



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

February 24, 2022
REGULAR MEETING
6:00 PM
AGENDA

PUBLIC ACCESS AND PARTICIPATION

To view the meeting or provide comment, please see the options below. All comments emailed will be provided to the Members for their consideration.

To View the Meeting:

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

To Provide Comment to the Board:

1. Email before the meeting by 2:00 PM your comments to publiccomment@cityoforoville.org
2. **Attend in person**

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

CALL TO ORDER / ROLL CALL

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

OPEN SESSION

Pledge of Allegiance

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

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

CONSENT CALENDAR

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 January 27, 2022.

RECOMMENDATION

Approve the minutes of January 27, 2022

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 three (3) 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. MINOT USE PERMIT UP22-01 FOR A 950 SQUARE FOOT DUTCH BROS COFFEE WITH ASSOCIATED SITE IMPROVEMENTS AT 2366 FEATHER RIVER BLVD (APN 035-030-110)

The Oroville Planning Commission will review and consider approving Use Permit No. UP22-01 for the construction of a new 950 square foot Dutch Bros Coffee with double drive-thru lanes, walk-up service window, and associated site improvements at 2366 Feather River Blvd.

RECOMMENDATION

Conduct a Public Hearing on the proposed project;

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

Adopt the recommended Findings for Use Permit No. UP22-01;

Approve Use Permit UP22-01 and recommended Conditions of Approval;

Adopt Resolution No. P2022-02

3. MINOR USE PERMIT UP22-02 FOR A USED VEHICLE DEALERSHIP AT 1450 ORO DAM BLVD E, SUITE F (APN 035-450-009)

The Oroville Planning Commission will review and consider approving Use Permit No. UP22-02 to permit Paradise Motors, a used vehicle dealership, at 1450 Oro Dam Blvd E, Suite F within the Golden State Auto Center

RECOMMENDATION

Conduct a Public Hearing on the proposed project;

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

Adopt the recommended Findings for Use Permit No. UP22-02;

Approve Use Permit UP22-02 and recommended Conditions of Approval;

Adopt Resolution No. P2022-03

4. ADOPTION OF A NEW CITY ORDINANCE REGULATING MASSAGE ESTABLISHMENTS

The Oroville Planning Commission will review and consider recommending that the City Council adopt an ordinance relating to the regulation of massage establishments and persons providing massage in the City of Oroville.

RECOMMENDATION

Conduct a Public Hearing on the proposed Massage Ordinance;

Review PROPOSED ZONING CHANGE ZC 22-01 WITH NEW REQUIREMENTS FOR MASSAGE THERAPIST AND OWNER CERTIFICATIONS, AND FOR MASSAGE ESTABLISHMENTS AND OPERATIONS.

Adopt Resolution P2022-01 -- A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING CHANGE ZC 22-01 RELATING TO THE CITY'S REGULATIONS OF MASSAGE ESTABLISHMENTS AND INDIVIDUALS THAT PRACTICE MASSAGE AND THERAPEUTIC BODY WORK.

REGULAR BUSINESS

5. HISTORIC PRESERVATION AWARD PROGRAM OF THE OROVILLE HISTORIC ADVISORY COMMISSION

The Oroville Historic Advisory Commission may consider creating an annual award to honor outstanding achievement in Oroville historic revitalization.

RECOMMENDATION

Adopt the attached award program and implement it for 2022.

6. TENTATIVE PARCEL MAP 22-01

The Commission will review and consider approving Tentative Parcel Map 22-01 (TPM 22-01) for a lot split of commercial property on Feather River Boulevard. The map will split two lots into four lots.

RECOMMENDATION

Approve the recommended findings for Tentative Parcel Map 22-01 and recommended Conditions of Approval;

Adopt Resolution No. P2022-01

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 March 24, 2022 at 6:00 PM.

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

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

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



January 27, 2022
MINUTES

This agenda was posted on January 21, 2022. This meeting was recorded and may be viewed at cityoforoville.org or on YouTube.

CALL TO ORDER / ROLL CALL

Vice Chairperson Jenkins opened the meeting at 6pm.

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

ABSENT: Chairperson Durling, Commissioner Britton

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

OPEN SESSION

- Pledge of Allegiance – Led by Chairperson Jenkins
- New Commissioner Warren Jensen was given his Oath of Office

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

The following individuals spoke on non-agenda and agenda items:

- Kay Castro – Public Comment and Item 4

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES

Motion by Commissioner Sheard and second by Commissioner Arace to approve the minutes of August 26, 2021, September 23, 2021, and October 28, 2021. Motion passed.

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

PUBLIC HEARINGS

1. NEW MESSAGE ORDINANCE ADDING REQUIREMENTS FOR MASSAGE THERAPIST AND OWNER CERTIFICATIONS AND FOR MASSAGE ESTABLISHMENTS AND OPERATIONS

This item was continued until the February 24, 2022 regular Planning Commission meeting.

REGULAR BUSINESS

3. CITY OF PARIS BUILDING INTERIOR AND EXTERIOR IMPROVEMENTS

The Historic Advisory Commission reviewed proposed façade improvements to the City of Paris building at 1474 Myers Street, Oroville. There was a consensus from the planning Commission to move forward with the project.

4. PRESENTATION AND DISCUSSION ABOUT ZC21-06 FENCES, WALLS AND SCREENING MUNICIPAL CODE AMENDMENTS

Staff made a presentation on the draft changes made to OMC 17.12.020 relating to the City's regulations of fences, walls and screening. The Oroville Planning Commission reviewed and adopted Resolution P2021-19 on October 28, 2021, recommending that the City Council adopt the proposed revisions. The Planning Commission provided recommendations to staff for changes to the fence ordinance.

Motion by Commissioner Jensen and second by Commissioner Hallen to approve the changes as presented by staff.

5. HISTORIC PRESERVATION AWARD PROGRAM OF THE OROVILLE HISTORIC ADVISORY COMMISSION

This item was continued to the next meeting on February 24, 2022.

REPORTS / DISCUSSIONS / CORRESPONDENCE

6. Commissioner Reports - None

7. Historical Advisory Commission Reports – Commissioner Sheard provided an overview of Judge Grays house and Judge Gray.

8. Staff Reports

1. Ervin – Planning Commission Workshop; staff requested a new person for the DRC – Commissioner Jenkins agreed to serve if time changed to 3pm. Upcoming projects for DRC – Dutch Bros, New log deck, Large Detached Garage on Foothill Blvd. Staff working on Zoning Code changes, Outdoor Seating, Sober Living Environments, and city permitting system. Next Planning Commission - Tentative Parcel Map for Tractor Supply, Dutch Bros Use Permit and Massage Ordinance, and Vacant Building Monitoring. Lastly staff received a draft Housing Element Update.
2. Musler – 2034 Montgomery St – New business and painting/minor updates.

ADJOURN THE MEETING

Vice Chairperson Jenkins adjourned the meeting at 7:21pm.

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

PLANNING COMMISSION STAFF REPORT

Thursday, February 24, 2022

RE: Minor Use Permit UP22-01 for a 950 square foot Dutch Bros Coffee with associated site improvements at 2366 Feather River Blvd (APN 035-030-110)

SUMMARY: The Oroville Planning Commission will review and consider approving Use Permit No. UP22-01 for the construction of a new 950 square foot Dutch Bros Coffee with double drive-thru lanes, walk-up service window, and associated site improvements at 2366 Feather River Blvd.

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. UP22-01;
4. **Approve** Use Permit UP22-01 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2022-02

APPLICANT: Russ Orsi, Dutch Bros, LLC; Hal Grubb, Barghausen Consulting Engineers, Inc.

LOCATION: 2366 Feather River Blvd (APN 035-030-110)

GENERAL PLAN: RBS (Retail and Business Service)

ZONING: C-2 (Intensive Commercial)

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:

REVIEWED BY:

 Connor Musler, Assistant Planner
 Community Development Department

 Dawn Nevers, Assistant Director
 Community Development Department

DISCUSSION

Dutch Bros Coffee is proposing a new 950 square-foot building, double drive-through lanes with stacking for up to 19 vehicles, landscaping, parking-lot improvements, and other associated site improvements. The project site is located on approximately 0.64 acres on the west side of Feather River Blvd, (Address: 2366 Feather River Blvd; APN: 035-030-110), immediately north of the new Maverik fueling station. The intended hours of operation is 24 hours per day. The property has a zoning designation of Intensive Commercial (C-2). According to the Oroville Municipal Code (OMC), drive-thru establishments require a Use Permit within C-2 zones.

Traffic Considerations

Dutch Bros has designed the site with double drive-thru lanes to accommodate 19 vehicles stacking. For comparison, the existing Dutch Bros location at 2340 Oro Dam Blvd was designed for 4 vehicles stacking for the Spencer Ave window, and 6 vehicles stacking for the Oro Dam Blvd window. Any excess vehicle stacking at the new Dutch Bros will be contained on private property, either on the Dutch Bros site or the side access road, minimizing the possibility of any spillback onto Feather River Blvd. Dutch Bros also utilizes order runners during times of heavy traffic to minimize customer wait times and thus minimizes the possibility of spillback onto Feather River Blvd.

In reviewing the application with the City Engineer, staff determined that a traffic study would not be required based in part on the following:

- The proposed vehicle queuing appears to be adequate to handle anticipated vehicle traffic.
- Spillback onto Feather River Blvd will likely not occur as any excess stacking will likely be contained on Dutch Bros property or the side access road.
- No new driveways are proposed on Feather River Blvd.

The City Engineer has been working with the property owner’s engineer to upgrade the side access road to city standards and they intend to construct these improvements during or prior to Dutch Bros construction. To ensure that these improvements are made, staff have proposed conditioning the Dutch Bros project requiring the frontage and side access road improvements to be completed prior to Certificate of Occupancy.

Signage

The applicant has submitted sign plans (**Attachment 4**) with their use permit application as requested by staff.

3 “Dutch Bros Coffee” channel letters:	31.5 square feet each
3 “Windmill Logos:	18.39 square feet each
Total square footage	150 square feet

North Elevation w/ 1 Windmill Logo and 1 Dutch Bros Coffee sign:	50 sqft sign / 1,176 sqft wall area = 4.25%
South Elevation w/ 1 Dutch Bros Coffee sign:	31.5 sqft / 934.5 sqft wall area = 3%
East Elevation w/ 1 Windmill Logo and 1 Dutch Bros Coffee sign:	50 sqft / 679 sqft wall area = 7%
West Elevation w/ 1 Windmill Logo:	18.39 sqft / 570.5 sqft wall area = 3%

The sign program as proposed complies with the maximum wall coverage allowed for wall signs. However, the maximum total area allowed for all signs is calculated as 1.5 sqft per linear foot of building frontage, or 300 sqft, whichever is less. The maximum total area shall not be lower than 50 sqft. Because of the orientation of the building, the building's frontage is only 25 ft, which would allow a maximum of 50 sq ft worth of signage. The City's sign program regulations allow for a 10% increase in the total allowable sign area, which would only result in an additional 5 sqft. Given that Dutch Bros has a significantly smaller building square footage, and thus a smaller corresponding building frontage compared to traditional commercial buildings, if the north and south sides of the building, which are visible from Feather River Blvd, were included in the calculations for maximum allowed square footage, the maximum allowed sign area would be 183.5 sqft.

The Planning Commission is allowed to grant exceptions to the standards set forth in the city's sign code. Since the wall signage as proposed otherwise complies with the City's regulations for percent wall coverage, design, and height, and the inclusion of the north and south sides of the building visible from Feather River Blvd would result in a maximum allowable sign area reasonable to accommodate the needs of Dutch Bros and for the public to safely access the property, staff propose approving the sign program as designed.

The Development Review Committee reviewed the project on January 13th and again on February 10th and recommends approval of 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 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. Dutch Bros will be located in an area near similar commercial businesses. The intended 24 hours of operation per day is compatible with surrounding users who likewise are open late or also operate for 24 hours per day. 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.

Dutch Bros is a desirable and respected coffee and beverage purveyor for the neighborhood and the community as a whole.

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 drive-thru, 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. Resolution P2022-02
2. Notice of Exemption (CEQA)
3. Application Package
4. Sign Plans

RESOLUTION NO. P2022-02

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING MINOR USE PERMIT UP22-01 FOR A 950 SQUARE FOOT DUTCH BROS COFFEE WITH DOUBLE DRIVE-THRU LANES, WALK-UP SERVICE WINDOW, AND ASSOCIATED SITE IMPROVEMENTS AT 2366 FEATHER RIVER BLVD (APN 035-030-110)

WHEREAS, the City has received an application for the construction of a Dutch Bros Coffee on a vacant 0.64 acre parcel, address 2366 Feather River Blvd (APN 035-030-110); and

WHEREAS, The City of Oroville Municipal Code (OMC) Table 17.32.010-1 specifies that a Use Permit is required for all drive-through establishments; and

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

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "Infill Development Projects."
2. The Planning Commission approves the findings required by Section 17.48.010 of the Oroville City Code, as described in this Resolution.
3. The conditions of approval below 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.
4. The Planning Commission approves Use Permit UP 22-01, subject to the conditions in this resolution.

Required Findings for Use Permits (OMC 17.48.010)

- 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 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. Dutch Bros will be located in an area near similar commercial businesses. The intended 24 hours of operation per day is compatible with surrounding users who likewise are open late or also operate for 24 hours per day. 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.**

Dutch Bros is a desirable and respected coffee and beverage purveyor for the neighborhood and the community as a whole.

- 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 drive-thru, and is compatible with the General Plan, Zoning codes, and the Oroville Municipal Code.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission hereby conditionally approves Use Permit No. 22-01 for the construction of a new 950 square foot Dutch Bros Coffee with double drive-thru lanes, walk-up service window, and associated site improvements at 2366 Feather River Blvd (APN 035-030-110). The subject property has a zoning designation of Intensive Commercial (C-2). Per OMC Table 17.32.010-1, drive-through establishments are subject to a use permit in C-2 zones.

CONDITIONS OF APPROVAL

Prior to and during site grading.

1. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state, and federal requirements.
2. A site grading, drainage and improvement plan shall be prepared by a Registered Civil Engineer, in conformance with City standards, and shall be submitted to and approved by the Public Works Department prior to any work on the site. This plan shall also show:
 - I. The design of the sanitary sewer service system including the type and size of the sanitary sewer line lateral, and the proposed point of connection the sewer main.
 - II. Existing and proposed easements.
 - III. Proposed elevations of finished improvements (parking area, onsite curbs, planters, etc.) within the project at an adequate level of detail to demonstrate drainage flow directions within the project boundaries.
 - IV. Frontage improvements to include curb, gutters and sidewalk constructed to ADA standards; asphaltic concrete pave out (1-foot minimum, or wider if necessary) along new curb, gutters and sidewalk adequate to provide proper street drainage along the project frontage.
 - V. Street lighting shall be provided in accordance with City of Oroville requirements and accepted design criteria. A street lighting plan shall be submitted to the Public Works

Department. Streetlight poles shall be spun aluminum or other material as approved by the Public Works Department.

3. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbances of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.
4. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines in order to prevent degradation of ambient air quality.
5. The City will require compliance with the latest "National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities" as ordered by the State Water Resources Control Board.
6. The City will require compliance with "NPDES General Permit and Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Order) Order No. 2013--0001-DWQ" Section E.12 "Post Construction Storm Water Management Program".

Prior to the issuance of building permits.

1. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.
2. The plans must show fire hydrant placement and FDC.
3. Landscape plans shall be approved by the Parks and Trees Department.
 - I. Parking lots shall meet the 50% shade factor prior to occupancy in accordance with City Code §17.12.050.
 - II. Landscaping shall be installed around the trash enclosure to ensure sufficient screening from Feather River Blvd.
4. Pursuant to City Code §17.12.050, the property owner or responsible party shall submit landscape plans prepared by a landscape architect registered with the State of California or a landscape contractor pursuant to Section 7027.5 of the Business and Professions Code. No building permits shall be issued for the site until all required landscaping and automatic irrigation plans have been approved, including for the landscaping to be installed in the public right-of-way and along the side access road.
5. The building plans shall include an architecturally compatible method of screening any roof mounted HVAC system, or if the units are placed on the ground, the unit shall be screened by landscaping or a decorative fence.

Prior to and during construction.

1. All utilities shall be placed underground.

2. The developer will be responsible for the cost of all water improvements (meters, boxes, valves, lines, backflow devices, etc.), which are required to meet Cal Water water service improvement standards. The cost of all fire lines and hydrants shall also be the developer's responsibility.

Prior to occupancy.

1. Knox Box access shall be provided as appropriate.
2. Pursuant to Section 17.12.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County Recorder.
3. All landscaping shall be installed in conformance with the approved landscape plans.
4. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be covered and large enough to provide adequate storage for solid waste and recyclable materials generated by the development. In addition, a roof cover shall be provided for the enclosure.
5. All frontage improvements along Feather River Blvd shall be installed by the property owner or responsible party. Curb, gutter, sidewalk, and streetlights shall be constructed to City standards.
6. The side access road shall be brought into compliance with City standards for a commercial driveway, including but not limited to ADA curb ramps and curb, gutter, and sidewalks along the length of the south side of the access road adjacent to the Dutch Bros project site (APN 035-030-110).

Other.

1. Under no circumstance shall vehicle queuing on the project site spillback onto Feather River Blvd. If vehicle stacking becomes an issue, employees shall be trained to mitigate congestion, including through the utilization of order runners, traffic direction, or another method acceptable to city staff to prevent spillback onto the public roadway.
2. The applicant shall submit a separate building permit application for any signage. All signage shall be designed and maintained according to the Oroville Sign Code and the approved sign program submitted as part of the use permit application under file No. DRC 22-01/UP22-01, and Trakit file No. PL2112-007 date stamped January 28, 2022.

General Conditions.

1. The applicants and any tenants or subsequent owners shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of their business operations.
2. The applicant and any tenants shall ascertain and comply with all requirements of the Butte County Environmental Health Department.
3. The proposed use shall substantially conform to the project description and submitted plans for the project under file No. DRC 22-01/UP22-01, and Trakit file No. PL2112-007 date stamped January 28, 2022. 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.

4. Pursuant to Section 17.12.010, the buildings shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
5. 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.
6. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
7. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
8. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance will suffice.
9. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant and/or property owner in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
10. Pursuant to Section 17.12.050, landscaped areas shall be continually maintained in good condition and shall be kept clean and weeded and trees shall be pruned in a natural pattern and shall not be topped or pollarded. Maintenance shall include but not be limited to:
 - I. Cultivation of planting beds and mowing to maintain grassy areas.
 - II. Pruning of plants as necessary to control and direct growth.
 - III. Replacement of dead or unhealthy plant material in accordance with the approved landscaping plan.
 - IV. Fertilization as needed to ensure proper plant growth.
 - V. Repair or replacement of irrigation system components and irrigation drainage components, as needed, to maintain the system in good working condition.
11. Applicant shall monitor occupancy and will institute controls to limit the number of patrons both inside of the building and outside of the building.
12. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
13. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
14. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:

- I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - II. Any of the terms or conditions of the permit have been violated.
 - III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
 - IV. The permit was obtained by fraud.
15. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
16. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.

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 24th of February 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

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 UP22-01 for the construction of a 950 square foot Dutch Bros Coffee, with associated site improvements, at 2366 Feather River Blvd.

Project Location – Specific: 2366 Feather River Blvd

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Dutch Bros Coffee is proposing a new 950 square-foot building, double drive-through lanes with stacking for up to 19 vehicles, landscaping, parking-lot improvements, and other associated site improvements. The project site is located on approximately 0.64 acres on the west side of Feather River Blvd, (Address: 2366 Feather River Blvd; APN: 035-030-110), immediately north of the new Maverik fueling station. The intended hours of operation is 24 hours per day. The property has a zoning designation of Intensive Commercial (C-2). According to the Oroville Municipal Code (OMC), drive-thru establishments require a Use Permit within C-2 zones.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Russ Orsi, Dutch Bros, LLC; Hal Grubb, Barghausen Consulting Engineers

Exempt Status (Check One):

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

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

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

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the project will have a significant effect on the environment. The proposed use will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

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

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

If filed by applicant:

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

Lead Agency Contact Person: Connor Musler

Telephone: (530) 538-2430

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant



City of Oroville

Planning Division - Community Development Department

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

Item 2.

TRAKIT#:

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 checked="" type="checkbox"/> | 1. Site and floor plans , including the location, square footage and use of all structures. |
| <input checked="" type="checkbox"/> | 2. Architectural drawings showing proposed building elevations. |
| <input checked="" type="checkbox"/> | 3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed |
| <input checked="" type="checkbox"/> | 4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes. |
| <input checked="" 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. Drawings of all signs that are proposed in association with the project. |
| <input checked="" type="checkbox"/> | 7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities. |
| <input checked="" type="checkbox"/> | 8. Plans showing the location and square footage of any existing or proposed outdoor storage areas. |
| <input checked="" type="checkbox"/> | 9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project. |
| <input checked="" type="checkbox"/> | 10. Hours of operation for all proposed land uses. |
| <input checked="" type="checkbox"/> | 11. Number of employees and fleet vehicles for all proposed land uses |
| <input checked="" type="checkbox"/> | 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	X	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: Russ Orsi Date: 10/15/2021 | 8:09 AM PDT

OFFICE USE ONLY

Approved By:		Date:	
Payment:		Number:	

PROJECT DESCRIPTION	
Present or Previous Use:	Vacant lot
Proposed Use:	Dutch Bros Coffee
Detailed Description:	
<p>The proposed scope of work includes construction of a new 950-square-foot Dutch Bros with a drive-through service window. Site improvements will include asphalt paving and parking lot striping, a double drive-through lane with stacking for up to 19 vehicles, a bypass lane, parking and a trash and recycling enclosure. A separate covered service window will be offered for walk-up customers on the opposite side of the building from the drive-through service window. A total of eleven (11) parking spaces will be constructed on the subject property to serve Dutch Bros Coffee.</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

Planning Division - Community Development Department

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TRAKIT#:

Item 2.

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	Engineer
Name:	Russ Orsi - Dutch Bros, LLC	Name:	Hal P. Grubb
Address:	110 SW 4th Street, Grants Pass, OR 935	Company:	Barghausen Consulting Engineers, Inc
Phone:	916-765-7270	Address:	18215 72nd Avenue S, Kent, WA 980
Email:	russ.orsi@dutchbros.com	Phone:	425-656-7453
Is the applicant the Owner?	<input type="checkbox"/>	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	
		Email:	sking@barghausen.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 checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>	Final Map	<input type="checkbox"/>	Residential Density Bonus	<input type="checkbox"/>	Variance
<input type="checkbox"/>	General Plan Amendment/Rezone	<input type="checkbox"/>	Temporary Use	<input type="checkbox"/>	Wireless Communication Facilities
<input type="checkbox"/>	Landmark Designation	<input type="checkbox"/>	Tentative Map Extension	<input type="checkbox"/>	Zoning Clearance
<input type="checkbox"/>	Other: (Please Specify)				

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 checked="" 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: Dutch Bros Coffee	Proposed Structure(s) (Sq Ft.): 950 SF
Address: 2366 Feather River Blvd	Existing Structure(s) (Sq Ft.): N/A
Nearest Cross Street: Oro Dam Blvd E	Water Provider: Cal Water
Assessor Parcel Number: 035-030-110	School District: Oroville Elementary and High School
Lot Size (Acres): 0.64	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>Russ Orsi</i>	Date: 10/15/2021
-----------------------------	------------------

OFFICE USE ONLY

General Plan:	Zoning:	Zoning Conformity:	APN:			
File#	Overlay Zoning:	Minimum Setbacks:	FY	RY	SY	22

AGENT AUTHORIZATION			
To the City of Oroville, Department of Community Development			
NAME OF AGENT:	Sanjiv Chopra	PHONE NUMBER:	702-843-4251
COMPANY NAME:	Rhino Investments	EMAIL:	sanjiv@rhinoig.com
ADDRESS:	2200 Paseo Verde	CITY/ST/ZIP:	Henderson, NV 89052
AGENT SIGNATURE: Sanjiv Chopra, Managwr			
Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):			
035-030-110			
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)	Sanjiv Chopra, Managwr		10.14.2021
	Print Name of Owner	Signature of Owner	Date
2)
	Print Name of Owner	Signature of Owner	Date
3)
	Print Name of Owner	Signature of Owner	Date
4)
	Print Name of Owner	Signature of Owner	Date

	Owner's Mailing Address	Owner's Email	Owner's Phone #

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

Technology cost recovery fees are non-refundable



January 27, 2022

Connor Musler
Assistant Planner
City of Oroville
Development Review Committee

RE: Responses to Comments
Dutch Bros Coffee
2366 Feather River Boulevard, Oroville, California, 95965
Our Job No. 22036

Dear Connor:

We have revised the plans and technical documents for the above-referenced project in accordance with your comment letter dated January 13, 2022. Enclosed are the following documents for your review and approval:

1. Preliminary Site Plan and Utility Plan
2. Preliminary Landscaping Plans
3. Signage Plans

The following outline provides each of your comments in italics exactly as written, along with a narrative response describing how each comment was addressed:

Next Steps and Notes

1. *Revise plans to show frontage improvements along Feather River Blvd and the side access road, including any ADA curb ramps.*

Response: Sidewalk and landscaping improvements shown, and ADA access ramps shown on northern driveway.

2. *Revise landscape plans to show landscaping along the ROW of Feather River Blvd and along the side access road.*

Response: Landscaping shown along the right-of-way of Feather River and side access road.

3. *Confirm that landscaping around the trash enclosure will adequately screen the enclosure from Feather River Blvd.*

Response: Landscaping will screen trash enclosure.

Connor Musler
City of Oroville, CA
Assistant Planner

-2-

January 27, 2022

4. *Provide sign details and dimensions, including any proposed monument signage along Feather River Blvd.*

Response: Sign details are included with the submittal package.

5. *Confirm hours of operation.*

Response: Store will be open 24 hours per day.

6. *Confirm if Dutch Bros is leasing or purchasing the parcel from the property owner. This will determine who is responsible for the installation and maintenance of the landscaping, curb, gutter, and sidewalk along the side access road. An LMA will be executed for the Dutch Bros parcel and will include the maintenance of these areas by the property owner. The maintenance of the landscaping along the access road may change to the other property owner once developed with a separate LMA executed. A separate exhibit showing the ROW to be maintained at the expense of the property owner may be needed as part of the LMA.*

Response: Dutch Bros. is leasing the parcel from the property owner.

7. *After revisions are made, return to DRC on February 10 for final review and recommendation to Planning Commission.*

Response: This comment is noted.

8. *Planning Commission consideration of Use Permit on February 24, 2022.*

Response: This comment is noted.

Marked up Plans with Comments

- *Consider concrete curb paving for runners*

Response: A 60-inch runners walk is already provided.

- *Curb, gutter, sidewalk required along access road at least to driveway*

Response: Sidewalk along Feather River and north side access road is to be installed and permitted by others.

- *ADA Curb Ramp Needed*

Response: ADA ramps were added to northern driveway. Landlord's engineer is waiting for geometrics for driveway at Feather River Boulevard and will add ADA ramps once geometrics are received.

- *Confirm sidewalk along entire frontage*

Response: Sidewalk added along Feather River. Sidewalk to be permitted by others.

Connor Musler
City of Oroville, CA
Assistant Planner

-3-

January 27, 2022

- o *Need to show landscaping here*

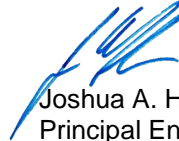
Response: Landscaping shown along the right-of-way of Feather River and side access road is to be permitted by others.

- o *Need to show landscaping here*

Response: Landscaping shown along the right-of-way of Feather River and side access road is to be permitted by others.

We believe that the above responses, together with the enclosed revised plans and technical documents, address all of the comments in your letter dated January 13, 2022. Please review and approve the enclosed at your earliest convenience. If you have questions or need additional information, please do not hesitate to contact me at this office. Thank you.

