



**OROVILLE PLANNING COMMISSION/  
HISTORICAL ADVISORY COMMITTEE**

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**March 23, 2023  
REGULAR MEETING  
6:00 PM  
AGENDA**

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**PUBLIC ACCESS AND PARTICIPATION**

To view the meeting or provide comment, please see the options below.

**To Watch or Listen to the Meeting:**

1. Watch live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>
2. Zoom <https://zoom.us/j/99508232402?pwd=aThZc1BsUG9sWnhNYnlwZHZZdFFrQT09>  
Meeting ID: 995 0823 2402 Passcode: 17351735
3. Listen via telephone: 1-669-900-9128  
Meeting ID: 995 0823 2402 Passcode: 17351735

**To Provide Comments:**

1. Email before the meeting by 2:00 PM your comments to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org)
2. Attend in person

**If you would like to address the Commission at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. The Commission has established time limitations of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to one and a half minutes per speaker. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the Commission is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item.**

**CALL TO ORDER / ROLL CALL**

Commissioners: Glenn Arace, Marissa Hallen, Natalie Sheard, Warren Jensen, 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.

### **2. APPROVAL OF THE MINUTES**

The Commission may approve the minutes of February 23, 2023

#### **RECOMMENDATION**

Approve the minutes of February 23, 2023

## 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

### **3. MINOR USE PERMIT UP23-05 FOR THREE GARAGES FOR A PRIVATE VEHICLE COLLECTION AT 1801 MYERS STREET(APN 012-160-055)**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-05 to allow the applicant to construct three domed "Quonset Hut-style" storage buildings for a private hobby vehicle collection.

#### **RECOMMENDATION**

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

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

**Adopt** the recommended Findings for Use Permit No. UP23-05.

**Approve** Use Permit UP23-05 and recommended Conditions of Approval.

**Adopt** Resolution No. P2023-05

**4. MINOR USE PERMIT UP23-03 FOR ALCOHOL SALES AT LUCKYS FOOD AND GAS AT 2301 OROVILLE DAM BOULEVARD EAST**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-03 to allow the applicant to conduct alcohol sales at the existing Luckys Food and Gas at 2301 Oroville Dam Boulevard East.

**RECOMMENDATION**

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

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

**Adopt** the recommended Findings for Use Permit No. UP23-03;

**Approve** Use Permit UP23-03 and recommended Conditions of Approval;

**Approve a Letter of Public Convenience or Necessity, should it be determined by ABC that an overconcentration exists;**

**Adopt** Resolution No. P2023-07

**5. LINKSIDE PLACE 2 SUBDIVISION TENTATIVE MAP EXTENSION #3 (Final)**

The Oroville Planning Commission may consider extending the existing Tentative Subdivision Map for Linkside Place 2 until June 10, 2024.

**RECOMMENDATION**

**Conduct a Public Hearing to consider extending the existing Subdivision Map.**

**Approve the Map extension until April 26, 2024.**

**Adopt** Resolution No. P2023-04 extending the deadline for filing a Final Subdivision Map for TSM 07-04 for one year until June 10, 2024, with the stipulation that approval of the Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.

**6. MINOR USE PERMIT UP23-04 FOR A RESIDENTIAL ADDITION WITH ATTACHED GARAGE TO BE USED FOR A LARGE FAMILY DAY CARE AND FUTURE DAY CARE CENTER**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-04 to allow a residential addition to be used for a large family day care and potential future child day care center.

**RECOMMENDATION**

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

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

**Adopt** the recommended Findings for Use Permit No. UP23-04;

**Approve** Use Permit UP23-04 and recommended Conditions of Approval;

**Adopt** Resolution No. P2023-06

**REPORTS / DISCUSSIONS / CORRESPONDENCE**

1. Commissioner Reports
2. Historical Advisory Commission Reports
3. Staff Reports

**ADJOURN THE MEETING**

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on April 27, 2023 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.



**February 23, 2023**  
**MINUTES**

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This agenda was posted at 4pm on Monday, February 20, 2023. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or on YouTube.

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

Vice Chairperson Jenkins opened the meeting at 6pm.

**PRESENT:** Commissioners: Glenn Arace, Marissa Hallen, Natalie Sheard, Warren Jensen, Vice Chairperson Wyatt Jenkins

**ABSENT:** Chairperson Carl Durling

**STAFF:** Assistant Community Development Director Dawn Nevers, Assistant City Clerk Jackie Glover, Principal Planner Wes Ervin, Assistant Planner Danny Kopshever, Administrative Intern Nancy Lao

## **OPEN SESSION**

Pledge of Allegiance – Led by Vice Chairperson Jenkins

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

There were 0 public speakers at this meeting.

## **CONSENT CALENDAR**

### **2. APPROVAL OF THE MINUTES**

The Planning Commission approved the minutes of January 26, 2023.

Motion by Commissioner Sheard and seconded by Commissioner Hallen to approve the minutes of January 26, 2023. Motion passed.

## **PUBLIC HEARINGS**

### **3. MINOR USE PERMIT UP23-02 FOR AN ADDITION AND NEW DRIVE-THROUGH TO BE USED AS A MEMBER'S ONLY PHARMACY.**

The Oroville Planning Commission reviewed and considered approving Use Permit No. UP23-02 for an addition to an existing building and construction of a new drive-through with associated site improvements at 2145 5th Avenue. Related Projects (B2212-072 & PL2212-010)

Motion by commissioner Jensen and seconded by Commissioner Sheard to adopt the Notice of Exemption 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. UP23-02; and approve Use Permit UP23-02 and recommended Conditions of Approval; and adopt Resolution No. P2023-02. Motion passed.

**4. MINOR USE PERMIT UP23-01 FOR THE CONSTRUCTION OF A NEW 7,800 SQUARE FOOT METAL BUILDING USED FOR OFFICE SPACE AND A WAREHOUSE AT 2640 SOUTH 5TH AVENUE (APN 035-380-060)**

The Oroville Planning Commission reviewed and considered approving Use Permit No. UP23-01 for the construction of a new 7,800 square foot metal building used for office space and warehouse storage serving and adjacent to the North Valley Food Bank at 2640 South 5th Avenue. Project# PL2301-003

Motion by Commissioner Hallen and seconded by Commissioner Jensen to adopt the Notice of Exemption 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. UP23-01; and approve Use Permit UP23-01 and recommended Conditions of Approval; and adopt Resolution No. P2023-01; and waive having the applicant provide a lighting plan. Motion passed.

**5. MINOR USE PERMIT UP23-03 FOR A DRIVE-THROUGH CAR WASH ON FEATHER RIVER BLVD NORTH OF ORO DAM BLVD APN (035-030-109)**

The Oroville Planning Commission reviewed and considered approving Use Permit No. UP23-05 for the construction of a new 3,365 square foot car wash building with associated car wash tunnel, equipment room, and a 660 square foot pay station building with office and restrooms. The project also includes 18 standard vacuum stalls and one van accessible vacuum stall under canopies fitted with solar panels.

Motion by Commissioner Sheard and seconded by Commissioner Arace to adopt the Notice of Exemption 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. UP23-03; and approve Use Permit UP23-03 and recommended Conditions of Approval; and adopt Resolution No. P2023-03. Motion passed.

**REPORTS / DISCUSSIONS / CORRESPONDENCE**

6. Commissioner Reports - None

7. Historical Advisory Commission Reports – Commissioner Sheard requested Daniel Ballard provide a presentation on the Ghianda Residence. Daniel Ballard presented on the Ghianda Residence.

Commissioner Sheard and Commissioner Jensen requested staff speak with the property owner about a potential future monument honoring the Ghianda residence.

8. Staff Reports

- Ervin – Provided and update on current and upcoming projects that the department is working on.
- Glover – Spoke about the Sam Norris Award, Your Voice of the Arts Award, Training, and the Form 700

# ADJOURN THE MEETING

Vice Chairperson Jenkins adjourned the meeting at 7pm.

APPROVED:

ATTESTED:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### PLANNING COMMISSION STAFF REPORT

Thursday, March 23, 2023

**RE: Minor Use Permit UP23-05 for three garages for a private vehicle collection at 1801 Myers Street (APN 012-160-055)**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-05 to allow the applicant to construct three domed “Quonset Hut-style” storage buildings for a private hobby vehicle collection.

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

1. **Conduct a Public Hearing** on the proposed project.
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-05.
4. **Approve** Use Permit UP23-05 and recommended Conditions of Approval.
5. **Adopt** Resolution No. P2023-05

**APPLICANT:** Dr. Steve Horn Comprehensive Care

**LOCATION:** 1801 Myers Street, Oroville, California (APN 012-160-055)

**GENERAL PLAN:** MU (Mixed Use)  
**ZONING:** MXD (Downtown Mixed Use)  
**FLOOD ZONE:** Zone X

**Trakit#** PL2302-015, B2302-096, 097, 098

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

**REPORT PREPARED BY:**

**REVIEWED BY:**

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

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



## DISCUSSION

The applicant has applied for a Minor Use Permit to construct three storage buildings of 1,006, 1,006, and 705 square feet respectively at 1801 Myers Street. The applicant intends to store a vehicle and hobby collection in the buildings and to do minor maintenance. The parcel will not be open to the public. Each unit includes a bathroom, with the central building having an Accessible bathroom. Applicant has confirmed that none of the buildings will be open to the public or used for residential or commercial purposes.

The property has a zoning designation of Downtown Mixed Use (MXD), which allows Parking garages or lots with a Use Permit per OMC Table 17.34.020-1.

In addition to the initial application, applicant attended the March 9, 2023 Development Review Committee meeting where he provided a hand drawn site plan with information staff requested for a complete Use Permit application.

Regarding building design, the parcel is just outside the Downtown Historic Overlay, and therefore is not technically required to use the “Turn-of-the-Century” theme in building design. However, the three Quonset-hut style buildings are unlike any of the neighboring structures, so staff has been reassured that the project will not be incompatible with the surrounding buildings. The structures are mentioned as “galvanized steel”. Though the sides of the buildings will remain metallic in color, they will not be shiny or easily visible from neighboring parcels. The fronts of the buildings will be fully decorated and painted. Relevant guidelines from Oroville’s Design Guidelines include:

### **Compatibility**

**2.2.1** Commercial development should be compatible with surrounding land uses from both a functional and aesthetic standpoint.

**2.2.2** Buildings should be compatible with the height, massing, setback, and design character of surrounding uses. New development should contribute to the visual quality and cohesiveness of its setting but need not imitate or mimic adjacent development.

### **2.3 Adjacent Views**

**2.3.1** Commercial development should not create unattractive views from neighboring uses by orienting blank building walls toward neighbors. Any visible building walls should incorporate architectural elements to create visual interest.

Applicant has simultaneously submitted the building plan set which can be approved after the Use Permit is approved. Relevant building review items include:

1. Detailed Landscape and irrigation plans will be needed prior to approval of the Building Plan set. Because of the small size of the landscaped area, the plans will not need to be completed by a licensed landscape architect, nor will WELO standards be required.
2. Parking spaces – (1 space per 1,000 s.f.) per OMC Table 17.12.070-1. The minimum 4 required spaces have been delineated on the new site plan. An accessible space is NOT required since this facility is not open to the public.

3. A civil drawing detailing site drainage will be required prior to approval of the Building Plan set.
4. The required external lighting plan was not provided, but applicant provided the type of lighting to be mounted on each building, which will not affect adjacent properties.
5. Plans show 4 feet between buildings and three feet at the side concrete block wall, which is acceptable to the Building Department.
6. The nearest hydrant (yellow) is located at the northwest corner of Kitrick and Myers, close enough for adequate fire service.
7. All trash will all be collected within the private buildings and emptied regularly. A trash enclosure is not required.
8. The Building Dept will require that the plans show how water and electricity will be brought into each building.
9. Tthe applicant will pave the encroachment entrance with a flagstone pattern.

### **FISCAL IMPACT**

None. The project is subject to all customary fees.

### **PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 500 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

## **PROPOSED CONDITIONS OF APPROVAL**

### **General Conditions**

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in

such a manner, and with such frequency, to ensure the public health, safety and general welfare.

4. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
5. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
6. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
7. The applicant shall ascertain and comply with the requirements of all of City, County, State, Federal, and other local agencies as applicable to the proposed project.
8. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
9. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
10. 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.
11. The applicant or property owner shall apply for the proper permits as required by OMC Chapter 17.20 prior to any new signage being erected.
12. No more than 25% of any window area shall be covered with signs. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
13. Any roof mounted or ground placed utilities (HVAC, generators, etc.) shall include an architecturally compatible method of screening. This can include

- screening by landscaping or a decorative fence for ground placed utilities.
14. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
  - ~~15. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use. Not required.~~
  - ~~16. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief. Not required.~~
  17. 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.
  18. 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.
  19. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
  20. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
  21. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public.

### **Specific Project Permit Conditions**

1. If any business is ever conducted on the site, the applicant shall annually pay for and obtain a City of Oroville business license and obtain an amended Use Permit.
2. Prior to building plan approval, applicant must submit landscaping plans to be approved by the Director of Parks and Streets.
3. 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.
4. Signage is not included in this Use Permit. Any signage will require a new building permit submittal.

5. The quantity, locations and striping of all primary and shared parking shall be shown in the building plans upon permit submittal.
6. Applicant has stated that this property is used for private storage purposes and not for any commercial or residential purpose. If the use changes in any way, new Occupancy or Use Permit will be required.

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

**ATTACHMENTS**

1. Application Package
2. Hand drawn site plan presented at March 9 DRC meeting
3. Resolution P2023-05
4. Notice of Exemption (CEQA)



# City of Oroville

Planning Division - Community Development Department

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

Item 3.

TRAKIT#: **PL2302-015**

## USE PERMIT APPLICATION

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

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

### PROJECT PLANS

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

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

### CLASSIFICATION

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

### APPLICANT'S SIGNATURE

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

Signature:  Date: *2-22-23*

### OFFICE USE ONLY

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

**PROJECT DESCRIPTION**

Present or Previous Use:

*None*

Proposed Use:

*Personal Hobbie Storage*

Detailed Description:

*3 prefabricated metal buildings to be used for personal hobbie storage by the owner.*

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

Technology cost recovery fees are non-refundable



# City of Oroville

Planning Division - Community Development Department

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

Item 3.

TRAKIT#: **PL2302-015**

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>		Project's:	<i>Personal hobbie Storage</i>
Name:	<i>Dr. Steve Horn Comprehensive Care</i>	Name:	<i>Steve Horn</i>
Address:	<i>1877 Meyers St</i>	Company:	<i>Comprehensive Care</i>
Phone:	<i>530-518-7085</i>	Address:	<i>1801 Meyers St</i>
Email:	<i>drshhorne@yahoo.com</i>	Phone:	<i>530-518-7085</i>
Is the applicant the Owner?	<input checked="" type="checkbox"/> If applicant is <b>Not</b> the owner, please provide owner /agent authorization on the reverse side.	Email:	<i>drshhorne@yahoo.com</i>

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

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

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

<b>PROJECT INFORMATION</b>			
Project Name:	<i>Personal Hobbie Storage</i>	Proposed Structure(s) (Sq Ft.):	<i>1006', 1006', 725'</i>
Address:	<i>1801 Meyer St</i>	Existing Structure(s) (Sq Ft.):	<i>0</i>
Nearest Cross Street:	<i>Kitrick</i>	Water Provider:	<i>Cal - Water</i>
Assessor Parcel Number:	<i>012-160-055</i>	School District:	<i>OEUSD</i>
Lot Size (Acres):	<i>0.20 acres</i>	Number of Dwelling Units:	<i>3</i>

<b>APPLICANT'S SIGNATURE</b>	
I hereby certify that the information provided in this application is, to my knowledge, true and correct.	
Signature:	<i>[Signature]</i>
Date:	<i>2-22-23</i>

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



### AGENT AUTHORIZATION

To the City of Oroville, Department of Community Development

NAME OF AGENT:		PHONE NUMBER:	
COMPANY NAME:		EMAIL:	
ADDRESS:		CITY/ST/ZIP:	

AGENT SIGNATURE:

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

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

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

1)	<u>Steve Horn</u> Print Name of Owner	 Signature of Owner	<u>2/22/23</u> Date
2)	_____ Print Name of Owner	_____ Signature of Owner	_____ Date
3)	_____ Print Name of Owner	_____ Signature of Owner	_____ Date
4)	_____ Print Name of Owner	_____ Signature of Owner	_____ Date
	_____ Owner's Mailing Address	_____ Owner's Email	_____ Owner's Phone #

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

Technology cost recovery fees are non-refundable

02/22/2023

RE; Building permit Application(s) and Use Permit Application(s)  
APN: #012160055  
1801 Myers St.  
Oroville, Ca. 95966

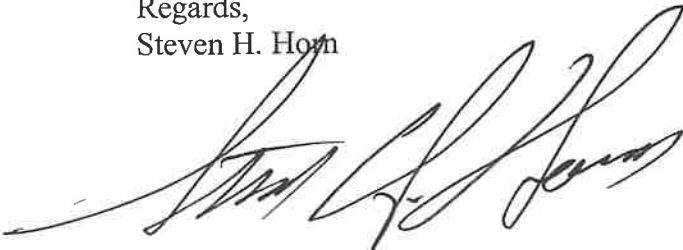
To Whom It May Concern;

Please accept this letter as conformation that I, Steven H. Horn have requested that Chuck Reynolds is to submit To the City of Oroville , by proxy, 3 Building Permits, as well as 3 Use Permit Applications, relating to APN# 012160055, 1801 Myers St. Oroville, Ca.95966.

B2302-98  
B2302-97  
B2302-96

PL2302-015  
PL2302-15

Regards,  
Steven H. Horn



2/22/23



# City of Oroville

Building Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2401 - FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: B2302-096

## BUILDING PERMIT APPLICATION

Please keep in mind, if you are planning an improvement, you need to check with your local homeowner's association, and architectural review committee for Conditions, Covenants, & Restrictions (CC&R's). The City of Oroville has no regulatory authority to neither enforce or notify applicants of CC&R requirements nor deny permits for non-compliance. *Permit applications expire 180 days after last activity unless an extension is applied for and granted.*

JOB SITE INFORMATION & LOCATION		CONTRACTOR AND/OR AUTHORIZED AGENT INFO	
APN:	<u>012160055</u>	Name:	
Address:	<u>1801 Meyers St,</u>	Address:	
<b>TYPE OF WORK</b>		City/State/ZIP:	
<input type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Deck/Patio	Phone:	Fax:
<input checked="" type="checkbox"/> Electrical/Plumbing /Mechanical*	<input type="checkbox"/> Demolition	Email:	
<input type="checkbox"/> New Single-Family	<input type="checkbox"/> Garage	<b>LICENSED CONTRACTOR'S DECLARATION</b>	
<input type="checkbox"/> New Commercial/Commercial TI	<input type="checkbox"/> Remodel	I hereby affirm <i>under penalty of perjury</i> that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.	
<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Re-roof*	LICENSE NUMBER:	
<input type="checkbox"/> Sign	<input type="checkbox"/> Solar	CLASS:	EXPIRATION DATE:
<input checked="" type="checkbox"/> Other: <u>1 Metal Prefabricated Bldg</u>		<b>OFFICE USE ONLY</b>	
Complete Description of Work: <u>Par Concrete Slab, then erect 1 prefabricated metal building with plumbing and electrical</u>		<b>PERMIT SUBMITTAL FEES</b>	
		Building Plan Review Fee	<u>357.50</u>
		Energy Plan Review Fee	<u>83</u>
		Fire Plan Review Fee	<u>71.50</u>
		Tech. Cost Recovery Submittal Fee	<u>40.80</u>
		Geo/Cal Green Sign Permit: Building Plan Review Fee	<u>168</u>
		Planning Sign Plan Review Fee	
		Check#	Total \$ <u>720.80</u>
		Cash <input type="checkbox"/> CC <input type="checkbox"/>	
<b>TYPE OF STRUCTURE</b>		<b>PERMIT ISSUANCE FEES</b>	
<input type="checkbox"/> Accessory Building	<input type="checkbox"/> Commercial/Industrial	Building/Electrical/Plumbing/Mechanical	
<input type="checkbox"/> Duplex/Multifamily	<input type="checkbox"/> Single-Family Dwelling	Fire Fees	
<input checked="" type="checkbox"/> Other: <u>Personal Hobbie Storage</u>		Green Fee	
CONSTRUCTION VALUATION: <u>46,808.40</u>		Development Impact Fees	
Commercial/Industrial sq. ft.: <u>705</u>		Strong Motion Fee	
Livable sq. ft.:		Tech. Cost Recovery Issuance Fee	
Garage sq. ft.:		Check#	Total \$
Deck/Patio sq. ft.:		Cash <input type="checkbox"/> CC <input type="checkbox"/>	
<b>PROPERTY OWNER</b>		*Additional paperwork to be completed prior to issuance	
Name:	<u>Dr. Steve Horn</u>		
Address:	<u>1877 Meyers St</u>		
City/State/ZIP:	<u>Oroville, Ca 95966</u>		
Phone:	<u>518-7085</u> Fax:		
Email:	<u>dshhorn@yahoo.com</u>		



# City of Oroville

Building Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2401 - FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: B2302-097  
 master Bldg

## BUILDING PERMIT APPLICATION

Please keep in mind, if you are planning an improvement, you need to check with your local homeowner's association, and architectural review committee for Conditions, Covenants, & Restrictions (CC&R's). The City of Oroville has no regulatory authority to neither enforce or notify applicants of CC&R requirements nor deny permits for non-compliance. *Permit applications expire 180 days after last activity unless an extension is applied for and granted.*

JOB SITE INFORMATION & LOCATION		CONTRACTOR AND/OR AUTHORIZED AGENT INFO	
APN:	<u>012160055</u>	Name:	
Address:	<u>1801 Meyer St.</u>	Address:	
<b>TYPE OF WORK</b> <input type="checkbox"/> Addition/Alteration <input checked="" type="checkbox"/> Electrical/Plumbing /Mechanical* <input type="checkbox"/> New Single-Family <input type="checkbox"/> New Commercial/Commercial-TI <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Sign <input checked="" type="checkbox"/> Other: <u>1 Metal Prefabricated Bldg</u>		City/State/ZIP:	
		Phone:	Fax:
<input type="checkbox"/> Deck/Patio <input type="checkbox"/> Demolition <input type="checkbox"/> Garage <input type="checkbox"/> Remodel <input type="checkbox"/> Re-roof* <input type="checkbox"/> Solar		<b>LICENSED CONTRACTOR'S DECLARATION</b> I hereby affirm <i>under penalty of perjury</i> that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.	
Complete Description of Work: <u>Pour Concrete Slab, then erect 1 prefabricated metal building with plumbing and electrical</u>		LICENSE NUMBER:	
<b>TYPE OF STRUCTURE</b> <input type="checkbox"/> Accessory Building <input type="checkbox"/> Duplex/Multifamily <input checked="" type="checkbox"/> Other: <u>Personal Hobbie Storage</u>		CLASS:	EXPIRATION DATE:
Commercial/Industrial sq. ft.: <u>1006</u> Livable sq. ft.: Garage sq. ft.: Deck/Patio sq. ft.:		<b>OFFICE USE ONLY</b> <b>PERMIT SUBMITTAL FEES</b>	
CONSTRUCTION VALUATION: <u>166,818.88</u>		Building Plan Review Fee <u>474.50</u> Energy Plan Review Fee <u>83</u> Fire Plan Review Fee <u>94.90</u> Tech. Cost Recovery Submittal Fee <u>50.81</u> Geo/Cal Green Other <u>194.50</u> Sign Permit: Building Plan Review Fee Planning Sign Plan Review Fee	
<b>PROPERTY OWNER</b> Name: <u>Dr. Steve Horn</u> Address: <u>1877 Meyer St.</u> City/State/ZIP: <u>Oroville, Ca. 95966</u> Phone: <u>518-7085</u> Fax: Email: <u>dshhorn@yahoo.com</u>		Check#	Total \$ <u>897.71</u>
		Cash <input type="checkbox"/>	CC <input type="checkbox"/>
		<b>PERMIT ISSUANCE FEES</b>	
		Building/Electrical/Plumbing/Mechanical Fire Fees Green Fee Development Impact Fees Strong Motion Fee Tech. Cost Recovery Issuance Fee	
		Check#	Total \$
		Cash <input type="checkbox"/>	CC <input type="checkbox"/>

\*Additional paperwork to be completed prior to issuance



# City of Oroville

Building Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2401 - FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

TRAKIT#: B2302-098

## BUILDING PERMIT APPLICATION

Please keep in mind, if you are planning an improvement, you need to check with your local homeowner's association, and architectural review committee for Conditions, Covenants, & Restrictions (CC&R's). The City of Oroville has no regulatory authority to neither enforce or notify applicants of CC&R requirements nor deny permits for non-compliance. *Permit applications expire 180 days after last activity unless an extension is applied for and granted.*

JOB SITE INFORMATION & LOCATION		CONTRACTOR AND/OR AUTHORIZED AGENT INFO	
APN:	012160055	Name:	
Address:	1801 Meyers St.	Address:	
<b>TYPE OF WORK</b>		City/State/ZIP:	
<input type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Deck/Patio	Phone:	Fax:
<input checked="" type="checkbox"/> Electrical/Plumbing /Mechanical*	<input type="checkbox"/> Demolition	Email:	chuck.reynolds@comcast.net
<input type="checkbox"/> New Single-Family	<input type="checkbox"/> Garage	<b>LICENSED CONTRACTOR'S DECLARATION</b>	
<input type="checkbox"/> New Commercial/Commercial-TI	<input type="checkbox"/> Remodel	I hereby affirm <i>under penalty of perjury</i> that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.	
<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Re-roof*	LICENSE NUMBER:	
<input type="checkbox"/> Sign	<input type="checkbox"/> Solar	CLASS:	EXPIRATION DATE:
<input checked="" type="checkbox"/> Other:	1 Metal Prefabricated Metal Bldg	<b>OFFICE USE ONLY</b>	
Complete Description of Work: Pour Concrete Slab, then erect 1 prefabricated metal building with plumbing & electrical		<b>PERMIT SUBMITTAL FEES</b>	
		Building Plan Review Fee	85
		Energy Plan Review Fee	
		Fire Plan Review Fee	
		Tech. Cost Recovery Submittal Fee	5.10
		Other	
<b>TYPE OF STRUCTURE</b>		Sign Permit: Building Plan Review Fee	
<input type="checkbox"/> Accessory Building	<input type="checkbox"/> Commercial/Industrial	Planning Sign Plan Review Fee	
<input type="checkbox"/> Duplex/Multifamily	<input type="checkbox"/> Single-Family Dwelling	Check#	Total \$ 88590.10
<input checked="" type="checkbox"/> Other:	Personal Hobbie Storage	Cash <input type="checkbox"/>	CC <input type="checkbox"/>
<b>CONSTRUCTION VALUATION:</b>		<b>PERMIT ISSUANCE FEES</b>	
Commercial/Industrial sq. ft.:	1006	Building/Electrical/Plumbing/Mechanical	
Livable sq. ft.:		Fire Fees	
Garage sq. ft.:		Green Fee	
Deck/Patio sq. ft.:		Development Impact Fees	
<b>PROPERTY OWNER</b>		Strong Motion Fee	
Name:	Dr. Steve Horn	Tech. Cost Recovery Issuance Fee	
Address:	1877 Meyer St.	Check#	Total \$
City/State/ZIP:	Oroville, Ca. 95964	Cash <input type="checkbox"/>	CC <input type="checkbox"/>
Phone:	538-7085	*Additional paperwork to be completed prior to issuance	
Email:	deshhorn@yahoo.com		

## RESOLUTION NO. P2023-05

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. UP23-05 PERMITTING A NEW PRIVATE GARAGE PROJECT AT 1801 MYERS STREET (APN 012-060-055).**

**WHEREAS**, the City of Oroville staff recommends approving a new three-building private garage development proposed by the applicant, Dr. Steve Horn Comprehensive Care; and

**WHEREAS**, per the City of Oroville Municipal Code (OMC) The property has a zoning designation of Downtown Mixed Use (MXD) and a General Plan Land Use designation of Mixed Use (MU), and

**WHEREAS**, OMC Table 17.34.020-1 specifies that a parking lot or garage as a primary use requires a use permit, and as a condition of approval, the applicant will be required to comply with all requirements of the City's Zoning Code as found in the OMC Chapter 17, including, but not limited to, development standards, permit requirements and development review; and

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

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."
2. The Planning Commission approves the findings required by OMC 17.48.010 for use permits, as those findings are described in this Resolution to move forward to the Oroville City Council for final review and approval.
3. The Planning Commission approves Use Permit # UP23-05 with the conditions described in the March 23, 2023, staff report.

