



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

January 28, 2021
REGULAR MEETING
6:00 PM
AGENDA

COVID-19 AND PUBLIC ACCESS AND PARTICIPATION

In light of the Governors orders issued on November 16, 2020 returning Butte County to Tier 1 (Purple) the Oroville City Council Chambers are closed to the public until further notice. To view the meeting or provide comment, please see the options below. If you desire to provide comments to the City Council, we strongly encourage that you send the comments in writing, as outlined below, to avoid any technical difficulties. 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/UCAoRW34swYI85UBfYqT7IbQ/>

To Provide Comment to the Board:

1. Email before the meeting by 2:00 PM your comments to publiccomment@cityoforoville.org
2. Join the meeting virtually via Zoom – Join Zoom Meeting
<https://zoom.us/j/95915595403?pwd=cGgxVHI0L0xBREFUM1RSbU5FWS80Zz09>

Meeting ID: 959 1559 5403

Passcode: **896484**

3. Join the meeting by telephone (audio only):

Telephone: 1-669-900-9128

Meeting ID: 959 1559 5403

Passcode: **896484**

To provide comment, 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.

Again, you are strongly encouraged to provide your comments in writing prior to the meeting.

CALL TO ORDER / ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Glenn Arace, Marissa Hallen, Natalie Sheard, 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 for December 3, 2020 and December 17, 2020.

RECOMMENDATION

Approve the minutes of December 3, 2020 and December 17, 2020.

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. 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 will review and consider 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).

RECOMMENDATION

Certify the Notice of Exemption

Recommend that the City Council approve General Plan Amendment GPA 20-03

Recommend that the City Council approve Zoning Code Amendment ZC 20-04

Recommend that the City Council approve Planned Development Overlay PD-O 20-01

Approve Tentative Subdivision Map TSM 20-02 for a new 12-unit subdivision, subject to the City Council approving the previous actions.

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.

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 .

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Director Reports
2. Planning Commissioner Reports

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on February 25, 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.



**December 17, 2020
MINUTES**

This agenda was posted on December 11, 2020 at 10:18am. This meeting was recorded and may be viewed at cityoforoville.org

CALL TO ORDER / ROLL CALL

Chairperson Durling opened the meeting at 6pm.

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

ABSENT: None

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

OPEN SESSION

1. Pledge of Allegiance – Led by Chairperson Durling
2. Oath of Office for Newly Appointed Commissioners – Assistant City Clerk Jackie Glover administered the Oath of Office for newly appointed Commissioners.

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

There were 0 public comments on non-agenda items

PUBLIC HEARINGS

1. AMENDMENT TO USE PERMIT UP 98-16 FOR THE CONVERSION OF AN EXISTING BILLBOARD INTO A DIGITAL DISPLAY SIGN

The Oroville Planning Commission reviewed and considered approving an amendment to Use Permit No. UP98-16 for the purpose of converting an existing 12' X 24' double sided off premise/outdoor advertising sign structure (billboard) located at the west end of the property identified as APN: 013-300-120, along Olive Hwy between Lower Wyandotte Rd and Foothill Blvd, into a 12' X 24' double sided digital display sign.

A motion was made by Commissioner Britton to set the sign sq feet to 288 and 27 ft tall, have a pole cover within 5 years and allow the display to be digital. There was no second.

Motion by Vice Chairpersons Jenkins and second by Commissioner Flicker to Adopt the Categorical Exemption, Replacement or Reconstruction (CCR, Title 14, Sec. 15302 – as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and Adopt the recommended Findings for the amendment to Use Permit No. UP98-16, and Adopt Resolution No. P2020-25; and Approve the Conditions of Approval; and adding that

the pole cover shall be completed upon development of the property and that the sign will conform to the current sign codes. Motion passed.

Item 1.

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

REGULAR BUSINESS

2. TENTATIVE PARCEL MAP 20-03

The Commission reviewed and considered approving Tentative Parcel Map 20-03 (TPM 20-03) for a lot split of commercial property at 2130 and 2140 Feather River Boulevard. The map will split one lot into two lots.

Motion by Commissioner Flicker and second by Commissioner Britton to Approve the recommended findings for Tentative Parcel Map 20-03 and recommended Conditions of Approval; and **Adopt** Resolution No. P2020-03. Motion passed.

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

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Director and Staff Reports
 - a. Nevers – Welcomed Commissioners; commissioner Arace volunteered for the DRC; stated the Oroville is open as Building is considered essential.
 - b. Ervin – Welcomed commissioners and stated that he is available for questions and information.
2. Commissioner Reports – There were 0 reports.

ADJOURN THE MEETING

Chairperson Durling adjourned the meeting at 6:53pm.

APPROVED:

ATTESTED:

Chairperson Carl Durling

Assistant City Clerk Jackie Glover



Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**December 03, 2020
SPECIAL MEETING MINUTES**

This agenda was posted on December 2, 2020 at 5:15pm. This meeting was recorded and may be viewed at cityoforoville.org

CALL TO ORDER / ROLL CALL

Chairperson Carl Durling called the meeting to order at 6pm.

PRESENT: Commissioners: Tammy Flicker, Michael Britton, Randy Chapman, Susan Sears, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

ABSENT: None

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

OPEN SESSION

Pledge of Allegiance – Led by Chairperson Carl Durling

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

There were 0 public comments on non-agenda items.

PUBLIC HEARINGS

- 1. MINOR USE PERMIT UP 20-08 FOR RENOVATION OF THE FORMER LA ESMERALDA MARKET INTO A DRIVE THROUGH RESTAURANT WITH ALCOHOL SALES AT 450 ORO DAM BOULEVARD EAST**

The Oroville Planning Commission reviewed and considered approving Use Permit No. UP20-08 for the renovation of an existing 4,400 square foot former market at 450 Oro Dam Blvd, Oroville, California, and addition of a drive-thru with associated site improvements. Application includes a Type 47 “On Sale General-Eating Place” alcohol sales license.

Motion by Commissioner Britton and second by Commissioner Sears to Adopt the Class 2 Categorical Exemption for Existing Facilities (CCR, Title 14, Sec. 15301 – 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. UP20-08, and Approve Use Permit UP20-08 and recommended Conditions of Approval; and Adopt an amended Resolution No. P2020-22 with an address of 450 Oro Dam Blvd. Motion passed.

AYES: Britton, Sears, Jenkins, Flicker, Chapman, Durling
NOES: None
ABSTAIN: None
ABSENT: None

- 2. MINOR USE PERMIT UP 20-09 FOR A NEW GYMNASIUM AND 10 CLASSROOMS AT THE STREAM CHARTER SCHOOL AT 455 ORO DAM BOULEVARD EAST**

The Oroville Planning Commission reviewed and considered approving Use Permit No. UP20- for an expansion of the STREAM Charter School at 455 Oro Dam Blvd, Oroville, California, specifically the addition of a gymnasium and 10 classrooms with associated site improvements.

Motion by Commissioner Chapman and second by Commissioner Flicker to adopt the Class 32 Categorical Exemption for an Infill Development Project (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. UP20-09, and approve Use Permit UP20-09 and recommended Conditions of Approval; and adopt Resolution No. P2020-23. Motion passed.

- AYES: Britton, Sears, Jenkins, Flicker, Chapman, Durling
- NOES: None
- ABSTAIN: None
- ABSENT: None

Staff gave the commissioners an update on current projects that the Community Development Department is working on.

ADJOURN THE MEETING

Chairperson Durling adjourned the meeting at 6:49pm

APPROVED:

ATTESTED:

Chairperson Carl Durling

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

PLANNING COMMISSION STAFF REPORT

Thursday, January 28, 2021

RE: 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.

SUMMARY: The Oroville Planning Commission will review and consider 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).

RECOMMENDATION: Staff recommends the following actions:

1. **Certify the Notice of Exemption**
2. **Recommend that the City Council approve General Plan Amendment GPA 20-03**
3. **Recommend that the City Council approve Zoning Code Amendment ZC 20-04**
4. **Recommend that the City Council approve Planned Development Overlay PD-O 20-01**
5. **Approve Tentative Subdivision Map TSM 20-02** for a new 12-unit subdivision, subject to the City Council approving the previous actions.
6. **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.
7. **Adopt Resolution No P2020-27** A RESOLUTION OF INTENTION BY THE OROVILLE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL 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 .

APPLICANTS: Veterans Development Housing Corporation

LOCATION: 711 Montgomery Street (APN 012-064-001), between 6th and 7th Avenues

GENERAL PLAN: RBS

ZONING: C-2

FLOOD ZONE: Zone X

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15332 of Title 14, California Code of Regulations.

<p>REPORT PREPARED BY:</p> <hr/> <p>Wes Ervin, Senior Planner Community Development Department</p>	<p>REVIEWED BY:</p> <hr/> <p>Dawn Nevers, Assistant Director Community Development Director</p>
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DISCUSSION

The applicant proposes a new subdivision of 12 two-story townhome units on a 0.64-acre vacant property (APN 012-064-001) on the south side of Montgomery St between 6th and 7th Avenues. The townhomes will be developed in 4 phases of 3 units each with landscaping, off-street parking, and associated site improvements. Required approvals include:

A Planned Development Overlay (PD-O) which would permit the 12 zero lot line housing development project and create a unique set of development standards and other requirements. The PD-O must be approved by the City Council via an ordinance.

A General Plan Amendment to change the land use designation on the project site as shown in the City’s 2030 General Plan from Retail Business Services (RBS) to Medium High Density Residential (MHDR) to allow the construction of residences with a density of 18.75 units per acre. Approved by the City Council.

A Zoning Change from the current zoning classification of Intensive Commercial (C-2) to High Density Residential, R-3 (Multi Family Residential). Requires City Council approval of an ordinance.

A Tentative Subdivision Map to subdivide the property into 12 single family lots. Approved by the City Council in this case since it is part of the PD-O.

Existing Site and Ownership Change

The property is vacant, is currently owned by the City of Oroville, and previously housed a development with small cottages that the City demolished. As part of the approval process, the City Council will have to approve the transfer of ownership from the City of Oroville to the Veterans Housing Development Corporation. The price, terms of transfer and any phasing of the sale will be negotiated separately, and brought to the City Council for ratification at the appropriate time.

Planned Development Overlay (Planned Unit Development) PD-O- 20-01

The intent of a PD-O district is to promote and encourage flexibility in site planning and property development by allowing for the adjustment or modification of applicable development standards. The project must be developed following the approved PD-O Development Master Plan. The PD-O will include the formation of an HOA for the future maintenance of the development common area landscaping and facilities.

Because applicant intends to develop a unique project that even after rezoning to R-3/MHDR does not meet the City's existing development standards for minimum lot size width, and setbacks (see OMC Table 17.28.020-2), applicant has opted to apply for a Planned Development Overlay, which allows unique development standards, subject to Development Review, Planning Commission review, and City Council approval.

General Plan Amendment #GPA 20-03

The current General Plan Land Use designation of RBS does not allow residences. In order to permit residential construction at 18.75 du per ac, if Council approves the project, the Land Use designation must be changed to MHDR. Surrounding properties have Land Use Designations of MLDR, RBS, and MHDR.

Zoning Code Amendment #ZC 20-04

The current zoning of the parcel is C-2, which needs to be changed to R-3 if the project is approved. The surrounding properties are designated Single Family Residential (R-1) and Intensive Commercial (C-2). There are properties located along Safford St and 5th Ave that are zoned High Density Residential (R-3). This zone change and General Plan amendment would become the underlying zoning for the PD-O overlay.

Tentative Subdivision Map #TSM 20-01

As proposed, TSM 20-02 would create 12 separate parcels for single family townhome units, includes curb and driveway and gutter designs, and notes describing utilities and other features.

The City Engineer has reviewed the latest TSM submittal and has deemed the map complete in accordance with OMC 16.12.20 D. The required Engineer's Report is Attachment 2:

Ordinarily TSM's are approved by the Planning Commission. However, per OMC 17.44.030(H)(1), the Tentative Subdivision Map for a PD-O must be approved by the City Council

The review criteria applicable to this TSM, OMC 16.12.20 E requires the Planning Commission to approve a map (or in this case to recommend approval) if none of the findings are made that require or allow disapproval. Approval may be conditioned to assure that the proposed subdivision complies with all applicable City codes and with all applicable plans. The planning commission shall disapprove a tentative map if it determines that any of the following conditions apply:

1. The proposed subdivision is inconsistent with the general plan or applicable

specific plans. Assuming GPA20-03 and ZC20-04 are approved by the City Council, the subdivision will be consistent.