Sincerely,



Joshua A. Harlan, P.E.
Principal Engineer

CT/sdb/jd
22036c.001
enc: As Noted

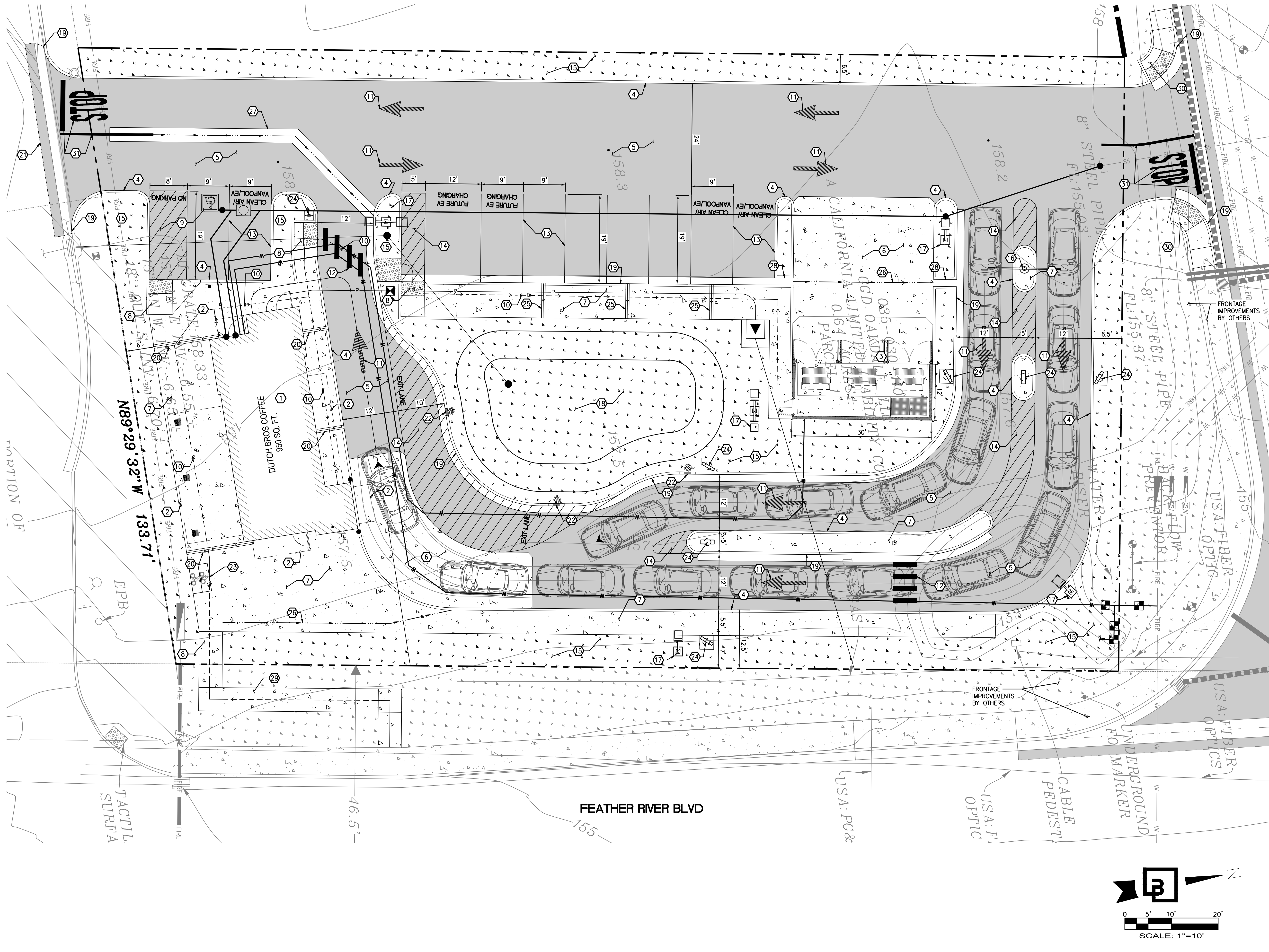


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DUTCH BROS COFFEE - CA1806 - OROVILLE, CA

2366 FEATHER RIVER BLVD

PRELIMINARY SITE PLAN



NAME: DUTCH BROS COFFEE - CA1806 - OROVILLE, CA
 LOCATION: 2366 FEATHER RIVER BLVD., OROVILLE, CA 95965
 APN: 035-030-110

PROPOSED USE: DRIVE-THRU COFFEE STAND

LOT AREA: GROSS PROJECT AREA: 28,067 SF (0.64 ACRES)
 PARCEL AREA: 28,067 SF (0.64 ACRES)

ZONING: MXC (CORRIDOR MIXED USE)

FLOOD PLAIN: ZONE "X"

BUILDING: BUILDING AREA: 950 SQ. FT.
 BUILDING HEIGHT: 24'-0"
 FIRE SPRINKLERS: NOT REQUIRED

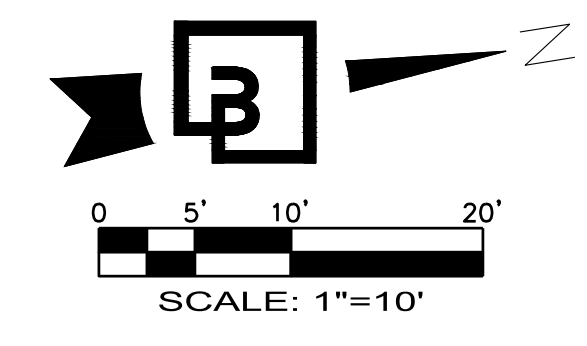
PARKING SPACES:
 - REQUIRED: 10 SPACES (1 PER 100 SF BUILDING AREA)
 - PROPOSED: 10 SPACES INCLUDING 1 ADA STALL & 3 CLEAN AIR/VANPOOL/VEV STALLS
 - PROPOSED: 2 FUTURE EV CHARGING PARKING STALLS

PROPOSED GROUND COVER SUMMARY:

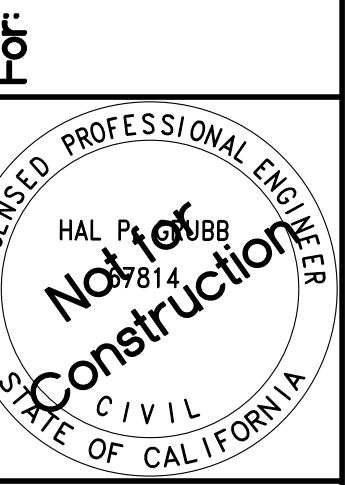
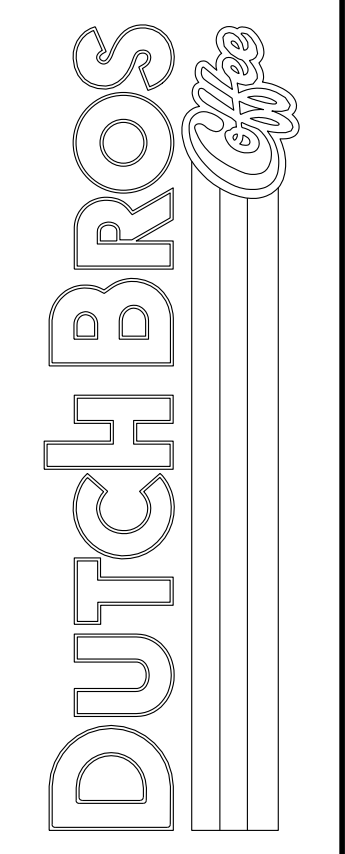
BUILDINGS (INCLUDES TRASH ENCLOSURE):	1,190 SF	(4.2%)
PARKING AND MANEUVERING:	15,122 SF	(53.9%)
WALKWAYS:	3,790 SF	(13.5%)
LANDSCAPE:	7,965 SF	(28.4%)
TOTAL:	28,067 SF	(100.0%)

FLOOD ZONE:
 THE FLOOD ZONE DESIGNATION FOR THE SUBJECT PROPERTY IS ZONE "X". PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP

- CONSTRUCTION NOTES:**
- PROPOSED DUTCH BROS COFFEE. SEE ARCHITECTURAL PLANS FOR DETAILS.
 - PROPOSED CANOPY. SEE ARCHITECTURAL PLANS FOR DETAILS.
 - PROPOSED 30'X12' TRASH ENCLOSURE WITH CONCRETE PAD. SEE ARCHITECTURAL PLANS FOR DETAILS.
 - PROPOSED CONCRETE BARRIER CURB, TYPICAL.
 - PROPOSED ASPHALT PAVEMENT, TYPICAL.
 - PROPOSED ON-SITE CONCRETE PAVEMENT, TYPICAL.
 - PROPOSED ON-SITE CONCRETE SIDEWALK, TYPICAL.
 - PROPOSED ACCESSIBLE RAMP.
 - PROPOSED ACCESSIBLE PARKING SPACE AND AISLE WITH ALL REQUIRED SIGNAGE.
 - PROPOSED ADA PATH OF TRAVEL.
 - PROPOSED DIRECTIONAL PAVEMENT MARKINGS, TYPICAL.
 - PAINT CONTINENTAL TYPE PEDESTRIAN CROSSWALK STRIPING; 1 FOOT WIDE STRIPES SPACED 2 1/2' FEET ON CENTER.
 - PROPOSED 4" WIDE WHITE REFLECTIVE PAINT PARKING STALL STRIPES, TYPICAL.
 - PROPOSED PAVEMENT STRIPING, TYPICAL.
 - PROPOSED LANDSCAPE AREA, TYPICAL.
 - PROPOSED CLEARANCE BAR. REFER TO SIGNING PLANS BY OTHERS FOR ADDITIONAL INFORMATION, TYPICAL.
 - PROPOSED SITE LIGHTING. REFER TO PLANS BY OTHERS FOR ADDITIONAL INFORMATION, TYPICAL.
 - PROPOSED BIORETENTION POND
 - PROPOSED CURB AND GUTTER.
 - PROPOSED TRENCH DRAIN.
 - APPROXIMATE SAWCUT LIMITS
 - PROPOSED CURB CUT
 - PROPOSED BICYCLE RACK
 - PROPOSED SIGN. REFER TO SIGNING PLANS BY OTHERS FOR ADDITIONAL INFORMATION, TYPICAL.
 - PROPOSED SIDEWALK DRAIN
 - PROPOSED PAVEMENT SWALE
 - PROPOSED CONCRETE SWALE
 - PROPOSED THROUGH PLANTER DRAIN
 - PROPOSED SIDEWALK PER CITY OF OROVILLE STANDARD AND SPECIFICATIONS
 - PROPOSED ACCESSIBLE RAMP PER CITY OF OROVILLE STANDARD AND SPECIFICATIONS
 - PROPOSED PAVEMENT MARKINGS 'STOP' AND STOP BAR AND 20' LANE STRIPING



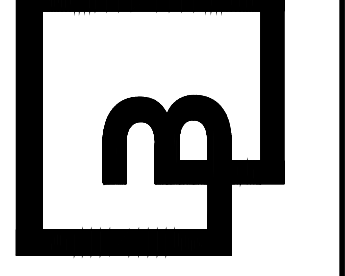
PRELIMINARY SITE PLAN
 2366 FEATHER RIVER BLVD
 OROVILLE, CA 95965



Scale:
 Horizontal 1" = 10'
 Vertical N/A

Designed: JAH
 Drawn: JAH
 Checked: JAH
 Approved: HFS
 Date: 12/10/21

Barghausen Consulting Engineers, Inc.
 18215 72nd Avenue South
 Kent, WA 98032
 425.251.6222 barghausen.com



Job Number: 22036
 Sheet: 1 OF 2
 2019 DB
 Franchising USA, LLC

The name DUTCH BROS, and all associated logos, distinctive designs, content, information, and other materials featured, displayed, contained herein, and made available by Dutch Bros., including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials") are owned by and/or licensed by DB Franchising USA, LLC and are protected by copyright, trademark, trade dress, patent, and/or other intellectual property rights and unfair competition laws under the United States and foreign laws.

27
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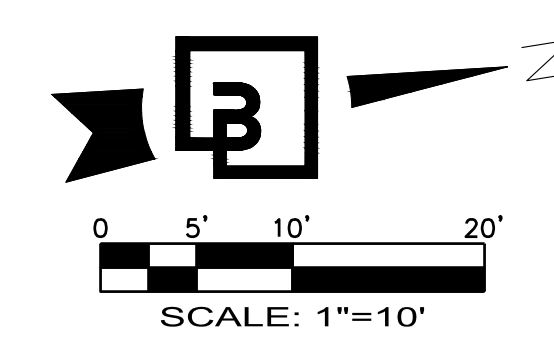
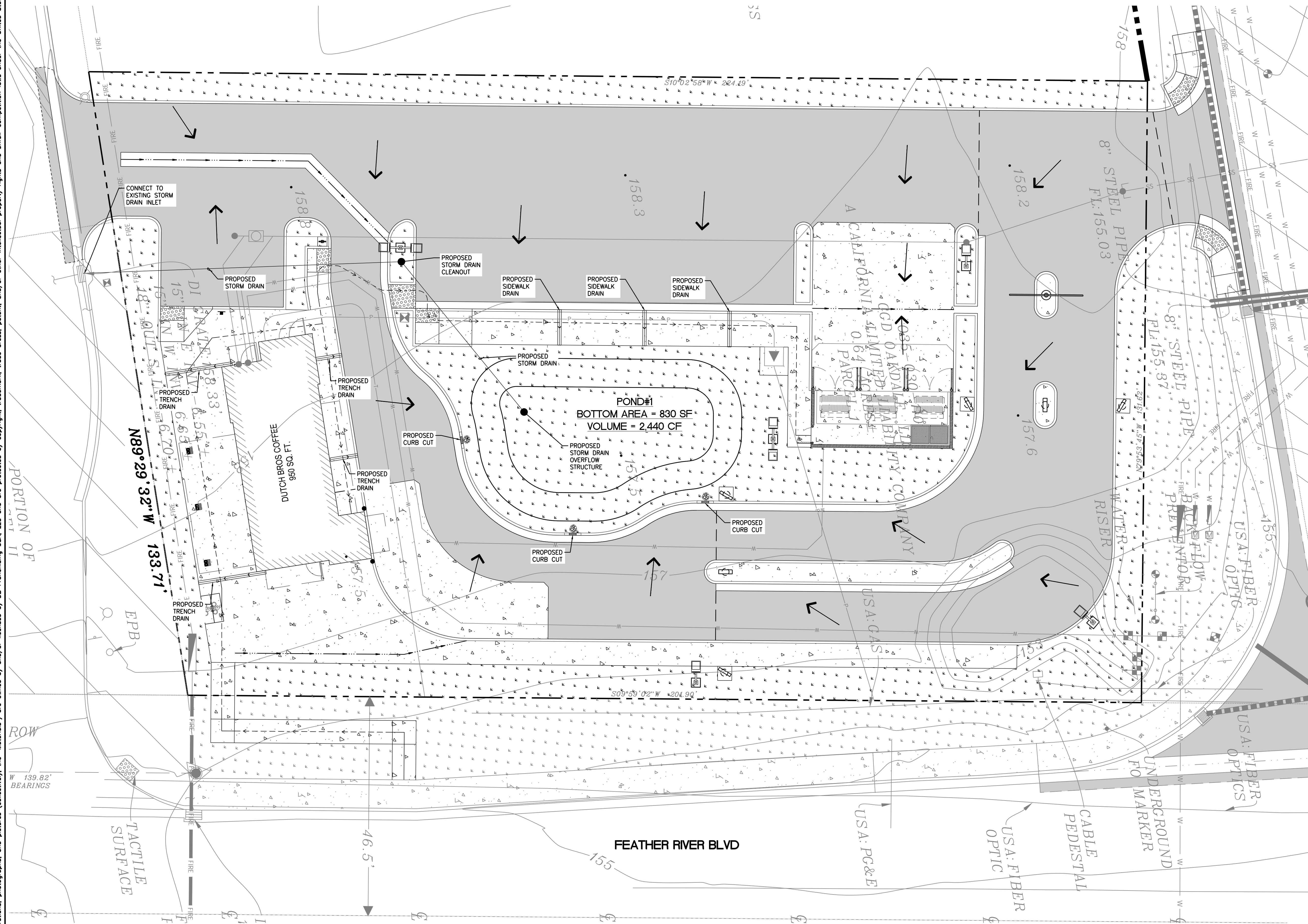


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DUTCH BROS COFFEE - CA1806 - OROVILLE, CA

2366 FEATHER RIVER BLVD

PRELIMINARY DRAINAGE PLAN



LEGEND	
BUILDING LINE	
EXISTING CURB TO REMAIN	
PROPOSED CURB	
PROPOSED LANDSCAPING	
PROPOSED ASPHALT	
PROPOSED CONCRETE	
FLOW ARROW	

<p>Job Number 22036</p>	<p>Sheet 2 OF 2</p> <p style="font-size: 8px;">2019 DB Franchising USA, LLC</p>	<p>Barghausen Consulting Engineers, Inc. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com</p>	<p>Scale: Horizontal 1" = 10' Vertical N/A</p> <p>Designed: JAH Drawn: JAH Checked: JAH Approved: HFS Date: 12/10/21</p>
<p>Job Title PRELIMINARY DRAINAGE PLAN</p> <p>Job Address 2366 FEATHER RIVER BLVD</p> <p>Job City OROVILLE, CA 95965</p>			
<p>© 2021 Barghausen Consulting Engineers, Inc. All rights reserved. This drawing is the property of Barghausen Consulting Engineers, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Barghausen Consulting Engineers, Inc.</p>			

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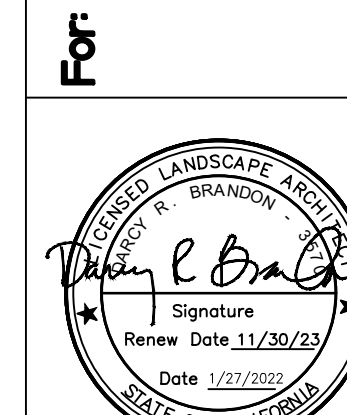
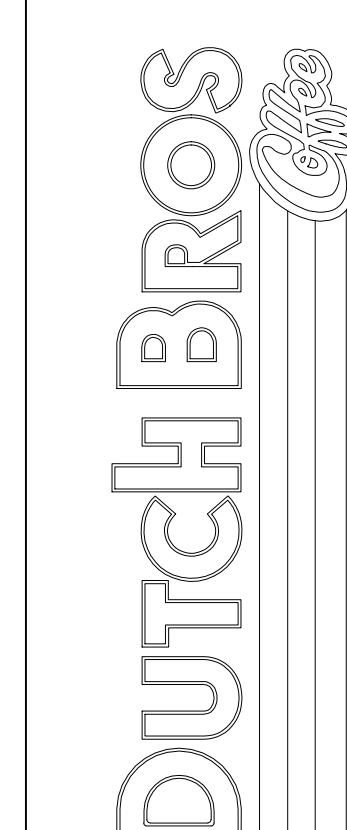
DUTCH BROS COFFEE - CA1806 - OROVILLE, CA

2366 FEATHER RIVER BLVD



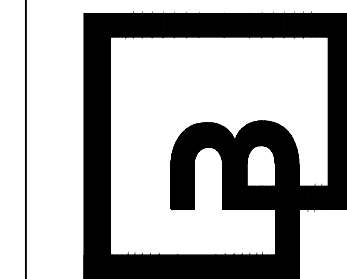
(800) 680-6630
11801 Pierce Street, Suite 200
Riverside, CA 92505
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PLANTING DETAILS & SPECIFICATIONS
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PLANTING SPECIFICATIONS

GENERAL

- A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR**
- ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
 - A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
 - THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID CONTRACTORS LICENSE ISSUED BY THE APPROPRIATE LOCAL JURISDICTION.
- B. SCOPE OF WORK**
- WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND /OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
 - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
 - THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

- A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.**
- B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:**
- FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMATIC CONDITIONS.
 - ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM GIRDLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
 - TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (BB&B), UNLESS SPECIFIED ON THE PLANTING LEGENDS. ALL TREE ROOTS ARE NOT ACCEPTABLE. REMOVE ANY ROOTS THAT ARE EVEN IF DETERMINED TO STILL BE ALIVE. SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
 - ALL TREES SHALL BE STANDARD IN FORM UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
 - CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL, WHERE CALIPER MEASUREMENTS ARE USED. THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
 - ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
- C. TOPSOIL:** SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN 1/2 INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
- D. COMPOST:** WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISEMENS; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
- E. FERTILIZER:** GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY (SEE BELOW).
- F. MULCH:** SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
- G. TREE STAKING AND GUYING**
- STAKES: 6" LONG GREEN METAL T-POSTS
 - GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
 - STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GRIMMETTS TO PREVENT DAMAGING.
- J. PRE-EMERGENT HERBICIDES:** ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

- A. SOIL PREPARATION**
- BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
 - SOIL TESTING:
 - AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
 - THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR), AND BORON CONTENT.
 - THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
 - THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL ORNAMENTAL PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
 - THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
 - FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
 - TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 SF.
 - 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
 - "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - IRON SULPHATE - 2 LBS. PER CU. YD.
- B. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.**
- A. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.**
- B. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.**
- C. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.**
- D. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.**
- E. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.**
- ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.**

SUBMITTALS

- THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
 - SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREES/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
 - SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
 - WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.
- C. GENERAL PLANTING**
- REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
 - EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
 - TRENCHING NEAR EXISTING TREES:
 - CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2' AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
 - ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
 - ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2' AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2' AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST.
 - ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.

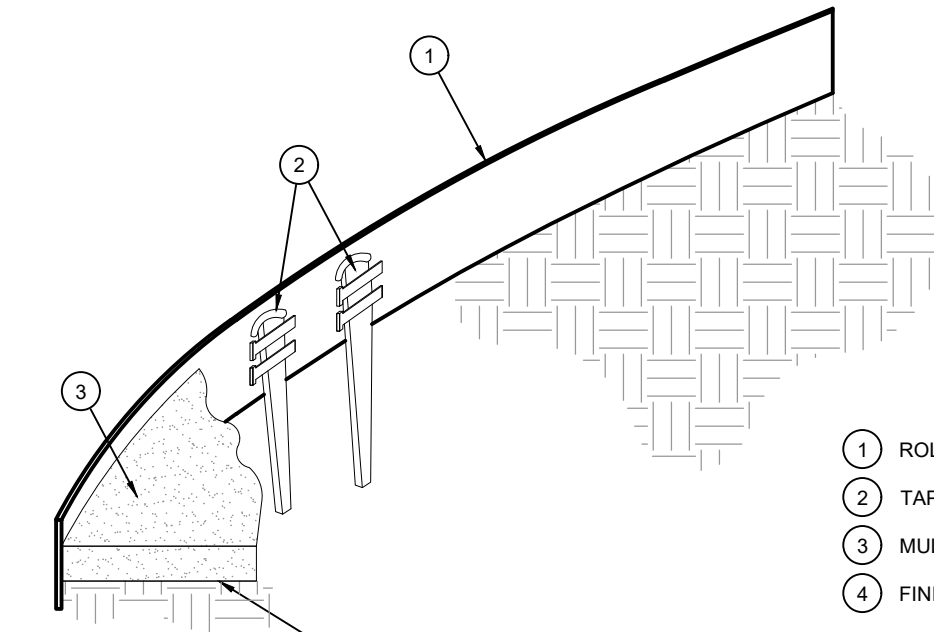
- D. TREE PLANTING**
- TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES.
 - SCARE THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
 - FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1/2" SHAVE OFF THE SURFACE OF THE ROOTBALL. THE ROOTBALL OF ALL TREES MUST BE PLACED INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
 - INSTALL THE TREE INTO THE EXCAVATED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
 - BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" IN DIAMETER AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK. USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION TO THE ON-SITE SOIL.
 - TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
 - #16 CONT. 2" X 4" BOX TREES: TWO STAKES PER TREE
 - 36"-48" BOX TREES: THREE STAKES PER TREE
 - OVER 48" BOX TREES: GUY AS NEEDED
 - MULTI-TRUNK TREES: THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
 - UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH THE WEED BARRIER CLOTH AND TOPDRESS WITH MULCH (TYPE AND DEPTH PER PLANS).
- D. SHRUB, PERENNIAL, AND GROUNDCOVER PLANTING**
- DIG THE PLANTING HOLES TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
 - INSTALL THE WEED BARRIER CLOTH, OVERLAPPING IT AT THE ENDS. UTILIZE STEEL STAPLES TO KEEP THE WEED BARRIER CLOTH IN PLACE.
 - WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.
- E. MULCH**
- INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TRENCHES.
 - DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.

CLEAN UP

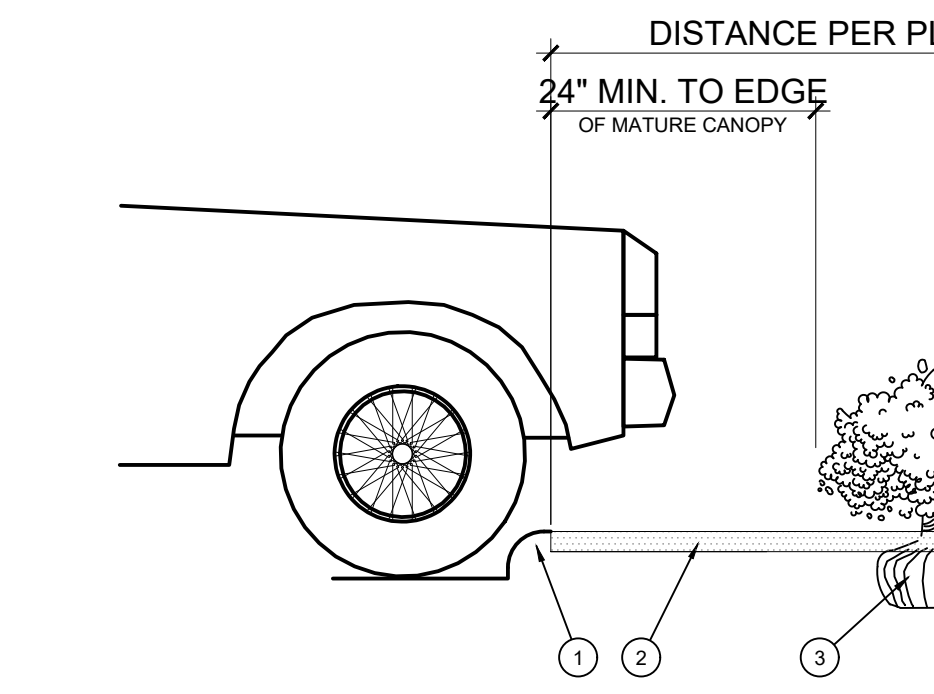
- DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
 - DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.
- G. INSPECTION AND ACCEPTANCE**
- UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
 - WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
 - THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.

