



**CITY COUNCIL
REGULAR MEETING AGENDA
TUESDAY, OCTOBER 11, 2022
CITY COUNCIL CHAMBERS
794 THIRD STREET**

**OR
VIA ZOOM**

<https://us06web.zoom.us/j/9342948553?pwd=WFF2OVdJZnhldTZKRvJwZ1FSTFFTUT09>

Meeting ID: 934 294 8553, Passcode: 01252022

OR BY PHONE at (720) 707- 2699

Meeting ID: 934 294 8553, Passcode: 01252022

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

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

B. ROLL CALL:

**Council: Dave Demo
Karen Burnett
Shelly Hargens
Jose "Chuy" Valerio
Mayor: Robert Snow**

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

D. INVOCATION: Led by Councilor Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation: October 20 – 22, 2022 Western Open Fiddle Days.** Present to accept the Proclamation will be Members of the Western Open Fiddlers.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes of the following meetings with any necessary corrections:**
 - a) **September 27, 2022 Special City Council Meeting (6:00 p.m. Meeting)**
 - b) **September 27, 2022 Closed Session and Regular City Meeting with any necessary corrections.**
 - c) **September 30, 2022 Emergency Special City Council Meeting.**
4. **October 5, 2022 Claim Warrant in the amount of \$284,679.37.**
5. **September 2022 Wages & Salaries: \$390,568.19.**
6. **September 5, 2022 Business License Report.**
7. **September 2022 Treasurer's Report.**
8. **September Building Permit Valuation Report in the amount of \$801,964.**
9. **September 2022 City of Corning Wastewater Operations Summary Report.**
10. **Adopt Resolution No. 10-11-2022-01 approving a Rural Fire Capacity Assistance (RFC) Agreement in the amount of \$6,104.75 with CALFIRE and authorize the City Manager to sign the Agreement.**
11. **Authorize payment of invoice #187551 to PSOMAS in the amount of \$20,033.87 for construction management and inspections during the Solano Street Improvement Project.**

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H. ITEMS REMOVED FROM THE CONSENT AGENDA:

I. PUBLIC HEARINGS AND MEETINGS:

12. Public Hearing: Adopt Ordinance 702 amending Title 17 to add Chapters 17.70 and 17.71 establishing regulations regarding Urban Dwelling Units and Urban Lot Splits in Single Family Residential Zones. (Introduction and 1st Reading)
13. Public Hearing: Adopt Ordinance 703, an Ordinance deleting Chapter 17.24 and amending Chapters 17.22, 17.47 and 17.48 of the Corning Municipal Code to permit all Commercial Uses within the CH Highway Service Commercial Overlay District. (Introduction and 1st Reading)

J. REGULAR AGENDA:

14. Authorize the Public Works Department to surplus and sell the 1995 F-150 Truck (Unit-2) through BIDCAL.
15. Accept and authorize the Fire Department to add the recently acquired Forest Service Engine to the City Fire Department Fleet.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION:

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

Demo:

Burnett:

Hargens:

Valerio:

Snow:

N. ADJOURNMENT:

POSTED: FRIDAY, OCTOBER 7, 2022



PROCLAMATION

WESTERN OPEN FIDDLE DAYS OCTOBER 20 - 22, 2022

WHEREAS, the 39th Annual Western Open Fiddle Championships, are being held in Red Bluff at the Red Bluff Elks Lodge; and

WHEREAS, the Annual Western Open Fiddle Championships are supported by the California State Old-Time Fiddle Association, whose purpose is to perpetuate and promote the art of old-time fiddle music; and

WHEREAS, the Western Open Fiddle Championships will be held in Red Bluff for the 25th year; and

WHEREAS, the Western Open draws fiddlers and fans, ages 3 to 93 from throughout the Western United States and Canada to Tehama County.

NOW, THEREFORE I, Robert Snow as Mayor of the City of Corning, **DO HEREBY PROCLAIM OCTOBER 20th - 22, 2022 AS "WESTERN OPEN FIDDLE DAYS"**. I invite all citizens to join in with the participants of the 25th Red Bluff Edition of the 39th Annual Western Open Fiddle Championships in promoting and perpetuating the art and music of our cultural heritage and old-time fiddling.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Corning to be affixed this 11th day of October 2022

Robert Snow, Mayor

ATTEST:

Lisa M. Linnet, City Clerk



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MINUTES**

**TUESDAY, SEPTEMBER 27, 2022
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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A. CALL TO ORDER: 5:00 p.m.

B. ROLL CALL:

**Council: Dave Demo
Karen Burnett
Jose "Chuy" Valerio
Shelly Hargens
Mayor: Robert Snow**

All members were present except Councilor Valerio.

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

C. PUBLIC COMMENTS: None.

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: Greg Einhorn, Labor Relations Consultant
Bargaining Units: Management, Public Safety, Dispatcher, and Miscellaneous**

E. ADJOURN TO SPECIAL CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:00 p.m.

Mayor Snow reported that direction was given to Staff.



**CITY OF CORNING
SPECIAL CITY COUNCIL
MEETING MINUTES**

**TUESDAY, SEPTEMBER 27, 2022
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

**Council: Dave Demo
Karen Burnett
Jose "Chuy" Valerio
Shelly Hargens
Mayor: Robert Snow**

All members of the City Council were present except Councilor Valerio.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there

anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS: None

D. REGULAR AGENDA:

Approve Specifications and Bid Documents and Authorize Staff to Solicit Bids for the Building Demolition Project Encompassing the Entire City Block Between Solano and Marin Streets and 3rd and 4th Streets.

Presented by City Manager Kristina Miller who stated the City has completed lead/asbestos testing in all of the buildings. Asbestos was found and it will be properly abated. Lead was also found however it does not need to be removed, but a waste characterization study will be performed to determine where the waste will be landfilled. The concrete will not be removed at this time.

Following the report, Councilor Demo moved to approve the Specifications and Bid Documents as presented and authorize Staff to solicit Bids for the building demolition project encompassing the entire City block between Solano and Marin Streets and Third and Fourth Streets. Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Burnett, and Hargens. Absent: Valerio. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Valerio absent.**

E. ADJOURN AT 6:07 P.M. TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:07 p.m.



**CORNING CITY COUNCIL
MEETING MINUTES
TUESDAY, SEPTEMBER 27, 2022
CITY COUNCIL CHAMBERS IN PERSON
AT 794 THIRD STREET
OR
VIA ZOOM AT:**

<https://us06web.zoom.us/j/9342948553?pwd=WFF2OVdlZnhldTZKRvJwZ1FSTFFUT09>

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B. ROLL CALL:

**Council: Dave Demo
Karen Burnett
Jose "Chuy" Valerio
Shelly Hargens
Mayor: Robert Snow**

All members of the City Council were present.

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

D. INVOCATION: Led by Councilor Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

- 1. Proclamation: October 2022 as National Domestic Violence Awareness Month.** Present to accept the Proclamation was Maggie Michael, Empower Tehama Legal Advocate. Ms. Michael's announced that an office will be opening in Corning. She provided statistics for domestic violence calls in Tehama County and stated it is higher than average. Upcoming events and activities in support of domestic violence awareness and prevention were announced.

THE CITY OF CORNING IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

City Planner II/Recreation Coordinator Chrissy Meeds announced that the Tuesday Night Market will be shifted to the east, between 3rd & 4th Street on Solano Street due to the current road construction. She then announced the location and time of the Bed Races and the locations for the live Band, Vendors, and Food Trucks.

City Manager Kristina Miller announced that the City Council approved the Specifications and Bid documents for demolition of the entire City Block on Solano Street between 3rd and 4th Streets, and authorized Staff to solicit Bids for the Project at a Special Meeting held tonight.

Councilor Hargens asked about the problems with the Pickleball Courts.

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

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the reading and approve the Minutes of the September 13, 2022 City Council Closed Session and Regular Meetings with any necessary corrections.**
4. **September 22, 2022 Claim Warrant in the amount of \$506,793.10**
5. **September 21, 2022 Business License Report.**
6. **Authorize payment of Invoice #23706 in the amount of \$4,940.74 to R.E.Y. Engineers for the West Street School ATP Connectivity Project Engineering and Environmental Services.**
7. **Authorize payment of Invoice #23707 in the amount of \$3,598.73 to R.E.Y. Engineers for the Olive View ATP Connectivity Project Engineering and Environmental Services.**

Councilor Valerio moved to approve the Consent Agenda Items 2-7; Councilor Burnett seconded the motion. **Ayes: Snow, Demo, Valerio, Burnett, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None

I. PUBLIC HEARINGS AND MEETINGS: None

J. REGULAR AGENDA:

8. **Authorize Payment of Invoice #2 to Walberg, Inc. in the amount of \$297,998.19 for the Solano Street Improvement Project.**

This item was presented by City Manager Kristina Miller who stated that this invoice is for work completed between August 23, 2022 and September 20, 2022 and she recommends approval.

Councilor Demo moved to approve payment of invoice #2 in the amount of \$297,998.19 to Walberg, Inc. for the Solano Street Improvement Project from the funding listed. Councilor Hargens seconded the motion. **Ayes: Snow, Demo, Valerio, Burnett, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

9. **Consideration and approval of the City of Corning Memorandum of Understanding Amendment between the City of Corning and the County of Tehama for CDBG CV1 Funding to support the PATH Homeless Navigation Center Construction Project.**

This item was presented by City Manager Kristina Miller who stated the City was awarded Funding under the CDBG CV 1 Grant in the amount of \$66,091.21 from the Department of Housing and Community Development CDBG Program in response to COVID Impacts. The City acted to combine efforts with the County of Tehama to address economic development impacts on small businesses located in Tehama County and contracted with 3CORE to provide the outreach and applicant screening for the Business Assistance Grant Program. Of the 29 applications received, only one qualified due to the stringent grant criteria. City Manager Miller is now requesting authorization to move the funds to support the PATH Homeless Navigation Center as the City is not the lead advocate and has no qualifying approved projects/programs.

Councilor Burnett moved to approve the Amendment of the Memorandum of Understanding (MOU) between the City of Corning and the County of Tehama allocating the balance of the CV1 allocation in the amount of \$66,091.21 to the County of Tehama for the construction of a Homeless Navigation Center; and authorize the City Manager to sign the MOU. Councilor Valerio seconded the motion. **Ayes: Snow, Demo, Valerio, Burnett, and Hargens. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

10. Request City Council Direction on how to accommodate "Indoor-type Soccer" within our City Park facilities.

Presented by City Manager Kristina Miller who stated that the nets at the new Pickleball Courts/Tennis Courts have been being removed for "indoor" type soccer at Northside Park as they like using them for the lighting and cement surface. Staff has discussed possible options to address this issue at the weekly Staff Meeting and have come up with the following options:

Option 1: Modification to the existing Tennis/Pickleball Courts. This includes purchasing a new mobile net including poles for the tennis court that can easily be moved to allow for this area to be utilized by the soccer players. This would also include the installation of a new 4' tall fence, including gates that would separate the tennis court area and the pickleball court area. These improvements would allow for both the pickleball players and the soccer players to play at the same time and without having to remove the pickleball nets.

Option 2: Modification to the existing Basketball Court. This option includes installing a new 6' tall fence around the existing basketball court at Northside Park. The Soccer players could utilize this court, which has lighting, instead of the tennis/pickleball courts. To accommodate those that utilize the basketball courts in the evening hours under the lights, staff would recommend installing new solar lights at the basketball courts at Community Park. This would allow for these courts that are currently not utilized in the evening due to the lack of lighting to be useable. Ms. Miller noted that neither option is included in this year's budget; if Council selects one of the options, Staff will present a plan/budget for the selected option at a future meeting.

Councilors Snow, Demo, Burnett, and Hargens were in favor of Option 2; Councilor Valerio was in favor of Option 1. Option 2 was selected by a vote of 4-1.

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

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None

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

Demo: Attended the Tehama County Transportation Commission Meeting yesterday with nothing on the Agenda.

Burnett: Announced she would be attending the Tehama County Solid Waste Management Agency Board Meeting Tomorrow.

Hargens: Announced she attended the Community Action Tripartite Board Meeting and stated it was basically financial based discussions.

Valerio: Reported on the upcoming Chamber of Commerce Events, Chamber Memorial Golf Tournament will be held on Saturday, October 1st from 9am to 2pm at Rolling Hills Casino "The Links" Golf Course; Corning Tuesday Night Market is Tuesday, October 3rd from 5pm to 8 pm; Olive Festival Hoedown at the Corning VFW Hall on Thursday, October 6th from 6pm to 8:30pm; Corning Homecoming Parade on Friday, October 7th at 3pm; Corning Olive Festival and Car Show on Saturday, October 8th from 10am to 3pm at Corning community Park and Corning Lennox Fields.

