

OROVILLE PLANNING COMMISSION/ HISTORICAL ADVISORY COMMITTEE

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

April 25, 2024
REGULAR MEETING
6:00 PM
AGENDA

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
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

No Consent Calendar items this meeting.

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

1. Use Permit UP24-03 for Edwards Self-storage at 2560 Feather River Blvd (APN 035- 330-013)

The Oroville Planning Commission shall review a use permit application for a 212-unit mini-storage facility at 2560 Feather River Boulevard on approximately 1.7 acres on the west/back of an existing 3.46 multi-tenant commercial parcel adjacent to State Route 70. The application also includes a zone change to create a Mini-Storage Overlay (MS-O) at this location, and a variance to have six oversized units and to exclude parking requirements.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing on the proposed land use.**
2. **Adopt the Notice of Exemption as the appropriate level of environmental review for the project.**
3. **Recommend that the City Council approve Zone Change ZC 24-01 to create a Mini Storage Overlay Zone on APN 035-330-013.**
4. **Approve Use Permit UP24-03 with the recommended findings and proposed conditions.**
5. **Approve Variance VAR24-03 with the recommended findings and proposed conditions.**
6. **Adopt Resolution No. P2024-05**

2. Variance (VAR) 24-01 for a proposed 30-foot-tall freeway-oriented freestanding sign for Tractor Supply at 2580 Feather River Blvd (APN 035-330-012)

The Planning Commission will review and consider approving Variance No. 24-01 for the construction of a new 30-foot-tall freeway-oriented freestanding sign for Tractor Supply. VAR 24-01 includes a request to exceed the maximum allowed sign area square footage for all signs on the subject property and a waiver for the required landscaping at the base of the sign support structure.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing on the proposed project;**
2. **Adopt the Class 11 Categorical Exemption as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA);**
3. **Adopt the recommended Findings for Variance No. VAR 24-01**
4. **Adopt Resolution No. P2024-07 approving Variance No. VAR 24-01**

3. Variance (VAR) 24-02 for a proposed 70-foot-tall freeway-oriented freestanding sign with two (2) tenant panels at 2030-2040 3rd Street (APN 031-161-061)

The Planning Commission will review and consider approving Variance No. 24-02 for the removal of an existing 40-foot-tall freeway-oriented freestanding sign and the construction of a new 70-foot-tall, 126 square foot, freeway-oriented freestanding sign with two tenant panels to allow for increased site visibility to northbound State Route 70 traffic. VAR 24-02 includes a request to exceed the maximum allowed sign area square footage for freestanding signs.

RECOMMENDATION: Staff recommends the following actions:

- a. **Conduct a Public Hearing on the proposed project;**
- b. **Adopt the Class 11 Categorical Exemption as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA);**
- c. **Adopt the recommended Findings for Variance No. VAR 24-02**
- d. **Adopt Resolution No. P2024-06 approving Variance No. VAR 24-02**

REGULAR BUSINESS

No Regular Business items this meeting.

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 May 23, 2024 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.



City of Oroville

Patrick Piatt
Director

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, April 25, 2024

RE: Use Permit UP24-03 for Edwards Self-storage at 2560 Feather River Blvd (APN 035-330-013), including a Zone Change ZC24-01 to create a Mini-Storage Overlay, and a Variance VAR24-03 to permit six storage units over 400 square feet, and to have a reduction in the number of required off-street parking spaces.

SUMMARY: The Oroville Planning Commission shall review a use permit application for a 212-unit mini-storage facility at 2560 Feather River Boulevard on approximately 1.7 acres on the west/back of an existing 3.46 multi-tenant commercial parcel adjacent to State Route 70. The application also includes a zone change to create a Mini-Storage Overlay (MS-O) at this location, and a variance to have six oversized units and to exclude parking requirements.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing on the proposed land use.**
2. **Adopt the Notice of Exemption as the appropriate level of environmental review for the project.**
3. **Recommend that the City Council approve Zone Change ZC 24-01 to create a Mini Storage Overlay Zone on APN 035-330-013.**
4. **Approve Use Permit UP24-03 with the recommended findings and proposed conditions.**
5. **Approve Variance VAR24-03 with the recommended findings and proposed conditions.**
6. **Adopt Resolution No. P2024-05**

APPLICANTS: Tyler Edwards, Feather River Investments, LLC.

LOCATION:
2560 Feather River Boulevard
Oroville, CA 95965

GENERAL PLAN: Retail Business Services (RBS)

ZONING: Intensive Commercial (C-2)

FLOOD ZONE: X

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA as an Infill Development per Section 15332 of the California Code of Regulations.

REPORT PREPARED BY:	REVIEWED BY:
<hr/>	<hr/>
Kristina Heredia, Planner Community Development Department	Patrick Piatt, Director Community Development Director

SUMMARY FACT SHEET FOR Edwards Self-Storage
2560 Feather River Blvd (035-330-013)

Requested Action: Use Permit, Zone Change and Variance to create a Mini-Storage Overlay district.

Related Applications: None

Basis for Review: City Code §17.44.060

Existing Use: Proposed site is disturbed with former commercial storage.

Applicant: Tyler Edwards

Owner: Feather River Investments, LLC.

Location: APN 035-330-013

Parcel Size: 3.46 acre(s), use of only the west/back ~1.7 acres proposed.

% Lot Coverage: 0.4 FAR maximum, OK

**Present General Plan/
Zoning Designation:** Retail and Business Services (RBS)
Intensive Commercial (C-2)

Surrounding Land Uses: North: NS Fit, Harbor Freight, Smart & Final, etc.
East: Feather River Blvd.
South: Tractor Supply (currently under construction)
West: State Route 70

PROJECT DESCRIPTION:

Edwards Self-Storage is a proposed self-storage facility comprised of 212 units to be developed on the western/back half of an existing 3.46-acre parcel -- behind Napa/Riebes Auto Parts and machine shop, and 4 other commercial spaces. Site access will be through the existing central driveway past the other businesses. Zoning is C-2, which allows mini-storage facilities subject to a site plan and the creation of a new Mini-Storage Overlay. However, OMC 17.44.060.F.1 requires a use permit for facilities located in a highly visible location, such as frontage along SR 70.

DISCUSSION:

This is application for a new 212-unit self-storage facility with no planned office location or human presence. The applicant has stated that all access shall be automated. The project consists of 3 applications: a use permit, a zoning change, and a variance.

Due to the proximity of SR-70, the project is considered to be “highly visible,” prompting the necessity of a use permit. However, Staff feels that due to existing high vegetation and surrounding commercial uses, the proposed development is not conspicuous, and will have minimal impact regarding visibility.

All mini-storage facilities require the creation of a Mini Storage Overlay (MS-O) zone to minimize potential impacts these uses can have on other commercial uses. The applicant is proposing to place this facility on the vacant portion of an existing parcel with multiple commercial land uses. Review of the proposed plans indicate that this facility will not adversely affect the surrounding uses, and that the proposed location is suitable for this type of development.

A variance is requested as part of this project to grant the applicant the ability to forgo off-street parking spaces, and to provide covered RV storage units for up to five vehicles. Also, due to the configuration of the lot, the applicant has proposed a corner storage unit that is slightly larger than permitted. Staff is in favor of granting the variance.

Trash Enclosure: Pursuant to OMC 17.12.110, a refuse collection area will need to be provided that is of adequate size to accommodate all required collection receptacles and waste generated by the development. Applicant proposed to utilize a common trash receptacle located outside the mini-storage fence.

Landscaping: OMC 17.12.050 requires a landscaping planting area along the front and side property lines, except where a driveway or pathway provides access to the site. Adequate landscaping shall be required adjacent to Feather River Blvd. Side property lines are impractical to landscape since they abut other commercial uses with no public visibility.

A landscape maintenance agreement, if not already in effect, shall be executed to ensure the installation and maintenance of the property’s landscaping.

Site Access and Parking: City code requires 1 space for each 3,000 square feet of gross floor area for mini storage. 13 new spaces are required, and the applicant has requested a variance for the off-street parking requirement.

Signs: Signage has not been submitted as part of this application. The applicant will need to submit separate sign application(s).

HVAC and Mechanical Equipment: All HVAC and other mechanical, electrical, and communications facilities must be screened from public view through architectural integration, fencing, landscaping, or combination thereof.

1% Art in Public Places: This project is subject to the Art in Public Places/Oroville Beautification requirement. The applicant shall install public art on the project site in a public place or pay the in-lieu fee equivalent to one percent (1%) of the estimated construction costs. The applicant has indicated that they will install their own artwork.

Environmental Determination: The Class 32 “Infill Development” Categorical Exemption

(15332.a-e) exempts the construction of infill development from CEQA review provided that the development is consistent with the zoning and General Plan designations, occurs within city limits, is served by public utilities, and doesn't result in significant effects relating to traffic, noise, air quality and water quality. Staff feels that this project, as conditioned, meets the requirements of this categorical exemption.

Mini Storage Overlay (MS-O): In 2004, the City Council adopted Ordinance No. 1706, establishing additional regulations for mini-storage facilities in response to an increasing number of sites that would otherwise be appealing for active retail and service users being developed into passive mini-storage facilities. The ordinance created additional development standards and required a rezone establishing a Mini-Storage Overlay (MS-O) District on a site prior to development.

Pursuant to OMC 17.44.060.D, the following information shall be reviewed by the Planning Commission and City Council:

1. There are currently 11 mini storage facilities in operation within Oroville City limits. Out of those 11, only one has an MS-O district; Security 1st Storage, located at 60 E Grand Avenue.

No.	Business Name	Address	Business License No.	Total Number of Units
1	Extra Self Storage	3160 Olive Highway	10000750	697
2	Oro Dam Mini Storage	2755 Oro Dam Blvd E	10001676	80
3	I-Storage Oroville	2750 S 5 th Ave	10001713	649
4	I-Storage Thermalito	2160 4 th Ave	10002232	489
5	Best Self Storage and RV	3005 Feather River Blvd	10002265	501
6	Oroville Self Storage	2730 Feather River Blvd	10002580	150
7	Garden Drive Mini Storage	595 Garden Drive	10003224	198
8	Lincoln Storage	3022 Olive Highway	10003346	unknown
9	Huntington's Mini Storage	2551 Huntington Lane	HUN0002	60
10	Security 1 st Storage	60 E Grand Avenue	10001540	305
11	Keg Room Storage	3035 Oro Dam Blvd E	Expired	20±

Design Requirements in Highly Visible Areas: Pursuant to OMC 17.44.060.M, mini storage facilities designated as being in "highly visible areas" shall adhere to design requirements, "*in order to achieve greater visual compatibility with the surrounding uses.*"

1. **The placement and height of buildings, walls and other structures along the perimeter of the site shall be varied to provide visual relief. The structures shall not project the image of a walled fortress.**
 - a. Per the site plan, the proposed development will consist of 6 standalone structures with drive aisles between 23'-39'.4" feet wide. The northern and western property lines will have another 3 structures located on the property line to assist in securing the facility.
 - b. The applicant has proposed a 6' tall wrought iron fence with automatic gate for

ingress/egress to the site. There are also 5 covered RV storage units that are located outside of the secured fence.

2. **All building walls and perimeter fencing shall have a stucco or decorative masonry finish and shall include features that add dimension to an otherwise flat plane.**
 - a. The storage buildings are to be constructed with corrugated metal siding with contrasting roof, doors and building elevations. While there is no proposed decorative finishing, the site will be unobtrusive and not readily visible from either the street, nor the freeway.
 - b. The applicant has also proposed to install a 10' tall, corrugated metal fence on the south property line that will match the storage units, creating a cohesive appearance. Therefore, Staff has determined that the proposed elevations are appropriate for the location.

3. **In order to avoid the appearance of a site that is almost entirely covered by structures, the site design shall divide the massing of structures in a way that creates concentrated areas of open space between structures.**
 - a. The applicant has left wide drive aisles between the structures that will not only aid in vehicular movement but allows for adequate fire access and open space between the structures.

Required Findings for a Use Permit: Pursuant to OMC Section 17.48.010.4, 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.**
 1. The need for a use permit is based on the property being located in an area designated as "highly visible." However, this development will be located in the rear of an existing commercial development and will have minimal visibility from Feather River Boulevard. There is also significant vegetation on the rear property line, which screens the facility from view off of SR-70.

- 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.**
 1. The parcel has frontage on Feather River Boulevard and the facility will be developed in an underutilized portion of the property.

- 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.**
 1. The applicant will work with the Public Works Department to ensure that adequate access and services are provided.

- 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.**

1. The surrounding land uses includes an auto repair store and shop, and the new Tractor Supply is being constructed on the adjacent southern parcel. The majority of the surrounding structures are simple in nature, with minimalistic design. The proposed facility will be compatible with the surrounding neighborhood in both design and land use.
- e. The subject site is physically suitable for the type and intensity of land use being proposed.**
1. The applicant is proposing to utilize the undeveloped rear portion of his property for this project. As conditioned, the property is suitable for a mini storage facility.
- 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.**
1. As conditioned, the use will provide a needed service to the community as a whole, offering a variety of storage sizes, and covered RV parking.
- 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.**
1. As conditioned, this project will comply will all applicable laws and regulations.

Required Findings for a Variance: Pursuant to OMC Section 17.48.080.C.3, the Planning Commission may grant a variance only upon making all of the following findings, based on substantial evidence:

- a. The granting of the variance is not inconsistent with the general plan or any applicable specific plan.**
1. The project site is zoned Intensive Commercial (C-2) and has a General Plan Land Use Designation of Retail Business Services (RBS).
 2. The 2030 General Plan Land Use Policy 1.6 states “ensure all new development conforms to current land use and zoning designations.” The proposed site plan meets all required setbacks and design requirements per the zoning code.
 3. Goal LU-1 of the General Plan reads, “provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City’s ability to assimilate new growth.” The applicant is proposing to use an underutilized portion of existing property to create a convenient development while also maintaining current street frontage in a highly visible area of the City.
- b. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.**
1. The applicant has requested six storage units to be greater than the permitted 400 square feet. One corner unit is proposed at 480 sf, due to the design of the development, a smaller unit would not fit in that area. Five units are proposed to be for covered RV storage, and they are 750 sf. There appears to be a general demand for covered RV storage, and this community need cannot be met at the

maximum 400 sf requirement.

2. Lastly, the applicant has requested not to have the 13 required off-street parking spaces. This facility will have no on-site caretaker, and access to the units will be through an electronic gate. There appears to be no need to provide parking at this location, as people who rent the storage facility can park their car adjacent to their storage unit when they are on site. Any parking by staff or maintenance personnel can use the aisles inside the facility or use the existing spaces just outside the entry gate.
- c. The granting of the variance will not grant a special privilege to the property.**
1. Due to the changing technology and business models of mini storage facilities, it would appear that the requested variances are aligned with current storage needs of our community. The variances requested are all logical based on the project design. Similar projects would be able to enjoy similar benefits.
- d. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.**
1. A windshield survey of the other mini-storage facilities within City limits appears to indicate that many facilities do not provide substantial parking spaces for their tenants, rather they utilize the practice of having tenants drive up to their storage unit to park. Requiring 13 off-street parking appears unnecessary for the type of project.
 2. The site plan meets all applicable criteria except for the 6 units that exceed 400 sf. Since one unit is a corner unit and cannot be changed, and the other 5 units are for RV storage, the applicant is not being granted rights denied to others.
- e. The granting of the variance will not be materially detrimental to the public welfare.**
1. Granting of the variance supports continued commercial development, is done in the public interest and will not be detrimental to public welfare.
- f. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.**
1. The nearest mini storage facility to this location is 0.5 miles away and while it does have off-street parking, it also has an on-site caretaker to assist customers. As this development will have no on-site caretaker, staff has determined that the granting of this variance is not incompatible with the nearby property.

FISCAL IMPACT

None. All applicable fees were paid prior to completing review.

PUBLIC NOTICE

The Planning Commission hearing for this project was publicly noticed in the local newspaper on April 15, 2024, and mailed to all property owners within 300 feet on April 10, 2024. As of publication, staff has received zero responses from the public notices.

Attachment 1



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#:

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 type="checkbox"/>	New Use Permit: \$3,500 (Deposit) + \$210(6% Tech Fee) = \$3,710
<input type="checkbox"/>	Application Fee Paid	<input type="checkbox"/>	Amendment to Existing Use Permit: \$2,100 + \$126 (6% Tech Fee) = \$2,226

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

APPLICANT'S SIGNATURE

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

Signature:  Date: 1/17/24

OFFICE USE ONLY

Approved By: _____ Date: _____
 Payment: _____ Number: _____

PROJECT DESCRIPTION	
Present or Previous Use:	
Proposed Use:	
Detailed Description: To construct 30k +/- sq ft of drive up self storage. New units are to be built behind existing retail and industrial buildings.	

