



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, MARCH 18, 2014
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

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

C. MINUTES: The Minutes of the January 21, 2014 Planning Commission Meeting will be presented for approval at the next Planning Commission Meeting.

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

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

1. Use Permit 2014-269 - Corning Union High School District: Corning Union High School District is proposing to establish a 0.3 MW Photovoltaic Generation System (Solar Array) on property owned by the City of Corning pursuant to a Lease Agreement previously approved. Assessor's Parcel No. 75-080-29, address: 642 Blackburn Ave.

2. Use Permit 2014-270 - Corning Volunteer Fire Department: Establish an approximately 200' x 200' Fire Training Facility on City owned property zoned AV (Airport District), located at the northwest corner of Blackburn Ave./Marguerite Ave. Assessor's Parcel No. 75-080-25.

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

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, MARCH 14, 2014

**ITEM NO: E-1
USE PERMIT 2014-269: CORNING UNION HIGH
SCHOOL; ESTABLISHMENT OF AN
0.3MW (Solar Array) PHOTOVOLTAIC
GENERATION SYSTEM ON AIRPORT PROPERTY
OWNED BY THE CITY OF CORNING.**

MARCH 18, 2014

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER, PLANNING CONSULTANT

PROJECT DESCRIPTION:

The Corning Union High School District is proposing to establish a 0.3MW photovoltaic generation system (solar array) on property owned by the City of Corning pursuant to a lease agreement previously approved between the City and School District. The photovoltaic generation system will generate electrical power to assist in offsetting the amount of electricity the District purchases from PG&E.

The 0.3MW photovoltaic generation system will consist of stationary posts supporting solar panels at an angle a minimum 30 inches from the ground to a maximum of 8 feet above the ground. The solar arrays will be located approximately 300 feet north of Blackburn Avenue behind the existing residence on the parcel just across the street from Corning High School. Assessor's Parcel Number: 75-080-29
Address: 642 Blackburn Ave.

GENERAL PLAN LAND USE DESIGNATION:

R – Residential

SUMMARY OF ZONING AIRPORT ISSUES:

The parcel is zoned R-1 and pursuant to Section 17.10.020 (C) of the Corning Municipal Code the establishment of a utility of this nature must be approved by the Planning Commission. The parcel is part of the property acquired along with existing airport property and located in the Overflight Safety Zone of the Airport Land Use Plan (ALUP). The ALUP permits the establishment of utilities without review by the Tehama County Airport Land Use Commission but staff felt that the project should be reviewed by the Corning Airport Commission prior to consideration by the Planning Commission.

On March 3, 2014 the Airport Commission reviewed the Use Permit application and did not consider the project as an impact to airport operations and did not recommend any conditions of approval.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21084 of the Public Resources Code requires a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Secretary of Resources

has classified projects that do not have a significant effect on the environment and are declared to be categorically exempt from the requirement for the preparation of environmental documents.

CEQA, Section 15303, New Construction or Conversion of Small Structures, Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

Examples of exemptions in this category are in the CEQA guidelines for implementing CEQA, Class 3 (d) states; *Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.*” This project is an electrical utility extension of approximately 400 feet from the Corning High School to the Solar Array site with no street impacts.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2014-269;

Factual Subfinding #1

The Corning Union High School will extend its electrical utility system to a 0.3MW photovoltaic generation system utilizing solar array panels located approximately 400 feet north of the school pursuant to a lease agreement with the City of Corning.

Legal Finding #1

Utility and electrical extensions are examples of permitted exemptions within the CEQA guidelines therefore the granting of Use Permit 2014-269 is exempt from CEQA pursuant to Section 15303, Class 3, Section (D).

Factual Subfinding #2

The location where the Corning Union High School proposes to establish a 0.3MW photovoltaic generation system is on city owned property and within the “Overflight Safety Zone” of the Corning Municipal Airport’s Comprehensive Airport Land Use Plan. The Corning Airport Commission reviewed placement of the facility at a meeting held on March 3, 2014 and determined that the facility would not create a hazard to current airport operations.

Legal Finding #2

The City of Corning Airport Commission determined that the 0.3MW photovoltaic generation system utilizing solar array panels at this location will not create a hazard to the airspace around the Corning Municipal Airport and is consistent with the need to protect public health, safety and welfare by ensuring the orderly expansion of the airport and the adoption of land use measures that minimize the public’s exposure to substantial noise and safety hazards within areas around the airport.

Factual Subfinding #3

The 0.3MW photovoltaic generation system utilizing solar array panels will be developed on a 10 acre parcel that is relatively flat and owned by the City of Corning. The only structure's on the parcel is a single family residence with several small outbuildings located adjacent to where the solar panels will be placed.

Legal Finding #3

The existing parcel is adequate in size, shape, and topography to allow for the development of a 0.3MW photovoltaic generation system utilizing solar array panels.

Factual Subfinding #4

The existing parcel is located along the north side of Blackburn Avenue and has approximately 600 feet of street frontage to serve the parcel. The applicant will be required to obtain an encroachment permit and construct a private access road to the location where the solar panels will be placed.

Legal Finding #4

Blackburn Avenue is an existing public street adequate in width and pavement with existing asphalt surface to serve the vehicles used in installing and maintaining the 0.3MW photovoltaic generation system and solar array panels.

FACTUAL SUBFINDING #5

The Corning Union High School District has a lease agreement with the City of Corning to place the 0.3MW photovoltaic generation system utilizing solar array panels on a 10 acre parcel adjacent to the Corning Municipal Airport. The system will be accessed from city property, other then the Airport and High School the surrounding parcels are undeveloped and primarily used for seasonal grazing of livestock.

LEGAL FINDING #5

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

ACTION:

Move to adopt the five Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2014-269 subject to the following four (4) conditions of approval permitting the establishment of a 0.3MW photovoltaic generation system on airport property owned by the City of Corning.

Condition #1: Obtain an encroachment permit from the Corning Public Works Department prior to the commencement of construction activities related to the placement and extension of the 0.3MW photovoltaic generation system, solar array panels, electrical extension, and access road.

Condition #2: Comply with the requirements of all federal, state, and local agencies especially the City of Corning Building and Fire Departments.

Condition #3: Develop the site as shown on the site plan submitted with the application and provide six (6) foot high security fencing around the perimeter of the solar array panels.

Condition #4: The applicant must work with the Public Works Department to verify the location and condition of any underground water lines within the lease area and if they are damaged by construction activities they will be responsible for repairing the lines.

Or;

Move to adopt findings and deny the issuance of Use Permit 2014-270.

ACTION:

Review, comment, and recommend conditions of approval to the Planning Commission regarding the establishment of solar array system as previously discussed.

ATTACHMENTS

Exhibit "A"	Use Permit Application submitted by Corning High School
Exhibit "B"	Aerial Vicinity Map

PLANNING APPLICATION
TYPE OR PRINT CLEARLY

Exhibit "A"

City of Corning
Planning Dept.
794 Third Street
Corning, CA 96021

PROJECT INFORMATION	PROJECT ADDRESS - <u>642 Blackburn Ave</u> 106 1st Street, Corning, CA 96021		ASSESSOR'S PARCEL NUMBER 075-080-29	G.P. LAND USE DESIGNATION
	ZONING DISTRICT Zoned R-1	FLOOD HAZARD ZONE <u>N/A</u>	SITE ACREAGE 1.2 acres	AIRPORT SAFETY ZONE? <u>Overflight</u>
	PROJECT DESCRIPTION: (attach additional sheets if necessary) <u>Installation of 0.3MW photovoltaic generation system on City of Corning owned property for the benefit of Corning Union High School (CUHS) to offset electrical demand at the school. See attached Site Plan</u>			
	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 <u>Corning Union High School District</u>		ADDRESS <u>643 Blackburn Ave Corning, CA 96021</u>	DAY PHONE <u>530-824-8000</u>
	REPRESENTATIVE (IF ANY) <u>John Burch</u>		ADDRESS <u>643 Blackburn Ave Corning, CA 96021</u>	DAY PHONE <u>530-824-8000</u>
	PROPERTY OWNER <u>City of Corning</u>		ADDRESS	DAY PHONE
	CORRESPONDENCE TO BE SENT TO <input type="checkbox"/> APPLICANT <input checked="" 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: <u>John Burch</u>		PROPERTY OWNER: I have read this application and consent to its filing. Signed: _____	
By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.				

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. <u>2014-269</u>	RECEIVED BY: <u>JS</u>	DATE RECEIVED <u>2/21/2014</u>	DATE APPL. DEEMED COMPLETE
	FEE RECEIVED/RECEIPT NO.	CEQA DETERMINATION <u>Exempt</u> ND MND EIR		DATE FILED



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title:

_____ Corning Union High School - 0.3 MW Photovoltaic System _____

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:

_____ Encroachment Permit from City to cross Blackburn Ave _____

Additional Project Information

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

4. Amount of off-street parking to be provided. _____ None _____ parking stalls. (Attach plans)

5. Proposed scheduling/development.

_____ Construction Mobilization April 15, 2014, and demobilization of all construction work by August 15, 2014 _____

6. Associated project(s).

_____ Tie-in to CUHS PG&E meters on CUHSD property _____

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 _____

PLANNING APPLICATION

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

N/A

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

Project is a 0.3MW photovoltaic system used to generate electricity for adjacent Corning Union High School. PV modules are fixed tilt, with no employees regularly on-site or loading facilities required for operation.

