



**OROVILLE PLANNING COMMISSION/  
HISTORICAL ADVISORY COMMITTEE**

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**May 25, 2023  
REGULAR MEETING  
6:00 PM  
AGENDA**

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**PUBLIC ACCESS AND PARTICIPATION**

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

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

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

**To Provide Comments:**

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

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

**CALL TO ORDER / ROLL CALL**

Commissioners: Glenn Arace, Marissa Hallen, Natalie Sheard, Warren Jensen, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

**OPEN SESSION**

Pledge of Allegiance

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

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

## **CONSENT CALENDAR**

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

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

The Planning Commission may approve the minutes of March 23, 2023 and April 27, 2023.

#### **RECOMMENDATION**

Approve the Minutes of March 23, 2023 and April 27, 2023

## **PUBLIC HEARINGS**

The Public Hearing Procedure is as follows:

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

### **2. MINOR USE PERMIT UP23-08 FOR OUTDOOR STORAGE AND VEHICLE PARKING AT 3022 OLIVE HIGHWAY (APN 013-300-015)**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-08 for various outdoor storage uses to be allowed in the rear parking lot of the existing commercial building at 3022 Olive Highway.

#### **RECOMMENDATION**

1. Conduct a Public Hearing on the proposed project;
2. Adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. Adopt the recommended Findings for Use Permit No. UP23-08;
4. Approve Use Permit UP23-08 and recommended Conditions of Approval;
5. Adopt Resolution No. P2023-10

### **3. MINOR USE PERMIT UP23-07 FOR A TIRE SHOP AT 3163 OLIVE HIGHWAY(APN 013-300-115)**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-07 for uses to be allowed in the rear parking lot of the existing commercial building at 3163 Olive Highway.

#### **RECOMMENDATION**

1. Conduct a Public Hearing on the proposed project;
2. Adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. Adopt the recommended Findings for Use Permit No. UP23-07;
4. Approve Use Permit UP23-07 and recommended Conditions of Approval; 5. Adopt Resolution No. P2023-11

### **4. MINOR USE PERMIT UP23-09 FOR A DIGITAL DISPLAY SIGN AT 2959 LOWER WYANDOTTE ROAD, THE OROVILLE SOUTHSIDE COMMUNITY CENTER - APN 013-300-098**

The Oroville Planning Commission will review and consider approving Use Permit No. UP23-09 for a new digital display sign as required in **OMC 17.20 Sign Regulations**.

#### **RECOMMENDATION**

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption as the appropriate** level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-09;
4. **Approve** Use Permit UP23-09 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2023-11

## **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 June 22, 2023 at 6:00 PM.

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

*Recordings* - All meetings are recorded and broadcast live on [cityoforoville.org](http://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.



**March 23, 2023**  
**MINUTES**

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This agenda was posted on March 17, 2023. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or on YouTube.

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

Commissioner Sheard opened the meeting at 6pm

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

ABSENT: Commissioners Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

## **OPEN SESSION**

Pledge of Allegiance – Led by Commissioner Sheard

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

There were 0 public speakers on non-agenda items.

## **CONSENT CALENDAR**

Motion by Commissioner Jensen and seconded by Commissioner Hallen to approve the consent calendar. Motion passed.

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

The Commission approved the minutes of February 23, 2023

## **PUBLIC HEARINGS**

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

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

Motion by Commissioner Hallen and seconded by Commissioner Arace to adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and adopt the recommended Findings for Use Permit No. UP23-05; and approve Use Permit UP23-05 and recommended Conditions of Approval; and adopt Resolution No. P2023-05. Motion passed.

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

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

Motion by Commissioner Jensen and seconded by Commissioner Hallen to Adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and Adopt the recommended Findings for Use Permit No. UP23-03; and Approve Use Permit UP23-03 and recommended Conditions of Approval; and Approve a Letter of Public Convenience or Necessity, should it be determined by ABC that an overconcentration exists; and Adopt Resolution No. P2023-07. Motion approved.

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

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

Motion by Commissioner Jensen and seconded by Commissioner Sheard to approve the Map extension until April 26, 2024; and adopt Resolution No. P2023-04 extending the deadline for filing a Final Subdivision Map for TSM 07-04 for one year until June 10, 2024, with the stipulation that approval of the Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.

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

This item was tabled to April 27, 2023 at 6pm.

**REPORTS / DISCUSSIONS / CORRESPONDENCE**

- 1. Commissioner Reports
- 2. Historical Advisory Commission Reports
  - Sheard – Historical Advisory Award and tour of two properties
- 3. Staff Reports
  - Kopshever – Spoke about the Ehmann Home Resolution
  - Wes Ervin – Mentioned the Housing Element going to council, Spoke about upcoming projects from the Planning Department
  - Nevers – Mentioned the Friday April 14<sup>th</sup> – Planning Commissioner Training

**ADJOURN THE MEETING**

Commissioner Natalie Sheard adjourned the meeting at approximately 7pm.

APPROVED:

ATTESTED:

\_\_\_\_\_  
Commissioner Natalie Sheard

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



**April 27, 2023**  
**MINUTES**

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This agenda was posted on Monday, April 24, 2023 at 4:30pm. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or on YouTube.

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

- PRESENT:** Commissioners: Glenn Arace, Marissa Hallen, Natalie Sheard, Warren Jensen, Vice Chairperson Wyatt Jenkins
- ABSENT:** Chairperson Carl Durling
- STAFF:** Principal Planner Wes Ervin, Assistant Community Development Director Dawn Nevers, Assistant City Clerk Jackie Glover, Assistant Planner Danny Kopshever

## **OPEN SESSION**

Pledge of Allegiance – Led by Vice Chairperson Jenkins

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

There were 0 public comments at this meeting.

## **PUBLIC HEARINGS**

### **2. MINOR USE PERMIT UP23-06 FOR A WIRELESS CELL TOWER REPLACEMENT AT 60 EAST GRAND AVENUE**

The Planning Commission considered approving Minor Use Permit UP23-06 to replace an existing 100-foot ‘flagpole’ cell tower with a 95-foot ‘Monopalm’ stealth tower at 60 E Grand Avenue.

Motion by Commissioner Jensen and seconded by Commissioner Sheard to adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and approve Use Permit UP23-06 for the replacement cell tower, subject to the conditions in the attached draft approval letter; and adopt Resolution P2023-08 with the recommended findings therein. Motion passed.

## **REPORTS / DISCUSSIONS / CORRESPONDENCE**

1. Commissioner Reports
  - a. Commissioner Jensen gave an update from the Planning Commissioner training that he attended.
2. Historical Advisory Commission Reports

- a. Sheard – spoke about a historical home tour and the historical advisory committee meeting.
- 3. Staff Reports
  - a. Kopshever – Gave a report on the upcoming DRC and Planning Commission items.
  - b. Ervin – Spoke about the Council approval of the Housing Element

**ADJOURN THE MEETING**

Vice Chairperson Jenkins adjourned the meeting at 6:35pm.

APPROVED:

ATTESTED:

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

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





# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### PLANNING COMMISSION STAFF REPORT

Thursday, May 25, 2023

**RE: Minor Use Permit UP23-08 for outdoor storage and vehicle parking at 3022 Olive Highway (APN 013-300-015)**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-08 for various outdoor storage uses to be allowed in the rear parking lot of the existing commercial building at 3022 Olive Highway.

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

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-08;
4. **Approve** Use Permit UP23-08 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2023-10

**APPLICANT:** Larsen Lincoln

**LOCATION:** 3022 Olive Highway (APN 013-300-015)

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

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

**REPORT PREPARED BY:**

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

**REVIEWED BY:**

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

## DISCUSSION

Applicant is proposing to use the rear parking lot of 3022 Olive Highway for outdoor storage and parking of operable vehicles for tenants and customers of adjacent business, which applicant owns. Per the project description submitted by the applicant; dismantling, trailers, or vehicles older than 2010 would be prohibited. The building on site is to be used as an office and paper filing storage, but may be used for retail sales in the future. The project site is located on approximately 23,086 square feet of land on the south side of Olive Highway. The property has a zoning designation of Corridor Mixed Use (MXC). Landscaping and lighting are existing. A trash enclosure is not shown. Signage would include one window sign and the existing monument sign from the previous business, refaced. The front parking lot is paved, and the rear lot to be used for storage and temporary vehicle storage is gravel. The rear lot is surrounded by existing chain link fence, with a 10 foot wide access gate. According to the Oroville Municipal Code (OMC), all establishments within MXC zoning districts require a Use Permit for used vehicle sales and outdoor storage of 250 square feet and above. Other proposed and potential uses of the site discussed with staff are permitted by right.

### Parking & Site Access

The site has adequate parking and access to support the existing office use, as well as an abundance of space in the rear parking lot for additional vehicles and storage, as proposed. Access to this rear lot is controlled by existing chain link fencing with a 10-foot gate.

### Signage

Plans do not include new signage. Signs requiring a building permit will be reviewed upon submittal.

### Lighting / Security

There is existing lighting at the site. However, the new proposed use of the rear lot for outdoor storage and temporary vehicle parking raises security concerns. Staff recommends a combination of any number of the following: motion-activated lighting, screening, security cameras, landscape buffers, and/or fencing to the satisfaction of the planning commission, police department, and code enforcement.

### Landscaping

Landscaping is existing and in good condition. Landscaping as a screening element for the outdoor storage would be encouraged.

### Refuse Collection Area

A covered and gated trash enclosure on a concrete pad is required. City standard per **OMC 17.12.110** is 8' x 8' x 16', gated, covered, and located in the rear of the site. The materials and colors of the enclosure are to be compatible with the proposed structures and surroundings, and the gate is a solid painted metal.

### **Required Findings for Use Permits (OMC 17.48.010)**

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

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

*The project, on an existing developed site, will be located in an area surrounded by active commercial development. The project has been reviewed and conditioned to minimize or prevent any potential impacts to the general health, safety, or public welfare of the surrounding area and the city as a whole. This includes screening and security related conditions.*

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

*The proposed use will provide a desired commercial product to the adjacent businesses and is located in an area with significant employment and transportation access.*

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

*All infrastructure is in and available. Any utilities not already provided on site will be installed by the property owner, subject to all applicable fees and permits.*

- 4. 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.**

*As required by OMC Chapter 17.52, the project underwent development review and the applicant made revisions based on the committee's comments. The building will be located in an area near similar commercial businesses. The site plan, design, lighting, landscaping, and other site features have been reviewed and the project conditioned to minimize any adverse impacts on abutting properties. Code enforcement will monitor for compliance on an ongoing basis.*

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

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

- 6. 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.**

*Olive Highway is an existing commercial corridor with infill opportunities. This project will allow for active commercial uses that are compatible with adjacent land uses.*

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

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

**FISCAL IMPACT**

None. The project is subject to all customary fees.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Application Materials
2. Resolution
3. NOE (Notice of Exemption CEQA)



# City of Oroville

Planning Division - Community Development Department

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

Item 3.

TRAKIT#: PL 2304-012

## USE PERMIT APPLICATION

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

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

### PROJECT PLANS

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

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

### CLASSIFICATION

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

### APPLICANT'S SIGNATURE

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

Signature:  Date: 1/22/23

### OFFICE USE ONLY

Approved By:		Date:	
Payment:		Number:	

PROJECT DESCRIPTION	
Present or Previous Use:	Retails sales, Vehicle sales, Tow Yard/ Storage, Pool supplies
Proposed Use:	Outdoor Parking/ Storage
<p>Detailed Description:</p> <p>Due to the re-zoning of this property I was requested to file for a "use permit". This property adjoins my other propety "averys lube and oil" (prior name used for referense 3034 Olive Hwy) The main use on this property will be additional parking in the rear for my tennants customers thruout the day, and outdoor storage, and parking. I will not allow any dismantling of vehicles, or trailers and will only allow 2010 and newer vehicles to be parked there.I am refering to the rear of lot on the plans. The interior of building will be used mainly to store my "averys" records thruout the 30 yrs of being in business, and will be mainly used as an "office" for the storage area. In the future i may change things and do some small retail sales. Everything on the property has been existant for 40 plus years, and is not a "new" development. There is already a existant planting bed, Lighting,etc. I have taken the initiative to re-do as per city guidelines to upgrade all plants, etc with drought resistant plants (in process) and watering devices.The property was in bad shape when i purchased it, and have done allot of things to make this property and building very "eye apealing" to the public. There will only be a small" window sign" and no hanging signage. The hours of operation will vary, however only during weekdays, and very minimal at that, est 9-2 mon- fri. These are the current plans for this property which my wife Denise Lincoln, and myself Larsen Lincoln own. We would like to use any use permits that are allowed under the purchase of one, in case for some unknown reason our "ides" change for this property so we do not have to purchase another one down the road.We originally purchased this property without the knowledge of the "zoning change" and assumed any prior use permits would be honored, however we were wrong in our assumptions, and instead of "fighting" over it will simply comply and pay the fees. We have been Oroville Natives for over 40 yrs, and have thruout the years had suces with the "averys" complex, and a local following of thousands of people with suces in our business, and positive reviews. We ask that our request for this use permit gets approved without delay, so we can continue our positive role in our comunity. With all respect Larsen and Denise Lincoln</p>	

