



**CITY OF CORNING  
SPECIAL CITY COUNCIL  
CLOSED SESSION AGENDA  
TUESDAY, NOVEMBER 24, 2020  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

The City of Corning welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest are encouraged and appreciated.

In compliance with the Americans with Disabilities Act, the City of Corning will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office (530/824-7033) to make such a request. Notification at least 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.**

**A. CALL TO ORDER: 5:30 p.m.**

**B. ROLL CALL:**

**Council:** Robert Snow  
Jose "Chuy" Valerio  
Dave Demo  
Karen Burnett  
**Mayor:** Douglas Hatley Jr.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

**C. PUBLIC COMMENTS:**

**D. REGULAR AGENDA:**

- 1. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**  
Significant exposure to litigation pursuant to §54956.9(b): One Case
- 2. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**  
Agency Negotiator: Kristina Miller, City Manager  
Bargaining Units: Public Safety

**E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m.**



**CITY OF CORNING  
CITY COUNCIL MEETING AGENDA  
TUESDAY, NOVEMBER 24, 2020  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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**THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER**

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

**B. ROLL CALL:**

**Council:**

Robert Snow  
Jose "Chuy" Valerio  
Dave Demo  
Karen Burnett  
Douglas Hatley Jr.

**Mayor:**

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Councilwoman Burnett.**

**E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:**

1. Update on COVID-19 by City Manager Kristina Miller.

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

**G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.**

2. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.

3. Waive the reading and approve the Minutes with any necessary corrections of the November 10, 2020 Regular City Council Meeting.

4. November 18, 2020 Claim Warrant in the amount of \$312,864.59.

5. November 18, 2020 Business License Report.

6. Ordinance No. 691, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcels No. 073-260-022 and 073-260-023 from R-1-8000 to R-1-4000 Single Family Residential. (Second Reading & Adoption).

7. Ordinance No. 692, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcel No. 073-120-018 from R-1-8000 to R-1-4000, Single Family Residential. (Second Reading & Adoption)

**H. ITEMS REMOVED FROM THE CONSENT AGENDA:**

**I. PUBLIC HEARINGS AND MEETINGS: None.**

**J. REGULAR AGENDA: None.**

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

**L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:**

**M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).**

**Snow:**

**Valerio:**

**Demo:**

**Burnett:**

**Hatley:**

**N. ADJOURNMENT!:**

**POSTED: FRIDAY, NOVEMBER 20, 2020**



**CITY OF CORNING  
CITY COUNCIL MEETING MINUTES  
TUESDAY, NOVEMBER 10, 2020  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:**

**Robert Snow  
Jose "Chuy" Valerio  
Dave Demo  
Karen Burnett  
Douglas Hatley Jr.**

**Mayor:**

All members of the Council were present.

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Councilor Burnett.**

**E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:**

**1. COVID-19 Update by City Manager.**

City Manager Kristina Miller provided a brief update on the current numbers of positive cases, those in isolation, hospitalizations, deaths, and those recovered. She also emphasized the need for everyone to wear masks, if meeting with others outside of your household, please do so in small numbers, meet outside and please social distance.

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

**Fire Chief Tom Tomlinson:** Reported that the Volunteer Fire Department, although not able to do door to door fundraising this year due to COVID-19, has received a number of donations towards their Christmas baskets. The response in light of the situation has been great.

**Diana Rameriz, Waste Management/Corning Disposal representative:** Addressed the City Council regarding their Service Agreement with the City stating that Waste Management has been providing services to the City for the past 14 months without an Agreement. She stated that the delay in approving the Agreement is causing delays in benefits to the citizens of Corning. She requested that the proposed Agreement be brought before the City Council at the next meeting.

**G. CONSENT AGENDA:** It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.

**2. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**

**3. Waive the reading and approve the Minutes of the following meetings with any necessary corrections:**

- a. October 23, 2020 Special City Council Meeting; and**
- b. October 27, 2020 Regular City Council Meeting**

**4. November 4, 2020 Claim Warrant in the amount of \$294,334.55.**

**5. November 4, 2020 Business License Report.**

**6. October Wages & Salaries: \$374,169.52.**

**7. October 2020 Treasurer's Report.**

**8. October 2020 Building Permit Valuation Report in the amount of \$364,868.**

**THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER**

**9. October 2020 City of Corning Wastewater Operations Summary Report.**

Councilor Valerio moved to approve Consent Agenda Items 2-8; Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**H. ITEMS REMOVED FROM THE CONSENT AGENDA: None.**

**I. PUBLIC HEARINGS AND MEETINGS:**

**10. Ordinance No. 691, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcels No. 073-260-022 and 073-260-023 from R-1-8000 to R-1-4000 Single Family Residential. (Introduction and First Reading)**

This was presented by Planner 1/Recreation Coordinator Christina Meeds who stated that both Ordinance 691 and 692 are associated with Tentative Maps already approved by the City Council, that for zoning purposes the two associated Ordinance (691 & 692) must be approved to codify the change in zoning. Mayor Hatley opened the Public Hearing at 6:42 p.m.; with no comments the Public Hearing was closed at 6:43 p.m.

Councilor Burnett moved to approve the 8 Legal Findings and Factual Subfindings; the 45 Conditions of Approval, and adopt Ordinance 691, an Ordinance to amend Title 17 Zoning of the City of Corning Municipal Code, incorporating Rezone 2020-03 for Assessor Parcel No's. 073-260-022 & 073-260-023 for first reading. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**11. Ordinance No. 692, an Ordinance amending Title 17 Zoning of the City of Corning Municipal Code to Rezone Assessor Parcel No. 073-120-018 from R-1-8000 to R-1-4000, Single Family Residential. (Introduction and First Reading)**

Planner 1/Recreation Coordinator Christina Meeds presented this item. Mayor Hatley opened the Public Hearing at 6:44 p.m.; with no comments the Public Hearing was closed at 6:44 p.m.

Councilor Demo moved to approve the 9 Legal Findings and 8 Factual Subfindings; the 52 Conditions of Approval, and adopt Ordinance 692, an Ordinance to amend Title 17 Zoning of the City of Corning Municipal Code, incorporating Rezone 2020-02 for Assessor Parcel No. 073-120-018 for first reading. Councilor Burnett seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**J. REGULAR AGENDA:**

**12. Seek approval of an exemption to allow property owner to remove a City Palm Tree at 911 Butte Street.**

This item was presented by Public Works Consultant Robin Kampmann who stated that Staff had received the request to be allowed to remove the City Palm Tree located at 911 Butte Street. Although it has been City Policy not to remove/allow removal of City trees that are not diseased, dead, or hazardous, staff is recommending an exemption in this case. The preexisting Palm Tree hinders larger trucks from accessing his business because of his angled driveway. The driveway is angled due to the location of the Palm Tree.

Councilor Snow moved to approve the exemption to the City's General Practice regarding street trees to allow Mr. Boles to remove the preexisting Palm Tree, at his own expense, in front of his business at 911 Butte Street. Councilor Demo seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**13. Approve Livestock Grazing Lease Amendment #2 with Norman D. Oilar to extend Lease an additional 5-years beginning January 1, 2021, set annual Lease amount at \$1,338 per year payable each year in advance on the last day of December, and authorize the City Manager to sign the Lease Agreement on behalf of the City.**

This item was presented by Public Works Consultant Robin Kampmann who stated that the initial Grazing Lease was approved in 2010. One purpose for the Lease was to control vegetation and thereby reduce the wildland fire potential from the open space “land use buffer areas” that surround the airport. The grazing eliminates the need for Public Works personnel to mow throughout the spring/summer months. The Lease affects about 150 acres, is for a term of 5 years at an annual cost of \$1,338, with extensions by mutual agreement. This Amendment would extend the Lease for an additional five years starting January 1, 2021. The Lease amount is consistent with the value of between \$7 to \$13 per acre per the Agriculture Department.

Councilor Burnett moved to approve the attached Amendment #2 for the Livestock Grazing Lease with Mr. Norman D. Oilar and authorize the City Manager to sign the Lease Agreement on behalf of the City. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**14. Approve Agreement for School Resource Officer between the City and Corning Union High School District.**

This item was presented by City Manager Kristina Miller. She stated that the only change from the previous Agreement is in compensation as a result of, and to comply with the last Memorandum of Understanding (MOU) with the City’s Public Safety Bargaining Unit.

Councilor Demo moved to approve proposed Agreement between the City and Corning Union High School District for School Resource Officer (SRO) services beginning September 1, 2020 and terminating on June 30, 2021. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**15. Approve waiver to allow Holiday Boutique/Craft Sale at 1890 North Street from November 7<sup>th</sup> through December 20, 2020.**

Presented by Planner I Christina Meeds who confirmed that the applicant was present. Ms. Meeds stated that due to COVID-19 the Ms. Byers is unable to attend Craft Fairs to sell her crafts as she normally does. Ms. Byers has contacted and obtained direction from the County Health Officer as to how to operate the proposed Holiday Boutique/Craft sale safely. The Zoning of her residence does not allow this use which is why she is requesting this waiver. Both the City Manager and City Attorney stated this is being requested due to COVID-19 and if allowed, only four people at a time will be allowed in her garage for the Boutique/Craft Sale.

Councilor Snow moved to approve the temporary waiver of the restriction listed in the City Municipal Code Sections 5.40 and 17.06.270, and permit Linda Byers to sell retail crafts from her home at 1890 North Street from November 7<sup>th</sup> through December 20, 2020. Councilor Valerio seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**16. Adopt Resolution 11-10-2020-01 authorizing the submittal of applications to the Department of Resources Recycling and Recovery Beverage Container Recycling City/County Payment Program and Related Authorizations.**

Presented by City Manager Kristina Miller who stated that the City of Corning is very fortunate that Tehama County ensures that the City is in compliance with regulations. She then presented some of the various compliance regulations. She concluded by stating that in past years this was brought before the Council each year for authorization, however the State now allows it to be approved in five-year intervals.

