



**CITY OF CORNING  
PLANNING COMMISSION MEETING AGENDA  
TUESDAY, FEBRUARY 15, 2022  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

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

**D. MINUTES:**

**1. Waive the reading and approve the Minutes of the November 16, 2021 Planning Commission Meeting with any necessary corrections.**

**E. PUBLIC HEARINGS AND MEETINGS:**

**2. Public Hearing: Two Year Extension Request; Tentative Tract Map 08-1000, Corning Crossroads located on the west side of I-5 approximately 200 feet southeast of the Corning Road/Barham Avenue Intersection. APN's: 69-210-43 & 49 and 69-220-01 & 08.**

**3. Public Hearing: Ordinance No. 699, an Ordinance adding Chapter 15.5 "Electric Vehicle Charging Stations" to provide expedited permitting process consistent with State Law.**

**F. REGULAR AGENDA:**

**4. Discussion of City's Mobile Street Vending Ordinance and provide direction to Staff.**

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

**H. ADJOURNMENT!:**

**POSTED: FRIDAY, FEBRUARY 11, 2025**



**CITY OF CORNING  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, NOVEMBER 16, 2021  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

**A. CALL TO ORDER: 6:31 p.m.**

**B. ROLL CALL:**

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

All members of the Commission were present except Commissioners Poisson and Mesker.

**C. BUSINESS FROM THE FLOOR: None**

**D. MINUTES:**

**1. Waive the reading and approve the Minutes of the August 17, 2021 Planning Commission Meeting with any necessary corrections:**

Commissioner Barron moved to approve the Minutes of the August 17, 2021 Planning Commission Meeting; Commissioner Pendergraft seconded the motion. **Ayes: Barron, Pendergraft, and Robertson. Absent: Poisson and Mesker. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Poisson and Mesker absent.**

**E. PUBLIC HEARINGS AND MEETINGS:**

**2. Conditional Use Permit No. 2021-299 – Yaya’s Tacos; Yaya’s Tacos has applied for a Use Permit to allow for on-site consumption of alcohol in a restaurant established in the City of Corning. Location: Approximately 60 feet north of the 4<sup>th</sup> St./Yolo St. intersection; address: 615 4<sup>th</sup> Street; APN: 71-116-06.**

This was presented by Planner 1 Christina Meeds. The Public Hearing was opened; with no comments, the Public Hearing was closed.

Commissioner Pendergraft moved to revoke Conditional Use Permit 2020-292 and adopt the 4 Factual Subfindings and Legal Findings as presented and approve Conditional Use Permit 2021-299 subject to the five (5) Conditions of Approval. Commissioner Barron seconded the motion. **Ayes: Barron, Pendergraft, and Robertson. Absent: Poisson and Mesker. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Poisson and Mesker absent.**

**Factual and Legal Subfindings and Findings:**

**Factual Subfinding #1**

Yaya’s Tacos is proposing to sell beer and wine in the established Restaurant. Beer and wine are commonly served with meals in restaurants throughout the City of Corning. Obtaining an on-sale license from the ABC will not change the nature of the operation.

**Legal Finding #1**

The granting of Use Permit 2021-299 is a negligible expansion of a Restaurant that is permitted to serve food and beverages and therefore exempt from CEQA pursuant to Section 15301, Class

**Factual Subfinding #2**

The parcel where Yaya’s Tacos is located is zoned M-1 – Light Industrial Zoning District, Section 17.26.020 (A) states that uses permitted in the C-3; General Commercial District are permitted in an M-1 Zone upon the securing of a Conditional Use Permit. The C-3 Zoning District allows uses permitted in C-2 zones which specifically allow cafes and restaurants.

**Legal Finding #2**

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

**Factual Subfinding #3**

The applicants propose to serve beer and wine in a business known as Yaya's Tacos.

**Legal Finding #3**

The existing building is adequate in size, shape, and topography to allow for the serving of beer and wine in the Yaya's Tacos Restaurant.

**Factual Subfinding #4**

The existing building is located along the east side of Fourth St.

**Legal Finding #4**

Fourth Street is an existing public road adequate in width and pavement to carry the amount of traffic generated by the expanded use at Yaya's Tacos.

**CONDITIONS OF APPROVAL:**

**Condition #1**

The Applicant must comply with the requirements of the Alcoholic Beverage Control (ABC) and be issued a license prior to the sale or serving beer and wine at the business known as Yaya's Taco restaurant.

**Condition #2**

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

**Condition #3**

Comply with the City of Corning Sign Regulations.

**Condition #4**

The Applicant must comply with the requirements of the Tehama County Environmental Health Department.

**Condition #5**

Mrs. Flores must supply one ADA parking space

- 3. Conditional Use Permit No. 2021-300 – Mariscos La Hacienda Restaurant has applied for a Use Permit to allow for on-site consumption of alcohol in a restaurant established in the City of Corning. Location: Northeast corner of Fairview and Solano St. intersection; Address: 1728 Solano St.; APN: 71-094-004.**

This was presented by Planner 1 Christina Meeds. The Public Hearing was opened; with no comments, the Public Hearing was closed.

Commissioner Pendergraft moved to adopt the five (5) Factual Subfindings and Legal Findings as presented and approve Conditional Use Permit 2021-300 subject to the three (3) Conditions of Approval. Commissioner Barron seconded the motion. **Ayes: Barron, Pendergraft, and Robertson. Absent: Poisson and Mesker. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Poisson and Mesker absent.**

**Factual Subfindings and Legal Findings (5):**

**Factual Subfinding #1:**

The Mariscos Altamar LLC Restaurant is an established restaurant that currently serves food and non-alcoholic beverages. Beer and wine are commonly served with meals in restaurants throughout the City of Corning. Obtaining an on-sale license from the ABC will not change the nature of the existing operation.

**Legal Finding #1:** The granting of Use Permit 2021-300 is a negligible expansion of the previous exiting use of this building and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**Factual Subfinding #2:**

The parcel where the Mariscos Altamar LLC Restaurant is established is zoned C-3-General Business District.

**Legal Finding #2:**

The sale and consumption of beer and wine within a business is a permitted use in the C-3 Zoning District upon the granting of a Use Permit pursuant to Section 17.54.020(1) of the City of Corning Zoning Code.

**Factual Finding #3:**

The applicants propose to serve beer and wine in an established business know as Mariscos Altamar LLC Restaurant.

**Legal Finding #3:**

The existing building is adequate in size, shape, and topography to allow for the serving of beer and wine in the Mariscos Altamar LLC Restaurant.

**Factual Finding #4:**

The existing building used as Mariscos Altamar LLC Restaurant is located along the north side of Solano St.

**Legal Finding #4:**

Solano Street is an existing public road adequate in width and pavement to carry the amount of traffic generated by the expanded use at Mariscos Altamar LLC Restaurant.

**Factual Finding #5:**

The existing building where the Mariscos Altamar LLC Restaurant is established is located in an area that is developed with commercial businesses in the downtown area of Corning.

**Legal Finding #5:**

Providing for the sale and serving of beer and wine at the building located at 1728 Solano St. within the City of Corning will not have an adverse effect upon the use, enjoyment, or valuation of adjacent or neighboring properties or upon the public welfare.

**Conditions of Approval:**

**Condition #1:**

The applicant must comply with the requirements of the Alcoholic Beverage Control (ABC) and be issued a license prior to the sale or serving beer and wine at the business know as the Mariscos Altamar LLC Restaurant.

**Condition #2:**

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

**Condition #3:**

Comply with the City of Corning Outdoor Advertising Sign Regulations.

