



## OROVILLE PLANNING COMMISSION

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**April 22, 2021**  
**REGULAR MEETING**  
**6:00 PM**  
**AGENDA**

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### COVID-19 AND PUBLIC ACCESS AND PARTICIPATION

The Oroville City Council Chambers are open to the public at 50% capacity. To view the meeting or provide comment, please see the options below. All comments emailed will be provided to the Council Members for their consideration. To prevent the spread of COVID-19 and to comply with the time limit regulations for individuals to provide comments to the Council, each device or phone number will only be allowed once per item. Multiple individuals may not share the same device to provide public comment.

#### To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYl85UBfYqT7IbQ/>

#### To Provide Comment to the Board:

1. Email before the meeting by 2:00 PM your comments to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org)
2. Join the meeting virtually via Zoom – Join Zoom Meeting  
<https://zoom.us/j/3326981931?pwd=NUU4dkdqTTVTd0Nhc1llbnowUzQ1UT09>  
Meeting ID: 332 698 1931  
Passcode: 778011
3. Join the meeting by telephone (audio only):  
Telephone: 1-669-900-9128  
Meeting ID: 332 698 1931  
Passcode: 778011
4. Attend in person following social distancing guidelines

To provide comment via zoom, you will need to use the raise hand function in Zoom. For those accessing the meeting from a computer or smartphone, that raise hand feature can be selected by clicking or tapping it. For members of the public utilizing a telephone (audio only) to access the meeting, you can use the raise hand feature when the item for which you desire to provide comment is called by pressing \*9 on your keypad to raise your hand. When it is your turn to speak, you will be called upon by the last 4 digits of your phone number, if available.

### CALL TO ORDER / ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Natalie Sheard, Glenn Arace, Marissa Hallen, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling,

### OPEN SESSION

Pledge of Allegiance

## PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

This is the time to address the Commission about any item not listed on the agenda. If you wish to address the Commission on an item listed on the agenda, please follow the directions listed above.

## CONSENT CALENDAR

Consent calendar **items** are adopted in one action by the Commission. Items that are removed will be discussed and voted on immediately after adoption of consent calendar items.

### 1. APPROVAL OF THE MINUTES

The Planning Commission may approve the minutes of the meetings on January 28, 2021 and March 4, 2021.

#### RECOMMENDATION

Approve the minutes of January 28, 2021 and March 4, 2021.

## PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing.
- Staff presents and answers questions from Council
- The hearing is opened for public comment limited to two (2) minutes per speaker. In the event of more than ten (10) speakers, time will be limited to one and a half (1.5) minutes. Under Government Code 54954.3, the time for each presentation may be limited.
- Public comment session is closed
- Commission debate and action

### 2. TENTATIVE PARCEL MAP 21-01

The Commission will review and consider approving Tentative Parcel Map 21-01. The Map will combine several lots into two lots for the purpose of developing apartments.

#### RECOMMENDATION

Certify the CEQA Exemption

**Approve** the recommended findings for Tentative Parcel Map 21-01 and recommended Conditions of Approval; and

**Adopt** Resolution No. P2021-02

**3. USE PERMIT UP 21-03 FOR THE CONSTRUCTION OF A NEW OFF-PREMISE OUTDOOR ADVERTISING STRUCTURE AT 2775 FEATHER RIVER BLVD (APN 035-370-010)**

The Oroville Planning Commission will review and consider approving Permit No. UP21-03 for the purpose of constructing a new 12' by 24' billboard for a total sign area of 288 ft<sup>2</sup> per face. The total height of the sign measured from the ground surface to the top of the sign is 35 feet. The project site is located on approximately 1.17 acres on the east side of Feather River Blvd, (Address: 2775 Feather River Blvd; APN: 035-370-010).

**RECOMMENDATION**

**Conduct a Public Hearing** on the proposed project; and

**Adopt** the Categorical Exemption, Existing Facilities (CCR, Title 14, Sec. 15332 – as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and

**Adopt** the recommended Findings for Use Permit No. UP21-03, and

**Adopt** Resolution No. P2021-04; and

**Approve the Conditions of Approval**

**4. RESIDENTIAL SHOP BUILDING AT 2723 ORO QUINCY HIGHWAY**

The Oroville Planning Commission will review and consider approving a 4,800 square foot shop building at 2723 Oro Quincy Highway, a 2.36 -acre parcel (APN 068-160-083) zoned RR-20 (Rural Residential).

**RECOMMENDATION**

**Conduct a Public Hearing** on the proposed project.

**Adopt the Notice of Exemption as the appropriate** level of environmental review in accordance with the California Environmental Quality Act (CEQA);

**Adopt** the recommended Findings for Use Permit No. UP21-02, and

**Approve** Use Permit UP 21-02 and recommended Conditions of approval.

**Adopt** Resolution No. P2021-03

**5. MINOR USE PERMIT UP21-04 for ALCOHOL SALES AT THE PROPOSED OROVILLE LIQUOR AND MARKET AT 1275 FEATHER RIVER BLVD**

The Oroville Planning Commission will review and consider approving Use Permit No. UP21-04 to allow the applicant to conduct alcohol sales at a proposed new liquor store and market at 1275 Feather River Blvd.

**RECOMMENDATION**

**Conduct a Public Hearing** on the proposed project;

**Adopt the Notice of Exemption as the appropriate** level of environmental review in accordance with the California Environmental Quality Act (CEQA);

**Adopt** the recommended Findings for Use Permit No. UP21-04;

**Approve** Use Permit UP21-04 and recommended Conditions of Approval;

**Adopt** Resolution No. P2021-05

**REPORTS / DISCUSSIONS / CORRESPONDENCE**

1. Department Reports
2. Commissioner Reports

**ADJOURN THE MEETING**

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on May 27, 2021 at 6:00 PM.

*Accommodating Those Individuals with Special Needs* – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

*Recordings* - All meetings are recorded and broadcast live on cityoforoville.org and YouTube.

*Planning Commission Decisions* - Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.



Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**January 28, 2021  
MINUTES**

This agenda was posted on January 22, 2021 at 12pm. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or on YouTube.

## **CALL TO ORDER / ROLL CALL**

Chairperson Durling opened the meeting at 6pm.

PRESENT: Commissioners: Tammy Flicker, Michael Britton, Glenn Arace, Marissa Hallen, Natalie Sheard, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

ABSENT: None

STAFF PRESENT: Assistant Community Development Director Dawn Nevers, Principal Planner Wes Ervin, Intern Connor Musler, City Engineer Matt Thompson, Assistant City Clerk Jackie Glover

## **OPEN SESSION**

Pledge of Allegiance – Led by Chairperson Durling

## **PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS**

There were 0 public comments on non-agenda items.

The following individuals spoke on agenda items:

- Celia Hirschman – Item 2
- Karen Crist – Item 2
- Julie Miller – Item 2

## **CONSENT CALENDAR**

### **1. APPROVAL OF THE MINUTES**

The Planning Commission approved the Minutes of December 3, 2020 and December 17, 2020.

Motion by Commissioner Britton and second by Commissioner Flicker to approve the minutes of December 3, 2020 and December 17, 2020. Motion passed.

AYES: Commissioners Durling, Flicker, Jenkins, Britton, Sheard, Hallen, Arace

NOES: None

ABSTAIN: None

ABSENT: None

## PUBLIC HEARINGS

### 2. OROVILLE VETEERANS VILLAGE PROJECT, INCLUDING GENERAL PLAN AMENDMENT GPA 20-03, ZONING AMENDMENT ZC 20-04, ESTABLISHMENT OF A PD-O, AND A TENTATIVE SUBDIVISOIN MAP TSM 20-02

The Oroville Planning Commission reviewed and considered recommending that the City Council approve General Plan Amendment GPA 20-03, Zoning Code Amendment ZC 20-04, a Planned Development Overlay (PD-O 20-01), and a Tentative Subdivision Map TSM 20-02, for 0.64 acres (27,878 sq. ft) at 711 Montgomery Street (APN 012-064-001).

After discussion from Commissioners and staff there was a motion by Commissioner Britton and second by Commissioner Jenkins to continue this item to February 25 at 6pm.

## REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Director Reports
  - a. Ervin – DRC meeting will be held on February 11, 2021 to review several projects; working on a few use permits; zoning code changes; and the Ron Harmon Mine Extensions.
  - b. Nevers – Reported on the Gateway Project.
2. Planning Commissioner Reports - None

## ADJOURN THE MEETING

Chairperson Durling adjourned the meeting at 7:37pm.

APPROVED:

ATTESTED:

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*Chairperson Carl Durling*

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*Assistant City Clerk Jackie Glover*



**March 04, 2021  
MINUTES**

This agenda was posted on February 26, 2021 at 5:45pm. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or YouTube.

## **CALL TO ORDER / ROLL CALL**

Vice Chairperson Jenkins opened the meeting at 6pm

**PRESENT:** Commissioners: Marissa Hallen, Michael Britton, Glen Arace, Tammy Flicker, Natalie Sheard, Vice Chairperson Wyatt Jenkins

**ABSENT:** Chairperson Carl Durling

**STAFF PRESENT:** Assistant Community Development Director Dawn Nevers, Principal Planner Wes Ervin, Contract Planner Connie Spade, Intern Connor Musler, Assistant City Clerk Jackie Glover

## **OPEN SESSION**

Pledge of Allegiance – Led by Vice Chairperson Jenkins

## **PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS**

There were 0 speakers on non-agenda items

The following individuals spoke on agenda items:

- Celia Hirschman – Item 2
- Karen Crist – Item 2
- Heather Johnson- Item 2

## **PUBLIC HEARINGS**

### **1. COYOYE CANTINA AND COCINA (FORMERLY THE EXCHANGE RESTAURANT) - USE PERMIT 21-02 FOR RESTAURANT EXPANSION AT 1975 MONTGOMERY STREET**

The Planning Commission reviewed a Minor Use Permit UP#21-01 for expansion of the former Exchange Restaurant at 1975 Montgomery Street, now under new ownership and being renamed the Coyote Cantina & Cocina, including alcohol sales.

**Motion by Commissioner Flicker and Second by Commissioner Britton to adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and **Adopt** Use Permit #UP 21-01 including the recommended Findings and permit conditions, and **Adopt** Resolution No. P2021-01 A RESOLUTION BY THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING UP#21-01, AN AMENDMENT TO USE PERMIT #16-06, FOR THE EXPANSION OF THE FORMER EXCHANGE RESTAURANT NOW RENAMED THE COYOTE CANTINA AND INCLUDING ALCOHOL SALES, AT 1975 MONTGOMERY STREET (APN 012-034-020). Motion passed.

AYES: Commissioners Flicker, Britton, Sheard, Arace, Hallen, Jenkins  
NOES: None  
ABSTAIN: None  
ABSENT: Commissioner Durling

**2. OROVILLE VETERANS VILLAGE PROJECT< INCLUDING GENERAL PLAN AMENDMENT GPA 20-03, ZONING AMENDMENT ZC 20-04, ESTABLISHMENT OF A PD-O, AND A TENTATIVE SUBDIVISION MAP TSM 20-02.**

The Oroville Planning Commission reviewed and considered recommending that the City Council approve General Plan Amendment GPA 20-03, Zoning Code Amendment ZC 20-04, a Planned Development Overlay (PD-O 20-01), and a Tentative Subdivision Map TSM 20-02, for 0.64 acres (27,878 sq. ft) at 711 Montgomery Street (APN 012-064-001).

Motion by Commissioner Britton and second by Commissioner Flicker to Certify the Notice of Exemption; and recommend that the City Council approve General Plan Amendment GPA 20-03; and recommend that the City Council approve Zoning Code Amendment ZC 20-04; and recommend that the City Council approve Planned Development Overlay PD-O 20-01; and approve Tentative Subdivision Map TSM 20-02 for a new 12-unit subdivision, subject to the City Council approving the previous actions; and adopt Resolution No. P2020-24 A RESOLUTION OF INTENTION BY THE OROVILLE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT A PLANNED DEVELOPMENT OVERLAY, GENERAL PLAN AMENDMENT 20-03, AND ZONING CODE AMENDMENT ZC 20-04 FOR A 12-UNIT VETERANS HOUSING PROJECT ON PARCEL NO. 012-064-001; and adopt Resolution No P2020-27 A RESOLUTION OF INTENTION BY THE OROVILLE PLANNING COMMISSION RECOMMENDING THE CITY COUINCIL ADOPT TENTATIVE SUBDIVISION MAP NO TSM 20-02 FOR A 12-UNIT VETERANS HOUSING PROJECT ON PARCEL NO. 012-064-001, SUBJECT TO CITY COUNCIL APPROVAL OF THE PLANNED DEVELOPMENT OVERLAY, GENERAL PLAN AMENDMENT 20-03, AND ZONING CODE AMENDMENT ZC 20-04. Motion passed.

AYES: Commissioners Flicker, Britton, Arace, Hallen, Jenkins  
NOES: Commissioner Sheard  
ABSTAIN: None  
ABSENT: Commissioner Durling

**REPORTS / DISCUSSIONS / CORRESPONDENCE**

- 1. Staff and Director Reports
  - a. Ervin – Mentioned the DRC Meeting on March 11, 2021 to review a oversized residential garage/shop; gave an update on the Gateway project; new convience store; Dutch Bro’s use permit; western motor lodge; sidewalk vendor zoning code amendment; Ron Harmon Mine 5 year extension; and the Sign Ordinance
  - b. Nevers – Mentioned the sewer line replacement; 2020/2021 paving project; and the Parks Grant that the city applied for to improve Hewitt Park and Bedrock Park/Trial.
- 2. Commissioner Reports –
  - a. Sheard – Spoke about the Historical Advisory Commission

**ADJOURN THE MEETING**

Vice Chairperson Jenkins adjourned the meeting at 6:56pm.

APPROVED:

ATTESTED:

\_\_\_\_\_  
Vice Chairperson Wyatt Jenkins

\_\_\_\_\_  
Assistant City Clerk Jackie Glover





# City of Oroville

**Leonardo DePaola**  
Community Development Director

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2436 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

Thursday, April 22, 2021

**RE: Tentative Parcel Map 21-01**

**SUMMARY:** The Commission will review and consider approving Tentative Parcel Map 21-01. The Map will combine several lots into two lots for the purpose of developing apartments.

**RECOMMENDATION: Staff recommends the following actions:**

1. Certify the CEQA Exemption
2. **Approve** the recommended findings for Tentative Parcel Map 21-01 and recommended Conditions of Approval; and
3. **Adopt** Resolution No. P2021-02

**APPLICANTS:** AMG & Associates

**LOCATION:** Northwesterly corner of Nelson Avenue and Table Mountain Blvd.

**GENERAL PLAN:** MHDR (Medium High Density Residential)

**ZONING:** R-3

**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** The project is Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations, Article 19 Categorical Exemptions, Section 15315 "MINOR LAND DIVISIONS". In addition, as part of another project that is exempt, this map is also exempt.

**REPORT PREPARED BY:**

*METL*

\_\_\_\_\_  
Matt Thompson, City Engineer  
Community Development Department

**REVIEWED BY:**

\_\_\_\_\_  
Dawn Nevers, Assistant Director  
Community Development

### A. DISCUSSION

The Planning Commission will review an application for Tentative Parcel Map 21-01 to reconfigure 10 parcels on 7.06-acres into two parcels.

Approval of this Tentative Parcel map by the Planning Commission and the subsequent approval of the Final Map by the City Engineer are prerequisites to

building the Riverbend Affordable Apartments at Table Mountain and Nelson. This Commission approved Phase 1 of the project on January 28, 2020. The City has also recently approved the building and civil plans, and the project is ready for construction. In addition, the applicant submitted the draft Final Parcel map on April 5 2021, and the City Engineer is reviewing it.

The request is to combine ten existing lots into two separate parcels. Parcel 1 will be developed into apartments. Plans for these apartments are currently being reviewed for building permits. Parcel 1 will be 4.94 acres. Parcel 2 will remain vacant for the time being. Parcel 2 will be 2.11 acres. The Development Review Committee has reviewed this project, which is otherwise permitted by right.

Both parcels have frontage along Table Mountain Blvd. Parcel 1 has frontage on Nelson Avenue also. Parcel 1 will have a driveway on each roadway. The driveway for Parcel 2 will be determined in the future.

All required conditions and considerations per OMC 16.12.050 "Tentative Parcel Map" apply to this requested tentative parcel map, including curb, gutter and sidewalk. Curb, gutter and sidewalk are existing, but access ramps will be upgraded to Americans with Disabilities Act (ADA) standards as needed.

Prior to filing the Final Parcel Map, all public improvements required by OMC 16 "Subdivisions" shall be completed and accepted by the City. Prior to the filing of the Final Parcel Map dead parking lot trees will be replaced and drain inlets marked per City Standards.

## **B. RECOMMENDATION**

Staff recommends the Planning Commission approve Tentative Parcel Map 21-01 along with all the findings and conditions pertaining thereto.

## **C. ENVIRONMENTAL DETERMINATION**

This action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations, Article 19 Categorical Exemptions, Section 15315 "MINOR LAND DIVISIONS". As part of another project that is exempt, this map is also exempt. The Notice of Exemption for both the map and project is attached to the project item.

## **D. FINDINGS**

Staff has determined that the following findings can be accurately and truthfully made (OMC 16.20.050 E);

- 1) The requested tentative parcel map is in conformance with the General Plan and the City's zoning ordinance,
- 2) The site is physically suitable for the proposed density or type of development;

- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;
- 4) The design of the land division is not likely to cause serious public health problems;
- 5) A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions that cannot be corrected to the satisfaction of the City Engineer shall be submitted prior to the issuance of building permits;
- 6) The design of the land division will not conflict with any existing easements that cannot be realigned.
- 7) The proposed land division is consistent with OMC 16.12.050, and the requested parcel map seeks no variances or exceptions;
- 8) All services and access to the proposed parcels are available and meet City standards. Discharges of waste into a community sewer system will not violate existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code);
- 9) The parcel was not involved in the division of a larger parcel anytime in the last two years.

#### **E. CONDITIONS OF APPROVAL**

- 1) These conditions of approval are to permit the land division of Tentative Parcel Map No. 21-01 as generally described above.
- 2) This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within thirty-six (36) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
- 3) The Planning Commission approval date of this Tentative Parcel Map No. 21-01 is referenced below. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
- 4) All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans.
- 5) The applicant shall ascertain and comply with the State of California

Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.

- 6) The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
- 7) The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
- 8) This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
- 9) Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.
- 10) All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
- 11) The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
- 12) Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
- 13) The location, identification, and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Final Parcel Map.
- 14) The location, identification, and description of known or found monuments on or adjacent to the site, shall be shown and noted on any plans for construction on the parcels. Said monuments shall be protected or replaced per State law.
- 15) All easements of record that affect this property are to be shown on the Parcel Map.
- 16) Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code

commencing with Section 66492.

17) The Engineer’s Report for this land division and its contents are incorporated herewith as a Condition of Approval.

