



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, SEPTEMBER 21, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

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

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the August 17, 2010 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 order of the Agenda changed, please come to the podium, and explain the reason you are asking for the order of the Agenda to be changed.

2. Determination of Compatibility for Modular Home Installation: Determine if a modular home installation at 104 E. Fig Lane is compatible with the neighborhood pursuant to Section 17.10.042 of the Corning Municipal Code.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, SEPTEMBER 17, 2010



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, AUGUST 17, 2010
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

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

All Commissioners were present.

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the July 20, 2010 Planning Commission Meeting with any necessary corrections.

Commissioner Barron moved to approve the minutes of the July 20, 2010 Planning Commission Meeting as written. Commissioner Hatley seconded the motion. **Ayes: Lopez, Robertson, Reilly, Hatley and Barron. Opposed: None. Absent/Abstain: None. Motion was carried by a 5-0 vote.**

D. BUSINESS FROM THE FLOOR: None.

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

2. General Plan Amendment 2010-1A, Rezone 2010-1, Corning Community Park Land Acquisition and Development. Accept public comment and make a recommendation to the City Council on the Mitigated Negative Declaration filed for the development of a Community Park on APN's 71-250-35, 61, 34 & 04.

Chairman Lopez introduced this item by title and opened the public hearing at 6:32 p.m. Planning Director John Stoufer stated that the only action the Commission would be considering tonight is the recommendation to the Council. He stated that the City received only one comment from the Regional Water Quality Control Board and outlined their recommendations. He further stated that this is a timelined project and so far we are about a month ahead on this timeline by addressing this issue now. Mr. Stoufer stated that based upon this report, road frontage improvements would be required by the City.

Commissioner Robertson asked what the possibility was of the City obtaining the Prop. 84 Park Grant, Mr. Stoufer stated that the City was selected for a site visit which has already taken place, however the biggest obstacle for the City would be our population compared to Sacramento, LA and other big Cities. We are hoping that they will look at the percentages rather than the population. He informed the Commission that while attending the training for the grant application process, he and former Recreation Supervisor Kimberly Beck were informed that they only visit sites they are seriously considering for the Grant.

Commissioner Robertson asked if the City would acquire the additional land, and if the adjoining property owners were interested in selling. She was informed yes, the City has already made contact with them and discussed property purchase prices.

The City of Corning is an Equal Opportunity Employer

With no public comments, Chairman Lopez closed the public hearing at 6:47 p.m.

Commissioner Barron commented in reference to Mr. Stoufer's statement about the Water Quality Control Board letter being a standard letter...he stated that they sure didn't change the template as it referenced the Paradise Irrigation District Corporation and Subdivision. He also commented on the initial study stating that you only have 19 different subject areas, but you have environmental factors potentially affected on page 8, and only those that have a potentially significant impact are mentioned. He stated that the Safe Drinking Water is funding the Prop. 84 Grant, and Water Resources are not even listed in this initial list, however the Consultant stated that there was no impact, or there was less than a significant impact. He further stated that he disagrees with leaving hydrology and water quality out of the list of 7 shown, because if Jewett Creek floods as it did in 97-98 there would be potential water impacts. Mr. Stoufer responded stating that possible flooding impacts have been addressed with the sunken soccer fields that will be used as detention basins, raised restrooms, etc. Mr. Stoufer stated that he will mention these concerns to the Consultant for future consideration.

Commissioner Reilly asked Mr. Stoufer if Factual Finding 2 listed on page 2 should be factual subfinding 2? He was informed yes, it should.

With no further comments, Commissioner Reilly moved to recommend that the Corning City Council adopt the 3 Factual Subfindings and Legal Findings as presented in the Staff Report and adopt the Mitigated Negative Declaration filed on General Plan Amendment 2010-1 and Rezone 2010-1 for the Development of the Corning Community Park. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly, Hatley and Barron. Opposed: None. Absent/Abstain: None. Motion was carried by a 5-0 vote.**

F. **REGULAR AGENDA: None.**

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

H. **ADJOURNMENT: 6:50 p.m.**

Lisa M. Linnet, City Clerk

ITEM NO: F-2
DETERMINATION OF COMPATIBILITY FOR
MODULAR HOME INSTALLATION:
DETERMINE IF A MODULAR HOME
INSTALLATION AT 104 E FIG LANE IS
COMPATIBLE WITH THE NEIGHBORHOOD
PURSUANT TO SECTION 17.10.042 OF THE
CORNING MUNICIPAL CODE.
APN: 73-120-39

SEPTEMBER 21, 2010

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER, PLANNING DIRECTOR
TERRY HOOFARD, BUILDING OFFICIAL

PROJECT DESCRIPTION:

The property owners at 104 E Fig Lane are proposing to demolish the existing residence and replace it with a newly constructed modular home. Pursuant to Section 17.10.042 of the Corning Municipal Code it shall be the responsibility of the Planning Commission to determine if a proposed mobile home or modular home in this case, will be compatible with the neighborhood.

GENERAL PLAN LAND USE DESIGNATION

R – Residential

ZONING

R-1 – Single Family Residential

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

CEQA SECTION 15302. REPLACEMENT OR RECONSTRUCTION

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

DISCUSSION AND SURROUNDING LAND USES:

Pursuant to construction records from the Tehama County Assessor's Office the existing residence was constructed in 1931. The residence is in very poor condition and replacing it with the proposed modular home would be more feasible than trying to reconstruct or remodel the residence. The existing square footage of the residence including the porches is approximately 1,400 sq. ft. The proposed modular home is 1,507 sq. ft. The parcel is 3.80 acres in size.