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR: None**

**G. ADJOURNMENT: 6:43 p.m.**

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**Lisa M. Linnet, City Clerk**

**ITEM NO: E-2  
TWO YEAR EXTENSION REQUEST; TENTATIVE  
TRACT MAP 08-1000, CORNING CROSSROADS  
LOCATED ON THE WEST SIDE OF I-5 APPROX  
200 FEET SOUTHEAST OF THE CORNING  
ROAD/BARHAM AVE. INTERSECTION.  
APN's:69-210-43, 49 & 69-220-01 & 08**

**February 15, 2022**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**  
**FROM: CHRISSE MEEDS, PLANNER 2**  
**KRISTINA MILLER, CITY MANAGER**

**PROJECT DESCRIPTION & BACKGROUND:**

Pursuant to Section 66452.6 of the Subdivision Map Act, and Section 16.18.010 (C) of the Corning Municipal Code (CMC), a request for a 2-year time extension for Tentative Tract Map 08-1000, approved on March 13, 2018 by the Corning City Council has been submitted. The approved tentative map proposed proposes to subdivide approximately 9.07 acres and create 7 commercial parcels ranging from 0.75 acres to 1.32 acres with a 1.08 common parcel that will be used as a drainage detention basin in a C-3 – CBDZ, General Business District – Corning Business Development Zone, Zoning District. An entrance court intersecting with Barham Ave. will be constructed to serve the parcels.

Tentative Subdivision Maps are approved for an initial two (2) year period with the ability to be extended for an additional six (6) years as explained by discussion below referencing the Corning Subdivision Ordinance. This is the second extension request for Tract Map 18-1000, typically the City has extended maps for two-year periods. With this extension the map will be valid until March 13, 2024. The applicant will have the ability to apply for one additional extension up to two more years.

**CORNING SUBDIVISION ORDINANCE:**

The Corning Subdivision Ordinance (CMC Title 16) is the local ordinance that implements the provisions of the state Subdivision Map Act. The Ordinance describes the process for consideration and approval or denial of subdivision applications. On April 14, 2009 the Corning City Council adopted Ordinance 634 that amended Section 16.18.010 (C) of the CMC to read as follows:

Upon application of the Subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for an initial period of two years. Additional extensions, upon application of the subdivider, are available for a period or periods not to exceed the limits established by Section 66452.6 (e), or any amendments thereto, of the California Government Code. If the advisory agency denies a Subdivider's application for extension, the Subdivider may appeal to the legislative body within fifteen days after the advisory agency denied the extension.

**EXISTING CONDITIONS:**

On March 13, 2018, City Council adopted 68 Conditions of Approval applicable for the development of this site, staff recommends these Conditions with no modifications.

**DENIAL CRITERIA:**

Tentative Map time extensions are not automatic; the City has discretion to deny the requests. However, denials should not be capricious. The City should have a legitimate reason to deny an extension and must make appropriate supporting findings. An example of a legitimate

reason might be if the City had amended its General Plan and designated the project site for non-residential use (commercial or industrial). In that case, the changing land use objectives of the community would be sufficient grounds for denial.

In this case there have been no Land Use Element revisions to this site. The site remains designated for residential use and zoned R-1; Single-Family Residential. The approved Tentative Map complies with the General Plan and Zoning Code; therefore, staff recommends approval of the final two-year extension subject to the modification of conditions of approval as previously discussed.

**ACTION:**

**Move to recommend that the City Council approve a two-year time extension for Tentative Tract Map 18-1000 subject to the original 68 Conditions adopted by the City Council on March 13, 2018.**

**OR;**

**Direct staff to prepare findings for denial and recommend that the City Council deny a two-year time extension for Tentative Tract Map 18-1000**

**ATTACHMENTS**

**EXHIBIT "A" -Reduced copy of tentative map**

**EXHIBIT "B" – Extension Request Application**

**CONDITIONS OF APPROVAL ADOPTED BY CITY COUNCIL ON 03/13/2018**

1. **UNDERGROUND UTILITIES.** All new and existing public utilities serving the development or adjacent to the development shall be undergrounded. Additionally, no overhead facilities shall cross any on site or adjacent streets.
2. **REMOVE CONSTRUCTION DEBRIS.** Prior to the recordation of a Final Map all construction debris shall be removed from the site.
3. **Mitigation Measure I. C. 1**  
**LANDSCAPING PLANS.** Prior to commencing construction activities associated with the creation of the parcels, the Applicant or his Engineer shall submit landscaping and signage plans for the entrance at Barham Ave. and the entrance road as depicted on the tentative map. The landscaping plan must also include landscaping within the right-of-ways of Barham Ave, Corning Rd., and the entrance road. These plans must comply with the landscaping design guidelines and sign design guidelines of the Highway 99W Corridor Specific Plan and approved by the Planning Director.
4. **Mitigation Measure I. C. 2**  
**LANDSCAPING.** The landscaped areas within the right-of-ways of Barham Ave., Corning Rd. and the entrance road must be provided with permanent and automatic means of irrigation and all landscaping of these areas, along with the placement of the entrance sign, must be constructed pursuant to the landscaping standards of the Highway 99W Corridor Specific Plan, and completed prior to recordation of a Final Map.
5. **Mitigation Measure II. C. 1**  
**DISCLOSURE OF AGRICULTURAL OPERATIONS.** The following disclosure statement must be shown as a note on the Final Map:  
  
The City of Corning permits operation of properly conducted agricultural operations within the City Limits, including those that utilize chemical fertilizers and pesticides. You are hereby notified that property you are purchasing, leasing, or renting may be located close to agricultural lands and operations. You may be subject to inconvenience or discomfort arising from the lawful and proper use of agricultural chemicals and pesticides and other agricultural activities, including without limitation, cultivation, plowing, spraying, irrigation, pruning, harvesting, burning of agricultural waste products, protection of crop and animals from depredation, and other activities which occasionally generate dust, smoke, noise, and odor. Consequently, depending on the location of your structures, it may be necessary that you be prepared to accept much inconveniences or discomfort as a normal and necessary aspect of conducting a business in an agriculturally active region.
6. **GRADING PLANS.** Complete grading plans shall be submitted for approval by the City Engineer.
7. **STREET CLEANING.** Paved City roadways leading to or from the project area shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud, which may have accumulated as the result of construction activities.
8. **Mitigation Measure III. B. 1**  
**FUGITIVE DUST PERMIT**  
Prior to commencement of any type of construction activities the applicant must submit a construction emission dust/control plan and obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution District and comply with the conditions of approval.
9. **Mitigation Measure III. B. 2**  
**OPEN BURNING**

No opening burning shall occur on this parcel unless a special land clearing permit is obtained from the Tehama County Air Pollution Control District.

**10. Mitigation Measure III. C. 1**

**SPRINKLE EXPOSED SOILS.**

During construction, unprotected or bare soils, including inactive storage piles, shall be watered a minimum of 2 times per day to minimize wind erosion. Frequency should be based upon the type of operation, soil, and wind exposure.

**11. Mitigation Measure III. C. 2**

**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 prior to the beginning of the rainy season (October 15<sup>th</sup>).

**12. Mitigation Measure IV.A. 1**

**PRE-CONSTRUCTION SURVEY:** Pre-construction surveys for nesting raptors should be conducted for construction activities between March 1 and September 30 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to the commencement of grading activities. If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred until after September 30<sup>th</sup> or until the adults and young are no longer dependent on the nest as determined by a qualified biologist.

**13. Mitigation Measure IV. B. 1**

**JEWETT CREEK PROTECTION:** The Final Map shall indicate a 50' no disturbance zone from the top of the north bank of Jewett Creek on lots 6 & 7 with a taper down to 20' on Lot 7 as depicted on the Tentative Map. Prior to recordation of the Final Map this no disturbance zone, along with the site proposed for a sewage pumping station and detention basin must be fenced with 6' high earth tone colored plastic dipped chain link or wrought iron material. The location and widths of gates for access to the sewage pumping station and detention basin must be approved by the Public Works Director prior to construction of the fence.