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

Technology cost recovery fees are non-refundable



# City of Oroville

Building Department  
Cash Collections  
**RECEIPT: P1315**

**Project Number: PL2304-012**  
**Project Name: LINCOLN STORAGE**

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

Date Paid: 4/25/2023

Paid By: LARSEN LINCOLN

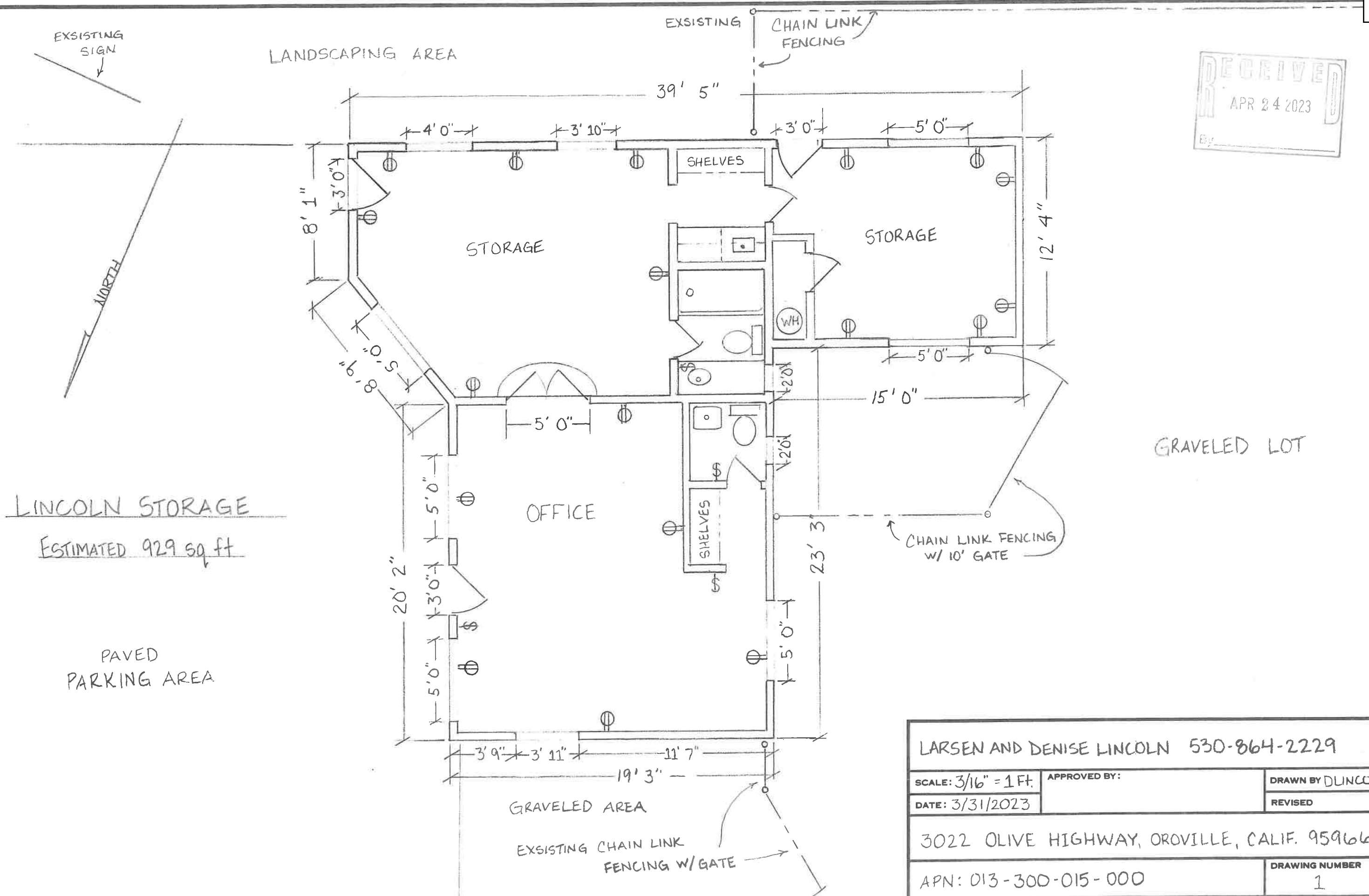
Pay Method: CHECK

Check # 3545

Received By: NOELLE SNOW

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

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



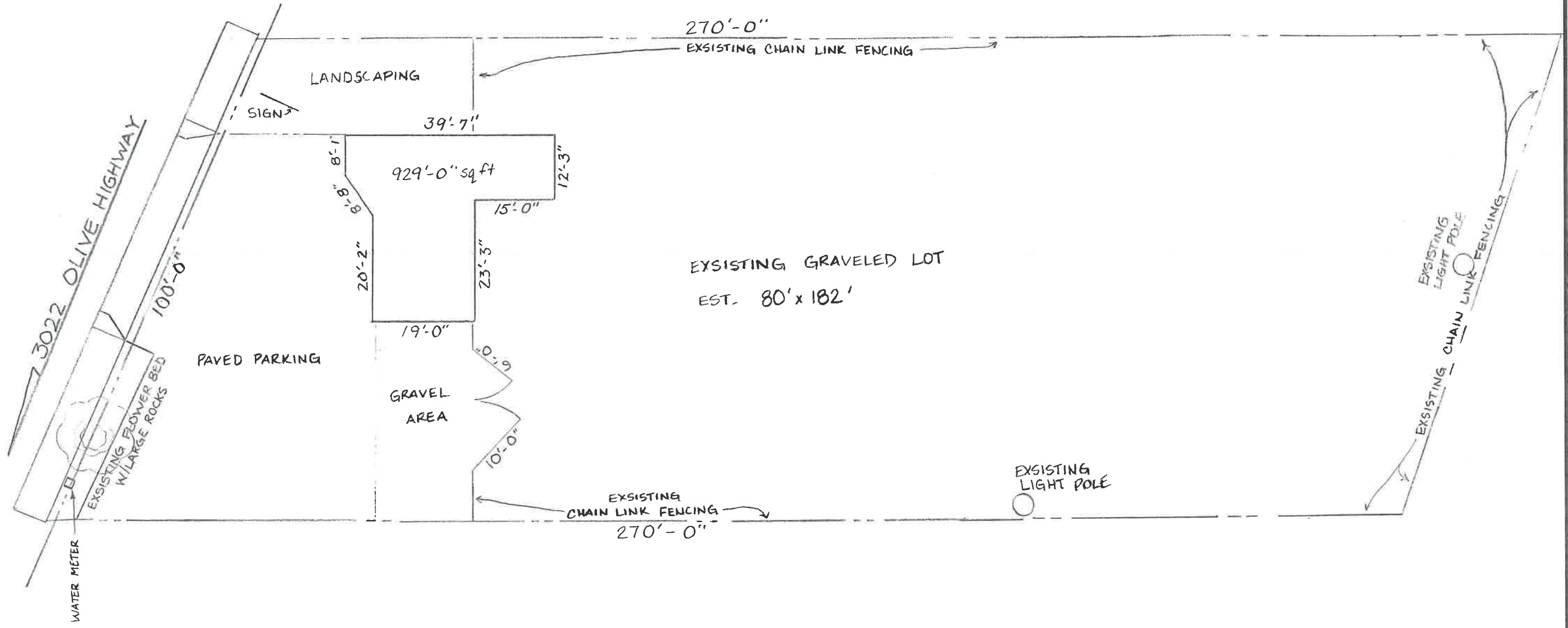
LINCOLN STORAGE  
ESTIMATED 929 sq ft

PAVED  
PARKING AREA

LARSEN AND DENISE LINCOLN 530-864-2229		
SCALE: 3/16" = 1 FT.	APPROVED BY:	DRAWN BY DLINCOLN
DATE: 3/31/2023		REVISED
3022 OLIVE HIGHWAY, OROVILLE, CALIF. 95966		
APN: 013-300-015-000	DRAWING NUMBER 1	



RECEIVED  
APR 24 2023  
By



LARSEN AND DENISE LINCOLN 530-864-2229		
SCALE: 1" = 20'	APPROVED BY:	DRAWN BY DLINCOLN
DATE: 4/10/2023		REVISED
3022 OLIVE HIGHWAY, OROVILLE, CALIF. 95966		
APN: 013-300-015-000	DRAWING NUMBER 2	





Item 3.



Item 3.



Item 3.



Item 3.



Item 3.









## RESOLUTION NO. P2023-10

### A RESOLUTION BY THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING UP#23-08, FOR LINCOLN STORAGE AT 3022 OLIVE HIGHWAY (APN 013-300-015)

**WHEREAS**, the City has received an application from Lincoln Storage for outdoor storage and a parking lot as the primary use at 3022 Olive Highway; and

**WHEREAS**, The City of Oroville Municipal Code (OMC) Table 17.34.020-1 specifies that a parking garage or lot as a primary use and outdoor storage over 250 square feet both require a use permit in the MXC zoning district; and

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

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

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

### CONDITIONS OF APPROVAL

**Approved project:** The Planning Commission hereby conditionally approves Use Permit No. 23-08, permitting the operation of Lincoln Storage at 3022 Olive Highway (APN: 013-300-015). The subject property has a zoning designation of Corridor Mixed Use (MXC) and a General Plan land use designation of Mixed Use (MU).

#### General Conditions

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

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

2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. The applicant shall annually pay for and obtain a City of Oroville business license.
4. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
5. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
6. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
7. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and development impact fees shall be paid at time of submittal.
8. The applicant shall ascertain and comply with the requirements of all of City, County, State, Federal, and other local agencies as applicable to the proposed project.
9. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
10. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - II. Any of the terms or conditions of the permit have been violated.
  - III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - IV. The permit was obtained by fraud.
11. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any

misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

12. Any roof mounted or ground placed utilities (HVAC, generators, etc.) shall include an architecturally compatible method of screening. This can include screening by landscaping or a decorative fence for ground placed utilities.
13. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
14. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use.
15. The applicant shall submit to the City details of exterior lighting for review and approval.
16. The applicant or property owner shall apply for the proper permits as required by OMC Chapter 17.20 prior to any new signage being erected.
17. No more than 25% of the window area shall be covered with signs. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
18. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
19. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief.
20. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.
21. Applicant and/or property owner will take appropriate measures to provide property maintenance of the building exterior, including provisions to keep the premise free of litter and debris.
22. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
23. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
24. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general

public. Substantial camera surveillance and written security protocols approved by the chief of police will suffice.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP23-08 for vehicle parking and outdoor storage at 3022 Olive Highway (APN 013-300-015)

Project Location – Specific: 3022 Olive Highway

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Larsen Lincoln, has applied for a Use Permit for the operation of Lincoln Storage 3022 Olive Highway (APN:013-300-015). The subject property has a zoning designation of Corridor Mixed Use and a General Plan land use designation of Mixed Use.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Larsen Lincoln

Exempt Status (Check One):

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

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

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

This project involves the use of a property zoned Commercial Mixed Use (MXC). The intent of the MXC zoning designation is to be developed with live-work places for individuals to establish a business with associated residential unit(s). A mixed-use development may include vertical mixed use, with residential units located above non-residential uses, as well as horizontal mixed use, with residential units located behind non-residential uses. As the building is existing, no new construction is proposed, minor interior

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

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. The project involves utilizing a previously vacant property to provide commercial services with no proposed expansion of floor area or exterior modification.

If filed by applicant:

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

Lead Agency Contact Person: Daniel Kopshever

Telephone: (530) 538-2517

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

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

- Signed by Lead Agency
- Signed by Applicant





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### PLANNING COMMISSION STAFF REPORT

Thursday, May 25, 2023

**RE: Minor Use Permit UP23-07 for a Tire Shop at 3163 Olive Highway (APN 013-300-115)**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-07 for uses to be allowed in the rear parking lot of the existing commercial building at 3163 Olive Highway.

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

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-07;
4. **Approve** Use Permit UP23-07 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2023-11

**APPLICANT:** Muhammad Islam

**LOCATION:** 3163 Olive Highway (APN 013-300-115)

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

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

**REPORT PREPARED BY:**

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

**REVIEWED BY:**

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

## DISCUSSION

Applicant is proposing to use the existing building at 3163 Olive Highway as a tire shop. This building was previously used as a vehicle service/repair shop prior to its most recent other commercial uses. When this facility was last used for vehicle service and repairs, a use permit was not required for the use. Vehicle service or repair is not allowed in the MXC zoning district. However, light auto repair and service is a common and current land use along Olive Highway. Big O Tires and Avery Lube are the similar nearby businesses on this corridor. Also, the existing building is suitable for the proposed use. Staff have prepared a Zoning Interpretation to allow the tire shop, subject to a use permit. The project site is located on approximately 47,916 square feet of land on the north side of Olive Highway. The property has a zoning designation of Corridor Mixed Use (MXC). Landscaping and lighting are existing. Signage is not include in this application.

### Parking & Site Access

There is an abundance of space for site access and vehicle parking.

### Signage

Plans do not include new signage. Signs requiring a building permit will be reviewed upon submittal.

### Lighting / Security

There is existing lighting at the site.

### Landscaping

Landscaping is existing and in good condition.

### Refuse Collection Area

While there are existing trash receptacles on site, there is no trash enclosure. A trash enclosure consistent with **OMC 17.12.110** shall be installed: 8' x 8' x 16', gated and covered. This will be a condition of approval for the Use Permit.

### **Required Findings for Use Permits (OMC 17.48.010)**

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

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

*The project, on a formerly developed site used for similar purposes, will be located in an area surrounded by active commercial development. The project has been reviewed and conditioned to minimize or prevent any potential impacts to the general health, safety, or public welfare of the surrounding area and the city as a whole.*

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

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

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

*All infrastructure is in and available. Any utilities not already provided on site will be installed by the property owner, subject to all applicable fees and permits.*

- 4. 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.**

*As required by OMC Chapter 17.52, the project underwent development review and the applicant made revisions based on the committee's comments. The building will be located in an area near similar commercial businesses. The site plan, design, lighting, landscaping, and other improvements have been reviewed and the project conditioned to minimize any adverse impacts on abutting properties. Code enforcement will monitor for compliance on an ongoing basis.*

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

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

- 6. 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.**

*Olive Highway is an existing commercial corridor with infill opportunities. This project will allow for active commercial uses in a prime location.*

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

*The use is permitted by way of the attached Zoning Interpretation and subject to a use permit. It is otherwise compatible with the General Plan, Zoning codes, and the Oroville Municipal Code.*

## **FISCAL IMPACT**

None. The project is subject to all customary fees.

