



**CITY OF CORNING
PLANNING COMMISSION MEETING AGENDA
TUESDAY, APRIL 18, 2023
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

**Commissioners: Barron
Poisson
Mesker
Lamb**

Chairman: Robertson

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

D. MINUTES:

- 1. Waive the reading and approve the Minutes of the following Meetings with any necessary corrections:
 - a. February 21, 2023 Planning Commission Meeting; and**
 - b. February 28, 2023 Special City Council and City Commissions Joint Meeting.****

E. PUBLIC HEARINGS AND MEETINGS:

- 2. Revocation of Use Permit No. 2022-301; Henry Telliz. Permit allowing the establishment of a residence within an existing building in an M-1 Light Industrial Zoning District located at 1577 Second Street, APN: 73-163-008.**

F. REGULAR AGENDA:

- 3. Presentation and acceptance of the Annual Housing Progress Report.**

G. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, APRIL 14, 2023



**CITY OF CORNING
PLANNING COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 21, 2023
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

**Commissioners: Barron
Poisson
Mesker
Lamb**

Chairman: Robertson

All members of the Commission were present except Commissioner Barron.

C. BUSINESS FROM THE FLOOR: None.

D. MINUTES:

- 1. Waive the reading and approve the Minutes of the December 20, 2022 Planning Commission Meeting with any necessary corrections.**

Commissioner Mesker moved to approve the Minutes of the December 20, 2022 Planning Commission Meeting as written; Commissioner Lamb seconded the motion. **Ayes: Robertson, Mesker, Poisson, and Lamb. Absent: Barron. Abstain/Opposed: None.** Motion was approved by a 4-0 vote with Barron absent.

E. PUBLIC HEARINGS AND MEETINGS: None.

F. REGULAR AGENDA:

- 2. Acquisition of underground transmission line for Corning Union Elementary School District Communications Tower.**

Presented by Planner II Christina Meeds who stated that this is an informational item only, no action is required by the Commission. She stated that this will provide internet service to students still working from home. She further stated that this will be presented to the City Council for approval of the encroachment into the City Street. It was stated that no Use Permit is required, only a Building Permit.

- 3. Lot Line Adjustment 2023-01 Louis & Shirley Davies, Steven Crocker, and Donald E. Jolly Trustees. Property owners are proposing a Lot Line Adjustment to reconfigure the existing 3 Parcels. Parcels are located on the south side of McLane Avenue between McLane and Divisadero Avenues. Address: 115 McLane Avenue; APN#'s: 073-020-029, 051 & 065.**

Presented by Planner II Christina Meeds who stated the owners are proposing to do a Lot Line Adjustment to reconfigure the lots to allow them to have three (3) usable lots that can access off of McLane Avenue. This will also allow each of the lots to access connection to City services, i.e., water and sewer.

Poisson/Lamb, approved by a 4-0 vote with Barron absent.

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

H. ADJOURNMENT: 6:43 p.m.

Lisa M. Linnet, City Clerk



**SPECIAL JOINT MEETING MINUTES
OF THE
CITY COUNCIL and CITY COMMISSIONS
OF THE
CITY OF CORNING**

**TUESDAY, FEBRUARY 28, 2023
LOCATION: City Hall Council Chambers
794 Third Street
Corning, CA**

A. CALL TO ORDER: 5:05 p.m.

B. ROLL CALL:

City Council:

Robert Snow., Mayor
Dave Demo
Jose "Chuy" Valerio
Shelly Hargens
Lisa Lomeli

Planning Commission:

Diana Robertson, Chairperson
Frank Barron
Melodie Poisson
Brant Mesker
Cody Lamb

Recreation Commission:

Christine Fears, Chairperson
Meredith Allen
Delores Smith
Blaine Smith
Vacant

Airport Commission:

Barbara Boot, Chairperson
Louis Davies
Jack Beck
Richard Poisson
Vacant

Library Commission:

Judy Turner, Chairperson
Susan Olson-Higgins
Carol Mueller
Sandy Sehorn
Laura Calkins

Each entity (City Council, Planning, Airport, Recreation, & Library Commission) called the Special Joint Meeting to order and took roll of those in attendance:

City Council: All members of the City Council were present.

Planning Commission: Robertson, Barron, & Poisson were present; Mesker & Lamb absent.

Airport Commission: All members were present.

Recreation Commission: Fears & May present, Allen & Smith absent.

Library Commission: Turner & Sehorn were present; Olson-Higgins, Mueller, & Calkins absent.

C. PUBLIC COMMENTS: None

D. INSTRUCTION & PRESENTATION BY CITY ATTORNEY:

1. Information for City Council and Commission Members on the Brown Act, City Council/Commission Meeting Procedures, Rosenberg's Rules of Order, and Conflict of Interest, etc.)

City Attorney Collin Bogener provided a PowerPoint Presentation on the Brown Act (when, who, and why it was enacted) and the various legal rules and regulations associated with this Act. He also provided the City adopted Council/Commission Meeting Procedures, Rosenberg's Rules of Order, and Conflict of Interest information. He explained that a quorum is necessary to take any action during a meeting (majority, in our case 3), definition of serial meetings and associated legal limitations and possible legal repercussion of violations, importance of proper agenda item descriptions and Agenda titles (i.e. Regular Meeting, Emergency Meeting, etc.) and legal timeframes for posting (Regular Meetings 72 hours prior; etc.).

Planning Commissioner Cody Lamb entered the meeting at 5:23 p.m.

E. **ADJOURNMENT!** 6:05 p.m., each entity individually closed the meeting (i.e. Council, Planning, Recreation, Airport, and Library Commission.)

