



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, MAY 21, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

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

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the April 16, 2013 Planning Commission Meeting with any necessary corrections.

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

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

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.

2. Use Permit No. 2013-267; True Brew: Use Permit request for an on-sale license from the State Department of Alcoholic Beverage Control (ABC) to sell beer and wine within an existing building formerly known as the Miners Inn. Address is 1301 Solano St., APN No.: 71-132-09.

3. General Plan Update Task Force – Public Workshop: On-going discussion and review of optional General Plan Elements, organization of the General Plan, and evaluation of existing General Plan Goals and Policies.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, MAY 17, 2013



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, APRIL 16, 2013
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

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

All members of the Commission were present.

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the February 19, 2013 Planning Commission Meeting with any necessary corrections.

Commissioner Reilly moved to approve the minutes as written. Commissioner Barron seconded the motion. **Ayes: Robertson, Reilly, Barron, Poisson and Mesker.**
Absent/Opposed/Abstain: None. Motion was approved by a 5-0 vote.

D. BUSINESS FROM THE FLOOR: None.

E. PUBLIC HEARINGS AND MEETINGS: None.

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.

2. General Plan Update Task Force – Public Workshop: Discussion and review of optional General Plan Elements, organization of the General Plan, and evaluation of existing General Plan Goals and Policies.

Mr. Diaz confirmed that the Commissioners were agreeable with the presented preliminary schedule, and Mr. Stoufer confirmed that they had received all of the information sent.

Mr. Diaz then confirmed Commission agreement with the proposed elements listed within the document and requested information from the Commission regarding an Air Quality Element. He inquired whether the Commissioners would like to see some sample elements prior to making a final decision. Commissioner Reilly stated that he would. Mr. Diaz stated the benefit of including an Air Quality Element is the possibility for funding in the future and receiving "brownie points" with the State.

Mr. Diaz told the Commissioners once the Goals and Policies are decided, then the Commission will center on the implementation portion of the General Plan. He emphasized that there are no mineral resources in Corning therefore the only extractions would be for gravel. He asked the Commissioners whether they want industrial extractions within the City, stating if not, then it needs to be regulated through a General Plan.

Commissioner Barron stated why make more elements, in other words "KISS" (Keep it Simple Stupid) and find a way to integrate recreation into an existing element. Mr. Diaz stated that as long as the General Plan retains seven elements, State Law does allow the City to combine elements, such as "Open Space/Conservation Element in which air quality, water, natural resources, etc. could be included. Commissioner Reilly stated his agreement to keep it simple.

Commissioner Barron stated his opinion that Community Organization as a title is unclear, he suggested Community Development.

Mr. Diaz asked for the Commissioners/General Plan Update Task Forces' input on the presented Policies & Goals as presented in the Memorandum dated April 5, 2013. The Task Force/Planning Commission then began to discuss the:

- Conservation Elements Goals and Policies; and
- Open Space Elements Goals and Policies.

Further discussion of the Goals and Policies will continue at the May 21, 2013 Planning Commission Meeting.

Mr. Stoufer confirmed by consensus that the Commission liked the format presented (more updated format...does that policy go with that goal). Mr. Stoufer stated he would get the MSR (Municipal Service Review) to the Commission as soon as possible.

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

H. ADJOURNMENT: 8:31 p.m.

Lisa M. Linnet, City Clerk

**ITEM NO: F-2
USE PERMIT APPLICATION 2013-267;
TRUE BREW, TO SELL BEER & WINE WITHIN AN
EXISTING BUILDING FORMERLY KNOWN AS THE
MINERS INN. LOCATED ALONG THE SOUTH SIDE
OF SOLANO ST. AT THE SOUTHWEST CORNER
OF THE SOLANO ST. / 5TH ST. INTERSECTION.
APN: 71-132-09 ADDRESS: 1301 SOLANO ST**

MAY 21, 2013

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING CONSULTANT

PROJECT DESCRIPTION:

True Brew is seeking an on-sale license with the California Department of Alcoholic Beverage Control (ABC) to sell beer and wine within an existing building known as the Miners Inn. Section 17.54.020 (1) of the City of Corning Zoning Code requires that a conditional use permit must be obtained prior to the onsite serving or consumption of alcohol within a bar or restaurant. As required by code, the owner/operator of True Brew has applied for a Use Permit that must be granted by the Planning Commission prior to ABC issuing the on-sale license. The existing building is located along the south side of Solano St. at the southwest corner of the 5th Street / Solano St. intersection.
APN: 71-132-09 Address: 1301 Solano St.

GENERAL PLAN LAND USE DESIGNATION

C – Commercial

ZONING

C-2 – Central Business District. This district classification is intended to be applied in areas suitable for complete retail business and service use to serve a residential community. The C-2, Central Business District, allows retail stores and businesses or service enterprises which, in the opinion of the planning department, are of a character similar to specified uses as set out in section 17.20.020 (B) of the Corning Zoning Code.

