



**CITY OF CORNING  
PLANNING COMMISSION MEETING AGENDA**

**TUESDAY, AUGUST 16, 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  
Lamb  
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 following Planning Commission Meeting Minutes with any necessary corrections.**
  - a. June 21, 2022 Planning Commission Meeting; and**
  - b. July 19, 2022 Planning Commission Meeting.**

**E. PUBLIC HEARINGS AND MEETINGS:**

- 2. Public Hearing: Request approval of Tentative Parcel Map 2022-0008 allowing Salvador Magana to split his existing parcel located at 820 Chestnut Street and know as Assessor's Parcel Number 073-134-006-000 to create an additional new parcel.**

**F. REGULAR AGENDA:**

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

**H. ADJOURNMENT!:**

**POSTED: FRIDAY, AUGUST 12, 2022**



**CITY OF CORNING  
PLANNING COMMISSION MEETING MINUTES**

**TUESDAY, JUNE 21, 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  
Lamb  
Chairman: Robertson**

All Commissioners were present except Commissioners Mesker and Lamb.

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

**D. MINUTES:**

- 1. Waive the reading and approve the Minutes of the Continued May 17, 2022 Planning Commission Meeting with any necessary corrections.**

Commissioner Barron moved to approve the Minutes of the May 17, 2022 Planning Commission Meeting, and subsequent continued meetings as written. Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, and Poisson. Absent: Mesker and Lamb. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Mesker and Lamb absent.**

**E. PUBLIC HEARINGS AND MEETINGS:**

- 2. Public Hearing: Requesting approval of a 2-year extension of Tentative Tract Map 20-1001 – Magnolia Meadows, Jason Abel Construction; allowing creation of 53 single family residential parcels. Location: West side of Marguerite Avenue just north of the Moon Road/Marguerite Avenue intersection and south of Maywood School. APN: 073-260-22 & 23.**

Item was presented by City Planner II Christina Meeds. The Public Hearing was opened at 6:31 p.m. With no comments, Commissioner Barron moved to close the Public Hearing at 6:33 p.m.; Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, and Poisson. Absent: Mesker and Lamb. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Mesker and Lamb absent.**

Commissioner Poisson moved to recommend City Council approval of a two-year time extension for Tentative Tract Map 20-1001 subject to the original 45 conditions as approved by the Corning City Council on June 28, 2020. Commissioner Barron seconded the motion. **Ayes: Robertson, Barron, and Poisson. Absent: Mesker and Lamb. Abstain/Opposed: None. Motion was approved by a 3-0 vote with Mesker and Lamb absent.**

**F. REGULAR AGENDA: None.**

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

**H. ADJOURNMENT!: 6:35 p.m.**

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Lisa M. Linnet, City Clerk

**EXHIBIT "A"****CONDITIONS OF APPROVAL  
JASON ABEL -- TENTATIVE TRACT MAP 20-1001  
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, 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 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.
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.

#### **Abel's Conditions Modifications**

- 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 one tree (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.

**PW – I would find it acceptable to only require 1 tree per lot with the small lots.**

**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). Additionally, a 12'-0" asphalt overlay of the travel lane on the east half-width shall be completed.

**PW – The roadway condition of Marguerite is good, a sawcut and expansion is acceptable. Please be aware that it is this projects responsibility to locate and raise any water valve box or sewer manhole that was already constructed during the initial project.**



**CITY OF CORNING  
PLANNING COMMISSION MEETING MINUTES**

**TUESDAY, JULY 19, 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  
Lamb**

**Chairman: Robertson**

All members of the Planning Commission were present, except Commissioner Lamb.

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

**D. MINUTES:**

1. **Waive the reading and approve the Minutes of the Continued June 21, 2022 Planning Commission Meeting with any necessary corrections. These will be presented at the next meeting.**

**E. PUBLIC HEARINGS AND MEETINGS:**

2. **Public Hearing: Revision to Use Permit No. 2020-293; Rezone from R-1 to C-3P along with a General Plan Amendment to allow an expansion of Heritage RV Park for RV Storage and Storage PODS on a 2.19-acre parcel just east and adjacent to the Heritage RV establishment.**

The Public Hearing was opened at 6:31p.m. Planner II Christina Meeds presented this item; she stated that although the Use Permit allows for Heritage RV Park to add 55 RV Storage Spaces and 32 Storage Pods, the owner Mr. Phong has decided to eliminate the Storage Pods; she referred the Commissioners to Exhibit A (the new Site Plan). She provided a brief history of the project and concluded by stating that the City Planning Department and Legal Counsel have determined that this revision will be treated as a "Consistency Determination" as it relates to CEQA. The changes being made to the Site Plan will not change the project environmentally.