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.

Requires a Conditional Use Permit as the property is owned by the City of Corning, with the energy generated for the benefit of CUHS. Note that the Project does not allow for expansion of the CUHS Campus.

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"/> (< 8' high) |
| 14. Change in pattern, scale or character of general area of project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Significant amounts of solid waste or litter? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Change in dust, ash, smoke, fumes or odors in vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Substantial change in existing noise or vibration levels in the vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. Is the site on filled land or on slopes of 10 percent or more? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Relationship to a larger project or series of projects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

PLANNING APPLICATION

Environmental setting

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

Relatively flat City owned property that has been formerly used as an active olive orchard, and is
now currently used for horse pasture land and single family home. Existing structures on the site will not be
used for this Project.

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.

South: Corning Union High School

North, East, & West: Undeveloped grass land

On APN: Existing single house dwelling, with various farm type structures

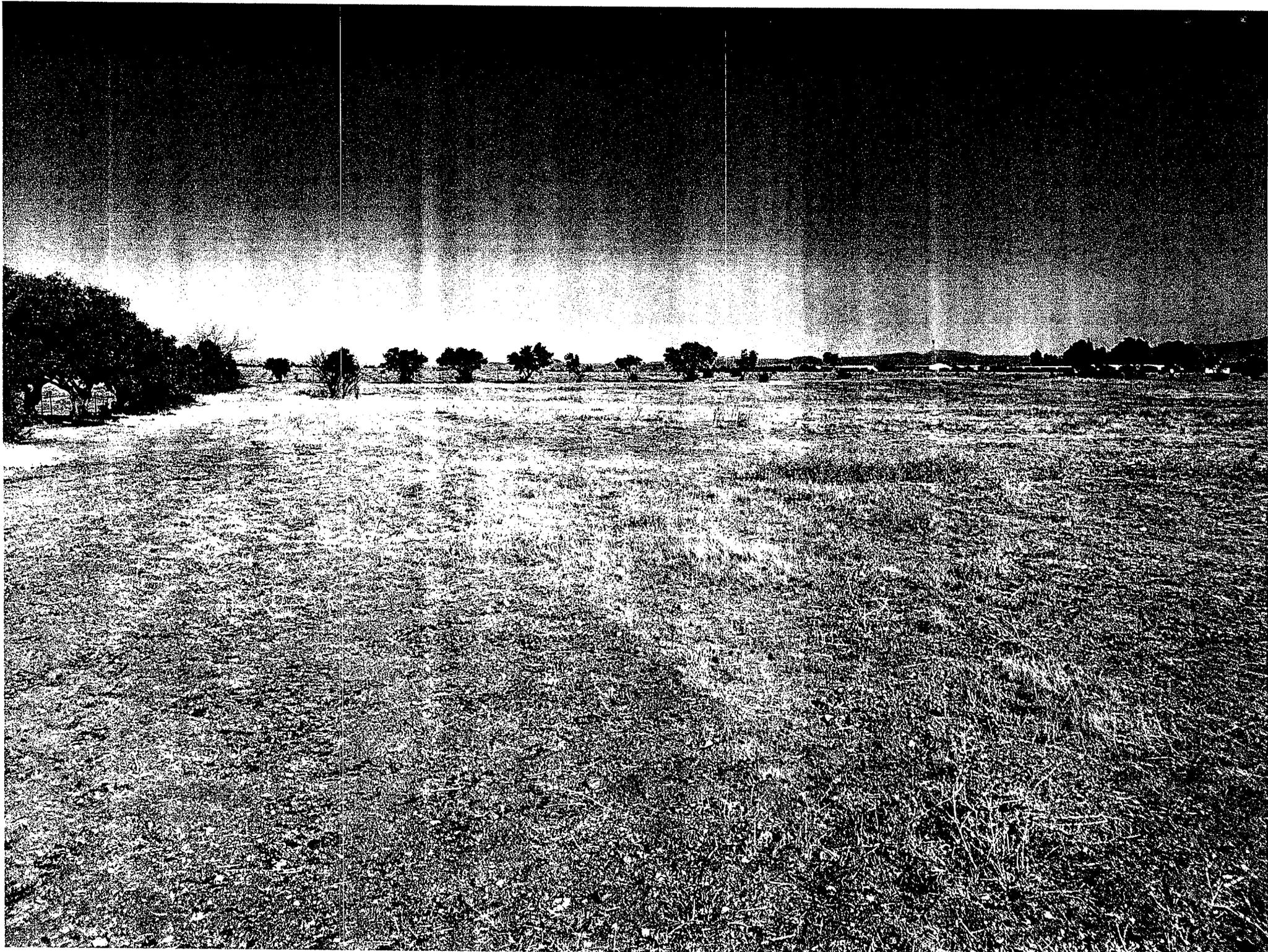
Along North and West property boundary: Existing row of olive trees, to remain for this project.

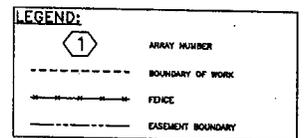
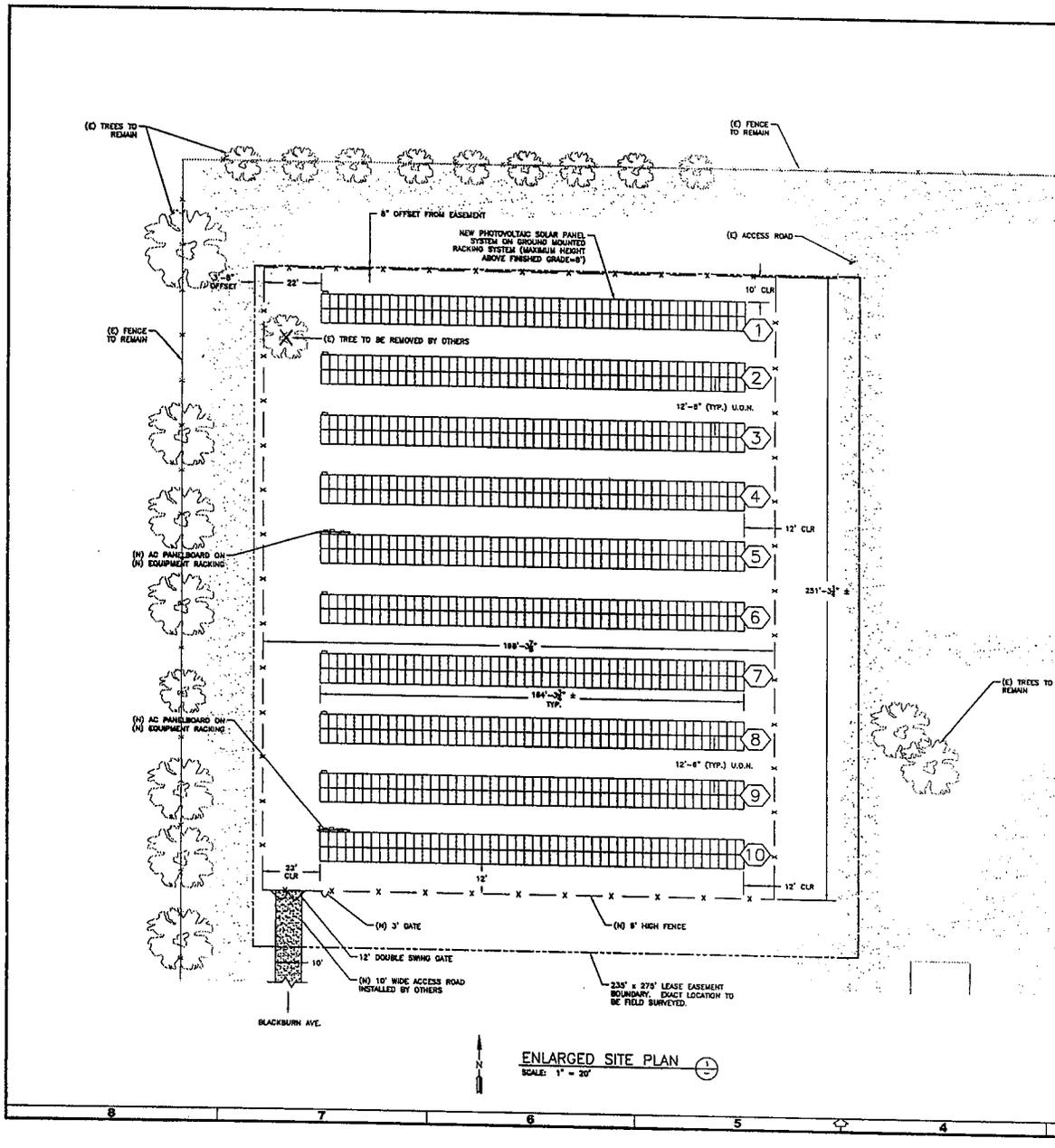
Certification

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 _____ Signature _____

For: _____





- GENERAL NOTES:**
- CANADIAN SOLAR CS2X-30SP
DIMENSIONS: 78.83" X 38.7" X 1.27"
WEIGHT: 50.7 LBS
 - ADVANCED ENERGY INDUSTRIES
DIMENSIONS: 21" X 37" X 11"
WEIGHT: 108 LBS