**14. Mitigation Measure IV. B. 2**

**UTILITY CASING:** Water and sewer lines that are placed beneath the streambed of Jewett Creek must be encased in steel pipe in a size to be determined by the City Engineer.

**15. Mitigation Measure IV. B. 3**

**DRY SEASON BORING:** Work, including all activity associated with boring in the stream channel, defined as the 100-year flood plain, shall be limited to the period July 1 to October 15 of any year. If water is present during this period, no construction activity may commence until the streambed is dry.

**16. Mitigation Measure IV. B. 4**

**EQUIPMENT STORAGE & MAINTENANCE:** Staging, storage, and re-fueling areas for machinery, equipment, and materials shall be located outside the stream channel. Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.

**17. Mitigation Measure IV. B. 5**

**SPILL CLEANUP:** The clean-up of all petroleum and/or chemical spills shall begin immediately. The responsible party shall notify the Tehama County Department of Environmental Health and comply with all applicable regulations associated with spill cleanup.

**18. Mitigation Measure IV. B. 6**



**SITE CLEANUP:** No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement, or concrete washings thereof, asphalt, paint or other coating material, oil, or petroleum products or organic or earthen material from any construction activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into Jewett Creek. When operations are completed, any excess materials or debris must be removed from the site.

**19. Mitigation Measure IV. B. 7**

**EROSION CONTROL:** Soils exposed by construction shall be mulched to prevent sediment runoff and transport. Mulches shall be applied so that not less than 90% of the disturbed areas are covered. All mulches (except hydro-mulches) shall be applied in a layer not less than two inches deep. All mulches shall be kneaded or tracked-in with track marks parallel to the contour, and tackified as necessary to prevent excessive movement. All exposed soils shall be reseeded by November 1 of each year with a mix of grasses free from seeds of noxious or invasive weed species and applied at a rate which will ensure establishment.

**20. Mitigation Measure IV. B. 8**

**SOIL STABILIZATION:** Soils adjacent to the stream channel that are exposed by construction activities shall be adequately stabilized when rainfall is reasonable expected and immediately upon completion of construction, to prevent the mobilization of sediment into Jewett Creek.

**21. Mitigation Measure IV. B. 9**

**REMOVAL OF RIPARIAN VEGETATION:** The disturbance or removal of riparian vegetation will not exceed the minimum necessary to complete the installation of the extended water and sewer lines.

**22. Mitigation Measure IV. B. 10**

**STREAMBED DISTURBANCE:** If any portions of the stream channel are disturbed during or after the placement of the water and sewer lines under Jewett Creek, the disturbed portions of the stream channel within the high-water mark of the stream shall be restored as near to the original natural condition as possible.

**23. Mitigation Measure V. 1**

**CULTURAL RESOURCES.** If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery, and the City of Corning notified. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery location until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant. If a potentially eligible resource is encountered, then the Archaeologist, lead agency, and project proponent shall arrange for either 1) total data recovery as a mitigation, or, preferably, 2) total avoidance of the resource, if possible. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

**24. Mitigation Measure V. D. 1**

**HUMAN REMAINS.** If human remains, or remains that are potentially human, are discovered during project construction or implementation, all work must stop within a 100-foot radius of the find. The Construction Supervisor must notify the Corning Police Department immediately and take appropriate action to ensure that the discovery is protected from further disturbance or vandalism.

**25. Mitigation Measure VI. B. 1**

**STORMWATER PERMIT.** Applicant shall apply for and obtain a "Construction Activities Storm Water General Permit" from the State Water Resources Control Board, Central Valley Regional Water Quality Control Board.

**26. Mitigation Measure VI. B. 2**

**STORMWATER POLLUTION PREVENTION PLAN.** Prior to any site disturbance or earthmoving activities on or adjacent to the site, a construction period and post-construction period Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and presented to the Central Valley Regional Water Quality Control Board and approved by the City of Corning. The objective of the plan shall be no net loss of soil (above an undisturbed natural, stable background state) from the site due to erosion. All requirements of the post construction period SWPPP shall be completed as part of the required improvement plans and shall be maintained in the same manner.

**27. DETENTION PLANS.** Prior to recording a final map, the Developer shall present improvement plans for detention of the net increase in runoff resulting from the development project during a 25-year storm for a duration of four hours.

**28. SOILS INFORMATION.** Soils information (Soils Log) must be submitted to verify adequacy of on-site storm water detention design.

**29. Mitigation Measure VIII. A. 1**

**WASTE DISCHARGE REQUIREMENTS.** The Developer must apply for, receive, and comply with waste discharge requirements from the California Regional Water Quality Control Board for the release of storm water from the detention basin into Jewett Creek.

**30. Mitigation Measure VIII. C. 1**

**LOT GRADING.** Lots must be graded to direct runoff to storm drain facilities within the public right-of-way or into the drainage easements as depicted on the tentative map. No lot to lot or offsite runoff shall be permitted.

**31. Mitigation Measure VIII. E. 1**

**STORMWATER ANALYSIS.** Applicant shall provide a Drainage Analysis prepared by a registered Civil Engineer or Certified Hydrologist. The analysis shall quantify the increased runoff resulting from a 25-year storm for a duration of four hours that will result from the creation of the parcels and potential commercial development.

**32. Mitigation Measure VIII. E. 2**

**STORMWATER DETENTION.** Storm Drain and detention facilities shall be installed in accordance with the Drainage Analysis and constructed to City Standards as approved by the Public Works Director.

**33. Mitigation Measure XI. A.1**

The following statement must be noted on the Final Map prior to recordation: "A noise impact study must be submitted with each application for a Conditional Use Permit to develop the parcels."

**34. Mitigation Measure XI. D. 1**

**CONSTRUCTION HOURS.** Excavation and construction work shall occur only between the hours of 7:00 AM to 7:00 PM, Monday through Friday, and between the hours of 8:00 AM to 6:00 PM on weekends and federally observed holidays.

**35. Mitigation Measure XI. D. 2**

**CONSTRUCTION EQUIPMENT.** The primary Contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained. When feasible, existing power sources, such as power poles, or clean fuel generators should be used, rather than temporary power generators. Minimize idling time to 10 minutes.

- 36. FIRE HYDRANT REPAIR KIT:** The Developer must provide the City of Corning Fire Department with 1 Fire Hydrant Repair Kit.
- 37. WELL & SEPTIC ABANDONMENT.** Prior to recording a 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.
- 38. Mitigation Measure XIII. A. 1**  
**LANDSCAPE & LIGHTING DISTRICT.** Prior to recording a final map for the project, the developer shall establish a Landscaping and Lighting District, or annex to an existing district if one exists, to fund the annual operation and maintenance of the landscaping, including automatic irrigation systems, and electrification of the streetlights placed within the right-of ways of Barham Ave., Corning Rd. the entrance road and the continued maintenance of common facilities, including the stormwater detention system and appurtenant facilities. The developer must submit an engineer's cost estimate for the annual cost to fund the Landscape and Lighting District. This cost estimate must be approved by the city engineer prior to formation of the district. Any costs associated with the formation of the district shall be borne by the developer.
- 39. Mitigation Measure XIII. A. 2**  
**FIRE HYDRANT INSTALLATION.** Prior to the submittal of improvement plans for the subdivision the developer must consult with the City of Corning Fire Chief to determine the location of a minimum of 3 fire hydrants to serve the parcels. These hydrants with valves shall be installed, to Public Works standards, as required by the Fire Chief.
- 40. PUBLIC IMPROVEMENTS.** All public improvements shall be constructed in accordance with the Subdivision Ordinance of the City of Corning and required Public Works Standards.
- 41. ROAD DEDICATION.** Dedicate a 60' wide right-of-way for the entrance road. Provide an additional 10' public service easement along each side of the right of way.
- 42. CURB, GUTTER, SIDEWALK.** Install curb, gutter, and sidewalks, with approved handicap ramps at the intersection of the entrance road and Barham Ave.
- 43. ENTRANCE ROAD STANDARD.** Proposed "Entrance Road" shall be constructed in accordance with Standard Drawing S-18 (40' 2 Lane Street).
- 44. ENTRANCE ROAD CONSTRUCTION.** The entrance road shall be fully constructed with driveway entrances to each parcel with curb and gutter and 5' wide sidewalk adjacent to curb as per Standard Drawing No. S-18.
- 45. STREET NAME SIGNS.** Applicant shall install street name signs, according to standards provided by the Director of Public Works at all intersections.
- 46. STREET NAMES.** Final street names are subject to approval of City staff and shall appear on the final map.
- 47. NON-ACCESS STRIP.** No new driveways shall be permitted direct access onto Corning Road. The Final Map shall offer "1 foot wide Non-Access" strips along Corning Road excepting the 12' wide utility easement as depicted on the tentative map.
- 48. CURBSIDE PARKING.** Once commercial uses are established on a parcel curbside parking along the entrance road must be prohibited.
- 49. BARHAM AVENUE IMPROVEMENTS.** Re-construct the adjacent (eastern) half width of Barham Avenue in accordance with Standard Drawing S-18 (40' Street) and complete an asphalt overlay on a 12-foot travel lane on the west half width from the south project boundary to Corning Road/Solano Street. If adequate structure section exists, the City Engineer may approve an alternative Barham Avenue improvement plan.