## FINDINGS

### **Use Permit No. UP 25-05**

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

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

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

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

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

*The proposed private garage project is located on Myers Street in a quiet area near several like-sized commercial activities and some residences. This proposed location is suitable relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.*

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

*The site is previously developed with all existing utilities available. Power is provided by PG&E, telephone by AT&T, cable by Comcast, sewer by the City of Oroville, and water by the California Water Service Company (Cal Water). The proposed development will be required to pay all applicable development impact fees and be constructed according to current engineering, development and building code standards. Prior to the issuance of final building occupancy, the Building Division will inspect all on-site improvements and the Engineering Division will inspect all off-site improvements to ensure improvements were completed as identified on the city approved plans for issuance of building permits and other development related permits as applicable. If at the time of inspection any inadequacies in water, sanitation or utilities that are required to be supplied to the site are found, the applicant will be required to make the site adequate prior to the issuance of the certificate of occupancy.*

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

*The proposed project is surrounded by a mix of existing urban properties with most Zoned Downtown Mixed-Use (MXD). The City requires a use permit for parking garages as a primary use in this Zone.*

*In the event the project results in any unforeseen adverse effects, pursuant to section 17.48.010(F) of the Zoning Code, the Planning Commission may take action to revoke a use permit if any of the following occur: any of the conditions of approval have not been satisfied within 1 year after it was granted; any of the terms or conditions of the permit have been violated; a law, including any requirement in the Zoning Code, has been violated in connection with the permit; and finally, if the permit was obtained by fraud.*

*Thus, it has been determined that the location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.*

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

*The applicant has submitted a set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed. Almost all activities will occur inside with minimal noise or disturbance.*

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



*The location supports the goals of the City’s General Plan and the size, intensity, and location of the proposed use will add a desirable land use for the neighborhood and community as a whole.*

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

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

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 23<sup>rd</sup> of March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



REVISIONS	BY
12-15-22	
1-5-23	
2-15-23	

CITY OF OROVILLE  
BUILDING DEPARTMENT  
FEB 23 2023  
RECEIVED

THIS IS A PLAN CHANGE FOR AN EXISTING PERMIT.  
THIS PLAN IS A COVER SHEET FOR AN MANUFACTURED METAL BUILDING.  
IT CONSISTS OF A SCOPE OF WORK, SITE MAP AND ELECTRICAL.  
FOUNDATION PLANS ARE PER MANUFACTURER'S DESIGN. STEM WALL DESIGN BY ENGINEER. ALL WOOD FRAMING IS NON-BEARING PARTITION. SEE PLANS BY MANUFACTURER FOR BUILDING DETAILS, SHEETS 4-7.

**Scope of Work:**  
The project is (3) new detached manufactured metal buildings. The metal buildings shall be Type-U shops for personal use. Bathrooms shall be provided with non-structural partition framing by builder.

Building A (P22-16) shall be built on a masonry stem wall per the engineered detail and structural calcs, see sheet 3.

The 2019 CRC, CBC (structural only), CPC, CEC, Calif. Energy Code, and Calif. Green Buildings Standards Code are applicable to this project.

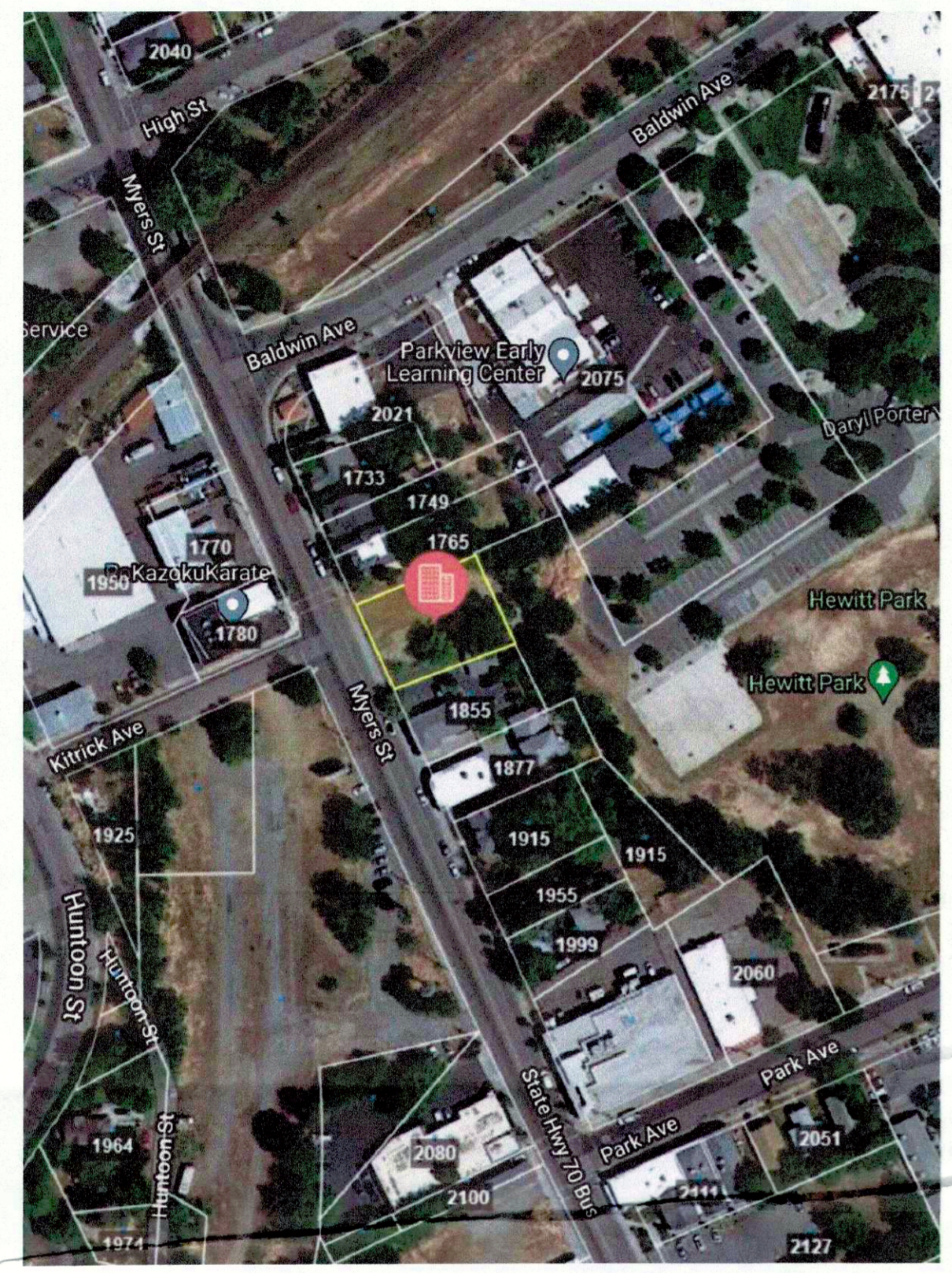
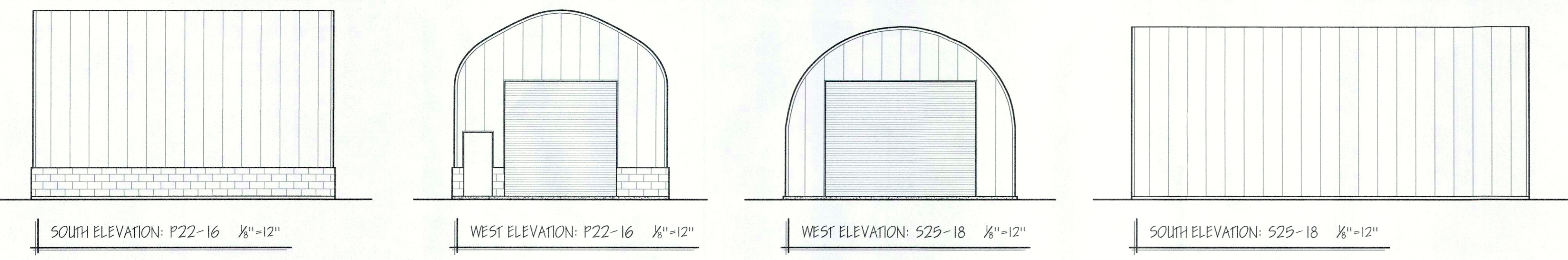
**ATTACHMENTS TO THIS PLAN INCLUDE :**  
METAL BUILDING PLANS BY MANUFACTURER.  
STEM WALL CALCULATIONS BY ENGINEER.

**Design:**  
New Construction.  
Seismic Design Category: SDC-D<sub>0</sub>  
Wind design speed = 110 mph - 3 second wind gust Exposure B  
Roof = 20 LL / 14 DL psf. Snow = 0 psf (Elevation: ±1300')  
Floor = 40 LL / 20 DL psf.  
Foundation allowable bearing = 2000psf

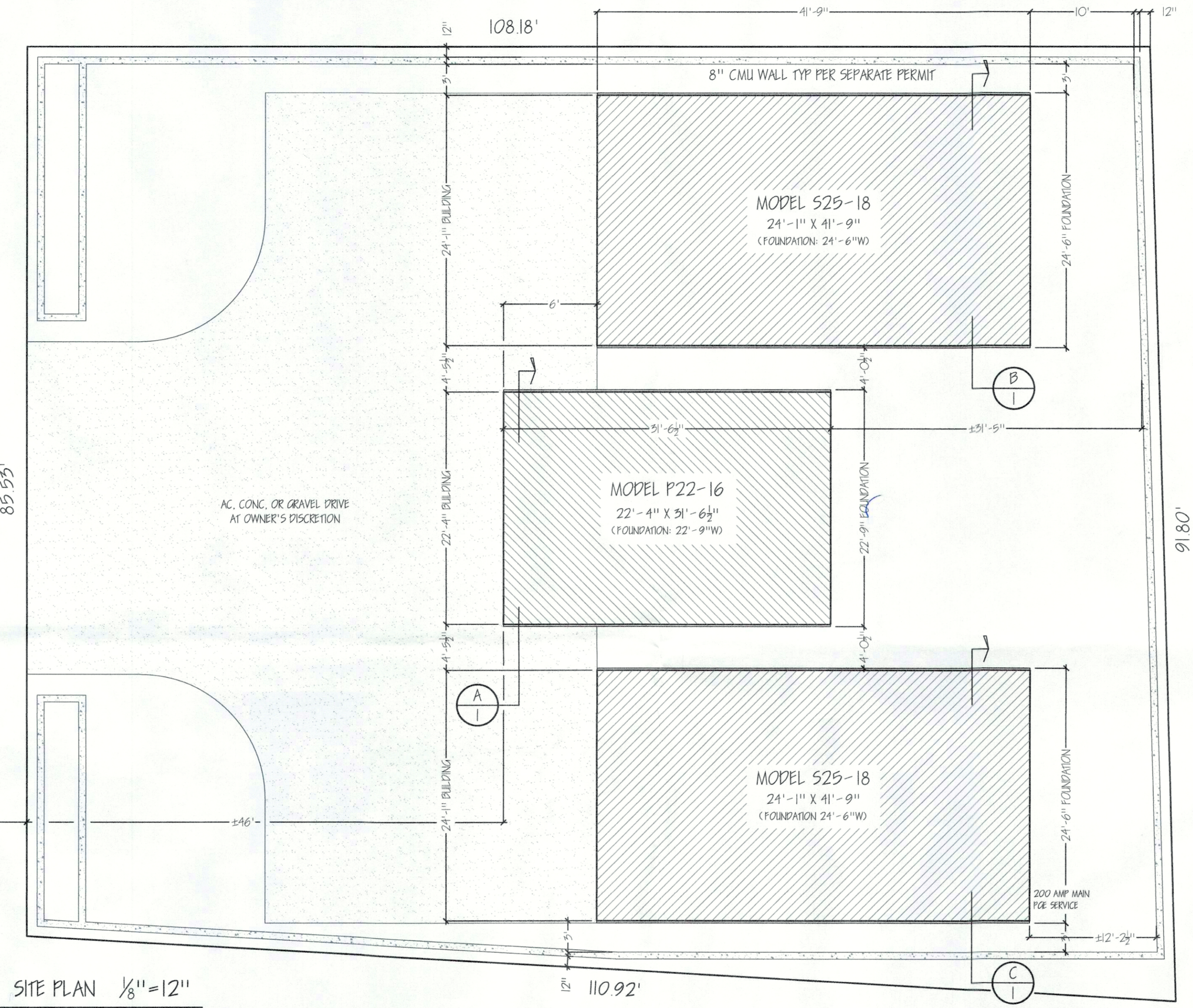
Specific Use	Occupancy Type	Type of Construction	Building Sq Ft
Shop [S25]	U	V-B	1006
Shop [S25]	U	V-B	1006
Shop [P22]	U	V-B	705

- GENERAL NOTES:**
- ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE 2019 CALIF. RESIDENTIAL CODE AS WELL AS ANY APPLICABLE MUNICIPAL, STATE, AND FEDERAL REGULATIONS.
  - THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS AT THE JOB SITE PRIOR TO COMMENCING WORK AND NOTIFY DESIGNER OF ANY DISCREPANCIES OR INCONSISTENCIES. THE DESIGNER SHALL APPROVE ANY ADJUSTMENTS TO THE PLAN.
  - FOR ANY CERTAIN FEATURES OF CONSTRUCTION AND FINISH THAT ARE NOT FULLY SHOWN ON THESE DRAWINGS OR NOTES, THEIR CONSTRUCTION SHALL BE SIMILAR TO CONDITIONS THAT ARE SHOWN.  
ALL FINISHES SHALL BE VERIFIED WITH OWNER.
  - DIMENSIONS NOTED AS "CLR." ARE MIN. CLEARANCE AND MUST BE MAINTAINED AS NET CLEARANCE.
  - ALL WEATHER PROOFING & FLASHING IS THE RESPONSIBILITY OF THE BUILDER.

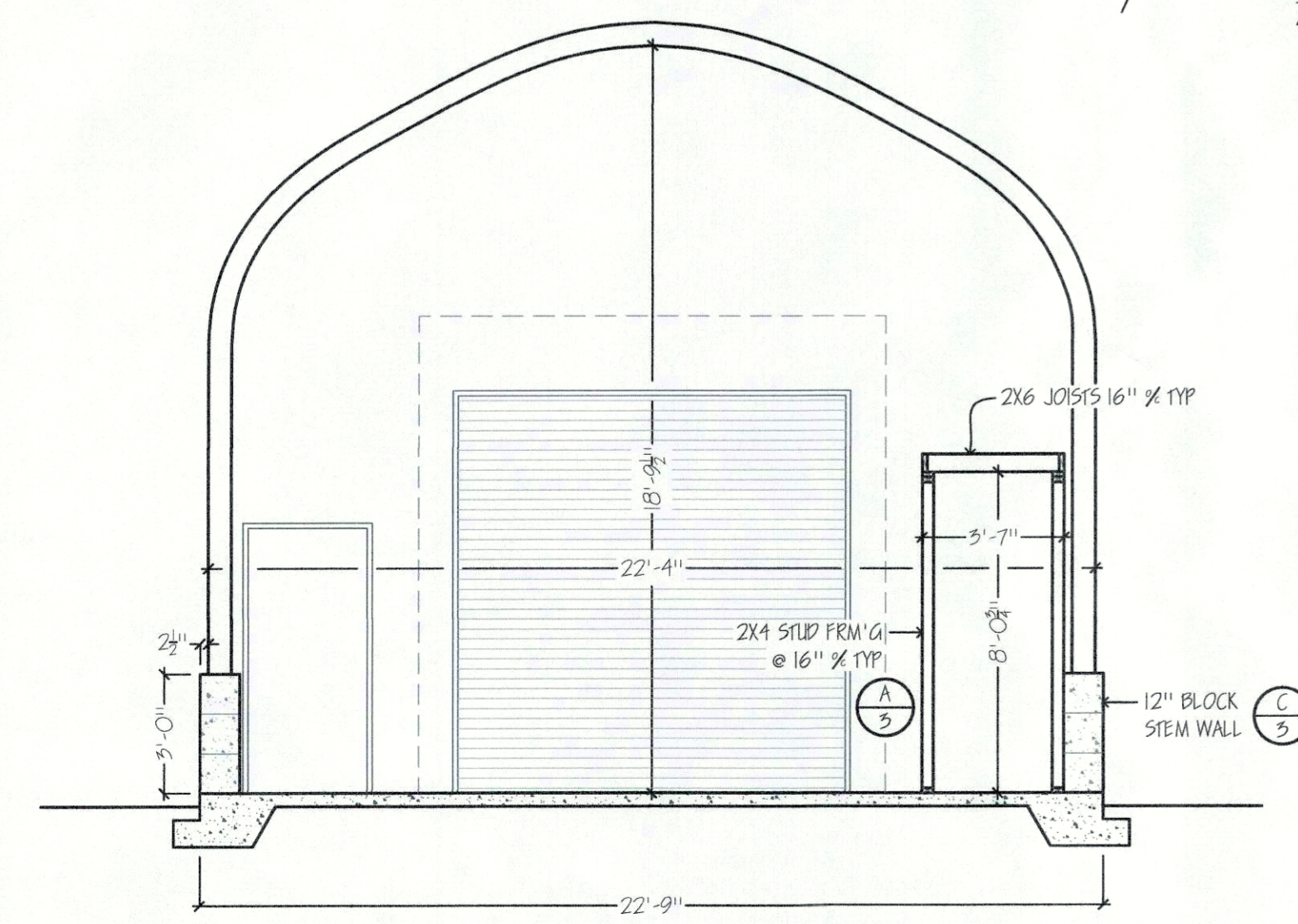
**ABBREVIATIONS:**  
UNO= UNLESS NOTED OTHERWISE.  
N= NEW, E= EXISTING, TYP=TYPICAL.  
NTS= NOT TO SCALE.  
APE= AS PER EXISTING.  
CLR= MINIMUM CLEARANCE.  
PL= PLATE LINE, HDR= HEADER.  
FG= FINISH GRADE.  
FF= FINISH FLOOR LEVEL.  
CONT.= CONTINUOUS.  
PW= PLY WOOD.  
ENPW= EDGE NAIL PLY WOOD PER NOTES.  
BLKG=BLOCKING, SB=SOLID BLOCKING.  
SF= SOLID FRAMING TO FOUNDATION.  
GE= GABLE END, GV= GABLE VENT.  
FV= FOUNDATION VENT, VA= VENTED ACCESS.  
T&B= TOP & BOTTOM.  
SC= SOLID CORE / SELF CLOSE / SELF LATCH (FIRE SEPARATION)  
CAR= COLD AIR RETURN.  
NG= NATURAL GAS SERVICE.  
PGE= ELECTRICAL SERVICE.



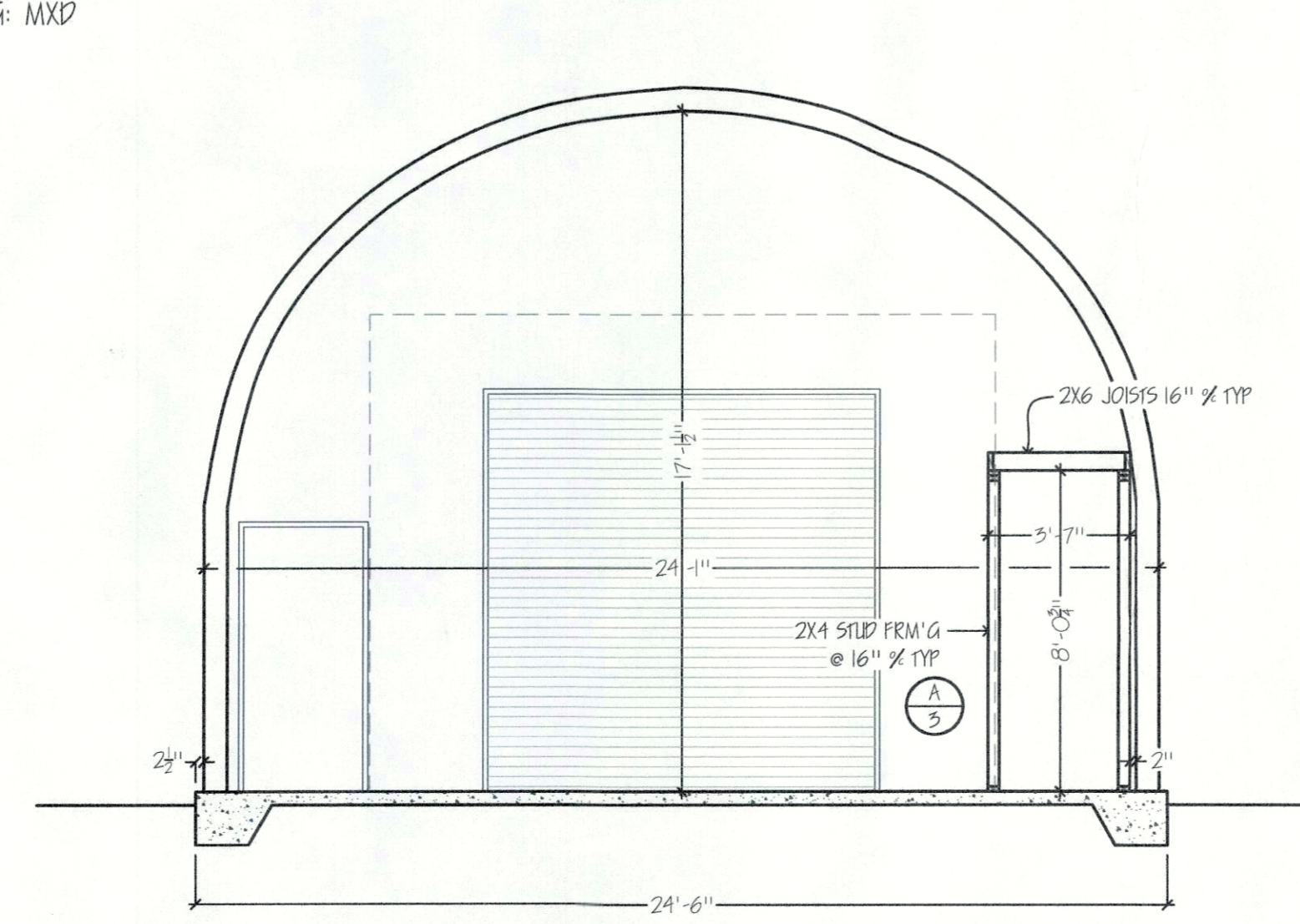
VICINITY MAP NTS



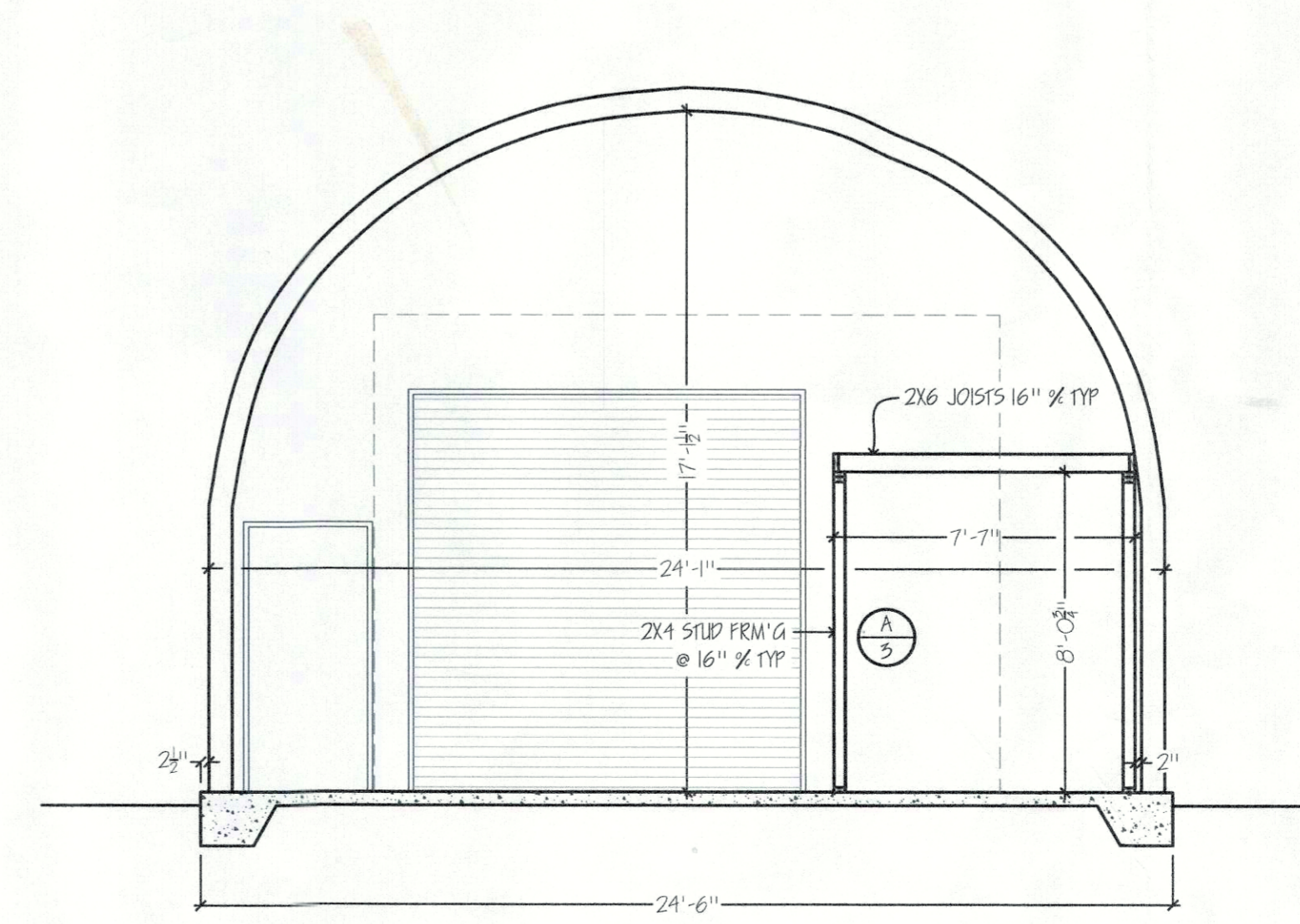
SITE PLAN 1/8"=12"  
ZONING: MXD



A SECTION: P22-16 1/4"=12"



B SECTION: S25-18 1/4"=12"



C SECTION: S25-18 1/4"=12"

**SHEET INDEX:**

SHEET 1:	SITE MAP, SCOPE OF WORK, SECTIONS.
SHEET 2:	FLOOR PLANS w/ ELECTRICAL, ELECTRICAL & LIGHTING NOTES.
SHEET 3:	FOUNDATION PLANS & NOTES.
SHEET 4:	P22-16 PLANS BY MANUFACTURER.
SHEET 5:	P22-16 PLANS BY MANUFACTURER.
SHEET 6:	S25-18 PLANS BY MANUFACTURER.
SHEET 7:	S25-18 PLANS BY MANUFACTURER.

1453 Downer St, Suite D  
Oroville, CA 95965  
(530) 535-1510  
design@hshomedesign.com

**HIS**  
DESIGN  
SOLUTIONS

SHEET 1: SITE MAP, SCOPE OF WORK, SECTIONS.

PLANS FOR METAL BUILDINGS  
COMPREHENSIVE MANAGEMENT INC  
MYERS ST.  
OROVILLE, CA 95966  
APN: 012-160-055

DRAWN  
G. HENDERSON

DATE  
12-5-22

SCALE  
1/8"=12" UNO

JOB NO.  
21-1207

SHEET  
SEVEN SHEETS

REVISIONS	BY

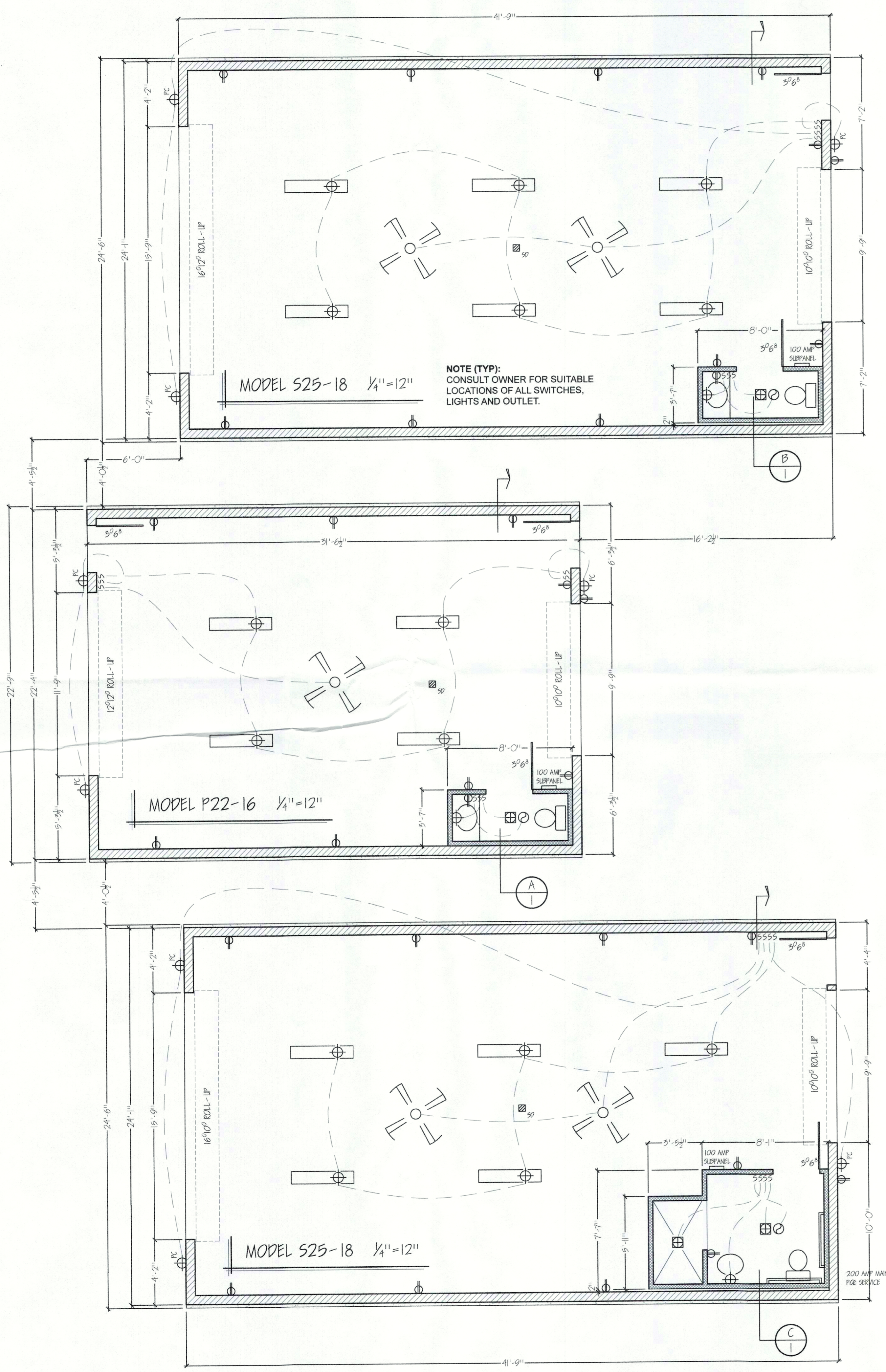
1463 Downer St. Suite D  
Oroville, CA 95965  
(530) 533-1510  
design@hshomesdesign.com

**HIS**  
DESIGN  
PLANS

SHEET 2: FLOOR PLANS w/ ELECTRICAL, ELECTRICAL & LIGHTING NOTES.