2. The site is not physically suitable for the proposed density or type of development, or for the physical infrastructure required to support that development. The site was previously developed with an 18 unit apartment complex and is suitable today for the proposed 12 townhomes.
3. The design of the land division or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project has been determined to be Categorically Exempt from CEQA as an infill project that has been previously developed and is surrounded by other long-developed properties.
4. The design of the subdivision or the type of improvement is likely to cause serious public health problems. The design of the subdivision is similar in scope and nature to the surrounding downtown residences and meets the requirements of the Downtown Historic Overlay regulations.
5. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions, and the subdivider has failed to demonstrate to the satisfaction of the city engineer and planning commission that the conditions can be corrected. The City Engineer is comfortable that the site is buildable as proposed, subject to submittal of the soils report.
6. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. However, the planning commission may approve an application if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction. There are no conflicting public easements.
7. The proposed subdivision violates the provisions of this chapter and no exception has been granted. The proposal does not violate any provisions of this chapter, and there are no known exceptions.
8. The proposed subdivision violates any provision of the zoning code and no variance has been granted. Assuming GPA20-03 and ZC20-02 4 is approved by the City Council, the subdivision will be consistent.
9. The proposed subdivision would violate any other city ordinance or any city code provision. No known violations exist.
10. The discharge of waste from the proposed subdivision into a community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code). Neither the City of Oroville (collection system) nor SC-OR are operating under any corrective action or compliance orders.

Homeowners Association (HOA)

Applicant's landscaping design includes common landscaping, including an irrigated bio-swale along the common frontage. In order to ensure ongoing maintenance of this and other common facilities and open space, applicant will form a Homeowners Association or other form of mutual assessment district.

Future housing

As part of the PD-O requirements, the applicant has submitted conceptual building elevations, designs, common area improvements, and development standards. The project was reviewed by the Development Review Committee on September 16, 2020 and no objections were raised to the design of the buildings and common areas. The future housing must comply with the approved PD-O Master Development Plan with any minor modifications to be approved administratively by the Planning Manager.

Relationship to Downtown Historic Overlay and Design Guidelines

This project is within the existing Downtown Historic Overlay and appears to meet the Townhome configuration in Figure 17.44.040-10 and also the City's multi-family residential Design guidelines, with these differences:

1. Lot minimum width = 100 feet: The existing parcel is 264-foot wide, and once subdivided each individual townhome lot would be 18' or 23' wide, less than the 100-foot minimum in Figure 17.44.040-10. However, a townhome configuration would normally suggest multiple attached homes fitting into a single 100-foot wide lot. In this case, 5 individual lots/homes would fit in a 100-foot width. Staff does not see this as a code conflict, unless the Commission determines otherwise.
2. In the DH-O, OMC 17.44.040(A)(3) encourages diverse architectural styles reflecting various phases of the City's history, and encourages contemporary buildings to have complementary design and construction. This project's design is best described as post-war -- when massive housing development after WWII was needed, and simple facades dominated. The project is along Montgomery Avenue, our primary historic arterial, but is also at the edge of the DH-O district and among a number of different styles. This style may be allowed as much design flexibility as the Planning Commission determines.
3. The front elevations are simple and vary only by color and by being offset from one another. The Design Guidelines do recommend more variation in massing, roof lines, porches, textures. The Development Review Committee has not discussed design to any great extent. Adding variation and design elements may affect future affordability for the veterans who will be buying.

FISCAL IMPACT

None. The project is subject to all customary fees. Fees shall include an in-lieu parkland dedication fee to be determined at the time of filing of the final map.

PUBLIC NOTICE

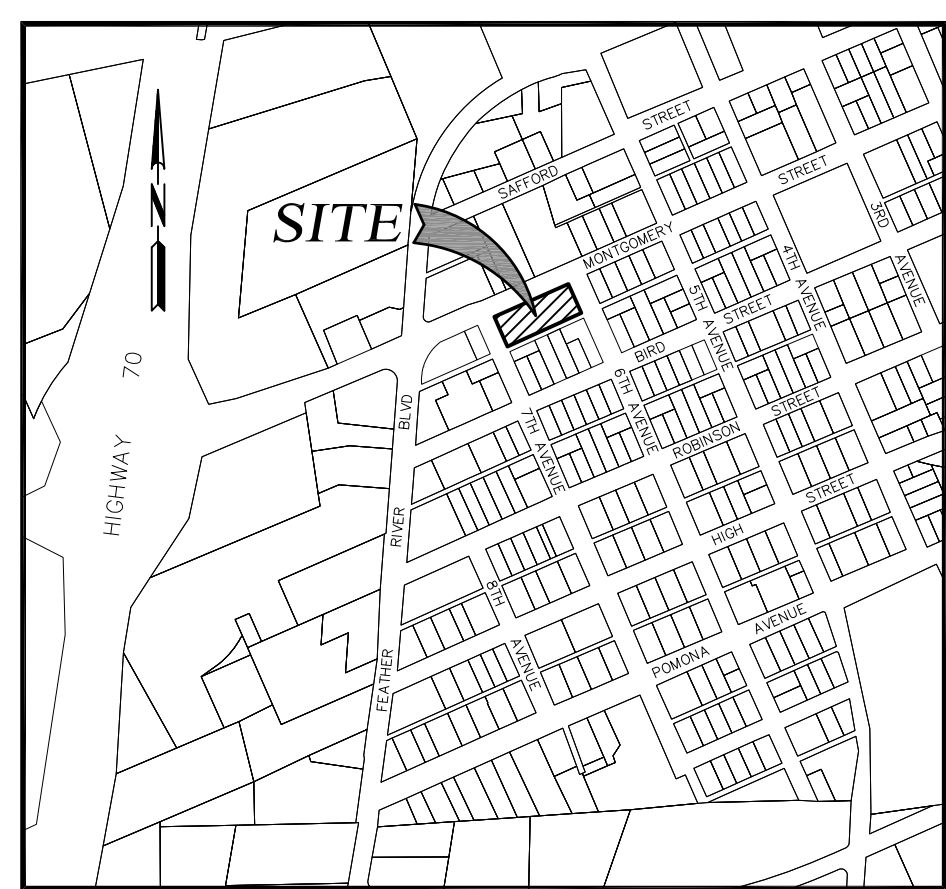
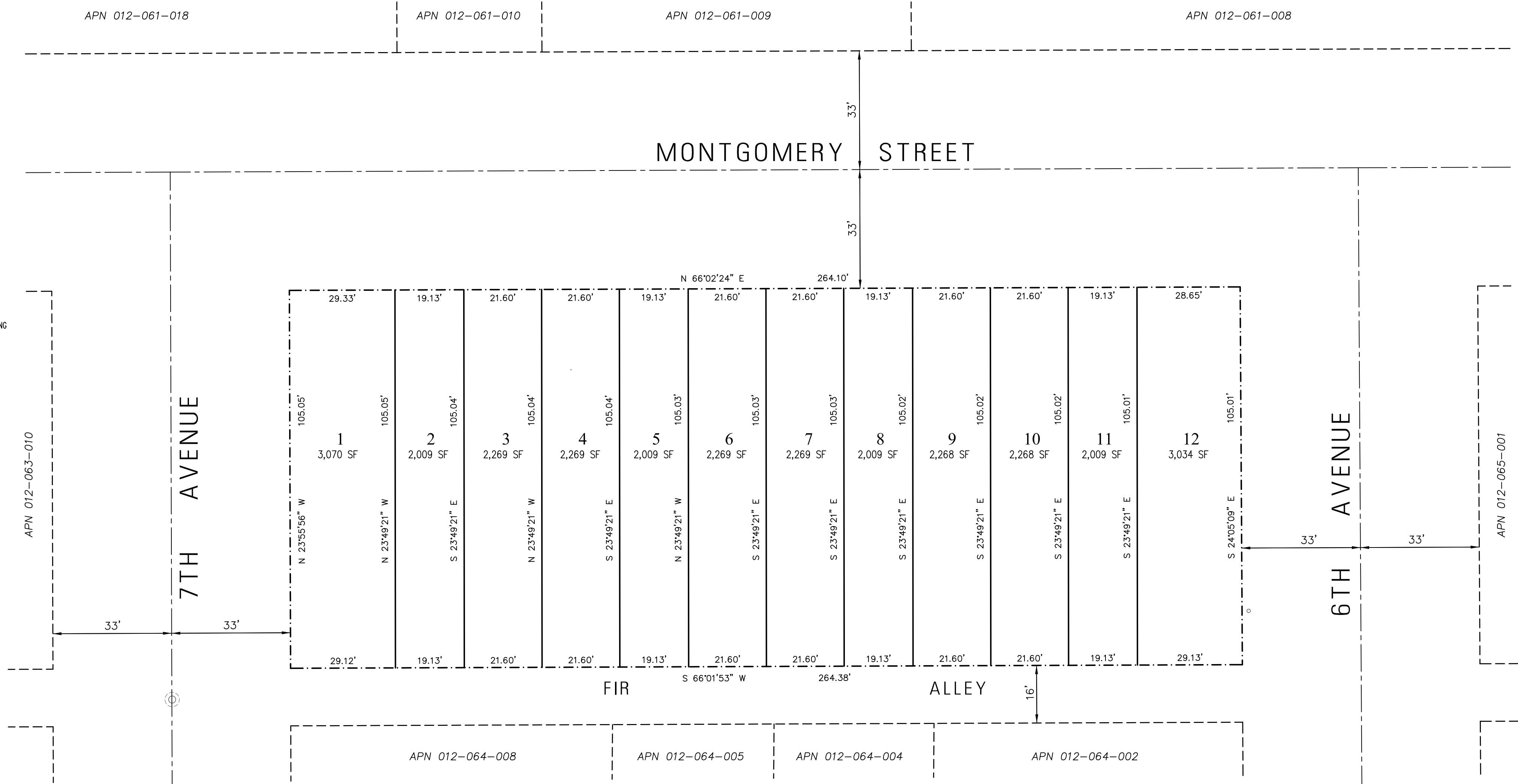
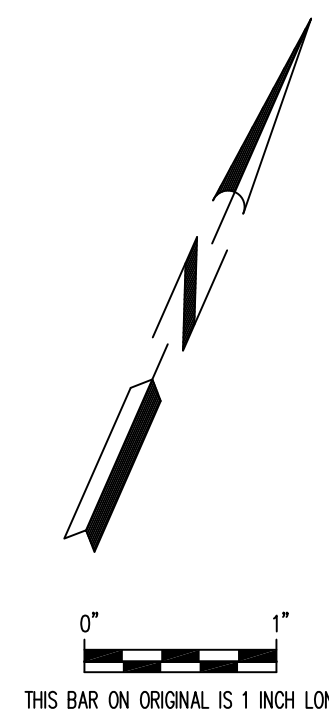
A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

SUMMARY

Relevant City departments have reviewed the project for compliance with the policies and goals of the General Plan, Zoning Code, the Oroville Public Works Construction Standards, and the Oroville Municipal Code. The project as designed with the recommended conditions of approval will be compatible with City requirements and with the surrounding land uses. Staff recommends approval of the Tentative Subdivision Map with the conditions in the Engineers Report and subject to the City Council's approval of the General Plan and Zoning Amendments.

ATTACHMENTS

1. Tentative Subdivision Map as of 01-08-2021
2. Engineer's report on the Tentative Subdivision Map
3. Application materials
4. PD-O Proposal from applicant
5. Resolution of Intent P2020-24 recommending to Council the GPA, ZC and PDO approvals
6. Resolution of intent P2020-27 recommending approval of the tentative subdivision map
7. Notice of Exemption from CEQA
8. Public Comments received as of January 20, 2021



LOCATION MAP
NO SCALE

OWNER:

CITY OF OROVILLE
1735 MONTGOMERY STREET
OROVILLE, CA 95965
(530) 538-2401

SUBDIVIDER:

VETERANS HOUSING DEVELOPMENT CORPORATION
ATTN: BRAD LONG
153 HARTNELL AVENUE, SUITE 200
REDDING, CA 96002
(530) 355-2818

ENGINEER:

ROLLS, ANDERSON & ROLLS
ATTN: KEITH DOGLIO
R.C.E. 66358
P.L.S. 8834
115 YELLOWSTONE DRIVE
CHICO, CA 95973
(530) 895-1422

ASSESSORS' PARCEL NUMBER:

012-640-001

EXISTING ZONING:

C-2: INTENSIVE COMMERCIAL
DH-O: DOWNTOWN HISTORIC OVERLAY

PROPOSED ZONING

R-3: MEDIUM HIGH DENSITY RESIDENTIAL
PD-O: PLANNED DEVELOPMENT OVERLAY

EXISTING LAND USE:

UNDEVELOPED

PROPOSED LAND USE:

SINGLE-FAMILY ATTACHED RESIDENTIAL

UTILITY SERVICE

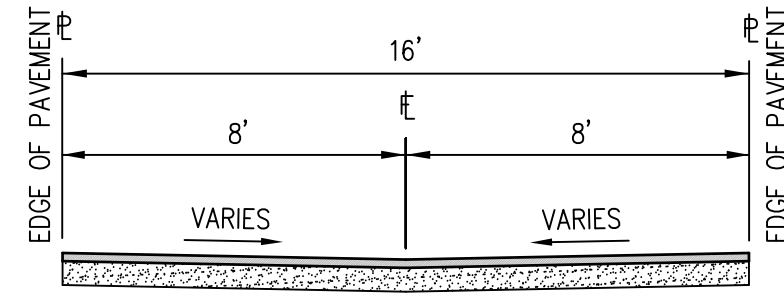
- A. SEWER - CITY OF OROVILLE
- B. STORM DRAIN - CITY OF OROVILLE
- C. WATER - CALIFORNIA WATER SERVICE
- D. GAS & ELECTRIC - P.G.&E.
- E. TELEPHONE - AT&T
- F. CABLE T.V. - COMCAST