LANDSCAPE MAINTENANCE

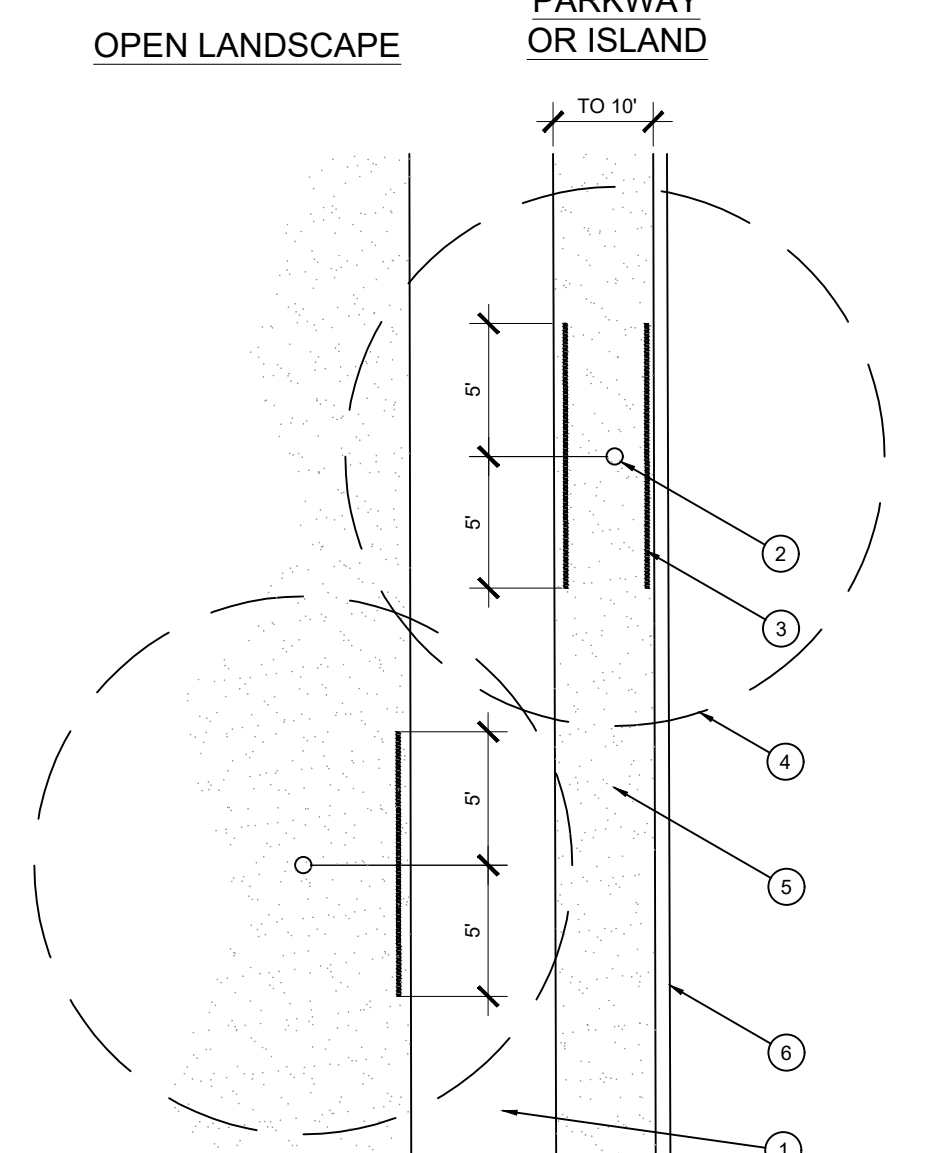
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, WEEDING, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
 - TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
 - THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
 - ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
- I. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS**
- THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
 - AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.
- J. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.**



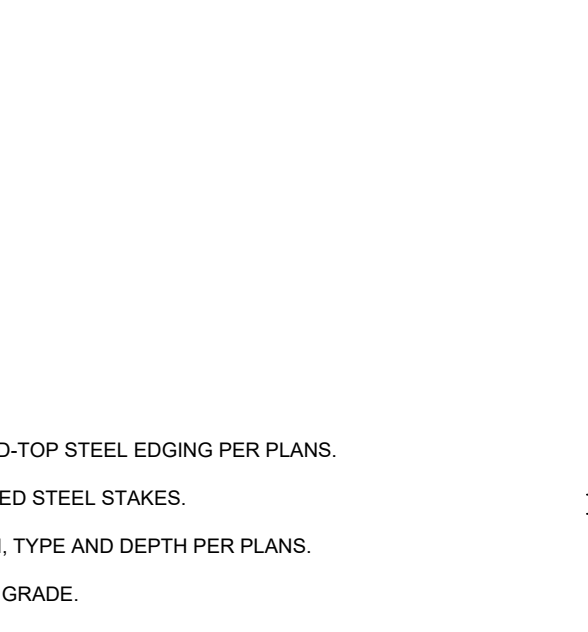
D STEEL EDGING
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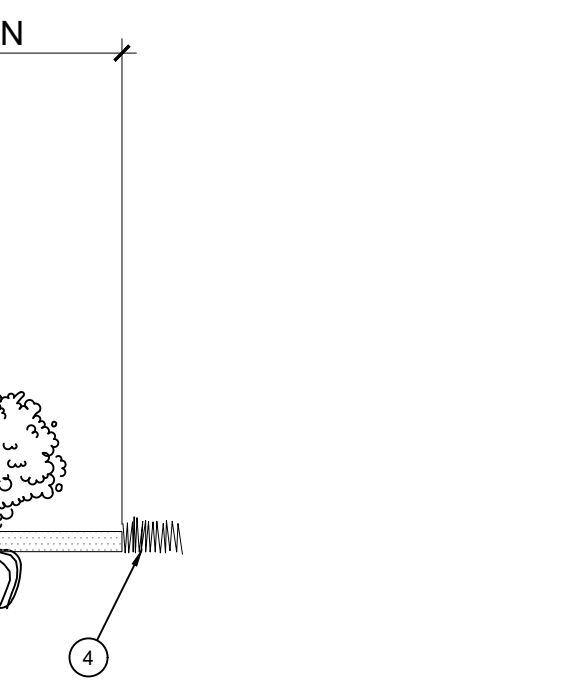
A TREE PLANTING
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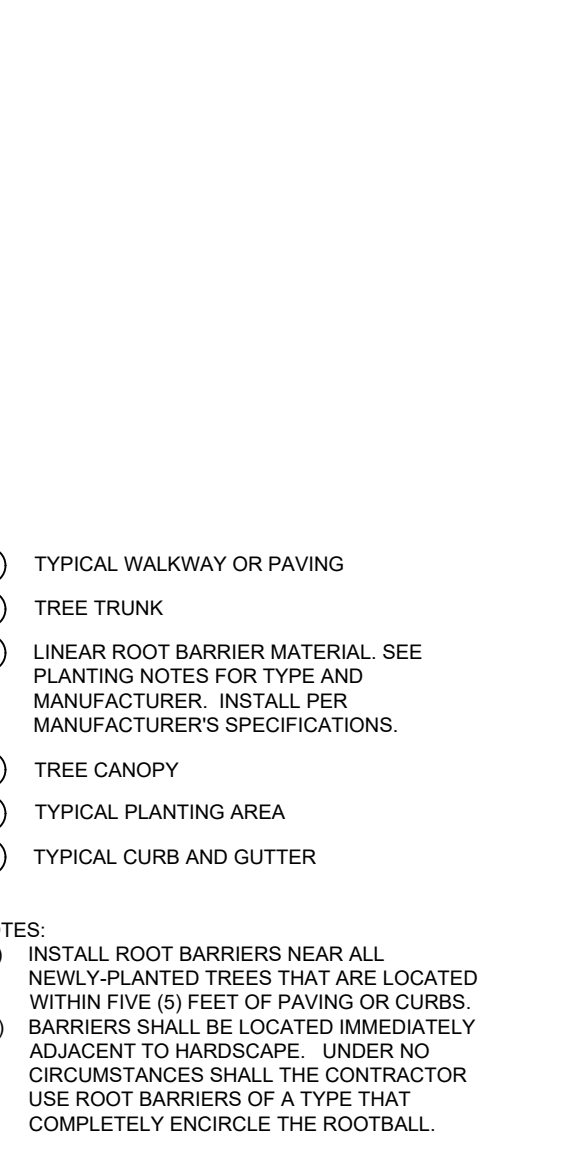
E PLANTING AT PARKING AREA
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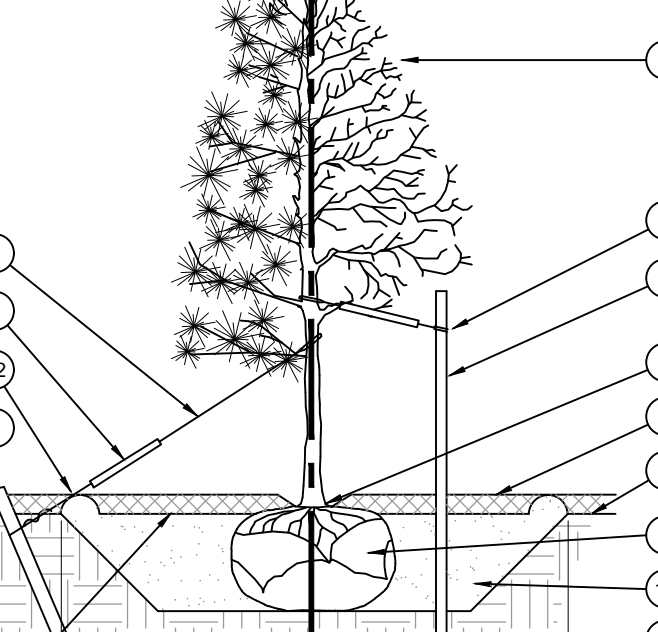
B SHRUB AND PERENNIAL PLANTING
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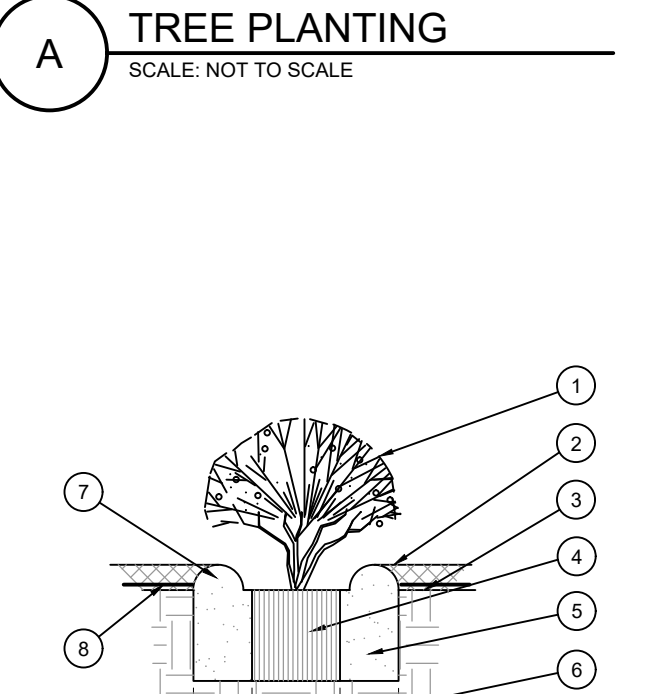
C PLANT SPACING
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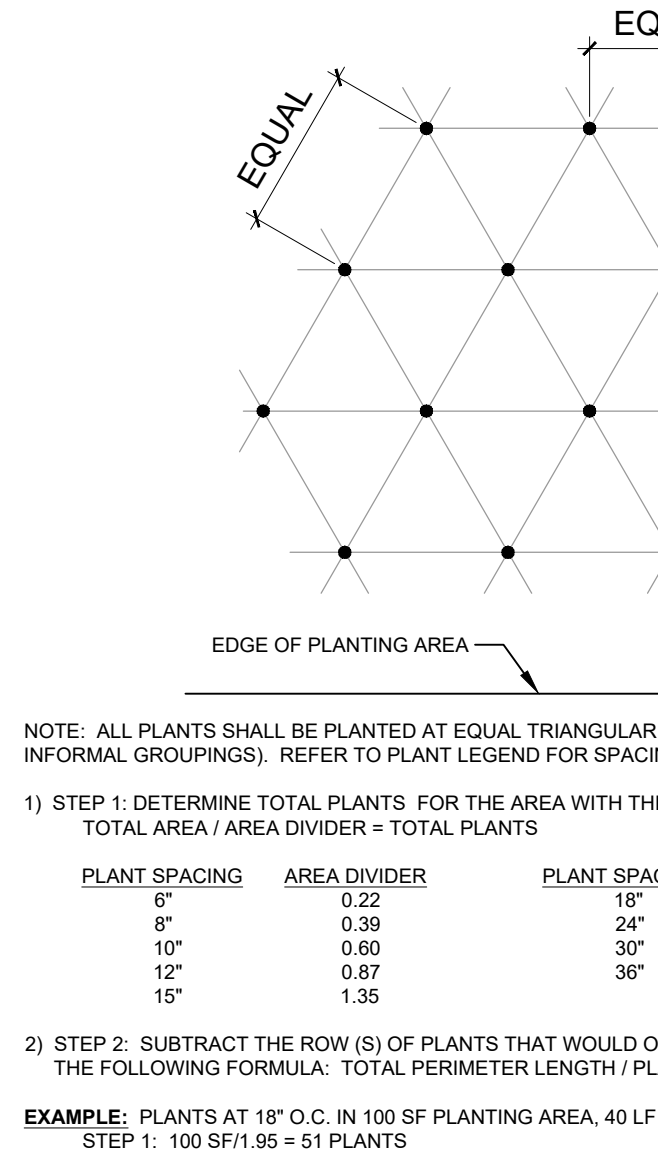
F ROOT BARRIER - PLAN VIEW
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A TREE STAKING
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B SHRUB AND PERENNIAL PLANTING
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C PLANT SPACING
SCALE: NTS

- TREE CANOPY.
- CINCH-TIES (24" BOX/2" CAL. TREES AND SMALLER) OR 12 GAUGE GALVANIZED WIRE WITH NYLON TREE STRAPS AT TREE AND STAKE (36" BOX/2.5" CAL. TREES AND LARGER). SECURE TIES OR STRAPS TO TRUNK JUST ABOVE LOWEST MAJOR BRANCHES.
- 24" X 3/4" P.V.C. MARKERS OVER WIRES.
- GREEN STEEL T-POSTS. EXTEND POSTS 12" MIN. INTO UNDISTURBED SOIL.
- PRESSURE-TREATED WOOD DEADMAN, TWO PER TREE (MIN.). BURY OUTSIDE OF PLANTING PIT AND 18" MIN. INTO UNDISTURBED SOIL.
- TRUNK FLARE.
- MULCH, TYPE AND DEPTH PER PLANS. DO NOT PLACE MULCH WITHIN 6" OF TRUNK.
- FINISH GRADE.
- ROOT BALL.
- BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
- UNDISTURBED NATIVE SOIL.
- 4" HIGH EARTHEN WATERING BASIN.
- FINISH GRADE.

- NOTES:**
- SCAREIFY SIDES OF PLANTING PIT PRIOR TO SETTING TREE.
 - REMOVE EXCESS SOIL APPLIED ON TOP OF THE ROOTBALL THAT COVERS THE ROOT FLARE. THE PLANTING HOLE DEPTH SHALL BE SUCH THAT THE ROOTBALL RESTS ON UNDISTURBED SOIL, AND THE ROOT FLARE IS 2"-4" ABOVE FINISH GRADE.
 - FOR B&B TREES, CUT OFF BOTTOM 1/3 OF WIRE BASKET BEFORE PLACING TREE IN HOLE. CUT OFF AND REMOVE REMAINDER OF BASKET AFTER TREE IS SET IN HOLE. REMOVE ALL NYLON TIES, TWINE, ROPE, AND OTHER PACKING MATERIAL. REMOVE AS MUCH BURLAP FROM AROUND ROOTBALL AS IS PRACTICAL.
 - REMOVE ALL NURSERY STAKES AFTER PLANTING.
 - FOR TREES 36" BOX/2.5" CAL. AND LARGER, USE THREE STAKES OR DEADMAN (AS APPROPRIATE), SPACED EVENLY AROUND TREE.
 - STAKING SHALL BE TIGHT ENOUGH TO PREVENT TRUNK FROM BENDING, BUT LOOSE ENOUGH TO ALLOW SOME TRUNK MOVEMENT IN WIND.

- SHRUB, PERENNIAL, OR ORNAMENTAL GRASS.
- MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MORE THAN 1" OF MULCH WITHIN 6" OF PLANT CENTER.
- FINISH GRADE.
- ROOT BALL.
- BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
- UNDISTURBED NATIVE SOIL.
- 3" HIGH EARTHEN WATERING BASIN.
- WEED FABRIC UNDER MULCH.



LOOKING SOUTH-WEST



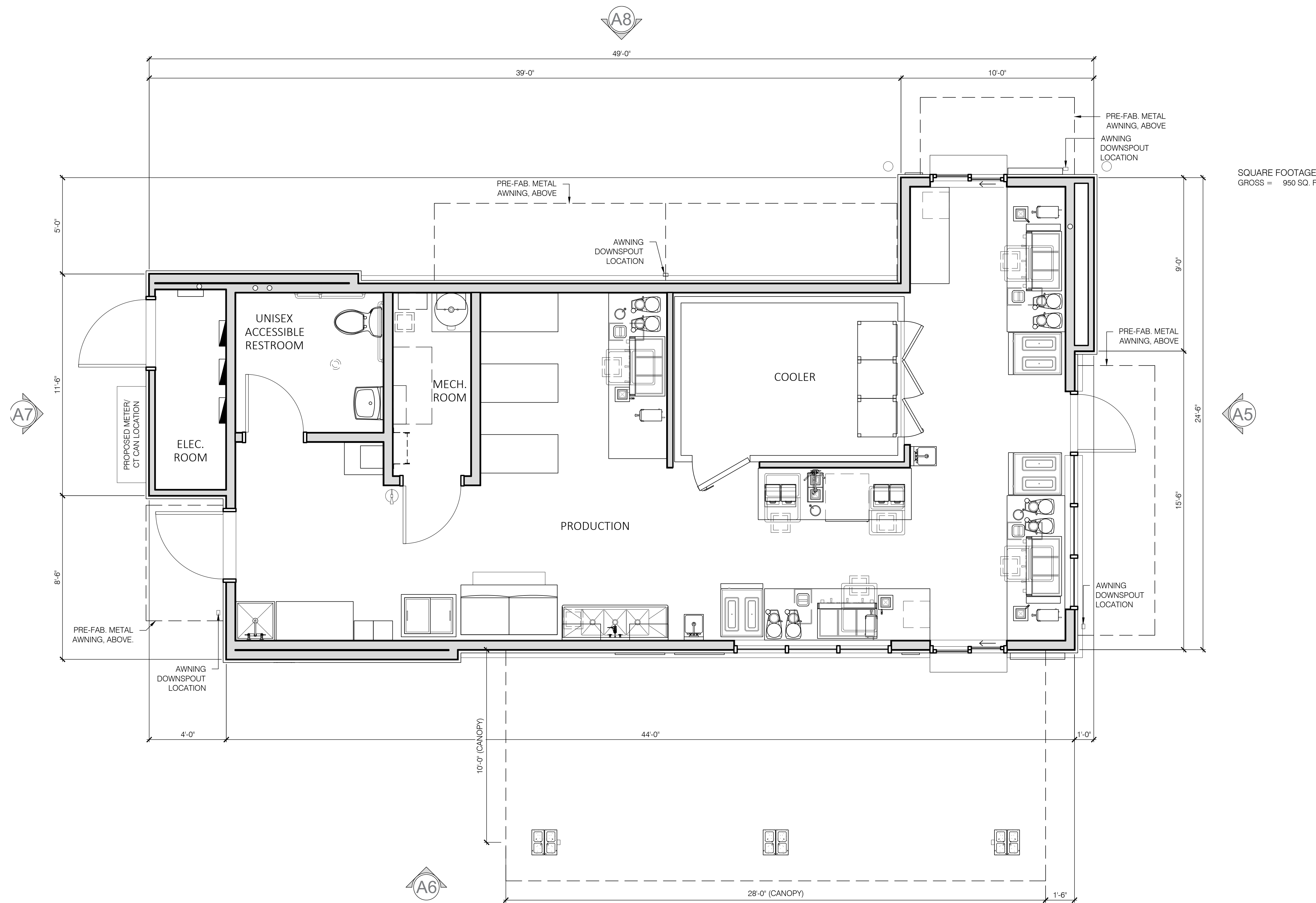
LOOKING SOUTH-EAST



LOOKING NORTH-WEST



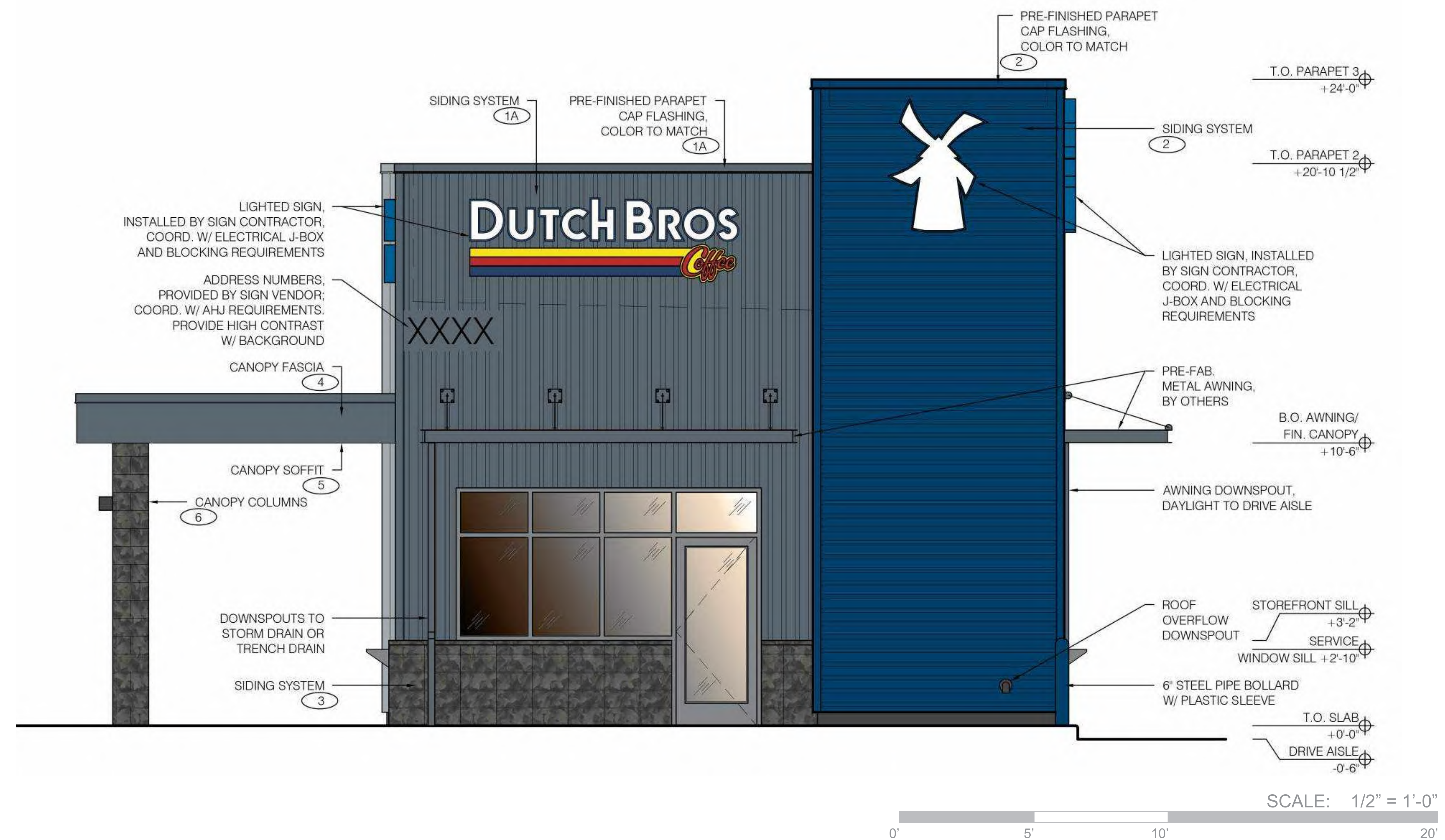
LOOKING NORTH-EAST



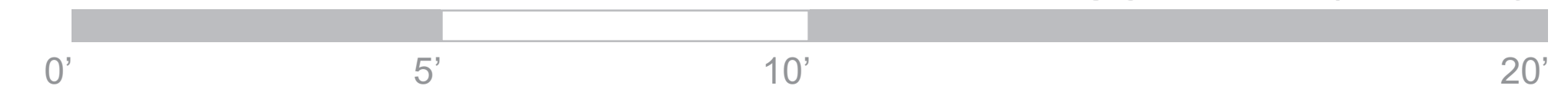


EXTERIOR FINISH SCHEDULE - PROTOTYPICAL w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB DARK GRAY
1B	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: HORIZONTAL; COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	CMU VENEER AND SILL	WILLAMETTE GRAYSTONE	4-8-16, SPLIT FACE	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DBC
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x6, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	WILLAMETTE GRAYSTONE	8-8-16, SPLIT FACE, 3-SIDES	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DB

NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY



SCALE: 1/2" = 1'-0"





EXTERIOR FINISH SCHEDULE - PROTOTYPICAL w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB DARK GRAY
1B	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: HORIZONTAL; COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	CMU VENEER AND SILL	WILLAMETTE GRAYSTONE	4-8-16, SPLIT FACE	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DBC
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x6, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	WILLAMETTE GRAYSTONE	8-8-16, SPLIT FACE, 3-SIDES	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DB

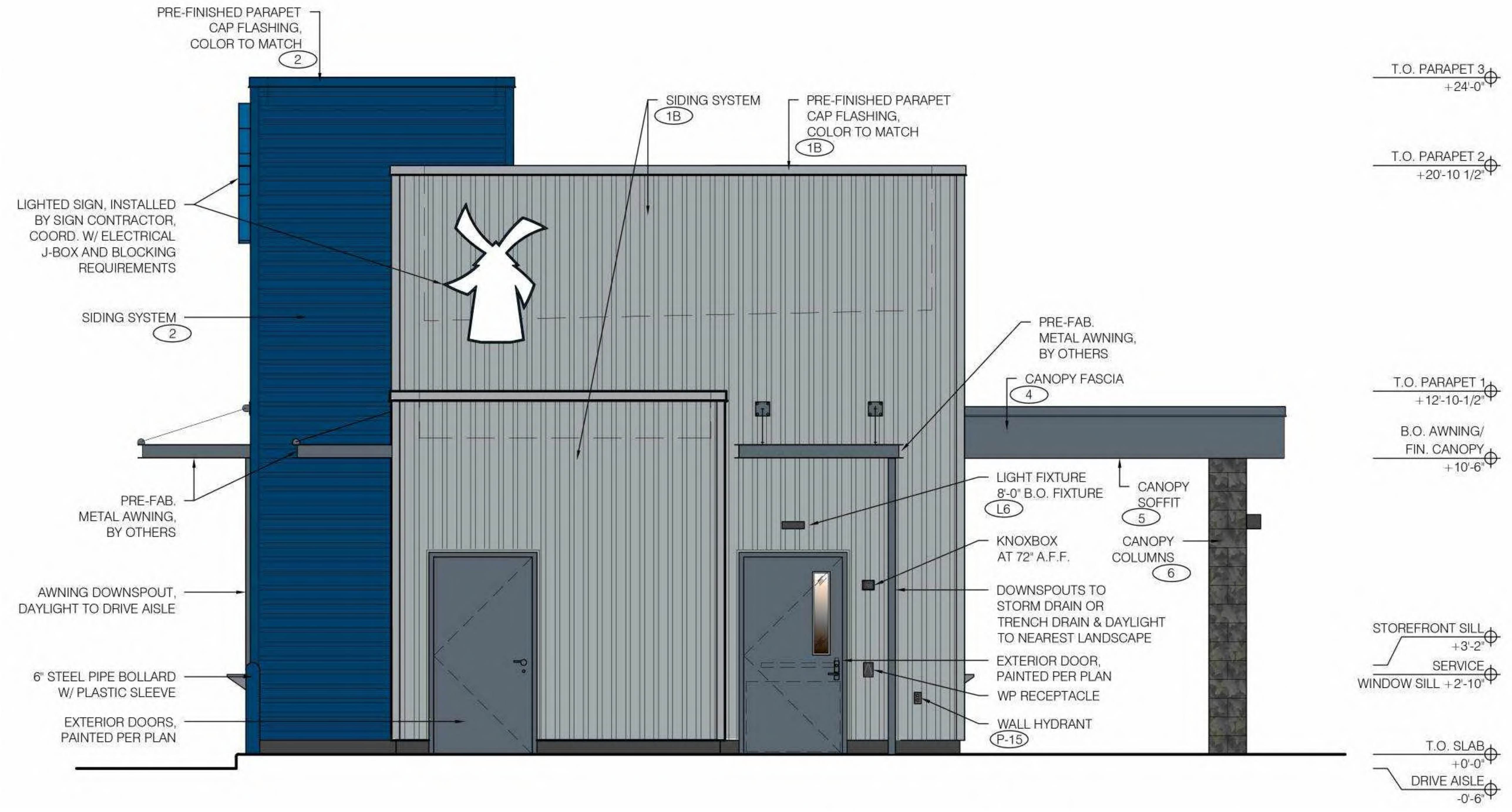
NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY



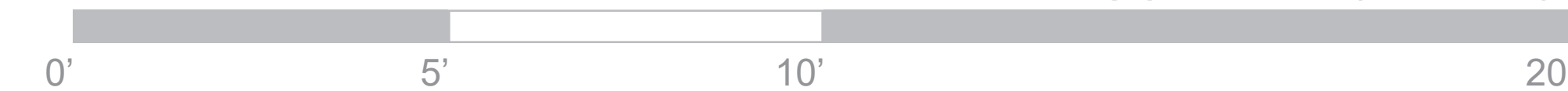


EXTERIOR FINISH SCHEDULE - PROTOTYPICAL w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB DARK GRAY
1B	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: HORIZONTAL; COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	CMU VENEER AND SILL	WILLAMETTE GRAYSTONE	4-8-16, SPLIT FACE	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DBC
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x6, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	WILLAMETTE GRAYSTONE	8-8-16, SPLIT FACE, 3-SIDES	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DB

NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY



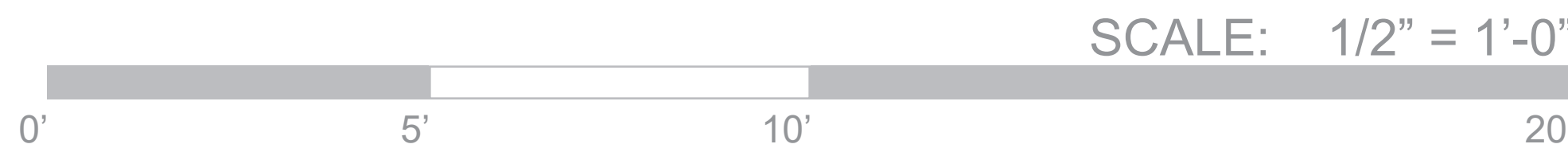
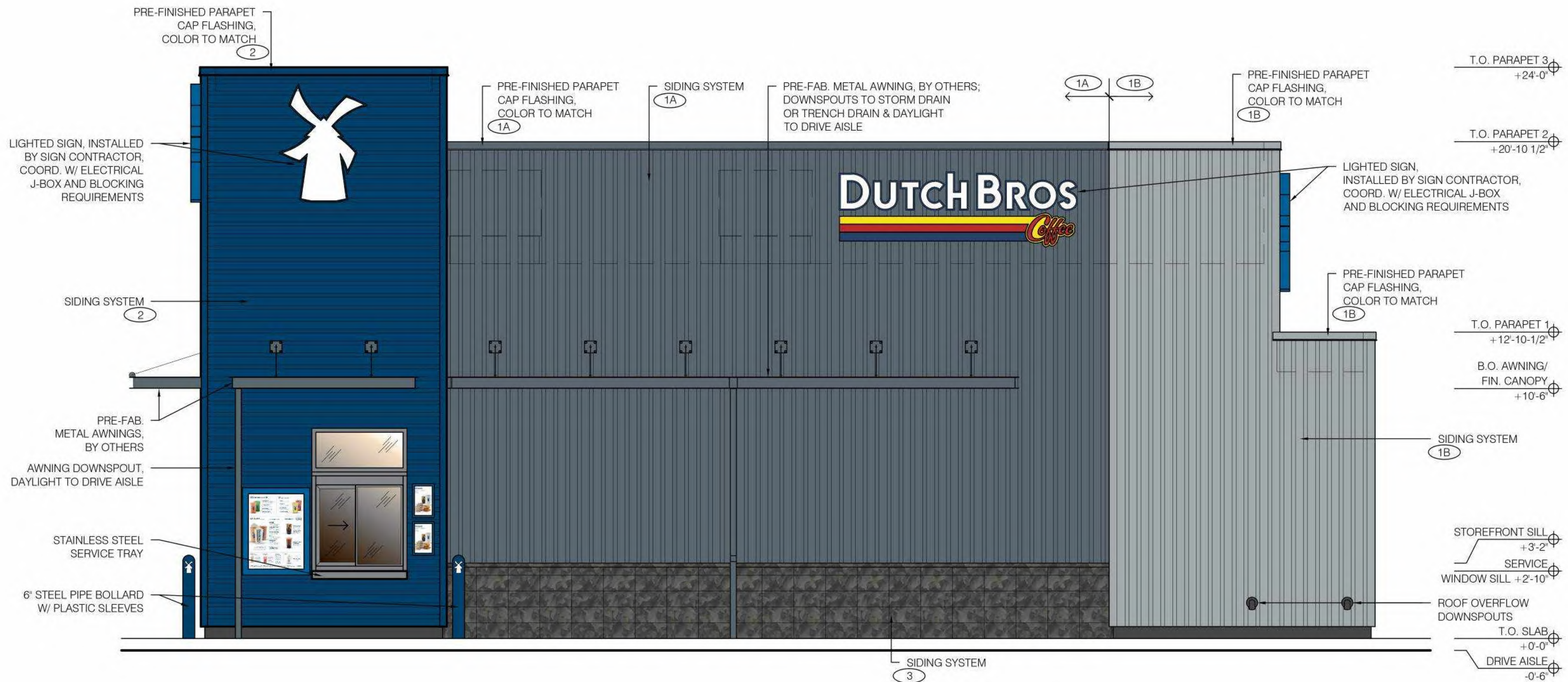
SCALE: 1/2" = 1'-0"





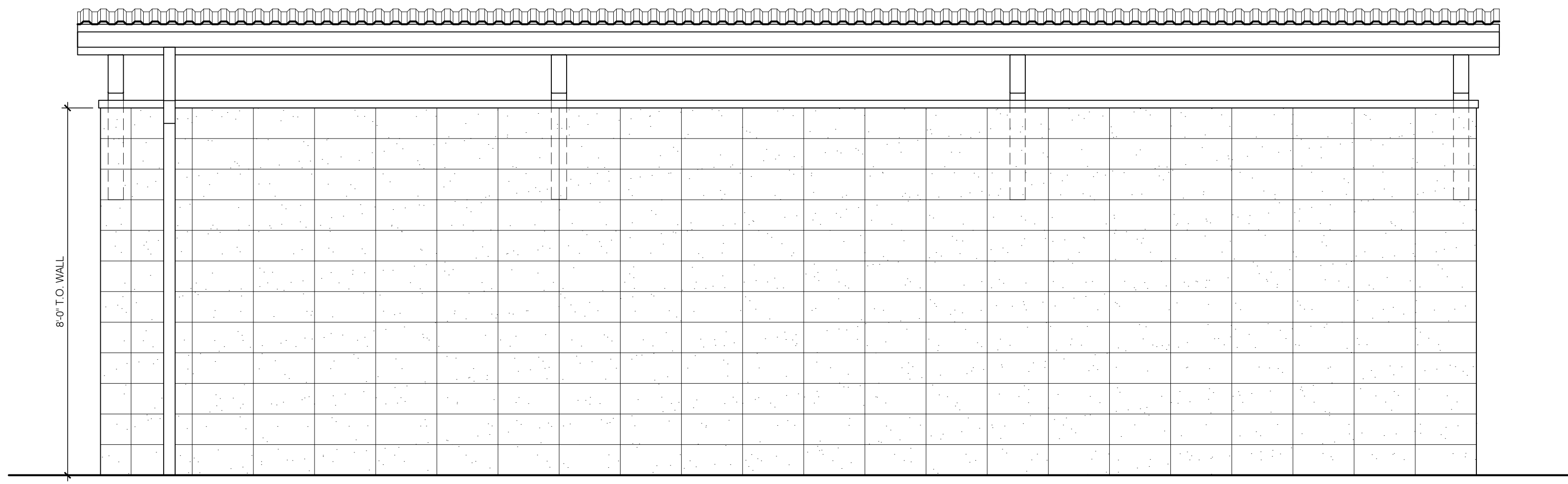
EXTERIOR FINISH SCHEDULE - PROTOTYPICAL w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB DARK GRAY
1B	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: VERTICAL; COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE, 24 ga.	ORIENTATION: HORIZONTAL; COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	CMU VENEER AND SILL	WILLAMETTE GRAYSTONE	4-8-16, SPLIT FACE	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DBC
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x6, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	WILLAMETTE GRAYSTONE	8-8-16, SPLIT FACE, 3-SIDES	COLOR: CHARCOAL - REVIEW FINAL COLOR SELECTION W/ DB

NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY

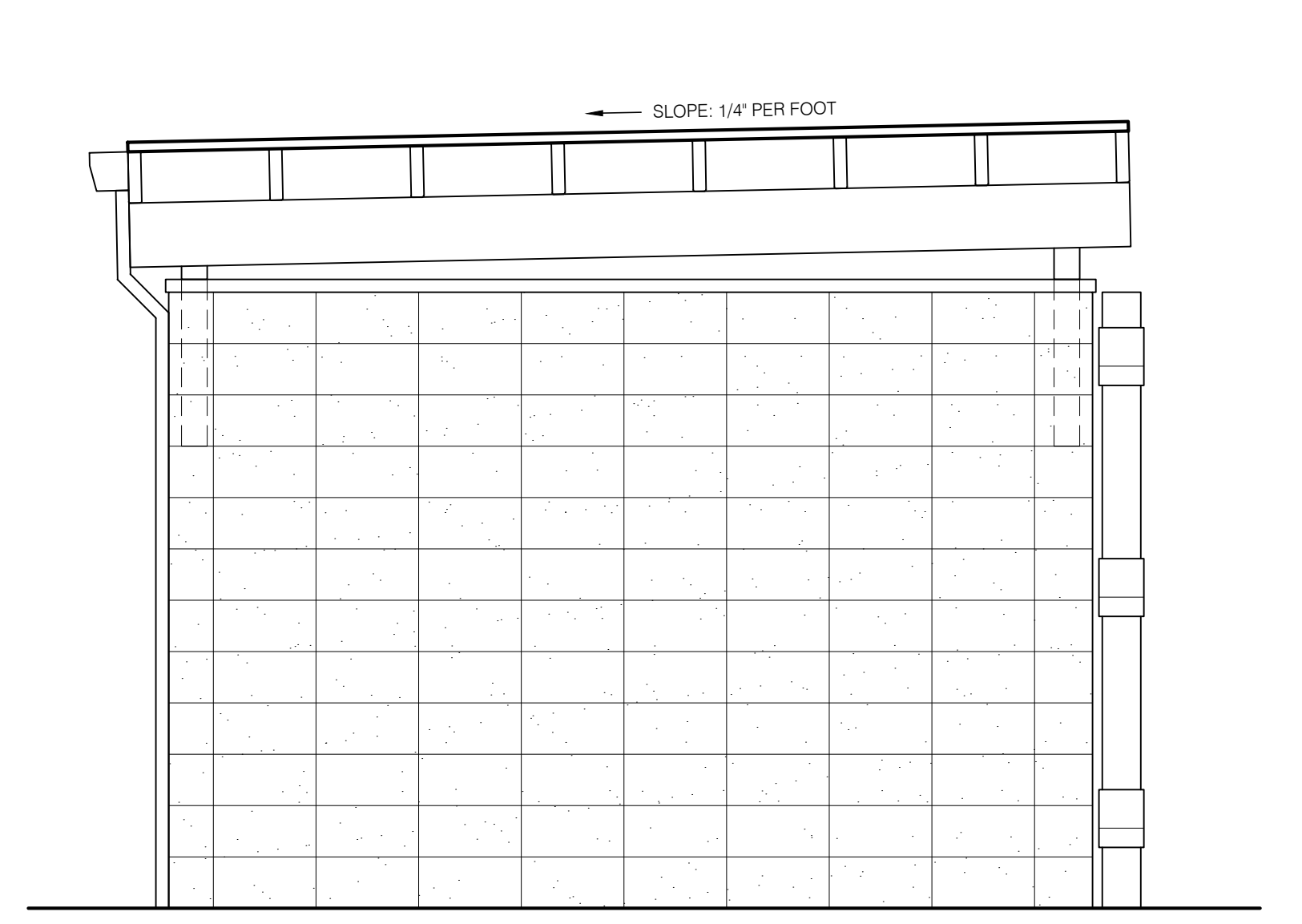




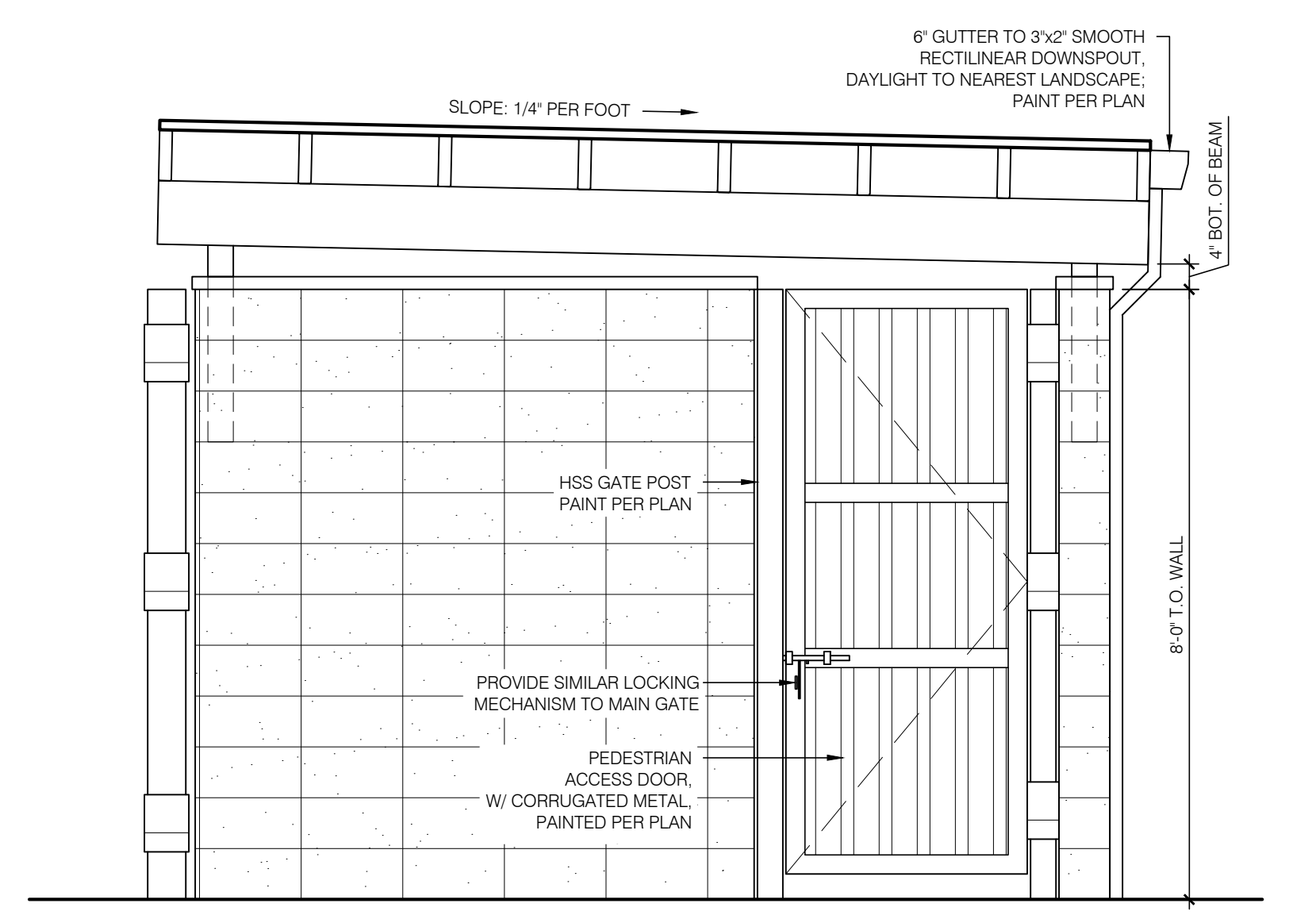
TRASH ENCLOSURE MATERIALS				
ID	MATERIAL	MANUFACTURER	COLOR	NOTES
3	CMU BLOCK	WILLAMETTE-GRAYSTONE	CHARCOAL	SPLIT FACE, 8x16x8; 8x8x8 AS NECESSARY
	CMU CAP	WILLAMETTE-GRAYSTONE	CHARCOAL	12x16x2
PT-2	PAINT	SHERWIN-WILLIAMS	-	BLDG DB DARK GRAY, GATES BODY
PT-3	PAINT	SHERWIN-WILLIAMS	-	BLDG DB BLUE, GATE FRAMES & POSTS



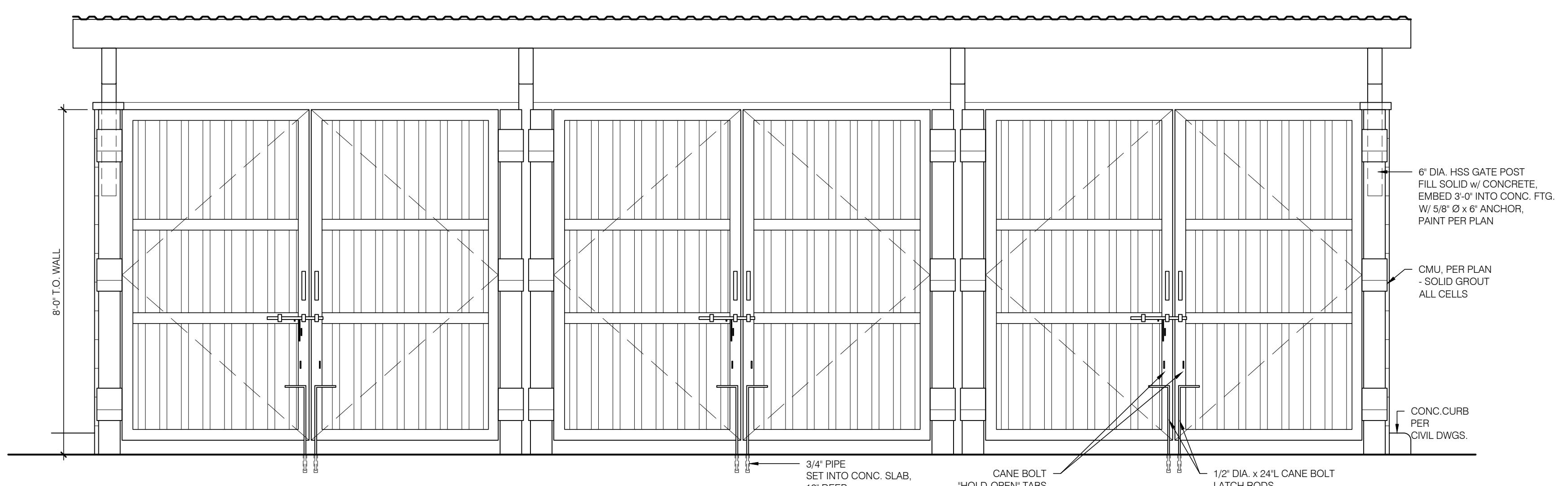
5 TRASH ENCLOSURE SIDE ELEVATION
SCALE: 1/2" = 1'-0"



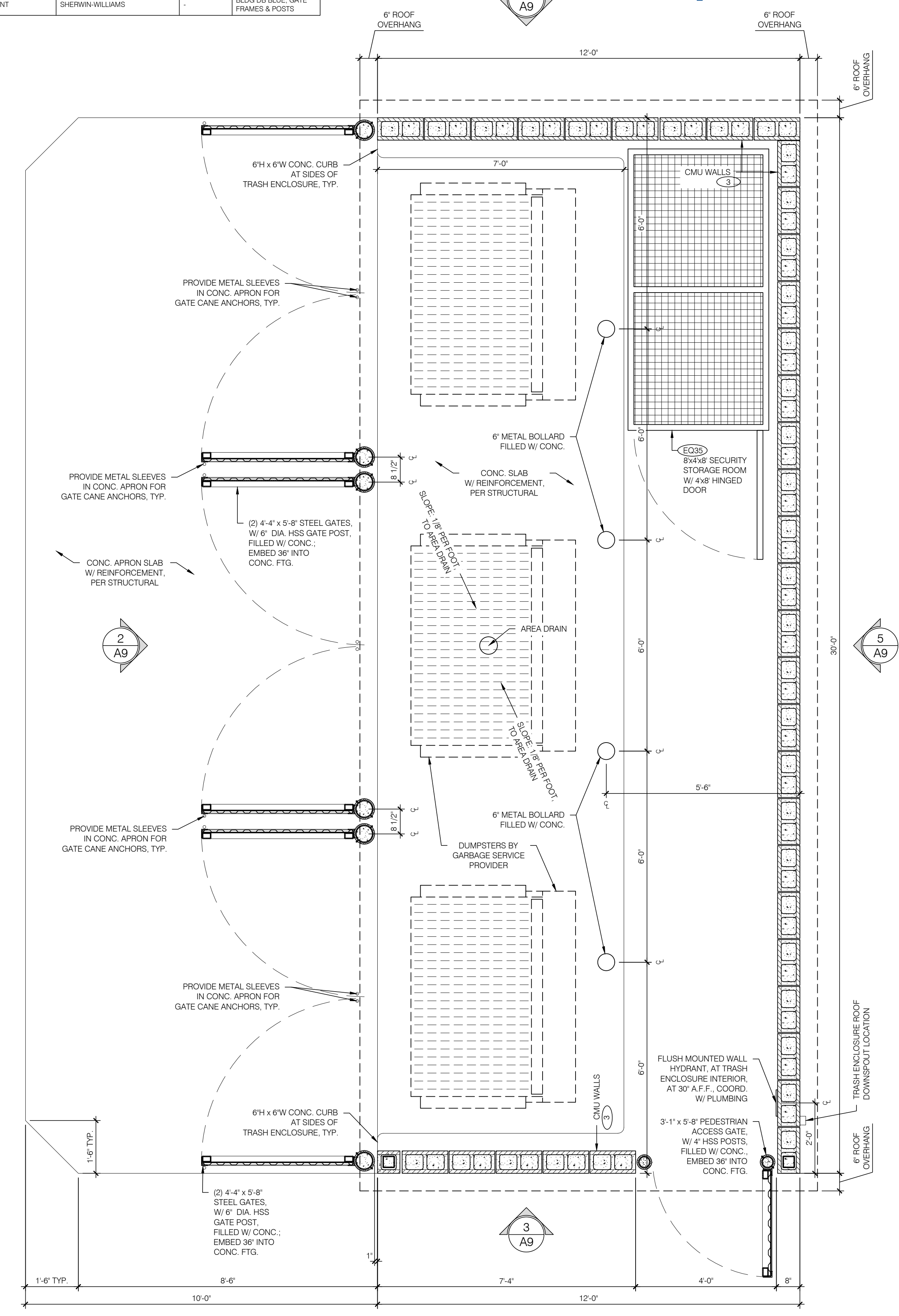
4 TRASH ENCLOSURE SIDE ELEVATION
SCALE: 1/2" = 1'-0"



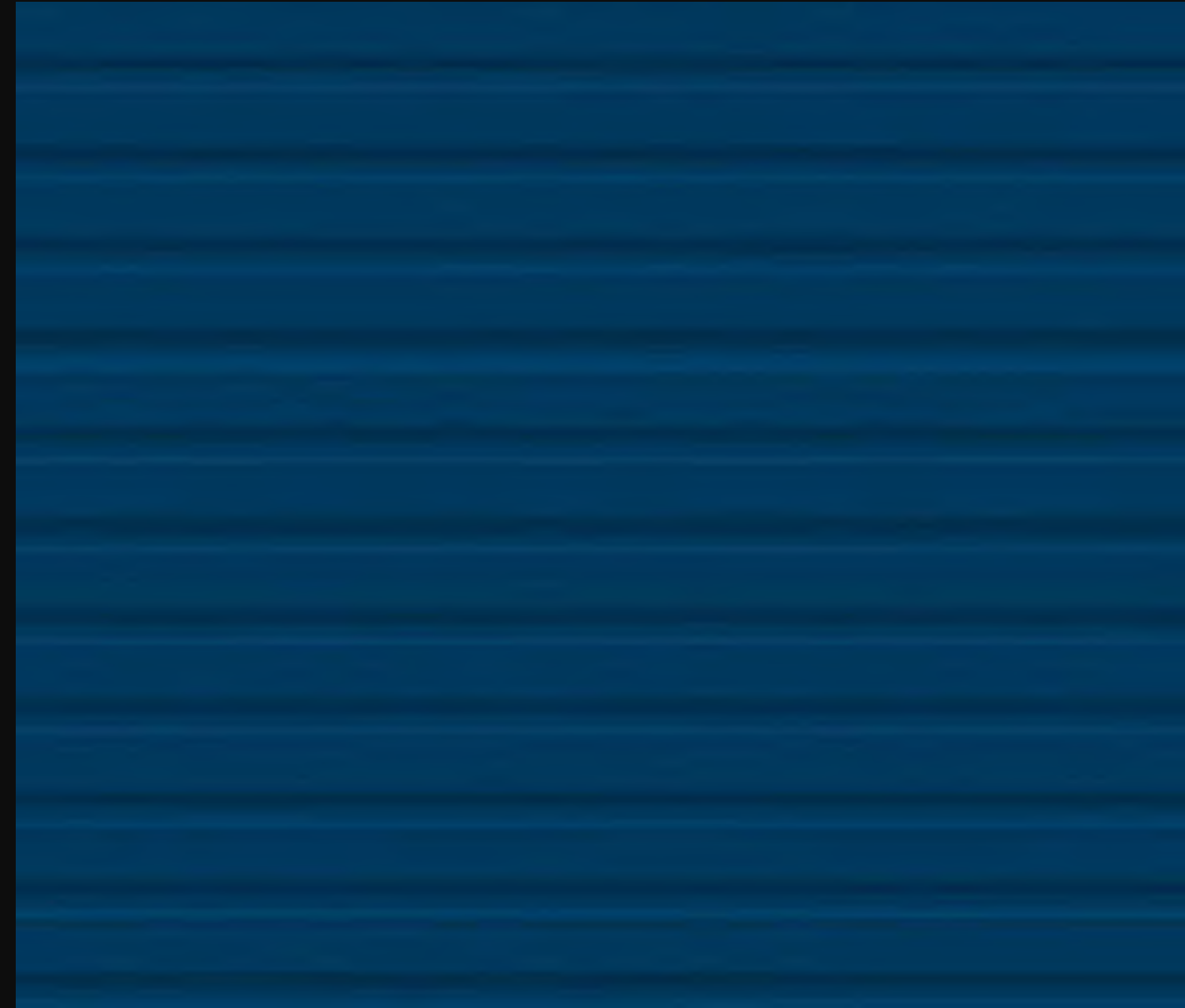
3 TRASH ENCLOSURE SIDE ELEVATION
SCALE: 1/2" = 1'-0"



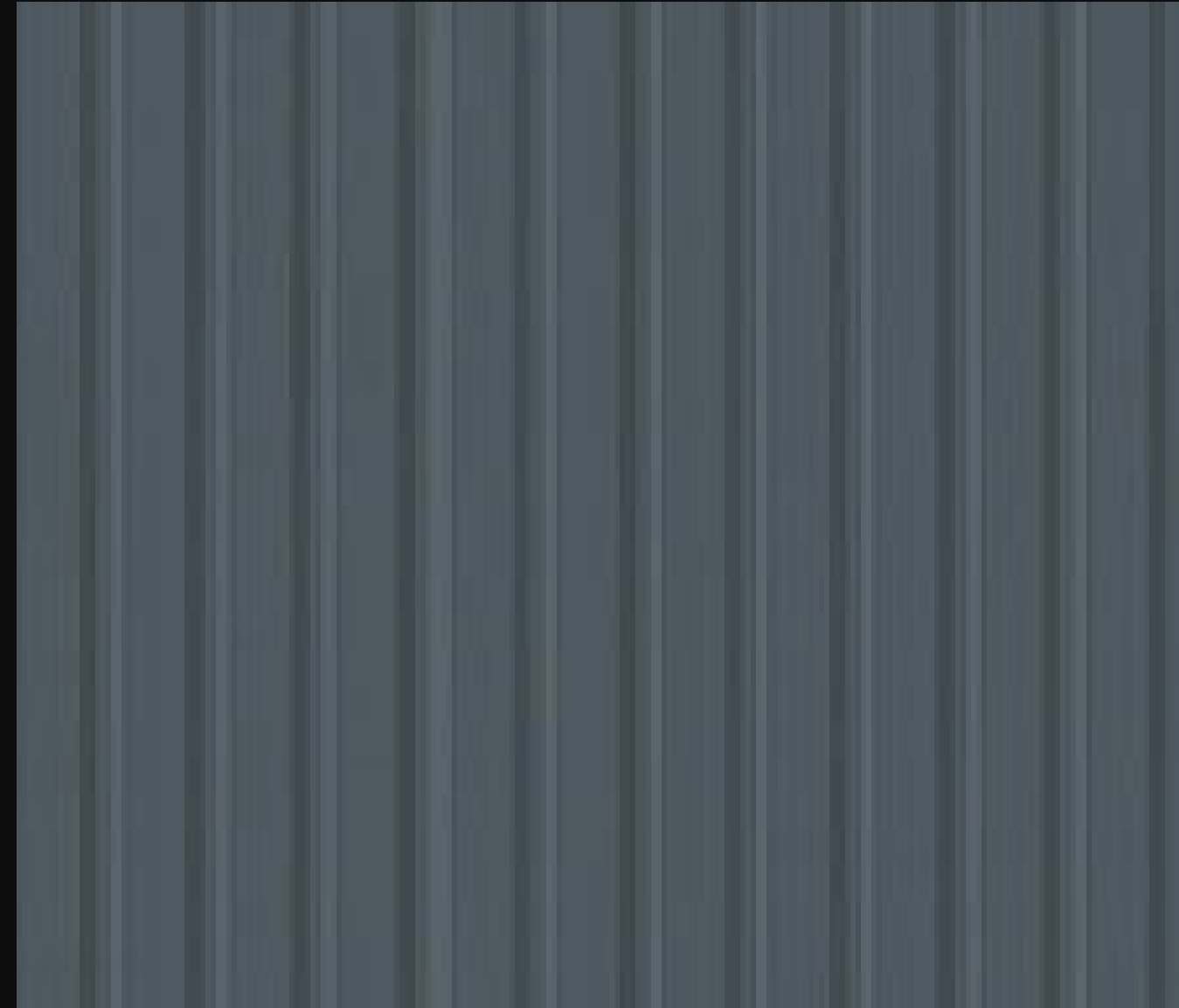
2 TRASH ENCLOSURE FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 TRASH ENCLOSURE PLAN
SCALE: 1/2" = 1'-0"



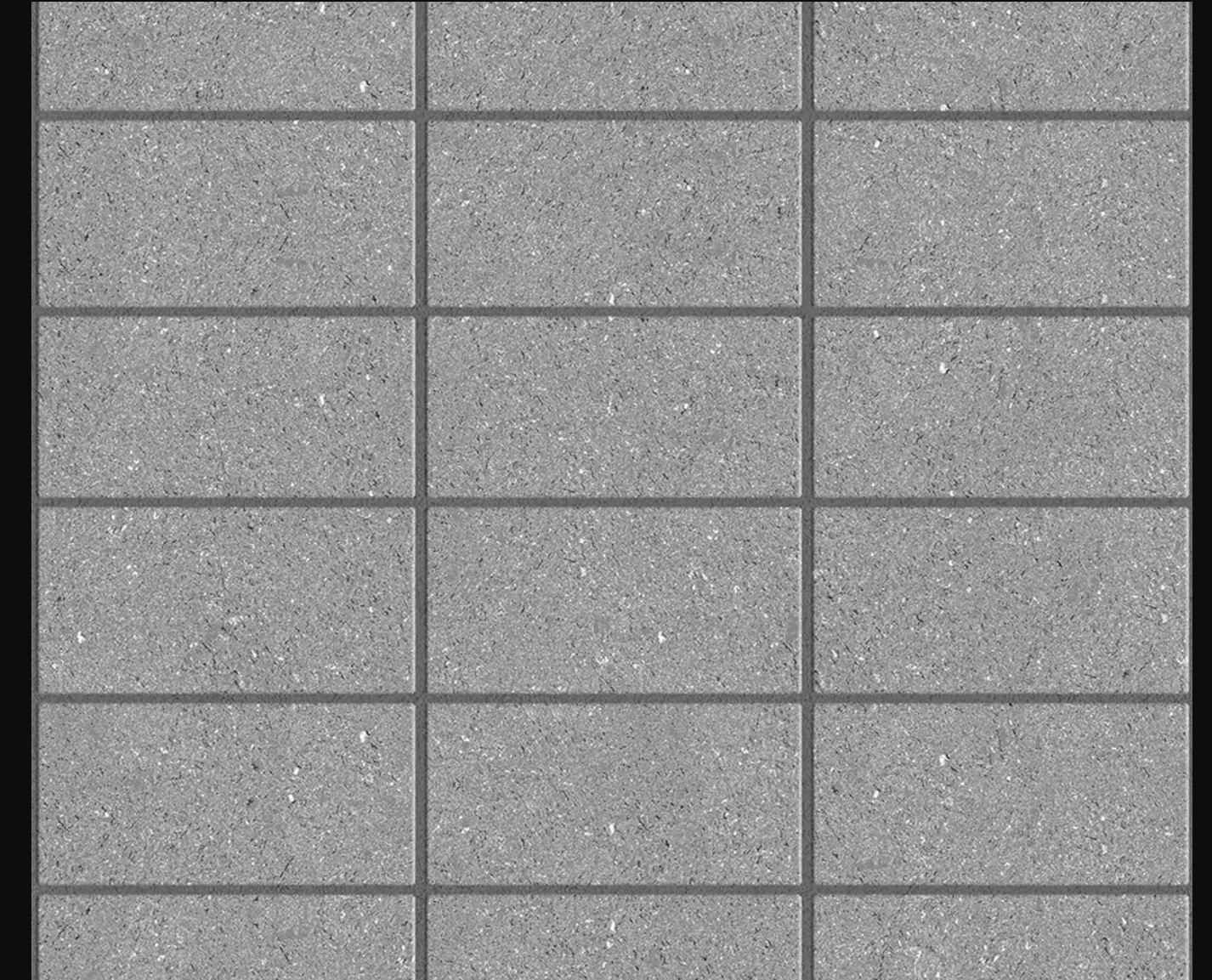
METAL SIDING
MANUFACTURER: WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - HORIZONTAL
COLOR: BLDG DB BLUE



METAL SIDING
MANUFACTURER: WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - VERTICAL
COLOR: BLDG DB GRAY DARK



METAL SIDING
MANUFACTURER: WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - VERTICAL
COLOR: BLDG DB GRAY LIGHT



CMU
MANUFACTURER: WILLAMETTE-GRAYSTONE
PROFILE: SLIT FACE
COLOR: CHARCOAL, OR SIM.



