



**CITY OF CORNING
PLANNING COMMISSION MEETING AGENDA
TUESDAY, MAY 16, 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 a 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 April 18, 2023 Planning Commission Meeting with any necessary corrections:

E. PUBLIC HEARINGS AND MEETINGS:

2. Use Permit No. 2023-312; Rajwinder Kaur Permit Application to establish a Mobile Vending Food Business at 3094 Highway 99W on the same lot as the Royal Truck Wash. Zoning: C-3 Business District CBDZ; Location: 3094 Hwy. 99W; APN: 087-040-077.

3. Use Permit No. 2023-313; Francisco Madrigal Permit Application to establish a Mobile Vending Food Business in the parking lot at 1515 Highway 99W. Zoning: C-3 General Business District CBDZ; Location: 1515 Highway 99W; APN: 071-250-018.

F. REGULAR AGENDA:

G. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, APRIL 14, 2023



**CITY OF CORNING
PLANNING COMMISSION MEETING MINUTES
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**

All members of the Commissioners were present.

C. BUSINESS FROM THE FLOOR: None.

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.**

Commissioner Lamb moved to approve the minutes of the February 21, 2023 and February 28, 2023 Special City Council and City Commissions Joint Meetings. Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker, and Lamb. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

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.

Presented by Planner II Christina Meeds. Following acknowledging the presence of the Permittee, Ms. Meeds briefed the Commission on the status of the completion of the Conditions of Approval on the Use Permit; to date nothing has been completed.

Public Hearing was opened at: 6:41 p.m.

A spokesperson for the Permittee explained that Mr. Telliz had been unable to complete the required items listed in the Conditions of Approval due to financial reasons and because he was out of the County for a period of time. She requested an extension in order to complete these items.

In response, Commissioner Poisson stated that she remembers very well that Mr. Telliz was specifically asked at the time the Use Permit was granted if he would be able to complete all of the items required in the Conditions of Approval within the yearly timeframe allotted. He responded at that time that he could. Based upon this discussion, the Commission then granted the Use Permit with the stipulation that the items listed in the Conditions of Approval were to be completed within a year from issuance of the Permit with the clear understanding that the Permit could be revoked should the items not be completed.

The Public Hearing was closed at: 7:02 p.m.

Commissioner Mesker moved 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 and allow 30-days to vacate the residence. Commissioner Poisson seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker, and Lamb. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

It was clarified that the businesses must immediately close and stop operation and the residence must be vacated within 30 days. The Permittee was informed of the following:

- Their right to appeal the Use Permit revocation; and
- The associated appeal process, including the need to request an appeal in writing;
- To request in writing to have an interpreter be present at the appeal hearing if needed; and
- The time frame in which to do so.

F. REGULAR AGENDA:

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

Presented by Planner II Christina Meeds who explained that each year the City's Planning Department is required to file an Annual Progress Report (APR) with Housing and Community Development (HCD) and the Office of the Planning and Research (OPR); both are due on April 1st. She stated that both entities require the City to report on the status and progress in implementing the City's Housing Element and General Plan; new this year is the HCD requirement that the City's legislature review and accept the report. She stated that both reports have been submitted and accepted. She then provided a brief overview of the report.

Report only, no action was required of the Commission.

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

H. ADJOURNMENT:

Lisa M. Linnet, City Clerk

ITEM NO: E-2
USE PERMIT APPLICATION 2023-312;
TO ESTABLISH A MOBILE VENDING
BUSINESS AT 3094 HWY 99W
APN: 087-040-077

May 16, 2023

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

PROJECT DESCRIPTION:

Rajwinder Kaur has applied to establish a Mobile Vending Business called Indian Curry Corner located in the same lot as the Royal Truck Wash. Royal Truck Wash is located along the west side of Highway 99W approximately 400 feet north of the South Avenue / Highway 99 W intersection. **APN:** 087-040-077; **Address:** 3094 HWY 99W.