NOTES

1. THERE ARE NO EXISTING WELLS, ABANDONED WELLS, OR SEPTIC TANKS ON THIS SITE.
2. THERE ARE NO EXISTING STRUCTURES ON THIS SITE.
3. THERE ARE NO EXISTING WATER COURSES ON THIS SITE.
4. THERE ARE NO EXISTING EASEMENTS ON THIS SITE.
5. THERE ARE NO PROPOSED TRAILS, PARKS, SCHOOL SITES OR COMMON AREAS PROPOSED WITH THE PROJECT.
6. ALL EXISTING TREES ON THE SITE ARE PROPOSED TO BE REMOVED.
7. THE PROJECT WILL REMOVE AND REPLACE EXISTING SIDEWALK ALONG THE SITE FRONTAGE AS DIRECTED BY THE CITY OF OROVILLE TO COMPLY WITH ACCESSIBILITY REQUIREMENTS.
8. THE PROJECT WILL REMOVE AND REPLACE EXISTING CURB RAMPS AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MONTGOMERY STREET AND 7TH AVENUE AND AT THE SOUTHWEST CORNER OF MONTGOMERY STREET AND 6TH AVENUE AS DIRECTED BY THE CITY OF OROVILLE TO COMPLY WITH ACCESSIBILITY REQUIREMENTS.
9. THE PROJECT WILL RECONSTRUCT FIR ALLEY AS SHOWN ON THE TYPICAL SECTION ON THIS MAP.
10. DEVELOPMENT OF THIS PROJECT WILL INVOLVE FILING SEPARATE PHASED FINAL MAPS.
11. DEVELOPMENT OF THIS PROJECT WILL REQUIRE THE PREPARATION OF DETAILED GRADING AND EROSION CONTROL PLANS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF OROVILLE.
12. SUBDIVISION GRADING SHALL BE COMPLETED SUCH THAT ALL LOTS DRAIN TOWARD STREETS AT 1% MINIMUM SLOPE.
13. THIS PROPERTY IS LOCATED WITHIN ZONE X OF OTHER FLOOD AREAS BASED ON FLOOD INSURANCE RATE MAP NO. 06007C0790E.
14. STORMWATER RUNOFF FROM THE SITE WILL BE SURFACE DRAINED TO POST-CONSTRUCTION MEASURES AND A STORMWATER DETENTION SYSTEM PRIOR TO BEING DISCHARGED VIA UNDERGROUND PIPING TO 6TH AVENUE AND THEN PIPED TO EXISTING STORM DRAIN PIPES LOCATED AT BIRD STREET.
15. ALL LOTS WITHIN THIS PROPOSED SUBDIVISION WILL BE CONNECTED TO THE EXISTING SEWER MAIN LOCATED IN 6TH AVENUE VIA A NEW SEWER MAIN WITHIN FIR ALLEY.
16. DOMESTIC WATER FOR THIS PROPOSED SUBDIVISION WILL BE SUPPLIED BY A NEW WATER MAIN WITHIN FIR ALLEY.

PROPOSED SUBDIVISION MODIFICATIONS

1. MINIMUM LOT WIDTH OF 18 FEET. MAXIMUM LOT WIDTH OF 40 FEET.
2. MINIMUM LOT LENGTH OF 100 FEET. MAXIMUM LOT LENGTH OF 150 FEET.
3. DENSITY OF 20 UNITS PER ACRE.
4. BUILDING SETBACKS OF: 30 FEET MAXIMUM FOR EXTERIOR, 0 FEET MINIMUM AND 8 FEET MAXIMUM FOR INTERIOR SIDE, 5 FEET MINIMUM AND 30 FEET MAXIMUM FOR INTERIOR REAR, 35 FEET MAXIMUM HEIGHT, 3 STORIES MAXIMUM.



FIR ALLEY
TYPICAL STREET SECTION
NO SCALE

LEGEND

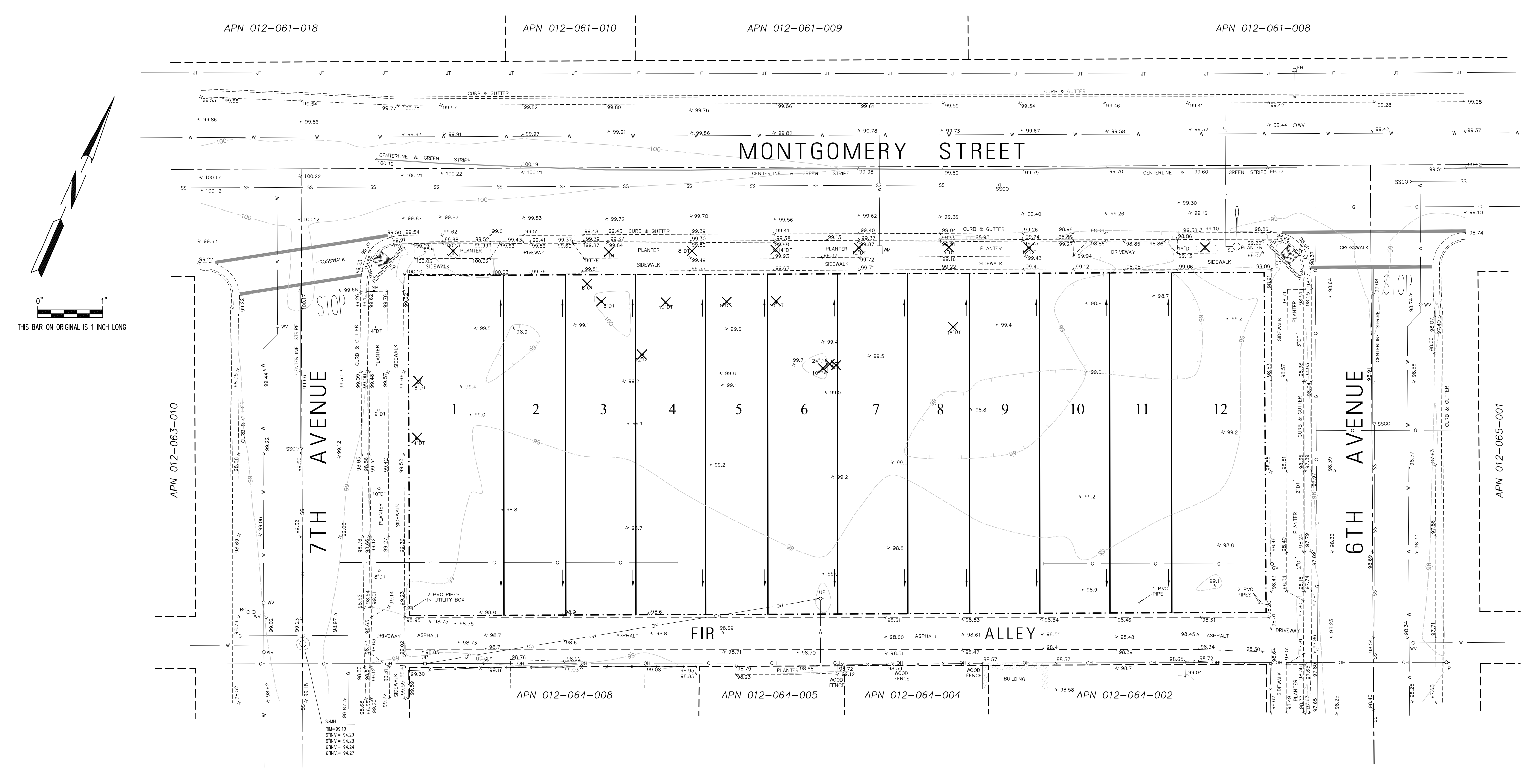
- - - - - SITE PROPERTY LINE
- - - - - RIGHT-OF-WAY CENTERLINE
- — — — PROPOSED PARCEL LINE
- 4 PROPOSED LOT NUMBER

SUBDIVISION AREA:

EXISTING PARCEL	0.64 AC.	
SINGLE FAMILY ATTACHED RESIDENTIAL (R-3)	0.64 AC.	12 LOTS AVERAGE LOT SIZE = ±2,313 SF DENSITY = 18.8 UNITS PER AC

VESTING TENTATIVE SUBDIVISION MAP 20-__
FOR
VETERANS HOUSING DEVELOPMENT CORPORATION
A SUBDIVISION OF A LOTS 1 THRU 6 IN BLOCK 3
OF HAMMON'S ADDITION TO THE CITY OF
OROVILLE, BUTTE COUNTY, CALIFORNIA
BOOK 6 MAPS, PAGE 85
CITY OF OROVILLE, BUTTE COUNTY, CALIFORNIA





LEGEND

x 99.17	EXISTING GROUND/SURFACE ELEVATION	WM	EXISTING WATER METER BOX
—	EXISTING GROUND CONTOUR (MAJOR)	WV	EXISTING WATER VALVE
—	EXISTING GROUND CONTOUR (MINOR)	BO	EXISTING WATER BLOW OFF
- - - - -	SITE PROPERTY LINE	FH	EXISTING FIRE HYDRANT
- - - - -	RIGHT-OF-WAY CENTERLINE	GV	EXISTING GAS VALVE
- - - - -	PROPOSED PARCEL LINE	DT	EXISTING TREE WITH SIZE AND TYPE
- - - - -	EXISTING EDGE OF BUILDING	CT	EXISTING CONIFER TREE
- - - - -	EXISTING EDGE OF CONCRETE	PA	EXISTING PALM TREE
- - - - -	EXISTING EDGE OF PAVEMENT	UP	EXISTING UTILITY POLE
- x - x -	EXISTING CHAIN LINK FENCE EXCEPT AS NOTED	UT-GUY	EXISTING UTILITY GUY WIRE
OH	EXISTING OVERHEAD UTILITY	SP	EXISTING SIGN POST
JT	EXISTING UNDERGROUND JOINT UTILITY TRENCH	SSCO	EXISTING SANITARY SEWER CLEAN OUT
—	EXISTING PAINTED STRIPE	SSMH	EXISTING SANITARY SEWER MANHOLE
G	EXISTING GAS PIPE	CR	EXISTING CURB RAMP
SS	EXISTING SANITARY SEWER PIPE	SL	EXISTING STREET LIGHT
W	EXISTING WATER PIPE	4	PROPOSED LOT NUMBER
		→	PROPOSED DIRECTION OF SURFACE FLOW
		X	PROPOSED TREE TO BE REMOVED

CONCEPTUAL GRADING PLAN

VESTING TENTATIVE SUBDIVISION MAP 20-__
 FOR
VETERANS HOUSING DEVELOPMENT CORPORATION
 A SUBDIVISION OF A LOTS 1 THRU 6 IN BLOCK 3
 OF HAMMON'S ADDITION TO THE CITY OF
 OROVILLE, BUTTE COUNTY, CALIFORNIA
 BOOK 6 MAPS, PAGE 85
 CITY OF OROVILLE, BUTTE COUNTY, CALIFORNIA

RAR
ROLLS ANDERSON & ROLLS
 CIVIL ENGINEERS
 115 YELLOWSTONE DRIVE • CHICO, CALIFORNIA 95973-5811
 TELEPHONE 530-895-1422

DATE: January 20, 2021
TO: PLANNING COMMISSION
FROM: Matt Thompson, Acting City Engineer
RE: Veterans Housing Development Corporation
 Vesting Tentative Subdivision Map (VTSM 20-02)



This office has reviewed the vesting Tentative Map 20-02 and herewith submits the following findings and recommendations for same.

A. MODIFICATIONS TO DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE OROVILLE MUNICIPAL CODE

The Subdivider has requested certain modification regarding the zoning and General Plan designation of the property. No modifications to design criteria and improvement standards are requested.

B. TIMING AND NATURE OF PUBLIC IMPROVEMENTS

The City Engineer will determine the nature, extent, timing and limits of required road/street 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.

C. 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) All corner lots shall be subject to intersection sight distance criteria as established by the City Engineer. Appropriate easements shall be dedicated as needed on 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.

Future storm drainage needs outside of the project shall be examined to the extent that improvements to serve such areas need to be built within this subdivision. Said improvements shall be constructed by the Subdivider.

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

Future storm drainage needs outside of the project shall be examined to the extent that improvements to serve such areas need to be built adjacent to this subdivision. Said improvements shall be constructed by the Subdivider.

- 3) On-Site Storm Drainage Disposal

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

b) 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.

c) 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.

d) 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”.

1) 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.
- Storm water runoff management facilities.

- e) 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.
- 2) Adjacent to Subdivision - An underground sanitary sewer system, with all appurtenances, along the subdivision frontage.
- 3) Exterior to Subdivision - An underground sanitary sewer extension, with all appurtenances, connecting to the existing City of Oroville sanitary sewer system.

b) Sanitary Sewer Fees

The Subdivider shall pay a sanitary sewer main fee to the City of Oroville prior to recording the Final Map, plus applicable trunk line and water pollution control plant capacity fees in conjunction with building permits

c) Sewerage Commission – Oroville Region (SC-OR)*

The project is less than 20 equivalent dwelling units, therefore a special agreement with SC-OR is not required.