Snow: Nothing

N. ADJOURNMENT: 7:17pm

Lisa M. Linnet, City Clerk



MEMORANDUM

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: LORI SIMS
ACCOUNTING TECHNICIAN

DATE: October 5, 2022

SUBJECT: Cash Disbursement Detail Report for the
Tuesday October 11, 2022 Council Meeting

PROPOSED CASH DISBURSEMENTS FOR YOUR APPROVAL CONSIST OF THE FOLLOWING:

A.	Cash Disbursements	Ending 09-30-22	\$	72,616.22
B.	Cash Disbursements	Ending 10-05-22	\$	136,196.33
C.	Payroll Disbursements	Ending 10-05-22	\$	75,866.82

GRAND TOTAL \$ 284,679.37

REPORT.: Sep 30 22 Friday
 RUN....: Sep 30 22 Time: 11:58
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
 Check Listing for 09-22 thru 09-22 Bank Account.: 1020

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

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
033711	09/22/22	FLE02	FLEMING, JOHN E.	1962.50	2022/9-22	PROF SVCS-BLD & SAFETY
033712	09/23/22	QUI02	QUILL CORPORATION	70.03	27647577	OFFICE SUPPLIES-FIRE
033713	09/23/22	TRI02	TRI-COUNTY NEWSPAPERS	101.81	00283128	Print/Advert. City Clerk
033714	09/27/22	TEH08	COUNTY OF TEHAMA	50.00	220927	MAT & SUPPLIES-PLANNING
033715	09/28/22	COM01	COMPUTER LOGISTICS, INC	4138.00	83650	EQUIP MAINT-
033716	09/28/22	CSF00	CSFEWBC-VFLSA	1750.00	2022-233	FIRE SERVICE AWARDS-FIRE
033717	09/28/22	ECO05	ECORP CONSULTING, INC.	877.50	97811	PROF SVCS-PLANNING
033718	09/28/22	GAY02	GAYNOR TELESYSTEMS, INC	16338.84	000041551	CCTV SEC CAM SYS 21/22-POLICE DISPATCH
033719	09/28/22	GON02	GONZALEZ JUMPERS & PARTY	348.00	221004	MAT & SUPPLIES-COMM EVENTS (CORNING TUES NIGHT MKRT
033720	09/28/22	TEH28	TEHAMA COUNTY HEALTH SERV	13355.66 11879.18 11509.62 346.05 5383.17	20-2 20-3 20-4 21-1 20-1B	PROF SVCS-PROP 47 CYCLE 2 PROF SVCS-PROP 47 CYCLE 2 PROF SVCS-PROP 47 CYCLE 2 PROF SVCS-PROP 47 CYCLE 2 PROF SVCS-PROP 47 CYCLE 2
Check Total.....:				42473.68		
033721	09/29/22	ALT00	ALTUS NETWORK SOLUTIONS,	101.25	15574	EQUIP MAINT-DISPATCH
033722	09/29/22	COR11	CORNING SAFE & LOCK	28.82	9250	MAT & SUPPLIES-POLICE
033723	09/29/22	COR13	CORNING VOLUNTEER FIRE	80.50	220929	SAFETY ITEMS-FIRE
033724	09/29/22	COR55	CORRY, CHASE	257.96	09242022	K9 PROGRAM-POLICE
033725	09/29/22	GOL06	GOLDEN STATE EMERGENCY VE	881.83	CI035623	VEH OP/MAINT-FIRE
033726	09/29/22	KUS02	KUSTOM SIGNALS, INC.,	2548.56	596845	VEH REPLACE-POLICE CAP REPLACE
033727	09/29/22	LIF00	LIFE-ASSIST, INC.	387.90	1253713	SAFETY ITEMS-FIRE
033728	09/29/22	XER00	XEROX CORPORATION	23.82	017144920	EQUIP MAINT-DISPATCH
033729	09/30/22	INT01	INTERLAND BUSINESS SUPPLY	89.97	1909	MAT & SUPPLIES-REC
033730	09/30/22	\H082	CARL HAMMER	8.11	000C20901	MQ CUSTOMER REFUND FOR HAM0024
033731	09/30/22	\K010	KENNETH KEITH	36.78	000C20901	MQ CUSTOMER REFUND FOR KEI0001
033732	09/30/22	\M156	JORGE MALDONADO JR.	50.00	000C20901	MQ CUSTOMER REFUND FOR MAL0049
033733	09/30/22	\S133	CHRISTIAN SANCHEZ	10.36	000C20901	MQ CUSTOMER REFUND FOR SAN0151
Cash Account Total.....:				72616.22		
Total Disbursements.....:				72616.22		
Cash Account Total.....:				.00		

REPORT.: Oct 05 22 Wednesday
 RUN....: Oct 05 22 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
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Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
033707	10/03/22	WAL11	WALBERG INC.	-297998.19	#2u	Ck# 033707 Reversed
033734	10/03/22	COR07	CORBIN WILLITS SYSTEMS, I	713.43	000C210011	EQUIP MAINT-FINANCE
033735	10/03/22	COR09	CORNING CHAMBER OF COMM.	1000.00	000C210011	CngChamberComm. Economic
033736	10/03/22	MOO07	MOORE & BOGENER, INC.	5525.00	000C210031	CONSULTING SVCS-LGL SVCS
033737	10/03/22	NEL00	NELSON, JEFFREY NEIL	54.70	000C210011	PROF SVCS-FIRE DEPT
033738	10/03/22	OCH01	OCHOA CLEANING	4370.00	000C210011	JANITORIAL SERVICES-
033739	10/03/22	PIT01	PITNEY BOWES	183.80	000C210011	Rents/Leases Finance Dept
033740	10/03/22	SCH16	SCHLERETH, DAYMON WAYNE	104.70	000C210011	PROF SVCS-FIRE DEPT
033741	10/03/22	TEH08	COUNTY OF TEHAMA	50.00	221003	MAT & SUPPLIES-PLANNING
033742	10/04/22	AIR00	AIRGAS USA, LLC	72.40	999197028	MAT & SUPPLIES-FIRE
033743	10/04/22	ATT02	AT&T	43.57	18824442	COMMUNICATIONS-
033744	10/04/22	CAL07	CA RURAL WATER ASSOC.	1237.00	220901	REQ/PERMITS STATE-WTR
033745	10/04/22	CAL35	CALIFORNIA BUILDING STAND	196.00	JUL-SEP22	SB 1473-BLD & SAFETY
033746	10/04/22	COR08	CORNING LUMBER CO INC	131.31	220925	MAT & SUPPLIES-
033747	10/04/22	COR11	CORNING SAFE & LOCK	8.89	9257	MAT & SUPPLIES-PARKS
033748	10/04/22	COR2A	CORNING MINI STORAGE	150.00	32049	MAT & SUPPLIES-REC (SEPT & OCT RENT)
033749	10/04/22	DEP09	DEPT OF CONSERVATION	617.18	2022-1003	StrongMotion Bldg & Safet
033750	10/04/22	DM001	DM-TECH	119.90	202210011	COMMUNICATIONS-GEN CITY
033751	10/04/22	GRA02	GRAINGER, W.W., INC	51.12	946402099	BLD MAINT-PARKS
033752	10/04/22	J&J00	J&J PUMPS, INC.	2775.27	17142-1-1	WELL REPAIRS-WTR CAP IMPROV
033753	10/04/22	JMB01	JMB OIL COMPANY	1104.84	254244	MAT & SUPPLIES-
033754	10/04/22	KNI01	KNIGHT, ASHLEY	598.98	09282022	TRAINING/ED-DISPATCH
033755	10/04/22	LIN01	LINCOLN AQUATICS, INC.	1429.15	SN090456	MAT & SUPPLIES-POOL
				-260.00	SN090653C	MAT & SUPPLIES-POOL
			Check Total.....:	1169.15		
033756	10/04/22	MCC07	MCCOY'S HARDWARE & SUPPLY	673.00	220927	MAT & SUPPLIES-
033757	10/04/22	MIS01	MISSION LINEN SUPPLY	26.94	517849831	MAT & SUPPLIES-PARKS
033758	10/04/22	NAP01	NAPA AUTO PARTS	1212.54	220925	MAT & SUPPLIES-
033759	10/04/22	PAC29	PACE ANALYTICAL SERVICES,	176.37	220965328	PROF SVCS-WTR DEPT
				329.87	220991228	PROF SVCS-WTR DEPT
				176.37	220995628	PROF SVCS-WTR DEPT
				57.23	220995728	PROF SVCS-WTR DEPT
			Check Total.....:	739.84		
033760	10/04/22	PAP00	PAPE MACHINERY INC.	292.89	13938603	MAT & SUPPLIES-PARKS
033761	10/04/22	PEN02	PENGUIN MANAGEMENT, INC.	570.00	71402	SAFETY ITEMS-FIRE
033762	10/04/22	PGE01	PG&E	43619.15	220921	Electricity General City-
033763	10/04/22	PGE04	PG&E	572.62	220929	TranspFacility-
033764	10/04/22	PGE2A	PG&E	136.75	220926	ELECT-CORNING COMMUNITY PARK
				98.06	220928	ELECT-MARTINI PLAZA
				20.67	220929	ELECT-CLELAND PROP
				205.02	220928A	ELECT-
			Check Total.....:	460.50		
033765	10/04/22	PGE2B	PG&E	527.36	8134718-9	SOLAR-WWTP
033766	10/04/22	QUI02	QUILL CORPORATION	8.33	27820771	MAT & SUPPLIES-BLD MAINT
				532.44	27843546	OFFICE SUPPLIES-FINANCE
			Check Total.....:	540.77		
033767	10/04/22	RED12	REDDING FREIGHTLINER,	1500.90	X10108128	VEH OP/MAINT-
				343.05	X10108192	VEH OP/MAINT-
			Check Total.....:	1843.95		
033768	10/04/22	RED15	RED TRUCK ROCK YARD, LLC	144.79	1413	MAT & SUPPLIES-PARKS
				415.06	1415	LANDSCAPE MAINT-L&L 2 (STONEFOX)
			Check Total.....:	559.85		
033769	10/04/22	RON03	RON DUPRATT FORD	42.27	338006	VEH OP/MAINT-MECH MAINT

REPORT.: Oct 05 22 Wednesday
 RUN....: Oct 05 22 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report
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PAGE: 002
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Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
033770	10/04/22	SCP00	SCP DISTRIBUTORS LLC	1967.20 -570.00	SN090457 SN090655C	MAT & SUPPLIES-WTR MAT & SUPPLIES-WTR
Check Total.....				1397.20		
033771	10/04/22	SRP01	SRPSTC	136.00	23-067	TRAINING/ED-POLICE
033772	10/04/22	USA01	USA BLUE BOOK	574.03	119443	MAT & SUPPLIES-WTR
033773	10/04/22	WAL11	WALBERG INC.	246237.08	#2-A	SOLANO PROJECT-STR PROJECTS
033774	10/04/22	WAR05	WARREN, DANA KARL	418.00	221004	REC INSTRUCTOR-REC
033775	10/05/22	ATT15	AT&T MOBILITY	675.07	220919	COMMUNICATIONS-
033776	10/05/22	ATT17	AT&T	80.25	220930	COMMUNICATIONS-FIRE
033777	10/05/22	BEC03	BECKLEY, RENAE	15.00	221005	REFUND ENCROACHMENT PERMIT #2022-34
033778	10/05/22	CEN14	CENTER FOR EVALUATION & R	8982.50	202012	DATA COLL/EVAL-PROP 47 CYCLE 2
033779	10/05/22	FIR05	FIRST NATIONAL BANK OMAHA	39.18	220927	MAT & SUPPLIES-
033780	10/05/22	FIR13	FIRST NATIONAL BANK OMAHA	1471.49	220927	MAT & SUPPLIES-
033781	10/05/22	FIR16	FIRST NATIONAL BANK OMAHA	1858.22	220927	MAT & SUPPLIES-
033782	10/05/22	FIR17	FIRST NATIONAL BANK OMAHA	70.84	220927	OFFICE SUPPLIES-
033783	10/05/22	GOL06	GOLDEN STATE EMERGENCY VE	1359.21	CI035963	VEH OP/MAINT-FIRE
033784	10/05/22	HOU00	HOUSING TOOLS	1265.00	2494	PROF SVCS-
033785	10/05/22	INL01	INLAND BUSINESS SYSTEMS	109.05	IN2968439	COMMUNICATIONS-
033786	10/05/22	MGT00	MGT OF AMERICA, INC.	550.00	47151	PROF SVCS-GEN CITY
033787	10/05/22	PGE01	PG&E	307.21 2431.19	221003 221003A	ELECT- ELECT-
Check Total.....				2738.40		
033788	10/05/22	PGE04	PG&E	322.43	221003	TranspFacility-
033789	10/05/22	PGE2B	PG&E	10215.93	220926	ELECT-WWTP
033790	10/05/22	PSO00	PSOMAS	20033.87	187551	SOLANO STREET PROJ-STR PROJECTS
033791	10/05/22	QUI02	QUILL CORPORATION	329.68 895.21	27874735 27952980	EQUIP MAINT-FIRE COMP/EQUIP/SOFT-FIRE
Check Total.....				1224.89		
033792	10/05/22	RIC06	RICO, BULMARO	100.00	221004	TRAINING/ED-FIRE
033793	10/05/22	RIV04	RIVER CITIES COUNSELING,	39029.93	765	COUNSELOR-PROP 47 CYCLE 2
033794	10/05/22	SEI01	SEILER, ROY R., CPA	3765.00	30529	PROF SVCS-FINANCE
033795	10/05/22	TAN00	T AND S DVBE, INC.	16502.85	22-2810	RADAR STOP SIGN-
033796	10/05/22	TEH13	TEHAMA CO AUDITOR	137.50	220930	PkngCiteToCnty Police Ser
033797	10/05/22	THO01	THOMES CREEK ROCK CO	550.07	221001	MAT & SUPPLIES-
033798	10/05/22	VAL11	VALLEY PACIFIC PETROLEUM	1900.95 475.66	22-543427 22-543429	MAT & SUPPLIES- VEH OP/MAINT-FIRE
Check Total.....				2376.61		
Cash Account Total.....				136196.33		
Total Disbursements.....				136196.33		
Cash Account Total.....				.00		