- 50. CORNING RD./SOLANO ST. IMPROVEMENTS.** Reconstruct the adjacent (southern) half width, the median turn lane and a 12' wide travel lane on the north side of Corning Road/Solano Street along the frontage from I-5 overpass structure through the Barham Avenue intersection. Complete pavement markings in accordance with the recommendations in the Traffic Study. If adequate structure section exists, the City Engineer may approve an alternative Corning Road/Solano Street improvement plan.
- 51. Mitigation Measure XV. A. 1**  
**LEFT TURN LANES.** A westbound left turn lane at the intersection of Barham Ave./Corning Rd., and left turn lanes on Corning Rd. at the north bound and south bound I-5 on ramps must be constructed prior to the recordation of a final map.
- 52. Mitigation Measure XV. D. 1**  
**INTERSECTION SIGHT DISTANCE.** No shrubbery, fencing, entrance signs or trees exceeding 36 inches in height, and no tree branches shall extend lower than seven feet so as to limit a 200 ft. minimum sight distance at the proposed entrance road and Barham Ave. intersection.
- 53. Mitigation Measure XV. D. 2**  
**STOP SIGNS.** Install a stop sign and apply thermoplastic stop legend with bar where entrance road intersects with Barham Ave. Temporary signs must be in place during construction at the new intersection.
- 54. UTILITY LOCATION.** Applicant shall ensure, prior to final street construction, that all water and sewer mains, utility and storm drains, and all access points are in the proper location for serving the proposed new lots. No street cutting nor excavation shall be allowed in the new street once completed.
- 55. WATER & SEWER CONNECTIONS.** All water and sewer connections shall be completed in accordance with Public Works Specifications.
- 56. WATER SERVICES.** All water services to the parcels are to be 1 inch, or larger, poly pipe iron pipe size.
- 57. WATER METERS.** All water meters to be Sensus Compound Meters to register in gallons, ¾" meters are the minimum required, but the city recommends 1" meters for irrigation.
- 58. MANHOLE INSTALLATION.** Install Manholes in Subdivision as per Public Works Specifications.
- 59. STREET LIGHT INSTALLATION.** Streetlights shall be set installed in accordance with Public Works Standards. Final location shall be shown on the plans for public improvements and approved by the Director of Public Works.
- 60. PUBLIC UTILITY EASEMENTS.** Public utility easements shall be dedicated and noted as required by the City Engineer on the Final Map.
- 61. PUBLIC IMPROVEMENTS.** All public improvements shall be constructed in accordance with the Subdivision Ordinance of the City of Corning and required Public Works Standards.
- 62. WATER LINE ENCROACHMENT PERMIT.** Obtain an encroachment permit from Caltrans and extend City water main line from east side of Interstate 5 to serve the project. Install water main lines within entrance road and reconstructed Barham Avenue along project frontage, as per Public Works Specifications and as directed by City Engineer. Minimum mainline pipe diameter shall be 8".
- 63. SEWER LINE ENCROACHMENT PERMIT.** Obtain an encroachment permit from Caltrans and extend City sanitary sewer line from east side of Interstate 5 to serve project and adjacent

properties. Install sanitary sewer trunklines in the entrance road and reconstructed Barham Avenue in accordance with City standards.

- 64. SEWER LIFT STATION.** Prior to recording the final map, Developer shall install a sewer lift station on public property adjacent to the retention pond. Developer shall size lift station to accommodate commercial development on all current incorporated properties on the west side of I-5. Additionally, developer shall construct a building to house a generator with the capacity to power the lift station during power outages and construct a building to house the generator and fuel supply. Building size and materials shall be as directed by the City Engineer.
- 65. POSTAL BOXES.** If requested by the Corning postmaster for commercial development, provide one or more "Cluster Box Units (CBUs) for postal service at locations approved by the Postmaster. CBU positions shall appear on the improvement plans for the subdivision.
- 66. CABLE TELEVISION.** Developer shall ensure service by authorized cable provider to each lot at Developer's expense.
- 67. Mitigation Measure XVI. B. 1**  
**PARCEL DEDICATION:** The Final Map shall offer for dedication to the City of Corning, Lot "A", as depicted on the Tentative Subdivision Map, and a minimum 16-foot-wide drainage and utility easement to Lot "A". Prior to recordation of the Final Map the 16-foot-wide easement must be improved with a minimum 8-foot-wide all-weather access road.
- 68. REGULATORY COMPLIANCE.** The Developer must comply with all Local, State and Federal regulations and permit requirements applicable to the creation of the parcels, especially the Tehama County Air Pollution Control District and the California Regional Water Quality Control Board.







EXISTING CONDITIONS / TOPOGRAPHIC MAP  
 CORNING CROSSROADS TRACT MAP 18-1000  
 FOR: GALLELLI AND SONS, LLC

3



VICINITY MAP  
 NOT TO SCALE

NOTES:  
 1. THIS MAP IS BASED ON THE DATA PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND VERIFIED THE DATA FOR ACCURACY. THE ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR UNDISCOVERED UTILITIES.

LEGEND

- GEORGIA TREE
- PROPERTY BOUNDARY LINE
- EASEMENT LINE
- FENCE LINE
- INDEX CONTOUR LINE
- CONTOUR LINE
- AT/G MARKOLE
- ROAD PILE
- LIGHT BOLT INSURER BOX
- CROWN BOLT MARK
- POWER POLE
- SAW
- SAW OF SAW
- BRONZE PIVOTS MARKERS
- BRONZE MARKOLE
- BRONZE/TOURIST SIGN
- SAWYER INSTRUMENT
- TELEPHONE POLE
- WELL

BASIS OF ELEVATION

ALL ELEVATIONS SHOWN ARE BASED ON A TENNESSEE COUNTY BENCHMARK. THE BENCHMARK IS LOCATED AT THE INTERSECTION OF THE CORNING ROAD AND THE JEWETT CREEK CHANNEL. THE BENCHMARK IS A BRASS CAP STATION. THE ELEVATION OF THE BENCHMARK IS 100.00 FEET. THE ELEVATION OF THE CORNING ROAD IS 100.00 FEET. THE ELEVATION OF THE JEWETT CREEK CHANNEL IS 100.00 FEET.