Since True Brew will also be serving a limited selection of food items and has been described to Planning as a "Sports Bar" the Planning Department has determined that the use would be similar to Section 17.20.020 (B) (4) which permits catering shops, cafes and restaurants as an allowed use in the C-2 Zoning Classification.

As previously explained in the project description Section 17.54.020 (1) of the City of Corning Zoning Code requires that a conditional use permit must be obtained prior to the onsite serving or consumption of alcohol within a bar or restaurant.

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 15301, Existing Facilities, Class 1 provides exemptions for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

This project will allow the owners to sell beer and wine in a section of an existing building that was formerly a bar known as the "Miners Inn", that not only sold beer and wine, but also has an ABC License to sell hard alcohol drinks and no other use has been established at this location. Staff feels that this is a negligible expansion of the previous existing use and therefore exempt from CEQA pursuant to Section 15301, Class 1.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2013-267;

Factual Subfinding #1

The location for True Brew is an existing building that was previously used as a bar known as the "Miners Inn" and no other use has been established at this location since the closure of this business. Obtaining a license from ABC to selling beer and wine at this location will not change the nature of the previously established use.

Legal Finding #1

The granting of Use Permit 2013-267 is a negligible expansion of the previous existing use of this building and therefore exempt from CEQA pursuant to Section 15301, Class 1.

Factual Subfinding #2

The parcel where the applicants are proposing to establish a business, True Brew that will serve beer and wine as well as a limited selection of food is zoned C-2 – Central Business District.

Legal Finding #2

The sale and consumption of beer and wine within a business is a permitted use in the C-2 Zoning District upon the granting of a Use Permit pursuant to Section 17.54.020 (1) of the City of Corning Zoning Code.

Factual Subfinding #3

The building and location where the applicants propose to establish a business known as True Brew that will serve beer and wine was previously established as a bar known as the “Miners Inn”.

Legal Finding #3

The existing building is adequate in size, shape, and topography to allow for the reopening of a business that will serve beer and wine.

Factual Subfinding #4

The existing building is located along the south side of Solano St. at the southwest corner of the 5th Street / Solano St. intersection.

Legal Finding #4

5th Street and Solano Street are existing public streets adequate in width and pavement to carry the amount of traffic that the proposed business will generate.

Factual Subfinding #5

The existing building where True Brew will be established is located in an area that is developed with commercial businesses in the downtown area of the City of Corning.

Legal Finding #5

Providing for the sell and serving of beer and wine at the building located at 1301 Solano St. within the City of Corning 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, or similar, Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2013-267 permitting the sale and serving of beer and wine in a newly established business known as True Brew subject to the three (3) conditions as recommended by staff.

Condition #1

The applicant must comply with the requirements of the Alcoholic Beverage Control (ABC) and be issued a license prior to the sale or serving beer and wine at the business known as True Brew.

Condition #2

The applicant must comply with all local, state, and federal regulations especially those imposed by the City of Corning's Building and Fire Departments as well as the Tehama County Environmental Health Department.

Condition #2

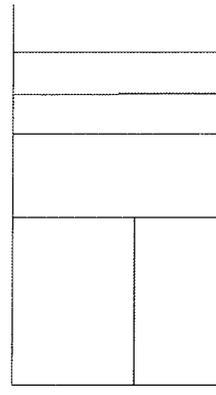
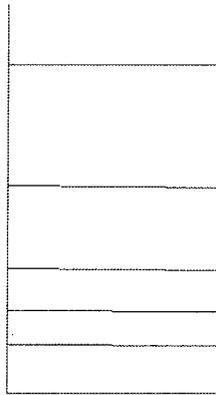
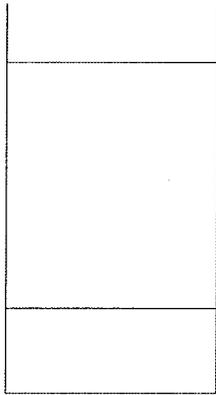
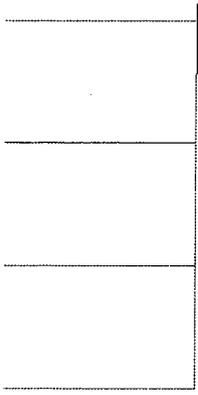
Comply with the City of Corning Outdoor Advertising Sign Regulations.

Or;