REPORT.: Oct 05 22 Wednesday
 RUN....: Oct 05 22 Time: 15:00
 Run By.: LORI SIMS

CITY OF CORNING
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 10-22 thru 10-22 Bank Account.: 1025

PAGE: 003
 ID #: PY-DP
 CTL.: COR

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
13426	10/05/22	AIR01	AIRMEDCARE NETWORK	328.00	C21005	AIRMEDCARE NETWORK
13427	10/05/22	BAN03	POLICE OFFICER ASSOC.	275.00	C21005	POLICE OFFICER ASSOC
13428	10/05/22	CAL37	CALIFORNIA STATE DISBURSE	138.46	C21005	WITHHOLDING ORDER
13429	10/05/22	EDD01	EMPLOYMENT DEVELOPMENT	4761.34 1490.88	C21005 1C21005	STATE INCOME TAX SDI
			Check Total.....	6252.22		
13430	10/05/22	ENL01	ENLOE MEDICAL CENTER	450.00	C21005	ENLOE FLIGHTCARE
13431	10/05/22	FED00	FEDERAL PAYROLL TAXES (EF	13615.16 16739.24 3914.76	C21005 1C21005 2C21005	FEDERAL INCOME TAX FICA MEDICARE
			Check Total.....	34269.16		
13432	10/05/22	ICM01	ICMA RETIREMENT TRUST-457	3563.00 185.00	C21005 1C21005	ICMA DEF. COMP ICMA DEF. COMP ER PD
			Check Total.....	3748.00		
13433	10/05/22	MCI04	MCINTYRE, JASON	321.12	C21005	WageAssign REIMB
13434	10/05/22	PERS1	PUBLIC EMPLOYEES RETIRE	24159.26	C21005	PERS PAYROLL REMITTANCE
13435	10/05/22	PERS4	Cal Pers 457 Def. Comp	2449.13 430.00	C21005 1C21005	PERS DEF. COMP. PERS DEF. COMP. ER P
			Check Total.....	2879.13		
13436	10/05/22	STA04	STATE OF CALIFORNIA	459.08	C21005	WAGEASN CS#571350142
13437	10/05/22	TEH16	TEHAMA COUNTY SHERIFF'S O	110.89	C21005	WageOrder F#20000149
13438	10/05/22	VAL06	VALIC	2334.00 142.50	C21005 1C21005	AIG VALIC P TAX AIG VALIC P TAX ER P
			Check Total.....	2476.50		
			Cash Account Total.....	75866.82		
			Total Disbursements.....	75866.82		

Item No.: G-6

Date.: Oct 5, 2022
Time.: 2:58 pm
Run by: LORI SIMS

CITY OF CORNING
NEW BUSINESSES FOR CITY COUNCIL

Page.: 1
List.: NEWB
Group: WTFMBM

Business Name	Address	CITY/STATE/ZIP	Business Desc	Bus Start Date
FISSORI FAMILY HONEY	24680 DALE RD.	CORNING, CA 96021	SELLING HONEY IN LOCAL SHOPS	10/04/22
MCDONALD'S	3375 SUNRISE WAY	CORNING, CA 96021	FAST FOOD	10/04/22
MY LITTLE DREAM	1307 SOLANO ST	CORNING, CA 96021	THRIFT STORE	10/04/22
PRO'S MAINTENANCE	7482 WHITE OAK RD	CORNING, CA 96021	JUNK REMOVAL & LANDSCAPING	10/04/22

CITY OF CORNING
TREASURER'S REPORT
SEPTEMBER 2022

<u>AGENCY</u>		<u>BALANCE</u>	<u>RATE</u>
Local Agency Investment Fund	\$	9,112,029.05	0.75%

Respectfully submitted:

Laura L. Calkins
City Treasurer



Monthly Permit Report

09/01/2022 - 09/30/2022

Permit #	Permit Date	Main Status	Parcel #	Parcel Address	Owner Name	Owner Address	Owner City	Owner Zip	Permit Type	Project Cost
22351	9/30/2022	PENDING	073-052-009-000	517 El Verano Ave.	SANTANA, ALMA	517 EL VERANO	Corning CA	96021	Solar	\$56,821
22350	9/29/2022	ISSUED	071-300-001	1873 Hwy. 99W	WILLIAMS	PO BX 7968	Chico	95927	Roof	\$7,500
22349	9/29/2022	Under Review	073-270-010-000	1180 Cassandra Cir.	LEWIS, SIGNE	1180 Cassandra CIR	Corning	96021	Solar	\$12,586
22348	9/29/2022	Under Review	071-103-001-000	1523 COLUSA ST	Beckwith, James A Jr & Beckwith, Doris ETAL	1523 Colusa ST	Corning	96021	Solar	\$22,863
22347	9/29/2022	Approved	071-263-013-000	1402 FIG LN	BOGARIN, RUBEN & MARIA L	1402 Fig LN	Corning	96021	Fence	\$600
22346	9/27/2022	ISSUED	073-212-009-000	711 STANMAR DR	JIMENEZ, SANDRA BARRETO ETAL	711 Stanmar Drive	Corning CA	96021	Solar	\$21,000
22345	9/27/2022	ISSUED	073-280-011-000	820 Stonefox St.	ROMERO, LUIS ETAL	241 McLane CIR	Corning	96021	Solar	\$23,000
22344	9/27/2022	Under Review	071-073-004-000	1780 COLUSA ST	Nancy L White Revocable Trust 9/29/18; White, Nancy L TR	1780 Colusa St.	Corning	96021	Solar	\$20,000
22343	9/27/2022	Under Review	073-154-001-000	1204 Marguerite Ave.	Pavlik, Eric & McGhee, Kally J.	1204 Marguerite Ave.	Corning CA	96021	Solar	\$27,000
22342	9/27/2022	Approved	071-062-042-000	2183 Colusa St.	Magallon, Eva Ayala; % Chavez, Martha	870 Schembri Ln	East Palo Alto	94303	Building	\$4,000
22341	9/26/2022	Online Application	073-260-030-000	103 Fig Ln	City of Corning Clark Park	794 3RD ST	Corning	96021	Building	\$150,000
22340	9/23/2022	Approved " Fees Due "	075-310-028-000	210 Blackburn Ave	OWEN, BONNIE P	210 Blackburn Ave.	Corning, CA	96021	Building	\$10,000

22339	9/23/2022	ISSUED	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22338	9/23/2022	approved " FEES DUE "	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22337	9/23/2022	ISSUED	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22336	9/23/2022	ISSUED	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22335	9/23/2022	ISSUED	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22334	9/23/2022	ISSUED	069-260-031-000	240 Edith Ave. #283	PI Properties NO 88 LLC	610 N Santa Anita Ave.	Arcadia, CA	91006-2772	HVAC	\$6,500
22333	9/23/2022	Under Review	071-056-006-000	1106 Colusa St.	MARTINEZ , RICARDO	1106 Colusa St.	Corning, CA	96021	Solar	\$31,514
22332	9/23/2022	Cancelled	067-260-054-000	23610 Vine Rd.	Sanders, James E. ETAL TRS Sanders Family TR 7/30/2	P O BOX 514	Corning, CA	96021	Roof	\$0
22331	9/22/2022	approved " FEES DUE "	073-280-025-000	445 Clear Creek St..	ELEAZER MARIN ARELLANO	445 Clear Creek St.	Corning CA	96021	Solar	\$13,000
22330	9/20/2022	ISSUED	071-053-005-000	310 4 th St.	MALLON, AUSTIN R	310 4TH St.	Corning CA	96021	Building	\$9,697
22329	9/16/2022	Under Review	073-200-028-000	450 STANMAR DR	Pryatel, Florence A SUC TR Pryatel FAM TR A 10/14/	450 STANMAR DRIVE	Corning CA	96021	Solar	\$57,000
22328	9/16/2022	approved " FEES DUE "	073-144-010-000	680 ALMOND ST	SCHROMM, STEVEN J	680 ALMOND STREET	Corning CA	96021	Mechanical	\$18,908
22327	9/16/2022	ISSUED		407 SOUTH ST	MONROE	407 SOUTH	Corning CA	96021	Electrical	\$8,500
22326	9/15/2022	ISSUED	071-045-012-000	1402 TEHAMA ST	Rosas, Jesus A & Rosas, Laura P	1402 TEHAMA ST	Corning CA	96021	Solar	\$24,757
22325	9/15/2022	approved " FEES DUE "	071-221-010-000	1658 KAUFMAN AVE	WOMACK, NICKI L & YVONNE D	1658 KAUFMAN	Corning CA	96021	Solar	\$25,707

22323	9/14/2022	Under Review	073-144-002-000	615 CHESTNUT ST	CABRERA	615 CHESTNUT	Corning CA	96021	Solar	\$31,294
22322	9/14/2022	ISSUED	071-175-003-000	1111A MARIN ST	GARCIA, VERONICA	1111 MARIN ST	Corning CA	96021	Building	\$40,000
22321	9/13/2022	ISSUED	073-010-033-000	320 Solano St.	LEE	320 Solano St.	Corning CA	96021	Signs	\$600
22320	9/13/2022	Closed	071-045-003-000	1425 NORTH ST	Richardson , Gregory E. & Michelle J.	195 McKinley Circle	Vacaville	95687	Electrical	\$2,400
22319	9/12/2022	ISSUED	071-062-017-000	2027 COLUSA ST	DUCHENE, FRANCIS C & JUDITH	2027 COLUSA ST	Corning, CA	96021	Roof	\$11,650
22318	9/12/2022	Closed	073-113-006-000	402 Walnut St.	Beveridge, Charlene & Michael	5760 LUPIN LN	POLLOCK PINES	95726	Mechanical	\$3,000
22316	9/9/2022	ISSUED	071-350-003-000	373 Edith Ave.	MADRIGAL -CABRERA, COSME	373 Edith Ave.	Corning, CA	96021	Building	\$3,657
22315	9/9/2022	Cancelled	067-320-049-000	5675 McDonald Rd.	Moore, Donna I, DBA Wildfire Ranch	5675 McDonald Rd.	Corning, CA	96021	Mechanical	\$0
22314	9/8/2022	ISSUED	087-090-042-000	3524 Hwy 99w	HPT TA Properties Trust; % Hospitality Properties TR	24601 Center Ridge Rd.	Westlake	44145-5634	Signs	\$14,910
22313	9/8/2022	Closed	071-241-010-000	1221 Sixth Ave.	BERRY, BRIAN A TR ETAL	P O BOX 342	Corning, CA	96021	Plumbing	\$17,000
22312	9/7/2022	Online Application	071-080-021-000	663 EDITH AVE	GROCERY OUTLET		Corning, CA	96021	Demo	\$10,000
22311	9/7/2022	Approved " FEES DUE "	071-350-032-000	2107 NORTH ST	HUGHES, WM T	P O BOX 798	Corning, CA	96021	HVAC	\$20,000
22310	9/7/2022	Approved " FEES DUE "	071-350-032-000	2107 NORTH ST	HUGHES, WM T	P O BOX 798	Corning, CA	96021	Solar	\$40,000
22309	9/2/2022	Online Application	073-300-032	976 Snow Peak Street	MORFIN DIOSALIN A REYES	250 Divisadero Ave. #34	Corning, CA	96021	Solar	\$24,000
										\$801,964

Total Records: 41



CITY OF CORNIG WASTEWATER OPERATIONS SUMMARY REPORT SEPTEMBER 2022

Below is a summary of the monthly operations report that will be available for review in October 2022.