City Clerk, Lisa M. Linnet

**ITEM NO: F-3
PRESENTATION AND ACCEPTANCE OF
THE ANNUAL HOUSING PROGRESS
REPORT**

APRIL 18, 2023

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING
FROM: CHRISSY MEEDS, PLANNER II *CM*
KRISTINA MILLER, CITY MANAGER

SUMMARY:

Each year, the Planning Department of the City of Corning is required to file an Annual Progress Report (APR) with Housing and Community Development (HCD) and the Office of Planning and Research (OPR). Both are due by April 1st, (covering the previous calendar year). Both entities require the jurisdiction to report on the status and progress in implementing the City's Housing Element and General Plan. New this year for the 2022 Reporting period HCD is requiring that the City's legislature review and accept the report. Both reports are submitted and accepted by HCD and OPR in a timely fashion.

REPORT OVERVIEW:

The HCD report is an excel format the breaks down a lot of information into several tabs. In the Calendar year 2022 the City issued 5 Accessory Dwelling Unit (ADU) permits that were approved along with one 2-unit permit. Of those totals, 4 are rentals and 2 are owner occupied; along with all being considered low income, except for 1 ADU is considered moderate income, these calculations are based on market rental rates for the area.

Another section of the HCD reports covers the Regional Housing Needs Progress (RHNA). The RHNA numbers are housing numbers issued to each jurisdiction, by the State, for housing allocation by income. There is a new cycle of numbers every 8 years. Our current cycle ends in 2024 and we just received our next cycle (the 7th cycle). The State categorizes the numbers by Very Low Income, Low Income, Moderate Income, and Above Average Income. The numbers that are issued are the number of homes they want to see built, or land available for those homes to be built. Corning's 6th cycle numbers are as follows:

Very Low Income	47
Low Income	36
Moderate Income	36
Above Moderate Income	87

As you can see in Table B, we have reached the State's goal for the Low-Income Homes, and even though we have not reached their goal in the remaining categories, we do have sufficient land zoned accordingly available to reach those goals.

The 7th cycle numbers were just agreed upon and are as follows:

Very Low Income	50
Low Income	24
Moderate Income	30
Above Moderate Income	82

The last section of the report contains the City's implementation of our current Housing Element, which is available to be reviewed on Table D.

RECOMMENDATION:

PLANNING COMMISSIONERS RECEIVE AND ACCEPT THE ANNUAL HOUSING PROGRESS REPORT FOR THE CALENDAR YEAR 2022.



**Submitted By:
City of Corning Planning Department**



ANNUAL HOUSING ELEMENT PROGRESS REPORT

City or County Name:

City of Corning

Mailing Address:

City of Corning 794 Third Street Corning, CA 96021

Contact Person: Chrissy Meeds Title: City Planner II

Phone: (530) 824-7036 E-mail: cmeeds@corning.org Reporting Period by Calendar Year:
from January 1, 2022 to December 31, 2022

These forms and tables, including the **Certificate of Accuracy**, are due to the Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) on or before April 1, 2023. Submit separate reports directly to both HCD and OPR (Government Code Section 65400) at the addresses listed below:

Department of Housing and Community Development

Division of Housing Policy Development
P.O. Box 952053 Sacramento, CA
94252-2053

-and-

Governor's Office of Planning and Research
P.O. Box 3044 Sacramento,
CA 95812-3044

CERTIFICATION OF ACCURACY

The undersigned, in the capacity of City Planner on behalf of the City of Corning, has reviewed the information provided in the forms and report contained herein, and certifies, to the best of his knowledge, that the information provided herein is true and correct.

Chrissy Meeds

Chrissy Meeds, City Planner II

Date

BACKGROUND AND PURPOSE OF THE GENERAL PLAN ANNUAL REPORT

General – State Law and Local Planning

California Government Code Section 65400(a)(2) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the general plan and progress in its implementation. A copy of this progress report must also be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

The intent is to ensure that the general plan directs all land use decisions and remains an effective guide for future development. Because the role of the general plan is to act as a "constitution" for the long-term physical development of a community and because it is required to be updated periodically to reflect current circumstances, it is critical that local planning agencies periodically review the general plan and its implementation. The report is a tool for doing this.

The main purpose and most important function of the report is to provide local legislative bodies with information regarding implementation of their general plans. The report must be presented to the local legislative body for their review and acceptance. This is typically done by placing the report on a regular meeting agenda as a consent or discussion item.

City of Corning – Growth and the General Plan

The City of Corning General Plan 2014–2034 was adopted by the City Council on May 24, 1994. Two major events occurred in the last couple of years which have had an impact to the City, the Camp Fire in November 2018, and the COVID-19 pandemic in 2020.

According to the US Census (2020), the Camp Fire resulted in the biggest decline in housing units of any county in the United States with the loss of 13,865 housing units. According to a study completed by Chico State University (2020), of the persons/families displaced from the Camp Fire, 132 moved to Corning. 2020, US Census sets Corning's population at 7625, down 85 from the previous 2019 count of 7,710. This City is starting to see inclines in population with the latest population numbers for the City at 8,253 a growth of 0.22% since 2010. However, the impact of the campfire is still in effect. Housing costs have outpaced wage and employment growth, it's costing more to build due to a shortfall in building contractors.

The COVID-19 pandemic was first widely reported in the United States in January of 2020. In the City planning and building realm, the COVID-19 pandemic had, and continues to have, a substantial impact in fewer planning applications and building permits than in past years. For example, in 2020, the City issued two residential (ADU) building permits. In 2019, the City issued 63 residential building permits. Of the sixty-three (63) permits issued in 2019, only seven have been completed. The reason for the low number of housing being completed is in part due to the COVID-19 pandemic in 2020. However, in 2021, we did issue a permit for a 32-unit multi family, permanent housing complex along with two ADU permits. In 2022 the City is still not back to pre-pandemic levels. The City issued five ADU permits and one Duplex permit. The City recently approved a 53 unit Single Family Residential subdivision. We are hoping that 2023 will show improvement in the housing market for the City.

The City adopted a new Housing Element that will allow for more housing opportunities along with an updated zoning code increasing density's and allowing for ADU's.

Regardless of development interest in Corning and the current state of the economy, the City's General Plan is a valid and useful document, and the goals, policies, and programs of the plan were advanced through the City's actions throughout the 2022 calendar year.