Commissioner Mesker moved to close the Public Hearing; Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, Poisson, and Mesker. Absent: Lamb. Abstain/Oppose: None.** The Public Hearing was closed at 6.33pm. Commissioner Poisson moved to adopt the three Factual Subfindings and Legal Findings and re-adopt the 32 previous Conditions of Approval on Use Permit 2020-293. Commissioner Mesker seconded the motion. **Ayes: Robertson, Barron, Poisson, and Mesker. Absent: Lamb. Abstain/Oppose: None. Motion was approved by a 4-0 vote with Lamb absent.**

**3 Factual Subfindings & Legal Findings:**

**Factual Subfinding #1**

Heritage RV Park is an established park with 87 RV spaces that has been in operation with guests since the park was established in 1993.

**Legal Finding #1**

Permitting the rezone and Conditional Use Permit, will allow for Heritage RV Park to expand their services to serve the community with RV Storage parking and storage pods

**Factual Subfinding #2**

Heritage RV Park is an established park with 87 RV spaces that has been in operation since 1993.

**Legal Finding #2**

The 2.19-acre parcel is adequate in size and topography

**Factual Subfinding #3**

The existing RV Park has an established access from Hwy 99W through an access Easement.

**Legal Finding #3**

The site has existing access from Hwy 99W. that is constructed with adequate width, pavement, and capacity for the established use as an RV Park. A new Easement has been signed to allow for access to Parcel (APN 071-140-048)

**36 CONDITIONS OF APPROVAL:**

**CONDITION #1 – AGENCY COMPLIANCE:**

The development and continued operation of the storage facility, permitted pursuant to Use Permit 2020-293, must comply with all applicable local, state, and federal laws and regulations, especially the City of Corning Building, Fire, and Public Works Departments. Development of the site must be in substantial conformance with the site improvement plans submitted with the Use Permit application.

**CONDITION #2 SIGN REGULATIONS:**

The project must comply with the City of Corning sign regulations established by Resolution 10-25-05-01.

**CONDITION #3 – LANDSCAPING:**

Landscaping within the site must be permanent in nature and an automatic means of irrigation must be provided. Applicant's attention is specifically drawn to City Code Chapter 16.27, Ground Cover Standards, and the requirement to plant and maintain ground cover and trees. Landscape plans must comply with water conservation ordinances adopted by the City and approved by the Public Works Director.

**CONDITION #4- REMOVE CONSTRUCTION DEBRIS:**

Prior to the issuance of a Certificate of Occupancy for the storage facility all construction debris must be removed from the site.

**CONDITION #5 - 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.

**CONDITION #6 - 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.

**CONDITION #7 - 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>).

**CONDITION #8 - GRADING PLANS:**

Complete grading plans shall be submitted for approval by the City Engineer.

**CONDITION #9 - 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.

**CONDITION #10 - 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. M.M.CR-1

**CONDITION #11 - 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.

**CONDITION #12 - SOILS INVESTIGATION:**

Prior to the issuance of a building permit for construction of the building the applicant shall submit a soils investigation by a registered engineering geologist or civil engineer to determine if expansive soils requiring special foundation design is necessary. The developer shall provide: 1) certification assuring adequate compaction of filled lots 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.

**CONDITION #13 – DRAINAGE 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 development.

**CONDITION #14 – STORM DRAIN RETENTION:**

Storm Drain and retention facilities shall be in accordance with the Drainage Analysis, constructed to City Standards and approved by the Public Works Director. Soils information (Soil Log) must be submitted to verify adequacy of on-site storm water retention designs.

**CONDITION #15 - FINISHED GRADE:**

Finished grade must be graded to direct runoff to stormwater drain facilities within the public right-of way or established drainage facilities (detention basins) constructed on the parcel.