Councilor Demo moved to approve Resolution No. 11-10-2020-01, a Resolution of the City of Corning Authorizing the Tehama County Solid Waste Management Agency to submit a Regional Application to the Department of Resources, Recycling, and Recovery for a Fiscal Year 2020/21 Beverage Container Recycling City/County Payment Program; and authorize the City Manager or her designee as having “Signature Authority” to execute all documents necessary to implement



and secure payment. Councilor Snow seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**17. Approve and authorize installation and purchase of fabricated modification from MTECH in the amount of \$35,870 to covert Fire Chief's Ford F-250 into a mini attack truck.**

Presented by Fire Chief Tom Tomlinson who stated that it should state an F-350, not F-250 in the title. Chief Tomlinson informed Council that with this addition, the total cost of the truck will fall within the amount allotted in the budget. He further stated that this will include lights and sirens, a 200-gallon water tank and a hose reel. Councilor Snow confirmed that this includes a warranty for maintenance of items provided.

Councilor Snow moved to approve the purchase, fabrication and installation from MTECH in the amount of \$35,870 pursuant to Municipal Code 3.12.082 exceptions from purchasing procedures A.2 & A.3 attached; and authorize the Fire Chief to proceed with the fabrication and installation of the necessary equipment for truck modifications; and authorize payment to MTECH in the amount of \$35,870 from fund 076-9500-2301, Vehicle Replacement/Fire Capital Replacement upon completion of the project. Councilor Demo seconded the motion. **Ayes: Hatley, Snow, Valerio, Burnett, and Demo. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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

**L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None.**

**M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).**

**Snow:** Just waiting for the final report on the City's Elections.

**Valerio:** Announced that the drive through Hometown Christmas Parade will be on Saturday, December 5<sup>th</sup> from 6 p.m. to 8 p.m.

**Demo: None**

**Burnett: None**

**Hatley: None**

**N. ADJOURNMENT!: 7:06 p.m.**

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**Lisa M. Linnet, City Clerk**



## MEMORANDUM

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** LORI SIMS  
ACCOUNTING TECHNICIAN

**DATE:** November 18, 2020

**SUBJECT:** Cash Disbursement Detail Report for the  
Tuesday November 24, 2020 Council Meeting

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**PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:**

<b>A.</b>	<b>Cash Disbursements</b>	<b>Ending 11-18-20</b>	<b>\$</b>	<b>186,307.04</b>
<b>B.</b>	<b>Payroll Disbursements</b>	<b>Ending 11-18-20</b>	<b>\$</b>	<b>126,557.55</b>

**GRAND TOTAL \$ 312,864.59**

REPORT.: Nov 18 20 Wednesday  
 RUN...: Nov 18 20 Time: 14:30  
 Run By.: LORI SIMS

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 11-20 Bank Account.: 1020

PAGE: 001  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
030221	11/09/20	ATT17	AT&T	69.55	.00	69.55	201031	COMMUNICATIONS-FIRE
030222	11/09/20	DEP12	DEPT OF JUSTICE	105.00	.00	105.00	470340	PROF SVCS-POLICE
030223	11/09/20	FIR05	FIRST NATIONAL BANK OMAHA	29.98	.00	29.98	201028	COVID 19-
030224	11/09/20	FIR13	FIRST NATIONAL BANK OMAHA	678.18	.00	678.18	201028	MAT & SUPPLIES-
030225	11/11/20	ARA02	ARAMARK UNIFORM SERVICES	90.76	.00	90.76	637709153	MAT & SUPPLIES-BLD MAINT
				90.76	.00	90.76	637721146	MAT & SUPPLIES-BLD MAINT
				90.76	.00	90.76	637733093	MAT & SUPPLIES-BLD MAINT
				90.76	.00	90.76	637745093	MAT & SUPPLIES-BLD MAINT
			Check Total.....	363.04	.00	363.04		
030226	11/11/20	BAS01	BASIC LABORATORY, INC	135.80	.00	135.80	2011251	ProfServices Water Dept
030227	11/11/20	CHI06	CHICO POWER EQUIPMENT	40.38	.00	40.38	299983	CLEANING CONTRACT-STR
030228	11/11/20	COR11	CORNING SAFE & LOCK	67.88	.00	67.88	0770	MAT & SUPPLIES-
030229	11/11/20	CRO05	CROSS PETROLEUM	1191.99	.00	1191.99	CL01703	VEH OP/MAINT-
				36.90	.00	36.90	14434801N	VEH OP/MAINT-FIRE
			Check Total.....	1228.89	.00	1228.89		
030230	11/11/20	DEP12	DEPT OF JUSTICE	177.00	.00	177.00	476281	PROF SVCS-POLICE
				105.00	.00	105.00	480630	PROF SVCS-POLICE
			Check Total.....	282.00	.00	282.00		
030231	11/11/20	DIS01	DISCOUNT DISPOSABLES	2300.48	.00	2300.48	165674	MAT & SUPPLIES-POLICE
030232	11/11/20	ECO05	ECORP CONSULTING, INC.	472.50	.00	472.50	91578	PROF SVCS-PLANNING
030233	11/11/20	FIR10	FIRST NATIONAL BANK OMAHA	69.96	.00	69.96	11092020	COMMUNICATIONS-
030234	11/11/20	FIR14	FIRST NATIONAL BANK OMAHA	697.07	.00	697.07	11092020A	OFFICE SUPPLIES-
030235	11/11/20	GRA02	GRAINGER, W.W., INC	92.80	.00	92.80	970928615	MAT & SUPPLIES-SWR
				96.19	.00	96.19	971153054	MAT & SUPPLIES-BLD MAINT
			Check Total.....	188.99	.00	188.99		
030236	11/11/20	GRE01	GREEN WASTE OF TEHAMA	19.29	.00	19.29	010129508	CLEANING CONTRACT-STR
030237	11/11/20	HOL04	HOLIDAY MARKET #32	17.28	.00	17.28	003204060	MAT & SUPPLIES-WTR
030238	11/11/20	INF00	INFRAMARK, LLC	67295.74	.00	67295.74	56820	PROF SVCS-
030239	11/11/20	INT15	INTERWEST CONSULTING GROU	37435.15	.00	37435.15	64105	SB2-PROF SVCS SB2-PLANNIN
030240	11/11/20	O'R00	O'REILLY AUTO PARTS	13.99	.00	13.99	353629992	VEH OP/MAINT-POLICE
030241	11/11/20	PES01	PESTMASTER SERVICES, INC.	990.79	.00	990.79	272996	TREE/PEST & WEED SPRAY-
030242	11/11/20	RED15	RED TRUCK ROCK YARD, LLC	74.41	.00	74.41	1201	PARK IMP FUND-PARK SPEC P
				59.52	.00	59.52	1202	PARK IMP FUND-PARK SPEC P
				16.62	.00	16.62	1203	PARK IMP FUND-PARK SPEC P
				16.62	.00	16.62	1204	PARK IMP FUND-PARK SPEC P
			Check Total.....	167.17	.00	167.17		
030243	11/11/20	REN02	RENTAL GUYS	300.00	.00	300.00	790425-1	EQUIP MAINT-STR
030244	11/11/20	SCH01	LES SCHWAB TIRE CENTER	92.00	.00	92.00	611003740	CLEANING CONTRACT-STR
030245	11/11/20	TEH15	TEHAMA CO SHERIFF'S DEPT	49.00	.00	49.00	11092020	PROF SVCS-POLICE
030246	11/11/20	THO01	THOMES CREEK ROCK CO	152.32	.00	152.32	201031	MAT & SUPPLIES-STR
030247	11/11/20	USA01	USA BLUE BOOK	236.86	.00	236.86	413212	MAT & SUPPLIES-WTR
030248	11/11/20	XER00	XEROX CORPORATION	27.44	.00	27.44	011814752	EQUIP MAINT-DISPATCH
030249	11/16/20	ACC00	ACCESS INFORMATION MANAGE	210.65	.00	210.65	8445346	EQUIP MAINT-GEN CITY
030250	11/16/20	BAS01	BASIC LABORATORY, INC	135.80	.00	135.80	2011532	ProfServices Water Dept
030251	11/16/20	COM06	COMCAST	23.75	.00	23.75	201109	COMMUNICATIONS-PW ADMIN
030252	11/16/20	JOH07	JOHNSTONE, TRACY	85.96	.00	85.96	201116	PANT REIMBURSEMENT-PW ADM
030253	11/16/20	PGE01	PG&E	23534.83	.00	23534.83	201110	Electricity General City-
030254	11/16/20	QUI02	QUILL CORPORATION	21.54	.00	21.54	12145968	OFFICE SUPPLIES-PW ADMIN
030255	11/16/20	RED00	RED BLUFF DAILY NEWS	62.51	.00	62.51	652885901	PRINT/ADVERT-CITY CLERK
				52.10	.00	52.10	652886301	PRINT/ADVERT-CITY CLERK
				202.69	.00	202.69	653063701	PRINT/ADVERT-CITY CLERK
			Check Total.....	317.30	.00	317.30		
030256	11/16/20	RES04	RESERVE ACCOUNT	3000.00	.00	3000.00	201111	COMMUNICATIONS-



REPORT.: Nov 18 20 Wednesday  
 RUN.: Nov 18 20 Time: 14:30  
 Run By.: LORI SIMS

CITY OF CORNING  
 Cash Disbursement Detail Report  
 Check Listing for 11-20 Bank Account.: 1020