City of Corning Housing Element 2019-2024

The City of Corning 2019-2024 Housing Element was adopted by the Corning City Council on December 22, 2020. The Housing Element was certified by the Department of Housing and Community Development on December 28, 2020.

The Housing Element outline's the City's goals, policies, objectives, and programs in relation to meeting the City's housing needs during the planning period of 2019-2024.

With the recent adoption of the 2019-2024 Housing Element a few of the goals that are in relation to the City's General Plan are as follows:

- **Housing Production:** Provide a variety of housing choices and increase supply of new

housing to meet the community's fair share of the regional needs.

- **Housing Conservation, Maintenance, and Improvement:** Maintain and improve the condition of the existing housing stock to meet the needs of the community.
- **Equal Housing Opportunity:** Ensure fair and equal housing opportunity and environmental justice for all.
- **Removal of Government Constraints:** When appropriate, remove unnecessary constraints to the maintenance, improvement and development of housing.
- **Preserve Affordable Housing:** Preserve existing affordable housing opportunities for very low, low, and moderate-income residents.
- **Energy Conservation:** Ensure increased energy self-sufficiency through the use of energy conservation measures in all homes.

All which corollate with the City's Goal #1 of the City of Corning's General Plan.

Regional Housing Needs

A Regional Housing Needs Allocation (RHNA) Plan is mandated by the State of California (Government Code Section 65584) for regions to address housing issues and needs based on future growth projections for the area. The State also establishes the number of total housing units needed for each region. Pursuant to California Government Code Section 65584, the California Department of Housing and Community Development (HCD) developed an RHNA Plan for Tehama County, which identifies a need for a specific number of new residential units in the county over a six-year period (December 31, 2018 – August 31, 2024) The need for residential units is shared and distributed among each city within the county.

Based on the RHNA plan for Tehama County, the City of Corning's share is 206 units. The City has built 125 units. The City has exceeded its goal for low income housing and has built 104. The new RHNA allocation will be coming out soon and the City's numbers have not changed much.

Corning has an estimated vacant land capacity to construct over a thousand plus single family and multi family units. The City of Corning's RHNA goals are (47) very-low income, (36) low-income, (36) moderate-income, and (87) above moderate-income.

Development Activity

In the year 2022, the City of Corning Planning Department processed 10 conditional use permits, 2 subdivision maps, and 2 variances. See the table below.

Application Type	# of Applications	Status
Conditional Use Permit	10	10 Approved
General Plan Ammendment	0	0
Zoning Ordinance	0	0
Lot Merger	0	0
Parcel Maps	1	1 Approved
Subdivision Maps	2	2 Approved
Variances	2	1 Approved
Annexation	0	0
Lot Line Adjustment	0	0
Lot Split	0	0

Summary

The City of Corning adopted the General Plan in 2014. The plan has been providing policy guidance and direction.

The 2019-2024 Housing Element Policies.

Jurisdiction	Corning	
Reporting Year	2022	(Jan. 1 - Dec. 31)

<i>D_1_Name</i>	<i>D_2_Objective</i>	<i>D_3_Time</i>	<i>D_4_Status</i>
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation



<p>Adequate Sites with No net loss</p>	<p>The City shall encourage the production of a variety of housing choices. In accordance with Government Code Section 65863, the City shall ensure that adequate sites are available to meet the community's fair share of regional needs throughout the planning period.</p>	<p>On-Going</p>	<p>The City has adequate properly zoned property.</p>
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<p>Coordination with Tehama County</p>	<p>As funding and staff capacity allows, the City shall coordinate with the Tehama County Planning Department. The City shall collaborate with the County, if an appropriate opportunity arises to jointly pursue funding for the development of adequate housing especially for very low-, low-, and moderate-income households with special housing needs.</p>	<p>As funding and staff allows</p>	<p>The City continually supports the development of housing and will be looking into multi-jurisdictional funding opportunities.</p>
<p>Coordination with Developers</p>	<p>The City shall work with for-profit and non-profit developers to develop housing affordable to extremely low, very low- and low-income households.</p>	<p>Through the Planning period</p>	<p>The City is currently working with a developer to build a 53 lot subdivision that will include 50 Low Income homes and 3 very low income homes.</p>

Coordination with Service Providers:

The City shall support service providers that address the needs of seniors, large families, farmworkers, female-headed households with children, persons with disabilities (including developmental disabilities), extremely low income households, and homeless individuals and families by assisting them to access a variety of housing choices and services.

Staff will be available to service providers through the entire planning period. Staff will seek or support funding opportunities beginning in 2021-2022 and annually thereafter; meet annually with housing and special needs providers; all program components are ongoing

The City is in support of all service providers.

<p>Density Bonuses</p>	<p>As part of the development entitlement process, the City shall encourage projects to contain a mix of units to accommodate extremely low-, very low-, low-income, seniors, and/or units designed to facilitate persons with disabilities. The City shall provide density bonuses and/or other incentives</p>	<p>Implement ordinance and promote density bonuses throughout planning period.</p>	<p>The City adopted an updated zoning code which specifies the process of applying for a density bonus.</p>
<p>Accessory Dwelling Units</p>	<p>The City shall allow ADUs in accordance with all applicable state laws and encourage the development of ADUs as potential affordable housing stock.</p>	<p>Implement ordinance and promote ADUs throughout planning period.</p>	<p>The updated zoning code defines the development and standards for ADU's</p>

<p>Funding and Partnerships to Create Housing Choices:</p>	<p>The City shall pursue funding when appropriate and support other entities' development of adequate housing, especially for very low-, low-, and moderate-income households with special needs.</p>	<p>Throughout entire planning period when funds are available.</p>	<p>The city is open to exploring available funding when it's available.</p>
<p>Housing Rehabilitation Program:</p>	<p>The City shall support the conservation, maintenance, improvement, and rehabilitation of existing housing when feasible.</p>	<p>2019-2024</p>	<p>The City Council passed Ordinance 695, a nuisance abatement to streamline the abatement process and it has been working wonderfully</p>

Housing Conditions Survey:	The City shall undertake a housing conditions survey to obtain an updated assessment of the housing conditions throughout the City.	2019-2024	A Housing Conditions Survey was done with our new Housing Element.
Remove and Replace Dilapidated Housing:	The City shall promote the removal and replacement of substandard "dilapidated" housing units, which cannot be feasibly rehabilitated.	Ongoing throughout the planning period if staff are available.	The City has removed or requested to have rehabilitated approximatley 6 homes during this housing cycle.

