adding Conditions 7 through 9. Mr. Brewer stated that prior to this meeting he has met with Mr. Linnet, and although he has not had the opportunity to meet with Mr. Ray, Mr. Ray is present at tonight's meeting.

Chairman Lopez then opened the Public Hearing.

Mr. Brewer explained the reasoning behind the additional Conditions one by one. He stated the proposed change to Condition No. 1 that clarifies the exact fencing requirements in footage, Condition No. 7 refers to a Deferred Improvement Agreement that will be activated concurrently with improvements along the frontage of the property to the north, the Seven Inn Motel. Condition No. 8 refers to limited Highway 99-W access, it will be limited to no more than two driveways and requires that the Highway frontage shall be fenced with commercial grade wrought iron fencing or equivalent installed within 120 days of Use Permit approval, and approved by the City Planning and Public Works Directors. Condition No. 9 states that this Use Permit shall be subject review by the Planning Commission in 10 years, at that time the Planning Commission shall consider whether additional conditions of approval or immediate activation of street frontage improvements to Highway 99-W are necessary. Chairman Lopez stated he would like to see a 6-foot fence rather than the 4-foot fence along the frontage. Mr. Brewer explained possible flooding impacts on neighboring properties in relation to paving the driveway. Chairman Lopez suggested possibly pursuing posting of "No Parking" on the Highway 99-W frontage to eliminate the current parking situation caused by the parking of large trucks at this location.

The City of Corning is an Equal Opportunity Employer

With no other discussion, Commissioner Reilly motioned to close the Public Hearing. Commissioner Hatley seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

Commissioner Robertson motioned to approve Use Permit No. 2008-247, adopt the five Findings, and adopt the nine Conditions of Approval, amending Condition No. 2 from the previously stated four-foot high cyclone type fencing to a six-foot high cyclone type fencing. Commissioner Armstrong seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

2. Use Permit No. 2008-248 to establish a residence within an M-1 Zoning District. Located at 811 Fourth St., Vinette Conway-Applicant. APN 71-136-11.

Chairman Lopez introduced this item by title briefing the Commission on the location and zoning of the site. Chairman Lopez noted that the applicant was present. He then opened the Public Hearing.

After some discussion, Commissioner Reilly motioned to close the Public Hearing and Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

Commissioner Robertson motioned to approve Use Permit No. 2008-248, to adopt the five Findings and the three Conditions of Approval. Commissioner Hatley seconded the motion. **Ayes: Robertson, Reilly, Armstrong and Hatley. Opposed: Lopez. Absent/Abstain: None. Motion was approved by a vote of 4-1.**

F. BUSINESS REGULAR AGENDA:

3. Extension Request; Tentative Parcel Map 05-66-Ramon Calvillo; located between Grant and Taft Avenues and about 180 feet east of Toomes Ave; APN 71-191-03; approximately 0.47 acres

Chairman Lopez introduced this item by title stating the site location and size. Planning Director Brewer acknowledged the presence of Mr. Eric Caldaron, Mr. Calvillo's partner. Mr. Caldaron provided a brief explanation for the extension request.

After a brief discussion, Commissioner Reilly motioned to approve a two-year extension to Tentative Parcel Map 05-66. Commissioner Armstrong seconded the motion. **Ayes: Lopez, Robertson, Reilly, Armstrong and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

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

H. ADJOURNMENT: 6:57 p.m.

Lisa M. Linnet, City Clerk

**ITEM NO. E-3
USE PERMIT NO. 2008-250; TO
ESTABLISH AND OPERATE A
TRUCK WASH WITHIN AN EXISTING
BUILDING. LOCATED AT 3525
HIGHWAY 99-W IN THE C-3-CBDZ
ZONING DISTRICT. APN 87-100-80.
APPROX. 3.47 ACRES. AAA TRUCK
WASH, LLC.**

March 18, 2008

TO: PLANNING COMMISSION OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR

SUMMARY:

This Planning Application seeks authorization to establish and operate a Truck Wash facility in the existing building at 3525 Highway 99-W. See the attached application (Exhibit "A") and the Site Plan (Exhibit "B"). The building and property have historically been used as a truck and R/V repair facilities. The owner/applicant submitted this application on February 11, 2008. The project site totals about 3.47 acres and is located within the C-3-CBDZ; General Commercial-Corning Business Development Zone zoning district.

DISCRETION:

The Planning Commission's authority regarding this Use Permit application stems from Chapter 17.54 (Conditional Use Permits) of Title 17 (Zoning Code) of the Corning Municipal Code, and the State Planning and Zoning Law (Government Code Section 65000 et. seq.). Staff believes this use qualifies as a use permitted with a use permit in the C-3-CBDZ zoning district in accordance with the Corning Zoning Code. See the discussion under "Zoning" in the body of this staff report. However, since the use is not specifically addressed, a "Similar Use Finding" is offered as recommended Finding No. 6.

STAFF RECOMMENDATION:

***PLANNING COMMISSIONERS APPROVE USE PERMIT NO. 2008-250,
SUBJECT TO THE FOLLOWING:***

- 1. ADOPT THE SIX (6) RECOMMENDED FINDINGS.***
- 2. ADOPT TWELVE (12) RECOMMENDED CONDITIONS OF APPROVAL ON USE PERMIT NO. 2008-250.***

RECOMMENDED FINDINGS:

1. *Staff completed a CEQA Initial Study to determine the potential environmental effects of this project. The Initial Study identified some effects that could be considered significant. However, staff also determined that these effects could be lessened or "mitigated" to a less than significant threshold by the imposition of certain mitigation measures. For that reason, a CEQA Mitigated Negative Declaration was prepared, filed and distributed to all Responsible and Trustee agencies. All comments received regarding the Mitigated Negative Declaration have been adequately addressed. All identified significant effects of the project will be lessened or mitigated with the imposition of the Mitigation Measures recommended in the Mitigated Negative Declaration, and the project will not have a significant effect on the environment.*
2. *The site for the proposed use is adequate in size, shape, topography and circumstances.*
3. *The site will have sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.*
4. *The proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.*
5. *Approval of this Use Permit is consistent with the goals and objectives adopted in the Highway 99-W Specific Plan and the General Plan for the City of Corning.*
6. *The intended use, a "Truck Wash" is a use similar to "Truck Terminals, Fuel Yards and Car Washes" and permitted in C-3-CBDZ Zoning Districts, upon approval of a use permit as per Corning Municipal Code Sections 17.47.040 and 17.49.050.C and.*

RECOMMENDED CONDITIONS:

1. **ABANDON WATER WELL.** *Before commencing Truck Washing operations, applicant shall obtain the required permits from the Tehama County Environmental Health Department and properly abandon the existing onsite water well.*
2. **ABANDON ANY ONSITE SEPTIC SYSTEM(S).** *Before commencing Truck Wash operation, the applicant shall contact the Tehama County Environmental Health Department and determine whether any known septic systems exist on the site. If any are present, obtain the necessary*

permits and properly abandon the septic system.

- 3. CONNECT TO CITY WATER SYSTEM.** *Before commencing Truck Wash operations, pay the applicable Development Impact Fees and connect to the City Water System.*
- 4. CONNECT ALL USES TO SANITARY SEWER SYSTEM.** *Before commencing operations, pay the applicable Development Impact Fees and assure that all onsite facilities are connected to the City's Sanitary Sewer System.*
- 5. GREASE & OIL SEPARATOR.** *Install a Grease and Oil Separator to City Standards between of the Truck Wash use and the City Sewer Main.*
- 6. BACKFLOW PREVENTION DEVICE.** *Install a backflow prevention device at City Water service connection in accordance with City standards.*
- 7. RELOCATE DISPLAYED VEHICLES.** *Relocate vehicles offered for sale to location adjacent to north property line and out of designated employee parking area.*
- 8. DISCONTINUE MOBILE FOOD VENDOR.** *Mobile Food Vendor use is unpermitted and must be discontinued at this site.*
- 9. ONSITE CIRCULATION.** *Install onsite directional signage and/or pavement marking indicating circulation pattern for truck wash. All onsite signage (advertising and directional) shall be professionally prepared and utilize similar color scheme and design elements for uniformity.*
- 10. EMPLOYEE PARKING.** *Appropriately mark Employee Parking area with signage and pavement marking. Install wheel stops to keep parked vehicles off the street right of way.*
- 11. COMPLY WITH AGENCY REQUIREMENTS.** *Business shall be conducted in accordance with the requirements of all federal, state and local agencies, including but not limited to the City of Corning, County of Tehama Environmental Health Dept., and the California Regional Water Quality Control Board.*
- 12. FLOOD HAZARD ADVISORY.** *Applicant is advised the subject property is within FEMA Flood Hazard Zone "AO" and is subject to inundation during a 100-year flood event.*

PROJECT DETAILS:

The application (Exhibit "A") submitted February 11, 2008, is quite vague, and states only that the Truck Wash is to be conducted within one of the existing buildings. Your Planning Director subsequently asked for better information- initially by phone, and then in a letter dated March 3, 2008 (Exhibit "J"). The applicant's representative; Greenhaw Surveying and Mapping of Redding, subsequently provided a Site Plan that better identified what was to occur on the site. The first Site Plan (Exhibit "M") was submitted on March 3, 2008. However, it incorrectly identified the southern boundary of the site. A second, corrected Site Plan was provided on March 11th. It is that corrected March 11th Site Plan that is included as Exhibit "B".

See the attached copy of the Site Plan (Exhibit "B"). The applicant intends to modify the building at 3525 Highway 99-W in order to wash trucks. They plan to add a wall to segment that northern part of the building while continuing to operate the truck repair facility in the south portion of the building. Additionally, the R-V Repair use will continue in the east building.

Staff recommends a number of conditions to assure full connection to City utilities and abandonment of any onsite wells or septic systems. Additionally, Condition No. 5 is recommended to act as a filter to remove suspended grease, oil and solids from the City's sewer trunk lines and treatment system.

Proposed Condition No. 8 is offered to abate a non-permitted mobile food vendor from the site.

GENERAL PLAN:

LAND USE DESIGNATION:

Please refer to the attached copy of the General Plan Land Use Diagram (Exhibit "D"). The Site is within the Highway 99-W Specific Plan Area. The development proposal is consistent with the Specific Plan, which is the equivalent of a Land Use Designation..

ZONING:

Please refer to the attached copy of the zoning map. The site is zoned C-3-CBDZ; General Commercial-Corning Business Development Zone.

The C-3 Zone is the City's most intensive commercial designation and permits nearly all commercial uses (CMC Chapter 17.22-Exhibit "H-1 & 2"). However, when the CBDZ portion is combined with C-3 zoning designation (CMC Section 17.47.040-Exhibit "H-3") it requires compliance with the standards and regulations contained in the SPMU; Specific Plan-Mixed Use Zoning District. Those regulations (CMC Section 49.040 and 050-Exhibits "H-4 thru H-7") permit no uses without a use permit. It does permit a multitude of commercial uses upon approval of a use permit, including "Fuel Yards", "Carwash(es)", and "Truck Terminals". Staff believes the proposed Truck Wash Use is similar to those uses

described above and can be permitted upon approval of a use permit. Staff offers Finding No. 6 above for that reason.

The site adjoins property zoned or designated for residential use-to the east. However, the application seeks reuse of an existing building on the opposite side of the subject property. Therefore, staff does not recommend any land use barrier requirements for the interface with the R-1-A zoned property to the east.

CIRCULATION ELEMENT:

Please refer to the copy of the Circulation Element Map (Exhibit "F"). The site fronts the old Highway. Highway 99-W is designated an arterial street on the map. The street frontage improvements are complete to City standards. No additional street improvements are necessary.

The Site Plan indicates how trucks will navigate the site to enter the truck wash. Proposed Condition No. 9 requires directional signage and pavement marking for convenience. Condition No. 10 is recommended to distinguish the employee parking area. Condition No. 7 requires relocation of any displayed vehicles to a place outside the employee parking area.

NOISE ELEMENT:

Refer to the copy of the City's Noise Element Map (Exhibit "K"). The property does not lie within any heightened Noise Contour. No measures to mitigate Noise are necessary.

SAFETY ELEMENT:

Please refer to the attached copy of the Flood Hazard Map (Exhibit "G"). The site is within Flood Hazard Zone 'AO'; the 100-year Floodplain expected to be inundated by floodwater one foot in depth during the 100 year flood event. However, no structures necessitating mitigation are proposed by this application. Recommended Condition No. 12 is advisory only-letting the applicant know that the property is within the 100 Year Floodplain.

CONSERVATION ELEMENT:

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

OPEN SPACE ELEMENT:

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

HOUSING ELEMENT:

Does not affect any housing resources. .

CEQA:

Since it will reuse the existing building that's currently used as a truck repair facility, this application is exempt from the provisions of the California Environmental Quality Act (CEQA).

PUBLIC NOTICE AND COMMENTS:

Staff notified all property owners within 500 feet of the project site of this application. A copy of the notice (Exhibit "L") is attached and was also published in the Corning Observer.

Note that the inset map and text incorrectly identifies a portion of the adjacent property to the south as being involved in the application. That property reference is based on incorrect information submitted by the applicant-see the original Site Plan (Exhibit "M"). When the notices were mailed we immediately were contacted by the corporate office of SpeedCo, the property owner to the south whose property was mistakenly included. This application affects only APN 87-100-80 and does not include any part of APN 87-100-79. Other than that contact, no other verbal or written comments from the public have been submitted.

LIST OF EXHIBITS

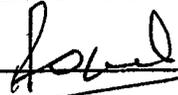
- Exhibit "A"Project Application
- Exhibit "B"Corrected Site Plan received March 11, 2008
- Exhibit "C"Assessor's Map
- Exhibit "D"General Plan Land Use Diagram
- Exhibit "E"Zoning Map
- Exhibit "F"Circulation Element Map
- Exhibit "G"Flood Hazard Map
- Exhibit "H"Excerpts from the Corning Zoning Code
- Exhibit "I"Aerial Photo
- Exhibit "J"Letter from Planning Director describing application needs
- Exhibit "K"Noise Element Map
- Exhibit "L" Public Hearing Notice
- Exhibit "M"Original Site Plan received March 3, 2008.

STAFF REPORT SUMMARY SHEET

Application Information	
Application Type: <u>Use Permit</u>	Applicant: <u>AAA Truck Wash</u>
Assessor's Parcel No. <u>87-100-80</u>	Acreage: <u>3.47</u>
Submittal Date: <u>2/11/08</u>	Contact Person: _____
Project Description: <u>Truck Wash</u>	
PC Action: _____	
CC Action: _____	
Land Use Information	
Current Zoning: <u>C-3-CBV2</u>	Proposed Zoning: <u>same</u>
Current GPLU Designation: <u>SP</u>	Proposed GPLU Designation: <u>SP</u>
Floodplain Zone?: <u>A0</u>	Airport Safety Zone: <u>N/A</u>
Maximum Density Permitted: <u>N/A</u>	Compliant? <u>—</u>
CEQA Information	
Application Complete: <u>3/11/08</u>	Exempt? \Section <u>Yes 1530/</u>
MND Filed w\County: <u>N/A</u>	With Clearinghouse: <u>—</u>
Adjoiners determined: <u>3/3/08</u>	PC Notice sent to AO's <u>3/3/08</u>
PC Notice to Agencies: <u>—</u>	Review Ends: <u>—</u>
PC Notice Published: <u>3/7/08</u>	PC Hearing: <u>3/18/08</u>
CC Hearing Date <u>—</u>	Notices Mailed: _____
CC Notice Published: _____	NoD Filed: _____

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

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

PROJECT INFORMATION	PROJECT ADDRESS 3525 Old HWY 99W		ASSESSOR'S PARCEL NUMBER 087-100-080	G.P. LAND USE DESIGNATION	
	ZONING DISTRICT	FLOOD HAZARD ZONE No	SITE ACREAGE 3.46	AIRPORT SAFETY ZONE? No	
	PROJECT DESCRIPTION: (attach additional sheets if necessary) Install a AAA Truck Wash Facility in one of the existing buildings.				
	APPLICATION TYPE (Check All Applicable)				
	<input type="checkbox"/> Annexation/Detachment		<input type="checkbox"/> Appeal	<input type="checkbox"/> General Plan Amendment	
	<input type="checkbox"/> Lot Line Adjustment		<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 AAA Truck Wash, LLC		ADDRESS 15420 August Ave. Delhi, CA 95315	DAY PHONE (209) 485-5890	
	REPRESENTATIVE (IF ANY) Tarlochan Sohal		ADDRESS same	DAY PHONE same	
PROPERTY OWNER William Boot ET AL		ADDRESS 3525 Old HWY 99W Corning, CA 96021	DAY PHONE 824-5134		
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.					

GENERAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. UP 2008-250	RECEIVED BY: JTB	DATE RECEIVED 2-11-2008	DATE APPL. DEEMED COMPLETE
	FEES RECEIVED/RECEIPT NO. 2/11/08 \$850.00	CEQA DETERMINATION <input checked="" type="checkbox"/> Exempt ND MND EIR		DATE FILED

EXHIBIT "A"

CITY OF CORNING
PLANNING APPLICATION



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title: AAA Truck Wash

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:

None that we know of.

Additional Project Information

A portion of Building "A"

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

4. Amount of off-street parking to be provided. No change parking stalls. (Attach plans)

5. Proposed scheduling/development.

Begin construction Spring of 2008. Complete by mid Summer.

6. Associated project(s).

None

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

A-2

**CITY OF CORNING
PLANNING APPLICATION**

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

This truck wash will cater to the RV aficionado as well as the commercial trucking companies.

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

There will be 10 employees, one daylight shift.

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

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

Use permit required per city requirements.

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

**CITY OF CORNING
PLANNING APPLICATION**

Environmental setting

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

The existing property is 3.46 acres of land with two commercial buildings housing equipment and RV sales and repair facilities. The new Truck Wash will be installed in one of the existing buildings.

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 north side is a motel, the south side is a Speedco facility. The west side is Old HWY 44W, then hotel, restaurants.

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.