SYSTEM DESCRIPTION

ARRAY DESCRIPTION	MODULE SPECIFICATION	AZIMUTH DEGREES	TILT DEGREE	MODULES PER ARRAY	ARRAY AREA (SQ. FT.)
ARRAY-1	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-2	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-3	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-4	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-5	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-6	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-7	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-8	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-9	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
ARRAY-10	CANADIAN SOLAR CS2X-30SP	180	25	100	1900
TOTAL				1000	19000

INVERTER DESCRIPTION

INVERTER DESCRIPTION	INVERTER SPECIFICATION	MODULES PER STRING	STRINGS PER INVERTER	MODULES PER INVERTER	KILOWATTS (DC-STC)	KILOWATTS (CEO-AC)
1W-01	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-02	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-03	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-04	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-05	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-06	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-07	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-08	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-09	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
1W-10	ADVANCED ENERGY INDUSTRIES, 804R024	10	10	100	30.5	28.95
TOTAL				1000	305	289.50

IEC
Integrated Engineers & Constructors Corporation
875 Fabian Blvd, Suite 205
Sacramento, CA 95825
Phone (916) 325-6600
Fax (916) 325-2619

IEC POWER

CORNING UNION HIGH SCHOOL DISTRICT
643 BLACKBURN AVE.
CORNING, CA 96021
(530) 834-9000

PRODUCT TITLE:
CORNING UNION HIGH SCHOOL

643 BLACKBURN AVE
CORNING, CA 96021

NO.	DATE	DESCRIPTION
1	10/26/11	10% PERMITS
2	10/26/11	10% PERMITS
3	10/26/11	10% PERMITS
4	10/26/11	10% PERMITS
5	10/26/11	10% PERMITS
6	10/26/11	10% PERMITS
7	10/26/11	10% PERMITS
8	10/26/11	10% PERMITS
9	10/26/11	10% PERMITS
10	10/26/11	10% PERMITS
11	10/26/11	10% PERMITS
12	10/26/11	10% PERMITS
13	10/26/11	10% PERMITS
14	10/26/11	10% PERMITS
15	10/26/11	10% PERMITS
16	10/26/11	10% PERMITS
17	10/26/11	10% PERMITS
18	10/26/11	10% PERMITS
19	10/26/11	10% PERMITS
20	10/26/11	10% PERMITS

EXCLUDED FROM DSA REVIEW UNDER IR16-8

ENLARGED SITE PLAN

CU-A112

Exhibit "B"



**ITEM NO: E-2
USE PERMIT APPLICATION 2014-270;
ESTABLISHMENT OF AN APPROXIMATELY 200' X
200' FIRE TRAINING FACILITY LOCATED AT THE
NORTHEWEST CORNER OF THE BLACKBURN
AVE./MARGUERITE AVE. INTERSECTION
ADJACENT TO THE EXISTING CITY WELL SITE.
THE PROPERTY IS OWNED BY THE CITY AND
ZONED AV, AIRPORT DISTRICT. APN: 75-080-25**

MARCH 18, 2014

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING CONSULTANT

PROJECT DESCRIPTION:

The City of Corning Volunteer Fire Department recently received a Power your Community Grant from PG&E and would like to use the funds to establish an approximately 200' X 200' fire training facility on City owned property zoned AV, Airport District, located at the northwest corner of the Blackburn Ave./Marguerite Ave. intersection adjacent to the existing well site owned by the City.

The training facility will include three (3) portable conex structures as depicted on the attached exhibits. The structures will average 11 feet in height with attached training props that will be approximately 18 feet in height. Simulated training fires will consist of organic materials, primarily straw, that will be extinguished as part of the training functions. As noted in the project description provided by Fire Chief, Martin Spannaus, this organic burn material can be extinguished rather quickly if necessary and smoke simulated training will be limited to once a month on Wednesday evenings for approximately 1 hour.

GENERAL PLAN LAND USE DESIGNATION

PM – Public Municipal

SUMMARY OF ZONING AND AIRPORT ISSUES

The parcel is zoned AV, Airport District pursuant to Section 17.34.030 (B) Commercial and service structures and uses require a Use Permit issued by the Planning Commission prior to being established at this location. The proposed location of the training facility is also in the approach zone of the Corning Municipal Airport requiring review by the Tehama County Airport Land Use Commission (ALUP) prior to consideration before the Planning Commission. Staff felt that it was appropriate for the Corning Airport Commission, as an advisory body to the City Council and Planning Commission, to review the project and make comments and recommendations to the Planning Commission and ALUP prior to review of the facility by both Commissions.

The Corning Airport Commission, as an advisory body to the City Council and Planning Commission, reviewed the project at its quarterly meeting on January 6, 2014 and recommended that a description and the location of the training facility be included in the airport directory and that fire training personnel have a portable radio tuned to airport frequency (123.0 MHz) on hand during training activities.

On January 14, 2014 as property owners the Corning City Council reviewed the project and by a 5:0 vote moved to approve the submittal of a Use Permit application by the Corning Fire Department for the establishment of an approximately 200' X 200' Fire Training Facility on City owned property within the Approach Zone of the Corning Municipal Airport and recommend that the Planning Commission incorporate the comments from the Airport Commission as conditions of approval should they approve the Use Permit.

After review by the Corning Airport Commission, and since the location of the facility is within the "Approach Zone" of the Corning Municipal Airport's Comprehensive Airport Land Use Plan, the Fire Department submitted an application to the Tehama County Airport Land Use Commission (ALUC). The plan states that *"projects of this nature must be reviewed on individual basis to protect public health, safety and welfare by ensuring the orderly expansion of the airport and the adoption of land use measures that minimize the public's exposure to substantial noise and safety hazards within areas around public airports."*

Staff for the ALUC sent the application to the California Department of Transportation, Division of Aeronautics who responded with a letter stating that activities should be avoided in approach zones that emit smoke as the California Airport Land Use Planning Handbook (Handbook) identifies sources of smoke as a potential hazard to airspace. For this reason County staff recommended that the ALUC find the facility incompatible with the Approach Safety Area guidelines.

City staff researched the Handbook which does identify smoke as a potential hazard to airspace but does state *"that there are no specific FAA standards for these hazards and that potential hazards should be evaluated on a case-by-case basis."* Staff then contacted Rainbow Aviation Services who is the Fixed Base Operator (FBO) for the airport and they submitted a letter stating that the limited amount of time and operation of the training facility, once a month on Wednesday evenings when air traffic is very low, the location of the facility approximately 2500 feet from the south end of the runway, and implementation of a plan to notify pilots of the facility, that there would be absolutely no conflict with airport operations.

The facility was reviewed at the February 20, 2014 ALUC meeting where city staff presented the following Subfindings, Findings, and Action for consideration:

SUBFINDING #1

The City of Corning Airport Commission currently consists of four (4) members who are licensed pilots and have extensive experience and knowledge of Corning Airport's daily operations and safety issues. On January 6, 2014 the Commission reviewed the proposal by the Corning Volunteer Fire Department to establish a Fire Training Facility and conduct live fire training in an area approximately 2,500 feet from the south end of Runway 35, within the Approach Zone of the Corning Municipal Airport.

FINDING #1

The Corning Airport Commission did not consider the establishment of a Fire Training Facility, including live fire training, at this location as a flight hazard to Runway 35 at the Corning Municipal Airport and recommended the following requirements be considered as conditions of approval for the facility:

Condition #1: Modify the FAA Directory for the Corning Municipal Airport to include information regarding the establishment and operation of a fire training facility at the proposed location.

Condition #2: During fire training activities fire training personnel shall have a portable radio on site tuned to airport frequency 123.0 MgH allowing communication with aircraft in the area of the airport.

SUBFINDING #2

On January 14, 2014 the Corning City Council, as a regular agenized item, reviewed the proposed Fire Training Facility to determine if a Use Permit Application should be submitted to establish the facility on city owned property within the Approach Zone of the Corning Municipal Airport.

FINDING #2

The Corning City Council voted 5:0 to approve submittal of a Use Permit Application for the establishment of a Fire Training Facility at the described location within the Approach Zone of the Corning Municipal Airport.

SUBFINDING #3

Rainbow Aviation Services is the Fixed Base Operator (FBO) for the Corning Municipal Airport. The City of Corning consulted with the FBO on potential impacts associated with the establishment of the proposed Fire Training Facility located approximately 2500 feet from the south end of Runway 35.

FINDING #3

On February 18, 2014 the FBO prepared a letter that summarized the Corning Volunteer Fire Department's proposal as reasonable and at this time there would be no flight operations at the Corning Airport that would be adversely affected by the placement of the training facility.

SUBFINDING #4

The Fire Training Facility will be located approximately 2500 feet from the south end of Runway 35 along the north side of Blackburn Avenue adjacent to an existing city well and fire hydrant. The Corning Municipal Airport currently has very limited water infrastructure and expansion of the water system is not feasible at this time.

FINDING #4

The proposed location currently has adequate water supply and pressure to serve the Fire Training Facility and at this time is the only feasible location on city owned property to locate the facility.