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. Traffic control devices shall meet the standards of the Manual of Uniform Traffic Control Devices.

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. Street Trees

Street trees shall be planted in accordance with the recommendation of the Public Works Department.

7. Landscaping

The Subdivider shall install landscaping and an irrigation system at the following locations:

- a) Private common areas.
- b) Between the back of curb and sidewalk on Montgomery Street, 6th Avenue, and 7th Avenue.

8. Parkland

The Subdivider shall dedicate park land or pay an in-lieu fee in accordance with the Oroville Municipal Code.

D. MAINTENANCE

Prior to filing the Final Map, the Subdivider shall be required to make provisions to fund the maintenance of certain public improvements. The improvements to be covered shall be landscaping in the public right of way. The Subdivider shall prepare the necessary documents and provide the required supporting documents.

E. 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 serving the subdivision.”

F. SUBDIVISION GRADING

1. 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.
- d) Verification that the site is suited to proposed BMPs.

2. Grading Standards

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

3. 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.

4. 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 City Engineer for review and approval prior to the start of any work and shall be considered as part of the construction plans.

G. PROPERTY CONVEYANCES

No dedications, abandonments, or other conveyances are proposed.

H. OTHER PUBLIC SERVICES

1. Public Utilities

- a) **Underground Requirements**

The Subdivider shall install the following utilities underground:

- 1) All new utilities serving this subdivision. Overhead services to other properties may remain.

- 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.

2. Fire Protection

No fire hydrant installation is required as a condition of approval of this subdivision.

3. 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.

I. 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.

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. Where the OMC does not have an applicable criteria or improvement standard the Subdivider and the City Engineer may agree to use the criteria or standard of another agency.

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. ENVIRONMENTAL CLEARANCE

The Subdivider shall complete an environmental assessment and comply with the California Environmental Quality Act (CEQA).

L. ADMINISTRATIVE REQUIREMENTS

1. 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.

2. 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.

3. 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. The final fee will be equal to actual City costs.

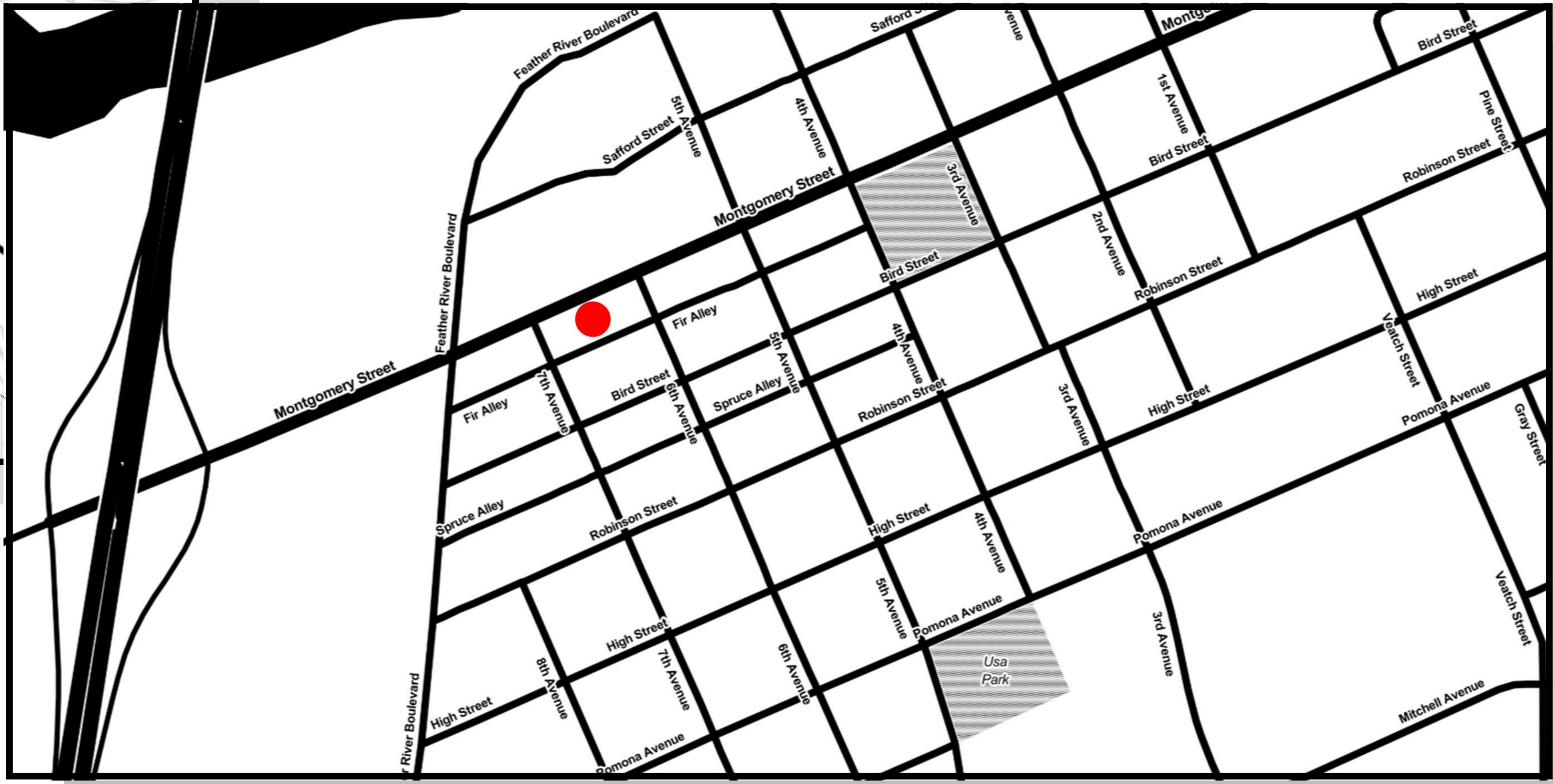
b) Inspection Fee

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, Acting City Engineer



MONTGOMERY STREET VETERANS HOUSING

EXHIBIT A - LOCATION MAP



MONTGOMERY ST.

STOP

STOP

7TH AVE.

6TH AVE.

3 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

2 BD - 2 BA

3 BD - 2 BA

FIR ALLEY

--- EXISTING PROPERTY LINE
--- NEW PROPERTY LINES

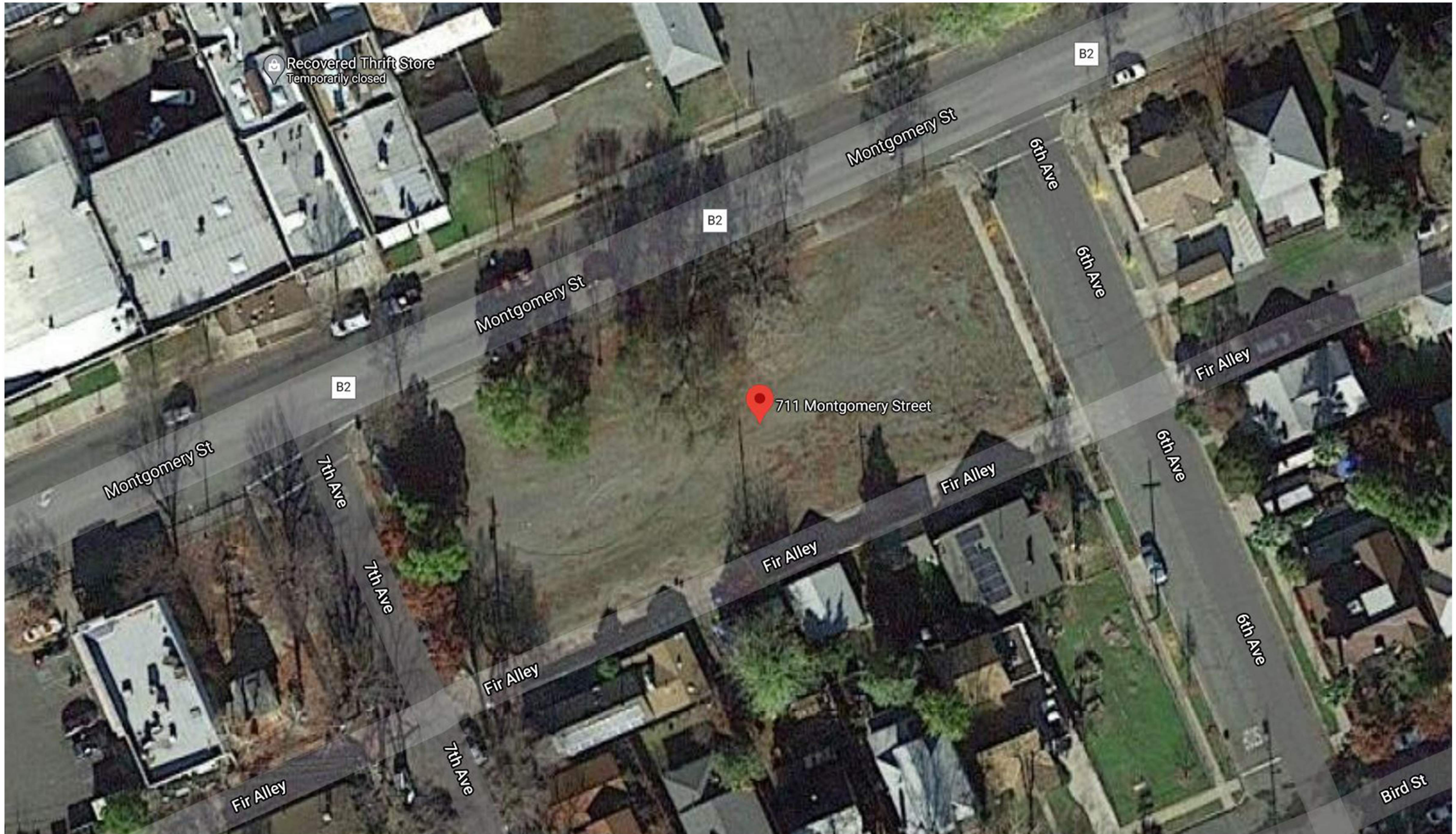


MONTGOMERY STREET VETERANS HOUSING

EXHIBIT B - BOUNDARY MAP

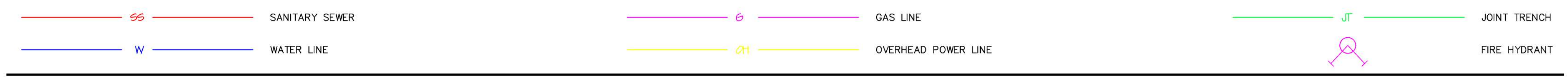
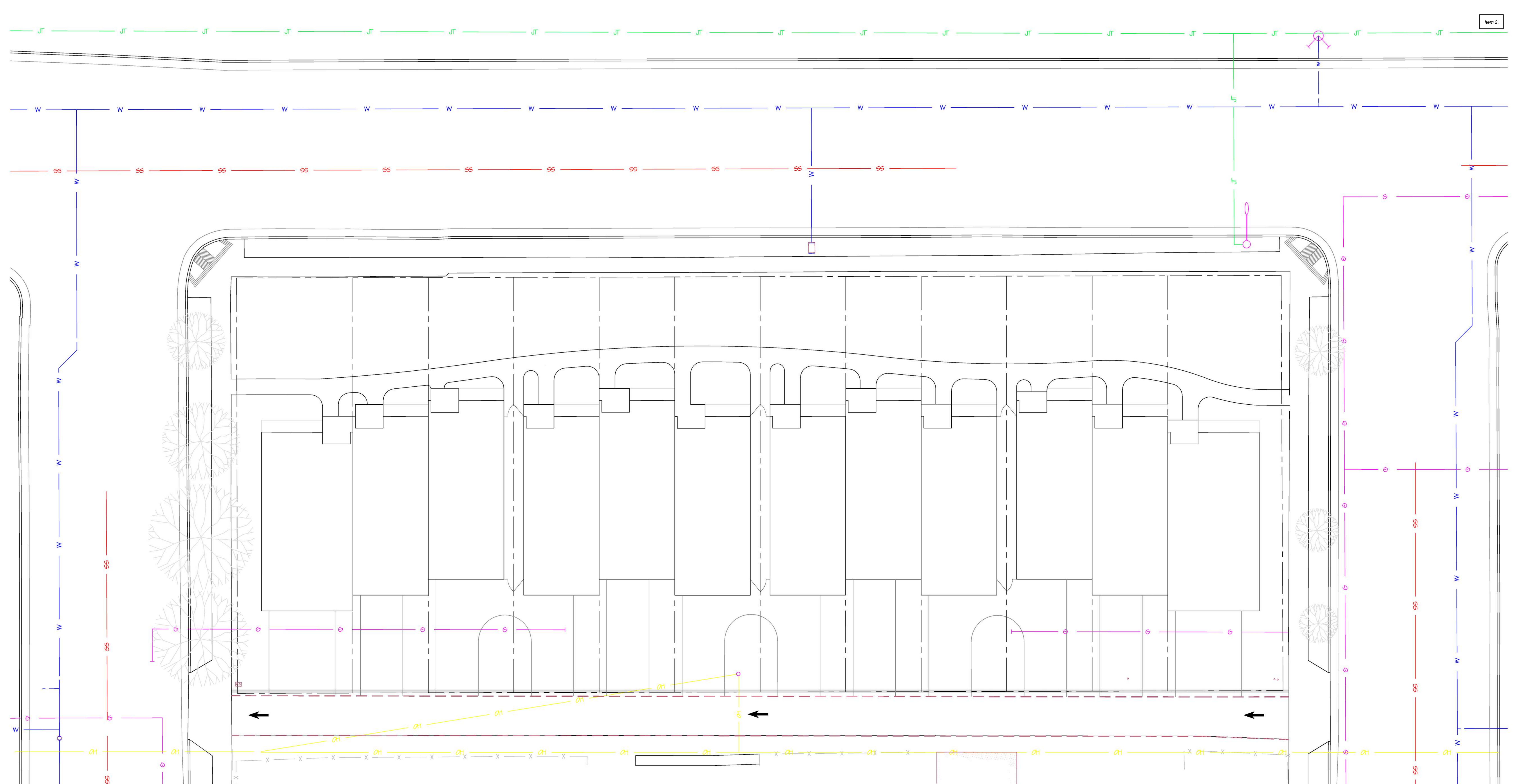
DRAWING SCALE: 3/32" = 1'-0"