<p>Code Enforcement:</p>	<p>The City shall use code enforcement to maintain and improve the condition of the existing housing stock and neighborhoods. The City shall implement the Uniform Housing Code, adopted in 2019.</p>	<p>Ongoing throughout the planning period.</p>	<p>With Ordinance 695</p>
<p>Mobile Home Park Maintenance, Improvement, and Rehabilitation</p>	<p>The City shall support the maintenance, improvement, and rehabilitation of mobile home parks in the City</p>	<p>As staff are available to implement</p>	<p>The City is planning to meet with the mobile home park owners as staff is available.</p>

<p>Affirmatively Furthering Fair Housing:</p>	<p>The City shall encourage fair and equal housing opportunity for all persons regardless of age, sex, race, religion, marital status, nationality, disabilities, family size, or other protected status.</p>	<p>Ongoing.</p>	<p>The City is working to create a fair housing program.</p>
<p>Barrier-Free Housing:</p>	<p>The City shall encourage housing that is appropriate for persons with disabilities, especially developmental disabilities.</p>	<p>Ongoing as projects are submitted.</p>	<p>The City has adopted an updated zoning code to meet all state standards.</p>

<p>Housing for Large Families:</p>	<p>The City shall encourage the development of housing to meet the needs of large families</p>	<p>2019-2024</p>	<p>The City has adopted an updated zoning code to reflect all new assembly bills passed</p>
<p>Environmental Justice:</p>	<p>The City shall encourage environmental justice for all residents, regardless of age, sex, race, religion, marital status, nationality, disabilities, family size, or other protected status.</p>	<p>Whenever projects are proposed</p>	<p>City staff is working on a process to distribute the proper information to any neighborhood that could be effected.</p>

Zoning for a Variety of Housing Types:

In accordance with Government Code Section 65583 and 65583.2, the City shall maintain allowed uses in the Municipal Code and periodically revise as needed, to remove constraints on the production of a variety of housing types, including multifamily rental housing, factory-built housing, mobile homes, housing for farmworkers, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

2019-2024

The City has adopted an updated zoning code to reflect all new assembly bills passed.

**Infrastructure
Improvements:**

The City shall facilitate the construction and improvement of infrastructure (sewer, water, roads, storm drainage, etc.) in appropriate locations to better serve housing and job creation opportunities.

**Ongoing as staff
time is available.**

The City just completed a new road project that repaired our main street and are preparing to repair 5 roads in a subdivision, we also have future road improvement plans lined up.

<p>Fee Deferrals, Streamlining, and Other Incentives:</p>	<p>The City shall consider multiple approaches to encouraging the development of housing affordable to extremely low-, very low-, and low-income households and implement approaches, when feasible, and/or required by state law.</p>	<p>Ongoing and as affordable housing projects are applied for.</p>	<p>The City passed ordinance 702 to allow for the SB9 process.</p>
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**Off-Site
Improvements:**

The City shall facilitate assistance with and/or modify off-site development requirements, where appropriate, to address and remove unnecessary governmental constraints to the maintenance, improvement, and development of lower-income housing projects.

Ongoing and as funds are needed.

The City is pro active in assisting developers to get their projects off the ground and will seek funding when it's available to help do so.

<p>Reasonable Accommodations:</p>	<p>The City shall implement the Reasonable Accommodations process in the Zoning Code. The City shall monitor housing development and identify if there are potential standards, procedures, or fees acting as constraints to the maintenance, improvement, and development of housing that meets the needs of people with disabilities.</p>	<p>Review code annually and address identified constraints within a year. Process requests for reasonable accommodations as they are received. Page VII-16 Zoning Code amendments will be made as part of an update the City intends to adopt concurrently with the adoption of the Housing Element.</p>	<p>The City has adopted an updated zoning code to reflect all new assembly bills passed.</p>
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<p>Residential By-Right for Developments with 20% Affordable</p>	<p>To comply with AB 1397, vacant sites identified for housing affordable to households with lower incomes in the vacant land inventory in this 6th cycle Housing Element, which also appeared in the 5th and 6th cycle Housing Elements shall be allowed to be developed for residential use by-right, in accordance with Government Code 65563.2(c).</p>	<p>As development proposal are received for these properties.</p>	<p>Magnolia Meadow (53) parcels has 50 low and 3 very low properties authorized by-right.</p>
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**SB 2
Implementation:**

The City will accomplish the objectives in the City's Senate Bill (SB) 2 grantworkplan to achieve the goal of allowing and permitting more housing and awider variety of housing. This will include the elimination of subjectivedevelopment standards/policies which shall be replaced with objective designstandards as required by Government Code Section 65589.

Housing Element will be adopted by February 2021; code updates willbe implemented as part of a Zoning Code update that the City intends toadopt concurrently with the adoption of the Housing Element

The City has completed all goals within the SB 2 Implementation.