SUBFINDING #5

The City of Corning owns the 40 acre parcel (APN 75-080-25) where the south end of Runway 35 is constructed. Approximately 37 acres of this parcel lies south of the runway and north of Blackburn Avenue. Within this area is the Runway Protection Zone (Zone 1) and pursuant to the 2011 California Airport Land Use Planning Handbook the Inner Approach/Departure Zone (Zone 2) and Outer Approach/Departure Zone (Zone 4).

The parcel is currently vacant except for a city well site that encompasses approximately $\frac{1}{4}$ of an acre at the south east corner of the parcel. The proposed Fire Training Facility will encompass approximately $\frac{1}{2}$ of an acre west of and adjacent to the well site.

FINDING #5

The Fire Training Facility will develop another $\frac{1}{2}$ acre of land adjacent to an existing $\frac{1}{4}$ acre city well site for a total developed area of $\frac{3}{4}$ acres all within Zone 4, Outer Approach/Departure Zone of the Corning Municipal Airport. Establishment of the Fire Training Facility will result in 2% of the land south of Runway 35, and owned by the City being developed and 98% being open space land. The Runway Protection Zone (Zone 1) and the Inner Approach/Departure Zone (Zone 2) will continue to remain 100% open space land after the Fire Training Facility is developed.

SUBFINDING #6

Pursuant to the 2011 California Airport Land Use Planning Handbook the proposed Fire Training Facility will be developed in the Outer Approach/Departure Zone (Zone 4). Figure 4E in the handbook provides suggested maximum nonresidential intensities as average number of people per gross acre for rural areas as 70-100 per acre. The Corning Volunteer Fire Department has 35 volunteer members who will use the facility for training purposes.

FINDING #6

The Fire Training Facility will be developed on approximately $\frac{1}{2}$ acres within the Outer Approach/Departure Zone (Zone 4). Use of the facility by the 35 volunteers and up to five (5) instructors will result in 40 people per $\frac{1}{2}$ acre which complies with the maximum

nonresidential intensities of 70 to 100 people per acre as depicted in Figure 4E of the 2011 California Airport Land Use Planning Handbook.

SUBFINDING #7

The live fire training area will consist of metal conex shipping containers attached to each other to simulate separate rooms for training purposes. A 2 ft. wide by 4 ft. long fire box to create smoke will be placed in one conex container and smoke will then be circulated to the other containers to create simulated smoke filled rooms. The smoke will be slowly ventilated from the containers until it dissipates. Live fire training activities will be limited to once a month for one hour training sessions on Wednesday evenings when use of the Corning Airport is very infrequent.

FINDING #7

The limited intensity of use, time of use, and limited amount of smoke being vented from the simulation structures will not create a hazard to flight for aircraft using Runway 35 at the Corning Municipal Airport.

SUBFINDING #8

The City of Corning is an all Volunteer Fire Department and currently does not have a training facility for adequate training of the volunteers which poses a life safety threat when they respond to an emergency call.

FINDING #8

Establishing a fire training facility, especially one where live fire training with smoke filled room simulation is available, will provide valuable training to the volunteers of the Corning Fire Department and increase the health, safety and welfare of the residents of Corning and surrounding area.

RECOMMENDED ACTION

THE TEHAMA COUNTY AIRPORT LAND USE COMMISSION MOVES TO ADOPT THE EIGHT (8) SUBFINDINGS AND FINDINGS PRESENTED TO THE COMMISSION BY STAFF FROM THE CITY OF CORNING AND DETERMINE THAT THE INFREQUENT USE, LIMITED AMOUNT OF SMOKE GENERATED, MINIMAL HAZARD TO FLIGHTS, AND INCREASED TRAINING THE FACILITY PROVIDES TO THE VOLUNTEERS OF THE CORNING VOLUNTEER FIRE DEPARTMENT, AND THE HEALTH, SAFETY AND WELFARE FOR THE CITIZENS OF THE CITY OF CORNING AND SURROUNDING AREA, OUTWEIGHS THE RISK ASSOCIATED WITH ESTABLISHMENT OF THE FIRE TRAINING FACILITY AND IS THEREFORE A COMPATIBLE USE WITHIN THE CURRENT APPROACH ZONE AS DEPICTED IN THE CORNING MUNICIPAL AIRPORT LAND USE PLAN AND OUTER APPROACH/DEPARTURE ZONE AS DEPICTED IN THE 2011 CALIFORNIA AIRPORT LAND USE PLANNING HANDBOOK.

After discussion with County Staff, City Staff, and the ALUC the Commissioners voted 5:1:0 to adopt the eight (8) Subfindings and Findings presented by City Staff and moved that the facility is a compatible use within the current approach zone of the Corning Municipal Airport Land Use Plan and Outer Approach/Departure Zone as depicted in the 2011 California Airport Land Use Planning Handbook.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

CEQA, Section 15303, New Construction or Conversion of Small Structures, Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

The training facility will include the installation of three (3) portable conex structures with only minor modifications so that they can be used for smoke simulated training. Existing water infrastructure is available to serve the facility.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2014-270;

Factual Subfinding #1

The training facility will include the installation of three (3) portable conex structures with only minor modifications so that they can be used for smoke simulated training. Existing water infrastructure is available to serve the facility. Existing fencing will be expanded to secure the facility from public use.

Legal Finding #1

The granting of Use Permit 2014-270 consists of the placement of three (3) small portable conex structures, extending existing fencing for security purposes and is exempt from CEQA pursuant to Section 15303, Class 3.

Factual Subfinding #2

The location where the Corning Volunteer Fire Department proposes to establish a Fire Training Facility is on city owned property and within the "Approach Zone" of the Corning Municipal Airport's Comprehensive Airport Land Use Plan. The Corning Airport Commission reviewed placement of the facility at a regular scheduled meeting held on January 6, 2014 and determined that the facility would not create a hazard to current airport operations.

The Tehama County Airport Land Use Commission (ALUC) reviewed the placement of the facility at a regular scheduled meeting on February 20, 2014. The ALUC Commissioners voted 5:1:0 to adopt the eight (8) Subfindings and Findings presented by City Staff and moved that the facility is a compatible use within the current approach zone of the Corning Municipal Airport Land Use Plan and Outer Approach/Departure Zone as depicted in the 2011 California Airport Land Use Planning Handbook.

Legal Finding #2

The City of Corning Airport Commission and Tehama County ALUC have found that the Fire Training Facility is a compatible use within the current approach zone of the Corning Municipal Airport Land Use Plan and Outer Approach/Departure Zone as depicted in the 2011 California Airport Land Use Planning Handbook. The facility is consistent with the need to protect public health, safety and welfare by ensuring the orderly expansion of the airport and the adoption of land use measures that minimize the public's exposure to substantial noise and safety hazards within areas around the Corning Municipal Airport.

Factual Subfinding #3

The Fire Training Facility will be developed on a 40 acre parcel that is relatively flat and owned by the City of Corning. The only structure on the parcel is an existing municipal well building located adjacent to where the training facility will be established.

Legal Finding #3

The existing parcel is adequate in size, shape, and topography to allow for the development of a Fire Training Facility.

Factual Subfinding #4

The existing parcel is located along the north side of no Blackburn Avenue and has existing water infrastructure constructed to serve the facility.

Legal Finding #4

Blackburn Avenue is an existing public street adequate in width and pavement with existing water infrastructure available to serve the Fire Training Facility.

FACTUAL SUBFINDING #5

The City of Corning is an all Volunteer Fire Department and currently does not have a training facility for adequate training of the volunteers which poses a life safety threat when they respond to an emergency call. The facility will be established on city owned property adjacent to an existing municipal well site.

LEGAL FINDING #5

Establishing a fire training facility, especially one where live fire training with smoke filled room simulation is available, will provide valuable training to the volunteers of the Corning Fire Department and increase the health, safety and welfare of the residents of Corning and surrounding area. The facility will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

ACTION:

Move to adopt the five Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2014-270 subject to the following five (5) conditions of approval permitting the establishment of a Fire Training Facility on airport property owned by the City of Corning.

Condition #1: Modify the FAA Directory for the Corning Municipal Airport to include information regarding the establishment and operation of a fire training facility at the proposed location.

Condition #2: During fire training activities fire training personnel shall have a portable radio on site tuned to airport frequency 123.0 MgH allowing communication with aircraft in the area of the airport.

Condition #3: Provide six (6) foot high security fencing around the perimeter of the training facility.

Condition #4: If the California Department of Transportation, Division of Aeronautics or FAA notifies the City of any aviation related complaints from airport users regarding the fire training facility operations of the facility will cease and desist pending the outcome of an investigation by either of these agencies.

Condition #5: Live fire training activities involving smoke will be limited to once a month for one hour durations.

Or;

Move to adopt findings and deny the issuance of Use Permit 2014-270.