To the east of the parcel is a 6.00 acre parcel where Centennial High School is located. South of the parcel is Clark Park which is 10 acres in size and a 9.88 acre mobile home park known as Palms Mobile Village.

To the west and north are four parcels ranging from 1.44 acres to 7.91 acres in size that are predominantly vacant or established with olive trees.

Staff offers the following Factual Subfindings and Legal Findings for consideration of adoption by the Planning Commission:

Factual Subfinding #1

There is an existing 1400 sq. ft. residence located at 104 E Fig Lane that will be demolished and replaced with a 1,507 sq. ft. modular home.

Legal Finding #1

The proposed 1,507 sq. ft. modular home is replacing an existing residential structure on the same parcel and determining that the modular home is compatible with the neighborhood is exempt from CEQA pursuant to Section 15302.

Factual Subfinding #2

The existing residence located at 104 E Fig Lane is over 60 years old and in very poor interior and exterior condition.

Legal Finding #2

Replacing the existing residence with a newly constructed 1,507 sq. ft. Autumn Ridge modular home will enhance the visual appearance of the parcel.

Factual Subfinding #3

There is an existing 9.88 acre mobile home park known as Palms Mobile Village located on the south side Fig Lane across from the site.

Finding #3

Placing a newly constructed 1,507 sq. ft. Autumn Ridge modular home on the site will be compatible with the neighborhood.

ACTION

1. MOVE TO ADOPT THE 3 FACTUAL SUBFINDINGS AND LEGAL FINDINGS AS PRESENTED IN THE STAFF REPORT AND FIND THAT THE PLACEMENT OF A MODULAR HOME, IDENTIFIED AS THE AUTUMN RIDGE MODEL, AT 104 E FIG LANE IS COMPATIBLE WITH THE NEIGHBORHOOD AND INSTRUCT THE BUILDING OFFICIAL TO ISSUE A BUILDING PERMIT.

(PLEASE NOTE : PRIOR TO ADOPTING THE RECOMMENDED FACTUAL SUBFINDINGS & LEGAL FINDINGS THE COMMISSION HAS THE ABILITY TO MODIFY THE LANGUAGE IN ANY OF THE FACTUAL SUBFINDINGS AND LEGAL FINDINGS IF DEEMED APPROPRIATE BY A MAJORITY OF THE COMMISSION.)

VOTE OF THE COMMISSION

OR:

FIND THAT THE PLACEMENT OF A MODULAR HOME AT 104 E FIG LANE IS NOT COMPATIBLE WITH THE NEIGHBORHOOD AND INSTRUCT THE BUILDING OFFICIAL TO DENY THE ISSUANCE OF A BUILDING PERMIT.

ATTACHMENTS

Exhibit "A"	Vicinity Map
Exhibit "B"	Aerial Photo
Exhibit "C"	CEQA Section 15302
Exhibit "D"	Plot Map
Exhibit "E"	Assessor's Map
Exhibit "F"	Chapter 17.10 CMC
Exhibit "G"	Information on Autumn Ridge Modular Home
Exhibit "H"	Front View of Modular Home
Exhibit "I"	Back View of Modular Home
Exhibit "J"	Side View of Modular Home
Exhibit "K"	Side View of Modular Home

EXHIBIT "A"