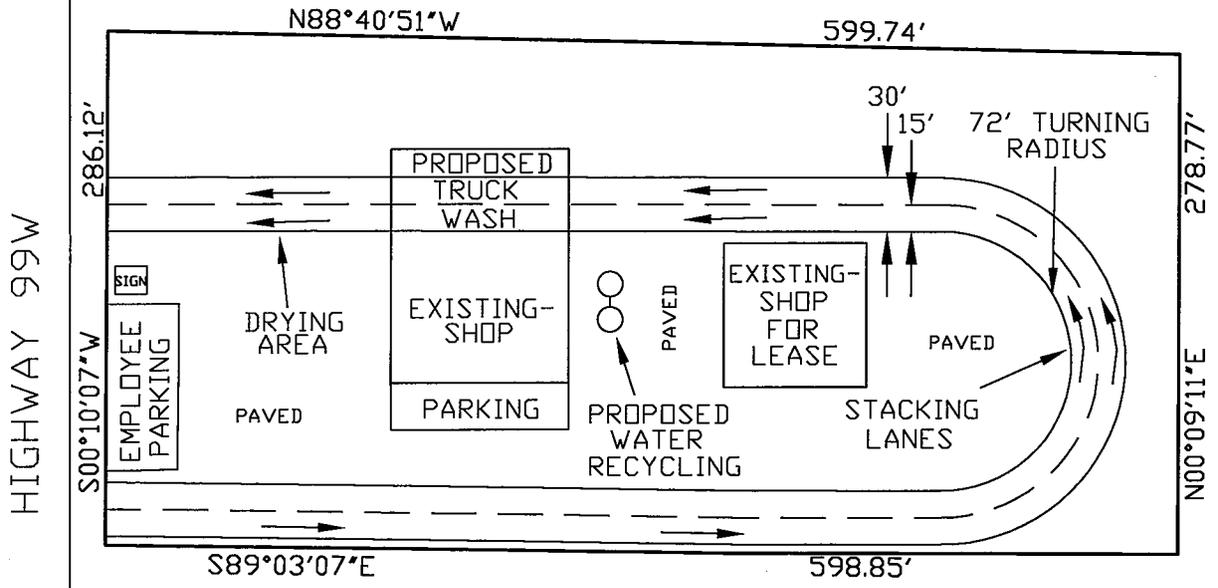
Date 02-08-08

Signature *[Handwritten Signature]*

For: _____

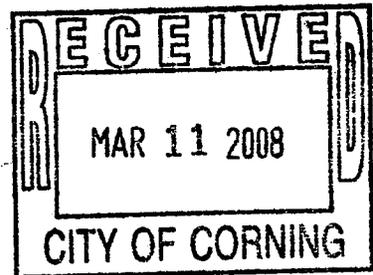
A-4

NOTE: THIS MAP DOES NOT REPRESENT A SURVEY. ALL DISTANCES, LOCATIONS AND ACREAGES ARE APPROX. AND ARE INTENDED FOR THE USE OF THIS SITE PLAN ONLY. THIS MAP IS NOT TO BE USED FOR LEGAL DESCRIPTIONS.



SIGNAGE PLAN: POLE SIGN AND SIGNAGE ON BUILDING PER CITY SPECIFICATION

NOTE: REMAINDER OF BUILDING WILL BE FOR LEASE.



SITE PLAN

FOR

AAA TRUCK WASH

AP# 087-100-80

BY

GREENHAW SURVEYING and MAPPING INC.

2494 BEVERLY DRIVE, SUITE 2

REDDING, CA 96002

(530) 222-5757

MARCH, 2008

SCALE: 1"=100'

SHEET 1 OF 1

EXHIBIT "B"

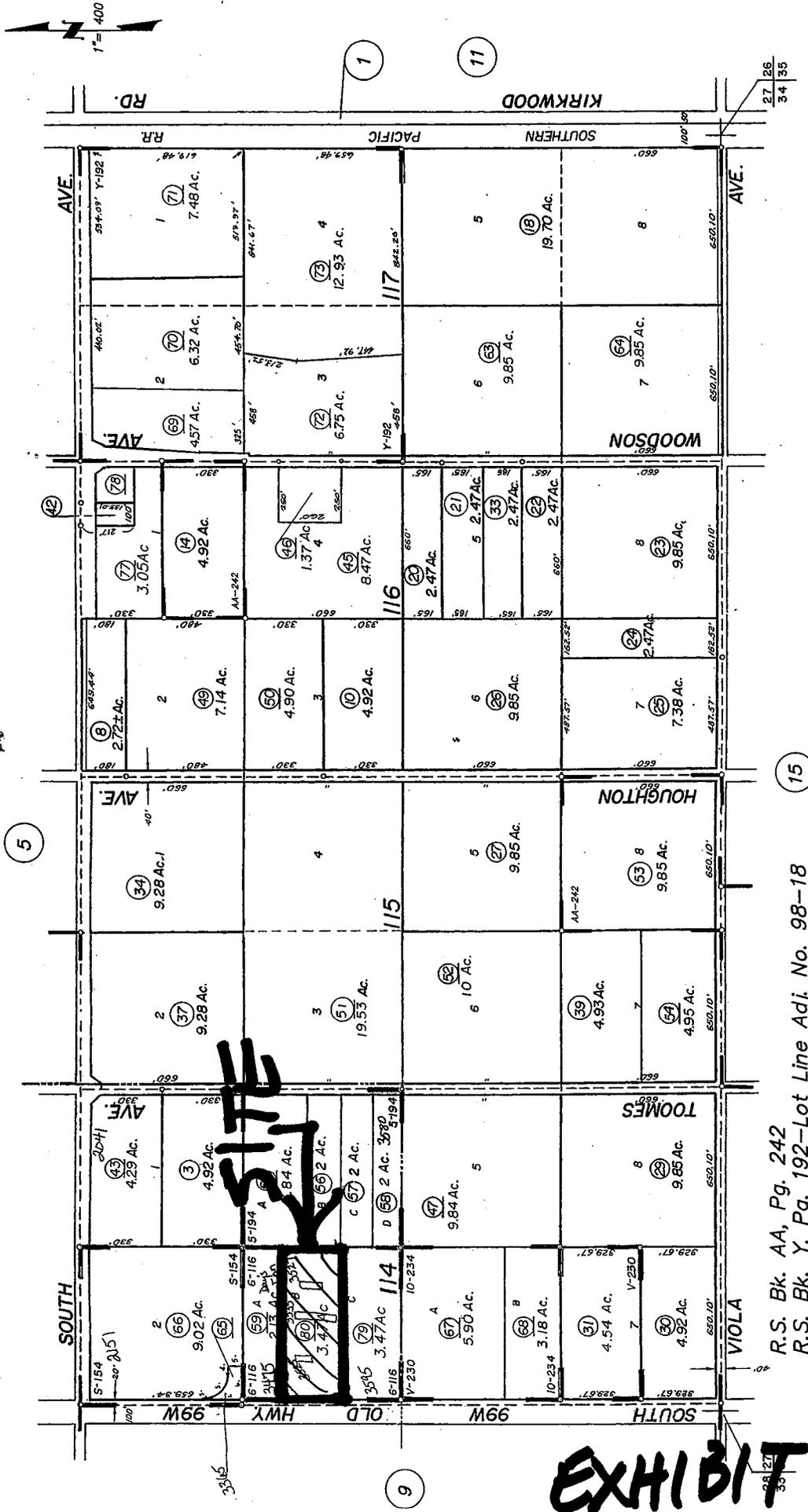
10/17/16
87-10

Tax Area Code

SUBDIVIDED LAND IN S1/2 SEC. 27, T.24N., R.3W., M.D.B.&M.

OPY

1. A 00101715
2. 1-24-20
3. 1-24-20
4. 1-24-20
5. 1-24-20
6. 1-24-20
7. 1-24-20
8. 1-24-20
9. 1-24-20
10. 1-24-20



- R.S. Bk. AA, Pg. 242
- R.S. Bk. Y, Pg. 192-Lot Line Adj. No. 98-18
- R.S. Bk. V, Pg. 230
- R.S. Bk. S, Pg. 154
- R.M. Bk. B, Pg. 36-Maywood Colony No. 15
- P.M. Bk. 5, Pg. 194-P.M. No. 78-164
- P.M. Bk. 6, Pg. 116-P.M. No. 79-131
- P.M. Bk. 10, Pg. 234-P.M. No. 93-26

Assessor's Map Bk. 87 -Pg. 10
County of Tehama, Calif.

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

EXHIBIT "C"

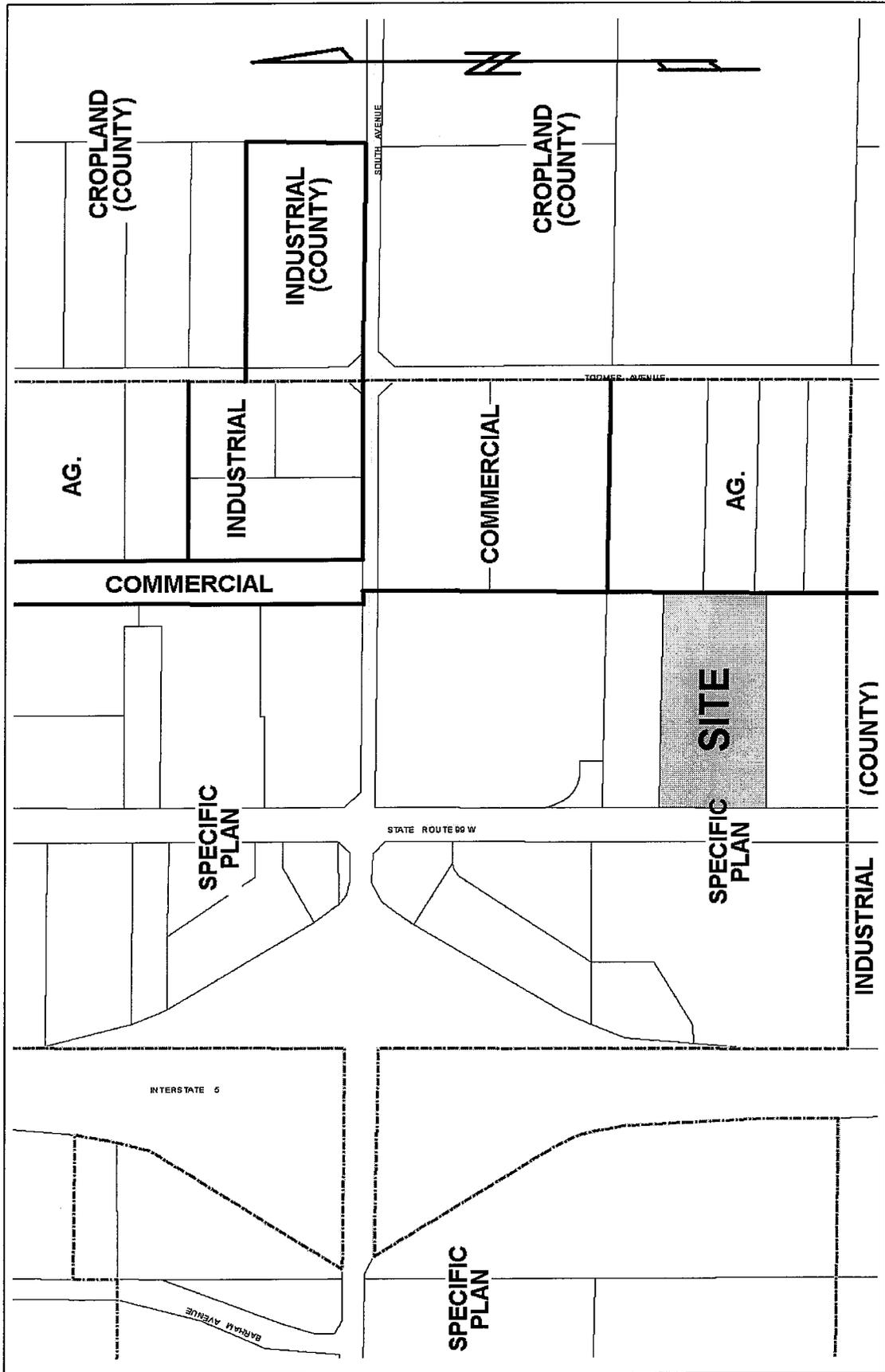


EXHIBIT "D"

C-3-CBDZ

CH-CBDZ

C-3

C-3-CBDZ

STATE ROUTE 99 W

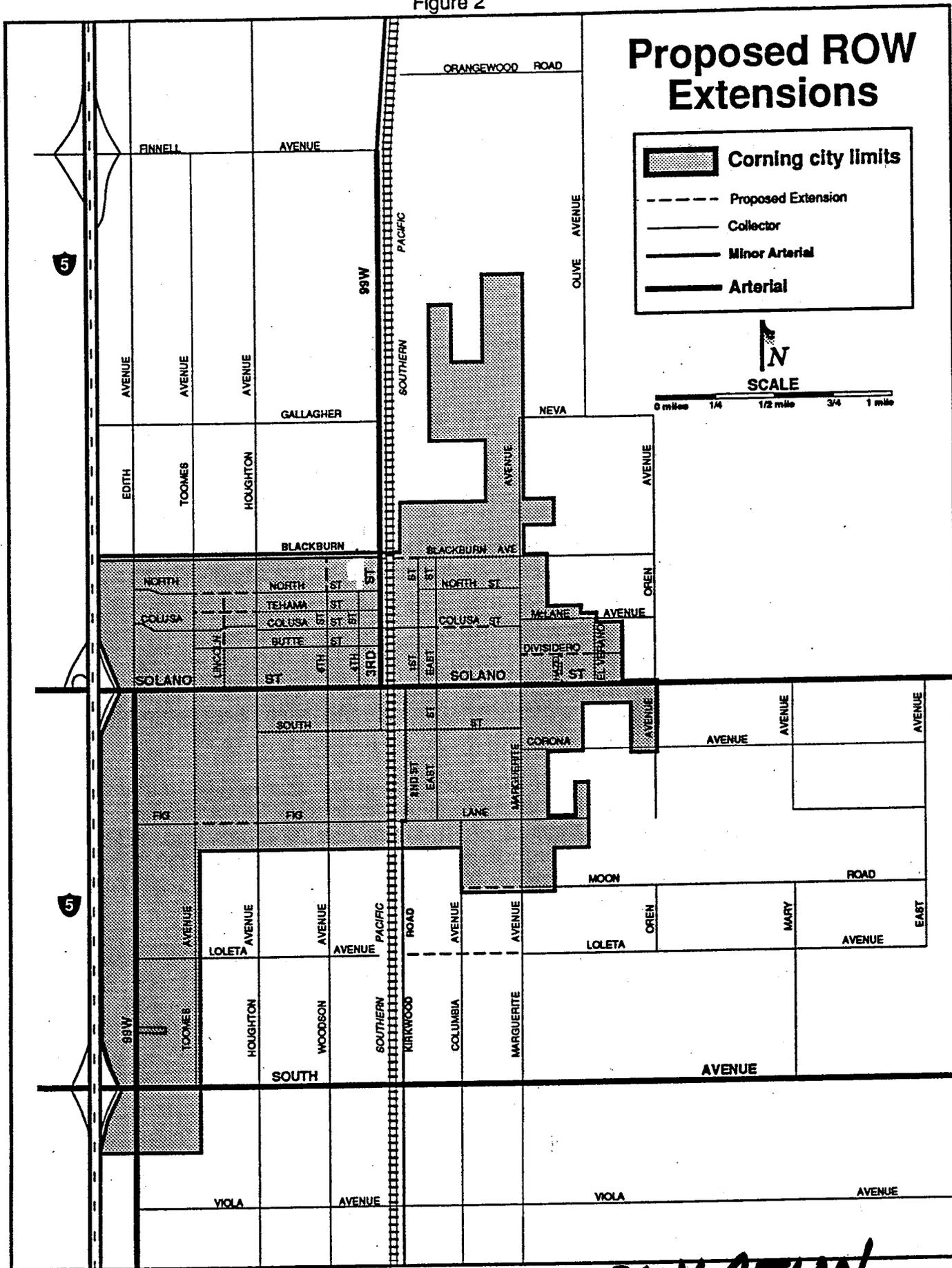
SITE

R-1-A

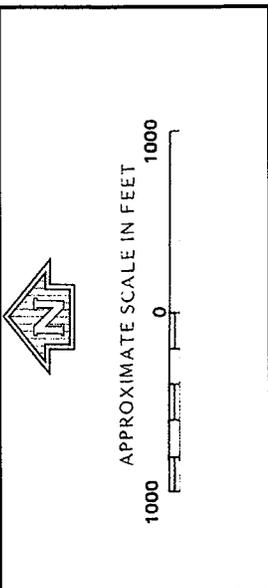
CH-CBDZ

ZONING
EXHIBIT "E"

Figure 2



CIRCULATION
EXHIBIT "F"



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
CORNING, CALIFORNIA
TEHAMA COUNTY

ONLY PANEL PRINTED

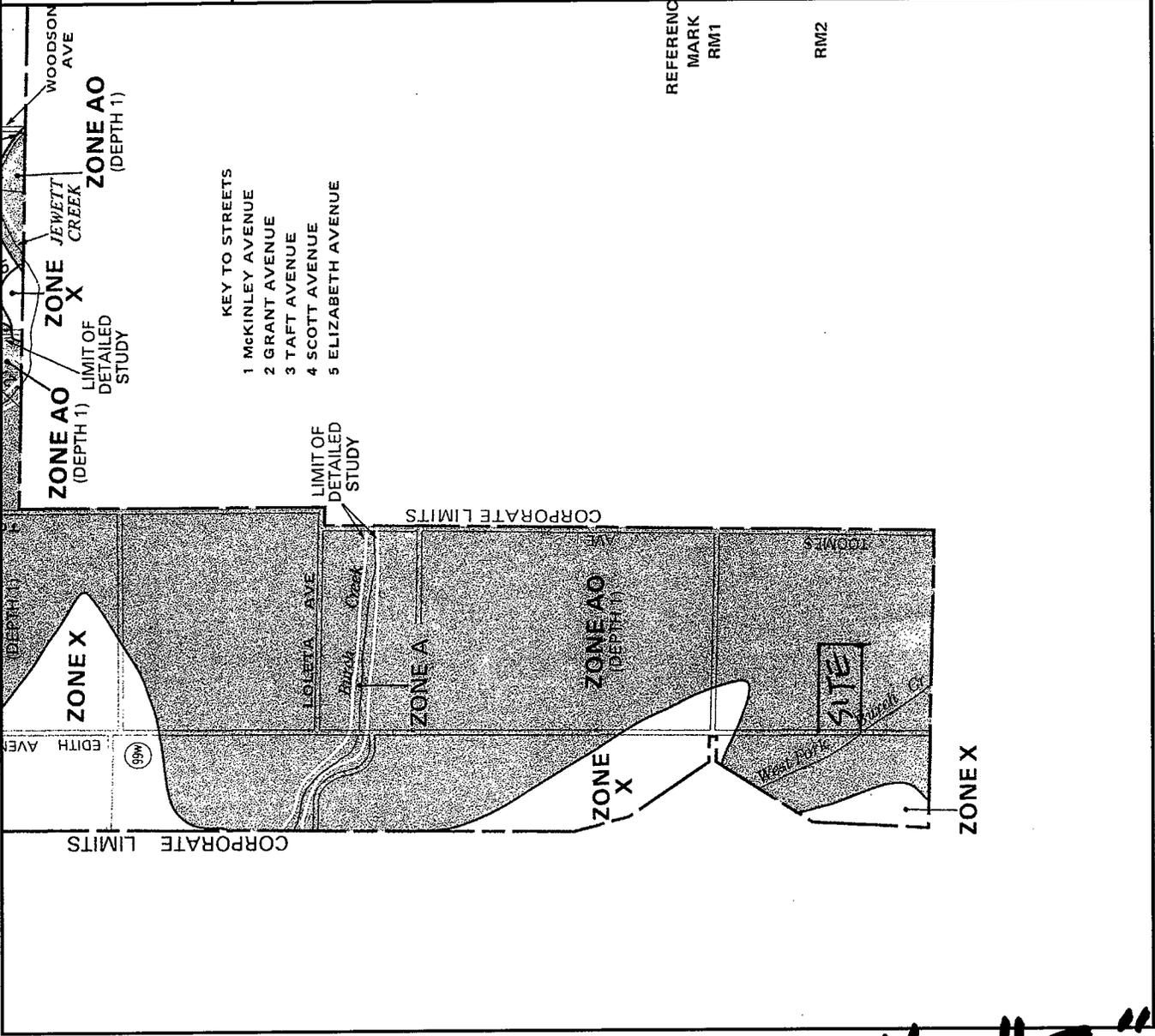
COMMUNITY-PANEL NUMBER
060398 0005 C

MAP REVISED:
SEPTEMBER 27, 1991



Federal Emergency Management Agency

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



EXT. "G"

Chapter 17.22

C-3 GENERAL COMMERCIAL DISTRICT

Sections:

- 17.22.010** **Generally.**
- 17.22.020** **Permitted uses.**
- 17.22.030** **Minimum height, bulk and space requirements.**
- 17.22.040** **Uses permitted with a use permit.**

Section 17.22.010 **Generally.**

This district classification is intended to be applied where general commercial facilities are necessary for public service and convenience. 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 code shall apply in all C-3 districts. (Ord. 153 §11.01, 1959).