**CONDITION #16 - CONSTRUCTION HOURS:**

Excavation and construction work shall occur only between the hours of 6:00 AM to 7:00 PM, Monday through Friday, and between the hours of 9:00 AM to 6:00 PM on weekends and federally observed holidays. M.M. NOI-1

**CONDITION #17 - 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.

**CONDITION #18 - DEVELOPMENT IMPACT FEES:**

Development of the proposed storage facility at this location is subject to development impact fees imposed in order to lessen new development's impacts on City facilities and services. These fees shall be assessed and payable prior to issuance of a Certificate of Occupancy. Costs incurred for improvements to "backbone" infrastructure facilities shall be credited against

development impact fees.

**CONDITION #19 – PUBLIC IMPROVEMENTS:**

All public improvements shall be constructed in accordance with the Subdivision Ordinance of the City of Corning and required Public Works Standards.

**CONDITION #20 - THERMOPLASTIC STRIPING:**

Install thermoplastic stop legend with bar at driveway intersections. Apply thermoplastic directional arrows in parking lot driveway lanes. Temporary signs must be in place during construction at all new driveway intersections.

**CONDITION #21 – CUSTOMER PARKING AREA:**

Customer parking area must be paved with asphalt or concrete and all parking areas must have painted stalls.

**CONDITION #22 – EXISTING UTILITIES, WATER & SEWER CONNECTIONS:**

Existing utilities must be removed outside the footprint of the proposed building. Water and sewer connections shall be completed in accordance with Public Works Specifications.

**CONDITION #23 - WATER METER:**

All new water meter must be touch read meters in thousand-gallon increments and approved by the Public Works Director prior to installation.

**CONDITION #24 - UTILITIES:**

All utilities, including but not limited to water, sewer, power, and data, shall serve the parcel from Toomes Avenue and not through adjacent access easements.

**CONDITION #25 – ACCESS EASEMENTS:**

Existing ingress/egress easement to Solano Street shall be used for emergency access only. A gate must be provided with Knox-locks/devices for emergency personnel access. An ingress/egress easement must be obtained and recorded prior to approval of the improvement plans and the start of construction from the two parcels west of the proposed development. This ingress/egress easement shall be the primary access to the site.

**CONDITION #26 – TRASH AND RECYCLING BIN AREA:**

The applicant, prior to submittal of final improvement plans, must meet with representatives of Waste Management and the City to determine an appropriate location and size for the trash and recycle bin enclosure while at the same time maintaining the maximum amount of parking spaces as possible. The trash and recycling enclosure height shall be of a height to or greater than the height of the dumpster bins and shall include adequate space for the collection of recyclable materials. Trash and recycling collection service is required.

**CONDITION #27 - RETAINING WALL:**

The applicant will be required to construct a durable land use barrier (6'-0" high masonry wall or equivalent) along the east property line adjacent to single family residential properties that will mitigate noise and land use impacts caused by and/or affecting the proposed development.

**CONDITION #28 - PERIMETER FENCING:**

A 6-foot-tall perimeter fence shall be constructed around the perimeter of the development. Install a 6-foot wide (minimum) man-gate in the fence on the east property line adjacent to Toomes Avenue for hose access to the existing hydrant. Fencing requirements Per City of Corning Municipal code 17.50.150

**CONDITION #29 STORAGE:**

The proposed project will not include any RV spaces for overnight stays, it will be for RV Parking/Storage and self-storage pods ONLY. If RV stays are allowed, it could result in the revocation of the Conditional Use Permit 2020-293.

**CONDITION #30 – SITE LIGHTING:**

Interior night-lights shall be used during hours of 15 minutes before dusk to 7 am when premises are closed for business.

Exterior lighting shall be downward casting and fully shielded to prevent glare and not spill onto adjacent properties. M.M. AES-1

**CONDITION #31 EMERGENCY PERSONNEL:**

\*Approved Knox-locks/devices shall be installed at the gate(s).

\*RV's and Trailers stored in parking spaces shall be separated from the storage units.

\*"No Trespassing" signs shall be posted at the entrance to facility.

**CONDITION #32:**

The existing trees that currently line the parcel to the south will remain in place to be used as an aesthetic buffer between the proposed project and the apartment complex.