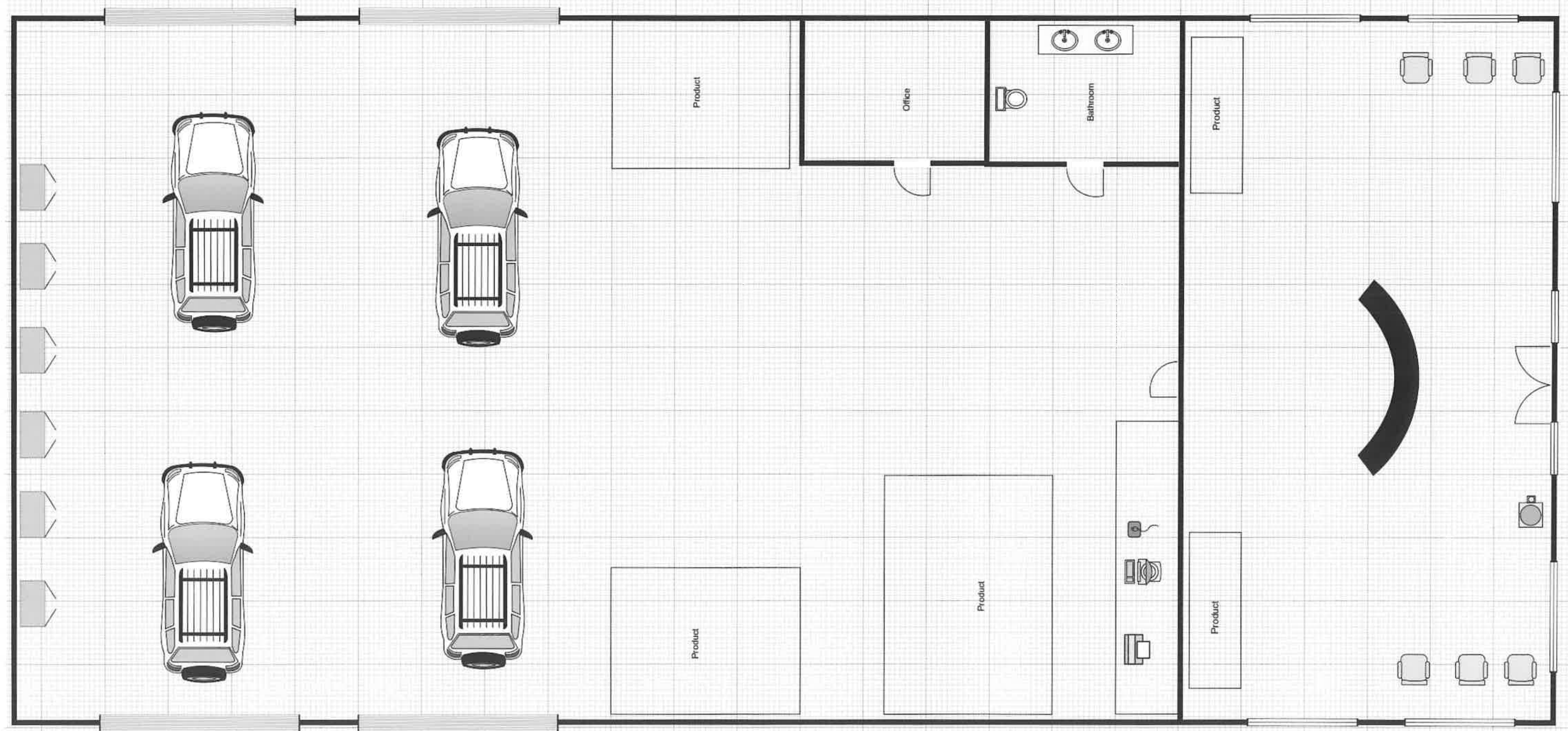
## **PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Application Materials
2. Zoning Interpretation
3. Resolution
4. NOE (Notice of Exemption CEQA)

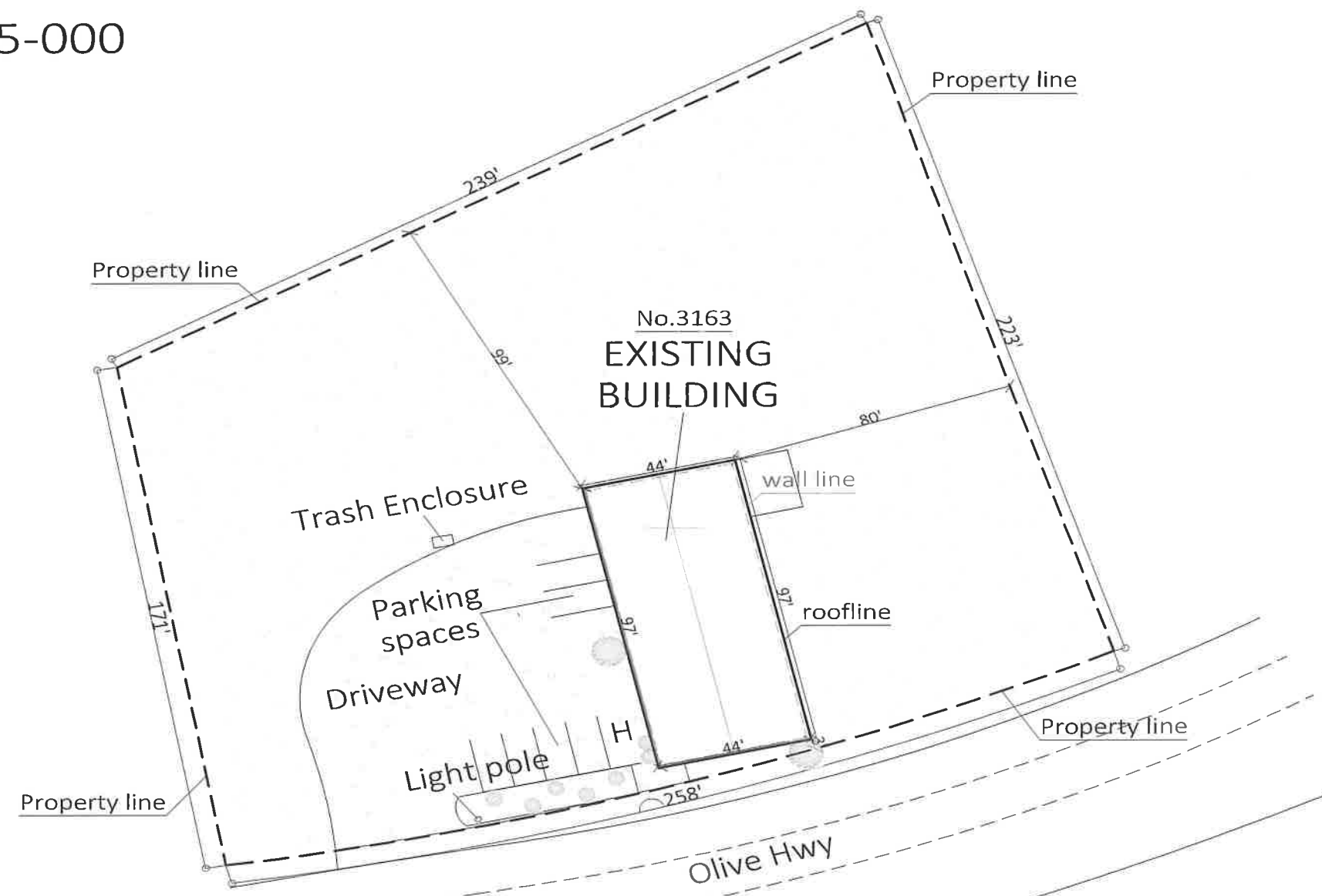
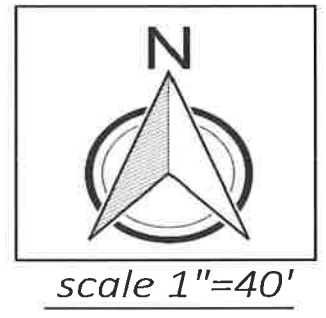
Floor Plan  
3163 Olive Hwy  
Oroville, CA 95966  
Paper Size 11"x17"  
Scale 1/4' = 1'0"



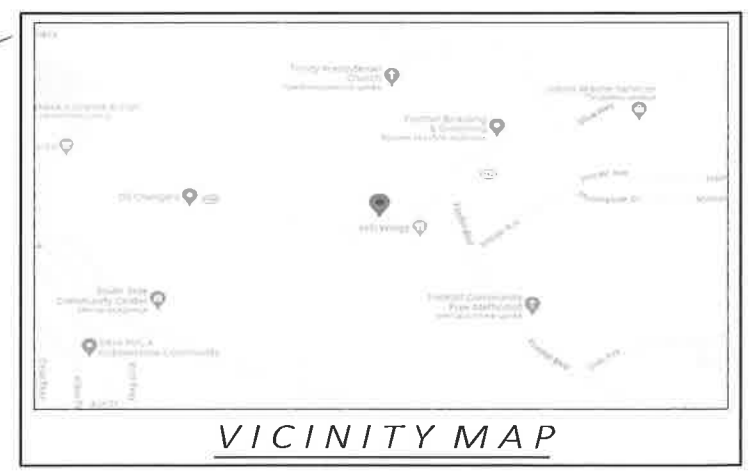
# SITE PLAN

3163 Olive Hwy  
Oroville, CA 95966  
Parcel ID: 013-300-115-000  
Lot area: 1.1 Acres  
Paper Size: 11"x17"

Property Owner:  
Tom Kirk  
3163 Olive Hwy  
Oroville, CA 95966  
530-533-1636



Calculating Building and Lot Coverage Percentages  
Lot area: 47,916 sq.ft.  
Total building coverage (gross floor area): 4,229 sq.ft.  
Building Coverage Percentage:  $4,229 \text{ sq.ft.} / 47,916 \text{ sq.ft.} = 0.08825 = 8.8\%$   
Total Lot Coverage: 13,072 sq.ft.  
Lot Coverage Percentage:  $13,072 \text{ sq.ft.} / 47,916 \text{ sq.ft.} = 0.27281 = 27.2\%$   
\*Total landscape areas:





# City of Oroville

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Item 4.

TRAKIT#:

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	
Name:	Muhammad A Iscan	Name:	Muhammad A Iscan
Address:	2121 Muller DR Woodland CA 95776	Company:	Tire King
Phone:	916-421-0700	Address:	3163 Olive Highway
Email:	Samjunior1224@yahoo.com	Phone:	916-821-0771
Is the applicant the Owner?	<input checked="" type="checkbox"/> If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	Email:	Samjunior1224@yahoo.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 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"/>	Other: (Please Specify) New Wood Trim & Accessories.				

\*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:	Muhammad A Iscan	Proposed Structure(s) (Sq Ft.):	<del>3900</del>
Address:	2121 Muller DR Woodland CA 95776	Existing Structure(s) (Sq Ft.):	3900 + or - Sq Ft
Nearest Cross Street:	Foot Hill Blvd	Water Provider:	SFWPI
Assessor Parcel Number:	013-300-115	School District:	
Lot Size (Acres):	1 AC	Number of Dwelling Units:	1

### APPLICANT'S SIGNATURE

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

Signature:	<i>Muhammad A Iscan</i>	Date:	4-3-23
------------	-------------------------	-------	--------

### OFFICE USE ONLY

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



# City of Oroville

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 538-2426 [www.cityoforoville.org](http://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: \$2,889.98 (Deposit) + \$173.40(6% Tech Fee) = \$3,063.38
<input type="checkbox"/>	Application Fee Paid	<input type="checkbox"/>	Amendment to Existing Use Permit: \$1,024.09 + \$61.45 (6% Tech Fee) = \$1,085.54

### PROJECT PLANS

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

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

### CLASSIFICATION

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

### APPLICANT'S SIGNATURE

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

Signature: *X [Handwritten Signature]* Date: *4/20/23*

### OFFICE USE ONLY

Approved By:	Date:
Payment:	Number:



PROJECT DESCRIPTION	
Present or Previous Use:	Automotive
Proposed Use:	Tire shop
Detailed Description:  Commercial Tire shop.  M-Su 9AM - 6pm  2 EE'S	

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

## RESOLUTION NO. P2023-09

### A RESOLUTION BY THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING UP#23-07, FOR KING TIRE AT 3163 OLIVE HIGHWAY (APN 013-300-115)

**WHEREAS**, the City has received an application for a vehicle service and repair use in the form of a tire shop at King Tire at 3163 Olive Highway; and

**WHEREAS**, The City of Oroville Municipal Code (OMC) Section 17.34.020 does not include vehicle service and repair as an allowed use, but does allow, subject to a use permit, uses of a more intensive nature such as large equipment repair services, manufacturing, metalwork over 20,000 square feet, and parking garages; and

**WHEREAS**, The City of Oroville Municipal Code (OMC) Section 17.08.090 specifies that the zoning administrator may determine that a proposed use not listed for any zoning district is allowable subject to a use permit; and

**WHEREAS**, The zoning administrator has created Zoning Interpretation ZC 23-01 determining that the proposed use is allowable subject to a use permit; and

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

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

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

### CONDITIONS OF APPROVAL

**Approved project:** The Planning Commission hereby conditionally approves Use Permit No. 23-07, permitting the operation of King Tire at 3163 Olive Highway (APN: 013-300-115). The subject property has a zoning designation of Corridor Mixed Use (MXC) and a

General Plan land use designation of Mixed Use (MU). Per OMC Section 17.08.090, the zoning administrator has determined that the use be allowed, subject to a use permit.

### **Project Specific Conditions**

1. The eastern driveway shall not be used for vehicles accessing or exiting the site until the driveway is improved with paving to the satisfaction of the City Engineer.
2. Tenant improvements are required to ensure that the facility is adequately equipped for the proposed use and a building permit shall be submitted and finalized for the necessary improvements prior to occupancy.
3. The applicant shall install an enclosure for solid waste and recyclable materials to house the dumpsters at the site. Collection areas shall be enclosed by a solid-walled enclosure that is faced with stucco, split-block masonry or a similar finished surface and designed to be architecturally compatible with existing/proposed structures and surroundings. Enclosures shall have a minimum wall height of 6 feet. Gates for refuse collection areas shall consist of a pre-manufactured solid material, such as metal or a similarly durable material. All collection areas shall be on concrete slabs. The gate shall be an appropriate size to allow adequate access of the containers by the city's collection contractor. The enclosure and solid waste and recycling containers shall be of a sufficient size and/or number to provide adequate storage for solid waste and recyclable materials generated by the development. Containers shall be clearly marked to identify the type of material which may be deposited. Enclosures or the containers placed therein must be located to the rear of a building where possible. Enclosures shall be located and designed for ease of access by service vehicles and tenants, and in such a way as to minimize conflicts with circulation, parking, and other site uses. Enclosures must provide protection against adverse environmental conditions, such as rain.

### **General Conditions**

4. 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.
5. 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.

6. The applicant shall annually pay for and obtain a City of Oroville business license.
7. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
8. All costs of operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant.
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11. 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.
12. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
13. 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.
14. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
15. 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.
16. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).

17. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be large enough to provide adequate storage for solid waste and recyclable materials generated by the use.
18. The applicant shall submit to the City details of exterior lighting for review and approval.
19. 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.
20. No more than 25% of the window area shall be covered with signs. This includes both permanent and temporary signs used to identify the business, products sold, or services offered.
21. The exterior of the building, including windows and doors, shall be maintained, and with such frequency, to ensure the public health, safety and general welfare of the city.
22. Windows and doors shall not be boarded up or blocked unless the appropriate approvals are received to ensure the public health, safety and general welfare. This does not include the use of plywood or other material used to cover a window for a temporary period of time that constitutes a safety hazard and/or invites trespassers and malicious mischief.
23. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.
24. 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.
25. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
26. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
27. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance and written security protocols approved by the chief of police will suffice.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP23-07 for vehicle service and repair (Tire Shop) at 3163 Olive Highway (APN 013-300-115)

Project Location – Specific: 3163 Olive Highway Feather River Blvd

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Muhammad Islam, has applied for a Use Permit for the operation of King Tire at 3163 Olive Highway (APN:013-300-115). The subject property has a zoning designation of Corridor Mixed Use and a General Plan land use designation of Mixed Use.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Muhammad Islam

Exempt Status (Check One):

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

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

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

This project involves the use of a property zoned Commercial Mixed Use (MXC). The intent of the MXC zoning designation is to be developed with live-work places for individuals to establish a business with associated residential unit(s). A mixed-use development may include vertical mixed use, with residential units located above non-residential uses, as well as horizontal mixed use, with residential units located behind non-residential uses. As the building is existing, no new construction is proposed, minor interior

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

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. The project involves utilizing a previously vacant property to provide commercial services with no proposed expansion of floor area or exterior modification.