Please see the attached map for placement of the Mobile Vender; placing the Mobile Vendor at this location will allow locals and travelers a diverse dining experience.

GENERAL PLAN LAND USE DESIGNATION:

Highway 99 W Specific Plan.

ZONING:

C-3 General Business District CBDZ.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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.

15332. IN-FILL DEVELOPMENT PROJECTS

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare, or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2023-312.

Legal Finding #1

The granting of Use Permit 2023-312, permitting the owner of Indian Curry Corner to open and operate a Mobile Food Truck in an existing parking lot located at 3094 HWY 99W that he currently owns. This is a negligible expansion of the existing use of this lot and therefore exempt from CEQA pursuant to Section 15332, Class 32.

Factual Subfinding #1

This project will allow the owner of Indian Curry Corner Mobile Food Vending to establish a business in his existing lot of Royal Truck Wash.

Legal Finding #2

The establishment of a Mobile Vendor Business is a permitted use in the C-3 Zoning District upon the granting of a Use Permit pursuant to Section 17.47.020 (D) of the Corning Municipal Code.

Factual Subfinding #2

The parcel where the proposed Mobile Vendor will be established is appropriately zoned C-3 CBDZ.

Legal Finding #3

The existing lot is adequate in size, shape, and topography, and zoned appropriately to allow the establishment of a Mobile Vendor for the proposed businesses.

Factual Subfinding #3

The applicant proposes to establish a Mobile Vending Business in the existing lot of an established business.

Legal Finding #4

Highway 99 W and South Avenue are existing public roads adequate in width and pavement to carry the traffic generated by the establishment of a Mobile Vending Food Truck at an existing parking lot.

Factual Subfinding #4

The existing public roads at the proposed location are adequate in width and pavement to carry traffic associated with the establishment of a Mobile Vendor located along the west side of HWY 99W.

ACTION:

Move to adopt the four (4) Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2023-312 permitting the establishment of a Mobile Food Vendor in the lot located at 3094 HWY 99W subject to the four (4) Conditions of Approval as recommended by Staff.

or;

Move to adopt findings and deny the issuance of Use Permit 2023-312. If denied staff will turn the matter over to the City Manager and City Attorney.

RECOMMENDED CONDITIONS OF APPROVAL

CONDITION #1 - 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 Mobile Vendor follows applicable Codes and Conditions of the Use Permit.

CONDITION #2 SIGN REGULATIONS:

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

CONDITION #3 WILL NEED TO COMPLY WITH ORDINANCE 699:

The Owner must comply with the new City of Corning Ordinance 699.

CONDITION #4 STAY OUT OF THE 200' RADIUS OF AN ESTABLISHED RESTAURANT:

The Mobile Food Truck must park no more than 70 feet south from the southwest corner of the Royal Truck Wash building as depicted in Exhibit A to remain compliant. (See attached map.)

ATTACHMENTS

Exhibit "A": Map

CITY OF CORNING
PLANNING APPLICATION
 TYPE OR PRINT CLEARLY

Raj
 \$500.00 onece

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

PROJECT INFORMATION	PROJECT ADDRESS 3094 Hwy 99W CORNING, CA 96021		ASSESSOR'S PARCEL NUMBER 087-040-077	G.P. LAND USE DESIGNATION Commercial
	ZONING DISTRICT C-3	FLOOD HAZARD ZONE N/A	SITE ACREAGE	AIRPORT SAFETY ZONE?
	PROJECT DESCRIPTION: (attach additional sheets if necessary) MAKING INDIAN FOOD Indian Curry Corner			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
APPLICANT INFORMATION	APPLICANT RAJWINDER KAUR METLA		ADDRESS 4538 GOLDEN ALDER ST. SACRAMENTO, CA 95834	DAY PHONE 958-34
	REPRESENTATIVE (IF ANY) KULWANT SINGH		ADDRESS 4538 GOLDEN ALDER ST. SACRAMENTO, CA 95834	DAY PHONE 530-777-8217
	PROPERTY OWNER RAJWINDER KAUR METLA		ADDRESS	DAY PHONE
	CORRESPONDENCE TO BE SENT TO <input type="checkbox"/> APPLICANT <input type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER			
	By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.			
APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct. Signed:		PROPERTY OWNER: I have read this application and consent to its filing Signed:		