- Completed monthly reports
- Submitted dry sludge lab results to Recology for approval
- Held staff meeting to discuss facility operations and issues
- Held daily safety tailgate meetings
- Inspected eyewash stations and emergency showers
- Completed testing of chemical release sensors
- Calibrated SO₃ analyzer
- Inspected all fire extinguishers
- Calibrated gas detector
- Exercised emergency generator
- Submitted ESMR/DMR report to Regional Board
- Completed monthly receiving water sampling and analysis.

- Completed monthly facility inspection
- Completed pretreatment inspections at several restaurants.
- Performed inspections of collection system trouble spots
- City of Redding employees on site for plant tour
- Secured and drained # 2 clarifier for inspection and cleaning
- Northstate Aggregate on site to haul dry sludge to Ostrom Road landfill
- Submitted quotes for sodium hypochlorite and sodium bisulfite conversions to
Public Works Director for approval.
sodium hypochlorite- \$128,605.00
sodium bisulfite- \$139,614.00

September 2022

Effluent Flow Monthly Average= 631,500 GPD

**ITEM NO.: G-10
ADOPT RESOLUTION NO. 10-11-2022-01
APPROVING A RURAL FIRE CAPACITY
ASSISTANCE (RFC) AGREEMENT IN
THE AMOUNT OF \$6,104.75 WITH
CALFIRE, AND AUTHORIZE THE CITY
MANAGER TO SIGN THE AGREEMENT**

October 11, 2022

TO: HONORABLE MAYOR AND COUNCIL

**FROM: KRISTINA MILLER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF**



SUMMARY:

Chief Tomlinson has received notification that the City of Corning Fire Department's 2022 RFC Application was selected for funding from the Department of Forestry and Fire Protection in the amount of \$6,104.75. As stated in the Grant Application, these funds will be utilized to aid the Corning Volunteer Fire Department in the purchase of:

<u>Item & Quantity</u>	<u>Cost Each</u>	<u>Total Cost</u>
❖ 3 Bendix King Radios	\$3,100.00	\$ 9,300.00
❖ 3 Antennas	\$ 51.50	\$ 154.50
❖ 6 Batteries	\$ 189.00	\$ 1,134.00
❖ 3 Vehicle Chargers	\$ 260.00	\$ 780.00
❖ 3 Microphones	\$ 147.00	\$ 441.00
❖ 8 Wildland Gloves	\$ 50.00	\$ 400.00
		\$12,209.50

Grant terms require a grant match in the amount of \$6,104.75 and adoption of the attached Resolution approving a Volunteer Fire Assistance Program Agreement between the City of Corning and the California Department of Forestry and Fire Protection. The attached Resolution will also require Council authorization for the City Manager to execute the Agreement and any amendments thereto. All Grant Awarding Package documents must be completed and returned by December 1, 2022.

FUNDING:

Staff incorporated in the 2022/2023 Budget, \$6,104.75 from the Safety Item/Fire Fund (001-6552-2300) as the City's 50% grant fund match. This line item is used specifically to fund the purchase of various types of safety equipment.

RECOMMENDATION:

MAYOR AND COUNCIL:

- 1. ADOPT RESOLUTION NO. 10-11-2022-01 APPROVING AGREEMENT NO. 7FG22310 BETWEEN THE CITY OF CORNING AND THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION; AND,**
- 2. AUTHORIZE THE CITY MANAGER TO SIGN AND EXECUTE THE AGREEMENT AND ANY AMENDMENTS ON BEHALF OF THE CITY OF CORNING; AND,**
- 3. APPROVE THE EXPENDITURE OF THE BUDGETED \$6,104.75 FROM FUND 001-6552-2300 FOR THE GRANT MATCHING FUND CRITERIA.**

RESOLUTION NO.: 10-11-2022-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
APPROVING AGREEMENT NO. 7FG210631 BETWEEN
THE CITY OF CORNING AND THE
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

WHEREAS the City Council of the City of Corning approves the **California Department of Forestry and Fire Protection Agreement No. 7FG22310** for services from the date of last signatory on page 1 of the Agreement to June 30, 2022 under the Volunteer Fire Assistance Program of the Cooperative Forestry Assistance Act of 1978.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corning that said Council does hereby approve the Agreement with the California Department of Forestry and Fire Protection dated as of the last signatory date of page 6 of the Agreement, and any amendments thereto. This Agreement provides for an award, during the term of this Agreement, under the Volunteer Fire Assistance Program of the Cooperative Fire Assistance Act of 1978 during the State Fiscal Year 2022/2023 up to and no more than the amount of **\$6,104.75**.

BE IT FURTHER RESOLVED that **Kristina Miller, City Manager** is hereby authorized to sign and execute said Agreement and any amendments on behalf of the **City of Corning**.

The foregoing Resolution was duly passed and adopted by the **City Council of the City of Corning** at a regular meeting held on this **11th** day of **October 2022** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Robert Snow, Mayor

ATTEST:

Lisa M. Linnet, City Clerk

I **Lisa M. Linnet**, City Clerk of the **City of Corning**, County of **Tehama**, California do hereby certify that this is a true and correct copy of the original Resolution Number **10-11-2022-01**.

WITNESS MY HAND OR THE SEAL OF THE City of Corning, on this **11th** day of **October 2022**.

ATTEST:

**Lisa M. Linnet, City Clerk
City of Corning**

ITEM NO.: G-11
AUTHORIZE PAYMENT OF INVOICE
#187551 TO PSOMAS IN THE AMOUNT
OF \$20,033.87 FOR CONSTRUCTION
MANAGEMENT AND INSPECTIONS
DURING THE SOLANO STREET
IMPROVEMENT PROJECT
October 11, 2022

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: KRISTINA MILLER, CITY MANAGER 
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT 

SUMMARY:

Staff requests Council authorize payment of invoice #187551 for construction management and inspections during the Solano Street Improvement Project, in the amount of \$20,033.87. This will be the second payment for this contract.

A summary of work was completed between July 29, 2022 through August 25, 2022 is included with the invoice.

BACKGROUND:

Psomas was awarded the construction management and testing services contract for the Solano Street Rehabilitation Project on June 28, 2022 City Council Meeting in the amount of \$99,886.00. An additional work authorization in the amount of \$37,027.00 was also awarded to Psomas for an increased scope of work on August 18, 2022. The total cost for the contract including the approved additional work is \$136,912.00.

FINANCIAL:

Partial funding for this project is from the litigation/settlement funds in part and any additional funds will be funded from the City's General Fund (Non-Measure A).

RECOMMENDATION:

THAT MAYOR AND COUNCIL APPROVE PAYMENT OF INVOICE #187551 IN THE AMOUNT OF \$20,033.87 TO PSOMAS FOR CONSTRUCTION MANAGEMENT AND INSPECTIONS DURING THE SOLANO STREET IMPROVEMENT PROJECT FROM THE FUNDING ACCOUNT 001-9299-3001.

PSOMAS

Invoice

PO Box 51463, Los Angeles, CA 90051-5763
888.203.3311 fax: 310.703.1388
www.Psomas.com

Robin Kampmann
Director of Public Works / City Engineer
City of Corning
794 Third Street
Corning, CA 96021

Invoice Date: September 6, 2022
Project No: 6COR050100
Invoice No: 187551

Total this Invoice: \$20,033.87

Solano Street Repairs Project
Professional Services from July 29, 2022 to August 25, 2022

Task 00001 Construction Management & Inspection

Professional Personnel

	Hours	Rate	Amount	
Construction Inspector OT	7.00	271.39	1,899.73	
Project Manager	12.00	230.91	2,770.92	
Resident Engineer	15.00	225.28	3,379.20	
Construction Inspector	40.00	210.38	8,415.20	
Office Engineer	3.00	136.72	410.16	
Contract Administrator	1.00	83.66	83.66	
Totals	78.00		16,958.87	
Total Labor				16,958.87

Consultants

Consultants (MT Hall Invoice)			3,075.00	
Total Consultants			3,075.00	3,075.00

Total this Task \$20,033.87

Billing Limits

	Current	Prior	To-Date
Total Billings	20,033.87	41,827.55	61,861.42
Limit			136,506.00
Remaining			74,644.58

Total this Invoice \$20,033.87

Outstanding Invoices

Number	Date	Balance
187105	8/18/2022	41,827.55
Total Outstanding		41,827.55
Account Balance		\$61,861.42

Project: 6000000000
Dept C
Dept Name: MT Hall
Approved: Brendan Ottoboni
Date: 08/18/2022

INVOICE



M.T. Hall & Associates, Inc.

609 Entler Avenue, Suite 4
Chico, CA 95928
Tel 530.893.2181 Fax 530.893.4647

DATE: 8/11/22
INVOICE#: 2287
MTHJOB#: 299.01
PROJECT: Solano Street - Corning, CA

Bill To:
Brendan Ottoboni
PSOMAS
1075 Creekside Ridge Drive, STE 200
Roseville, CA 95678


DESCRIPTION	AMOUNT
Billing Period 7/17/22 - 7/30/22	
Field Technician - 20.5.0 hrs @ \$150/hr	\$ 3,075.00
Total Amount Due \$ 3,075.00	

Contract Amount	\$	23,355.00
Previously Billed	\$	8,365.00
Total This Invoice	\$	3,075.00
Billed to Date	\$	11,440.00
Contract Balance	\$	11,915.00

Make all checks payable to M.T. Hall & Associates, Inc.
If you have any questions concerning this invoice, Contact, Tom Hall, 530.893.2181, tom@mthallassociates.com
THANK YOU FOR YOUR BUSINESS!

**ITEM NO.: I-12
ADOPT ORDINANCE 702 AMENDING
TITLE 17 TO ADD CHAPTERS 17.70 AND
17.71 ESTABLISHING REGULATIONS
REGARDING URBAN DWELLING UNITS
AND URBAN LOT SPLITS IN SINGLE
FAMILY RESIDENATIAL ZONES.**

October 11, 2022

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: KRISTINA MILLER; CITY MANAGER 
COLLIN BOGENER, CITY ATTORNEY
CHRISTINA MEEDS, PLANNER

BACKGROUND:

On September 16, 2021, Senate Bill (SB) 9 was signed into law by Governor Newsom, taking effect on January 1, 2022. SB 9 allows all properties within a “single-family residential zone” to be developed with two units and be subdivided into two parcels, irrespective of local development standards. There are two new types of development that must be reviewed ministerially under SB 9:

- Two Unit Development – Allows a single-family residential parcel to be developed with two primary dwelling units instead of just one, including an Accessory Dwelling Unit (ADU) and a Junior Accessory Dwelling Unit (JADU), for a total of four dwelling units.
- Urban Lot Split – Allows a single-family residential parcel to be subdivided into two parcels and for each parcel to be developed with two primary dwelling units. Local jurisdictions are not required to approved ADU’s or JADU’s on lots created by an Urban Lot Split.

SB 9 does allow a local jurisdiction to impose objective zoning, design, and subdivision standards, but is prohibited from applying any standard(s) that would preclude the construction of two units of less than 800 square feet on any single-family zoned property.

No setbacks are required for an existing structure or for new construction in the same location and having the same dimensions as an existing structure. Additionally, a local jurisdiction is also precluded from applying side or rear setbacks greater than four feet or requiring onsite parking for properties within one-half mile walking distance of either a high-quality transit corridor or a major bus stop, or within one-block of a car share vehicle.

A local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project (1) would have a specific, adverse impact upon public health and safety or the physical environment; and (2) there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

The proposed ordinance seeks to add two new chapters to the Corning Municipal Code to address SB 9, rather than combine the two. Chapter 17.70 will pertain to urban lot splits and Chapter 17.71 will focus on two-unit development on the same lot.

For both the lot splits and two-unit development, the parcel cannot be (1) prime farmland, (2) wetlands, (3) within a high fire severity zone, (4) a hazardous waste site, (5) within a delineated earthquake fault zone, (6) within a special flood hazard zone, (7) within a regulatory floodway, (8) lands identified for conservation in adopted natural community conservation plan, (9) a habitat for a protected species, and (10) lands under a conservation easement.

Further, under both chapters, the owner must sign a declaration/affidavit, which will be recorded on the property stating that the property will remain residential before the building permit will be issued.

ENVIRONMENTAL DETERMINATION:

The City of Corning finds that this Ordinance would be exempt from the California Environmental Quality Act (CEQA). Senate Bill 9 (Atkins) states that an ordinance adopted to implement this incorporation of Senate Bill 9 shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

PUBLIC NOTICE:

A 10-day public hearing notice of the proposed amendment was published in the Red Bluff Daily News. No public comments on the project have been received at the Planning Department at the time of this report.