**--- End of Conditions ---**

**F. FISCAL IMPACT**

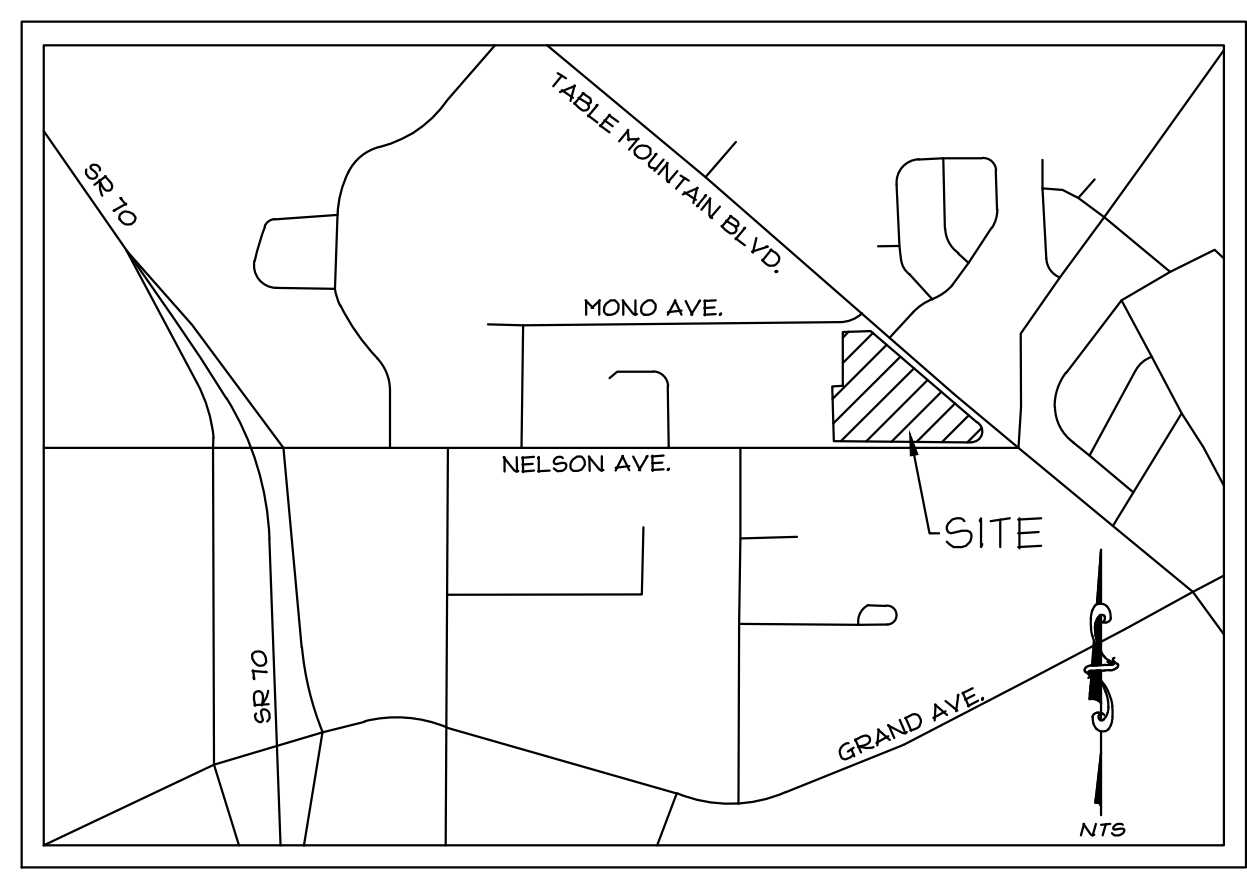
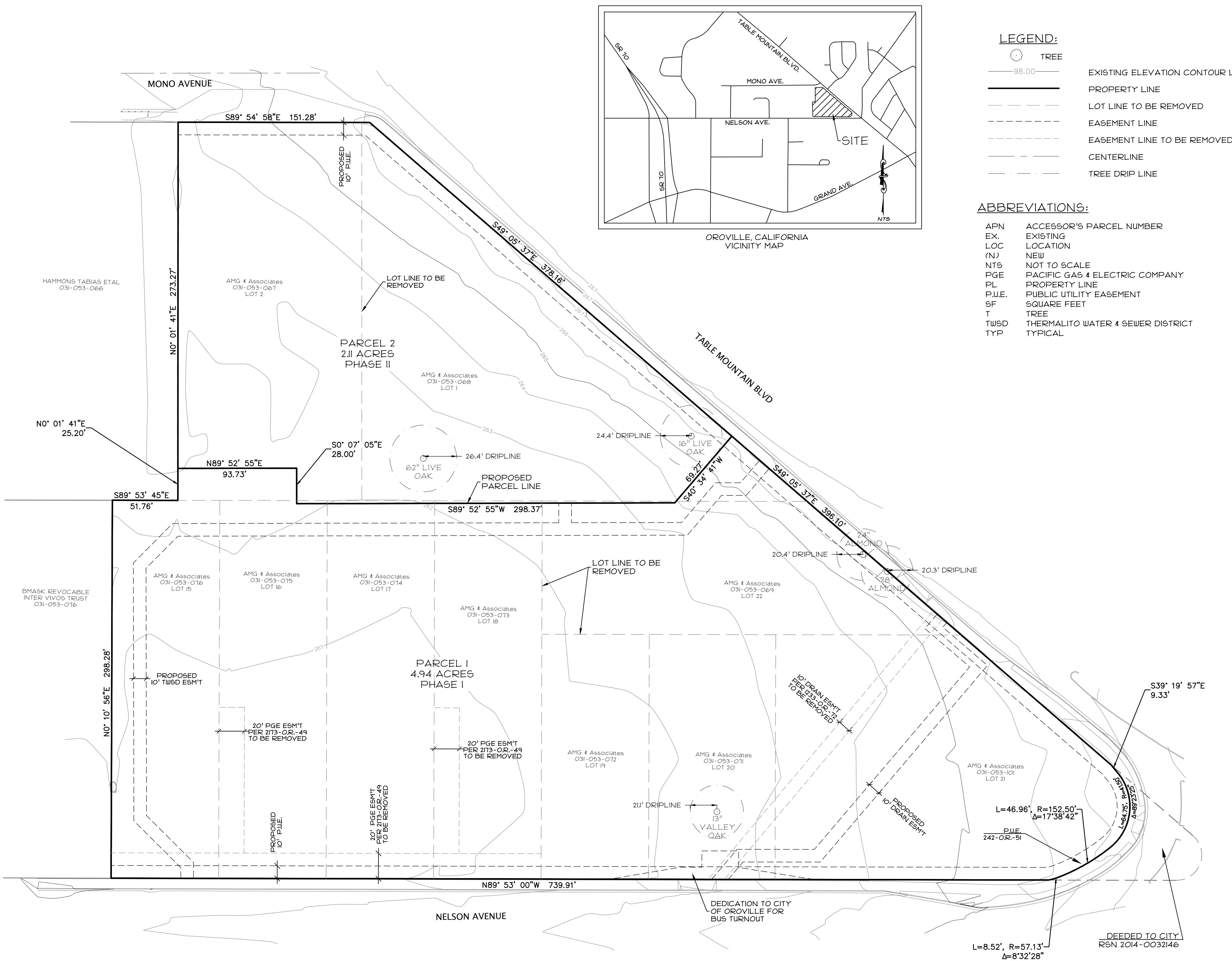
There is no fiscal impact because the applicant has paid all appropriate fees. The total fees associated with this project are as follows:

<b>Item</b>	<b>Price</b>	<b>Tech Fee</b>	<b>Total</b>	<b>Paid</b>
Tentative Parcel Map	\$3,500.34	\$210.02	\$3,710.36	Yes
<b>Total</b>	<b>\$3,500.34</b>	<b>\$210.02</b>	<b>\$3,710.36</b>	<b>Yes</b>

Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project. These fees will be paid for through the funds deposited.

**ATTACHMENTS**

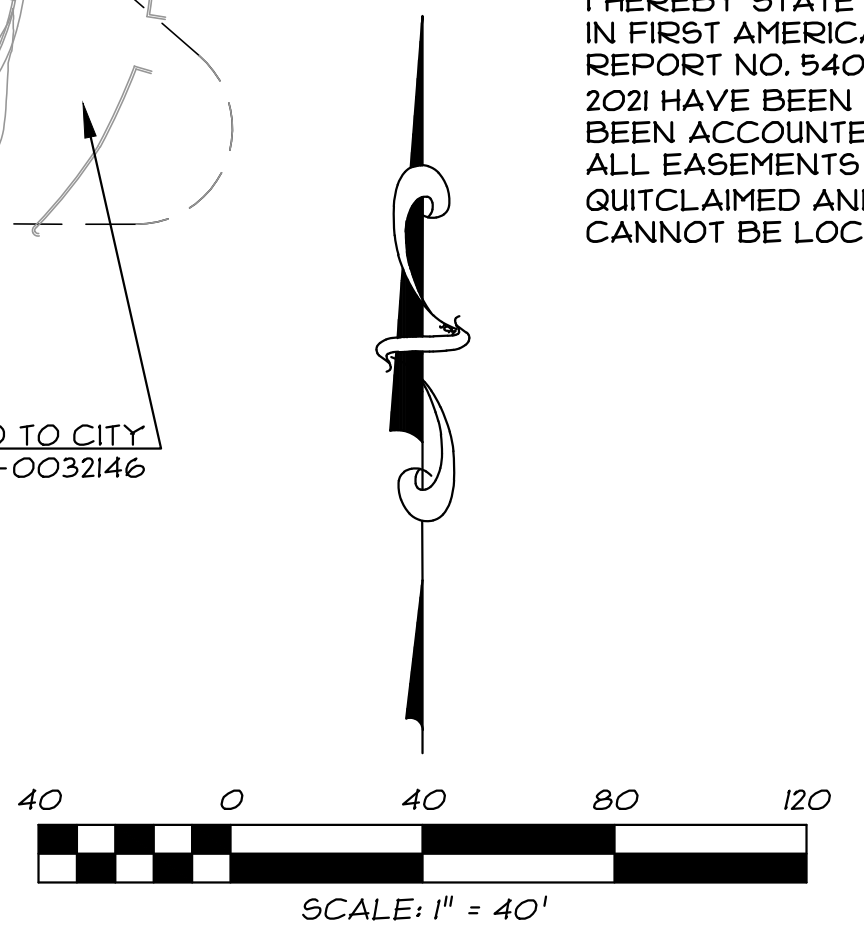
1. TPM 21-01 Application
2. Proposed Map TPM 21-01
3. Preliminary Title Report
4. Engineer’s Report
5. Notice of Exemption
6. Resolution No. P2021-02



- LEGEND:**
- TREE
  - EXISTING ELEVATION CONTOUR LINE
  - PROPERTY LINE
  - LOT LINE TO BE REMOVED
  - EASEMENT LINE
  - EASEMENT LINE TO BE REMOVED
  - CENTERLINE
  - TREE DRIP LINE

- ABBREVIATIONS:**
- APN ACCESSOR'S PARCEL NUMBER
  - EX. EXISTING
  - LOC. LOCATION
  - (N) NEW
  - NTS NOT TO SCALE
  - PGE PACIFIC GAS & ELECTRIC COMPANY
  - PL PROPERTY LINE
  - P.U.E. PUBLIC UTILITY EASEMENT
  - SF SQUARE FEET
  - T TREE
  - TW&D THERMALITO WATER & SEWER DISTRICT
  - TYP TYPICAL

- TENTATIVE MAP STATEMENTS:**
- A. OWNER INFORMATION:**  
 AMG & ASSOCIATES, LLC  
 26535 SUMMIT CIRCLE  
 SANTA CLARITA, CA 91350
- TENTATIVE MAP PREPARED BY:**  
 JOSHUA GILLANDER, PE  
 ROBERTSON ERICKSON, INC.  
 888 MANZANITA CT, SUITE 101  
 CHICO, CA 95926
- GEOTECHNICAL ENGINEER:**  
 CURTIS HENDRICK, GE  
 ALLERION CONSULTING GROUP  
 1050 MELODY LANE, SUITE 160  
 ROSEVILLE, CA 95678
- B. PROJECT NAME:**  
 RIVERBEND APARTMENTS
- UTILITY SERVICE PROVIDERS**
- WATER:**  
 THERMALITO WATER AND SEWER DISTRICT  
 410 GRAND AVENUE  
 OROVILLE, CA 95965  
 (530) 533-0740
- SEWER TREATMENT:**  
 SEWERAGE COMMISSION OROVILLE REGION (SCOR)  
 2880 S 5TH AVE  
 OROVILLE, CA 95965  
 (530) 538-7184
- SEWER COLLECTION:** CITY OF OROVILLE
- STORM DRAIN:**  
 CITY OF OROVILLE, PUBLIC WORKS DEP.  
 1735 MONTGOMERY STREET  
 OROVILLE, CA 95965  
 (530) 538-2426
- ELECTRIC:**  
 PG&E  
 460 RIO LINDO AVE  
 CHICO, CA 95926  
 (530) 758-4727
- GAS:**  
 PG&E  
 460 RIO LINDO AVE  
 CHICO, CA 95926  
 (530) 758-4727
- TELEPHONE:**  
 AT&T  
 2470 ORO DAM BLVD. E B  
 OROVILLE, CA 95966  
 (530) 534-9405
- C. VICINITY MAP - SEE HEREON.**
- D. EXISTING & PROPOSED ZONING & LAND USE:**  
 R-3: HIGH DENSITY RESIDENTIAL DISTRICT  
 VACANT LAND
- E. EXISTING CONTOUR INTERVAL = 1'**
- F. EXISTING TREES SHOWN.**
- G. NO EXISTING STRUCTURES.**
- H. NO EXISTING WATER COURSES.**
- I. NO EXISTING STREETS ON THE PROPERTY.**
- J. WIDTHS, LOCATIONS, AND IDENTITY OF EASEMENTS SHOWN.**
- K. NO PROPOSED STREETS.**
- L. EXISTING UTILITY INFORMATION IN CIVIL PLANS.**
- M. LOT LAYOUT, DIMENSION, AND PARCEL SIZE SHOWN.**
- N. PROPOSED LOT GRADING SHOWN IN CIVIL PLANS.**
- O. NO COMMON AREAS FOR PUBLIC USE.**
- P. PHASING SEQUENCE IS SHOWN.**
- Q. EXISTING PARCEL SIZE: 7.05 ACRES  
 PROPOSED PARCEL SIZES:  
 PARCEL 1: 4.94 ACRES  
 PARCEL 2: 2.11 ACRES**
- R. EASEMENT STATEMENT:**  
 I HEREBY STATE THAT ALL EASEMENTS AS INDICATED IN FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT NO. 5405-612751 DATED AS OF JANUARY 21, 2021 HAVE BEEN SHOWN HEREON AND/OR HAVE BEEN ACCOUNTED FOR IN NOTE PLACED HEREON. ALL EASEMENTS PROPOSED TO BE ABANDONED OR QUITCLAIMED AND/OR ALL EASEMENTS THAT CANNOT BE LOCATED ARE NOTED HEREON.



**Robertson Erickson**  
 CIVIL ENGINEERS & SURVEYORS  
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 Chico, California 95926  
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03-02-2021

**TENTATIVE PARCEL MAP**  
**NELSON AVE. & TABLE MOUNTAIN BLVD.**  
**RIVERBEND APARTMENTS**  
**PACIFIC WEST COMMUNITIES, INC.**

**TM**

**DATE:** April 22, 2021  
**TO:** PLANNING COMMISSION  
**FROM:** Matt Thompson, Acting City Engineer  
**RE:** Engineer's Report  
 Riverbend Apartments  
 Tentative Parcel Map 21-01



This office has reviewed the Tentative Parcel Map 21-01 and herewith submits the following findings and recommendations for same.

## **A. INTRODUCTION**

The project proponent plans to build an apartment complex at the northwesterly corner of Nelson Avenue and Table Mountain Boulevard. The property currently consists of several lots. The project proponent and City staff agree that a parcel map should be prepared, approved, and recorded. The parcel map will merge the several lots to ensure that buildings are not constructed over property lines. It will serve to abandon and establish easements for utilities and access. The map will also convey and/or abandon right of way.

## **B. MODIFICATIONS TO DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE OROVILLE MUNICIPAL CODE (CMC).**

No modifications to the CMC are proposed.

## **C. TIMING AND NATURE OF PUBLIC IMPROVEMENTS**

The Public Works Director will determine the nature, extent, timing and limits of required public improvements to be constructed as part of any development (including phased development) versus payment of an in-lieu fee as well as reimbursements for construction of future Nexus/CIP facilities.

## **D. PUBLIC FACILITY CONSTRUCTION**

### **1. Streets**

- a) The Subdivider shall construct City standard streets and appurtenant facilities in conformance with the typical sections. Street structural sections to be determined based upon findings from the Soils Report.
- b) Street facilities will consist primarily with the replacement of existing driveways with sidewalk, the construction of new driveway, the installation of a bus turn-out, and the repair of existing deficient sidewalk.

- c) All corner lots shall be subject to intersection sight distance criteria as established by the Public Works Director. Appropriate easements shall be dedicated as needed on the Final Map.
- d) Street names shall be approved concurrent with the improvement plans and prior to recordation of the Final Map.

## 2. **Storm Drainage**

### a) Facility Construction

The Subdivider shall design and install the following City standard storm drain facilities:

- 1) Interior to Subdivision - Curb, gutter, and an underground storm drain system with all appurtenances.
- 2) Adjacent to Subdivision - Curb, gutter and an underground storm drain system with all appurtenances along the subdivision frontage.

### b) On-Site Storm Drainage Disposal

- 1) One hundred percent on-site disposal of storm drainage may be utilized for this subdivision. It shall be designed for a full range of storm water runoff, up to and including a 100-year storm. On-site disposal shall be interim and coordinated with an ultimate storm drainage disposal design

### c) NPDES Requirements

- 1) Storm drain drop inlets shall be marked with Illustrative Storm Markers to achieve City of Oroville NPDES Requirements.

### g) Storm Drainage Detention Facilities

Surface storm drainage detention facilities shall be landscaped with turf (or an approved alternate) and shall be provided with an irrigation system. Any surface water quality treatment facility shall be vegetated in accordance with the Storm Drainage Master Plan below and shall also be suitably provided with adequate irrigation.

### h) Interim Alternative to Connection to Existing Facilities

One hundred percent on-site disposal of storm drainage may be utilized for this subdivision in compliance with Oroville Municipal Code (OMC). It shall be designed for a full range of storm water runoff, up to and including a 100-year storm. In addition to OMC requirements, the on-site disposal design shall be designed to include:



- 1) Deep hole tests shall be conducted between December and April to determine the ground water table elevation.
- 2) Storm drain design shall maintain a 10-foot separation between the leach trench bottom the ground water table elevation.
- 3) The 100-year storm plus 1-foot freeboard must be retained onsite without flooding any residences both within and adjacent to the subdivision.

i) Storm Water Runoff Management

The subdivision will be designed, constructed, and maintained compliance with “NPDES General Permit and Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Order) Order No. 2013-0001-DWQ” Section E.12 “Post Construction Storm Water Management Program”.

j) Storm Drainage Analysis

The storm drain analysis shall establish tributary area, size, grade, depth, and location for all the following storm drain facilities:

- Underground pipes.
  - Open, natural swales.
  - Improved channels.
  - Storm water runoff management facilities.
  - Outfall facilities discharging to natural channels.
  - Both ultimate and interim facilities serving streets exterior to the subdivision that are required to be constructed herein.
- k) The subdivider shall pay a storm drain fee calculated in accordance with the current fee schedule under the requirements of the Oroville Municipal Code, prior to filing the final map.

### 3. Sanitary Sewer

a) Facility Construction

The Subdivider shall design and install the following City standard sanitary sewer facilities:

- 1) Interior to Subdivision - An underground sanitary sewer system, with all appurtenances, serving all lots.

d) Sewerage Commission – Oroville Region (SC-OR)

The Subdivider shall enter into an agreement with the Sewerage Commission - Oroville Region (SC-OR) and the City of Oroville in compliance with SC-OR policy. Said agreement shall be in regard to, but not necessarily limited to, capacity analysis and impact mitigation. Subdivider shall pay all fees and other costs associated with the agreement.

**4. Street Signs and Striping**

The Subdivider shall install City standard street signs, regulatory signs, pavement striping and pavement markings on all streets, and bicycle facilities that they are required herein to construct.

**5. Streetlights**

The Subdivider shall install City standard streetlights with shielding on steel poles with concrete bases on all streets that they are required herein to construct.

**6. Transportation Facilities**

The Subdivider shall construct the bus turnout, bench and shelters at the location shown on the map.

**7. Street Trees**

Street trees shall be planted in accordance with City requirements.

**8. Landscaping**

The Subdivider shall install landscaping and an irrigation system in accordance with the plan approved with the Building permits.

**D. PRIVATE FACILITIES MAINTENANCE**

The following notation shall be included on the final map:

“The Subdivider shall prepare and record the necessary documents to address the maintenance of common joint-use facilities.”