PAGE: 002  
 ID #: PY-DP  
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
030257	11/16/20	SCP00	SCP DISTRIBUTORS LLC	910.23	.00	910.23	SN052314	MAT & SUPPLIES-
030258	11/16/20	TAN00	T AND S DVBE, INC.	247.10	.00	247.10	20-2492	MAT & SUPPLIES-
030259	11/16/20	TPX00	TPX COMMUNICATIONS	636.50	.00	636.50	136063819	COMMUNICATIONS-
030260	11/16/20	VER02	VERIZON WIRELESS	228.06	.00	228.06	986608563	COMMUNICATIONS-DISPATCH
030261	11/16/20	WAL02	WALKER PRINTING	718.58	.00	718.58	38963	MAT & SUPPLIES-REC
030262	11/17/20	BR101	BRICENO, ALEXANDER	226.00	.00	226.00	201116	REFUND CB PAYMENT-FINANCE
030263	11/18/20	ACI01	ACI SPECIALTY BENEFITS	336.96	.00	336.96	24012	WORKMENS COMP-GEN CITY
030264	11/18/20	ATT13	AT&T	758.70	.00	758.70	201111	COMMUNICATIONS-DISPATCH
030265	11/18/20	CAM02	FERGUSON ENTERPRISES INC.	340.45	.00	340.45	1585335	MAT & SUPPLIES-WTR
030266	11/18/20	CON08	CONSTELLATION - EXELON GE	10536.01	.00	10536.01	202010	ELECT-
030267	11/18/20	CRO05	CROSS PETROLEUM	994.40 652.20 1026.99	.00 .00 .00	994.40 652.20 1026.99	CL01702 CL02401 CL02402	MAT & SUPPLIES- MAT & SUPPLIES- VEH OP/MAINT-
			Check Total.....	2673.59	.00	2673.59		
030268	11/18/20	ESP00	ESPLANADE OFFICE	5722.61	.00	5722.61	4686-1	COVID 19
030269	11/18/20	FAI01	FAILSAFE TESTING, LLC	700.00	.00	700.00	11286	PROF SVCS-FIRE
030270	11/18/20	MOO07	MOORE & BOGENER, INC.	6911.00	.00	6911.00	11176	CONSULT LIT-
030271	11/18/20	MOS03	MOSHER, JEREMY	22.37	.00	22.37	201117	PANT REIMBURSEMENT-PW ADM
030272	11/18/20	NOR15	NORTHERN CALIFORNIA GLOVE	41.29	.00	41.29	534095	MAT & SUPPLIES-STR
030273	11/18/20	NOR47	NORTHSTAR	10987.50 75.00	.00 .00	10987.50 75.00	76586 76587	PROF SVCS-PW ADMIN DEV ENGINEERING-ENG
			Check Total.....	11062.50	.00	11062.50		
030274	11/18/20	PAY01	PAYGOV.US LLC	2086.07	.00	2086.07	582	COVID 19-FINANCE
030275	11/18/20	PGE09	PG&E	205.74	.00	205.74	201114	ELECT-STONEFOX L&L-Z1, D2
030276	11/18/20	PGE2A	PG&E	42.96	.00	42.96	201114	ELECT-BLUE HERON CT
030277	11/18/20	QUI02	QUILL CORPORATION	445.07 15.07 103.62	.00 .00 .00	445.07 15.07 103.62	11986392 12190498 12272268	OFFICE SUPPLIES- OFFICE SUPPLIES- OFFICE SUPPLIES-
			Check Total.....	563.76	.00	563.76		
030278	11/18/20	WAL11	WALBERG INC.	480.00	.00	480.00	5976	EQUIP MAINT-SWR
			Cash Account Total.....	186307.04	.00	186307.04		
			Total Disbursements.....	186307.04	.00	186307.04		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
12222	11/18/20	BAN03	POLICE OFFICER ASSOC.	325.00	.00	325.00	C01118	POLICE OFFICER ASSOC
12223	11/18/20	BAN06	BANNER BANK	500.62	.00	500.62	C01118	HSA DEDUCTIBLE
12224	11/18/20	CAL37	CALIFORNIA STATE DISBURSE	138.46	.00	138.46	C01118	WITHHOLDING ORDER
12225	11/18/20	EDD01	EMPLOYMENT DEVELOPMENT	8945.10	.00	8945.10	C01118	STATE INCOME TAX
				2133.86	.00	2133.86	1C01118	SDI
			Check Total.....:	11078.96	.00	11078.96		
12226	11/18/20	FED00	FEDERAL PAYROLL TAXES (EF	24393.47	.00	24393.47	C01118	FEDERAL INCOME TAX
				27239.52	.00	27239.52	1C01118	FICA
				6370.54	.00	6370.54	2C01118	MEDICARE
			Check Total.....:	58003.53	.00	58003.53		
12227	11/18/20	ICM01	ICMA RETIREMENT TRUST-457	4175.05	.00	4175.05	C01118	ICMA DEF. COMP
				185.00	.00	185.00	1C01118	ICMA DEF. COMP ER PD
			Check Total.....:	4360.05	.00	4360.05		
12228	11/18/20	PERS1	PUBLIC EMPLOYEES RETIRE	44533.14	.00	44533.14	C01118	PERS PAYROLL REMITTANCE
12229	11/18/20	PERS4	Cal Pers 457 Def. Comp	3666.64	.00	3666.64	C01118	PERS DEF. COMP.
				520.00	.00	520.00	1C01118	PERS DEF. COMP. ER P
			Check Total.....:	4186.64	.00	4186.64		
12230	11/18/20	TEH16	TEHAMA COUNTY SHERIFF'S O	110.89	.00	110.89	C01118	WageOrder F#20000149
12231	11/18/20	VAL06	VALIC	3087.76	.00	3087.76	C01118	AIG VALIC P TAX
				232.50	.00	232.50	1C01118	AIG VALIC P TAX ER P
			Check Total.....:	3320.26	.00	3320.26		
			Cash Account Total.....:	126557.55	.00	126557.55		
			Total Disbursements.....:	126557.55	.00	126557.55		

Date.: Nov 18, 2020  
Time.: 2:44 pm  
Run by: LORI SIMS

CITY OF CORNING  
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1  
List.: NEWB  
Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
CSG CONSULTANTS, INC	550 PILGRIM DR	FOSTER CITY, CA 94404	ENGINEERING SERVICES	11/05/20
SPRING TIME LLC	240 EDITH AVE #242	CORNING, CA 96021	APARTMENT COMPLEX WITH 184 UNITS 3 LAUND	11/05/20
TACO EL DORADO	951 HIGHWAY 99W SUITE 105	CORNING, CA 96021	SELLING FOOD ON A CHARCOAL GRILL	11/10/20

**ITEM NO: G-6  
ORDINANCE 691, AN ORDINANCE TO AMEND  
TITLE 17 ZONING OF THE CITY OF CORNING  
MUNICIPAL CODE, INCORPORATING REZONE  
2020-03 FOR ASSESSOR PARCEL NO'S. 073-  
260-022 & 023. (Second Reading & Adoption)**

**November 24, 2020**

**TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS**  
**FROM: KRISTINA MILLER, CITY MANAGER**  
**CHRISSE MEEDS, PLANNER 1**



**PROJECT DESCRIPTION & LOCATION:**

Rezone 2020-3, Tract Map 20-1001: Jason & Anna Abel (Magnolia Meadows) propose to rezone approximately 9.95 acres from a PD, Planned Development to a R-1-4000, Single Family Residential, 4,000 sq. ft. minimum lot size and subdivide the parcel into 53 parcels. Located on the west side of Marguerite Avenue just north of the Moon Road/Marguerite Avenue intersection and south of Maywood School. APN: 073-260-022 & 023

The R-1-4000, Small Lot Designation was reviewed by the Planning Commission on April 21, 2020. On June 23, 2020, the City Council approved Ordinance 688 allowing reduced lot sizes to 4,000 sq. ft. on interior lots and 4,500 sq. ft. on corners.

**GENERAL PLAN LAND USE DESIGNATION:**

Multi-Family Residential.

**ZONING DESIGNATION:**

PD, Planned Development (existing) R-1-4000 (proposed).

**Planning Commission Recommendation:**

On June 16, 2020, the Corning Planning Commission recommended to the Corning City Council to approve the Rezone 2020-2 on a 3 – 0 vote. On the same date the Planning Commission reviewed the Magnolia Meadows Tentative Subdivision Map that showed 61 Single Family Residential (SFR) lots and recommended on a 3.- 0 vote the City Council approve the Tentative Subdivision Map. There has been a modification to the map since that date. The modification is a reduction in lots from 61 to 53 SFR lots to allow for slightly larger lot sizes, but still fall within the small lot subdivision guidelines. The changes proposed do not warrant further Planning Commission review.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

Mitigated Negative Declaration, A mitigated negative declaration means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

In 2004 when a Tentative Tract Map for the Green Garden Subdivision was being considered for approval, Staff completed a CEQA Initial Study that identified certain potentially significant effects that could be attributable to the development of this project. Staff determined that those effects could be substantially lessened by the imposition of mitigation measures and conditions. Prior to approving the Green Garden Subdivision, the City Council adopted the Mitigated Negative Declaration and a Notice of Determination filed for the project.

CEQA Section 15162 Subsequent EIR's and Negative Declarations reads as follows:

- (a) When an EIR has been certified, or a Negative Declaration adopted for a Project, no subsequent EIR shall be prepared for that Project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
- (1) Substantial changes are proposed in the Project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
    - (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
    - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - (C) Mitigation Measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Green Garden Subdivision proposed to create a 61parcel Subdivision in a Planned Development Zoning District at the same location of Tentative Tract Map 20-1001. The Development proposed 13 conventional Single-family residential parcels, and 48 forty (40) foot-wide parcels where two dwelling units would share a common wall at a property line. The project also had a common paved parking lot in the southwest corner of the project site.

Tentative Tract Map 20-1001 proposes to create the same number of parcels as the previously approved Green Garden Subdivision. The City adopt a Mitigated Negative Declaration for the Green Garden Subdivision and a Notice of Determination was filed with the Tehama County Clerk & Recorder. There is no evidence in the record of what would be considered substantial changes to the project that would require additional environmental analysis.

**DISCUSSION:**

Pursuant to Section 16.09.010 (E) of the Corning Municipal Code (CMC), “the Planning Commission of the City shall act as the advisory agency to the City Council. It is charged with making investigations and reports on the design and improvements of proposed divisions of land. The Planning Commission shall make investigations and conduct hearings regarding the approval of Tentative Maps and make its written report on the Tentative Map directly to the City Council.” Final approval, including establishing design standards for public improvements of a Tentative Subdivision Map is the responsibility of the City Council pursuant to Section 16.09.010 (F) of the CMC. The City Council approved the associated Rezone 2020-3 and Tentative Tract Map 20-1001 subject to the 45 Conditions of Approval (attached) and accepted the 8 Factual Subfindings and Legal Findings (also attached) as presented on July 28, 2020.

**CONSISTENCY WITH GENERAL PLAN & ZONING:**

The Site is designated MFR, Multi-Family Residential on the General Plan Land Use Map. Current zoning is PD, Planned Development, proposed zoning is R-1-4,000. In the General Plan, maximum densities in a Multi-Family Residential Land Use designation are 28 units per acre, neither the existing zoning, and previous project or proposed zoning exceed the maximum density, so the Projects are consistent with the General Plan and Residential Use is consistent with the current and proposed zoning.