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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TRAKIT#:

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION				Project's:	
Name:	Tyler EDWARDS		Name:	FRIC	
Address:	PO BOX 5999 OROVILLE CA 95966		Company:	FEATHER RIVER INVESTMENTS LLC	
Phone:	(530) 403-9830		Address:	PO BOX 5999 OROVILLE CA 95966	
Email:	TYLEREDWARDSINC@GMAIL.COM		Phone:	(530) 403-9830	
Is the applicant the Owner?	<input type="checkbox"/>	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.		Email:	TYLEREDWARDSINC@GMAIL.COM
DEVELOPMENT PROJECTS & OTHER APPLICATIONS (Please check all that apply)					
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Landmark /Modification/Demolition	<input type="checkbox"/>	Tentative Parcel Map
<input type="checkbox"/>	Appeal	<input type="checkbox"/>	Mining and Reclamation Plan	<input type="checkbox"/>	Tentative Subdivision Map
<input checked="" type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application	<input type="checkbox"/>	Use Permit
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance
<input type="checkbox"/>	Other: (Please Specify)				
ADMINISTRATIVE PERMITS (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 checked="" type="checkbox"/>	Other: (Please Specify) SELF STORAGE				
*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: FRIC			Proposed Structure(s) (Sq Ft.): 30k +/-		
Address: 2560 FEATHER RIVER			Existing Structure(s) (Sq Ft.): 22,420		
Nearest Cross Street: ORO DAM			Water Provider: CAL WATER		
Assessor Parcel Number: 035-330-013			School District:		
Lot Size (Acres): 3.46			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:				Date: 1-17-24	
OFFICE USE ONLY					
General Plan:	Zoning:	Zoning Conformity:	APN:		
File#	Overlay Zoning:	Minimum Setbacks:	FY	RY	SY



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
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 (530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#: **PL2401-002**

ZONE CHANGE / GENERAL PLAN AMENDMENT

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

REQUIRED FOR A COMPLETE APPLICATION		TYPE OF PERMIT	
<input type="checkbox"/>	Completed and signed Application Forms	<input checked="" type="checkbox"/>	General Plan Amendment: \$10,000 (Deposit) + \$600 (6% Tech Fee) = \$10,600
<input type="checkbox"/>	Application Fee Paid	<input checked="" type="checkbox"/>	Zone Change: \$3,500 (Deposit) + \$210 (6% Tech Fee) = \$3,710
<input type="checkbox"/>		<input type="checkbox"/>	Prezone: \$3,031.00 + \$181.86 (6% Tech Fee) = \$3,212.86

**** Provide a copy of recorded documents showing current ownership and legal description of affected parcels. If the rezone involves more than 1 parcel, a petition must be submitted, signed by a minimum of 60% of the owners of the affected parcels.**

PROJECT INFORMATION

Assessor Parcel Number (APN)	Zoning		General Plan Land Use Designation	
	Existing	Proposed	Existing	Proposed
1) 035-330-013	1) C-2	1) MS-O	1)	1)
2)	2)	2)	2)	2)
3)	3)	3)	3)	3)
4)	4)	4)	4)	4)
5)	5)	5)	5)	5)
6)	6)	6)	6)	6)
7)	7)	7)	7)	7)
8)	8)	8)	8)	8)
9)	9)	9)	9)	9)

REASONS FOR PROPOSED CHANGE

To build SELF STORAGE buildings AT THE BACK SIDE of THE PROPERTY.

APPLICANT'S SIGNATURE

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

Signature: *[Handwritten Signature]* Date: 1-17-24

OFFICE USE ONLY

Approved By: _____ Date: _____

Payment: _____ Number: _____








Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft



2560 Feather River Blvd

Building

-  Directions
-  Save
-  Nearby
-  Send to phone
-  Share

 2560 Feather River Blvd, Oroville, CA 95965

At this place

Attachment 2



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

Item 1.

TRAKIT#:

VARIANCE APPLICATION

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

REQUIRED FOR A COMPLETE APPLICATION

<input type="checkbox"/>	Completed and signed Application Forms
<input type="checkbox"/>	Application Fee Paid: \$3,500 (Deposit) + \$210 (6% Tech Fee) = \$3,710

**** If additional space is needed, please attach any additional information.**

VARIANCE REQUEST

Clearly define the variance you are requesting below:

Reduced parking,
 RV storage
 One large storage unit

CRITERIA FOR APPROVAL OF VARIANCE

1. Explain how the granting of this variance will not be inconsistent with the General Plan or any applicable specific plan:
2. List the exceptional or extraordinary circumstances or conditions that apply to the land, building, or use that do not generally apply to other properties in the same zoning district:

Reduced parking - This facility will not have a store front and will be remotely managed therefore additional parking is not needed.

RV storage - Butte County doesn't offer enclosed storage for 45' RV's. We feel that these units will help provide this need to the public.

One large storage unit - This unit is larger due to it's corner location. We are unable to split this unit into smaller units due to the design.
3. Explain how the granting of the variance will not grant a special privilege to the property:

These items are very one off and likely hood of another property needing the same variances is highly unlikely.

4. Explain why the requested variance is needed for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and how that would otherwise be denied to the property in questions if this variance is denied.

It would cause a reduction of storage space for the public including the needed space for large RV's

5. Explain why the granting of this variance will not be materially detrimental to the public welfare:

It does not reduce anything from the public welfare it only improves it.

6. Explain why the granting of this variance will not be injurious to, or incompatible with, any nearby property or improvements:

we are not aware of any other self storage that could be built in this area. There for these variances would not apply.

VARIANCE INFORMAITON

1. When the strict and literal enforcement of the provisions of the Zoning Code results in unreasonable and unnecessary hardships, or results in inconsistencies with the general purpose of Zoning Code, the Planning Commission shall have the authority to grant variances that are in harmony with the purpose of the Zoning Code.
2. The sole purpose of any variance shall be to prevent discrimination and undue hardship, and no variance shall be granted that would provide a special privilege not shared by other property in the same vicinity.
3. A variance shall not permit any land use that is not allowed in the applicable zoning district.

APPLICANT'S SIGNATURE

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

DocuSigned by:

Signature:	<i>Tyler Edwards</i>	Date:	4/16/2024
------------	----------------------	-------	-----------

2EAD3C46114041C...

OFFICE USE ONLY

Approved By:		Date:	
--------------	--	-------	--

Payment:		Number:	
----------	--	---------	--

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

Attachment 3

ALTIMUS
CONSTRUCTION
2550 S. RIVER BLVD
SUITE 100
OROVILLE, CA 95965
TEL: 530.831.1111
WWW.ALTIMUSCONSTRUCTION.COM

PRELIMINARY CONSTRUCTION

PLANNING REVIEW
COVER SHEET - SITE PLAN

ATLAS STORAGE SOLUTIONS
2560 FEATHER RIVER BLVD
OROVILLE, CA 95965

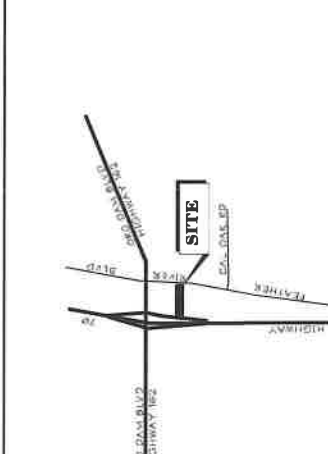
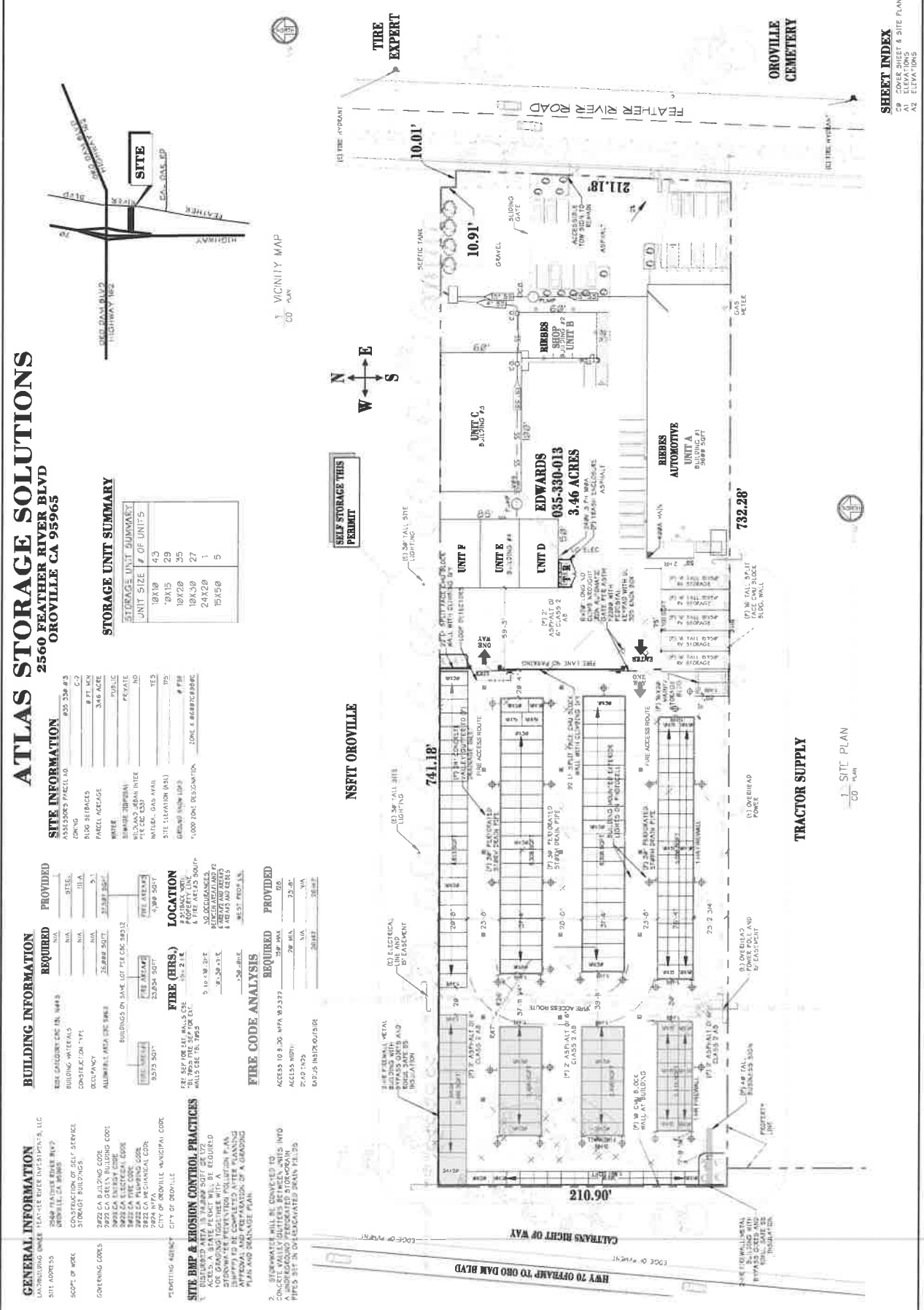
ATLAS STORAGE SOLUTIONS
OROVILLE, CA 95965

SEAL
Professional Engineer
No. 10000
State of California
Exp. 12/31/2024

DATE
JANUARY 14, 2024

PROJECT NO.
2560 FR BLVD

SHEET NO.
CO



STORAGE UNIT SUMMARY

UNIT SIZE	# OF UNITS
10x10	43
10x15	29
10x20	35
10x30	27
24x20	1
15x50	5

SITE INFORMATION

ADJACENT PARCEL NO.	955 339 #3
ADJACENT PARCEL	348 ACRES
ADJACENT OWNER	PRIVATE
ADJACENT ZONING	INDUSTRIAL (I-1)
ADJACENT USE	INDUSTRIAL
ADJACENT DISTANCE	100 FT
ADJACENT TYPE	RESIDENTIAL
ADJACENT HEIGHT	10 FT
ADJACENT AREA	100,000 SQ FT
ADJACENT PERMITS	NO
ADJACENT COMMENTS	SEE SHEET 2 FOR DETAILS

BUILDING INFORMATION

REQUIRED	PROVIDED
EXISTING FOUNDATION	N/A
FOUNDATION	CONCRETE
FOUNDATION TYPE	CONCRETE
FOUNDATION AREA	25,000 SQ FT
FOUNDATION PERMITS	NO
FOUNDATION COMMENTS	SEE SHEET 2 FOR DETAILS

FIRE (HRS.)

EXISTING FOUNDATION	2 HRS
FOUNDATION	2 HRS
FOUNDATION TYPE	CONCRETE
FOUNDATION AREA	25,000 SQ FT
FOUNDATION PERMITS	NO
FOUNDATION COMMENTS	SEE SHEET 2 FOR DETAILS

FIRE CODE ANALYSIS

ACCESS TO 3-20 MPA W/2.5" W/2.5"	PROVIDED
ACCESS WIDTH	20 FT
ACCESS TYPE	N/A
ACCESS DISTANCE	20 FT
ACCESS COMMENTS	SEE SHEET 2 FOR DETAILS

GENERAL INFORMATION

UNBIDDING OWNER: SERVICE CENTER INVESTMENTS, LLC
 SITE ADDRESS: 2560 FEATHER RIVER BLVD, OROVILLE, CA 95965
 50% OF WORK
 CONCERNING CODES:
 2022 CA BUILDING CODE
 2022 CA GREEN BUILDING CODE
 2022 CA ENERGY CODE
 2022 CA FIRE CODE
 2022 CA PLUMBING CODE
 2022 CA ELECTRICAL CODE
 2024 MTA GENERAL CODE
 CITY OF OROVILLE
 CITY OF OROVILLE MUNICIPAL CODE

SEALING REQUIRED:
 CITY OF OROVILLE

SITE BMP & EROSION CONTROL PRACTICES

1. EROSION CONTROL PRACTICES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND POST-CONSTRUCTION PERIODS.
 2. BEST MANAGEMENT PRACTICES (BMPs) SHALL BE IDENTIFIED AND IMPLEMENTED TO PREVENT SOIL EROSION AND SEDIMENTATION.
 3. CONSTRUCTION SHALL BE LIMITED TO THE DESIGNATED CONSTRUCTION ZONE.
 4. CONSTRUCTION SHALL BE LIMITED TO THE DESIGNATED CONSTRUCTION ZONE.
 5. CONSTRUCTION SHALL BE LIMITED TO THE DESIGNATED CONSTRUCTION ZONE.

SHEET INDEX
 CO COVER SHEET & SITE PLAN
 CO ELEVATIONS
 CO ELEVATIONS



PRELIMINARY
NOT FOR
CONSTRUCTION

PLANNING REVIEW
ELEVATIONS

ATLAS STORAGE SOLUTIONS
FEATHER RIVER BLVD
OROVILLE, CA 95965

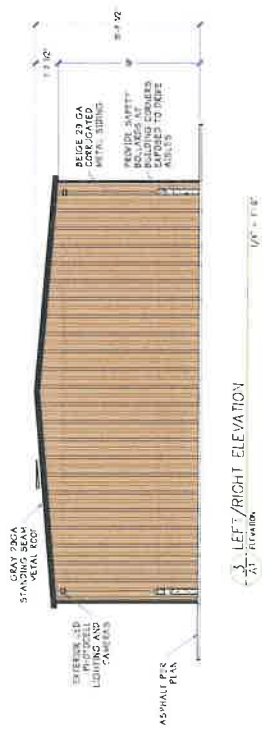
DATE	
DESCRIPTION	
BY	
CHECKED BY	
APPROVED BY	
SCALE	
SHEET NO.	



DATE: 11/14/24
PROJECT: 18-1014
DRAWN BY: JAC
CHECKED BY: JAC
APPROVED BY: JAC
SCALE: AS SHOWN
SHEET NO.: 0

SHEET NO.
AI

Item 1.



PRELIMINARY
NOT FOR CONSTRUCTION



PRELIMINARY
NOT FOR
CONSTRUCTION

PLANNING REVIEW
ELEVATIONS

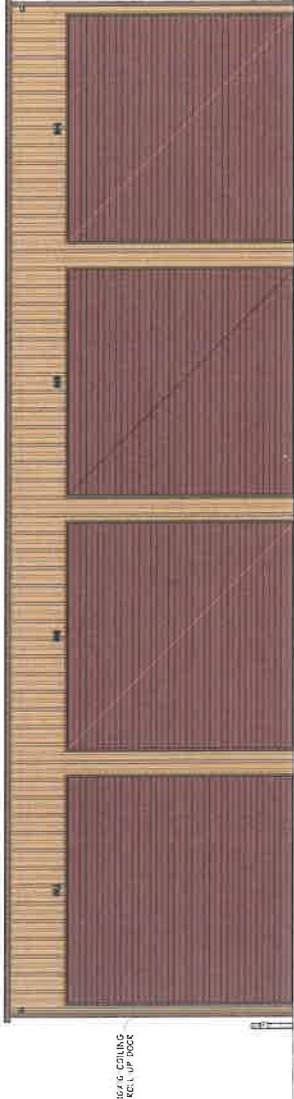
ATLAS STORAGE SOLUTIONS
FEATHER RIVER BLVD
OROVILLE, CA 95965

DATE	APRIL 14, 2024
DESIGNED BY	ALAN
CHECKED BY	ALAN
SCALE	AS SHOWN
PROJECT	



SHEET NO
A2

CAMERAS AND LIGHTING
AT VARIOUS CORNERS
2X6 CEILING
METAL SIDING



1 FRONT ELEVATION (RV STORAGE) 1/4" = 1'-0"

ROOFING SHEET
ASSEMBLED CORNERS
BUILDING CORNERS
ROOFED TO MATCH
AS SHOWN



2 REAR ELEVATION (RV STORAGE) 1/4" = 1'-0"



3 LEFT/RIGHT ELEVATION (RV STORAGE) 1/4" = 1'-0"

**PRELIMINARY
NOT FOR CONSTRUCTION**

Attachment 4

Notice of Exemption

Appendix E

Item 1.

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): City of Oroville
1735 Montgomery Street
Oroville, CA 95965

County Clerk
County of: Butte
155 Nelson Ave,
Oroville, CA 95965

(Address)

Project Title: Edwards Mini Storage Facility

Project Applicant: Tyler Edwards

Project Location - Specific:

2560 Feather River Boulevard, Oroville, CA, 95965

Project Location - City: Oroville Project Location - County: Butte

Description of Nature, Purpose and Beneficiaries of Project:

A 212 unit mini storage facility. Project includes a use permit, UP24-03, a zone change, ZC24-04 to create a mini storage overlay zone, and a variance VAR24-03.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: _____

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 and section number: Infill 15.332.a-e
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Infill development that is less than 5 acres, has access to public utilities, and does not create a significant effect on the environment.