**E. SUBDIVISION GRADING**

**10. Soils Report**

The Subdivider shall submit a Geological and/or Soils Report, prepared by a registered engineer, that includes, but is not limited to, the following:

- a) An investigation of the nature, distribution and strength of existing soils.
- b) A description of site geology.
- c) Conclusions and recommendations covering the adequacy of the site for the proposed development, storm drainage disposal, grading procedures and corrective measures.

Please be advised that the vicinity of this project has previously demonstrated shallow water tables that may rise to a shallow depth and impact subsurface drainage disposal facilities or otherwise reach the surface and impact surface drainage. The possibility of this condition shall be investigated, and its impact addressed. This investigation shall occur during the wet season to ensure that an accurate minimum depth to the water table is determined.

- d) Verification that the site is suited to proposed BMPs.

### **11. Grading Standards**

All subdivision grading shall be in conformance with Grading Standards, of the Oroville Municipal Code.

### **12. Grading Plan**

The Subdivider's engineer shall submit a subdivision grading plan that includes, but is not limited to, the following:

- a) The subdivision limits, contours and details of existing terrain and drainage.
- b) Existing structures or other topographic features that are to remain undisturbed.
- c) The proposed subdivision lots and streets, together with a schematic layout of the proposed storm drain system.
- d) Existing ground elevations at all corners of proposed lots.
- e) Proposed finished lot corner grades and finished pad grades.
- f) Proposed lot grades indicating lot drainage.
- g) Pertinent recommendations from the above required Geological and/or Soils Report.
- h) Pertinent construction details to assure compliance with City of Oroville Grading Standards.

### **13. Final Grading Report**

Upon completion of the subdivision grading and prior to final inspection by the City, the Subdivider's engineer shall submit a Final Grading Report that certifies the following:

- a) That final grading complies with the approved grading plan or any approved revisions.
- b) That the subdivision grading complies with the recommendations included in the Geological and/or Soils Report. Any changes made during grading that affected these recommendations shall be assessed.

- c) That the subdivision soils are adequately compacted for their intended use, in conformance with City of Oroville Grading Standards. The results of all field density tests and all other substantiating data shall be included in the Final Grading Report.

The subdivision grading plan shall be submitted to the Public Works Director for review and approval prior to the start of any work and shall be considered as part of the construction plans.

## **F. PROPERTY CONVEYANCES**

### **10. Dedications**

In conjunction with recordation of the Final Map for this subdivision, the Subdivider shall:

- a) Dedicate, acquire or bear the cost of acquisition of public rights of way or easements as necessary to construct the public improvements required herein.
- b) Convey to the City all abutter's rights of access from the abutting lots of the subdivision to Nelson Avenue and Table Mountain Boulevard. Access will be limited to driveways as shown on the improvement plans and located on the final map.
- c) Dedicate a 10-foot-wide public service easement adjacent to public rights of way.

### **11. Abandonments**

The right-of-way and easement abandonments depicted on the Tentative Map are approved. Said abandonments, in accordance with the provisions of the Subdivision Map Act, shall become effective upon Final Map recordation.

## **G. OTHER PUBLIC SERVICES**

### **10. Public Utilities**

- a) **Underground Requirements**

The Subdivider shall install all new utilities underground within this subdivision.

- b) **Easement Obstructions**

All public utility and/or public service easements shall be kept free and clear of any and all obstructions, including but not limited to, structures, longitudinal fencing and/or soundwalls, which may impede the construction, operation and maintenance of public utility facilities within such easements.

## **11. Fire Protection**

The Subdivider shall pay for the installation of fire hydrants within the subdivision in conformance with the recommendations of the Fire Department, City of Oroville. The recommendation for the installation of fire hydrants is shown on a copy of the Tentative Map on file in the Planning Services Department and the Office of the Chief, Fire Department.

## **12. United States Postal Service**

The Subdivider shall install concrete pads for NDCBU delivery to the lots of this subdivision. The pads shall be depicted on the subdivision improvement plans and are subject to approval by both the local office of the United States Postal Service and the Planning Services Department.

## **H. PERMITS FROM OUTSIDE AGENCIES**

The Subdivider shall obtain all required permits from outside agencies having pertinent jurisdiction prior to recordation of the Final Map for this subdivision.

### **I. Other Permits**

The Subdivider shall submit a completed “Application Requesting Permission to Plant, Remove, Alter, or Disturb Public Trees” from to the Public Works Department. The Subdivider shall comply with any and all recommendations/requirements prior to commencing any construction activities on the site.

## **J. DESIGN CRITERIA AND IMPROVEMENT STANDARDS**

All public and joint-use private improvements shall be designed in accordance with the Oroville Municipal Code, except as modified by the conditions of approval for this subdivision.

The Subdivider shall submit improvement plans, profiles, typical sections, details and specifications to the Public Works Department for review and approval prior to the start of any construction of public and joint-use private improvements.

All public and joint-use private improvements shall be constructed in conformance with the Oroville Municipal Code and in conformance with the details shown on the approved improvement plans.

## K. ADMINISTRATIVE REQUIREMENTS

### 10. Revised Tentative Map

The Subdivider shall prepare a Project Map, consisting of a copy of the Tentative Map modified to depict all requirements of this subdivision report or the resolution of approval that alter the street layout, the lot configuration, or any other substantive item depicted on the Tentative Map as originally submitted.

The revised tentative map shall be submitted, reviewed, and approved by the Planning Department Director and the City Engineer prior to initial submittal of the improvement plans or Final Map for this subdivision.

### 11. Subdivision Improvement Agreement

If the public and joint-use private improvements required herein are not satisfactorily completed prior to recordation of the Final Map, the Subdivider shall enter into a subdivision improvement agreement in conformance with the Oroville Municipal Code.

### 12. Subdivision Fees

#### a) Plan Checking Fee

The Subdivider shall pay to the City of Oroville a subdivision plan checking fee upon filing the Final Map and/or prior to submitting improvement plans and specifications for checking.

The initial deposit shall be based on an estimated cost of all public and/or joint use private improvements exclusive of private utility facilities (\$750 minimum). The final fee will be equal to actual City costs.

#### b) Inspection Fee

The Subdivider shall pay to the City of Oroville an inspection fee prior to commencing construction. The initial deposit will be based on the cost of all public and/or joint use private improvements exclusive of private utility facilities. The final fee will be equal to actual City costs.

Recommendations and comments of all parties to whom the Tentative Map was circulated for review are on file with the respective parties and in Planning Services Department.



Matt Thompson, P.E.  
Acting City Engineer





# City of Oroville

**COMMUNITY DEVELOPMENT DEPARTMENT**

**LEONARDO DEPAOLA**  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

TO	Butte County Clerk	FROM	City of Oroville
:	25 County Center Drive	:	1735 Montgomery Street
	Oroville, CA 95965		Oroville, CA 95965

Project Title: Tentative Parcel Map 21-01 (Trakit #PW2102-001)

Project Location – Specific: 205 Table Mountain Blvd

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, AMG & Associates, has applied for a Tentative Parcel Map per Section 16.12.050 of the Oroville Municipal Code (OMC) to reduce the site from 10 existing parcels to two. The applicant already has received approval for the Riverbend Apartment project. The subject property has a zoning designation of Multi-family residential (R-3) and a General Plan land use designation of Medium High Density Residential (MHDR). The project is categorically exempt under the General Rule Exemption and as a minor land division.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: AMG & Associates

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))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - Minor Land Divisions, Title 14 CCR, §15315
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be



seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. A minor land division has no possibility that the variance request will have a significant effect on the environment. *Thus, this action is exempt under CEQA.*

Minor Land Divisions; Title 14, CCR, §15315

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. *All of these conditions apply, and the action is thus exempt.*

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant

**RESOLUTION NO. P2021-02**

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION  
MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE  
PARCEL MAP NO. 20- 01 FOR 205 TABLE MOUNTAIN BLVD AT THE  
NORTHWEST CORNER OF NELSON AVENUE**

**WHEREAS**, the City of Oroville staff recommends a tentative parcel map; and

**WHEREAS**, the tentative parcel map intends to separate 10 existing parcels No. 031-053-067, -068, -069, -071 thru -076, and -101 into two separate parcels.

**WHEREAS**, the following conditions of approval shall be incorporated into the final map;

**WHEREAS**, at a duly noticed public meeting, the Planning Commission considered the comments and concerns of anyone potentially affected by the approval of the tentative parcel map described herein, and also considered the City’s staff report regarding the change.

**WHEREAS**, the requested tentative parcel map is in conformance with the General Plan and the City’s zoning ordinance,

**WHEREAS**, the requested parcel map seeks no variances or exceptions,

**WHEREAS**, all services and access to the proposed parcels are available and meet City standards,

**WHEREAS**, the parcel was not involved in the division of a larger parcel anytime in the last two years, and

**WHEREAS**, the parcel does not have an average slope greater than 20 percent.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

Staff has determined that the following findings can be accurately and truthfully made (OMC 16.20.050 E);

- 1) The requested tentative parcel map is in conformance with the General Plan and the City’s zoning ordinance,
- 2) The site is physically suitable for the proposed density or type of development;
- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;

- 4) The design of the land division is not likely to cause serious public health problems;
- 5) A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions that cannot be corrected to the satisfaction of the City Engineer shall be submitted prior to the issuance of building permits;
- 6) The design of the land division will not conflict with any existing easements;
- 7) The proposed land division is consistent with OMC 16.12.050, and the requested parcel map seeks no variances or exceptions;
- 8) All services and access to the proposed parcels are available and meet City standards. Discharges of waste into a community sewer system will not violate existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code);
- 9) The parcel was not involved in the division of a larger parcel anytime in the last two years.

#### **A. CONDITIONS OF APPROVAL**

- 1) These conditions of approval are to permit the land division of Tentative Parcel Map No. 21-01 as generally described above.
- 2) This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within thirty-six (36) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
- 3) The Planning Commission approval date of this Tentative Parcel Map No. 21-01 is referenced below. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
- 4) All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans.
- 5) The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
- 6) The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative

parcel map. Applicant further agrees to provide a defense for the City in any such action

- 7) The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
- 8) This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
- 9) Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.
- 10) All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
- 11) The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
- 12) Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
- 13) The location, identification, and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Final Parcel Map.
- 14) The location, identification, and description of known or found monuments on or adjacent to the site, shall be shown and noted on any plans for construction on the parcels. Said monuments shall be protected or replaced per State law.
- 15) All easements of record that affect this property are to be shown on the Parcel Map.
- 16) Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.
- 17) The Engineer's Report for this land division and its contents are incorporated herewith as a Condition of Approval (Exhibit A).

**--- End of Conditions ---**

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22nd of April 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
JACKIE GLOVER, ASSISTANT CITY CLERK

\_\_\_\_\_  
CARL DURLING, CHAIRPERSON



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
 Oroville, CA 95965-4897  
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### PLANNING COMMISSION STAFF REPORT

Thursday, April 22, 2021

**RE: Use Permit UP 21-03 for the construction of a new off-premise outdoor advertising structure at 2775 Feather River Blvd (APN 035-370-010)**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Permit No. UP21-03 for the purpose of constructing a new 12' by 24' billboard for a total sign area of 288 ft<sup>2</sup> per face. The total height of the sign measured from the ground surface to the top of the sign is 35 feet. The project site is located on approximately 1.17 acres on the east side of Feather River Blvd, (Address: 2775 Feather River Blvd; APN: 035-370-010).

**RECOMMENDATION: Staff recommends the following actions:**

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt** the Categorical Exemption, Existing Facilities (CCR, Title 14, Sec. 15332 – as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP21-03, and
4. **Adopt** Resolution No. P2021-04
5. **Approve** the Conditions of Approval

**APPLICANTS:** Stott Outdoor Advertising

**LOCATION:** 2775 Feather River Blvd  
 (APN: 035-370-010)

**GENERAL PLAN:** RBS (Mixed Use)  
**ZONING:** C-2 (Corridor Mixed Use)  
**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt per Section 15332 of Title 14, California Code of Regulations, In-Fill Development Projects.

**REPORT PREPARED BY:**

\_\_\_\_\_  
 Connor Musler, Planning Intern  
 Community Development Department

**REVIEWED BY:**

\_\_\_\_\_  
 Dawn Nevers, Assistant Director  
 Community Development Department

## DISCUSSION

Stott Outdoor Advertising has applied for a Use Permit for the construction of a new static off-premise outdoor advertising structure (billboard). The proposed billboard sign face has a width of 24 feet and a height of 12 feet, for a total sign area of 288 ft<sup>2</sup> per face. The total height of the sign measured from ground surface to the top of the sign is 35 feet. OMC 17.20.045(A) does not specify the maximum size or height of an off-premise sign. However, OMC 17.20.045(B) sets the maximum height of a Digital Display Sign (DDS), which is similar in function to a static off-premise sign, at 40 feet, and sign area at 300 square feet on each face.

The City's new Sign Code regulations, which have not yet been fully adopted by City Council, provides stricter regulations of off premise signs, including:

- A. A maximum size of 300 square feet per side.
- B. A maximum height of 40 feet.
- C. Minimum spacing of 500 feet from other off-premise outdoor advertising structures.

The proposed billboard will have a 12' x 24' display, for a total sign area of 288 square feet per sign face. The height is proposed at 35 ft, measured from surface ground level to the top of the sign. The nearest billboard is over 1,000 ft away. Based on the criteria outlined in the existing code and the new sign regulations, this proposed billboard complies with the City's sign regulations.

The sign will be illuminated from dusk to midnight daily. This billboard will target traffic on Feather River Blvd and is not intended to be seen from SR-70.

The Development Review Committee reviewed the project at their April 8<sup>th</sup> meeting and recommends approval with the attached conditions.

### **Required Findings for a Use Permit**

The attached resolution includes the required findings for a use permit.

## FISCAL IMPACT

1. None. The project is subject to all customary fees. Pursuant to Public resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville within five working days of approval of this project.

**PUBLIC NOTICE**

The meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall. In addition, a request for comments was circulated to the surrounding property owners within 300 feet of the property.

**ATTACHMENTS**

1. Resolution P2021-04
2. Notice of Exemption (CEQA)
3. Application Package



## RESOLUTION NO. P2021-04

### A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 21-03 FOR THE CONSTRUCTION OF A NEW 35-FOOT HIGH 12' X 24' DOUBLE SIDED OFF PREMISE OUTDOOR ADVERTISING STRUCTURE

**WHEREAS**, the applicant wishes to construct a new static off-premise outdoor advertising structure; and

**WHEREAS**, the property where the outdoor advertising structure is located has a zoning designation of Intensive Commercial (C-2); and

**WHEREAS**, pursuant to Section (OMC) 17.20.045, an off-premise outdoor advertising structure requires a use permit. As a condition of approval, the applicant will be required to comply with all requirements of the City's Zoning Code as found in the OMC Chapter 17, including, but not limited to, development standards, permit requirements and development review; and

**WHEREAS**, Use Permit No. 21-03 shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission; and

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit and project described herein, and also considered the City's staff report regarding the use.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects"
2. The Planning Commission approves the findings required by Section 17.48.010.E.4 and 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code and to promote the general health, safety and public welfare of the City.

**Required Findings for a Use Permit (OMC 17.48.010.E.4)**

- a) The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the city as a whole. *The characteristics of the proposed sign are compatible with the surrounding area. The proposed sign will be a 12' X 24' double sided off premise/outdoor advertising structure. The properties adjacent to the project site are zoned Intensive Commercial and developed with light industrial and commercial businesses.*
- b) The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity. *In conformance with City Code section 17.20.045, the proposed outdoor advertising structure will not exceed 300 ft<sup>2</sup> of sign area on each face, and will be separated by a distance of at least 500 feet from another off-premise outdoor advertising structure.*
- c) Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use. *Electricity services the existing businesses on the property and power is available along Feather River Blvd. Electrical service to the new outdoor advertising structure will be required to be installed underground, subject to any requirements from PG&E;*
- d) The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties. *Surrounding properties are light industrial, commercial facilities, and vacant land that will not be adversely affected. The proposed off-premise outdoor advertising structure will not exceed the maximum allowed size and height outlined by the City Code, and it will be required to comply with all operating characteristics required by the City Code and any other applicable agencies;*
- e) The subject site is physically suitable for the type and intensity of land use being proposed. *The subject property is currently developed with two commercial / industrial buildings. The proposed sign will be located on the same property as the existing buildings and the applicant has provided permission from the property owner to construct an off-premise outdoor advertising structure;*
- f) The size, intensity and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole. *The proposed outdoor advertising structure will provide businesses with an opportunity to better market themselves. As a result of better marketing opportunities, businesses may be more inclined to pay for advertisements that may increase their business activities, benefitting themselves and the local business environment;*
- g) The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code. *The*

*use is permitted, subject to a use permit, and is compatible with the General Plan, Zoning codes, and the Oroville Municipal Code.*

## CONDITIONS OF APPROVAL

**Approved project:** The project applicant, Stott Outdoor Advertising, has applied for a use permit (UP 21-03) for the construction of a 12' X 24' double-sided off premise outdoor advertising sign at 2775 Feather River Blvd (APN 035-370-010). The property has a zoning land use designation of Intensive Commercial (C-2). All off-premise outdoor advertising sign requires a Use Permit. The sign will be illuminated Monday through Sunday, dusk to midnight.

**The Planning Commission hereby approves the amendment to UP 98-16, subject to the following:**

### General Conditions

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicant shall annually pay for and obtain a City of Oroville business license.
4. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
5. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
7. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
8. The applicant shall ascertain and comply with the requirements of all Federal Highway Administration and California Department of Transportation standards, as well as all

other requirements of City, County, State, Federal, and other local agencies as applicable to the proposed project.

9. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.
10. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
11. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  3. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  4. Any of the terms or conditions of the permit have been violated.
  5. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  6. The permit was obtained by fraud.
12. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

### **Project-specific conditions**

13. Applicant shall take appropriate measures to provide proper maintenance of the structure, including provisions to remove and repair graffiti and vandalism on a regular basis.
14. Applicant shall ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
15. The applicant shall provide a pole cover for the sign at the time the property is developed. The pole cover shall be complementary in design to the buildings and development on-site. The Zoning Administrator shall approve the final pole cover design.
16. Pursuant to City Code Section 17.48.010(F), a use permit may be evaluated for revocation if the use permit has not been used within one year of its approval.
17. Pursuant to Public resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville within five working days of approval of this project.

18. Landscaping shall be provided at the base of the off premise outdoor advertising structure. If any landscaping is removed or extensively disturbed to facilitate the construction of the structure, said landscaping shall be replaced with new landscaping.

19. All utilities shall be placed underground. Electrical service shall be provided to the structure via underground electrical service.

**--- End of Conditions ---**

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of April 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
JACKIE GLOVER,  
ASSISTANT CITY CLERK

\_\_\_\_\_  
CARL DURLING,  
CHAIRPERSON



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### NOTICE OF EXEMPTION

TO	Butte County Clerk	FROM	City of Oroville
:	155 Nelson Avenue	:	1735 Montgomery Street
	Oroville, CA 95965		Oroville, CA 95965

Project Title: UP 21-03 for the construction of a new off-premises outdoor advertising structure at 2775 Feather River Blvd (APN 035-370-010) on land Zoned C-2 (intensive Commercial) with a General Plan designation of RBS (Retail Business Services).

Project Location – Specific: 2775 Feather River Blvd (APN: 035-370-010)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project involves the construction of a new 12' X 24' double sided off premise/outdoor advertising structure.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Stott Outdoor Advertising

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))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - In-Fill Development Projects, Title 14 CCR, §15332
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

In-Fill Development Projects, Title 14, CCR, §15332

Class 32 categorical exemptions consists of projects characterized as in-fill development meeting specific conditions a-e as described in this section. This project meets all conditions, including being consistent with the General Plan and Zoning Designation, occurs within City limits, has no value as habitat, will not result in any significant effects, and can be adequately served by all required utilities. The site is already developed with industrial/commercial uses.

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant



Site Plan Option 1

Item 3.



2775 Feather River Blvd., APN 035-370-010  
Gerald R. Brann Living Trust

Site Plan Option 2

Item 3.



2775 Feather River Blvd., APN 035-370-010  
Gerald R. Brann Living Trust

**Project Description for New Off-Premise Outdoor Advertising Sign  
2775 Feather River Blvd., APN 035-370-010**

This project description is intended to be read in conjunction with the other application materials submitted to the City of Oroville on or about March 25, 2021.