PLANS FOR METAL BUILDINGS  
COMPREHENSIVE MANAGEMENT INC  
MYERS ST.  
OROVILLE, CA 95966  
APN: 012-160-055

**DRAWN**  
G. HENDERSON  
**DATE**  
12-5-22  
**SCALE**  
1/4"=12" UNO  
**JOB NO.**  
21-1207  
**SHEET**  
2  
G.H.  
**OF SEVEN SHEETS**



**ELECTRICAL NOTES:**  
PROVIDE APPROVED OVERHEAD SERVICE FROM EXISTING POLE TO 200 AMP MAIN SERVICE AT SOUTHEAST CORNER. PROVIDE 100 AMP SUBPANELS AT EACH METAL BUILDING BY APPROVED UNDERGROUND.  
1. ELECTRICAL WORK IN BATHROOMS SHALL BE CONCEALED. ALL ELECTRICAL WORK IN SHOP SHALL BE IN CONDUIT. INSTALLED CONDUITS MAY BE EMT OR FLEXIBLE WITH STEEL COMPRESSION TYPE OR SET SCREW FITTING. INSTALL ALL CONDUITS IN ACCORDANCE WITH NECA STANDARDS OF INSTALLATION.  
2. OUTLET BOXES ARE APPROVED INTERIOR ONE PIECE STAMPED GALV STEEL BOXES. SWITCHES AND OUTLETS: 48" MAX TOP OF BOX ABOVE FLOOR.  
3. ALL DEVICE PLATES SHALL BE STANDARD GRADE.  
4. ALL MATERIAL AND EQUIPMENT IS TO BE LISTED AND INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND CEC.  
5. ALL SWITCHES TO BE SPECIFICATION GRADE 20AMP AC.  
6. ALL 4-PLEX RECEPTACLES SHALL BE TAMPER RESISTANT SPEC GRADE 20 AMP AC.  
7. ISOLATED GROUND RECEPTACLES SHALL BE WITH GROUND WIRE CONNECTED DIRECTLY TO MAIN GROUND BUSS.  
8. PROVIDE GFCI FOR ALL PLUGS.  
9. ANY OUTSIDE PLUGS SHALL BE WP/GFI (WATER PROOF, GROUND FAULT PROTECTED) CEC406.9 (A),(B).  
10. SHOP OUTLETS SHALL HAVE A DEDICATED 20 AMP BRANCH CIRCUIT NOT SUPPLYING LIGHTS, OR OTHER NON-SHOP OUTLETS.  
11. BATHROOMS SHALL HAVE 20AMP DEDICATED OUTLET NOT SUPPLYING FAN, LIGHTS, OR OTHER OUTLETS.  
12. ALL LIGHTING WILL COMPLY WITH 2019 CA. ENERGY CODE. SEE ADDITIONAL LIGHTING NOTES BELOW.  
13. PERFORM ALL WORK IN ACCORDANCE W/ THE 2019 CALIF. ELECTRICAL CODE (CEC). NOTHING IN THESE PLANS IS TO PERMIT WORK NOT CONFORMING TO THESE CODES.  
14. LOCATION OF OUTLETS AND LIGHTS SHOWN ARE APPROXIMATE AND MAY BE MOVED TO SUIT.

**LIGHTING:**  
ALL LIGHTING WILL COMPLY WITH 2019 CA. ENERGY CODE.  
1. LIGHTS SHALL BE CONTROLLED BY A VACANCY SENSOR AND SHALL BE HIGH EFFICACY.  
2. ALL EXTERIOR LIGHTS SHALL HAVE BOTH MOTION SENSOR AND PHOTO CONTROL AND BE HIGH EFFICACY. THEY SHALL BE LABELED "SUITABLE FOR WET LOCATIONS".  
3. GARAGE SHALL BE FLORESCENT T-5 OR BETTER (LED) SHOP LIGHTS.  
4. ALL FIXTURES SHALL BE SECURELY SUPPORTED. ANY FIXTURE WEIGHING MORE THAN 6 LBS OR IS MORE THAN 16" IN ANY DIM SHALL NOT BE SUPPORTED BY THE SCREW SHELL OF A LAMP HOLDER. OUTLET BOXES MAY NOT BE THE SOLE SUPPORT OF CEILING FANS. CEC Art.410.30(a), CEC Art. 314.27(A)&(D)

ALL LIGHTING CONTROL DEVICES AND SYSTEMS, BALLASTS, AND LUMINARIES MUST MEET THE APPLICABLE REQUIREMENTS OF SECTION 110.9.

ALL OUTDOOR LIGHTS PERMANENTLY MOUNTED TO THE RESIDENTIAL BUILDING OR TO OTHER BUILDINGS ON THE SAME LOT ARE TO BE:  
A. HIGH EFFICACY LUMINARIES; AND  
B. CONTROLLED BY A MANUAL ON AND OFF SWITCH THAT PERMITS THE AUTOMATIC FUNCTIONS BELOW; AND  
1. CONTROLLED BY A PHOTOCELL AND EITHER A MOTION SENSOR OR AN AUTOMATIC TIME SWITCH CONTROL; OR  
2. CONTROLLED BY AN ASTRONOMICAL TIME CLOCK CONTROL; OR  
3. AN ENERGY MANAGEMENT CONTROL SYSTEM (EMCS).

**WIRE AND CIRCUIT SIZE:**  
1. WIRE AND OUTLET RATINGS SHALL MEET REQUIREMENTS OF CEC SECTION 200 AND CEC TABLE 210.24.  
2. ALL LIGHTS ARE 15 AMP AND ALL OUTLETS ARE 20 AMP. POWER AND LIGHTING CIRCUITS ARE IN ACCORDANCE WITH CEC SECTION 210 AND 220.

**BORING HOLES:**  
1. WHERE HOLES ARE BORED IN WOOD MEMBERS 1-1/4" MUST BE MAINTAINED FROM THE NEAREST EDGE PER SECTION 300.4(A)(1).  
2. WHERE NOTCHES ARE CUT IN WOOD WOOD MEMBERS FOR WIRING A MIN. 1/16" THICK STEEL PLATE IS TO BE PROVIDED TO COVER THE AREA OF WIRING.

- ELECTRICAL LEGEND**
- ⊕ 110V WALL OUTLET (TYP GFCI)
  - ⊕ 220V WALL OUTLET (CONSULT OWNER FOR ANY DESIRED LOCATIONS)
  - ⊕ WALL LIGHT (SCONCE)
  - ⊕ (2) X 48" T-5 FLOR. LIGHT
  - ⊕ EXTERIOR WALL LIGHT - 13W FLOR. PHOTO CELL
  - WF GFI WATERPROOF GROUND FAULT OUTLET
  - S SWITCH (3<sup>W</sup> = 3 WAY)
  - FAN EXHAUST TO OUTSIDE - MIN 50CFM & ENERGY STAR PER NOTES)
  - ⊕ SMOKE DETECTOR / ALARM
  - ⊕ CEILING FAN ONLY (SEE NOTES)
  - ▭ METAL BUILDING BY MFG
  - ▭ CONVENTIONAL WALL FRAMING

**FANS AND AND EXHAUST VENTS:**  
ALL VENTS VENT TO OUTSIDE AND SHALL BE 3' MIN CLR TO ANY OPENING IN THE BUILDING. CMC504.5  
ALL VENTS SHALL HAVE BACKDRAFT DAMPERS. CMC504.1  
ALL INTAKES & VENTS SHALL HAVE CORROSION RESISTANT, MIN. 1/4" MAX. 1/2" SCREENS. CMC402.4. CMC502.1

ALL FANS SHALL COMPLY w/ CGBC SECTION 4.506:  
THEY SHALL BE ENERGY STAR COMPLIANT AND PROVIDED WITH HUMIDITY CONTROL CAPABLE OF ADJUSTMENT BETWEEN A RELATIVE HUMIDITY RANGE OF 50% TO 80%. MIN BATHROOM EXHAUST FAN RATINGS SHALL BE 50CFM PER TOILET.

**PLUMBING NOTES:**  
1. ALL NEW DRAIN AND VENT SHALL BE ABS.  
2. ALL NEW WATER PIPING SHALL BE COPPER WITH SWEAT FITTINGS OR PEX AND SHALL BE PRESSURE TESTED.  
3. ALL NEW FITTINGS SHALL BE PRESSURE TESTED.  
4. PROVIDE ON-DEMAND ELECTRIC WATER HEATER AT RESTROOM LAVATORY.  
8. ALL LAVATORIES SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE OR THE THERMOSTATIC MIXING VALVE TYPE. CPC408.3.

**THE 2019 CGBC IS APPLICABLE TO THIS PROJECT.**  
IT IS REQUIRED THAT MEASURES BE TAKEN TO REDUCE WATER USE AS PART OF THIS PROJECT PER SB407. ALL SHOWERHEADS, LAVATORY FAUCETS, AND TOILETS SHALL COMPLY WITH THE FOLLOWING:  
1. EFFECTIVE FLUSH VOLUME OF ALL WATER CLOSETS SHALL NOT EXCEED 1.28 GAL PER FLUSH. CGBC 4.303.1.1.  
2. MAX FLOW RATE OF SHOWERHEADS SHALL NOT EXCEED 1.8 GAL PER MINUTE AT 80PSI. CGBC 4.303.1.3.1.  
3. MAX FLOW RATE OF RESIDENTIAL LAVATORY FAUCETS SHALL NOT EXCEED 1.2 GAL PER MINUTE AT 60PSI. MINIMUM .8 GAL AT 20PSI. CGBC 4.303.1.4.1.  
4. PLUMBING FIXTURES AND FITTINGS SHALL BE INSTALLED PER 2019 CPC.

A MINIMUM OF 65% OF NONHAZARDOUS CONSTRUCTION AND DEMOLITION WASTE SHALL BE REUSED OR RECYCLED.

REVISIONS	BY
12-15-22	
1-3-23	
2-15-23	

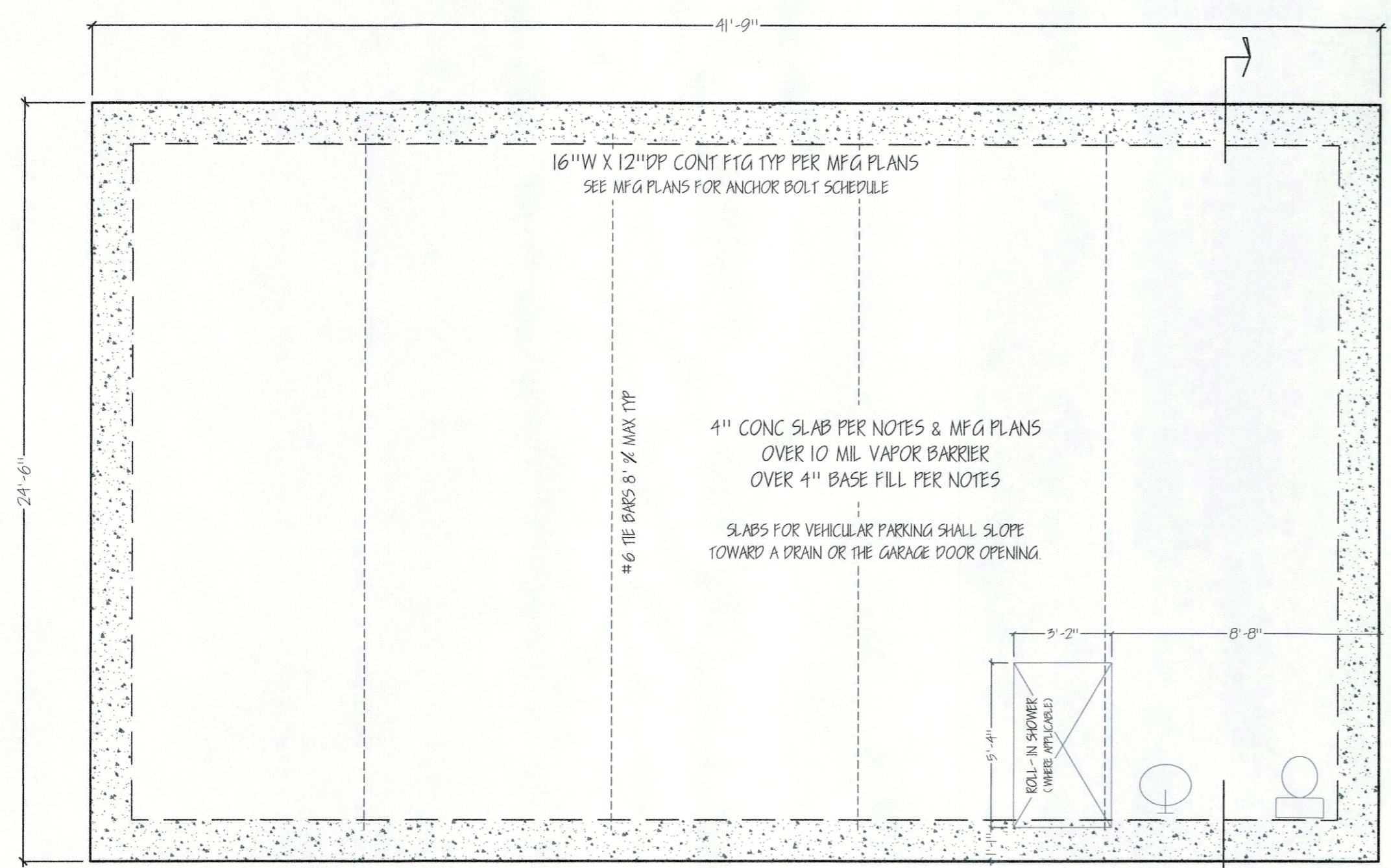
1453 Downer St. Suite D  
 Oroville, CA 95965  
 (530) 533-1510  
 design@hshomedesign.com

**HIS**  
 DESIGN  
 PLANS

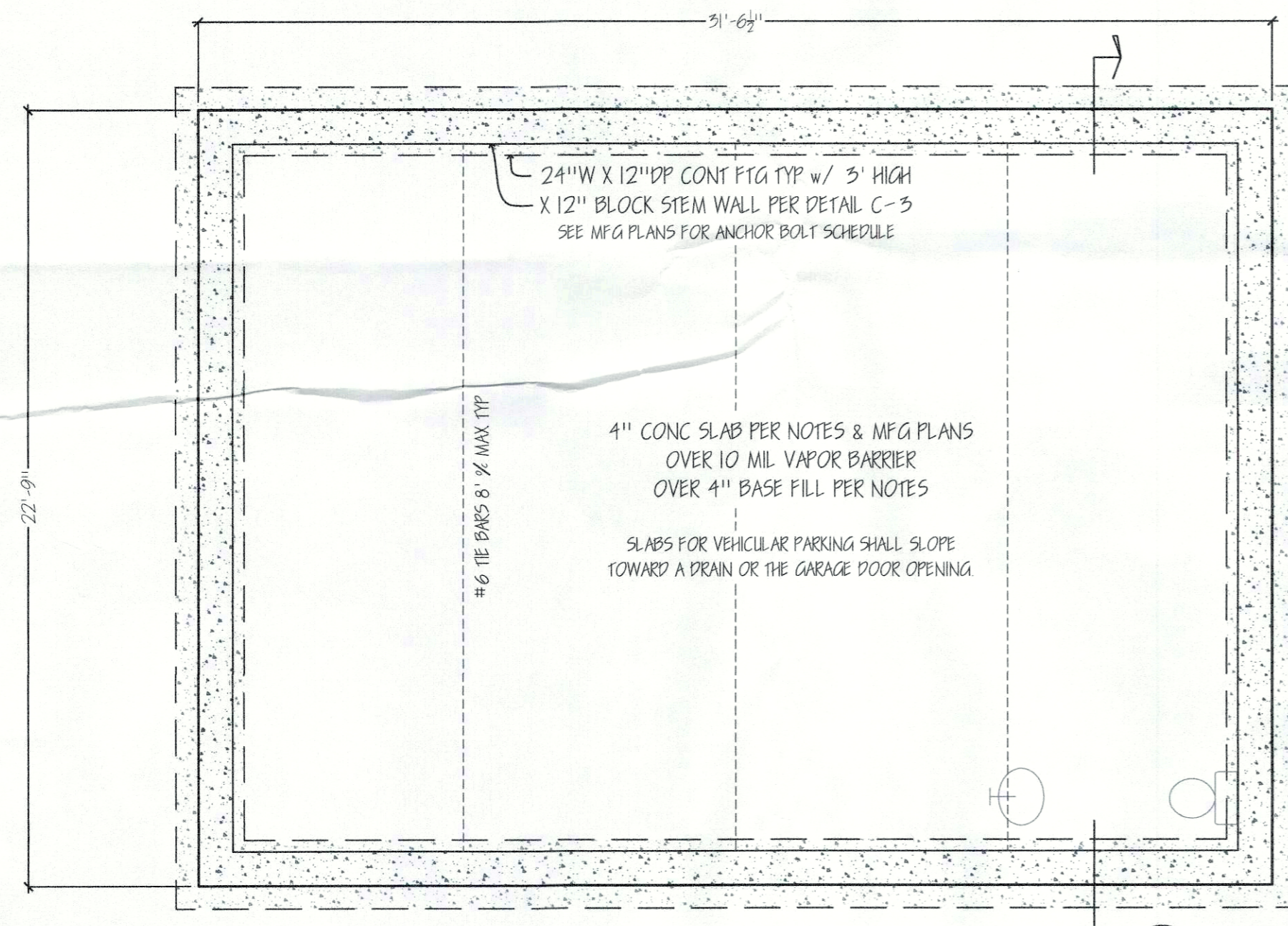
SHEET 3: FOUNDATION PLANS & NOTES.

PLANS FOR METAL BUILDINGS  
 COMPREHENSIVE MANAGEMENT INC  
 MYERS ST.  
 OROVILLE, CA 95966  
 APN: 012-160-065

DRAWN	DATE	SCALE	JOB NO.	SHEET
G. HENDERSON	12-5-22	1/4"=12" UNO	21-1207	3
OF SEVEN SHEETS				

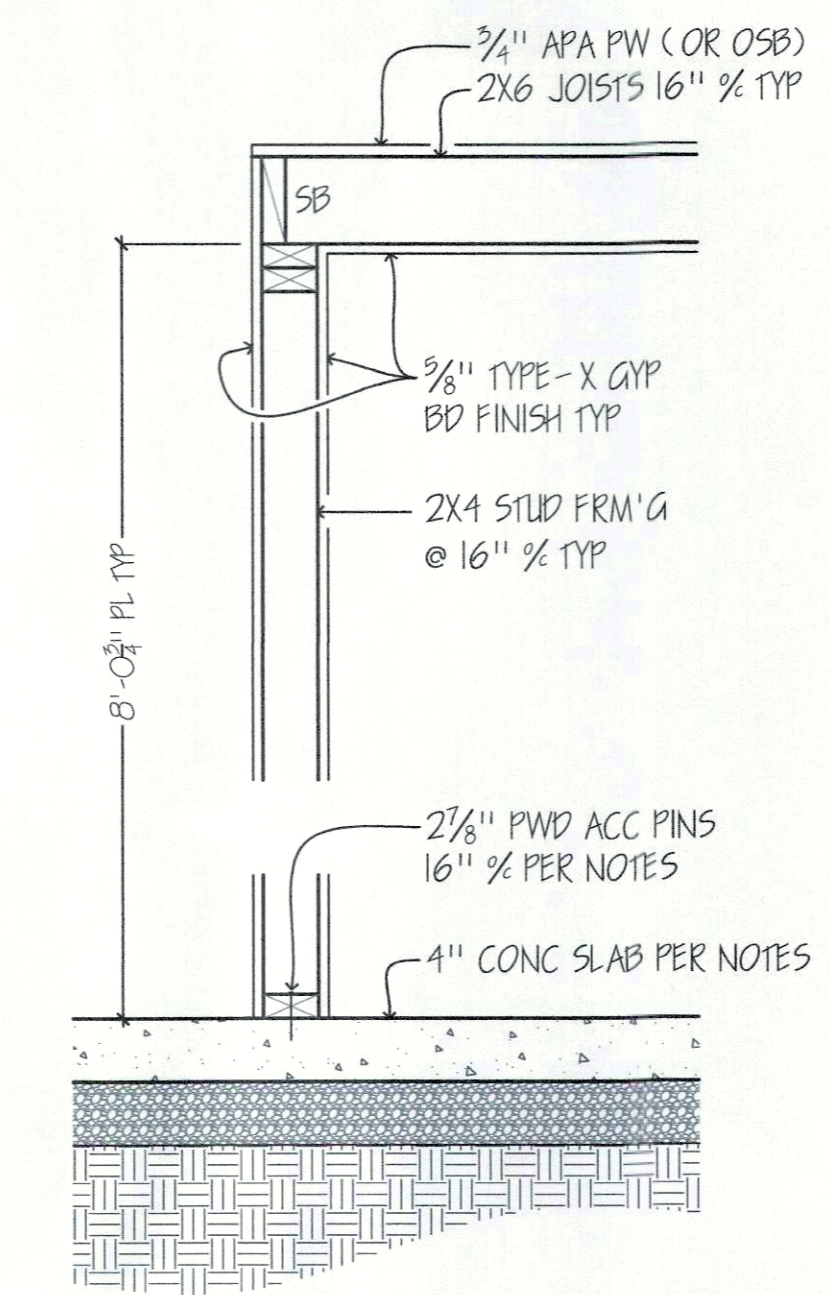


MODEL S25-18 1/4"=12"  
 SEE PLANS BY MFG



MODEL P22-16 1/4"=12"  
 SEE PLANS BY MFG  
 STEM WALL PER DETAIL C-5

- MASONRY NOTES:**
- ALL CONCRETE MASONRY UNITS SHALL COMPLY WITH CBC CHAPTER 21, GRADE N, TYPE 1 AND BE SINGLE OR DOUBLE OPEN END BOND BEAM UNITS.
  - CONCRETE MASONRY ASSEMBLAGES SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH F<sub>m</sub> OF 1500 PSI PER CBC 2105.3.
  - ALL CONCRETE MASONRY UNITS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 1900 PSI. GROUT SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 2000 PSI OR CONFORM TO ASTM C 476. MORTAR SHALL BE TYPE "S" WITH A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 1500 PSI.
  - REINFORCING STEEL SHALL HAVE A MINIMUM LAP OF 48 BAR DIAMETERS OR 2'-0" WHICHEVER IS GREATER. SEE LAP SCHEDULE ON STRUCTURAL DETAILS SHEET.
  - EACH CELL SHALL BE COMPLETELY FILLED WITH GROUT. CLEAN OUTS SHALL BE PROVIDED AND THE BOTTOM OF WALL AT EACH CELL CONTAINING VERTICAL REINFORCING IF GROUT LIFTS ARE GREATER THAN 4 FEET.
  - ALL EXTERIOR MASONRY, SHALL HAVE INTEGRAL WATER REPELLENTS AND/OR SURFACE APPLIED WATER REPELLENTS INSTALLED PER THE MANUFACTURER'S LITERATURE. WHEN USING INTERGRAL WATER REPELLENTS THE REPELLENT SHALL BE INCORPORATED INTO BOTH THE BLOCK AND THE MORTAR. ALL CRACKS AND LARGE VOIDS SHALL BE REPAIRED PRIOR TO APPLYING SURFACE REPELLENT.
  - MASONRY CONSTRUCTION SHALL BE SPECIAL INSPECTED PER THE QUALITY ASSURANCE PROGRAM REQUIREMENTS OF TMS 402/ACI530/ASCE 5 AND TMS 602/ACI530.1/ASCE6 AS FOLLOWS:
    - CERTIFICATES FOR MATERIALS USED INDICATING COMPLIANCE WITH THE CONTRACT DOCUMENTS.
    - PRIOR TO GROUTING, VERIFY THAT THE FOLLOWING ARE IN COMPLIANCE:
      - GROUT SPACE
      - GRADE AND SIZE OF REINFORCEMENT & ANCHORAGES
      - PLACEMENT OF REINFORCEMENT, CONNECTORS & ANCHORAGES
      - PROPORTIONS OF SITE-PREPARED GROUT
      - CONSTRUCTION OF MORTAR JOINTS
    - OBSERVE PREPARATIONS OF GROUT SPECIMENS, MORTAR SPECIMENS, AND OR PRISMS



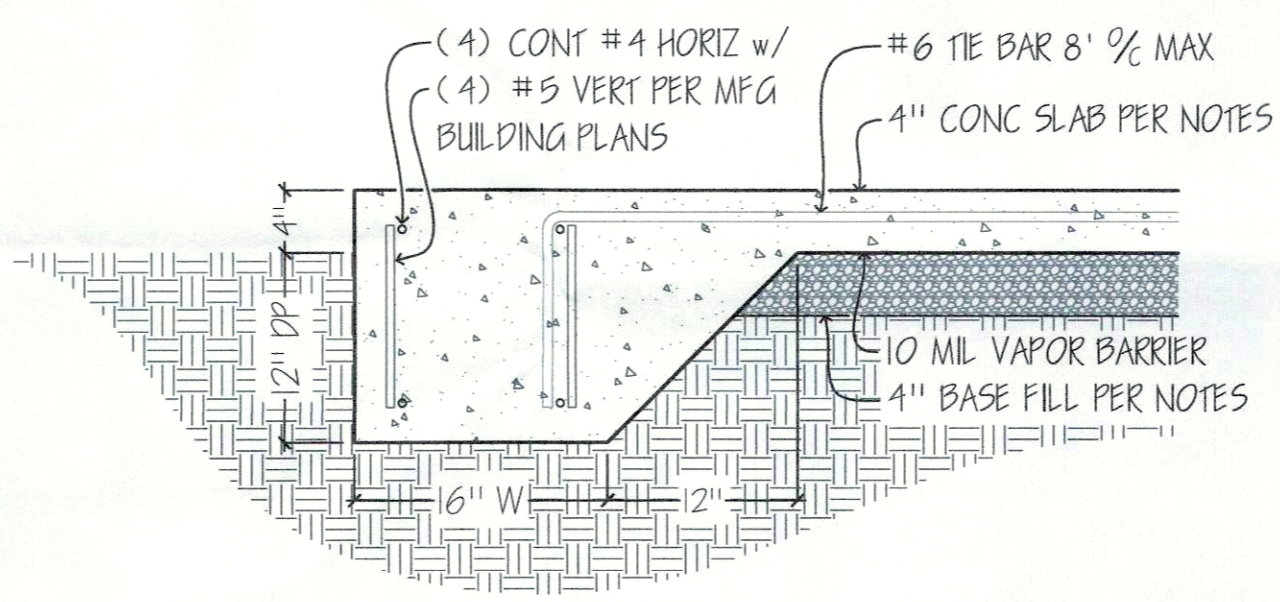
A PARTITION FRM'G DETAIL 1/4"=12"

- FRAMING NOTES:**
- ALL NEW WOOD FRAMING = DF2 OR BETTER.
  - ALL NEW WOOD TO CONCRETE SHALL BE PTS
  - ALL NEW STUDS ARE 2x4-18" oc
  - UNO ALL HEADERS = 4x12 DF1.
  - ALL NAILING TO COMPLY WITH 2019 CBC NAILING SCHEDULE TABLE 2304.10.
  - NOTCHING AND BORING OF WOOD:  
HOLES IN BEARING WALL STUDS SHALL NOT EXCEED 40% OF THE STUD WIDTH.  
HOLES IN NON BEARING MEMBERS SHALL NOT EXCEED 60% OF WIDTH.  
CRC R602.6. HOLES SHALL BE NO CLOSER TOP 5/8" OF ANY MEMBER EDGE.  
SEE MFG RECOMMENDATIONS ON JOIST HOLES AND NOTCHES.
  - THE BUILDER SHALL PROVIDE BLOCKING FOR THE BACKING OF FIXTURES, FLASHINGS, TOWEL BARS, & AS NECESSARY FOR OTHER SUB CONTRACTORS.
  - CONNECT INTERIOR WALLS TO SLAB WITH PPAWL-287 2-7/8" POWDER DRIVEN PINS SPACED 16" o/c & WITHIN 6" OF END OF SILL PER TABLE 5 OF ICC ESR-2138.
  - BUILDING MATERIALS WITH VISIBLE SIGNS OF WATER DAMAGE SHALL NOT BE INSTALLED. WALL AND FLOOR FRAMING SHALL NOT BE ENCLOSED WHEN THE FRAMING MEMBERS EXCEED 19% MOISTURE CONTENT. MOISTURE CONTENT SHALL BE CHECKED PRIOR TO FINISH MATERIAL BEING APPLIED PER CGC4.505.3.