RECOMMENDATION:

MAYOR AND COUNCIL:

- **ACCEPT FOR INTRODUCTION AND FIRST READING, ORDINANCE 702 , AN ORDINANCE AMENDING TITLE 17 TO ADD CHAPTERS 17.70 AND 17.71 ESTABLISHING REGULATIONS REGARDING URBAN DWELLING UNITS AND URBAN LOT SPLITS IN SINGLE FAMILY RESIDENATIAL ZONES;**
- **DIRECTION THE CITY CLERK TO READ ORDINANCE 702 BY TITLE; AND**
- **APPROVE ORDINANCE SUMMARY FOR PUBLICATION.**

ATTACHMENTS:

- A. Planning Commission Resolution No 09-20-2022-01**
- B. Draft Ordinance 702**

ORDINANCE 702

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING TITLE 17 (ZONING) TO ADD CHAPTER 17.70- URBAN LOT SPLITS AND CHAPTER 17.71- TWO-UNIT DEVELOPMENTS.

WHEREAS, in September 2021, Governor Newsom signed Senate Bill 9 (SB 9), a new state law effective January 1, 2022. SB 9 requires ministerial approval of Urban Dwelling Units and Urban Lot Splits in single family residential zones, in accordance with certain statutory criteria; and

WHEREAS, through this ordinance, the City Council seeks to amend Chapter 17- Zoning to add Chapters 17.70 and 17.71 the Corning Municipal Code to ensure compliance with the requirements of SB 9.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORNING DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 17.70 "URBAN LOT SPLITS" of Title 17 "Zoning" be added to the Corning Municipal Code to read as follows:

17.70.010 Purpose & Intent.

- A.** The purpose of this Chapter is to establish objective zoning standards and regulations to govern the development of qualified Senate Bill 9 (SB 9) subdivisions and development projects in residential zoned properties within the City of Corning. The establishment of these regulations will result in the orderly subdivision and development of qualified Senate Bill projects while ensuring that the new units are consistent with the City's character and do not create any significant impacts with regards to public infrastructure or public safety. The regulations are established to implement the requirements under as reflected in Government Code Section 65852.21 and 66411. 7.
- B.** The provisions of this Chapter shall be the primary regulations for the subdivisions of land for SB 9 dwelling units. To the extent that an aspect of the subdivision of land for SB 9 dwelling units is not addressed by the Chapter, other provisions of the Municipal Code shall apply. In the event of a conflict between this Chapter and another provision of the Municipal Code, as it applies to the subdivision of land for 9 units, this Chapter shall prevail.

17.70.020 Definitions. For purposes of this Chapter and Chapter 17.71, the following definitions apply:

- A.** "A person acting in concert with the owner" means a person that has a common ownership or control of the subject parcel with the owner of the adjacent parcel, a person acting on behalf of, acting for the predominant benefit of, acting on the instructions of, or actively cooperating with, the owner of the parcel being subdivided.
- B.** "Adjacent parcel" means any parcel of land that is (1) touching the parcel at any point; (2) separated from the parcel at any point only by a public right of way, private street or way, or public or private utility, service, or access easement; or (3) separated from another parcel only by other real property which is in common ownership or control of the applicant.

- C. "Car share vehicle" means a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization and provides hourly or daily service.
- D. Common ownership or control" means property owned or controlled by the same person, persons, or entity, or by separate entities in which any shareholder, partner, member, or a family member of an investor if the entity owns 10 percent or more of the interest in the property.
- E. "Director" means the City of Corning City Manager or their designee.
- F. "Very low-income households" has the meaning set forth in Health & Safety Code Section 50105.
- G. "Lower income household" - has the meaning set forth in Health and Safety Code Section 50079. 5.
- H. "Moderate income household" has the meaning set forth in Health and Safety Code Section 50093.
- I. "Sufficient for separate conveyance" means that each attached or adjacent dwelling unit is constructed in a manner adequate to allow for the separate sale of each unit in a common interest development as defined in Civil Code Section 1351 (including a residential condominium, planned development, stock cooperative, or community apartment project) or into any other ownership type in which the dwelling units may be sold individually.
- J. "Two-Unit Development" means a development that proposes no more than two units or proposes to add one new unit to one existing unit and that meets all the criteria and standards set forth in Chapter 17.71.
- K. "Urban Lot Split" means a subdivision of an existing parcel into no more than two separate parcels that meets all the criteria and standards set forth in this Chapter.

17.70.30 Permit Application and Procedures - Urban Lot Splits.

- A. Application and Review Authority. An application for an Urban Lot Split shall be made by the property owner and filed with the Planning Department on a form prescribed by the Director, containing such information as reasonably requested by the Director, and accompanied by the appropriate fee.
- B. Ministerial Review. For applications that satisfy the requirements of this Chapter, the Director shall approve a parcel map as a ministerial permit, without discretionary review, public hearing, or Design Review. The decision shall be final and shall state in writing the reasons for approval or denial, consistent with qualifying criteria listed in 17.70.040.
- C. Review Timing. The City shall act upon an application for an Urban Lot Split within the time limits provided by the Subdivision Map Act.

17.70 .040 Qualifying Criteria for Urban Lot Splits. Applications for Urban Lot Splits must meet the following requirements. No exceptions to the standards in this section shall be requested or granted.

- A. The parcel is located within a single-family residential zone.

- B. The parcel being subdivided is not located on a site that is any of the following:**
- 1. Either prime farmland or farmland of statewide importance as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by local ballot measure that was approved by the voters of that jurisdiction.**
 - 2. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
 - 3. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by the City of Corning, pursuant to subdivision(b) of Section 51179 of the Government Code, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
 - 4. A hazardous waste site but that is listed pursuant to Section 65962.5 of the Government Code, or a hazardous waste site designated by the department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
 - 5. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, Element complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health & Safety Code), And by the building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.**
 - 6. Within a special flood hazard area subject to inundation by the 1 % annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent can satisfy all applicable federal qualifying criteria to provide that the site satisfies this subparagraph, the City of Corning shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standards or action adopted by the City of Corning that is applicable to that site. The development may be located on a site described in this subparagraph if either of the following are met (1) the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City of Corning; or (2) the site meets Federal Emergency Management Agency requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program Pursuant to Part 59 commencing with Section 59.1) and Part 60 (commencing with**

Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

7. Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency unless, the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent can satisfy all applicable federal qualifying criteria to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the City of Corning that is applicable to that site.
 8. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
 9. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 10. Lands under conservation easement.
- C. The lot split shall result in no more than two parcels (one net new parcel) of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision and in no instance shall any resulting lot be smaller than 1,200 square feet in area.
 - D. The resulting parcels shall comply, with the lot size, frontage, width, and front & rear requirements of Title 17 -Zoning, except that the Director will grant the minimum necessary exceptions to any requirement that would physically preclude the original parcel from being subdivided into two parcels that are not smaller than 1,200 square feet, so long as one of the parcels is no smaller than 40 percent of the lot area of the parcel proposed for subdivision.
 - E. The proposed Urban Lot Split would not require demolition or alteration of any of the following types of housing:
 1. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low- or very low income.
 2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

3. A parcel or parcels on which an owner of residential real property has exercised the owner's rights to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
 4. Housing that has been occupied by a tenant in the last three years.
- F. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, or within a site that is designated or listed as a City of Corning landmark or historic property or historic district pursuant to a City of Corning ordinance or as indicated in the City of Corning General Plan.
- G. The parcel being subdivided was not created by an Urban Lot Split as provided in this section.
- H. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an Urban Lot Split as provided in this section.
- I. The development proposed on the parcels complies with all objective zoning standards, objective subdivision standards, and objective design review standards applicable to the parcel as provided in the zoning district in which the parcel is located; provided, however, that:
1. The application of such standards shall be modified by the Director if the standards would have the effect of physically precluding the construction of two units on either of the resulting parcels created pursuant to this chapter or would result in a unit size of less than 800 square feet. Any modifications of development standards shall be the minimum modifications necessary to avoid physically precluding two units of 800 square feet on each parcel.
 2. Required rear and side yard setbacks shall equal four feet, except that no setback shall be required for an existing legally created structure, or a structure constructed in the same location and to the same dimensions as an existing legally created structure.
- J. Each resulting parcel shall have access to, provide access to or adjoin the public right-of way. Each resulting parcel shall be required to meet the design standards of the Corning Municipal Code for subdivisions. Additionally, lot lines shall be:
1. Straight lines unless there is a conflict with existing improvements or the natural environment;
 2. Generally parallel to the street when facing a street OR be at right angles perpendicular to the street on the straight streets, or radial to the street on curved streets;
 3. Within appropriate physical locations (e.g., does not bisect buildings);
 4. Contiguous with existing zoning boundaries.
 5. Lot lines shall not result in an accessory building or accessory use on a lot without a main building on the same lot.
- K. Proposed adjacent or connected dwelling units shall be permitted if they meet building and safety standards and are designed sufficient to allow separate

conveyance. The proposed dwellings shall provide a separate gas, electric and water utility connection directly between each dwelling unit and the utility.

- L. No more than two (2) units may be located on any lot created through an Urban Lot Split, including primary dwelling units, accessory dwelling units, junior accessory dwelling units, density bonus units, and units created as a Two-Unit Development.
- M. Parking. One parking space shall be required per unit constructed on parcel created through an Urban Lot Split, except that no parking may be required when:
 - 1. The parcel is located within one-half mile walking distance of either a stop located in a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3; or
 - 2. There is a designated parking area for one or more car-share vehicles within one block of the parcel.
- N. Compliance with Subdivision Map Act. The Urban Lot Split shall conform to all applicable objective requirements of the Subdivision Map Act (Government Code Section 66410 et seq.), except as otherwise expressly provided in Government Code Section 66411.7. Notwithstanding Government Code Section 66411.1, no dedications of rights of way or the construction of off-site improvements may be required as a condition of approval for an urban lot split, although easements may be required for the provision of public services and facilities.
- O. The correction of non-conforming zoning conditions may not be required as a condition of approval.
- P. Parcels created by an urban lot split may be used for residential uses only and may not be used for rentals of less than 30 days.
- Q. If any existing dwelling unit is proposed to be demolished, the applicant will comply with the replacement housing provisions of Government Code Section 66300 (d).
- R. Urban Lot Splits shall be subject to all impact and other development fees imposed on the approval of a parcel map.
- S. Specific Adverse Impacts. In addition to the criteria listed in this section, a proposed Urban Lot Split may be denied if the building official makes a written finding, based on a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A "specific adverse impact" is a significant, quantifiable, direct, and unavoidable impact, based on objective identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.
- T. A building permit application for SB 9 dwelling units must be submitted concurrently with the parcel map application to demonstrate compliance with SB 9 development standards and this chapter for newly created lots.

Section 17.70 .050 Additional Required Documentation.

- A. Owner-Occupancy Affidavit.** The applicant for an Urban Lot Split shall sign an affidavit, in the form approved by the City Attorney, stating that the applicant intends to occupy one of the housing units on the newly created lots as its principal residence for a minimum of three (3) years from the date of the approval of the Urban Lot Split. This subsection shall not apply to an applicant that is a community Land Trust as defined in clause (ii) of subparagraph (11) of subdivision (a) of Section 402.1 of the Revenue & Taxation Code or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue & Taxation Code.
- B. Additional Affidavit.** If any existing housing is proposed to be altered or demolished, the owner of the property proposed for an Urban Lot Split shall sign an affidavit, in the form approved by the City Attorney, stating that none of the conditions listed in Section 17.70 .040(F) above exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three (3) years (five (5) years if an existing unit is to be demolished). The owner and applicant shall also sign an affidavit stating that neither the owner nor applicant, nor any person acting in concert with the owner or applicant, has previously subdivided an adjacent parcel using an Urban Lot Split.
- C. Recorded Covenant.** Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant in the form prescribed by the City of Corning City Attorney which shall run with the land and provide the following:

 - 1. A prohibition against further subdivision of the parcel using the Urban Lot Split procedures as provided for in this section; and
 - 2. A prohibition on nonresidential uses of any units developed or constructed on either resulting parcel, including a prohibition against renting, or leasing the units for fewer than 30 consecutive calendar days.
 - 3. A decision to approve or deny an Urban Lot Split shall be final.

Section 2. Chapter 17.71 "TWO-UNIT DEVELOPMENT" of Title 17 "Zoning" be added to the Corning Municipal Code to read as follows:

17.71.010 Purpose. The purpose of this Chapter is to provide objective zoning standards for Two-Unit Developments within single family residential zones, to implement the provisions of state law as reflected in Government Code Section 65852.21, to facilitate the development of new residential housing units consistent with the City of Corning's General Plan, and to ensure sound standards of public health and safety.