2020.11.30



MONTGOMERY STREET VETERANS HOUSING

EXHIBIT C - AERIAL PHOTOGRAPH



SITE LEGEND



MONTGOMERY STREET VETERAN HOUSING

EXHIBIT D - EXISTING INFRASTRUCTURE MAP

DRAWING SCALE: 3/32" = 1'-0"

2020.11.30



MONTGOMERY STREET VETERANS HOUSING

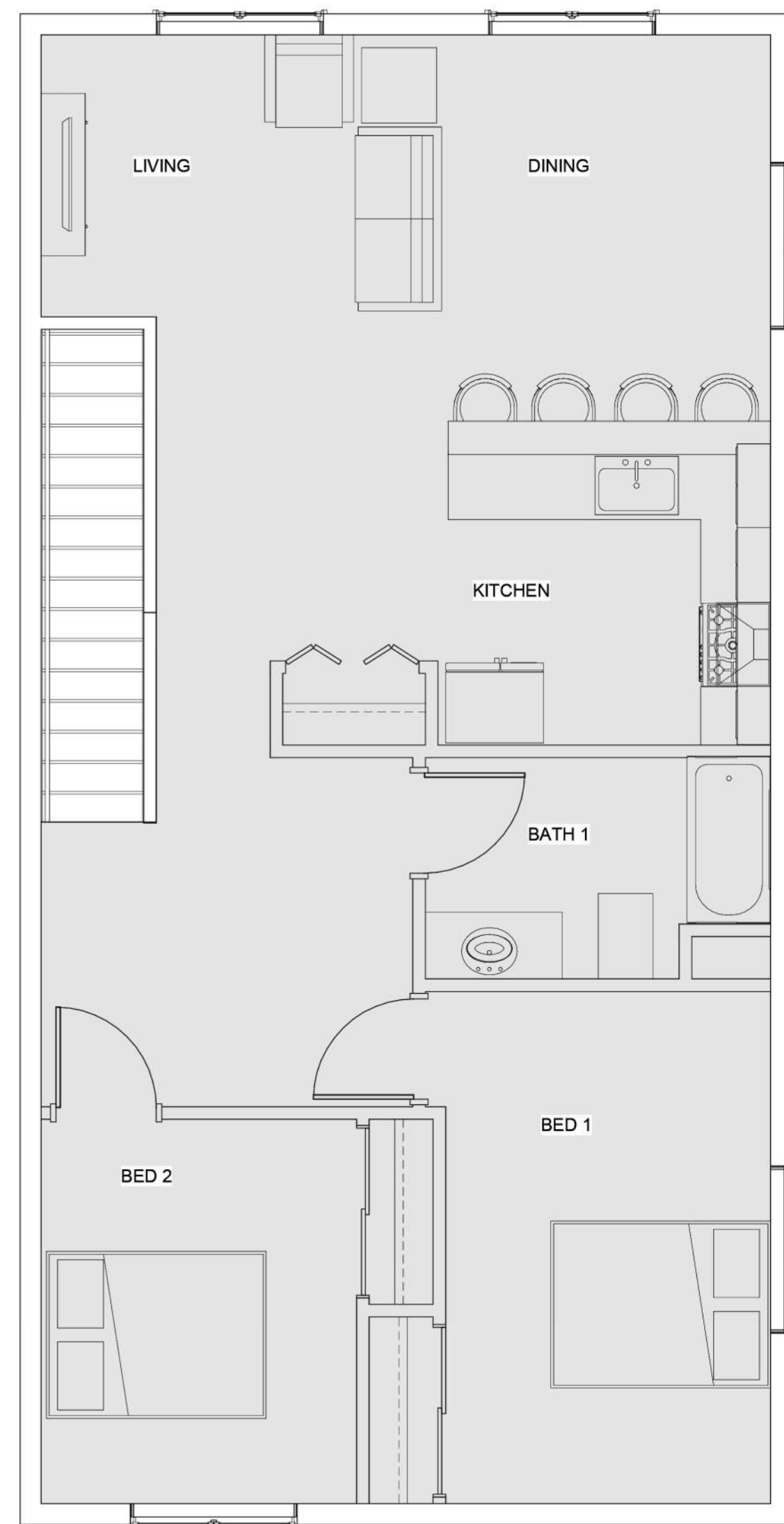
EXHIBIT E - P.U.D. MASTER PLAN

2020.11.30

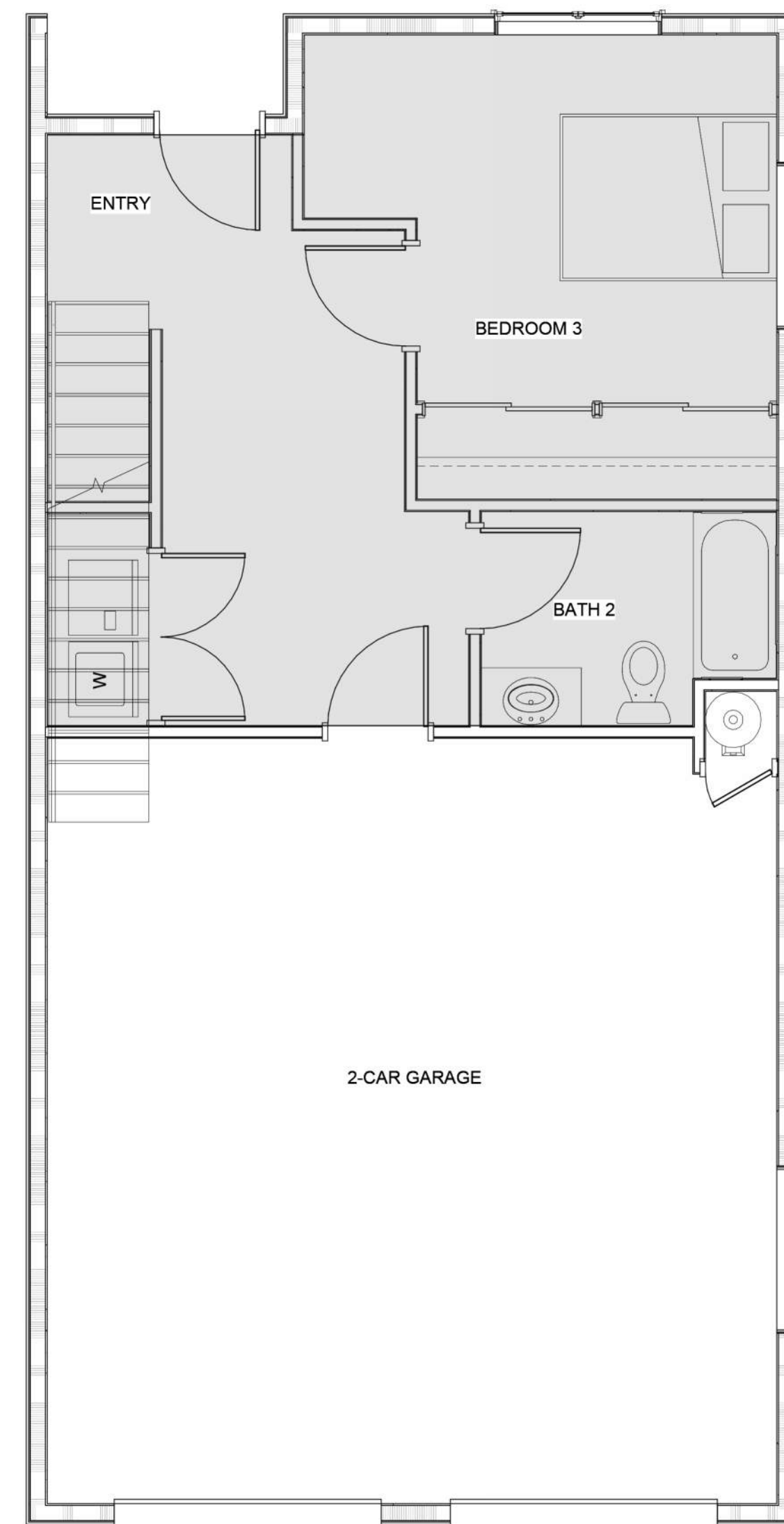


MONTGOMERY STREET VETERANS HOUSING

EXHIBIT F - EXTERIOR ELEVATIONS

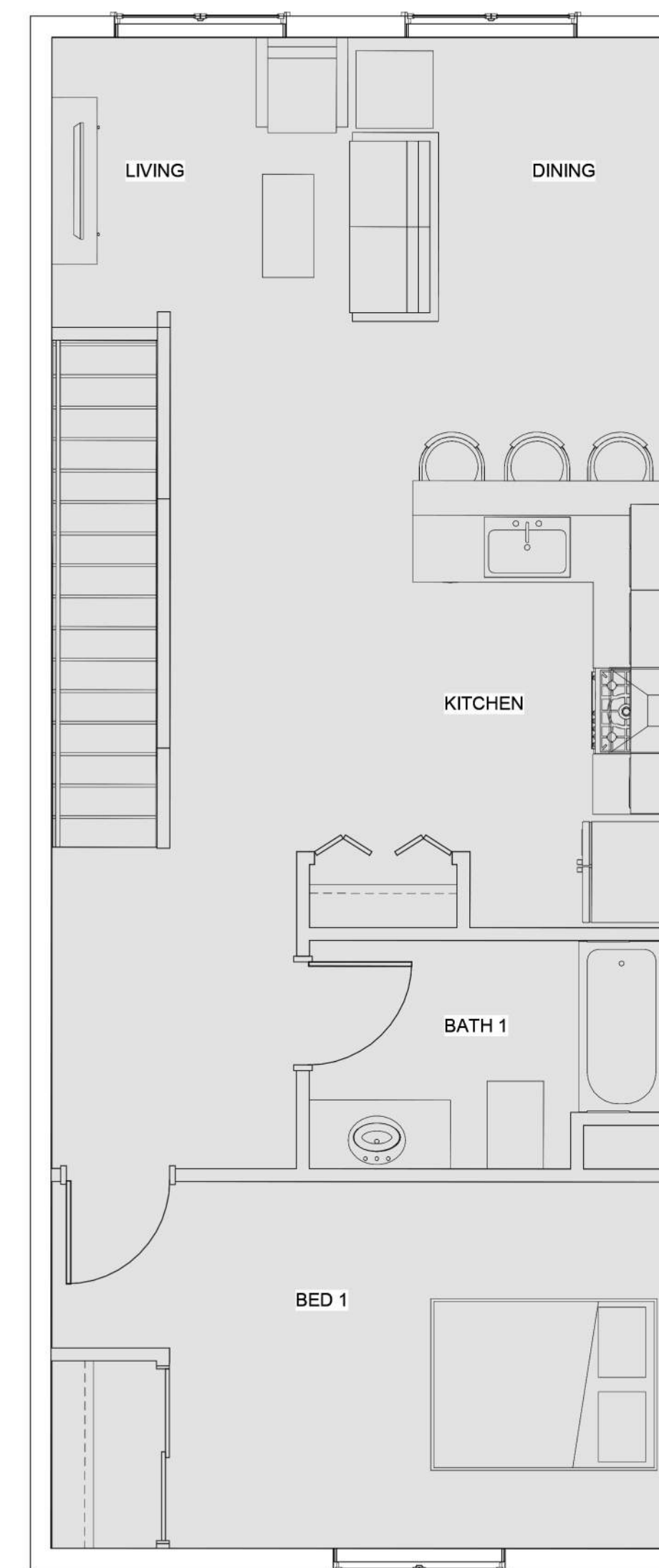


SECOND FLOOR PLAN

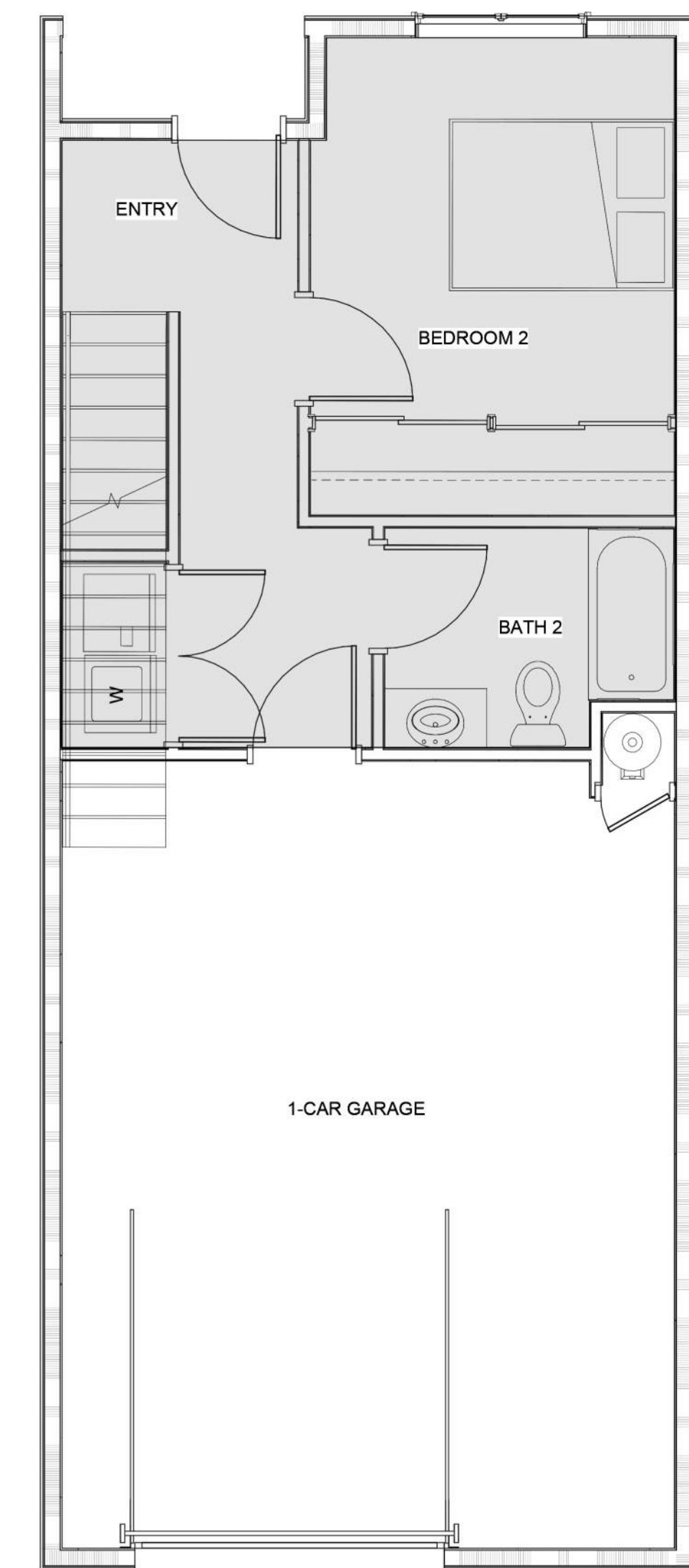


FIRST FLOOR PLAN

3 BEDROOM UNIT:
1489 SF LIVING SPACE
543 SF 2-CAR GARAGE



SECOND FLOOR PLAN



FIRST FLOOR PLAN

2 BEDROOM UNIT:
1252 SF LIVING SPACE
454 SF 1-CAR GARAGE



MONTGOMERY STREET VETERANS HOUSING

DRAWING SCALE: 1/4" = 1'-0"

EXHIBIT G - FLOOR PLANS

2020.11.30

Montgomery Street Veterans Housing

A PLANNED DEVELOPMENT OVERLAY

REGULATIONS AND SUPPORTING MASTER PLAN GOVERNING THE MONTGOMERY STREET VETERANS HOUSING PROJECT, A PLANNED DEVELOPMENT OVERLAY PURSUANT TO PROVISIONS OF THE CITY OF OROVILLE MUNICIPAL CODE

PREPARED FOR:

VHDC

VETERANS HOUSING DEVELOPMENT CORPORATION

PREPARED BY:

RUSSELL, GALLAWAY ASSOCIATES, INC.
115 Meyers St. STE 110
Chico, CA 95928



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SHORT TITLE	iii
SECTION I	PROPERTY OWNERSHIP & DESCRIPTION
SECTION II	PROJECT DEVELOPMENT REQUIREMENTS
SECTION III	DEVELOPMENT STANDARDS
SECTION IV	DEVELOPMENT COMMITMENTS
SECTION V	DEFINITIONS

LIST OF EXHIBITS AND TABLES

EXHIBIT A	Location Map
EXHIBIT B	Boundary Map
EXHIBIT C	Aerial Photograph
EXHIBIT D	Existing Infrastructure Map
EXHIBIT E	PD-O Master Plan
EXHIBIT F	Exterior Elevations
EXHIBIT G	Floor Plans
EXHIBIT L	Landscaping Plans
TABLE 1	Development Standards

STATEMENT OF COMPLIANCE

The development of approximately 0.64 acres of property in the City of Oroville, as a Planned Development Overlay to be known as Montgomery Street Veterans Housing Project will be in compliance with the goals, objectives and policies of City of Oroville as set forth in section 17.44.030 of the Oroville Municipal Code. The residential facilities of Oroville Veterans Housing Project will be consistent with the policies, land development regulations, and applicable comprehensive planning objectives of each of the elements of the Municipal Code for the following reasons:

Residential Project

1. The subject property is within the Downtown Historical Overlay Designation as identified on the City of Oroville Downtown Historic Overlay Map.
2. The subject property's location in relation to existing or proposed community facilities and services permits the development's residential density as required in Objective 2 of the Future Land Use Element.
3. The project development is compatible and complementary to existing and future surrounding land uses as required in the Municipal Code.
4. Improvements are planned to be in compliance with applicable land development regulations as set forth in the Municipal Code.
5. The project development is planned to Low Impact Development Standards for water management in accordance with City, County and State Standards.
6. The projected density of 20 dwelling units per acre is a variance of the maximum density of the planning element of Downtown Historic Overlay section of the Municipal Code. This project will require a designation as Medium High Density per the City of Oroville Housing Element.
7. Although exempt due to location within the Downtown Historical Overlay District, each residence shall provide 2 off-street parking spaces.

SHORT TITLE

This Ordinance shall be known and cited as:

"Montgomery Street Veterans Housing Planned Development Overlay Ordinance"

SECTION I

PROPERTY OWNERSHIP AND DESCRIPTION

1.1 **PURPOSE**

The purpose of this Section is to set forth the location and ownership of the property, and to describe the existing conditions of the property proposed to be developed under the project name of Oroville Veterans Housing Project.

1.2 **LEGAL DESCRIPTION**

The subject property being 0.64 acres is described as:
Parcel # (APN) 012-064-001-000

LOTS 1, 2, 3, 4, 5 AND 6, IN BLOCK 3, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "OFFICIAL MAP OF HAMMON'S ADDITION TO THE CITY OF OROVILLE, BUTTE COUNTY, CALIFORNIA", WHICH MAP WAS RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, ON JUNE 5, 1907, IN BOOK 6 OF MAPS, AT PAGE(S) 85.

1.3 **PROPERTY OWNERSHIP**

The subject property is currently under the ownership of:
City of Oroville

1.4 **GENERAL DESCRIPTION OF PROPERTY AREA**

APN: 012-064-001
Site Address: 711 MONTGOMERY ST, OROVILLE CA 95965
Municipal Code 2030: City of Oroville
Municipal Code Zoning: City of Oroville
Approximate Acres: 0.64

1.5 **ZONING**

The zoning classification of the subject property prior to the date of this approved PD-O Document was C-2 Commercial

1.6 **PHYSICAL DESCRIPTION**

The project site is currently vacant. It is located on Montgomery Street between 6th and 7th Avenues with Fir Alley along the south border. It is located near the intersection of Feather River Boulevard and Montgomery Street and east of the onramp to State Highway 70.

The previous use was a motel.

Adjacent zoning includes R-1, R-3, C-2 and C-1

Service providers for the site are:

- Cal Water
- Pacific Gas and Electric
- SCORE
- No storm water service is adjacent to the parcel.

Water Management for the proposed project is planned to be the onsite retention type. Elevation of the parcel is approximately 161 feet above mean sea level relatively little change in elevation across the site.