ATTACHMENTS

Exhibit "A"	Aerial Photo / Vicinity Map
Exhibit "B"	Zoning Map / Approach Zone
Exhibit "C"	Example Structures
Exhibit "D"	Example Structures
Exhibit "E"	Letter from Rainbow Aviation
Exhibit "F"	ALUC staff report (including Caltrans letter) minutes from ALUC meeting



EXHIBIT "A"

Proposed Site

39003A STREET

4TH STREET

TERAMA STREET

6TH STREET

1ST STREET

EAST STREET

NORTH STREET

STANKAR DRIVE

INLAND DRIVE

MAGALLEN AVENUE

MARRY COURT

MOONEY COURT

VICTORIAN PARK COURT

LEZANE

BLACKBURN AVENUE

MAGALLEN AVENUE

GREEN AVENUE

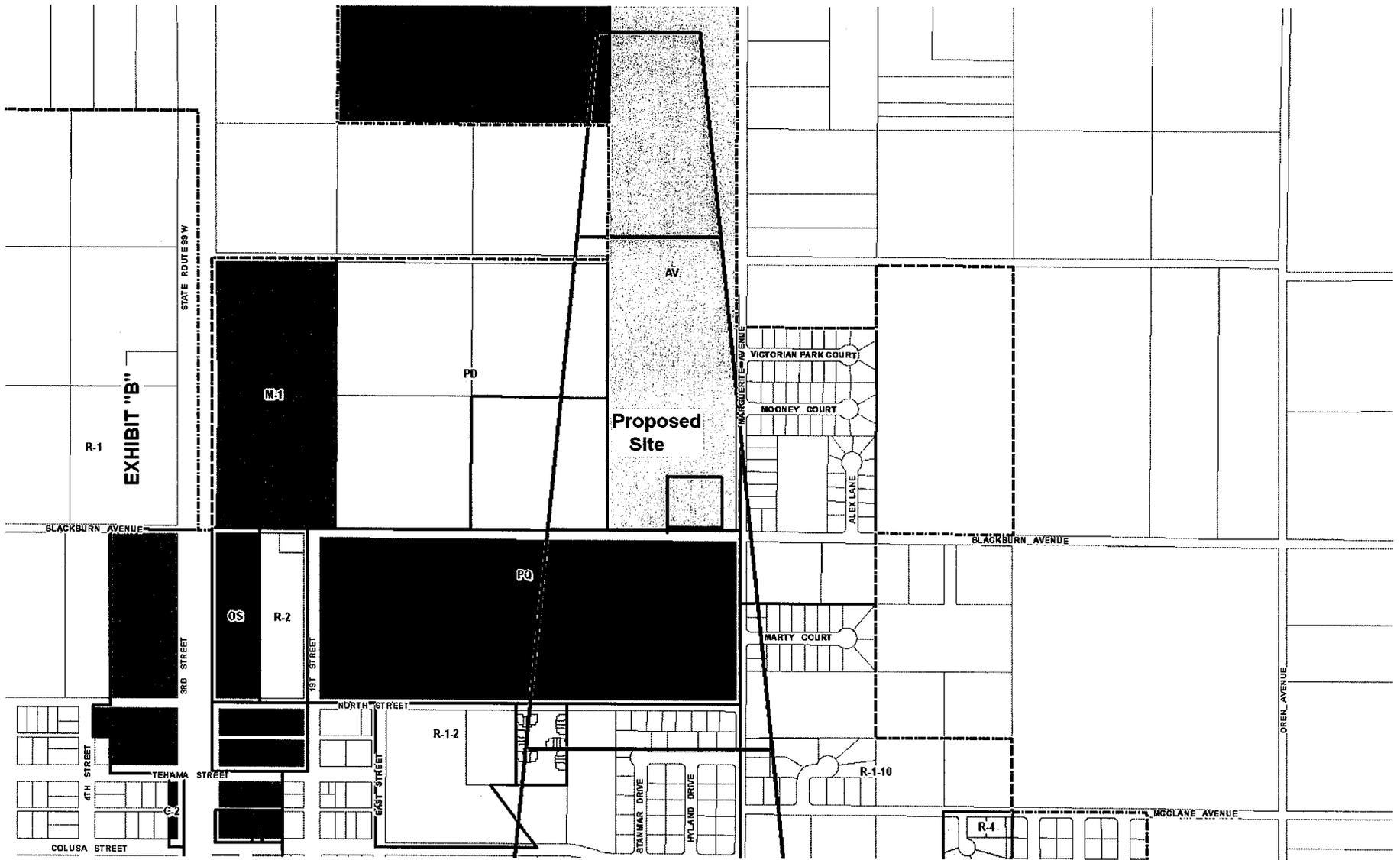


Exhibit "C"



Exhibit "D"



Exhibit "E"



February 18, 2014

To Whom it May Concern:

RE: Fire Training Facility Proposal Corning Airport

-The Corning Volunteer Fire Department has proposed placing a Fire Training Facility at the southwest end of the airport grounds. As the owner of Rainbow Aviation, the local FBO and Flight School, I was approached by the department for consulting about this proposed project on several occasions. I appreciate the desire of the Corning Volunteer Fire Department to ensure that there would be absolutely no conflict with airport operations here at the Corning Municipal Airport.

In addition to consulting the local FBO, the Corning Fire Department also presented the proposal for a training facility at the Airport Commission meeting in January where I was in attendance. There was a question and answer period after the proposal was presented. It is important to note that the Airport Commission, the FBO and the pilots were all unanimous in their approval of the Training Facility after the discussion.

The approval of the Fire Training Facility Proposal is based on the following:

- The proposed location is a non-issue in relationship to the flight pattern.
- Traffic at the Corning Airport is very low mid-week with 95% of all flight operating during the day and the majority of those are on the weekend.
- Establishment of a Training Facility which will only be used once a month, mid-week, in the evenings, when traffic is very low.
- Implementation of a communication plan to include Notams on the evening training will operate, com radios to be used by the Fire Department and communication with the local FBO and aviation club well in advance of the scheduled training.

I have personally looked over the plans for Fire Training Facility and have a great deal of experience with aviation and as a Certificated Flight Instructor, and aviation business owner based at the Corning Airport. I would be the first to oppose the plan if I thought there was even the slightest possibility that this proposal would create an issue of Flight Safety.

The Corning Volunteer Fire Department's proposal is reasonable. At this time there are no flight operations at the Corning Airport which will be adversely affected by the placement of this training facility.

If you have any questions or if you need any additional information, please do not hesitate to call me.

A handwritten signature in black ink, appearing to read "Brian Carpenter". The signature is fluid and cursive, with a large initial "B" and "C".

Brian Carpenter

Rainbow Aviation Service

Corning, CA

530-567-5141

Exhibit "F"

4-2-b



PLANNING DEPARTMENT COUNTY OF TEHAMA

STAFF REPORT

DATE: February 13, 2014

TO: Tehama County Airport Land Use Commission

FROM: Sean M. Moore, AICP, Director of Planning

SUBJECT: REQUEST FOR COMPATIBILITY FINDING FOR FIRE TRAINING CENTER
WITHIN THE CITY OF CORNING MUNICIPAL AIRPORT'S APPROACH ZONE
SAFETY AREA, CORNING FIRE DEPARTMENT

MEETING DATE

February 20, 2014

PROJECT

Request for Compatibility Finding for Fire Training Center within the City of Corning Municipal Airport's Approach Zone Safety Area, Corning Fire Department (APN: 75-080-25).

PROJECT LOCATION

The City of Corning Fire Training facility is located on the north side of Blackburn Avenue and just west of the Blackburn Avenue/Marguerite Avenue intersection.

BACKGROUND

On January 7, 2014 the Planning Department received an application from the Corning Fire Department which proposed the construction of a Fire Training facility. The project consists of establishing a 50 foot by 50 foot Burn Structure on City of Corning property in a 200' by 200' area in the southern most area of the Corning Airport and within the Corning Airport Approach Zone Safety Area.

CORNING AIRPORT LAND USE PLAN (CALUP)

The Tehama County Airport Land Use Commission (TCALUC) is responsible for preparing a comprehensive airport land use plan for the area around the Corning Airport according to Public Utilities Code Section 21675. As part of the Plan, the Commission may develop building height restrictions, specify land uses, and determine building standards within the airport planning area.

The Plan presents policies addressing land use compatibility with the airport's noise, airspace protection, safety and general nuisance impacts. Standards and criteria are necessary to insure that no new land use or expansion of an existing land use is permitted within any part of an airports' area of influence which may result in hazard to the health or safety of persons on the

ground. Standards should also address lands needed for airport facilities and airport-related land uses. The Airport Land Use Commission has no authority to enforce removal of pre-existing land uses which do not conform to the criteria and standards outlined in this document.

Evaluation of projects shall primarily be based on the land use compatibility policies set forth in the Plan. Where an overlap occurs among noise, airspace protection, safety, and general nuisance zones, all policies applicable to the particular location shall be considered.

ANALYSIS

The Burn structure will be utilized intermittently in the evenings or on weekends as time and weather conditions allow. The building will be no higher than 11 feet and may contain a training prop at one end that would be 18' high. Fires will be built in a confined space using organic materials (straw) to simulate fire conditions and will be able to be quickly extinguished. The matter is before the Airport Land Use Commission for determination of compatibility of the proposed use, a Fire Training Facility Burn Structure, within the Approach Zone Safety Area.

Approach Zone Safety Area

The approach zone safety areas in the airport land use plan are consistent with the FAR Part 77 approach surfaces indicated in the Master Plan. Approach Zone Safety Areas extend from the outer limit of the Runway Protection Zone to a point 3,500 feet from the ends of runway 16-34 with a 34:1 approach surface.