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. 2023-312	RECEIVED BY: CM	DATE RECEIVED 4-6-23	DATE APPL. DEEMED COMPLETE
	FEES RECEIVED/RECEIPT NO. 500.00 #1191	CEQA DETERMINATION Exempt ND MND EIR		DATE FILED



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title:

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

Additional Project Information

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

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

5. Proposed scheduling/development.

6. Associated project(s).

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

**CITY OF CORNING
PLANNING APPLICATION**

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

City

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

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

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

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

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

**CITY OF CORNING
PLANNING APPLICATION**

Environmental setting

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

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

Certification

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

Date _____

Signature  _____

For: _____

**CITY OF CORNING
PLANNING APPLICATION**

Required Supplementary Information:

(Note: The following are general requirements for the various types of projects. Additional information due to site or neighborhood characteristics or conditions may also be required)

General Plan Amendment:

1. Assessor's Map
2. Copy of Vesting Deed or Preliminary Title Report for all properties
3. Application fee (See Fee Schedule)

Lot Line Adjustment:

1. Copy of Preliminary Title Report for each affected property
2. Drawing marked Exhibit "A" (prepared by a Licensed Land Surveyor or Civil Engineer) showing existing and proposed parcel boundaries, streets, buildings, utilities
3. Resulting parcel descriptions marked Exhibit "B"
4. Application fee (See Fee Schedule)

Planned Development Use Permit

1. Copy of Preliminary Title Report
2. Drawing showing proposed uses of sufficient detail to identify all facets of the project, including any proposed divergence from typical City standards (setbacks, lot coverage, density, etc.)
3. A narrative describing and justifying all proposed divergence from typical City standards

Parcel Map (Submit City of Corning Tentative Map Package)

Rezone or Prezone

1. Copy of Preliminary Title Report
2. Application fee (See Fee Schedule)

Street Abandonment

1. Letter of Justification
2. Application fee (See Fee Schedule)

Subdivision (Submit City of Corning Tentative Map Package)

Time Extension:

1. Application fee (See Fee Schedule)

Use Permit:

1. Site Plan (drawn to scale) indicating existing and proposed uses, adjacent streets, utilities, driveways, parking areas, landscaped areas, signage, etc.
2. Copy of Preliminary Title Report
3. Application fee (See Fee Schedule)

Variance:

1. Copy of Preliminary Title Report
2. Ten (10) copies of a site plan (drawn to scale) indicating all existing and proposed uses, adjacent streets, utilities, driveways, parking areas, etc. and the issue for which the variance is sought.
3. One reduced size (8 1/2" X 11") copy of the site plan.
4. Application fee (See Fee Schedule)
5. Narrative supporting and justifying the findings listed in Zoning Code Section 17.58.020.
6. Application fee (See Fee Schedule)

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Tehama
633 Washington St
Red Bluff CA 96080

From: (Public Agency): City of Corning
794 Third St
Corning CA 96021
(Address)

Project Title: Use permit 2023-312 to establish a mobile vending business

Project Applicant: City of Corning

Project Location - Specific:
3094 Highway 99W Corning, CA 96021

Project Location - City: Corning Project Location - County: Tehama

Description of Nature, Purpose and Beneficiaries of Project:

Rajwinder Kaur purposes to establish a mobile vending business in a CBDZ zoning district which requires a discretionary approval by the Planning Commission.

Name of Public Agency Approving Project: City of Corning

Name of Person or Agency Carrying Out Project: City of Corning - Christina Meeds

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15332 In-Fill Development
Statutory Exemptions. State code number:

Reasons why project is exempt:

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
(c) The project site has no value as habitat for endangered, rare or threatened species.
(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
(e) The site can be adequately served by all required utilities and public services.