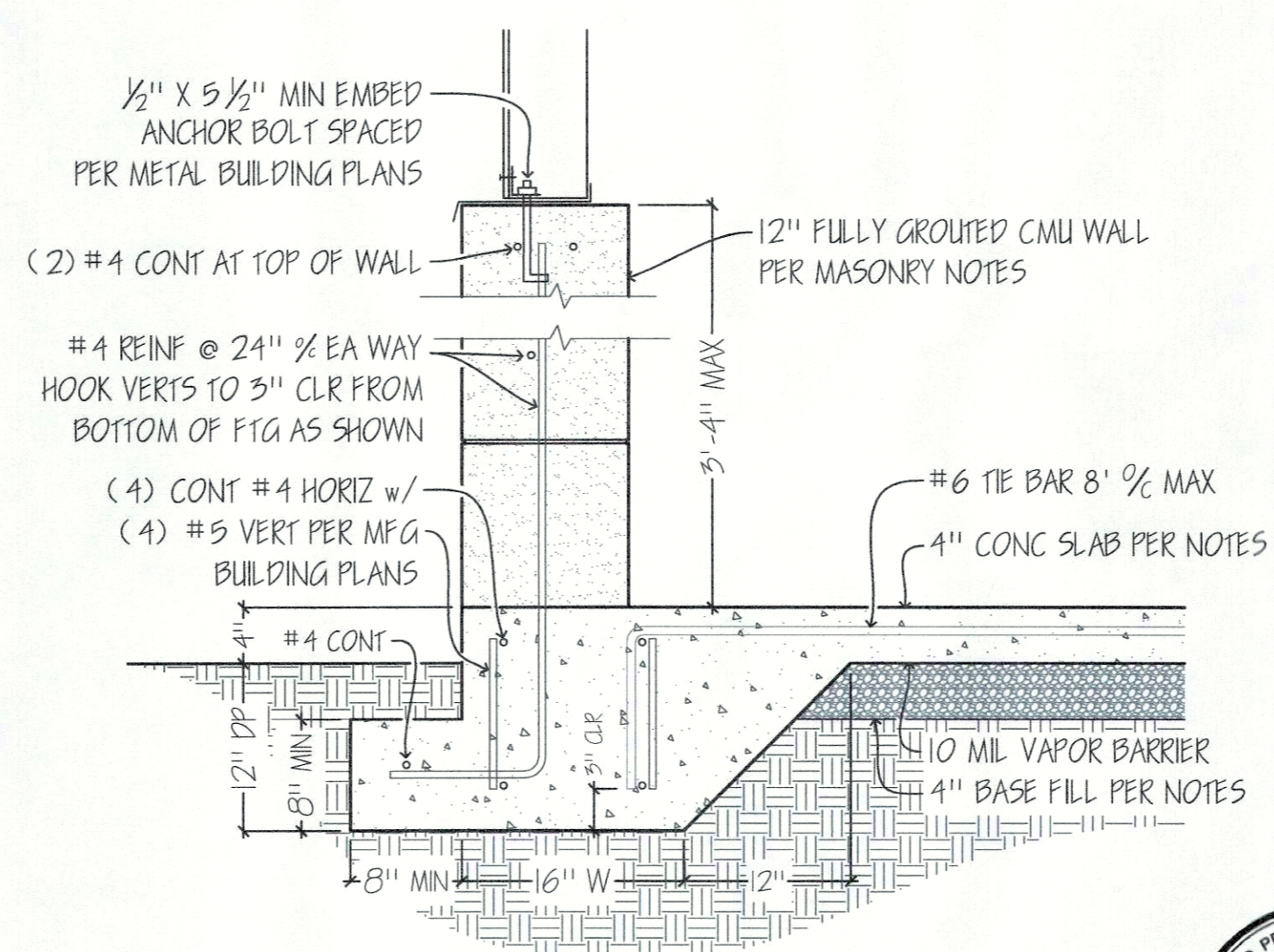
- PLATE LINE HEIGHT:**  
 UNO TYPICAL PL HT = 8'-0-3/4".
- Excerpts from the 2019 CBC Fastening Schedule Table 2304.10**
- |  |                                     |
|--|-------------------------------------|
| 1. Blocking between Joist, toe nail        | 3-8d common, 2 1/2 X .131           |
| 2. Ceiling Joist to Plate, toe nail        | 3-8d common, 2 1/2 X .131           |
| 8. Double studs (non-braced), face nail    | 16d common, 3 1/2 X .162 - 24" o/c  |
| 12. Top Plate to Top Plate, face nail      | 16d common, 3 1/2 X .162 - 16" o/c  |
| 13. Double Plate splice, face nail ea side | 8-16d common, 3 1/2 X .162          |
| 18. Top or Bottom Plate to Stud toe nail   | 4-8d common, 2 1/2 X .131           |
| end nail                                   | 2-16d common, 3 1/2 X .162          |
| 18. Plate laps @ corners, face nail        | 2-16d common, 3 1/2 X .162          |
| 31. 19/32"-1" PW, 6" edge/12" field        | 8d common, 2 1/2 X .131             |
| 36. 5/8" gypsum, 7" edge/7" field          | 1 3/4" nail or 1 5/8" screw, Type W |

- PLYWOOD (PW):**  
 ALL PLYWOOD SHALL BE AT LEAST THE THICKNESS NOTED ON THE PLAN. ALL PLYWOOD IS APA RATED. APA RATED OSB MAY BE SUBSTITUTED FOR PW. ALL PANELS SHALL BUTT AT CENTERLINE OF SUPPORTING MEMBER W/ EDGE NAILING (EN) FROM EACH PANEL TO THAT MEMBER. ALL PW IS INSTALLED WITH LONG EDGE ACROSS SUPPORTING MEMBERS. MINIMUM (3) SUPPORTING MEMBERS FOR ALL PLYWOOD.  
 A. PLYWOOD SHALL BE 3/4" APA RATED.  
 NAIL WITH 8d 6" oc EDGE, 12" oc FIELD.
- INTERIOR FINISH:**
- INTERIOR FINISH OF STUD FRAMING SHALL BE 5/8" TYPE X DW ON THE WALL & LID.
  - WALL AND CEILING FINISHES SHALL HAVE A FLAME SPREAD INDEX OF NOT GREATER THAN 200 AND A SMOKE-DEVELOPED INDEX OF NOT GREATER THAN 450.

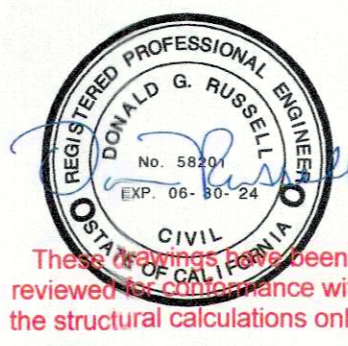
- FOUNDATION NOTES:**  
 THIS DESIGN IS AS PER MFG SPEC. SEE ATTACHED PLANS BY MFG.
- THE FINISH GRADE (FG) ADJACENT TO THE FOUNDATION SHALL BE SLOPED AWAY FROM THE BUILDING AT A SLOPE OF NOT LESS THAN 5% FOR A DISTANCE OF 10'. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. R401.3. WHERE PROHIBITED, A 2-5% SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATE METHOD OF DIVERTING THE WATER AWAY FROM THE FOUNDATION.
  - PROVIDE SLEEVES TO PROTECT ALL PIPING THROUGH CONCRETE FLOORS AND WALLS. PIPING SHALL BE 6" MIN CLR FROM SSTB.
  - ALL NEW FOOTINGS SHALL BE INTO UNDISTURBED SOIL AND IS BASED ON AN ALLOWABLE BEARING CAPACITY OF 1500 PSF.
  - STRUCTURAL CONCRETE IN SDC D<sub>5</sub> SHALL BE 3000 PSI. (DESIGN IS BASED ON 2500 PSI; SPECIAL INSPECTION IS NOT REQUIRED). MAX SLOPE OF 6" PERMITTED.
  - FOUNDATION REBAR SHALL BE ASTM A706 GRADE 40 W/ LAPS 60X BAR DIA. (20")
  - ALL STRUCTURAL STEEL EMBEDDED IN CONCRETE SHALL HAVE A MIN. 3" COVER.
  - SEE PLANS BY MANUFACTURER FOR ANCHOR BOLT SCHEDULE/LAYOUT.
  - SLABS ARE A MIN. THICKNESS OF 4" UNLESS NOTED OTHERWISE.
  - ALL SLABS SHALL HAVE JOINTS OR SAW CUTS PLACED SO THAT THE MAX. AREA DOES NOT EXCEED 30' OR 600 SQ. FT.
  - SLABS ARE TO HAVE A 10MIL VAPOR BARRIER BETWEEN SLAB AND BASE FILL W/ 6" MIN. LAPS
  - PROVIDE A 4" NON EXPANDABLE (GRAVEL) BASE FILL (±1/2" AGGREGATE WHERE USED WITH VAPOR BARRIER).
  - ALL SLABS ARE TO BE REINFORCED AT SLAB CENTERLINE PER MFG SPEC OR W/ 24" x 24" #3 REBAR GRID.
  - FOOTINGS NOT POURED MONOLITHICALLY WITH SLABS SHALL HAVE #3 VERTICAL DOWELS WITH STANDARD HOOKS ON EACH END PLACED 48" oc PER R403.1.3.1.
  - VERIFY W/ OWNER DIMENSIONS AND LOCATIONS OF FLATWORK, LANDINGS, AND WALKWAYS. ALL FLATWORK TO BE MIN. 4" THICK. ALL DOORWAYS SHALL HAVE A MIN. 36" DEEP X WIDTH OF THE DOOR (MIN 36") LANDING.



B TYP FOOTING DETAIL 1/4"=12"  
 SEE PLANS BY MFG



C FOOTING DETAIL w/ STEM WALL 1/4"=12"



The work of this Engineer has been reviewed and approved in accordance with the structural calculations only.

REVISIONS	BY

1453 Downer St. Suite D  
 Oroville, CA 95965  
 (530) 533-1510  
 design@hishomeplans.com

**HIS**  
 PLANS  
 DESIGN

SHEET 4: P22-16 PLANS BY MANUFACTURER.

PLANS FOR METAL BUILDINGS  
 COMPREHENSIVE MANAGEMENT INC  
 MYERS ST.  
 OROVILLE, CA 95966  
 APN: 012-160-055

DRAWN	DATE	SCALE	JOB NO.	SHEET
G. HENDERSON	12-5-22	1/2"=12" UNO	21-1207	4

OF SEVEN SHEETS

**2-15-22**

**MODEL: P22-16**  
**CUST. NAME: COMPREHENSIVE MGMT.**  
**ORDER NUMBER: 100164**

(58") RIDGE CAP 11  
 (79") ROOF STRAIGHT 21  
 (93") EAVE PANELS 21  
 (100") VERTICAL STRAIGHT 21

**GENERAL NOTES:**

- NO LOADS OTHER THAN THOSE GIVEN UNDER "DESIGN DATA" BELOW BE IMPOSED ON THE "STRUCTURE".
- THE FOUNDATION ON THE DRAWING IS A SUGGESTED SOLUTION ONLY. CHANGES MAY BE NECESSARY DUE TO LOCAL BUILDING REGULATIONS.
- THE FOUNDATION SHALL BE FOUND ON NATURAL UNDISTURBED SOIL CAPABLE OF SAFELY SUSTAINING 1500 PSF. AND AT LEAST 12 IN. BELOW FINISHED GRADE.
- SLAB ON GRADE SHALL BE PLACED ON SOIL CAPABLE OF SUSTAINING 500 PSF. WITHOUT APPROPRIATE SETTLEMENT.
- BUILDING MUST BE GROUTED INTO TROUGH, INSIDE AND OUT TO MAINTAIN STRUCTURAL INTEGRITY EXCEPT WHEN USING BASE PLATE CONNECTORS.
- CROSS TIES MUST BE INCASD IN CONCRETE WHEN CONCRETE SLAB IS NOT USED.

**ARCH DATA:**

**DESIGN DATA:**

STEEL GAGE: 22  
 50 KSI MIN. YIELD GALVALUME SHEET STEEL  
 LIVE LOAD: 50 PSF  
 ULTIMATE WIND SPEED: 126 MPH

**MATERIALS:**

- CONCRETE STRENGTH AT 28 DAYS TO BE 2500 PSI
- REINFORCING STEEL TO BE DEFORMED BARS, GRADE 60
- ALL MATERIALS SHALL CONFORM TO THE APPROPRIATE ASTM SPECIFICATIONS.

**ARCH PROFILE**

BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 1 OF 6

**MODEL: P22-16**  
**CUST. NAME: COMPREHENSIVE MGMT.**  
**ORDER NUMBER: 100164**

SEE SHEET 5 FOR ARCH CONNECTOR BASEPLATE LAYOUT

**SECTION THROUGH WIDTH**

**SECTION THROUGH LENGTH**

**FOUNDATION = 2500 PSI STRENGTH**

**COMMERCIAL ARCH CONNECTOR ASSEMBLED AND READY FOR ARCHES**

**COMMERCIAL BASE CONNECTOR GENERAL ARRANGEMENT**

BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 2 OF 6

**MODEL: P22-16**  
**CUST. NAME: COMPREHENSIVE MGMT.**  
**ORDER NUMBER: 100164**

**COMMERCIAL BASE CONNECTOR WOODEN FORM ARRANGEMENT**

BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 3 OF 6

**WITHOUT FLOOR FORM DETAIL**

**NOTES:** REINFORCING STEEL NOT SHOWN. REFER TO SHEET #4.

**MODEL: P22-16**  
**CUST. NAME: COMPREHENSIVE MGMT.**  
**ORDER NUMBER: 100164**

**ENDWALL DETAIL (WITH FLOOR)**

**ENDWALL DETAIL (WITHOUT FLOOR)**

**NOTE:** For tie bar without floor, cut inside form board, insert tie bar, then fasten a backing patch.

**FASTEN SECURELY WITH WRENCH**

**TIE BAR SPLICING DETAIL**

**SIDEWALL DETAIL (WITH FLOOR)**

**SIDEWALL DETAIL (WITHOUT FLOOR)**

**REBAR TABLE**

BAR NO.	DIAMETER	MIN. LAP
NO. 4 (15M)	1/2" (16.0mm)	1'-4"
NO. 5 (15M)	5/8" (16.0mm)	1'-4"
NO. 6 (20M)	3/4" (19.5mm)	2'-0"

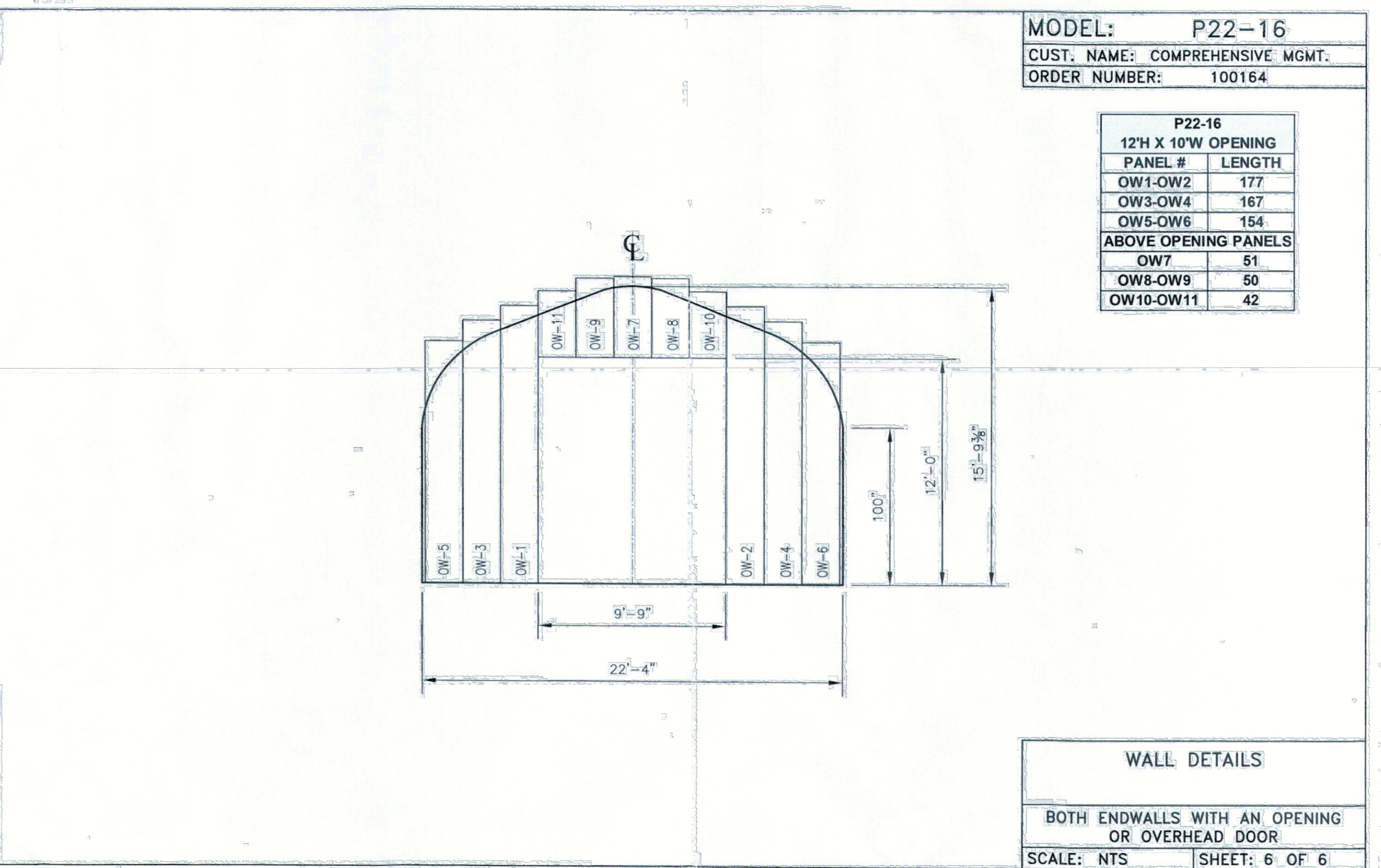
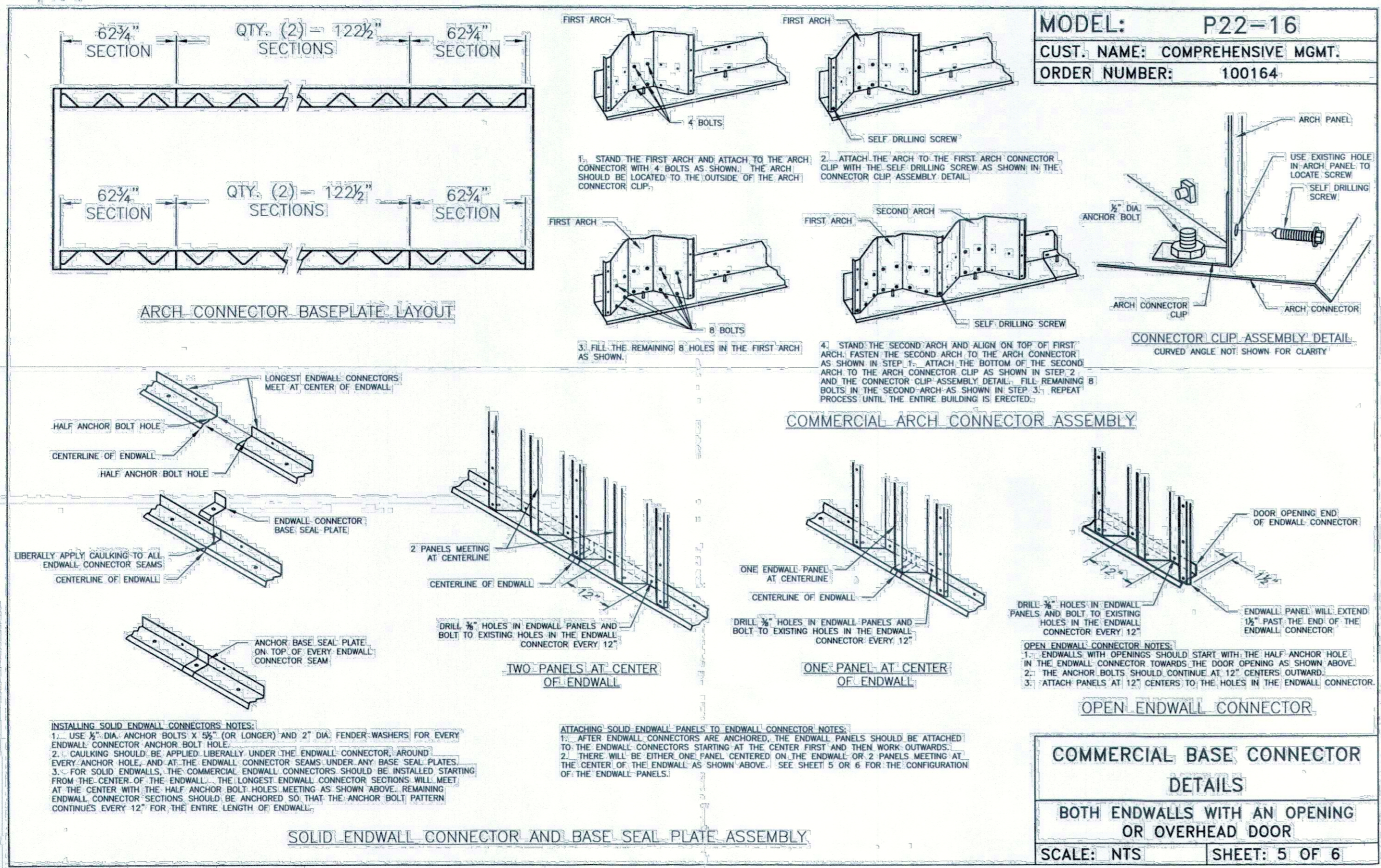
**COMMERCIAL BASE CONNECTOR STEEL REINFORCEMENTS**

BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 4 OF 6

MODEL P22-16 BY MFG

REVISIONS	BY



MODEL P22-16 BY MFG

1453 Downer St. Suite D  
Oroville, CA 95965  
(530) 633-1510  
design@hshomedesign.com

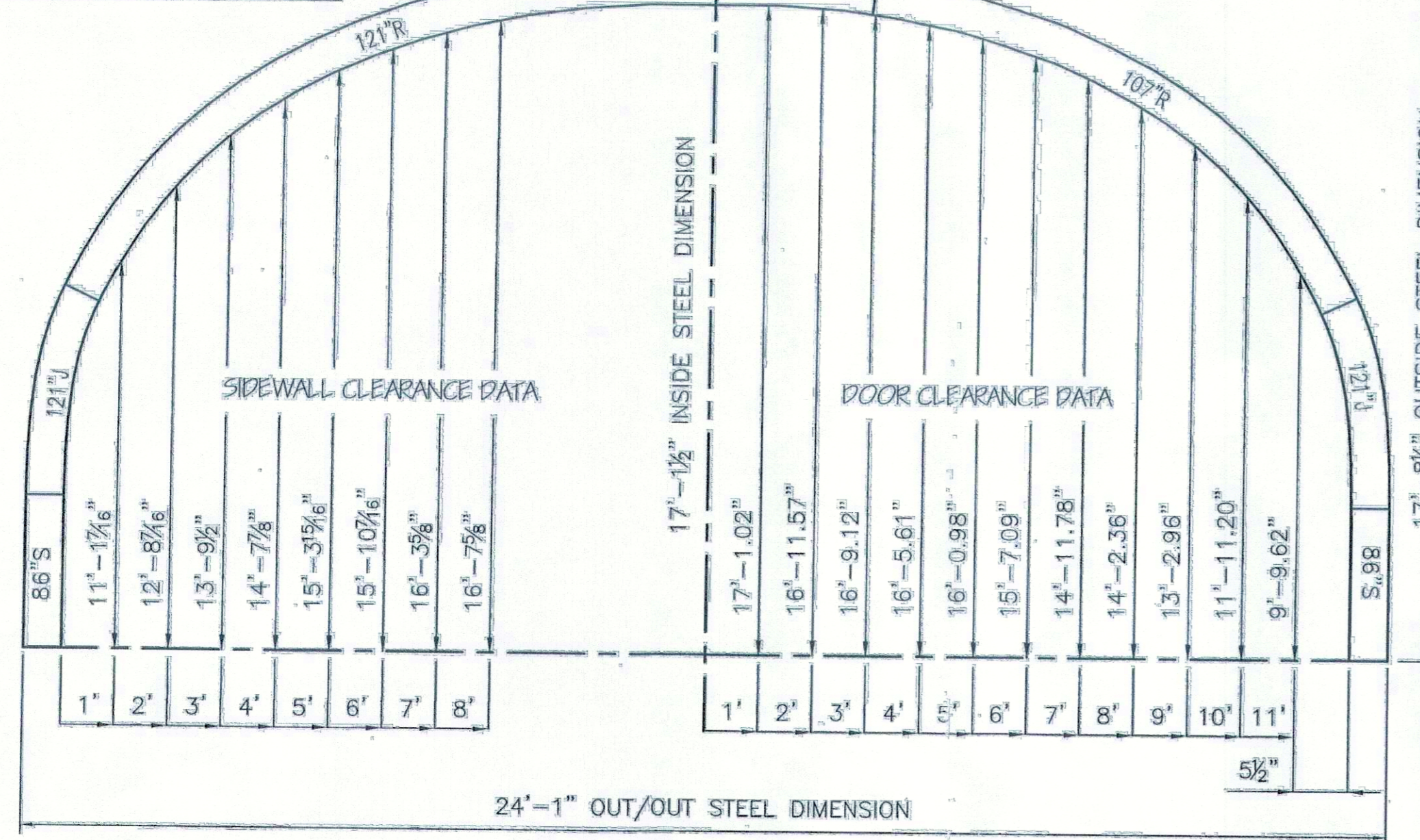
HIS  
DESIGN  
PLANS

PLANS FOR METAL BUILDINGS  
COMPREHENSIVE MANAGEMENT INC  
MYERS ST.  
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APN: 012-160-055

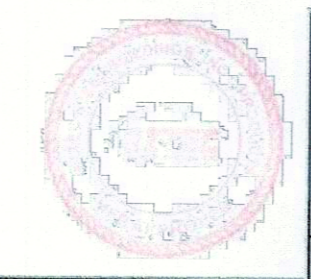
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Oroville, CA 95965  
(530) 633-1510  
design@hshomedesign.com

DRAWN  
G. HENDERSON  
DATE  
12-5-22  
SCALE  
1/4"=12" UNO  
JOB NO.  
21-1207  
SHEET  
5  
OF SEVEN SHEETS

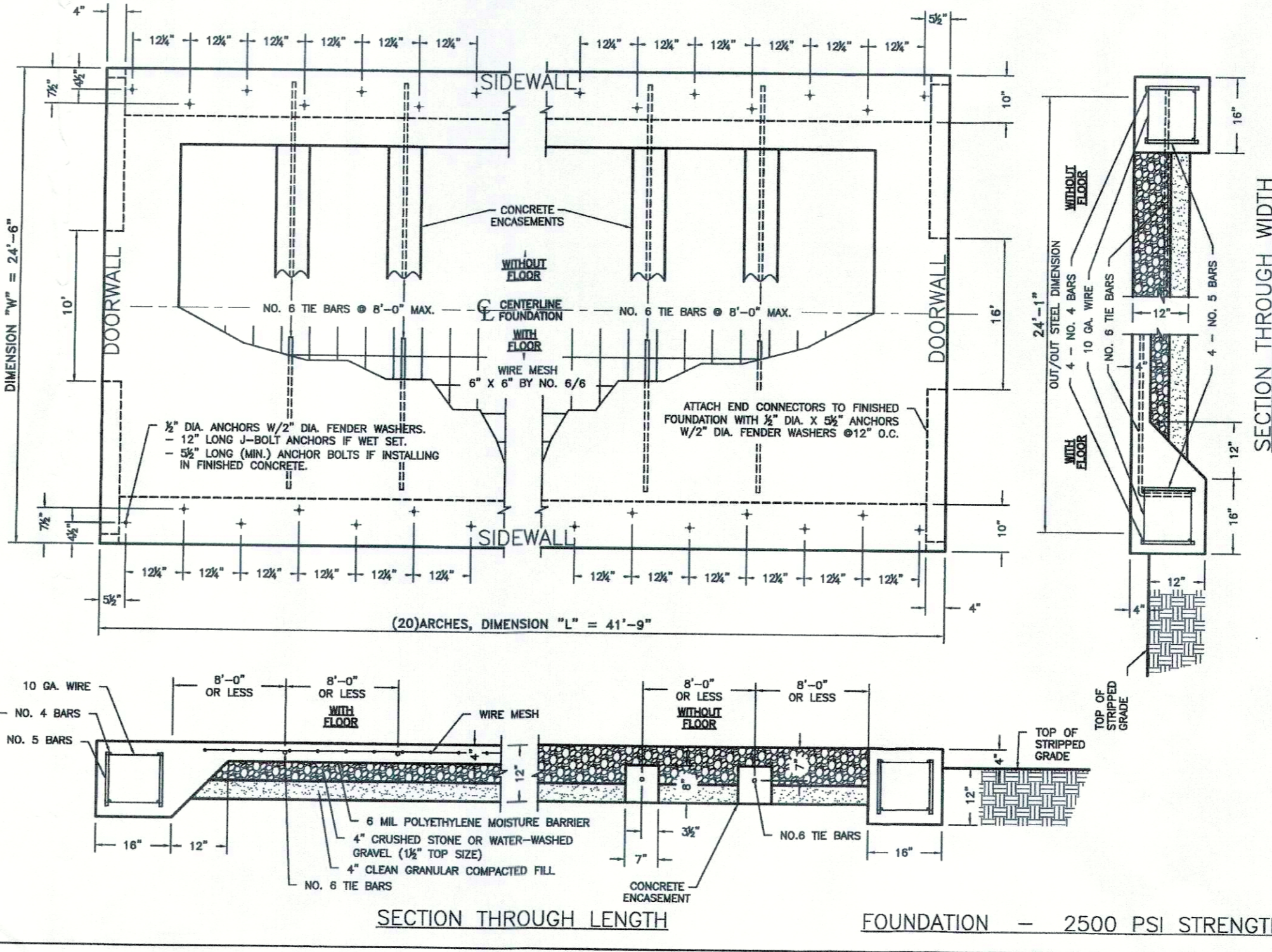
(121") ROOF PANELS	1
(107") ROOF PANELS	1
(121") J-PANELS	2
(86") STRAIGHT PANELS	2



NOTE: THE SHORT PANELS MUST BE ALTERNATED FROM SIDE TO SIDE ON SUCCESSIVE ARCHES, TO CREATE A STAGGERED JOINT FOR GREATER STRENGTH.