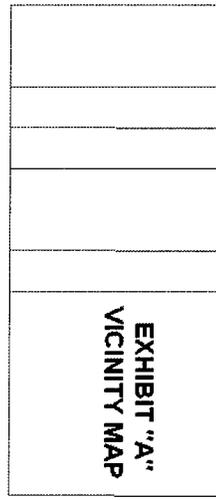
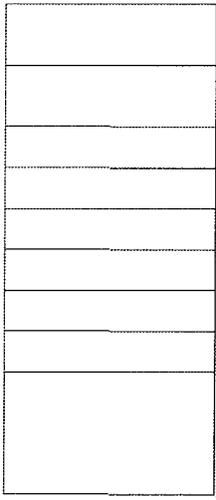
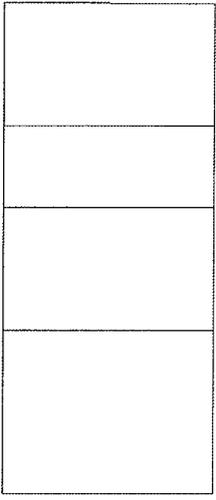
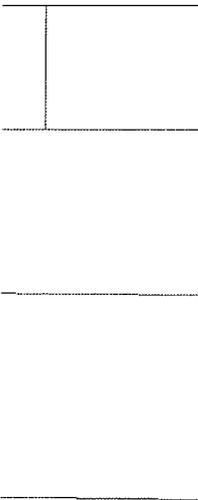
Move to adopt findings and deny the issuance of Use Permit 2013-267.

ATTACHMENTS

Exhibit "A"	Vicinity Map
Exhibit "B"	Aerial Photo
Exhibit "C"	Zoning Map
Exhibit "D"	Section 17.54.020 Corning Zoning Code
Exhibit "E"	Section 17.20.020 Corning Zoning Code
Exhibit "F"	Use Permit Application



6TH STREET

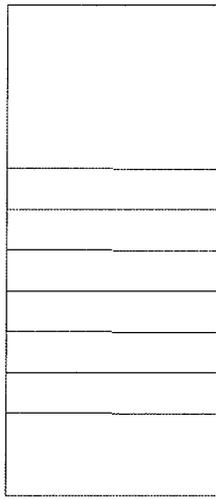
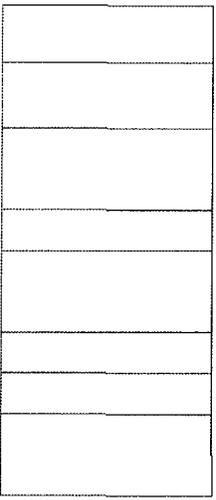
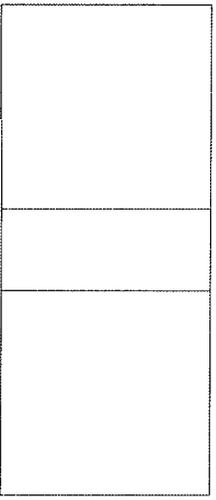
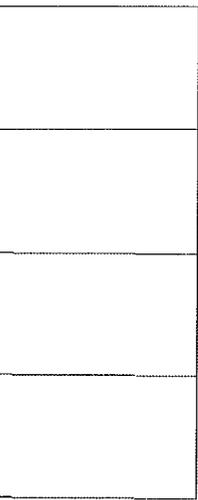