Lead Agency
Contact Person: Kristina Heredia Area Code/Telephone/Extension: 530-538-2406

If filed by applicant:

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

Signature: _____ Date: _____ Title: Associate Planner

▪ Signed by Lead Agency Signed by Applicant

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

Date Received for filing at OPR: _____

Attachment 5

**CITY OF OROVILLE
RESOLUTION NO. P2024-05**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE, CALIFORNIA, MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT UP24-03, VARIANCE VAR24-03, AND RECOMMENDING APPROVAL OF ZONE CHANGE ZC24-01, FOR A MINI STORAGE FACILITY AT 2560 FEATHER RIVER BOULEVARD (APN 035-330-013)

WHEREAS, the City has received an application packet from Edwards Self Storage for a Mini Storage Facility to be developed at 2560 Feather River Boulevard; and

WHEREAS, The City of Oroville Municipal Code (OMC) Section 17.44.060.F specifies that a Mini Storage Facility in a highly visible location shall require a use permit; and

WHEREAS, The City of Oroville Municipal Code (OMC) Section 17.44.060.B specifies that the development of a Mini Storage Facility shall require the creation of a Mini Storage Overlay (MS-O) zone; and

WHEREAS, The City of Oroville Municipal Code (OMC) Section 17.48.080 specifies that a variance may be granted by the Planning Commission if there exists substantial evidence; 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 request.

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 "Infill Development."
2. The Planning Commission approves the findings required by Section 17.48.010 and Section 17.48.080 of the Oroville City Code, as described in this Resolution.
3. The Planning Commission recommends approval of the zone change to create a Mini Storage Overlay zone.
4. The Planning Commission approves the conditions described in this Resolution.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission hereby conditionally approves Use Permit UP24-03, Variance VAR24-03 and recommends approval of Zone Change ZC24-01 to the City Council, permitting the operation of Edwards Self Storage at 2560 Feather River

Boulevard (APN: 035-330-013). The subject property has a zoning designation Intensive Commercial (C-2) and a General Plan land use designation of Retail Business Services (RBS).

Project Specific Conditions

1. A landscaping plan, in conformance with OMC Chapter 17.12.050 shall be submitted, and approved by staff, prior to the issuance of a building permit.
2. No vegetation located within the Caltrans right-of-way adjacent to State Route 70 shall be removed as part of this development.
3. A refuse collection enclosure shall be provided in accordance with OMC Chapter 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use.
4. 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.
5. Within a mini-storage facility in an MS-O district, no business activity, other than the rental of storage units, shall be conducted. The operation of the facility shall be for dead storage only. Electrical service to individual storage units shall consist only of lighting and switches. Electrical outlets within storage units are specifically prohibited.
6. In MS-O districts, no mini-storage facility shall open before 7:00 a.m. or close after 7:00 p.m.
7. The applicant shall submit to the City details of exterior lighting for review and approval.

General Conditions

1. Frontage improvements shall be provided where not currently provided and replaced where not compliant with ADA requirements or City standards, as determined by the Director of Public Works or designee.
2. The applicant and any/or subsequent owners shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of their business operations.
3. 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.
4. 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.

5. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state, and federal requirements.
6. Pursuant to Section 17.12.050, landscaped areas shall be continually maintained in good condition and shall be kept clean and weeded and trees shall be pruned in a natural pattern and shall not be topped or pollarded.
7. 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.
8. The building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
9. 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.
10. The 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.
11. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
12. Pursuant to Section 17.08.135, the project shall install public art on the project site in a public place as approved by the City Council. The cost of the public art must be equal to at least one percent (1%) of the estimated construction costs. The developer has the option to opt out of this requirement and instead pay the equivalent in-lieu fee which shall be a one percent (1%) fee of the estimated construction costs.
13. 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.
14. 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.

- 15. The 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.
- 16. 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.
- 17. 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.

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 25th of April, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

KAYLA REASTER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON

Attachments:

1. Use Permit & Zone Change Applications
2. Variance Application
3. Site and architectural plans
4. Notice of Exemption
5. Resolution No. P2024-05
6. Draft Certificate of Approval

Attachment 6



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

CERTIFICATE OF APPROVAL

Use Permit UP24-03 for Edwards Self-storage at 2560 Feather River Blvd (APN 035-330-013), including a Zone Change ZC24-01 to create a Mini-Storage Overlay, and a Variance VAR24-03 to permit six storage units over 400 square feet, and to have a reduction in the number of required off-street parking spaces.

On April 25, 2024, the Oroville Planning Commission conducted a public hearing and approved Use Permit UP24-03 and Variance VAR 24-03. The Planning Commission also recommended approval of Zone Change ZC24-01 to the City Council.

The Planning Commission hereby approves this project, subject to the conditions of approval delineated in Resolution P24-05.

Kristina Heredia date
Associate Planner
City of Oroville

Tyler Edwards date
Edwards Mini Storage

Attached:
Resolution P24-05



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, April 25, 2024

RE: Variance (VAR) 24-01 for a proposed 30-foot-tall freeway-oriented freestanding sign for Tractor Supply at 2580 Feather River Blvd (APN 035-330-012)

SUMMARY: The Planning Commission will review and consider approving Variance No. 24-01 for the construction of a new 30-foot-tall freeway-oriented freestanding sign for Tractor Supply. VAR 24-01 includes a request to exceed the maximum allowed sign area square footage for all signs on the subject property and a waiver for the required landscaping at the base of the sign support structure.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt** the Class 11 Categorical Exemption as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Variance No. VAR 24-01
4. **Adopt** Resolution No. P2024-07 approving Variance No. VAR 24-01

APPLICANT: Dawn Hubbard, Hubbard Sign

LOCATION: 2580 Feather River Blvd
(APN 035-330-012)

GENERAL PLAN: Retail Business Services (RBS)

ZONING: Intensive Commercial (C-2)

FLOOD ZONE: Zone X: Area of Minimal Flood Hazard

ENVIRONMENTAL DETERMINATION: The proposed project is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 19, Categorical Exemptions, Section 15311, Class 11, which exempts construction or placement of minor accessory structures, including on-premise signs.

REPORT PREPARED BY:

Connor Musler, Contract Planner
Community Development Department

REVIEWED BY:

Patrick Piatt, Director
Community Development Department

SITE INFORMATION

Surrounding Area		
	Land Uses	Zoning
North	Riebes Auto Parts	Intensive Commercial (C-2)
South	Taco Bell. Vacant Land	Intensive Commercial (C-2)
West	State Route 70. Feather River	Intensive Commercial (C-2)
East	Feather River Blvd. Oroville Cemetery	Public/Quasi-Public (PQ)

Location Map



BACKGROUND

2580 Feather River Blvd is located on the west side of Feather River Blvd, south of Oro Dam Blvd (State Route 162) and north of Cal Oak Rd. The subject property is presently being developed for a Tractor Supply, which will be relocating from their current location at 2000 Feather River Blvd.

On March 9, 2023, the Development Review Committee (DRC) reviewed and approved the construction of a new 23,729 sq ft Tractor Supply with a 20,863 sq. ft. permanent outdoor display area, 1,250 sq. ft. forage shed for hay storage, and a 3,696 sq. ft. garden center.

Building permits (B2401-001) were issued on February 27, 2024, for the installation of two (2) wall signs and one (1) monument sign. In that building permit application, the applicant proposed installing a 30-foot tall freeway-oriented freestanding sign at the west end of the property facing State Route (SR) 70. Staff issued a comment letter informing the applicant that the freestanding sign as proposed did not comply with code requirements as it pertains to maximum sign height, maximum allowed sign area square footage for all signs on the subject property, and required landscaping at the base of the support structure.

Subsequently, the applicant removed the proposed freestanding sign from the building permit submittal and submitted a separate building permit application for the freestanding sign (B2402-095). Staff issued a comment letter with the same comments as previously provided, to which the applicant submitted a variance application in order to install the freestanding sign as proposed.

DISCUSSION

Dawn Hubbard with Hubbard Signs, on behalf of the property owner, The Sobel Company, Inc., is proposing to erect a 30-foot-tall freeway-oriented freestanding sign at the western edge of the property. The freestanding sign is proposed to have a single sign cabinet to advertise “Tractor Supply Co.” The freestanding sign is proposed to be 65.25 sq. ft., resulting in a total site sign square footage of 270.25 sq. ft. A summary of the proposed sign’s compliance with the City’s Sign Code is provided in **Figure 1**.

	Proposed Signage	Sign Code Regulations	
Total Site Sign Square Footage	270.25 sq. ft.	255 sq. ft.	Not Compliant, Variance Required
Freestanding Sign Square Footage	65.25 sq. ft.	75 sq. ft.	Compliant
Freestanding Sign Height	30 ft.	85 ft.	Compliant
Landscaping	0 sq. ft.	130.5 sq. ft.	Not Compliant, Variance Required

Figure 1 – Sign Code Brief Analysis

Total Site Square Footage:

Based on the linear footage of building frontage, the property is limited to a maximum of 255 sq. ft. of signage. This 255 sq. ft. maximum acts as a “bank” where property owners are able to “withdraw” from when proposing signage on a property. All signage has specific design and size regulations that must be met, while collectively being conscious so as to not exceed the maximum square footage of signage allowed for a single property.

OMC Table 17.20.120-3 sets forth the permitted sign types and their respective sign specific regulations for the subject property. Staff issued a building permit (B2401-001) for two (2) wall signs and one (1) monument sign, with all signs totaling 205 sq. ft. **Figure 1** provides a breakdown of the square footage of the proposed, existing, and total square footage by sign type.

	Proposed Signage (sq. ft.)	Issued Signage (sq. ft.)	Total (sq. ft.)
Wall Signs	0	157.77	157.77
Monument Sign	0	47.23	47.23
Freestanding Sign	65.25	0	65.25
Total (sq. ft.)	65.25	205	270.25 square feet

Figure 1 – Sign Sq. Ft. Breakdown.

As presently proposed, the total square footage of all signs on the property would be 270.25 square feet, which is 15.25 sq. ft. larger – a 5.64% deviation – than the OMC permits.

Freestanding Sign Square Footage:

The freestanding sign is proposed to be 65.25 sq. ft. per sign face. OMC Section 17.20.070 sets forth requirements for specific types of signs, including freestanding signs. The maximum freestanding sign square footage is based on the total linear street frontage of the front side of the site. The subject property has approximately 290 linear feet of frontage, which would allow a maximum sign area of 75 sq. ft. per side of a freestanding sign.

As presently proposed, the freestanding sign would comply with the maximum allowed sign face square footage; however, at 65.25 sq. ft. the maximum square footage of signage allowed for a single property would be exceeded by 15.25 sq. ft.

Freestanding Sign Height:

The freestanding sign is proposed to be 30 feet tall. Pursuant to OMC Table 17.20.120-3, the maximum height for a freestanding sign is 85 feet tall. As presently proposed, the freestanding sign would be 55 feet less than the maximum allowed sign height.

Staff analyzed freeway-oriented signs along the State Route 70 corridor and have prepared further information/analysis in **Attachment 4**. The last sign variance approved by the Planning Commission was in 2020 for the Maverik fueling station.

Sign Design Criteria:

Section 17.20.060(F) sets forth sign design criteria, stating that “signs should be compatible with the architecture of the building(s) on site” and that the “structure... should relate to the building form and design concept of the entire project.” Furthermore, freestanding signs should be clad or skirted from the base/ground to the sign frame so as to not leave an exposed pole. These sign design criteria in the OMC are further supported by the Oroville Design Guidelines. As proposed, the freestanding sign is proposed to have an exposed support structure. The buildings on the subject property are constructed of CMU split-face block with corrugated metal accents.

The 2030 General Plan Community Design Element includes Policy P1.3 to “require compliance with the City of Oroville Design Guidelines as part of any project approval process.” The Oroville Design Guidelines include guidelines for all signs in commercial zoning areas of the City. The intent of these guidelines is to ensure that signs are an integral component of the design of a project and make a positive contribution to the overall character of a commercial project. The following design guidelines are applicable to the proposed freestanding sign:

2.3.1 Exterior materials, finishes and colors should be the same or similar to those of the building or structures on site. High quality, durable materials should be used, as these elements will be more visible to the public than most building components.

2.3.2 Freestanding signs should be supported by solid structures to avoid a temporary or fragile appearance.

Staff have added a draft condition of approval requiring cladding to be provided for the support structure, similar to the Walmart freestanding sign of similar height located approximately 760 feet south of the subject property.

Freestanding Sign Landscaping Requirements:

Pursuant to OMC 17.20.070(D)(7), landscaping is required to be provided at the base of the support structure equal to twice the area of one face of the sign. Based on the proposed sign face area of 65.25 sq. ft., the subject property would need to provide 130.5 sq. ft. of landscaping at the base of the freestanding sign. At present, no landscaping is proposed to be installed at the base of the freestanding sign since the

location of the sign is in the rear of the project site abutting SR 70 and not in an area readily visible to the general public. This rear area was not proposed to be landscaped and lacks a water connection for any irrigation.

The Sign Code does not provide exceptions or special provisions to the landscaping requirements for freestanding signs placed away from an immediately accessible public area or in areas that lack infrastructure necessary to support landscaping. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

REQUIRED FINDINGS FOR A VARIANCE:

Pursuant to OMC Section 17.48.080(C)(3), the Planning Commission may grant a variance only upon making all of the following findings, based on substantial evidence:

- a. The granting of the variance is not inconsistent with the general plan or any applicable specific plan.

The project site is not located within any specific plan area and is zoned Intensive Commercial (C-2) with a General Plan Land Use Designation of Retail Business Services (RBS).

Goal LU-1 of the General Plan reads, "provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City's ability to assimilate new growth", with Policy P1.3 requiring compliance with the City of Oroville Design Guidelines as part of any project approval process. Furthermore, the 2030 General Plan Open Space, Natural Resources, and Conservation Element includes Goal OPS-5, which reads "Maintain and enhance the quality of Oroville's scenic and visual resources." The sign as proposed is 30 feet tall, which does not impair views of any scenic resources and has been conditioned to provide cladding on the support structure to exhibit compatibility with the on-site building materials as stipulated by the City's Sign Code and Design Guidelines. Accordingly, the proposed freestanding sign complies with the General Plan, however, under the present zoning regulations, the Sign Code does not provide exceptions or special provisions for properties with double frontages or a narrow street frontage and long depth, hence this variance application. Furthermore, the Sign Code does not provide exceptions or special provisions to the landscaping requirements for freestanding signs placed away from an immediately accessible public area or in areas that lack infrastructure necessary to support landscaping.

The approval of this variance will further help meet the guiding principles of the 2030 General Plan in that it will assist in creating a vibrant local economy and promote traveler-services clusters at freeway interchanges (P7.3 of the Land Use Element). The granting of a variance of this nature would not be inconsistent with the General Plan.

- b. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.

The subject property has a frontage with Feather River Blvd and abuts to SR 70, with the proposed sign intended to identify the business to vehicles along SR 70. However, the property is relatively narrow, with a width of approximately 290 feet compared to a depth of approximately 717 feet. As presently drafted, the Sign Code does not provide exceptions or special provisions for properties with double frontages or a narrow street frontage and long depth, hence this variance application.

Furthermore, the Sign Code does not provide exceptions or special provisions to the landscaping requirements for freestanding signs placed away from an immediately accessible public area or in areas that lack infrastructure necessary to support landscaping. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

Accordingly, given the characteristics of the subject property, proposed sign placement, and lack of necessary irrigation infrastructure present, exceptional and extraordinary circumstances apply to the property that do not generally apply to other land, buildings, or uses in the same district. Thus, approval of this variance would not grant a special privilege not shared by other property in the same vicinity.

- c. The granting of the variance will not grant a special privilege to the property.

Please reference Finding b) above.

- d. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.

Please reference Finding b) above.

- e. The granting of the variance will not be materially detrimental to the public welfare.

The sign height and proposed sign area will allow for the property to be adequately identified on both Feather River Blvd and from SR 70 which will benefit the local economy by attracting more people into the City through advertising which will capture retail sales tax dollars that may have otherwise not come into Oroville. There is no evidence in the record to demonstrate that the variance will be materially detrimental to the public welfare.

- f. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

There are no known property improvements within the surrounding area that would be impacted by the proposed signage. The signage will not obstruct existing signs on nearby properties and the construction of the signs will be required to comply with all applicable requirements, including engineering, building, and zoning code requirements, other than the development standard variance expressly granted by the approval of this variance request. Thus, there is no known reason to believe that the variance will be injurious to, or incompatible with, any nearby property or improvements.

GENERAL PLAN CONSISTENCY

The approval of the variance request helps implement the following goals and policies of the City's 2030 General Plan:

General Plan Goals:

Goal LU-1 "Provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City's ability to assimilate new growth."

Goal LU-4 "Provide adequate land for and promote the development of attractive commercial areas and uses that provide goods and services to Oroville residents, employees, and visitors."

Goal CD-1 "As the community grows, maintain a coherent and distinctive physical form and structure that reflects Oroville's unique qualities."

General Plan Policies:

P1.1 Require quality architectural and landscaping design as well as durable and efficient materials for all projects.

P1.3 Require compliance with the City of Oroville Design Guidelines as part of any project approval process.

P1.6 Ensure all new development conforms to current land use and zoning designations. subject property does not fall within a specific plan.

FISCAL IMPACT

None.