If filed by applicant:

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

Lead Agency Contact Person: Daniel Kopshever

Telephone: (530) 538-2517

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

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

- Signed by Lead Agency
- Signed by Applicant





# City of Oroville

## PLANNING AND DEVELOPMENT SERVICES

---

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2402 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### **ZONING INTERPRETATION NO. 23-01**

#### **Pertaining to a proposed use in an MXC Zone that is not listed in Table 17.34.020-1**

The Zoning Administrator has determined under OMC 17.08.090 that the proposed use of APN 013-300-115 is appropriate, substantially similar to, and less intensive than several uses in the immediate area and in the zoning district. These nearby active uses include the Big O Tires shop, Oil Changers, and Extra Self Storage. The proposed use is less intense than metalwork, manufacturing and large equipment repair services which are allowed in MXC by use permit. Thus, the proposed use as a tire shop is allowed, subject to a use permit to be decided by the Planning Commission.

### BACKGROUND

Muhammad Islam has applied to occupy the existing facility located at 3163 Olive Highway for use as a tire shop. APN 013-300-115 is a 0.53-acre parcel fronting Olive Highway and located across the street from Extra Self Storage. The parcel of the proposed project site is zoned MXC (Corridor Mixed Use). The parcel has been used for similar purposes in the past under the MXC zoning designation

Automobile service and repair is not listed as an allowed use in the MXC Zoning Table 17.32.010-1. However, several similar and more intense uses are listed as requiring a use permit, including large equipment repair services, manufacturing, metalwork over 20,000 square feet, and parking garages.

This 3,515-sf shop is smaller and is less intensive than the above-named uses. Nevertheless, a Use Permit is required, the same as for those other uses.

The project (FAR 0.13) is consistent with the General Plan designation of MU (Mixed Use), to wit:

“This designation applies to urban areas with major roads, adequate infrastructure and amenities to support higher densities. Townhomes, garden apartments, apartments and condominiums would typically be found in this designation. Single use commercial development may also be allowed by approval of the Planning Commission. Single use residential development is prohibited under this designation. This designation allows for 10.0 to 30.0 units per net acre and a maximum FAR of 1.0.” (Page 3-31 Land Use)

The other existing nearby vehicle service uses also located on land zoned MXC are:

- Two shop buildings, one with two vehicle bays and one with four vehicle bays on APN 013-300-016. The address is 3034 Olive Highway, currently occupied by Oil Changers as an automobile service and repair shop.
- A 7,850 square foot warehouse with 6 vehicle bays, on APN 013-300-112. The address is 3008 Olive Highway, currently occupied by Big O Tires as an automobile service and repair shop.

This project will be occupied by a local small business owner, and its commercial activity will benefit many citizens.

**REQUIRED FINDINGS**

The above background analysis allows the Zoning Administrator to make all Findings a-d, based on substantial evidence:

- a. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the allowable uses for the zoning district.
- b. The proposed use will not involve a higher level of activity, density or intensity than other allowable uses for the district.
- c. The proposed use will meet the purpose and intent of the applicable zoning district.
- d. The proposed use will be consistent with the goals, objectives and policies of the general plan.

**Approved**

---

**Zoning Administrator**

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



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**PLANNING COMMISSION STAFF REPORT**

**Thursday, May 25, 2023**

**RE: Minor Use Permit UP23-09 for a digital display sign at 2959 Lower Wyandotte Road, the Oroville Southside Community Center APN 013-300-098**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit No. UP23-09 for a new digital display sign as required in **OMC 17.20 Sign Regulations**.

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

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP23-09;
4. **Approve** Use Permit UP23-09 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2023-11

<b>APPLICANT:</b>	Kevin Thompson on behalf of the Oroville Southside Community Improvement Association, Inc.	
<b>LOCATION:</b> 2959 Lower Wyandotte Road	<b>GENERAL PLAN:</b> RBS (Retail Business Services) <b>ZONING:</b> C-2 (Intensive Commercial) <b>FLOOD ZONE:</b> Zone X	
<b>ENVIRONMENTAL DETERMINATION:</b> Categorically Exempt per Section 15332 of Title 14, California Code of Regulations, In-Fill Development Projects.		
<b>REPORT PREPARED BY:</b>  <hr/> Daniel Kopshever, Assistant Planner Community Development Department	<b>REVIEWED BY:</b>  <hr/> Dawn Nevers, Assistant Director Community Development Department	

## DISCUSSION

Applicant is proposing to install a 63 square-foot digital display sign at 2959 Lower Wyandotte Road, near the existing monument sign at the corner of Wyandotte Avenue and Lower Wyandotte Road. The sign face will be fixed to a new pole, with 10 feet of vertical clearance. The top of the sign face will be approximately 15.5 feet above grade, well within the height maximum of digital display signs. The proposed sign and total allowable sign area for this location are within the requirements for C-2 zones. C-2 zones with 20,000 to 40,000 of gross square foot area allow for 1.5 sq. ft. per linear foot of building frontage, or 350 sq. ft., whichever is less. Conditions of approval shall include hours of operation of the sign, message display length minimums, and brightness standards compatible with OMC 17.20.045 Signs requiring a use permit (B) Digital Display Signs.

### Required Findings for Use Permits (OMC 17.48.010)

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

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

*The project is located in an area surrounded by vacant land and one multi residential development near highway 162, where other similar use permits for signage have been approved. The project has been reviewed and conditioned to minimize or prevent any potential impacts to the general health, safety, or public welfare of the surrounding area and the city as a whole.*

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

*The proposed use is located near the residential community which it serves and is supported by significant transportation access.*

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

*All infrastructure is in and available. Any utilities not already provided on site will be installed by the property owner, subject to all applicable fees and permits.*

- 4. 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.**

*As required by OMC Chapter 17.52, the project underwent development review*

*and the applicant made revisions based on the Development Review Committee's comments. The project plans have been reviewed and conditioned to minimize any adverse impacts on abutting properties.*

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

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

**6. 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.**

*Lower Wyandotte Road is an existing rural arterial street with infill opportunities. This project will support active community service and commercial uses.*

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

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

**FISCAL IMPACT**

None. The project is subject to all customary fees.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

1. Application Materials
2. Resolution P2023-11
3. Zoning Interpretation 23-02
4. Notice of Exemption (CEQA)



# City of Oroville

Planning Division - Community Development Department

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

Item 5.

TRAKIT#: **PL2304-003**

## USE PERMIT APPLICATION

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

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

### PROJECT PLANS

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

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

### CLASSIFICATION

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

### APPLICANT'S SIGNATURE

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

Signature:	Date:	4/6/2023
------------	-------	----------

### OFFICE USE ONLY

Approved By:	Date:	
Payment:	Number:	

PROJECT DESCRIPTION	
Present or Previous Use:	landscape
Proposed Use:	landscape with message board on single pole
Detailed Description: Installation of a message board (measurements: 5.5' x 11.11') on single pole located outdoors in landscaped area of property.	

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

Technology cost recovery fees are non-refundable



# City of Oroville

Planning Division - Community Development Department

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

Item 5.

TRAKIT#:

## PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

<b>APPLICANT'S INFORMATION</b>		Project's:	
Name:	Kevin Thompson	Name:	Signage (Message Board)
Address:	2959 Lower Wyandotte Road	Company:	OROVILLE SOUTHSIDE COMMUNITY IMPROVEMENT ASSOCIATION, INC.
Phone:	530-693-0728	Address:	2959 Lower Wyandotte Road
Email:	kevinthompson894@yahoo.com	Phone:	530-693-4305
Is the applicant the Owner?	<input checked="" type="checkbox"/>	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	Email: khills@osciainc.org

### 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 type="checkbox"/>	Development Review	<input type="checkbox"/>	Pre-Application	<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance
<input checked="" type="checkbox"/>	Other: (Please Specify)	Signage (Message Board)			

### 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 type="checkbox"/>	Other: (Please Specify)				

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

### PROJECT INFORMATION

Project Name: Signage (Message Board)	Proposed Structure(s) (Sq Ft.):
Address: 2959 Lower Wyandotte Road, Oroville, CA 95966	Existing Structure(s) (Sq Ft.): N/A
Nearest Cross Street: Wyandotte Avenue	Water Provider: South Feather Water and Power
Assessor Parcel Number: 013-310-037	School District: Oroville Union School District
Lot Size (Acres): 3.03	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: 4/6/2023

### OFFICE USE ONLY

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



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

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

1)	Kevin Thompson		04/06/2023
	Print Name of Owner	Signature of Owner	Date
2)	Print Name of Owner	Signature of Owner	Date
3)	Print Name of Owner	Signature of Owner	Date
4)	Print Name of Owner	Signature of Owner	Date
	2959 Lower Wyandotte Rd	kevinthompson894@yahoo.com	(530) 693-0728
	Owner's Mailing Address	Owner's Email	Owner's Phone #

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

Technology cost recovery fees are non-refundable



# City of Oroville

Building Department  
Cash Collections  
**RECEIPT: P1304**

**Project Number: PL2304-003**  
**Project Name:**

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

Date Paid: 4/6/2023

Paid By: OROVILLE SOUTHSIDE COMMUNITY C

Pay Method: CHECK

Check # 2417

Received By: JESSICA MOORE

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

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



# City of Oroville

Building Division - Community Development Department

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

TRAKIT# B2304-029

Item 5.

## BUILDING PERMIT APPLICATION

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

JOB SITE INFORMATION & LOCATION				CONTRACTOR AND/OR AUTHORIZED AGENT INFO			
APN:	013-310-037			Name:	Williams Electric Company		
Address:	2959 Lower Wyandotte Rd., Oroville, CA 95966			Address:	5625 Baggett Marysville Road		
<b>TYPE OF WORK</b> <input type="checkbox"/> Addition/Alteration <input type="checkbox"/> Deck/Patio <input type="checkbox"/> Electrical/Plumbing /Mechanical* <input type="checkbox"/> Demolition <input type="checkbox"/> New Single-Family <input type="checkbox"/> Garage <input type="checkbox"/> New Commercial/Commercial TI <input type="checkbox"/> Remodel <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Re-roof* <input checked="" type="checkbox"/> Sign <input type="checkbox"/> Solar <input type="checkbox"/> Other:				City/State/ZIP:	Oroville / CA / 95965		
				Phone:	(530) 717-3253	Fax:	
				Email	wee.incorporated@gmail.com		
				<b>LICENSED CONTRACTOR'S DECLARATION</b>			
Complete Description of Work: Installation of message board (measurements: 5.5 x 11.11) on single pole.				I hereby affirm <i>under penalty of perjury</i> that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.			
				LICENSE NUMBER:	#1035132		
				CLASS:		EXPIRATION DATE:	
				<b>OFFICE USE ONLY</b>			
				<b>PERMIT SUBMITTAL FEES</b>			
				Building Plan Review Fee			
				Energy Plan Review Fee			
				Fire Plan Review Fee			
				Tech. Cost Recovery Submittal Fee		15.45	
				Other			
<b>TYPE OF STRUCTURE</b>				Sign Permit: Building Plan Review Fee		257.44	
<input type="checkbox"/>	Accessory Building	<input type="checkbox"/>	Commercial/Industrial	Planning Sign Plan Review Fee			
<input type="checkbox"/>	Duplex/Multifamily	<input type="checkbox"/>	Single-Family Dwelling	Check#	2417	Total	\$0.00 272.89
<input checked="" type="checkbox"/>	Other:	Outdoor signage installed on landscape		Cash	<input type="checkbox"/>	CC	<input type="checkbox"/>
<b>CONSTRUCTION VALUATION:</b> \$9,266.00				<b>PERMIT ISSUANCE FEES</b>			
Commercial/Industrial sq. ft.:				Building/Electrical/Plumbing/Mechanical			
Livable sq. ft.:				Fire Fees			
Garage sq. ft.:				Green Fee			
Deck/Patio sq. ft.:				Development Impact Fees			
<b>PROPERTY OWNER</b>				Strong Motion Fee			
Name:	Kevin Thompson			Tech. Cost Recovery Issuance Fee			
Address:	2959 Lower Wyandotte Road			Check#		Total	\$ 0.00
City/State/ZIP:	Oroville / CA / 95966			Cash	<input type="checkbox"/>	CC	<input type="checkbox"/>
Phone:	(530) 693-0728	Fax:	(530) 693-4605				
Email:	kevinthompson894@yahoo.com						

\*Additional paperwork to be completed prior to issuance

**OWNER-BUILDER DECLARATION**

Item 5.

I hereby affirm *under penalty of perjury* that I am exempt from the Contractors' State License Law for the following reason(s) indicated by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, shall also require the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

I, as owner of the property, or my employees with wages as their sole compensation, WILL DO  ALL THE WORK or  PORTIONS OF THE WORK, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale)

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed contractor pursuant to the Contractors' State License Law.)

I am exempt from licensure under Contractors' State License Law for the following Reason:

**WORKERS' COMPENSATION DECLARATION**

**WARNING: Failure to secure workers' compensation coverage is unlawful and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest and attorney's fee.**

Check ONE BOX only: I hereby affirm *under penalty of perjury* one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by Director of Industrial Relations, as provided for by Section 3700 of the Labor Code, for performance of the work for which this permit is issued. POLICY #:

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

CARRIER: Markel

POLICY#: MWC0112352-04

EXPIRATION DATE: 06/01/2023

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions. My signature certifies the above Workers' Compensation information is true and correct.