To assure public safety, uses in the approach safety zone should not attract large groups of people. Residential uses should be prohibited or strictly limited if possible. Where residential development is inevitable or already in place, low density is preferred with multi-family development, retirement homes or other residential institutions being excluded. Commercial uses are generally compatible except that retail establishments such as restaurants or concentrated retail areas which attract people should be avoided. No hotels or motels should be allowed. Offices and services are generally compatible except hospitals and rest homes.

Industrial uses can be compatible, although they must be "carefully" reviewed for potential operation hazards, electrical interference, high intensity lighting, bird attractions, smoke, glare, or other interferences. Recreational uses can be acceptable on a conditional basis, excepting public assembly and other high intensity uses. Resource production, including agriculture is generally compatible. In the case of recreational development and aggregate extraction, ponds may attract birds which could pose a safety hazard.

THE FOLLOWING LAND USE GUIDELINES SHALL BE APPLIED TO THE APPROACH ZONE SAFETY AREAS:

LAND USE GUIDELINES

<u>Subdivisions</u>	Yes (1) (2)
<u>Residential</u>	
Single Family	Yes (1) (2)
Multiple Family	No
Mobile Home Parks	No

Hotels, Motels	No
<u>Commercial/Retail (4)</u>	
General Retail, Merchandise	Yes (2)
Wholesale Trade	Yes (2)
Building Materials, Retail	Yes (2)
Restaurants, Bars	No
Small-scale Repair	Yes (2)
Professional Offices	Yes (2)
<u>Industrial/Manufacturing (4)</u>	
Chemical, Petroleum, Rubber and Plastics	No
Miscellaneous Manufacturing	Yes (2)
Warehousing, Storage of non-flammables	Yes (2)
<u>Transportation</u>	Yes
<u>Communications, Utilities</u>	Yes (2)
<u>Public and Quasi-Public Services</u>	
Cemeteries	Yes (2)
Other Public and Quasi-Public Services and Facilities (e.g. schools, hospitals)	No

DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS COMMENTS

The Planning Department received correspondence from the State of California Department of Transportation Division of Aeronautics on February 3, 2014. The DOTDOA stated in their correspondence, that activities should be avoided in approach zones that emit smoke in accordance with the DOTDOA Handbook. In addition, the Department recommended that Tehama County update its ALUP in order to be consistent with the most recent updated version of the DOTDOA 2011 Handbook.

ENVIRONMENTAL ASSESSMENT:

The proposed determination of compatibility is not a project pursuant to CEQA (Guidelines sec 15378(a)) because 1) the determination is an activity with no possibility of a significant impact and 2) the determination is outside the definition of a "project," in as much as, the ALUC determination is not an "activity" that is supported by ALUC contracts, grants, subsidies, loans, or other assistance. Nor is the determination an issuance of a lease, permit, license, certificate, or other entitlement for use by a public agency.

STAFF RECOMMENDATION

The project is to establish a Fire Training Facility Burn Structure within the Approach Zone Safety Area identified in the Corning Airport Land Use Plan. The Land Use Guidelines for the Approach Zone Safety Area clearly state that Public and Quasi-Public Services and Facilities (e.g. schools, hospitals) uses are not allowed within the Approach Zone Safety Areas. In addition, the proposed use will generate potential operation hazards such as smoke. It is

recommended that the ALUC find that the proposed Fire Training Facility Burn Structure is incompatible with the Approach Zone Safety Area guidelines.

SUBFINDINGS

1. That the proposed Fire Training Facility Burn Structure will attract large groups of people.
2. That the project is within the Flight Path of the Corning Municipal Airport.
3. That the Fire Training Facility Burn Structure will generate smoke that may be hazardous to the airport operations.

FINDING

That the approval of the Corning Fire Department Fire Training Facility Burn Structure project is inconsistent with the need to protect public health, safety and welfare by ensuring orderly use of the Airport that minimizes the public's exposure to substantial noise and safety hazards within areas in and around public airports.

ACTION

I move that the ALUC make the above stated Subfindings and Findings and find that the proposed Fire Training Facility Burn Structure is incompatible with the Approach Zone Safety Area guidelines.

ATTACHMENTS:

ALUC Application, with applicant letters and exhibits.

Department of Transportation, Division of Aeronautics, letter received 2/3/14.

Attachment: Staff Report (2916 : ALUC #14-01 Corning Fire District)

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS-40
SACRAMENTO, CA 94274 -0001
PHONE (916) 654-4959
FAX (916) 654-9531
TTY 711
www.dot.ca.gov



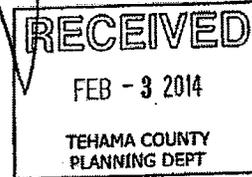
Flex your power!

Be energy efficient!

Tehama County
Proposed Volunteer Fire Facility

January 29, 2014

Mr. Sean M. Moore, AICP
Director of Planning
County of Tehama
Planning Department
Courthouse Annex, Room I
444 Oak Street
Red Bluff, CA 96080



Dear Mr. Moore:

The California Department of Transportation, Division of Aeronautics (Division), reviewed the City of Corning Volunteer Fire Department's application to the County for the purposes of establishing a 44,000 square foot fire training facility (project). We reviewed the project with respect to airport-related noise, safety impacts, and regional aviation land use compatibility planning. Our comments are based on whether the project would be consistent with the California Airport Land Use Planning Handbook (Handbook). It is the Tehama County Airport Land Use Commission's (ALUC) responsibility to review the project for consistency with the Tehama County Airport Land Use Plan and that plan must be guided by the Handbook, updated in 2011. The Handbook is accessible through the Division's website.

The proposed project would be located approximately 2,500' from the end of Corning Municipal Airport's (004) runway 35. Runway 35 is less than 4,000' in length. Since the runway is less than 4,000' in length, the Short General Aviation Runway baseline safety zone, depicted in the Handbook, Chapter 3, page 3-17, is applicable to runway 35.

A map is enclosed that illustrates the Short General Aviation Runway baseline safety zone for runway 35. The proposed project would be located in safety zone 4. According to the Handbook, Chapter 4, page 4-23, Figure 4E, proper airport land use compatibility planning for safety zone 4 would involve avoiding the development of uses that present hazards on the ground and to airspace. Avoiding uses that pose hazards on the ground and to airspace is further emphasized in the Handbook, Chapter 4, section 4.5, Airspace Protection. This section of the Handbook identifies sources of smoke as a potential hazard to airspace.

The project description states that activities at the proposed fire training facility would involve burn structures and simulated training fires. In accordance with the Handbook, avoiding activities that emit smoke is the baseline for which a decision by a local agency should be rendered.

"Caltrans improves mobility across California"

Attachment: Staff Report (2916 : ALUC #14-01 Corning Fire District)

Mr. Sean M. Moore
January 29, 2014
Page 2

The Division appreciates the opportunity to comment on land use compatibility planning matters. We recommend that the County update their airport land use compatibility plan to be consistent with the most recent version of the Handbook. Once the County adopts an updated airport land use compatibility plan, it is likely that the Division would not need to comment on all local planning actions. Please contact me at (916) 654-5314, or via email at Robert.Fiore@dot.ca.gov, if you would like to discuss our comments in this letter in more detail or if we may provide additional information.

Sincerely,


ROBERT FIORE
Office of Aviation Planning

Attachment: Staff Report (2916 : ALUC #14-01 Corning Fire District)

"Caltrans improves mobility across California"

A motion was made to adopt the Tehama County Airport Land Use Commission Rules and By-Laws and findings as presented in the Staff Report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Moule, District 1
SECONDER:	Tom Gano, Vice Chairperson
AYES:	Moule, Defreeze, Gano, David, Chamblin, Miller
ABSENT:	Durden

2. ALUC #14-01 Corning Fire District

The applicant is proposing the construction of a Fire Training facility along the north side of Blackburn Avenue and just west of the Blackburn Avenue / Marguerite Avenue intersection. The project consists of establishing a 50 foot by 50 foot Burn Structure on City of Corning property in a 200' by 200' area in the southern most end of the Corning Airport and within the Corning Airport Approach Zone Safety Area. The Burn structure will be utilized intermittently usually in the evenings or on weekends as time and weather conditions allow. The building will be no higher than 11feet and may contain a training prop at one end that would be 18' high. Fires will be built in a confined space using organic materials (straw) to simulate fire conditions and will be able to be quickly extinguished. The matter is before the Airport Land Use Commission for determination of compatibility of the proposed use, a Fire Training Facility Burn Structure, within the Approach Zone Safety Area. APN: 75-080-25.

Chairperson DeFreece opened the public hearing.

Mr. Moore explained the project and showed a PowerPoint presentation of the project location including an aerial photo of the Corning Airport. He explained this project is exempt from CEQA under Section 15378. He stated the land use/approach guidelines do not give us much latitude because public use is not permitted. Mr. Moore stated a letter was received from Caltrans Department of Aeronautics stating the project will generate smoke near the airport which is not compatible in an approach zone. They also noted the Corning Airport Land Use Manual is outdated. He stated that staff has determined that there are no findings of compatibility. Therefore staff recommends a finding of non-compatibility.

Chairperson DeFreece opened the meeting to public comment.