PUBLIC NOTICE

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

ATTACHMENTS

1. Notice of Exemption
2. Resolution No. P2024-07
3. Project Plan Drawings
4. Freestanding Sign Analysis

Attachment 1



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

NOTICE OF EXEMPTION

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

Project Title: Variance (VAR) 24-01 for Tractor Supply freeway-oriented freestanding sign at 2580 Feather River Blvd

Project Location – Specific: 2580 Feather River Blvd (APN 035-330-012)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Variance No. 24-01 is a request for the construction of a new 30-foot-tall freeway-oriented freestanding sign for Tractor Supply seeking to exceed the maximum allowed sign area square footage for all signs on the subject property and a waiver in the required landscaping at the base of the sign support structure.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Dawn Hubbard, Hubbard Sign

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:
 - Accessory Structures, Title 14, CCR, §15311
- 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:

Accessory Structures, Title 14, CCR, §15311

Class 11 categorical exemptions consist of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, which includes on-premise signs

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: Connor Musler, Contract Planner

Telephone: (530) 538-2430

Signature: _____

Date: _____

Signed by Lead Agency

Signed by Applicant

Attachment 2

RESOLUTION NO. P2024-07

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE 24-01 FOR THE CONSTRUCTION OF A NEW 65.25 SQUARE FOOT, 30-FOOT-TALL FREEWAY-ORIENTED SIGN FOR TRACTOR SUPPLY, CO. AT 2580 FEATHER RIVER BLVD (APN 035-330-012)

WHEREAS, the City has received an application for the construction of a 65.25 square foot, 30-foot-tall freeway-oriented freestanding sign for Tractor Supply, Co. at 2580 Feather River Blvd (APN: 035-330-012); and

WHEREAS, The City of Oroville Municipal Code (OMC) Chapter 17.20 sets forth standards and regulations pertaining to signage; and

WHEREAS, Staff have reviewed the application and determined that the proposed freeway-oriented freestanding sign would result in the subject property exceeding the maximum allowed square footage of all signs on a site by 15.25 square feet, triggering approval of a variance application by the Planning Commission to approve the sign as designed; and

WHEREAS, Staff further determined that based on the square footage of the freeway-oriented freestanding sign, 130.5 square foot of landscaping is required at the base of the sign support structure, triggering approval of a variance application by the Planning Commission to waive this developed standard; and

WHEREAS, with the exception of the development standard variance expressly granted by the approval of this variance application, the freeway-oriented freestanding sign otherwise complies with the provisions of the Oroville Municipal Code and 2030 General Plan; 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 variance described herein, and also considered the City’s staff report regarding the proposed project.

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

SECTION 1. RECITALS.

The Planning Commission hereby find that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. ENVIRONMENTAL DETERMINATION.

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 15311 "Accessory Structures."

SECTION 3. FINDINGS

The Planning Commission approves the findings required by Section 17.48.080 of the Oroville City Code, as described in this Resolution.

Required Findings for Variances (OMC 17.48.080)

1. The granting of the variance is not inconsistent with the general plan or any applicable specific plan.

The project site is not located within any specific plan area and is zoned Intensive Commercial (C-2) with a General Plan Land Use Designation of Retail Business Services (RBS).

Goal LU-1 of the General Plan reads, "provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City's ability to assimilate new growth", with Policy P1.3 requiring compliance with the City of Oroville Design Guidelines as part of any project approval process. Furthermore, the 2030 General Plan Open Space, Natural Resources, and Conservation Element includes Goal OPS-5, which reads "Maintain and enhance the quality of Oroville's scenic and visual resources." The sign as proposed is 30 feet tall, which does not impair views of any scenic resources and has been conditioned to provide cladding on the support structure to exhibit compatibility with the on-site building materials as stipulated by the City's Sign Code and Design Guidelines. Accordingly, the proposed freestanding sign complies with the General Plan, however, under the present zoning regulations, the Sign Code does not provide exceptions or special provisions for properties with double frontages or a narrow street frontage and long depth, hence this variance application. Furthermore, the Sign Code does not provide exceptions or special provisions to the landscaping requirements for freestanding signs placed away from an immediately accessible public area or in areas that lack infrastructure necessary to support landscaping.

The approval of this variance will further help meet the guiding principles of the 2030 General Plan in that it will assist in creating a vibrant local economy and promote traveler-services clusters at freeway interchanges (P7.3 of the Land Use Element). The granting of a variance of this nature would not be inconsistent with the General Plan.

- 2. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.**

The subject property has a frontage with Feather River Blvd and abuts to SR 70, with the proposed sign intended to identify the business to vehicles along SR 70. However, the property is relatively narrow, with a width of approximately 290 feet compared to a depth of approximately 717 feet. As presently drafted, the Sign Code does not provide exceptions or special provisions for properties with double frontages or a narrow street frontage and long depth, hence this variance application.

Furthermore, the Sign Code does not provide exceptions or special provisions to the landscaping requirements for freestanding signs placed away from an immediately accessible public area or in areas that lack infrastructure necessary to support landscaping. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

Accordingly, given the characteristics of the subject property, proposed sign placement, and lack of necessary irrigation infrastructure present, exceptional and extraordinary circumstances apply to the property that do not generally apply to other land, buildings, or uses in the same district. Thus, approval of this variance would not grant a special privilege not shared by other property in the same vicinity.

- 3. The granting of the variance will not grant a special privilege to the property.**

Please reference Finding b) above.

- 4. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.**

Please reference Finding b) above.

- 5. The granting of the variance will not be materially detrimental to the public welfare.**

The sign height and proposed sign area will allow for the property to be adequately identified on both Feather River Blvd and from SR 70 which will benefit the local economy by attracting more people into the City through advertising which will capture retail sales tax dollars that may have otherwise not come into Oroville. There is no evidence in the record to demonstrate that the variance will be materially detrimental to the public welfare.

6. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

There are no known property improvements within the surrounding area that would be impacted by the proposed signage. The signage will not obstruct existing signs on nearby properties and the construction of the signs will be required to comply with all applicable requirements, including engineering, building, and zoning code requirements, other than the development standard variance expressly granted by the approval of this variance request. Thus, there is no known reason to believe that the variance will be injurious to, or incompatible with, any nearby property or improvements.

SECTION 4. PLANNING COMMISSION ACTION(S).

Approved project: The Planning Commission hereby conditionally approves Variance No. 24-01 for the construction of a new 30-foot-tall freeway-oriented freestanding sign for Tractor Supply. VAR 24-01 includes a request to exceed the maximum allowed sign area square footage for all signs on the subject property and a waiver in the required landscaping at the base of the sign support structure.

CONDITIONS OF APPROVAL

Prior to the issuance of building permits.

1. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.
2. All utility connections to the sign shall be placed underground.
3. Cladding or skirting shall be provided from the base/ground to the sign frame so as to not leave an exposed pole. Cladding or skirting materials shall be complementary in style and color to the building(s) on the project site.

The use shall be operated and maintained in substantial conformance with the following:

1. The sign, together with all of its supporting structural elements, shall be kept in a state of good repair at all times. Damage to the sign, including cracked sign faces, frayed or weathered fabric, and broken lighting, shall be repaired.

General Conditions.

1. The proposed use shall substantially conform to the project description and approved plans for the project under file No. VAR 24-01 and Trakit file No. PL2402-002. 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.

- 2. Pursuant to Section 17.12.010, the sign shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
- 3. Applicant and/or property owner will take appropriate measures to provide property maintenance of the sign.
- 4. Applicant and/or property owner will ensure protection of adjacent properties from undue light and glare, as well as illegal activity.
- 5. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant and/or property owner in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
- 6. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
- 7. 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.
- 8. 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.
- 9. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.
- 10. Variance No. 24-01 shall expire 24 months from the date of this approval if the use has not been established and an extension of time has not been approved by the Director of Community Development.

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 25th of April 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

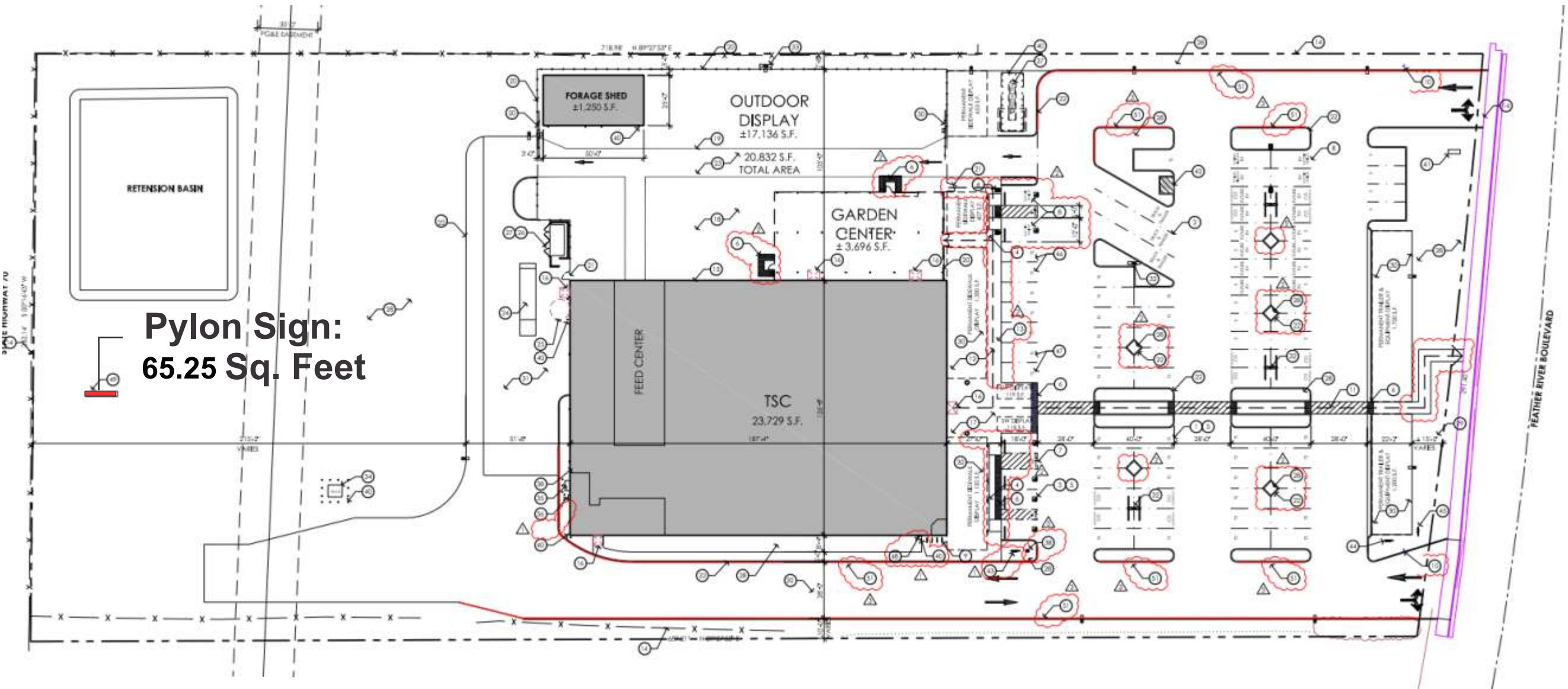
ATTEST:

APPROVE:

KAYLA REASTER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON

Attachment 3



**Pylon Sign:
65.25 Sq. Feet**

Site Plan with Sign Placement

Location:

Oroville, CA.

Project:

Proposed Pylon Sign

Notes:

Dwg. Date:
12-19-23

Scale:
NTS.

Revisions: _____ Date: _____

R1: added switch detail
R2: Changed sign size

Presented By:



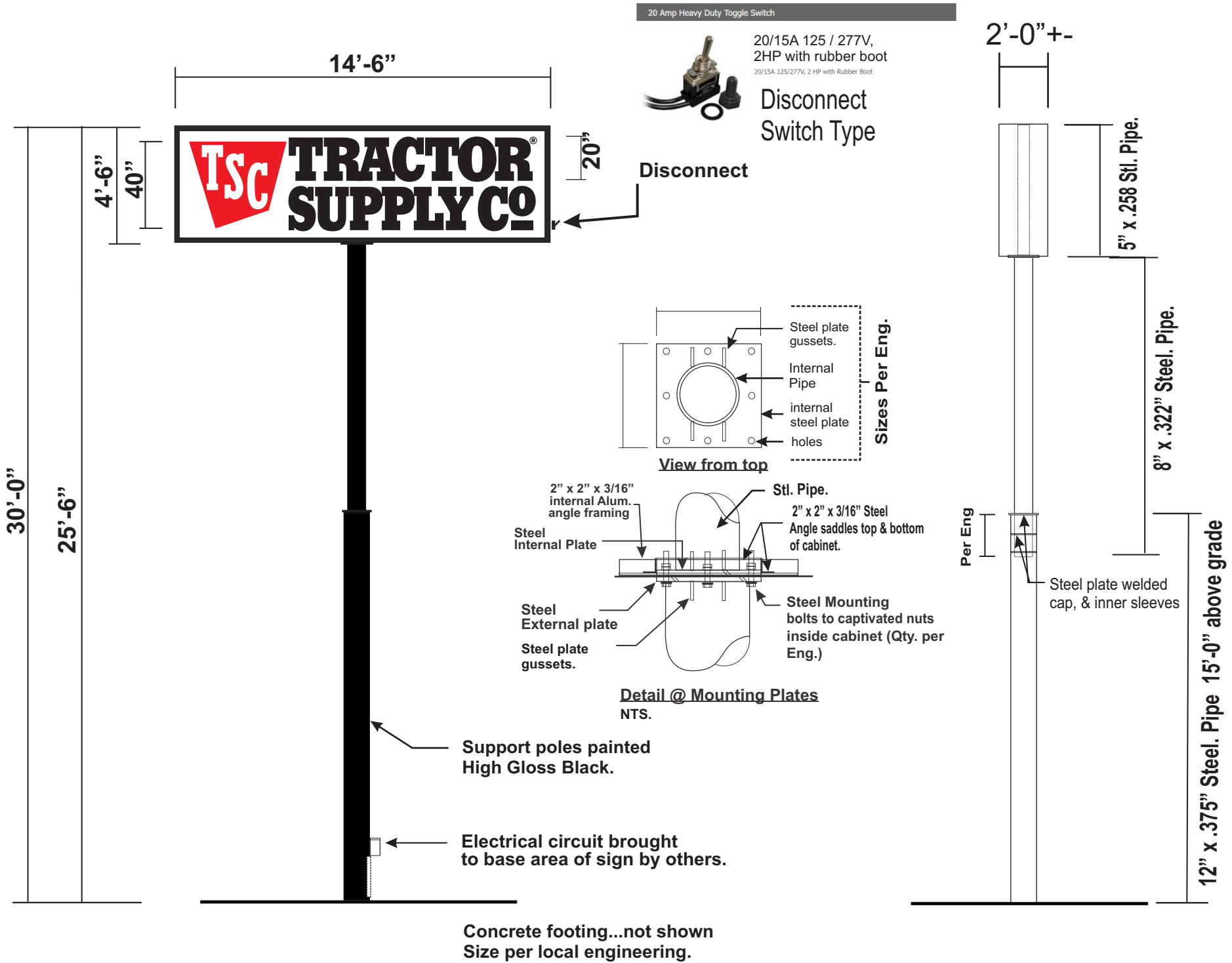
The Sign Resource
407 N. Pilot Knob Rd. Denver, NC. 28037
Ph. 727-669-6877 www.TSRFL.com

Note: This drawing is property of The Sign Resource, & shall not be reproduced without written permission.

20 Amp Heavy Duty Toggle Switch



Disconnect



Elevation: Double Sided Pylon Sign
NTS. Internally Illuminated

End Elevation

General Notes:

Cabinet will be fabricated using Aluminum angle framing... 2" x 2" x 3/16".
Illumination is provided by internal white LEDs. Power supplies housed for best access. Fillers are sheet aluminum.

Support column is steel pipes... plate to plate connection at top, & sleeved at joint @ center w/ internal steel plate rings & steel cap plate. Base support is direct buried into concrete footing. All support & footing sizes to be per local engineering.

Colors & Face Specifications

Cabinet, & face retainer / covers are finished High Gloss Black. Support pipes, & cap ring & exposed plate are finished High Gloss Black.

Face Material...

Substrate- *3M Panagraphics 3 flexible substrate.
Descrip: Translucent media with Polyester scrim Embedded in a White Pigmented Vinyl.
Finish: Smooth front surface, with white semi-gloss finish.
Thickness: 27 mil.
Lettering & Trapezoid colors Logo Bkgd: Series: 3M 3630-33 Red. Logo copy White. Lettering: Series 3M Gerber 220-12 Black. Registration Mark to match lettering.

LED power supplies... Multi-volt electronic type, Quantity varies per sign size.

Sign to meet UL Requirements.
UL listed / outdoor rated disconnect switch required.

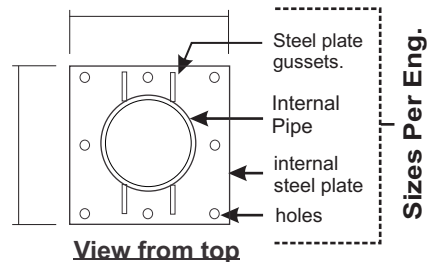


Sign meets NEC. Current Code

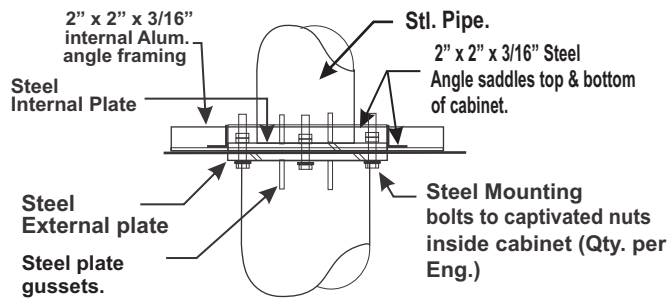
Concrete footing...not shown
Size per local engineering.