1.7 PROJECT DESCRIPTION

The development project will create twelve (12) 2-story residential units on separate parcels for sale to US veterans. The units will be built in 4 phases of 3, zero lot line units. This project will require a rezone of the parcel to R3 to allow for Medium High Density Residential.

SECTION II PROJECT DEVELOPMENT REQUIREMENTS

2.1 PURPOSE

The purpose of this Section is to delineate and generally describe the project plan of development, relationships to applicable County ordinances, the respective land uses of the tracts included in the project, as well as other project relationships.

2.2 GENERAL

- A. Regulations for development of Montgomery Street Veterans Housing Project shall be in accordance with the contents of this document, PD-O Planned Development Overlay Ordinance and other applicable sections and parts of the City of Oroville Municipal Code and General Plan in effect at the time of building permit application. Where these regulations fail to provide developmental standards then the provisions of the most similar district in the City of Oroville Municipal Code shall apply.
- B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in City of Oroville Municipal Code in effect at the time of building permit application.
- C. All conditions imposed and all graphic material presented depicting restrictions for the development of Montgomery Street Veterans Housing Project shall become part of the regulations that govern the manner in which the PD-O site may be developed.
- D. Unless modified, waived, or excepted by this PD-O the provisions of other Municipal Code requirements where applicable remain in full force and effect with respect to the development of the land which comprises this PD-O.
- E. Development permitted by the approval of this petition will be subject to a concurrency review under the provisions of Development Review Board at the earliest or next to occur of either final DRB approval, final plat approval, or building permit issuance applicable to this development.

2.3 DESCRIPTION OF PROJECT PLAN AND PROPOSED LAND USES

- A. The project Master Plan is illustrated graphically by Exhibit "E", PD-O Master Development Plan.

2.4. DESCRIPTION OF PROJECT DENSITY OR INTENSITY OF LAND USE

- A. A maximum of 12 residential dwelling units, single family, shall be constructed in the total project area.
- B. The gross project area is 0.64acres. The gross project density, therefore, will be a maximum of 20 units per acre.

2.5. RELATED PROJECT PLAN APPROVAL REQUIREMENTS

- A. Prior to the recording of a Record Plat, for all or part of the PD-O, final plans of all required improvements shall receive approval of the appropriate City of Oroville governmental agency to insure compliance with the PD-O Master Plan, the City of Oroville Subdivision Code and the platting laws of the State of California.
- B. Exhibit "E", PD-O Master Plan, constitutes the required PD-O Development Plan. Subsequent to or concurrent with PD-O approval, a Preliminary Subdivision Plat if applicable shall be submitted for the entire area covered by the PD-O Master Plan. Any division of property and the development of the land shall be in compliance with the City of Oroville Municipal Code, and the platting laws of the State of California.
- C. The provisions of the City of Oroville Municipal Code, when applicable, shall apply to the development of all platted tracts, or parcels of land as provided in said Division prior to the issuance of a building permit or other development order.
- D. The development of any tract or parcel approved for residential development contemplating fee simple ownership of land for each dwelling unit shall be required to submit and receive approval of a Preliminary Subdivision Plat in conformance with requirements of the City of Oroville Municipal Code prior to the submittal of construction plans and a final plat for any portion of the tract or parcel.
- E. Appropriate instruments will be provided at the time of infrastructural improvements regarding any dedications and method for providing perpetual maintenance of common facilities.

2.6. AMENDMENTS and MODIFICATIONS TO PD-O DOCUMENT

Amendments may be made to the PD-O as provided in the City of Oroville Municipal Code. Minor modifications may be approved by the City of Oroville Planning Director. Modifications that are not considered minor modifications shall be approved by a zoning code amendment per Section 17.56.090.

2.7. ASSOCIATION OF PROPERTY OWNERS FOR COMMON AREA MAINTENANCE

Whenever the developer elects to create land area and/or recreation amenities whose ownership and maintenance responsibility is a common interest to all of the subsequent purchasers of property within said development in which the common interest is located, that developer entity shall provide appropriate legal instruments for the establishment of a Property Owners Association whose function shall include provisions for the perpetual care and maintenance of all common facilities and open space subject further to the provisions of the City of Oroville Municipal Code.

2.8. PROJECT PHASING

This project may be constructed in up to 4 phases consisting of a minimum of 25 percent of the total planned units in each phase. Infrastructure construction for each phase may be included in that phase.

SECTION III

DEVELOPMENT STANDARDS

3.1. PURPOSE

The purpose of this Section is to identify specific development standards for areas designated on Exhibit "E".