**Staff recommended the following Factual Subfindings & Legal Findings for consideration by the Commission, pursuant to the California Environmental Quality Act (CEQA), and Section 66474 (A thru G) of the California Government Code.**

**Factual Subfinding #1:**

An initial study analyzing the environmental impacts associated with Green Garden Subdivision was prepared, a Mitigated Negative Declaration filed, circulated through the CEQA process, and adopted by the Corning City Council. A Notice of Determination was filed with the Tehama County Clerk & Recorder.

**Legal Finding #1:**

For Rezone 2020-3 and Tentative Tract Map 20-1001, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. The Planning Commission finds that the Initial Study filed for the Green Garden Subdivision analyzed the environmental impacts associated with the project and that identified impacts have been mitigated to a Less than Significant Level. Tract Map 20-1001 is proposes to create the same number of residential parcels and there is no substantial evidence in the light of the whole record of any changes in the project that would require additional environmental analysis, therefore Rezone 2020-3 and Tentative Tract Map 20-1001 is exempt from CEQA pursuant to Section 15162.

**Factual Sub finding #2:**

Rezone 2020-3 and Tentative Tract Map 20-1001 propose to rezone from PD, Planned Development to R-1-4,000 and subdivide the approximately 9.95 acres of land into 53 single family residential parcels. This would create a residential density of approximately 6.1 parcels per acre.

**Legal Finding #2:**

Rezoning to single family residential and subdividing the approximately 9.95 acres, as proposed by Tentative Tract Map 20-1001, into 53 single family residential parcels does not exceed the maximum densities of 28 parcels per acre as depicted in the Land Use Element of the General Plan, therefore both projects are consistent with the General Plan.

**Factual Sub finding #3**

Tentative Tract Map 20-1001 is subject to Mitigation Measures from previous environmental analysis of this site, and Conditions of Approval that direct the design and improvements of the Project to meet the requirements of adopted Mitigation Measures and applicable Municipal Codes adopted by the City of Corning.

**Legal Finding #3:**

That the design and improvements associated with the creation of 53 single-family residential parcels are consistent with the Land Use Element of the 2014-2034 Corning General Plan.

**Factual Sub finding #4:**

The site and location of Tentative Tract Map 20-1001 is in an area that is relatively flat and where the construction of roads and building pads will not present any physical difficulties for Development.

**Legal Finding #4:**

The site of Tentative Tract Map 20-1001 is located adjacent to Marguerite Ave. and has terrain that is physically suitable for the establishment of residential development.



**Factual Sub finding #5:**

The Developer will be required to extend City Water and Sewer to serve the parcels. Additionally, the Developer will be required to upgrade the existing roads, including constructing new roads to serve the parcels.

**Legal Finding #5:**

The City of Corning Municipal Water and Sewer Service has sufficient capacity to serve the proposed residential development along the west side of Marguerite Ave. Road improvements to Marguerite Ave. and the construction of interior roads to serve the parcels will provide adequate upgrades to the existing transportation system for additional traffic generated by the project.

**Factual Sub finding #6:**

Previous environmental analysis of the site concluded that with adopted Mitigation Measures, that have also been incorporated into the Conditions of Approval for Tentative Tract Map 20-1001, that any impacts to Biological Resources, including Fish and Wildlife, have been reduced to a Less than Significant Impact.

**Legal Finding #6:**

That the design of Tentative Tract Map 20-1001, or the proposed improvements associated with the development of 53 residential parcels, are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

**Factual Sub finding #7:**

Tentative Tract Map 20-1001 proposes to create 53 single family residential parcels in an area of the City designated for residential development and which has accessibility to City Water and Sewer.

**Legal Finding #7:**

The requirement to improve existing roads and construct new roads as well as provide City Water and Sewer to the parcels will not cause any serious public health problems to the existing and future residences of the City.

**Factual Sub finding #8:**

Access to the site and residential parcels will be by Marguerite Ave. and interior roads constructed by the Developer. Public Easements for access to the parcels will be created by recordation of a Final Map.

**Legal Finding #8:**

That the design of Tentative Tract Map 20-1001, or type of improvements associated with the residential development of the parcels, will not conflict with Easements acquired by the public at large, for access through or use of, property within the Subdivision.

**RECOMMENDATION:**

**MAKE A MOTION TO ADOPT ORDINANCE 691, AN ORDINANCE TO AMEND TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE, INCORPORATING REZONE 2020-03 FOR ASSESSOR PARCEL NO'S. 073-260-022 & 023; AND APPROVE ATTACHED SUMMARY ORDINANCE FOR PUBLICATION.**

**ATTACHMENTS:**

- EXHIBIT "A" RECOMMENDED CONDITIONS OF APPROVAL
- EXHIBIT "B" ORDINANCE 691
- EXHIBIT "C" REZONE NO. 2020-3; SECTIONAL DISTRICT MAP NO. 300
- EXHIBIT "D" SUMMARY ORDINANCE 691

## EXHIBIT "A"

### RECOMMENDED CONDITIONS OF APPROVAL

1. **Subdivision Standards.** Development of Subdivision Map shall be in conformance with the approved Tentative Map and Subdivision Ordinance of the City of Corning, Title 16 of the Corning Municipal Code. Additionally, development must comply with all Federal, State and Local regulations especially the City of Corning Fire and Building Departments.
2. **UNDERGROUND UTILITIES.** All new utilities, including electricity, telephone, gas, and cable television shall be provided to each lot and undergrounded.
3. **FENCING.** Solid 6'-0" tall fencing shall be installed around and between parcels prior to issuance of a Certificate of Occupancy for any residence constructed within the Subdivision.
4. **PARCEL LANDSCAPING.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to issuance of a Certificate of Occupancy. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each front and street side yard shall be provided with a permanent method of irrigation for this landscaping. All landscaping and irrigation must comply with the Water Efficient Landscape Regulations as detailed in Section 15.08.055 of the Corning Municipal Code.
5. **RESIDENTIAL FAÇADE STANDARDS.** The City of Corning has an Ordinance/ Policy (CMC 16.21.135) prohibiting the construction of identical homes within sight of each other. The Developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this Standard. (MM. 1.5).
6. **ROOF-MOUNTED HVAC EQUIPMENT PROHIBITION.** No Heating, Ventilation, or Air Conditioning equipment shall be installed on the roof of any structure.
7. **CULTURAL RESOURCES.** Should cultural resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its Consultant shall inspect the site to determine what steps, if any, are necessary to address and mitigate the discovery.
8. **STORMWATER POLLUTION PREVIENTION PLAN.** Prior to any site disturbance or earthmoving activities on, or adjacent to the project site, Applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Central Valley Regional Water Quality Control Board. A WDID # must be assigned and provided to the City of Corning.
9. **COMPACTION TESTS:** Prior to issuing any Building Permit for filled lots, the Developer shall provide: 1) A report confirming that the fill has been sufficiently compacted in accordance with the Uniform Building Code or, 2) Engineered Foundation Plans with a statement that the foundation design complies with building code requirement based on soil conditions on the site.
10. **TOPSOIL.** Topsoil shall be stockpiled and redistributed over graded surfaces.
11. **FUGITIVE DUST.** Prior to commencing grading, the Applicant shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District.
12. **SPRINKLE EXPOSED SOILS.** During construction, unprotected soils shall be sprinkled to minimize wind erosion.
13. **COVER EXPOSED SOILS.** Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion.

14. **IMPROVEMENT PLANS.** Complete Improvement Plans and supporting calculations shall be submitted for approval by the City Engineer.
15. **FINISHED SURFACES.** Upon completion of Development, no substantial area shall remain where soils are completely uncovered.
16. **DRAINAGE ANALYSIS.** A registered Civil Engineer or Certified Hydrologist shall prepare a Drainage Analysis to determine the increased runoff resulting from the project and, if necessary, recommend improvements to public storm drainage facilities in accordance with City Standards.
17. **RAINFALL INTENSITY/DURATION CHART.** Engineer or Hydrologist shall utilize the Rainfall and Intensity Design Chart shown as Public Works Standard S-22 for design purposes.
18. **STORMWATER RETENTION.** Project applicant shall provide for on-site retention of the net increase in run-off resulting from the Development during a 25-year storm for a duration of 4 hours. If onsite retention is proposed, the retention facilities shall be sized to contain the run-off resulting from a 100-year storm event.
19. **STORMWATER FACILITIES.** Stormwater retention and conveyance facilities shall be constructed in accordance with Public Works Standards.
20. **LAND USE BARRIER.** The applicant will be required to construct a durable Land Use Barrier (6'-0" high masonry wall or equivalent) along the Maywood Intermediate School boundary that will mitigate noise and land use impacts caused by and/or affecting the proposed Development.
21. **CONSTRUCTION HOURS.** Construction work shall occur only between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. to 6:00 p.m. on weekends and federally observed holidays.
22. **WATER & SEWER LINES.** Install water and sewer pipes per public Works Standard S-11.
23. **WATER SERVICE.** Developer shall install water services and meters for each lot in accordance with Public Works Standard S-20.
24. **LOOPED WATER SYSTEM.** The Developer shall provide a "looped water system" connecting to existing City water facilities at the two street intersection locations with Marguerite Avenue.
25. **SEWER SERVICE.** Developer shall install sewer services for each lot in accordance with Public Works Standard S-21.
26. **STREET NAMES.** Final street names are subject to approval of City Staff and shall appear on the final map.
27. **STREET LIGHTING.** The applicant shall provide street lighting that meets the City Standards.
28. **SEWER TRUNK LINE EXTENSION.** The applicant will be required to extend sewer services from Fig Lane or Moon Rd (which will require a permit from the County and City).
29. **FIRE HYDRANTS.** Fire Hydrants shall be installed in accordance with City Standards and the Uniform Fire Code as adopted by the City. The Developer shall provide the City of Corning with one hydrant repair kit.
30. **STREET DEDICATION.** Offer street right of way for public streets to reach ultimate 60' standard Right of Way width as required.
31. **MARGUERITE AVENUE IMPROVEMENTS.** The west half width of Marguerite Avenue shall be improved in accordance with Public Works Standard S-18, including curb, gutter, and sidewalk and 20'-0" street (half width). Developer shall locate and raise any water valve boxes or sewer manholes that were installed during the initial project.