<p>At-Risk Assisted Housing:</p>	<p>The City shall proactively prevent the displacement of lower-income residents from assisted rental housing units that may convert to market-rate housing in the future.</p>	<p>Monitor units at least annually; take action swiftly when particular units are in danger of being lost.</p>	<p>The City will communicate with Plumas County Community Development Commission regarding the voucher program for low income tenants that could possibly lose their home.</p>
<p>Housing Vouchers:</p>	<p>The City shall continue to support the preservation and use of rental assistance, such as Housing Vouchers.</p>	<p>Ongoing.</p>	<p>The City supports the Plumas County voucher program.</p>

<p>Mobile Home Park Preservation:</p>	<p>The City shall support the preservation of existing affordable housing opportunities for extremely low-, very low-, low-, and moderate-income residents of Corning in mobile home parks.</p>	<p>2019-2024</p>	<p>The City is planning to meet with the mobile home park owners as staff is available.</p>
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<p>Relocation Assistance and Replacement Units:</p>	<p>The City shall prevent displacement of residents due to City assisted and/or private rehabilitation and redevelopment activities. To mitigate the loss of affordable housing units, new housing developments shall be required to replace all affordable housing units lost due to new development.</p>	<p>Evaluate establishing a program by 2023, provide relocation assistance and enforce replacement unit requirements throughout the planning period</p>	<p>No affordable housing units have been lost as there is adequate vacant land in the City.</p>
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Energy Conservation:

Promote the use of energy conservation measures in the development and rehabilitation of all housing, but especially in housing for low- and moderate income households

Ongoing throughout the planning period if staff are available.

The City is pro active in implementing energy conservation measures on any new project, staff always encourages solar energy, tree planting and the use of drought tolerant plantings.



City of Corning

2021 City of Corning
General Plan/Housing
Element Annual Report

Please Start Here

General Information	
Jurisdiction Name	Corning
Reporting Calendar Year	2022
Contact Information	
First Name	Chrissy
Last Name	Meeds
Title	Planner II
Email	cmeeds@corning.org
Phone	5308247036
Mailing Address	
Street Address	794 Third St
City	Corning
Zipcode	96021

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing **ctrl + d**

[Click here to download APR instructions](#)

1.21.23

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction Reporting Year	Coming 2022 (Jan. 1 - Dec. 31)
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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance improvement and development of housing as identified in the housing element			
1	2	3	4
Name of Program	Objective	Timeframe in H.E. element	Status of Program Implementation
Adequate Sites with No net loss	The City shall encourage the production of a variety of housing choices. In accordance with Government Code Section 65863, the City shall ensure that adequate sites are available to meet the community's fair share of regional needs throughout the planning period.	On-Going	The City has adequate properly zoned property.
Coordination with Tehama County	As funding and staff capacity allows, the City shall coordinate with the Tehama County Planning Department. The City shall collaborate with the County, if an appropriate opportunity arises to jointly pursue funding for the development of adequate housing especially for very low-, low-, and moderate-income households with special housing needs.	As funding and staff allows	The City continually supports the development of housing and will be looking into multi-jurisdictional funding opportunities.
Coordination with Developers	The City shall work with for-profit and non-profit developers to develop housing affordable to extremely low, very low- and low-income households.	Through the Planning period	The City is currently working with a developer to build a 53 lot subdivision that will include 50 Low income homes and 3 very low income homes.

<p>Coordination with Service Providers:</p>	<p>The City shall support service providers that address the needs of seniors, large families, farmworkers, female-headed households with children, persons with disabilities (including developmental disabilities), extremely low-income households, and homeless individuals and families by assisting them to access a variety of housing choices and services.</p>	<p>Staff will be available to service providers through the entire planning period. Staff will seek or support funding opportunities beginning in 2021-2022 and annually thereafter; meet annually with housing and special needs providers; all program components are ongoing</p>	<p>The City is in support of all service providers.</p>
<p>Density Bonuses</p>	<p>As part of the development entitlement process, the City shall encourage projects to contain a mix of units to accommodate extremely low-, very low-, low-income, seniors, and/or units designed to facilitate persons with disabilities. The City shall provide density bonuses and/or other incentives</p>	<p>Implement ordinance and promote density bonuses throughout planning period.</p>	<p>The City adopted an updated zoning code which specifies the process of applying for a density bonus.</p>
<p>Accessory Dwelling Units</p>	<p>The City shall allow ADUs in accordance with all applicable state laws and encourage the development of ADUs as potential affordable housing stock.</p>	<p>Implement ordinance and promote ADUs throughout planning period.</p>	<p>The updated zoning code defines the development and standards for ADU's</p>

<p>Funding and Partnerships to Create Housing Choices:</p>	<p>The City shall pursue funding when appropriate and support other entities' development of adequate housing, especially for very low-, low-, and moderate-income households with special needs.</p>	<p>Throughout entire planning period when funds are available.</p>	<p>The city is open to exploring available funding when it's available.</p>
<p>Housing Rehabilitation Program:</p>	<p>The City shall support the conservation, maintenance, improvement, and rehabilitation of existing housing when feasible.</p>	<p>2019-2024</p>	<p>The City Council passed Ordinance 696, a nuisance abatement to streamline the abatement process and it has been working wonderfully</p>
<p>Housing Conditions Survey:</p>	<p>The City shall undertake a housing conditions survey to obtain an updated assessment of the housing conditions throughout the City.</p>	<p>2019-2024</p>	<p>A Housing Conditions Survey was done with our new Housing Element.</p>
<p>Remove and Replace Dilapidated Housing:</p>	<p>The City shall promote the removal and replacement of substandard "dilapidated" housing units, which cannot be feasibly rehabilitated.</p>	<p>Ongoing throughout the planning period if staff are available.</p>	<p>The City has removed or requested to have rehabilitated approximately 6 homes during this housing cycle.</p>
<p>Code Enforcement:</p>	<p>The City shall use code enforcement to maintain and improve the condition of the existing housing stock and neighborhoods. The City shall implement the Uniform Housing Code, adopted in 2019.</p>	<p>Ongoing throughout the planning period.</p>	<p>With Ordinance 695</p>
<p>Mobile Home Park Maintenance, Improvement, and Rehabilitation</p>	<p>The City shall support the maintenance, improvement, and rehabilitation of mobile home parks in the City</p>	<p>As staff are available to implement</p>	<p>The City is planning to meet with the mobile home park owners as staff is available.</p>