17.71.020 Definitions. For purposes of this Chapter, the definitions contained in Section 17.70.020 shall apply.

17.71.30 Permit Application and Procedures.

- A. Application and Review Authority.** An application for Two-Unit Development shall be made by the property owner and filed with the Planning Department on a form prescribed by the Director, containing such information as reasonably requested by the Director, and accompanied by the appropriate fee.
- B. Ministerial Review.** For applications that satisfy the requirements of this Chapter, the Director or designee shall approve a parcel map as a ministerial permit, without

discretionary review, public hearing, or Design Review. The decision shall be final and shall state in writing the reasons for approval or denial.

- C. Review Timing. The City shall act upon an application for a Two-Unit Development within the time limits provided by the Permit Streamlining Act.

17.71.040 Qualifying Criteria for Two-Unit Developments.

Applications for Two-Unit Developments must meet all the following requirements. No exceptions to the standards in this section shall be requested or granted.

- A. The parcel is in a single-family residential zone.
- B. The Two-Unit Development is not located on a site that is any of the following:
1. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.
 2. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 3. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by the City of Corning (County of Shasta), pursuant to subdivision (b) of Section 51179 of the Government Code, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
 4. A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
 5. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 1890 I) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division I of Title 2 of the Government Code.
 6. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent can satisfy all applicable federal

qualifying criteria in order to provide that the site satisfies this subparagraph, the City shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the City of Corning that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

- (1)** the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City; or
 - (2)** the site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations.
- 7.** Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent can satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site.
 - 8.** Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
 - 9.** Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - 10.** Lands under conservation easement.
- C.** Notwithstanding any provision of this section or any local law, the proposed Two-Unit Development would not require the demolition or alteration of any of the following types of housing:
- 1.** Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low- or very low-income.
 - 2.** Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

3. A parcel or parcels on which an owner of residential real property has exercised the owner's rights to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies for a Two-Unit Development.
 4. Housing that has been occupied by a tenant in the last three years.
- D. The proposed Two-Unit Development does not include the demolition of more than 25 percent of the existing exterior structural walls of any structure on the site unless the site has not been occupied by a tenant in the last three years.
 - E. The proposed Two-Unit Development is not located within a historic district or property on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site designated or listed as a City of Corning landmark or historic property or historic district pursuant to a City of Corning Ordinance.
 - F. The parcel is not located within a High Sensitivity area as shown on the General Plan Prehistoric Sensitivity Maps found in the Technical Appendix of the General Plan, which parcels are City of Corning historic properties.
 - G. The proposed Two-Unit Development complies with all objective zoning standards, objective subdivision standards, and objective design review standards applicable to the parcel as provided in the zoning district in which the parcel is located; provided, however, that:
 1. The application of such standards shall be modified by the Director if the standards would have the effect of physically precluding the construction of two units on a parcel subject to this chapter or would result in a unit size of less than 800 square feet. Any modifications of development standards shall be the minimum modification necessary to avoid physically precluding two units of 800 square feet each on a parcel.
 2. Notwithstanding subsection (F)(I) above, required rear and side yard setbacks shall equal four feet, except that no setback shall be required for an existing legally created structure, or a structure constructed in the same location and to the same dimensions as an existing legally created structure.
 - H. Proposed adjacent or connected dwelling units shall be permitted if they meet building code safety standards and are designed to allow separate conveyance. The proposed Two-Unit Development shall provide a separate gas, electric and water utility connection directly between each dwelling unit and the utility.
 - I. One of the units in a Two-Unit Development shall be the principal place of residence of the property owner and the other unit may be leased or rented to a separate household.
 - J. Units created as part of a Two-Unit Development may be used for residential uses only and may not be used for rentals of less than 30 days.
 - K. Parking. One parking space shall be required per unit constructed via the procedures set forth in this section, except that the City shall not require any parking where:
 1. The parcel is located within one-half mile walking distance of either a stop located in a high-quality transit corridor, as defined in Public Resources Code Section

21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3; or

2. There is a designated parking area for one or more car-share vehicles within one block of the parcel.

L. All units constructed as part of a Two-Unit Development shall be subject to all impact and other development fees imposed on the development of a new dwelling unit

M. **Specific Adverse Impacts.** In addition to the criteria listed in this section, a proposed Urban Lot Split may be denied if the building official makes a written finding, based on a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A "specific adverse impact" is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.

17.71.050 Objective Design Standards for Two-Unit Developments -The following objective standards apply to Two-Unit Developments:

A. The following development is permitted on the parcel:

1. Two primary dwelling units, either a duplex or two single-family homes.

2. If the parcel was not created using an Urban Lot Split, then additionally:

a. If a duplex is constructed, then two detached ADUs or one ADU created from existing non-livable space.

b. If one or two single-family homes are constructed, one ADU and one JADU.

B. The maximum floor area of a unit in a Two-Unit Development shall be 800 square feet if the unit does not meet all development standards contained in the underlying zoning district.

C. The maximum height shall be 16' from existing grade as defined by the Corning Municipal Code if the unit does not meet all development standards contained in the underlying zoning district.

D. A solid (no-openings) one-hour fire rated wall is required between adjacent or connected units constructed as part of a Two-Unit Development.

E. Driveway access shall be compliant with Corning Fire Protection District Standards.

F. All newly created dwelling units shall be connected to a public sewer or provide a private wastewater system that is fully contained within the parcel's boundaries.

G. Newly constructed units shall be of the same architectural style, detail, color and building material as the primary dwelling unit.

H. Any new window that faces an adjoining residential property shall be either made of opaque glass and/or have a sill height above eye level. Any new doors that face an

adjoining residential property shall either not include windows, or all windows must be of opaque glass.

- I. All exterior lighting shall be shielded and directed downward.
- J. Where visible from off-site locations, skylights shall not have white or light opaque colored exterior lenses and no lights shall be installed inside the wells of the skylights.
- K. Fencing shall be consistent with the fencing requirements of Chapter 16.29 of the Corning Municipal Code.
- L. Landscaping materials shall include following: (1) Shrubs, of at least one-gallon size, and limited to a maximum height of 8' on the sides and rear of the property. (2) Trees, of at least 15-gallon size and that grow to a maximum height of 12'. (3) Ground cover instead of grass/turf; and (3) Decorative nonliving landscaping materials including, but not limited to sand, stone, gravel, wood, or water may be used to satisfy a maximum of 25 percent of the parcel.

Section 17.71.060 Additional Required Documentation.

- A. **Declaration of Prior Tenancies.** If any existing housing is proposed to be altered or demolished, the owner of the property proposed for a Two-Unit Development shall sign an affidavit, in the form approved by the City Attorney, stating that none of the conditions listed in Section 17.71.040(F) above exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three years (five years if an existing unit is to be demolished).
- B. **Recorded Covenant.** Prior to the issuance of a building permit, the applicant shall record a restrictive covenant in the form prescribed by the City Attorney, which shall run with the land and provide for:
 - 1. A prohibition on non-residential use of any units developed or constructed through the Two-Unit Development, including a prohibition against renting, or leasing the units for fewer than 30 consecutive calendar days.
 - 2. A requirement that one of the units on the site be the principal residence of the owner.

Section 3. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The City Council of the City of Corning hereby declares that it would have adopted each section, subsection subdivision paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections subdivisions paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 4. CEQA

The proposed ordinance would be exempt from the California Environmental Quality Act (CEQA). Senate Bill 9 (Atkins) states that an ordinance adopted to implement this

incorporation of Senate Bill 9 shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

I HEREBY CERTIFY that the foregoing ordinance was introduced and read by the City Council of the City of Corning at a regular meeting on the 11th day of October, 2022, and was duly read and adopted at a regular meeting on the 25th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROBERT SNOW, Mayor

ATTEST:

LISA M. LINNET, City Clerk

RESOLUTION NO. 09-20-2022-01

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORNING,
CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN
ORDINANCE AMENDING TITLE 17 TO ADD CHAPTERS 17.70 AND 17.71
ESTABLISHING REGULATIONS REGARDING URBAN DWELLING UNITS AND
URBAN LOT SPLITS IN SINGLE FAMILY RESIDENTIAL ZONES**

WHEREAS, in September 2021, Governor Newsom signed Senate Bill 9 (SB 9), a new state law effective January 1, 2022. SB 9 requires ministerial approval of Urban Dwelling Units and Urban Lot Splits in single family residential zones, in accordance with certain statutory criteria; and

WHEREAS, pursuant to Government Code Sections 65854 and 65855, the Planning Commission has the authority to review and make recommendations regarding any amendments to the Corning Municipal Code to the City Council; and

WHEREAS, on September 20, 2022, the City of Corning Planning Commission held a duly noticed public hearing and considered all testimony, information, evidence and recommended that the Corning City Council adopt the proposed Ordinance amending Title 17, to add Chapters 17.70 and 17.71 in compliance with SB 9; and

WHEREAS, the City of Corning finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA). Senate Bill 9 (Atkins) states that an ordinance adopted to implement this incorporation of Senate Bill 9 shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CORNING DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals in this Resolution are true and correct and incorporated herein.

SECTION 2. Recommended Approval of the proposed Ordinance based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff reports and this Resolution, the Planning Commission of the City of Corning hereby recommends that the City Council adopt the attached Ordinance entitled: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING TITLE 17 (ZONING) TO ADD CHAPTER 17.70- URBAN LOT SPLITS AND CHAPTER 17.71- TWO-UNIT DEVELOPMENTS.**

APPROVED AND ADOPTED by the members of the Planning Commission 20th day of September 2022, but the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Diana Robertson, Chairperson

ATTEST:

LISA M. LINNET, City Clerk

SUMMARY ORDINANCE 702

SUMMARY OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING TITLE 17 (ZONING) BY ADDING CHAPTERS 17.70 AND 17.71 ESTABLISHING REGULATIONS REGARDING URBAN DWELLING UNITS AND URBAN LOT SPLITS IN SINGLE FAMILY RESIDENTIAL ZONES

Pursuant to Government Code Section 36983(c), the following constitutes a summary of Ordinance No. 702 introduced by the Corning City Council on October 11, 2014; and scheduled for adoption on October 25, 2022 at its meeting held in the City Council Chambers at 794 Third Street, Corning, California.

The City of Corning City Council seeks to amend its Title 17 to add Chapters 17.70 and 17.71 establishing regulations regarding Urban Dwelling Units and Urban Lot Splits in Single Family Residential Zones. Chapter 17.70 will pertain to urban lot splits, and Chapter 17.71 will focus on two-unit development on the same lot.

A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 794 Third Street, Corning, California. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. This Ordinance was introduced by the City Council of the City of Corning on October 11, 2022 and is adopted on October 25, 2022 by the following votes:

Ayes:

Absent:

Abstain:


Opposed:

Lisa M. Linnet,
Corning City Clerk

Published on or before:

**ITEM NO.: I-13
ADOPT ORDINANCE 703, AN
ORDINANCE DELETING CHAPTER 17.24
AND AMENDING CHAPTERS 17.22, 17.47,
AND 17.48 OF THE CORNING MUNICIPAL
CODE TO PERMIT ALL COMMERCIAL
USES WITHIN THE CH HIGHWAY
SERVICE COMMERCIAL OVERLAY
DISTRICT. (1st Reading & Introduction)**

October 11, 2022

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: KRISTINA MILLER; CITY MANAGER 
COLLIN BOGENER, CITY ATTORNEY
CHRISTINA MEEDS, PLANNER

BACKGROUND:

In 1997, the City of Corning City Council enacted multiple zoning ordinances which each carried out specific purposes prescribed by the Highway 99W corridor specific plan. The intent was to create freeway oriented commercial development within the specific zones. These overlay districts included the CH Highway Service Commercial Overlay District (Chapter 17.48), which was part of the CBDZ Corning Development Zone (Chapter 17.47.) The development zone sets forth the design guidelines and intent of the development, while the development zone sets forth the zoning requirements.

Pursuant to the CH Highway Service Commercial Overlay District, only the following types of commercial businesses are allowed:

Highway service types of commercial uses, which in the opinion of the planning commission, are of a character similar to the following: gasoline service stations, restaurants, motels, and recreational vehicle services; and incidental uses on the same lot which are necessary for the operation of any permitted use; an on-site residence not to exceed one-third the square footage of an active business establishment and occupied by the owner/proprietor or their agent. Such residence is to be a secondary use to an active commercial enterprise, either upstairs or in the rear with the storefront remaining commercial. No residential garage shall be permitted.