32. **INTERIOR STREET IMPROVEMENTS.** Interior streets shall be within 56' right of ways and improved in accordance with City of Corning Standard S-18 (40' 2 lane street modified with a reduction in parkway space behind the sidewalk).
33. **STOP SIGNS.** Stop signs shall be placed at both street intersections with Marguerite Avenue.
34. **CROSSWALKS.** Pedestrian crosswalks shall be delineated on all proposed streets intersecting Marguerite Avenue.
35. **NON-ACCESS STRIP.** No direct access onto Marguerite Avenue shall be permitted for Lots 1, 18, 21 or 53. A "Non-access strip" shall be dedicated to the City on the Final Tract Map for this purpose.
36. **DRIVEWAY APPROACHES.** Install driveway approaches per Public Works Standard S-5.
37. **BARRICADE.** The applicant shall construct a barricade as per City Standard No. S-8 at the western terminus of Spruce Road.
38. **NO PARKING ZONE.** The curb along the Marguerite Avenue frontage of proposed parcels 1 and 6 shall be a "No Parking Zone".
39. **Open Burning.** No open burning shall occur on this property unless a Land-Clearing Permit is obtained from the Tehama County Air Pollution Control District.
40. **Wood Burning Stoves.** Wood Burning stoves shall meet U.S. EPA Phase II Standards for certified wood-burning devices to be installed in the Subdivision. Total emissions shall not exceed 7.5 grams per hour from each dwelling.
41. **Exterior Electrical Outlets.** To promote the use of electrical landscape equipment, at least two electrical outlets shall be provided on the exterior walls of each residence.
42. **Disclosure of Nearby Agricultural Operations.** A note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards.
43. **Landscape and Lighting District.** Prior to recordation of the Final Map, the Developer shall establish (or annex to an existing) a Landscape and Lighting District or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting, landscape strips in the public right-of-way, stormwater collection and detention facilities. The Project Engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure.
44. **Development Impact Fees.** Development of the project residences will require payment of City Development Impact Fees in effect at the time of issuance of the individual Building Permits in order to lessen development impact on City transportation systems and other public facilities and utilities. These fees shall be paid prior to issuance of the Building Permit for each residence.
45. **Postal Boxes.** Provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the Improvement Plans for the subdivision.

**EXHIBIT "B"**

**ORDINANCE NO. 691**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING  
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE**

**WHEREAS**, the Zoning Ordinance of the City of Corning was adopted in 1959, (Ordinance 153) and subsequently amended; and

**WHEREAS**, the present zoning of the parcel under consideration is PD, Planned Development.

**WHEREAS**, the property owners of the subject property submitted a rezone application to amend the existing zoning from PD, Planned Development to R-1-4000; (Small Lot Designation) Single Family Residential; and

**WHEREAS**, the City Council by Public Hearing held on July 28, 2020 approved the rezone of Assessor Parcel No.'s 073-260-022 & 023 from the current PD, Planned Development to a R-1-4000, (Small Lot Designation) Single Family Residential; and

**WHEREAS**, the proposed R-1-4000 Zoning is consistent with the General Plan Residential Land Use designation; and,

**WHEREAS**, a Mitigated Negative Declaration was adopted by the City Council at its meeting of April 27, 2004 to address any environmental issues identified as being associated with this project; and

**WHEREAS**, the Planning Commission reviewed the proposed Zoning Ordinance Amendment at their regular meeting held on December 16, 2003 and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

**NOW, THEREFORE**, the City Council of the City of Corning does ordain as follows:

1. This Rezone is consistent with the Corning General Plan;
2. The Mitigated Negative Declaration is adopted and meets the requirements of CEQA and its Guidelines; and
3. Assessor Parcel No's. 073-260-022 & 023 as depicted in the attached Sectional District Map No. 300, are hereby Zoned "R-1-4000, (Small Lot Designation) Single Family Residential District".

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **November 10, 2020**, and adopted at a regular meeting of the City Council of the City of Corning held on **November 24, 2020**, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Douglas Hatley Jr., Mayor**

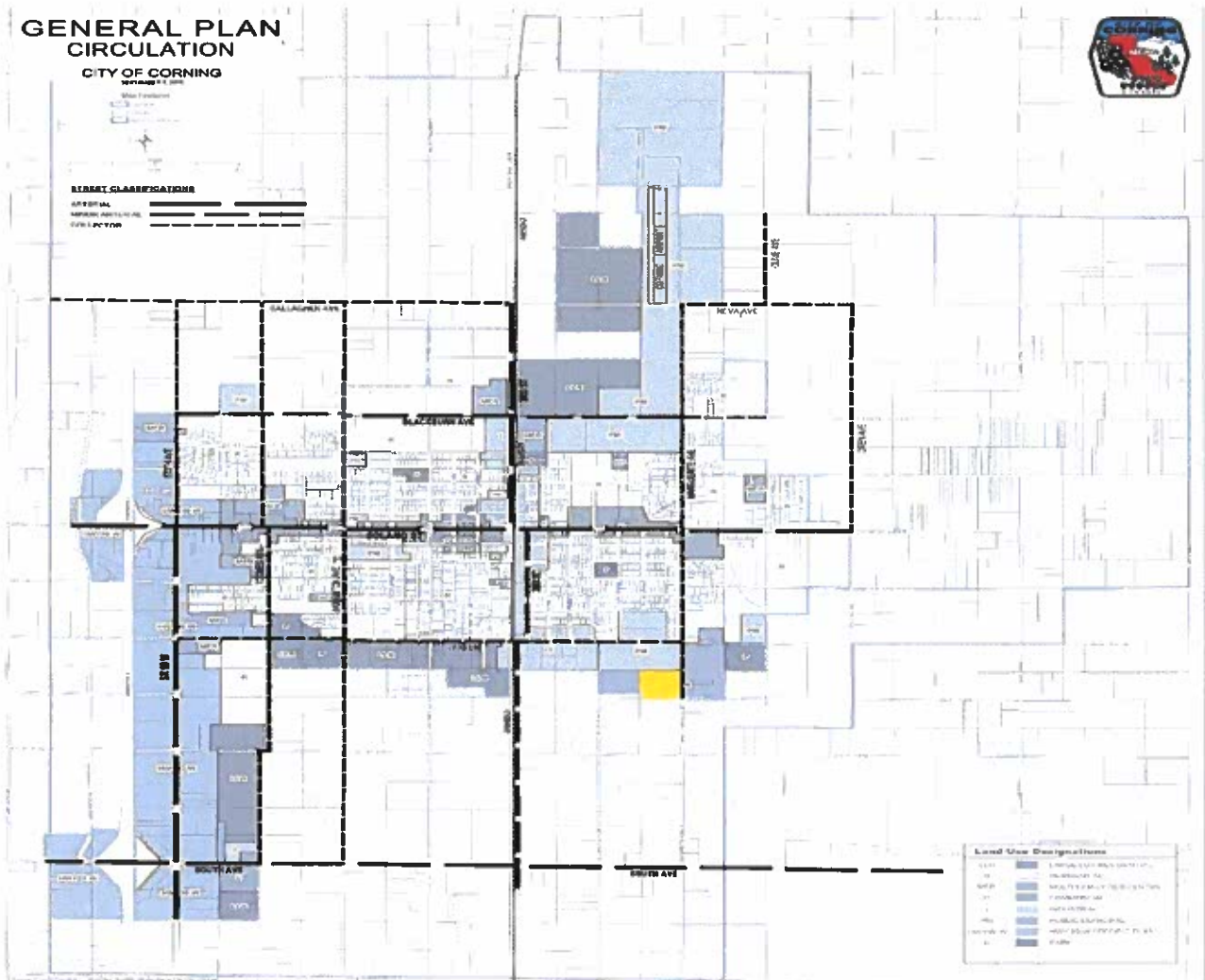
**ATTEST:**

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**Lisa M. Linnet, City Clerk**

# EXHIBIT "C"

## City of Corning-Ordinance No. 691 Rezone No. 2020-3; Sectional District Map No. 300 Being a Portion of Corning City Code Section 17.080.020



This Ordinance was introduced to the Corning City Council on November 10, 2020 and is scheduled to be adopted by action of the Corning City Council on November 24, 2020.



**EXHIBIT "D"**

**SUMMARY ORDINANCE NO. 691 OF THE CITY OF CORNING, CALIFORNIA  
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE TO REZONE  
ASSESSOR PARCELS NO. 073-260-022 and 073-260-022**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 691 introduced by the Corning City Council scheduled for consideration of adoption on October 27, 2020 at its meeting held in the City Council Chambers 794 Third Street, Corning, California.

The purpose of the Ordinance No. 692 is to rezone assessor's parcel Nos. 073-120-022 and 073-260-022 from R-1-8000 to R-1-4000, single family residential. A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 794 Third Street, Corning, California. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. This Ordinance was introduced by the City Council of the City of Corning on October 27, 2020 and is scheduled for consideration of adoption on November 10, 2020.

Lisa M. Linnet, Corning City Clerk

Publish: Saturday, November 7, 2020  
Posted at Corning City Hall

**ITEM NO: G-7  
ORDINANCE 692, AN ORDINANCE TO AMEND  
TITLE 17 ZONING OF THE CITY OF CORNING  
MUNICIPAL CODE, INCORPORATING REZONE  
2020-02 FOR ASSESSOR PARCEL NO. 073-120-  
018. (Second Reading & Adoption)**

**November 24, 2020**

**TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS**  
**FROM: KRISTINA MILLER, CITY MANAGER**   
**CHRISSE MEEDS, PLANNER 1** 

**PROJECT DESCRIPTION & LOCATION:**

Rezone 2020-2 and Tract Map 20-1000 proposes to rezone approximately 9.95 acres from R-1-8000 to R-1-4000 and create 47 single family residential lots. The project site is located on the south side of East Corona Avenue approximately 1,328 feet east of the Marguerite Avenue intersection. The Assessor Parcel Number (APN) is: 073-120-018

The R-1-4000, Small Lot Designation allows for a minimum lot size of 4,000 square feet. The R-1-4000 Small Lot Designation was reviewed by the Planning Commission on April 21, 2020. On June 9, 2020, the City Council approved waiving the first reading of the Small Lot Ordinance No. 688 and the Ordinance was adopted by the City Council on June 23, 2020.

**GENERAL PLAN LAND USE DESIGNATION:**

Residential.

**ZONING DESIGNATION:**

R-1-8,000 (existing) R-1-4000 (proposed).