Lead Agency
Contact Person: Christina Meeds Area Code/Telephone/Extension: 530-824-7036

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Christina Meeds Date: 05-09-23 Title: Planner II

Christina Meeds

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

Exhibit "A"



**PUBLIC NOTICE-PUBLIC HEARING
USE PERMIT NO. 2023-312.
INDIAN CURRY CORNER**

The City of Corning hereby notifies you of a project proposed for the property described below.

WHAT IS BEING PLANNED:

Rajwinder Kaur Metla has applied for a Conditional Use permit to operate a Mobile Vending Food Trailer at a property located in a C-3 Zone. The address of the property is 3094 Highway 99W, Corning CA Pursuant to section 17.47.020 (D) of the City of Corning Zoning Code the proposed use would require the issuance of a use permit by the Planning Commission. The address is an established business, Royal Truck Wash, that Rajwinder currently owns and would like to establish a mobile vending business within that parking lot. 3094 Highway 99W is located along the west side of Highway 99W approximately 260 feet north of the South Ave and Highway 99W intersection. APN: 087-040-077

WHY THIS NOTICE:

The City wants you to be aware that information on this project is available for your review at City Hall, 794 Third Street in Corning. You are invited to attend a Public Hearing to be conducted by the Planning Commission in the City Council Chambers in City Hall at 794 Third Street at **6:30 p.m. on Tuesday, May 16, 2023**. Please note if this project is challenged in court, you may be limited to raising only those issues that were raised at the Public Hearing or in writing delivered to the Planning Commission at or prior to the Public Hearing.

WHAT CAN YOU DO:

Please call or stop by City Hall if you have any questions or want to review the project information. You are welcome to attend the Public Hearing to ask questions or to comment. Your written comments may be given to the Planning Commission at the Hearing. If mailed, comments must be received by the City Clerk prior to the meeting. We are sorry but City staff cannot forward your verbal comments or questions to the City Planning Commission. Verbal comments or questions must come from you during the Public Hearing.

FOR MORE INFORMATION REGARDING THIS PROJECT PLEASE CONTACT:

Christina Meeds, Planner II
794 Third Street
Corning, CA 96021
(530) 824-7036

ITEM NO: E-3
USE PERMIT APPLICATION 2023-313;
TO ESTABLISH A MOBILE VENDING
BUSINESS AT 1515 HWY. 99W
APN: 071-250-018

May 16, 2023

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: CHRISSE MEEDS, PLANNER II
KRISTINA MILLER, CITY MANAGER



PROJECT DESCRIPTION:

Francisco Madrigal has applied to establish a Mobile Vending Business called El Taco Asado in the parking lot of an established building and apartments complex. Mr. Madirigal currently rents the established building and is working to eventually open a restaurant in this location at a future date. He would like to park his Mobile Food Vending Vehicle in the parking lot while working on the building to allow him to continue to serve the community. The proposed site is located on the east side of Highway 99W approximately 218 feet north of the Fig Lane / Highway 99 W intersection. **APN:** 071-250-018;
Address: 1515 HWY 99W.

Please see the attached map (Exhibit "A") for placement of the Mobile Vender.

GENERAL PLAN LAND USE DESIGNATION:

Highway 99 W Specific Plan.

ZONING:

C-3 General Business District CBDZ.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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.

15332. IN-FILL DEVELOPMENT PROJECTS

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare, or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2023-313.

Legal Finding #1

The granting of Use Permit 2023-313, permitting the owner of El Taco Asado to open and operate a Mobile Food Truck in an existing parking lot located at 1515 HWY 99W that he currently rents. This is a negligible expansion of the existing use of this lot and therefore exempt from CEQA pursuant to Section 15332, Class 32.

Factual Subfinding #1

This project will allow the owner of El Taco Asado Mobile Food Vending to establish a business in the existing parking lot of an established building and apartments complex where he currently rents a building.