Support poles painted High Gloss Black.

Electrical circuit brought to base area of sign by others.



View from top



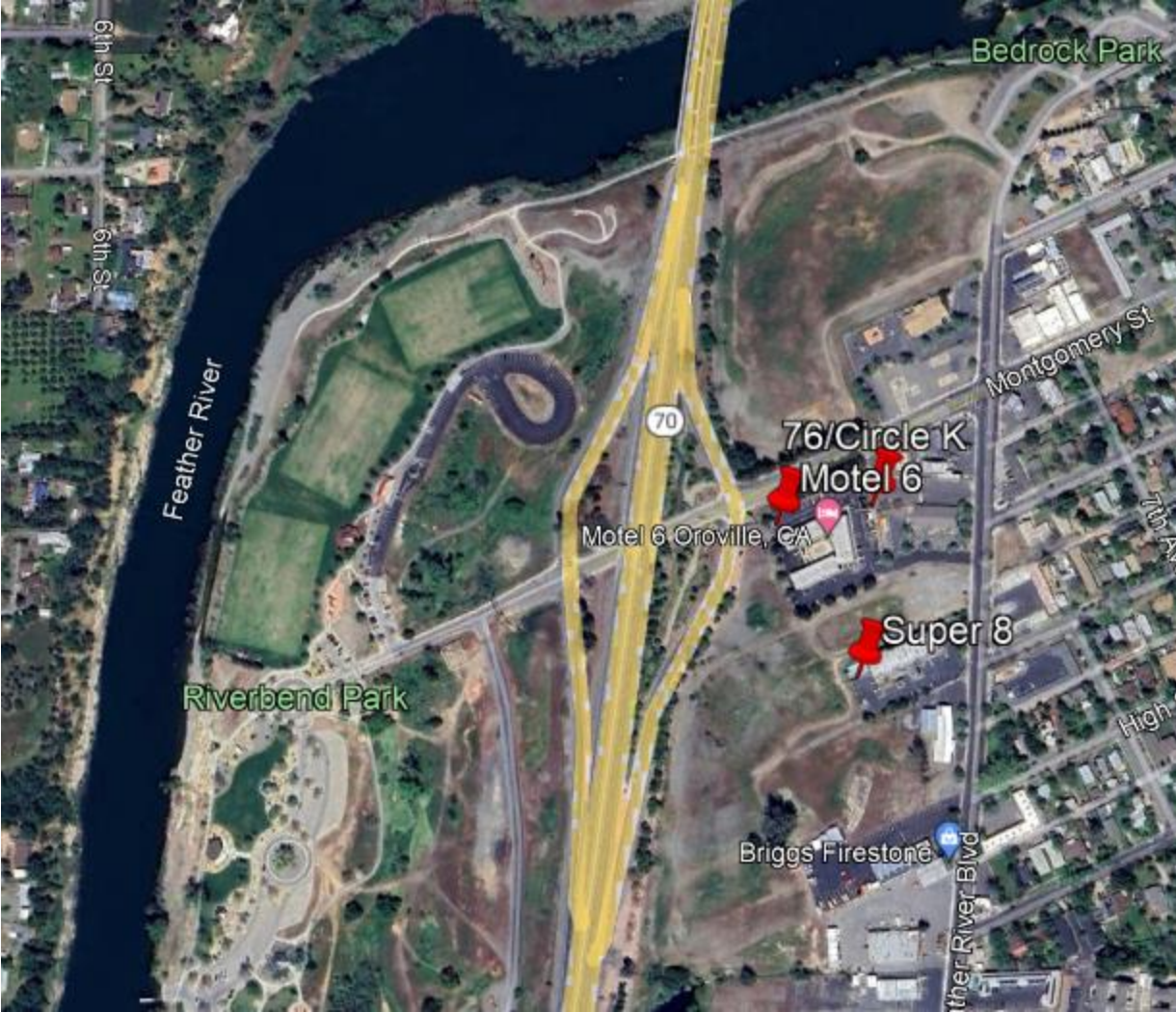
Detail @ Mounting Plates
NTS.

Attachment 4



The following signs are along the State Route 162 corridor and fall within ¼ mile of State Route 70, which OMC 17.20.120 allow a maximum height of 85 feet:

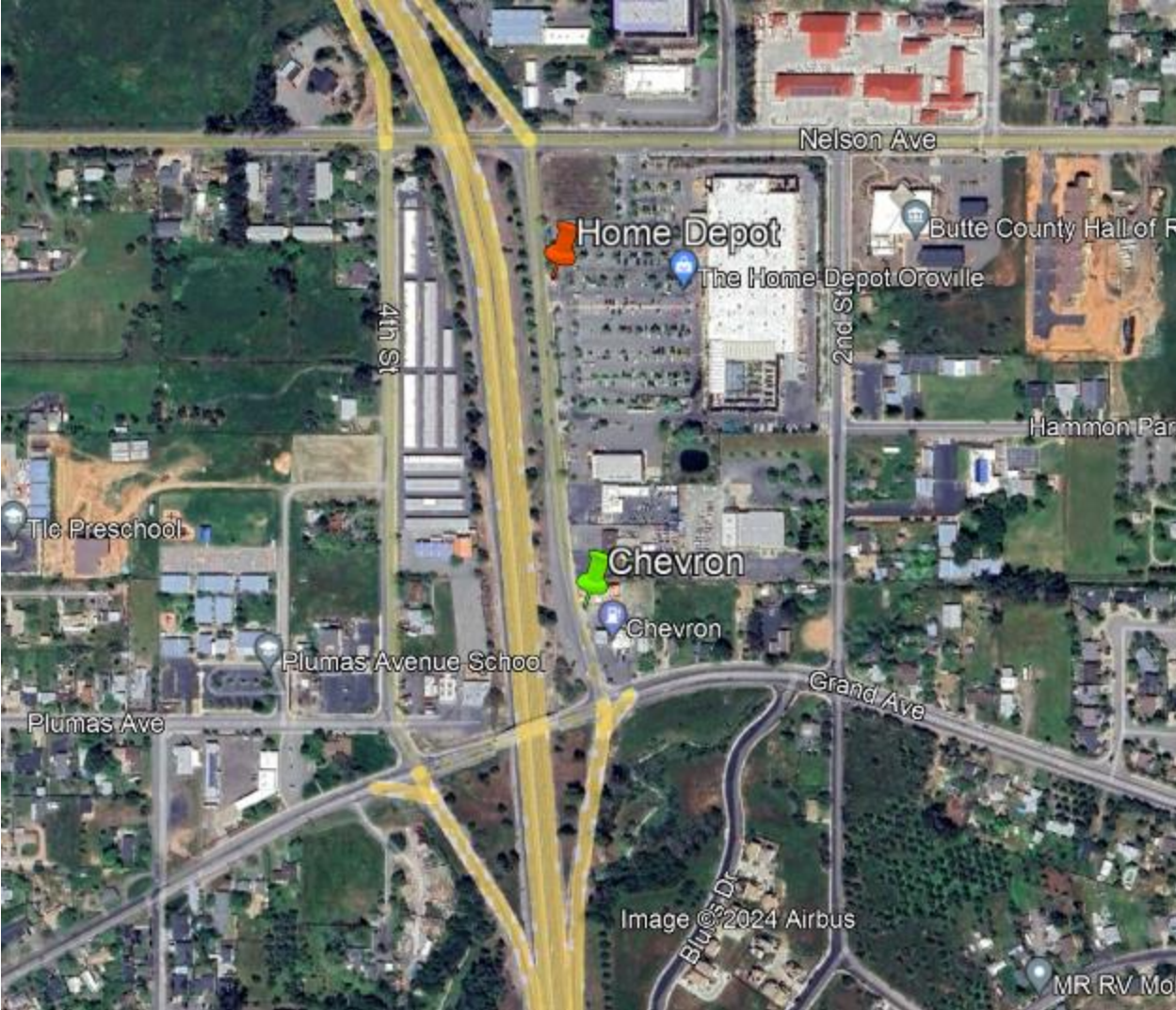
- Feather River Crossings Shopping Center – 80 feet
- Maverik – 85 feet (variance approved 2020)
- Wendy's – 65 feet
- Arco – 60 feet
- McDonalds – 85 feet (variance approved 2012)
- Starbucks/Panda Express – 85 feet (variance approved 2015)
- Applebees – 60 feet



The three signs located at Montgomery Street and Feather River Blvd are all 60 feet or lower in height. These signs are:

- Motel 6
- 76/Circle K
- Super 8





There are two signs in the Grand and Nelson Ave area:

- Home Depot – 30 feet with an approved comprehensive Sign Program
- Chevron – 40 feet

All signage on the Home Depot property was approved as part of a comprehensive sign program, which set the maximum height of the freestanding sign at 30 feet. This sign is located below grade from SR 70.





City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, April 25, 2024

RE: Variance (VAR) 24-02 for a proposed 70-foot-tall freeway-oriented freestanding sign with two (2) tenant panels at 2030-2040 3rd Street (APN 031-161-061)

SUMMARY: The Planning Commission will review and consider approving Variance No. 24-02 for the removal of an existing 40-foot-tall freeway-oriented freestanding sign and the construction of a new 70-foot-tall, 126 square foot, freeway-oriented freestanding sign with two tenant panels to allow for increased site visibility to northbound State Route 70 traffic. VAR 24-02 includes a request to exceed the maximum allowed sign area square footage for freestanding signs.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt** the Class 11 Categorical Exemption as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Variance No. VAR 24-02
4. **Adopt** Resolution No. P2024-06 approving Variance No. VAR 24-02

APPLICANT: Dave Coberly, Superior Electrical Advertising

LOCATION: 2030-2040 3rd Street (APN 031-161-061)

GENERAL PLAN: Retail Business Services (RBS)

ZONING: Intensive Commercial (C-2)

FLOOD ZONE: Zone X: Area of Minimal Flood Hazard

ENVIRONMENTAL DETERMINATION: The proposed project is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 19, Categorical Exemptions, Section 15311, Class 11, which exempts construction or placement of minor accessory structures, including on-premise signs.

REPORT PREPARED BY:

Connor Musler, Contract Planner
Community Development Department

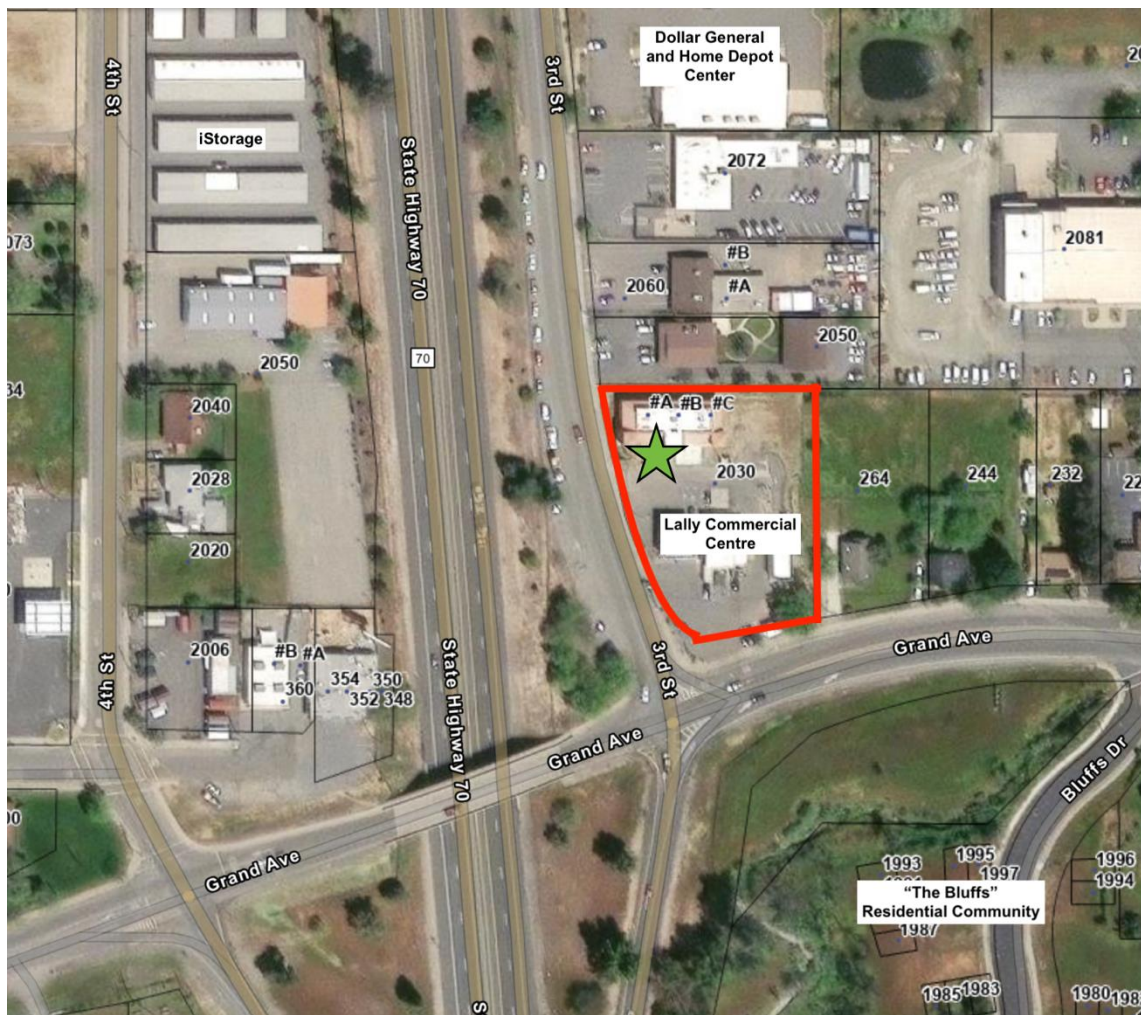
REVIEWED BY:

Patrick Piatt, Director
Community Development Department

SITE INFORMATION

Surrounding Area		
	Land Uses	Zoning
North	Commercial Businesses and Offices	Intensive Commercial (C-2)
South	Grand Ave, "The Bluffs" Residential Community	Medium-Density Residential (R-2)
West	3 rd Street and State Route 70. Commercial Business	Intensive Commercial (C-2)
East	Single-Family Residences	Intensive Commercial (C-2)

Location Map



BACKGROUND

2030-2040 3rd Street is located at the northeast corner of 3rd Street and Grand Avenue at the northbound State Route (SR) 70 off-ramp. The subject property is presently developed with a Chevron gas station and convenience store, car wash, and a three-unit multi-tenant building proposed to be partially occupied by Starbucks Coffee.

The multi-tenant building was originally approved by the Planning Commission on September 23, 2013, under UP 13-06. The 2013 approval allowed for the construction of an approximately 4,000 square foot multi-tenant building with a drive-through window in Suite B, which was intended to be occupied by a Subway restaurant, and the remaining two suites for future retail users. Since the 2013 approval, the property owner incrementally developed the site. On August 18, 2021, the applicant was granted an extension of their building permit (B1404-010) to allow time to final the shell building only. All other repairs and site improvements were agreed to be deferred to when tenant improvements occurred. On February 29, 2024, the Planning Commission approved UP 24-04 for exterior modifications, drive-through modifications, and site improvements for a proposed Starbucks Coffee drive-through establishment to occupy Suite A of the multi-tenant building.

At present, a 40-foot-tall freeway-oriented freestanding sign with the Chevron logo serves to identify the subject property to vehicular traffic along SR 70. This freestanding sign was erected decades ago when the subject property was only developed with a gas station.

DISCUSSION

Dave Coberly with Superior Electrical Advertising, on behalf of the property owner, Lally Properties 2, LLC., is proposing to remove the existing 40-foot-tall freeway-oriented freestanding sign and erect a 70-foot-tall, multi-tenant freeway-oriented freestanding sign in its place. The freestanding sign is proposed to have space for two tenant panels: one for the Chevron gas station and one for Starbucks. The freestanding sign is proposed to be 126 sq. ft., resulting in a total site sign square footage of 287.5 sq. ft. A summary of the proposed sign’s compliance with the City’s Sign Code is provided in **Figure 1**, with additional analysis provided in the project information sheet (**Attachment 1**).

	Proposed Signage	Sign Code Regulations	
Total Site Sign Square Footage	287.5 sq. ft.	300 sq. ft.	Compliant
Freestanding Sign Square Footage	126 sq. ft.	75 sq. ft.	Not Compliant, Variance Required

Freestanding Sign Height	70 ft.	85 ft.	Compliant
Landscaping	252 sq. ft.	380 sq. ft.	Compliant

Figure 1 – Sign Code Brief Analysis

The sign as proposed is permitted, subject to Planning Commission approval of a Variance in order to exceed the maximum allowed square footage for freestanding signs.

Freestanding Sign Square Footage:

The freestanding sign is proposed to be 126 sq. ft. per sign face. OMC Section 17.20.070 sets forth requirements for specific types of signs, including freestanding signs. The maximum freestanding sign square footage is based on the total linear street frontage of the front side of the site. The subject property has approximately 300 linear feet of frontage, which would allow a maximum sign area of 75 sq. ft. per side of a freestanding sign. **Figure 2** provides a breakdown on the square footage of the freestanding sign.