Stott Outdoor Advertising proposes to construct a new off-premise outdoor advertising sign in Oroville to better serve area businesses. The project site is a 1.17 acre parcel located on the east side of Feather River Blvd., opposite Gold Dredger Drive. The site is level, and is developed with two commercial/industrial buildings, including associated parking and landscaping areas. No changes to the buildings are proposed; minor modifications to one landscape planter and a single parking space are proposed. Adjacent properties include developed industrial/properties to the north, south, and west, while the property to the east is vacant. An annotated aerial photograph of the project site is provided for reference.

The site is zoned C-2 (Intensive Commercial) and is designated Retail and Business Services in the General Plan. Adjacent property in all directions is also zoned C-2. The nearest existing off-premise outdoor advertising sign is 1,400 feet away to the northwest, north of Feather River Cinemas and adjacent to Highway 70.

The off-premise outdoor advertising sign will be a steel structure with two parallel 12' x 24' sign faces. Overall height will be 35 feet above grade, with over 20 feet of clear area beneath the sign to facilitate the maneuvering and parking of large vehicles. As shown on the site plan, the sign will be fully on/over private property. A single steel column in a concrete footing will support the sign, using a "full flag" configuration with the column on the side of the sign closest to the street. The proposed sign column location straddles the existing concrete curb dividing the front planter and the parking area adjacent to the street. A portion of this curb will be removed, one existing parking space will be converted to a compact space, and two bollards will be installed to protect the column. No changes are proposed to the existing accessible parking or path of travel. The sign faces will be externally illuminated by energy efficient LED luminaires designed for off-premise outdoor advertising signs. Illumination will be from dusk to midnight daily. Electricity will be provided via a new service drop.

The new sign will have a similar configuration to existing 12' x 24' signs operated by Stott along Oro Dam Blvd. A photo of one of these signs is provided for reference.

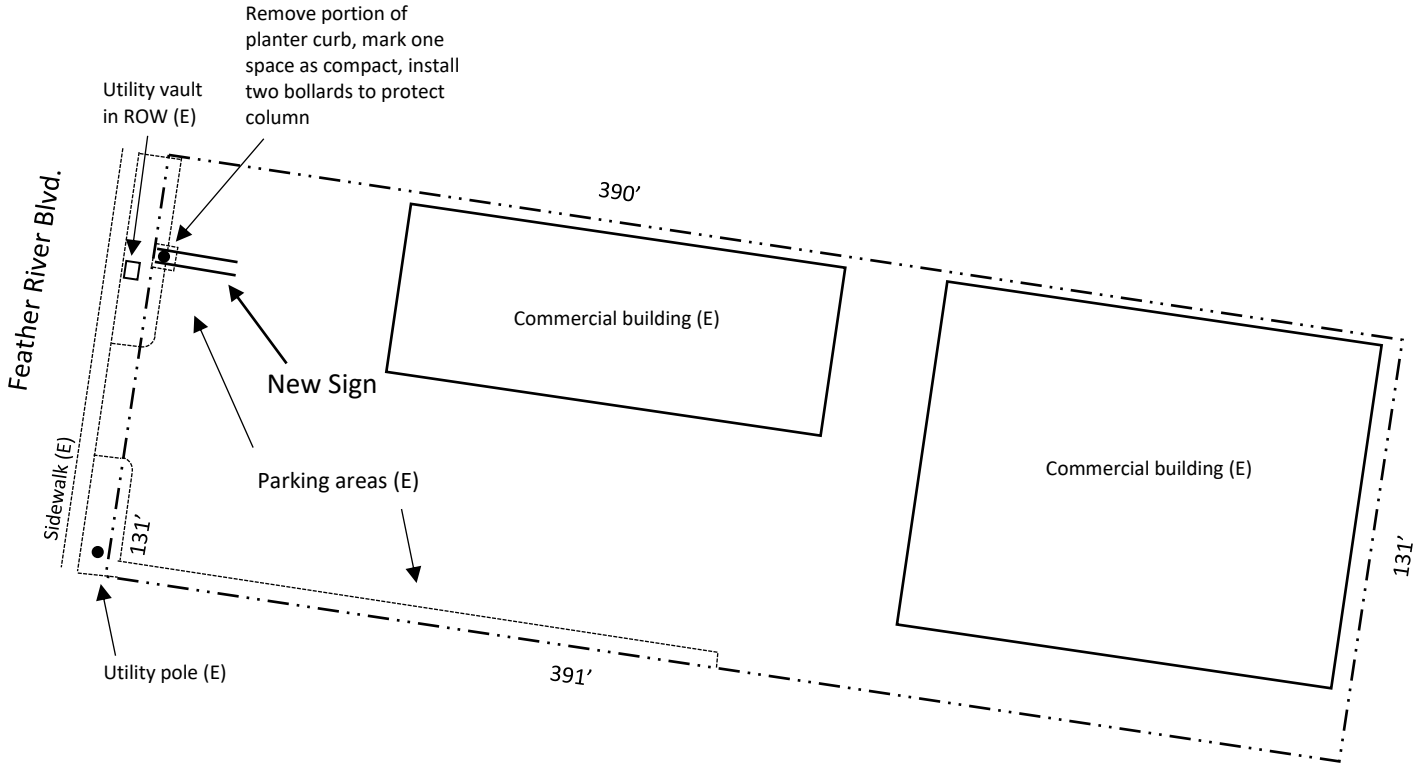
Construction will last approximately a week. All construction activities will comply with applicable local and state standards regarding hours of work, idling duration, dust control, and other measures which reduce construction impacts. After the sign has been built, a single pickup truck will visit the sign approximately once a month to change the sign copy and perform any needed maintenance.

Prepared by:

Greg Redeker  
Senior Real Estate Manager, Stott Outdoor Advertising  
03/25/2021



### Site Plan – New Off-Site Advertising Sign



**Notes:**

- Property is fairly level, developed with two commercial buildings
- Minor modification to existing on-site improvements to construct footing along curb between parking and landscaping
- Access taken via existing driveway
- Front PL is 10' behind back of sidewalk, front planter is 13' deep
- Sign to be fully on/over private property
- Avoid all underground facilities and utilities
- New sign is 12' x 24', double-sided back-to-back, 35' OAH, full flag
- Energy efficient LED light fixtures
- Single steel column set in a concrete footing
- New electrical service from nearby utility pole as directed by PG&E

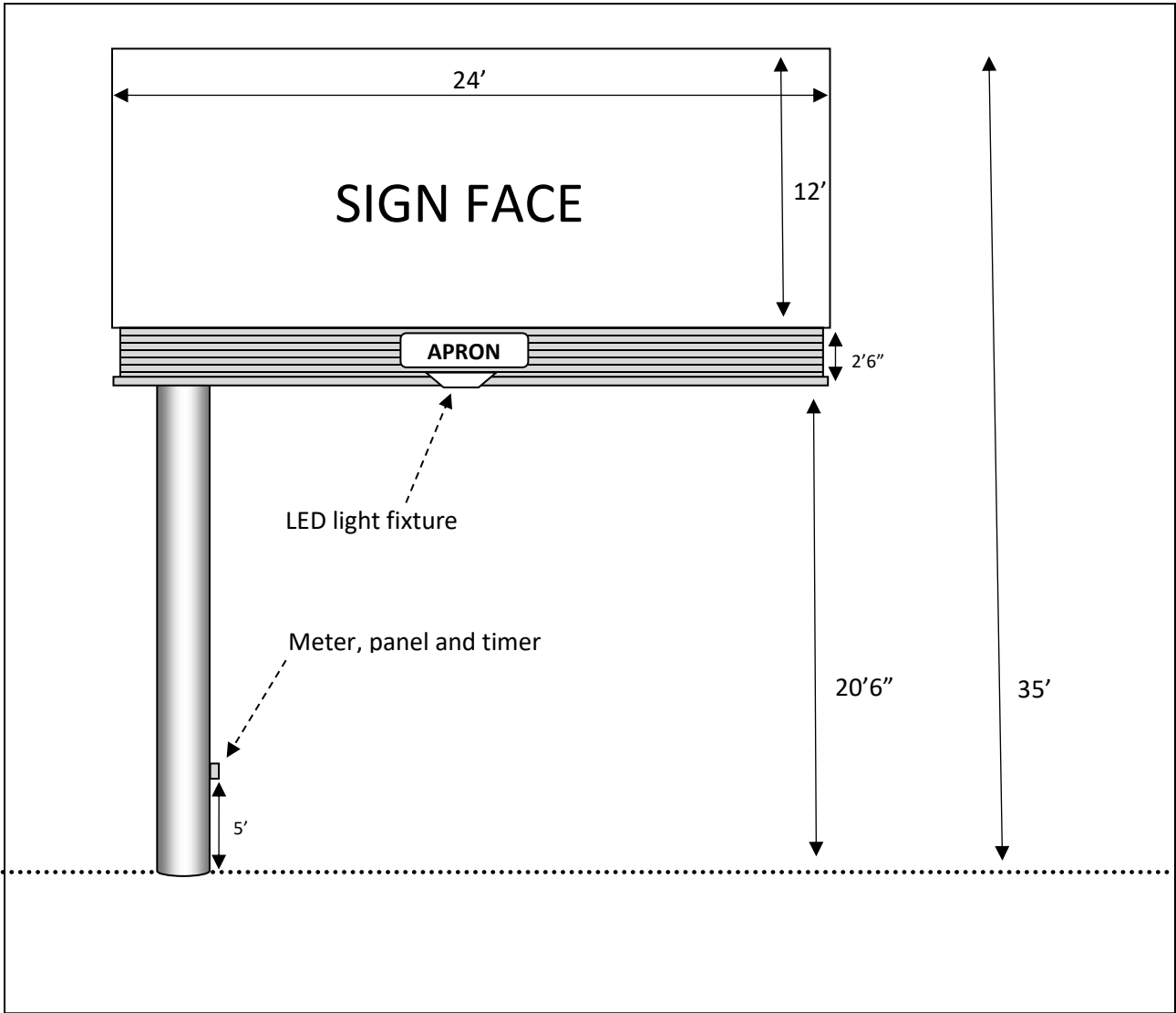


Owner: Gerald Brann Living Trust  
 Location: 2775 Feather River Blvd., Oroville, CA  
 APN: 035-370-010                      Size: 1.17 acres  
 Zoning: C-2 (Intensive Commercial)  
 Prepared by: Greg Redeker, Stott Outdoor Advertising  
[gredeker@stottoutdoor.com](mailto:gredeker@stottoutdoor.com) (530) 717-2705 03/25/2021



2775 Feather River Blvd., APN 035-370-010  
Gerald R. Brann Living Trust

SIGN ELEVATION AND  
ELECTRICAL DRAWING  
Brann – 2775 Feather River Blvd.  
APN 035-370-010



New 100 amp electrical service as directed by PG&E

Two (2) 108 watt LED lamps, one (1) on each side



Greg Redeker  
(530) 717-2705



Example of proposed Stott Outdoor Advertising sign – note site improvements and vehicles maneuvering beneath sign. Proposed sign will have the column located on the side closest to the road (“full flag”).



# Sign-Vue<sup>®</sup> LED II

The Sign-Vue LED II is the next generation product designed to meet the needs of the media sign lighting market. Built on breakthrough LEDs and dedicated optics for specific poster and bulletin applications, the Sign-Vue LED II provides exceptional uniform illumination while saving energy and reducing maintenance costs. Built on the design philosophy **"MORE LIGHT WHERE YOU NEED IT—ON THE BOARD**, watt for watt, the Sign-Vue LED II delivers twice as much light *on the board* as our leading LED competitors."



## Key Benefits

### 78% more energy efficient than comparable HID luminaires:

- + 12,000 through 16,000 lumens – replaces 175W through 400W HID sign lighting products

### Dedicated optics for poster panel and bulletin applications:

- + Panel-Vue<sup>®</sup> optics for poster applications
- + Sign-Vue<sup>®</sup> optics for bulletin and super bulletin applications
- + AdVue<sup>®</sup> optics for bulletin and super bulletin applications where two luminaires are required
- + Most light on the board equals "most efficient" in the industry
- + Illuminates entire board apron, copy and extensions

### Leading edge optics and "white light" improve visibility on signage:

- + 5000K CCT, 70 CRI minimum
- + Exceptional uniformity
- + Uniform apron lighting promotes "brand" of operator
- + Uplight and spill light minimized to be environmentally friendly

### Improved fixture efficacy reduces energy usage vs competitive LED luminaires:

- + Efficacy improvements up to 130 LPW
- + Lowest total cost of ownership in the media industry
- + Maximized energy savings over HID results in faster payback

### Longevity and low maintenance make it the ultimate sustainable solution for renovation and new construction media sign lighting projects:

- + L70 & driver life > 100,000 hours
- + Robust IP66 rated prismatic borosilicate optics increase durability and reduce dirt depreciation
- + ANSI C136 10kV/5kA surge protection
- + 5,000 hour rated salt spray finish

### Sleek attractive dayform with weight less than ½ of comparable HID sign lighting luminaires ensures no issues when retrofitting to existing structure:

- + Weight < 25 lbs.
- + Luminaire mounts to existing 1.25 inch round or 1.5 inch square tube
- + Low profile ensures luminaire not visible in sign messaging

### Optional controls for design flexibility and energy savings:

- + AO field-adjustable module provides design flexibility
- + Provides choice of lumen and wattage for both rural and urban applications with one luminaire

**Smart Solutions that Simply Work**





P.O. Box 7209 • Chico, California 95927 • 530-342-3235

RECEIVED

JAN 05 2021

AGREEMENT OF LEASE

This agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between Gerald R. Brann as Trustee of the Gerald R. Brann Living Trust, hereinafter called "LESSOR" and Stott Outdoor Advertising hereinafter called "LESSEE".

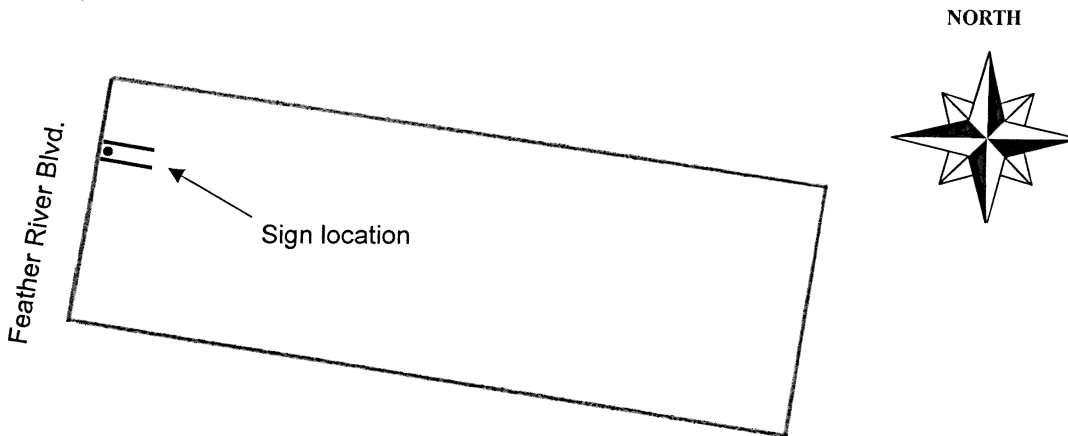
Beginning upon the date the sign structure is completed Lessee shall pay to Lessor an amount equal to

payable in advance annually upon the anniversary date of the sign structure's completion. In consideration of the previously described lease payment schedule Lessor hereby leases to Lessee a portion of Lessors' real property and thereupon grants exclusive permission to Lessee to erect and maintain any type of outdoor advertising sign structure to be determined by Lessee, in Lessee's sole discretion on the leased property located at and described as:

Butte County APN 035-370-010

Lessor further grants to Lessee the unrestricted right to travel across Lessor's property for free access to the sign structure and use of the real property described herein as Lessee requires to construct, maintain, post, paint, illuminate, repair and otherwise deal with the sign structure including the placement and maintenance of support structures, service ladders, illumination facilities, devices, power poles, power lines and connections.

Diagram (Location of Proposed Sign)



The term of this lease is ten (10) years commencing on the date of this agreement. All advertising signboards and structures placed on the leased property under this lease, which Lessee at its sole discretion has the right to change or modify, shall remain the property of the Lessee. At the termination of this lease, Lessee agrees to restore the surface of the premises to its original condition. Lessee shall have the right to make any necessary applications with, and obtain permits from governmental bodies for the construction and maintenance of Lessee's sign at the sole discretion of Lessee. All such permits and any nonconforming rights pertaining to the premises shall be the property of the Lessee. If required by Lessee, Lessor will execute and acknowledge a Memorandum of Lease for recordation. The Lessor represents that he is the owner of the above-described real property and has the authority to grant the leasehold estate and to execute this lease for the term thereof. The word Lessor as used herein shall include all joint owners of the real property. This lease is binding upon and inures to the benefit of the heirs, executors, successors, and assigns of the Lessee and the Lessor.

The undersigned have read and agree to the above provisions and the provisions on the reverse side of this agreement which are incorporated into and made a part of this agreement by reference.

ACCEPTED BY STOTT OUTDOOR ADVERTISING

ACCEPTED BY LESSOR

By: [Signature] (Authorized Agent of Stott Outdoor Advertising)

By: [Signature]

Date: 1/6/2021

Print Name Gerald R. Brann

Title Trustee, the Gerald R. Brann Living Trust

Address: 2407 Granite Lane

City, State, Zip: Lincoln, CA 95648

Tax ID/SS#:



# City of Oroville

**Leonardo DePaola**  
Community Development Director

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2436 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

Thursday, April 22, 2021

**RE: Residential Shop Building at 2723 Oro Quincy Highway**

**SUMMARY:** The Oroville Planning Commission will review and consider approving a 4,800 square foot shop building at 2723 Oro Quincy Highway, a 2.36 -acre parcel (APN 068-160-083) zoned RR-20 (Rural Residential).

**RECOMMENDATION: Staff recommends the following actions:**

1. **Conduct a Public Hearing** on the proposed project.
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP21-02, and
4. **Approve** Use Permit UP 21-02 and recommended Conditions of approval.
5. **Adopt** Resolution No. P2021-03

**APPLICANTS:** Kragen and Rachel Faulkner

**LOCATION:** 2723 Oro Quincy Highway, Oroville, California

**GENERAL PLAN:** LDR (Low Density Residential)

**ZONING:** RR-20 (Rural Residential 20,000 s.f.)

**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt per Section 15332 of Title 14, California Code of Regulations, Infill Development Projects

**REPORT PREPARED BY:**

\_\_\_\_\_  
Wes Ervin, Senior Planner  
Community Development Department

**REVIEWED BY:**

\_\_\_\_\_  
Dawn Nevers, Assistant Director  
Community Development Director

### DISCUSSION

Applicants are proposing a 4,800 square-foot accessory building on a large 2.3-acre (103,000 s.f.) lot they own, where there is a previously burned down home. RR-20 is

our second most rural residential zone with about 45 parcels so zoned.

The size of the shop building is equivalent to a 13-car garage and would be twice the size of the home. The largest garage/shop previously approved by the Commission is 2,100 square feet on a lot zoned R-L (residential large lot),

The stated intent of the applicants is to:

1. Build the shop building before rebuilding the home as a staging area for the home rebuild.
2. Use the shop building in the interim as a secure staging area for equipment and construction materials, reasonable given the amount of vagrancy and theft in the area.
3. The shop building will primarily be used for personal boat and vehicle storage, and for personal shop space for applicant's engineering hobby -- not a business.

### Code Interpretations

The City has no specific codes allowing such a large structure on an RR-20 lot, and it is thus not allowed unless the Zoning Administrator (ZA) determines that there is a similar more intensive use available in that zone, and there is. The Zoning tables (Table 17.28.010-1) allow a building of up to 10,000 square feet for a public school or meeting space, and also an RV park, all subject to a discretionary use permit. The ZA has determined that a use permit is thus required for this building.