Mr. Martin Spannaus, Fire Chief, City of Corning was present and addressed the Commission. He explained the project is for a small training center for fire volunteers and due to infrastructure and other problems it led them to this location as a possible site. He explained the winds are primarily northerly and the project will produce light smoke. He handed out photos to the commissioners of other sites around the area that have similar training facilities. He also stated the Corning Airport Land Use Commission approved the project with positive input. He also noted there will be monitoring of the radio and the training date and time will be published in the directory.

Discussion followed regarding other possible locations for the training facility and fire hydrant locations.

Commissioner David asked if the airport would be closed during the hours of training.

Mr. Spannaus stated they prefer not to close the airport and explained there will be a very minute amount of smoke that will exist at the training site. He also noted he submitted a letter from Earl Allen, a local pilot who is in favor of the project. He noted he has not heard any negative comments regarding this project.

Discussion followed regarding using a facility possibly outside of Corning for training.

Mr. Spannaus noted they prefer not to leave the area for training and plan on using the facility once a month for one hour.

Commissioner Miller asked if there would be any external flame visible to pilots preparing to use the airport.

Mr. Spannaus explained there will be no visible flames. He explained to the Commission the fire is set to grass or hay and the smoke will only be inside an enclosed container. The only smoke which will escape will be when they open the door to allow the firefighters to enter the container which will be less than 1 minute.

Mr. Moore reminded the Commission that today's review of the project is to make a finding of compatibility or non-compatibility, not denying or approving the project. He referenced the 2011 Handbook for ALUC from Caltrans and noted if there is a finding of non-compatibility, the City would have to find their own findings of consideration to override the ALUC. The liability is then transferred to the City of Corning not the County of Tehama.

John Stoufer, Consultant Director of Planning for City of Corning was present and addressed the Commissioners.

Mr. Stoufer stated this is not a public facility and is not open to the public. He noted the project will be subject to a conditional use permit before the City's Planning Commission. He explained the airport is only closed during mass casualty training. He explained this project is more than 2,500 ft. away from the runway or nearly one-half mile. He stated in his informational handout to the Commissioners there are eight (8) findings for compatibility. He noted he has spoken to Caltrans Division of Aeronautics and should there be any complaints or problems, Caltrans would perform an inspection to prevent jeopardizing the license of the airport.

Mr. Stoufer noted the Conditional Use Permit would limit training to once per month for one hour or twelve hours per year. He reviewed each of the eight findings, conditions and City of Corning's recommended action:

SUBFINDING #1

The City of Corning Airport Commission currently consists of four (4) members who are licensed pilots and have extensive experience and knowledge of Corning Airport's daily

operations and safety issues. On January 6, 2014 the Commission reviewed the proposal by the Corning Volunteer Fire Department to establish a Fire Training Facility and conduct live fire training in an area approximately 2,500 feet from the south end of Runway 35, within the Approach Zone of the Corning Municipal Airport.

FINDING #1

The Corning Airport Commission did not consider the establishment of a Fire Training Facility, including live fire training, at this location as a flight hazard to Runway 35 at the Corning Municipal Airport and recommended the following requirements be considered as conditions of approval for the facility:

Condition #1: Modify the FAA Directory for the Corning Municipal Airport to include information regarding the establishment and operation of a fire training facility at the proposed location.

Condition #2: During fire training activities fire training personnel shall have a portable radio on site tuned to airport frequency 123.0 MGH allowing communication with aircraft in the area of the airport.

SUBFINDING #2

On January 14, 2014 the Corning City Council, as a regular agenzized item, reviewed the proposed Fire Training Facility to determine if a Use Permit Application should be submitted to establish the facility on city owned property within the Approach Zone of the Corning Municipal Airport.

FINDING #2

The Corning City Council voted 5:0 to approve submittal of a Use Permit Application for the establishment of a Fire Training Facility at the described location within the Approach Zone of the Corning Municipal Airport.

SUBFINDING #3

Rainbow Aviation Services is the Fixed Base Operator (FBO) for the Corning Municipal Airport. The City of Corning consulted with the FBO on potential impacts associated with the establishment of the proposed Fire Training Facility located approximately 2500 feet from the south end of Runway 35.

FINDING #3

On February 18, 2014 the FBO prepared a letter that summarized the Corning Volunteer Fire Department's proposal as reasonable and at this time there would be no flight operations at the Corning Airport that would be adversely affected by the placement of the training facility.

SUBFINDING #4

The Fire Training Facility will be located approximately 2500 feet from the south end of Runway 35 along the north side of Blackburn Avenue adjacent to an existing city well and fire hydrant. The Corning Municipal Airport currently has very limited water infrastructure and expansion of the water system is not feasible at this time.

FINDING #4

The proposed location currently has adequate water supply and pressure to serve the Fire Training Facility and at this time is the only feasible location on city owned property to locate the facility.

SUBFINDING #5

The City of Corning owns the 40 acre parcel (APN 75-080-25) where the south end of Runway 35 is constructed. Approximately 37 acres of this parcel lies south of the runway and north of Blackburn Avenue. Within this area is the Runway Protection Zone (Zone 1) and pursuant to the 2011 California Airport Land Use Planning Handbook the Inner Approach/Departure Zone (Zone 2) and Outer Approach/Departure Zone (Zone 4).

The parcel is currently vacant except for a city well site that encompasses approximately $\frac{1}{4}$ of an acre at the south east corner of the parcel. The proposed Fire Training Facility will encompass approximately $\frac{1}{2}$ of an acre west of and adjacent to the well site.

FINDING #5

The Fire Training Facility will develop another $\frac{1}{2}$ acre of land adjacent to an existing $\frac{1}{4}$ acre city well site for a total developed area of $\frac{3}{4}$ acres all within Zone 4, Outer Approach/Departure Zone of the Corning Municipal Airport. Establishment of the Fire Training Facility will result in 2% of the land south of Runway 35, and owned by the City being developed and 98% being open space land. The Runway Protection Zone (Zone 1) and the Inner Approach/Departure Zone (Zone 2) will continue to remain 100% open space land after the Fire Training Facility is developed.

SUBFINDING #6

Pursuant to the 2011 California Airport Land Use Planning Handbook the proposed Fire Training Facility will be developed in the Outer Approach/Departure Zone (Zone 4). Figure 4E in the handbook provides suggested maximum nonresidential intensities as average number of people per gross acre for rural areas as 70-100 per acre. The Corning Volunteer Fire Department has 35 volunteer members who will use the facility for training purposes.

FINDING #6

The Fire Training Facility will be developed on approximately $\frac{1}{2}$ acres within the Outer Approach/Departure Zone (Zone 4). Use of the facility by the 35 volunteers and up to five (5) instructors will result in 40 people per $\frac{1}{2}$ acre which complies with the maximum nonresidential intensities of 70 to 100 people per acre as depicted in Figure 4E of the 2011 California Airport Land Use Planning Handbook.

SUBFINDING #7

The live fire training area will consist of conex metal shipping containers attached to each other to simulate separate rooms for training purposes. A 2 ft. wide by 4 ft. long fire box to create smoke will be placed in one conex container and smoke will then be circulated to the other containers to create simulated smoke filled rooms. The smoke will be slowly ventilated from the containers until it dissipates. Live fire training activities will be limited to once a month for one hour training sessions on Wednesday evenings when use of the Corning Airport is very infrequent.

FINDING #7

The limited intensity of use, time of use, and limited amount of smoke being vented from the simulation structures will not create a hazard to flight for aircraft using Runway 35 at the Corning Municipal Airport.

SUBFINDING #8

The City of Corning is an all Volunteer Fire Department and currently does not have a training facility for adequate training of the volunteers which poses a life safety threat when they respond to an emergency call.

FINDING #8

Establishing a fire training facility, especially one where live fire training with smoke filled room simulation is available, will provide valuable training to the volunteers of the Corning Fire Department and increase the health, safety and welfare of the residents of Corning and surrounding area.

City of Corning's Recommended Action:

The Tehama County Airport Land Use Commission moves to adopt the eight (8) Subfindings and Findings presented to the Commission by staff from the City of Corning and determine that the infrequent use, limited amount of smoke generated, minimal hazard to flights, and increased training the facility provides to the volunteers of the Corning Volunteer Fire Department, and the Health, Safety and Welfare for the citizens of the City of Corning and surround area, outweighs the risk associated with establishment of the fire training facility and is therefore a compatible use within the current approach zone as depicted in the Corning Municipal Airport Land Use Plan and outer approach/departure zone as depicted in the 2011 California Airport Land Use Planning Handbook.

Commissioner David stated that since this is emergency training, why not close the airport.

Mr. Stoufer stated that closing the airport is not a solution, should a pilot need to land, the impact is just not there, the smoke is very limited and there is no airspace hazard.

Commissioner David asked how do you deal with the aviation lawyer who claims there is smoke.

Chairperson DeFreece noted the Commission is to make a finding of compatibility or non-compatibility only.

Mr. Stoufer explained there will be a public hearing before their Airport Land Use Commission and explained the City has done a tremendous amount of research to come to the conclusion of compatibility.

Commissioner David stated he has no difficulty with this project, he is concerned with the legal ramifications as he has seen what can occur.