Section 17.22.020 **Permitted uses.**

In C-3 districts, permitted uses shall be as follows:

- A. Uses permitted in the C-1 and C-2 districts;
- B. The following and other uses which, in the opinion of the planning commission, are of a similar character:
 - 1. Gasoline service stations; provided, that all operations except the servicing with gasoline, oil, air and water are carried on within a building,
 - 2. Commercial repair garages, and incidental service uses,
 - 3. Automobile sales and service, used car lots,
 - 4. Wholesale distribution uses, warehouses,
 - 5. Laundry and dry cleaning businesses using non-inflammable cleaning solvents,
 - 6. Veterinary hospitals, animals to be kept in an enclosed structure,
 - 7. Carwash;
- C. All other commercial uses except those uses which are specified in Chapter 17.24 of this title as being permitted only in M-1 and M-2 districts;
- D. Incidental storage and accessory uses, including repair operations and services, provided such uses shall be clearly incidental to the sale of products at retail on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.
- E. Upon securing a conditional use permit, an on-site residence not to exceed one third the square footage of an active business establishment and occupied by the owner/proprietor or their agent, such residences are to be a secondary use to an active commercial enterprise, either upstairs or in the rear, with the storefront remaining commercial. No residential garages shall be permitted. (Ord. 589 §7, 2001; Ord. 558 (part), 1996; Ord. 588 (part), 1996; Ord. 524 §§13, 13.1, 1992; Ord. 184 §1, 1962; Ord. 153 §11.02, 1959).

Section 17.22.030 **Minimum height, bulk and space requirements.**

In C-3 districts, the minimum height, bulk and space requirements shall be as follows:

- A. Lot area, width and coverage, none;
- B. Side yard and front yard shall be as follows:
 - 1. Side yard, none; except as required by the building code or other regulation, or where the side of a lot abuts an R district, the side yard shall not be less than ten feet.

EXHIBIT "H-1"

2. Front yard, none; except where the frontage in a block is partially within an R district, the same setback shall be required as in the R district.
- C. Rear yard, twelve feet where accessible from street, alley or parking lot for loading purposes. Building may project over rear yard area, providing fourteen feet clear vertical distance from ground level is maintained. Building Code and other regulations shall apply;
- D. Building height limit, four stories, but not to exceed fifty feet; and provided, that buildings shall be confined within inclined planes sloping inward at a ratio of one foot horizontally to two feet vertically, such planes beginning directly above property lines at an elevation of thirty feet above average ground grade;
- E. Loading area, twenty-foot alleys for loading and delivery purposes shall be provided adjacent to all lots to be used for commercial purposes. Ten feet of the required yard may be included in such alleys;
- F. Parking requirements as required by Chapter 17.51;
- G. Corner lots, side yard setback ten feet. (Ord. 589 §3, 2001; Ord. 524 §13.2 1992; Ord. 153 §§11.10--11.14, 1959).

Section 17.22.040 Uses permitted with a use permit.

In C-3 districts, uses requiring use permits are as follows:

- A. RV facilities, provided that:
 1. An RV facility shall mean any use which derives income directly from providing an area or place in which to park mobile living and/or sleeping units specifically for the purpose of occupation and use of such mobile units.
 2. RV facilities shall provide some landscaped exterior yard area for the use of guests.
- B. Commercial communication towers and associated facilities. (Ord. 590 (part), 2001; Ord. 566, 1997; Ord. 487 §1, 1989).

Chapter 17.47

CBDZ CORNING BUSINESS DEVELOPMENT ZONE

Sections:

- 17.47.010** **Generally.**
- 17.47.020** **Purpose.**
- 17.47.030** **Applicability.**
- 17.47.040** **General provisions.**

Section 17.47.010 **Generally.**

The CBDZ Corning business development zone is to be utilized only within the boundaries delineated by the Highway 99W corridor specific plan. It is recognized that there is a need for job-generating land uses near the freeway and that the most suitable location for future commercial development is along Highway 99W. This unique environment was determined to be an appropriate location for freeway-oriented commercial development and general commercial, industrial and manufacturing businesses. The following specific regulations and the general rules set forth in Section 17.04.060 and 17.04.070 and Chapter 17.50 of this title shall apply in the CBD zone. Uses discussed in this section do not necessarily include uses in Chapter 17.54 of this title. (Ord. 573 (part), 1997).

Section 17.47.020 **Purpose.**

The CBDZ Corning Business Development Zone has been established to achieve the following purposes:

- A. To protect the public health, safety and welfare by enhancing quality of life and improving the appearance of the city;
- B. To provide protection against haphazard and traditional strip commercial development by implementing visual design guidelines established in the Highway 99W corridor specific plan;
- C. To allow site development flexibility in return for well-conceived and efficient site planning and quality design;
- D. To establish overlay districts that carry out specific purposes prescribed by the Highway 99W corridor specific plan addressing specific subjects, such as freeway-oriented commercial development and mixed-use commercial development. The overlay districts that apply to the CBDZ are Chapters 17.48 and 17.49 of this title. (Ord. 573 (part), 1997).

Section 17.47.030 **Applicability.**

The regulations of this chapter provide for the quality development within the Highway 99W corridor by (1) reviewing all development permits to determine that the permit requirements of this title have been satisfied; and (2) reviewing all permits to determine that the site has met applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan. (Ord. 573 (part), 1997).

Section 17.47.040 **General provisions.**

- A. Any development within the CBD zone shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan.
- B. Any development within the CBD zone shall comply with all conditions of approval applied to the development.
- C. Any development within the CBD zone shall comply with the regulations and standards established in the corresponding overlay zones (1) CH highway service commercial district and (2) SPMU specific plan mixed-use district. (Ord. 573 (part), 1997).



"H-3"

Chapter 17.49

SPMU SPECIFIC PLAN MIXED-USE OVERLAY DISTRICT

Sections:

- 17.49.010** **Generally.**
- 17.49.020** **Purpose.**
- 17.49.030** **General requirements.**
- 17.49.040** **Permitted uses.**
- 17.49.050** **Uses requiring use permits.**
- 17.49.060** **Minimum height, bulk and space requirements.**

Section 17.49.010 **Generally.**

This overlay district classification is intended to encourage mixed-use development and is to be applied to the larger parcels located between the primary intersections of the Highway 99W corridor specific plan area. As such, this overlay zone is to be utilized only within the boundaries delineated by the Highway 99W corridor specific plan. The SPMU overlay zone allows for a combination of land uses that have been determined to be compatible for development. 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 code shall apply in the SPMU overlay district. (Ord. 573 (part), 1997).

Section 17.49.020 **Purpose.**

The purpose of the SPMU overlay district is to allow development to consist of a combination of land uses. The combination of such uses are found to be compatible if noise, smoke, dust, odors, and other offensive features are confined to the premises of such use. (Ord. 573 (part), 1997).

Section 17.49.030 **General requirements.**

The regulations of this chapter provide for mixed-use development within the Highway 99W Corridor Specific Plan area which has been designated the Corning Business Development Zone. In SPMU overlay district land use regulations shall include the following requirements:

- A. In any district with which is combined the SPMU overlay district, the regulations of this chapter shall apply in addition to those specified in this title; provided, that if conflict in regulations occurs, the regulations of this chapter shall govern;
- B. The permitted uses established in each district and being combined in the SPMU overlay district are allowed; provided that in the opinion of the planning commission, the proposed sites are of a similar character;
- C. Any development within the SPMU overlay district shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan;
- D. Those provisions established in Chapter 17.47 CBDZ Corning business development zone. (Ord. 573 (part), 1997).



Section 17.49.040 **Permitted uses.**

There are no uses permitted without use permits. (Ord. 573 (part), 1997).

Section 17.49.050 **Uses requiring use permits.**

In any district with which is combined an SPMU district, the following districts may be combined and shall require use permits. The SPMU overlay district allows for the combination of the permitted uses from the following districts which in the opinion of the planning commission the uses are of a similar and

"H-4"

compatible character: C-1 neighborhood business district, C-2 central business district, C-3 general commercial district, M-1 light industrial districts, and M-L limited manufacturing district.

A. From C-1, C-2 and C-3 districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:

1. Retail stores and business or service enterprises which, in the opinion of the planning department are of a character similar to the following:

2. Foodstores, dairy products and bakery goods stores,
3. Bookstores, rental libraries and video rental stores,
4. Drugstores, including soda fountain food service,
5. Florist, variety, hardware and clothing stores,
6. Athletic facilities, banks, business offices, bowling alleys, food, drug and clothing stores and retail outlet stores,
7. Business colleges, music, dancing and martial arts studios,
8. Blueprinting shops, photographic stores,
9. Catering shops, cafes and restaurants, and bars and taverns,
10. Art and antiques shops and pawnshops,
11. Hotels, motels, theaters, auditoriums, lodge halls and social clubs,
12. Newspapers and commercial printing shops,
13. Mortuaries,
14. Bakeries,
15. Outdoor advertising signs and structures,
16. Other retail business uses which, in the opinion of the planning commission, are similar to the foregoing;

B. The following agencies and services:

1. Laundry and dry cleaning businesses using non-inflammable cleaning solvents,
2. Barbershops, beauty parlors and cosmetic shops,
3. Repair shops for domestic appliances and goods,
4. Professional and medical offices, studios and clinics,
5. Gasoline service stations, including auto repairs; provided, that all operations except the service with gasoline, oil, air and water be conducted within an enclosed building,
6. Self-operated laundries,
7. Gasoline service stations; provided, that all operations except the servicing with gasoline, oil, air and water are carried on within a building,
8. Commercial repair garages, and incidental service uses,
9. Automobile sales and service and used car lots,
10. Wholesale distribution uses and warehouses,
11. Veterinary hospitals, animals to be kept in an enclosed structure,
12. Carwash,
13. Other services and agencies which, in the opinion of the planning department, are similar to the above;

C. Public buildings and public utility substations and offices;

D. Commercial parking lots and parking garages;

E. Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use; an on-site residence not to exceed one third the square footage of an active business establishment and occupied by the owner/proprietor or their agent. Such residence is to be a secondary use to an active commercial enterprise, either upstairs or in the rear, with the storefront remaining commercial. No residential garage is permitted.

F. Incidental storage and accessory uses, including repair operation and services; provided, that such is clearly incidental to the sale of products at retail on the premises and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise, vibration, fire or safety;

G. Exterior signs pertaining to the business or use conducted on the premises, which signs shall be attached parallel to and not project more than two feet from a wall of a building. Any such sign shall be

"H-5"



eight feet or more above any sidewalk, and shall not project above the roof ridge line of the building on the site, and no sign shall exceed fifty square feet in area. Floodlights shall be directed inward and downward onto the property illuminated. Freestanding and general identification signs may be permitted upon the securing of a use permit in each particular case. Additional sign criteria are illustrated in the Highway 99W Corridor Specific Plan Visual Design Guidelines;

H. All other commercial uses except those uses which are specified in Chapter 17.24 of this title as being permitted only in M-2 districts;

I. Incidental storage and accessory uses, including repair operating and services, provided such uses shall be clearly incidental to the sale of products at retail on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration;

J. From M-1 districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:

1. Assembly and storage of goods, materials, liquids and equipment, except storage of flammable or explosive matter or materials which create dust, odors or fumes. Permitted uses include:

a. Wholesale and storage warehouses,

b. Feed and fuel yards,

2. Manufacturing, processing, fabricating, refining, repairing, packaging or treatment of goods, material or produce by electric power, oil or gas, except operations involving fish fats and oils, bones and meat products, or similar substances commonly recognized as creating offensive conditions in the handling thereof. Permitted uses include:

a. Dye and dry-cleaning plants,

b. Rug cleaning plants,

c. Laundries,

d. Veterinary hospitals,

e. Cabinet shops,

3. The following when conducted within a building or enclosed within a solid wall or fence of a type approved by the planning commission, not less than six feet in height:

a. Body and fender repair shops and auto painting shops,

b. Cooperage and bottling works,

c. Sheet metal shops and welding shops,

d. Truck terminals,

e. Retail lumber yards;

K. From M-L districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:

1. Commercial and professional offices,

2. The following and similar uses from which noise, smoke, dust, odors and other such offensive features are confined to the premises of each such use:

a. Research institutes and laboratories,

b. Small electronic and plastics products manufacturing, c. Electrical products and instrument manufacturing,

d. Bookbinding, printing and lithography,

e. Cartography, surveying and engineering,

f. Editorial, architecture and designing,

g. Garment manufacturing, paper products manufacturing;

3. Underground utility installations and above-ground utility installation 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. (Ord. 589 §13, 2001; Ord. 573 (part), 1997).

"H-6"

Section 17.49.060 Minimum height, bulk and space requirements.

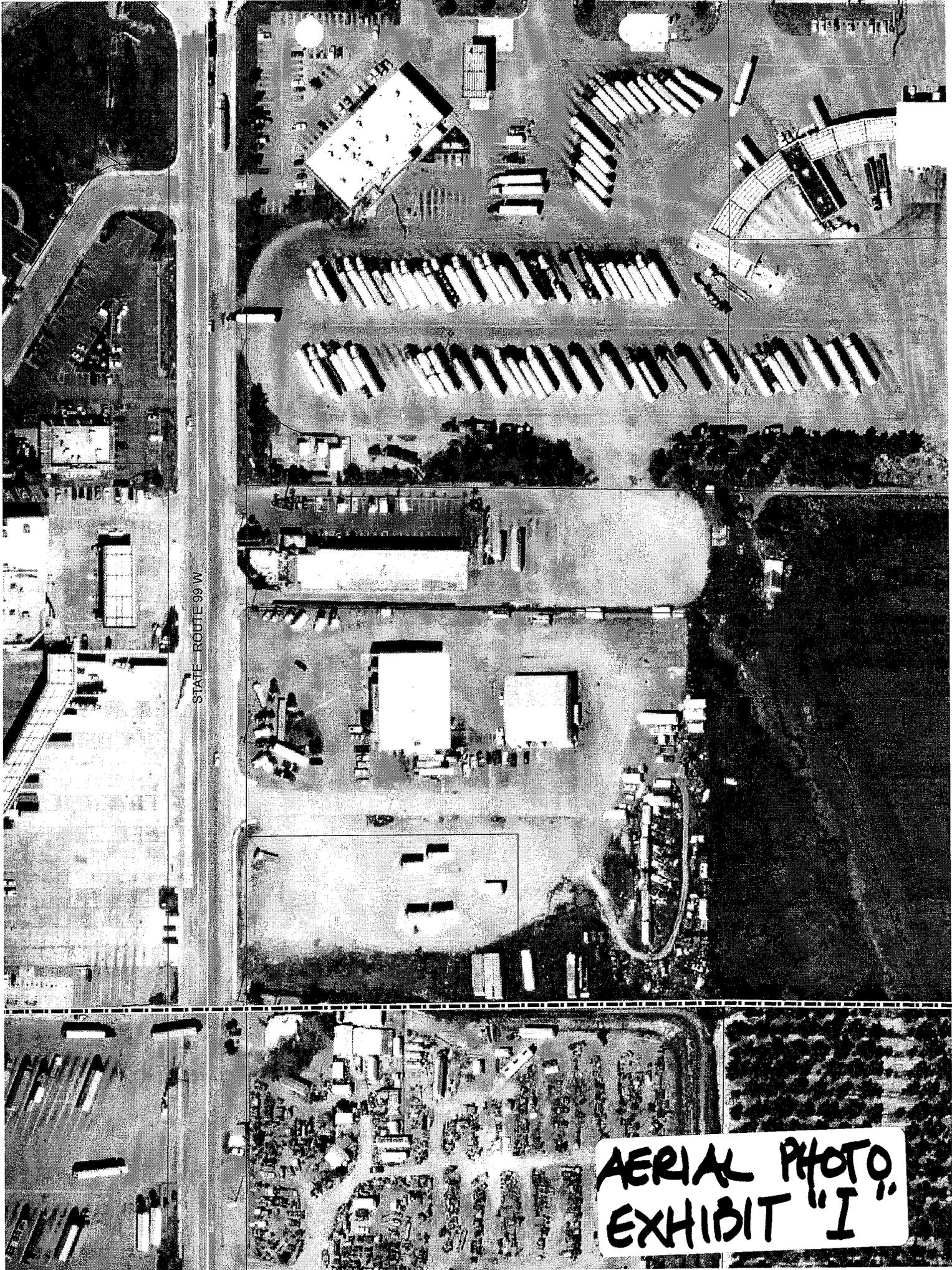
In SPMU overlay districts, the minimum height, bulk and space requirements shall be as follows:

- A. Where conflict occurs between the regulations of this chapter and any building code or other regulations effective within the city, the more restrictive of any such regulations shall apply;
- B. Lot area, lot width, building coverage regulations, none;
- C. Front yard, fifteen feet;
- D. Side yard, none, except as required by the building code or other regulations;
- E. Rear yard, twelve feet where accessible from street, alley or parking lot for loading purposes. Building code and other regulations shall apply;
- F. Building height limit, four stories, but not to exceed fifty feet; and provided, that buildings shall be confined within inclined planes sloping inward at a ratio of one foot horizontally to two feet vertically, such planes beginning directly above property lines at an elevation of thirty feet above average ground grade;
- G. Loading area, twenty-foot alleys for loading and delivery purposes shall be provided adjacent to all lots to be used for commercial purposes. Ten feet of the required yard may be included in such alleys;
- H. Parking requirements as required by Chapter 17.51;
- I. Corner lots, side yard setback ten feet. (Ord. 573 (part), 1997).

"H-7"

STATE ROUTE 99 W

AERIAL PHOTO
EXHIBIT "I"





City of Corning

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

AAA Truck Wash, LLC
Attn: Tarlochan Sohal
15420 August Avenue
Delhi, CA 95315

March 3, 2008

Re: Use Permit Application 2008-250; 3525 Highway 99-W

Dear Mr. Sohal,

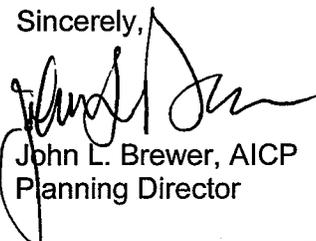
Thank you for submitting your use permit application referenced above. Since receiving the application on February 12, 2008, I noted there was insufficient detail in it to present it for Planning Commission consideration. So, on either February 14, or 15th I called you to report those deficiencies. I also presented those concerns to a gentleman named Reggie Alexander who'd previously represented the project at a meeting here at City Hall. As of this writing, I've not received any additional information to support the application. The additional information necessary to supplement the applications includes:

1. Identification of the building where the truck wash is to be operated.
2. An explanation of the other uses to be conducted on the premises.
3. An accurate and current Site Plan of sufficient scale and detail to identify paved areas, truck circulation aisles, turning radii, employee parking, and the locations and operating characteristics of any wash water recycling facilities.
4. Signage Plan

The next scheduled Planning Commission meeting is March 18th. However, since this application is not complete, I have not yet published, nor mailed the required Public Hearing notice that schedules consideration of the project on that date. The last date that I may publish notice of that meeting in the newspaper is Friday March 7th. In order to publish on that date, I must deliver the notice by tomorrow, March 4th. Therefore, I am sorry, but unless additional information is provided by tomorrow (March 4th) we must postpone Planning Commission consideration of the use permit application. The next available meeting of the Planning Commission would be April 15, 2008.