Allowed Sign Square Footage	Proposed Sign Square Footage	Difference in Sq. Ft.	Deviation Percentage
75 sq. ft.	126	51 sq. ft.	68%
~108 sq. ft. existing sign	126	18 sq. ft.	16.6%

Figure 2 – Sign Deviation Calculations Square Footage

As presently proposed, the freestanding sign would exceed the maximum allowed sign face square footage by 51 sq. ft., which is a 68% deviation from the OMC. Furthermore, the proposed sign face square footage would be 18 sq. ft. larger – a 16.6% deviation – than the presently provided freestanding sign.

However, regardless of whether the subject property was developed with a single tenant or a shopping center with multiple tenants, the freestanding sign would still be limited to a maximum square footage of 75 sq. ft. as the Sign Code does not provide exceptions or special provisions for properties developed as shopping centers or with multiple tenants. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

Sign Design Criteria:

Section 17.20.060(F) sets forth sign design criteria, stating that “signs should be compatible with the architecture of the building(s) on site” and that the “structure... should relate to the building form and design concept of the entire project.” Furthermore, freestanding signs should be clad or skirted from the base/ground to the sign frame so

as to not leave an exposed pole. The design criteria in the OMC are further supported by the Oroville Design Guidelines. As proposed, the freestanding sign is proposed to have an exposed support structure located immediately in front of the existing multi-tenant building. All structures on the subject property contain stacked stone accents, and the multi-tenant building is a combination of stucco and stacked stone, with a red tile roof.

The 2030 General Plan Community Design Element includes Policy P1.3 to “require compliance with the City of Oroville Design Guidelines as part of any project approval process.” The Oroville Design Guidelines include guidelines for all signs in commercial zoning areas of the City. The intent of these guidelines is to ensure that signs are an integral component of the design of a project and make a positive contribution to the overall character of a commercial project. The following design guidelines are applicable to the proposed freestanding sign:

2.3.1 *Exterior materials, finishes and colors should be the same or similar to those of the building or structures on site. High quality, durable materials should be used, as these elements will be more visible to the public than most building components.*

2.3.2 *Freestanding signs should be supported by solid structures to avoid a temporary or fragile appearance.*

At present, the proposed freestanding sign does not exhibit compatibility with the on-site building materials; does not include cladding; and in its proposed location, would block a portion of the multi-tenant building with its support structure.

For reference, there is an existing digital display sign (DDS or billboard) located immediately across SR 70 from the subject property. This DDS was approved by the Planning Commission on August 27, 2012, and was conditioned to have a pole cover to conceal the support structure of the sign. This pole cover serves to minimize the visual impact of the DDS located at a “gateway” entrance to the City.

Staff have added a draft condition of approval requiring cladding to be provided for the support structure, similar to the existing DDS located immediately across SR 70 from the subject property.

Unpermitted Signage

During review of the proposed project, Staff became aware of signage that was erected without first obtaining the necessary permits from the City. This includes the rooftop “Car Wash” sign located on top of the car wash, the “Krispy Krunchy Chicken” wall sign on the convenience store facing Grand Ave, and the “Welcome to Oroville USA Mini Mart” monument sign at the corner of 3rd St and Grand Ave. Staff have added a draft condition of approval requiring the removal of all unpermitted signage from the property prior to final of the building permit for the freestanding freeway-oriented sign.

REQUIRED FINDINGS FOR A VARIANCE:

Pursuant to OMC Section 17.48.080(C)(3), the Planning Commission may grant a variance only upon making all of the following findings, based on substantial evidence:

- a. The granting of the variance is not inconsistent with the general plan or any applicable specific plan.

The project site is not located within any specific plan area and is zoned Intensive Commercial (C-2) with a General Plan Land Use Designation of Retail Business Services (RBS). The granting of this variance would result in the removal of an existing single-tenant freestanding sign and the construction of a new multi-tenant freestanding sign.

With the development of the new multi-tenant building, the subject property is able to accommodate up to four tenants. The 2030 General Plan includes Policy P5.2, which states that the City should “limit freeway-oriented signs. Combine freeway signs listing available accommodations and services, and allow only small identity signs on buildings adjoining the freeway.” Furthermore, Goal LU-1 of the General Plan reads, “provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City’s ability to assimilate new growth”, with Policy P1.3 requiring compliance with the City of Oroville Design Guidelines as part of any project approval process. The sign as proposed complies with the General Plan, however, under the present zoning regulations, the Sign Code does not provide exceptions or special provisions for properties developed as shopping centers or with multiple tenants, hence the variance request for additional sign square footage. The freestanding sign as conditioned exhibits compatibility with the on-site building materials as stipulated by the City’s Sign Code and Design Guidelines.

The approval of this variance will further help meet the guiding principles of the 2030 General Plan in that it will assist in creating a vibrant local economy and promote traveler-services clusters at freeway interchanges (P7.3 of the Land Use Element). The granting of a variance of this nature would not be inconsistent with the General Plan.

- b. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.

The proposed sign is intended to identify the subject property and its on-site offerings to vehicles along SR 70. The subject property is developed with space to accommodate up to four distinct tenants. The City’s Sign Code allows for a freestanding sign on the subject property to be constructed to a maximum height of 85 feet; however, despite code allowing for increased height, the property is limited to a maximum square footage of 75 sq. ft. Regardless of whether the subject property was developed with a single tenant or a shopping center with

multiple tenants, the freestanding sign would still be limited to a maximum square footage of 75 sq. ft. as the Sign Code does not provide exceptions or special provisions for properties developed as shopping centers or with multiple tenants. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

Accordingly, because the subject property is the only developed property within the immediate vicinity with space for multiple distinct tenants, exceptional and extraordinary circumstances apply to the property that do not generally apply to other land, buildings, or uses in the same district. The signage as proposed would allow the property to adequately advertise two anchor tenants, Chevron and Starbucks, on one sign.

- c. The granting of the variance will not grant a special privilege to the property.

Reference Finding b) above.

- d. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.

Reference Finding b) above.

- e. The granting of the variance will not be materially detrimental to the public welfare.

The sign height and proposed sign area will allow greater visibility from State Route 70 which will benefit the local economy by attracting more people into the City through advertising which will capture retail sales tax dollars that may have otherwise not come into Oroville. There is no evidence in the record to demonstrate that the variance will be materially detrimental to the public welfare.

- f. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

There are no known property improvements within the surrounding area that would be impacted by the proposed signage. The signage will not obstruct existing signs on nearby properties and the construction of the signs will be required to comply with all applicable requirements, including engineering, building, and zoning code requirements, other than the development standard variance expressly granted by the approval of this variance request. Thus, there is no known reason to believe that the variance will be injurious to, or incompatible with, any nearby property or improvements.

GENERAL PLAN CONSISTENCY

The approval of the variance request helps implement the following goals and policies of the City's 2030 General Plan:

General Plan Goals:

Goal LU-1 “Provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City’s ability to assimilate new growth.”

Goal LU-4 “Provide adequate land for and promote the development of attractive commercial areas and uses that provide goods and services to Oroville residents, employees, and visitors.”

Goal CD-1 “As the community grows, maintain a coherent and distinctive physical form and structure that reflects Oroville’s unique qualities.”

General Plan Policies:

P1.1 Require quality architectural and landscaping design as well as durable and efficient materials for all projects.

P1.3 Require compliance with the City of Oroville Design Guidelines as part of any project approval process.

P1.6 Ensure all new development conforms to current land use and zoning designations.

P5.2 Limit freeway-oriented signs. Combine freeway signs listing available accommodations and services, and allow only small identity signs on buildings adjoining the freeway.

P7.3 Promote traveler-services clusters at freeway interchanges.

FISCAL IMPACT

None.

PUBLIC NOTICE

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

ATTACHMENTS

1. Project Information Sheet
2. Notice of Exemption
3. Resolution No. P2024-06
4. Application and Project Plan Drawings
5. Freestanding Sign Analysis

Attachment 1

Attachment 1

Project Information Sheet: VAR 24-02 Lally Freestanding Sign

Total Site Sign Square Footage:

	Proposed Signage (sq. ft.)	Existing Signage (sq. ft.)	Total (sq. ft.)
Wall Signs	35.5	15	50.5
Canopy Signs	0	35	35
Fuel Price Sign	0	76	76
Freestanding Sign	126	(108)	126
Total (sq. ft.)	161.5	126 (234 w/ existing freestanding sign)	287.5 square feet

Figure 1 – Sign Sq. Ft. Breakdown.

Based on the linear footage of building frontage, the property is limited to a maximum of 300 sq. ft. of signage. This 300 sq. ft. maximum acts as a “bank” where property owners are able to “withdraw” from when proposing signage on a property. All signage has specific design and size regulations that must be met, while collectively being conscious so as to not exceed the maximum square footage of signage allowed for a single property.

OMC Table 17.20.120-3 sets forth the permitted sign types and their respective sign specific regulations for the subject property. Staff are currently processing a building permit (B2401-054) for tenant wall signs and drive-through signage for Starbucks. At present, 31.5 sq ft of wall signage is proposed for Starbucks. Staff estimate that there presently exists 234 sq. ft. of signage on the property for the existing gas station, including wall signs, fueling canopy signs, the fuel pricing sign, and the freestanding sign. **Figure 1** above provides a breakdown of the square footage of the proposed, existing, and total square footage by sign type.

As presently proposed, the total square footage of all signs on the property would be 287.5 square feet, which is 12.5 sq. ft. less than the OMC permits. This includes all existing signage (minus the existing freestanding sign proposed to be removed), the proposed Starbucks wall signs, and the proposed new freestanding sign. This would leave 12.5 square feet of signage available for the two vacant tenant suite spaces in the existing multi-tenant building.

Freestanding Sign Height:

The freestanding sign is proposed to be 70 feet tall. For reference, the existing freestanding sign on the subject property is approximately 40 feet tall. Pursuant to OMC

Table 17.20.070(D), the maximum height for a freestanding sign is 85 feet if the property is within ¼ mile of SR 70. As presently proposed, the freestanding sign would be 15 feet less than the maximum allowed sign height.

OMC 17.2.070(D)(4) allows the Planning Commission to approve an increase in the allowed height of a freestanding sign if the need for this increase is demonstrated by means of a balloon test or other method approved by the zoning administrator. On January 11, 2024, the applicant conducted a “flagging” test with City Staff present to observe the test. The “flagging” test simulated signs at three heights: 60 feet, 70 feet, and 85 feet targeting northbound SR 70 traffic.

At 60 feet, a “sign” was visible from the Feather River Bridge, approximately 1,600 feet (0.30 miles) before the freeway off-ramp. Visibility of the sign became impaired the closer to the freeway off-ramp before becoming completely obstructed approximately 200 feet (0.04) miles before the freeway off-ramp.

At 70 feet, a “sign” was visible from the Feather River Bridge, approximately 1,600 feet (0.30 miles) before the freeway off-ramp. Visibility of the sign was maintained all the way up until the freeway off-ramp.

At 85 feet, a “sign” was very clearly visible from the Feather River Bridge, approximately 1,600 feet (0.30 miles) before the freeway off-ramp and was fully visible during the entire time approaching the freeway off-ramp.

No visibility tests were conducted for southbound SR 70 traffic due to the fact that there is no off-ramp at Grand Avenue when traveling southbound. Once past the Grand Avenue overcrossing, the subject property is clearly visible to vehicular traffic along SR 70, sitting approximately 5-15 feet above grade. The primary cause of lack of consistent, clear sign visibility on the subject site is due to highway vegetation. Pursuant to Section 670 of the California Streets and Highways Code, Caltrans “shall not issue a permit for, or take any other action to accomplish, the destruction, removal, or topping of any tree, unless the tree is dead or diseased, for the purpose of improving or enhancing the view from the highway of an advertising sign or device or any commercial activity...” The applicant has confirmed with the Caltrans District 3 Office in Marysville that a permit is unlikely to be approved for such a purpose. The Oroville 2030 General Plan further encourages planting of screen type landscaping along SR 70 in order to create a continuous and unified landscaped corridor (P2.2, Community Design Element).

Staff analyzed freeway-oriented signs along the State Route 70 corridor and have prepared further information/analysis in **Attachment 5**. The last sign variance approved by the Planning Commission was in 2020 for the Maverik fueling station. At the proposed 70 feet tall, this sign would be the first of its nature outside of the SR 70/SR 162 intersection area.

Setback Requirements:

Section 17.20.070(D)(1) states that freestanding signs shall not be placed on any frontage with a width of less than 75 feet, or with a building setback of less than 25 feet. The intent of this regulation is to ensure signs are designed to fit the scale of the property and help ensure a visually pleasing development. The subject property meets the width requirements, however, the setback for the multi-tenant building is approximately 10 feet from the property line. The multi-tenant building was constructed in accordance with the development standards for the C-2 zoning district, which do not require a front setback. A strict and literal enforcement of the code would thus prohibit the placement of a freestanding sign at this location since the multi-tenant building does not have a building setback of at least 25 feet.

Alternatively, because this is a multi-building development, an average setback for the multi-tenant building, the convenience store, and fueling canopy could be used. At the closest point to the front property line, the multi-tenant building has an approximately 10-foot setback, the convenience store has an approximately 60-foot setback, and the fueling canopy has an approximately 16-foot setback, resulting in an average setback of 28.6 feet.

Freestanding Sign Landscaping Requirements:

Pursuant to OMC 17.20.070(D)(7), landscaping is required to be provided at the base of the support structure equal to twice the area of one face of the sign. Based on the proposed sign face area of 126 sq. ft., the subject property would need to provide 252 sq. ft. of landscaping at the base of the freestanding sign. The freestanding sign is proposed to be erected in a landscape planter, roughly where the existing freestanding sign is presently located. The planter is approximately 426 sq. ft.; however, 46 sq. ft. is paved and occupied by an electric transformer, resulting in a total landscaped area of 380 sq. ft., which is still 128 sq. ft. greater than the minimum code requirements.

Attachment 2



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

NOTICE OF EXEMPTION

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

Project Title: Variance (VAR) 24-02, a proposed multi-tenant freeway-oriented freestanding sign for Lally Properties 2, LLC., located at 2030-2040 3rd Street.

Project Location – Specific: 2030 to 2040 3rd Street (APN 031-161-061)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Variance No. 24-02 for the removal of an existing 40-foot-tall freeway-oriented freestanding sign and the construction of a new 70-foot-tall, 126 square foot, freeway-oriented freestanding sign with two tenant panels to allow for increased site visibility to northbound State Route 70 traffic. VAR 24-02 includes a request to exceed the maximum allowed sign area square footage for freestanding signs.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Dave Coberly, Superior Electrical Advertising

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
 - Accessory Structures, Title 14, CCR, §15311
- 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:

Accessory Structures, Title 14, CCR, §15311

Class 11 categorical exemptions consist of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, which includes on-premise signs

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: Connor Musler, Contract Planner

Telephone: (530) 538-2408

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant

Attachment 3

RESOLUTION NO. P2024-06

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE 24-02 FOR THE CONSTRUCTION OF A NEW 126 SQUARE FOOT, 70-FOOT-TALL FREEWAY-ORIENTED SIGN FOR CHEVRON AND STARBUCKS AT 2030-2040 3RD STREET (APN 031-161-061)

WHEREAS, the City has received an application for the construction of a 126 square foot, 70-foot-tall freeway-oriented freestanding sign for Chevron and Starbucks at 2030-2040 3rd St (APN: 031-161-061); and

WHEREAS, The City of Oroville Municipal Code (OMC) Chapter 17.20 sets forth standards and regulations pertaining to signage; and

WHEREAS, Staff have reviewed the application and determined that the proposed freeway-oriented freestanding sign would exceed the maximum allowed square footage for freestanding signs by 51 square feet, triggering approval of a variance application by the Planning Commission to approve the sign as designed; and

WHEREAS, with the exception of the development standard variance expressly granted by the approval of this variance application, the freeway-oriented freestanding sign otherwise complies with the provisions of the Oroville Municipal Code and 2030 General Plan; 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 variance described herein, and also considered the City’s staff report regarding the proposed project.

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

SECTION 1. RECITALS.

The Planning Commission hereby find that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. ENVIRONMENTAL DETERMINATION.

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 15311 “Accessory Structures.”

SECTION 3. FINDINGS

The Planning Commission approves the findings required by Section 17.48.080 of the Oroville City Code, as described in this Resolution.

Required Findings for Variances (OMC 17.48.080)

1. The granting of the variance is not inconsistent with the general plan or any applicable specific plan.

The project site is not located within any specific plan area and is zoned Intensive Commercial (C-2) with a General Plan Land Use Designation of Retail Business Services (RBS). The granting of this variance would result in the removal of an existing single-tenant freestanding sign and the construction of a new multi-tenant freestanding sign.

With the development of the new multi-tenant building, the subject property is able to accommodate up to four tenants. The 2030 General Plan includes Policy P5.2, which states that the City should “limit freeway-oriented signs. Combine freeway signs listing available accommodations and services, and allow only small identity signs on buildings adjoining the freeway.” Furthermore, Goal LU-1 of the General Plan reads, “provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City’s ability to assimilate new growth”, with Policy P1.3 requiring compliance with the City of Oroville Design Guidelines as part of any project approval process. The sign as proposed complies with the General Plan, however, under the present zoning regulations, the Sign Code does not provide exceptions or special provisions for properties developed as shopping centers or with multiple tenants, hence the variance request for additional sign square footage. The freestanding sign as conditioned exhibits compatibility with the on-site building materials as stipulated by the City’s Sign Code and Design Guidelines.

The approval of this variance will further help meet the guiding principles of the 2030 General Plan in that it will assist in creating a vibrant local economy and promote traveler-services clusters at freeway interchanges (P7.3 of the Land Use Element). The granting of a variance of this nature would not be inconsistent with the General Plan.

2. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.