The Commission must thus determine whether to allow this project as proposed. Factors to consider include:

1. OMC Table 17.28.010-1 does not list a barn or shop as an allowable use in the RR-20 zone. Unlisted uses are not allowed unless a similar or more intense use is listed, subject to the ZA's evaluation.
2. The structure is not authorized under the accessory buildings code (OMC 17.12.090). A detached accessory structure that is a garage cannot exceed 700 square feet (2 cars) without Development Review, and one that is not a garage cannot exceed 25% of the size of the main structure without development review. *The proposed structure is twice the size of the site's residence and is much larger than envisioned by the accessory building code. The largest garage approved so far by the Development review committee is 2,160 square feet, the equivalent of a 6-car garage.*
3. If this parcel were in the County and not the City, it would likely be zoned Very Low Density Residential (VLDR), and the barn/shop would be allowed as a "... workshop, shed, storage building, barn, greenhouse....." (Butte County Code 25-156D)
4. OMC 17.08.090 authorizes the Zoning Administrator to allow an unlisted use if and only if it meets all the following criteria, otherwise it cannot be approved.
  - Use must be equivalent to those of another allowable use in that zone – *due to the size, this use is not similar to any other uses in a residential*

zone, nor are there other comparable structures in the vicinity or in RR-20. However, a meeting facility of up to 10,000 square feet would be allowed in RR-20 with a Use Permit, so a building of this size cannot be precluded entirely.

- Use must not be a higher level of activity, density or intensity than another allowable use – *the only allowable higher level of activity would be a meeting facility or public school of up to 10,000 square feet or a mobile home park, all of which would be allowed with a Use Permit.*
  - Will meet the purpose of the zone – *RR-20 is our second most rural zone, and barns/accessory buildings are expected as accessory structures, but not the large size proposed by applicant. To his credit, applicant has sought a rural parcel for his mechanical engineering hobby shop.*
  - Is consistent with the goals etc. of the General Plan – *the Land use designation is Low Density Residential, which is silent on accessory buildings.*
5. OMC 17.52.020 – the Development Review process is described. Development Review is required for all new construction, including for discretionary permits. *The DRC met about this project on March 18, but made no recommendation.*
  6. OMC 17.12.090 A.4(a) -- An accessory building may not be built in the front setback of a property. *Applicant has shown that the proposed location is outside the front setback. Applicant has provided a street view showing that the proposed fence and shop structure would not overwhelm from the street.*
  7. OMC 17.44.020 -- Property is in the HO Hillside Overlay district – which requires “minimal disturbance of natural terrain”, and to minimize grading, erosion, runoff, and removal of vegetation.
    - *The entire property rises 37 feet in elevation from the road and has a 10% slope. There are two possible locations flat enough for this structure – 1) where applicant proposes, and 2) at the north (top) of the site between the two driveways. Applicant maintains the proposed location is the best and least conspicuous location for the structure, with less disruption to the household.*
    - A slope analysis map prepared by an engineer is a requirement of the HO district. However, the analysis is intended to reduce the total allowed site coverage, and such an analysis would likely not limit the proposed development. *Staff has waived this calculation.*
    - Applicant must show the building is indeed located on the most suitable portion of this site. *At the proposed location, the site rises about 10’ over its 80+’ run, or 13%. Applicant has provided an illustration showing that 200 yards of soil will be cut and filled. As noted above,*
    - Applicant must show the amount of land disturbance, cut and fill, and/or retaining walls that might be required. *Should the Commission approve*

*the project, a soil analysis and grading plan for this sloped site is ultimately required for the building permit.*

- There are no oak trees requiring mitigation
8. OMC 17.44.080 --The project is in the FO-Foothill Overlay District, which allows the City Engineer to waive frontage improvements under certain circumstances. *Due to the length of the frontage, staff recommends waiving this requirement.*
  9. Per the California Building Code, an accessory building may not be constructed until a building permit for the main residence is approved. The owner then has 6 months in which to begin construction of the main structure and can build other structures in the meantime.

Staff recommends Approval of Use Permit UP 21-02 including:

1. Approving the 4,800 square-foot shop structure
2. Approving the applicant's proposed location
3. Allowing the shop to be built prior to renovating the home, with the condition requiring an approved building permit prior to shop construction.
4. Approving a deed restriction or covenant prohibiting business use of the shop building;

#### **FISCAL IMPACT**

None. The project is subject to all customary fees.

#### **PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

#### **ATTACHMENTS**

1. Application materials
2. Planning exhibits
3. Resolution P2021-03 with findings and proposed conditions
4. Notice of Exemption (CEQA)



# City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: **PL 2102-003**

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>		Project's: <b>Shop Building</b>	
Name:	<b>Kragen + Rachel Faulkner</b>	Name:	
Address:	<b>2723 Oro Quincy Hwy</b>	Company:	
Phone:	<b>707-330-0945 or 530-990-6131</b>	Address:	<b>2723 Oro Quincy Hwy</b>
Email:	<b>kragenfaulkner@gmail.com</b>	Phone:	<b>same</b>
Is the applicant the Owner?	<input type="checkbox"/>	<small>If applicant is Not the owner, please provide owner /agent authorization on the reverse side.</small>	Email: <b>same</b>
<b>DEVELOPMENT PROJECTS &amp; OTHER APPLICATIONS</b> (Please check all that apply)			
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan
<input type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension
<input type="checkbox"/>	Other: (Please Specify)	<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>		<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>		<input type="checkbox"/>	Tentative Subdivision Map
<input type="checkbox"/>		<input type="checkbox"/>	Variance
<input type="checkbox"/>		<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>		<input type="checkbox"/>	Zoning Clearance
<b>ADMINISTRATIVE PERMITS</b> (Please check all that apply)			
<input type="checkbox"/>	Adult Oriented Business	<input checked="" type="checkbox"/>	Outdoor Storage
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit
<input checked="" type="checkbox"/>	Other: (Please Specify)		
<b>Shop Building</b>			
*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application. ** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.			
<b>PROJECT INFORMATION</b>			
Project Name: <b>Oro Quincy Shop Building</b>		Proposed Structure(s) (Sq Ft.): <b>4800 sqft</b>	
Address: <b>2723 Oro Quincy Hwy</b>		Existing Structure(s) (Sq Ft.): <b>0</b>	
Nearest Cross Street: <b>Meadowview Dr</b>		Water Provider: <b>SFWP</b>	
Assessor Parcel Number: <b>018-160-083-000</b>		School District: <b>Oroville Unified</b>	
Lot Size (Acres): <b>2.39 acres</b>		Number of Dwelling Units: <b>1</b>	
<b>APPLICANT'S SIGNATURE</b>			
I hereby certify that the information provided in this application is, to my knowledge, true and correct.			
Signature: <b>Rachel Faulkner</b>		Date:	
<b>OFFICE USE ONLY</b>			
General Plan:	Zoning:	Zoning Conformity:	APN:
File#	Overlay Zoning:	Minimum Setbacks:	FY RY SY

<b>AGENT AUTHORIZATION</b>			
To the City of Oroville, Department of Community Development			
NAME OF AGENT:		PHONE NUMBER:	
COMPANY NAME:		EMAIL:	
ADDRESS:		CITY/ST/ZIP:	
AGENT SIGNATURE:			
Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):			
This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.			

**Owner(s) of Record (sign and print name)**

1) <u>Kraegen Faulkner</u> Print Name of Owner	<u></u> Signature of Owner	<u>3-26-2001</u> Date
2) <u>Rachel Faulkner</u> Print Name of Owner	<u></u> Signature of Owner	<u>3-26-2001</u> Date
3) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
4) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
_____ Owner's Mailing Address	_____ Owner's Email	_____ Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



# City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2430 FAX (530)  
 538-2426 [www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: P12103-004

## USE PERMIT APPLICATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION		PERMIT TYPE	
<input type="checkbox"/>	Completed and signed Application Forms	<input checked="" type="checkbox"/>	New Use Permit: \$2,889.98 (Deposit) + \$173.40(6% Tech Fee) = \$3,063.38
<input type="checkbox"/>	Application Fee Paid	<input type="checkbox"/>	Amendment to Existing Use Permit: \$1,024.09 + \$61.45 (6% Tech Fee) = \$1,085.54

### PROJECT PLANS

All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and all information necessary to make a full evaluation of the project. Please include the following:

1. **Site and floor plans**, including the location, square footage and use of all structures.
2. **Architectural drawings** showing proposed building elevations.
3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed
4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes.
5. Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture.
6. **Drawings of all signs** that are proposed in association with the project.
7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities.
8. Plans showing the location and square footage of any existing or proposed outdoor storage areas.
9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project.
10. Hours of operation for all proposed land uses.
11. Number of employees and fleet vehicles for all proposed land uses
12. **A letter authorizing the use permit application from the owner of the property.**

### CLASSIFICATION

<input checked="" type="checkbox"/>	Alcohol & Beverage Sales	<input checked="" type="checkbox"/>	Nonconforming Uses & Structures	<input type="checkbox"/>	Uses in Industrial Districts
<input type="checkbox"/>	Agricultural Uses	<input type="checkbox"/>	Outdoor Storage	<input type="checkbox"/>	Uses Mini-Storage Overlay(MS-O)
<input type="checkbox"/>	Animal Keeping (Commercial)	<input type="checkbox"/>	Parking Requirement Exceptions	<input type="checkbox"/>	Uses in Residential Districts
<input type="checkbox"/>	Barbed/Razor Wire Fence	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Uses in Special Purpose Districts
<input type="checkbox"/>	Density Bonus & Other Incentives	<input type="checkbox"/>	Uses in a Conditional Overlay (C-O)	<input type="checkbox"/>	Uses not Specified but Allowed
<input type="checkbox"/>	Exceptions to Height Limits	<input type="checkbox"/>	Uses in Commercial & Mixed-Use Districts	<input type="checkbox"/>	Wireless Communication Facilities

Other: (Please Specify) Shop Building

### APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: Rachel Faulk Hank Date: \_\_\_\_\_

### OFFICE USE ONLY

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Payment: \_\_\_\_\_ Number: \_\_\_\_\_



PROJECT DESCRIPTION	
Present or Previous Use:	Vagrant hot spot
Proposed Use:	Storage Building
Detailed Description:	<p>Proposal thoroughly outlined in DRC application previously submitted and on file.</p> <p>We propose building a 60 x 80 Nucor Metal Building (4800 sqft) on our parcel in an area that is flat and requires very little excavation. The Shop would be used to house our vehicles, boat, trailers, etc. along with personal tools, equipment + storage all to be used for personal use.</p>

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[www.cityoforoville.org](http://www.cityoforoville.org)

Item 4.

TRAKIT#: PL 2102-003

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>				Project's:		2723 Oro Quincy Shop Building	
Name:		Keagen & Rachel Faulkner		Name:		Shop Building	
Address:		2723 Oro Quincy Hwy, Oroville		Company:		N/A	
Phone:		707-330-0945		Address:		2723 Oro Quincy Hwy, Oroville	
Email:		rachel Faulkner 83@gmail.com		Phone:		707-330-0945	
Is the applicant the Owner?		<input checked="" type="checkbox"/> Yes		If applicant is Not the owner, please provide owner /agent authorization on the reverse side.		Email: rachel Faulkner 83@gmail.com	
<b>DEVELOPMENT PROJECTS &amp; OTHER APPLICATIONS</b> (Please check all that apply)							
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition	<input type="checkbox"/>	Tentative Parcel Map		
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan	<input type="checkbox"/>	Tentative Subdivision Map		
<input checked="" type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application	<input type="checkbox"/>	Use Permit		
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance		
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities		
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance		
<input type="checkbox"/>	Other: (Please Specify)						
<b>ADMINISTRATIVE PERMITS</b> (Please check all that apply)							
<input type="checkbox"/>	Adult Oriented Business	<input checked="" type="checkbox"/>	Outdoor Storage	<input type="checkbox"/>	Special Event		
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales	<input type="checkbox"/>	Street Closure		
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit	<input type="checkbox"/>	Tree Removal		
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit	<input type="checkbox"/>			
<input type="checkbox"/>	Other: (Please Specify)						
*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application. ** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.							
<b>PROJECT INFORMATION</b>							
Project Name: Oro Quincy Shop Building				Proposed Structure(s) (Sq Ft.): 4800 sqft			
Address: 2723 Oro Quincy Hwy, Oroville, CA				Existing Structure(s) (Sq Ft.): <del>3629</del>			
Nearest Cross Street: Meadowview Dr.				Water Provider: south feather water			
Assessor Parcel Number: 0681160083000				School District: Oroville City Elementary School			
Lot Size (Acres): 2.36 acres				Number of Dwelling Units: 1			
<b>APPLICANT'S SIGNATURE</b>							
I hereby certify that the information provided in this application is, to my knowledge, true and correct.							
Signature: Rachel Faulkner						Date: 2-16-21	
<b>OFFICE USE ONLY</b>							
General Plan:		Zoning:		Zoning Conformity:		APN:	
File#		Overlay Zoning:		Minimum Setbacks:		FY RY SY	

### AGENT AUTHORIZATION

To the City of Oroville, Department of Community Development

NAME OF AGENT:	PHONE NUMBER:
----------------	---------------

COMPANY NAME:	EMAIL:
---------------	--------

ADDRESS:	CITY/ST/ZIP:
----------	--------------

AGENT SIGNATURE:

Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):

This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.

#### Owner(s) of Record (sign and print name)

1) <u>Kragen Faulkner</u> Print Name of Owner	<u>[Signature]</u> Signature of Owner	<u>2-11-21</u> Date
2) <u>Rachel Faulkner</u> Print Name of Owner	<u>[Signature]</u> Signature of Owner	<u>2-11-21</u> Date
3) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
4) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
<u>P.O. Box 726, Oroville CA 95965</u> Owner's Mailing Address	<u>rachelfaulkner83@gmail.com</u> Owner's Email	<u>707-330-0945</u> Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



# City of Oroville

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Item 4.

TRAKIT#:

## DEVELOPMENT REVIEW / PRE-APPLICATION

(Please print clearly and fill in all that apply)

### REQUIRED FOR A COMPLETE APPLICATION

- Completed and signed Application Forms
- Application Fee Paid (\$230.42) + 6% Tech Fee = \$244.25

\*\*The Development Review Committee (DRC) will meet at least once per month, or as needed. Generally, the DRC will meet on the 4<sup>th</sup> Wednesday of each month, with meetings starting at 9:00 a.m. and concluding once all the items on the agenda have been addressed.

- Are you requesting a Pre-Application (Initial Project Review)? - **No**
- Are you requesting a Development Review? - **Yes**
- Is the Project in the Downtown Historic Overlay? - **No**

### TYPE OF PROJECT (Please check all that apply)

<input checked="" type="checkbox"/>	Accessory Structure	<input checked="" type="checkbox"/>	New Construction	<input type="checkbox"/>	Site Improvements
<input type="checkbox"/>	Fencing	<input type="checkbox"/>	New Use of Existing Structure(s)	<input type="checkbox"/>	Industrial
<input type="checkbox"/>	Landmark Demolition	<input type="checkbox"/>	Parking	<input type="checkbox"/>	Commercial
<input type="checkbox"/>	Landmark Modification	<input type="checkbox"/>	Planned Unit Development	<input type="checkbox"/>	Residential
<input type="checkbox"/>	Landscaping	<input type="checkbox"/>	Sign Program	<input type="checkbox"/>	Mixed Use
<input type="checkbox"/>	Other: (Please Specify)				

### REQUIRED DOCUMENTS (Please provide all that apply)

- Site Plans
- Architectural drawings showing proposed building elevations
- Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed
- Plans for the configuration and layout of all off-street parking spaces
- Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture
- Drawings of all signs that are proposed in association with the project
- Any appropriate studies required for the project (i.e. traffic, noise, geotechnical, sewer capacity, historical review, etc.)
- Project description, and explanation of what is being proposed. Including a description of the intended use, for commercial and projects, hours of operations, number of employees, and a description of daily operation, services offered, products manufactured and sold.

### ADDITIONAL INFORMATION

1. For any project that requires development review, buildings permits shall not be issued until the project's development review application has been approved.
2. Buildings plans submitted to the Building Division for review while simultaneously undergoing the development review process with the Planning Division are subject to change.
3. All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and information necessary to make a full evaluation of the project.

### APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: Rachel Felt [Signature] Date: 2-16-21

### OFFICE USE ONLY

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Payment: \_\_\_\_\_ Number: \_\_\_\_\_

### PROJECT DESCRIPTION

## Detailed Description:

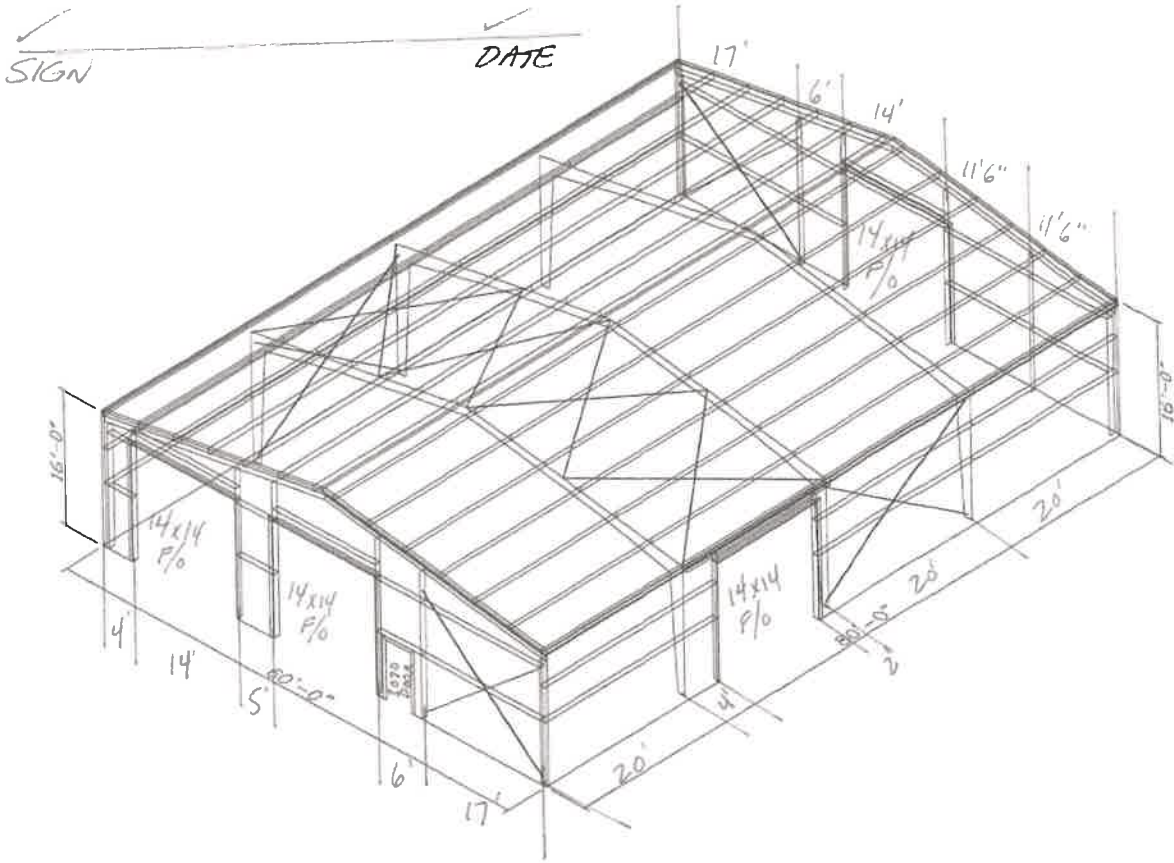
Please See Attached.

We are building the shop so we can build our house that has an existing structure there. on the property and have a place to store all equipment and building supplies as well as house all our personal belongings until the house is finished

**Detailed project description:** we are building a shop building on our property at 2723 Oro Quincy Hwy in Oroville, CA 95966. Our shop will be used for storage of personal property, and as a personal work space.