Thank you in advance for your immediate attention to this request for additional information. Because these timeline is short, I'm faxing it to Mr. Alexander and will attempt to get a fax number for you as well.

Sincerely,



John L. Brewer, AICP
Planning Director

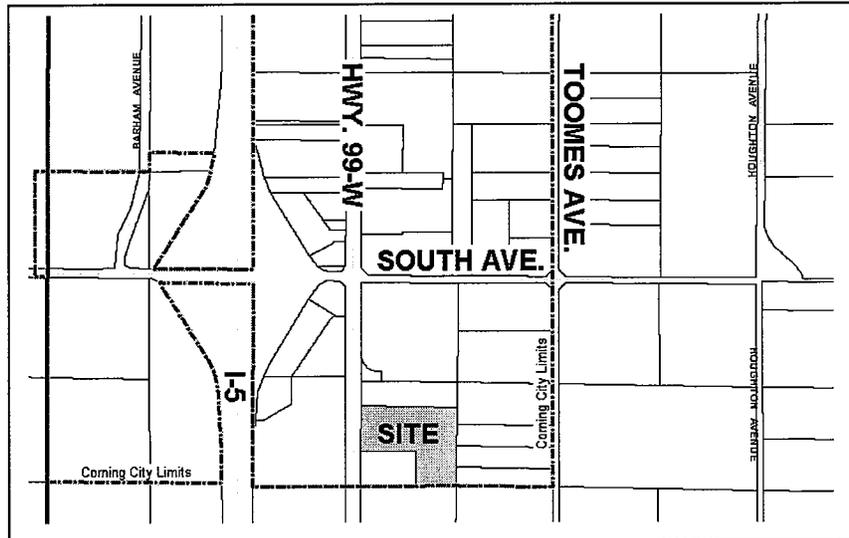
EXH. "J"

PUBLIC NOTICE-PUBLIC HEARING USE PERMIT NO. 2008-250; AAA TRUCK WASH

The City of Corning must inform you of a proposed project within 500 feet of your property.

WHAT IS BEING PLANNED:

AAA Truck Wash desires to operate a truck wash facility within an existing industrial building at 3525 Old Highway 99-W. The subject property is zoned C3-CBDZ; General Commercial-Corning Business Development Zone. That zone permits a multitude of commercial and light industrial uses upon approval of a use permit. Assessor's Parcel Number 87-100-80 & 79 (portion).



WHY THIS NOTICE:

The City wants you to be aware that the plans and other project information are available for your review at City Hall, 794 Third Street in Corning. You are invited to attend a Public Hearing to be conducted by the Planning Commission in the City Council Chambers in City Hall at 794 Third Street at 6:30 p.m. on Tuesday, March 18, 2008. Please note if this project is challenged in court, you may be limited to raising only those issues that were raised at the Public Hearing or in writing delivered to the Planning Commission at or prior to the Public Hearing.

WHAT CAN YOU DO:

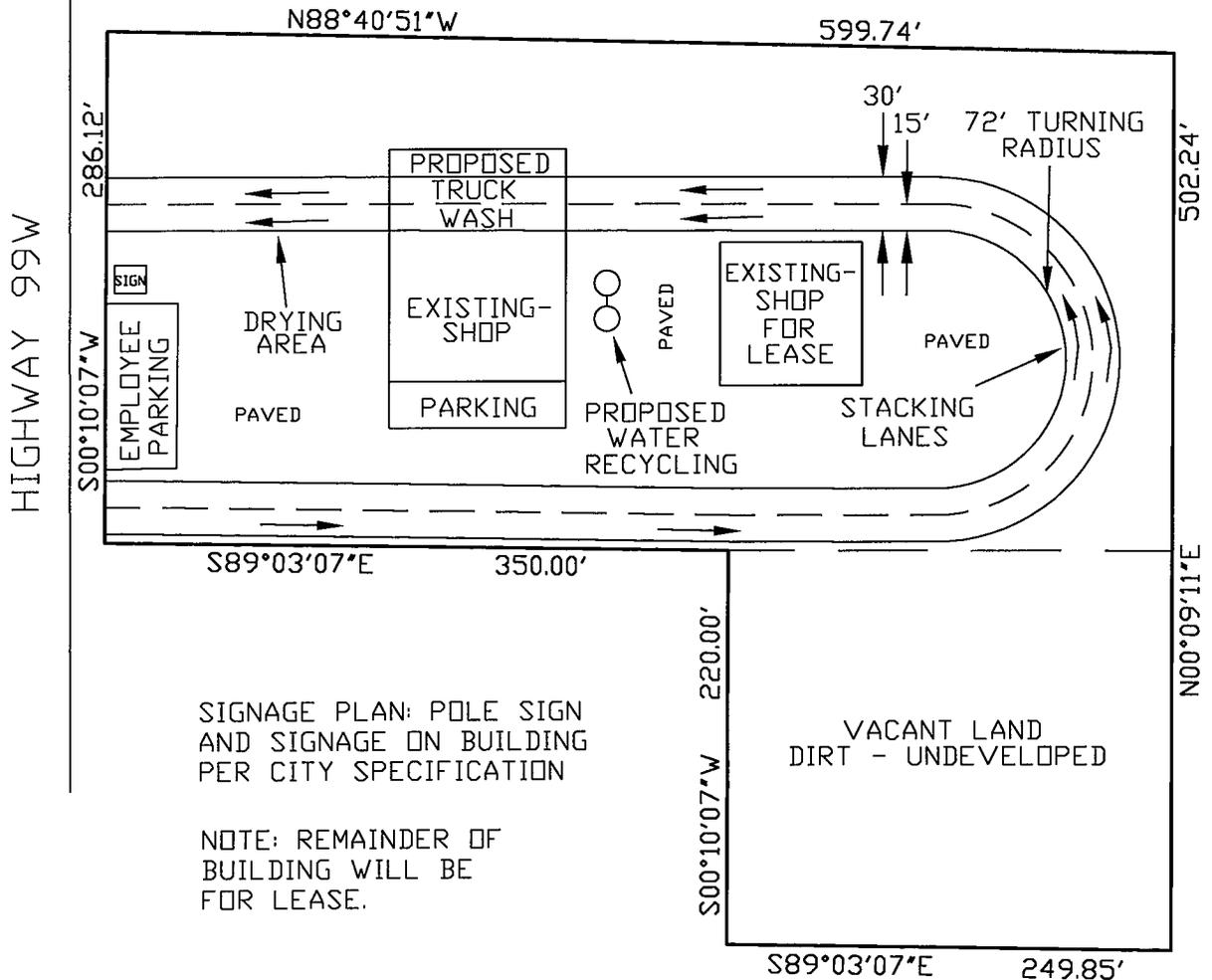
Please call or stop by City Hall if you have any questions or want to review the project information. You are welcome to attend the Public Hearing to ask questions or to comment. Your written comments may be given to the Planning Commission at the Hearing. If mailed, comments must be received by the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

FOR MORE INFORMATION REGARDING THIS PROJECT PLEASE CONTACT:

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

EXHIBIT "L"

NOTE: THIS MAP DOES NOT REPRESENT A SURVEY. ALL DISTANCES, LOCATIONS AND ACREAGES ARE APPROX. AND ARE INTENDED FOR THE USE OF THIS SITE PLAN ONLY. THIS MAP IS NOT TO BE USED FOR LEGAL DESCRIPTIONS.



SIGNAGE PLAN: POLE SIGN AND SIGNAGE ON BUILDING PER CITY SPECIFICATION

NOTE: REMAINDER OF BUILDING WILL BE FOR LEASE.

VACANT LAND
DIRT - UNDEVELOPED



SITE PLAN

FOR

AAA TRUCK WASH

AP# 087-100-80

BY

GREENHAW SURVEYING and MAPPING INC.

2494 BEVERLY DRIVE, SUITE 2

REDDING, CA 96002

(530) 222-5757

MARCH, 2008

SCALE: 1"=100'

SHEET 1 OF 1



EXHIBIT "M"

**ITEM NO. E-4
USE PERMIT NO. 2008-249; TO ESTABLISH
AND OPERATE A LANDSCAPE ROCK AND
MATERIALS YARD IN AN M-1-CBDZ; LIGHT
INDUSTRIAL-CORNING BUSINESS
DEVELOPMENT ZONE. LOCATED AT 2791
HIGHWAY 99-W; BUD AND JAIMIE
WALBERG-APPLICANTS; APN 87-050-05**

March 18, 2008

TO: PLANNING COMMISSION OF THE CITY OF CORNING

FROM: JOHN L. BREWER, AICP; PLANNING DIRECTOR



SUMMARY:

Bud and Jaimie Walberg have acquired the property at 2791 Old Highway 99-W. The site was formerly owned by JoAnn Landingham and is located immediately north of the Flying J Truckstop Parking Lot. The site is identified on the copy of the Zoning Map (Exhibit "E") and the Aerial Photograph (Exhibit "N") of the area. Note that the photo was taken before the Flying J project was constructed.

The Walbergs seek to establish a Landscape Rock and Materials Yard. To perform the business, the Walbergs propose to improve the property as shown on the Site Plan (Exhibit "B"). The project site totals about 1.1 acres and is within the M-1-CBDZ zoning district.

The applicants submitted this application on January 24, 2008. Their intended use is not specifically defined within the zoning code. For that reason, this report includes a staff recommended "Similar Use Finding" (Finding No. 6). This matter is discussed in more detail under "Zoning" on page 4 of this report.

DISCRETION:

The Planning Commission's\City Council's authority regarding this Use Permit application stems from Chapter 17.54 of Title 17 (Zoning Code) of the Corning Municipal Code, and the State Planning and Zoning Law (Government Code Section 65000 et. seq.)

STAFF RECOMMENDATION:

***PLANNING COMMISSIONERS APPROVE USE PERMIT NO. 2008-249,
SUBJECT TO THE FOLLOWING:***

- 1. ADOPT THE SIX (6) RECOMMENDED FINDINGS.***
- 2. ADOPT EIGHT (8) RECOMMENDED CONDITIONS OF APPROVAL ON
USE PERMIT NO. 2008-249.***

FINDINGS:

1. *Staff completed a CEQA Initial Study to determine the potential environmental effects of this project. The Initial Study identified some effects that could be considered significant. However, staff also determined that these effects could be lessened or "mitigated" to a less than significant threshold by the imposition of certain mitigation measures. For that reason, a CEQA Mitigated Negative Declaration was prepared, filed and distributed to all Responsible and Trustee agencies. All comments received regarding the Mitigated Negative Declaration have been adequately addressed. All identified significant effects of the project will be lessened or mitigated with the imposition of the Mitigation Measures recommended in the Mitigated Negative Declaration, and the project will not have a significant effect on the environment.*
2. *The site for the proposed use is adequate in size, shape, topography and circumstances.*
3. *The site will have sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.*
4. *The proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.*
5. *Approval of this Use Permit is consistent with the Highway 99-W Specific Plan and the goals and objectives adopted in the General Plan for the City of Corning.*
6. *The intended use, a "Landscape Materials and Rock Yard" involving only storage, display and shipment of gravels, rocks, barks, soils and other such landscape and hardscape materials and not involving any onsite crushing or screening is a use similar to "Construction and Materials Yards" and permitted in M-1-CDBZ Zoning Districts, upon approval of a use permit as per Corning Municipal Code Sections 17.26.020.B.2.f and 17.47.040.*

CONDITIONS:

1. **YARD FENCING AND SCREENING.** The fencing along the north and east sides of the Materials Yard shall be 6'-0" high chain-link type fencing with colored vinyl slats, and may include security barbed wire along the top.
2. **SPECIFIC PLAN DESIGN GUIDELINES.** Future site improvements shall comply with the Highway 99-W Corridor Specific Plan Design Guidelines.
3. **HANDICAPPED PARKING SPACE.** Applicant shall pave and mark not fewer

than one parking space for handicapped accessibility.

4. DEFERRED IMPROVEMENT AGREEMENT. Applicant shall enter into a Deferred Improvement Agreement for the half width improvements to Highway 99-W to City standards.

5. ENCROACHMENT PERMIT. Applicant shall obtain an Encroachment Permit and complete asphalt (or concrete) paving improvements to that portion of the driveway lying within the Highway 99-W Right of Way and outside the perimeter fence as directed by the Director of Public Works.

6. OPERATIONAL LIMITATIONS. The project shall comply with all parts of the application, including the Site Plan. No onsite crushing or screening of rock or gravel products is permitted onsite.

7. FLOOD HAZARD ADVISORY. Applicant is advised the subject property is within FEMA Flood Hazard Zone "AO" and is subject to inundation during a 100 year flood event.

8. FUGITIVE DUST CONTROL PERMIT. Applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District.

PROJECT DETAILS:

The Walbergs plan to operate a Landscape Rock and Materials Yard as shown on the Site Plan (Exhibit "B"). Initially the business will likely not include bins along the entire north and east property lines. However, with expansion it ultimately could, so that's what's shown on the Site Plan. The facility will offer decorative rock, gravel, bark, topsoil, and soil amenities within concrete bins that are positioned along the north and perhaps eventually expanding to the east sides of the site. See the attached copy of the Site Plan (Exhibit "B") and application (Exhibit "A"). Customers can drive their pickups to the site and purchase loads of the various materials and perhaps landscape accessories like water fountains and landscape timbers for self delivery. Larger loads can be delivered by dumptruck for a fee. Additionally, they will offer small concrete batches in one cubic yard mixer trailers that are pulled by a small pickup. Pages illustrating the cement trailers and small package mixers are attached as Exhibit "J-1 thru J-3".

GENERAL PLAN:

LAND USE DESIGNATION:

Please refer to the attached copy of the General Plan Land Use Diagram (Exhibit "D"). The Site is within the Highway 99-W Specific Plan Area. This application seeks to establish and operate a Landscape Rock Materials Yard. The proposed industrial/commercial use is consistent with the objectives of the Highway 99-W Specific Plan.

ZONING:

Please refer to the attached copy of the zoning map. The site is zoned M-1-CBDZ; Light Industrial –Corning Business Development Zone. The CBDZ component of that zoning requires that uses conform to those described in the SPMU; Specific Plan-Mixed Use, or the CH; Highway Commercial Zoning District per CMC Section 17.47.040 (Exhibit H-3). Those two districts require use permit approval for a multitude of uses-including those permitted in the M-1 zone (exhibit H-4).

The intended use is not specifically defined within the Corning Zoning Code. What is defined as “permitted” in the M-1 zone are the uses like “auto body repair and paint shops, barrel and bottling works, Sheet Metal & Welding Shops, Lumber Yards, Veterinary Hospitals, Cabinet Shops and Construction and Materials Yards-except gravel, rock and cement yards”. Instead, those gravel, rock and cement yard uses are permitted only in M-2; General Industrial Districts. For that reason, staff believes the reference to “gravel, rock and cement yards” refers to more intensive “industrial sand, rock & and gravel and cement yards”; the likes of Toomes Creek Sand & Gravel, Red Bluff Rock, or Foothill Ready Mix.

Staff doesn’t believe the intended use nears that threshold of intensity. Instead, we believe the use will more approximate the “Construction and Materials Yard” definition that is permitted in the M-1 Zoning District in accordance with CMC 17.26.020.B.2.f (Exhibit “H-1”). For that reason, this report includes a staff recommended “Similar Use Finding” (Finding No. 6).

The site adjoins property designated for residential use (R-1) to the east. The City Code suggests the installation of a Land Use Barrier at the interface between non-similar land use designations. If you look at the aerial photo (Exh. “N”) you’ll note that the property t the east is currently developed as an olive orchard. The nearest dwelling is about 500 feet southeast. The concrete wall of the bins will serve as the physical equivalent of a masonry land use barrier for the time being. However, the concrete bins will not be very attractive. So, staff recommends proposed Condition No. 1 requiring the construction of a chain link fence with slats along both the north (the side most visible from the highway) and east property lines.

CIRCULATION ELEMENT:

Please refer to the copy of the Circulation Element Map. The site fronts the Old Highway. Old Highway 99-W is designated an Arterial street on the map. The existing street right of way width is 100 feet and sufficient to accommodate all future planned street improvements. There is no sidewalk and the Old Highway currently does not meet the City’s ultimate standard-adopted, and recently amended, as part of the Highway 99-W Specific Plan document (Exhibit “O”).

The City Code typically requires street frontage improvements as a condition of approval. However, completing street frontage improvements for this limited

frontage length (73 feet) makes little sense. Instead, staff recommends deferring those improvements until a more comprehensive street improvement project is contemplated. Condition No. 4 is recommended to implement that Deferred Improvement Agreement requirement.

NOISE ELEMENT:

Refer to the copy of the City's Noise Element Map (Exhibit "P"). The property does not lie within any heightened Noise Contour. No measures to mitigate noise are necessary.

SAFETY ELEMENT:

Please refer to the attached copy of the Flood Hazard Map (Exhibit "G"). The site is within Flood Hazard Zone 'AO'; the 100-year Floodplain expected to be inundated by floodwater one foot in depth during the 100 year flood event. However, no structures necessitating mitigation are proposed by this application. Recommended Condition No. 7 is advisory only-letting the applicant know that the property is within the 100 Year Floodplain.

CONSERVATION ELEMENT:

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

OPEN SPACE ELEMENT:

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

HOUSING ELEMENT:

The project will convert the existing residence to an office for the business. Additionally, a small mobilehome that was authorized by use permit in the 1990's has recently been removed. The house predated the M-1 Zoning and, as a residence, was a non-conforming use. The effect of the loss of the two residential units to the overall housing stock of the City is minimal, and will make the property better comply with the commercial and light industrial objectives of the Highway 99-W Specific Plan.

CEQA:

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

identify, quantify and mitigate the significant environmental effects resulting from development projects.

Staff completed a CEQA Initial Study for the purpose of determining the potential environmental effects of this development project. That Initial Study identified certain significant effects that could occur as a result of this project. However, staff was able to readily identify mitigation measures and "conditions" that could be applied to the project to lessen those significant effects to a "Less than Significant" threshold. The Mitigation Measures and Conditions recommended in the MND are included as Conditions 1 thru 5.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was prepared, and filed with the State Clearinghouse and County Clerks office on February 21, 2008. The MND is attached as Exhibit "L". Copies of Initial Study and MND were mailed to all Responsible and Trustee agencies.

As of this date we have received comments regarding the adequacy of the MND from only the Tehama County Air Pollution Control District. That letter is attached as Exhibit "K". The letter requests the City attach two conditions to the approval. Since the project will not screen the gravel or rock material, staff recommends only the first condition be attached, requiring the applicant to obtain a Fugitive Dust Control Permit for the anticipated construction activities. Proposed Condition No. 8 is offered for that purpose.

PUBLIC COMMENTS:

In addition to mailing the notices of the proposed CEQA action to Responsible and Trustee agencies, staff also notified all property owners within 500 feet of the project site. The notice (Exhibit "M") was also published in the Corning Observer.