**APPLICANT'S DECLARATION**

By my signature below, I certify to each of the following:

I am;

- a California licensed contractor
- authorized agent for a California licensed contractor
- the property owner\*
- authorized to act on the property owner's behalf\*\*

I have read this permit application and the information I have provided is correct. I agree to comply with all applicable city and county ordinances and state laws relating to building construction. I authorize representatives of this city to enter upon the above-identified property for inspection purposes. I understand this permit will expire after 180 days per Chapter 1, Section 105.5 of the 2019 California Building Code. \*requires separate verification form \*\*requires separate authorization form

Authorized Representative (*Check One*):  Property Owner  Authorized Representative  Contractor  Other

Signature: 

Permit Submittal Date: \_\_\_\_\_

Print Name: Kevin Thompson, OSCIA

Phone # 530-693-0728

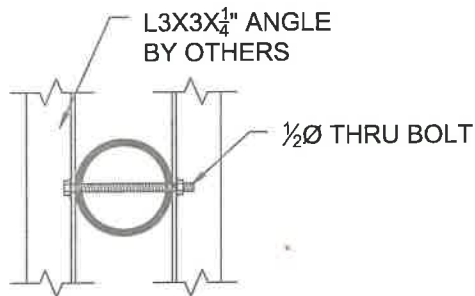
Email: kevinthompson894@yahoo.com



11545 W. BERNARDO COURT  
 SUITE 201, SAN DIEGO, CA 92127  
 PROJECTMANAGER@SULLAWAYENG.COM  
 PHONE: 1-858-312-5150 FAX: 1-858-777-3534

PROJECT: OROVILLE SOUTH SIDE COMMUNITY CENTER, 2959 LOWER WYANDOTTE RD., OROVILLE, CA  
 PROJECT #: 39955  
 CLIENT: MEGA SIGN INC.

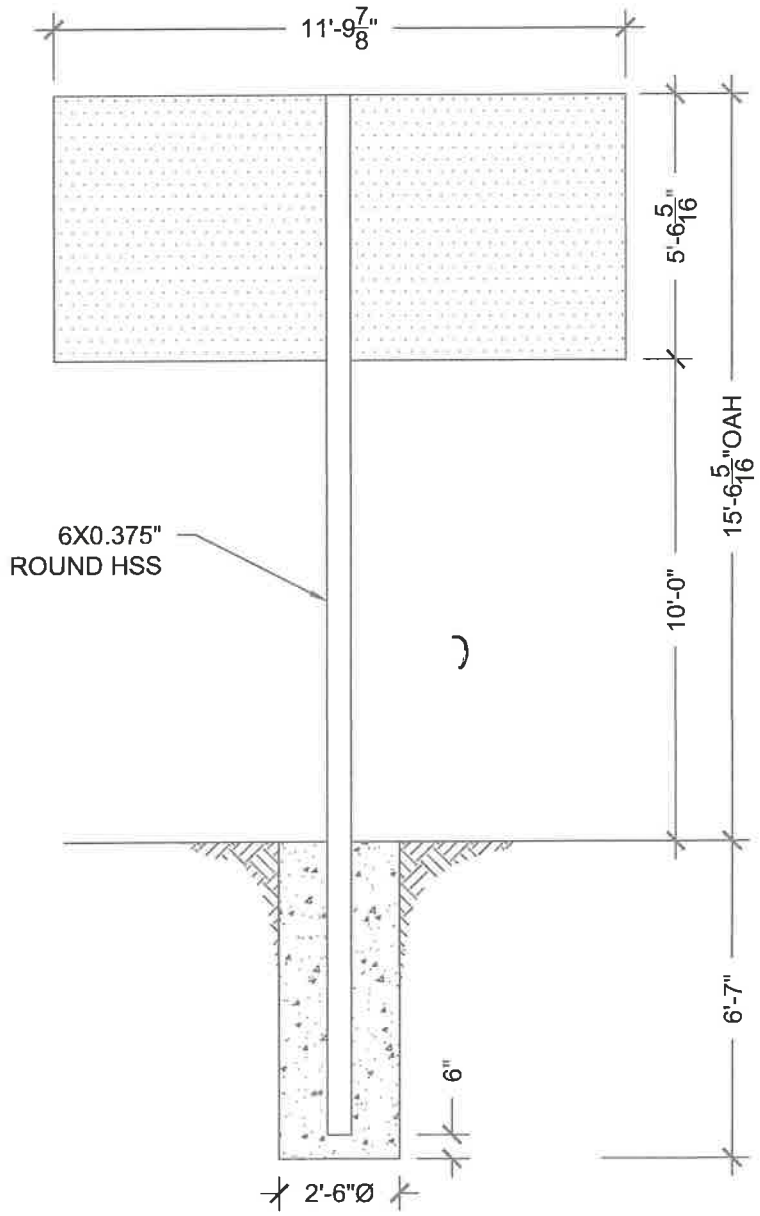
DATE: 04-20-2023  
 ENGINEER: PRC  
 LAST REVISED:



2 SADDLE DETAIL, TYP.  
 MIN. (2) LOCATIONS



4/20/2023



1 FRONT ELEVATION

GENERAL NOTES

1. DESIGN CODE: CBC 2022
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY: 95 MPH EXPOSURE C
4. CONCRETE 2500 PSI MIN.
5. ROUND HSS STEEL ASTM A500 GR.B, Fy= 42 KSI MIN.
6. THREADED ROD STEEL ASTM A36
7. PROVIDE PROTECTION AGAINST DISSIMILAR METALS USING ANTI-CORROSIVE PAINT OR NEOPRENE GASKETS.
8. LATERAL SOIL BEARING PER CBC CLASS 5 (100 PSF/FT)
9. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION.



PROJECT: OROVILLE SOUTH SIDE COMMUNITY CENTER  
 PROJ. NO.: 39955  
 CLIENT: MEGA SIGN

DATE: 4/20/23  
 ENGINEER: PRC

V5.5

units; pounds, feet unless noted otherwise

**Applied Wind Loads; from ASCE 7-16**

$F = q_z * G * C_f * A_f$  with  $q_z = 0.00256 K_z K_{zt} K_d V^2$  (29.3.2 & 29.4)  
 $C_f = 1.772$  (Fig. 29.3-1) max. height= 15.5  
 $K_{zt} = 1.0$  (26.8.2) (=1.0 unless unusual landscape)  
 $K_z =$  from table 28.3-1 Exposure= c  
 $K_d = 0.85$  for signs (table 26.6-1)  
 $V = 95$  mph  
 $G = 0.85$  (26.9) weight= 0.703 kips  
 $s/h = 0.356$   $M_{DL} = 0.00$  k-ft  
 $B/s = 2.14$

Pole Loads	structure component	height at section c.g.	$K_z$	$q_z$	pressure $q_z * G * C_f$	$A_f$	shear	Wind Moment $M_w$	
	1	5.00	0.850	16.7	25.14	5.0	126	629	
	2	12.50	0.850	16.7	25.14	59.1	1486	18579	
	3	15.26	0.854	16.8	25.26	6.2	157	2398	
sums:							70.3	1769	21.61 ( $M_w$ ) k-ft arm= 12.2
			$P_u = 0.84$ kip				$M = 21.61$ k-ft	$M = \sqrt{M_{DL}^2 + M_w^2}$	
			$M_u = \sqrt{(1.2M_{DL}^2 + 1.0M_w^2)} = 21.61$ k-ft						

**Pole Design section; pipe**

$M_u \leq \phi M_n$  with  $M_n = f_y Z$   $f_y = 42$  ksi  $\phi = 0.9$

H	$M_u$ (k-ft)	Z req'd. (in)	Size(in)	t (in)	Z	USE
at grade	21.61	6.86	6	0.28	10.6	6X0.375" RND. HSS, $\phi Mn=35.2$ k-ft

**Footing Design footprint: round**

$\omega = 1.3$  IBC 1605.3.2 IBC Table 1806.2, sections 1806.3.4, 1807.3.2  $S = (1.3 \times 2 \times 100 \text{ psf/ft})$   
 $P = 1.38$  kip  $S1 = S \times d / 3$   $A = 2.34 \times P / (S1 \times b)$   $S = 267$   
 $S1 = 588$   $d = 0.5 \times A (1 + (1 + 4.36 \times h/A)^{.5})$  IBC 1807.3.2.1  
 $A = 2.20$

footing: 2' - 6" dia. 6' - 7" deep



PROJECT: OROVILLE SOUTH SIDE COMMUNITY CENTER  
 PROJ. NO.: 39955  
 CLIENT: MEGA SIGN INC.

DATE: 4/20/2023  
 ENGINEER: PRC

units; pounds, feet unless noted otherwise

Check HSS6X.375 for torsion and combined forces

(AISC 14 H3)

Wind pressure=	P=	25.26 psf	(See page #2)		
Trib. Area=	A=	70.30 ft <sup>2</sup>	(See page #2)		
Wind Load=	WL=	1.776 k	(P*A)		
arm=		28.38 in	(0.2*(11'-9.875"))		
	Tr =	50.39 k-in	(WL*arm)		
				Fy =	42 ksi
				D =	6 in <sup>3</sup>
Fcr =	227.84 ksi	(eq'n. H3-2)		t =	0.349 in <sup>3</sup>
or				E =	29000 ksi
Fcr =	244.1 ksi	(eq'n. H3-2)		L =	120.00 in
but not greater than:				C =	16.60 in <sup>3</sup>
0.6 Fy =	25.2 ksi			φ =	0.9
	φTn = φ Fcr C =	376 k-in	OK		
	Mr/Mc + (Tr/Tc) <sup>2</sup> =	0.63 < 1	OK	(eq'n. H3-6)	
				(See Page #2 for Mu & Mc)	



PROJECT: OROVILLE SOUTH SIDE COMMUNITY CENTER

DATE: 4/20/2023

PROJ. NO.: 39955

ENGINEER: PRC

CLIENT: MEGA SIGN

v5.5

units; pounds, feet unless noted otherwise

**Checking 0.5"dia. Thru Bolt, A307 - Saddle Connection(LRFD) :** $\phi = 0.75$ 

Wind Pressure=	P=	25.26 psf (See Page #2)
Governing Area of signage=	A=	70.30 ft <sup>2</sup> (See Page #2)
Wind Load=	WL=	1.77 kips (See Page #2)
Dead Load=	DL=1.2*10psf*A=	0.844 kips
#bolts=	=	2 bolts
Vu=	Sqrt(WL <sup>2</sup> +DL <sup>2</sup> )/#bolts=	0.980 kips
dia.=	=	0.500 in
Abolt=	=	0.196 in <sup>2</sup>
Fu=	=	60.00 ksi
Fnv=	0.45*Fu=	27.00 ksi
$\phi Vn$ =	$\phi * Fnv * Abolt$ =	3.976 kips <b>ok</b>





5801 W. Jefferson Blvd. Los Angeles, CA 90016  
 Tel: 1-888-885-7740 Fax: 1-424-278-1516  
[info@tvliquidator.com](mailto:info@tvliquidator.com) [www.TVLiquidator.com](http://www.TVLiquidator.com)

Re: Electronic LED Message  
 Board  
 Oroville South Side  
 Community Center  
 2959 Lower Wyandotte Rd.  
 Oroville, CA 95966

May 16, 2023

**To Whom It May Concern:**

In compliance with the requirements stated in the Oroville Municipal Sign Code, adopted by the incorporated City of Oroville, located in the State of California, the following information pertains to the digital display sign for the Oroville South Side Community Center. Per the ordinance, in no event will the TV Liquidator Electronic Message Board increase ambient illumination by more than 0.3 footcandles when measured perpendicular to the message sign at a distance based on the sign face size, as listed in the chart in the municipal sign code section B, subsection 5.

In connection with the sign ordinance for digital display signs (DDS), the unit(s) for the Oroville South Side Community Center will comply with the following:

- Operating hours from 5:00 a.m. to 12:00 a.m.
- Minimum eight (8) second message dwell times
- Transition during messages shall be 2 seconds or less and shall either be instantaneous or fade out/in.
- Sign will be equipped with a Photo cell/sensor able to measure ambient lighting conditions
- Automatic dimming capabilities depending on ambient light level

In other words; we certify that ambient light sensors are installed, that the light intensity of the sign has been preset to not exceed the levels established above.

Our signs are manufactured in the U.S. and are FCC Compliant, UL Compliant, CSA Compliant and Metlab Certified. If you have any questions, you can contact us at 1-888-885-7740.

Thank you,  
  
 Christopher Hay  
 General Manager  
 TV Liquidator  
 888-885-7740

# Full Color

## OUTDOOR VIDEO LED SIGNS INSTALLATION GUIDE

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<i>Installation Checklist</i>	4
<i>Unpacking the Sign</i>	5
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<i>Structural &amp; Lifting Requirements</i>	7
<i>Installation Quick Reference</i>	8
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<i>Grounding Requirements</i>	11
<i>Communication Methods : Wired</i>	12
<i>Communication Methods : Wireless</i>	13

## - Unpacking the Sign -

- PG 5** Follow proper uncrating instructions.
- PG 5** Follow proper unpacking checklist instructions.

## - Mounting the Sign -

- PG 7** Follow proper structural & lifting instructions.
- PG 8** Follow mounting requirements.
- PG 9** Ensure proper ventilation. *(Improper ventilation will dramatically reduce the life of a sign, and may VOID the manufacturer's warranty.)*
- PG 10** Install conduit where needed - Must use water tight conduit for all electrical connections.

## - Electrical Installation -

- PG 10** Refer to voltage & amperage requirements for the sign as identified on data label.
- PG 11** Install a ground rod and connect the ground lug to the sign.

## - Data Connections -

- PG 12** Connect the appropriate data cables.

## - Install Communication Options -

- PG 13** Install wireless device.
- PG 13** Verify that the wireless device is turned ON.

## - Apply Power -

Switch the appropriate breaker(s) to the ON position.

## - Connect to Sign -

Install the software on the host PC.



Verify that the entire screen is displaying a test message. If you see any problem on the screen, please call our technical support team at 424-204-9443

- Unpacking Checklist -

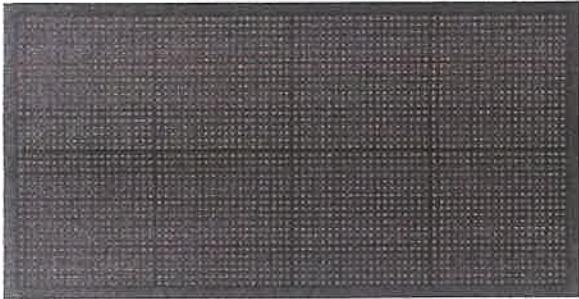
- LED Display (Make sure each section is there)
- Lifting Bolts
- Connection and Wiring Guide
- Software
- Communication Devices (Optional)
- Temperature Probe (Optional)
- Additional Software or Hardware Ordered

\* Uncrating Example \*



The information below is for general reference only.