The proposed sign is intended to identify the subject property and its on-site offerings to vehicles along SR 70. The subject property is developed with space to accommodate up to four distinct tenants. The City’s Sign Code allows for a freestanding sign on the subject property to be constructed to a maximum height of 85 feet; however, despite code allowing for increased height, the property is

limited to a maximum square footage of 75 sq. ft. Regardless of whether the subject property was developed with a single tenant or a shopping center with multiple tenants, the freestanding sign would still be limited to a maximum square footage of 75 sq. ft. as the Sign Code does not provide exceptions or special provisions for properties developed as shopping centers or with multiple tenants. Thus, it is believed that the strict and literal enforcement of the provisions of the Zoning Code would result in unreasonable and unnecessary hardships for the applicant.

Accordingly, because the subject property is the only developed property within the immediate vicinity with space for multiple distinct tenants, exceptional and extraordinary circumstances apply to the property that do not generally apply to other land, buildings, or uses in the same district. The signage as proposed would allow the property to adequately advertise two anchor tenants, Chevron and Starbucks, on one sign.

3. The granting of the variance will not grant a special privilege to the property.

Please reference Finding b) above.

4. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.

Please reference Finding b) above.

5. The granting of the variance will not be materially detrimental to the public welfare.

The sign height and proposed sign area will allow greater visibility from State Route 70 which will benefit the local economy by attracting more people into the City through advertising which will capture retail sales tax dollars that may have otherwise not come into Oroville. There is no evidence in the record to demonstrate that the variance will be materially detrimental to the public welfare.

6. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

There are no known property improvements within the surrounding area that would be impacted by the proposed signage. The signage will not obstruct existing signs on nearby properties and the construction of the signs will be required to comply with all applicable requirements, including engineering, building, and zoning code requirements, other than the development standard variance expressly granted by the approval of this variance request. Thus, there

is no known reason to believe that the variance will be injurious to, or incompatible with, any nearby property or improvements.

SECTION 4. PLANNING COMMISSION ACTION(S).

Approved project: The Planning Commission hereby conditionally approves Variance No. 24-02 for the construction of a new 126 square foot, 70-foot-tall freeway-oriented freestanding sign for Lally Properties 2, LLC. VAR 24-02 includes a request to exceed the exceed the maximum allowed sign square footage for freestanding signs.

CONDITIONS OF APPROVAL

Prior to the issuance of building permits.

1. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.
2. All utility connections to the sign shall be placed underground.
3. Cladding or skirting shall be provided from the base/ground to the sign frame so as to not leave an exposed pole. Cladding or skirting materials shall be complementary in style and color to the building(s) on the project site.

Prior to the final of building permits.

1. Any landscaping disturbed or damaged during the installation of the sign shall be repaired and replaced with similar plant species.
2. All unpermitted signage on the property shall be removed.

The use shall be operated and maintained in substantial conformance with the following:

1. The sign, together with all of its supporting structural elements, shall be kept in a state of good repair at all times. Damage to the sign, including cracked sign faces, frayed or weathered fabric, and broken lighting, shall be repaired.

General Conditions.

1. The proposed use shall substantially conform to the project description and approved plans for the project under file No. VAR 24-02 and Trakit file No. PL2402-006. 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.
2. Pursuant to Section 17.12.010, the sign shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
3. Applicant and/or property owner will take appropriate measures to provide property maintenance of the sign.

4. Applicant and/or property owner will ensure protection of adjacent properties from undue light and glare, as well as illegal activity.
5. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant and/or property owner in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
6. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
7. 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.
8. 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.
9. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.
10. Variance No. 24-02 shall expire 24 months from the date of this approval if the use has not been established and an extension of time has not been approved by the Director of Community Development.

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 25th of April 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

KAYLA REASTER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON

Attachment 4



superior
electrical advertising

1700 West Anaheim Street
Long Beach, California
90813-1195
Phone: 562.495.3808
Facsimile: 562.435.1867

www.superiorsigns.com

Project:
Chevron/ Starbucks

Address:
**2030 3rd Street
Oroville, CA 95965**

Account Manager:
Dave Coberly

Scale: T.A.:
AS NOTED 3.50

Design No.:
23-01-9028-03

Reg. No.:

Revision History:
R0 1/24/23 mdm New Drawing
R1 12/9/23 LR Add site plan
R2 2/8/24 pl rev. from 85' to 60'
(3.00)
R3 3/20/24 mdm (1.5) reduce cabinet to 9x14



This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

• CONSTRUCTION APPROVALS •
Acct. Mgr: Date:

Design: Date:

Mfg/QC: Date:

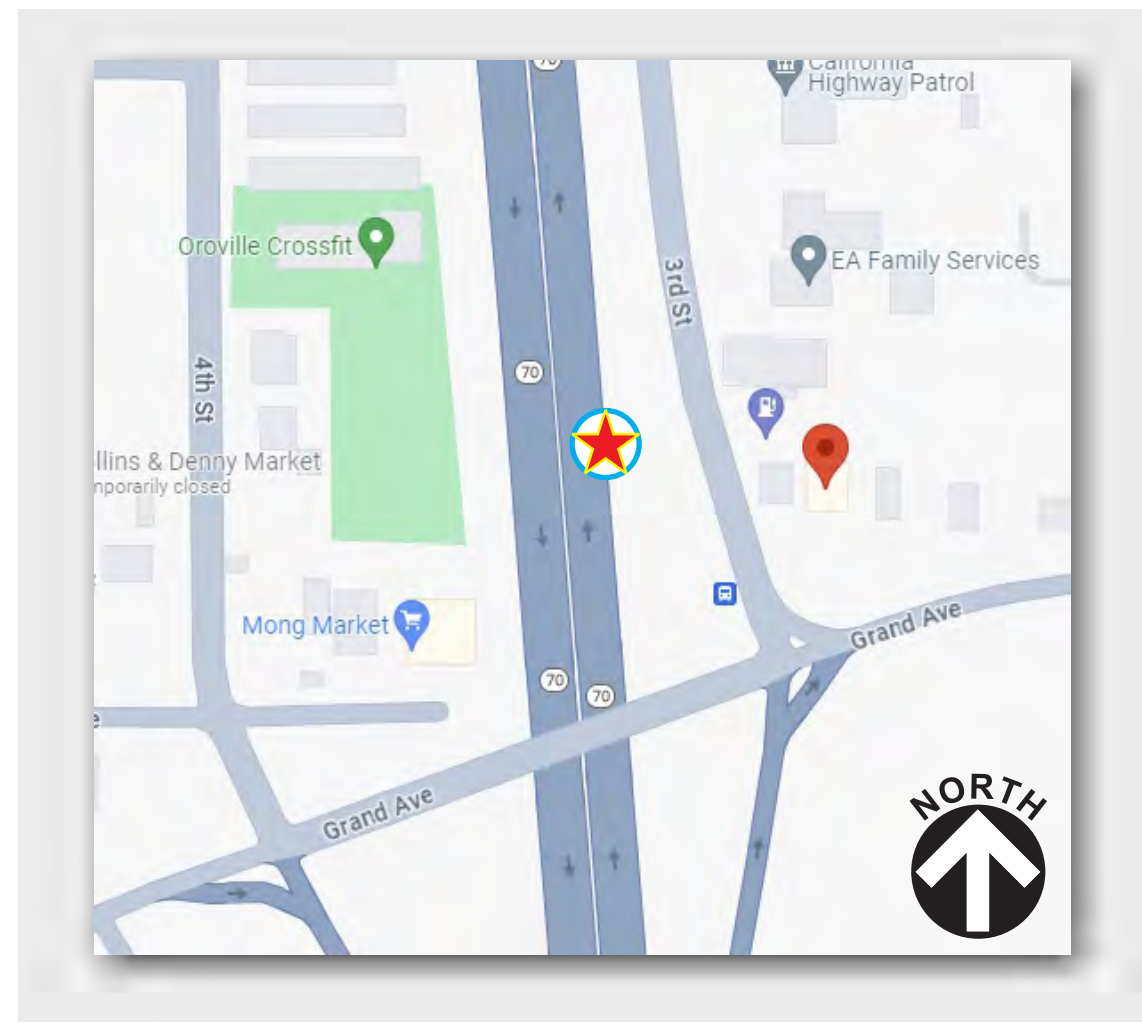
Page: **1** of **8**

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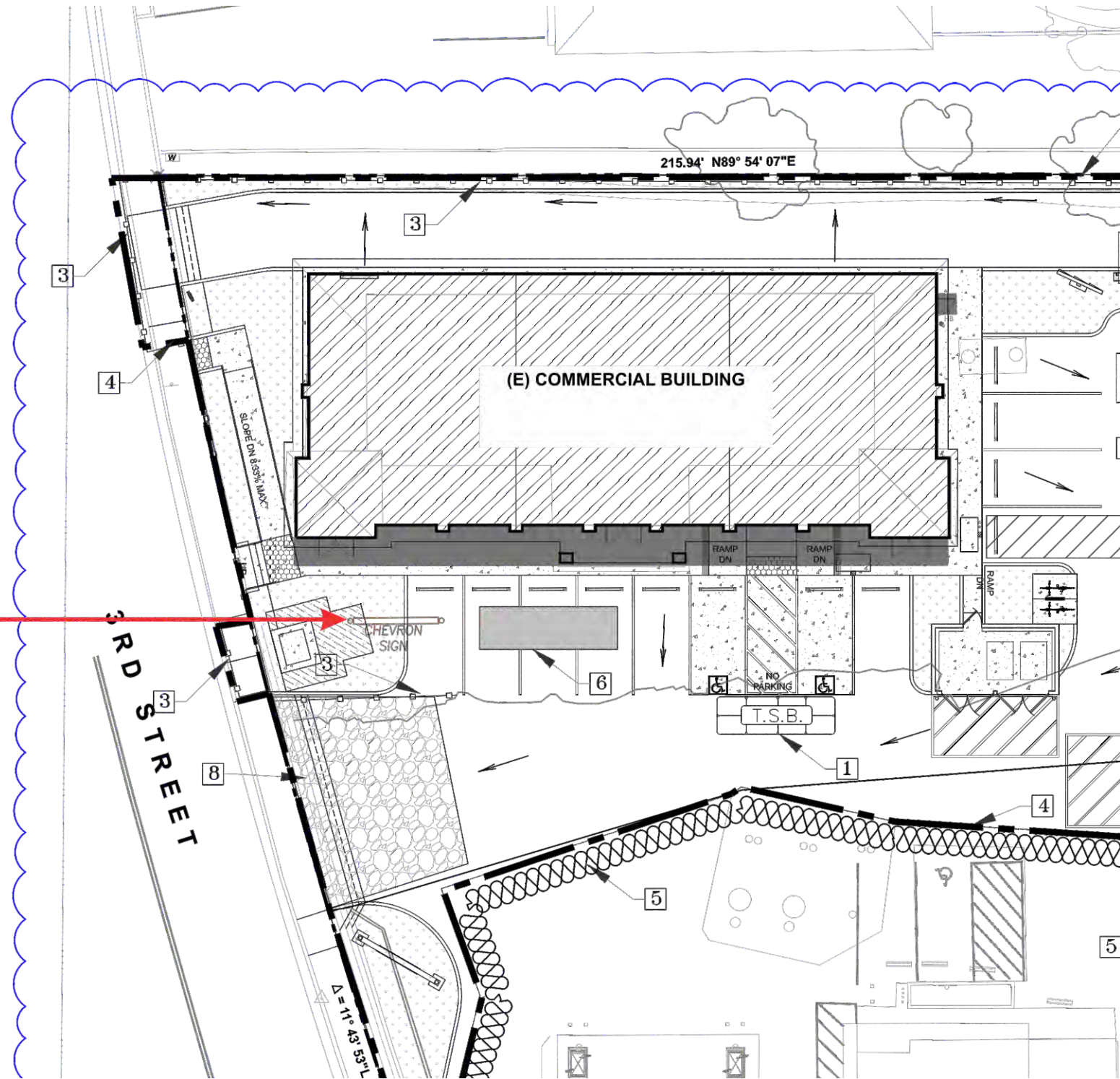
2030 3RD STREET OROVILLE, CA 95965



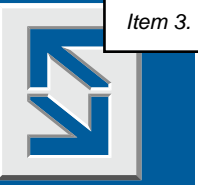
1 VICINITY MAP
SCALE: NTS



EXISTING 40'-0" PYLON TO BE REMOVED



1 SITE PLAN
APPROXIMATE SCALE: 1" = 25'-0"



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 Long Beach, California
 90813-1195
 Phone: 562.495.3808
 Facsimile: 562.435.1867

www.superiorsigns.com

Project:
Chevron/ Starbucks

Address:
**2030 3rd Street
 Oroville, CA 95965**

Account Manager:
Dave Coberly

Scale: T.A.:
AS NOTED 3.50

Design No.:
23-01-9028-03

Reg. No.:

Revision History:
R0 1/24/23 mdm New Drawing
R1 12/9/23 LR Add site plan
R2 2/8/24 pl rev. from 85' to 60'
 (3.00)
R3 3/20/24 mdm (1.5) reduce cabinet to 9x14



This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

CONSTRUCTION APPROVALS

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Design: Date:

Mfg/QC: Date:

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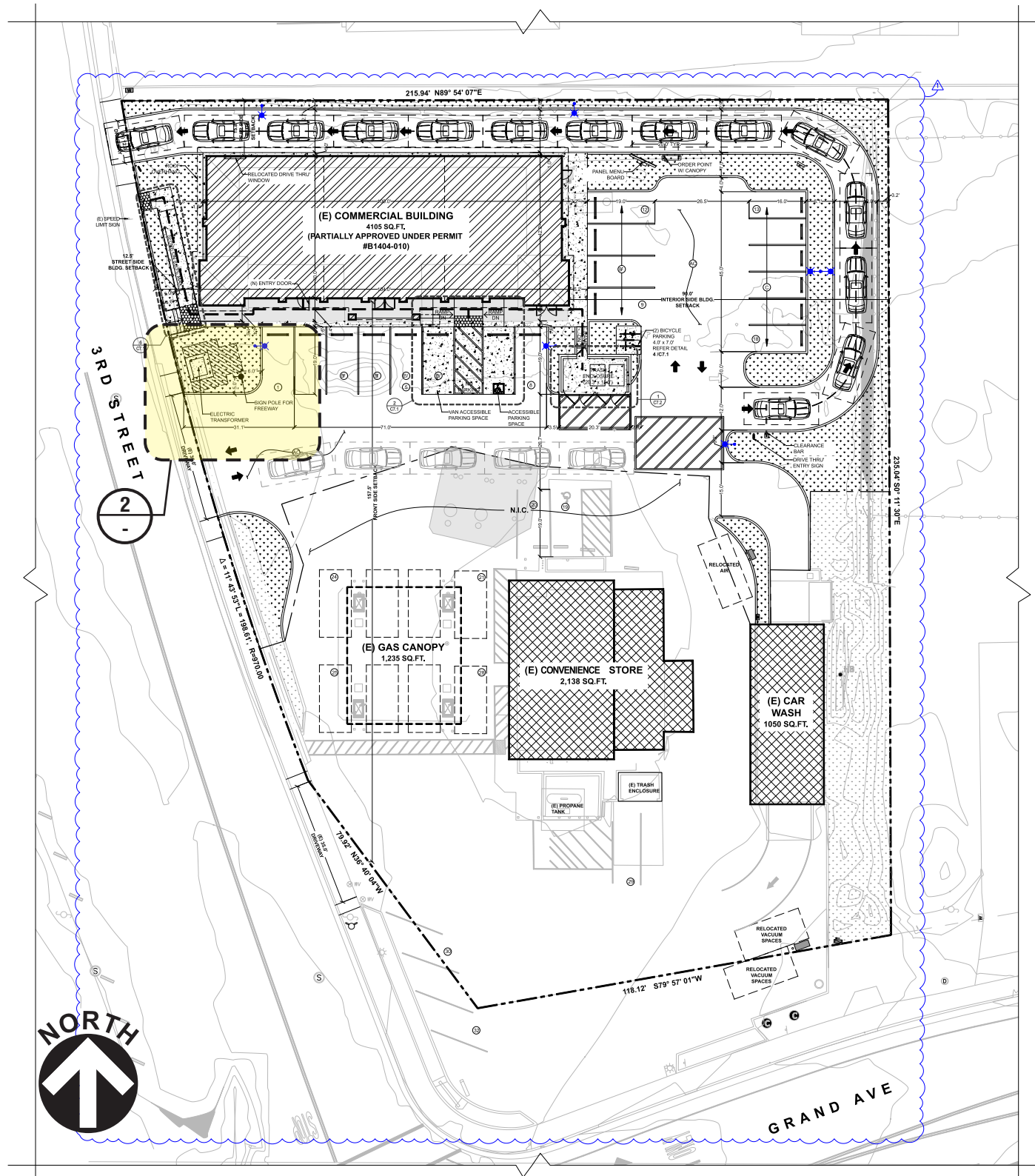
Design: _____ Date: _____