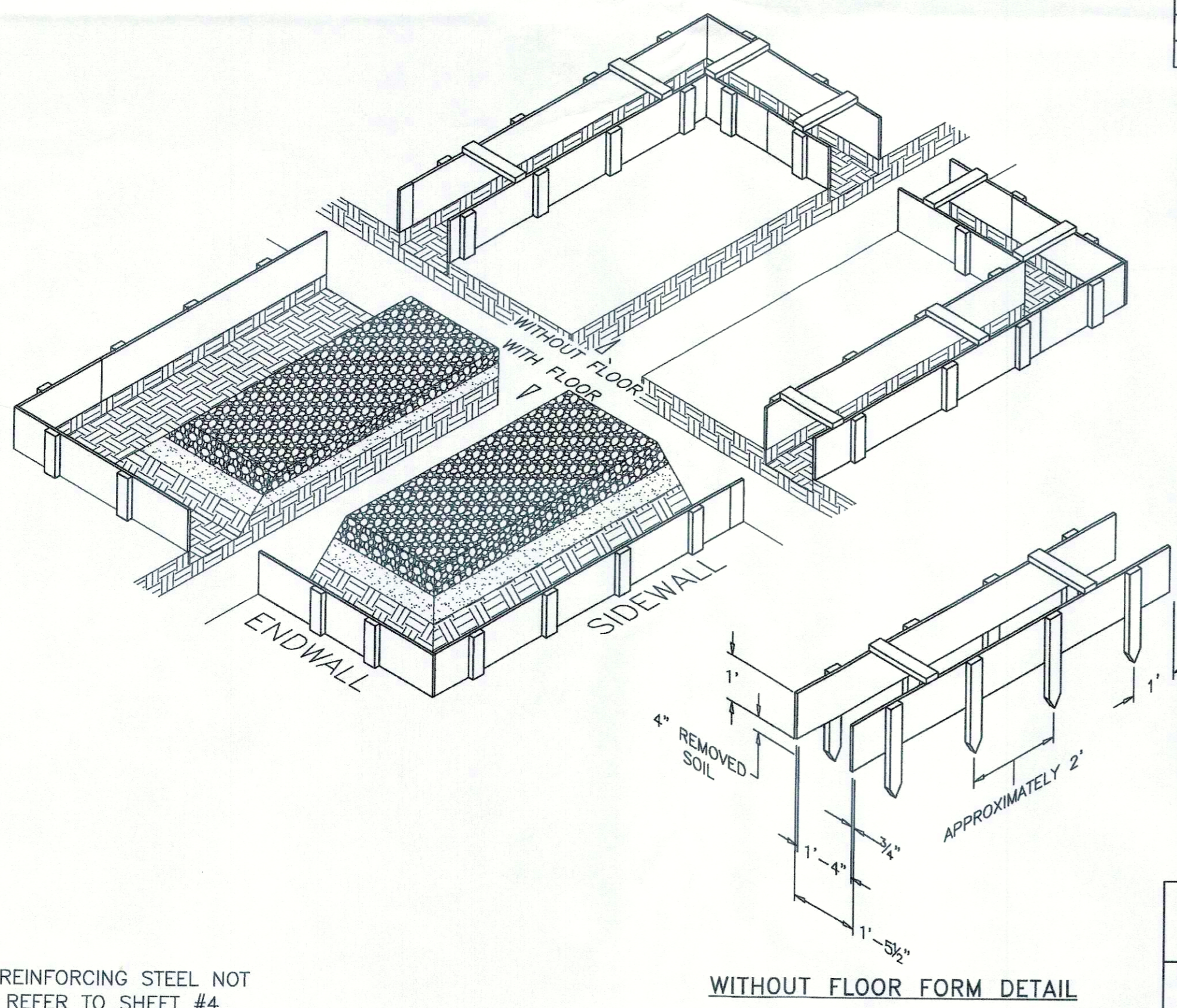
**ATTENTION:**  
 The foundation shown may not conform to your local by-laws and has no warranty as to its sufficiency for your particular area and or application. Retain a registered professional engineer to design a foundation which meets local by-laws and frost level depth requirements (if applicable), is adequate for soil conditions on the site, and conforms to the intended use of the building. The engineer should also be retained to inspect construction to ensure that the foundation is being built in conformity with his design. If the design engineer requires, retain a soils engineering specialist to report on soil conditions and soil compaction values.



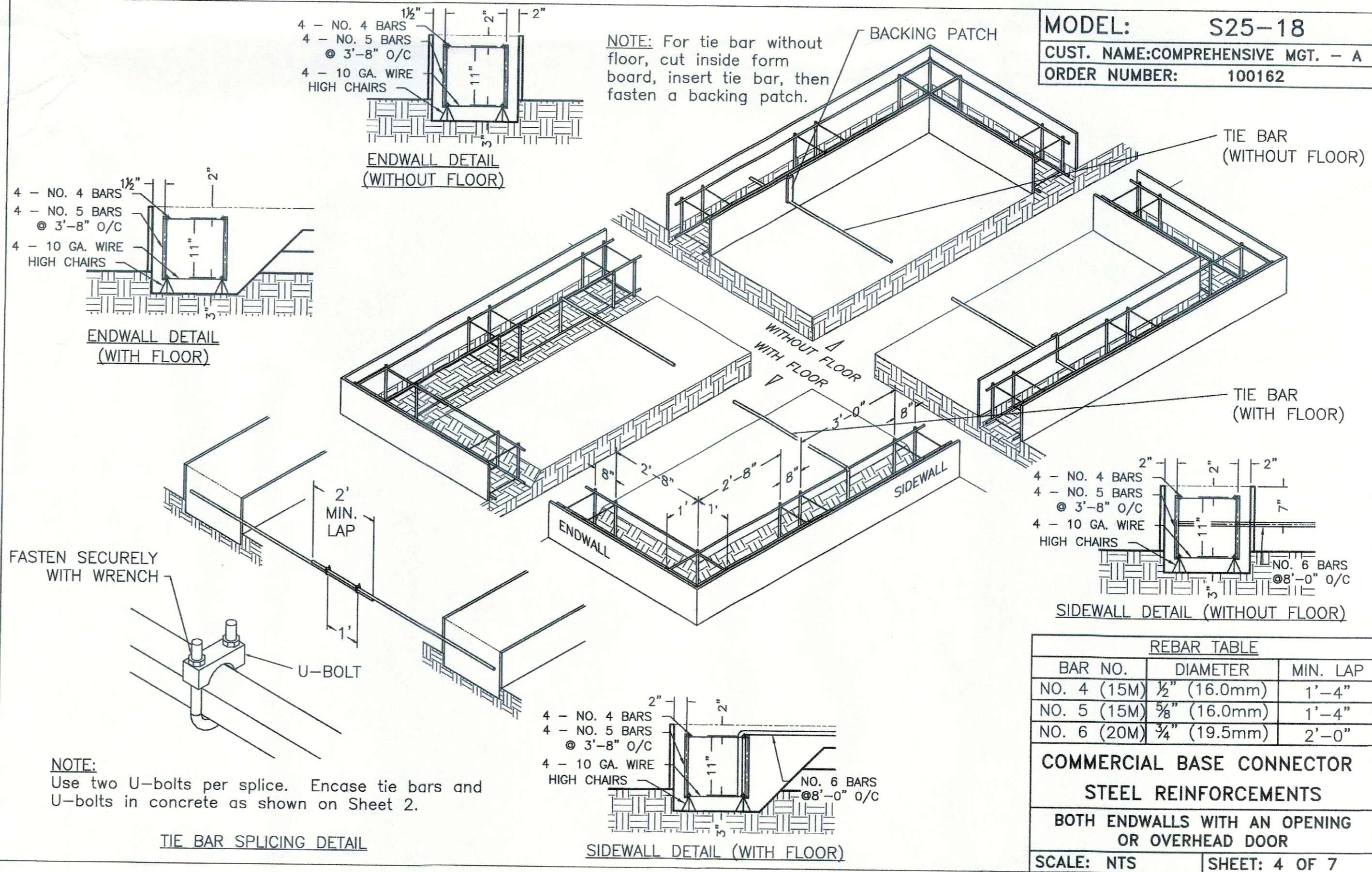
**MODEL: S25-18**  
**CUST. NAME: COMPREHENSIVE MGT. - A**  
**ORDER NUMBER: 100162**

**COMMERCIAL ARCH CONNECTOR ASSEMBLED AND READY FOR ARCHES**

**COMMERCIAL BASE CONNECTOR GENERAL ARRANGEMENT**  
 BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR  
 SCALE: NTS SHEET: 2 OF 7



NOTES: REINFORCING STEEL NOT SHOWN. REFER TO SHEET #4.



**MODEL: S25-18**  
**CUST. NAME: COMPREHENSIVE MGT. - A**  
**ORDER NUMBER: 100162**

**COMMERCIAL BASE CONNECTOR STEEL REINFORCEMENTS**  
 BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR  
 SCALE: NTS SHEET: 4 OF 7

REBAR TABLE		
BAR NO.	DIAMETER	MIN. LAP
NO. 4 (15M)	1/2" (16.0mm)	1'-4"
NO. 5 (15M)	3/8" (16.0mm)	1'-4"
NO. 6 (20M)	3/4" (19.5mm)	2'-0"

MODEL S25-18 BY MFG

REVISIONS	BY

1453 Downer St. Suite D  
 Oroville, CA 95965  
 (530) 533-1510  
 design@hshomedesign.com

**HIS DESIGN PLANS**

SHEET 6: S25-18 PLANS BY MANUFACTURER.

PLANS FOR METAL BUILDINGS  
 COMPREHENSIVE MANAGEMENT INC  
 MYERS ST.  
 OROVILLE, CA 95966  
 APN: 012-160-055

DRAWN	G. HENDERSON
DATE	12-5-22
SCALE	1/4"=12" UNO
JOB NO.	21-1207
SHEET	6
OF SEVEN SHEETS	



REVISIONS	BY

**MODEL: S25-18**  
**CUST. NAME: COMPREHENSIVE MGT. - A**  
**ORDER NUMBER: 100162**

**ARCH CONNECTOR BASEPLATE LAYOUT**

1. STAND THE FIRST ARCH AND ATTACH TO THE ARCH CONNECTOR WITH 4 BOLTS AS SHOWN. THE ARCH SHOULD BE LOCATED TO THE OUTSIDE OF THE ARCH CONNECTOR CLIP.

2. ATTACH THE ARCH TO THE FIRST ARCH CONNECTOR CLIP WITH THE SELF DRILLING SCREW AS SHOWN IN THE CONNECTOR CLIP ASSEMBLY DETAIL.

3. FILL THE REMAINING 8 HOLES IN THE FIRST ARCH AS SHOWN.

4. STAND THE SECOND ARCH AND ALIGN ON TOP OF FIRST ARCH. FASTEN THE SECOND ARCH TO THE ARCH CONNECTOR AS SHOWN IN STEP 1. ATTACH THE BOTTOM OF THE SECOND ARCH TO THE ARCH CONNECTOR CLIP AS SHOWN IN STEP 2 AND THE CONNECTOR CLIP ASSEMBLY DETAIL. FILL REMAINING 8 BOLTS IN THE SECOND ARCH AS SHOWN IN STEP 3. REPEAT PROCESS UNTIL THE ENTIRE BUILDING IS ERRECTED.

**CONNECTOR CLIP ASSEMBLY DETAIL**  
 CURVED ANGLE NOT SHOWN FOR CLARITY

**COMMERCIAL ARCH CONNECTOR ASSEMBLY**

**INSTALLING SOLID ENDWALL CONNECTORS NOTES:**

- USE 3/4" DIA. ANCHOR BOLTS X 6" (OR LONGER) AND 2" DIA. FENDER WASHERS FOR EVERY ENDWALL CONNECTOR ANCHOR BOLT HOLE.
- CAULKING SHOULD BE APPLIED LIBERALLY UNDER THE ENDWALL CONNECTOR, AROUND EVERY ANCHOR HOLE AND AT THE ENDWALL CONNECTOR SEAMS UNDER ANY BASE SEAL PLATES.
- FOR SOLID ENDWALLS, THE COMMERCIAL ENDWALL CONNECTORS SHOULD BE INSTALLED STARTING FROM THE CENTER OF THE ENDWALL. THE LONGEST ENDWALL CONNECTOR SECTIONS WILL MEET AT THE CENTER WITH THE HALF ANCHOR BOLT HOLES MEETING AS SHOWN ABOVE. REMAINING ENDWALL CONNECTOR SECTIONS SHOULD BE ANCHORED SO THAT THE ANCHOR BOLT PATTERN CONTINUES EVERY 12" FOR THE ENTIRE LENGTH OF ENDWALL.

**ATTACHING SOLID ENDWALL PANELS TO ENDWALL CONNECTOR NOTES:**

- AFTER ENDWALL CONNECTORS ARE ANCHORED, THE ENDWALL PANELS SHOULD BE ATTACHED TO THE ENDWALL CONNECTORS STARTING AT THE CENTER FIRST AND THEN WORK OUTWARDS.
- THERE WILL BE EITHER ONE PANEL, CENTERED ON THE ENDWALL OR 2 PANELS MEETING AT THE CENTER OF THE ENDWALL AS SHOWN ABOVE. SEE SHEET 5 OR 6 FOR THE CONFIGURATION OF THE ENDWALL PANELS.

**OPEN ENDWALL CONNECTOR**

**COMMERCIAL BASE CONNECTOR DETAILS**  
 BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR  
 SCALE: NTS SHEET: 5 OF 7

**MODEL: S25-18**  
**CUST. NAME: COMPREHENSIVE MGT. - A**  
**ORDER NUMBER: 100162**

S25-18	
12H X 16W OPENING	
PANEL #	LENGTH
OW1-OW2	180
OW3-OW4	153
ABOVE OPENING PANELS	
OW5-OW6	73
OW7-OW8	71
OW9-OW10	64
OW11-OW12	53

**WALL DETAILS**  
 BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR  
 SCALE: NTS SHEET: 7 OF 7

MODEL S25-18 BY MFG

**MODEL: S25-18**  
**CUST. NAME: COMPREHENSIVE MGT. - A**  
**ORDER NUMBER: 100162**

S25-18	
10H X 10W OPENING	
PANEL #	LENGTH
OW1-OW2	204
OW3-OW4	190
OW5-OW6	169
OW7-OW8	133
ABOVE OPENING PANELS	
OW9	97
OW10-OW11	97
OW12-OW13	92

**WALL DETAILS**  
 BOTH ENDWALLS WITH AN OPENING OR OVERHEAD DOOR  
 SCALE: NTS SHEET: 6 OF 7

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**HIS DESIGN PLANS**

PLANS FOR METAL BUILDINGS  
 COMPREHENSIVE MANAGEMENT INC  
 MYERS ST.  
 OROVILLE, CA 95966  
 APN: 012-160-055

SHEET 7: S25-18 PLANS BY MANUFACTURER.

DRAWN	G. HENDERSON
DATE	12-9-22
SCALE	1/4" = 12" UNO
JOB NO.	21-1207
SHEET	7

OF SEVEN SHEETS



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### PLANNING COMMISSION STAFF REPORT

Thursday, March 23, 2023

**RE: Minor Use Permit UP23-03 for Alcohol Sales at the Luckys Food and Gas at 2301 Oroville Dam Boulevard East.**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-03 to allow the applicant to conduct alcohol sales at the existing Luckys Food and Gas at 2301 Oroville Dam Boulevard East.

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

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-03;
4. **Approve** Use Permit UP23-03 and recommended Conditions of Approval;
5. **Approve** a Letter of Public Convenience or Necessity, should it be determined by ABC that an overconcentration exists;
6. **Adopt** Resolution No. P2023-07

**APPLICANT:** Gurveen Gill

**LOCATION:** 2301 Oro Dam Blvd E (APN 035-500-047)

**GENERAL PLAN:** MU (Mixed Use)  
**ZONING:** MXC (Corridor Mixed Use)  
**FLOOD ZONE:** Zone X

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

**REPORT PREPARED BY:**

\_\_\_\_\_  
 Daniel Kopshever, Assistant Planner  
 Community Development Department

**REVIEWED BY:**

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

## DISCUSSION

Gurveen Gill has applied for a Use Permit on behalf of the store owner to allow for alcohol sales to be conducted at Luckys Food and Gas at 2301 Oroville Dam Blvd East. The existing storefront building is 1,200 square feet, located on the corner of Spencer Avenue and Oroville Dam Blvd East. The property is currently zoned Corridor Mixed Use (MXC). According to the Oroville Municipal Code (OMC), alcoholic beverage sales in an MXC zone requires a Use Permit.

The applicant has submitted a Type 20 ABC license to allow for beer and wine sales for off-site consumption, this would be alongside their other grocery/market offerings.

**Alcohol Sales:** The proposed liquor store is located in Census Tract 30.01 which includes the South Oroville area south of Oro Dam Blvd, east of Lincoln Blvd, north of Oro Bangor Hwy, and west of Lower Wyandotte. Within the vicinity of the proposed liquor store, there are 5 other retailers that sell alcoholic beverages:

1. 1901 Oro Dam Blvd (Mountain Mikes Pizza) – License Type 41 – On-Sale Beer and Wine – Eating Place
2. 1911 Oro Dam Blvd (Dollar Tree) – License Type 20 – Off-Sale Beer and Wine
3. 1835 Oro Dam Blvd (Tacos Tijuana) – License Type 40 – On-Sale Beer
4. 2588 Olive Hwy (Celestino’s New York Pizza) – License Type 41 – On-Sale Beer and Wine – Eating Place
5. 2546 Olive Hwy (Town & Country Liquor) – License Type 21 – Off-Sale Beer, Wine, and Distilled Spirits

If it is determined by the Department of Alcoholic Beverage Control (ABC) that an overconcentration of licenses exists, a letter of public convenience or necessity (PCN) will be required. Staff is requesting that the commission, should they approve UP 23-03, also preemptively authorize a PCN letter to be sent to ABC.

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

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

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

*Lucky Food and Gas is located on the corner of Oroville Dam Blvd East and Spencer Avenue in close proximity to similar retail and food stores. These retail and food uses include A-1 Kwik Services gas station, La Flor de Michoacan Homemade Ice Cream, Dutch Bros Coffee, and various banking and office services. There are not any nearby assembly areas and the closest residences are to the southeast, along Spencer and Brown Avenues.*

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

*The requirement is added to the project conditions.*

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

*The requirement is added to the project conditions.*

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

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

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

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

6. Hours of operation.

*Applicant states that the hours of operation are from 8:00 a.m. to 8:00 p.m. daily, which are unchanged from the existing operation.*

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

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

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

*As an existing gas station and market, this use permit is likely to enhance the patronage and thus the value of adjacent properties;*

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

*The Police Department and ABC determine if there is an undue concentration in the area.*

### **FISCAL IMPACT**

None. The project is subject to all customary fees.

### **PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 500 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

### **ATTACHMENTS**

1. Application Materials
2. Notice of Exemption
3. Resolution



# City of Oroville

Planning Division - Community Development Department

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

Item 4.

TRAKIT#: PL2302-003

## USE PERMIT APPLICATION

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

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

### PROJECT PLANS

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

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

### CLASSIFICATION

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

### APPLICANT'S SIGNATURE

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

Signature: Curveen K. Gill Date: 2-8-23

### OFFICE USE ONLY

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

PROJECT DESCRIPTION	
Present or Previous Use:	
Proposed Use:	
Detailed Description:	

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

Technology cost recovery fees are non-refundable



# City of Oroville

Planning Division - Community Development Department

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Item 4.

TRAKIT#:

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	
Name:	Gurveen Gill	Name:	
Address:	7480 Lincoln Blvd Palermo Ca 95968	Company:	Lucky Food & Gas 2
Phone:	(530) 209-8290	Address:	2301 Oro Dam Blvd Oroville Ca 95966
Email:	Gurveengill25@gmail.com	Phone:	(530) 209-8290
Is the applicant the Owner?	<input checked="" type="checkbox"/> NO	If applicant is <b>Not</b> the owner, please provide owner /agent authorization on the reverse side.	
		Email:	

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

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

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

PROJECT INFORMATION	
Project Name: Lucky food & gas 2	Proposed Structure(s) (Sq Ft):
Address: 2301 Oro Dam Blvd Oroville Ca 95966	Existing Structure(s) (Sq Ft):
Nearest Cross Street:	Water Provider:
Assessor Parcel Number:	School District:
Lot Size (Acres):	Number of Dwelling Units:

APPLICANT'S SIGNATURE	
I hereby certify that the information provided in this application is, to my knowledge, true and correct.	
Signature: Gurveen Gill	Date: 1/30/23

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

### AGENT AUTHORIZATION

To the City of Oroville, Department of Community Development

NAME OF AGENT:	Charanvir Singh	PHONE NUMBER:	(530) 845-2042
COMPANY NAME:	Lucky food & gas 2	EMAIL:	
ADDRESS:		CITY/ST/ZIP:	

AGENT SIGNATURE: *Charanvir Singh*

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

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

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

1)	<u>CHARANVIR SINGH</u>	<i>Charanvir Singh</i>	<u>01/30/2023</u>
	Print Name of Owner	Signature of Owner	Date
2)	<u>Rupinder Kaur</u>	<i>Rupinder Kaur</i>	<u>01-30-23</u>
	Print Name of Owner	Signature of Owner	Date
3)	_____	_____	_____
	Print Name of Owner	Signature of Owner	Date
4)	_____	_____	_____
	Print Name of Owner	Signature of Owner	Date
	_____	_____	_____
	Owner's Mailing Address	Owner's Email	Owner's Phone #

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

Technology cost recovery fees are non-refundable



STATE OF CALIFORNIA  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
ALCOHOLIC BEVERAGE LICENSE  
OFF-SALE BEER AND WINE

VALID FROM

Jan 01, 2023

KAUR, RUPINDER  
2301 ORO DAM BLVD E  
OROVILLE, CA 95966

EXPIRES

Dec 31, 2023

TYPE NUMBER DUP

20 599967

AREA CODE

0404 31

RENEWAL

BUSINESS ADDRESS (IF DIFFERENT) DBA: LUCKY FOOD AND GAS #2

CONDITIONS

OWNERS: KAUR, RUPINDER  
SINGH, CHARANVIR

7



**IMPORTANT INFORMATION**

**EFFECTIVE PERIOD:** This license is effective only for the operating period shown above. A new license will be sent 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/datport/LQSMenu.html>.

**RENEWAL NOTICES:** Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

**RENEWAL DATES:** It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above.

A Penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

**RENEWAL PAYMENTS:** Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. ?renewal?) must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

**SEASONAL LICENSES:** It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

**POSTING:** Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

**CONDITIONS:** A copy of all applicable conditions must be kept on premises.

**LICENSEE NAME:** Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XX OTHERS". All names are on file and available upon request from your local ABC office.

**DBA:** If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office. You can find the contact information for each district office at <http://www.abc.ca.gov/distmap.html>.

**NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.**

<http://www.abc.ca.gov>



## RESOLUTION NO. P2023-07

**A RESOLUTION BY THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING MINOR USE PERMIT#23-03, FOR ALCOHOL SALES AT LUCKYS FOOD AND GAS ON 2301 OROVILLE DAM BLVD EAST (APN 035-500-047)**

**WHEREAS**, the City has received an application for alcoholic beverage sales at Luckys Food and Gas at 2301 Oroville Dam Blvd East; and

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

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

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

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

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

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

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

*Lucky Food and Gas is located on the corner of Oroville Dam Blvd East and Spencer Avenue in close proximity to similar retail and food stores. These retail and food uses include A-1 Kwik Services gas station, La Flor de Michoacan Homemade Ice Cream, Dutch Bros Coffee, and various banking and office services. There are not any nearby assembly areas and the closest residences are to the southeast, along Spencer and Brown Avenues.*

2. Appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris.  
*The requirement is added to the project conditions.*
3. Lighting of exterior areas, including parking lots, to discourage loitering outside of the building.  
*The requirement is added to the project conditions.*
4. Protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.  
*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis.*
5. Provision of onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police.  
*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis.*
6. Hours of operation.  
*Applicant states that the hours of operation are from 8:00 a.m. to 8:00 p.m. daily, which are unchanged from the existing operation.*
7. Controls on occupancy limits inside of the building and loitering outside of the building.  
*This requirement is added to the project conditions. Code compliance officers will monitor for compliance on an ongoing basis.*
8. Prevention of adverse effect of the use on the value of adjacent properties.  
*As an existing gas station and market, this use permit is likely to enhance the patronage and thus the value of adjacent properties;*
9. Whether approval would result in an undue concentration of these uses, and whether public convenience or necessity would mitigate the issue of undue concentration.  
*The Police Department and ABC determine if there is an undue concentration in the area.*

### CONDITIONS OF APPROVAL

**Approved project:** The Planning Commission hereby conditionally approves Use Permit No. 23-03, permitting alcoholic beverage sales in conjunction with the operation of Luckys Food and Gas at 2301 Oroville Dam Boulevard East (APN: 035-500-047). The subject property has a zoning designation of Corridor Mixed-Used (MXC) and a General Plan land use designation of Mixed Use (MU). Per the OMC Table 17.34.020-1, alcoholic beverage sales are land uses that require a use permit in MXC zones.

## **General Conditions**

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicant shall annually pay for and obtain a City of Oroville business license.
4. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
5. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
7. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
8. The applicant shall ascertain and comply with the requirements of all of City, County, State, Federal, and other local agencies as applicable to the proposed project.
9. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
10. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - II. Any of the terms or conditions of the permit have been violated.

- III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - IV. The permit was obtained by fraud.
11. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
  12. Any roof mounted or ground placed utilities (HVAC, generators, etc.) shall include an architecturally compatible method of screening. This can include screening by landscaping or a decorative fence for ground placed utilities.
  13. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
  14. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use.
  15. The applicant shall submit to the City details of exterior lighting for review and approval.
  16. The applicant or property owner shall apply for the proper permits as required by OMC Chapter 17.20 prior to any new signage being erected.
  17. No more than 25% of the window area shall be covered with signs. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
  18. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
  19. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief.
  20. 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.
  21. 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.
  22. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.

- 23. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
- 24. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Alcoholic beverage sales establishments are required to submit and adhere to a security plan in accordance with OMC 17.12.100.

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 29<sup>th</sup> of September 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP23-03 for Alcohol Sales at Luckys Food and Gas at 2301 Oroville Dam Boulevard East.

Project Location – Specific: 2301 Oroville Dam Boulevard East

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Gurveen Gill, has applied for a Use Permit for Alcohol Sales at Luckys Food and Gas at 2301 Oroville Dam Boulevard East (APN 035-500-047). The applicant has submitted an ABC Type 20 license to conduct beer and wine sales for off-site consumption. The subject property has a zoning designation of Corridor Mixed use (MXC) and a General Plan land use designation of Mixed Use.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Luckys Food and Gas

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - Existing Facilities, Title 14, CCR, §15301
- Statutory Exemption: State code number:

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

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

This project involves the use of a property zoned MXC. The intent of the MXC zoning designation is to support an integrated and attractive network of commercial, employment, and residential uses along Oroville’s major thoroughfares. As the building is existing, no new construction is proposed, minor interior alterations will occur, all business activities will be contained within the building, and the proposed use

will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. The project involves a change in use for the property intended to provide commercial uses with no proposed expansion of floor area or exterior modification.