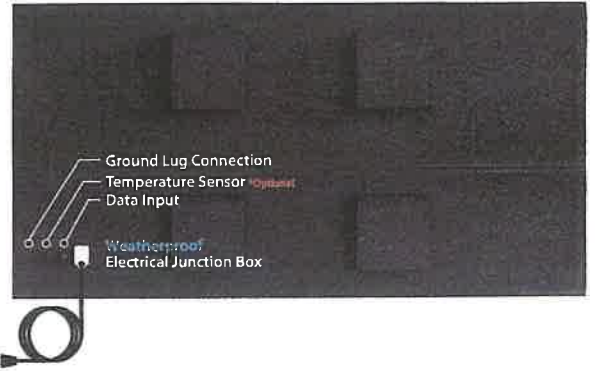
Front View



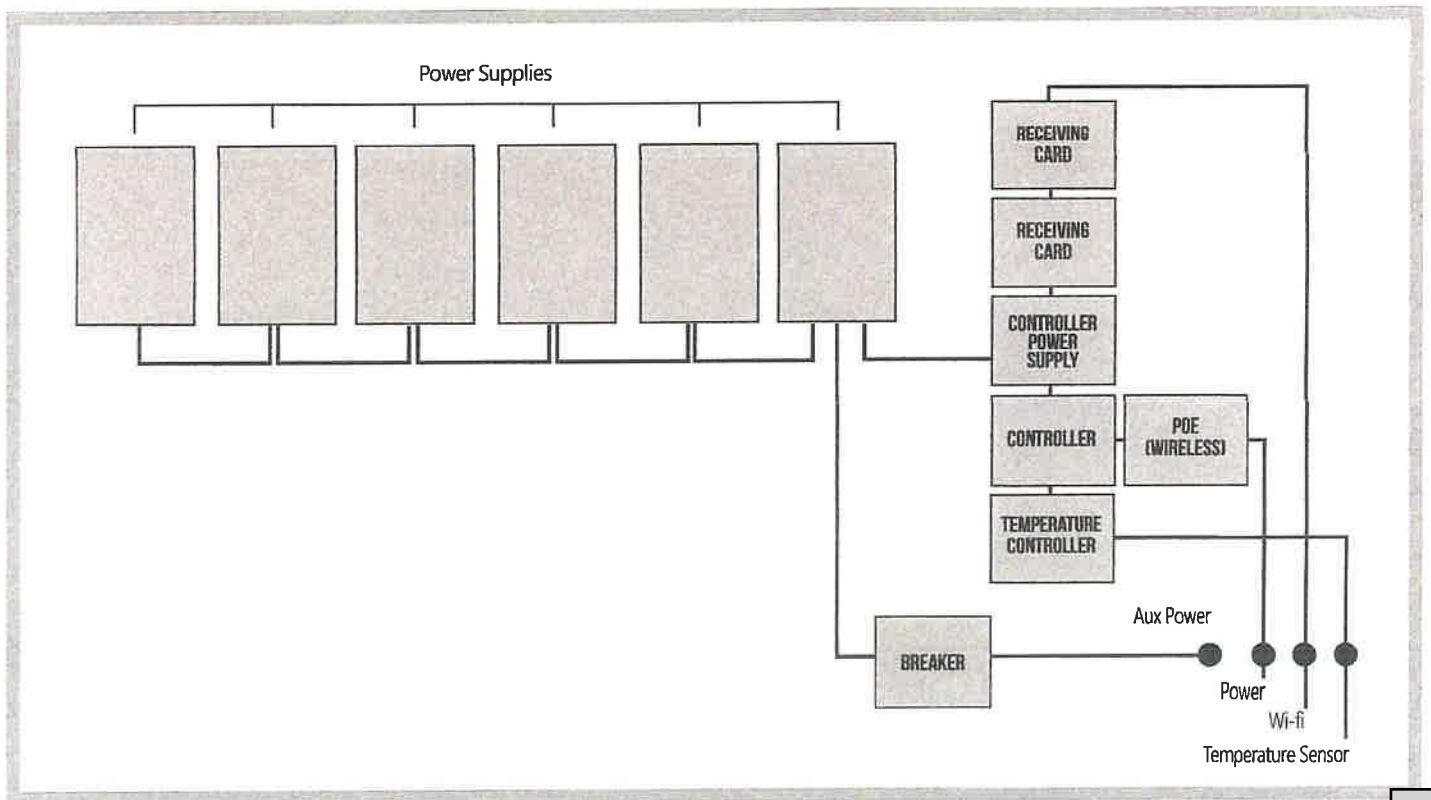
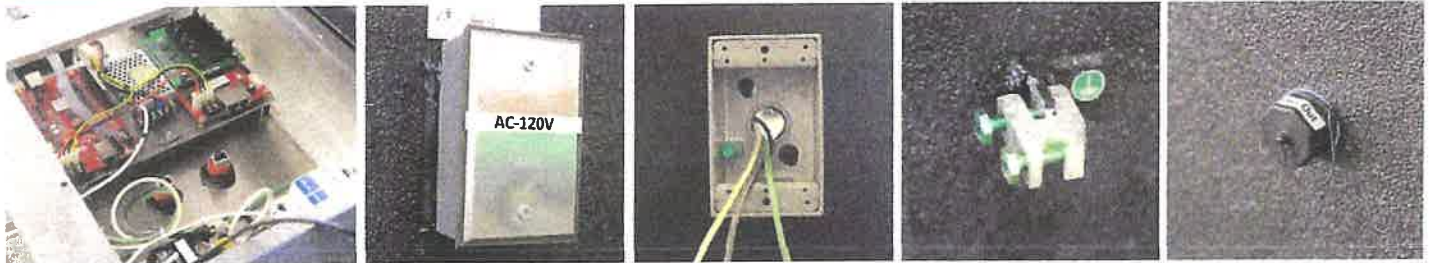
Side View



Rear View



Detail View



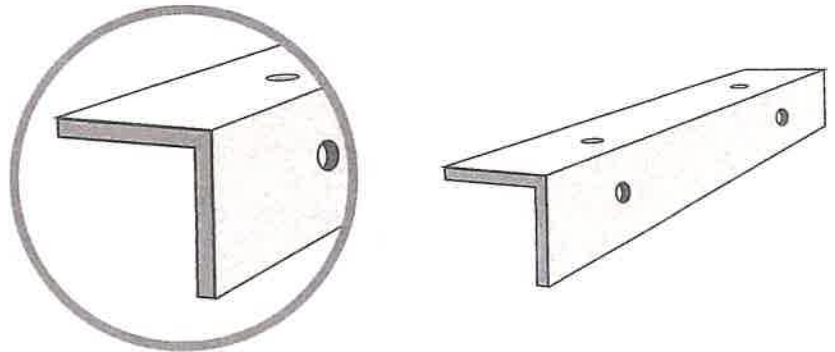
It is the installer's responsibility to provide an adequate support structure for the sign. It is very important that you check with local building and planning department for codes and laws regarding sign installation.



**IMPORTANT**

- DO NOT weld any part of the sign cabinet.
- DO NOT drill hole into the sign cabinet.
- MUST provide adequate clearance for proper ventilation.

*Type of Brackets*

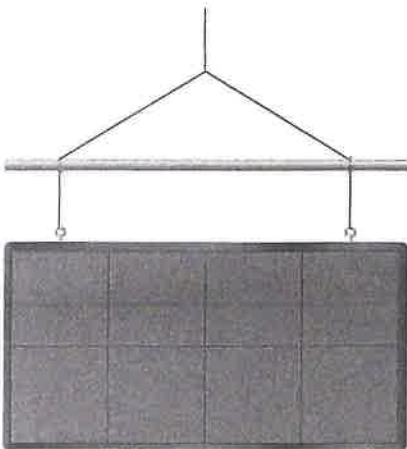


**- Aluminum Angle Bracket (Industrial Series Frame Only) -**

This bracket is typically used for pole mount, wall mount, or structural installation. 2.5" - 3" (depending on your model) aluminum angle is pre-mounted to the sign. **DO NOT** remove the angle from the cabinet. Both the top and bottom must be used to ensure structural stability. **Note:** Aluminum angle bracket holes are not pre-drilled.

*Spreader Bar Uses*

**With a Spreader Bar (RECOMMENDED)**

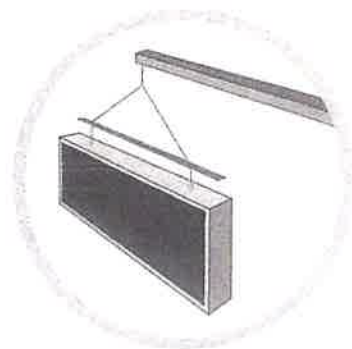
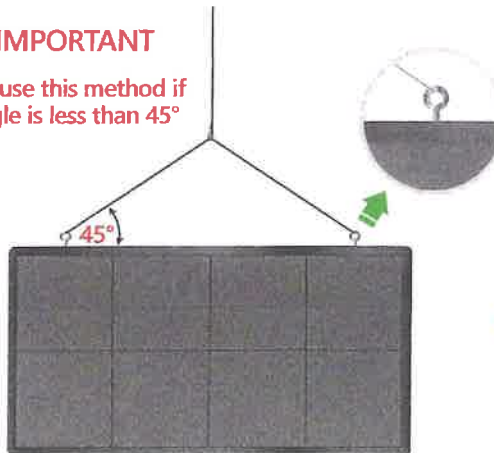


**Without a Spreader Bar**



**IMPORTANT**

Do not use this method if this angle is less than 45°



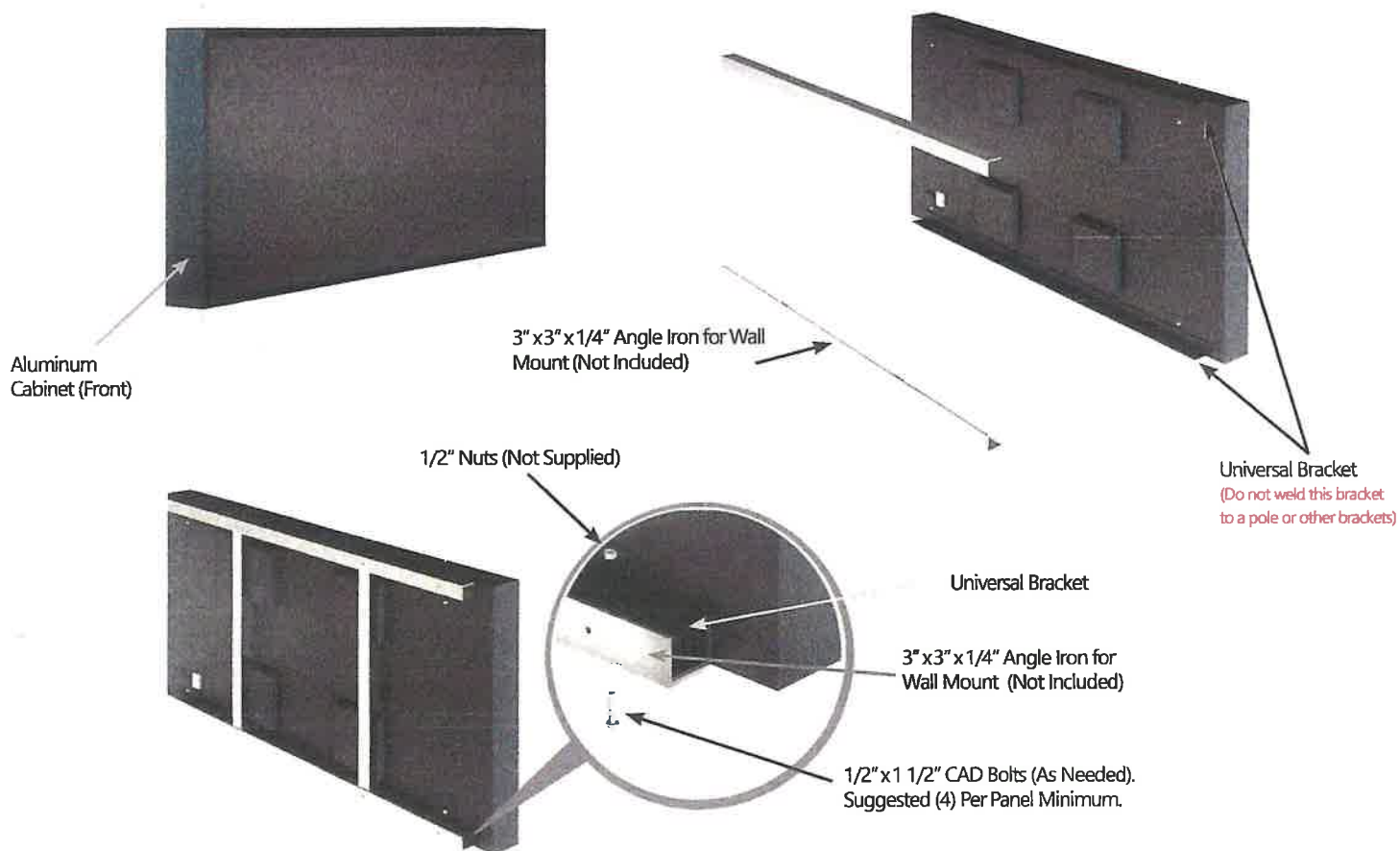
**IMPORTANT**

Attach and lift only from the lifting eye bolts. Use care when lifting the display using all the provided lifting points. Use only approved lifting straps which meet the appropriate load requirements. (Not included)

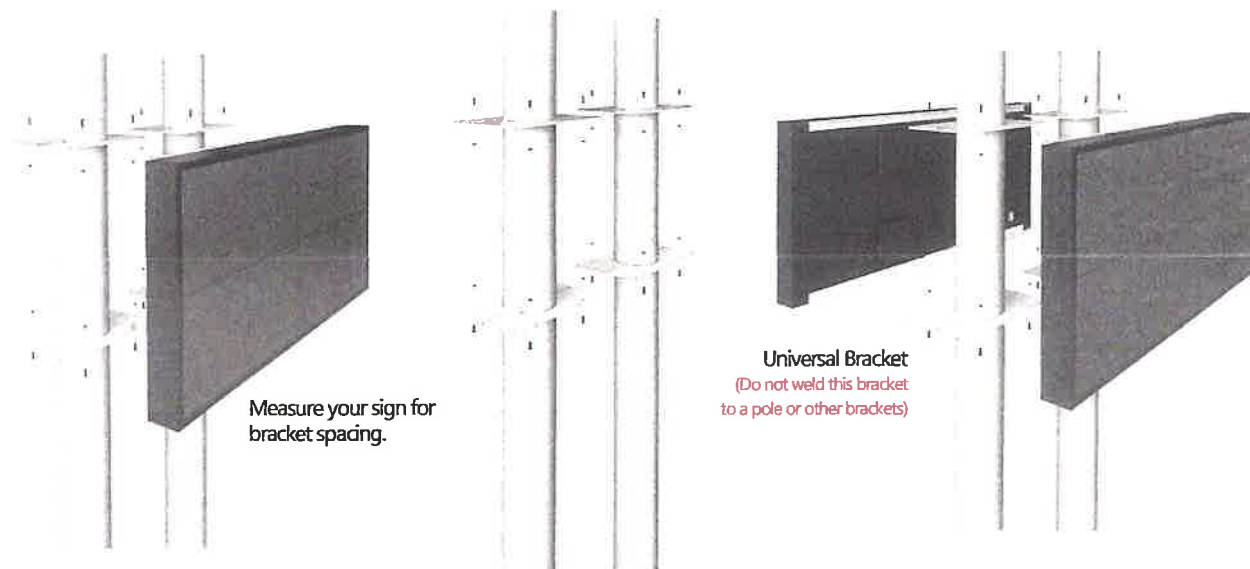
**Industrial Series Model**

The information below is for general reference only. It does not replace professionally engineered drawings. Please consult your specific shop drawing for details. Aluminum angle is provided on the LED sign only. Fasteners and steel material for the sub structure are not provided.