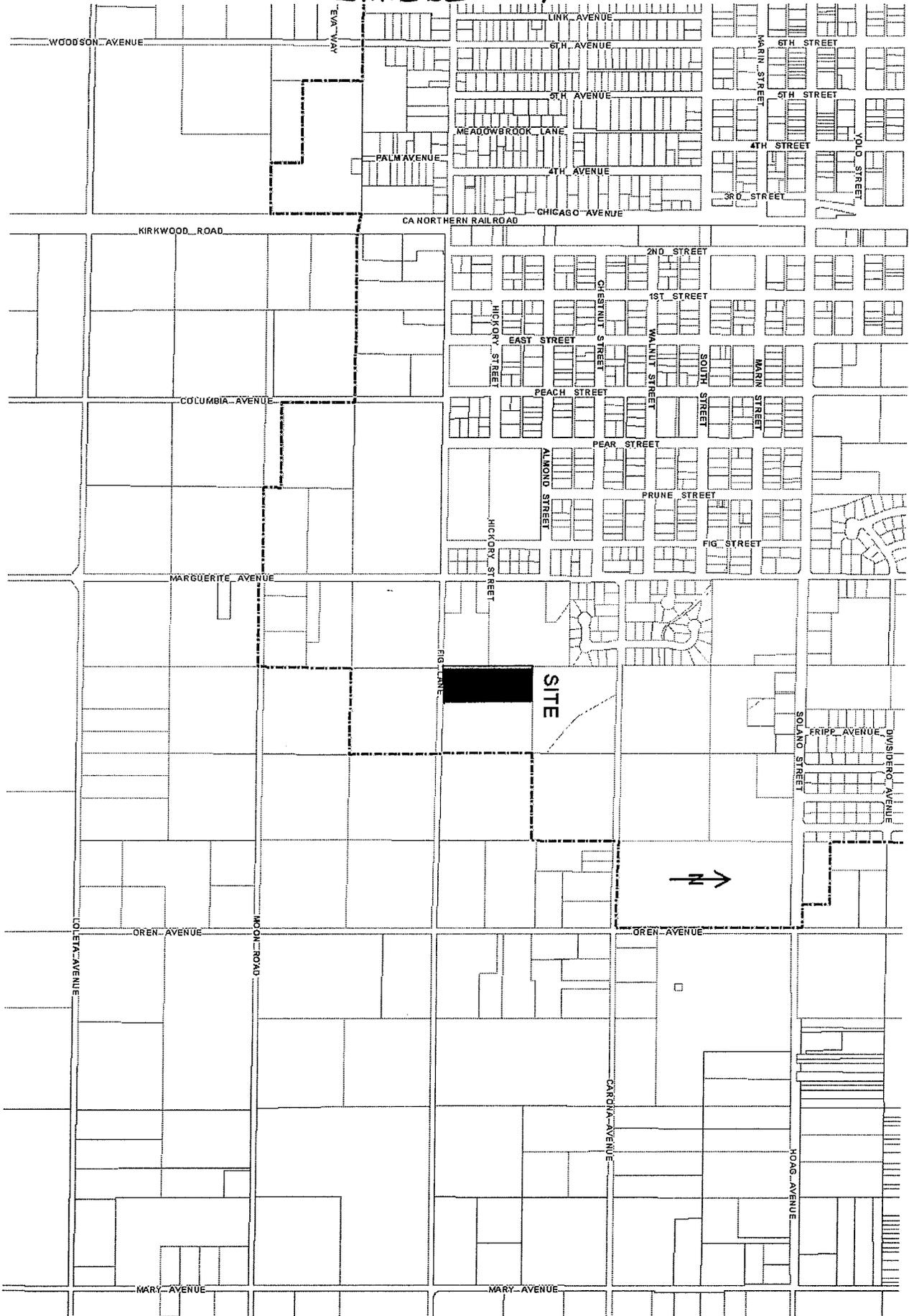


EXHIBIT "B"



EXHIBIT "C"

demolished under this exemption.

(2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished.

(3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.

(4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(m) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.

(n) Conversion of a single family residence to office use.

(o) Installation, in an existing facility occupied by a medical waste generator, of a steam sterilization unit for the treatment of medical waste generated by that facility provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.

(p) Use of a single-family residence as a small family day care home, as defined in Section 1596.78 of the Health and Safety Code.

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

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

15302. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.

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

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

(d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 21084, Public Resources Code.

15303. New Construction or Conversion of Small Structures

EXHIBIT "D"