Mr. John Brewer, City Manager for City of Corning addressed the Commissioners. He stated that Chief Spannaus and Mr. Stoufer have provided great information. He provided a handout showing the amount of smoke used in this training exercise is equivalent to that emitted from a household barbeque. He noted they are not in favor of closing the airport for any duration as this type of training and the small amount of smoke would not warrant it.

Chairperson DeFreece closed public comment.

Commissioner David stated he has no problem with the project, his only concern is any legal issues which may arise down the road and hopes the Commission is taking all this into consideration.

Mrs. Duran stated that it is the role of the Airport Land Use Commission to establish compatible or incompatible finding. She stated that compatible findings presented by the City of Corning could be overturned by a court because of the wording and requested further review by County Counsel.

Chairperson DeFreece asked if the Commission wanted to continue the public hearing to allow County Counsel to review the findings.

Mr. Brewer stated the City of Corning prefers not to make overriding considerations of a non-compatibility finding as it is never a good idea for public agencies to disagree and prefers the Commission not consider that.

A motion was made to adopt the recommendation that the fire training station is compatible, there are no overriding consideration that would make this incompatible for public safety. Therefore accepting the recommendation from the City of Corning Fire Department to allow the training station.

Chairperson DeFreece polled the Commission. He stated he understands the Commission is going against staff recommendation of incompatibility, but finds this project is compatible allowing the City of Corning to move forward.

Commissioner David referenced a previous project in which "wordsmith" caused a problem and Tehama County lost because of it. He stated that if there is ever a question within the Commission, the county's counsel should review the documents.

RESULT:	APPROVED [5-1-1]
MOVER:	Bill Moule, District 1
SECONDER:	Lynn Chamblin, Commissioner
AYES:	Chamblin, Miller, Moule, Defreece, Gano
NAYS:	David
ABSENT:	Durden

Chairperson DeFreece recessed the Airport Land Use Commission and reconvened the Tehama County Planning Commission at 10:13 a.m.

3. Planning Commission Rules & By-Laws Comprehensive Review

Updates to the Tehama County Planning Commission Rules and By-Laws, Policies and Procedures adopted April 20, 1972. The actions proposed in this report do not constitute a project pursuant to the California Environmental Quality Act (CEQA). Continued from November 7, 2013.

Chairperson DeFreece reopened the public hearing.

Mr. Moore stated that he and Gary Durden reviewed the Planning Commission Rules & Bylaws and made changes which are included in the "Draft" submitted to the Commissioners for review.

Chairperson DeFreece thanked both of them for their hard work.

Mr. Moore suggested a change in wording regarding specific plans. Additional wording was added as follows:

Section 2.2 To assist with the development of specific plans as may be necessary or desirable.

A motion was made to adopt the Amended Planning Commission Rules and By-Laws as presented in the Staff Report with the amendment to Section 2.2 as noted above:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Moule, District 1
SECONDER:	Dave David, Commissioner
AYES:	Moule, Defreece, Gano, David
ABSENT:	Durden

V. OTHER PROJECTS

1. Parcel Map Waiver #12-02 Fred Spanfelner

Applicant is proposing to create five agricultural parcels: Parcel 1, (263.12 acres), Parcel 2, (220.acres), Parcel 3 (392.48 acres), Parcel 4,(157.95 acres) and Parcel 5, (396.15 acres), being a division of Parcel Seven of Parcel Map Waiver #85-1. All lands associated with this project are currently under Williamson Act contract. Located near the intersection of Paskenta Road and Rancho Tehama Road, in portions of Sections 9, 10, 14, 15 and 22, Township 25 North, Range 4 West M.D.B.& M.

Mr. Moore stated the applicant's representative, Tom Wulfert & Company has requested a 30 day continuance for Parcel Map Waiver #12-02.

Consensus of the Commission was to approve the applicant's request for a continuance to the March 20, 2014 Planning Commission Meeting for Parcel Map Waiver #12-02.

VI. STUDY MATTERS

1. Certificate of Compliance & Lot Line Adjustment Regulations

Study Matter to review and discuss Certificate of Compliance and Lot Line Adjustment Regulations.

Mr. Moore explained staff has been working with County Counsel's office to review the revisions to the Lot Line Adjustment and Certificate of Compliance Ordinance. He stated County Counsel sent staff the new draft ordinance and he would like the Planning Commission to appoint an Ad Hoc Committee to review the document. He explained the processing of a Certificate of Compliance is within the Government Code and Subdivision Map Act requirements. The current process is to schedule the application before the Technical Advisory Committee, however the County is looking at repealing that Committee to simplify the processing of applications.

Chairperson DeFreece suggested an Ad Hoc Committee be appointed. He asked Commissioner Moule to be on the Ad Hoc committee and bring recommendations back to the Commission at the March 20, 2014 meeting.

Mr. Moore handed out the draft ordinance and explained this ordinance will simplify the procedure. He explained the Government Code states Certificate of Compliance and Lot Line Adjustments are ministerial, however the new Ordinance would allow the Planning Commission to become the approving authority.

Mrs. Duran stated the ordinance was written with reference to other county's ordinances and in accordance with the law.

Commissioner Moule stated he would be happy to participate in the Ad Hoc review.

Chairperson DeFreece requested the Ad Hoc Committee report back to the Commission at a later date for review and action.

Tim Wood, Deputy Director of Public Works was present and stated a meeting was held in January with other interested parties to review the Certificate of Compliance requirement for a Chain of Title from a Title Company. He noted the Surveyor's Office would also like to simplify and streamline the process.

Mr. Moore stated the meeting was an outreach to explain why we are have changed the application requirements. He noted these documents are now required due to case law regarding the legality of parcels. He stated we want the public to know why these

applications can no longer be signed off over the counter. He stated the Planning Department wants to process these applications more efficiently and provide a comfort level to the applicants.

Mrs. Duran stated the meeting held in January included Title Companies, local surveyors and engineers as well as other Tehama County departments. She explained this helped the public understand the legal recognition of legal parcels.

Commissioner David asked Mr. Moore if he was comfortable with this new ordinance and if he would have input to the Technical Advisory Committee without it being a conflict.

Mr. Moore stated he takes direction from the Commission and these impacts are countywide. He explained he is in favor of repealing the Technical Advisory Committee as many times it causes a Brown Act conflict and it would help streamline and simplify the process.

Commissioner David stated he prefers to get the Planning Commission out of the flow so things can move forward in a timely matter.

Mr. Moore stated that if the Technical Advisory Committee is repealed, there remains a requirement by the courts for an Advisory Body. He is not sure what the definition of an advisory committee would be. He also stated he wants to review the costs associated with efficiently processing these applications.

Mrs. Duran stated that according to statute, and to protect due process rights of landowners, an advisory committee is needed to approve the applications. She explained the advisory committee should consist of more than two people, one being the Planning Director.

Mr. Moore stated there is a conflict between the Government Code stating ministerial approval and the courts saying an advisory committee is necessary for approval of applications.

Consensus of the Commission was to appoint Commissioner Moule to meet with staff and review the Certificate of Compliance and Lot Line Adjustment Regulations and report back to the Commission on March 20, 2014.

VII. INFORMATIONAL ITEM

1. Compatibility Finding of Food Trucks in C3 Zoning District - Informational Item

Informational item for discussion. Letter received from Robert Minch, Minch Property Management on December 11, 2013. Mr. Minch would like the Planning Commission to review the County's policy regarding food vendor trucks.

Mr. Moore stated a letter was received from Robert Minch Property Management requesting the Planning Commission review policies pertaining to food truck vendors within Tehama County. He explained staff is reviewing surrounding cities/county's policies and working to develop standards for Tehama County.

Mr. Minch was present and addressed the Commission. He explained his client has property where a food truck vendor is parking in the parking lot. He explained the property owner does not want it there, however the lease states that the leasee can use the property for anything listed in the C-3 zoning code. He is requesting the C-3 zoning district disallow food truck vendors.

Commissioner David asked if this is a civil matter and if the property owner would have cause for the vendor trespassing.

Mr. Minch stated the leasee stated to Planning Staff that the use is non-conforming and refused to follow Planning Staff's directive to remove the food truck.

Mr. Moore explained staff recommends the new ordinance require the leasee get permission from the property owner for a food vendor to be located on the premises.

Commissioner Moule suggested the county follow the City of Red Bluff's ordinance.

Mrs. Duran stated the county is looking at many cities and county's ordinances as the ordinance must apply to everyone. She asked if the C-3 zoning ordinance should be changed to be more restrictive (time, place, manner) and what fits best in Tehama County.

Mr. Moore requested an Ad Hoc Committee be appointed to assist staff with reviewing the C-3 zoning for a possible Rezone as part of the Housing Element Update.

Chairperson DeFreece asked Mr. Moule to participate in this Ad Hoc Committee as well.

VIII. ADJOURN

Chairperson DeFreece adjourned the meeting at 10:50 a.m.

SEAN M. MOORE, AICP, SECRETARY
TEHAMA COUNTY PLANNING
COMMISSION

LYNN DEFREECE, CHAIRPERSON
TEHAMA COUNTY PLANNING
COMMISSION

MINUTES, AGENDAS and AGENDA MATERIAL are available on our website at
www.co.tehama.ca.us