MAIN STREET

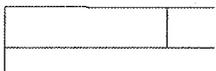
SOLANO STREET

5TH STREET

SITE



4TH STREET





5TH STREET

MAIN STREET

SILVER STREET

4TH STREET

SITE

EXHIBIT "B"
AERIAL PHOTO

4TH STREET

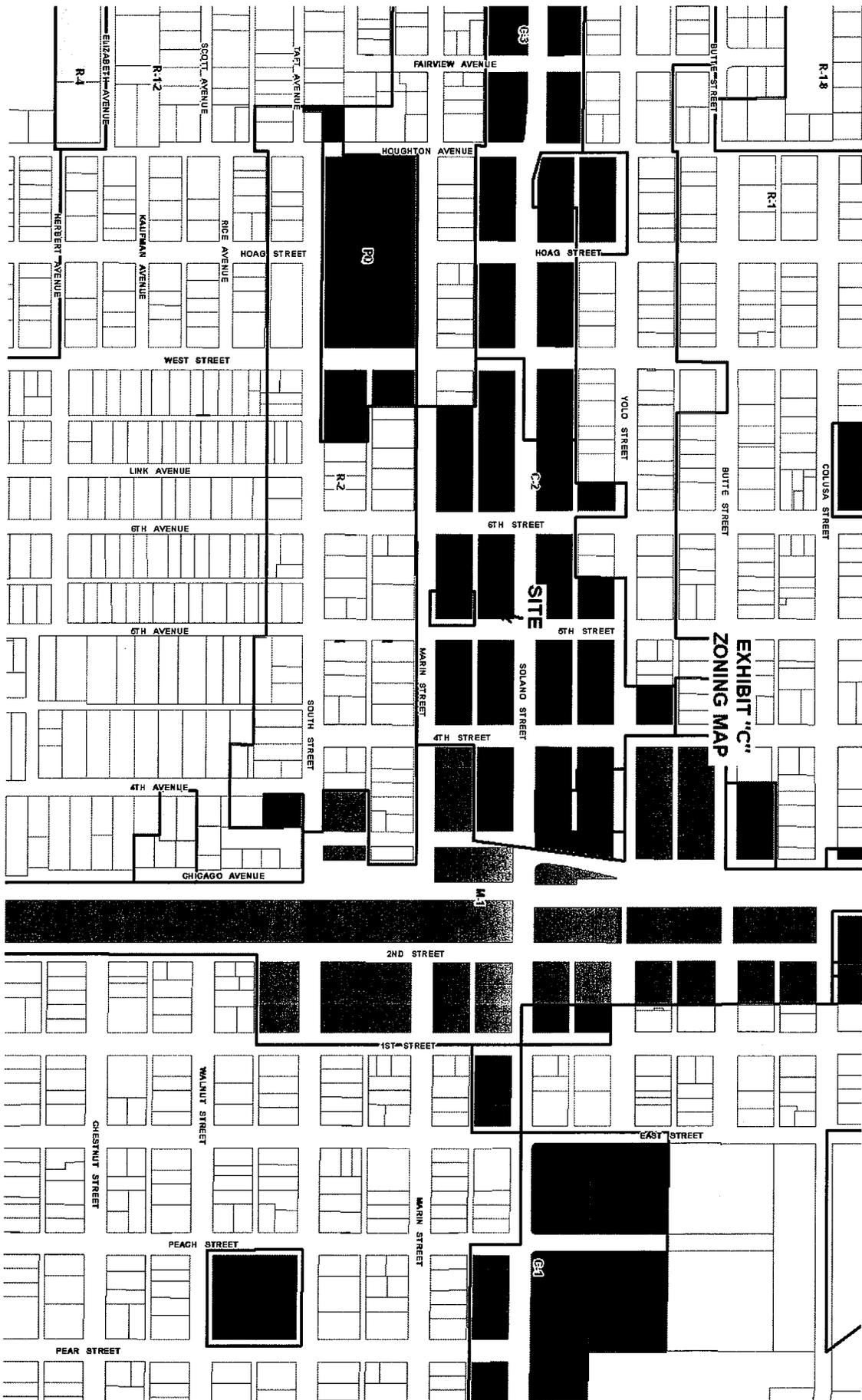


Exhibit "D"

17.54.030

fied on the permit. The permitted use is valid when ownership of the parcel or parcels transfers. The new owner must adhere to the terms and conditions as specified in the approval of the use permit. (Ord. 560 (part), 1996). (Ord. No. 634, 4-28-2009)

17.54.020 Uses.

A. The following uses, where permitted within a zone by the Corning zoning ordinance, shall only be permitted when a conditional use permit is first obtained:

1. Alcohol, on premises serving and consumption, whether a bar or a restaurant;
2. Live entertainment, as a primary use or as a secondary use associated with a commercial establishment;
3. Billiard parlor, pool hall and similar recreational uses;
4. Game arcades, including any business established with more than six arcade games as an incidental or accessory use;
5. Games, skill game business, including video and skill game arcades;
6. Lodges, meeting halls and social clubs;
7. Commercial recreation facilities open to the public;
8. Massage parlors;
9. Tattoo parlors. (Ord. 610 S2(part), 2004; Ord. 560 (part), 1996).

17.54.030 Burden of proof.

Before any conditional use permit is granted, the applicant shall show, to the satisfaction of the commission or the council, the existence of the following facts:

- A. That the site for the proposed use is adequate in size, shape, topography and circumstances; and
- B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
- C. That 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. (Ord. 560 (part), 1996).

Chapter 17.20

C-2 CENTRAL BUSINESS DISTRICT

Sections:

- 17.20.010 Generally.
- 17.20.020 Permitted uses.
- 17.20.030 Minimum height, bulk and space requirements.

17.20.010 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 C-2 districts. It is intended that this district classification be applied in areas suitable for complete retail business and service use to serve a residential community. (Ord. 153 §10.01, 1959).

17.20.020 Permitted uses. In C-2 districts, permitted uses shall be as follows:

A. Uses permitted in C-1 districts, except that gasoline service stations, automotive sales, automotive repair and marine repair shop operations shall be permitted only upon the securing of a use permit in each particular case, and provided that all operations except the service with gasoline, oil, air and water be conducted within an enclosed building.

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

1. Athletic facilities, banks, business offices, bowling alleys, food, drug and clothing stores,
2. Business colleges, music and dancing studios,
3. Blueprinting shops, photographic stores,
4. Catering shops, cafes and restaurants,
5. Art and antiques shops, pawnshops,
6. Hotels, theaters, auditoriums, lodge halls and social clubs,
7. Newspapers and commercial printing shops,
8. Mortuaries,
9. Bakeries;

C. Professional offices, studios, and clinics;

D. 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;

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. 623 §a.2, 2005; Ord. 589 §§4, 6, 2001; Ord. 558 (part), 1996; Ord. 524 §§12, 12.1, 1992; Ord. 469 §3, 1988; Ord. 153 §10.02, 1959).

17.20.030 Minimum height, bulk and space requirements. In C-2 districts, the minimum height, bulk and space requirements shall be as follows:

A. Lot areas, width, coverage, front and side yard as follows:

1. Minimum lot area, none;
2. Minimum lot width, none;
3. Maximum main building coverage, none;
4. Minimum front yard setback, none required; except where the frontage in a block is partially within an R district, the same setback shall be required as in the R district;
5. Side yard, none required; except where the side of a lot abuts an R district, the side yard shall not be less than ten feet.