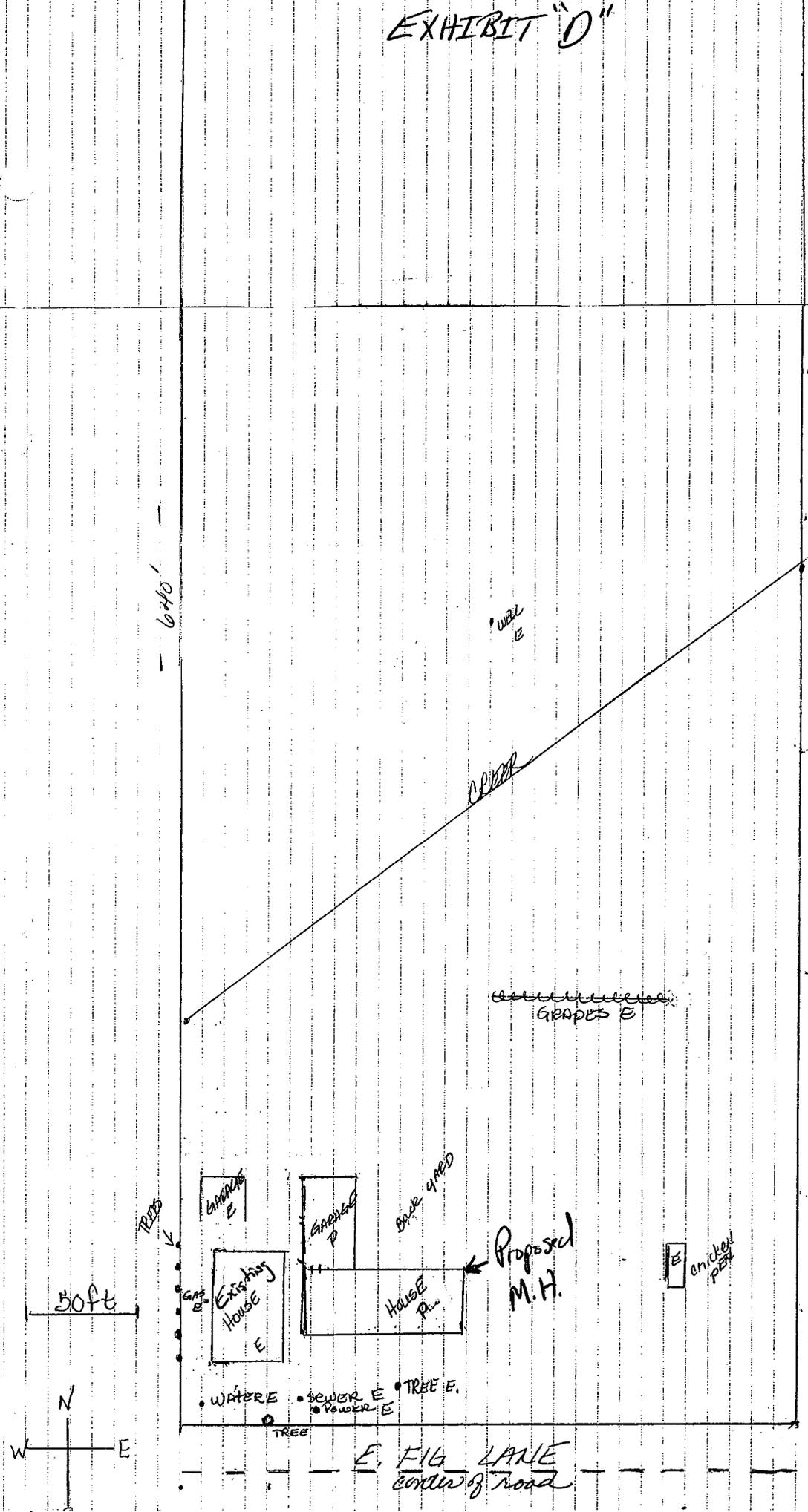
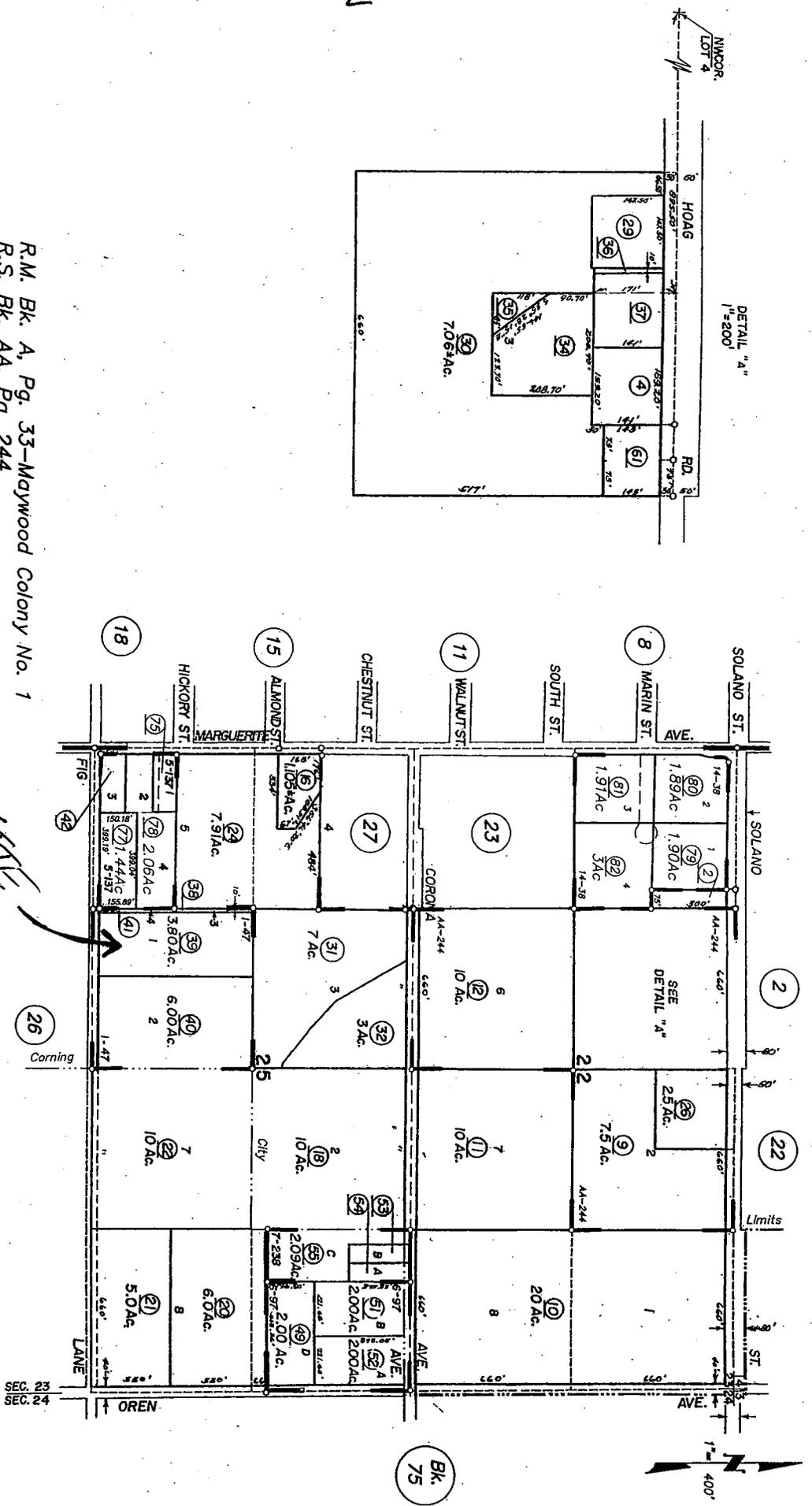


EXHIBIT "E"



- R.M. Bk. A, Pg. 33-Maywood Colony No. 1
- R.S. Bk. AA, Pg. 244
- P.M. Bk. 1, Pg. 47-P.M. No. 212
- P.M. Bk. 5, Pg. 137-P.M. No. 77-255
- P.M. Bk. 6, Pg. 97-P.M. No. 79-23
- P.M. Bk. 7, Pg. 238-P.M. No. 83-76
- P.M. Bk. 14, Pg. 38-P.M. No. 07-20

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

Assessor's Map Bk. 73 -Pg. 12
 County of Tehama, Calif.