**Planning Commission Recommendation:**

At the September 15, 2020 Planning Commission Meeting the Commission voted in favor of the Project 4 to 1 and recommended Staff to propose the Project to the Corning City Council. The Planning Commission also recommended to add the additional Condition (Condition #52) stating that Tentative Tract Map 20-1000 is not allowed to have a lot smaller than the proposed minimum 5,251 square feet". There was still some opposition from a few citizens in regard to traffic on Corona. One nearby property owner is now okay with the project because he felt it was a compromise. The City Council approved the associated Addendum to the original Mitigated Negative Declaration, Rezone 2020-2, and Tentative Tract Map 20-1000 (subject to the 52 Conditions of Approval (attached) and accepted the 8 Factual Subfindings and 9 Legal Findings (also attached) as presented) on September 22, 2020.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

**Mitigated Negative Declaration:** A Mitigated Negative Declaration is a Negative Declaration prepared for a Project when the initial study has identified potentially significant effects on the environment, but revisions in the project plans or proposals made by, or agreed to by, the Applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and there is no substantial evidence in light of the whole record before the public agency that the Project, as revised, may have a significant effect on the environment.

When Tentative Tract Map 05-1021 creating 35 single family residential parcels was proposed in 2005, City Staff completed a CEQA Initial Study that identified certain potentially significant effects that could be attributable to the development of this project. Staff determined that those effects could be substantially lessened by the imposition of Mitigation Measures and Conditions. Prior to approving Tentative Tract Map 05-1021, the City Council adopted the Mitigation Measures, Conditions of Approval, and the Mitigated Negative Declaration and Notice of Determination was filed for the Project.

CEQA Section 15162 Subsequent EIR's and Negative Declarations reads as follows:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- a. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
  - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (c) Mitigation Measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Further Section 15164(a) of the California Environmental Quality Act Guidelines state that, "the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

As previously discussed, the Map under consideration, specifically, Tentative Tract Map 20-1000 is in the same location as the previously approved Tract Map 05-1021. The City adopted a Mitigated Negative Declaration for the Project and a Notice of Determination was filed with the Tehama County Clerk & Recorder. Although Tentative Tract Map 20-1000 proposes to create 12 additional parcels, the traffic study analyzing the impacts of 26 additional lots did not show a decrease in the level of service. Therefore, one can conclude the addition of twelve lots will not decrease the level of service. Staff believes that with the previously approved Mitigation Measures and Conditions of Approval there is no evidence in the record, or substantial changes to the Project that would require additional environmental analysis. If the rezone and tentative tract map are approved, the attached addendum shall also be approved and filed to acknowledge the addition of twelve lots.

#### **DISCUSSION:**

Pursuant to Section 16.09.010 (E) of the Corning Municipal Code (CMC) "the Planning Commission of the City shall act as the advisory agency to the City Council. It is charged with making investigations and reports on the design and improvements of proposed divisions of land. The Planning Commission shall make investigations and conduct hearings regarding the approval of Tentative Maps and make its written report on the Tentative Map directly to the City Council." Final approval, including establishing Design Standards for public improvements of a Tentative Subdivision Map is the responsibility of the City Council pursuant to Section 16.09.010 (F) of the CMC.

## **CONSISTENCY WITH GENERAL PLAN & ZONING:**

The site is designated as Residential (R) on the General Plan Land Use Map. Current zoning is R-1-8,000 and the proposed zoning is R-1-4,000. In the General Plan, the maximum densities in a residential land use designation are 14 units per acre. Neither the existing zoning or proposed zoning exceed the maximum density, so the proposed project is consistent with the General Plan, and the residential use is consistent with the current and proposed zoning.

**Council adopted the following 8 Factual Sub findings & 9 Legal Findings pursuant to the California Environmental Quality Act (CEQA), and Section 66474 (A thru G) of the California Government Code.**

### **Factual Subfinding #1**

An Initial Study analyzing the environmental impacts associated with Tentative Tract Map 05-1021 was prepared, a Mitigated Negative Declaration filed, circulated through the CEQA process, and adopted by the Corning City Council. A Notice of Determination was filed with the Tehama County Clerk & Recorder.

### **Legal Finding #1**

For Tentative Tract Map 20-1000, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. The Planning Commission finds that the Initial Study filed for Tentative Tract Map 05-1021 analyzed the environmental impacts associated with the project and that identified impacts have been mitigated to a "Less than Significant Level". Tract Map 20-1000 is in the same location and there is no substantial evidence in the light of the whole record of any changes in the project that would require additional environmental analysis. Therefore Rezone 2020-2 and Tentative Tract Map 20-1000 is exempt from CEQA pursuant to Section 15162.

### **Factual Subfinding #2**

Rezone 2020-2 and Tentative Tract Map 20-1000 propose to reduce the existing parcel size from 8,000 sq. ft. to 4,000 sq. ft. and subdivide the approximately 9.95 acres of land into 47 single family residential parcels. This would create a residential density of approximately 4.7 parcels per acre.

### **Legal Finding #2**

For Tentative Tract Map 20-1000, the City of Corning Planning Commission is acting as an advisory body to the Corning City Council. Pursuant to Section 15164, the Planning Commission finds that an addendum to the adopted mitigated negative declaration is appropriate as none of the conditions described in Section 15162 calling for a subsequent analysis have occurred.

### **Factual Subfinding #3**

Tentative Tract Map 20-1000 is subject to the Mitigation Measures from previous environmental analysis of this site and Conditions of Approval that direct the design and improvements of the project to meet the requirements of adopted Mitigation Measures and applicable Municipal Codes adopted by the City of Corning.

### **Legal Finding #3**

Rezoning and subdividing the approximately 9.95 acres, as proposed by Tentative Tract Map 20-1000, into 47 single family residential parcels does not exceed the maximum densities of 14 parcels per acre as depicted in the Land Use Element of the General Plan, therefore, both projects are consistent with the General Plan.

### **Factual Subfinding #4**

The site and location of Tentative Tract Map 20-1000 is in an area that is relatively flat and where the construction of roads and building pads will not present any physical difficulties for development.

### **Legal Finding #4**

That the design and improvements associated with the creation of 47 Single Family Residential Parcels are consistent with the Land Use Element of the 2014-2034 Corning General Plan.

**Factual Subfinding #5**

The Developer will be required to extend city water and sewer to serve the parcels. Additionally, the Developer will be required to upgrade the existing roads, including constructing new roads to serve the parcels.

**Legal Finding #5**

The site of Tentative Tract Map 20-1000 is located adjacent to Carona Avenue and has terrain that is physically suitable for the establishment of residential development.

**Factual Subfinding #6**

Previous environmental analysis of the site concluded that with adopted mitigation measures that have also been incorporated into the Conditions of Approval for Tentative Tract Map 20-1000, any impacts to Biological Resources, including Fish and Wildlife, have been reduced to a "Less than Significant Impact".

**Legal Finding #6**

The City of Corning Municipal water and sewer service has sufficient capacity to serve the proposed residential development along the south side of Carona Avenue. Road improvements to Carona Avenue and the construction of interior roads to serve the parcels will provide adequate upgrades to the existing transportation system for additional traffic generated by the Project.

**Factual Subfinding #7**

Tentative Tract Map 20-1000 proposes to create 47 Single Family Residential Parcels in an area of the City designated for residential development and which has accessibility to city water and sewer.

**Legal Finding #7**

That the design of Tentative Tract Map 20-1000, or the proposed improvements associated with the development of 47 residential parcels are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat.

**Factual Subfinding #8**

Access to the site and residential parcels will be by Carona Avenue and interior roads constructed by the Developer. Public Easements for access to the parcels will be created by recordation of a Final Map.

**Legal Finding #8**

The requirement to improve existing roads and construct new roads as well as provide City water and sewer to the parcels will not cause any serious public health problems to the existing and future residences of the City.

**Legal Finding #9**

That the design of Tentative Tract Map 20-1000, or type of improvements associated with the residential development of the parcels, will not conflict with Easements acquired by the public at large for access through, or use of, property within the Subdivision.

**RECOMMENDATION:**

**MAKE A MOTION TO ADOPT ORDINANCE 692, AN ORDINANCE TO AMEND TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE, INCORPORATING REZONE 2020-02 FOR ASSESSOR PARCEL NO. 073-120-018; AND APPROVE ATTACHED SUMMARY ORDINANCE FOR PUBLICATION.**

**ATTACHMENTS:**

- EXHIBIT "A" RECOMMENDED CONDITIONS OF APPROVAL
- EXHIBIT "B" CEQA ADDENDUM
- EXHIBIT "C" ORDINANCE 692
- EXHIBIT "D" REZONE NO. 2020-3; SECTIONAL DISTRICT MAP NO. 300
- EXHIBIT "E" SUMMARY ORDINANCE 692