B. 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

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CITY OF CORNING

PROJECT INFORMATION

PROJECT ADDRESS 1301 Solano St		ASSESSOR'S PARCEL NUMBER 071-132-09-1		G.P. LAND USE DESIGNATION	
ZONING DISTRICT C	FLOOD HAZARD ZONE no	SITE ACREAGE 0.00	AIRPORT SAFETY ZONE Yes		
PROJECT DESCRIPTION: (attach additional sheets if necessary) Beer AND Wine BAR with Food True Brew					
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 VERA MURRAY	ADDRESS	DAY PHONE
Fred A WOZNY	1303 Solano St 530	521 0618
REPRESENTATIVE (IF ANY)	ADDRESS	DAY PHONE
PROPERTY OWNER VERA MURRAY	ADDRESS 1303 Solano St	DAY PHONE 530 824 1006 530 944 7795
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: Fred A Wozny		PROPERTY OWNER: I have read this application and consent to its filing. Signed: Vera Murray
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. 2013-267	RECEIVED BY: JS	DATE RECEIVED 4/4/2013	DATE APPL. DEEMED COMPLETE 4/30/2013
FEE RECEIVED/RECEIPT NO.	CEQA DETERMINATION Exempt ND MND EIR		DATE FILED



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM

(To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title:

Beer & Wine Bar

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:

~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~

Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: 2504 sq. ft. in 1st floor(s).

4. Amount of off-street parking to be provided. 15 parking stalls. (Attach plans)

5. Proposed scheduling/development. 9-20-11

6. Associated project(s). Clean Repaint New tile

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.)

PLANNING APPLICATION

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

Street Solano St at 5 St
City of Corning

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

Two 5 Street

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

Self VERA Two employee's occupancy 100

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

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

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.

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 *Alex D...*

For VERA MURRAY

For: ~~_____~~ ~~_____~~

BAR-TRUE BREW



**DIAZ ASSOCIATES &
JOHN STOUFER PLANNING CONSULTANT**

MEMORANDUM

Date: May 1, 2013
To: City of Corning General Plan Task Force
From: Eihnard Diaz, AICP and John Stoufer
Subject: April 16, 2013 Public Workshop #2

On April 16, 2013 the City of Corning General Plan Task Force (Task Force) held its' second scheduled General Plan Update Public Workshop. At the Workshop several Task Force Members asked a series of significant questions and/or raised topics that this Memorandum addresses. The questions/topics were:

- Should a separate Air Quality Element be prepared?
- Mineral resources appear to be of significant importance based on information provided in the 1994 Conservation Element, in particular Chromite. This needs to be verified.
- What is the Planning Area? What is the relationship to the City's Sphere of Influence?
- What is the extent of "agricultural lands" within the City and the Planning Area/Sphere of Influence?

Preparation of a Separate Air Quality Element

There is a general consensus amongst Task Force Members that to the maximum degree possible, while still meeting state general plan requirements, the General Plan Update should subscribe to the "KISS" concept – "keep it simple stupid." The Task Force recommended that the Update should be divided into the three Groups identified in the February 19, 2013 *City of Corning 2014 – 2034 General Plan Update Overview* with the Community Organization Group being renamed to Community Development Group. The division into these three Groups provides a mechanism whereby the issue of air quality can be addressed without the need to prepare a separate element. The following discussion not only addresses the preparation of an air quality element, but also discusses the elements and/or topics that are recommended to be addressed in each of the three General Plan Update Groups.

The City is located in the Northern Sacramento Valley Air Basin (NSVAB) which is one of the air "sub-basins" within the Sacramento Valley Air Basin. The other sub-basin is the Greater Sacramento Air region. The NSVAB encompasses Shasta, Tehama, Glenn, Butte, Colusa, Sutter, and Yuba counties. The basin's principal geographic features include a large valley bounded on the north and west by the Coastal Mountain Range and on the east by the southern portion of the Cascade Mountain Range and the northern portion of the Sierra Nevada. The basin is about 200 miles long in a north-south direction, and has a maximum width of about 150 miles, although the valley floor averages only about 50 miles in width. Based on the geographic size and population of the air basins with respect to the size and population of the City of Corning, the preparation of a separate element does not make sense. The City's contribution of stationary and mobile emissions are relatively minimal when compared to other much larger jurisdictions where an air quality element could significantly make a difference in addressing and reducing air pollutants and greenhouse gas emissions. However, this does not preclude the City's General Plan Update from identifying goals, policies and implementation mechanisms to assist in the reduction of pollutants and their cumulative effects.

Based on Task Force direction, we are recommending the three Groups and the topics to be addressed within each Group. A brief overview for each Group is provided after the listing of topics within each Group. Those topics which are mandatory elements required by state law are identified with an asterisk.