EXHIBIT "F"

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

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

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

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

Chapter 17.10R-1 SINGLE-FAMILY RESIDENCE DISTRICTSections:

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

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

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

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

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

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

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

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

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

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

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

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

4. Have a minimum width of twenty feet, and

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

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

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

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

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

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

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

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

C. Churches;

D. Golf courses and country clubs;

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

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

17.10.035 Large lot designations.

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

17.10.040 Minimum height, bulk and space requirements.

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

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

17.10.042 Determination of compatibility.

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

17.10.044 Appeal.

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

17.10.050 Additional designation.

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

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

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

EXHIBIT "G"

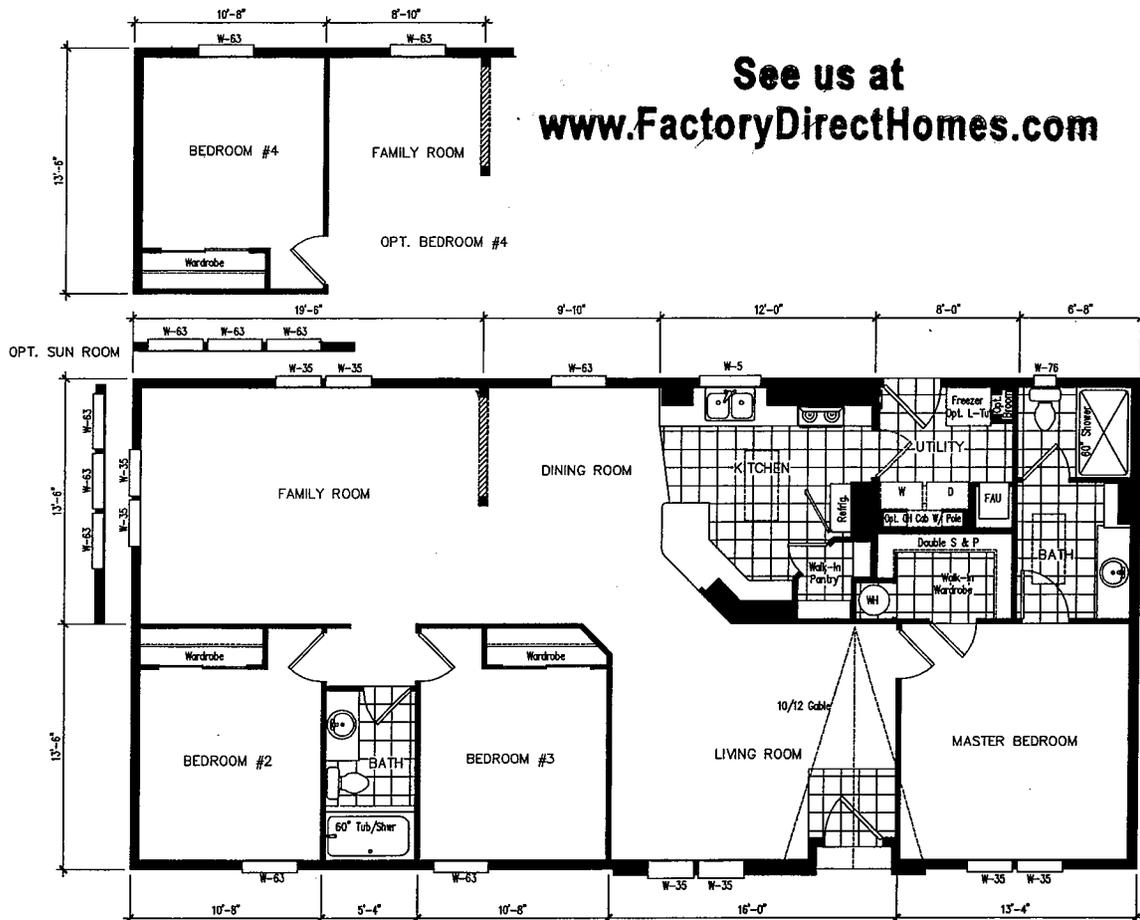
Value Plus

By Golden West

The Autumn Ridge

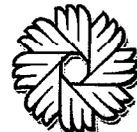
VP561F 1507 sq ft

See us at
www.FactoryDirectHomes.com



3 Bedroom 2 Bath / Opt 4th Bed

(Stopped over)



Golden West
Albany

VALUE PLUS

By **Golden West**

The Autumn Ridge **Special Features**

Residential Exterior Design

4:12 Roof Pitch

Extended Eaves

Craftsman Exterior Design

Recessed Entry

Master Bathroom

60" Stall Shower

Oval Mirror

Sconce Lighting

Glass Accent Tile

Ceramic Tile

Luxury Linen Cabinet

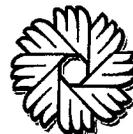
Kitchen

Oak Cabinets T/O

White Dream Kitchen Appliances

Ceramic Tile

Glass Pantry Door



Golden West
Albany

EXHIBIT "H"