Legal Finding #2

The establishment of a Mobile Vendor Business is a permitted use in the C-3 Zoning District upon the granting of a Use Permit pursuant to Section 17.47.020 (D) of the Corning Municipal Code.

Factual Subfinding #2

The parcel where the proposed Mobile Vendor will be established is appropriately zoned C-3 CBDZ.

Legal Finding #3

The existing lot is adequate in size, shape, and topography, and zoned appropriately to allow the establishment of a Mobile Vendor for the proposed businesses.

Factual Subfinding #3

The applicant proposes to establish a Mobile Vending Business in the existing lot of an established business.

Legal Finding #4

Highway 99 W and Fig Lane are existing public roads adequate in width and pavement to carry the traffic generated by the establishment of a Mobile Vending Food Truck at an existing parking lot.

Factual Subfinding #4

The existing public roads at the proposed location are adequate in width and pavement to carry traffic associated with the establishment of a Mobile Vendor located along the east side of HWY 99W.

ACTION:

Move to adopt the four (4) Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2023-313 permitting the establishment of a Mobile Food Vendor in the lot located at 1515 HWY 99W subject to the four (4) Conditions of Approval as recommended by Staff.

or;

Move to adopt findings and deny the issuance of Use Permit 2023-313. If denied staff will turn the matter over to the City Manager and City Attorney.

RECOMMENDED CONDITIONS OF APPROVAL

CONDITION #1 - 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 Mobile Vendor follows applicable Codes and Conditions of the Use Permit.

CONDITION #2 SIGN REGULATIONS:

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

CONDITION #3 WILL NEED TO COMPLY WITH ORDINANCE 699:

The Owner must comply with the new City of Corning Ordinance 699 amending Chapter 5.50 of the Corning Municipal Code.

CONDITION #4 CURB, GUTTER, AND SIDEWALK INSTALLATION:

Curb, gutter, and sidewalk must be installed by May 16, 2025 if the Mobile Vending Business operates at least two days per week. Should the property owner desire to open a permanent restaurant at 1515 Highway 99W, a new Use Permit must be obtained prior to opening. Full frontage improvements will be required prior to the permanent Restaurant's Certificate of Occupancy being issued.

CONDITION #5 PERMANENT RESTAURANT:

Should a Use Permit be issued for a permanent Restaurant at 1515 Highway 99W, Use Permit 2023-313 shall be revoked.

ATTACHMENTS

Exhibit "A": Map

cc: Francisco Madrigal and Humble Estate Corporation (Property owner)

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

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

PROJECT INFORMATION	PROJECT ADDRESS 1515 Hwy 99W #C		ASSESSOR'S PARCEL NUMBER 071-250-018	G.P. LAND USE DESIGNATION
	ZONING DISTRICT C-3	FLOOD HAZARD ZONE	SITE ACREAGE	AIRPORT SAFETY ZONE? N/A
	PROJECT DESCRIPTION: (attach additional sheets if necessary) Food Truck "El Taco Abacho" to be parked at 1515 Hwy 99W			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Other _____				
APPLICANT INFORMATION	APPLICANT Luis Lopez / Francisco Madrigal	ADDRESS 5410 Walnut Rd Corning	DAY PHONE 530-736-1636	736-1636
	REPRESENTATIVE (IF ANY)	ADDRESS	DAY PHONE	
	PROPERTY OWNER Francisco Madrigal	ADDRESS 5410 Walnut Rd Corning	DAY PHONE 530-736-1636	
	CORRESPONDENCE TO BE SENT TO	<input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER		
	By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.			
APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct. Signed: <u>Francisco Madrigal</u>		PROPERTY OWNER: I have read this application and consent to its filing. Signed: _____		

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. 2023-313	RECEIVED BY: cm	DATE RECEIVED 04-12-23	DATE APPL. DEEMED COMPLETE
	FEES RECEIVED/RECEIPT NO. 500.00	CEQA DETERMINATION Exempt ND MND EIR	DATE FILED	

u



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED _____

General Information

1. Project Title: El Taco Asado

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

Vendor Permit #1260,
Teahama County Environmental Health

Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: 4,600 sq. ft. in _____ floor(s).