Natural Resources Group

- Conservation* and Open Space*
 - Biological Resources (Fish, Wildlife & Vegetation)
 - Water Resources
 - Agricultural Resources
 - Cultural Resources
 - Mineral Resources
 - Visual Resources
 - Park and Recreation Facilities

The Natural Resources Group encompasses the Conservation and Open Space Elements where goals, policies, and implementation measures or programs will be established that value and protect natural resources to ensure they are available in the future. The primary goal of the Natural Resources Group is to preserve the range of visual, natural, and cultural resources that exemplify the City. This Group will strive to minimize the impact of future development in areas with significant visual, natural, and cultural resources and supports the creation and enhancement of important habitat and open space areas that are well managed and maintained. This Group will also promote efficient use of water and other natural resources and strive to ensure the long-term sustainability of non-renewable resources. This Group also supports the preservation and creation of parks, recreational facilities, and open space.

The Natural Resources Group also sets forth goals and policies that minimize agricultural land use conflicts and support the long-term presence and viability of the City's agricultural industry, as applicable.

Health and Safety Group

- Safety*
 - Seismic & Geologic Hazards
 - Flood Protection
 - Dam Failure Inundation
 - Fire Safety & Sheriff Protection
 - Hazardous Materials
- Noise*

Planning for growth and development requires the consideration of a wide range of public health and safety issues. Safety hazards are naturally induced, such as seismic and geologic hazards, flooding, and wildland fire hazards. Some hazards are the result of natural hazards that are exacerbated by human activity and alteration of the natural environment, such as dam failure, urban fires, and development in sensitive areas such as floodplains or areas subject to erosion and landslides. Finally, some hazards are manmade, including airport crash hazards, hazardous materials, and crime. In addition to safety issues related to hazardous conditions, the planning process should account for other issues related to community health and safety, such as medical services, fire and police protection, and noise exposure.

On June 12, 2012, the Tehama County Board of Supervisors approved Resolution No. 31-2012 to adopt the Tehama County Hazard Mitigation Plan. The Hazard Mitigation Plan was developed as a multi-jurisdictional plan with participation by the three cities in the county, the Capay Fire Protection District and the Red Bluff Joint Union High School District with oversight from the Tehama County

Department of Public Works. On November 27, 2012, the Corning City Council adopted Resolution No. 11-13-2012-04 adopting the Tehama County Hazard Mitigation Plan. However, the City of Corning is also in the process of completing a Hazard Mitigation Plan for submission to FEMA that identifies hazards and mitigations on a more specific level to the City and surrounding area.

The Hazard Mitigation Plans were prepared pursuant to the requirements of the Disaster Mitigation Act of 2000. A Federally approved hazard mitigation plan enables the County and City to apply for Federal pre-disaster hazard mitigation grant funds to support mitigation projects. Those portions of the Tehama County Hazard Mitigation Plan, approved by FEMA in the latter part of 2012 and the one being prepared for the City will be incorporated by reference into the Health and Safety Group.

Many of the health and safety risks associated with development can be avoided through locational decisions made at the planning stages of development, while others may be lessened through the use of mitigation measures in the planning and land use entitlement process. The Health and Safety Group, in conjunction with the Tehama County and the City of Corning Hazard Mitigation Plans identify goals and policies defining the strategy for ensuring the maintenance of a healthy and safe physical environment in the City of Corning.

Community Development Group

- Land Use*
- Circulation*
- Public Services
- Housing*
- Air Quality, Climate Change, and Energy

The Community Development Group is comprised of General Plan Elements that address the use of the City of Corning's physical resources in order to define a community in which its residents live, work, shop and play. The Elements are grouped together because they collectively address the development and maintenance of the City.

While often included in the Conservation and Open Space Elements of a general plan, it is recommended that for the City of Corning that the air quality, climate change and energy be addressed in the Community Development Group. There is a strong correlation between land use planning, transportation and circulation, and the emission of air quality pollutants, and greenhouse gases (GHG) that contribute to global climate change (GCC) and criteria pollutants that degrade air quality within the region. The primary opportunities to reduce air quality pollutants and GHG emissions are in urbanized areas, such as the City, within the region where land use patterns can best support the increased use of transit and pedestrian activities since most GHGs and air pollutants result from mobile source emissions. The development of a City with sustainable components also contributes to both the reduction in overall air pollutants as well as solving the larger challenges associated with global climate change. A balanced approach to achieving sustainable communities requires the integration of a region-wide multi-modal transportation system with a reduction in the reliance on single-occupant motor vehicles, along with buildings that consume less through design and efficient building materials.

Energy production, transportation, and consumption are key contributors to greenhouse gases affecting climate change, poor local air quality, and a variety of other sustainability challenges. The Community Development Group encourages and supports land use development patterns and transportation choices that reduce pollutants and greenhouse gases. In addition, this Group encourages renewable energy production, along with efficient energy use in buildings and infrastructure and minimizes the impacts of projects that can generate air pollutants.