**BASIC WALL MOUNT**



**POLE MOUNT**

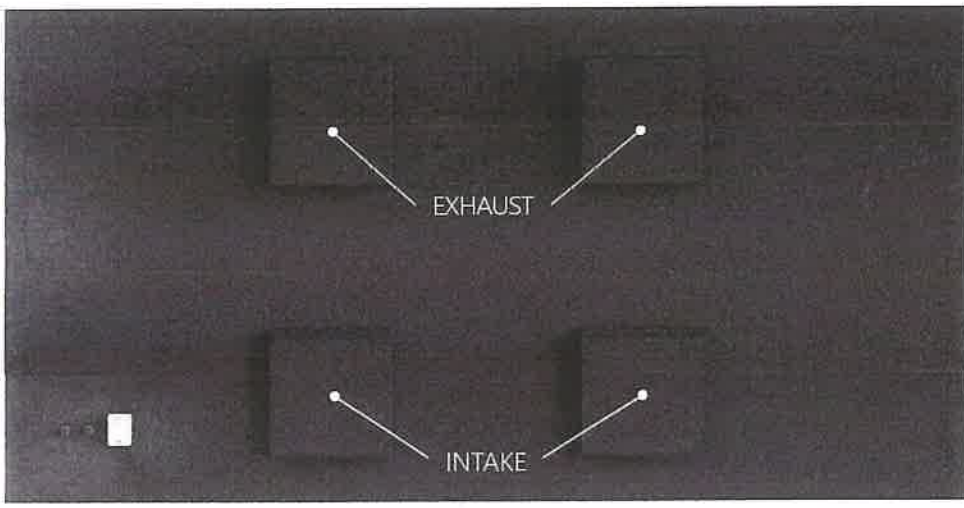




Our signs are designed to operate between -22°F and 120°F. There are multiple intake vents and exhaust vents on the back of each sign. Our signs include an internal thermostat to turn the fans ON once it reaches 86°F. In order to keep the signs at optimal temperature, adequate ventilation is required.

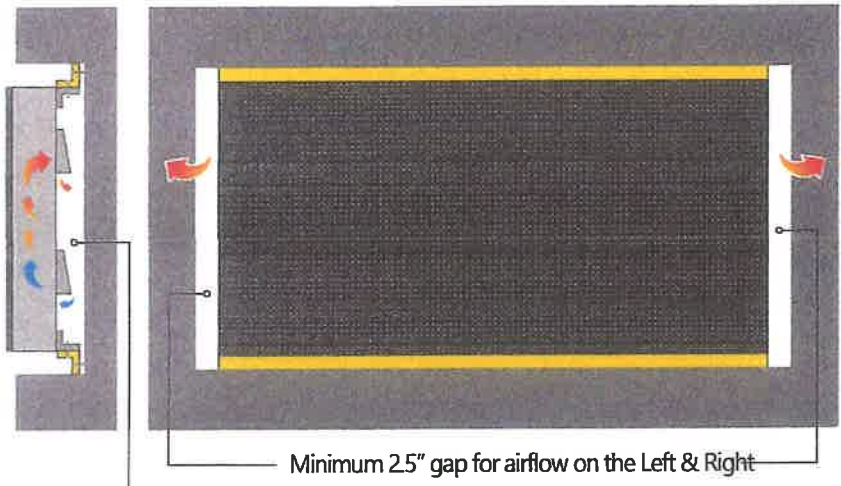
**! IMPORTANT**

Improper ventilation will dramatically reduce the life of a sign, and may VOID the manufacturer's warranty. Sign temperature must be maintained between -22°F and 120°F to avoid damaging the display components. **DO NOT** restrict air flow around the back of the cabinets.



**Recessed installation:**

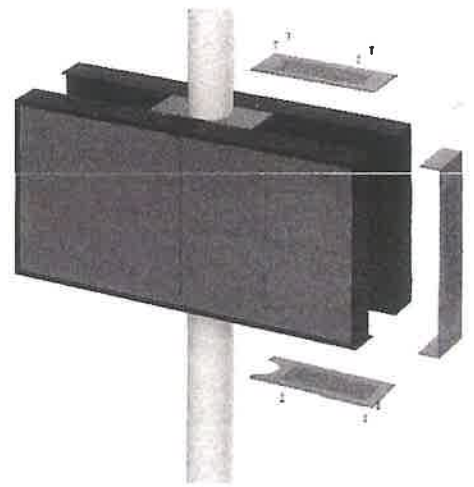
When installing into a recessed structure, you must provide a minimum of 3" ventilation clearance to allow cool air to be circulated.



Minimum 3" Ventilation Clearance

**Shroud Installation:**

When installing shrouds, we recommend using perforated aluminum. Multiple vents may be used. **DO NOT** use non-perforated sheets to cover the sides of the sign. This will obstruct the air flow, which can damage the electronic components.



Main electrical connections should be done by a licensed electrician following all N.E.C. and local codes. A proper Earth Ground must be run from the sign, to a grounding rod using N.E.C. standards.

**Power : Each sign has a power entry point.**

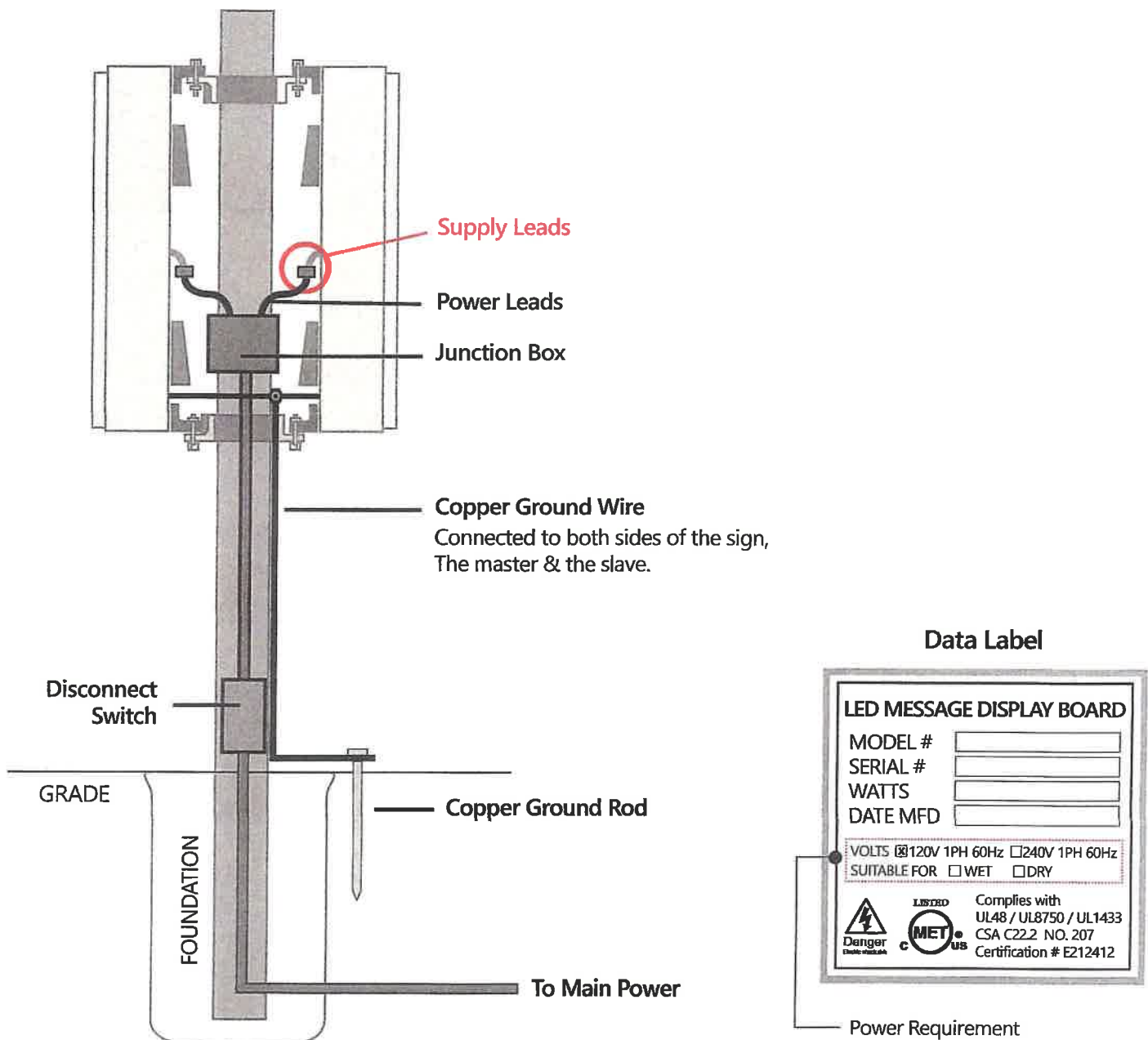
Larger signs will have more than one power entry point.

For every power entry point, you will find a circuit breaker inside the LED display cabinet.

Please see the MET label for specific voltage, amperage, and number of power entry points. The electrician is responsible for using the proper breaker size according to N.E.C and local codes.



**CONNECTION NEEDS TO BE LIQUID TIGHT**

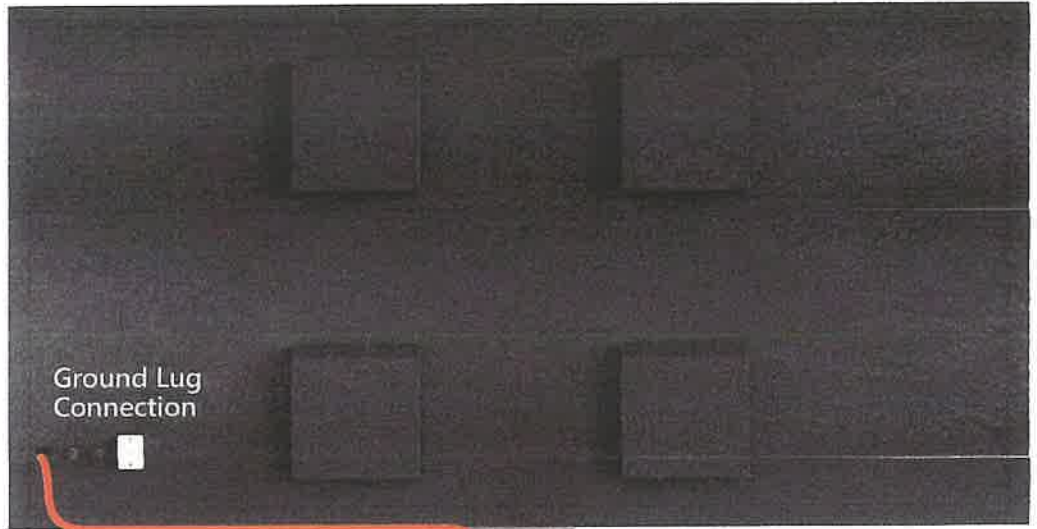




**Earth Ground**

All LED display must be earth grounded to minimize static currents and lightning damage. The sign structure or foundation will not provide a sufficient earth ground for the sign. A properly installed copper ground rod must be used.

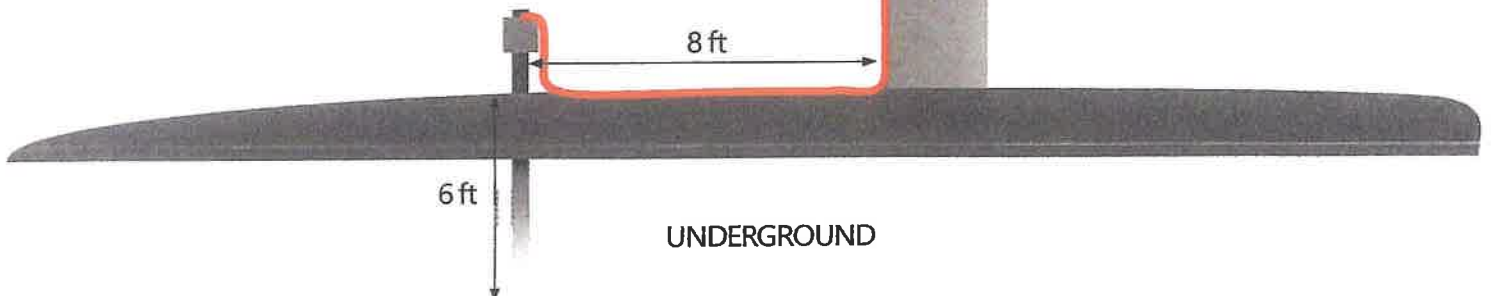
Back of Display Cabinet



**1. Connect a Copper Ground Wire to the Ground Lug Connection**

**2. Connect to the Ground Rod**

Install the rod into the ground near the sign according to N.E.C. Code, Typically 8 ft.

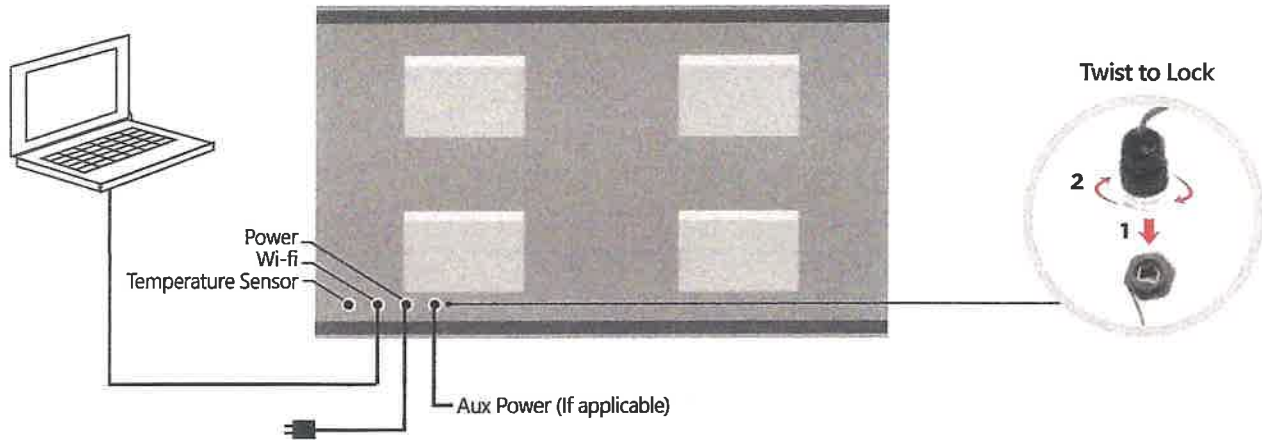


There are two ways to communicate with the sign: **Hard-wired** and **Wirelessly**.