3.2. MAXIMUM DWELLING UNITS

The maximum number of dwelling units allowed within the PD-O shall be 12.

3.3. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or land used, in whole or part, for other than the following:

A. Principal Uses:

- (1) Single Family Dwelling Unit
- (2) Single Family Attached (No dwelling unit above another) Dwelling Units.

B. Accessory Uses:

- (1) Customary accessory uses and structures, including private garages.

3.4. DEVELOPMENT STANDARDS (See Table 1)

A. GENERAL: All yards, setbacks, etc. shall be in relation to the individual parcel boundaries, except as otherwise provided (See Table 1 of Development Standards)

B. MINIMUM LOT AREA: 1800 square feet.

C. MINIMUM LOT WIDTH: (See Table 1)

- (1) Corner Lots – 28 feet
- (2) Interior Lots- 18 feet

D. MINIMUM YARDS: (Waterfront and non-waterfront) (See Table 1)

- (1) Front Yard – 0 feet
- (2) Side Yard – 0 feet
- (3) Rear Yard – 5 feet

C. MINIMUM FLOOR AREA: 1000 square feet (for various size bedroom units)

D. OFF-STREET PARKING AND LOADING REQUIREMENTS

As required by 17.12.070 of the City of Oroville Municipal Code in effect at the time of building

permit application.

E. **MAXIMUM HEIGHT:** (See Table 1)

- (1) Principal Structure – 35 feet and 3 stories
- (2) Accessory Structure - 20 feet and 1stories above the minimum base flood elevation

Development Standards for Residential Areas:

Table 1 - PD-O Development Standards

	Minimum	Maximum
Lot Standards		
Width	18'	40'
Length	100'	150'
Density	-	20 units/acre
Building Standards		
Setbacks		
Exterior	-	30'
Interior, Side	0'	8'
Interior, Rear	5'	30'
Height	-	35'
Stories	-	3

SECTION IV

DEVELOPMENT COMMITMENTS

7.1 **PURPOSE**

The purpose of this Section is to set forth the development commitments for the development of the project.

7.2. **GENERAL**

All facilities shall be constructed in strict accordance with Final Site Development Plans, Final Subdivision Plans and all applicable State and local laws, codes, and regulations applicable to this PD-O. Except where specifically noted or stated otherwise, the standards and specifications of Division 3.2 of the Municipal Code shall apply to this project even if the land within the PD-O is not to be platted. The developer, his successor and assigns shall be responsible for the commitments outlined in this document.

The developer, his successor or assignee shall agree to follow the Master Plan and the regulations of the PD-O as adopted, and any other conditions or modifications as may be agreed to in the rezoning of the property. In addition, the developer will agree to convey to any successor or assignee in title any commitments within this agreement.

7.3. **PD-O MASTER PLAN**

- A. Exhibit E of the PD-O Master Plan illustrates the proposed development and is conceptual in nature. Proposed tract, lot or land use boundaries or special land use boundaries shall not be construed to be final and may be varied at any subsequent approval phase such as final platting or site development plan application. Subject to the provisions of the City of Oroville Municipal Code amendments may be made from time to time.
- B. All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities and all common areas in the project.

7.4. **SCHEDULE OF DEVELOPMENT/MONITORING REPORT AND SUNSET PROVISION**

- A. Identify proposed start and completion dates of the project, stages of development, and area and location of common open space or other recreation facility if applicable to be provided at or by each stage. All PD-O's shall be subject to the Sunset Provisions of the City of Oroville Municipal Code.
- B. Monitoring Report: An annual monitoring report shall be submitted pursuant to of the City of Oroville Municipal Code.

7.5 **WATER MANAGEMENT**

The development of this PD-O Master Plan shall be subject to and governed by the following conditions:

7.6 **UTILITIES**

The development of this PD-O Master Plan shall be subject to and governed by the following conditions:

7.7 **ENGINEERING**

The development of this PD-O Master Plan shall be subject to and governed by the following conditions:

7.8 ENVIRONMENTAL

The development of this PD-O Master Plan shall be subject to and governed by the following conditions:

7.9 OTHER INFRASTRUCTURE

The development of this PD-O Master Plan shall be subject to and governed by the following conditions:

7.10 SIGNS

All signs shall be in accordance with of the City of Oroville Municipal Code.

7.11 LANDSCAPING FOR OFF-STREET PARKING AREAS

All landscaping for off-street parking areas shall be in accordance with the of the City of Oroville Municipal Code in effect at the time of building permit application.

7.12 SPECIAL CONDITIONS

There are no special conditions.

RESOLUTION NO. P2020-24
A RESOLUTION OF INTENTION BY THE OROVILLE PLANNING COMMISSION
RECOMMENDING THE CITY COUNCIL ADOPT, GENERAL PLAN AMENDMENT 20-
03, ZONING CODE AMENDMENT ZC 20-04, AND A PLANNED DEVELOPMENT
OVERLAY FOR A 12-UNIT VETERANS HOUSING PROJECT ON PARCEL NO. 012-
064-001.

WHEREAS, the City of Oroville has received an application from Subdivider to subdivide APN #012-064-001 into 12 zero lot line parcels for a veterans housing project; and

WHEREAS, the Property is within the Oroville City limits; and

WHEREAS, the design of the proposed subdivision is illustrated on the tentative subdivision map, received by the City on November 30, 2020, which Map has been assigned the file number of TSM No. 20-02, and a copy of which is attached to this resolution as Exhibit "A; and

WHEREAS, approval of the application requires amending the land use designation and zoning designation of the parcels to Medium High Density Residential (MHDR) and High Density Residential (R-3) respectively; and

WHEREAS, the applicant proposes that the Property be designated by Oroville's General Plan Diagram as *Medium High Density Residential*, and that the Zoning Map designation of this area be *High Density Residential (R-3)* and these combined land use designations allow residential development at a density not more than 20 homes per acre; and

WHEREAS, the applicant has submitted an application for a Montgomery Street Veterans Housing Planned Development Overlay (PD-O) which would create 12 parcels with unique development standards that would accommodate 12 separately owned zero lot line townhomes and thus necessitate the PD-O; and

WHEREAS, the parcel is also within the Downtown Historic Overlay, whose development standards and design requirements would be modified by the new PD-O; and

WHEREAS, the rezoning, land use designation change and PD-O are exempt from CEQA on the basis that the project is an infill parcel that has been previously developed; and

WHEREAS, the Planning Commission considered at noticed public hearing the comments and concerns of public agencies and property owners who are potentially affected by the changes described herein, and also considered City staffs report regarding the project; and

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE PLANNING COMMISSION ALL OF THE FOLLOWING:

1. Recommend that the City Council adopt the Notice of Exemption as the appropriate level of environmental review under the California Environmental Quality Act;
2. Recommend that the City Council adopt General Plan Amendment GPA20-03, Zoning Code Amendment ZC20-04, and the Montgomery Street Veterans Housing Planned Development Overlay;
3. That the City Council direct the preparation and adoption of one or more ordinances as necessary to amend the City of Oroville Zoning Map to affect the necessary zoning changes;
4. That the property subdivider and any subsequent owners must obtain all required permits from the City and any agencies responsible for protecting natural resources, then implement the conditions of those permits;

PROJECT CONDITIONS

These project conditions apply to the development project. A set of Tentative Map conditions are also found in the Engineers Report for TSM 20-02. In the event of a conflict, the Community Development Director shall make a determination.

Prior to site grading:

1. 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.
2. A site grading, drainage and improvement plan shall be prepared by a Registered Civil Engineer in conformance with the requirements of the City engineer.
3. Location of streetlights to be constructed to City standards.
4. Sidewalks shall be replaced wherever uneven pavement currently exists, and shall be constructed to ADA and City standards.
5. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbances 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.
6. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines in order to prevent degradation of ambient air quality.

Prior to the issuance of building permits:

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 impact fees shall be paid at time of submittal.
 - I. Applicant shall work with the fire department and city staff to address any fire safety access concerns, including that the plans must show fire hydrant placement.
8. Landscape plans shall be approved by the Parks and Trees Department.
 - I. The street landscaping strip shall be installed prior to occupancy in accordance with the requirements of the City Engineer.
 - II. Sidewalks shall be replaced wherever uneven pavement currently exists.
9. The building plans shall include an architecturally compatible method of screening any roof mounted HVAC system, or if the units are placed on the ground, the unit shall be screened by landscaping or a decorative fence.
10. Sewer service connection must be shown on the site plan and be approved by Public Works Department.
11. Applicant shall provide a will-serve letter from Cal Water.
12. Any monument or other signage sign shall conform to the requirements found in OMC 17.20.110; a monument sign shall not exceed 18 square feet in size and 6 feet in height.

Prior to construction:

13. Obtain an encroachment permit from the City for any work in the public right-of-way.
14. All utilities shall be placed underground.
15. Developer will be responsible for the cost of all water improvements (meters, boxes, valves, lines, backflow devices, etc.), which are required to meet Cal Water service improvement standards. The cost of all fire lines and hydrants shall also be the developer's responsibility.
16. A Construction Storm Water Permit will be required by the State Water Resources Control Board if the project results in a disturbance (including clearing, excavation, filling and grading) of one or more acres. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. The Permit must be obtained from the State Water Resources Control Board prior to construction.

Prior to occupancy:

17. Knox Box access shall be provided as appropriate.
18. "No Parking – Fire Lane" signs and red curb paint shall be provided as appropriate.
19. Applicant shall provide the fire department and public safety agencies a keypad combination or other approved access method for the gates between buildings.
20. 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.
21. All landscaping will be installed in conformance with the approved landscape plans.
22. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).

Other:

23. 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.
24. 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 buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
25. 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.
26. 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.
27. 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 defense for the City in any such action.
28. 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.
29. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
30. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.

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

--- End of Conditions ---

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting or the Planning Commission of the City of Oroville held on January 28, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON

RESOLUTION NO. P2020-27

**A RESOLUTION OF INTENTION BY THE OROVILLE PLANNING COMMISSION
RECOMMENDING THE CITY COUNCIL 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 PLANNED DEVELOPMENT
OVERLAY PD-O 20-01, GENERAL PLAN AMENDMENT 20-03, AND ZONING CODE
AMENDMENT ZC 20-04.**

WHEREAS, the City of Oroville has received an application from Subdivider to subdivide APN #012-064-001 into 12 zero lot line parcels for a veterans housing project; and

WHEREAS, the Property is within the Oroville City limits; and

WHEREAS, the design of the proposed subdivision is illustrated on the tentative subdivision map, received by the City on November 30, 2020, which Map has been assigned the file number of TSM No. 20-02, and a copy of which is attached to this resolution as Exhibit "A; and

WHEREAS, the Property is currently designated by Oroville's General Plan Diagram as Retail Business Services (RBS) and the Zoning Map designation of Intensive Commercial (C-2), and is now proposed to be re-designated as Medium High Density Residential (MHDR) land use and Zoned as High Density Residential (R-3), and these combined land use designations allow residential development at a density not more than 20 homes per acre; and

WHEREAS, the proposed "Montgomery Street Veterans Housing Planned Development Overlay" has a resulting density of 18.75 homes per acre; and

WHEREAS, the Engineers report has recommended approval of TSM 20-02, with the recommended conditions attached as Exhibit B; and

WHEREAS, the project is exempt from the California Environmental Quality Act as an infill project that has been previously developed; and

WHEREAS, the Planning Commission considered at a noticed public hearing the comments and concerns of public agencies and property owners who are potentially affected by approval of the Map described herein, and also considered City staffs report regarding the Map.

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE PLANNING COMMISSION AS FOLLOWS:

1. Based upon the evidence in the record before it, the Planning Commission (and City Council by extension) must approve the map if none of the following findings are

made that require disapproval. Approval may be conditioned to assure that the proposed subdivision complies with all applicable City codes and with all applicable plans. The planning commission shall disapprove a tentative map if it determines that any of the following conditions apply:

1. The proposed subdivision is inconsistent with the general plan or applicable specific plans. Assuming GPA20-03 and ZC20-04 are approved by the City Council, the subdivision will be consistent.
2. The site is not physically suitable for the proposed density or type of development, or for the physical infrastructure required to support that development. The site was previously developed with an 18-unit cottage apartment complex and is suitable today for the proposed 12 townhomes.
3. The design of the land division or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project has been determined to be Categorical Exempt from CEQA as an infill project that has been previously developed and is surrounded by other long-developed properties.
4. The design of the subdivision or the type of improvement is likely to cause serious public health problems. The design of the subdivision is similar in scope and nature to the surrounding downtown residences and meets the requirements of the Downtown Historic Overlay regulations.
5. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions, and the subdivider has failed to demonstrate to the satisfaction of the city engineer and planning commission that the conditions can be corrected. The City Engineer is comfortable that the site is buildable as proposed, subject to submittal of the soils report.
6. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. However, the planning commission may approve an application if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction. There are no conflicting public easements.
7. The proposed subdivision violates the provisions of this chapter and no exception has been granted. The proposal does not violate any provisions of this chapter, and there are no known exceptions.
8. The proposed subdivision violates any provision of the zoning code and no variance has been granted. Assuming GPA20-03 and ZC20-02 4 is approved by the City Council, the subdivision will be consistent.
9. The proposed subdivision would violate any other city ordinance or any city code provision. No known violations exist.
10. The discharge of waste from the proposed subdivision into a community sewer

system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the [Water Code](#)). Neither the City of Oroville (collection system) nor SC-OR are operating under any corrective action or compliance orders.