Additionally, any uses within the CH Highway Service Overlay District require a conditional permit before they can operate. In effect, there are no uses within this area that can operate as a matter of right.

Over time, it has become clear that providing a very narrow type of use for the properties and requiring a conditional use permit is not only substantial but may discourage development in the area. The conditional use permit itself already allows the City to approve the development and condition the project as needed.

The proposed ordinance seeks to remove the requirement that the use is a "gasoline service station, restaurant, motels and recreational vehicle services; and incidental use", and instead, require only that the use is commercial as permitted in C-1, C-2, or C-3. This opens up the potential use to many other types of commercial development, but still requires a conditional use permit.

Chapter 17.22 is proposed to be amended to correct an incorrect reference to Chapter 17.24. The reference to M-1 and M-2 zoning districts should be Chapters 17.26 and 17.28, respectively.

The redline version of the pertinent sections of the Corning Municipal Code is attached. The resolution and draft ordinance will be presented at the September 20, 2022 Planning Commission meeting.

ENVIRONMENTAL DETERMINATION:

The City of Corning finds that this Ordinance is not a “project” according to the definition set forth in the California Environmental Quality Act (“CEQA”), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), the adoption of this ordinance is therefore not subject to the provisions requiring environmental review.

PUBLIC NOTICE:

A 10-day public hearing notice of the proposed amendment was published in the Red Bluff Daily News. No public comments on the project have been received at the Planning Department at the time of this report.

RECOMMENDED ACTION:

- 1. Review the staff report and environmental determination.**
- 2. Open the public hearing and consider public testimony.**
- 3. Adopt Ordinance to delete Chapter 17.24 and amend Chapters 17.22, 17.47, and 17.48 to the Corning Municipal Code to permit all commercial uses within the CH Highway Service Commercial Overlay District.**

ORDINANCE NO. 703

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING CHAPTERS 17.22 (C-3 GENERAL COMMERCIAL DISTRICT), 17.47 (CBDZ CORNING BUSINESS DEVELOPMENT CODE) 17.48 (CH HIGHWAY SERVICE COMMERCIAL OVERLAY DISTRICT) AND 17.49 (SPMU SPECIFIC PLAN MIXED-USE OVERLAY DISTRICT) AND COMPLETELY REMOVE CHAPTER 17.24 (CH HIGHWAY SERVICE COMMERCIAL DISTRICT) TO BROADEN THE TYPES OF USES WITHIN THOSE AREAS

WHEREAS, in 1997, the City of Corning enacted multiple zoning ordinances which carried out specific purposes for the Highway 99W corridor specific plan, which intended to create freeway oriented commercial development within the specific plan; and

WHEREAS, the ordinances restricted the type of use within the districts to gasoline service stations, restaurants, motels, recreational vehicle services and incidental uses, with all uses within the district requiring a conditional use permit to operate; and

WHEREAS, The City seeks to amend the various chapters related to the Highway 99W Corridor Specific Plan to permit any commercial use within the district, but to keep the requirement that a conditional use permit be obtained from the City first.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORNING DOES ORDAIN AS FOLLOWS:

Section 1. Title 17 (Zoning), Chapter 17.22 (C-3 Commercial District), Section 17.22.020 (Permitted Uses) is hereby repealed and replaced to read as follows:

17.22.020 - Permitted uses.

In C-3 districts, permitted uses shall be as follows:

- A.** Uses permitted in the C-1 and C-2 districts;
- B.** The following and other uses which, in the opinion of the planning commission, are of a similar character:
 - 1. Gasoline service stations; provided, that all operations except the servicing with gasoline, oil, air, and water are carried on within a building,
 - 2. Commercial repair garages, and incidental service uses,
 - 3. Automobile sales and service, used car lots,
 - 4. Wholesale distribution uses, warehouses,
 - 5. Laundry and dry-cleaning businesses using non-inflammable cleaning solvents,
 - 6. Veterinary hospitals, animals to be kept in an enclosed structure,
 - 7. Carwash;
- C.** All other commercial uses except those uses which are specified in Chapters 17.26 and 17.28 of this title as being permitted only in M-1 and M-2 Districts;
- D.** Incidental storage and accessory uses, including repair operations and services, provided such uses shall be clearly incidental to the sale of products at retail on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise, or vibration.
- E.** Upon securing a conditional use permit, an on-site residence not to exceed one third the square footage of an active business establishment and occupied by the

owner/proprietor or their agent, such residences are to be a secondary use to an active commercial enterprise, either upstairs or in the rear, with the storefront remaining commercial. No residential garages shall be permitted.

Section 2. Title 17 (Zoning), Chapter 17.24 (CH Highway Service Commercial District), is hereby repealed in its entirety.

Section 3. Title 17 (Zoning), Chapter 17.47 (C-3 CBDZ Corning Business Development District), is hereby repealed and replaced with the following:

Chapter 17.47 - CBDZ CORNING BUSINESS DEVELOPMENT ZONE

17.47.010 - Generally.

The CBDZ Corning business development zone is to be utilized only within the boundaries delineated by the Highway 99W corridor specific plan. It is recognized that there is a need for job-generating land uses near the freeway and that the most suitable location for future commercial development is along Highway 99W. This unique environment was determined to be an appropriate location for freeway-oriented commercial development and general commercial, industrial and manufacturing businesses. The following specific regulations and the general rules set forth in Section 17.04.060 and 17.04.070 and Chapter 17.50 of this title shall apply in the CBD zone. All uses within the CBDZ Corning Business Development Zone require a conditional use permit. Uses discussed in this section do not necessarily include uses in Chapter 17.54 of this title.

17.47.020 - Purpose.

The CBDZ Corning Business Development Zone has been established to achieve the following purposes:

- A. To protect the public health, safety, and welfare by enhancing quality of life and improving the appearance of the City;
- B. To provide protection against haphazard and traditional strip commercial development by implementing visual design guidelines established in the Highway 99W corridor specific plan;
- C. To allow site development flexibility in return for well-conceived and efficient site planning and quality design;
- D. To establish overlay districts that carry out specific purposes prescribed by the Highway 99W corridor specific plan addressing specific subjects, such as freeway-oriented commercial development and mixed-use commercial development. The overlay districts that apply to the CBDZ are Chapters 17.48 and 17.49 of this title.

17.47.030 - Applicability.

The regulations of this chapter provide for the quality development within the Highway 99W corridor by (1) reviewing all development permits to determine that the permit requirements of this title have been satisfied; and (2) reviewing all permits to determine that the site has met applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan.

17.47.040 - General provisions.

- A. Any development within the CBD zone shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan.
- B. Any development within the CBD zone shall comply with all conditions of approval applied to the development.

- C. Any development within the CBD zone shall comply with the regulations and standards established in the corresponding overlay zones (1) CH highway service commercial district and (2) SPMU specific plan mixed-use district.

Section 4. Title 17 (Zoning), Chapter 17.48 (CH Highway Service Commercial Overlay District), is hereby repealed and replaced with the following:

Chapter 17.48 - CH HIGHWAY SERVICE COMMERCIAL OVERLAY DISTRICT

17.48.010 - Generally.

This overlay district classification is intended to be applied along main road and highway frontages at proper intervals and locations to provide necessary services for the traveling public in developments designed for safety, convenience and fitting appearance. The following specific regulations and the general rules set forth in Sections 17.04.060 and 17.04.070 and Chapter 17.50 of this code shall apply in all CH districts. This overlay district is to be utilized only within the boundaries of the Highway 99W corridor specific plan. This district provides for the continuation and development of freeway-oriented commercial activities.

17.48.020 - Permitted uses.

There are no uses permitted without use permits.

17.48.030 - Uses requiring use permits.

In CH districts, only C-3 uses are permitted and a use permit shall be required. .

17.48.040 - General requirements.

In CH overlay districts land use regulations shall include the following regulations:

- A. In any district with which is combined the CH overlay district, the regulations of this chapter shall apply in addition to those specified in this title; provided, that if conflict in regulations occurs, the regulations of this chapter shall govern;
- B. Any development within the CH overlay district shall apply applicable design criteria established in the visual design guidelines of the Highway 99W corridor specific plan;
- C. Those established in Chapter 17.47 CBDZ Corning business development zone.

Section 5. Title 17 (Zoning), Chapter 17.49 (SPMU Specific Plan Mixed-Use Overlay District), Section 17.49.050 (Uses requiring use permits) is hereby repealed and replaced with the following:

17.49.050 - Uses requiring use permits.

In any district with which is combined an SPMU district, the following districts may be combined and shall require use permits. The SPMU overlay district allows for the combination of the permitted uses from the following districts which in the opinion of the planning commission the uses are of a similar and compatible character: C-1 neighborhood business district, C-2 central business district, C-3 general commercial district, M-1 light industrial districts, and M-L limited manufacturing district.

- A. From C-1, C-2 and C-3 districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:
 - 1. Retail stores and business or service enterprises which, in the opinion of the planning department are of a character similar to the following:
 - a. Food stores, dairy products, and bakery goods stores,
 - b. Bookstores, rental libraries, and video rental stores,

- c. Drugstores, including soda fountain food service,
- d. Florist, variety, hardware, and clothing stores,
- e. Athletic facilities, banks, business offices, bowling alleys, food, drug and clothing stores and retail outlet stores,
- f. Business colleges, music, dancing, and martial arts studios,
- g. Blueprinting shops, photographic stores,
- h. Catering shops, cafes and restaurants, and bars and taverns,
- i. Art and antiques shops and pawnshops,
- j. Hotels, motels, theaters, auditoriums, lodge halls and social clubs,
- k. Newspapers and commercial printing shops,
- l. Mortuaries,
- m. Bakeries,
- n. Other retail business uses which, in the opinion of the planning commission, are similar to the foregoing;

B. The following agencies and services:

- 1. Laundry and dry-cleaning businesses using nonflammable cleaning solvents,
- 2. Barbershops, beauty parlors and cosmetic shops,
- 3. Repair shops for domestic appliances and goods,
- 4. Professional and medical offices, studios, and clinics,
- 5. Gasoline service stations, including auto repairs; provided, that all operations except the service with gasoline, oil, air and water be conducted within an enclosed building,
- 6. Self-operated laundries,
- 7. Gasoline service stations; provided, that all operations except the servicing with gasoline, oil, air, and water are carried on within a building,
- 8. Commercial repair garages, and incidental service uses,
- 9. Automobile sales and service and used car lots,
- 10. Wholesale distribution uses and warehouses,
- 11. Veterinary hospitals, animals to be kept in an enclosed structure,
- 12. Carwash,
- 13. Other services and agencies which, in the opinion of the planning department, are similar to the above;

C. Public buildings and public utility substations and offices;

D. Commercial parking lots and parking garages;

E. Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use; an on-site residence not to exceed one third the square footage of an active business establishment and occupied by the

owner/proprietor or their agent. Such residence is to be a secondary use to an active commercial enterprise, either upstairs or in the rear, with the storefront remaining commercial. No residential garage is permitted;

- F.** Incidental storage and accessory uses, including repair operation and services; provided, that such is clearly incidental to the sale of products at retail on the premises and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise, vibration, fire, or safety;
- G.** All other commercial uses except those uses which are specified in Chapters 17.26 and 17.28 of this title as being permitted only in M-2 districts;
- H.** Incidental storage and accessory uses, including repair operating and services, provided such uses shall be clearly incidental to the sale of products at retail on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise, or vibration;
- I.** From M-1 districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:
 - 1.** Assembly and storage of goods, materials, liquids, and equipment, except storage of flammable or explosive matter or materials which create dust, odors or fumes. Permitted uses include:
 - a.** Wholesale and storage warehouses,
 - b.** Feed and fuel yards,
 - 2.** Manufacturing, processing, fabricating, refining, repairing, packaging or treatment of goods, material or produce by electric power, oil, or gas, except operations involving fish fats and oils, bones and meat products, or similar substances commonly recognized as creating offensive conditions in the handling thereof. Permitted uses include:
 - a.** Dye and dry-cleaning plants,
 - b.** Rug cleaning plants,
 - c.** Laundries,
 - d.** Veterinary hospitals,
 - e.** Cabinet shops,
 - 3.** The following when conducted within a building or enclosed within a solid wall or fence of a type approved by the planning commission, not less than six feet in height:
 - a.** Body and fender repair shops and auto painting shops,
 - b.** Cooperage and bottling works,
 - c.** Sheet metal shops and welding shops,
 - d.** Truck terminals,
 - e.** Retail lumber yards;
- J.** From M-L districts, the following uses of land and buildings which, in the opinion of the planning commission, are of a similar character shall be permitted:
 - 1.** Commercial and professional offices,

2. The following and similar uses from which noise, smoke, dust, odors, and other such offensive features are confined to the premises of each such use:
 - a. Research institutes and laboratories,
 - b. Small electronic and plastics products manufacturing,
 - c. Electrical products and instrument manufacturing,
 - d. Bookbinding, printing, and lithography,
 - e. Cartography, surveying, and engineering,
 - f. Editorial, architecture and designing,
 - g. Garment manufacturing, paper products manufacturing,
3. Underground utility installations and above-ground utility installation for local service, except that substations generating plants and gas holders must be approved by the planning commission prior to construction; and the route of any proposed transmission line shall be discussed with the planning commission prior to acquisition.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The City Council of the City of Corning hereby declares that it would have adopted each section, subsection subdivision paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections subdivisions paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 7. CEQA. The City of Corning finds that this Ordinance is not a "project" according to the definition set forth in the California Environmental Quality Act ("CEQA"), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), the adoption of this ordinance is therefore not subject to the provisions requiring environmental review.