**⚠ WARNING:**

Do not cut, splice, or modify the radio cables in any way. This will VOID the warranty on all radio parts.

**Hard-Wired**



1. Pull the cable from the back of the sign cabinet and connect to the computer or network.

**· Hard Wired Connections**

: This option connections to the sign using CAT 5 / CAT 6 cable.  
Maximum distance of CAT 5 / CAT 6 cable is 200 ft.

**TCP/IP Cable Direct**



**TCP/IP Cable Over Network**



**· Default IP and Subnet Mask is**

**IP: 192.168.1.128 / Subnet Mask: 255.255.255.0**

: When connecting the sign to the existing network, IP address and subnet should be changed. Please see guide and contact technical support department for help. ( **Technical Support : 424.204.9443** )

**· Fiber Optic Connections**

: This option connects to the sign Fiber Optic cable. This option is used for longer distance up to 4KM. However, it must be converted to CAT 5 / CAT 6 network cable at the transmission point, and at the sign.

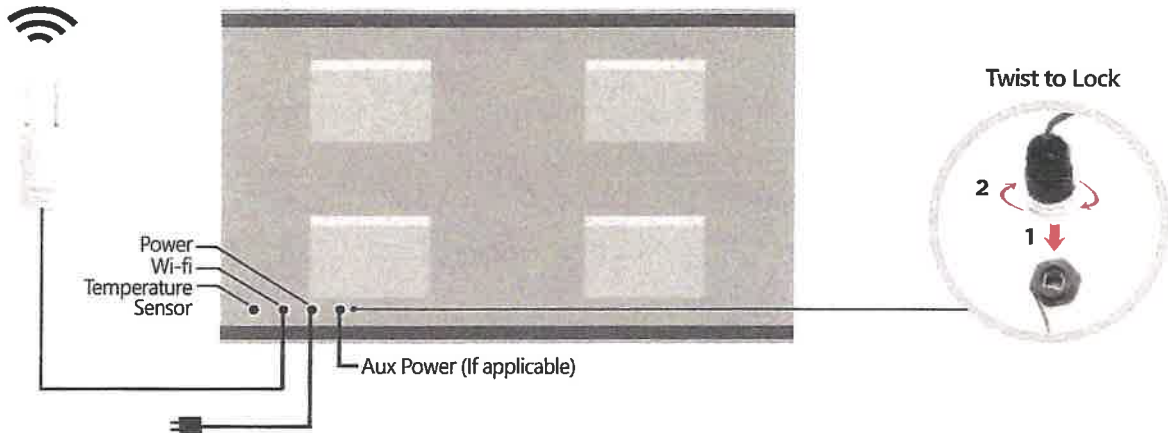
- DO NOT place anything in front of the wireless device that could obstruct the RF signals.
- DO NOT mount the wireless device inside any metal structure.

Make sure the device is mounted vertically with the antenna pointing up towards the sky. DO NOT install the wireless device upside-down or sideways.

**⚠ WARNING**

: DO NOT cut, splice, or modify the radio cables in any way. Must be mounted vertically with the antenna pointing up towards the sky. Improper installation will potentially damage the wireless device, and will not be covered under warranty. This will VOID the warranty on all radio parts.

**Wireless Device**



**· Wireless Connections (Normal Range)**

: This option uses one or more wireless radios to communicate with the LED sign. This is the most common communication option used for distances up to 500ft.



**· Wireless Connections (Extended Range)**

: This option uses two or more wireless radios to communicate with the LED sign. This option is available for up to 1000ft (direct line of sight).

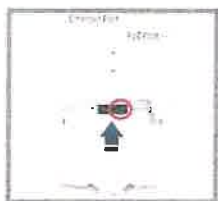
**Wireless Radio Paired**



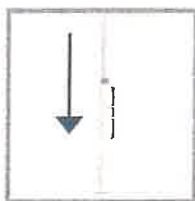
**Wireless Radio Paired Over a Network**



1. Remove the cover, then plug in the network (RJ45) cable provided.



2. ENSURE the cover is secured on the wireless device. This is to keep water from entering the device.



3. Mount the device vertically with the antenna pointing up towards the sky.



4. Located the plug on the back of the sign cabinet labeled "Picostation". Secure the plug and twist to lock.



5. Verify functionally / connectivity  
 (A) Verify that the power light is on.  
 (B) Verify the signal strength by checking the LED indicator.



*Note:*

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# Full Color

OUTDOOR VIDEO LED SIGNS  
INSTALLATION GUIDE

## TV LIQUIDATOR LED SIGN

Toll Free: 888.885.7740 / Tech Support: 424.204.9443  
5801 W Jefferson Blvd, Los Angeles, CA 90016  
[www.tvliquidator.com](http://www.tvliquidator.com)





# City of Oroville

## PLANNING AND DEVELOPMENT SERVICES

---

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2402 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### **ZONING INTERPRETATION NO. 23-02**

**Pertaining to a proposed use in a PQ Zone that is not specified in OMC 17.20.045  
 Signs requiring a use permit.**

The Zoning Administrator has determined under OMC 17.08.090 that the proposed use of APN 013-300-098 is appropriate due to the current and future use of the parcel as a C-2 Intensive Commercial use. The proposed signage is associated with, owned by, and operated by the same party (Oroville Southside Community Center) as the adjacent parcels. The use would be allowed in an Intensive Commercial C-2 zone, and is on the site which consists of a driveway leading to the parcel with the C-2 zoning and active commercial uses. Thus, the proposed sign should be permitted at the Public Quasi Public PQ zoned parcel as it is associated with the C-2 zoned parcel. The sign is subject to a use permit to be decided by the Planning Commission.

### BACKGROUND

The Oroville Southside Community Improvement Association has applied to install a digital display sign located at 2959 Lower Wyandotte Road (APN 013-300-098). The parcel of the proposed project site is zoned PQ (Public Quasi Public). This parcel is owned by the Southside Community Improvement Association and is being used as a driveway which leads to their building. The parcel with the building known as the Southside Community Center is zoned Intensive Commercial C-2. Digital display signs are an allowed use in the C-2 zoning district, subject to a Use Permit. However, the proposed location of the sign is on a parcel zoned PQ, which is a zoning district where digital display signs are not allowed.

While the digital display sign is proposed for a PQ parcel, this parcel is owned, operated, and used as commercial. Furthermore, the PQ zoning district is designed for the accommodation of governmental, public, public utility and educational facilities. The Southside Community Center serves the public and will be conducting educational and community-based activities typical of the PQ zoning district. The proposed sign will enhance the goals of the Southside Community Center and the intent of the PQ zoning district by extension. Thus, the sign is permitted subject to a use permit.

### REQUIRED FINDINGS

The above background analysis allows the Zoning Administrator to make all Findings a-d, based on substantial evidence:

- a. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the allowable uses for the zoning district.
- b. The proposed use will not involve a higher level of activity, density or intensity than other allowable uses for the district.
- c. The proposed use will meet the purpose and intent of the applicable zoning district.
- d. The proposed use will be consistent with the goals, objectives and policies of the general plan.

**Approved**

*Dawn Nevers*

---

**Zoning Administrator**

Date: 5/18/2023



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP23-09 for a digital display sign at 2959 Lower Wyandotte Road (APN 013-300-098)

Project Location – Specific: 2959 Lower Wyandotte Road

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Kevin Thompson, has applied for a Use Permit for a digital display sign at 2959 Lower Wyandotte Road (APN 013-300-098). The subject property has a zoning designation of Public, Quasi Public (PQ), and a General Plan land use designation of Public (PUB).

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Kevin Thompson

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - In-Fill Development Projects, Title 14 CCR, §15332
- Statutory Exemption: State code number:

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

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

This project involves the use of a property zoned Public Quasi Public (PQ). This district is designed for the accommodation of governmental, public, public utility and educational facilities. The Southside Community Center is zoned Intensive Commercial (C-2) and a zoning interpretation has been prepared and confirms that the proposed use will comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit

request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

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

Class 32 categorical exemptions consists of projects characterized as in-fill development meeting specific conditions a-e as described in this section. This project meets all conditions, including being consistent with the General Plan and Municipal Code, occurs within City limits, has no value as habitat, will not result in any significant effects, and can be adequately served by all required utilities. All business activities will be contained within the building associated with the sign, and the proposed use will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

If filed by applicant:

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

Lead Agency Contact Person: Daniel Kopshever

Telephone: (530) 538-2517

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

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

- Signed by Lead Agency
- Signed by Applicant

## RESOLUTION NO. P2023-11

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 23-09 FOR THE CONSTRUCTION OF A NEW DIGITAL DISPLAY SIGN AT 2959 LOWER WYANDOTTE ROAD (APN 013-300-098).**

**WHEREAS**, the applicant wishes to construct a new digital display outdoor advertising structure; and

**WHEREAS**, the property where the outdoor advertising structure is located has a zoning designation of Public, Quasi Public (PQ) but is adjacent and of the same owner and land use as the South Side Community Center which is zoned Intensive Commercial (C-2); and

**WHEREAS**, The City of Oroville Municipal Code (OMC) Section 17.08.090 specifies that the zoning administrator may determine that a proposed use not listed for any zoning district is allowable subject to a use permit; and

**WHEREAS**, The zoning administrator has created Zoning Interpretation ZC 23-02 determining that the proposed use is allowable subject to a use permit; and

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

**WHEREAS**, Use Permit No. 23-09 shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission; and

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

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "In-Fill Development Projects"

2. The Planning Commission approves the findings required by Section 17.48.010.E.4 and 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code and to promote the general health, safety and public welfare of the City.

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

- a) The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the city as a whole. *The characteristics of the proposed sign are compatible with the surrounding area. The proposed sign will be a 5.5' X 11' double sided digital display advertising structure. The properties adjacent to the project site are zoned Intensive Commercial and Public Quasi Public and are developed for commercial businesses and public utility uses.*
- b) The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity. *In conformance with City Code section 17.20.045(B), the proposed outdoor advertising structure will not exceed 300 ft<sup>2</sup> of sign area on each face, and will be separated by a distance of at least 500 feet from another off-premise outdoor advertising structure.*
- c) Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use. *Electricity services the existing businesses on the property and power is available along Lower Wyandotte Road. Electrical service to the new outdoor advertising structure will be required to be installed underground, subject to any requirements from PG&E;*
- d) The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties. *Surrounding properties are Public Quasi Public, multifamily residential, commercial facilities, and vacant land that will not be adversely affected. The proposed outdoor advertising structure will not exceed the maximum allowed size and height outlined by the City Code, and it will be required to comply with all operating characteristics required by the City Code and any other applicable agencies;*
- e) The subject site is physically suitable for the type and intensity of land use being proposed. *The subject property is currently developed with a driveway which accesses the parking lot of one commercial building which is on a nearby parcel. The proposed sign will be located on the property adjacent to the parcel adjacent existing building and the applicant is the property owner of all three parcels;*

- f) The size, intensity and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole. *The proposed outdoor advertising structure will provide the Southside Community Center with an opportunity to better market itself. As a result of better marketing opportunities, the center may increase their business activities, benefitting themselves and the local business environment;*
- g) The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code. *The use is permitted, subject to a use permit and zoning interpretation, and is compatible with the General Plan, Zoning codes, and the Oroville Municipal Code.*

### CONDITIONS OF APPROVAL

**Approved project:** The project applicant, Kevin Thompson, has applied for a use permit (UP 23-09) for the construction of a 5.5' X 11' double-sided digital display outdoor advertising sign at 2959 Lower Wyandotte Road (APN 013-300-098). The property has a zoning land use designation of Public, Quasi Public (PQ). All digital display advertising signs require a Use Permit. Per OMC 17.20.045, the sign will be permitted to operate from 5:00am to 12:00am.

**The Planning Commission hereby approves UP 23-09, subject to the following:**

#### Project Specific Conditions

1. The digital display sign shall be permitted to operate only between the hours of 5:00 a.m. to 12:00 a.m.
2. Messages shall be displayed for a minimum of 8 seconds.
3. Transition during messages shall be 2 seconds or less and shall either be instantaneous or fade out/in. Flashing is prohibited.
4. Sign shall be required to meet all Caltrans requirements, permits, and other applicable standards.
5. All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds, debris, and graffiti. If violations of this paragraph occur, the planning commission may start proceedings to revoke the permit
6. Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited. A Digital Display Sign that utilizes lighting technologies (such as light emitting diodes) to create digital messages shall be equipped with a light sensor that automatically adjusts the lighting of the sign face as ambient lighting changes. In no event shall a digital display sign face increase

ambient illumination by more than 0.3 footcandles when measured perpendicular to the message sign face at a distance based on the sign face size as follows:

<b>Changeable Message Sign Face Size (sq. ft.)</b>	<b>Measurement Distance (ft.)</b>
50 ft <sup>2</sup>	71
100 ft <sup>2</sup>	100
150 ft <sup>2</sup>	122
200 ft <sup>2</sup>	141
250 ft <sup>2</sup>	158
300 ft <sup>2</sup>	173

\* For signs with an area in square feet other than those specifically listed in the table, the measurement distance shall be calculated with the following formula: Measurement Distance =  $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$

**General Conditions**

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



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

**Project-specific conditions**

13. Applicant shall take appropriate measures to provide proper maintenance of the structure, including provisions to remove and repair graffiti and vandalism on a regular basis.
14. Applicant shall ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
15. The applicant shall provide a pole cover for the sign at the time the property is developed. The pole cover shall be complementary in design to the buildings and development on-site. The Zoning Administrator shall approve the final pole cover design.
16. Pursuant to City Code Section 17.48.010(F), a use permit may be evaluated for

revocation if the use permit has not been used within one year of its approval.

17. Pursuant to Public resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville within five working days of approval of this project.

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

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

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

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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