FRONT VIEW

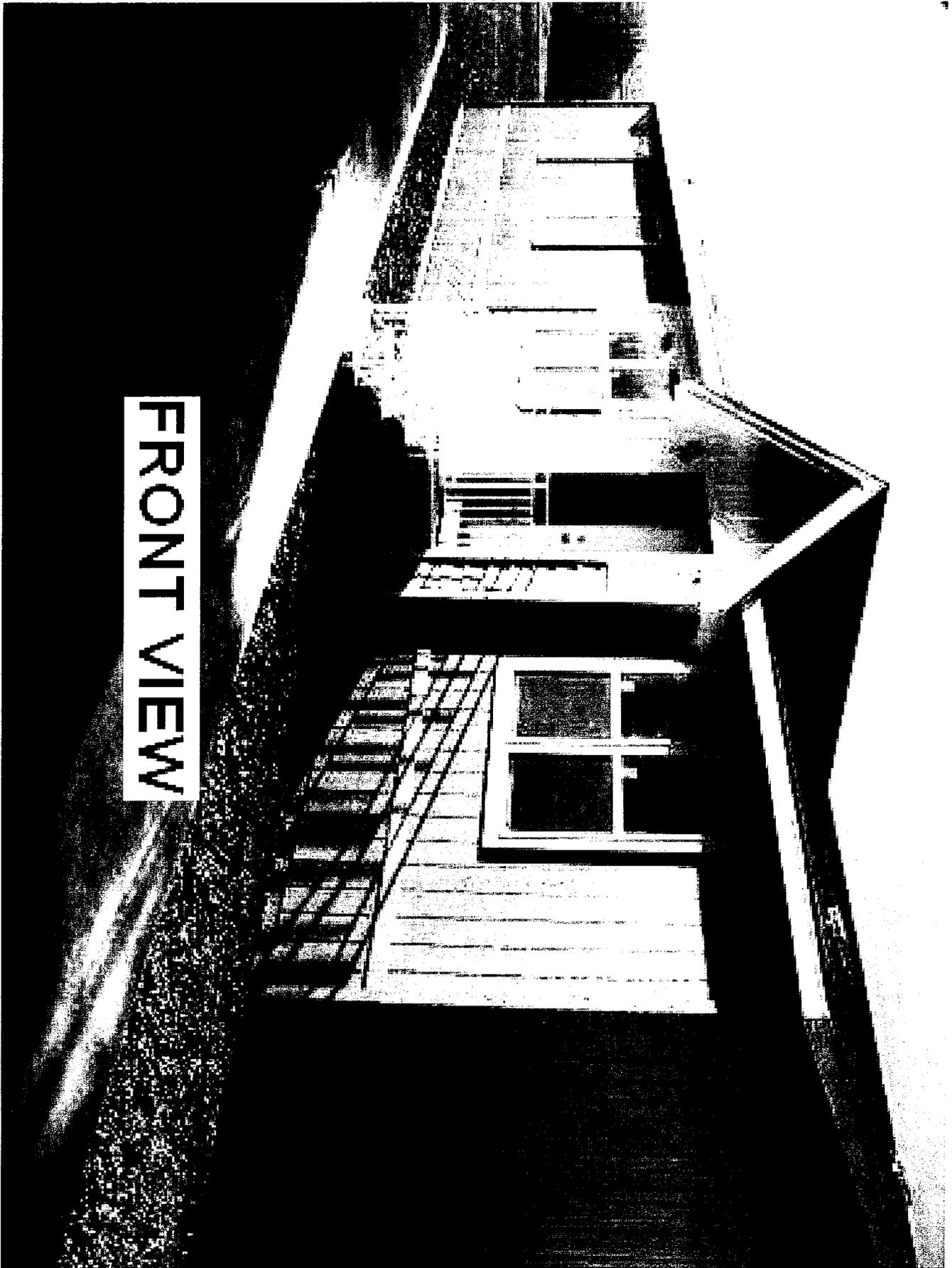