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

LIST OF EXHIBITS

- Exhibit "A".....Project Application
- Exhibit "B".....Site Plan
- Exhibit "C".....Assessor's Map
- Exhibit "D".....General Plan Land Use Diagram
- Exhibit "E".....Zoning Map
- Exhibit "F".....Circulation Element Map
- Exhibit "G".....Flood Hazard Map
- Exhibits "H-1 thru 4".....Excerpts from Corning Zoning Code
- Exhibit "I".....Photo showing existing house front & fence
- Exhibit "J".....Pages/Illustrations showing small cement trailers 7 mixing system
- Exhibit "K".....Letter from Tehama County Air Pollution Control District.
- Exhibit "L".....Mitigated Negative Declaration
- Exhibit "M".....Public Hearing Notice
- Exhibit "N".....Aerial Photo
- Exhibit "O".....Specific Plan Ultimate Cross Section for Highway 99-W
- Exhibit "P".....Noise Element Map

STAFF REPORT SUMMARY SHEET

Application Information

Application Type: Use Permit Applicant: Walberg

Assessor's Parcel No. 87-050-05 Acreage: 1.1

Submittal Date: 1/24/08 Contact Person: Bud Walberg

Project Description: Landscape Rock & Materials Yard

PC Action: _____

CC Action: _____

Land Use Information

Current Zoning: M-1 CBD2 Proposed Zoning: same

Current GPLU Designation: SP Proposed GPLU Designation: SP

Floodplain Zone?: AD Airport Safety Zone: N/A

Maximum Density Permitted: N/A Compliant? Yes

CEQA Information

Application Complete: 1/24/08 Exempt?/Section N/A

MND Filed w/County: 2/21/08 With Clearinghouse: N/A

Adjoiners determined: 2/5/08 PC Notice sent to AO's 2/6/08

PC Notice to Agencies: 2/19/08 Review Ends: 3/13/08 (21 days)

PC Notice Published: 3/5/08 PC Hearing: 3/18/08

CC Hearing Date _____ Notices Mailed: _____

CC Notice Published: _____ NoD Filed: _____

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

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

PROJECT INFORMATION	PROJECT ADDRESS <i>2791 Hwy. 99-W</i>	ASSESSOR'S PARCEL NUMBER <i>87-050-05</i>	G.P. LAND USE DESIGNATION <i>Specific Plan</i>	
	ZONING DISTRICT <i>M-1-CBD2</i>	FLOOD HAZARD ZONE <i>AO (Depth)</i>	SITE ACREAGE <i>1.10</i>	
	AIRPORT SAFETY ZONE? <i>N/A</i>			
	PROJECT DESCRIPTION: (attach additional sheets if necessary) <i>Landscape rock yard. Requires tie-in to city water & sewer</i>			
APPLICATION TYPE (Check All Applicable)				
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input 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 <i>Bud & Jaimie Walberg</i>	ADDRESS <i>3538 Toomes Ave. Corning (P.O. Box 317)</i>	DAY PHONE <i>530-824-0773</i>	
	REPRESENTATIVE (IF ANY)	ADDRESS	DAY PHONE	
	PROPERTY OWNER <i>Walberg Inc.</i>	ADDRESS <i>Same as above</i>	DAY PHONE	
	CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER			
	APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct. Signed: <i>Jaimie Walberg</i>		PROPERTY OWNER: I have read this application and consent to its filing. Signed: <i>Bud Walberg</i>	
	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. <i>LP 08-249</i>	RECEIVED BY: <i>JB</i>	DATE RECEIVED <i>1/24/08</i>	DATE APPL. DEEMED COMPLETE
	FEE RECEIVED/RECEIPT NO.	CEQA DETERMINATION Exempt ND MND EIR		DATE FILED RECEIVED <i>JAN 24 2008</i> Page 1 of 5 CITY OF CORNING

EXHIBIT "A"



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title: Red Truck Rock Yard, LLC

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:

Permits for city water & sewer tie-ins. City business license.

Additional Project Information

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

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

5. Proposed scheduling/development.

Project to begin as soon as permits are issued.

6. Associated project(s).

n/A

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

n/A

**CITY OF CORNING
PLANNING APPLICATION**

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

Project is located just inside city limits. We will utilize the full 1 acre parcel for sales of the rock.

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

n/a

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

n/a

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

n/a

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 12. Change in existing topographic features, or substantial alteration of ground contours? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Change in scenic views or vistas from existing residential areas or public lands or roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Change in pattern, scale or character of general area of project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Significant amounts of solid waste or litter? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Change in dust, ash, smoke, fumes or odors in vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Substantial change in existing noise or vibration levels in the vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. Is the site on filled land or on slopes of 10 percent or more? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Relationship to a larger project or series of projects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CITY OF CORNING
PLANNING APPLICATION

Environmental setting

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

The topography of the project is flat w/silty sandy clay soil. There are a few large trees w/many small (sick) trees. There is a home & shop existing on the property. The house will be used as an office with the shop utilized as storage for the ^{rock} landscape yard.

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.

To the south of project is Glassblowers and Flying J travel stop. To the north is vacant land. East of the property is an Olive orchard. West is Highway 99w with vacant land.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 1-22-08

Signature 

For: Walberg Inc.

Red Truck Rocky Yard 99

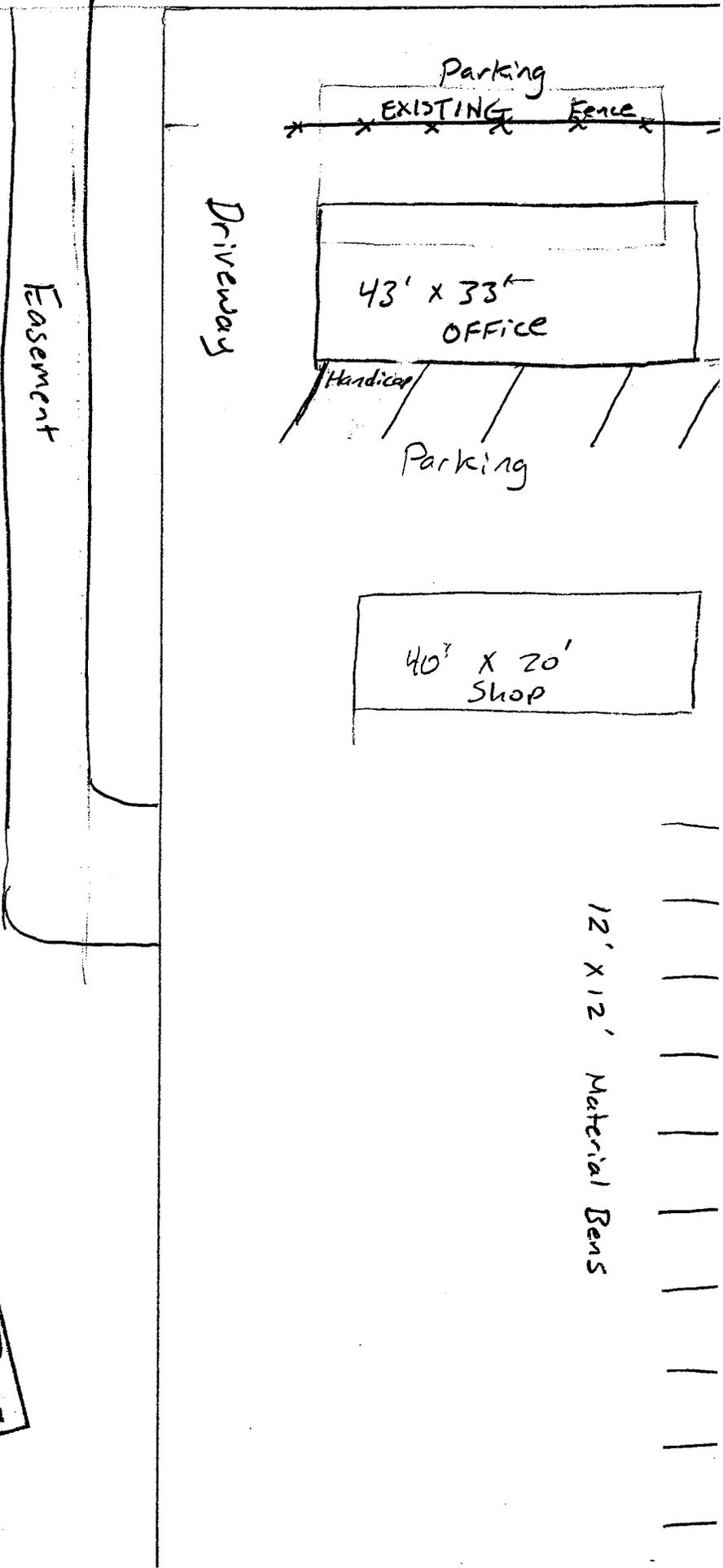
Highway 99

Site Plan

Not to scale

Bud Walberg

392-1654



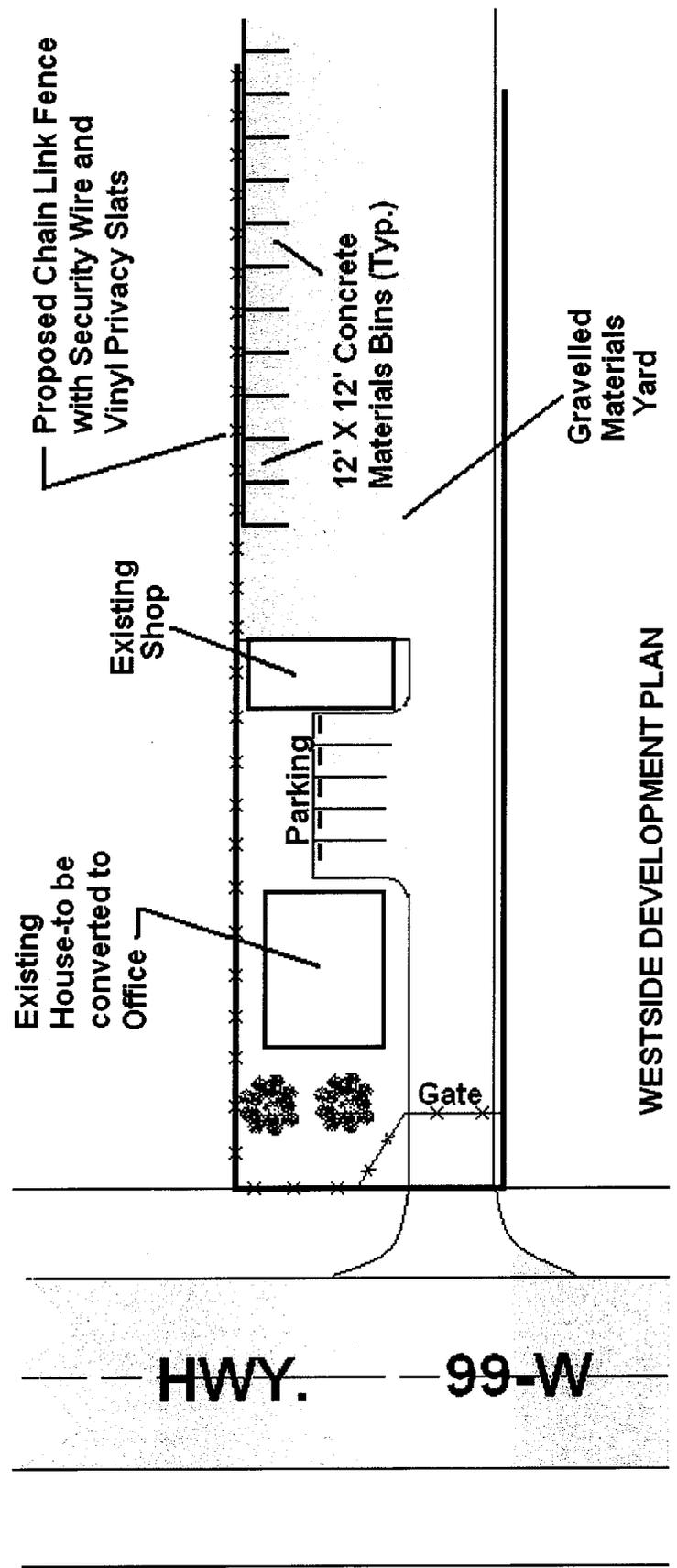
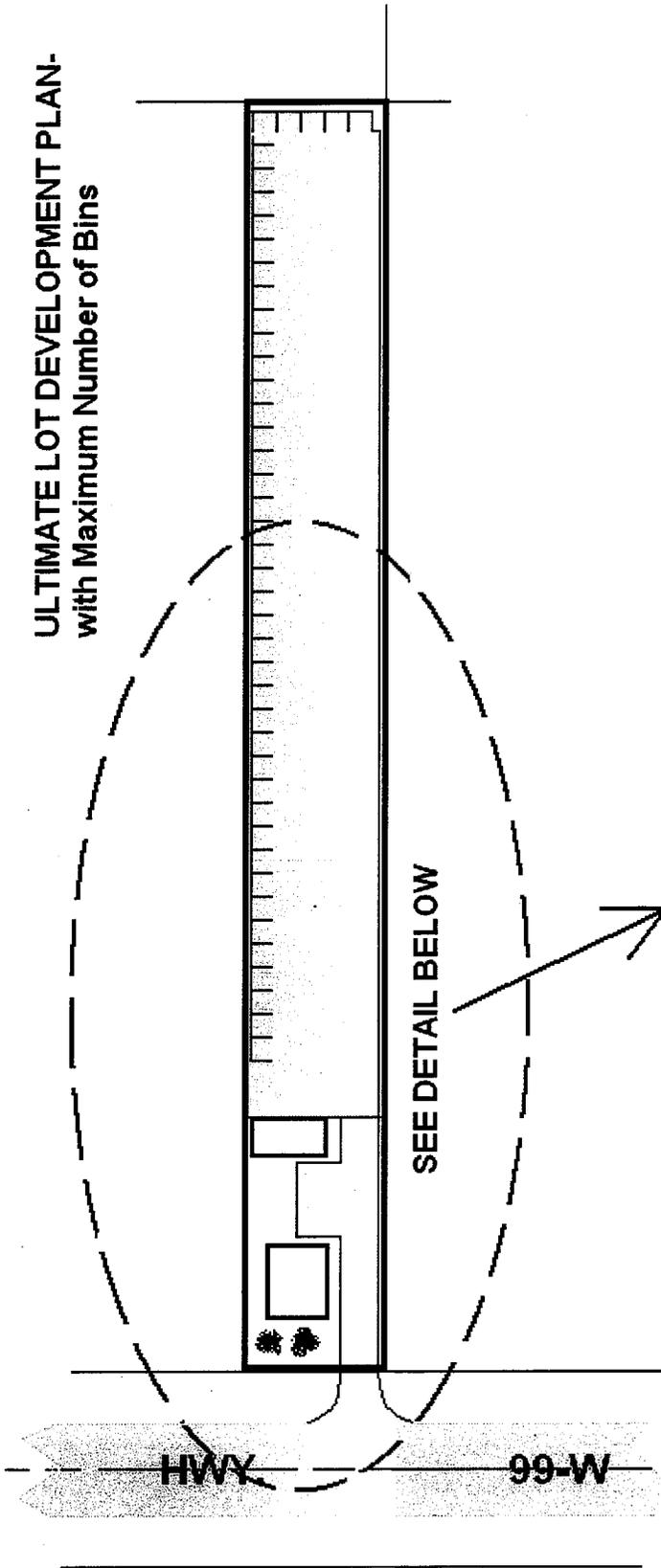
6' Fence around yard area
to have barbed wire atop
chain link

6' chain link fence

Flying J



ULTIMATE LOT DEVELOPMENT PLAN-
with Maximum Number of Bins



WESTSIDE DEVELOPMENT PLAN

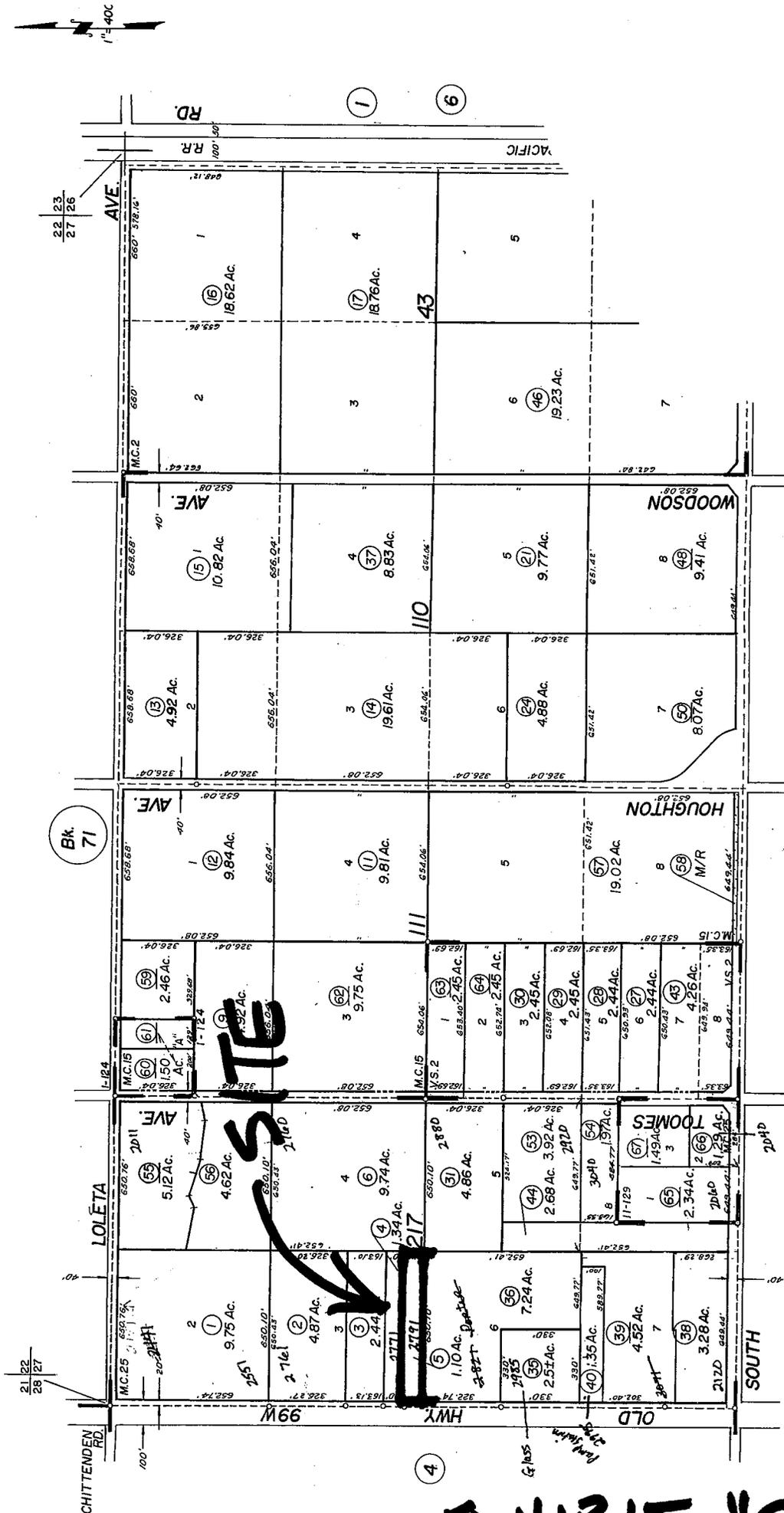
EXHIBIT "B"

2/1/02

87-05

SUBDIVIDED LAND IN N1/2, SEC. 27, T. 24N., R. 3W., M.D.B. & M.