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: Daniel Kopshever

Telephone: (530) 538-2517

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

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

- Signed by Lead Agency
- Signed by Applicant





# City of Oroville

Community Development Director

## COMMUNITY DEVELOPMENT DEPARTMENT

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

Thursday, March 23, 2023

**RE: Linkside Place 2 Subdivision Tentative Map Extension #3 (Final)**

**SUMMARY:** The Oroville Planning Commission may consider extending the existing Tentative Subdivision Map for Linkside Place 2 until June 10, 2024.

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

1. **Conduct a** Public Hearing to consider extending the existing Subdivision Map.
2. **Approve** the Map extension until April 26, 2024.
3. **Adopt** Resolution No. P2023-04 extending the deadline for filing a Final Subdivision Map for TSM 07-04 for one year until June 10, 2024, with the stipulation that approval of the Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.

**APPLICANTS:** Sean O’Neill and Patrick Laughlin

**LOCATION:** Oroville Dam Blvd. West at Christian Ave, immediately south of and adjacent to the existing Linkside Place 1 subdivision

**GENERAL PLAN:** MLDR  
**ZONING:** R-1  
**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Covered by previous environmental document

**REPORT PREPARED BY:**

**REVIEWED BY:**

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

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

## **DISCUSSION**

The Linkside 2 project is a 56-lot single family residential development that is a continuation of the 65-lot single family residential development known as Linkside Place Phase 1 located directly to the north.

On April 26, 2016, the Planning Commission approved an amendment to Tentative Subdivision Amp TSM 07-04, subject to the conditions of approval described in the Letter of Approval dated April 25, 2016. The Planning Commission subsequently approved a one-year extension of the Tentative Subdivision map at their October 24<sup>th</sup>, 2019 meeting, and another extension at their October 22, 2020 meeting. The new expiration date of the map was then set for December 10, 2021. However, due to the recession, COVID and other factors, the State extended this and other maps for 18 months – TSM 07-04 now expires on June 10, 2023.

The project continues to move forward slowly. On June 23, 2022, the Building Department approved the master plans and site plans for all parcels.

If this extension is granted, the map would then NOT be eligible for any more extensions.

## **FISCAL IMPACT**

None. The project is subject to all customary fees.

## **ATTACHMENTS**

1. Application and request for map extension
2. Map of Linkside Place 2, Master Plans, and 2016 Project Approval Letter
3. Resolution No P2023-04



# City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2430 FAX (530) 538-2426  
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Item 5.

TRAKIT#: **PL2302-012**

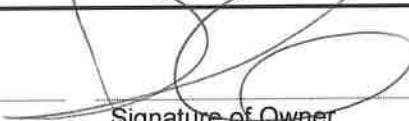
## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>				Project's:	Engineer
Name:	Sean O'Neill			Name:	Sean O'Neill
Address:	120 N. Auburn St., Ste 200 Grass Valley, CA 95945			Company:	Genesis Engineering
Phone:	530-701-4477			Address:	120 N. Auburn St., Ste 200, Grass Valley, CA. 95945
Email:	sean@genesisengineering.us			Phone:	(530) 701-4477
Is the applicant the Owner?	<input checked="" type="checkbox"/>	if applicant is Not the owner, please provide owner /agent authorization on the reverse side.		Email:	sean@genesisengineering.us
<b>DEVELOPMENT PROJECTS &amp; OTHER APPLICATIONS</b> (Please check all that apply)					
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition	<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan	<input type="checkbox"/>	Tentative Subdivision Map
<input type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application	<input type="checkbox"/>	Use Permit
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>	Landmark Designation	<input checked="" type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance
<input type="checkbox"/>	Other: (Please Specify)				
<b>ADMINISTRATIVE PERMITS</b> (Please check all that apply)					
<input type="checkbox"/>	Adult Oriented Business	<input type="checkbox"/>	Outdoor Storage	<input type="checkbox"/>	Special Event
<input type="checkbox"/>	Home Occupation	<input type="checkbox"/>	Outdoor Display & Sales	<input type="checkbox"/>	Street Closure
<input type="checkbox"/>	Large Family Day Care	<input type="checkbox"/>	Second Dwelling Unit	<input type="checkbox"/>	Tree Removal
<input type="checkbox"/>	Mobile Food Vendor	<input type="checkbox"/>	Sign/Temporary Sign Permit		
<input type="checkbox"/>	Other: (Please Specify)				
*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application. ** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.					
<b>PROJECT INFORMATION</b>					
Project Name: Linkside Place II			Proposed Structure(s) (Sq Ft.): 1,349, 1,587, 1,756 SF - SMF		
Address: TSM 07-04			Existing Structure(s) (Sq Ft.):		
Nearest Cross Street: Oro Dam Blvd W & Christian Ave			Water Provider: Thermalito Water and Sewer		
Assessor Parcel Number: 030-260-026-000			School District:		
Lot Size (Acres): 18.66 Acres			Number of Dwelling Units: 56		
<b>APPLICANT'S SIGNATURE</b>					
I hereby certify that the information provided in this application is, to my knowledge, true and correct.					
Signature:				Date:	
<b>OFFICE USE ONLY</b>					
General Plan:		Zoning:		Zoning Conformity:	
APN:		File#		Minimum Setbacks:	
		Overlay Zoning:		FY	
				RY	
				SY	

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

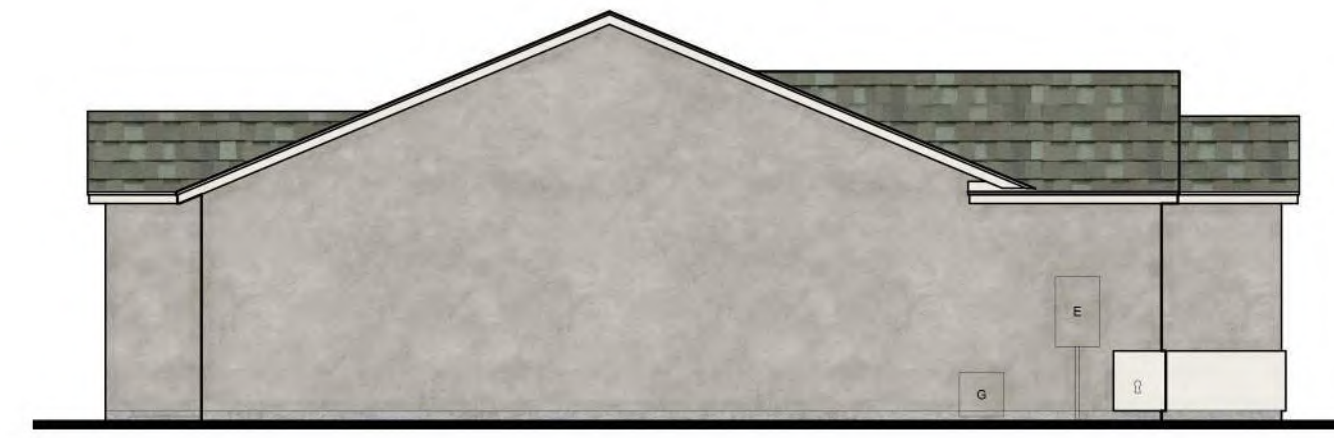
**Owner(s) of Record (sign and print name)**

1)	<b>Sean O'Neill</b>		2/14/23
	Print Name of Owner	Signature of Owner	Date
2)	_____	_____	_____
	Print Name of Owner	Signature of Owner	Date
3)	_____	_____	_____
	Print Name of Owner	Signature of Owner	Date
4)	_____	_____	_____
	Print Name of Owner	Signature of Owner	Date
	_____	_____	_____
	Owner's Mailing Address	Owner's Email	Owner's Phone #

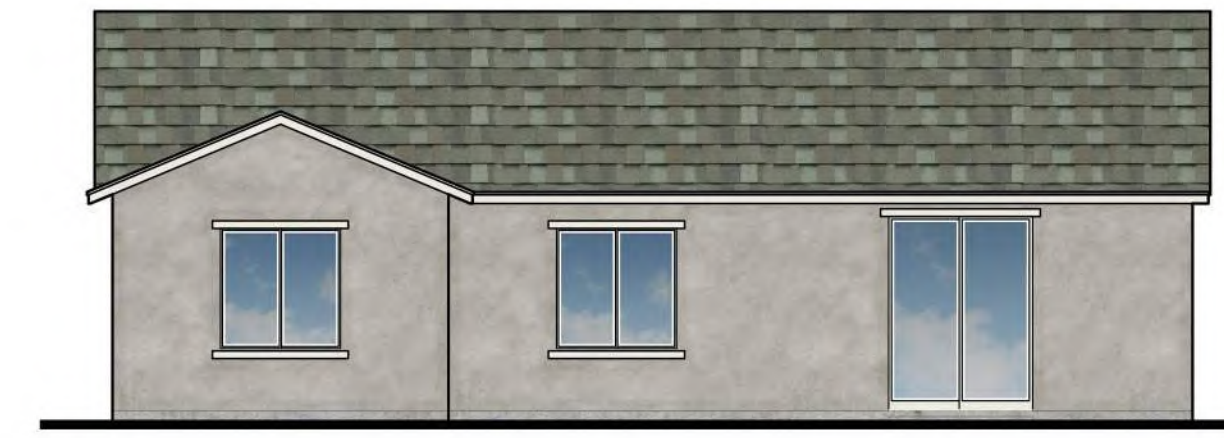
The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable





**LEFT ELEVATION**  
ELEVATION A 1/8" = 1'-0"



**REAR ELEVATION**  
ELEVATION A 1/8" = 1'-0"

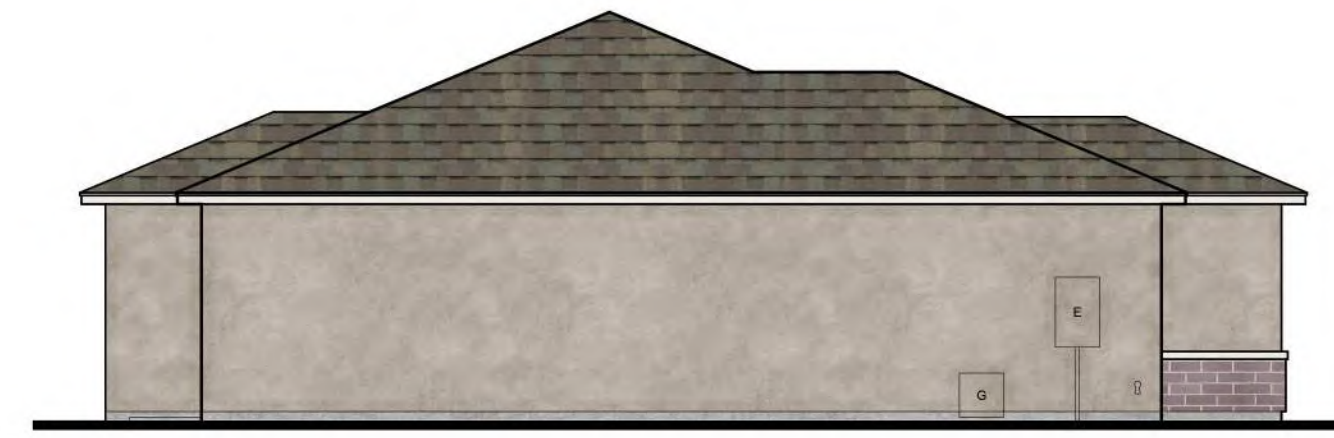


**RIGHT ELEVATION**  
ELEVATION A 1/8" = 1'-0"

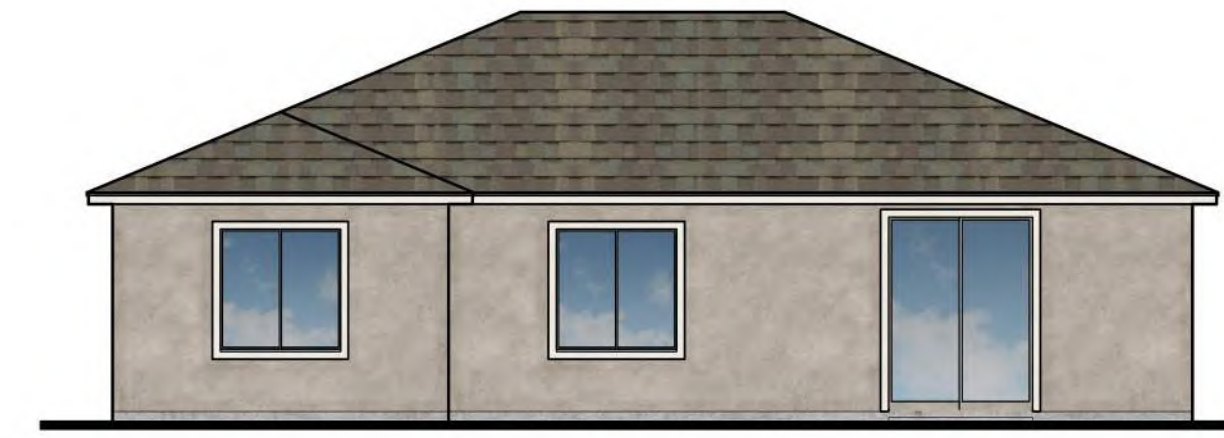


1349 - DANE | LINKSIDE PLACE | OROVILLE, CA

9-20-2021



**LEFT ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**REAR ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**RIGHT ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**FRONT ELEVATION**  
ELEVATION C 1/4" = 1'-0"

1349 - DANE | LINKSIDE PLACE | OROVILLE, CA

9-20-2021



LEFT ELEVATION  
ELEVATION A 1/8" = 1'-0"



REAR ELEVATION  
ELEVATION A 1/8" = 1'-0"



RIGHT ELEVATION  
ELEVATION A 1/8" = 1'-0"



FRONT ELEVATION  
ELEVATION A 1/4" = 1'-0"

1587 - LAUREN | LINKSIDE PLACE | OROVILLE, CA

9-20-2021

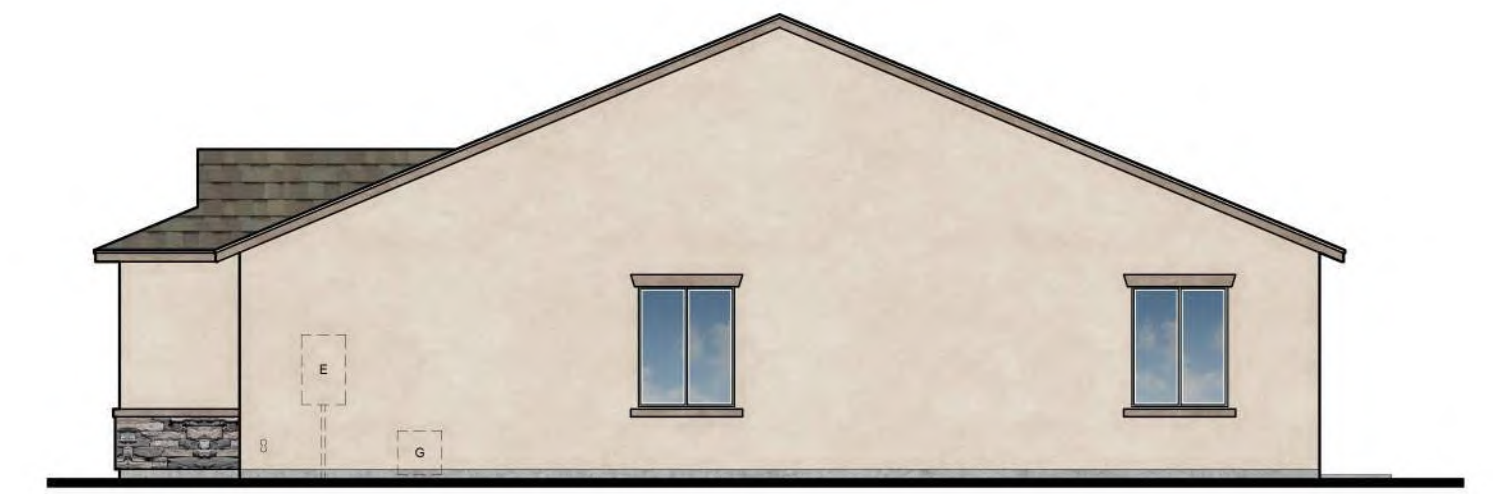




**LEFT ELEVATION**  
ELEVATION B 1/8" = 1'-0"



**REAR ELEVATION**  
ELEVATION B 1/8" = 1'-0"



**RIGHT ELEVATION**  
ELEVATION B 1/8" = 1'-0"



1587 - LAUREN | LINKSIDE PLACE | OROVILLE, CA

9-20-2021



**LEFT ELEVATION**  
ELEVATION B 1/8" = 1'-0"



**REAR ELEVATION**  
ELEVATION B 1/8" = 1'-0"

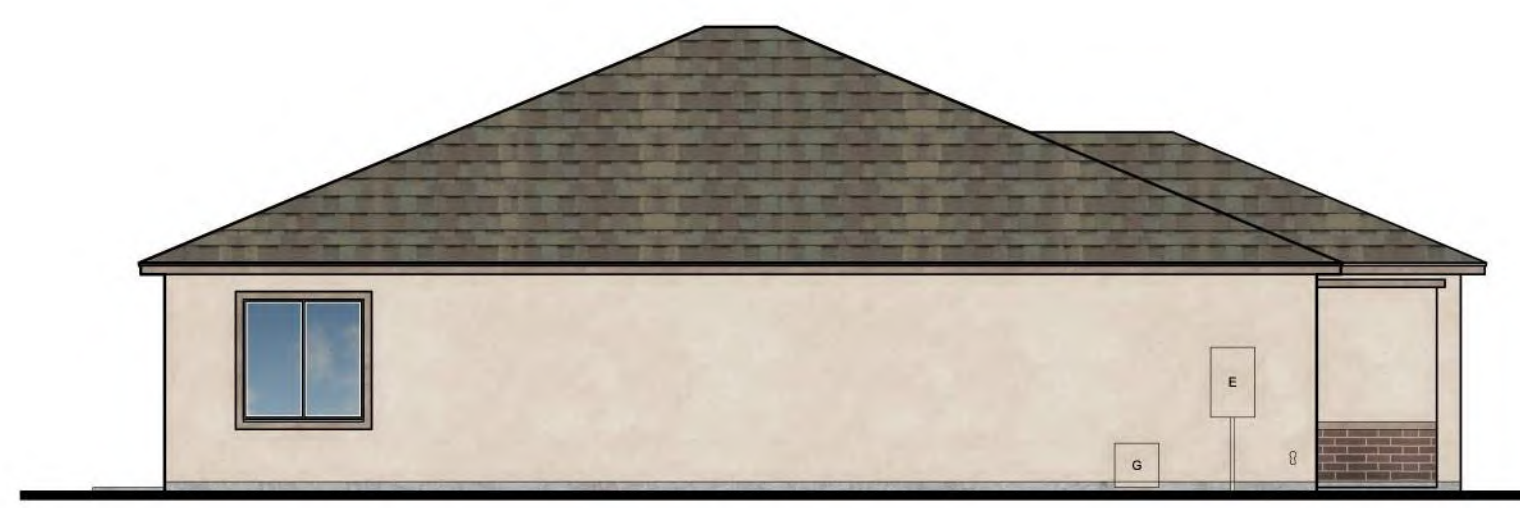


**RIGHT ELEVATION**  
ELEVATION B 1/8" = 1'-0"



1756 - NAOMI | LINKSIDE PLACE | OROVILLE, CA

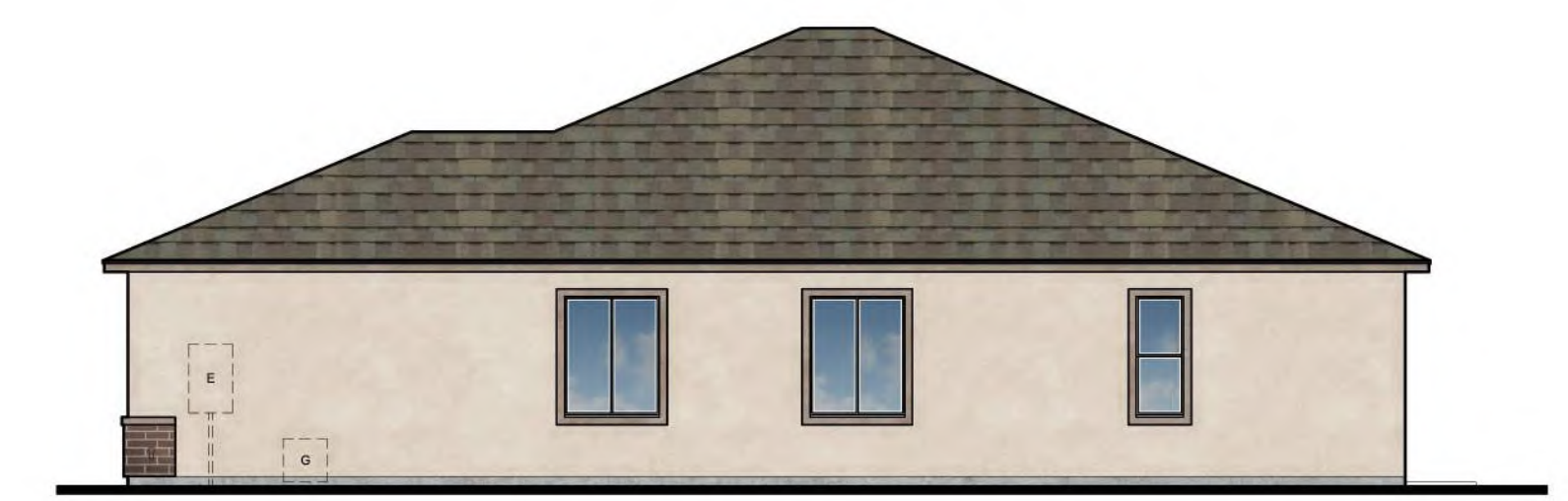
9-20-2021



**LEFT ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**REAR ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**RIGHT ELEVATION**  
ELEVATION C 1/8" = 1'-0"



**FRONT ELEVATION**  
ELEVATION C 1/4" = 1'-0"

1756 - NAOMI | LINKSIDE PLACE | OROVILLE, CA

9-20-2021

# Draper Ranch Exterior Colors: REVISED 4.20.21 – roof colors

## Exterior #1:

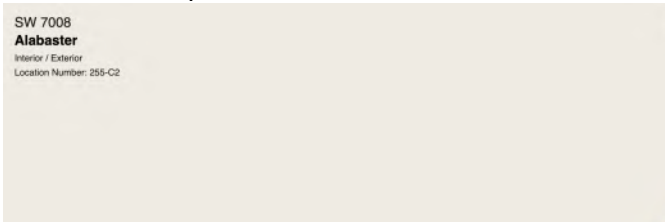
Roof Color: Certainteed Solaris Georgetown Gray



Body/Garage Door: SW7017 Dorian Gray



Trim/Facia/Pop Outs: SW7008 Alabaster



Entry Door and Shutters: SW7624 Slate Tile



## Masonry:

Brick – HC Muddox “Carob”



Stone: Coronado Virginia Ledge “Hillside”



## Exterior #2

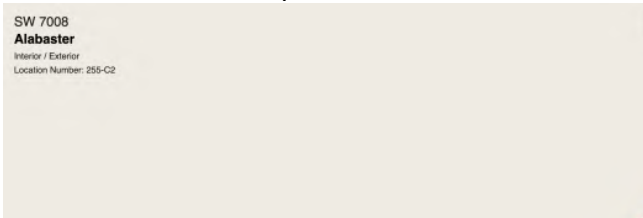
Roof Color: Certaineed Solaris Weathered Wood



Body/Garage Door: SW7031 Mega Griegie



Trim/Facia/Stucco Pop Outs: SW7008 Alabaster

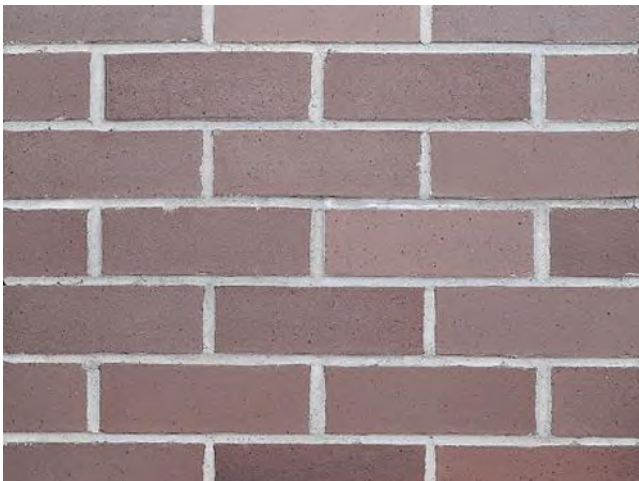


Entry Doors and Shutters: SW7032 Warm Stone



Masonry:

Brick: HC Muddox "Iron Mountain"



Stone: Coronado Artisan Ledge "Falmouth"

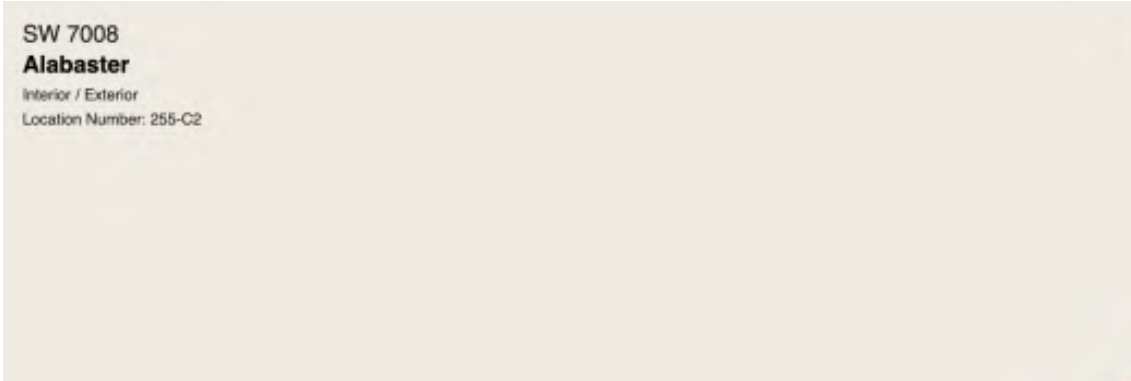


### Exterior #3

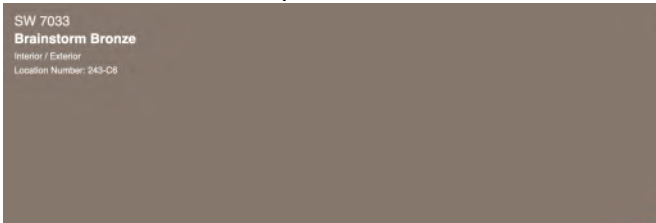
Roof Color: Certaineed Solaris Georgetown Gray



Body/Garage Door: SW7008 Alabaster



Trim/Facia/Stucco Pop Outs: SW7033 Brainstorm Bronze



Entry Door and Shutters: SW0065 Vogue Green



### Masonry:

Brick: HC Muddox "Sierra Slate"



Stone: Coronado Virginia Ledge "Coastal Brown"



## Exterior #4

Roof Color: Certaineed Solaris Weathered Wood



Body/Garage Door: SW7517 China Doll

SW 7517  
**China Doll**  
Interior / Exterior  
Location Number: 250-C1

Trim/Facia/Stucco Pop Outs: SW7502 Dry Dock

SW 7502  
**Dry Dock**  
Interior / Exterior  
Location Number: 250-C6

Entry Door and Shutters: SW7509 Tiki Hut

SW 7509  
**Tiki Hut**  
Interior / Exterior  
Location Number: 250-C7

Masonry:

Brick: HC Muddox "Sierra Slate"



Stone: Coronado Old World Ledge "Huron"



Old World Ledge - Huron

## CONDITIONS OF APPROVAL

### Linkside Place Subdivision, Phase II (TSM 07-04)

**Approved Project:** The project applicants, Sean O'Neil and Patrick Laughlin, have applied for an amendment to a previously approved tentative subdivision map identified as Linkside Place Subdivision, Phase II (TSM 07-04). The proposed 56-lot single family residential development map amendment is a continuation of the 65-lot single family residential development (Linkside Place Subdivision, Phase I) located directly to the north. Site grading and improvements were begun and the site has been finish graded and underground facilities and roads, except for paving and curbing, have been installed. The general purpose of requesting the map amendment is to implement major changes to the stormwater drainage design, changes to the dedicated open space proposed, and changes to the location and number of lots proposed. A conservation easement is proposed for the approximately 5 acre "remainder" parcel at the south end of the project site to maintain it as permanent open space. The Planning Commission hereby approves the amendment to TSM 07-04, subject to the following:

#### **SUBMIT GRADING AND IMPROVEMENT PLANS THAT CONTAIN ALL OF THE FOLLOWING INFORMATION:**

1. The approval of the Tentative Map and/or tentative site plan does not constitute approval of the proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. The Engineer shall submit construction details, plans and profiles, typical sections, grading and erosion control details, specifications, and cost estimates to the Engineering Division for review and approval with submittal of the improvement plans.
2. The grading plans shall clearly identify all existing water, sewer, storm water, traffic, and other public utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15-feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures.
3. Grading plans shall be accompanied by a soils report or geotechnical report prepared by a registered Geotechnical Engineer, Civil Engineer or Professional Geologist in a manner consistent with the most recent standard engineering practice. The report shall be reviewed by the Engineering Division.
4. Maximum fill and cut slopes including detention basins shall be 2:1 maximum.
5. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than 4-feet in height as measured from bottom of footing to top of wall. All retaining walls visible from a public street or property shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment.