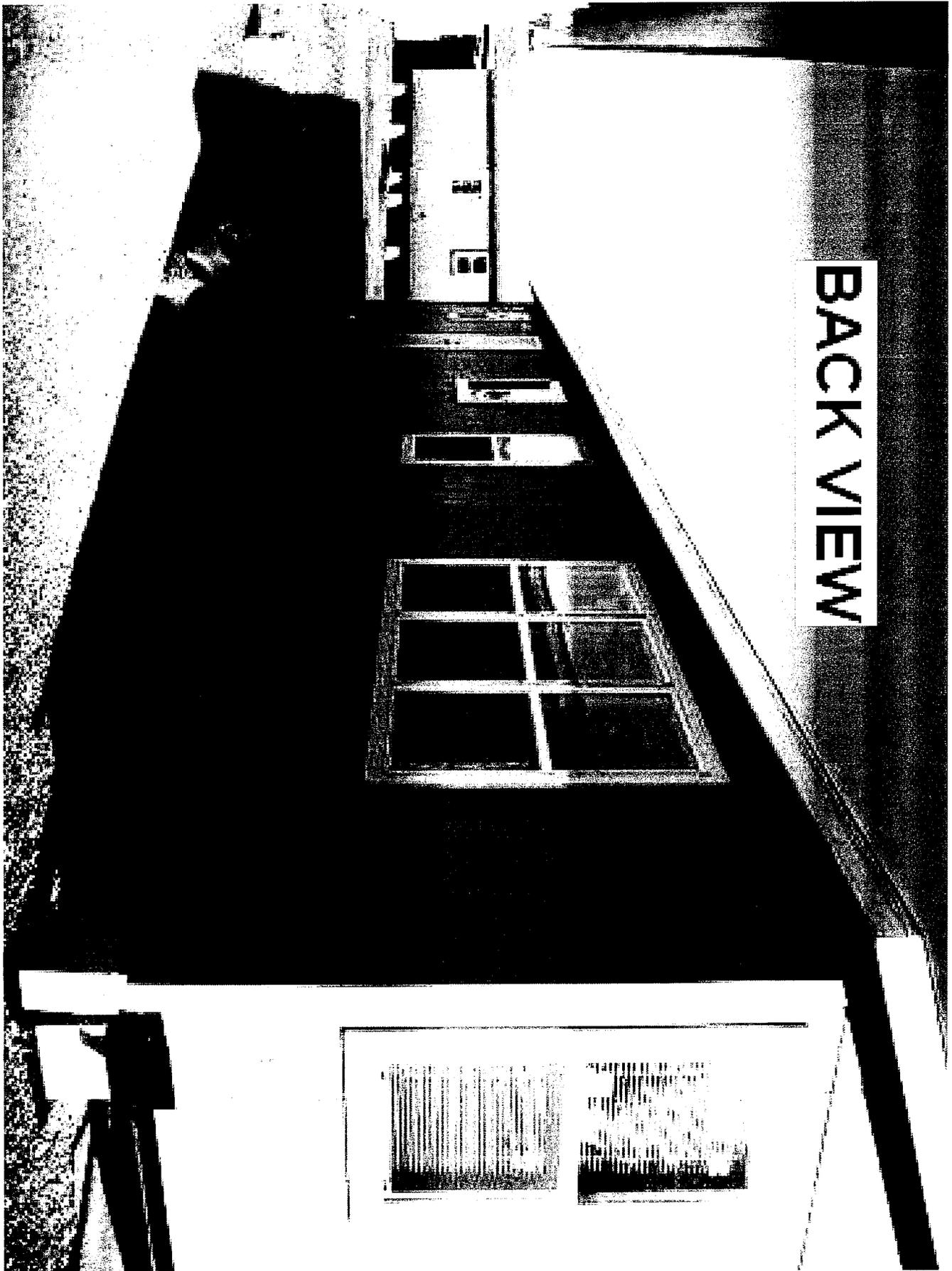
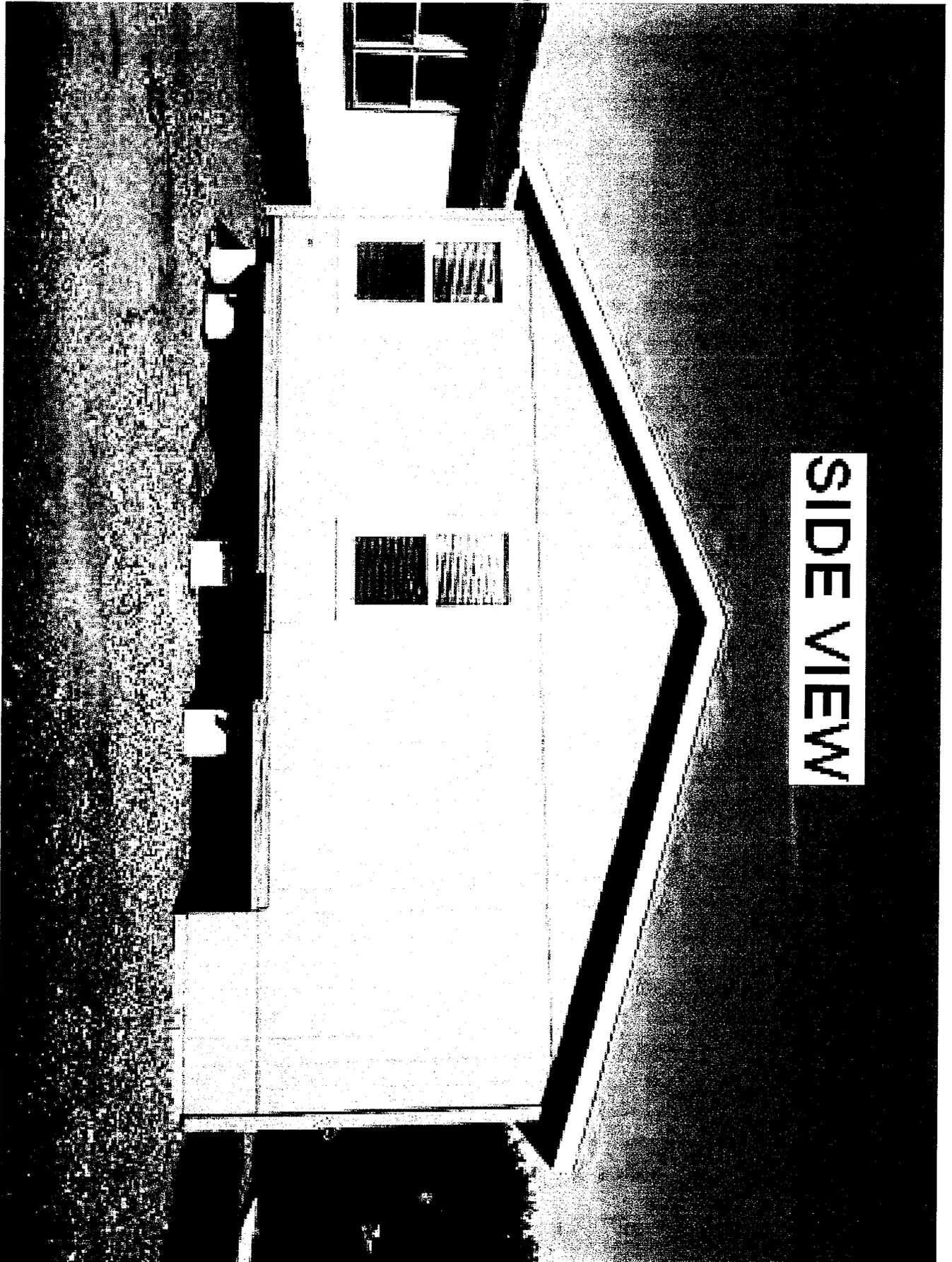