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**F. REGULAR AGENDA:**

3. **Recommend City Council adoption of Ordinance 699, an Ordinance amending Chapter 5.50 of the Corning Municipal Code pertaining to Street Vending, and recommend adoption of Resolution 07-19-2022-01, a Resolution of the Planning Commission of the City of Corning recommending approval of an Ordinance Amending Chapter 5.50 Pertaining to Street Vendors.**

This item was presented by Planner II Christina Meeds. She then presented the current requirements for operating a mobile/street vending business and obtaining a Vending License

The proposed Ordinance will require the following:

- Mobile Vendor License
- Permit will need to be displayed
- Site plan of restrooms within 100 ft.
- Permission from property owners
- California Sellers Permit (for sales tax purposes)
- Proof of current registration on vehicle
- No vending within 200 ft. of active established restaurant
- One sign only affixed to vehicle
- Operations between the hours of 7am and 10pm
- At year 2, the property owner where Mobile Vendor is located will be required to install curb, gutter, and sidewalk if none are present at the sight.
- City retains the right to revoke license
- Vendors will be required to remove all evidence of vending at end of the day

The proposed Ordinance also imposes monetary fines for various violations.

**Commissioner Questions:**

Commissioner Mesker confirmed that currently there are 11 licensed Vendors; do we know the number not licensed? Ms. Meeds stated no. Commissioner Poisson asked about the required removal of tables/chairs and end of day, will that apply to all? Ms Meeds stated yes.

Commissioner Mesker explained the reason for the proposed Ordinance and the Staff time involved. He stated that the intent is not to put anyone out of business, but to regain control and establish regulations controls that are fair to everyone.

Kelly Shan stated she thinks that what is being presented seems good; however, the \$500 per year seems steep for some as their business is dependant upon the weather. Placement of some of the longtime vendors could be impacted by requiring them to move back to meet the 200 ft. requirement and stated concerns about vending businesses open on weekends that don't comply with existing businesses. She stated that the Vending Vehicles are very expensive sometimes upward of \$20,000. She believes that City Staff and the Commissioners are doing the right thing in researching this and putting together regulations.

Johnny Hernandez believes it is not fair, everybody should have equal opportunity, however he believes that the proposed compromise to move some to meet the 200 ft. requirement is good if necessary. Another Audience Member that is going through the process stated that pushing the

trucks back towards the dumpsters is not cohesive to a food business. Another audience member stated it is not fair what the City is proposing. She stated she would love to open up her own restaurant, but sometimes there is not enough money. Rosa Gonzales, operator of Johnny Boys stated she is disappointed with the 200ft requirement; if you go to other Cities (Chico, Sacramento) businesses are next to each other, there is no jealousy. She is also disappointed about the \$500 fee; it is a little too high. She stated her customers are like her family, treat the people how you would like to be treated.

Steve Kimbrough stated he thinks the work done by the Staff and Commission is outstanding.

Vendor at Heritage Square stated she is a new Vendor that will be going in between the Fed Ex Business and the Gym back by the RV Park. They will be opening next week. Rosie Flores stated that she did not make this Ordinance, nor does she want to shut anyone's business down.

A member of the audience suggested that the Trucks currently in business should be grandfathered in and not be required to move.

Commissioner Mesker clarified the timeline of the Ordinance, as did Planner II Christina Meeds and City Manager Miller. It is only permanent and active restaurants at the time the Ordinance becomes effective.

**Commissioner Poisson:** Asked if there have been complaints from existing brick and mortar restaurants; response was yes.

**Commissioner Robertson:** Thinks moving the food trucks back towards the dumpsters is not a good idea.

It was clarified that anything the Commission wishes to be changed/added can be done via a recommendation to the City Council and that a push card meets the classification of Mobile Vendor unless it moves every 10 minutes.

**Commissioner Mesker:** Pointed out some items within the proposed Ordinance such as leaving the sight clean and the end of the day, and taxes being collected and paid by Mobile Vending...these are two of the problems items that the proposed Ordinance addresses.

**Commissioner Poisson:** Thanked everyone for coming and sharing their thoughts. She thinks that moving the Vendors back will affect their businesses. She recommends "Grandfathering" those businesses currently in existence. Poisson suggested "Grandfathering" the existing Mobile Vending businesses but maintaining the 200 ft. for future Mobile Vending businesses.