- 2. TSM 20-02, as described herein, is recommended to be conditionally approved with the conditions listed in the Engineer’s report (Attachment B), and subject to the City Council adopting General Plan Amendment GPA20-03, Zoning Code Amendment ZC20-04, and Planned Development Overlay PD-O-20-01.

Exhibit A: TSM 20-01 received on January 18, 2021

Exhibit B: Engineer’s Report

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 January 28, 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

NOTICE OF EXEMPTION

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

Project Title: PL2009-001 Oroville Veterans Village Planned Development Overlay Project

Project Location – Specific: 711 Montgomery Street

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Veterans Development Housing Corporation, has applied for a 12-lot townhome style Planned Development Overlay, which includes a General Plan Amendment, Zoning Change, and Tentative Subdivision Map. The subject property has a zoning designation of Intensive Commercial (C-2) and a General Plan land use designation of Retail & Business Services. The site is in the Downtown Historic Overlay District. The project is categorically exempt as an in-fill development project.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Veterans Development Housing Corporation

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 12-unit subdivision at this location will have a significant effect on the environment. The property previously housed a 30-unit cottage development, has no value as habitat, is surrounded by urban development on all sides, and is currently zoned intensive commercial. Traffic, noise, air quality, water quality and other impacts on this redeveloped site will clearly be less than either a commercial development or the previous housing development. 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 (b)-(e) below. The project 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. Regarding condition (a), this project is not currently consistent with the General Plan and zoning, but the proposed change will enable a less dense project with lower activity levels than the intensive commercial evaluated in the General Plan EIR.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services

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

RAOUL & MAXINE LeCLERC

1150 Bird Street, Oroville, CA 95965, Telephone: (530) 533-3944

January 20, 2021

Wes Ervin
Oroville Planning Division
E-mail: wervin@cityoforoville.org

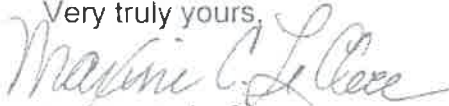
Re: Applicant: Veterans Development Housing Corp
APN: 012-064-001
File: TSM 20-02

Gentlepersons:

We live and have lived at 1150 Bird Street since 1974. The downtown Oroville is graced with many historical homes which compliment one another. We applaud the City of Oroville for promoting additional housing for people in the downtown area. We have reviewed the above-referenced proposal and find it commendable with the exception of the design of the housing. To be blunt, it appears to be barns with ill-crafted windows designed to house those so needy that they would take anything. This design is in stark contrast to the senior citizen housing constructed on Robinson Street between Pine and Veatch Streets. Even the buildings immediately adjacent to this project, although deteriorating, have more character to them.

This is a gateway into Oroville and should have the appearance of a front door. Further, its design should be one which encourages inhabitants to maintain them and the rehabilitation of homes in the downtown area consistent with its historical nature.

We encourage the Planning Commission to deny this development unless the developer agrees to provide better architectural design. Thank you for considering our comments.

Very truly yours,

Maxine C. LeClerc
Former Councilperson

Very truly yours,

Raoul J. LeClerc
Former Planning Commissioner

GENERAL PARCEL MAP:



RECEIVED

JAN 20 2021

CITY OF OROVILLE
PLANNING DIVISION

COMMENTS AND/OR RECOMMENDED CONDITIONS OF APPROVAL (Please attach additional pages, if needed):

As a resident of the downtown historic district, I have taken a strong interest in this proposed project. First & foremost I believe it is imperative that the city recognizes that first impressions are everything. This project site is at the gateway entrance into our beautiful historic district. While I am not in opposition to the zone change, making this a multifamily residential zone, I am opposed to the design plan for this project, nothing about the proposed design of these townhouses compliments the architecture that awaits as one travels down the street into the heart of our downtown. I urge the city to consider this project as an opportunity to infuse our downtown gateway with some much needed character and class; we need to be forward thinking when it comes to the direction of our downtown district, visitors & residents alike should be greeted with good design that elevates our downtown, not sub par vanilla architecture that lacks thought or effort. This project is an opportunity for us to put something that belongs, not an alien building. I urge you to demand that the applicants and higher.

Signature: Julie Hiller Date: Jan 17, 2021

Agency/Affiliation: Hecker House Resident/owner

PLEASE RETURN COMPLETED FORM to 1735 Montgomery Street, Oroville 95965 or CALL THE CITY OF OROVILLE PLANNING DIVISION (530) 538-2430

GENERAL PARCEL MAP:



COMMENTS AND/OR RECOMMENDED CONDITIONS OF APPROVAL (Please attach additional pages, if needed):

RE.: OROVILLE VETERANS VILLAGE
 APPLICANT: VETERANS DEVELOPMENT HOUSING CORPORATION
 A.P.N.: 012-064-001

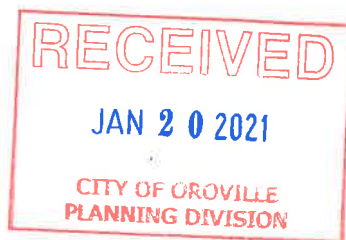
AS A HOMEOWNER JUST A FEW BLOCKS AWAY FROM THE PROPOSED DEVELOPMENT (IN THE HISTORIC DISTRICT), I AM CONCERNED ABOUT THE IMPACT THIS PROJECT WILL HAVE ON THE NEIGHBORHOOD. TOO MANY LOW INCOME MULTIPLE HOUSING DEVELOPMENTS HAVE PROLIFERATED OVER THE DECADES, COMPROMISING THE TRADITIONAL (VINTAGE) CHARM OROVILLE ONCE ENJOYED. SUCH A DEVELOPMENT WILL STRAIN AN ALREADY MARGINAL INFRASTRUCTURE (DENSITY), PRESENT A POOR ENTRY TO THE WELCOMING CORRIDOR (MONTGOMERY), AND DISCOURAGE WELCOME AND NEEDED HIGH DOLLAR INVESTMENTS.

Signature: [Signature] Date: JAN. 20, 2021

Agency/Affiliation: LOCAL HOMEOWNER, SHERRO DEVELOPMENT

PLEASE RETURN COMPLETED FORM to 1735 Montgomery Street, Oroville 95965 or CALL THE CITY OF OROVILLE PLANNING DIVISION (530) 538-2430

Sewerage
Commission
Oroville
Region



Item 2.



◇ P.O. Box 1350 ◇ OROVILLE, CA 95965-1350 ◇ OFFICE 530.534.0353 ◇ FAX 530.534.3467 ◇

January 7, 2021

Mr. Wes Ervin,
Planning & Development Services
City of Oroville
1735 Montgomery St.
Oroville, CA 95965

Dear Mr. Ervin,

The Sewerage Commission – Oroville Region (SC-OR) would like to thank you for the opportunity to comment on TSM 20-2, Veterans Village at 711 Montgomery Street. We welcome the opportunity to comment on this project, and to network with the City to ensure the sewer utilities optimum performance with a successful outcome for the applicant. Following are SC-OR's comments on the project:

1. A fixture unit count may be required utilizing the appropriate classifications and weighting factors to ensure an accurate EDU count is made, and that the correct sewer service fees and regional facility charges are collected from the applicant.
2. If the project amounts to 20 EDU's or more, the applicant shall be required to enter into a Capacity Agreement.

If you have any questions about the comments in this letter please feel free to contact Mikah Salsi, Environmental Compliance Manager @ msalsi@sc-or.org or myself at 534-0353.

Thank you,

A handwritten signature in black ink, appearing to read "Glen E. Sturdevant".

Glen E. Sturdevant
Manager

GES/ms



COMMENTS AND/OR RECOMMENDED CONDITIONS OF APPROVAL (Please attach additional pages, if needed):

- I am a resident homeowner in historic downtown Oroville, and I have several
- objections to this proposed development. 1) supportive housing of this type
- contributes to the existing concentration of poverty in the neighborhood; 2) does not
- provide opportunity for homeownership; 3) the ugly modernist design conflicts with
- the stated objectives of the historic overlay zoning.
-
- While it is a good goal to want to help our veterans – the overconcentration of low-
- income housing units is hurting the economic development of the downtown district.
- Homeowners and business owners have made considerable investment in the
- revitalization of downtown historic district, and we are already struggling with the
- overconcentration of SROs, SLEs, rehab and supportive services in our environment.
-
- Oroville needs to have a vision for the future. Will the entryway to downtown be an
- ugly crime-ridden slum, known for poverty, crime, and blight? I would much prefer to
- see mixed-use development that takes into consideration ALL residents along the
- economic spectrum – working class, small business, and affordable entry to
- homeownership.

Signature: Susannah Wedgwood Date: 1/18/2021

Agency/Affiliation: Homeowner - Downtown Historic District
Susannah Wedgwood - 1284 Montgomery Street

PLEASE RETURN COMPLETED FORM to 1735 Montgomery Street, Oroville 95965 or CALL THE CITY OF OROVILLE PLANNING DIVISION (530) 538-2430

GENERAL PARCEL MAP:



COMMENTS AND/OR RECOMMENDED CONDITIONS OF APPROVAL (Please attach additional pages, if needed):

Please see attached two pages.

Thank you.

Signature: *Jarvis E Crist* Date: *01/20/2021*

Agency/Affiliation: _____

**PLEASE RETURN COMPLETED FORM to 1735 Montgomery Street, Oroville
95965 or CALL THE CITY OF OROVILLE PLANNING DIVISION (530) 538-2430**

Comments by Karen Crist of 1218 Montgomery Street
Re: Veterans Housing Project on Montgomery Street
City of Oroville Planning Commission Meeting, January 28, 2021

To Our Esteemed Planning Commission:

Affordable housing for Veterans is a cause that, as a grateful citizen, I support; however, as the planned Veterans Housing Project resides squarely in the City of Oroville's Historic Downtown Overlay, the Planning Commission of the City of Oroville owes itself, the City and its residents the duty of ensuring such housing complies and conforms to the provisions that the City has set for this beautiful, historic district. The reality is that the Planning Commission/City has one chance to create an attractive, welcoming, and worthy Gateway to its jewel of a Historic Downtown Shopping, Dining and Arts District. ONE CHANCE. The proposed design aesthetic of the Veterans project, one I would describe as mid-century communist block industrial, clearly does not conform to the City's own stated mission in the Historic Overlay. It must be possible to create, choose and implement a building design that will not only complement the character of the neighborhood, but enhance the entrance of the Historic Overlay and the esteem of not only future owners/residents of said building(s), but all residents of Oroville. Why not choose a design that in addition to increasing civic pride, will charm and assist in attracting visitors to our City? It *can* be done, and it *should* be done.

My husband and I recently purchased a beautiful, richly historic home on Montgomery. We could have chosen elsewhere, but we fell in love with the home, the neighborhood, Downtown, and all the potential just waiting to be explored here, and we've decided to make Oroville our home and the legacy we leave our son. So many things about Oroville, contrary to its unfortunate and not entirely deserved regional reputation, make us so proud to live here and so immensely protective of our neighborhood. One of the things that was integral to our decision to invest in Oroville was the appearance that the City of Oroville was finally ready to step out of Chico's shadow and craft itself into a welcoming, safe, historically rich and beautiful destination, with Downtown as the largest jewel in its crown. It has been gratifying to meet new families that have moved into the neighborhood of the Historic Overlay, purchased historic homes as my family has, and committed their resources to preserving its amazing heritage, and it was a joy

to meet long-term residents and neighbors that are just as proud of Oroville, and just as passionate about preserving its history and maximizing its potential. The potential Oroville possesses seems dazzling and limitless to me, given its well-preserved, abundant history, innovative and creative businesses, and unsurpassed natural beauty. In fact, I can envision Oroville becoming with careful and intelligent planning over a matter of years, not just a regional destination of choice, but a must visit destination in the great State of California. I respectfully urge the Planning Commission to set the bar high in terms of the character and esthetic value of this Veterans' Housing project as it moves forward. To that end, I would like to quote the City's own words pertaining to the Historic Overlay:

"All of the requirements for the underlying zoning district shall apply in an overlay district, unless otherwise specified in the provisions for the overlay district. If there is a conflict between the provisions for the overlay district and the provisions for the underlying zoning district, the provisions for the overlay district shall prevail...

- **To foster civic pride and a sense of identity based on an appreciation of the City's past and the recognition and use of historic resources.**
- **To enhance the visual character of the City by preserving diverse architectural styles reflecting various phases of the City's history, and by encouraging complementary design and construction for contemporary buildings.**
- **To allow for a diversity of housing types that reflect the traditional scale and character of residential neighborhoods in Downtown Oroville.**
- **To strengthen the economy of the City by protecting and enhancing the City's historic attractions for residents and visitors.**
- **To stabilize and improve property values within the City by protecting areas of historic buildings from encroachment by incompatible design."**