<p>Affirmatively Furthering Fair Housing:</p>	<p>The City shall encourage fair and equal housing opportunity for all persons regardless of age, sex, race, religion, marital status, nationality, disabilities, family size, or other protected status.</p>	<p>Ongoing.</p>	<p>The City is working to create a fair housing program.</p>
<p>Barrier-Free Housing:</p>	<p>The City shall encourage housing that is appropriate for persons with disabilities, especially developmental disabilities.</p>	<p>Ongoing as projects are submitted.</p>	<p>The City has adopted an updated zoning code to meet all state standards.</p>
<p>Housing for Large Families:</p>	<p>The City shall encourage the development of housing to meet the needs of large families</p>	<p>2019-2024</p>	<p>The City has adopted an updated zoning code to reflect all new assembly bills passed</p>
<p>Environmental Justice:</p>	<p>The City shall encourage environmental justice for all residents, regardless of age, sex, race, religion, marital status, nationality, disabilities, family size, or other protected status.</p>	<p>Whenever projects are proposed</p>	<p>City staff is working on a process to distribute the proper information to any neighborhood that could be effected.</p>
<p>Zoning for a Variety of Housing Types:</p>	<p>In accordance with Government Code Section 65883 and 65883.2, the City shall maintain allowed uses in the Municipal Code and periodically revise as needed, to remove constraints on the production of a variety of housing types, including multifamily rental housing, factory-built housing, mobile homes, housing for farmworkers, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.</p>	<p>2019-2024</p>	<p>The City has adopted an updated zoning code to reflect all new assembly bills passed.</p>

<p>Infrastructure improvements:</p>	<p>The City shall facilitate the construction and improvement of infrastructure (sewer, water, roads, storm drainage, etc.) in appropriate locations to better serve housing and job creation opportunities.</p>	<p>Ongoing as staff time is available.</p>	<p>The City just completed a new road project that repaired our main street and are preparing to repair 5 roads in a subdivision, we also have future road improvement plans lined up.</p>
<p>Fee Deferrals, Streamlining, and Other Incentives:</p>	<p>The City shall consider multiple approaches to encouraging the development of housing affordable to extremely low-, very low-, and low-income households and implement approaches, when feasible, and/or required by state law.</p>	<p>Ongoing and as affordable housing projects are applied for.</p>	<p>The City passed ordinance 702 to allow for the SB9 process.</p>
<p>Off-Site Improvements:</p>	<p>The City shall facilitate assistance with and/or modify off-site development requirements, where appropriate, to address and remove unnecessary governmental constraints to the maintenance, improvement, and development of lower-income housing projects.</p>	<p>Ongoing and as funds are needed.</p>	<p>The City is pro active in assisting developers to get their projects off the ground and will seek funding when it's available to help do so.</p>

<p>Reasonable Accommodations:</p>	<p>The City shall implement the Reasonable Accommodations process in the Zoning Code. The City shall monitor housing development and identify if there are potential standards, procedures, or fees acting as constraints to the maintenance, improvement, and development of housing that meets the needs of people with disabilities.</p>	<p>Review code annually and address identified constraints within a year. Process requests for reasonable accommodations as they are received. Page VI-16 Zoning Code amendments will be made as part of an update the City intends to adopt concurrently with the adoption of the Housing Element.</p>	<p>The City has adopted an updated zoning code to reflect all new assembly bills passed.</p>
<p>Residential By-Right for Developments with 20% Affordable</p>	<p>To comply with AB 1387, vacant sites identified for housing affordable to households with lower incomes in the vacant land inventory in this 6th cycle Housing Element, which also appeared in the 5th and 6th cycle Housing Elements shall be allowed to be developed for residential use by-right, in accordance with Government Code 65583.2(c).</p>	<p>As development proposal are received for these properties.</p>	<p>Magnolia Meadow (53) parcels has 50 low and 3 very low properties authorized by-right.</p>
<p>SB 2 Implementation:</p>	<p>The City will accomplish the objectives in the City's Senate Bill (SB) 2 grant workplan to achieve the goal of allowing and permitting more housing and a wider variety of housing. This will include the elimination of subjective development standards/policies which shall be replaced with objective design standards as required by Government Code Section 65589.</p>	<p>Housing Element will be adopted by February 2021; code updates will be implemented as part of a Zoning Code update that the City intends to adopt concurrently with the adoption of the Housing Element</p>	<p>The City has completed all goals within the SB 2 Implementation.</p>

At-Risk Assisted Housing:	The City shall proactively prevent the displacement of lower-income residents from assisted rental housing units that may convert to market-rate housing in the future.	Monitor units at least annually; take action swiftly when particular units are in danger of being lost.	The City will communicate with Plumas County Community Development Commission regarding the voucher program for low income tenants that could possibly lose their home.
Housing Vouchers:	The City shall continue to support the preservation and use of rental assistance, such as Housing Vouchers.	Ongoing.	The City supports the Plumas County voucher program.
Mobile Home Park Preservation:	The City shall support the preservation of existing affordable housing opportunities for extremely low-, very low-, low-, and moderate-income residents of Coming in mobile home parks.	2019-2024	The City is planning to meet with the mobile home park owners as staff is available.
Relocation Assistance and Replacement Units:	The City shall prevent displacement of residents due to City assisted and/or private rehabilitation and redevelopment activities. To mitigate the loss of affordable housing units, new housing developments shall be required to replace all affordable housing units lost due to new development.	Evaluate establishing a program by 2023, provide relocation assistance and enforce replacement unit requirements throughout the planning period	No affordable housing units have been lost as there is adequate vacant land in the City.
Energy Conservation:	Promote the use of energy conservation measures in the development and rehabilitation of all housing, but especially in housing for low- and moderate-income households	Ongoing throughout the planning period if staff are available.	The City is pro active in implementing energy conservation measures on any new project, staff always encourages solar energy, tree planting and the use of drought tolerant plantings.