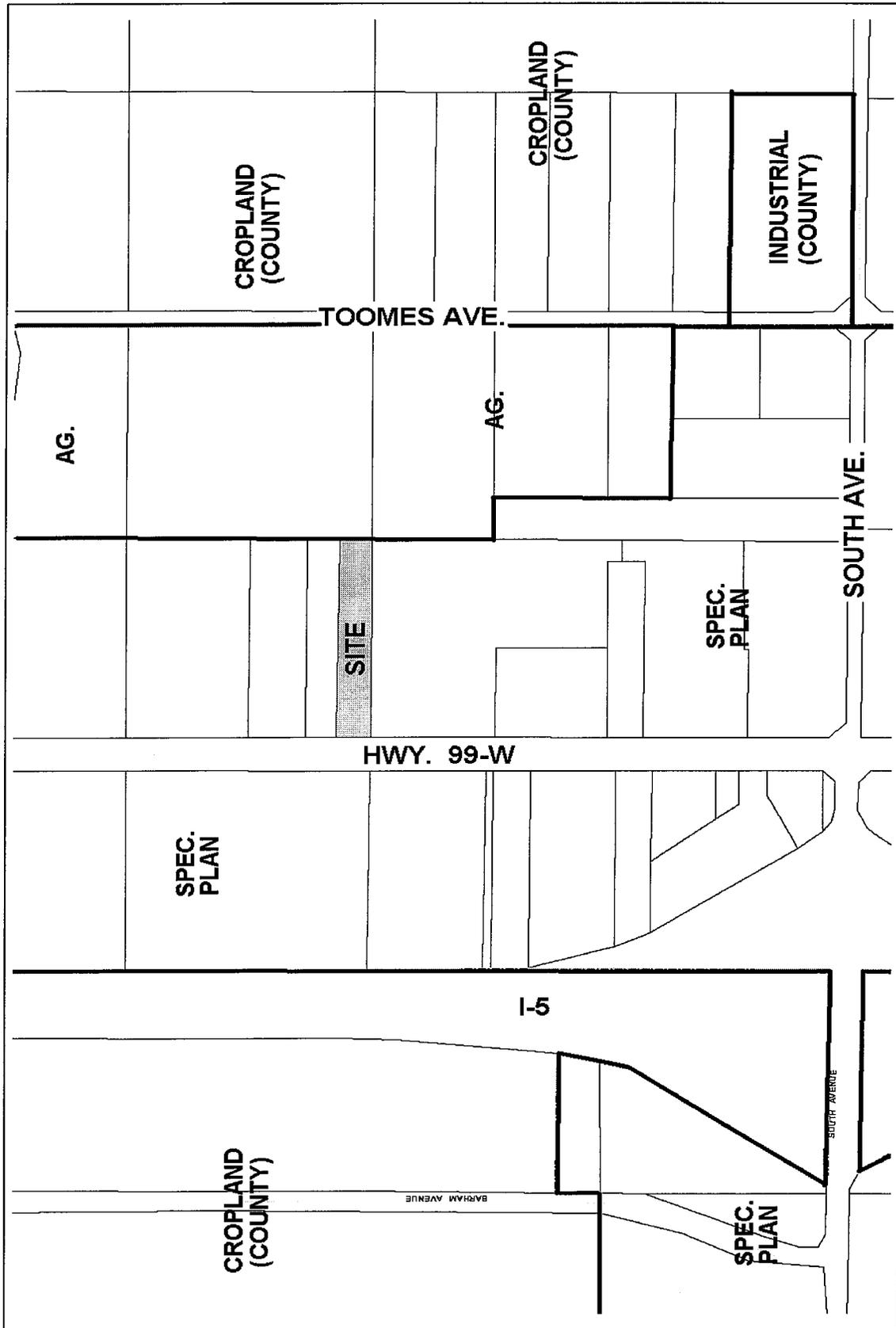
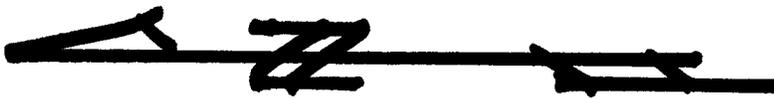
Tax Area Code



- P. M. Bk. 11, Pg. 129 - R. M. No. 90-44
- R. S. Bk. P, Pg. 2 - Woodson Ave. Survey
- P. M. Bk. 1, Pg. 124 - Parcel Map No. 336
- R. M. Bk. B, Pg. 01 - Maywood Colony No. 2
- R. M. Bk. B, Pg. 36 - Maywood Colony No. 15
- R. M. Bk. B, Pg. 37 - Maywood Colony Villa Subdivision No. 2
- R. M. Bk. B, Pg. 47 - Maywood Colony No. 25

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

EXHIBIT "C"



GEN. PLAN LAND USE

EXHIBIT "D"

CHITTENDEN ROAD

INTERSTATE 5

SPMU-CH-CBDZ

SPMU-CBDZ

R-1

LOLETA AVENUE

CH-CBDZ

R-1-A

SITE
←

STATE ROUTE 99 W

TOOMEY AVENUE

CH-CBDZ

M-1-CBDZ

M-1-CBDZ

CH-CBDZ

C-3-CBDZ

C-3-CBDZ

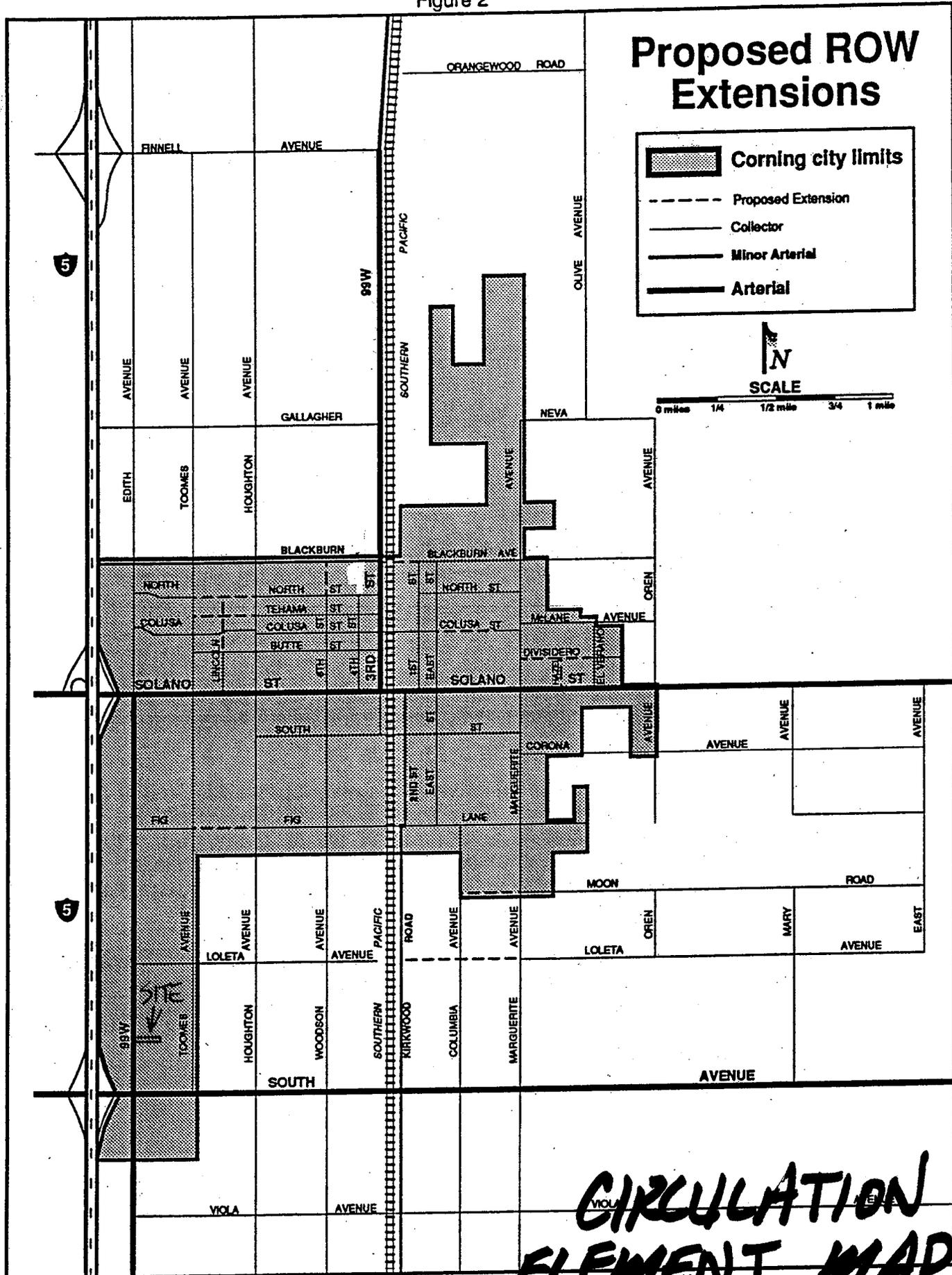
M-1-CBDZ

SOUTH AVENUE

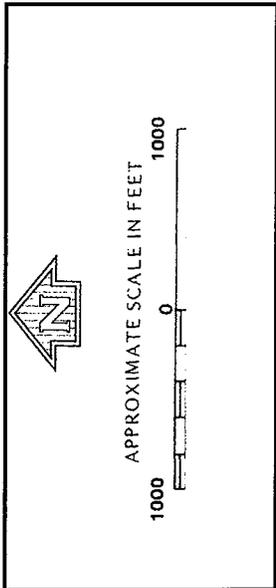
CH-CBDZ

ZONING
EXH. "E"
C-3

Figure 2



**CIRCULATION
ELEMENT MAP
EXHIBIT "F"**



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
CORNING, CALIFORNIA
TEHAMA COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER
060398 0005 C

MAP REVISED:
SEPTEMBER 27, 1991



Federal Emergency Management Agency

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

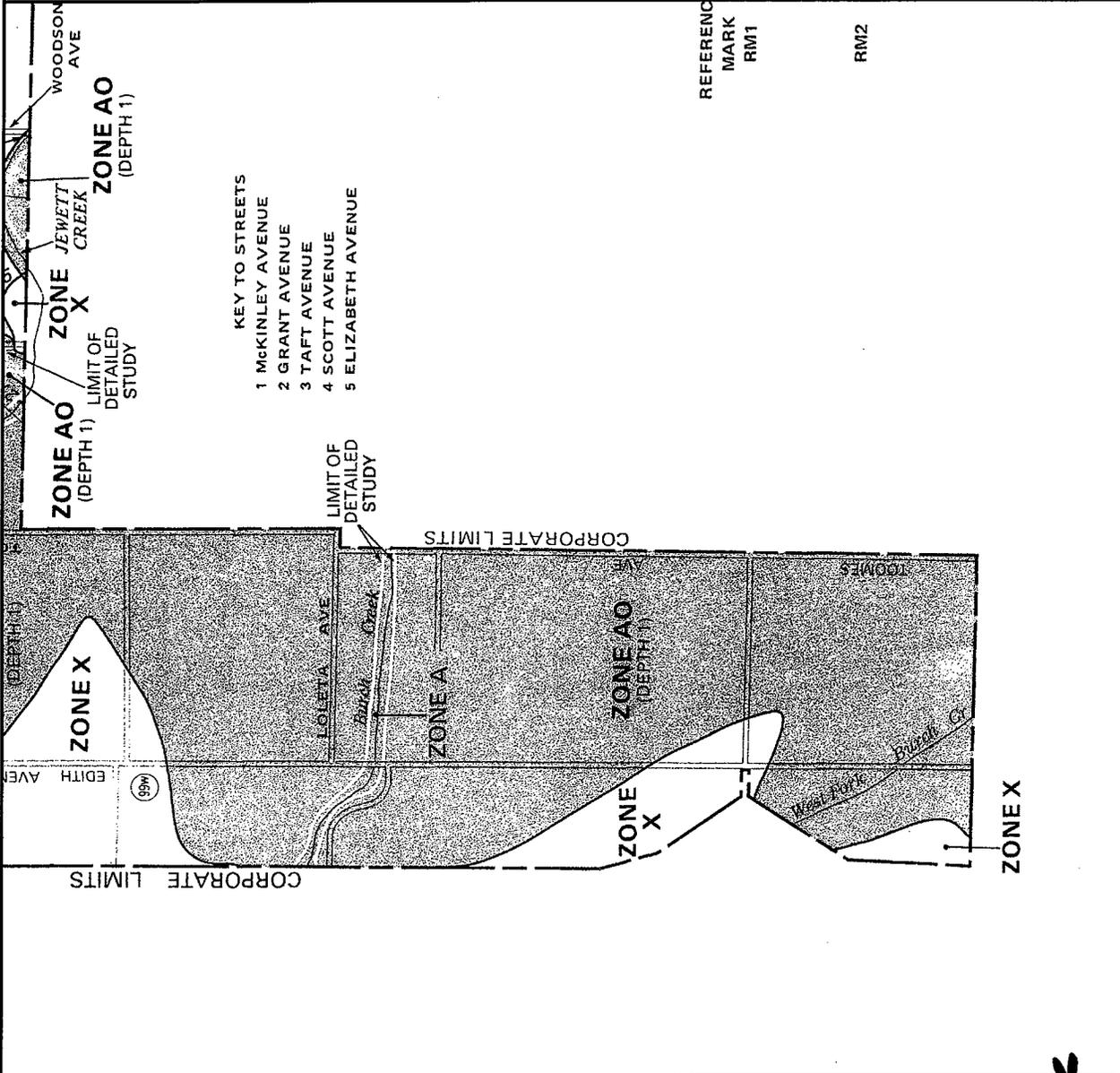


EXHIBIT "G"

Chapter 17.26

M-1 LIGHT INDUSTRIAL DISTRICTS

Sections:

- 17.26.010** **Generally.**
- 17.26.020** **Permitted uses.**
- 17.26.030** **Minimum height, bulk and space requirements.**

Section 17.26.010 **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 code shall apply in all M-1 districts. (Ord. 153 §13.01, 1959).

Section 17.26.020 **Permitted uses.**

In M-1 districts, permitted uses shall be as follows:

- A. Uses permitted in the C-3 district may be permitted upon the securing of a conditional use permit. An on-site residence may be permitted, upon securing a conditional use permit, provided the occupation of such residence will not exceed one third of the square footage of an active business establishment and occupied by the owner/proprietor or their agent. Such residence is to be a secondary use to an active industrial enterprise. No residential garage shall be permitted;
- B. The following uses of land and buildings, which shall be permitted only in M-1 and M-2 districts:
 - 1. Assembly and storage of goods, materials, liquids and equipment, except storage of flammable or explosive matter or materials which create dust, odors or fumes. Permitted uses include:
 - a. Wholesale and storage warehouses,
 - b. Feed and fuel yards;
 - 2. Manufacturing, processing, fabricating, refining, repairing, packaging or treatment of goods, material or produce by electric power, oil or gas, except operations involving fish fats and oils, bones and meat products, or similar substances commonly recognized as creating offensive conditions in the handling thereof. Permitted uses include:
 - a. Dyeing and dry-cleaning plants,
 - b. Rug cleaning plants,
 - c. Laundries,
 - d. Veterinary hospitals,
 - e. Cabinet shops,
 - f. Construction and material, except gravel, rock and cement material yards;
 - 3. The following when conducted within a building or enclosed within a solid wall or fence of a type approved by the planning commission, not less than six feet in height:
 - a. Body and fender repair shops, auto painting shops,
 - b. Cooperage and bottling works,
 - c. Sheet metal shops, welding shops,
 - d. Truck terminals,
 - e. Retail lumber yards. (Ord. 589 §9, 2001; Ord. 558 (part), 1996; Ord. 153 §13.02, 1959).

Section 17.26.030 **Minimum height, bulk and space requirements.**

In M-1 districts, the minimum height, bulk and space requirements shall be as follows:

EXHIBIT "H-1"

Corning Municipal Code

- A. Lot area, width, coverage and front yard, none;
- B. Side yards, none, except as required by the Building Code or other regulations;
- C. Rear yard, same as specified for C-2 districts;
- D. Automobile parking, to accommodate all customer and employee parking, parking requirement to meet Chapter 17.51;
- E. Loading area, private off-street space for the handling of all materials and equipment;
- F. Building height limit, same as specified for C-2 districts. (Ord. 524 §14, 1992; Ord. 153 §13.02, 1959).

H-2

Chapter 17.47

CBDZ CORNING BUSINESS DEVELOPMENT ZONE

Sections:

- 17.47.010** **Generally.**
- 17.47.020** **Purpose.**
- 17.47.030** **Applicability.**
- 17.47.040** **General provisions.**

Section 17.47.010 **Generally.**

The CBDZ Corning business development zone is to be utilized only within the boundaries delineated by the Highway 99W corridor specific plan. It is recognized that there is a need for job-generating land uses near the freeway and that the most suitable location for future commercial development is along Highway 99W. This unique environment was determined to be an appropriate location for freeway-oriented commercial development and general commercial, industrial and manufacturing businesses. The following specific regulations and the general rules set forth in Section 17.04.060 and 17.04.070 and Chapter 17.50 of this title shall apply in the CBD zone. Uses discussed in this section do not necessarily include uses in Chapter 17.54 of this title. (Ord. 573 (part), 1997).

Section 17.47.020 **Purpose.**

The CBDZ Corning Business Development Zone has been established to achieve the following purposes:

- A. To protect the public health, safety and welfare by enhancing quality of life and improving the appearance of the city;
- B. To provide protection against haphazard and traditional strip commercial development by implementing visual design guidelines established in the Highway 99W corridor specific plan;
- C. To allow site development flexibility in return for well-conceived and efficient site planning and quality design;
- D. To establish overlay districts that carry out specific purposes prescribed by the Highway 99W corridor specific plan addressing specific subjects, such as freeway-oriented commercial development and mixed-use commercial development. The overlay districts that apply to the CBDZ are Chapters 17.48 and 17.49 of this title. (Ord. 573 (part), 1997).

Section 17.47.030 **Applicability.**

The regulations of this chapter provide for the quality development within the Highway 99W corridor by (1) reviewing all development permits to determine that the permit requirements of this title have been satisfied; and (2) reviewing all permits to determine that the site has met applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan. (Ord. 573 (part), 1997).

Section 17.47.040 **General provisions.**

- A. Any development within the CBD zone shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan.
- B. Any development within the CBD zone shall comply with all conditions of approval applied to the development.
- C. Any development within the CBD zone shall comply with the regulations and standards established in the corresponding overlay zones (1) CH highway service commercial district and (2) SPMU specific plan mixed-use district. (Ord. 573 (part), 1997).

H-3

Chapter 17.49

SPMU SPECIFIC PLAN MIXED-USE OVERLAY DISTRICT

Sections:

- 17.49.010** **Generally.**
- 17.49.020** **Purpose.**
- 17.49.030** **General requirements.**
- 17.49.040** **Permitted uses.**
- 17.49.050** **Uses requiring use permits.**
- 17.49.060** **Minimum height, bulk and space requirements.**

Section 17.49.010 **Generally.**

This overlay district classification is intended to encourage mixed-use development and is to be applied to the larger parcels located between the primary intersections of the Highway 99W corridor specific plan area. As such, this overlay zone is to be utilized only within the boundaries delineated by the Highway 99W corridor specific plan. The SPMU overlay zone allows for a combination of land uses that have been determined to be compatible for development. 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 code shall apply in the SPMU overlay district. (Ord. 573 (part), 1997).