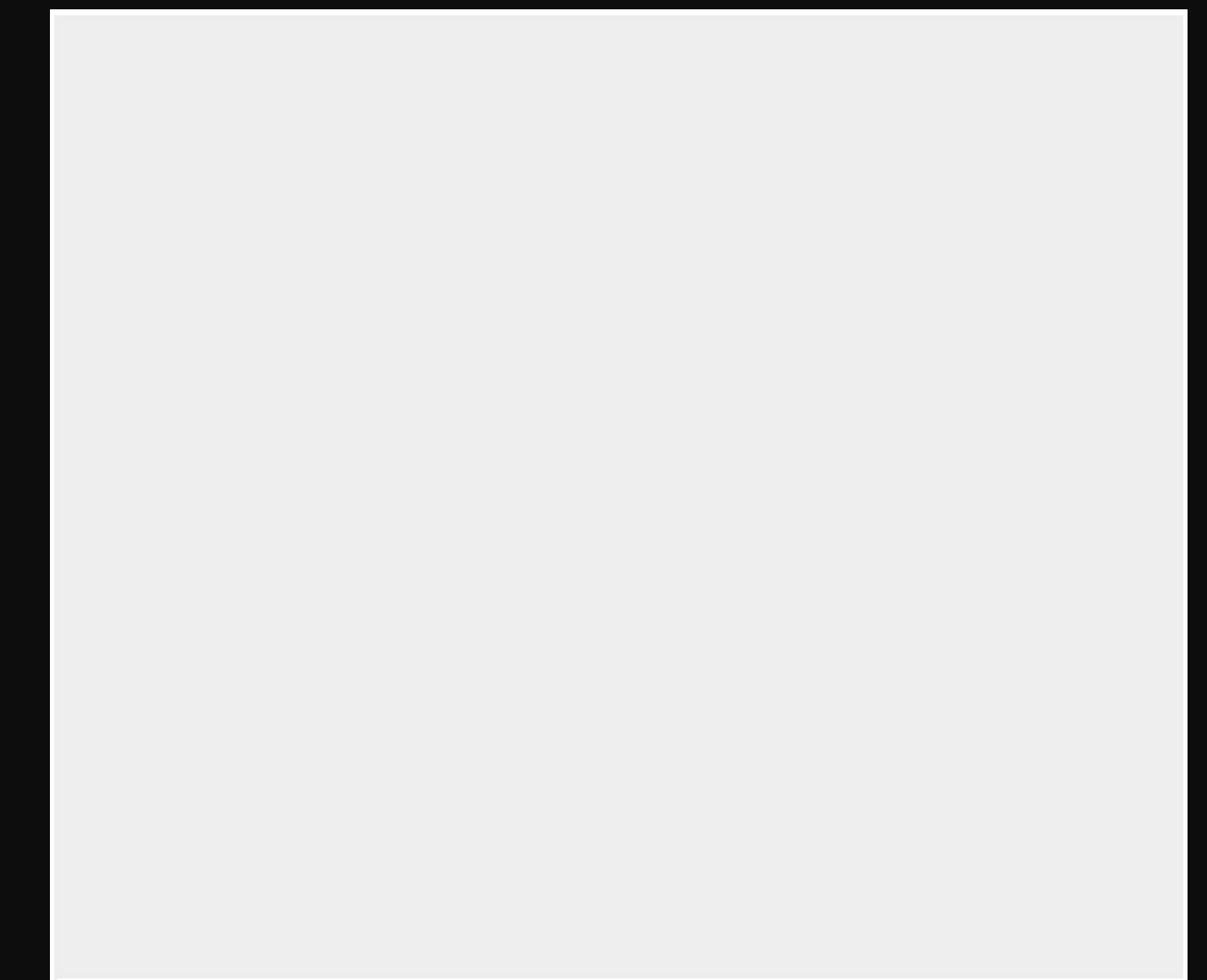
CANOPY SOFFIT
MANUFACTURER: HEWN
PROFILE: NW SPRUCE
NATURAL & SEALED
COLOR: PER MFR.



WINDOW SYSTEM
MANUFACTURER: KAWNEER OR SIMILAR
PROFILE: CLEAR ANODIZED ALUMINUM
FINISH: CLEAR NO 14 / 17

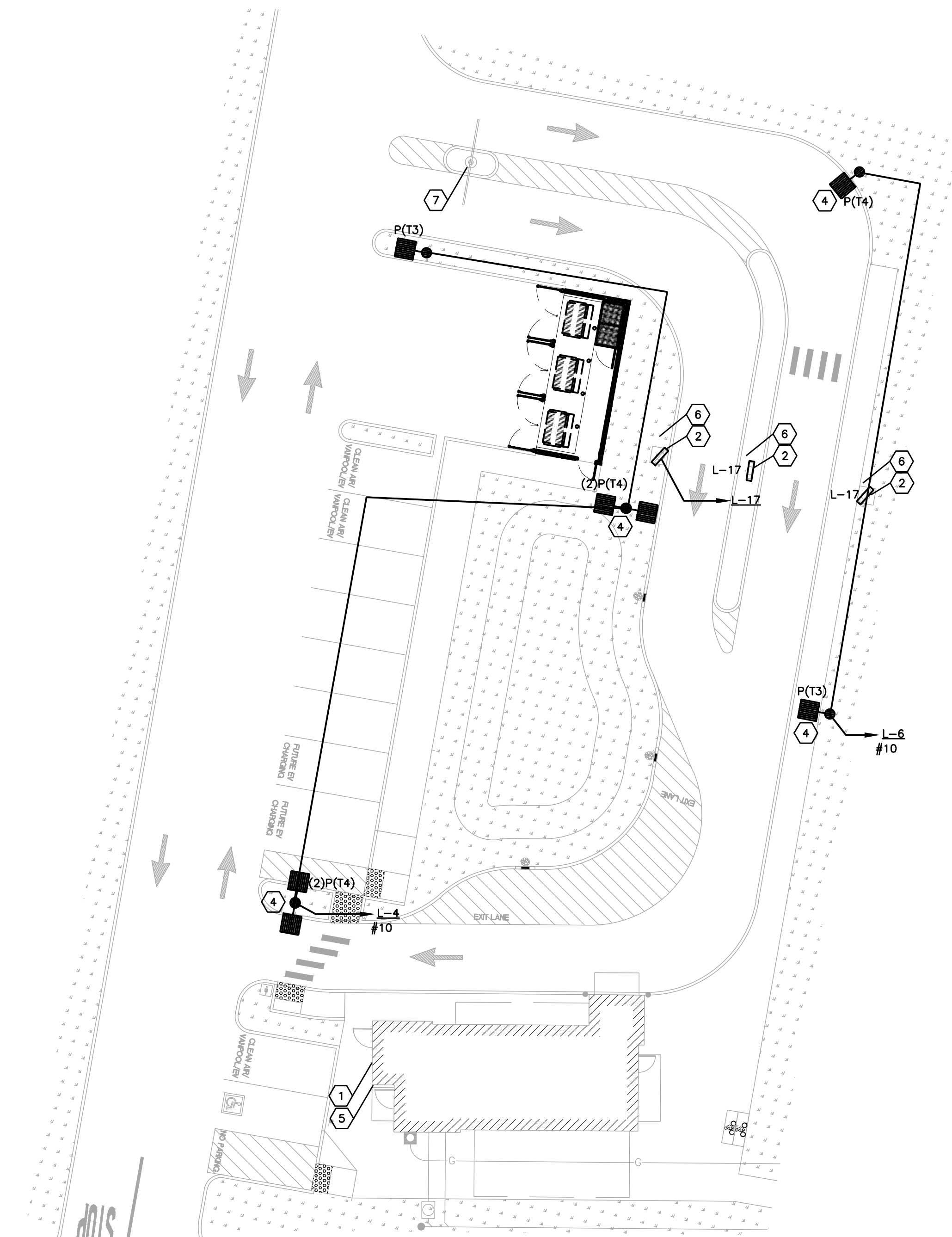


AWNINGS & DOORS - PAINT
MANUFACTURER: SCHERWIN-WILLIAMS
COLOR: BLDG DB GRAY DARK

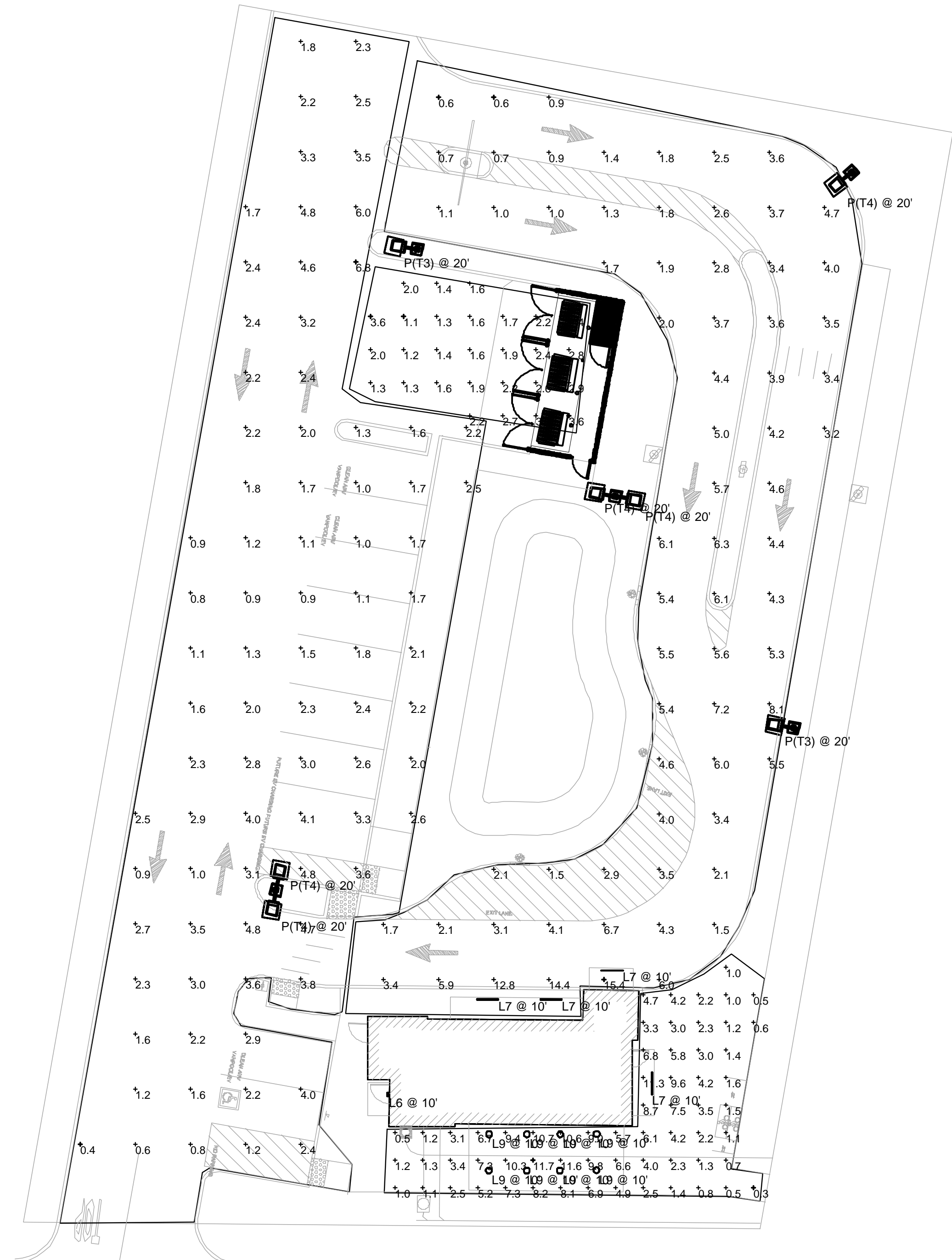


ROOFING MATERIAL
MANUFACTURER: DURO-LAST
DL-60 - 60 MIL
COLOR: WHITE

The name DUTCH BROS. and all associated logos, designs, trademarks, and other materials featured, displayed, contained therein, and made available by Dutch Bros, including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials") are owned by and/or licensed by DB Franchising USA, LLC. © 2021 DB Franchising USA, LLC. All rights reserved. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of DB Franchising USA, LLC.



PLAN NORTH
1
ELECTRICAL SITE PLAN
 1/16" = 1'-0"
 0 8' 16' 32'



PLAN NORTH
2
SITE PHOTOMETRIC PLAN
 1/16" = 1'-0"
 0 8' 16' 32'

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Building	+	4.5 fc	11.7 fc	0.3 fc	39.0:1	15.0:1
Drive Thru	+	4.0 fc	15.4 fc	0.6 fc	25.7:1	6.7:1
Parking/Driveaway	+	2.4 fc	6.8 fc	0.4 fc	17.0:1	6.0:1
Trash	+	2.1 fc	3.6 fc	1.1 fc	3.3:1	1.9:1

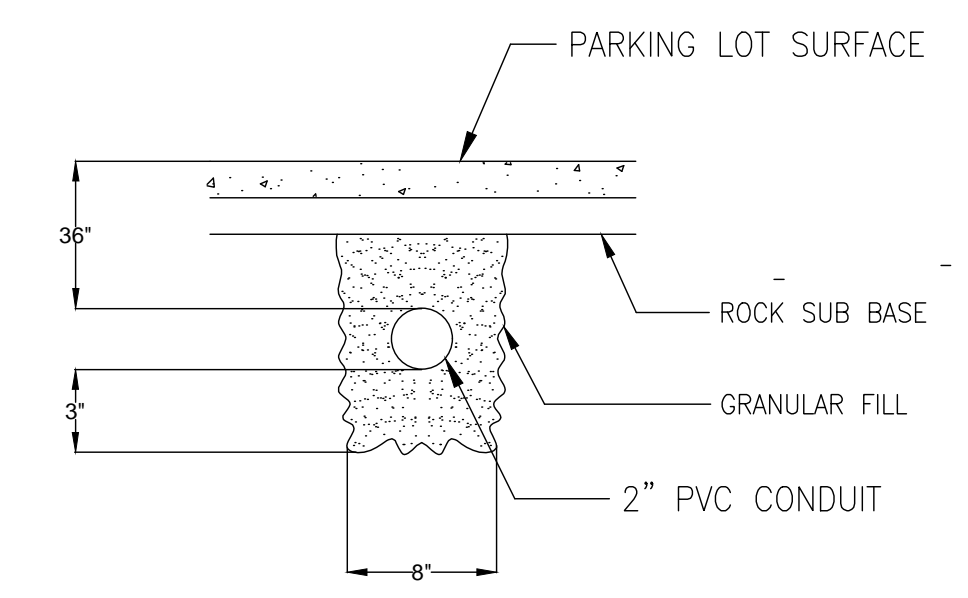
- KEYED NOTES**
- LOCATION OF UTILITY METER DISCONNECT SWITCH AND CT CABINET. REFER TO "RISER DIAGRAM" ON SHEET E3.01.
 - PROVIDE 120V ELECTRICAL CONNECTION WITH (2)#8 & (1)#6G. IN 2" PVC ROUTED BELOW GRADE FOR DRIVE-THRU BACKLIT MENU BOARD PER MANUFACTURER'S INSTRUCTIONS. CONDUIT SHALL COME UP IN CENTER OF POST. SIGN COMPANY REPRESENTATIVE TO GIVE EXACT LOCATIONS/DIMENSIONS FOR GC TO MATCH. CONTRACTOR SHALL REPAIR EXISTING PARKING SURFACES FROM TRENCHING TO MATCH PREVIOUS CONDITIONS.
 - PROVIDE 120V ELECTRICAL CONNECTION WITH (2)#8 & (1)#6G. IN 2" PVC ROUTED BELOW GRADE FOR NEW MONUMENT SIGN PER REPRESENTATIVE PRIOR TO ROUGH-IN. CONTRACTOR SHALL REPAIR EXISTING PARKING SURFACES FROM TRENCHING TO MATCH PREVIOUS CONDITIONS.
 - PARKING LOT FIXTURES TO DIM TO 40% WHILE NOT OCCUPIED AND SET TO FULL BRIGHTNESS WHILE IN USE.
 - LOCATION OF CABLE INTERNET DEMARC
 - PROVIDE 2" CONDUIT W/ PULL STRING 24" BEHIND MENU BOARD TO CHRISTY BOX FOR FUTURE DIGITAL MENU BOARD UPGRADE. COORDINATE W/ SIGN MANUFACTURER.
 - PROVIDE 2" CONDUIT W/ PULL STRING TO CHRISTY BOX BETWEEN "CHOOSE LANE" DIRECTIONAL SIGNAGE AND CLEARANCE BAR FOR FUTURE DRIVE THRU SENSORS.

MIN. DUTCH BROS REQUIREMENTS:
 -5FTC AT BUILDING
 -3FTC AT SITE/PARKING
 -5FTC AT TRASH ENCLOSURE

SEE S1.4 FOR POLE BASE DETAIL

- GENERAL NOTES**
- FOR UTILITY TRANSFORMER, TELEPHONE SERVICE, GAS, WATER, AND SANITARY SEWER LOCATIONS; SEE CIVIL SITE PLAN.
 - THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR COORDINATION AND COMPLIANCE WITH ALL UTILITY COMPANIES REQUIREMENTS. INCOMING POWER AND TELEPHONE SERVICES IS EXISTING TO REMAIN. VERIFY REQUIREMENTS WITH UTILITIES PRIOR TO INSTALLATION.

SITE NOTES
 WATER LINES, CONDUITS FOR ELECTRICAL, OR OTHER UTILITIES SHALL BE LOCATED SO AS TO NOT CONFLICT WITH REQUIRED TREE LOCATIONS FOR STREETS AND PARKING LOTS.



3
TRENCHING DETAIL
 E100 SCALE: N.T.S.

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lumens Per Lamp	Wattage
□	L6	1	RAB LIGHTING INC.	WPLED26-WPLED26/D10 (WALLPACK) - ALED26-ALED26/D10 (AREA LIGHTER)	CAST FINNED METAL HOUSING, MACHINED METAL HEAT SINK, 1 CIRCUIT BOARD WITH 1 LED, MOLDED PLASTIC REFLECTOR WITH SEMI-SPECULAR FINISH, CLEAR FLAT GLASS LENS IN CAST BROWN PAINTED METAL FRAME.	3474	30
	L7	4	Self	WPLED26-WPLED26/D10 (WALLPACK) - ALED26-ALED26/D10 (AREA LIGHTER)	CROWN-L90-277V_830_BA110	4200	40
○	L9	8	DMF LIGHTING	DRDSS-4R-10930	DRDSS-4R-10930	1015	11.8
□	P(T3)	2	NLS Lighting LLC	NV-1-T3-48L-1-40K-UNV-HSS	NV SERIES WITH T3 OPTICS, BLACK HOUSE SIDE SHIELD	10457	156
□	P(T4)	5	NLS Lighting	NV-1-T4-48L-1-40K-UNV-HSS	T4 OPTICS WITH BLACK HSS	9674	156
□	P(T5)	0	NLS Lighting, LLC	NV-1-T5-48L-1-40K	T5 silicone optics	19335	156

CASE
Engineering Inc.
 796 Merus Court
 St. Louis, MO 63026
 T 636.349.1600
 F 636.349.1730



1001 SE SANDY BLVD, SUITE 100
 PORTLAND, OR 97214
 V. 503.552.9079
 F. 503.241.7055
 WWW.GNICHARCH.COM

Project No: CA-1806
 Dutch Bros Coffee - New Freestanding Store
 Oro Dam Blvd & Feather River Blvd
 Oroville, CA 95965
 For: Dutch Bros Coffee
 110 SW 4th Street
 Grants Pass, OR 97526

ISSUED FOR DESIGN
 REVIEW: 12.22.2021

REV	DATE	DESCRIPTION

SHEET NUMBER:
ELECTRICAL SITE & PHOTOMETRIC PLAN

SHEET NUMBER:
A11

SUMMARY DRAWING

SUMMARY - BUILDING SIGNS & MENUS

Item 2.

DRAWING #:

33700

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

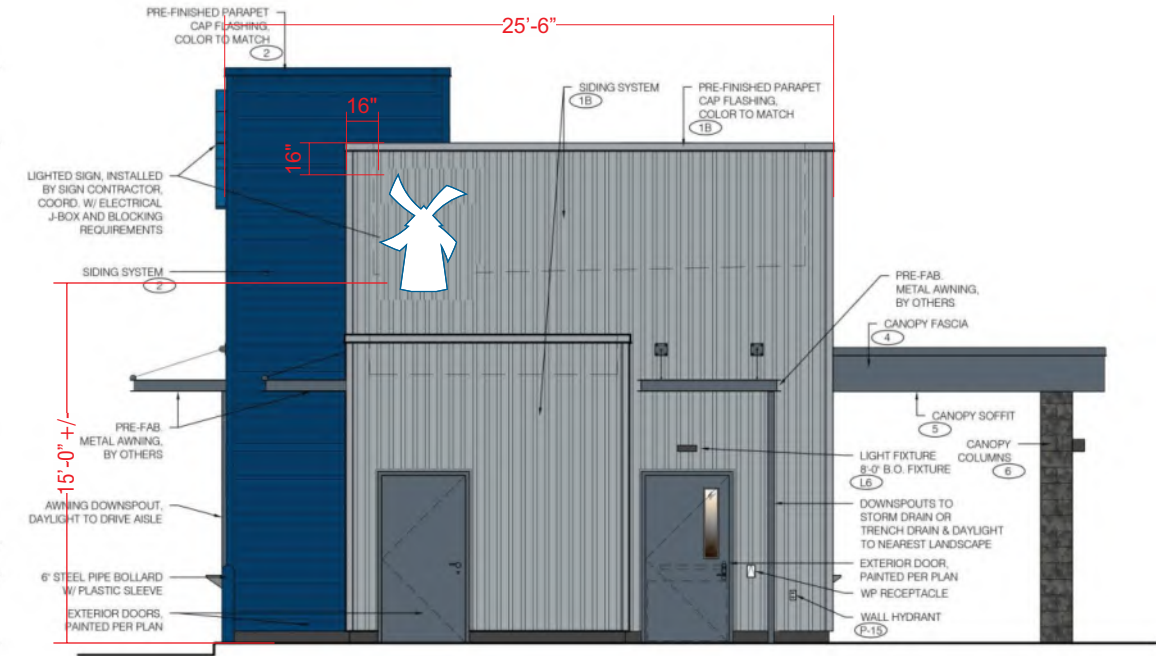
12/30/21

SHOP REVISIONS:



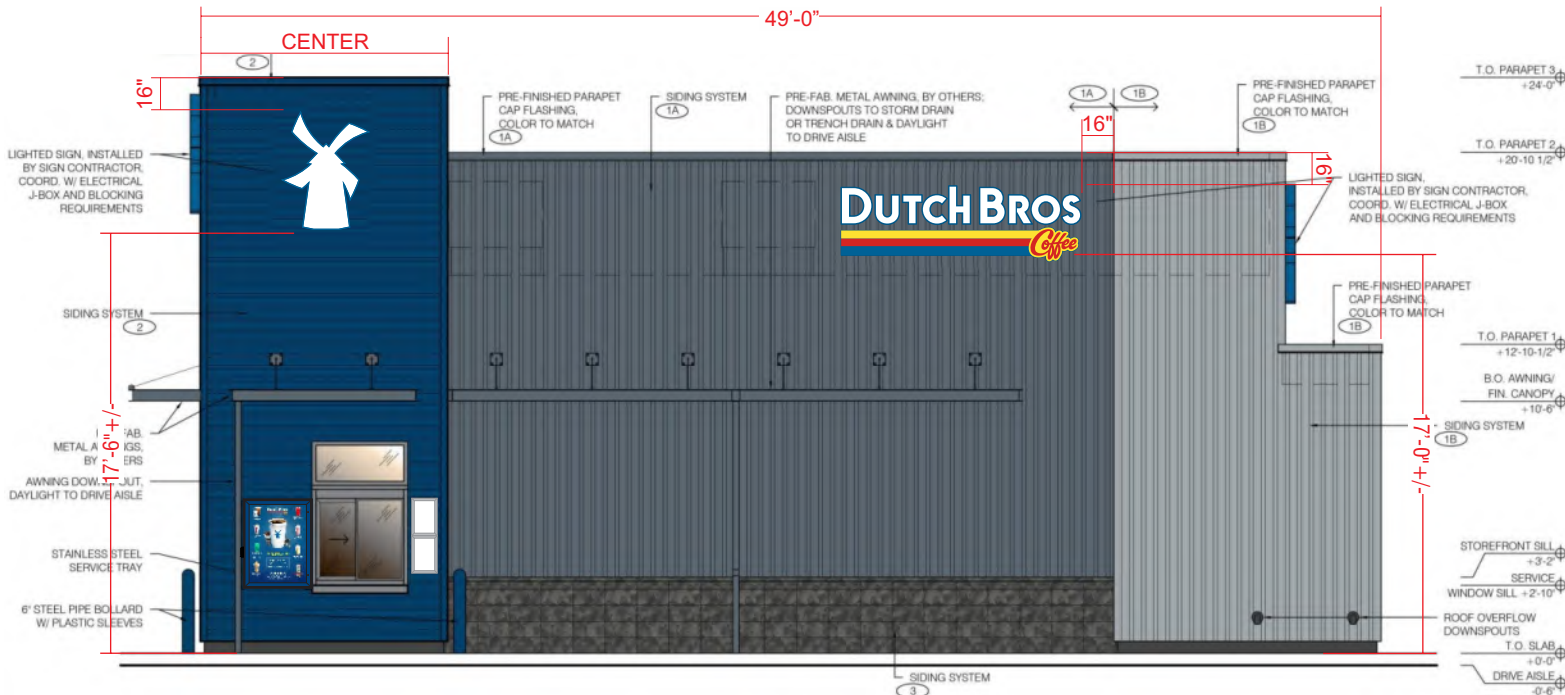
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

DBCL10 @ 31.5 SF



WEST ELEVATION
SCALE: 1/8" = 1'-0"

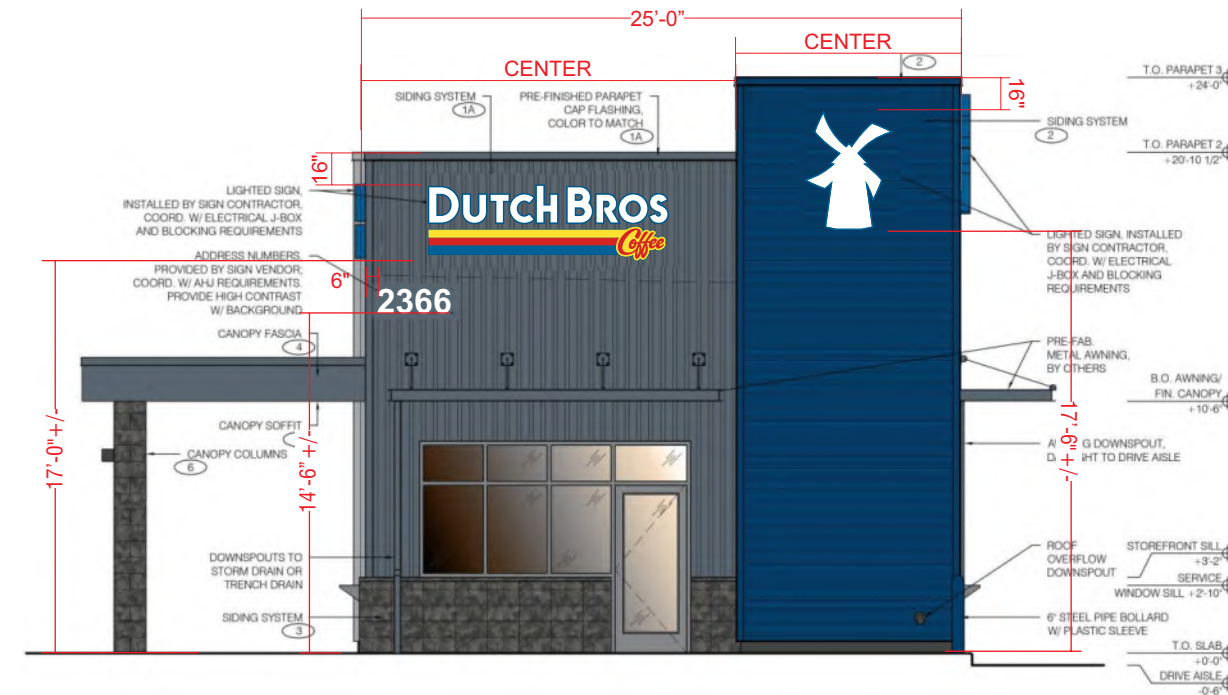
DBW13 @ 18.4 SF



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

DBW13 @ 18.4 SF

DBCL10 @ 31.5 SF



EAST ELEVATION
SCALE: 1/8" = 1'-0"

DBCL10 @ 31.5 SF

DBW13 @ 18.4 SF

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 2

ES&A SIGN & AWNING

89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813

SUMMARY DRAWING

SUMMARY - FREESTANDING SIGNS & MENUS

Item 2.