6. The grading plans shall identify areas, details, and/or cross sections proposed for mass grading, and shall identify areas for no mass grading where the houses will be constructed on raised foundations.
7. Except as otherwise specifically approved in these conditions, all lots shall be graded to prevent cross-lot drainage, and graded to prevent drainage from entering other properties adjacent to the subdivision.
8. The design and construction of all improvements shall conform to the latest Construction Standards, practices and policies of the City of Oroville, or as modified by these conditions of approval, or as directed by the Director of Community Development or his/her designee.

#### STREETS AND TRAFFIC IMPROVEMENT REQUIREMENTS

9. Interior streets shall be constructed as follows:
  - a. Christian Way construct 40-foot curb-to-curb road width, 6-inch vertical curb and gutter, and 5-foot wide sidewalks contiguous to the curb.
  - b. Hawes Way and Renfro Drive construct 40-foot curb-to-curb road width, 6-inch rolled curb and gutter, and 5-foot wide sidewalks contiguous to the curb.
  - c. Westland Drive and Elvis Court construct 35-foot curb-to-curb road width, 6-inch rolled curb and gutter, 6-foot wide planter strips, and 5-foot wide separated sidewalks.
10. Provide a 48-foot radius minimum cul-de-sac measured from center to face-of-curb, 6-inch rolled or vertical curb and gutter, 6-foot planter strip, and 5-foot separated sidewalk, designed and constructed to City standards, unless otherwise approved by the City's Director of Community Development or his/her designee.
11. Minimum paved structural section on all new residential roadway sections shall be 3-inch A. C. over 10-inch A.B. unless soil conditions based on an engineered pavement design warrant a different structural section.
12. Construct a minimum 12-foot wide paved access road and turnaround through Lot A and Lot B as illustrated on the TSM, with removable bollards at the entrance from Susan Court. Minimum structural section shall have 2-inches A. C. over 8-inches A.B. unless soil conditions warrant an increased structural section.
13. Construct a 12-foot wide paved access road within the utility easement along the southerly boundary of Lot 1, connecting Westland Drive and the access road within Lot A, with removable bollards at Westland Drive. Minimum structural

section shall have 2-inches A.C. over 8-inches A.B. unless soil conditions warrant an increased structural section.

14. Minimum slopes at road edges or back of sidewalks shall be 4:1 unless guardrail or other decorative pedestrian metal hand railing is installed.
15. Construct handicapped ramps to current Disability Access Standards and the City's ST-15 standard at all intersections complete with black truncated domes. The curb ramps and sidewalk back of ramps shall be placed within the City's right-of-way.
16. Where matching existing paving, all edges shall be saw cut.
17. Install centerline monuments in accordance with City Standards.
18. Install stop signs at all pertinent intersections.
19. All traffic control devices including stop signs, street legends, centerline striping, shoulder striping, warning signs, etc., shall be shown on the improvement plans and shall be installed on all roadways in accordance with City Standards. All paint striping and legends shall be Thermoplastic. All street signs shall be high intensity reflective sheeting.
20. All public facilities such as mailboxes, signs, and fire hydrants shall be located out of sidewalk. Multi-tenant mailboxes shall be installed in a location approved by the postal service and shown on plans.
21. Street names shall be approved by the City Address Coordinator, and street name signs shall be provided per requirements of the Community Development Department.
22. Prior to construction of required street improvements, submit improvement plans to the Engineering Division for approval. All improvement plans shall be designed by a Registered Civil Engineer, shall conform to the Standards of the City of Oroville, and shall be approved by the City Engineer prior to the start of work.
23. All streets and frontage improvements shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans.

#### SEWER IMPROVEMENT REQUIREMENTS

24. Subdivider shall construct sewer extensions to the Property at Subdivider's expense, in accordance with standards and plans approved by Thermalito Water and Sewer District (TWSD).
25. All new structures constructed on the new lots created by this subdivision shall be connected to the TWSD sanitary sewer system. Sewer service laterals shall

be constructed to each lot. All installations of sewer lines within public rights-of-way will be done according to current TWSD standards.

26. All lots shall be designed to be served by gravity sewer.
27. Sanitary sewer design, plan, and profile shall be submitted to TWSD for approval. It is the developer's responsibility to obtain TWSD approval. Approved sewer plans shall be submitted to City.

#### STORM DRAINAGE IMPROVEMENT REQUIREMENTS

28. Each lot shall be graded to drain to the street, and graded to prevent cross-lot drainage.
29. On-site drainage shall be collected on-site and transported via underground gravity conduit to the detention Pond.
30. Storm water from the Property shall be detained using a metered orifice to maintain the pre-development peak rate of discharge from the Property for 2, 10, and 100-year storm intervals. Emergency overflow provisions for storm exceeding 100-years, and trash, debris, & sediment collection shall also be incorporated into the design.
31. The design of stormwater detention/retention facilities shall include emergency overflow provisions for storm events that exceed the design storage capacity of the facility.
32. Where lots cannot be graded to drain to a street or graded to prevent cross-lot drainage to adjacent properties, construct concrete V-ditches or underground piping within private stormwater easements at the back of those lots. All storm water conveyances constructed along the back of lots shall be privately owned, unless a Registered Civil Engineer can demonstrate to the City Engineer that public ownership of the conveyance facility is necessary for conveyance of public storm water, or for conveyance of substantial off-site drainage tributaries.
33. Storm drainage drop inlets shall have adhesive applied curb markers installed in accordance with City Standards. The curb markers shall be part number "SDS" as manufactured by DAS, Curb Markers, or approved equal and shall say "DON'T POLLUTE".
34. All drainage pipe laid within City right-of-way shall be 12" minimum RCP unless otherwise approved by the Director of Community Development or his/her designee. Flexible pipes such as HOPE and PVC will not be considered unless the developer provides certification and assurances, and if required, securities for the installation of the pipe. Certifications and assurances may be in the form of special inspections paid for by the developer, with written statements from a Registered Civil Engineer guaranteeing the installation, and written statements

from the manufacturer guaranteeing the materials. Securities may be in the form of maintenance bonds with extended warrantee periods.

35. All drainage improvements shall be constructed in conformance with Oroville Construction Standards, the City Master Drainage Plan, and the details shown on approved construction plans. The subdivider shall have a Registered Civil Engineer prepare and submit construction details, plans and profiles, typical sections and specifications, and cost estimates to the Engineering Division for review and approval prior to the start of any work.

#### WATER AND FIRE PROTECTION IMPROVEMENT REQUIREMENTS

36. Fire hydrants shall be installed at locations required by the Oroville Fire Department. Installation of the hydrants shall conform to the requirements of the City of Oroville Fire Department and the TWSD.
37. Installation of the hydrants shall conform to the requirements of the City of Oroville and the TWSD.
38. Water for domestic use and fire suppression shall be obtained from the TWSD. Water service shall be stubbed out to each lot within the subdivision. All water installations shall be completed in accordance with TWSD standards and all civil plans must be approved and signed by the water purveyor.
39. All connections to existing TWSD infrastructure shall be performed in accordance with the requirements of TWSD.
40. Subdivider shall construct water line extensions to the Property and shall install and/or replace water lines off-site if TWSD determines that such improvements are required in order to meet City's minimum fire flow standards. All such improvements shall be designed in accordance with TWSD standards and plans approved by TWSD, and shall be constructed at Subdivider's expense.
41. Prior to recording of a Final Map for any of the lots created by this Map, subdivider shall provide evidence to the City that all of the following requirements have been met:
  - a. All water mains and other infrastructure necessary to provide domestic service and fire flow protection to the current City and Fire Code standards have been installed.
  - b. All water services have been stubbed out to each lot created by the Final Map in accordance with current TWSD standards.
  - c. TWSD has accepted all such infrastructure for service and maintenance and has agreed to provide service to the lots being created by the Final Map.

## OTHER UTILITY IMPROVEMENT REQUIREMENTS

42. Subdivider shall provide telephone, cable television, and gas service to all lots, in accordance with Oroville City Code, the Oroville Construction Standards, and the requirements of the agencies providing these services.
43. All utilities shall be installed underground in accordance with the requirements of the City Code. All existing overhead utilities within the Property or along any perimeter or frontage of the Property shall be undergrounded unless otherwise determined by PG&E to be too large to be placed underground.
44. Street lights shall be installed along interior roads within the project in accordance with Pacific Gas and Electric and City Standards. A street lighting plan shall be submitted to the Engineering Division for review and approval. Street light poles shall be spun aluminum or other material approved by the Director of Community Development or his/her designee. Luminaires shall be semi-cutoff optical designs with a maximum luminaire mounting height of 25-feet. The joint trench route for the subdivision shall be incorporated into the construction drawings. The drawings shall also include a joint trench cross-section. If the joint trench locations are unknown at the time of submittal, Applicant shall identify the most likely probable location for the joint trench, and provide a typical, common cross-section.
45. Any relocation or rearrangement of existing PG&E electric pole line facilities as a result of this Map will be at Subdivider's expense, or as allowed for by the Public Utilities Commission provided that no costs are placed on the City.
46. Subdivider shall provide a letter from each utility stating that satisfactory financial arrangements for installation of that utility have been made.
47. The joint trench composite shall be incorporated into the construction drawings showing, to the best knowledge of the Engineer, the location of the trenches, a typical trench section, and the utilities to be included within the trench. These can be modified after the plans have been approved if so required by the utilities, however, construction of the joint trench shall not be started until the final composite has been approved by the City Engineer.
48. Obtain an encroachment permit for any work within existing City, County, and/or Caltrans right-of-way.

## LANDSCAPING AND FENCE IMPROVEMENT REQUIREMENTS:

49. Install an irrigation system, street trees, and turf between the curb and sidewalk along the frontages of all streets created by the Map, in accordance with landscape and irrigation plans approved by the Director of Parks and Trees or his/her designee. The described improvements for all internal street frontages

shall be installed on each lot prior to issuance of a Certificate of Occupancy of Building Permit Final for that lot.

50. All lots shall be landscaped in accordance with the City's landscaping and irrigation design standards.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A PERMIT FOR ANY CLEARING, GRUBBING, AND/OR GRADING OF THE SITE:**

51. Schedule and attend a pre-grading conference with staff from the City Public Works Division.
52. An erosion and sediment control plan detailing Best Management Practices (BMP) shall be submitted to and approved by the Engineering Division prior to approval of a grading permit.
53. Prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. Two copies of the SWPPP shall be submitted in single three ring binders. Upon approval, one copy of the SWPPP will be returned to Applicant during the pre-construction meeting.
54. All required permits and/or approvals shall be obtained from all resource agencies having jurisdiction over the project. These agencies include, but are not limited to, Caltrans, the United States Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW), and the Central Valley Regional Water Quality Control Board (RWQCB). All activities relating to the project, including grading, shall be in compliance with all federal, state and local laws and regulations, including the Endangered Species Act and the Clean Water Act. Applicant's activities, including grading, shall not result in a "take" of any endangered species or such species' habitat without first complying with the requirements of the Endangered Species Act and shall not result in a discharge to any Waters of the United States of America without first complying with the requirements of the Clean Water Act.

To the extent practicable, the discharge or dredged or fill material into Waters of the U.S. and Waters of the State shall be avoided (this also includes waters not subject to USACE jurisdiction, but subject to RWQCB, CDFW jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:

Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit, as applicable shall be obtained from the USACE. For any features determined to not be subject to USACE jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB.

For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.

Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent, ephemeral creeks or riparian vegetation, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained.

Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.

Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).

Vehicular entry into "waters of the U.S.", including wetlands, to be avoided, shall be prohibited during construction.

Loss of wetlands shall be compensated at a creation ratio stipulated by the USACE. This can be accomplished through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the USACE or RWQCB).

Loss of "other waters" shall be compensated through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the USACE and the applicant during the permitting process.

Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. USACE, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented, including applicable CEQA mitigation measures.

55. Prior to approval of a grading and construction permit, the permit applicant shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be allowed outside of the designated staging areas. As much as practicable, the staging areas shall be located on level terrain. Staging areas shall not be located within 100 feet of any wetlands, water features or residence that exists or may be constructed while the staging area is in use.

56. Deposit agreements shall be signed and fee deposits paid to the City for the cost of the following inspection services to be provided by a consultant selected by the City.
  - a. Geotechnical construction oversight.
  - b. Biologist oversight.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A CONSTRUCTION PERMIT:**

57. Provide a detailed construction schedule for City review. If construction is proposed during the rainy season, demonstrate to the satisfaction of the City that the erosion and sediment control measures outlined in the SWPP Plan are adequately designed to protect the project from SWPP non-compliance.
58. All plan check fees, construction inspection fees, development impact fees, and other applicable fees shall be paid.
59. All other agency approvals shall be obtained by Applicant. Improvement plans will not be signed or released until written documentation of plan acceptance is provided to the City from the other agencies having jurisdiction over their infrastructure.

**THE FOLLOWING CONDITIONS SHALL BE ADHERED TO DURING THE COURSE OF ALL GRADING AND CONSTRUCTION:**

60. No clearing and grubbing, vegetation and tree removal, grading, or other on-site improvements shall be initiated until the grading and/or improvement plans are signed and approved by the Director of Community Development or his/her designee, and grading, construction and/or encroachment permits are issued by the Engineering Division. Grading of the lots shall be completed in accordance with Oroville City Code and Oroville's Construction Standards.
61. Applicant shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer, storm water, traffic, and other public utilities to the satisfaction of the City.
62. Grading and construction activities will be subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance, project construction is allowed between the hours of 7 a.m. and 9 p.m. daily except Saturdays, Sundays and holidays, when construction shall be limited to the hours between 10:00 a.m. and 6:00 p.m. Weekend work is not allowed without prior authorization from the City, and additional inspection fees will be required to pay for consultant and staff overtime.



63. The project applicant, in coordination with the City and Butte County Air Quality Management District (BCAQMD), shall implement BCAQMD standard mitigation measures set forth below:
- a. All on- and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the five minute idling limit.
  - b. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors is prohibited.
  - c. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked by a certified mechanic and determined to be running in proper condition before the start of work.
  - d. Install diesel particulate filters or implement other CARB-verified diesel emission control strategies.
  - e. To the extent feasible, truck trips shall be scheduled during non-peak hours to reduce peak hour emissions.
  - f. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
  - g. All dirt stockpile areas should be sprayed daily as needed, covered, or a BCAQMD approved alternative method will be used.
  - h. All disturbed soil areas not subject to re-vegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the BCAQMD.
  - i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  - j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with local regulations. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
  - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

- l. Post a sign in a prominent location visible to the public with the telephone numbers of the contractor and District for any questions or concerns about dust from the project.
  - m. Compliance with all applicable BCAQMD rules and regulations, as found in Appendix A of the District's CEQA Air Quality Handbook (2014), including those relevant to both construction and operational phases of the project, including but not limited to District Rule 205 (Fugitive Dust Emissions) and District Rule 440 (Portable Equipment Registration).
64. Construction practices shall conform to the standards adopted by the Butte County Air Quality Management District, which requires, but is not limited to the following:
- a. All construction debris must be discarded at Recology Butte Colusa Counties located at 2720 South 5th Avenue, per City Franchise Agreement Number 0474-3 and Construction and Demolition Ordinance No. 1721.
65. If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially eligible resource is encountered, then the archaeologist, City of Oroville, and project proponent shall arrange for either 1) test excavations or total data recovery; or 2) total avoidance of the resource, if possible.
66. Obtain inspection approvals from the City and other agencies for all improvements shown on the approved grading and subdivision improvement plans.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO APPROVAL OF THE FINAL MAP:**

- 67. Applicant is expressly responsible for managing and completing all required tasks and for the submittal of required documents to the City to facilitate Final Map approval. The Final Map will not be approved until all items listed in this section have been completed to the satisfaction of the City.
- 68. Approval of this tentative Map shall expire on December 10, 2019. After that date no Final Maps will be approved for any of the lots created by this tentative Map unless an extension is applied for and approved in accordance with City Code.

69. Dedicate to the City of Oroville in fee simple a sixty-foot wide right-of-way for all streets, and a 60-foot radius for all cul-de-sacs, within the Property, consistent with the configuration of those streets as illustrated on the Map.
70. Dedicate a 1-foot no-access strip or relinquish abutter's rights to the City along the eastern boundary of all building lots that abut Lot A.
71. Dedicate a 20-foot wide utility and access easement, and turnaround area across Lots A and B as illustrated on the Map.
72. Ownership of Lot A, being identified on the Map as open space and a utility road abutting the easterly boundary of the Property, shall remain with subdivider, or deeded to responsible entity, for purposes of protecting the native vegetation and topography of this lot to sustain wetlands, and to provide for a utility access easement and access road. Notice about the location and extent of wetlands identified on Lot A shall be provided by separate instrument recorded concurrently with the Final Map.
73. Ownership of Lot B, being identified on the Map as 219,000 square feet of open space abutting the southern boundary of the Property, shall remain with subdivider, or deeded to responsible entity, for purposes of protecting the native vegetation and topography of those lots to sustain wetlands. Notice about the location and extent of wetlands identified on Lot B shall be provided by separate instrument recorded concurrently with the Final Map.
74. Deed by separate instrument recorded concurrently with the Final Map an open space easement for airport safety purposes over at least 3.73 acres of the land identified as Lot B, and enter into an agreement with the City of Oroville specifying all of the following:
  - a. No structures, trees, or equipment shall be constructed or installed within the easement area unless Subdivider provides 3.73 acres of open space within the AIA "C" zone in another location approved by City.
  - b. Alternately, if and when City establishes mitigation fees for acquisition of open space for airport safety in a location somewhere other than on the Property, Subdivider may elect to pay applicable mitigation fees for 3.73 acres of open space in exchange for abandonment by City of the open space easement described in this resolution.
75. Obtain from City the ownership of Lot "A" created by the subdivision map for Phase 1 (being the temporary street between Christian Avenue and Hawes Way), and Lot "B" (the temporary open space / drainage retention area at the south end of the Property), if those lots have been accepted by the City in accordance with the terms of Oroville City Council's Resolution Number 637 4 which approved the Final Map for Linkside Place Phase 1, and the terms of Agreement No. 1567 entered into between subdivider and City.

76. Dedicate a 10-foot wide Public Utility Easement along all lots abutting streets interior to and adjacent to the Property, as requested by PG&E.
77. Where lots cannot be graded to drain to a street or open area, create minimum 5-foot wide private drainage easements for cross-lot drainage as approved by the City Engineer. The easements shall be created by separate instrument recorded concurrently with the Final Map. Owners of lots for which private drainage easements are created shall be responsible in perpetuity for maintaining all private drainage facilities constructed on that lot. Notice of this maintenance responsibility shall be provided by separate instrument recorded concurrently with the Final Map.
78. Deed to Thermalito Water and Sewer District all easements across the Property required by the District for water and sewer lines not located within public rights-of-way. All easements shall be a minimum of 20-feet in width unless the District approves a lesser width.
79. Provide evidence that Thermalito Water and Sewer District has abandoned all easements for sewer and water lines on the Property that are located within any and all building lots created by this Map.
80. All stormwater easements dedicated to the City shall have a minimum width of 20 feet except as otherwise noted in these conditions.
81. All easements of record on and appurtenant to the Property, and all easements created by approval of this Map, shall be noted on the Final Map and shown on site plans and improvement plans.
82. Provide by separate instrument recorded concurrently with the Final Map a Notice of Proximity to Oroville Municipal Airport and the potential for aircraft overflights, utilizing forms provided by the City.
83. The following requirement shall apply to Lots 1 through 9, and Notice of this requirement shall be provided by separate instrument recorded concurrently with the Final Map: A uniform 6-foot high decorative open metal fencing, such as segmental metal-rail fencing or other uniform fencing approved by the Director of Community Development or his/her designee, shall be installed along the back of Lots 1-9, prior to issuance of a final building permit for each of those lots.
84. Applicant shall be responsible for ensuring that all required notes, owner's statements, statements of easements and dedications, references to recordation instruments, etc., are present on the Final Map in a form acceptable to the Butte County Recorder's office.
85. The stormwater detention basin constructed to serve Linkside Place Phase 1, as required by the conditions of approval for that subdivision and described in Resolution No. P 2003-10, shall be enlarged as approved by the City of Oroville

Department of Public Works and installed to City standards to meet the needs of Phase I and Phase II.

86. Annex to the City's Landscape and Lighting Maintenance District (LLMAD). Applicant is responsible for all costs for annexation into the district including the City's Consultant fees.
87. Annex to the City's consolidated Drainage Benefit Assessment District for storm drainage facilities. Applicant is responsible for all costs for annexation into the district including the City's Consultant fees.
88. Prior to recordation of the Final Map, the subdivision shall annex in to both CFD 2006-01 and CFD 2006-02.
89. A Final Map may be approved prior to completion of all required improvements and conditions of approval in the following circumstances:
  - a. Provide the City with a detailed list of any uncompleted improvements, and the construction value of the uncompleted improvements. Uncompleted improvements requiring security include but are not limited to landscaping, irrigation systems, oak tree mitigation plantings, fences, and walls. Construction values shall be either estimates of value prepared by a California Registered Civil Engineer, or construction contracts signed by Applicant and the licensed contractor who will complete the improvements; and
  - b. Provide the City with 150% security for all uncompleted improvements. The form of security shall be an irrevocable bank letter of credit, or the ability to provide cash deposit subject to the approval of the City Attorney, addressed to the City of Oroville, valued at 150% of the construction value of the uncompleted improvements; and
  - c. All construction work in progress shall be adequately secured and protected and in full compliance with applicable storm water pollution prevention plan requirements.
90. Pay all fees due to the City for all services rendered, including, but not limited to assessment district formation fees, geotechnical oversight fees, plan check fees, final map check fees and construction inspection fees.
91. Submit documentation to the City that all utility work, including but not limited to water, power, and natural gas have been completed, or that financial arrangements satisfactory to the other utility agencies have been made.
92. Submit to the City a landscape maintenance agreement, and any other plans and/or agreements required by these project conditions.

93. Submit to the City a signed Statement of Taxes obtained from the Butte County Tax Assessor's office showing that all taxes for the property have been paid. The County Recorder will not accept a Statement of Taxes that was issued more than 60 days prior to the date a final map is to be recorded.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

94. The City shall have determined that the supporting infrastructure for the project has been deemed substantially complete in the judgment of the Director of Community Development or his/her designee. Building permits for model homes may be issued after all fire, life, and safety issues have been addressed to the satisfaction of the Fire Chief and Director of Community Development.
95. The Applicant shall provide to the satisfaction of the Director of Community Development or his/her designee, as-built plans for all City-maintained infrastructure, and if applicable, shall provide all certifications and operations and maintenance manuals for mechanical equipment.
96. Fire hydrants shall be fully functional or other means of temporary fire suppression may be provided if authorized by the Fire Department and Director of Community Development.
97. Prior to issuance of any City building permit for construction of a single-family residence, Applicant or its successor shall provide proof as required by City ordinance that Feather River Recreation and Park District has been paid the District's development impact fees relating to the residence.

**MISCELLANEOUS/OTHER CONDITIONS OF APPROVAL:**

98. Upon application of the subdivider filed prior to the expiration of the conditionally approved tentative map, the time at which the map expires may be extended for a period or periods no exceeding a total of six years. This does not account for automatic extensions as specified in the Subdivision Map Act.
99. The applicant shall ascertain and comply with the requirements of all federal, state, county and local agencies as are applicable to the project areas.
100. The land division shall comply with the State of California Subdivision Map Act and with all requirements of the City's Code, unless modified by the conditions listed herein, and with all other applicable State and Federal codes.
101. 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 project. Applicant further agrees to provide a defense for the City in any such action.

102. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
103. Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project by the Planning Commission.
104. This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
105. Applicant is required to comply with all Mitigation Measures as identified in the Mitigation Monitoring Program and Mitigated Negative Declaration for this project (State Clearinghouse #: 2005072127).

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

**CITY OF OROVILLE  
RESOLUTION NO. P2023-04**

**A RESOLUTION OF THE OROVILLE PLANNING COMMISSION  
FOR A ONE-YEAR EXTENSION FOR TENTATIVE SUBDIVISION MAP NO. TSM  
07-04 (LINKSIDE PLACE 2) TO EXPIRE ON JUNE 10, 2024**

**WHEREAS**, the City of Oroville approved the application for amended Tentative Subdivision Map No. 07-01 on April 25, 2016 ; and

**WHEREAS**, the Planning Commission approved requests at their October 24<sup>th</sup>, 2019 meeting to extend the expiration of Tentative Subdivision Map No. 07-04 until December 10, 2020, then December 10, 2021; and

**WHEREAS**, Tentative Subdivision Map No. 07-04 was extended several times via legislation by the State of California and now expires on June 10, 2023; and

**WHEREAS**, Tentative Subdivision Map No. 07-04 is eligible to be extended by the City once more for up to one additional year; and

**WHEREAS**, the City of Oroville has received a timely request to extend the date to record the final map; and

**WHEREAS**, the site conditions and City regulations pertaining to the development of the map have not changed since the approval date of the Amended Map; and

**WHEREAS**, the applicant has diligently worked on meeting conditions of approval for the Final Map.

**NOW, THEREFORE, BE IT RESOLVED** by the Oroville Planning Commission as follows:

- Section 1. Pursuant to California Government Code Section 66452.6 (a)(1) and the City of Oroville Code 16.12.020, Tentative Subdivision Map No. 07-04 is hereby granted a 12-month extension time to file a final map, with the new expiration date being June 10, 2024
- Section 2. The Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.



**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 23<sup>rd</sup> day of March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### PLANNING COMMISSION STAFF REPORT

Thursday, March 23, 2023

**RE: Minor Use Permit UP23-04 for a residential addition with attached garage to be used for a large family day care and future child day care center.**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-04 to allow a residential addition to be used for a large family day care and potential future child day care center.

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

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-04;
4. **Approve** Use Permit UP23-04 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2023-06

**APPLICANT:** Anthony Kinser

**LOCATION:** 2093 Fogg Avenue (APN 031-150-125)

**Use Permit Tracking #:** PL2212-002  
**Building Permit #:** B2212-003

**GENERAL PLAN:** Medium Density Residential (MDR)

**ZONING:** Medium-Density Residential (R-2)

**FLOOD ZONE:** Zone X

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

**REPORT PREPARED BY:**

\_\_\_\_\_  
 Daniel Kopshever, Assistant Planner  
 Community Development Department

**REVIEWED BY:**

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

## DISCUSSION

Anthony Kinser has applied for a Use Permit to allow for a child day care center to be conducted at 2093 Fogg Avenue. The property is currently zoned Medium Density Residential (R-2) with a General Plan Land Use Density of Medium Density Residential (MDR).

There is currently a large family day care permitted at 2093 Fogg Avenue. According to the Oroville Municipal Code (OMC) **17.16.050 Family day care homes**, a small family day care is permitted by right in all residential zones while a large family day care is subject to a permit application submitted in a form approved by the Zoning Administrator. Per **OMC Table 17.28.010-1 Allowed Uses in Residential Districts**, A child day care center requires a Use Permit.

The existing residence is 2,006 square feet, plus 172 square feet of covered porch. Proposed is an addition of 3,644 livable square feet as well as a 2,080 square foot garage and 780 square feet of covered patio space. The second story plans include a home gym area, study/office space, storage and bathroom. The proposed first floor addition shows the garage, utility space, covered patio, guest bedroom, child care area, 3 bathrooms, office, as well as 2 bedrooms and connection to the rest of the existing residence which contains the master bed room and bathroom, living room, kitchen and dining room areas. The proposed child care area is approximately 81 square feet and connects to the existing living room, office, and bedroom areas.

## ANALYSIS

A child day care center is a more intensive use than a large family day care and is typically housed in a commercial building. To address this, the addition and remodeling of the residence is being conditioned via the Use Permit to include the necessary features that would permit a commercial occupancy of this type. While the Oroville Municipal Code allows child care facilities to be conducted with a Use Permit within the R-2 zoning district, the Department of Social Services will need to confirm that the owner/operator is allowed to live in the home while these services are being offered. Laura Chavez, Licensing Program Analyst, of the Department of Social Services Community Care Licensing Division will be making a determination regarding Title 22's child care facility regulations and owner occupancy.

Parking and access show 3 off-street parking spaces, one of which is handicap accessible. ADA compliant path of travel from the street to the entrance is also shown and is required of commercial buildings. There is adequate space available for vehicle access and circulation.

Fire rated walls and floors as well as sprinkler systems shall be subject to building department and Fire Marshall approvals.

A landscape plan in accordance with **OMC 17.12.050 Landscaping Standards** is needed to complete the Use Permit application.

## FISCAL IMPACT

None. The project is subject to all customary fees.

**PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 500 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

**ATTACHMENTS**

1. Application Materials
2. Notice of Exemption
3. Resolution

**RESOLUTION NO. P2023-06**

**A RESOLUTION BY THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING UP#23-04, FOR A CHILD CARE FACILITY IN A PLANNED ADDITION TO AN EXISTING RESIDENCE ON 2093 FOGG AVENUE (APN 031-150-125)**

**WHEREAS**, the City has received a Use Permit application for a child care facility within an existing residence at 2093 Fogg Avenue; and

**WHEREAS**, the property is zoned Medium-Density Residential (R-2); and

**WHEREAS**, a Child Care Facility is an allowable use in R-2 zoning districts, subject to a Use Permit as shown by OMC Table 17.28.010-1 Allowed Uses in Residential Districts. As a condition of approval, the applicant will be required to comply with all requirements of the Department of Social Services Community Care Licensing Division; and

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

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects."
2. The Planning Commission approves the findings required by Section 17.16.160 of the Oroville City Code, as described in the Staff Report;
3. The Planning Commission approves the permit conditions described in this Resolution.