**Elevation:** approximately 550'

**Building details & Picture:** 60' x 80' x 16' red iron (I-Beam) insulated shop building. A detailed wireframe drawing of the shop we have on order is shown below:



Site Plans & Map: approximate location of the shop as shown below:





# City of Oroville

Building Department  
Cash Collections  
**RECEIPT: P1001**

**Project Number: PL2102-003**  
**Project Name: STORAGE SHOP**

Fee Description	Account Number	Fee Amount
DEVELOPMENT REVIEW BC	2201 4625	\$230.42
TECH COST RECOVERY [SU	5141 4700	\$13.83
<b>Total Fees Paid:</b>		<b>244.25</b>

Date Paid: 2/16/2021

Paid By: KRAGEN & RACHEL FAULKNER

Pay Method: CHECK

Check # 102

Received By: LORRAINE SHIPPY

**\*\*\*Credit Card Payments\*\*\***

A convenience fee is charged for all credit card payments. Please note that the convenience fee is a third-party fee and is not part of the City of Oroville. For all credit card payments the convenience fee is 2.50% of the total amount charged with a minimum charge of \$2.00.



**Wes Ervin**

**From:** Faulkner Family Home <rachelfaulkner83@gmail.com>  
**Sent:** Friday, February 26, 2021 5:42 PM  
**To:** Wes Ervin  
**Cc:** Kragen Faulkner  
**Subject:** 2723 Oro Quincy Hwy -- Development Review Committee  
**Attachments:** Detailed Floor Layout.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**ATTENTION:** This message originated from outside the **City of Orville**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hello Wes,

Following up on our phone call yesterday, I would like to ensure that we are on the same page, and are working on the correct items. The pertinent details of our discussion are summarized below:

1. The first objection presented was that the location of our shop had to be at the back of the property, and could not be located at the front of our property. As discussed, based on the existing driveway, and the previous structure, the shop would in fact be located behind the house, and to the rear of the property as specified. We plan on keeping the footprint of the previous structure as similar as possible, including the entrance location. Of course, defining the front and back of the property is very subjective, however, orientations are generally specified in relation to the location and orientation of the house. The proposed location also capitalizes on the lowest and flattest portion of the property, leaving unobstructed neighboring views, also it will require minimal pad leveling, and will allow the highest possible utilization of native soil for the pad.

2. The second objection was that the property was zoned RL-20 ("Large-Lot Residential"), so an outbuilding of the size was not easily permitted. We clarified that the property is in fact zoned RR-20, which you then confirmed upon looking up during our call. As such, outbuildings are allowed for personal use, and for storage.

3. The third objection was that the shop size (4,800 sqft) was unreasonable, and that it was twice the size of the homes in the area. You also stated a concern that if we were to sell the property that the new occupants might want to use the space to open a business since the shop is large. This does not appear to be a valid concern since the property is not commercially zoned, and the zoning would not change with transfer of ownership. As a side note, we plan on this property being our forever home. In context of the shop being larger than homes in the area, we informed you of a home across the street that is 5,000 sqft. As discussed, many homes in the area are in fact quite larger than 2,400 sqft. Furthermore, our property on Oro Quincy Hwy. where the shop would be located had a home that was 3,629 sqft on it previously. As discussed, there are also many homes in the area that have shops. At that point you tasked us with locating these shops in the area, finding their square footage, and listing them so you can then research the addresses we provide you to verify our findings, this does not appear to be our responsibility.

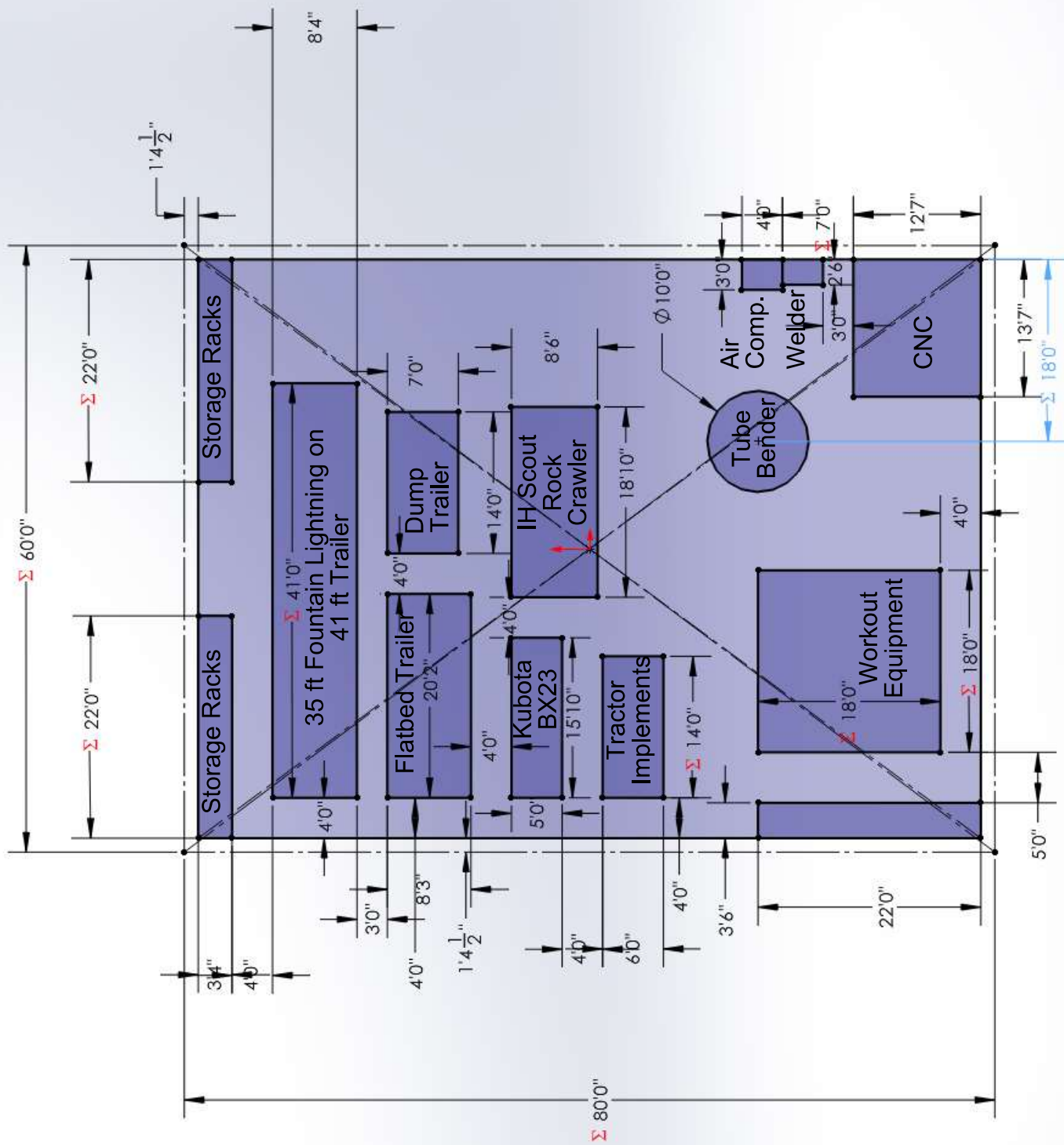
You stated during the conversation that you had code to support these concerns, but did not provide us with them at the time. I am assuming some of these are in reference to Chapter 17.12.090.A., but I could not find the specifics which you were referring to.

As an additional document that can be used with the Development Review Committee application, we have attached a drawing that Kragen created in SolidWorks (CAD software). This drawing is 100% to-scale, and accurately depicts the size of the shop, and our specific intended use and storage needs. The drawing represents actual measurements of all

these items and of the shop itself. As an additional point of clarification, the 60 x 80 size is in fact the outside dimensions of the walls. Because it is an I-Beam structure, the beams intrude 1'-4.5" on each side of the four interior walls. This reduces the usable interior space by 376.75 sqft. On the drawing we have labeled our personal property, which we will store, including our large boat which we have moved from Stanislaus County to Butte County (as we intend to store our boat here). As discussed, we will be assessed an annual luxury tax on our boat by Butte County if we store it here as intended. Please note that we consider this confidential information, and for purposes of security we do not want this personal property, and storage information shared with the general public.

Thank you,  
Kragen & Rachel Faulkner







Oro Quincy Hwy

Oro Quincy Hwy

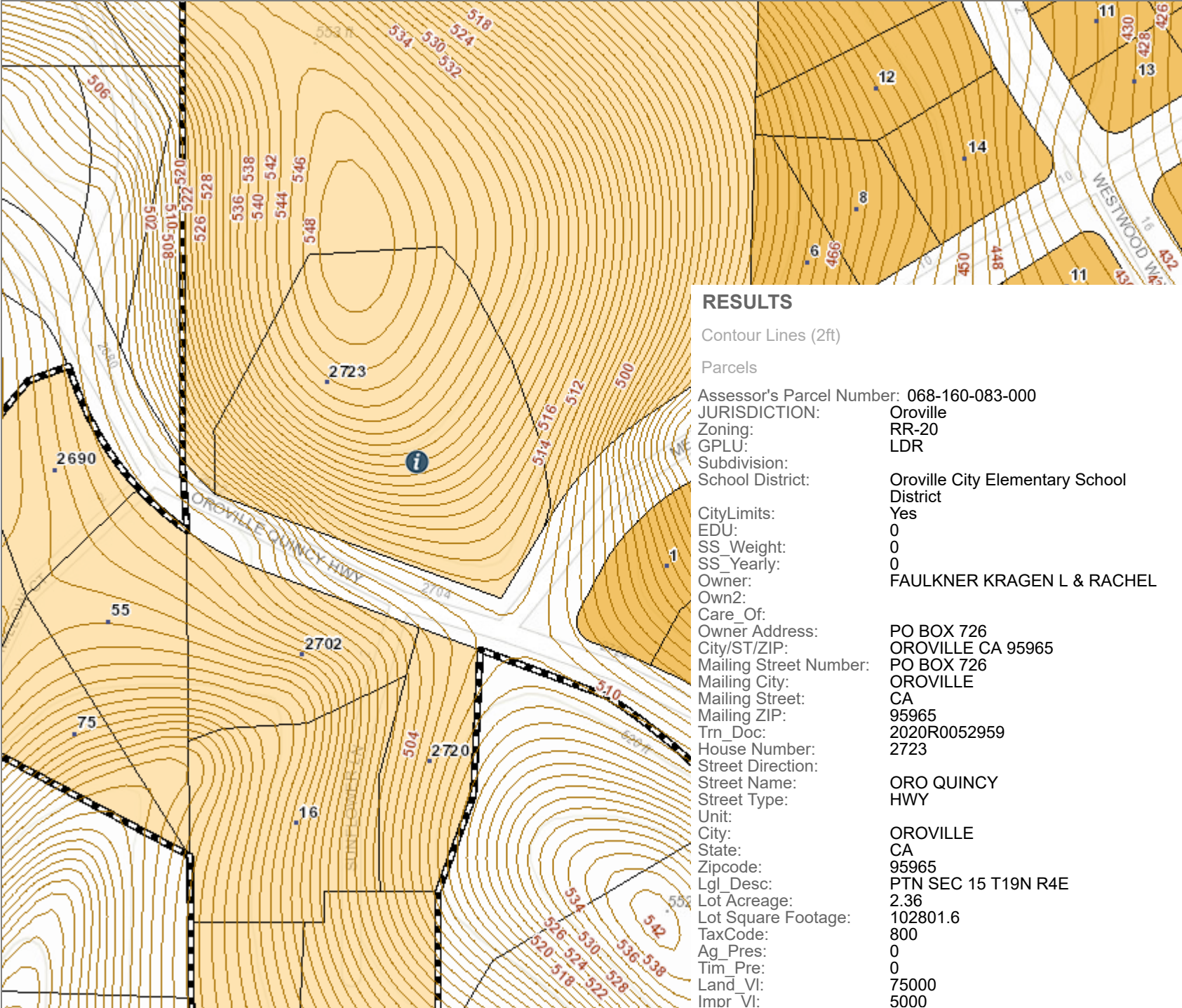
**Gravel access road  
will be sloped and  
leveled, not cut  
into hill.**

**Access road will  
not require cut,  
but minimal  
leveling**

2723 Oro Quincy Hwy

**200 - Yard Cut  
and Flop from  
cross hatched  
area to open area**





### RESULTS

Contour Lines (2ft)

Parcels

Assessor's Parcel Number: 068-160-083-000

JURISDICTION: Oroville  
Zoning: RR-20  
GPLU: LDR

Subdivision:  
School District: Oroville City Elementary School District

CityLimits: Yes  
EDU: 0  
SS\_Weight: 0  
SS\_Yearly: 0  
Owner: FAULKNER KRAGEN L & RACHEL

Owner Address: PO BOX 726  
City/ST/ZIP: OROVILLE CA 95965  
Mailing Street Number: PO BOX 726  
Mailing City: OROVILLE  
Mailing Street: CA  
Mailing ZIP: 95965  
Trn\_Doc: 2020R0052959  
House Number: 2723

Street Direction:  
Street Name: ORO QUINCY  
Street Type: HWY

Unit:  
City: OROVILLE  
State: CA  
Zipcode: 95965  
Lgl\_Desc: PTN SEC 15 T19N R4E  
Lot Acreage: 2.36  
Lot Square Footage: 102801.6  
TaxCode: 800  
Ag\_Pres: 0  
Tim\_Pre: 0  
Land\_Vl: 75000  
Impr\_Vl: 5000

- Address
- Contour Lines (2ft)
- + Railroads
- ▭ Oroville City Limits
- ▭ Sphere of Influence
- ▭ Planning Area
- ▭ Parcels
- Zoning Designation**
- Agricultural\_Residential (RA)
- Rural Residential 1 Acre (RR-1)
- Rural Residential 20,000 Square Feet (RR-20)
- Rural Residential 10,000 Square Feet (RR-10)
- Large Lot Residential (RL)
- Single Family Residential (R-1)
- Medium Density Residential (R-2)
- High Density Residential (R-3)
- Urban Density Residential (R-4)
- High-Density Residential/Professional (RP)
- Neighborhood Mixed Use (MXN)
- Neighborhood Commercial (CN)
- Office (OF)
- Downtown Mixed Use (MXD)
- Highway Commercial (CH)
- Corridor Mixed Use (MXC)
- Intensive Commercial (C-2)
- Limited Commercial (C-1)
- Commercial Light Manufacturing (CLM)
- Intensive Industrial (M-2)
- Airport Business Park (APB)
- Open Space (OS)
- Public or Quasi-Public Facilities (PQ)







## RESOLUTION NO. P2021-03

**A RESOLUTION OF THE OROVILLE PLANNING COMMISSION FOR APPROVAL OF A 4,800 SQUARE SHOP BUILDING AT 2723 ORO QUINCY HIGHWAY, A 2.3-ACRE PARCEL ZONED RR-20 (RURAL RESIDENTIAL).**

**WHEREAS**, Kragen and Rachel Faulkner have applied for approval to construct a new 4,800 square foot residential shop building at 2723 Oro Quincy Highway; and

**WHEREAS**, per the City of Oroville Municipal Code (OMC), the property has a zoning land use designation of Rural Residential (RR-20); and

**WHEREAS**, various sections of the City of Oroville Municipal Code (OMC) as interpreted by the Zoning Administrator do not authorize an accessory building this large in a residential zone without a Use Permit; and

**WHEREAS**, as a condition of approval, the applicant will be required to comply with all requirements of the City's Zoning Code and the conditions below including, but not limited to, development standards, permit requirements and development review; and

**WHEREAS**, applicant has stated that this building will be used exclusively for personal use and not for any business purpose;

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City's staff report regarding the change.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."
2. The Planning Commission approves the findings required by Table 17.32.010-1 of the Oroville City Code, as those findings are described in this Resolution.
3. Use Permit UP 21-02 is hereby approved subject to those conditions described in this Resolution.

## **FINDINGS for Use Permit No. UP 21-02**

Pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole.

*Per City Code 17.48.010, the intent of use permits is to provide an opportunity to review the location, site development or conduct of certain land uses, activities and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. For this reason, such uses are permitted through discretionary review and the powers granted to the Planning Commission include attaching any conditions to the use permit that are deemed necessary to achieve the purpose of the Zoning Code, and also promote the general health, safety, and public welfare of the City.*

*After a thorough review of the project, the approval of this use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code. Conditions of approval include, but are not limited to, compliance with all City zoning, engineering, building, landscaping, and public work standards in addition to any other federal, State, or local regulations that may be applicable.*

- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.

*The proposed project is located in the northeastern portion of the City, surrounded by other larger rural residential lots. The proposed structure with the stated private use is in a suitable location in the community and the vicinity.*

- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.

*The proposed structure and its use are on a lot fully served and accessible. This use will not stress existing services, with the possible exception that the applicant may need to import additional power.*

- d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.

*The proposed project is surrounded by a mix of existing rural residential properties with residences and accessory structures. This structure's location, design and operating characteristics are compatible in spite of its large size. The new structure is not expected to adversely affect abutting properties.*

- e. The subject site is physically suitable for the type and intensity of land use being proposed.

*The applicant has submitted a set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed.*

- f. The size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.

*With an approved Use Permit, the proposed project will support the reasonable enjoyment of private property by the property owners without unduly becoming a nuisance.*

- g. The permit complies with all applicable laws and regulations, including the requirements of the General Plan, Zoning Code, and of the City's Municipal Code.

*The permit application has been reviewed by staff and the proposed project has been found to comply with all applicable laws and regulations, including the applicable requirements of the City's 2030 General Plan, Zoning Code, and other applicable portions of the City's Municipal Code. As a condition of this permit, the applicants shall be required to ascertain and comply with the requirements of all Federal, State, County, City and other local agencies as applicable to the proposed use and project site.*

*Section 17.48.010(F) of the City Code provides guidelines for modifying or revoking use permits that have been granted if it can be proven, upon substantial evidence, that any of the conditions of the permit have not been satisfied within 1 year after it was granted, any of the terms or conditions of the permit have been violated, a law has been violated in connection with the permit, or if the permit was obtained by fraud.*

### CONDITIONS OF APPROVAL

**Approved project:** The project applicants, Krage and Rachel Faulkner, have applied for a Use Permit for the construction of a new 4,800 square foot detached garage/shop on the residential property identified as APN: 068-160-083 located at 2723 Oro Quincy Highway. The property has a zoning designation of Rural Residential 20,000 square feet (RR-20).

The Planning Commission hereby approves the project, subject to the following:

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The driveways to the new garage shall be paved or graveled to eliminate erosion and dust;
3. The applicant has stated that no business shall be conducted out of the structure. If business is conducted, applicant shall have a current City of Oroville business license, Occupancy permit, and any other applicable permit/license that may be required as part of their business operations. Such business shall not include a commercial engineering, equipment manufacture, repair, storage or other business suited to a commercially zoned site
4. Prior to occupancy, applicant shall record a covenant/deed restriction prohibiting the establishment and operation of a commercial engineering, equipment manufacture, repair, storage or other business properly zoned for a commercially zoned site.
5. Applicant shall have an approved building permit for the house rebuild prior to beginning construction of the shop building. A soil analysis and grading plan for this sloped site is ultimately required as part of the building permit review process.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
7. Sewer or septic is not a part of this project. If a garage conversion into a second home is later contemplated, applicant shall secure all appropriate permits for a second dwelling unit.
8. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review fees shall be paid at time of submittal.
9. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
10. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with

the City’s Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.