## EXHIBIT "A"

### RECOMMENDED CONDITIONS OF APPROVAL

1. **Subdivision Standards.** Development of Subdivision Map shall be in conformance with the approved Tentative Map and Subdivision Ordinance of the City of Corning, Title 16 of the Corning Municipal Code. Additionally, development must comply with all Federal, State and Local regulations especially the City of Corning Fire and Building Departments. (modified MM 13.1)
2. **Underground Utilities.** All existing and proposed utilities, within the development and along the Carona Avenue street frontages, including electricity, telephone, gas, and cable television, shall be undergrounded with no overhead facilities crossing any streets. (MM. 1.1)
3. **Fencing.** Solid 6'-0" tall residential-type fencing shall be installed at side and rear property lines prior to issuance of a Certificate of Occupancy for any residential structures constructed on the parcels. Fences along boundaries of the Tract shall not result in dual fences so as to isolate property. Fence positions shall be subject to approval of the Planning Director and City Engineer and shall appear on the Final Improvement Plans. Fence positions shall provide maximum privacy for the backyards of both existing and future residents. (MM. 1.2).
4. **Fencing along Carona Avenue.** Final Improvement Plans shall include an upgraded, more durable fencing standard for all parcels that don't front Carona Avenue (MM. 1.3).
5. **Lot Landscaping.** Front and street-side yards, including that portion of the street right-of-way located behind the sidewalk, shall be landscaped prior to issuance of a Certificate of Occupancy. Landscaping may include any combination of grass, groundcover, shrubs and/or trees and is subject to Planning Department approval. Not fewer than two trees (minimum sizes of 15-gallon) shall be planted within each front yard. Each front and street side yard shall be provided with a permanent method of irrigation for this landscaping. All landscaping and irrigation must comply with the Water Efficient Landscape Regulations as detailed in Section 15.08.055 of the Corning Municipal Code (MM. 1.4).
6. **Residential Façade Standards.** The City of Corning has an Ordinance/Policy (CMC 16.21.135) prohibiting the construction of identical homes within sight of each other. The Developer shall vary building floor plans, facades, trim, siding material, building colors, roof types, etc., to comply with this standard. (MM. 1.5).
7. **Roof-Mounted Equipment Prohibition.** No heating, ventilation, air conditioning or similar types of equipment shall be installed on the roof of any structure. (MM. 1.6).
8. **Carona Avenue Planter.** Prior to issuance of a Certificate of Occupancy for Lot 1, and Lots 26 thru 32, a combination of trees, shrubs and groundcover shall be installed, irrigated and maintained within the 6.5' parkway strip of the Carona Avenue right-of-way, between the curb and gutter and the sidewalk along the north sides of the lots. Plant species, groundcover and irrigation method shall be subject to approval by the City of Corning. Maintenance costs shall be the responsibility of the lot owners within the development through the annual payments to a Landscape and Lighting District, Homeowners Association or other such organization approved by the City of Corning. (MM. 1.7).
9. **Blackburn-Moon Drain Property Dedication.** The final map shall offer the property "cross-hatched" on the Tentative Map near the southwest corner of the site (lying south of the southerly drainage easement right of way line per MM 4.1) to the City of Corning.
10. **Retaining Wall Standard.** Retaining Walls shall be positioned inside the boundary of the Subdivision and shall be designed by an Engineer and constructed out of masonry blocks or poured-in-place concrete. The retaining wall plan shall accommodate residential fencing within 1 foot of the retaining wall top where the walls are adjacent to property lines. (modified MM. 1.9).



- 11. Disclosure of Nearby Agricultural Operations.** A note shall be affixed to the front sheet of all recorded maps filed for this project. The note shall clearly state that the property is located near agricultural operations and that residents of the development may be adversely affected by dust, noise, odors and overspray of chemical fertilizers and pesticides, and that the City of Corning does not regard such operations as nuisances when conducted with proper and accepted standards. (MM. 2.1).
- 12. Fugitive Dust.** Prior to commencing grading operations, the Developer shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District. (MM. 3.1).
- 13. Sprinkle Exposed Soils.** During construction, unprotected soils shall be sprinkled to minimize wind erosion. (MM. 3.2).
- 14. Cover Exposed Soils.** Areas denuded by construction activities and not scheduled for development for an indefinite period shall be seeded or covered by impervious materials to minimize water and wind erosion. (MM. 3.3).
- 15. Finished Surfaces.** Upon completion of development, no substantial area shall remain where soils are completely uncovered. (MM. 3.4).
- 16. Open Burning.** No open burning shall occur on this property unless a land-clearing permit is obtained from the Tehama County Air Pollution Control District. (MM. 3.5).
- 17. Wood Burning Stoves.** Wood Burning stoves shall meet the Only U.S. EPA Phase II certified wood-burning devices shall be installed in the Subdivision. Total emissions shall not exceed 7.5 grams per hour from each dwelling. (MM. 3.6).
- 18. Exterior Electrical Outlets.** To promote the use of electrical landscape equipment, at least two electrical outlets shall be provided on the exterior walls of each residence. (MM. 3.7).
- 19. Open Space Easement.** The Final Map shall offer to the City of Corning, Lot "A" as shown on the Tentative Map as an area to be dedicated to the City as an Open Space Easement. (MM. 4.1).
- 20. Cultural Resources.** Should cultural or paleontological resources be unearthed during excavation, all work in the immediate vicinity shall cease and the City of Corning shall be notified. Upon notice, the City or its Consultant shall inspect the site to determine what, if any, steps necessary to address and mitigate the discovery. (MM. 5. 1).
- 21. Soil Investigation.** The Applicant shall initiate a soils investigation by a registered Engineering Geologist or Civil Engineer to determine if expansive soils requiring special structural foundation design is necessary. (MM..6.1).
- 22. Soils Report.** Prior to issuing Building Permits, the Developer shall provide: **1)** certification by a registered Civil Engineer assuring adequate compaction of filled lots is in accordance with the Uniform Building Code; and **2)** for those lots with expansive soils, certification that the Engineered Foundation Plans comply with Building Code requirements. (MM. 6.2).
- 23. Redistribute Topsoil.** Topsoil shall be stockpiled and redistributed over graded surfaces. (MM. 6.3).
- 24. Construction Stormwater Permit and SWPPP.** Prior to any site disturbance or earthmoving activities on, or adjacent to the project site, Applicant shall obtain a Construction Stormwater Permit from the Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Central Valley Regional Water Quality Control Board. A WDID # must be assigned and provided to the City of Corning. (MM. 6.4).
- 25. Grading Plan.** The Developer shall provide a Final Grading Plan for the project for City review and approval prior to commencing any grading. (MM. 6.5).
- 26. Designated No Grade Area.** No grading shall be permitted in the area to be dedicated to the City adjacent to the Blackburn-Moon Drain and the Open Space Easement Lot "A" as shown on the Tentative Map. A note shall clearly label "No Grading Permitted in this Area" on the Grading Plans. The Plans shall include temporary fencing positioned along the north boundary of the Open Space Easement. (MM. 6.6).

- 27. Abandon Water Well and Septic System(s).** Prior to recording any Final Map, the Applicant shall properly abandon any water wells or septic systems occurring on the property in accordance with the requirements of the Tehama County Environmental Health Department. (MM. 7.1).
- 28. Fire Hydrants.** Fire Hydrants shall be installed in accordance with City Standards (CMC 16.24.030). The Developer shall provide the City with one hydrant repair kit. (MM. 7.3).
- 29. Storm Water Drainage.** Prior to recordation of the Final Map, the Developer shall present improvement plans for retention of the net increase in run-off resulting from the development during a 25-year storm for a duration of 4 hours. If onsite retention is proposed the retention facilities shall be sized to contain the run-off resulting from a 100-year storm event. (MM. 8.1).
- 30. Storm Water Facilities.** Stormwater retention and conveyance facilities shall be constructed in accordance with City of Corning Public Works Standards. (MM. 8.2).
- 31. Dedicate property for stormwater facilities.** Final map shall offer all stormwater collection, detention & discharge facilities to the City of Corning. Maintenance of these facilities shall be the responsibility of the Landscaping and Lighting District. (modified MM.8.3).
- 32. Drainage.** Lots must be graded to direct runoff to storm drain facilities within easements or rights-of way. No lot-to-lot runoff shall be permitted. (MM. 8.4).
- 33. 100 Year Flood Plain.** The Final Map shall plot the approximate boundaries of the area expected to be inundated (if any) during the 100-year flood event. (MM. 8.5).
- 34. Construction Days and Hours.** Construction work shall occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 6:00 p.m. on weekends and federally observed holidays unless specifically approved otherwise, in writing, by the City of Corning. (MM. 11.1).
- 35. Landscape and Lighting District.** Prior to recordation of the Final Map, the Developer shall establish (or annex to an existing) a Landscape and Lighting District or other equivalent fund-collecting organization approved by the City of Corning to fund the operation and/or continued maintenance of street lighting, landscape strips in the public right-of-way, stormwater collection and detention facilities. The Project Engineer shall prepare an estimate of the annual maintenance costs for these facilities that shall be made part of the District formation procedure. (modified MM. 13.1).
- 35. Pedestrian and Maintenance Trail.** The Improvement Plans for the tract shall include a 12'-0" wide paved trail positioned on the south side of the Blackburn-Moon Drain and within the property dedicated to the City of Corning. The Improvement Plans shall include a cross-section of the trail showing a minimum 6-inch aggregate base and 2-inch asphalt surface. The Improvement Plans shall include an engineer's cost estimate for trail construction. (MM. 14.1).
- 36. Deposit Funds in lieu of Trail Construction.** Prior to recording the Final Map, the Developer shall deposit an amount equivalent to the Engineer's estimate for trail construction to the City of Corning. Construction of this segment of trail shall be postponed until the segment to the northwest is constructed. (MM. 14.2).
- 37. Development Impact Fees.** Development of the project residences will require payment of City Development Impact Fees in effect at the time of issuance of the individual Building Permits in order to lessen development impact on City transportation systems, City owned utilities and other public facilities. These fees shall be paid prior to issuance of the Building Permit for each residence. (modified MM. 15.1).
- 39. Carona Avenue Right-of-Way Dedication.** The Final Map shall offer additional right-of-way dedication to provide a 30' half-width (60' full width) for Carona Avenue along the project site frontage. (MM. 15.2).
- 40. Carona Avenue Improvements.** Prior to recordation of the Final Map, the Developer shall improve the frontage sections of Carona Avenue to provide full south half-width improvements as shown on Drawing S-18 (40' wide-2-lane street), including one 12' wide travel lane an 8'

wide parking lane, vertical curb, gutter and sidewalk on the southerly half-width, and complete an asphaltic concrete overlay for one lane width (12') on the northerly half-width. (MM. 15.3).