Section 17.49.020 **Purpose.**

The purpose of the SPMU overlay district is to allow development to consist of a combination of land uses. The combination of such uses are found to be compatible if noise, smoke, dust, odors, and other offensive features are confined to the premises of such use. (Ord. 573 (part), 1997).

Section 17.49.030 **General requirements.**

The regulations of this chapter provide for mixed-use development within the Highway 99W Corridor Specific Plan area which has been designated the Corning Business Development Zone. In SPMU overlay district land use regulations shall include the following requirements:

- A. In any district with which is combined the SPMU overlay district, the regulations of this chapter shall apply in addition to those specified in this title; provided, that if conflict in regulations occurs, the regulations of this chapter shall govern;
- B. The permitted uses established in each district and being combined in the SPMU overlay district are allowed; provided that in the opinion of the planning commission, the proposed sites are of a similar character;
- C. Any development within the SPMU overlay district shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan;
- D. Those provisions established in Chapter 17.47 CBDZ Corning business development zone. (Ord. 573 (part), 1997).

Section 17.49.040 **Permitted uses.**

There are no uses permitted without use permits. (Ord. 573 (part), 1997).

Section 17.49.050 **Uses requiring use permits.**

In any district with which is combined an SPMU district, the following districts may be combined and shall require use permits. The SPMU overlay district allows for the combination of the permitted uses from the following districts which in the opinion of the planning commission the uses are of a similar and compatible character: C-1 neighborhood business district, C-2 central business district, C-3 general commercial district, M-1 light industrial districts, and M-L limited manufacturing district.

H-4





EXT. "I"

Turning Quality Into Concrete

Cart-Away Concrete Systems, Inc.

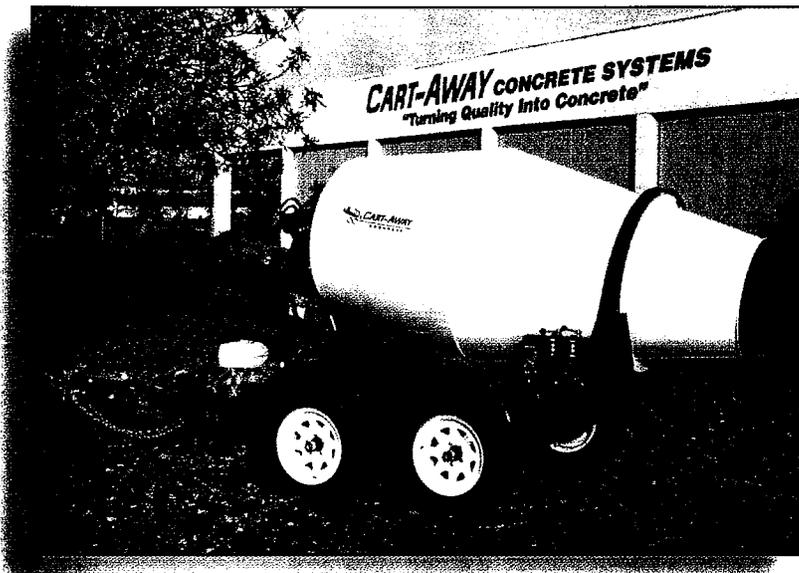


CART-AWAY

MIX TRAILERS



Model CMT-100



- Hydraulic Rotation and Tilt for Mixing and Dumping
- Mixes Concrete While Traveling
- Large Internal Mixing Blades
- Rear Operator Control Panel
- Extends the Traveling Range

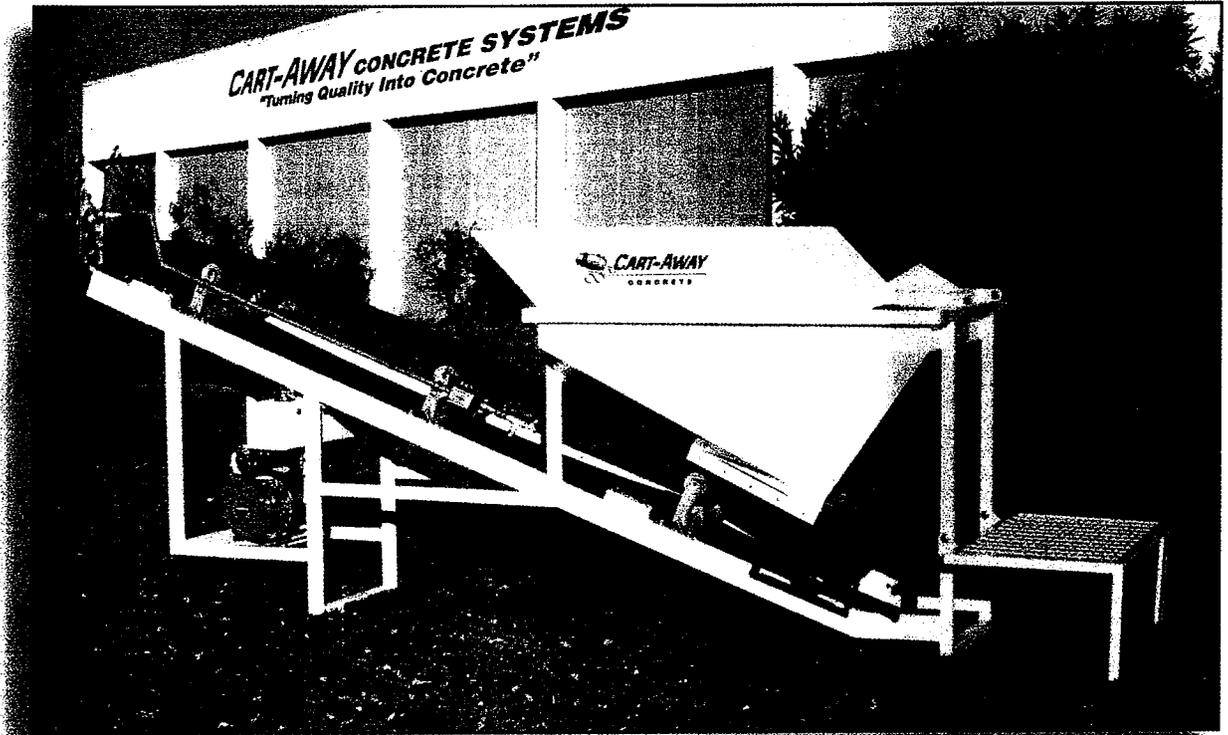
Turning Quality Into Concrete

Cart-Away Concrete Systems, Inc.



CART-AWAY

MATERIAL LOADER



Model CLS-100



- Low Cost Material Loading
- Portable
- Excellent Entry Level System
- Easier Zoning Compliance

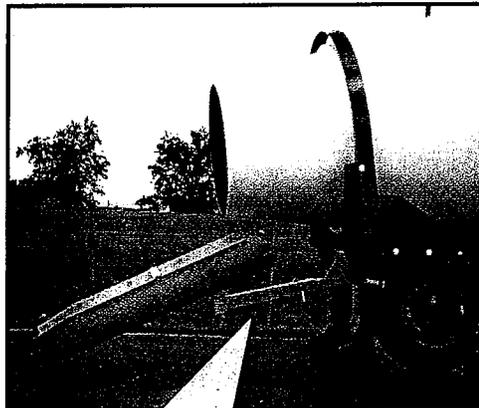
I am going to save a bunch of time ...
I'm glad my Cart-Away Concrete
supplier offers these chutes!



Cart-Away Concrete Chute



A full 180-degree
swing is perfect!



A simple slide-on,
slide-off installation!



At only 40 pounds
this non-stick plastic
makes clean up and
transport easy!



CART-AWAY

CONCRETE

1-800-909-9809

www.cart-away.com

©Cart-Away Concrete Systems, Inc. 2004

J-3



**COUNTY OF TEHAMA
Air Pollution Control District**

P.O. Box 8069 * 1750 Walnut Street
Red Bluff, CA 96080

ALAN ABBS
Phone: (530) 527-3717

AIR POLLUTION CONTROL OFFICER
Fax: (530) 527-0959

E-Mail: aabbs@tehcoapcd.net

March 3, 2008

COPY

Mr. John L. Brewer
Planning Director
City of Corning Planning Department
794 Third Street
Corning, CA 96021

RE: Mitigated-Negative Declaration for Use Permit #2008-249, Bud and Jamie Walberg

Dear Mr. Robson:

The Tehama County Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration for the proposed project by Bud and Jamie Walberg, use permit #2008-249

The District will require:

1. A Fugitive Dust Permit prior to any land clearing activities or commencing initial operations.
2. If material processing will be done on the premises an Authority to Construct will be needed prior to moving any sand and gravel processing equipment onto the site.

If there are questions or concerns, please contact me at (530) 527-3717.

Alan Abbs

Sincerely,

Planning Department

Carol Golsh
Air Pollution Control Specialist

Mitigated Negative Declaration for the proposed project by Bud and Jamie Walberg, use permit #2008-249

Alan Abbs

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Z:\WPDOCS\Uoe\County Comments\08-249Walberg_Mit_Neg_Dec.wpd

EXHIBIT "K"

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

DATE: February 19, 2008

SUBJECT: CEQA MITIGATED NEGATIVE DECLARATION:

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

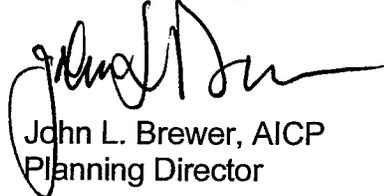
To establish and operate a Landscape Materials Yard in a M-1-CBDZ Zoning District. Located at 2791 Highway 99-W. Assessor's Parcel No. 87-050-05; approx. 1.1 acres. Applicant: Bud and Jaimie Walberg.

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

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

The Initial Study prepared for the Project is available for review at City Hall. **Written comments on the proposed Negative Declaration will be accepted until 5:00 PM Tuesday, March 18, 2008.**

The Planning Commission Public Hearing for a recommendation regarding the adequacy of the Mitigated Negative Declaration of Environmental Impact and Approval of the Tentative Subdivision is scheduled for Tuesday, March 18, 2008 at 6:30 PM in the City Council Chambers, City of Corning, 794 Third Street, Corning, California 90021.


John L. Brewer, AICP
Planning Director

February 19, 2008

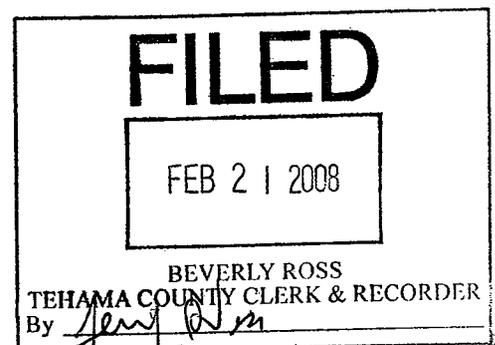


EXHIBIT "L"

CITY OF CORNING

Initial Study Environmental Checklist Form

1. Project title: Use Permit No. 2008-249
2. Lead agency name and address:
City of Corning
794 Third St.
Corning, CA 96021
3. Contact person and phone number: John Brewer; (530) 824-7036
4. Project location: 2791 Highway 99-W, Corning, CA 96021
5. Project sponsor's name and address Bud Walberg, 3538 Toomes Avenue, Corning, CA 96021
6. General plan designation: Hwy. 99-W Specific Plan 7. Zoning: M-1-CBDZ
8. Description of project:
To establish and operate a Landscape Materials Yard in a M-1-CBDZ Zoning District.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
A truckstop parking lot to the south, olive orchard and agricultural to the east, Old Highway 99-W and Highway Commercial uses to the west, and vacant to the north. The site is within the Hwy. 99-W Specific Plan Area and is planned for mixed-use commercial and light industrial operations.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
None known.

EXHIBIT "J"

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

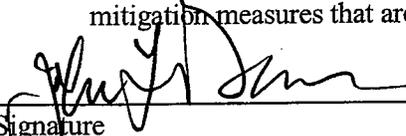
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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


Signature

2/19/2008
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

Issues:

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Create objectionable odors affecting a

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES -- Would the project:

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

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/> π	<input type="checkbox"/> π	<input type="checkbox"/> π	<input checked="" type="checkbox"/> π
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

for the disposal of wastewater?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY

-- Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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

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

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES

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

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

XIV. RECREATION --

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XV. TRANSPORTATION/TRAFFIC -- Would the project:

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

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

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

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

RESPONSES TO ISSUES IDENTIFIED ON CHECKLIST

I. AESTHETICS.

No Impact anticipated regarding effects a & b. As to effect "c"; the site adjoins an open field. The application shows the proposed storage bins positioned along the north and east property lines. These landscape bins are typically fashioned out of concrete. The concrete fascia presented to the north and east would be unattractive and inconsistent with the design objectives of the Highway 99-W Specific Plan. To mitigate, the following measure should be implemented:

MM 1. YARD FENCING AND SCREENING. The fencing along the north and east sides of the Materials Yard shall be 6'-0" high chain-link type fencing with colored vinyl slats, and may include security barbed wire along the top.

The property lies within the Highway 99-W Specific Plan Area. That Plan includes Design Guidelines for new buildings, fencing, landscaping and lighting. Of course in this case the applicant intends to utilize the existing structures for his business office and shop building. No new buildings are proposed at this time. However, future improvements should comply with the Design Guidelines of the Highway 99-E Specific Plan. The following Condition is recommended:

CONDITION NO. 2. SPECIFIC PLAN DESIGN GUIDELINES. Future site improvements shall comply with the Highway 99-W Corridor Specific Plan Design Guidelines.

II. AGRICULTURAL RESOURCES.

No effects are anticipated.

III. AIR QUALITY

No effects are anticipated regarding effects a, b, d or e. There may be some negative effects such as blowing dust that would typically be expected as part of a Landscape Materials Yard. However, these effects are not deemed significant in light of the existing uses occurring or expected to occur in the vicinity. No mitigation measures are necessary.

IV. BIOLOGICAL RESOURCES

No effects are anticipated.

V. CULTURAL RESOURCES

No effects to Cultural Resources are anticipated.

VI. GEOLOGY AND SOILS

No effects are anticipated.

VII. HAZARDS AND HAZARDOUS MATERIALS.

VIII. HYDROLOGY AND WATER QUALITY

No significant impacts are anticipated.

IX. LAND USE AND PLANNING.

The site is appropriately zoned and the General Plan Land Use Designation is residential. No issues were identified as potentially significant. However, to comply with California standards, at least one

parking space must be made accessible pursuant to the Americans with Disabilities Act. The following condition will assure compliance with those standards:

CONDITION NO. 3. HANDICAPPED PARKING SPACE. Applicant shall pave and mark not fewer than one parking space for handicapped accessibility.

X. NOISE

No effects are anticipated.

XI. POPULATION AND HOUSING

No effects are anticipated.

XII. PUBLIC SERVICES

No effects are anticipated.

XIII. RECREATION

No effects are anticipated.

XIV. TRANSPORTATION

The site fronts on Old Highway 99-W. The former state highway provides two paved traffic lanes. The City has adopted an upgraded standard for the old highway that includes widening, curb and gutter and sidewalk improvements. However, those improvements are not necessary at this time. The following mitigation measure will ensure the improvements are completed when traffic warrants the widening:

MM 4. DEFERRED IMPROVEMENT AGREEMENT. Applicant shall enter into a Deferred Improvement Agreement for the half width improvements to Highway 99-W to City standards.

The current driveway should be improved to facilitate the increased customer and delivery traffic that the use will generate. The following condition of approval should be implemented.

CONDITION NO. 5. ENCROACHMENT PERMIT. Applicant shall obtain an Encroachment Permit and complete asphalt (or concrete) paving improvements to that portion of the driveway lying within the Highway 99-W Right of Way and outside the perimeter fence as directed by the Director of Public Works.

The narrowness of the property will limit the turning movements of some larger semi-trucks. For that reason those vehicles will need to either back in or back out of the site. There is currently sufficient unused area outside the Highway 99-W traveled way to provide maneuver room for backing trucks. However, when the highway is widened and curb, gutter and meandering sidewalk is developed, that will no longer be an option. .

The applicant claims he currently has an access easement across the adjacent Flying "J" property. However, that claim is not supported by the title report. So, one future alternative would be to acquire access rights through the adjacent Flying "J" Truckstop.

XV. UTILITIES AND SERVICE SYSTEMS

No effects are anticipated.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

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

BIBLIOGRAPHY

Source:

City of Corning General Plan
Land Use Element
Circulation Element
Open Space Element
Housing Element
Safety Element
Noise Element
Conservation Element
Public Facilities Element
Economic Development Element
Highway 99-W Corridor Specific Plan

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

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

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

Principal Author:

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

SUMMARY OF MITIGATION MEASURES & CONDITIONS

MM 1. YARD FENCING AND SCREENING. The fencing along the north and east sides of the Materials Yard shall be 6'-0" high chain-link type fencing with colored vinyl slats, and may include security barbed wire along the top.

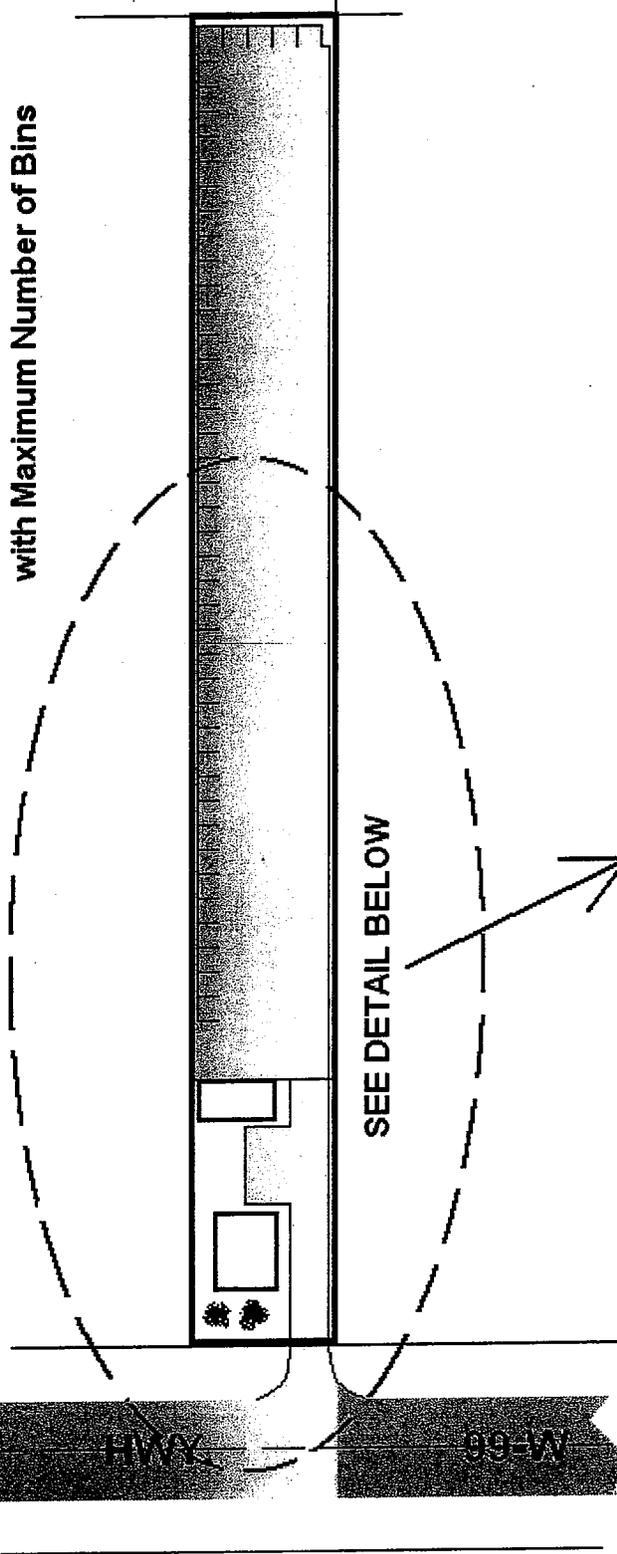
CONDITION NO. 2. SPECIFIC PLAN DESIGN GUIDELINES. Future site improvements shall comply with the Highway 99-W Corridor Specific Plan Design Guidelines.