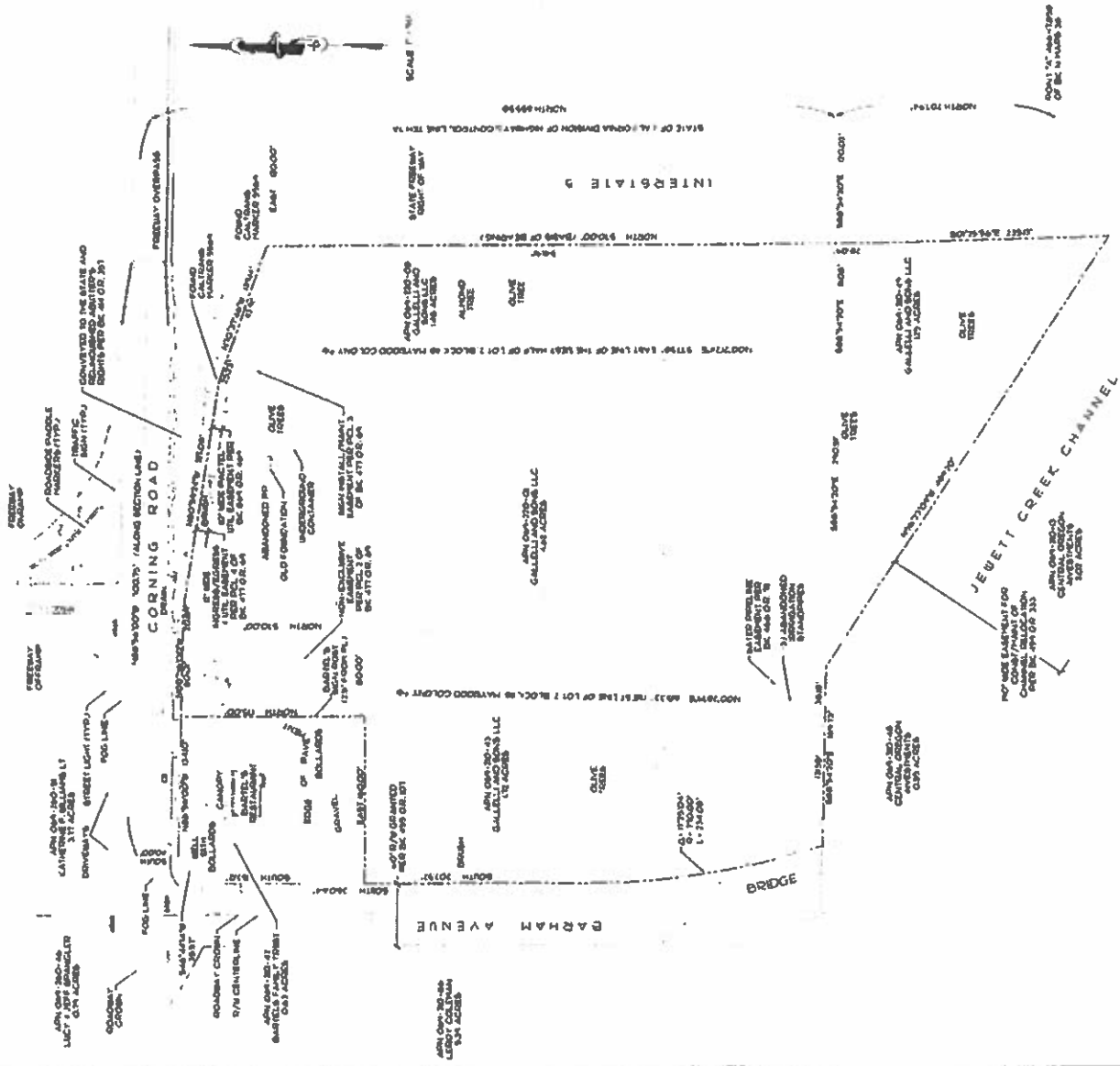
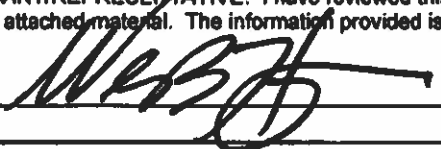
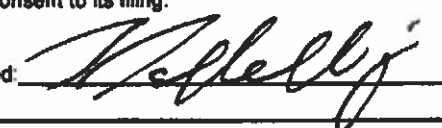




Exhibit B

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

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

|  |  |   |   |   |
|--|--|---|---|---|
| <b>PROJECT INFORMATION</b>   | PROJECT ADDRESS<br>Southwest Corner of Crossroads I-5, Corning Rd  |   | ASSESSOR'S PARCEL NUMBER<br>069-210-43, 069-210-49, 069-220-01, 069-220-08  | G.P. LAND USE DESIGNATION<br>HWY 99-W Specific Plan |
|  | ZONING DISTRICT<br>C-3/CBDZ  | FLOOD HAZARD ZONE<br>None, Zone A in Jewett Creek | SITE ACREAGE<br>9.07 acres  | AIRPORT SAFETY ZONE?<br>No                          |
|  | PROJECT DESCRIPTION: (attach additional sheets if necessary)<br>Subdivision of property (4 existing commercial parcels) into 7 commercial and 2 common lots.   |   |   |   |
|  | <b>APPLICATION TYPE (Check All Applicable)</b>   |   |   |   |
| <input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment<br><input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map<br><input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment<br><input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input type="checkbox"/> Use Permit<br><input type="checkbox"/> Variance <input type="checkbox"/> Other _____ |  |   |   |   |
| <b>APPLICANT INFORMATION</b>   | APPLICANT<br>Warren Hughes, Gallelli & Sons, LLC   |   | ADDRESS<br>3005 Douglas Blvd. #200, Roseville, CA 95661   | DAY PHONE<br>(916) 997-0110                         |
|  | REPRESENTATIVE (IF ANY)<br>Eric Robertson, Robertson Erickson Civil Engineers & Surveyors  |   | ADDRESS<br>888 Manzanita Ct. Ste A, Chico, CA 95926   | DAY PHONE<br>(530) 894-3500                         |
|  | PROPERTY OWNER<br>Gallelli & Sons, LLC   |   | ADDRESS<br>3005 Douglas Blvd. #200, Roseville, CA 95681   | DAY PHONE<br>(916) 784-2700                         |
|  | CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input checked="" type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER   |   |   |   |
|  | APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct.<br>Signed:   |   | PROPERTY OWNER: I have read this application and consent to its filing.<br>Signed:  |   |
|  | By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project. |   |   |   |

|                       |                            |   |               |                            |
|-----------------------|----------------------------|---|---------------|----------------------------|
| <b>SUBMITTAL INFO</b> | <b>FOR OFFICE USE ONLY</b> |   |               |                            |
|                       | APPLICATION NO.            | RECEIVED BY:                            | DATE RECEIVED | DATE APPL. DEEMED COMPLETE |
|                       | FEE RECEIVED/RECEIPT NO.   | CEQA DETERMINATION<br>Exempt ND MND EIR | JAN 05 2022   | DATE FILED                 |



# CITY OF CORNING

## ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED \_\_\_\_\_

### General Information

1. Project Title: Gallelli & Sons, LLC Corning Project

2. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

None

### Additional Project Information

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

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

5. Proposed scheduling/development.

TBD depending on tenant interest and future parcel sales.

6. Associated project(s).

None

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

N/A

**CITY OF CORNING  
PLANNING APPLICATION**

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

Commercial food/retail outlets and gas station. Square footages and loading facilities are to be determined.

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

N/A

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

N/A

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

N/A

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

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

**CITY OF CORNING  
PLANNING APPLICATION**

**Environmental setting**

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

See attached sheet.

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25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

See attached sheet.