**REQUIRED FINDINGS (OMC 17.48.010) FOR DRIVE THROUGH ESTABLISHMENTS**

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

*The project will be in a location surrounded by residential development;*

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

*The proposed use will provide a desired commercial service, and is located in an area with significant employment and transportation access;*

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

*All infrastructure is in and available, especially if applicant meets all proposed conditions, and any future conditions imposed by the City or Caltrans,*

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

*All abutting properties are also residential. The proposed use is compatible with the surrounding neighborhood;*

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

*Applicant has submitted a set of drawings demonstrating that the site is physically suitable for the proposed type and intensity of use. The site will provide adequate capacity for the use;*

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

*The residence is an existing permitted family day care home, and an expansion of capacity to a child care facility is desirable for the neighborhood and the entire community;*

- g) The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code.

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

### CONDITIONS OF APPROVAL

**Approved project:** The Planning Commission hereby conditionally approves Use Permit No. 23-04, permitting a Child Care Facility at the proposed building addition on 2093 Fogg Avenue (APN 031-150-125). The subject property has a zoning designation of Medium Density Residential (R-2) and a General Plan land use designation of Medium Density Residential (MDR).

### General Conditions

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other

documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.

2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicant shall annually pay for and obtain a City of Oroville business license.
4. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
5. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
7. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
8. The applicant shall ascertain and comply with the requirements of all of City, County, State, Federal, and other local agencies as applicable to the proposed project.
9. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
10. Each use permit shall be issued subject to the condition that the zoning administrator may inspect the premises for which the use permit is issued at any reasonable time to ensure compliance with the conditions of the use permit. Refusal to permit the zoning administrator to inspect the premises shall be rebuttably presumed to be grounds for revocation of the use permit.
11. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - II. Any of the terms or conditions of the permit have been violated.

- III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - IV. The permit was obtained by fraud.
12. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
  13. Any roof mounted or ground placed utilities (HVAC, generators, etc.) shall include an architecturally compatible method of screening. This can include screening by landscaping or a decorative fence for ground placed utilities.
  14. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
  15. The applicant shall submit to the City details of exterior lighting for review and approval.
  16. The applicant or property owner shall apply for the proper permits as required by OMC Chapter 17.20 prior to any new signage being erected.
  17. No more than 25% of any window area shall be covered with signs. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
  18. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
  19. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief.
  20. 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.
  21. 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.
  22. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
  23. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.



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

**Specific Project Permit Conditions**

- 1. The building addition shall result in the obtaining of building department and Fire Marshall approvals necessary to operate a child care facility.
- 2. Signage is not included in this Use Permit. Any signage requiring permits will require a new building permit submittal.
- 3. The quantity, locations and striping of all off-street parking shall be shown in the building plans upon permit submittal.

**\*\*\*End of Conditions\*\*\***

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 26<sup>th</sup> of February 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP23-04 for an addition to a single family residence for the operation of a Child Day Care Facility at 2093 Fogg Ave.

Project Location – Specific: APN (031-150-125)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Anthony Kinser, has applied for a Use Permit for the operation of a Child Day Care Facility (APN: 031-150-125). The subject property has a zoning designation of Medium Density Residential (R-2) and a General Plan Land Use Designation of Medium Density Residential (R-2).

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Anthony Kinser

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)

This project involves the use of a property zoned Medium Density Residential (R-2). The intent of the R-2 zoning designation is to provide living areas within the city where development provides for medium-density concentrations of dwelling units in varying housing types and styles. As the building is existing, all business activities will be contained within the building, and the proposed use will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been

determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

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

Class 32 categorical exemptions consists of projects characterized as in-fill development meeting specific conditions a-e as described in this section. This project meets all conditions, including being consistent with the General Plan and Zoning Designation, occurs within City limits, has no value as habitat, will not result in any significant effects, and can be adequately served by all required utilities. The project is a permitted use in an R-2 zone, subject to a use permit.

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: Daniel Kopshever

Telephone: (530) 538-2517

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

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

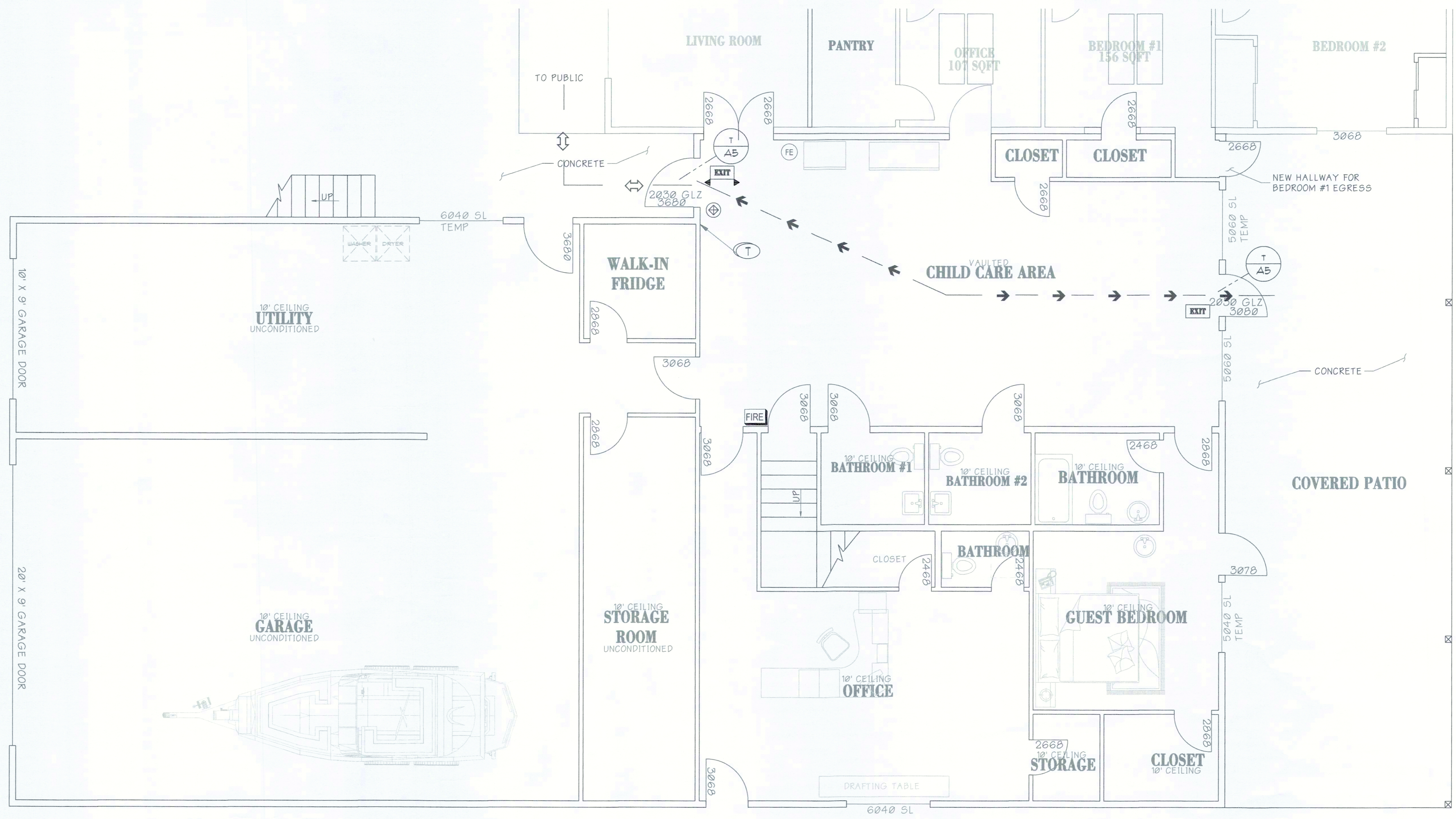
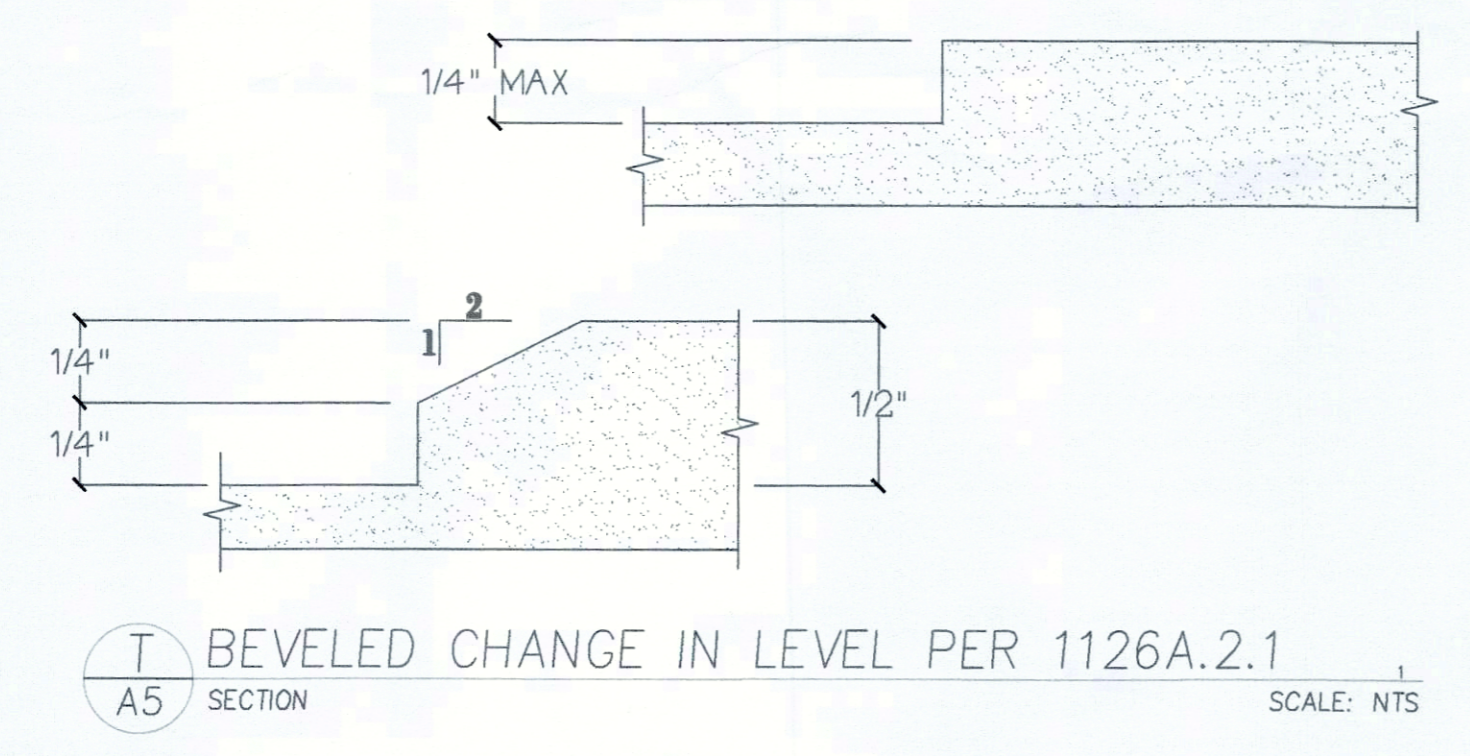
- Signed by Lead Agency
- Signed by Applicant





FLOOR PLAN KEY NOTES

- (T) INSTALL TACTILE EXIT SIGNAGE PER CBC 1013. EXIT SHALL BE IDENTIFIED WITH THE WORD "EXIT" INCLUDING BRAILLE
- → → EXIT LENGTH
- ↔ ACCESSIBLE PATH OF TRAVEL
- (FE) FIRE EXTINGUISHER CABINET AND EXTINGUISHER (2A:10B:C)
- (FIRE) INSTALL A MANUAL FIRE STATION BOX WITH HORN
- (⊕) PROVIDE UL LISTED COMBINATION SMOKE DETECTOR & CARBON MONOXIDE DETECTOR.
- (EXIT) INSTALL 5-FOOT CANDLE ILLUMINATED EXIT SIGN WITH SUPPLEMENTAL LED LIGHTS, HARDWIRED WITH 90-MIN BATTERY BACKUP
- (EXIT) INSTALL SELF ILLUMINATED EXIT SIGN



1 FIRST FLOOR EGRESS PLAN

A5 PLAN

1/4"=1'

↑ NORTH

**AUSMUS ENGINEERING**

**AE**

AUSMUS ENGINEERING  
315 JOHNNY LANE  
CHICO, CA 95973  
PH: (530) 521-2648  
EMAIL: ERIC@AUSMUSENGINEERING.COM

**ARCHITECTURAL PLANS**

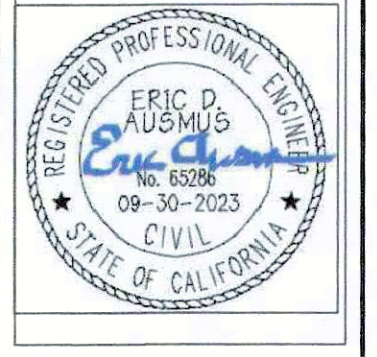
FIRST FLOOR EGRESS PLAN

**KINSER ADDITION**

2093 FOGG AVENUE

OROVILLE, CA 95965

REVISION	DATE	DESCRIPTION



DATE: JUNE 1, 2022

DESIGNED BY: EDA

DRAWN BY: EDA

CHECKED BY: EDA

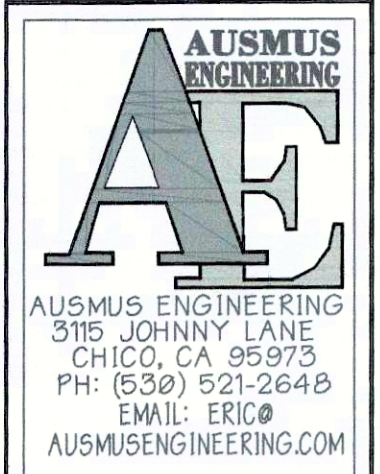
SCALE: AS NOTED

PROJECT #

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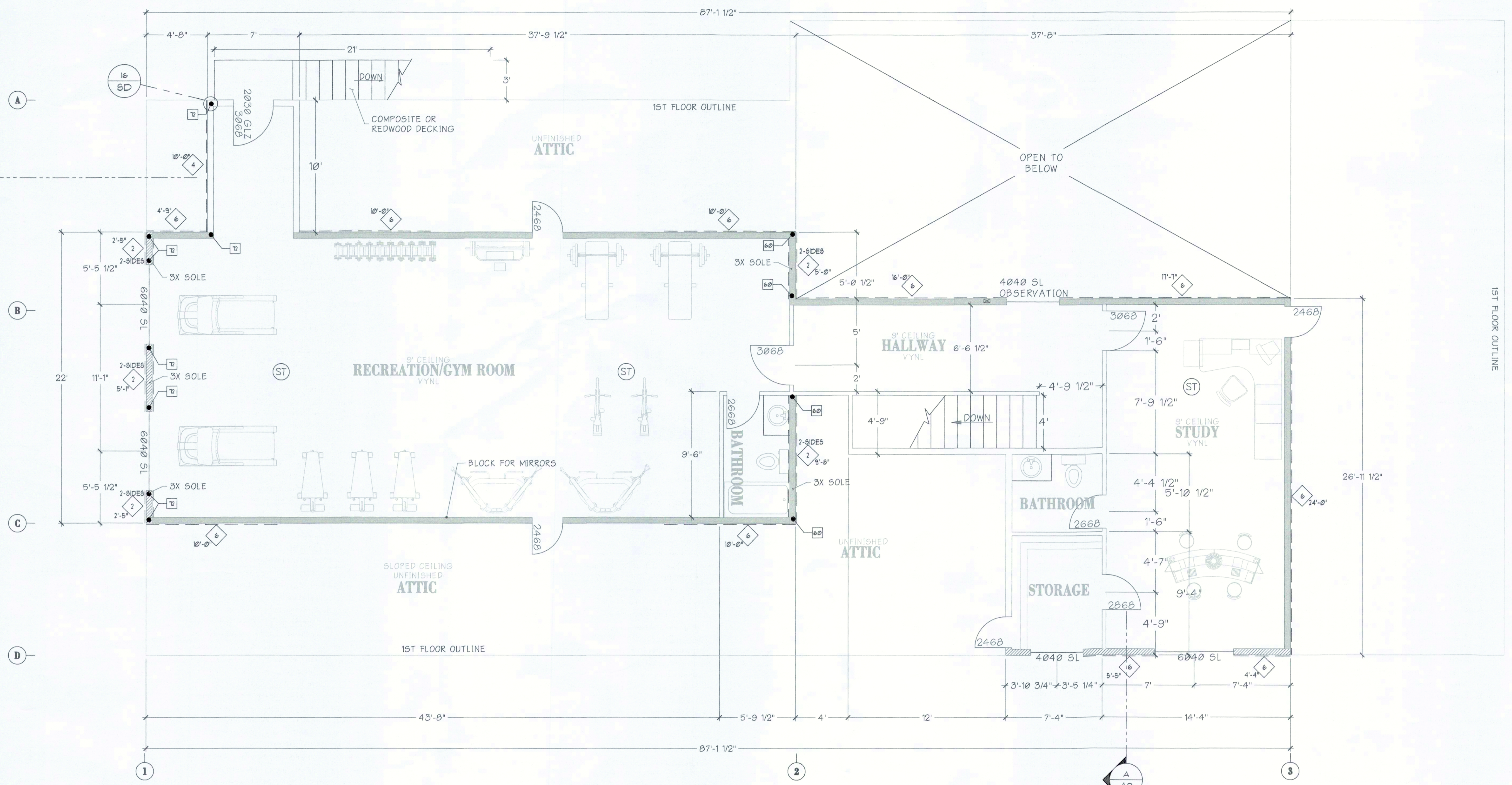
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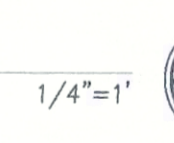


**ARCHITECTURAL PLANS**  
SECOND STORY  
FLOOR PLAN

**KINSER ADDITION**  
2093 FOGG AVENUE  
OROVILLE, CA 95965



1 SECOND FLOOR PLAN  
A6 PLAN



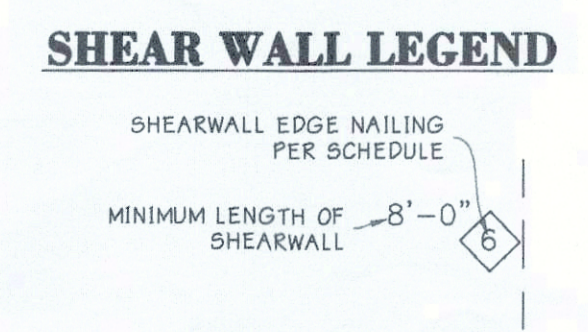
**AREA SUMMARY**

DESCRIPTION	CONDITIONED	UNCONDITIONED	PORCH
2ND STORY	1,912 SQFT		

**SHEARWALL SCHEDULE**

TYPE	SHEATHING	CAPACITY	PANEL NAILING	MIN FRAMING SIZE	ANCHOR BOLTS	SOLE PLATE NAILING
6	3/8" OSB	260	8d COMMON NAILS AT 6" O.C. EDGES & 12" O.C. FIELD	2x SILL PL. STUDS & 1 BULKY AT ADJOINING PANEL EDGES	5/8" DIA. x 1" EMBED AT 48" O.C. AT 6" O.C.	16d COMMON NAILS AT 4" O.C.
4	3/8" OSB	350	8d COMMON NAILS AT 4" O.C. EDGES & 12" O.C. FIELD	2x SILL PL. STUDS & 1 BULKY AT ADJOINING PANEL EDGES	5/8" DIA. x 1" EMBED AT 32" O.C. AT 4" O.C.	16d COMMON NAILS AT 4" O.C.
3	3/8" OSB	490	8d COMMON NAILS AT 3" O.C. EDGES & 12" O.C. FIELD	2x SILL PL. 3x STUDS & 1 BULKY AT ADJOINING PANEL EDGES	5/8" DIA. x 1" EMBED AT 24" O.C. AT 3 1/2" O.C.	16d COMMON NAILS AT 3 1/2" O.C.
2	3/8" OSB	640	8d COMMON NAILS AT 3" O.C. EDGES & 12" O.C. FIELD	3x SILL PL. 3x STUDS & 1 BULKY AT ADJOINING PANEL EDGES	5/8" DIA. x 1" EMBED AT 24" O.C. AT 2 1/2" O.C.	16d COMMON NAILS AT 2 1/2" O.C.
3A	3/8" OSB BOTH SIDES	960	8d COMMON NAILS AT 3" O.C. EDGES & 12" O.C. FIELD	3x SILL PL. 3x STUDS & 3x BULKY AT ADJOINING PANEL EDGES	5/8" DIA. x 1 1/2" EMBED AT 16" O.C.	16d COMMON NAILS AT 2 1/2" O.C.

**NOTES:**  
 1) EMBEDMENT IS MEASURED FROM THE TOP OF THE FIRST CONCRETE POUR.  
 2) WHEN EDGE NAILING IS 3" O.C. OR LESS, IT SHALL BE STAGGERED.  
 3) FOR WALLS WITH SHEATHING ON EACH SIDE OF WALL HAVE PANEL JOINTS OFFSET TO HAVE EDGE NAILING FALL ON DIFFERENT FRAMING MEMBERS. NAILS ON EACH SIDE SHALL BE STAGGERED WITH A MINIMUM 3x TOP PLATE AND SILL PLATE.  
 4) SOLE PLATE NAILING OCCURS FROM THE SOLE PLATE TO THE BULKY BELOW AS IN A 2ND STORY CONDITION.  
 5) WHERE SOLE PLATE NAILING IS 3" O.C. OR LESS 3" NOMINAL BULKY SHALL BE USED BELOW.  
 6) SHEARWALL LENGTHS SHOWN ON THE PLANS ARE MINIMUMS AS REQUIRED BY CALCULATION AND MAY BE INCREASED FOR CONSTRUCTION CONVENIENCE. REFER TO ARCH. DRAWINGS FOR ACTUAL WALL LENGTHS.  
 7) WHERE SHEARWALL IS SHOWN ON BOTH SIDES OF THE WALL, PROVIDE TWICE AS MANY ANCHOR BOLTS AS INDICATED IN THE SCHEDULE.  
 8) IN PLACE OF SHEATHING SHOWN IN SCHEDULE, ALTERNATE SHEATHING (OSB) MAY BE USED PROVIDED THAT THE THICKNESS IS EQUIVALENT. IF THICKNESS IS NOT EQUIVALENT, SPECIFICATIONS TO BE PROVIDED TO THE ENGINEER FOR REVIEW AND APPROVAL. (MIN. SHEET 07/28/2013-07).  
 9) MINIMUM HOOK LENGTH FOR ANCHOR BOLTS SHALL BE 7".  
 10) ANCHOR BOLTS SHALL BE 1" LONG TYPICAL, UNLESS NOTED OTHERWISE. ALL ANCHOR BOLTS REQUIRE 3"x3"x22" PL WASHER OR SHIMON (BY MINIMUM TYPICAL).  
 11) ALL NAILS SHALL BE COMMON NAIL. "SHORT" NAILS SHALL BE THE SAME DIAMETER AS COMMON NAILS BUT A LENGTH EQUAL TO 1 1/2" PLUS THE THICKNESS OF THE SHEATHING.

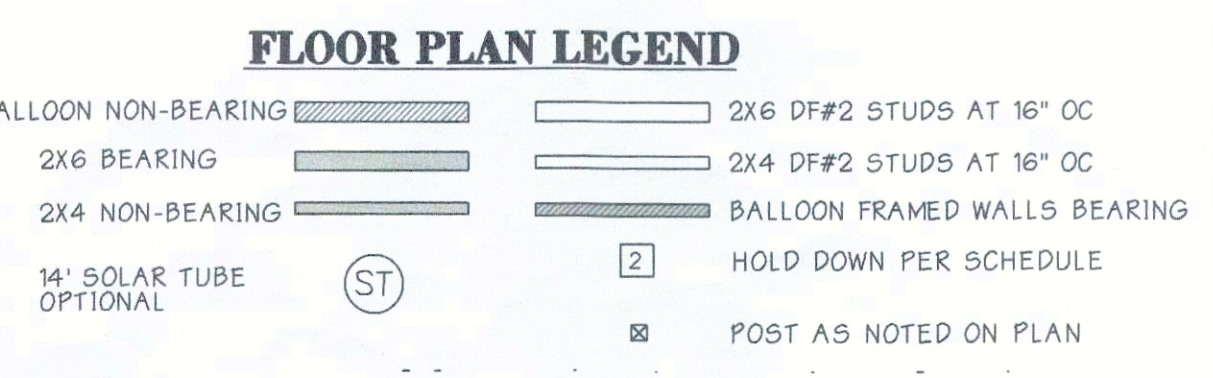


**HOLDOWN SCHEDULE**

TYPE	DESCRIPTION	FASTENERS	BOUNDARY MEMBER	CAPACITY (LBS)	REFERENCE NOTE
60	MST60	40-Ø1628 x 2 1/2" LONG SDS	DEB. 2x	5240	1, 2, 3, 5
72	MST72	(54) Ø1628 x 2 1/2" LONG SDS	6X	6,730	1, 2, 3, 5

**NOTES:**  
 1) STITCH DOUBLE STUDS AT HOLDDOWNS TOGETHER WITH 16d COMMONS 8" OC FULL HEIGHT OF STUDS.  
 4) PROVIDE PANEL EDGE NAILING ALONG THE FULL HEIGHT OF MEMBER ATTACHED TO HOLDDOWN.  
 5) POSTS AS REQUIRED BY THE HOLDDOWN SCHEDULE MAY NOT BE SHOWN ON THE PLANS. USE LARGER MEMBER SHOWN.

**TOP PLATE SPLICE**  
 USE MST60 ALONG WALL LINE 1  
 USE ST6224 ALONG WALL LINE 2, B  
 USE (8) 16d ALONG EA SIDE OF EACH SPLICE FOR ALL OTHER WALL LINES



REVISION	DATE	DESCRIPTION

DATE: JUNE 1, 2022

DESIGNED BY: EDA  
 DRAWN BY: EDA  
 CHECKED BY: EDA

SCALE: AS NOTED  
 PROJECT: \*

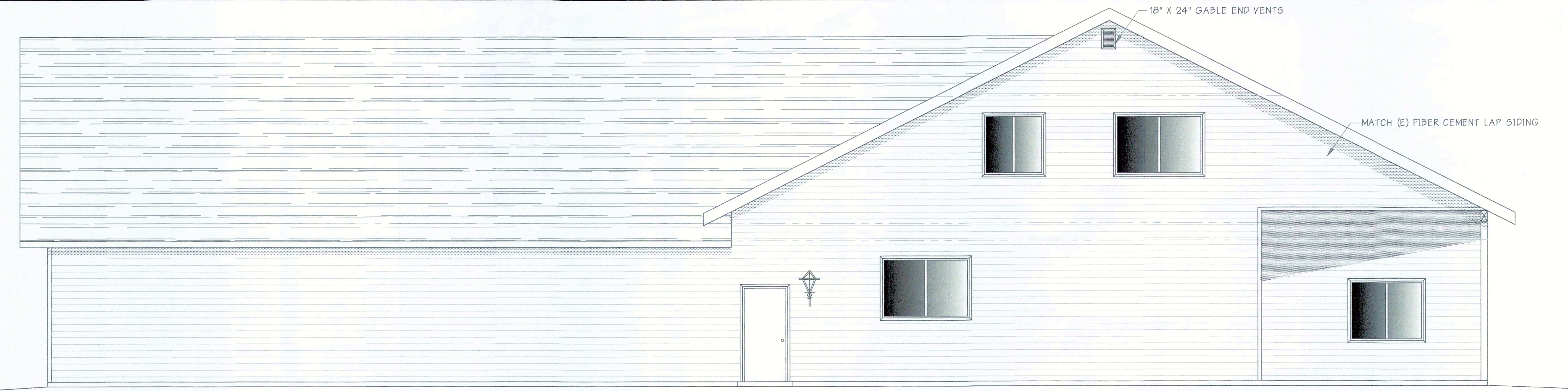
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SHEET NO. **A6**

**AUSMUS ENGINEERING**  
**AE**  
 AUSMUS ENGINEERING  
 3115 JOHNNY LANE  
 CHICO, CA 95973  
 PH: (530) 521-2648  
 EMAIL: ERIC@AUSMUSENGINEERING.COM

**ARCHITECTURAL PLANS**  
**ELEVATIONS**

**KINSER ADDITION**  
**2093 FOGG AVENUE**  
**OROVILLE, CA 95965**



1 RIGHT ELEVATION  
 A10 ELEVATION

1/4"=1'



2 REAR ELEVATION  
 A10 ELEVATION

1/4"=1'



3 FRONT ELEVATION  
 A10 ELEVATION

1/4"=1'

REVISION	DATE	DESCRIPTION



DATE: JUNE 1, 2022

DESIGNED BY: EDA  
 DRAWN BY: EDA  
 CHECKED BY: EDA

SCALE: AS NOTED  
 PROJECT #

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SHEET NO.  
**A10**