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Jurisdiction	Coming
Reporting Period	2022 (Jan. 1 - Dec. 31)
Planning Period	06/01/2019 - 06/30/2024

Note: "*" indicates an optional field
Cells in gray contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional! The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1 subdivision (c). Please note motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA* *Based for Informational Purposes Only		Units that Count Towards RHNA *		TOTAL UNITS*	TOTAL UNITS*	Low-Income*	Very Low-Income*	Extremely Low-Income*	Very Low-Income*	Low-Income*	TOTAL UNITS*	The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1*. For detailed reporting requirements, see the checklist here: https://www.hcd.ca.gov/communities/development/docs/adequatesites-checklist.pdf
	Extremely Low-Income*	Very Low-Income*	Low-Income*	TOTAL UNITS*									
Rehabilitation Activity													
Preservation of Units At-Risk													
Acquisition of Units													
Mobilehome Park Preservation													
Total Units by Income													

Jurisdiction	Corning	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	6
Moderate	Deed Restricted	0
	Non-Deed Restricted	1
Above Moderate		0
Total Units		7

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	0	0	0
2 to 4	2	2	0
5+	0	0	0
ADU	6	5	44691
MH	0	0	0
Total	8	7	44691

Housing Applications Summary	
Total Housing Applications Submitted	6
Number of Proposed Units in All Applications Received	7
Total Housing Units Approved	7
Total Housing Units Disapproved	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

	Deed Restricted	Current Year
Low	0	0
Moderate	7	7
Above Moderate	0	0
Total Units	7	7

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	6
Moderate	Deed Restricted	0
	Non-Deed Restricted	1
Above Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Total Units		7

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	44691
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Total Units		44691

and based on the eligible uses specified in Section

	Other Funding	Notes
	None	
	None	
	None	

**ITEM NO: E-2
CONSIDER REVOCATION OF USE PERMIT
2022-301, HENRY TELLIZ PURSUANT TO
SECTION 17.54.060 OF THE CORNING
MUNICIPAL CODE.**

APRIL 18, 2023

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING
FROM: CHRISSY MEEDS, PLANNER II 
KRISTINA MILLER, CITY MANAGER

PROJECT DESCRIPTION:

On March 16, 2022, the Corning Planning Commission approved Use Permit 2022-301 permitting the establishment of a residence in a M-1 Industrial Zone within an existing building located at 1577 Second Street (APN: 073-163-008). The Zoning District requires the issuance of a Use Permit prior to the establishment of a residential use.

Henry Telliz owns the building at 1577 Second Street. According to the original application submitted by Mr. Telliz he applied to establish a dwelling within the commercial building so that his family could live and run their towing and Pupusa business all in the same location. The Use Permit was granted with eighteen (18) Conditions of Approval as follows.

CONDITION #1 – BUILDING AND FIRE CODE COMPLIANCE:

Owner must obtain a Building Permit and comply with all applicable requirements of the Uniform Building and Fire Codes as adopted by the City of Corning.

CONDITION #2 – LIMITED RESIDENTIAL USE WITH EXISTING COMMERCIAL USE:

The number of occupants living in the residence is four (4) people. At all times, at least one person living in the residence (as their primary residence) must be the owner of the commercial business occupied and operating on the property. A business closed for two or more weeks in any given month is deemed non-operational for purposes of this Use Permit.

CONDITION #3- USE PERMIT ISSUANCE:

Use Permit 2022-301 is conditional on the existence of the commercial businesses in operation on the property with the common ownership existing as required in Condition No. 2 above.

CONDITION #4 - ANNUAL INSPECTIONS:

The Planning & Building Officials and/or the Fire Chief for the City of Corning has the discretion to set up annual inspections to assure that the residence is in compliance with applicable building and fire codes and conditions of the Use Permit.

CONDITION #5- LIMITED SIZE OF RESIDENCE/STORAGE:

The residential unit cannot be any larger than one-third the size of the established businesses on the property. Commercial storage of products used or sold in the commercial business, except flammable liquids, are permitted to be stored on the property.

CONDITION #6 – PARKING RESTRICTIONS

No Boats, Recreational Vehicles, Trailers, or Motorhomes are allowed to be parked on the property, adjacent properties, or public right-of-ways in the vicinity of the building.

CONDITION #7 – COMPLIANCE WITH ALL STATE AND LOCAL LAWS:

The use, occupancy, and habitation of the residence shall occur in compliance with all State and local laws. A violation of any such laws, proven through administrative or judicial procedure, as applicable, is grounds to revoke the Use Permit.

CONDITION #8 SIGN REGULATIONS:

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

CONDITION #9 LANDSCAPE SCREENING:

Prior to the issuance of a Certificate of Occupancy for the towing business a landscape plan that provides screening around the area where towed vehicles will be stored on site must be submitted and approved by City Staff.

CONDITION #10:

No dismantling of stored vehicles is permitted at this location.

CONDITION #11:

No stacking of stored vehicles is permitted. No more than three (3) towed vehicles can be stored at the property.

CONDITION #12 HAZARDOUS MATERIALS:

The operators of the towing business must obtain a Hazardous Materials Handlers Permit from the Tehama County Environmental Health Department.

CONDITION #13 FUGITIVE DUST CONTROL:

The operator of the towing business shall obtain a Fugitive Dust Control Permit from the Tehama County Air Pollution Control District.

CONDITION #14 TIN FENCING:

No tin or metal fencing will be permitted on the site.

CONDITION #15 SAFE/FENCED SPACE FOR CHILDREN:

Owners must submit a plan to the City to show a safe and fenced area for the children to play. The safe fenced space for children must be constructed within 30 days of issuance of the Use Permit. All residential uses shall be kept separate from business area (swing set, toys, etc.).

CONDITION #16 SIDEWALK IMPROVEMENTS:

Owners must install 5' wide sidewalk per Public Works Standard S-1 along 2nd Street for the entire length of the property frontage and install a new accessible pedestrian ramp at the northeast corner of 2nd Street and Fig Lane per Public Works Standard S-2. Prior to construction the Owner and/or Contractor must apply for an Encroachment Permit for the improvements.

CONDITION #17 VISUAL: Business shall not contribute to visual blight, business must be kept in a neat and tidy fashion, no trash, loose debris, tarps, sheets, or any other unsightly debris.