- 11. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbance of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.
- 12. All applicable development impact fees shall be paid prior to issuance of a building permit.
- 13. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 26, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
- 14. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

**--- End of Conditions ---**

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 22nd of April 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
JACKIE GLOVER, ASSISTANT CITY CLERK

\_\_\_\_\_  
CARL DURLING, CHAIRPERSON



# City of Oroville

**COMMUNITY DEVELOPMENT DEPARTMENT**

**LEONARDO DEPAOLA**  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

:	<b>TO</b>	Butte County Clerk	:	<b>FROM</b>	City of Oroville
		25 County Center Drive			1735 Montgomery Street
		Oroville, CA 95965			Oroville, CA 95965

Project Title: PL2103-004 Residential Shop Building

Project Location – Specific: 2723 Oro Quincy Highway

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicants, Kragen and Rachel Faulkner, have applied for a Use Permit for an over-sized accessory shop building. The subject property has a zoning designation of RR-20 (Rural Residential 20,000 square feet) and a General Plan land use designation of LDR (Low Density Residential). The proposed building is 4,800 square feet, to be used as a personal shop for a mechanical engineering hobby. The project is categorically exempt as a modification of an existing structure.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Kragen and Rachel Faulkner

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))
- Categorical Exemption: State type & section number:
  - In-Fill Development Projects, Title 14 CCR, §15332
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

In-Fill Development Projects: Title 14, CCR, §15332

Class 32 categorical exemptions consists of projects characterized as in-fill development meeting specific conditions a-e as described in this section. This shop/garage building project located in a rural residential zone meets all conditions, including being consistent with the General Plan and Zoning Designation, occurs within City limits, has no value as habitat, will not result in any significant effects, and can be adequately served by all required utilities.

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
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### PLANNING COMMISSION STAFF REPORT

Thursday, April 22, 2021

**RE: Minor Use Permit UP21-04 for Alcohol Sales at the proposed Oroville Liquor and Market at 1275 Feather River Blvd**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP21-04 to allow the applicant to conduct alcohol sales at a proposed new liquor store and market at 1275 Feather River Blvd.

**RECOMMENDATION: Staff has no recommendation on this matter**

**Should the Commission Choose to Approve this Use Permit:**

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP21-04;
4. **Approve** Use Permit UP21-04 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2021-05

**APPLICANT:** Motreb Dorghalli

**LOCATION:** 1275 Feather River Blvd  
 (APN 012-061-018)

**GENERAL PLAN:** RBS (Retail and Business Services)  
**ZONING:** C-2 (Intensive Commercial)  
**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt per Section 15301 of Title 14, California Code of Regulations, Existing Facilities.

**REPORT PREPARED BY:**

**REVIEWED BY:**

\_\_\_\_\_  
 Connor Musler, Planning Intern  
 Community Development Department

\_\_\_\_\_  
 Dawn Nevers, Assistant Director  
 Community Development Department



## DISCUSSION

Motreb Dorghalli has applied for a Use Permit to conduct alcohol sales at a proposed new liquor store and market at 1275 Feather River Blvd. According to the Oroville Municipal Code (OMC), a market or convenience store under 10,000 sqft would be considered Food and Beverage Sales or General Retail, which is a use permitted by right in a C-2 zone, subject to a zoning clearance. Alcoholic beverage sales require a Use Permit. Since this application is for a liquor store, whose primary means of business is to sell prepackaged liquor for off-site consumption, a Use Permit is required. OMC Section 17.48.010 states that the Planning Commission may attach any conditions to the use permit that are deemed necessary to achieve the purposes of this title, and that also promote the general health, safety and public welfare of the city.

The Development Review Committee (DRC) reviewed this item at its April 8<sup>th</sup> meeting and discussed areas of key concern.

**Alcohol Sales:** The proposed liquor store is located in Census Tract 0028.00, which includes all areas south and east of the Feather River, north of Oro Dam Blvd, and west of Bridge St. The California Department of Alcoholic Beverage Control (ABC) currently shows 10 active Off-Sale Retail Licenses (Type 20 & 21), and 26 Active On-Sale Retail Licenses (Type 40, 41, 42, 47, 48, 51, & 58). Within the immediate vicinity of the proposed liquor store, there are 4 retailers that sell alcoholic beverages:

1. 671 Montgomery St (Valero Gas Station) – License Type 20 – Off-Sale Beer and Wine
2. 1330 Feather River Blvd (76 Gas Station) – License Type 20 – Off-Sale Beer and Wine
3. 515 Montgomery St (Cornucopia) – License Type 41 – On-Sale Beer and Wine – Eating Place
4. 760 & 790 Safford St (Purple Line Urban Winery) – License Type 2 – Winegrower

Within the City of Oroville, there are currently 6 liquor stores. These are retail establishments whose primary business purpose is to sell alcoholic beverages for off-premises consumption and does not include establishments that sell alcoholic beverages as a secondary business purpose.

1. 1055 Oro Dam Blvd E (Oro Dam Liquor Store) – License Type 21 – Off-Sale General
2. 2546 Olive Hwy (Town & Country Liquor) – License Type 21 – Off-Sale General
3. 2257 Oro Quincy Hwy (Jerrys Market & Liquor) – License Type 21 – Off-Sale General
4. 3046 Myers St (Piggs Liquor Store) – License Type 21 – Off-Sale General
5. 3464 Myers St (Jas Market & Liquor) – License Type 21 – Off-Sale General

6. 240 Table Mountain Blvd (Tony's Food & Liquor) – License Type 21 – Off-Sale General

Neither the applicant nor ABC has yet provided documentation of an overconcentration of licenses for this application. Should ABC determine that there is an overconcentration, the Planning Commission will need to approve or deny a Letter of Public Convenience or Necessity at a subsequent meeting.

**Exterior Design Features:** The proposed liquor store is located within the boundaries of the Downtown Historic Overlay. The purpose of this district is to *“promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of historic resources within Downtown Oroville that reflect special elements of the city’s architectural, artistic, cultural, political and social heritage...”* While this project is limited in its ability to meet these goals and guidelines due the extent of work being limited to refurbishing the existing building to facilitate the liquor store and market, the applicant has expressed willingness to, and has been working with staff, to incorporate design elements that are in line with the requirements of the DH-O. This includes parking lot improvements, new landscaping, lighting, and a trash enclosure.

**Parking:** City Code requires 18 parking spaces, with one accessible space. Currently 9 spaces are provided. Since the April 8 DRC, the applicant has been working with a contractor to upgrade the parking to provide the required spaces. This includes the possibility of on-street parking, employee parking in the rear fenced area, and a shared parking agreement with the neighboring Pioneer Collision Center (**Attachment 4**).

**Landscaping:** The applicant is required to submit landscaping plans designed in accordance with OMC 17.12.050. This landscaping shall include the 50% in 15 years parking lot shade coverage, the street frontage along Feather River Blvd (where applicable), and along Montgomery St. The property owner shall also execute a landscape maintenance agreement with the City to ensure the installation and maintenance of the landscaping.

Since the April 8 DRC, the applicant has been working with the City’s Parks and Trees Department and a landscaping company to meet the necessary landscaping requirements.

**Lighting:** OMC 17.12.010 requires the applicant to provide the City details of exterior lighting for review and approval as part of their application. At the April 8 DRC, the applicant was informed of the requirement to submit a lighting plan, and was encouraged to install fixtures that are complementary to those that would commonly be found within the DH-O. The applicant has since submitted a lighting plan which includes gooseneck lamps along the front and side of the building (**Attachment 5**).

**Trash Enclosure:** OMC 17.12.110 establishes standards and requirements for trash enclosures within the City. At the DRC meeting, the applicant was informed that they will be required to install a trash enclosure. Since then, the applicant has been working with staff and a contractor to install a trash enclosure that meets the requirements of City Code.

The building inspector has also confirmed that the building’s cinderblock walls are unreinforced and must be strengthened.

### Required Findings for Alcohol Sales (OMC 17.16.160)

Before approving a use permit for alcohol sales, the Planning Commission must consider each of the following issues and make appropriate findings (Staff's comments are in *italics*, *draft findings are in the Resolution*):

1. The nature of all land uses within 500 feet of the proposed alcoholic beverage sales, and in particular, the location of similar nearby uses and the location of residences, parks, schools and houses of worship.

*The market is located at the intersection of Feather River Blvd and Montgomery St. Two convenience stores (651 Montgomery St & 1330 Feather River Blvd) are also located at the intersection of Feather River Blvd and Montgomery St and have Type-20 Licenses to sell Beer and Wine for off-site consumption. A Bright Starr Preschool and Daycare is located directly across the street from the proposed liquor store and market. There are multiple existing and proposed single-family and multi-family residences within 500 ft of the site, including the proposed Oroville Veterans Village project. There are no places of worship or parks within 500 feet of the property.*

2. Appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.

*The requirement is added to the project conditions;*

3. Lighting of exterior areas, including parking lots, to discourage loitering outside of the building.

*The requirement is added to the project conditions;*

4. Protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.

*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis;*

5. Provision of onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police.

*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis;*

6. Hours of operation.

*Applicant states that the hours of operation are from 6:00 a.m. to 12:00 a.m. Monday through Thursday, 6:00 a.m. to 2:00 a.m. Friday and Saturday, and 7:00 a.m. to 12:00 a.m. on Sunday;*

7. Controls on occupancy limits inside of the building and loitering outside of the building.

*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis;*

8. Prevention of adverse effect of the use on the value of adjacent properties.

*Should the Planning Commission approve a Letter of Public Convenience or Necessity, that would be the basis of determination that the use will not have an adverse effect on the value of adjacent properties.*

9. Whether approval would result in an undue concentration of these uses, and whether public convenience or necessity would mitigate the issue of undue concentration.

*The Police Department and ABC determine if there is an undue concentration in the area. At this time there is no indication of an overconcentration. Should ABC determine that an undue concentration exists in the area, the Planning Commission will have to approve or deny a Letter of Public Convenience or Necessity at a later meeting.*

#### **FISCAL IMPACT**

None. The project is subject to all customary fees.

#### **PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

#### **ATTACHMENTS**

1. Resolution P2021-05
2. Notice of Exemption (CEQA)
3. Application Package
4. Parking Lot Plan and Agreement
5. Lighting Plan

## **RESOLUTION NO. P2021-05**

### **A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING MINOR USE PERMIT UP21-04 FOR ALCOHOL SALES AT THE PROPOSED OROVILLE LIQUOR AND MARKET AT 1275 FEATHER RIVER BLVD**

**WHEREAS**, the City has received an application for alcoholic beverage sales at 1275 Feather River Blvd; and

**WHEREAS**, The City of Oroville Municipal Code (OMC) Section 17.16.160 specifies that a Use Permit is required to sell alcohol; and

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City's staff report regarding the change.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15301 "Existing Facilities."
2. The Planning Commission approves the findings required by Section 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The Planning Commission approves the permit Conditions described in this Resolution.

#### **REQUIRED FINDINGS (OMC 17.16.160)**

1. The location of the facility and all land uses within 500 feet of the proposed alcoholic beverage sales avoids conflicts with nearby land uses, residences, parks, schools and houses of worship.
2. The project includes appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.
3. Lighting of exterior areas is adequate, including parking lots, to discourage loitering outside of the building.

4. This property and adjacent properties are appropriately protected from noise, odors and undue light and glare, as well as illegal activity.
5. Onsite security, both inside and outside the building, is adequate to satisfy any concerns raised by the chief of police.
6. Hours of operation are from 6:00 a.m. to 12:00 a.m. Monday through Thursday, 6:00 a.m. to 2:00 a.m. Friday and Saturday, and 7:00 a.m. to 12:00 a.m. on Sunday.
7. Measures to controls occupancy limits inside of the building and loitering outside of the building are in place.
8. Adverse effects of the use on the value of adjacent properties are avoided.
9. Subject to review by the California Department of Alcohol Beverage Control, approval does not appear to result in an undue concentration of these uses and would thus not trigger the need for a determination of public convenience or necessity.

## **CONDITIONS OF APPROVAL**

### **General Conditions**

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicant shall annually pay for and obtain a City of Oroville business license.
4. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
5. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential

negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.

7. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
8. The applicant shall ascertain and comply with the requirements of all of City, County, State, Federal, and other local agencies as applicable to the proposed project.
9. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
10. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  3. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  4. Any of the terms or conditions of the permit have been violated.
  5. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  6. The permit was obtained by fraud.
11. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

### **Project-specific conditions**

1. The applicant shall provide A.B.C correspondence confirming the status of any permits, and whether an overconcentration of this type of store/license exists.
2. Alley access shall be maintained. No parking is allowed within the alley.
3. Landscape plans shall be approved by the Parks and Trees Department.
  - I. Parking lots shall meet the 50% shade factor prior to occupancy in accordance with City Code §17.12.050.
  - II. Landscaping shall extend along both Feather River Blvd and Montgomery St where applicable.
4. Pursuant to Section 17.12.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County Recorder.

5. Any roof mounted or ground placed utilities (HVAC, generators, etc.) shall include an architecturally compatible method of screening. This can include screening by landscaping or a decorative fence for ground placed utilities.
6. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
7. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use.
8. Street frontage improvements shall be made, if it is determined improvements are needed, if any improvements valued at \$52,000 or more are made to existing property/structure(s) or constructing new structure(s).
9. The applicant shall submit to the City details of exterior lighting for review and approval.
10. The applicant shall apply for a sign permit if any structural or electrical changes are made to the existing signage on the property.
11. No more than 25% of the window area shall be covered. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
12. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
13. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief.
12. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.
13. Applicant and/or property owner will take appropriate measures to provide property maintenance of the building exterior, including provisions to keep the premise free of litter and debris.
14. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
15. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.



16. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance will suffice.

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of April 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
JACKIE GLOVER, ASSISTANT CITY CLERK

\_\_\_\_\_  
CARL DURLING, CHAIRPERSON



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
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[www.cityoforoville.org](http://www.cityoforoville.org)

### NOTICE OF EXEMPTION

:	<b>TO</b>	Butte County Clerk	:	<b>FROM</b>	City of Oroville
		155 Nelson Avenue Oroville, CA 95965			1735 Montgomery Street Oroville, CA 95965

Project Title: Minor Use Permit UP21-04 for Alcohol Sales at the proposed Oroville Liquor and Market at 1275 Feather River Blvd

Project Location – Specific: 1275 Feather River Blvd.

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Motreb Dorghalli is applying for a use permit to allow for the sale alcoholic beverages for off-site consumption.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Motreb Dorghalli.

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))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - Existing Facilities, Title 14, CCR, §15301
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the use will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, in particular, no changes to the existing structure are proposed.

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant



# City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#:

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>		Project's:	Oroville LIQUOR AND MARKET
Name:	MOTREB DORGHALLI	Name:	
Address:	1275 FEATHER RIVER BLVD	Company:	
Phone:	530-521-1048	Address:	
Email:		Phone:	
Is the applicant the Owner?	<input checked="" type="checkbox"/>	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	Email: JWBLACK LABEL 7@GMAIL.COM

<b>DEVELOPMENT PROJECTS &amp; OTHER APPLICATIONS</b> (Please check all that apply)			
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan
<input type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension
<input type="checkbox"/>	Other: (Please Specify)	<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>		<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>		<input type="checkbox"/>	Tentative Subdivision Map
<input type="checkbox"/>		<input type="checkbox"/>	Variance
<input type="checkbox"/>		<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>		<input type="checkbox"/>	Zoning Clearance

<b>ADMINISTRATIVE PERMITS</b> (Please check all that apply)			
<input type="checkbox"/>	Adult Oriented Business	<input type="checkbox"/>	Outdoor Storage
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit
<input type="checkbox"/>	Other: (Please Specify)	<input type="checkbox"/>	Special Event
<input type="checkbox"/>		<input type="checkbox"/>	Street Closure
<input type="checkbox"/>		<input type="checkbox"/>	Tree Removal

\*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application.  
 \*\* Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.

<b>PROJECT INFORMATION</b>	
Project Name: Oroville LIQUOR AND MARKET	Proposed Structure(s) (Sq Ft.):
Address: 1275 FEATHER RIVER BLVD	Existing Structure(s) (Sq Ft.): 5605
Nearest Cross Street: MONTGOMERY ST	Water Provider: CALIFORNIA WATER SERVICE
Assessor Parcel Number: 012-061-018-000	School District:
Lot Size (Acres):	Number of Dwelling Units: 0

<b>APPLICANT'S SIGNATURE</b>	
I hereby certify that the information provided in this application is, to my knowledge, true and correct.	
Signature: Motreb Dorghalli	Date: 3-23-21

<b>OFFICE USE ONLY</b>							
General Plan:	Zoning:	Zoning Conformity:	APN:				
File#	Overlay Zoning:	Minimum Setbacks:	FY	RY	SY		

<b>AGENT AUTHORIZATION</b>			
To the City of Oroville, Department of Community Development			
NAME OF AGENT:		PHONE NUMBER:	
COMPANY NAME:		EMAIL:	
ADDRESS:		CITY/ST/ZIP:	
AGENT SIGNATURE:			
Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):			
This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.			

**Owner(s) of Record (sign and print name)**

1)	<u>MOTREB DORGHALLI</u> Print Name of Owner	<u>Motreb Dorghalli</u> Signature of Owner	<u>3-23-21</u> Date
2)	<u>GEORGE DORGHALLI</u> Print Name of Owner	<u>[Signature]</u> Signature of Owner	<u>3-23-21</u> Date
3)	<u>RAVA DORGHALLI</u> Print Name of Owner	<u>Rava Dorghalli</u> Signature of Owner	<u>3-23-21</u> Date
4)	_____ Print Name of Owner	_____ Signature of Owner	_____ Date
	<u>11 Rising Ridge Ct Chico CA 95928</u> Owner's Mailing Address	_____ Owner's Email	<u>530-521-1048</u> Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable



# City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2430 FAX (530) 538-2426 [www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: P12103-005

## USE PERMIT APPLICATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION		PERMIT TYPE	
<input type="checkbox"/>	Completed and signed Application Forms	<input checked="" type="checkbox"/>	New Use Permit: \$2,889.98 (Deposit) + \$173.40(6% Tech Fee) = \$3,063.38
<input type="checkbox"/>	Application Fee Paid	<input type="checkbox"/>	Amendment to Existing Use Permit: \$1,024.09 + \$61.45 (6% Tech Fee) = \$1,085.54

### PROJECT PLANS

All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and all information necessary to make a full evaluation of the project. Please include the following:

1. **Site and floor plans**, including the location, square footage and use of all structures.
2. **Architectural drawings** showing proposed building elevations.
3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed
4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes.
5. Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture.
6. **Drawings of all signs** that are proposed in association with the project.
7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities.
8. Plans showing the location and square footage of any existing or proposed outdoor storage areas.
9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project.
10. Hours of operation for all proposed land uses.
11. Number of employees and fleet vehicles for all proposed land uses
12. **A letter authorizing the use permit application from the owner of the property.**

### CLASSIFICATION

Alcohol & Beverage Sales	Nonconforming Uses & Structures	Uses in Industrial Districts
Agricultural Uses	Outdoor Storage	Uses Mini-Storage Overlay(MS-O)
Animal Keeping (Commercial)	Parking Requirement Exceptions	Uses in Residential Districts
Barbed/Razor Wire Fence	Temporary Use	Uses in Special Purpose Districts
Density Bonus & Other Incentives	Uses in a Conditional Overlay (C-O)	Uses not Specified but Allowed
Exceptions to Height Limits	Uses in Commercial & Mixed-Use Districts	Wireless Communication Facilities
Other: (Please Specify)		

### APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: *Mital D. Jadhav* Date: 3-23-21

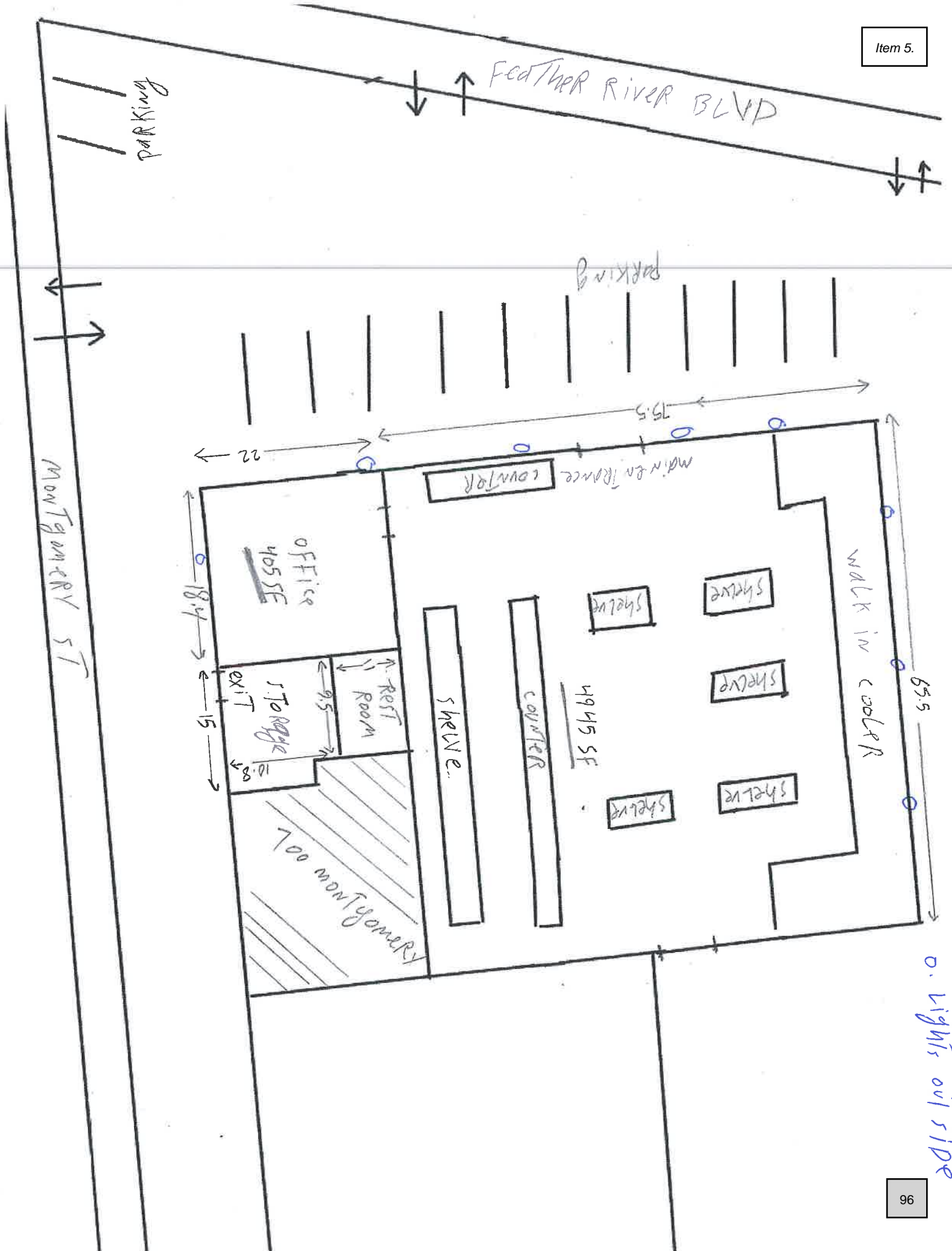
### OFFICE USE ONLY

Approved By:	Date:
Payment:	Number:

PROJECT DESCRIPTION	
Present or Previous Use:	
Proposed Use:	
Detailed Description:	
1- install 38 LED new lights 4600 lumens 13F height in side the site	
2- install 8 LED new lights on the north-west and south side of the site 16 feet height 5700 lumens	
3- Hour of operation	
SUNDAY      MON      TUS      WED      THUR      FRI      SAT	
7AM-12:00AM      6AM-12:00AM      6:00AM-12:00AM      6:00AM-12:00AM      6:00AM-12:00AM      6:00AM-2:00AM      7:00AM-2:00AM	
4- 2 employees and 4 fleet cars	
5- Fix the sign outside	

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable









# City of Oroville

Building Department

Cash Collections

**RECEIPT: P1008**

**Project Number: PL2103-005**  
**Project Name: OROVILLE LIQUOR AND MARKET**

<b>Fee Description</b>	<b>Account Number</b>	<b>Fee Amount</b>
TECH COST RECOVERY [SU	5141 4700	\$173.40
USE PERMIT FEES	2201 4260	\$2,889.98
<b>Total Fees Paid:</b>		<b>3,063.38</b>

Date Paid: 3/23/2021

Paid By: MOTREB DORGHALLI

Pay Method: CASH

Check #

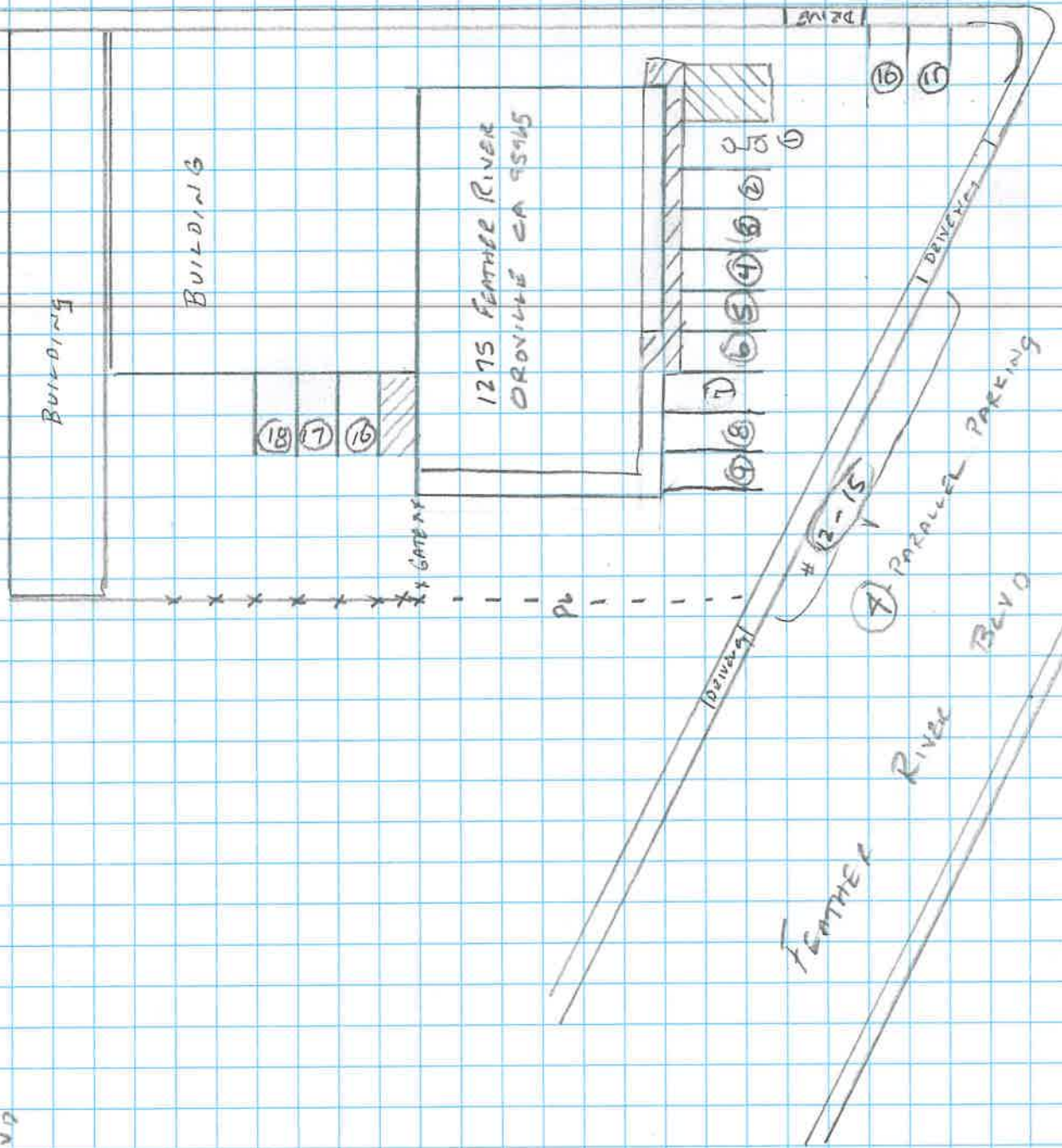
Received By: LORRAINE SHIPPY

\*\*\*Credit Card Payments\*\*\*

A convenience fee is charged for all credit card payments. Please note that the convenience fee is a third-party fee and is not part of the City of Oroville. For all credit card payments the convenience fee is 2.50% of the total amount charged with a minimum charge of \$2.00.

MOTREB GORGHALLI  
1275 FEATHER RIVER BLVD  
OROVILLE CA 95965

PARKING PLAN



4th KMB0094203

Item 5.



April 15, 2021

City of Oroville  
Planning Department

RE: Oroville Liquor and Market Parking

Pioneer Collision Center, Inc, located at 673 Safford Street, is granting permission for our neighbor, Oroville Liquor and Market, located at 1275 Feather River Blvd, to allow their customers to utilize 2 of our parking spaces daily from 5pm to 5am. Any unauthorized vehicles left after designated hours will be subject to tow at owners' expense. This agreement will subject to review every three years and is non transferrable should the property and/or business be sold or transferred.

A handwritten signature in blue ink that reads "Racquel Nolind".

Racquel Nolind  
CFO/ Secretary  
Pioneer Collision Center, Inc

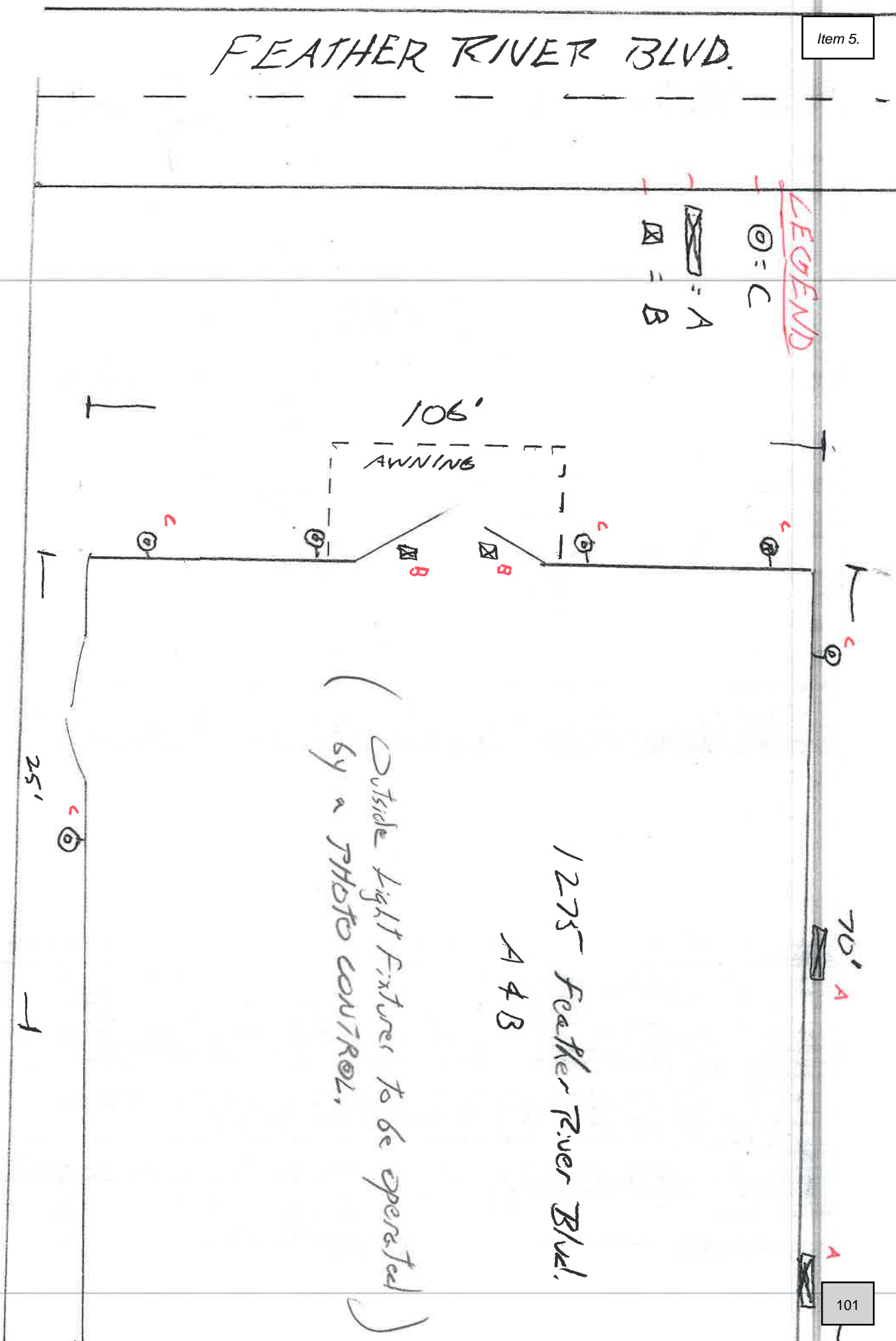
A handwritten signature in blue ink that reads "John Nolind".

John Nolind  
President/ CEO  
Pioneer Collision Center, Inc

FEATHER RIVER BLVD.

LEGEND

- ⊙ = C
- ▣ = A
- ▣ = B



MONTGOMERY ST.

1275 Feather River Blvd.

A 4 B

( Outside light fixtures to be operated by a PHOTO CONTROL )



Item 5.

**NEW**



# savr™ Cutoff LED Wall Pack | E-WRC Series | 28W | CCT Selectable: 3000K, 4000K or 5000K | Medium Bronze



(0)

Item 5.

\$59.99

Knock this price down to \$53.99. Join e-cono+ for free today [SIGN UP >](#)

NEW

NEW

NEW



savr™ Cutoff LED Wall Pack | E-WRC Series | 40W | CCT Selectable: 3000K, 4000K or 5000K | Medium Bronze

savr™ Cutoff LED Wall Pack | E-WRC Series | 80W | CCT Selectable: 3000K, 4000K or 5000K | Medium Bronze

savr™ Cutoff LED Wall Pack | E-WRC Series | 60W | CCT Selectable: 3000K, 4000K or 5000K | Medium Bronze

savr™ Cutoff LED Wall Pack | E-WRC Series | 28W | CCT Selectable: 3000K, 4000K or 5000K | Medium Bronze

\$53.99

### Product Overview

Replaces 100-watt Pulse Start Metal Halide (PSMH). 28-watt Cutoff LED Wall Pack with CCT selectable options (3000K, 4000K or 5000K), with 3600 delivered lumens. cULus Listed, 5-year limited warranty.

**⚠ WARNING:** Cancer and Reproductive Harm - [www.p65warnings.ca.gov](http://www.p65warnings.ca.gov)

### Specifications

APPLICATIONS	Commercial, Perimeter Lighting, Security
CERTIFICATIONS	cULus, RoHS, 5 Year Limited Warranty, Dimmable, Wet Locations
COLOR TEMPERATURE	Selectable
CRI (COLOR ACCURACY)	≥ 70 CRI
DIMENSIONS	12-5/8" W x 5-1/8" H x 6-7/8" D
HOUSING	Heavy duty die-cast aluminum housing with medium bronze powder coated finish for corrosion resistance

INPUT VOLTAGE	Universal (120V through 277V Operation)
LENS MATERIAL	High-quality, shatter-resistant polycarbonate lens
LIFESPAN	Estimated > 100,000 hours of maintenance-free operation to L70 at 25°C (77°F)
LIGHT OUTPUT	Up to 3600 Lumens
MOUNTING DETAILS	Easy installation with: (4) 1/2-inch conduit knock outs for flexibility with mounting options
OPERATING TEMPERATURE MAXIMUM	104°F(40°C)
OPERATING TEMPERATURE MINIMUM	-40°F(-40°C)
POWER CONSUMPTION	28W
REPLACES (COMPARABLE TO)	100W PSMH
SHIPPING WEIGHT	4.76 (lbs.)
TYPICAL MOUNTING HEIGHT	12 to 20 Feet

**How much light do you need? Create a custom plan with our simple free tools.**



[INDOOR LIGHTING LAYOUT TOOL >](#)



[OUTDOOR LIGHTING LAYOUT TOOL >](#)






## C-Lite LED Wall Mount | C-WM-A-WLMO Series | 1750 Lumens | 4000K or 5000K | Bronze or White

Item 5.

★★★★★ 5.0 (1)

**\$31.99**

Knock this price down to \$28.79. Join e-cono+ for free today  [SIGN UP >](#)



**Product Overview**

Replaces 70-watt metal halide (MH). 14.5-watt C-Lite LED Mini Wall Pack with 1750 delivered lumens. 4000K or 5000K, UL Listed, 5-year limited warranty.

**Additional Features:**

- Built-in photocell

**⚠ WARNING:** Cancer and Reproductive Harm - [www.p65warnings.ca.gov](http://www.p65warnings.ca.gov)

**Specifications**

APPLICATIONS	Commercial, Perimeter Lighting, Security, Warehouses
CERTIFICATIONS	UL Listed, DLC Standard, 5 Year Limited Warranty, Wet Locations
CRI (COLOR ACCURACY)	≥ 80 CRI
DIMENSIONS	3-1/4" <b>D</b> x 6-1/8" <b>W</b> x 9-5/8" <b>H</b>

HOUSING	Bronze or white, durable, rolled aluminum sheet metal
LENS MATERIAL	Polycarbonate frosted lens
LIFESPAN	Estimated > 50,000 hours of maintenance-free operation to L70 at 25°C (77°F)
LIGHT OUTPUT	1750 Lumens
MOUNTING DETAILS	Mounts directly to a 4" octagonal J-Box or a 3" square J-Box
OPERATING TEMPERATURE MAXIMUM	104° (40°C)
OPERATING TEMPERATURE MINIMUM	-40°F (-40°C)
POWER CONSUMPTION	14.5W
REPLACES (COMPARABLE TO)	70W MH
SHIPPING WEIGHT	5.50 (lbs.)
TYPICAL MOUNTING HEIGHT	8 to 12 feet
WARRANTY	5 Year

How much light do you need? Create a custom plan with our simple free tools.



[INDOOR LIGHTING LAYOUT TOOL >](#)



[OUTDOOR LIGHTING LAYOUT TOOL >](#)



Search over 24,000 lighting products ....



USD



Item 5.

**NEED HELP? CALL 866-330-8841**

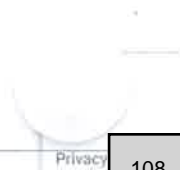


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Use coupon code **WIZELIGHT** at checkout.  
[View our Coupons & Promo Codes](#)



**FREE SHIPPING**  
On orders over \$2000  
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Home / Primelite 12" Angle Shade (available in multiple color finishes)



Privacy

108



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USD



Item 5.

**NEED HELP? CALL 866-330-8841**

2 Weeks

**QUESTION? LET US HELP!**Call toll free **866-330-8841** or **Chat Now** with customer service.

## PRODUCT DESCRIPTION

The Primelite 12" Angle Shade is a highly functional and attractive barn shade fixture that works well in industrial offices and in outdoor areas as exterior lighting. Its body is made from rust-resistant aluminum, which is sturdy and attractive. This American-made gooseneck lighting fixture is elegant and robust. Its UL wet listing means you can use it in any outdoor location safely.

Choose from green, white or black which are the standard colors. If you are looking for other specific shades, contact us for information on non-standard colors and you can pick from 25 powder-coated finishes. The maximum lamp wattage you can use in this shade is 200 and A-style or PAR-style lamps are compatible with it.

The standard model is covered by a 1-year warranty while the LED variant has a 5-year warranty. The Primelite 12" Angle Shade looks classy while being hardy and functional, and versatile enough to be installed in various settings.

[Ask a Question](#)[Leave a Review](#)

Be the first to review this item



Search over 24,000 lighting products ....



USD



Item 5.

# NEED HELP? CALL 866-330-8841

ITEM: 20/12A | Brand: Primelite Manufacturing Corp.  
UPC: 682157333363



From | Leave a Review



- Brand: Primelite
- Voltage: 120
- Lamps: (1) A-style or PAR (not included)
- Max Wattage Per Lamp: 200
- Materials: Corrosion-resistant aluminum
- UL wet listed
- LED and Adjustable Swivel options available
  - 2-3 week lead time for LED option
  - 5 year warranty on LED option
  - Adjustable Swivel adds 5" to arm length
- 1 year warranty
- American made
- Standard colors:
  - Black
  - Green
  - White



### Mounting Arms \*

-- SELECT OPTION --



### Mounting Options

-- SELECT OPTION --

### LED Option

-- SELECT OPTION --

### Color \*

-- SELECT OPTION --

ADD TO CART

Privacy

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