DRAWING #:

33700

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

SHOP REVISIONS:

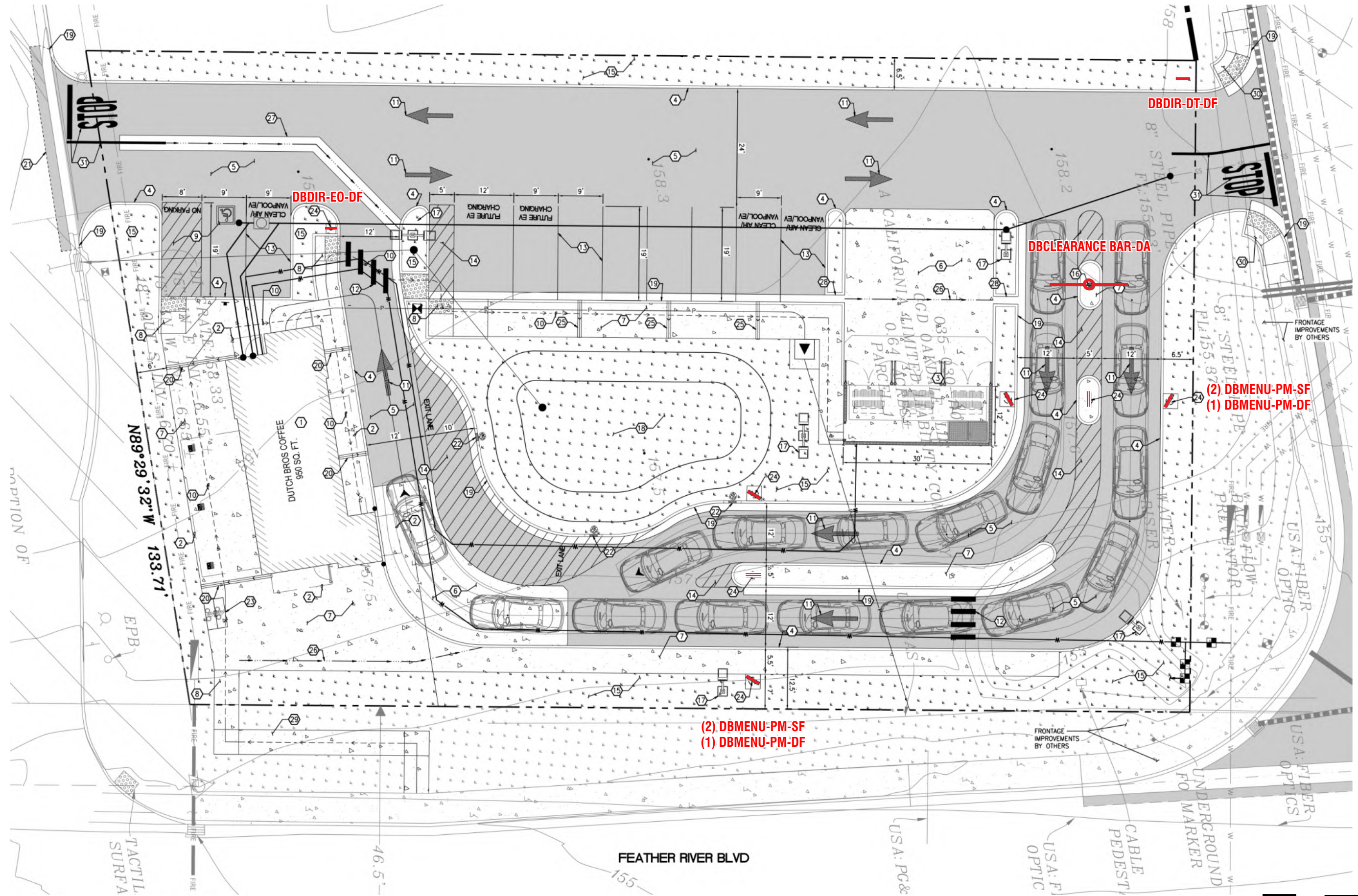
1.7.22 MOVED (I) SET OF MENUS
FARTHER DOWN.
1.27.22 UPDATED SITE PLAN.

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	2 of 2

ES&A SIGN & AWNING

89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813



FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (3) SETS OF ILLUMINATED CHANNEL LETTERS WITH REMOTE RACEWAYS



SHOP DRAWING #:

33700A

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

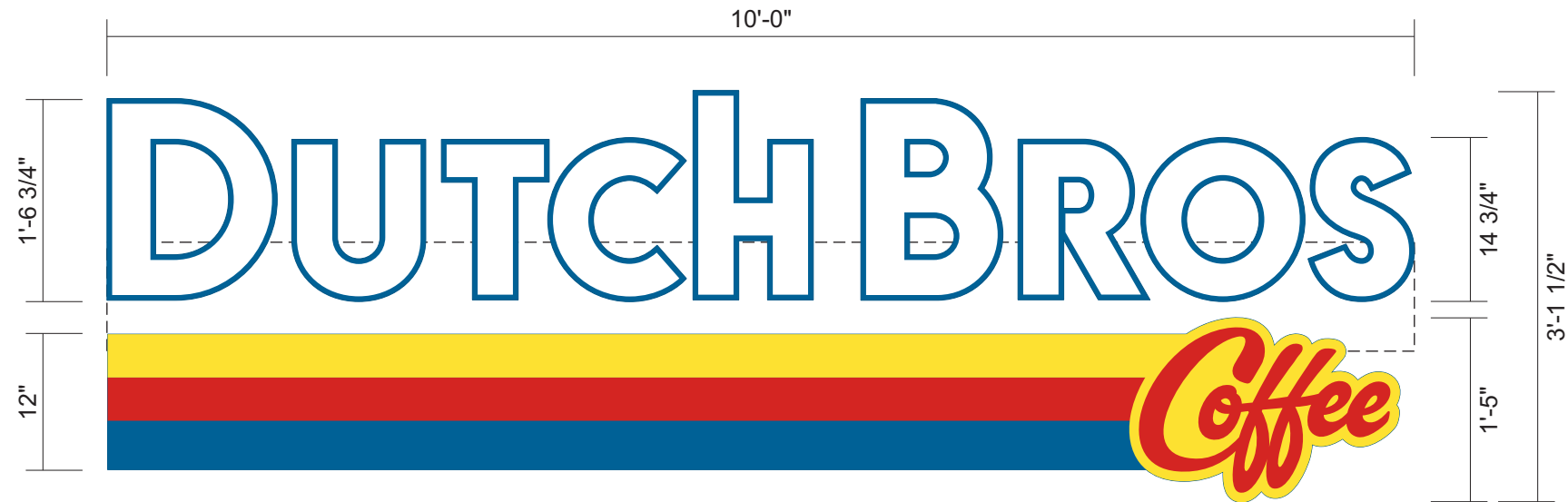
ES&A SIGN & AWNING

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P 541.485.5546 | F 541.485.5813

DBCL10-REMOTE RW

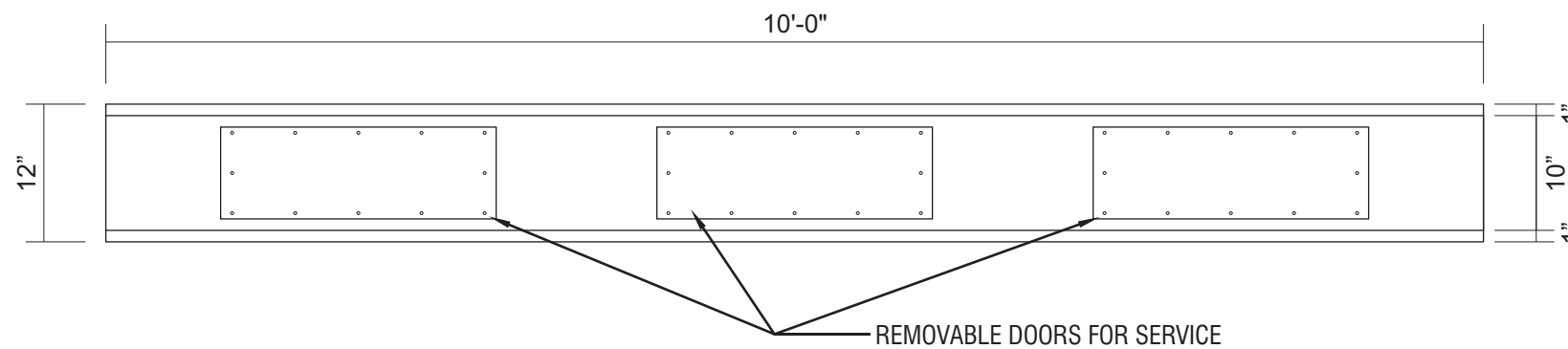
SCALE: 3/4" = 1'-0"



SIDE VIEW

FABRICATED REMOTE RACEWAY

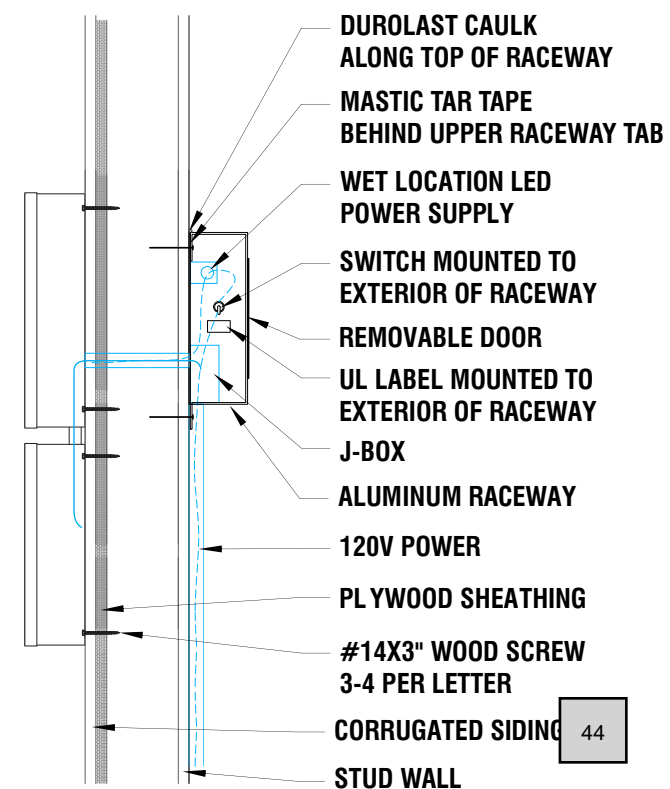
.040 PRE-COAT WHITE ALUMINUM



ATTACHMENT DETAIL

SCALE: 3/4" = 1'-0"

CHANNEL LETTERS WITH REMOTE RACEWAY



INTERNALLY ILLUMINATED FACE-LIT FLUSH MOUNTED CHANNEL LETTERS

5" DEEP CHANNEL LETTERS.

RETURNS & TRIM CAP PAINTED TO MATCH PANTONE 7691 C "INTENSE BLUE".

WHITE ACRYLIC FACES.

230-127 INTENSE BLUE PSV, 230-015 YELLOW PSV, 230-33 RED PSV.

LED ILLUMINATION.

FLUSH MOUNTED CHANNEL LETTERS WITH REMOTE MOUNTED RACEWAY.

COLOR CODE

	230-015 YELLOW PSV
	230-33 RED PSV
	230-127 INTENSE BLUE PSV
	WHITE

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (3) ILLUMINATED WINDMILL LOGOS



SHOP DRAWING #:

33700B

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

SHOP REVISIONS:

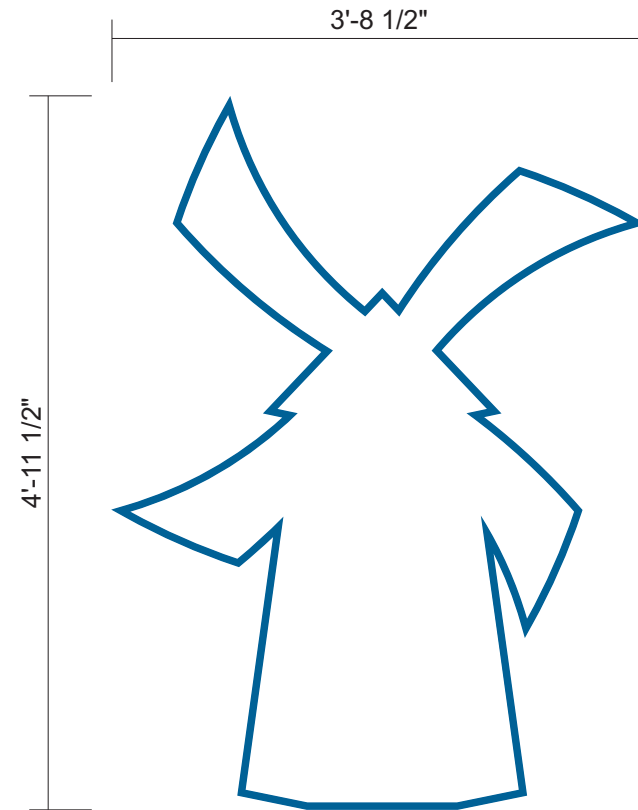
SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING

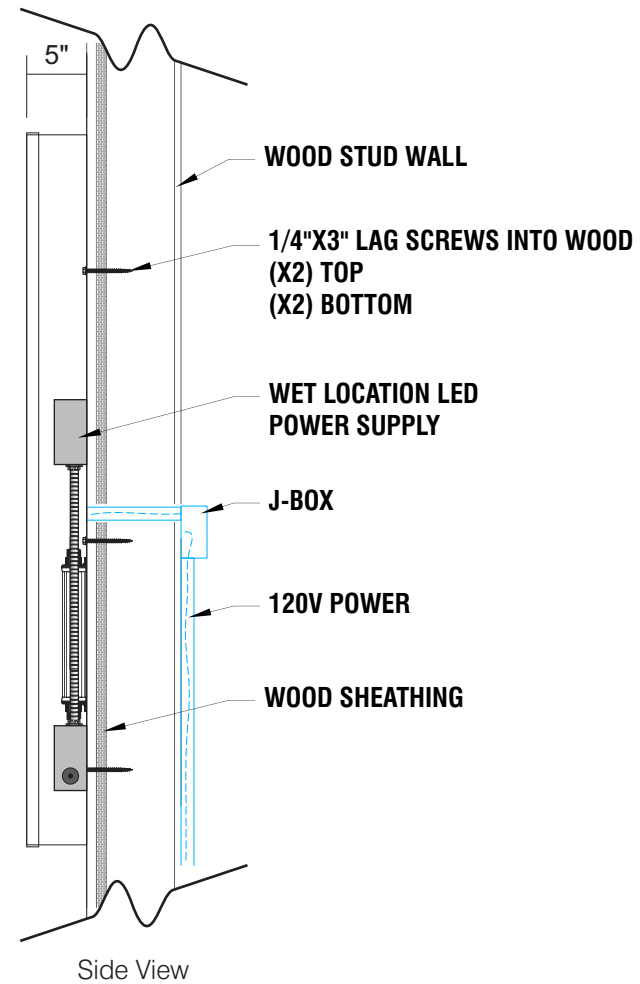
89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813

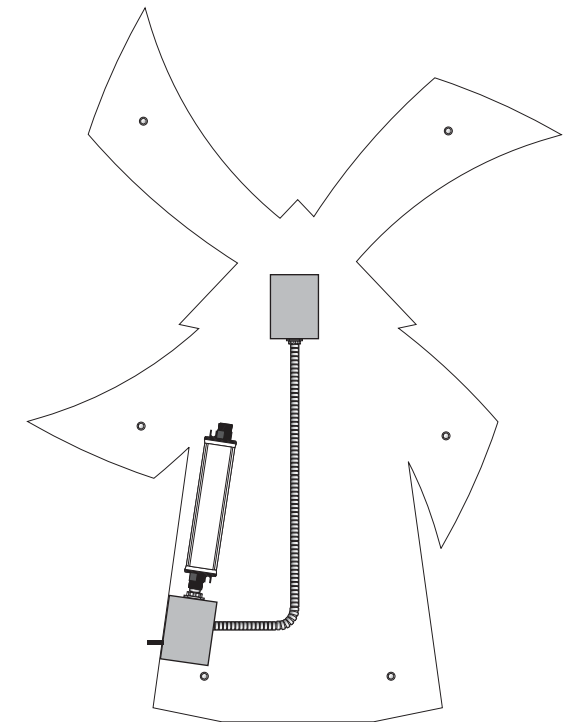
DBW13
SCALE: 3/4"=1'-0"



ATTACHMENT DETAIL





SELF CONTAINED CHANNEL LOGO



**INTERNALLY ILLUMINATED FACE-LIT FLUSH MOUNTED CHANNEL WRAP LOGO
5" DEEP CHANNEL WRAP.
RETURNS & TRIM CAP PAINTED TO MATCH PANTONE 7691 C "INTENSE BLUE".
WHITE ACRYLIC FACE.
230-127 INTENSE BLUE PSV OUTLINE.
LED ILLUMINATION.
FLUSH MOUNTED SELF CONTAINED INSTALLATION.**

COLOR CODE

	230-127 INTENSE BLUE PSV
	WHITE

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (4) SNAP FRAMES



SHOP DRAWING #:
33692C

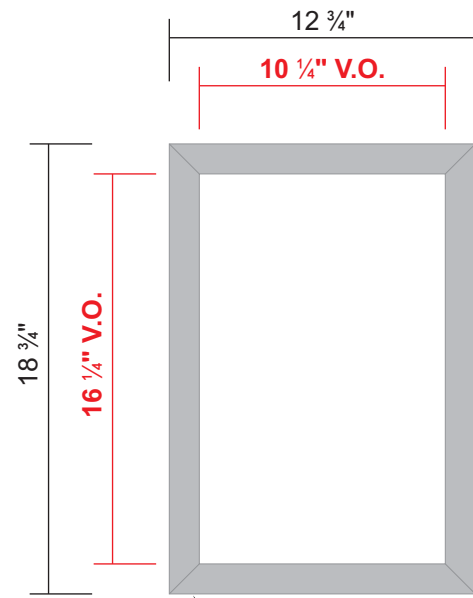
CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:
12/30/21

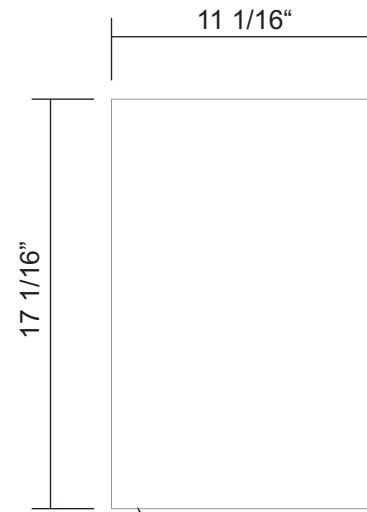
SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

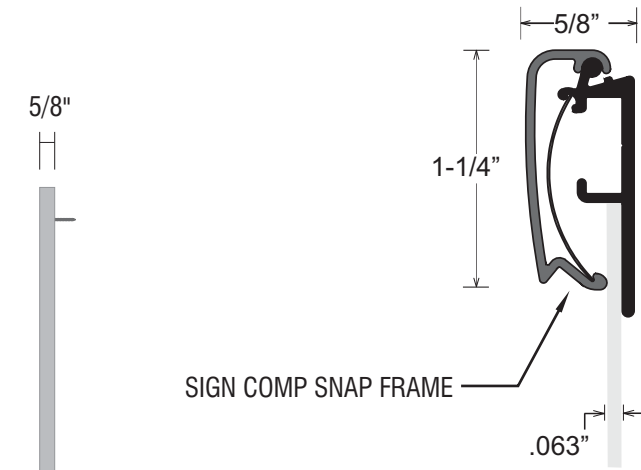
ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813



SIGN COMP CLEAR ANODIZED ALUMINUM SNAP FRAME FOR A 11" X 17" POSTER



.063 PRE-COAT WHITE ALUMINUM INSERT/BACK



DETAIL:
FULL SCALE

SCREW TO EXTERIOR WALL OF BUILDING

COLOR CODE

 CLEAR ANODIZED ALUMINUM

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (2) SNAP FRAMES



SHOP DRAWING #:
33700D

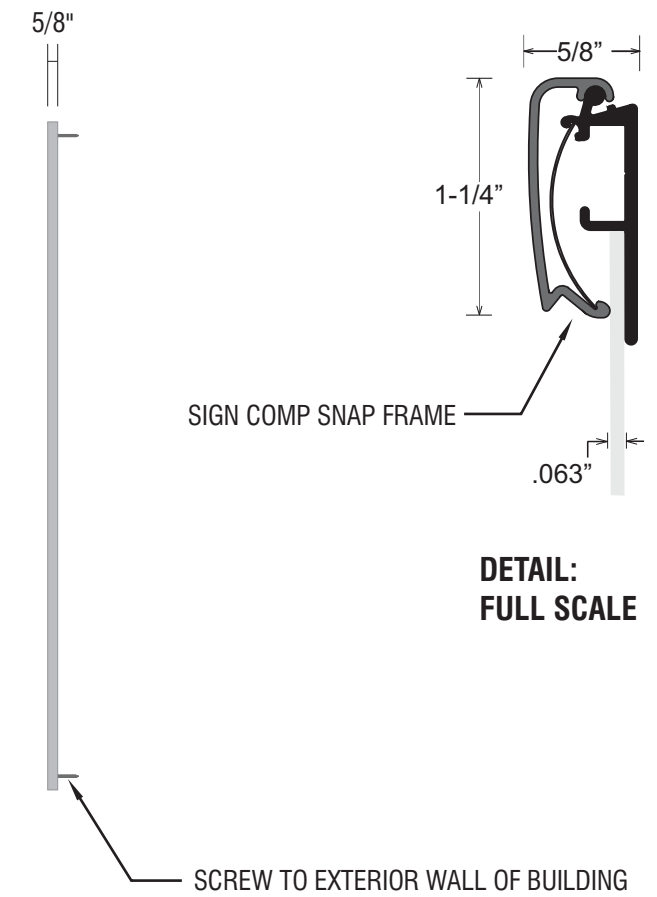
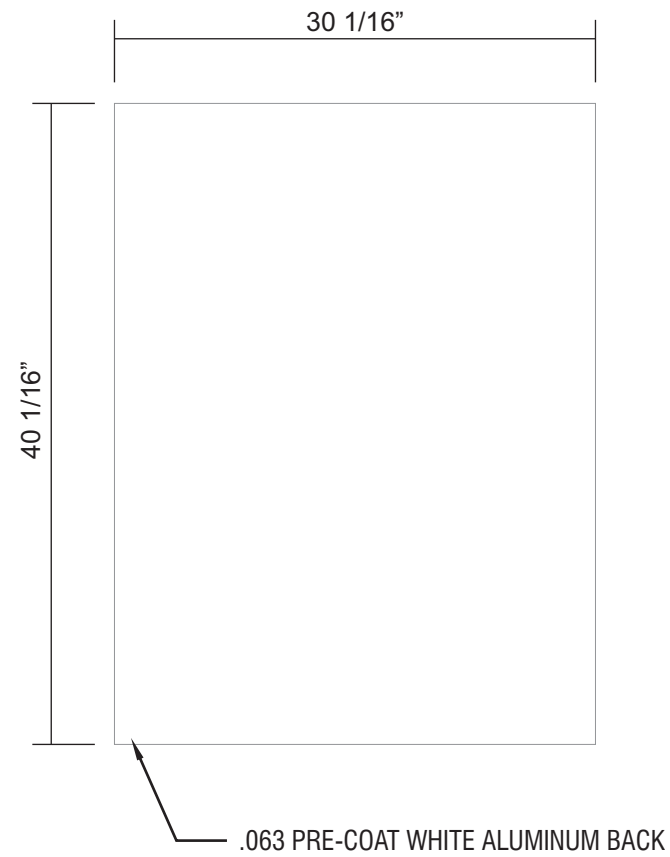
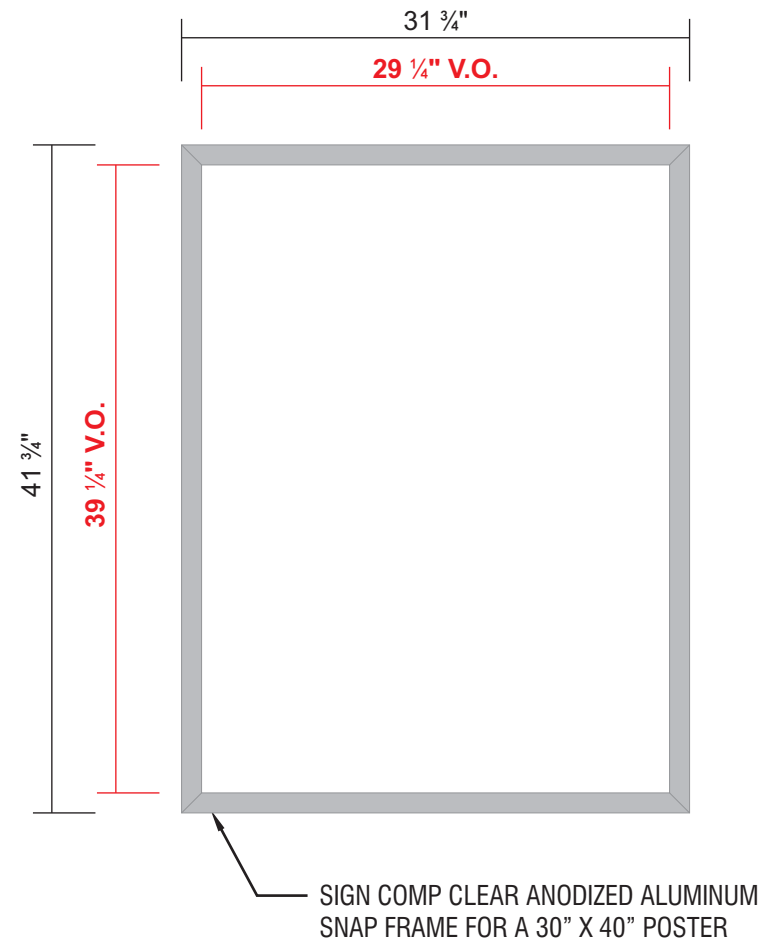
CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:
12/30/21

SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813



COLOR CODE

 CLEAR ANODIZED ALUMINUM

FACTORY DRAWING

SCOPE OF WORK: PROVIDE (2) ILLUMINATED MENU SIGNS V5 - WALL-MOUNTED



SHOP DRAWING #:
33700E

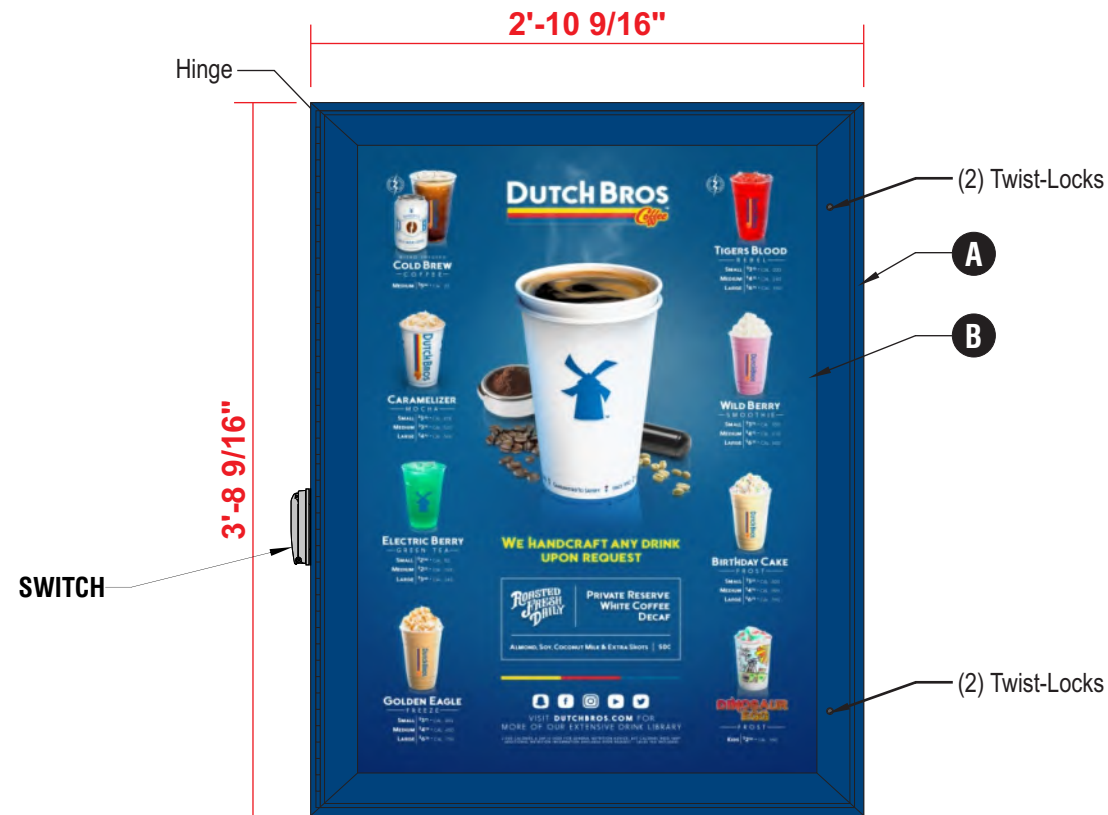
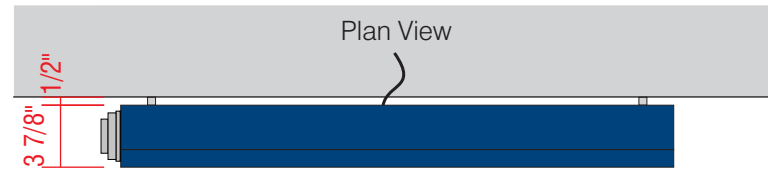
CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:
12/30/21

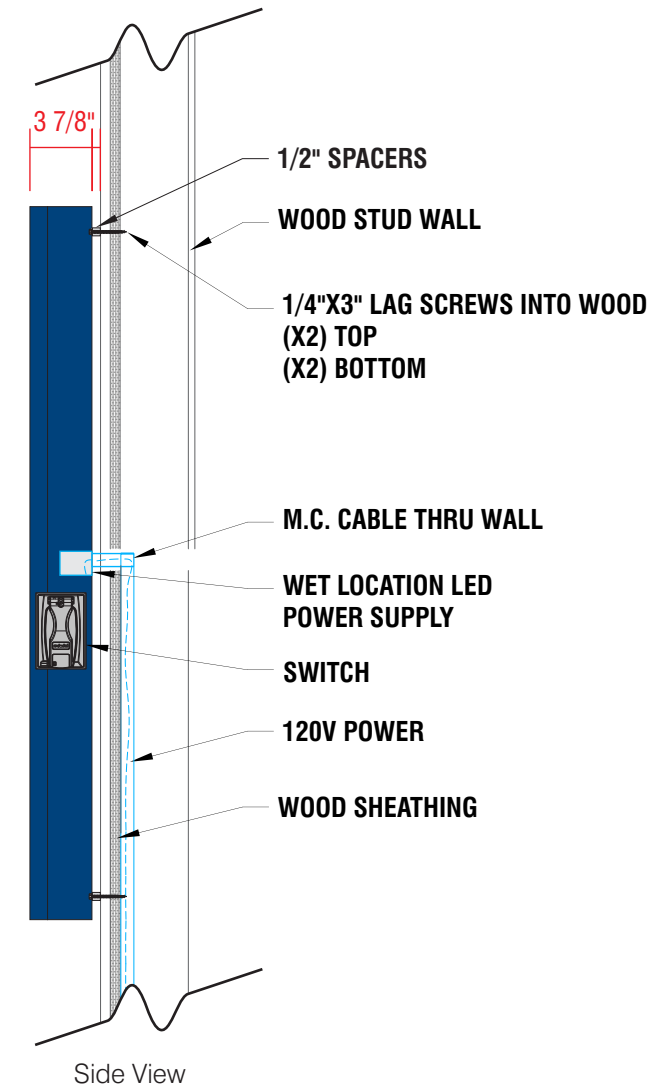
SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813





ATTACHMENT DETAIL ILLUMINATED WALL MOUNTED MENU



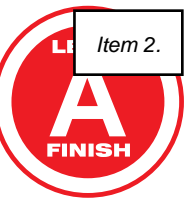
- A WALL-MOUNTED, BACKLIT MENU SIGN**
 - PRINTED MENU PANEL NOT INCLUDED
 - LED OUTDOOR LIGHT BOX
 - LOCKABLE HINGED DOOR
 - ALUMINUM CONSTRUCTION
- B PRINTED LIGHT GUIDE PANEL**
 - AS SEPARATE ORDER

COLOR CODE

-  DIGITAL PRINT
-  POWDER COATED DB CUSTOM DARK BLUE

FACTORY DRAWING

SCOPE OF WORK: PROVIDE (4) S/F ILLUMINATED MENU SIGNS V5 - PLATE-MOUNTED



SHOP DRAWING #:
33700F

CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965



DATE OF SHOP DRAWING:
12/30/21

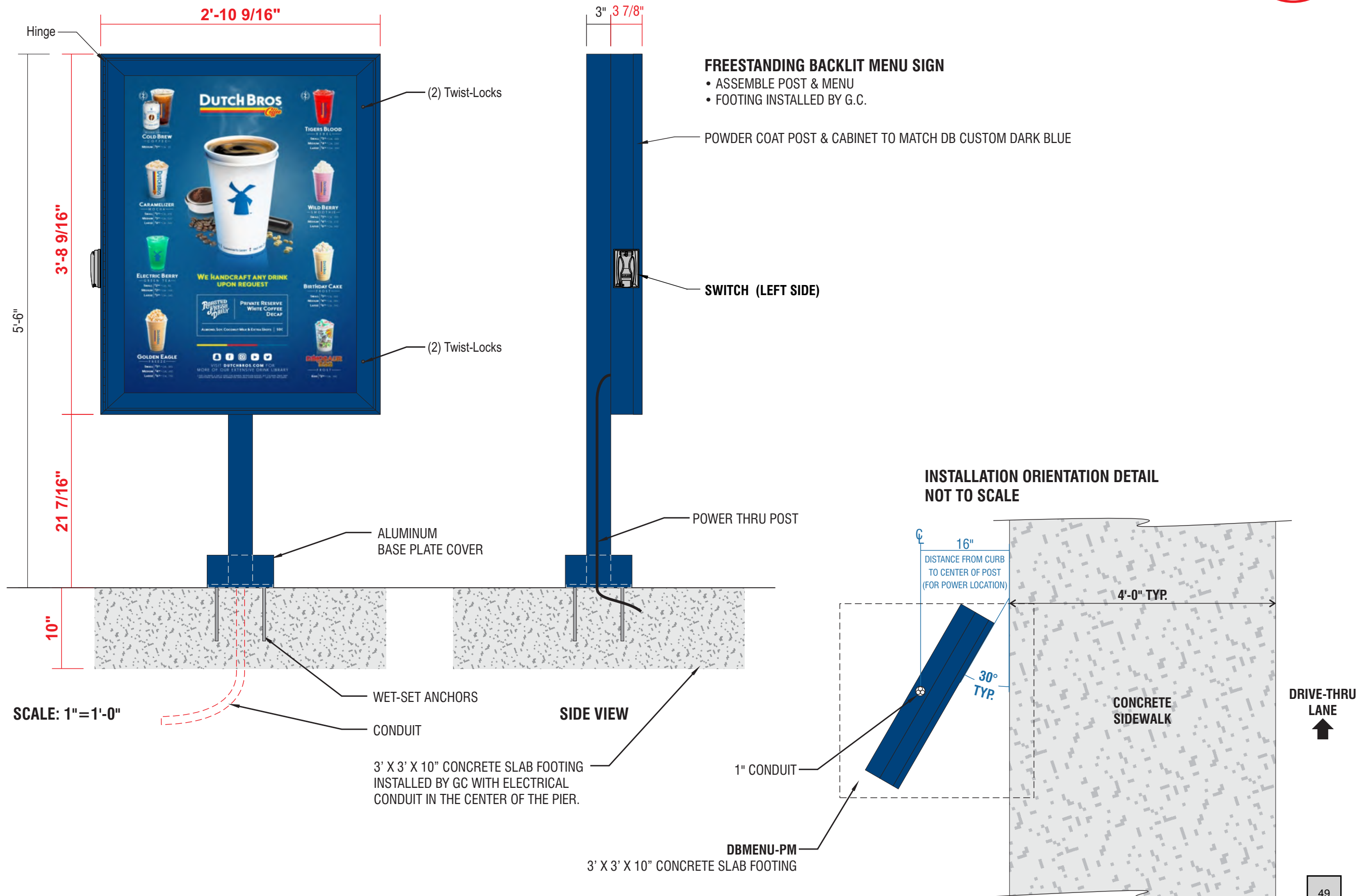
SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813

COLOR CODE

-  DIGITAL PRINT
-  POWDER COATED DB CUSTOM DARK BLUE



FACTORY DRAWING

SCOPE OF WORK: PROVIDE (2) D/F ILLUMINATED MENU SIGNS V5 - PLATE-MOUNTED



SHOP DRAWING #:
33700G

CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965



DATE OF SHOP DRAWING:
12/30/21

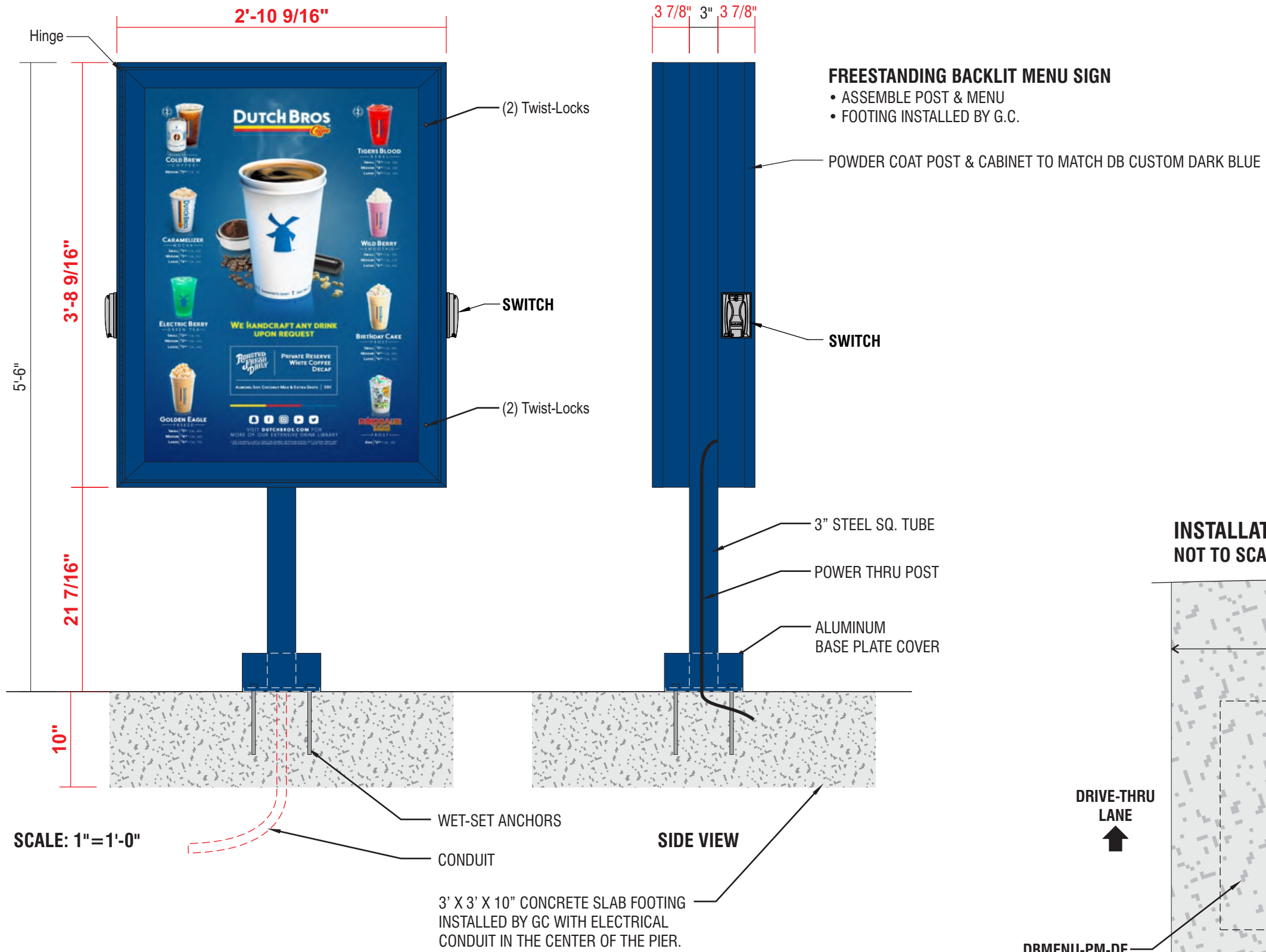
SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

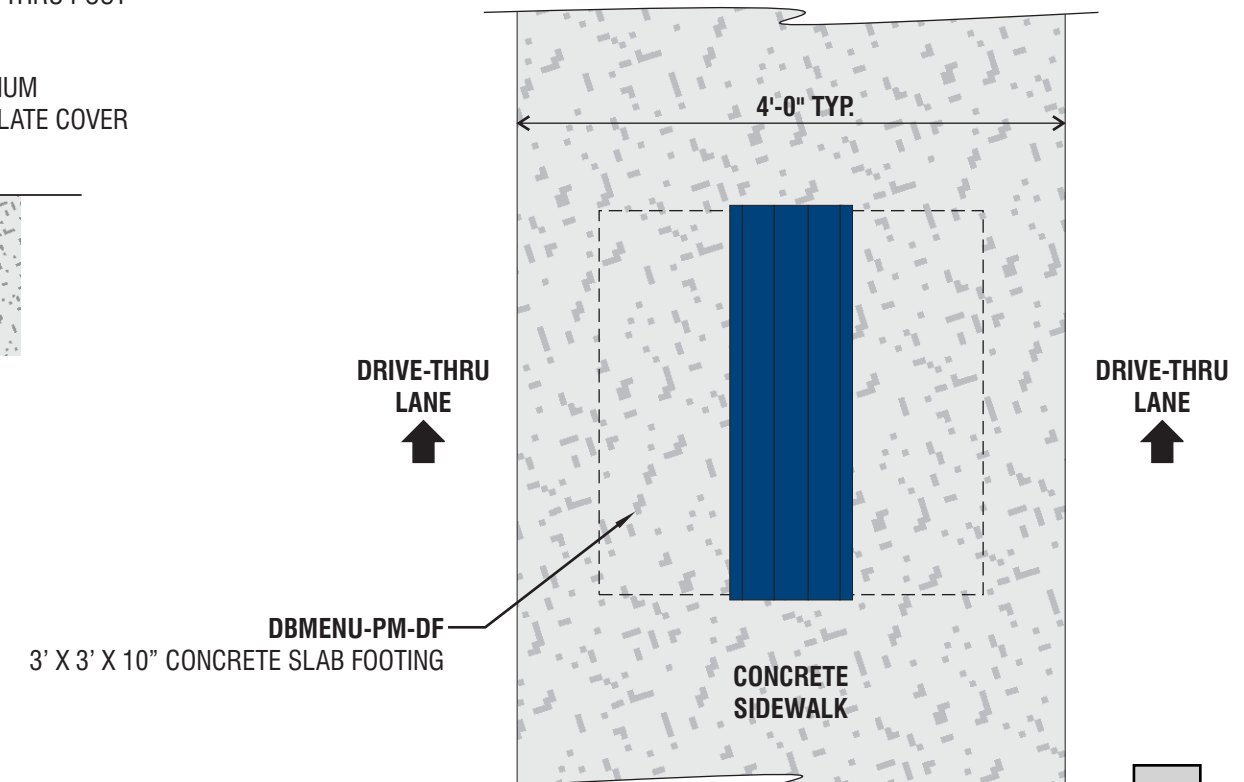
ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813

COLOR CODE

-  DIGITAL PRINT
-  POWDER COATED DB CUSTOM DARK BLUE



INSTALLATION ORIENTATION DETAIL NOT TO SCALE



FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (1) D/F NON-ILLUMINATED 'DRIVE THRU' SIGN



SHOP DRAWING #:
33700H

CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

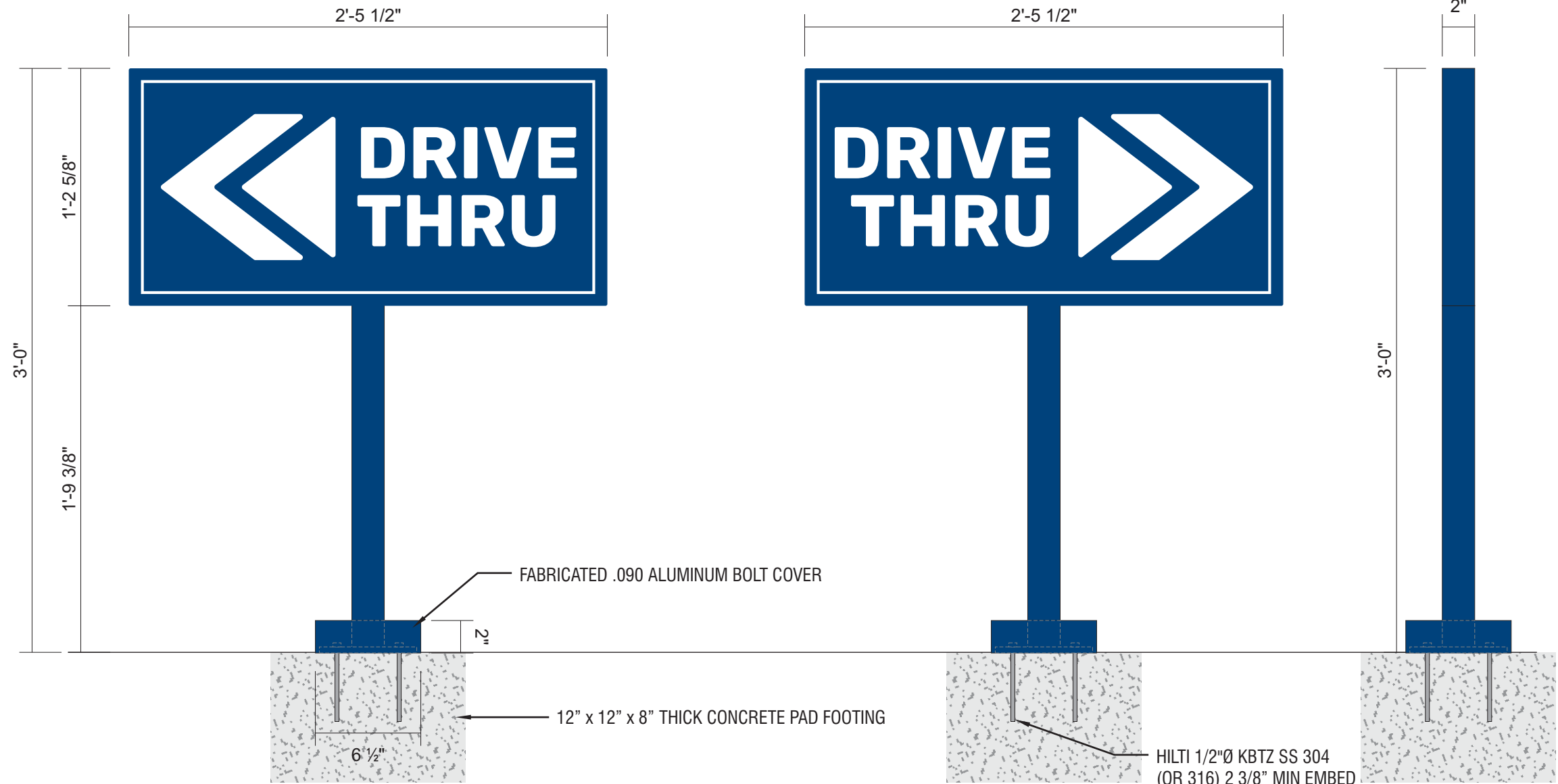
DATE OF SHOP DRAWING:
12/30/21

SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813

LAYOUT
SCALE: 1 1/2" = 1'-0"



DIAMOND GRADE REFLECTIVE WHITE VINYL WITH DIGITALLY PRINTED PMS 541 C BLUE BACKGROUND
2" X 2" SQUARE TUBE ALUMINUM FRAME & POST WITH ALUMINUM FACES & 3/8" X 6" X 6" PLATE
FABRICATED .090 ALUMINUM BOLT COVER
PAINT PMS 541 C
INSTALL PLATE-MOUNT SIGN WITH HILTI KWIK BOLTS
PAD FOOTING INSTALLED BY GC

COLOR CODE

- PMS 541 C
- WHITE

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (1) D/F NON-ILLUMINATED DIRECTIONAL SIGN



SHOP DRAWING #:

337001

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

SHOP REVISIONS:

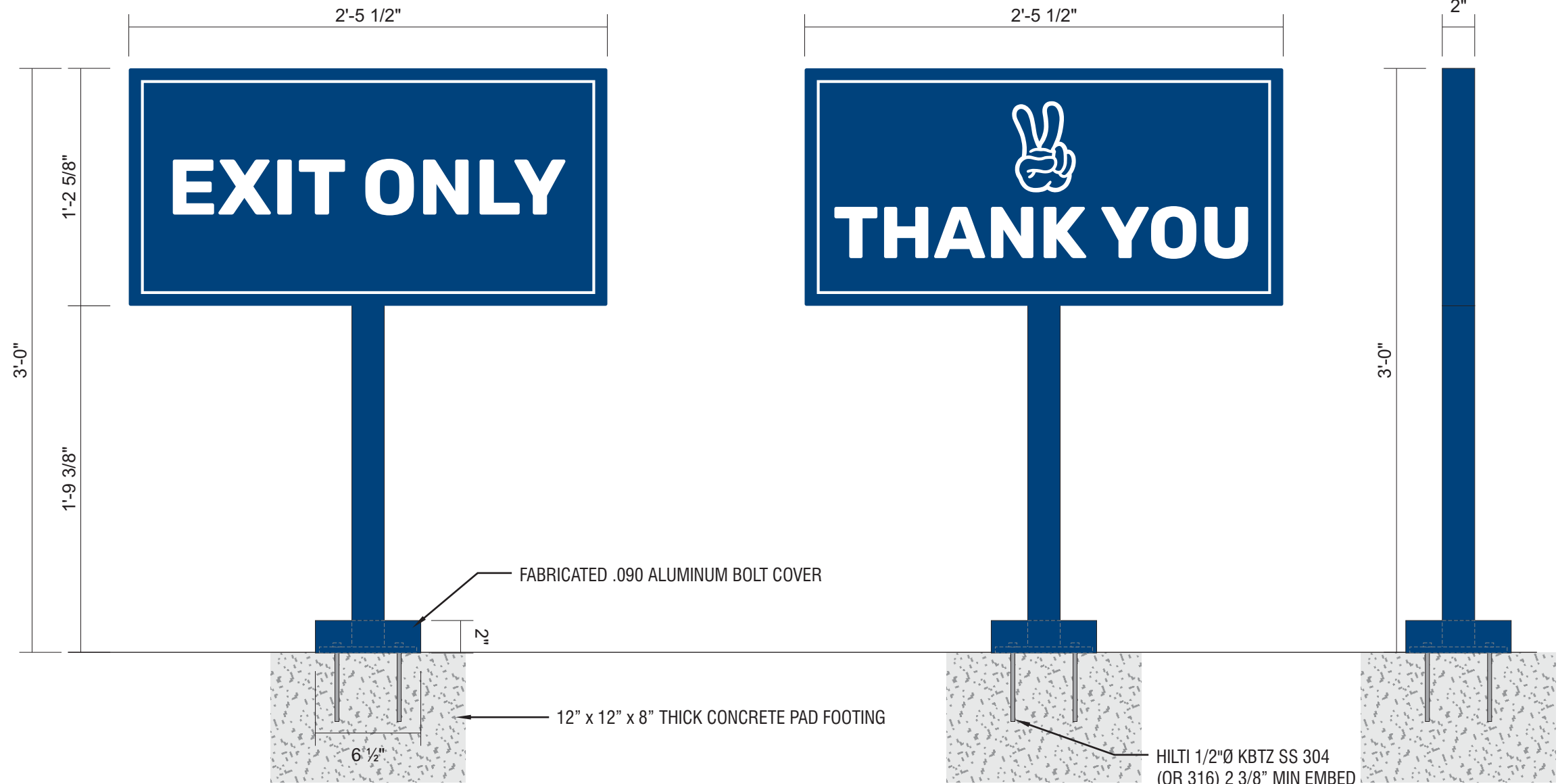
SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING

89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813

LAYOUT
SCALE: 1 1/2" = 1'-0"



DIAMOND GRADE REFLECTIVE WHITE VINYL WITH DIGITALLY PRINTED PMS 541 C BLUE BACKGROUND
2" X 2" SQUARE TUBE ALUMINUM FRAME & POST WITH ALUMINUM FACES & 3/8" X 6" X 6" PLATE
FABRICATED .090 ALUMINUM BOLT COVER
PAINT PMS 541 C
INSTALL PLATE-MOUNT SIGN WITH HILTI KWIK BOLTS
PAD FOOTING INSTALLED BY GC