I HEREBY CERTIFY that the foregoing ordinance was introduced and read by the City Council of the City of Corning at a regular meeting on the 11th day of October, 2022, and was duly read and adopted at a regular meeting on the 25th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROBERT SNOW, Mayor

ATTEST:

LISA M. LINNET, City Clerk

RESOLUTION NO. 09-20-22-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORNING, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING CHAPTERS 17.22 (C-3 GENERAL COMMERCIAL DISTRICT), 17.47 (CBDZ CORNING BUSINESS DEVELOPMENT CODE) 17.48 (CH HIGHWAY SERVICE COMMERCIAL OVERLAY DISTRICT) AND 17.49 (SPMU SPECIFIC PLAN MIXED-USE OVERLAY DISTRICT) AND COMPLETELY REMOVE CHAPTER 17.24 (CH HIGHWAY SERVICE COMMERCIAL DISTRICT) TO BROADEN THE TYPES OF USES WITHIN THOSE AREAS

WHEREAS, in 1997, the City of Corning enacted multiple zoning ordinances which carried out specific purposes for the Highway 99W corridor specific plan, which intended to create freeway oriented commercial development within the specific plan; and

WHEREAS, the ordinances restricted the type of use within the districts to gasoline service stations, restaurants, motels, recreational vehicle services and incidental uses, with all uses within the district requiring a conditional use permit to operate; and

WHEREAS, The City seeks to amend the various chapters related to the Highway 99W Corridor Specific Plan to permit any commercial use within the district, but to keep the requirement that a conditional use permit be obtained from the City first, and

WHEREAS, on September 20, 2022, the City of Corning Planning Commission held a duly noticed public hearing and considered all testimony, information, evidence and recommended that the Corning City Council adopt the proposed Ordinance; and

WHEREAS, the City of Corning finds that this Ordinance is not a "project" according to the definition set forth in the California Environmental Quality Act ("CEQA"), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), the adoption of this ordinance is therefore not subject to the provisions requiring environmental review.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CORNING DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals in this Resolution are true and correct and incorporated herein.

SECTION 2. Recommended Approval of the proposed Ordinance based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff reports and this Resolution, the Planning Commission of the City of Corning hereby recommends that the City Council adopt the attached Ordinance entitled: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING CHAPTERS 17.22 (C-3 GENERAL COMMERCIAL DISTRICT), 17.47 (CBDZ CORNING BUSINESS DEVELOPMENT CODE) 17.48 (CH HIGHWAY SERVICE COMMERCIAL OVERLAY DISTRICT) AND 17.49 (SPMU SPECIFIC PLAN MIXED-USE OVERLAY DISTRICT) AND COMPLETELY REMOVE CHAPTER 17.24 (CH HIGHWAY SERVICE COMMERCIAL DISTRICT) TO BROADEN THE TYPES OF USES WITHIN THOSE AREAS**

APPROVED AND ADOPTED by the members of the Planning Commission this 20th day of September 2022, but the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**_____
Diana Robertson, Chairperson**

ATTEST:

**_____
LISA M. LINNET, City Clerk**

SUMMARY ORDINANCE 703

SUMMARY OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING AMENDING CHAPTERS 17.22, 17.47, 17.48, AND 17.49 AND COMPLETELY REMOVE CHAPTER 17.24 TO BROADEN THE TYPES OF USES WITHIN THOSE AREAS

Pursuant to Government Code Section 36983(c), the following constitutes a summary of Ordinance No. 703 introduced by the Corning City Council on October 11, 2014; and scheduled for adoption on October 25, 2022 at its meeting held in the City Council Chambers at 794 Third Street, Corning, California.

The City of Corning City Council seeks to amend its Title 17 to amend Chapters 17.22 (C-3 General Commercial District), 17.47 (CBDZ-Corning Business Development Code), 17.48 (CH-Highway Service Commercial Overlay District), and 17.49 (SPMU Specific Plan Mixed Use Overlay District) and completely remove Chapter 17.24 (CH-Highway Service Commercial District) to broaden the types of uses within those areas.

A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 794 Third Street, Corning, California. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. This Ordinance was introduced by the City Council of the City of Corning on October 11, 2022 and is adopted on October 25, 2022 by the following votes:

Ayes:

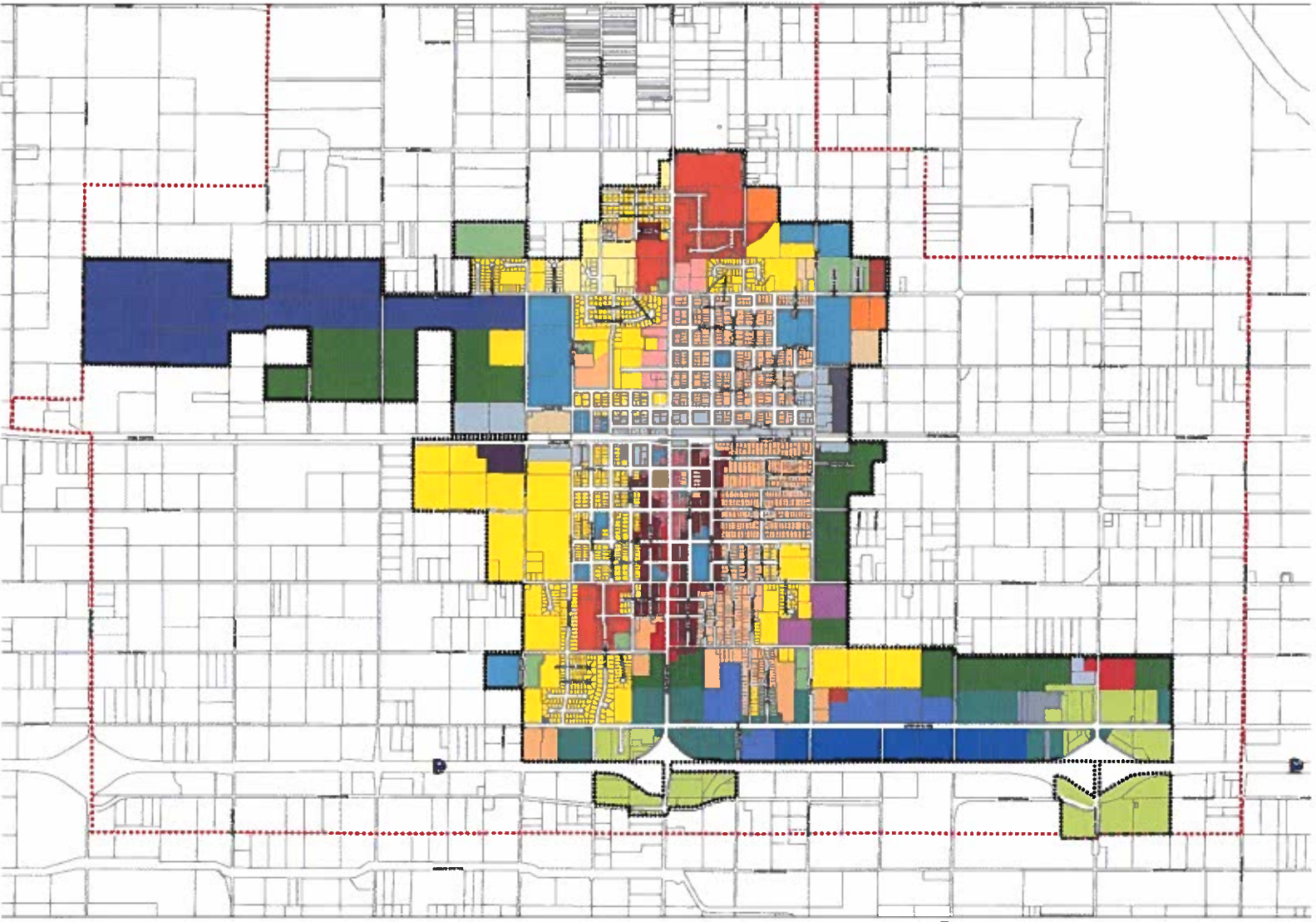
Absent:

Abstain:

Opposed:




























Lisa M. Linnet,
Corning City Clerk

Published on or before:



-  City Limit
-  Sphere of Influence
-  Tax Parcel

ZONING

-  AV - Airport
-  C-1 - Neighborhood Commercial
-  C-2 - Central Business District
-  C-3 - General Business District
-  C-3 - General Business District CBDZ
-  C-3-P - Gen. Comm. Off St Parking
-  CH-CBDZ - Highway Service CBDZ
-  LLR - Large Lot Residential
-  M-1 - Light Industrial
-  M-1 - Light Industrial CBDZ
-  M-2 - General Industrial
-  P - Public
-  PD - Planned Development
-  PQ - Public/Quasi-public
-  R-1 - Single Family
-  R-1-10 - Single Family 10,000 Sq.Ft.
-  R-1-2 - Single Family Duplex
-  R-1-4 - Single Family Small Lot
-  R-1-8 - Single Family 8,000 Sq. Ft.
-  R-1-A - Single Family Agriculture
-  R-2 - Multiple Family Duplex/Triplex
-  R-3 - Multiple Family Duplex/Triplex
-  R-4 - Multiple Family Residential
-  R-4/A-H - Multi-Family Residential / At Housing
-  SPMU-CBDZ - Specific Plan Mixed Use CBDZ
-  SPMU-CH-CBDZ - Spec. Plan MU Hwy Service Commercial
-  None



0 0.5 1 mile

ITEM NO.: J-14
AUTHORIZE THE PUBLIC WORKS
DEPARTMENT TO SURPLUS AND
SELL THE 1995 F-150 TRUCK (UNIT
2) THROUGH BIDCAL

October 11, 2022

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KRISTINA MILLER, CITY MANAGER 
ROBIN KAMPMANN, PE; PUBLIC WORKS/ENGINEER CONSULTANT 

SUMMARY:

The Public Works Department seeks authorization to declare the 1995 F-150 Truck (Unit 2) as surplus and sell it through BidCal, an online Auction.

Per the 2022/2023 approved budget, this vehicle is scheduled for replacement.

BACKGROUND:

The Unit -2 1995 F-150 was originally a Public Works vehicle utilized by the City's Building Official and most recently has been utilized by the City's Planner/Recreation Coordinator. This vehicle is no longer operational and would cost more than its value to repair.

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO SURPLUS AND SELL THE 1995 F-150 (UNIT 2), FORMER BUILDING OFFICIAL'S VEHICLE CURRENTLY UTILIZED BY THE RECREATION COORDINATOR) THROUGH BIDCAL ONLINE AUCTION.

**ITEM NO.: J-15
ACCEPT AND AUTHORIZE THE FIRE
DEPARTMENT TO ADD ACQUIRED
FOREST SERVICE ENGINE TO THE
CITY FIRE DEPARTMENT FLEET.**

October 11, 2022

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: KRISTINA MILLER, CITY MANAGER
TOM TOMLINSON, FIRE CHIEF**



SUMMARY:

The Fire Department seeks Council to accept and authorize the addition of an acquired 2006 International Harvester 4x2 Fire Engine, (Model-7400, VIN-1HTWCAZN86J349211) to the department's current fleet.

BACKGROUND:

This Engine is part of the Federal Surplus Program and was acquired from the United States Forest Service. The Engine is currently green, and the Department has 1 year to paint it red. Staff is working on scheduling a date for Volunteers to travel to Los Angeles County to get the Engine and drive it to Corning.

FINANCIAL:

The Volunteers will pay the cost to paint and fully equip the engine with minimal cost to the City. The only other costs to the City would be for the following:

- Insurance;
- Maintenance costs; and
- Annual Registration fees

RECOMMENDATION:

MAYOR AND COUNCIL AUTHORIZE THE FIRE DEPARTMENT TO ADD NEW ENGINE TO THE CITY FLEET AND TAKE OVER COSTS OF INSURANCE, MAINTENANCE AND ANY VEHICLE FEES.