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**Certification**

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

Date 1/4/22

Signature 

For: GALLAGHER & SONS, LLC

GALLELLI & SONS, LLC  
3005 Douglas Blvd, Suite 200  
Roseville, CA 95661

PLUMAS BANK  
99-3328/1211

2002

1/4/2022

PAY TO THE ORDER OF City of Corning

\$ \*\*150.00

One Hundred Fifty and 00/100 \*\*\*\*\* DOLLARS

City of Corning  
749 Third Street  
Corning, CA 96021

VALID VALID  
VALID VALID  
VALID VALID



AUTHORIZED SIGNATURE

MEMO

Corning Crossroads

⑈002002⑈ ⑆121138288⑆ 251003277⑈

CITY OF CORNING  
794 Third Street  
Corning, California 96021

✓  
#  
2002

NAME William Warren Hughes

ADDRESS Corning Crossroads

| DATE | DESC. | ACCT. NO. | AMOUNT             | BALANCE |
|------|-------|-----------|--------------------|---------|
|      |       |           | 150. <sup>00</sup> |         |
|      |       |           | Map Extension      |         |

CUSTOMER NO. \_\_\_\_\_

**ITEM NO: E-3  
ORDINANCE NO. 697; AN  
ORDINANCE OF THE CITY OF  
CORNING ADDING CHAPTER 15.35,  
VEHICLE CHARGING STATIONS TO  
THE CORNING MUNICIPAL CODE.**

**February 15, 2022**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**  
**FROM: CHRISSE MEEDS, PLANNER 2**  
**KRISTINA MILLER, CITY MANAGER**



**SUMMARY:**

The proposed Ordinance is in response to State legislative changes regarding Electric Vehicle Charging Stations that the State of California now requires by all jurisdictions.

**BACKGROUND:**

Existing law requires a City, County, or City and County to administratively approve an application to install an Electric Vehicle Charging Station through the issuance of a Building Permit or similar nondiscretionary Permit subject to a limited review by the Building Official of that City, County, or City and County. Existing law allows the Building Official to require the Applicant to apply for a Use Permit if the Official finds that the Station could have a specific adverse impact upon the public health or safety and prohibits the City, County, or City and County from denying the application for a Use Permit to install an Electric Vehicle Charging Station unless it makes written findings that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

Recently adopted Assembly Bill 970 requires an application to install an Electric Vehicle Charging Station to be deemed complete if, either 5 business days or 10 business days after the application was submitted (depending on the number of electric vehicle charging stations proposed in the application) the City, County, or City and County has not deemed the application to be incomplete or issued a written correction notice detailing all deficiencies in the application, as specified. The Bill requires an application to install an Electric Vehicle Charging Station to be deemed approved if 20 business days or 40 business days after the application was deemed complete, depending on the number of electric vehicle charging stations proposed in the application, (1) the City, County, or City and County has not approved the application, (2) the Building Official has not made a finding that the proposed installation could have an adverse impact upon the public health or safety or required the Applicant to apply for a Use Permit, (3) the Building Official has not denied the Permit, and (4) an appeal has not been made to the Planning Commission of the City, County, or City and County, as specified. The Bill provides that these requirements do not expand or restrict the role or responsibility of a local publicly owned electric utility in providing new electric service to an Electric Vehicle Charging Station in a manner consistent with safety, reliability, and engineering requirements. The Bill requires a City, County, or City and County to reduce the number of required parking spaces to accommodate the Electric Vehicle Charging Station, as specified.

This Bill's provisions became operative on January 1, 2022, but for every City, County, or City and County with a population of less than 200,000 residents, the Bill's provisions would apply beginning on January 1, 2023.

The Bill includes findings that changes proposed by this Bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

In developing an expedited permitting process, the Bill requires the adoption of a checklist of all electric vehicle charging station requirements and to have the checklist published on a publicly accessible internet website that belongs to the City.

The City of Corning is considering adopting proposed Ordinance No. 697 which would add Chapter 15.35 Electric Vehicle Charging Stations to Title 15 of the Corning Municipal Code. Adoption of proposed Ordinance 697 would also add a "Checklist" to the City's website that will allow for the expedited process of establishing an Electric Vehicle Charging Station.

**GENERAL PLAN:**

The 2014-2034 Corning General Plan contains goals throughout the Plan. Proposed Ordinance 697 is consistent with the City's General Plan's Sustainability and Resource Conservation Element as it encourages the use of electric vehicles.

**ENVIRONMENTAL:**

Proposed Ordinance 697 is exempt from review under the California Environmental Quality Act (CEQA), Guidelines Section 15061(b) (3) because it can be seen with certainty that it will have no significant negative effect on the environment.

**ACTION:**

- **Move to recommend that the City Council approve and adopt Ordinance 697 and associated Checklist and authorize Staff to make changes as required by State Law from time to time.**

**OR**

- **Move to recommend that the City Council deny approval and adoption of Ordinance 697 and associated Checklist.**

**ATTACHMENTS:**

- **Exhibit "A" – Ordinance 697**
- **Exhibit "B" – Electric Vehicle Charging Station Checklist**

**CITY OF CORNING ORDINANCE NO. 697**  
**AN ORDINANCE OF THE CITY OF CORNING ADDING CHAPTER 15.35 “ELECTRIC VEHICLE CHARGING STATIONS” TO PROVIDE EXPEDITED PERMITTING PROCESS CONSISTENT WITH STATE LAW**

**WHEREAS**, the City of Corning seeks to comply with State Law, Assembly Bill 1236 (Gov. Code, § 65850.7), through adoption of Corning Municipal Code section 15.35, which provides for the creation of an expedited, streamlined permitting process for electric vehicle charging systems; and

**WHEREAS**, the Ordinance is consistent with the City’s General Plan, Sustainability and Resource Conservation Element, as it encourages the use of electric vehicles; and

**WHEREAS**, the Ordinance is in the interest of the public health, welfare, and safety of the City of Corning as it assures the effective and streamlined approval of electric vehicle charging stations, which will encourage the use of less-polluting electric vehicles; and

**WHEREAS**, the Ordinance is exempt from review under the Environmental Quality Act, Guidelines section 15061(b)(3) because it can be seen with certainty that it will have no significant negative effect on the environment; and

**WHEREAS**, on \_\_\_\_\_, 2022, the City Council conducted a public hearing on the proposed Ordinance.

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

**SECTION 1.** Chapter 15.35 “ELECTRIC VEHICLE CHARGING STATIONS” is hereby added to Title 15, “BUILDING AND CONSTRUCTION” as follows:

**Chapter 15.45 - ELECTRIC VEHICLE CHARGING STATIONS**

**15.45.010 - Definitions.**

The following words and phrases, whenever used in this article, shall be construed as hereafter set out, unless it shall be apparent from the context that they have a different meaning:

"A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a City or City on another similarly situated application in a prior successful application for a permit.

"Building Official" means the city's senior Building Inspector or his or her designee.

"Electric Vehicle Charging Station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

"Electronic submittal" means the utilization of one or more of the following:

1. Email.
2. The internet.
3. Facsimile.



"Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

**15.45.020 - Purpose.**

The purpose of this chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This chapter is also purposed to comply with California Government Code Section 65850.7.

**15.45.030 - Building Permit required.**

A Building Permit is required to install an Electric Vehicle Charging Station. An application for a Building Permit to install an Electric Vehicle Charging Station shall be processed in accordance with Section 65850.7 of the Government Code.

**15.03.040 - Review of applications.**

Corning is adopting this chapter in order to create an expedited, streamlined permitting process for Electric Vehicle Charging Stations.

**A.** To facilitate an expedited permitting process, the Building Official is hereby authorized and directed to develop and adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.

**B.** The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The checklist shall be published on the City of Corning internet website.

**C.** Prior to submitting an application, the Applicant shall verify that the installation of an Electric Vehicle Charging Station will not have a specific, adverse impact to public health and safety and building occupants. Verification by the Applicant includes, but is not limited to: Electrical system capacity and loads; electrical system wiring, bonding, and overcurrent protection; building infrastructure affected by electric vehicle charging station equipment and associated conduits; and areas of electric vehicle charging station equipment and vehicle parking.