CONDITION #18 WORK COMPLETION (Added by Commission at the March Meeting):

That all work listed in the Conditions of Approval must be completed within one (1) year of issuance of Use Permit.

SUMMARY:

Staff did a drive by in January 2023 to check status on compliance with the Conditions as no Landscape Plan (Condition #9) or Encroachment Permit (Condition #16) had been submitted to the City. Staff found no actions had been taken to meet compliance with the Use Permit's Conditions of Approval. On January 27, 2023 Staff wrote a courtesy letter to Mr. Telliz reminding him of the Conditions of Approval associated with his Use Permit and the allotted time period for compliance with these Conditions (Exhibit A). On March 31st Mr. Telliz came into the City's Finance Department seeking an extension to comply with the Conditions of his Use Permit. After discussing this matter with the City Manager, City Attorney, and the Public Works Consultant, the determination was made that Mr. Telliz had a year to complete and meet compliance with all of the Conditions of Approval; it is apparent he had not attempted to even start work towards compliance with these Conditions.

Pursuant to Section 17.54.060 of the Corning Municipal Code (CMC) the City Manager and the City Attorney recommended that the Planning Commission conduct a Public Hearing to consider revocation of Use Permit 2022-301.

ENVIRONMENTAL:

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

The California Environmental Quality Act Guidelines provides for the Categorical Exemptions of certain minor projects. Section 15321 Enforcement by Regulatory Agencies Class 21 consists of:

- (a) Actions by a regulatory agency to enforce or revoke a Lease, Permit, License, Certificate, or other Entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:*
- (2) The adoption of an administrative decision or order enforcing or revoking the Lease, Permit, License, Certificate, or Entitlement for use or enforcing the general rule, standard, or objective.*

LAND USE & ZONING:

The site is designated as Industrial in the General Plan. With the adoption of the 2014-2034 it was designated with a Commercial Land Use Designation.

PLANNING COMMISSION AUTHORITY:

The Planning Commission's authority regarding the issuance of a Use Permit stems from Chapter 17.54 of Title 17 of the CMC, and the State Planning and Zoning Law (Government Code Section 65000 et. seq.). The previously mentioned Section

17.54.060 of the CMC states that *"If the Commission or Council finds any one of the following facts to be present, it shall revoke the Conditional Use Permit:*

- A. That the Permit was obtained by fraud; or
- B. That the use for which such approval was granted has ceased to exist, or has been suspended for a period of six months or more; or
- C. That the Permit granted is being, or has been, exercised contrary to the terms and conditions of such approval or in violation of any law; or
- D. That the use for which approval was granted is being exercised so as to be detrimental to the public health or safety, or as to constitute a nuisance."

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for the Revocation Use Permit 2022-301;

Factual Subfinding #1

The California Environmental Quality Act Guidelines provides for the Categorical Exemptions of certain minor projects. Section 15321 Enforcement by Regulatory Agencies Class 21 consists of:

- (a) Actions by a regulatory agency to enforce or revoke a Lease, Permit, License, Certificate, or other Entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:
 - (2) The adoption of an administrative decision or order enforcing or revoking the Lease, Permit, License, Certificate, or Entitlement for use or enforcing the general rule, standard, or objective.

Legal Finding #1

The Revocation of Use Permit 2022-301 is an administrative decision by the Corning Planning Commission and categorically exempt from CEQA pursuant to Section 15321, Class 21 (a) (2).

Factual Subfinding #2

Use Permit 2022-301 was granted to allow a residence in a commercial building in a Zoning District known as M-1 Light Industrial so that Mr. Telliz could live and run his business in the same location.

Legal Finding #2

On March 31, 2023 (the deadline to meet all conditions), Mr. Telliz asked for an extension in order to comply with the Permit Conditions. An inspection conducted by City Staff revealed that Mr. Telliz has not, since the issuance of the Use Permit in March of 2022, made any efforts to meet compliance with the stipulated 18 Conditions of Approval of the Use Permit.

Factual Subfinding #3

The applicant (Mr. Telliz) failed to comply with the 18 Conditions of Approval associated with Use Permit 2022-301 within the time stipulated in said Permit.

Legal Finding #3

The continued residential use of the building at 1577 Second Street will be detrimental to the public health and safety of the occupants and in violation of the use that was granted (subsection C & D of Chapter 17.54 section 1.54.060 of the CMC.

Factual Subfinding #4

Section 17.54.060 of the Corning Municipal Code states that "If the Commission or Council finds any one of the following facts to be present, it shall revoke the Conditional Use Permit:

- A. That the permit was obtained by fraud; or
- B. That the use for which such approval was granted has ceased to exist, or has been suspended, for a period of six months or more; or
- C. That the permit granted is being, or has been, exercised contrary to the terms and conditions of such approval or in violation of any law; or
- D. That the use for which approval was granted is being exercised so as to be detrimental to the public health or safety, or as to constitute a nuisance."

Legal Finding #4

The continued residential use for which Use Permit 2022-301 was granted is being exercised so as to be detrimental to the public health and safety.

ACTION

Move to adopt the Four (4) Factual Subfindings and Legal Findings and revoke Use Permit 2022-301 preventing any further residential use of the building located at 1577 Second Street.

OR;

Take no action on the revocation of Use Permit 2022-301.

EXHIBITS

EXHIBIT "A": Letter demanding inspection of building.

Exhibit "A"

To: Henry Telliz

RE: City of Corning Conditional Use Permit 2022-301

In March of 2022, The City of Corning issued you Conditional Use Permit 2022-301 to allow you to establish a residence in an M-1 Industrial Zone.

Within that use permit you were given a list of conditions that are to be met no later than March 31, 2023.

I wanted to send this letter to you to remind you of these conditions, which are attached.

If these conditions are not met by the March 31st deadline, your Conditional Use Permit 2022-301 will be revoked.

Please let us know if have any questions or concerns.

Thank you,

Chrissy Meeds
Planner II
City of Corning