EXHIBIT "I"



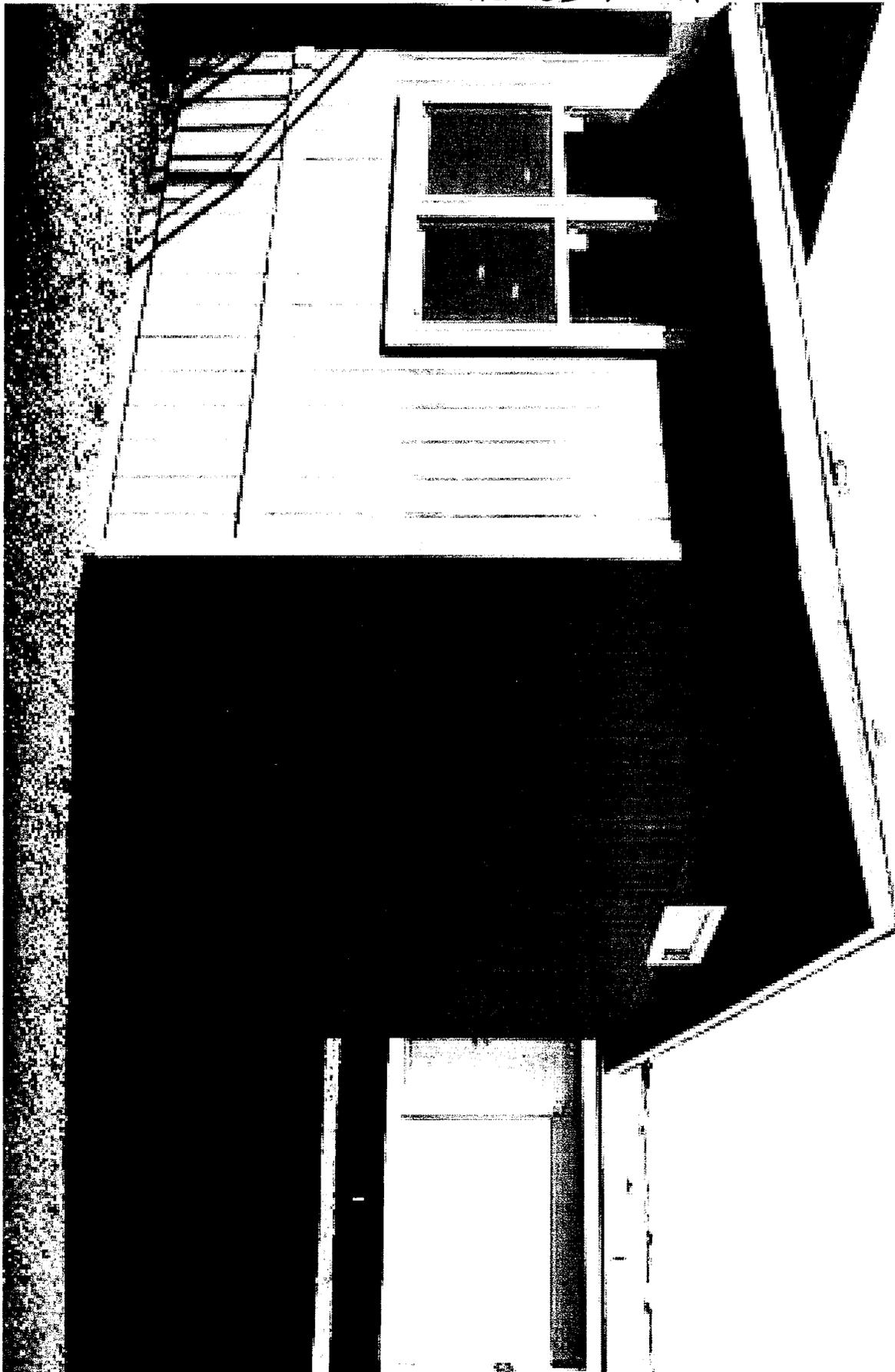
BACK VIEW

EXHIBIT "J"



SIDE VIEW

EXHIBIT "K"



SIDE VIEW