**D.** An application under this section may be submitted by personal, mailed, or electronic (including electronic signatures on all forms, applications, and other documentation) submittal together with any required permit processing and inspection fees.

**E.** An application that satisfies the requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon receipt of an incomplete application, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

**F.** Upon confirmation by the Building Official of the application and supporting documentation being complete, meeting the requirements of the checklist, and being consistent with all applicable laws and health and safety standards, the Building Official shall administratively approve the application and issue all required permits or

authorizations. Such approval does not authorize an Applicant to energize or utilize the Electric Vehicle Charging Station until all required inspections have been finalized by the City of Corning. Such approval also does not authorize an Applicant to connect the Electric Vehicle Charging Station to the local utility provider's electricity grid. The Applicant is responsible for obtaining such approval or permission from the local utility provider.

**G.** An Electric Vehicle Charging Station shall meet all applicable health and safety standards and requirements imposed by State and City permitting authorities and shall meet all applicable safety and performance standards established by the 2016 California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, the rules of the Public Utilities Commission regarding safety and reliability.

**H.** Any conditions imposed on an application to install an Electric Vehicle Charging Station shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible. The Building Official shall not condition the approval of any Electric Vehicle Charging Station Permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

**I.** If the Building Official makes a finding, based on substantial evidence, that the Electric Vehicle Charging Station could have a specific, adverse impact upon the public health or safety, the Applicant shall be required to apply for a Conditional Use Permit. The decision of the Building Official that the Electric Vehicle Charging Station could have a specific, adverse impact upon the public health or safety may be appealed to the Planning Commission.

**J.** When making a decision on a Conditional Use Permit for an Electric Vehicle Charging Station, the Planning Commission, as well as the City Council on appeal, may not deny the Conditional Use Permit to install an Electric Vehicle Charging Station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

#### **15.45.050 - Inspections.**

**A.** Inspections shall be required and performed by the building division for electric vehicle charging stations.

**B.** The inspections shall be done in an efficient inspection process, in a timely manner, and should include consolidated inspections when applicable; inspection measures taken should be consistent with safety requirements that ensure that the electric vehicle charging stations are properly installed.

**C.** If electric vehicle charging stations fail inspections, a subsequent inspection is authorized but need not conform to the requirements of this chapter.

#### **SECTION 3. Severability.**

If any section, subsection, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of

this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

**SECTION 5. Publication and effective date.**

This Ordinance shall be published in accordance with the provisions of Government Code section 36933.

This Ordinance shall take effect 30 days after its final passage.

The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be posted and/or published in accordance with the law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on \_\_\_\_\_, and enacted at a regular meeting of the City Council of the City of Corning held on \_\_\_\_\_, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
**Robert Snow, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Lisa M. Linnet, City Clerk**

## **SUMMARY ORDINANCE 697**

### **SUMMARY OF AN ORDINANCE OF THE CITY OF CORNING ADDING CHAPTER 15.35 "ELECTRIC VEHICLE CHARGING STATIONS" TO PROVIDE EXPEDITED PERMITTING PROCESS CONSISTENT WITH STATE LAW**

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. **2022-697** introduced by the Corning City Planning Commission on February 15, 2022 and scheduled for consideration of adoption on March 22, 2022 at its meeting held in the City Council Chambers at 794 Third Street, Corning, California.

The City of Corning seeks to comply with State Law, Assembly Bill 1236 (Gov. Code, § 65850.7), through adoption of Corning Municipal Code section 15.35, which provides for the creation of an expedited, streamlined permitting process for electric vehicle charging systems. The Ordinance is in the interest of the public health, welfare, and safety of the City of Corning as it assures the effective and streamlined approval of electric vehicle charging stations, which will encourage the use of less-polluting electric vehicles.

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 Planning Commission of the City of Corning on February 15, 2022 and is scheduled for consideration of adoption on March 22, 2022.

Lisa M. Linnet,  
Corning City Clerk

Posted at Corning City Hall and Published on or before January 29 , 2022.



**Development Services Department  
Building Division**  
794 Third Street  
Corning, CA 96021  
530-824-7027

## **Checklist for the Permitting and Installation of Electric Vehicle Service Equipment (EVSE)**

Please complete the following information related to permitting and installation of Electric Vehicle Service Equipment (EVSE) as a supplement to the application for a building permit. This checklist contains the technical aspects of EVSE installations and is intended to help expedite permitting and use for electric vehicle charging.

Upon this checklist being deemed complete, a permit shall be issued to the applicant. However, if it is deemed that the installation might have a specific adverse impact on public health or safety, additional verification will be required before a permit can be issued.

This checklist substantially follows the *"Plug-in Electric Vehicle Infrastructure Permitting Checklist"* contained in the *Governor's Office of Planning and Research "Zero Emission Vehicles in California: Community Readiness Guidebook"* and is purposed to augment the guidebook's checklist.

**Job Address** \_\_\_\_\_

### **Use of Building or Area**

- |   |  |
|---|--|
| <input type="checkbox"/> Single Family                | <input type="checkbox"/> Multi-Family (Apartment)      |
| <input type="checkbox"/> Commercial (Single Business) | <input type="checkbox"/> Commercial (Multi-Businesses) |
| <input type="checkbox"/> Mixed-Use                    | <input type="checkbox"/> Public Right-of-Way           |

### **Location and Quantity of EVSE to be Installed**

Garage \_\_\_\_\_      Parking Lot \_\_\_\_\_      Street Curb \_\_\_\_\_

**Description of Work** \_\_\_\_\_

\_\_\_\_\_

**Applicant Information**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

**Contractor Information**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

License Number \_\_\_\_\_ Classification \_\_\_\_\_

**Owner Information**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

**EVSE Specifications**

EVSE Charging Level:  Level 1 (120V)  Level 2 (240V)  Level 3 (480V)

Maximum Rating (Nameplate) of EVSE = \_\_\_\_\_ kW

Voltage EVSE = \_\_\_\_\_ V Manufacturer of EVSE: \_\_\_\_\_

Mounting of EVSE:  Wall Mount  Pole Pedestal Mount  Other \_\_\_\_\_

**Electrical System Specification**

Voltage:  120/240V, 1  $\phi$ , 3W  120/280V, 3  $\phi$ , 4W  120/240V, 3  $\phi$ , 4W  
 277/480V, 3 $\phi$ , 4W  Other \_\_\_\_\_

Rating of Existing Main Electrical Service Equipment = \_\_\_\_\_ Amperes

Rating of Panel Supplying EVSE (if not directly from Main Service) = \_\_\_\_\_ Amps

Rating of Circuit for EVSE: \_\_\_\_\_ Amps / \_\_\_\_\_ Poles

AIC Rating of EVSE Circuit Breaker (if not Single Family, 400A) = \_\_\_\_\_ A.I.C

(Or verify with Inspector in field)

**Electrical System Load Calculation**

Specify Either Connected, Calculated or Documented Demand Load of Existing Panel:

- Connected Load of Existing Panel Supplying EVSE = \_\_\_\_\_ Amps
- Calculated Load of Existing Panel Supplying EVSE = \_\_\_\_\_ Amps
- Demand Load of Existing Panel or Service Supplying EVSE = \_\_\_\_\_ Amps  
(Provide Demand Load Reading from Electric Utility)

Total Load (Existing plus EVSE Load) = \_\_\_\_\_ Amps

*For Single Family Dwellings, if Existing Load is not known by any of the above methods, then the Calculated Load may be estimated using the "Single-Family Residential Permitting Application Example" in the Governor's Office of Planning and Research "Zero Emission Vehicles in California: Community Readiness Guidebook" <http://www.opr.ca.gov>*

**EVSE Electrical Supply Conductor Sizing Calculation**

EVSE Rating \_\_\_\_\_ Amps x 1.25 = \_\_\_\_\_ Amps = Minimum Ampacity  
Of EVSE Conductor = # \_\_\_\_\_ AWG

For Single-Family: Size of Existing Service Conductors = # \_\_\_\_\_ AWG or kcmil  
OR

Size of Existing Feeder Conductor Supplying EVSE Panel + # \_\_\_\_\_ AWG or kcmil  
OR

*(Verify with Inspector in field)*

**EVSE Location and Metering**

Proposed EVSE location may not be located over any underground utility facilities, equipment, and/or infrastructure. Also, a dedicated meter may be required on any EVSE.