Clarification, the "Grandfathering" in will only apply to the 200 ft., everything else would remain the same. The "Grandfathering in" would include verbiage stating that if the business changes in anyway the Grandfathering goes away.

Commissioner Robertson thanked everyone for being polite and stated that had the rules have been followed this proposed Ordinance may not have been proposed.

Commissioner Poisson moved to approve recommendation to City Council to amend Chapter 5.50 and adopt Ordinance 699 – Street Vending to reflect the presented Ordinance, adopt Resolution 2022-03, and add to the Ordinance the Grandfathering in of existing Mobile Vendors, however if the business changes, the "Grandfathering" goes away. Commissioner Barron seconded the motion. **Ayes: Robertson, Barron, Poisson, and Mesker. Absent: Lamb. Abstain/Oppose: None. Motion was approved by a 4-0 vote with Lamb absent.**

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

**H. ADJOURNMENT!:** 7:57 p.m.

**ITEM NO: E-2  
PROPOSED TENTATIVE PARCEL MAP  
2022-0008 SALVADOR MAGANA, MAP  
TO CREATE A NEW PARCEL AT APN  
073-134-006.**

**August 16, 2022**

**TO: PLANNING COMMISSION OF THE CITY OF CORNING**  
**FROM: CHRISSE MEEDS, PLANNER 1**  
**KRISTINA MILLER, CITY MANAGER**



**PROJECT DESCRIPTION & LOCATION:**

Mr. Magana has submitted an application to the City to split his parcel known as APN: 073-134-006-000 located at 820 Chestnut St. This property sits on the southwest corner of Chestnut and First Streets. On the existing parcel there is a house, a detached garage and two sets of single apartments. Tentative Map 2022-0008 proposes to create a new parcel for the house and garage. Mr. Magana's goal is to sell the house and use the funds from the sale to renovate the apartments.

**GENERAL PLAN LAND USE DESIGNATION:**

Residential

**ZONING DESIGNATION:**

R-2- Single Family Duplex

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The California Environmental Quality Act Guidelines provide for the exemption of certain minor projects that meet all conditions of the General Plan and Zoning Code and have access to existing City streets and utilities. The Guidelines qualify such exemption, however, by requiring the City to ensure that the development of the Project will not have a "cumulative negative impact" upon the environment or surrounding properties. Many of the proposed Conditions on this Project are contained in existing City Codes. With several additional Conditions of Development, this Project will not have an adverse impact upon the environment or the surrounding properties.

**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 Parcel 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 Residential on the General Plan Land Use Map. Current zoning is R-2, Single Family Duplex as such the project is consistent with the General.

**Staff recommends the following three (3) 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 the Tentative Parcel Map was prepared, A Notice of Exemption has been filed with the Tehama County Clerk & Recorder and on the CEQA Submit Site.

**Legal Finding #1:**

The granting of Tentative Map 2022-0008 is a minor land division and therefore exempt from CEQA pursuant to Section 15315, Class 15.

**Factual Subfinding #2:**

Municipal water and sewer services will continue serving the resultant parcels pursuant to Proposed Tentative Map 2022-0008.

**Legal Finding #2:**

There will be no conflicts with City Water and Sewer Services for the resultant parcels of Proposed Tentative Map 2022-0008.

**Factual Sub finding #3:**

A Registered Professional Engineering firm, Hamilton Engineering Incorporated prepared exhibit maps and legal descriptions of the resultant parcels of Tentative Parcel Map 2022-0008.

**Legal Finding #3:**

The City accepts these maps depicting the existing and proposed property boundaries but makes no attempt to certify neither title nor accuracy of the attached drawing.

**ACTION**

**MAKE A MOTION TO RECOMMEND THAT THE CORNING CITY COUNCIL ADOPT THE 3 FACTUAL SUBFINDINGS AND LEGAL FINDINGS AS PRESENTED IN THE STAFF REPORT AND APPROVE TENTATIVE PARCEL MAP 2022-0008.**

**OR**

**MAKE A MOTION TO RECOMMEND THAT THE CORNING CITY COUNCIL DENY TENTATIVE PARCEL MAP 2022-1008.**

**ATTACHMENTS:**

**EXHIBIT "A": COPY OF TENTATIVE MAP**