The policy options available in this Group are closely influenced and in some areas constrained by elements in the Natural Resources and Health and Safety Groups. A major goal of the General Plan is to balance and coordinate the sometimes competing objectives contained in the three General Plan Groups. Achieving this goal requires some understanding of their interrelationships. Elements contained in the Health and Safety Group place limits on the use of the City's physical resources in order to reduce the risks of loss or damage to life and property. Elements contained in the Natural Resources Group describe the opportunities presented by the City's resource base and define the limits within which these resources may be used on a long-term, sustainable basis. Elements in the Community Development Group must respond to risks posed by natural and man-made hazards and to the opportunities presented by the natural resource base.

Responding to these risks and opportunities in a responsible manner will ensure that both present and future generations of City of Corning residents, employers and employees will be able to enjoy the quality of life that the City offers.

Importance of Mineral Resources in Particular Chromite

Research has identified that the Mineral Resources discussion in the 1994 Conservation Element was general in nature and not specifically applicable to the City of Corning. This is evidenced by the first sentence in the discussion beginning on page 5-19 of the Conservation Element which states:

“The Tehama County General Plan, adopted in 1983 provides an informative and general assessment of the mineral resources found within the county. The information provided in this plan is summarized in the following paragraphs.”

Another statement, also found on page 5-19 in the Conservation Element, states that the “most plausible mineral for future development is chromite,” is incorrect. Research has discovered that the principal chromite deposits in Tehama County are in the western part of the County about 20 miles west of Red Bluff within an area of about 1-1/2 square miles in the canyon of North Elder Creek.¹

Regarding the extraction of sand and gravel resources, the Element is correct in identifying that “there is a potential for sand and gravel extraction activities along Burch and Jewett Creeks.” However, the sentence ends with a qualification that states, “future demand and accessibility will determine the extent of their potential.” Review of the 2001 *Map of Mineral Resources Zones (MRZ) Classified for Concrete Aggregate in Tehama County (Southern Half)* and the 2001 *Map of Aggregate Resource Areas (ARA) With 100-Year Flood Zones in Tehama County (Southern Half)* by Brent D. Foster, State Geologist with the Resources Agency Department of Conservation do not identify the availability of concreted aggregate or aggregate resources in either the City or the Sphere of Influence.

It can be concluded that the conservation of mineral resources within the City and/or the Sphere of Influence is not of importance since they either do not exist, or are of insufficient quantity to be economically viable.

Planning Area and Sphere of Influence

A Sphere of Influence (SOI) is easily defined since the Cortese-Knox-Hertzberg Act defines a SOI as “the probable ultimate physical boundaries and service area” of the City and includes areas beyond the City limits that may be annexed and provided with City services in the future. Establishment of this area is necessary to determine which governmental agencies can provide services in the most efficient manner to the people and property in any given area.

¹ G.A. Rynearson, U.S. Department of the Interior. 1946. *Bulletin 945-G. Chromite Deposits of the North Elder Creek Area Tehama County, California.*

Planning Areas are more difficult to define since they are geographic areas often defined by local jurisdictions based on unique characteristics, histories, and/or issues. Planning Areas can be a downtown or core area, or an area located along major transportation routes. The City of Corning's Highway 99W Corridor is a Planning Area for which a specific plan was prepared. The 2009-2014 Housing Element Update divided the City into two Planning Areas, west and east of the railroad tracks for purposes of identifying vacant lands. The attached **Figures III-1A** and **III-1B** from the 2009-2014 Housing Element Update identify the Planning Areas and associated vacant parcels.

A Planning Area can also allow for creative implementation of the General Plan. These could be referred to as Special Planning Areas which would be more conducive to the use of imaginative planning standards that would not be allowed through the application of standard zoning districts. The flexibility in Special Planning Areas can also be used to protect unique environmental, historic, or architectural and other features that require special consideration. Unlike Specific Plans, Special Planning Areas have a limited focus: the provision of unique standards through a land plan and development standards. Special Planning Areas do not include discussions on financing or timing. They are well-suited to projects that do not have the finances or time required to create a detailed Specific Plan. They are also often referred to as Area Plans.

For purposes of the General Plan Update, it is recommended that the City be divided into three Planning Areas, the areas west and east of the railroad tracks north of Solano Street and the area south of Solano Street. The boundaries will be the existing City limits and areas extended into all, or portions, of the existing Sphere of Influence. The specific limits will need to be agreed to by the Task Force. It should be recognized that an evaluation into SOI areas may require the same degree of evaluation as afforded those lands within the existing City limits. There also does not appear a need to evaluate all of the lands within the SOI, nor is there a budget to do so. However, at minimum, it is recommended that the Planning Area for the General Plan Update encompass lands, not only within the existing City limits, but also those lands within the SOI that were identified in the 2009-2014 Housing Element Update for annexation into the City. These lands are identified in **Figure III-2** and are bounded by I-5 to the west, Gallagher Avenue to the north, and the railroad tracks to the east.