4. Amount of off-street parking to be provided. 13 spaces parking stalls. (Attach plans)

5. Proposed scheduling/development.

6. Associated project(s).

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

no

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

54x13 square 700 hundred feet

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

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

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

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

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

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Environmental setting

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

Emity Bld. we are doing a Comercial Blding.

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

there are some apartments near by.
noble home park near by

Certification

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

Date 4/12/2023

Signature Francisco Madrigal

For: _____

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Required Supplementary Information:

(Note: The following are general requirements for the various types of projects. Additional information due to site or neighborhood characteristics or conditions may also be required)

General Plan Amendment:

1. Assessor's Map
2. Copy of Vesting Deed or Preliminary Title Report for all properties
3. Application fee (See Fee Schedule)

Lot Line Adjustment:

1. Copy of Preliminary Title Report for each affected property
2. Drawing marked Exhibit "A" (prepared by a Licensed Land Surveyor or Civil Engineer) showing existing and proposed parcel boundaries, streets, buildings, utilities
3. Resulting parcel descriptions marked Exhibit "B"
4. Application fee (See Fee Schedule)

Planned Development Use Permit

1. Copy of Preliminary Title Report
2. Drawing showing proposed uses of sufficient detail to identify all facets of the project, including any proposed divergence from typical City standards (setbacks, lot coverage, density, etc.)
3. A narrative describing and justifying all proposed divergence from typical City standards

Parcel Map (Submit City of Corning Tentative Map Package)

Rezone or Prezone

1. Copy of Preliminary Title Report
2. Application fee (See Fee Schedule)

Street Abandonment

1. Letter of Justification
2. Application fee (See Fee Schedule)

Subdivision (Submit City of Corning Tentative Map Package)

Time Extension:

1. Application fee (See Fee Schedule)

Use Permit:

1. Site Plan (drawn to scale) indicating existing and proposed uses, adjacent streets, utilities, driveways, parking areas, landscaped areas, signage, etc.
2. Copy of Preliminary Title Report
3. Application fee (See Fee Schedule)

Variance:

1. Copy of Preliminary Title Report
2. Ten (10) copies of a site plan (drawn to scale)) indicating all existing and proposed uses, adjacent streets, utilities, driveways, parking areas, etc. and the issue for which the variance is sought.
3. One reduced size (8 1/2" X 11") copy of the site plan.
4. Application fee (See Fee Schedule)
5. Narrative supporting and justifying the findings listed in Zoning Code Section 17.58.020.
6. Application fee (See Fee Schedule)

Exhibit "A"



Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Tehama
633 Washington St
Red Bluff CA 96080

From: (Public Agency): City of Corning
794 Third St
Corning CA 96021
(Address)

Project Title: Use permit 2023-313 to establish a mobile vending business

Project Applicant: City of Corning

Project Location - Specific:
1515 Highway 99W Corning, CA 96021

Project Location - City: Corning Project Location - County: Tehama

Description of Nature, Purpose and Beneficiaries of Project:
Francisco Madrigal purposes to establish a mobile vending business in a CBDZ zoning district which requires a discretionary approval by the Planning Commission.

Name of Public Agency Approving Project: City of Corning

Name of Person or Agency Carrying Out Project: City of Corning - Christina Meeds

- Exempt Status: (check one):
[] Ministerial (Sec. 21080(b)(1); 15268);
[] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15332 In-Fill Development
[] Statutory Exemptions. State code number:

Reasons why project is exempt:
Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses
(c) The project site has no value as habitat for endangered, rare or threatened species.
(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality
(e) The site can be adequately served by all required utilities and public services.

Lead Agency
Contact Person: Christina Meeds Area Code/Telephone/Extension: 530-824-7036

- If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Christina Meeds Date: 05-09-23 Title: Planner II
[] Signed by Lead Agency [] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