I hereby acknowledge that the information presented is a true and correct representation of existing conditions at the job site and that any causes for concern as to life-safety verifications may require further substantiation of information, I also acknowledge that nothing herein shall modify or remove my obligation as a permit applicant, owner, or operator of an electric vehicle charging station to comply with any electric utility's reasonable and feasible safety, reliability, and engineering interconnection policies. \*\*I will ensure that a copy of the equipment specification and installation guide will be available to the inspector at time of inspection.

Signature of Permit Application: \_\_\_\_\_ Date: \_\_\_\_\_

**ITEM NO.: F-4  
DISCUSSION OF CITY'S MOBILE  
STREET VENDING ORDINANCE AND  
PROVIDE DIRECTION TO STAFF**

**February 15, 2022**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**  
**FROM: CHRISSE MEEDS, PLANNER 2 *cm***  
**KRISTINA MILLER, CITY MANAGER**

**SUMMARY:**

In light of a recent incident regarding a Mobile Vender, staff received an e-mail from Commissioner Mesker requesting further review of the mobile/street vending Ordinance.

In his email, Commissioner Mesker states concerns relating to the fact that a number of Mobile Vendors have placed permanent items at their sites which is not permissible according to Chapter 5.50.040 of the Corning Municipal Code (CMC). He also suggests either updating the CMC, or actively enforcing the existing CMC towards all Vendors. Currently the City depends on voluntary Code compliance (removal of all mobile vending business evidence at the end of the workday). Due to staffing levels, code enforcement is currently complaint driven as many Vendors operate beyond the 8 AM – 5 PM workday of City Staff.

Other concerns about street vending have been mentioned to staff as well. Some feel it is unfair that in most zones, stationary street vending does not require frontage improvements, but permanent storefronts do. Staff understands the stated concerns about mobile street vending. Following discussion of all Planning Commissioner concerns on this matter, staff suggests direction to City staff to review street vending ordinances of other jurisdictions and a provide the Commission with report of suggested viable changes to the City's Ordinance to provide solutions to the stated concerns.

**BACKGROUND:**

According to Chapter 5.50 of the Corning Municipal Code, to become a street vendor in the City of Corning, the following is required.

1. An application for a City Business License;
2. A valid Tehama County Environmental Health Department Permit;
3. A site plan showing where the mobile vending unit will be located;
4. Written approval from the property owner of location where Vendor will be located; and
5. Provide location of restrooms within 100 feet for employees of the mobile food vendor.

Chapter 5.50.030 further sets location requirements for no vending in a City Park, roadway, public right of away or City property.

Senate Bill 946 (attached) further limits the City's ability to regulate non-motorized sidewalk vending in public right-of-way except when that restriction is directly related to objective health, safety, or welfare concerns, and not restrict sidewalk vendors to operate only in a designated neighborhood or area, except as specified in the bill. Senate Bill 946 is provided for background purposes for the Planning Commission to better understand the regulatory authority of the City. Amendments to the Corning Municipal Code are needed to avoid conflict with Senate Bill 946 in terms of non-motorized sidewalk vending (e.g., push carts).

In certain zoning districts there are other requirements for motorized stationary vending. For example, in the Corning Business Development Zone, all uses require a Use Permit and frontage improvements to be made.

**RECOMMENDATION:**

- Direct Staff to research street vending ordinances in other cities based on concerns relayed and provide a report back to the Planning Commission.



## Chapter 5.50 STREET VENDING

### **Sections:**

#### **5.50.010 Street vending.**

"Street Vending" means the act of any person or persons engaged or employed, whether temporary or not, in the business of selling, exhibiting for sale, or taking orders from consumers on private property adjacent to city Streets for any type of food product, goods, wares or merchandise. This definition applies to a person or persons vending food or other merchandise from pushcarts, vehicles, trailers, temporary stands, or other readily mobile sources to customers within the city limits.

(Ord. No. 635, 7-28-2009)

#### **5.50.020 Business license requirement.**

As specified in Title 5 of the Corning Municipal Code (CMC) any vending operation, except those that are part of a city recognized "Farmers Market" or found to be exempt as nonprofit organizations pursuant to Chapter 5.12 of the CMC, must obtain a business license from the city. In addition to a business license the sale of fireworks is governed by Section 8.18.040 of the CMC.

The business license must be posted and visible during hours of operation.

Prior to the city issuing a business license for street vending, the applicant must provide the following information:

- A. Completed application form, including a written description of the proposed vending activity.
- B. Proof of valid health permit(s), if required by applicable law or regulation as it applies to prepared or processed food products.
- C. Site plan (sketch) identifying the property, type and location of the vending activity.
- D. The written approval of the property owner where such vending shall be conducted on private property.
- E. The location of available restrooms to be used by the vendor. The vending applicant shall provide rest room facilities as provided for in state law and available within one hundred feet of the vendor business site. If the vendor is proposing to use non-public restrooms, such as an adjacent business, the vendor must provide written approval from the business to use the restrooms.

(Ord. No. 635, 7-28-2009)

#### **5.50.030 Location requirements.**

- A. Right-of-Way. Stationary site street vending shall not be permitted in a roadway median, parkway or within any other public right-of-way.
- B. Mobile or stationary site street vending is not permitted to set up or sell on any city property or city parking lot.
- C. City Parks. Street vending shall not be permitted in any city parks unless participating in a city approved community activity such as a Chamber of Commerce event, and such vendor shall apply to and receive permission to participate in the community activity from the Chamber of Commerce or other city recognized event organizer.

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- D. Residential Zoning Districts. Stationary site street vending shall not be permitted in a residential zone.
  - E. Food Vendors in Residential Zone. In residential zones a food vendor shall not stop in any single location for more than a ten-minute period.
  - F. Traffic Safety Visibility. No street vending shall be located where it will obstruct the safe line-of-sight distance at any intersections as determined by the public works director.
  - G. Proximity to Other Items. No vending shall occur within ten feet of a fire hydrant, fire escape, building entrance, bus stop, loading zone, handicapped parking space, access ramp, or any type of driveway entrance. A greater distance or separation may be required in order to preserve line-of-sight, or for other safety reasons. The vending activity shall not damage any landscaped areas.

(Ord. No. 635, 7-28-2009)

**5.50.040 Operation requirements.**

- A. Appearance and Storage. The vendor shall maintain the area within which vending activities occur in a clean, safe, sanitary, and dust-controlled condition. With the exception of fixed stands selling a food product grown on the site, the vendor must remove all evidence of vending and leave the site in a clean state at the close of each business day.
- B. Obstructions and Hazards. No vendor shall obstruct vehicular traffic, bicycle traffic, sidewalk pedestrian traffic, or accessibility to vehicles parked adjacent to the curb, and shall not create public health or safety hazards.
- C. Signs. No more than one sign is allowed on the parcel in conjunction with the vendor. The sign shall not exceed ten square feet and shall be affixed to the vehicles or devise from which the goods or merchandise are being sold.
- D. Other Applicable Regulations. Each vendor must comply with other local, state, and federal regulations pertaining to establishment and operation of a vending business.

Additional location and operational requirements may be imposed by the city for street vending operations if deemed warranted by city staff.

(Ord. No. 635, 7-28-2009)