As noted above, the General Plan Task Force will need to review the existing SOI and possibly consider a reduction in area. In 2005 the City of Corning had a Municipal Service Review prepared to evaluate the ability of the City and its service providers to provide municipal services, e.g. water, sewer, roads, drainage, fire and police protection, with the existing City infrastructure. The ultimate goal of the MSR is to provide recommendations regarding the need for restructuring or reorganization, capital improvements, and other necessities prior to the approval of the expansion of the SOI and annexation of outlying areas into the City. The MSR determined that the City had the ability to provide municipal services to 4,885 acres that were not within the then, and still current City limits of 2,005 acres. **Table 1** and the attached **Figure 2** from the MSR identify the City limits, the then Existing LAFCo Sphere of Influence, the 1994 General Plan Recommended Sphere of Influence and the MSR recommended Sphere of Influence.

Boundary Area	Area Acres	Area Square Miles	Cumulative Area Acres	Cumulative Area Square Miles
City of Corning Limits	2,005	3.13	2,005	3.13
LAFCo SOI	1,668	2.61	3,673	5.74
General Plan SOI	1,882	2.94	5,555	8.68
Expanded SOI	1,335	2.09	6,890	10.77

The likelihood of the City developing the capability to provide facilities and services to serve a land area five times its current size in the next 40 to 50 years is extremely unlikely from a development feasibility perspective. Furthermore the projected population for the Expanded SOI was to range between 24,261 and 32,348 persons or three to four times as much as the 2010 Census population of 7,663 persons.

Agricultural Lands

The 1994 Land Use Element indicates that over 500 acres within the City are devoted to agricultural uses. These areas are located along the edges of the developed areas of the City, namely portions of the Highway 99W corridor, Toomes Avenue, Corona Avenue, and areas along Blackburn Avenue. Much of the area surrounding the City is also devoted to agriculture. Today many of these areas are no longer being actively used for agricultural uses and will need to be identified and quantified in the Existing Conditions Report currently being prepared.

There are no properties under a Williamson Act contract within the City. The Williamson Act enabled local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners received property tax assessments which were much lower than normal because they were based on farming and open space uses as opposed to full market value. The Open Space Subvention Act of 1971 provided local governments an annual subvention of forgone property tax revenues from the state through the year 2009; these payments were reduced in fiscal year 2009 and suspended thereafter due to revenue shortfalls.

The Farmland Mapping and Monitoring Program is a farmland classification system for Important Farmland that is administered by the California Department of Conservation. The system classifies agricultural land according to its soil quality and irrigation status. The best quality agricultural land is Prime Farmland which is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to current farming methods. The land must have been used for production of irrigated crops at least sometime during the two crop cycles prior to the mapping date.

According to the 1994 Conservation Element, in the Corning area all of these land classifications are mapped. Large tracts of Prime Farmland lie to the north, east, south, and southwest of the City. The area to the north and northeast of the City contains Farmland of Local Importance and Grazing Land. Smaller areas of Farmland of Local Importance, Farmland of Statewide Importance, and Unique Farmland are found throughout all of the outlying areas of the City. A large portion of Farmland of Local Importance is also found in the north and northeast. These lands will need to be identified and quantified in the Existing Conditions Report currently being prepared since they were not identified in the 1994 Conservation Element.

The 2009-2014 Housing Element Update did not identify any vacant parcels within the City that are classified as Agriculture even though there are seven of 65 parcels totaling 26.84 acres zoned as R-1-A, which is an agricultural combining district. Also, none of the 19 parcels proposed to be general plan amended and/or rezoned to residential land use classifications and zoning designations and/or higher densities, necessary for the City to consider actions in order to generate adequate sites for new housing development, are agricultural in some manner. Furthermore, based on the Tehama County General Plan Land Use Map, the 260 acres identified in **Figure III-2** proposed for annexation and rezoning are no longer classified for agriculture use.

All of the lands within the City's SOI were amended under the recently adopted Tehama County General Plan. The EIR prepared and adopted for the Tehama County General Plan addressed the conversion of farmlands within the SOI for which the Board of Supervisors adopted a "Statement of Overriding Considerations." The majority of the aforementioned "farmlands" located within the 4,885 acres or 7.64 square miles of land within the SOI are designated in the County's General Plan for Urban, Suburban and Rural Small Lot, General Commercial, General Industrial and Public Facility land uses. Of the total approximate 1,085 acres, or 1.70 square miles, are designated as Valley Floor Ag. Approximately 680 acres are located north of Gallagher Avenue between I-5 and the railroad tracks to the northern SOI boundary and approximately 175 acres are located south of Solano Street bounded by Kirkwood Avenue

(western boundary) and South Avenue (northern boundary) to the eastern and southern boundary of the SOI which is Viola Avenue. Another approximate 230 acres are located between I-5 and the western SOI boundary which would be Barham Avenue (were Barham Avenue completely extended between Finnell Avenue and Viola Avenue). Therefore, approximately 3,800 acres or 5.94 square miles have been reclassified in the County General Plan to non-agricultural land uses.

The Task Force needs to determine what, if any, recommendation they may wish to make with respect to the various County General Plan land use designations within the SOI as exists or possibly modified.