CONDITION NO. 3. HANDICAPPED PARKING SPACE. Applicant shall pave and mark not fewer than one parking space for handicapped accessibility.

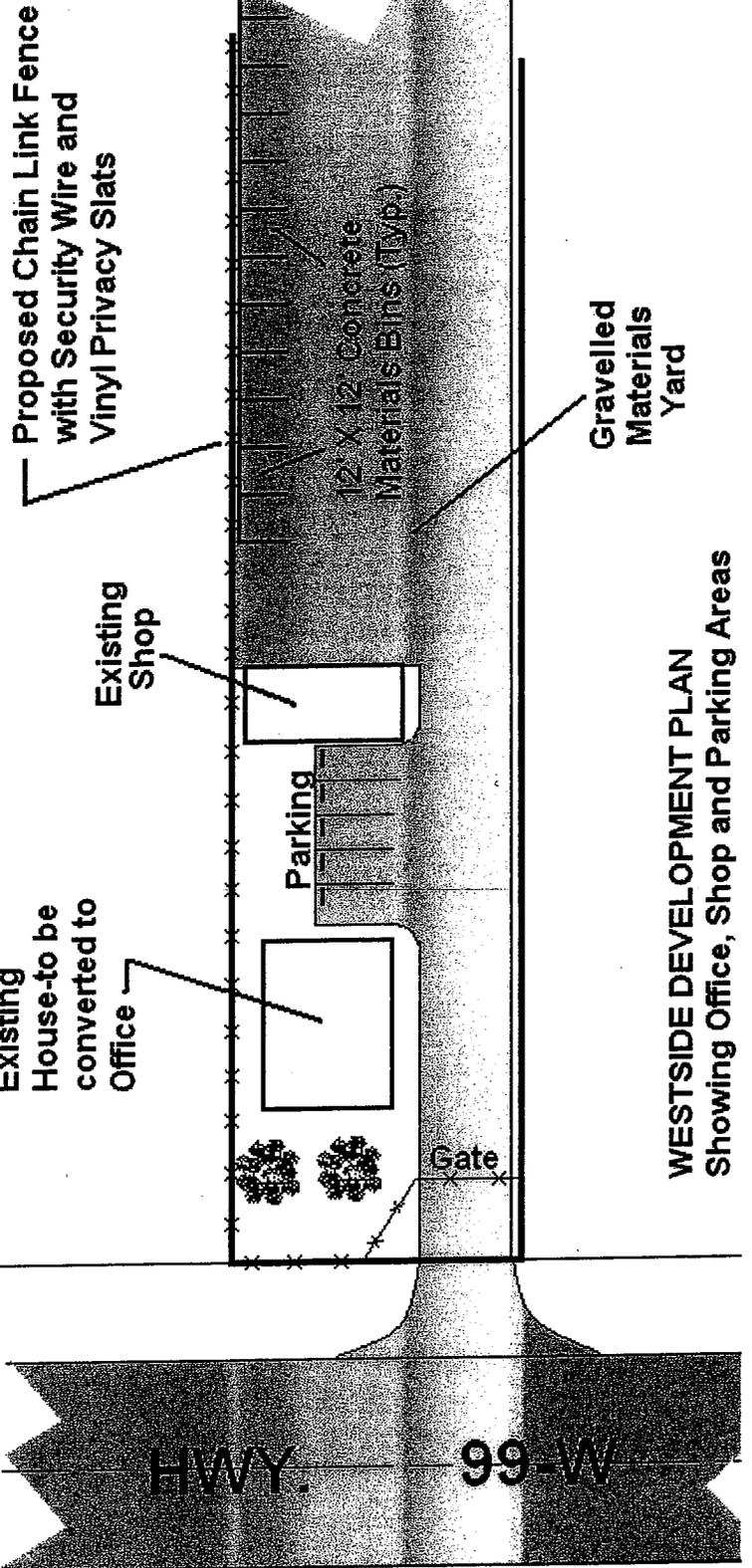
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ULTIMATE LOT DEVELOPMENT PLAN-
with Maximum Number of Bins



SEE DETAIL BELOW



Proposed Chain Link Fence
with Security Wire and
Vinyl Privacy Slats

12 X 12 Concrete
Materials Bins (Typ.)

Gravelled
Materials
Yard

Existing
Shop

Parking

Existing
House-to be
converted to
Office

Gate

HWY. 99-W

WESTSIDE DEVELOPMENT PLAN
Showing Office, Shop and Parking Areas

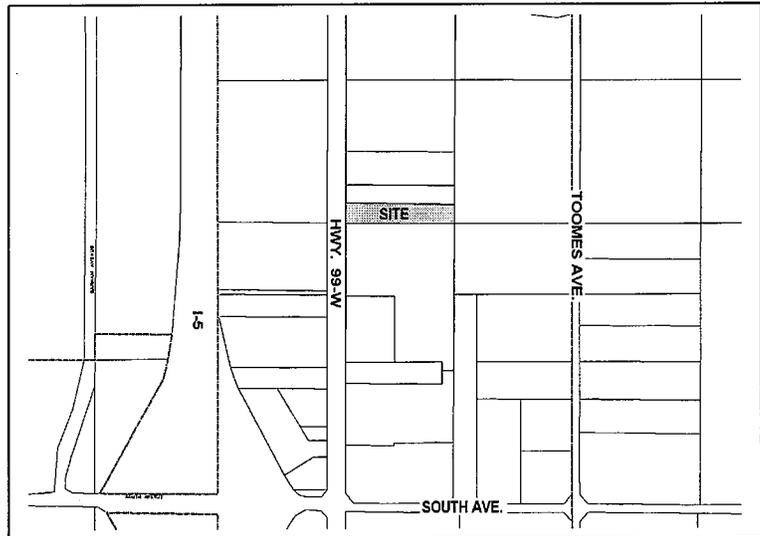
PUBLIC NOTICE-PUBLIC HEARING-MITIGATED NEGATIVE DECLARATION; Use Permit No. 2008-249; Bud & Jaimie Walberg

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

WHAT IS BEING PLANNED:

Bud & Jaimie Walberg propose to establish and operate a Landscape Rock and Supplies Yard on the property at 2791 Highway 99-W. The property is zoned M-1-CBDZ; Light Industrial-Corning Business Development Zone. The use may be permitted upon approval of a Conditional Use Permit.

The subject property is located on the east side of Old Highway 99-W, and approximately 1,300 feet north of South Avenue. Assessor's Parcel No. (APN) 87-050-05; approximately 1.10 acres.



WHY THIS NOTICE:

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

The City wants you to be aware that the plans and other project information are available for your review at City Hall, 794 Third Street in Corning. You are invited to attend a Public Hearing to be conducted by the Planning Commission in the City Council Chambers in City Hall at 794 Third Street at 6:30 p.m. on Tuesday, March 18, 2008. Please note if this project is challenged in court, you may be limited to raising only those issues that were raised at the Public Hearing or in writing delivered to the Planning Commission at or prior to the Public Hearing.

WHAT CAN YOU DO:

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

FOR MORE INFORMATION REGARDING THIS PROJECT PLEASE CONTACT:

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

EXHIBIT "M"

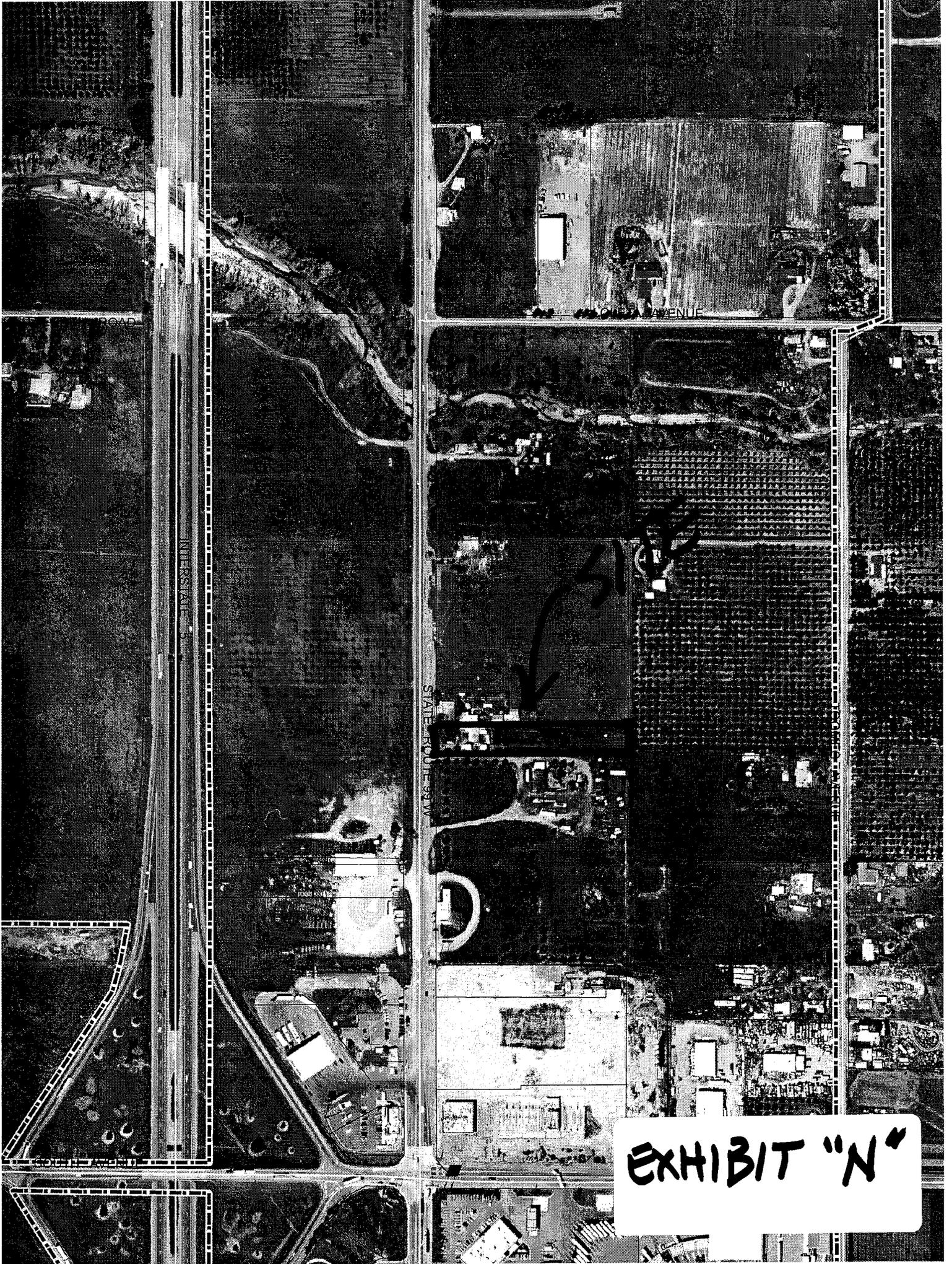
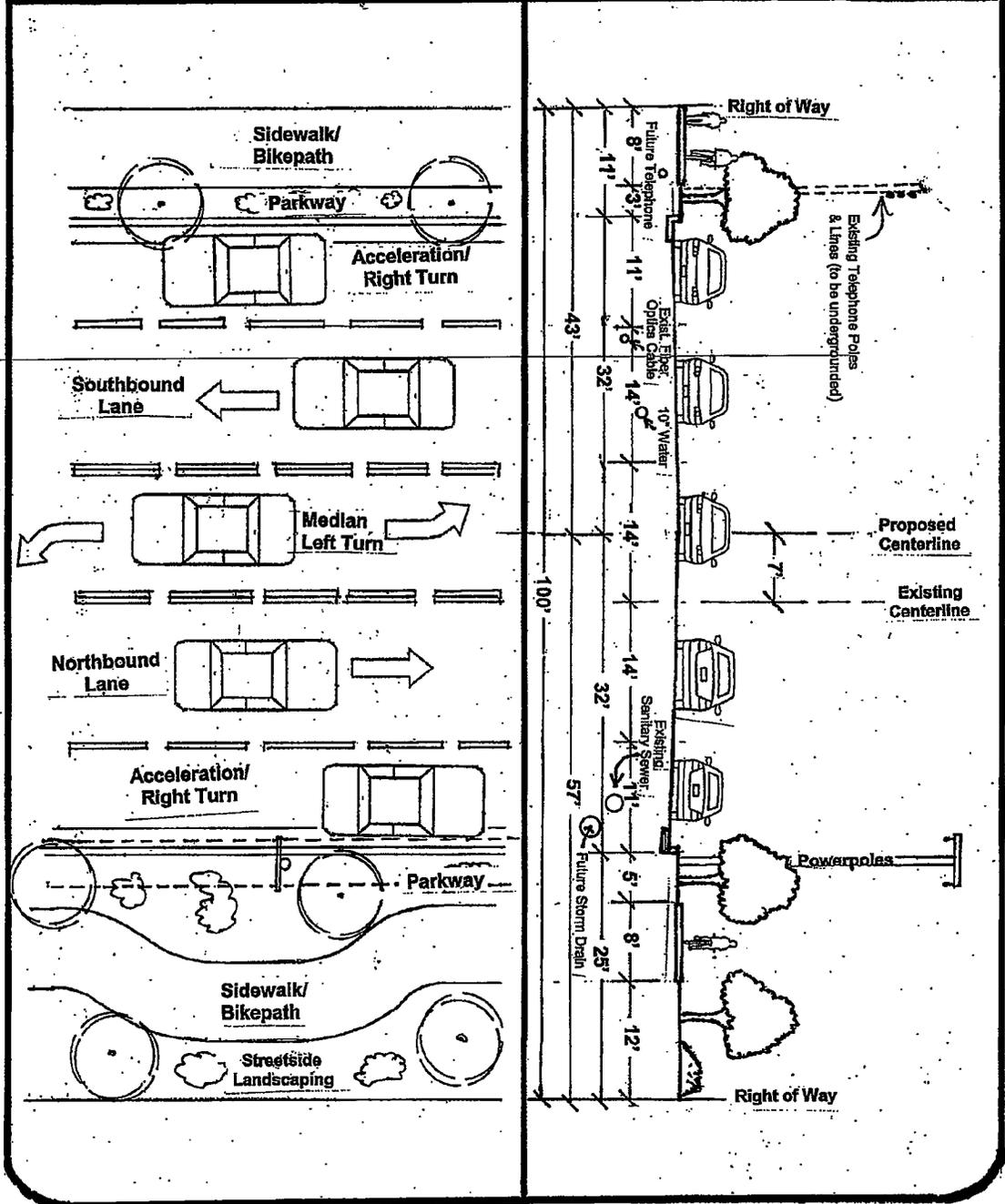


EXHIBIT "N"

PLAN VIEW

CROSS SECTION



REVISED HWY. 99-W PLAN

Corning Planning Dept.
12/04/2006

EXHIBIT "O"

Figure 10

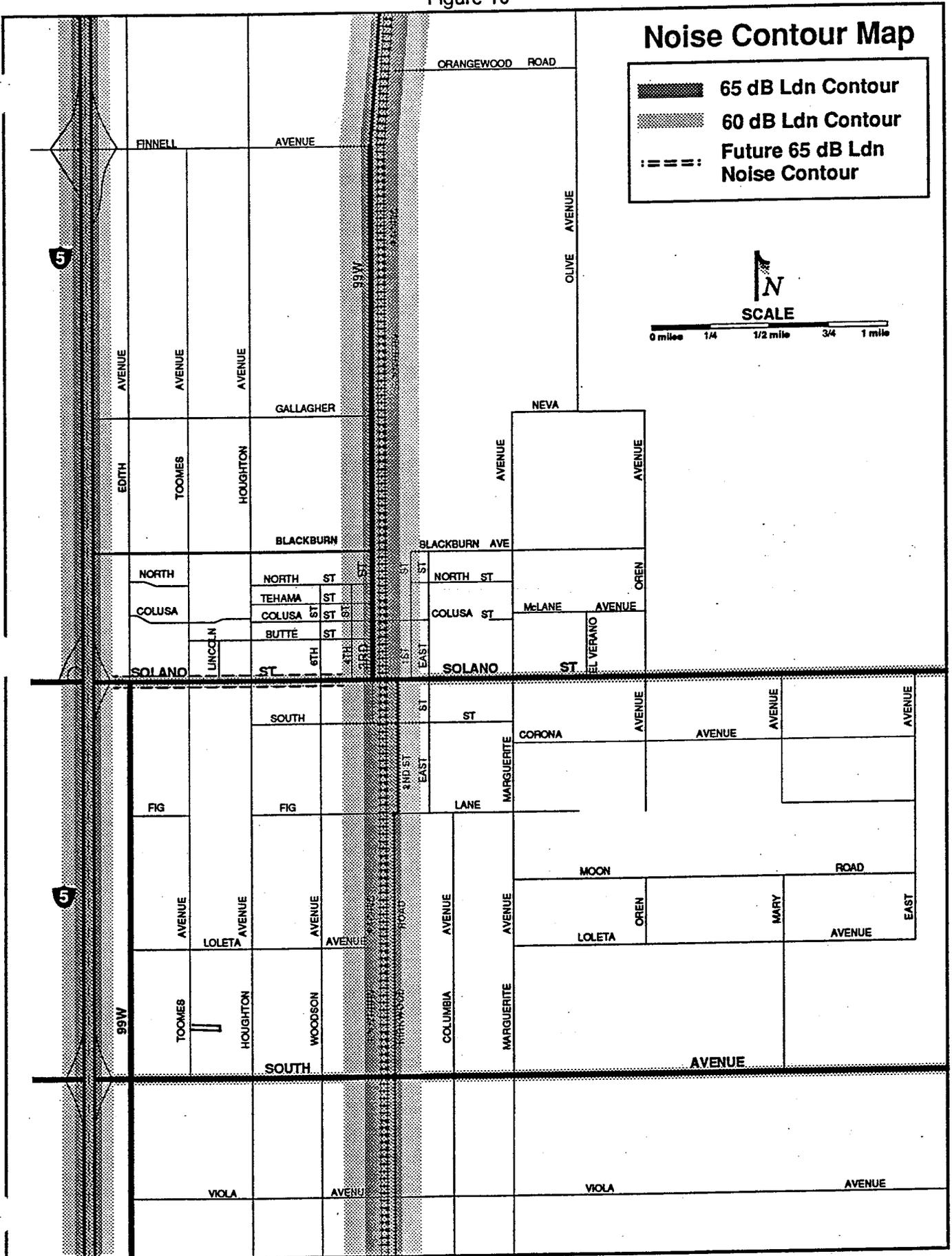


EXHIBIT "P"