41. **Street Names.** Final street names are subject to City approval and shall appear on the Final Map. (MM. 15.4).
42. **Street Lighting.** The Developer shall provide street lighting that meets City Standards. (MM. 15.5).
43. **Interior Street Improvements.** Interior streets shall be within 56' right of ways and improved in accordance with City of Corning Standard S-18 (40' 2 lane street modified with a reduction in parkway space behind the sidewalk). (MM. 15.6).
44. **Access Restrictions.** A 1'-0" "Non-access" strip shall be dedicated to the City along the lot frontages of Carona Avenue in all areas except for in front of lots 28, 29, 30 and 31. No driveways shall front Carona Ave. except for lots 28, 29, 30, and 31 (MM. 15.7).
45. **Barricade.** Provide a street barricade at the temporary south end of Street "C" in accordance with City Standard Drawing S-8. The finished barricade shall be painted bright white. (MM. 15.8).
46. **Water and Sewer Lines.** The Developer shall install sewer and water lines within street rights of ways per City Public Works Standards. (MM. 16.1).
47. **Looped Water System.** The Developer shall provide a "looped water system" connecting to existing City water facilities at the two Carona Avenue intersection locations. (MM. 16.2)
48. **Water Service.** The Developer shall install water services and meters for each lot in accordance with Public Works Standard S-20. (MM. 16.3).
49. **Sewer Service.** The Developer shall install sewer services for each lot in accordance with Public Works Standard S-21. (MM. 16.4).
50. **Postal Boxes.** Provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Corning Postmaster. CBU positions shall appear on the Improvement Plans for the Subdivision. (MM. 16.5).
51. **Stormwater Discharge into Blackburn Moon Drain.** If it is proposed to discharge the onsite storm drain system into the Blackburn Moon Drain, all Environmental Permits must be obtained prior approval of the Improvement Plans.
52. **Lot Size.** Tentative Tract Map 20-1000, is not allowed to have a lot smaller than the proposed minimum 5,251 square feet

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**ADDENDUM TO THE INITIAL STUDY and MITIGATED NEGATIVE DECLARATION  
FOR THE TENTATIVE TRACT MAP 05-1021-TK RANCH**

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## **I. Introduction**

This document is an Addendum to the Initial Study and Mitigated Negative Declaration prepared for the Tentative Tract Map 05-1021-TK Ranch (Project) (State Clearinghouse No. 2006042007), which was certified by the City of Corning in May 2006. In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes proposed modifications (the Modified Project) to the Tentative Tract Map 05-1021-TK Ranch Project approved in 2006. The Modified Project updated in 2020 demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the certified mitigated negative declaration (MND).

## **II. CEQA Authority for Addendum**

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

*The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*

Section 15162 of the CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. **New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:**
  - a. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
  - b. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
  - c. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
  - d. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.**

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- **Substantial changes are proposed in the project which will require major revisions of the environmental impact report;**
- **Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or**
- **New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.**

As demonstrated by the analysis herein, the Modified Project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the certified MND and do not constitute a new or substantially increased significant impact. Based on this determination, the Modified Project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

**A. Overview of Approved Project**

The Certified MND evaluated Tentative Tract Map 05-1021 whereby 35 single family residential lots were created on the south side of Carona Avenue, 660' west of the Carona/Oren Avenue intersection in a R-1-8000 zoning district in Corning, CA.

**B. Proposed Modifications to Project**

In 2020, modifications to the Project are being considered to rezone approximately 9.95 acres from R-1-8000 to R-1-4000 and create 47 single family residential lots; an addition of twelve (12) lots. The addition of 12 lots are the only proposed changes to the Project.

**C. Analysis of Proposed Modifications**

In 2020 an updated traffic study was completed to assess whether an additional twenty-six (26) lots would create a new or substantially increased significant impact. The traffic study did not indicate any decreases to the level of service. In fact, traffic impacts showed an increase in the level of service at the Marguerite and Solano Street intersection due to the installation of traffic lights since the time the original traffic study. Since there were no additional traffic impacts associated with the addition of twenty-six (26) lots, one can assert there will be no additional traffic impacts from the addition of twelve (12) lots.

Based on the above, the Modified Project, which includes an increase in the number of lots from thirty-five (35) to forty-seven (47) would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Thus, a new or substantially greater significant impact would not result from the proposed modifications. In addition, all of the mitigation measures included as part of the EIR and Addenda would continue to be implemented. As all of the impacts would be within the envelope of impacts identified in the Certified MND, no additional environmental analysis pursuant to Section 15162 of the CEQA Guidelines is necessary.

**EXHIBIT "C"**

**ORDINANCE NO. 692**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING  
AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE**

**WHEREAS**, the Zoning Ordinance of the City of Corning was adopted in 1959, (Ordinance 153) and subsequently amended; and

**WHEREAS**, the present zoning of the parcel under consideration is R-1-8000 (Large Lot Designation) Single Family Residential.

**WHEREAS**, the property owners of the subject property submitted a rezone application to amend the existing zoning from R-1-8000 to R-1-4000; (Small Lot Designation) Single Family Residential; and

**WHEREAS**, the City Council by Public Hearing held on September 22, 2020 approved the rezone of Assessor Parcel No. 073-120-018 from the current r-1-8000 (Large Lot Designation) Single Family Residential to a R-1-4000, (Small Lot Designation) Single Family Residential; and

**WHEREAS**, the proposed R-1-4000 Zoning is consistent with the General Plan Residential Land Use designation; and,

**WHEREAS**, a Mitigated Negative Declaration was adopted by the City Council at its meeting of May 9, 2006 to address any environmental issues identified as being associated with this project; and

**WHEREAS**, the Planning Commission reviewed the proposed Zoning Ordinance Amendment at their regular meeting held on September 15, 2020 and recommended that the City Council amend the Zoning Ordinance to reflect the proposed changes.

**NOW, THEREFORE**, the City Council of the City of Corning does ordain as follows:

1. This Rezone is consistent with the Corning General Plan;
2. The Addendum to the Initial Study and Mitigated Negative Declaration is adopted and meets the requirements of CEQA and its Guidelines; and
3. Assessor Parcel No. 073-120-018 as depicted in the attached Sectional District Map No. 301, are hereby Zoned "R-1-4000, (Small Lot Designation) Single Family Residential District".

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on **November 10, 2020**, and adopted at a regular meeting of the City Council of the City of Corning held on **November 24, 2020**, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Douglas Hatley Jr., Mayor**

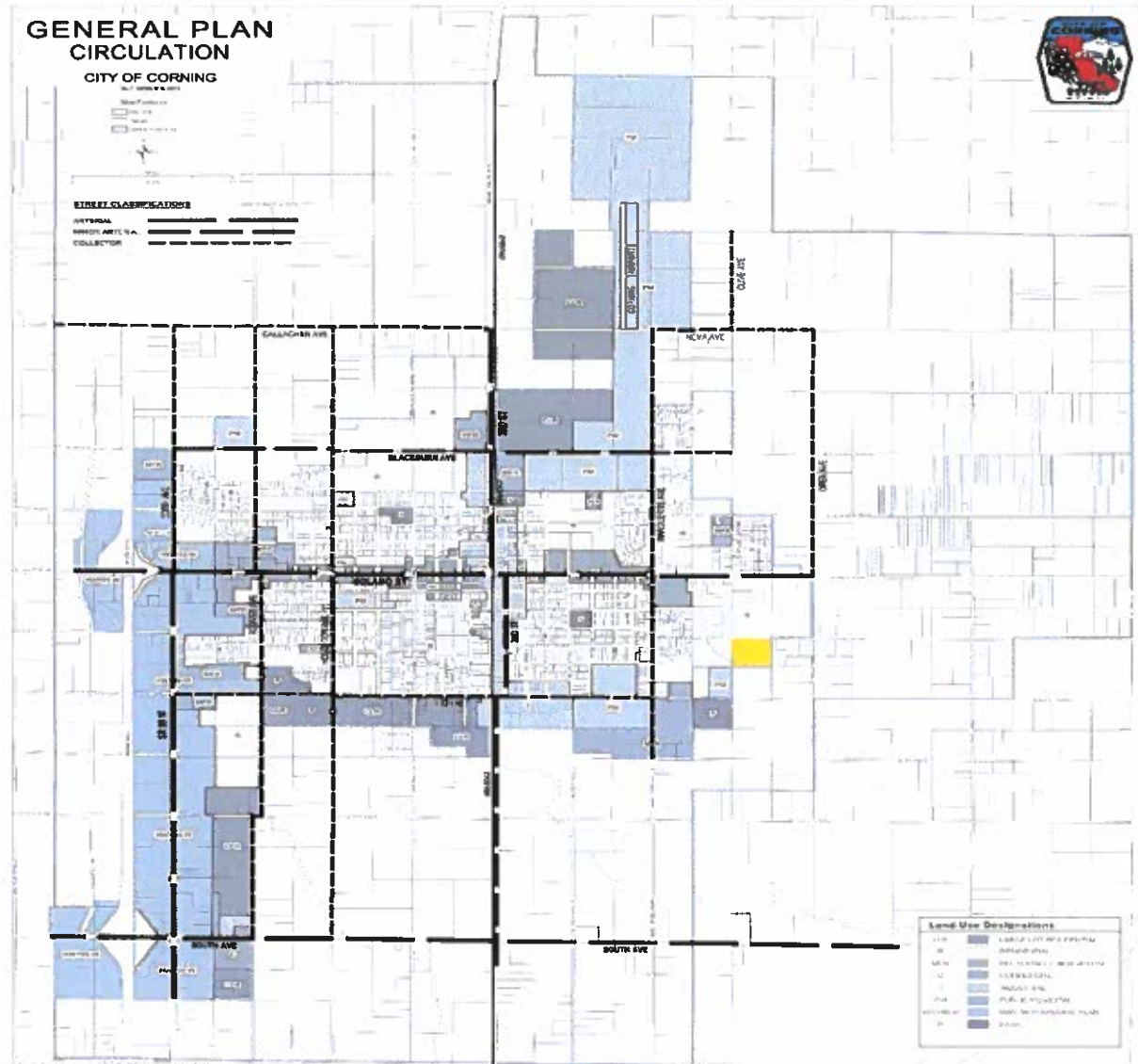
**ATTEST:**

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**Lisa M. Linnet, City Clerk**

# EXHIBIT "D"

## City of Corning-Ordinance No. 692 Rezone No. 2020-2; Sectional District Map No.301 Being a Portion of Corning City Code Section 17.080.020



This Ordinance was introduced to the Corning City Council on November 10, 2020 and is scheduled to be adopted by action of the Corning City Council on November 24, 2020.



**EXHIBIT "E"**

**SUMMARY ORDINANCE NO. 692 OF THE CITY OF CORNING, CALIFORNIA**

**AMENDING TITLE 17 ZONING OF THE CITY OF CORNING MUNICIPAL CODE TO REZONE  
ASSESSOR PARCEL NO. 073-120-018**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 692 introduced by the Corning City Council scheduled for consideration of adoption on November 24, 2020 at its meeting held in the City Council Chambers 794 Third Street, Corning, California.

The purpose of the Ordinance No. 692 is to rezone parcel 073-120-018 from R-1-8000 to R-1-4000, single family residential. A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 794 Third Street, Corning, California. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. This Ordinance was introduced by the City Council of the City of Corning on November 10, 2020 and is scheduled for consideration of adoption on November 24, 2020.

Lisa M. Linnet, Corning City Clerk

Publish: Saturday, November 7, 2020  
Posted at Corning City Hall