Mfg/QC: _____ Date: _____

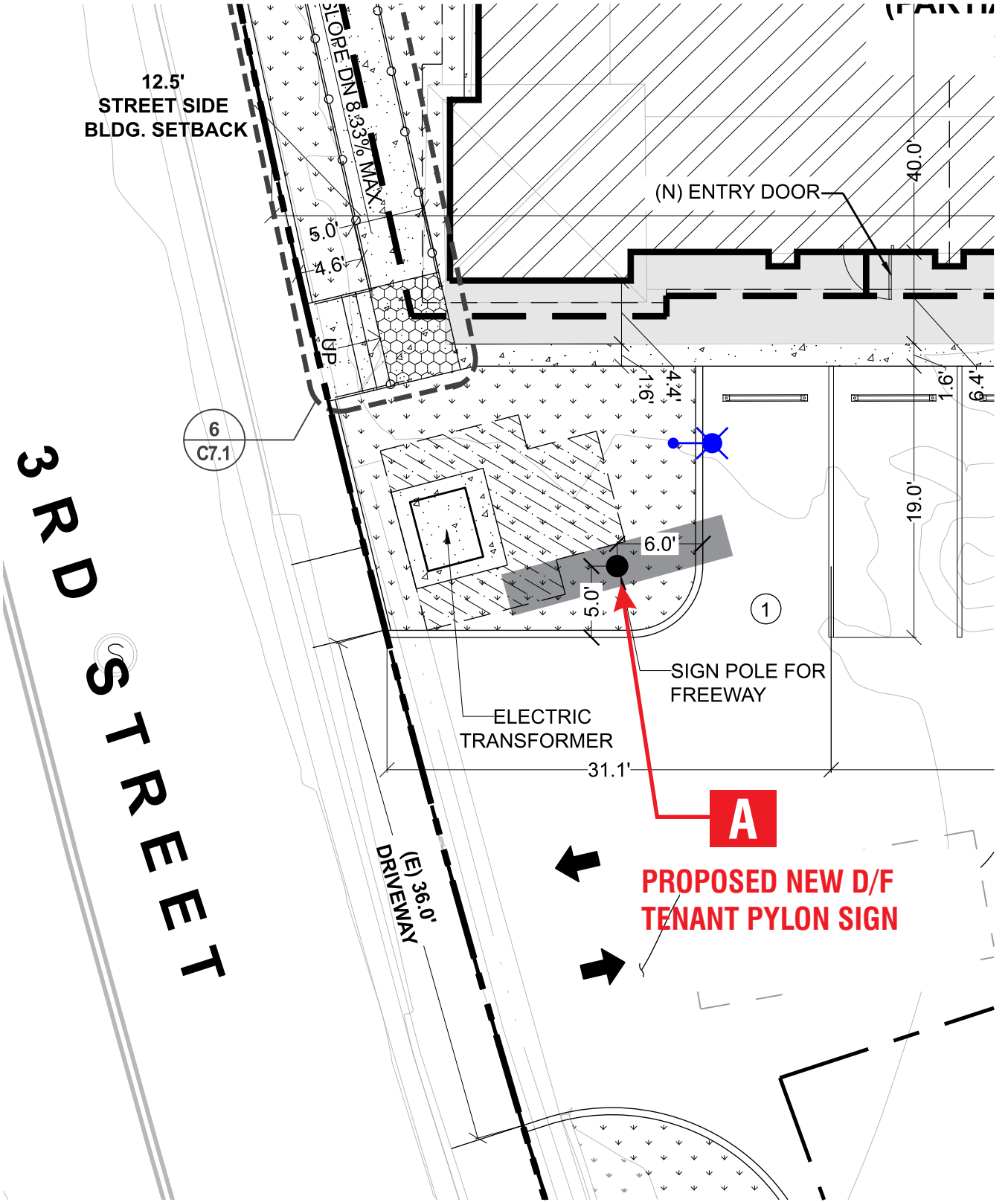
Page: **3** of **8**

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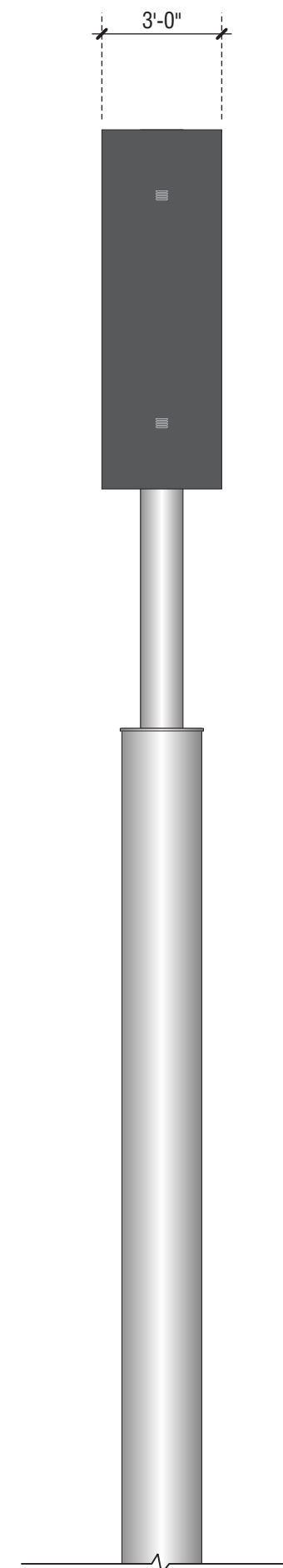
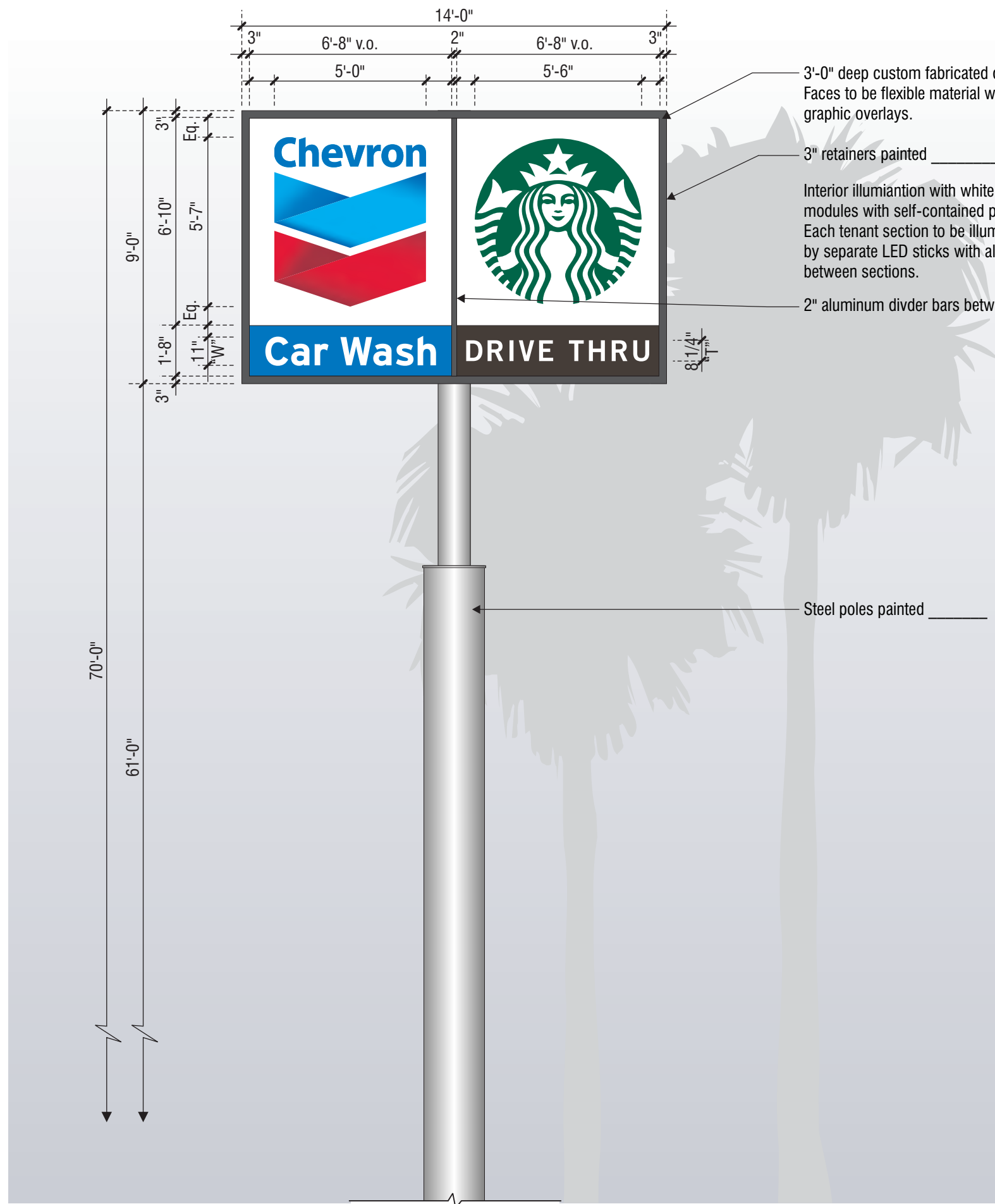
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Note: The colors depicted here are a representation. Actual colors may vary from color specifications.



1 SITE PLAN
APPROXIMATE SCALE: 1"=40'-0"



2 ENLARGED SIGN LOCATION
SCALE: 1"=10'-0"



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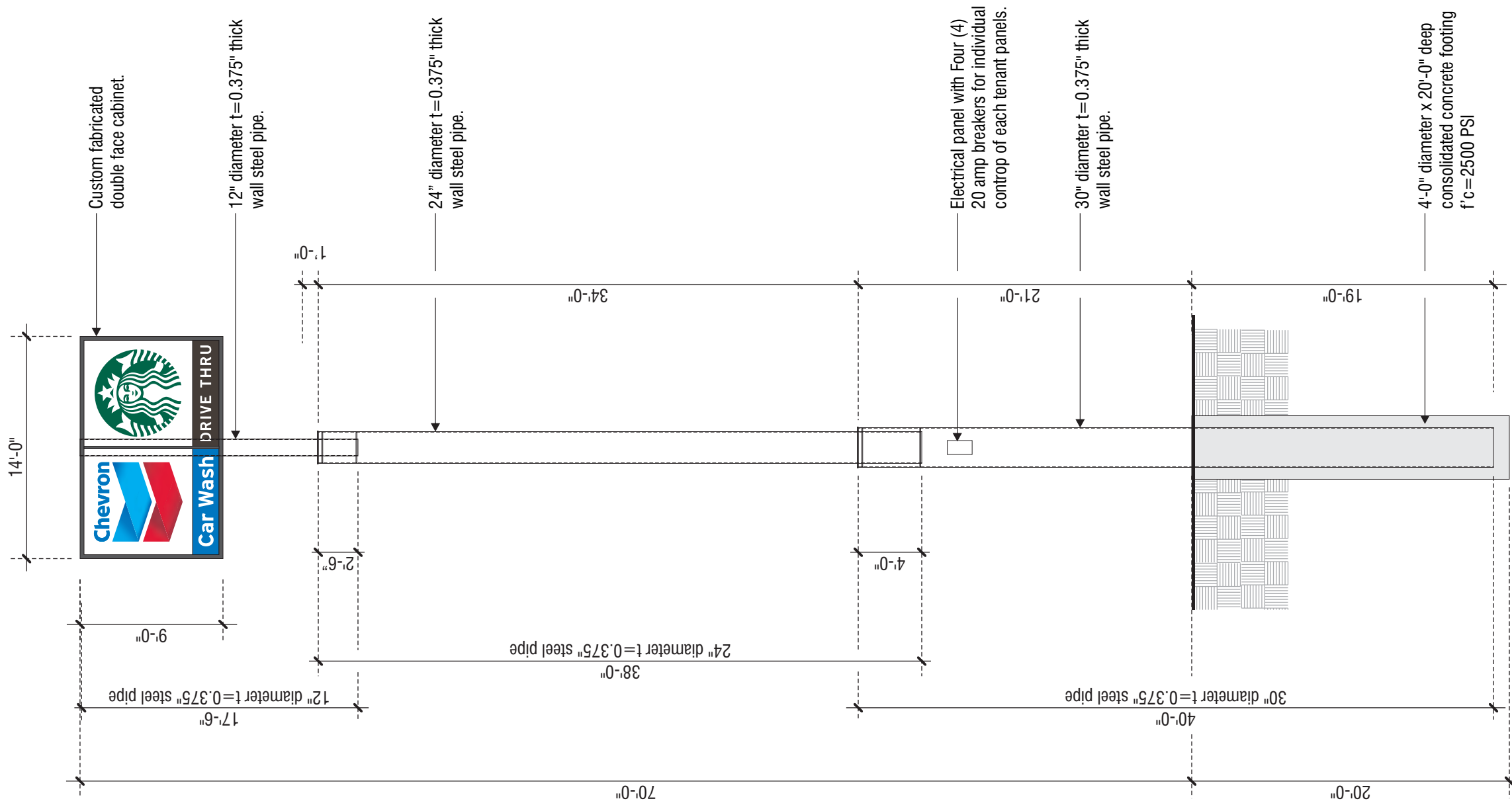
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1 FRONT ELEVATION - STRUCTURAL DETAIL
SCALE: 1/8" = 1'-0"



70'-0"



1 FLAGGED AT 70'-0'
SCALE: NTS



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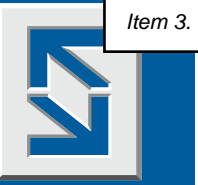
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85'-0"

1 FLAGGED AT 85'-0'
SCALE: NTS



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60'-0"



1 FLAGGED AT 60'-0'
SCALE: NTS



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Attachment 5



The following signs are along the State Route 162 corridor and fall within ¼ mile of State Route 70, which OMC 17.20.120 allow a maximum height of 85 feet:

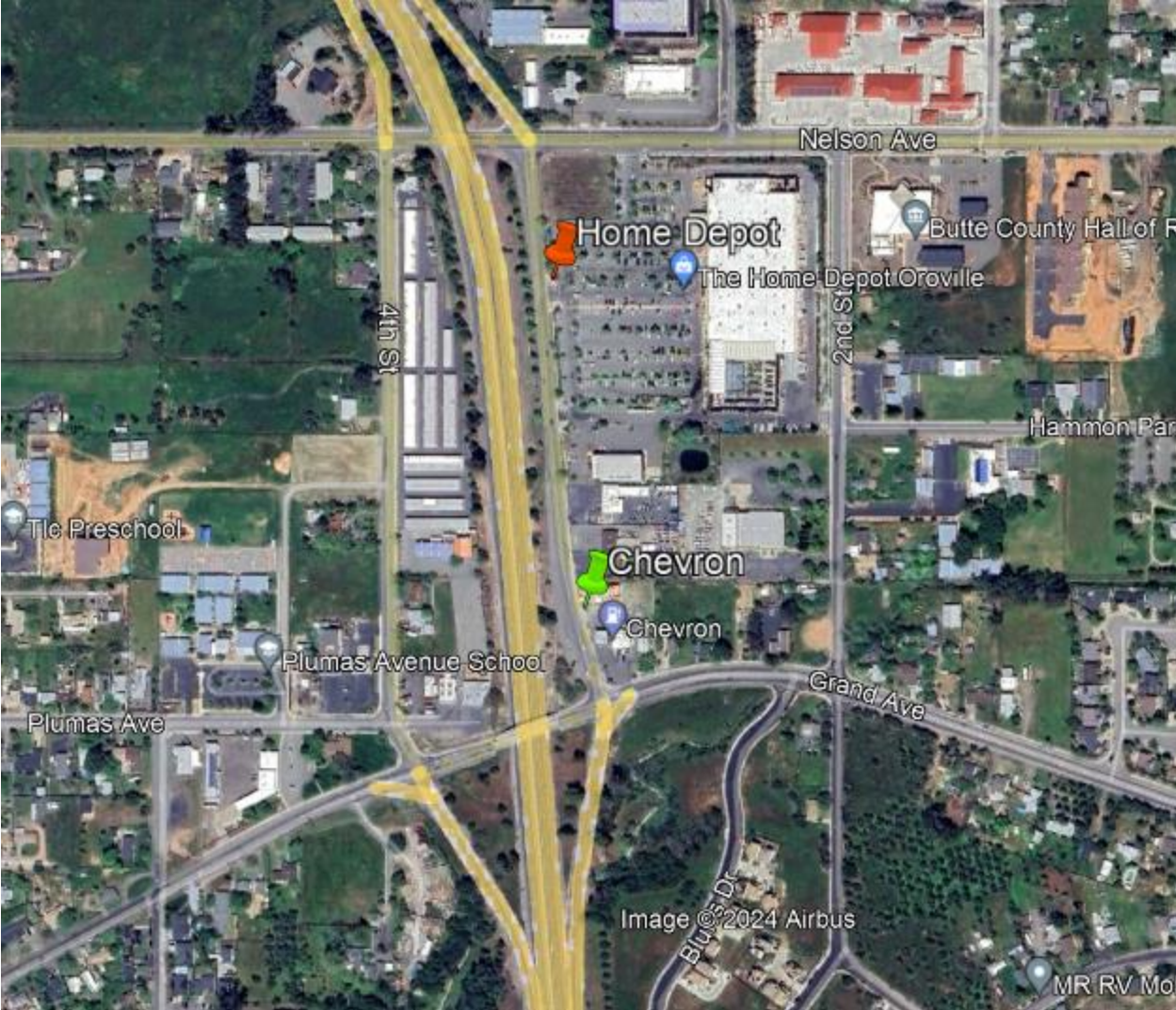
- Feather River Crossings Shopping Center – 80 feet
- Maverik – 85 feet (variance approved 2020)
- Wendy's – 65 feet
- Arco – 60 feet
- McDonald's – 85 feet (variance approved 2012)
- Starbucks/Panda Express – 85 feet (variance approved 2015)
- Applebees – 60 feet



The three signs located at Montgomery Street and Feather River Blvd are all 60 feet or lower in height. These signs are:

- Motel 6
- 76/Circle K
- Super 8





There are two signs in the Grand and Nelson Ave area:

- Home Depot – 30 feet with an approved comprehensive Sign Program
- Chevron – 40 feet

All signage on the Home Depot property was approved as part of a comprehensive sign program, which set the maximum height of the freestanding sign at 30 feet. This sign is located below grade from SR 70.