COLOR CODE

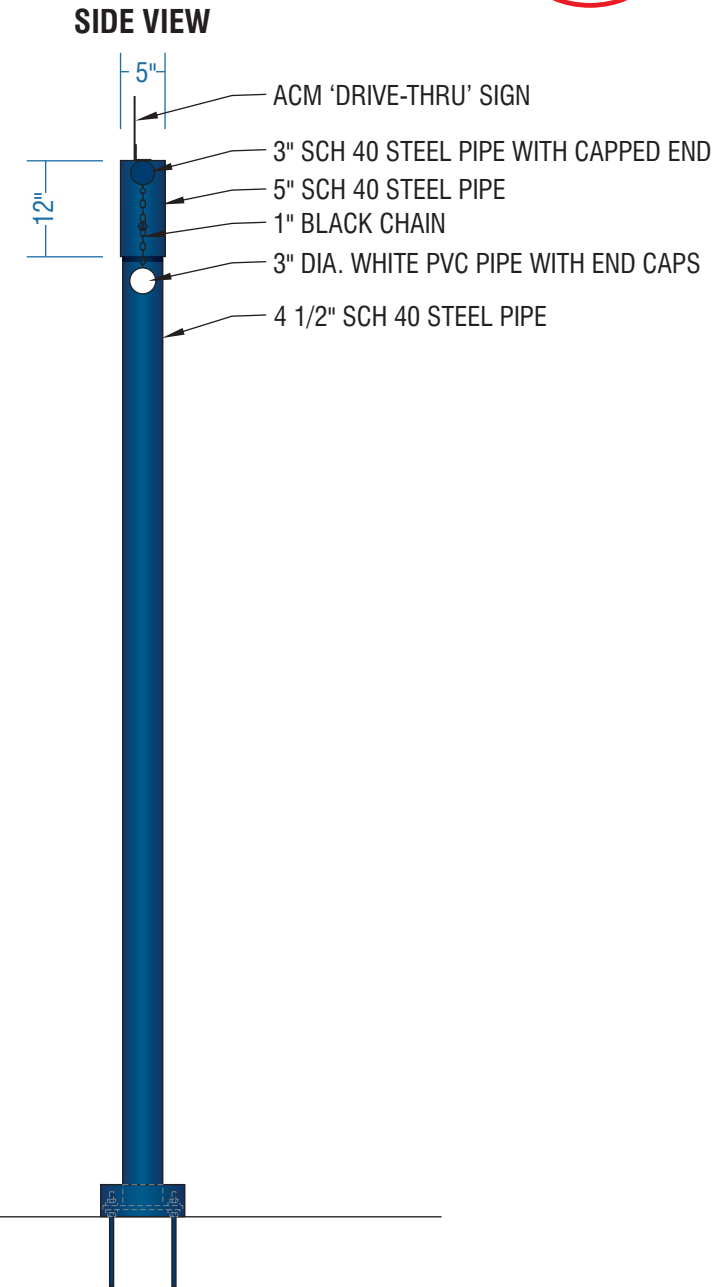
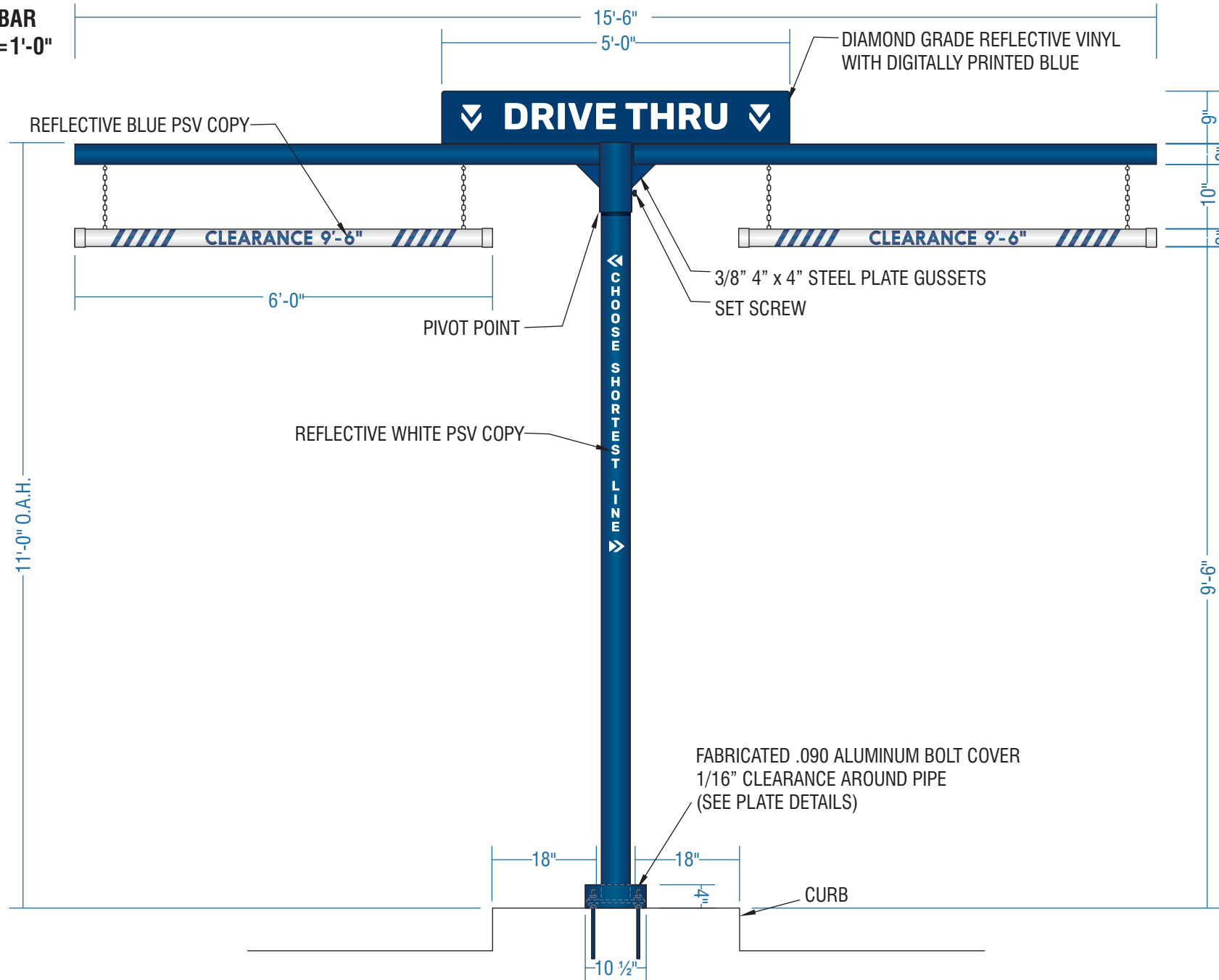
	PMS 541 C
	WHITE

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (1) S/F POST MOUNTED DOUBLE ARM CLEARANCE BAR WITH PIVOTING ARMS



CLEARANCE BAR
SCALE: 1/2" = 1'-0"



SHOP DRAWING #:
33700J

CLIENT:
DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:
12/30/21

SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 2

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813

COLOR CODE

- WHITE
- 280-75 REFLECTIVE BLUE PSV
- DB CUSTOM DARK BLUE

STEEL POLE SUPPORT STRUCTURE WITH FABRICATED .090 ALUMINUM BOLT COVER. PAINT DB CUSTOM DARK BLUE.

REFLECTIVE WHITE PSV COPY APPLIED TO VERTICAL POLE.

3" DIA. WHITE PVC CLEARANCE BAR WITH END CAPS AND 280-75 REFLECTIVE BLUE PSV TEXT & STRIPES.

HANG WITH BLACK CHAIN SECURED TO BOTTOM OF POLE STRUCTURE.

INCLUDE ONE SHEET REFLECTIVE VINYL NUMBERS MASKED FOR FIELD INSTALLATION.

CLEARANCE NUMBERS TO BE FIELD MEASURED AND APPLIED. MEASURE FROM ASPHALT TO BOTTOM OF OVERHANG MINUS 6".

ACM 'DRIVE-THRU' SIGN WITH DIAMOND GRADE REFLECTIVE VINYL WITH DIGITALLY PRINTED BLUE.

DIAMOND GRADE REFLECTIVE WHITE VINYL WITH DIGITALLY PRINTED PMS 541 C BLUE BACKGROUND.

INSTALL STEEL POLE PLATE-MOUNTED WITH LEVELING NUTS ONTO G.C. PROVIDED FOOTING.

FACTORY DRAWING

ENGINEERING DETAILS

Item 2.

SHOP DRAWING #:

33700J

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

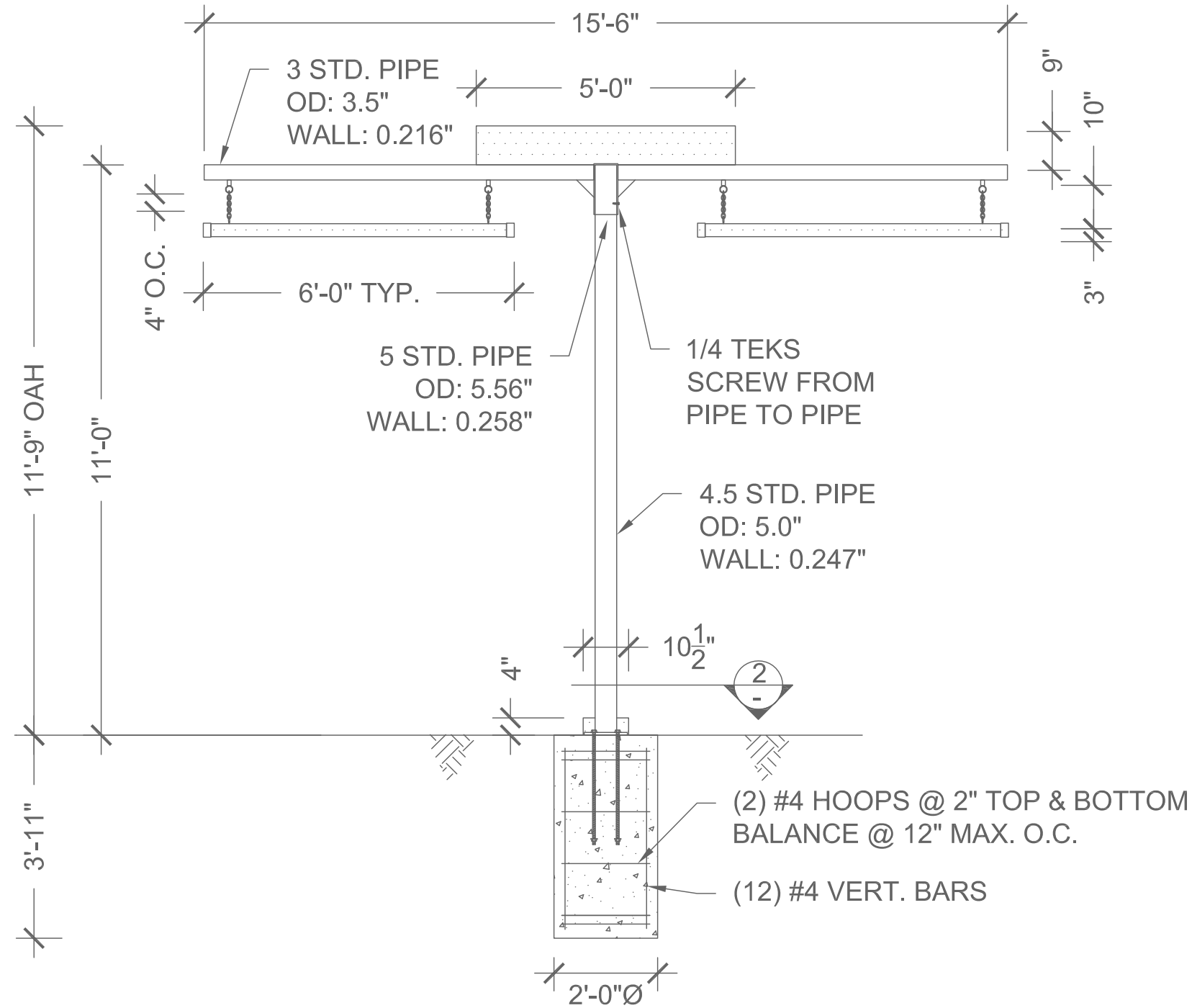
SHOP REVISIONS:

SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	2 of 2

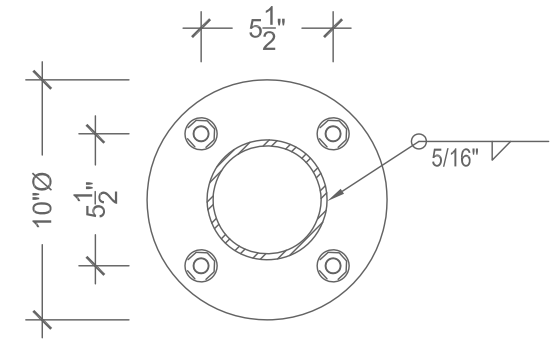
ES&A SIGN & AWNING

89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813



ELEVATION
SCALE: 3/8" = 1'-0"



10"Øx5/8" STEEL PLATE
W/ (4) 5/16" Ø THREADED ANCHOR RODS
MIN EMBED. = 24" INTO CONCRETE
W/NUT/WASHER/NUT @ EMBED. END

BASE PLATE
SCALE: 1 1/2" = 1'-0"

FACTORY DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL (1) SET OF BUILDING ADDRESS NUMBERS



SHOP DRAWING #:

33700K

CLIENT:

DUTCH BROS - CA1806
2366 FEATHER RIVER BLVD.
OROVILLE, CA 95965

DATE OF SHOP DRAWING:

12/30/21

SHOP REVISIONS:

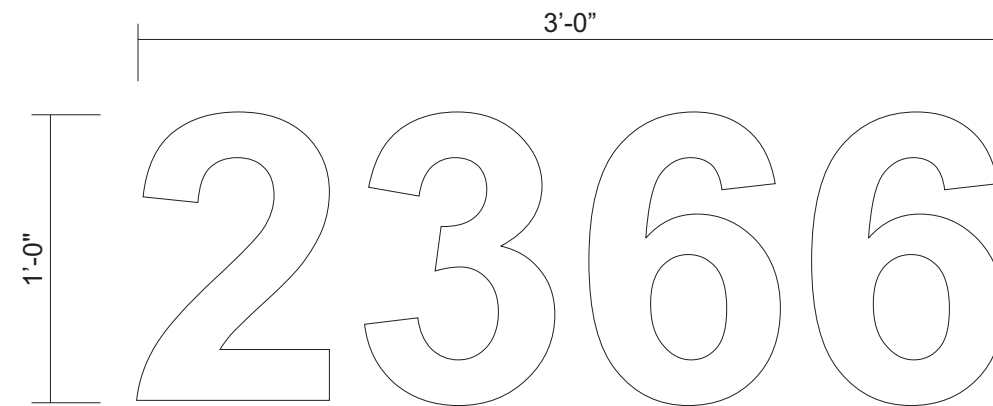
SALES:	CONCEPT DESIGN:	PROD. DESIGN:	PAGE NO:
NJ	CH	CH	1 of 1

ES&A SIGN & AWNING

89975 PRAIRIE RD. | EUGENE, OR 97402

P 541.485.5546 | F 541.485.5813

BUILDING ADDRESS
SCALE: 1 1/2"=1'-0"



ADDRESS NUMBERS:

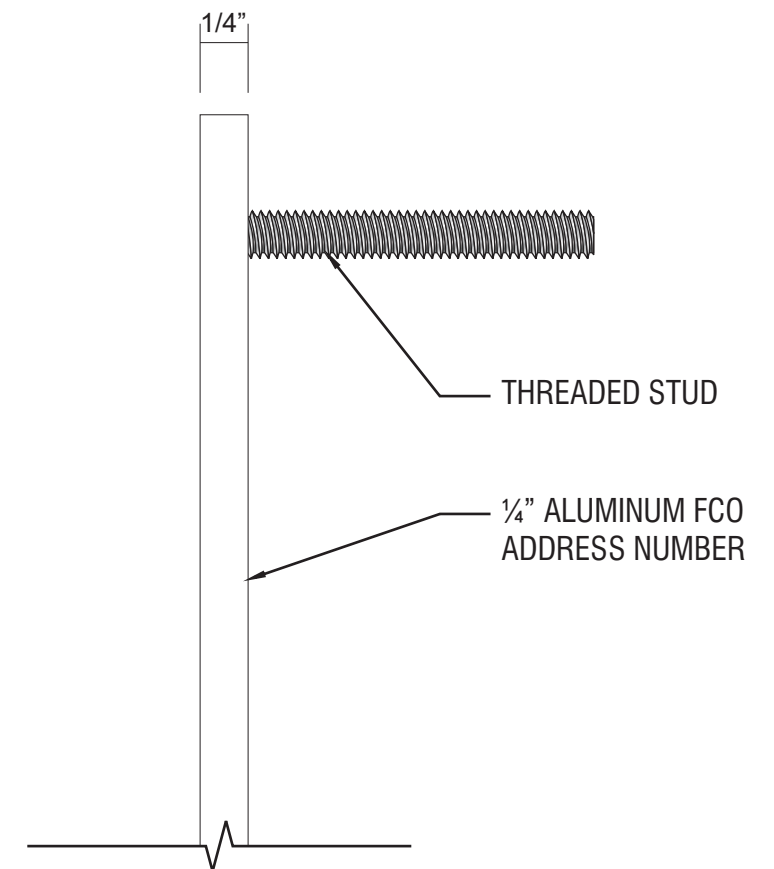
FONT: ARIAL BOLD

MATERIAL: 1/4" THICK ALUMINUM

COLOR: PAINTED SATIN WHITE

INSTALLATION: STUD MOUNTED FLUSH TO BUILDING

SIDE DETAIL
FULL SCALE



COLOR CODE

 SATIN WHITE PAINT



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, February 24, 2022

RE: Minor Use Permit UP22-02 for a used vehicle dealership at 1450 Oro Dam Blvd E, Suite F (APN 035-450-009)

SUMMARY: The Oroville Planning Commission will review and consider approving Use Permit No. UP22-02 to permit Paradise Motors, a used vehicle dealership, at 1450 Oro Dam Blvd E, Suite F within the Golden State Auto Center

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP22-02;
4. **Approve** Use Permit UP22-02 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2022-03

APPLICANT: Robert Justin Cahoy & Ken Blanton, Paradise Motors, LLC

LOCATION: 1450 Oroville Dam Blvd E, Ste F (APN 035-450-009)

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

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

REPORT PREPARED BY:

 Connor Musler, Assistant Planner
 Community Development Department

REVIEWED BY:

 Dawn Nevers, Assistant Director
 Community Development Department

DISCUSSION

Robert Justin Cahoy and Ken Blanton are proposing to open a used vehicle dealership, Paradise Motors, at 1450 Oro Dam Blvd E, Ste F. The project site is located on approximately 1.32 acres on the north side of Oro Dam Blvd within the Golden State Auto Center, immediately east of the Oroville Ford Dealership. The intended hours of operation are from 9 am to 6 pm 7 days a week. The property has a zoning designation of Corridor Mixed Use (MXC). According to the Oroville Municipal Code (OMC), used vehicle sales require a Use Permit within MXC zones.

The site is currently developed with multiple vehicle service and repair businesses. The space proposed to be occupied by Paradise Motors was most recently home to a Hertz rental car business. During the COVID-19 pandemic, the Hertz closed down and did not reopen. Paradise Motors has now submitted a Use Permit application to occupy the 220 square foot office space previously utilized by Hertz and to have 18 spaces available for displaying used vehicles. The applicant has submitted a letter of authorization from the property owner allowing the applicant to display vehicles in the parking lot and to utilize the on-site car washing area.

The parking lot appears adequate to display vehicles without occupying any required parking spaces to adequately serve the other businesses in the complex. The 2018 Google Street View shows multiple cars in the parking area proposed to be used for vehicle sales.

Signage is proposed on the front, side, and rear of the building, on the existing multi-tenant pylon sign, and on the fence. In accordance with the City's sign code, signage shall not be permanently affixed to fences. The applicant may choose to temporarily utilize a maximum of 2 banner signs for up to 30 days in conjunction with the opening of the business. After a period of 30 days, the banner signs must be removed. The remaining signage as proposed complies with the City's sign code.

The Development Review Committee reviewed the project on February 10th and recommends approval of 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 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 be in an area near similar vehicle sales and service businesses, offering the community an additional choice when it comes to buying and selling vehicles off a heavily traveled transportation corridor.

- 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.

- 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. 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.**

The proposed use will provide an additional choice for buying and selling vehicles, which can be desirable for the community and keeps business local.

- 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. Resolution P2022-03
2. Notice of Exemption (CEQA)
3. Application Package
4. Site Photos

RESOLUTION NO. P2022-03

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING MINOR USE PERMIT UP22-02 FOR A USED VEHICLE DEALERSHIP AT 1450 ORO DAM BLVD STE F (APN 035-450-009)

WHEREAS, the City has received an application to conduct used vehicle sales at 1450 Oro Dam Blvd E, Suite F (APN 035-450-009); and

WHEREAS, The City of Oroville Municipal Code (OMC) Table 17.34.020-1 differentiates between vehicle sales – automobile, new and vehicle sales – all other; and

WHEREAS, the applicant intends to sell used vehicles, classifying the use as vehicle sales – all other, and thus requiring 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 17.48.010 of the Oroville City Code, as described in this Resolution.
3. The conditions of approval below 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.
4. The Planning Commission approves Use Permit UP 22-02, subject to the conditions in this resolution.

Required Findings for Use Permits (OMC 17.48.010)

- 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 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 be in an area near similar vehicle sales and service businesses, offering the community an additional choice when it comes to buying and selling vehicles off a heavily traveled transportation corridor.

- 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.

- 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. 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.**

The proposed use will provide an additional choice for buying and selling vehicles, which can be desirable for the community and keeps business local.

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.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission hereby conditionally approves Use Permit No. 22-02 to allow Paradise Motors to conduct used vehicle sales at 1450 Oro Dam Blvd E, Suite F Blvd (APN 035-450-009). The subject property has a zoning designation of Corridor Mixed Use (MXC). Per OMC Table 17.34.020-1, used vehicle sales are considered to be vehicle sales – all other and are subject to a use permit in MXC zones.

CONDITIONS OF APPROVAL

Other.

1. No more than 18 vehicles may be kept and/or offered for sale on the property in conjunction with the use. Any increase in the number of vehicles kept and/or offered for sale shall require a use permit modification approved by the Planning Commission.
2. The applicant shall submit a separate building permit application for any signage. All signage shall be designed and maintained according to the Oroville Sign Code and the approved sign plans submitted as part of the use permit application under file No. DRC 22-06/UP22-02, and Trakit file No. PL2201-011 date stamped January 26, 2022. Permanent signs shall not be affixed to the fence or within the required driveway sight distance area.
3. A maximum of 2 temporary banner signs can be utilized for a period not to exceed 30 days to advertise the business.
4. Pursuant to OMC 17.12.110, if the property has an existing trash enclosure, then the required trash and recycling receptacles shall be located within the trash enclosure. If there is not a trash enclosure, the applicant or the property owner shall take appropriate measures to prevent any litter or debris from escaping onto the premises, or so as to create a nuisance.

General Conditions.

1. The applicants and any tenants or subsequent owners shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of their business operations.
2. The applicant and any tenants shall ascertain and comply with all requirements of the Butte County Environmental Health Department.
3. The proposed use shall substantially conform to the project description and submitted plans for the project under file No. DRC 22-06/UP22-02, and Trakit file No. PL2201-011 date stamped January 26, 2022. 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.

4. Pursuant to Section 17.12.010, the buildings shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
5. 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.
6. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
7. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
8. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance will suffice.
9. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant and/or property owner in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
10. Pursuant to Section 17.12.050, landscaped areas shall be continually maintained in good condition and shall be kept clean and weeded and trees shall be pruned in a natural pattern and shall not be topped or pollarded. Maintenance shall include but not be limited to:
 - I. Cultivation of planting beds and mowing to maintain grassy areas.
 - II. Pruning of plants as necessary to control and direct growth.
 - III. Replacement of dead or unhealthy plant material in accordance with the approved landscaping plan.
 - IV. Fertilization as needed to ensure proper plant growth.
 - V. Repair or replacement of irrigation system components and irrigation drainage components, as needed, to maintain the system in good working condition.
11. Applicant shall monitor occupancy and will institute controls to limit the number of patrons both inside of the building and outside of the building.
12. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
13. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
14. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:

- I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - II. Any of the terms or conditions of the permit have been violated.
 - III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
 - IV. The permit was obtained by fraud.
15. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
16. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.

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 24th of February 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

NOTICE OF EXEMPTION

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

Project Title: Minor Use Permit UP22-02 for a used vehicle dealership at 1450 Oro Dam Blvd E, Suite F (APN 035-450-009)

Project Location – Specific: 1450 Oro Dam Blvd E, Ste F

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Robert Justin Cahoy and Ken Blanton are proposing to open a used vehicle dealership, Paradise Motors, at 1450 Oro Dam Blvd E, Ste F. The project site is located on approximately 1.32 acres on the north side of Oro Dam Blvd within the Golden State Auto Center, immediately east of the Oroville Ford Dealership. The intended hours of operation are from 9 am to 6 pm 7 days a week. The property has a zoning designation of Corridor Mixed Use (MXC). According to the Oroville Municipal Code (OMC), used vehicle sales require a Use Permit within MXC zones.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Robert Justin Cahoy and Ken Blanton, Paradise Motors, LLC.

Exempt Status (Check One):

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

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

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

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the project will have a significant effect on the environment. The proposed use will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. The project involves a change in use of a vacant space within an existing auto center. The space was most recently utilized by Hertz Car Rentals and the property owner now intends to lease the space to Paradise Motors following the closure of Hertz. Paradise Motors will be utilizing a property intended to provide commercial uses with no proposed expansion of floor area or exterior modification.

If filed by applicant:

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

Lead Agency Contact Person: Connor Musler

Telephone: (530) 538-2430

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant



City of Oroville

Planning Division - Community Development Department

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

TRAKIT#: **PL2201-011**

USE PERMIT APPLICATION

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

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

PROJECT PLANS

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

1. **Site and floor plans**, including the location, square footage and use of all structures.
2. **Architectural drawings** showing proposed building elevations.
3. **Landscape plans** showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed.
4. **Plans for the configuration & layout** of all off-street parking spaces, including entrances, exits and internal circulation routes.
5. **Plans for all lighting** to be installed on the site, including the location, type, height and brightness of each lighting fixture.
6. **Drawings of all signs** that are proposed in association with the project.
7. **Plans showing the location, sq footage and capacity** of any existing or proposed surface storm-water detention facilities.
8. **Plans showing the location and square footage** of any existing or proposed outdoor storage areas.
9. **Descriptions of any off-site infrastructure improvements** to be provided in conjunction with the project.
10. **Hours of operation** for all proposed land uses.
11. **Number of employees and fleet vehicles** for all proposed land uses *2 owners / no employee vehicles*
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) *Used Car Dealership*

APPLICANT'S SIGNATURE

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

Signature: <i>Justin Cahoy</i>	Date: <i>1/25/22</i>
Approved By:	Date:
Payment:	Number:

PROJECT DESCRIPTION	
Present or Previous Use:	Hertz Rental Car
Proposed Use:	Used Car Dealership
Detailed Description:	Previously submitted #1,3,4,6,8,10 of Project Plans #2,9 are not applicable #3,5,7 are existing currently on the 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

I, Alan Jones, have leased 1450 Oro Dam Blvd East suite F to Paradise Motors LLC. I have supplied the dimensions for the office and display parking leased to them. They have been granted access to our car washing area on the property, which is equipped with proper drainage. All lighting and landscaping is existing.

If you have any questions, please contact me.

Thank you,


1-26-22

Owner-operator, Golden State Auto Body

Main: (530) 533-8345 Mobile: (530) 370-4230 Fax: (530) 533-5063
e-mail gsab@cncnet.com

Golden State Auto Body
1450 Oro Dam Blvd. East
Oroville, CA 95965



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

Item 3.

TRAKIT#:

PL 2201-011

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	
Name:	Robert Justin Cahoy / Ken Blanton	Name:	Paradise Motors LLC - Oro
Address:	6627 Clark Rd Paradise CA	Company:	Paradise Motors LLC
Phone:	530 965 6288 / 530 519 0025	Address:	6627 Clark Rd Paradise CA
Email:	justincahoy@yahoo.com	Phone:	
Is the applicant the Owner?	<input checked="" type="checkbox"/> If applicant is Not the owner, please provide owner / agent authorization on the reverse side.	Email:	

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

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

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

PROJECT INFORMATION	
Project Name: Paradise Motors LLC - Oro	Proposed Structure(s) (Sq Ft.):
Address: 1450 Oro Dam Blvd E Suite F	Existing Structure(s) (Sq Ft.): 220
Nearest Cross Street: Veatch St	Water Provider:
Assessor Parcel Number: 035-450-009	School District:
Lot Size (Acres):	Number of Dwelling Units:

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

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

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

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

1) <u>Robert Justin Cahoy</u> Print Name of Owner	<u>Robert Justin Cahoy</u> Signature of Owner	<u>1-21-22</u> Date
2) <u>Ken Blanton</u> Print Name of Owner	<u>[Signature]</u> Signature of Owner	<u>1/21/22</u> Date
3) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
4) _____ Print Name of Owner	_____ Signature of Owner	_____ Date
<u>6627 Clark Rd</u> Owner's Mailing Address	<u>justincahoy@yahoo.com</u> Owner's Email	<u>530 965 6288</u> Owner's Phone #
<u>Paradise CA 95969</u>		

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

To:
City of Oroville
Planning Division
1735 Montgomery St
Oroville CA 95965

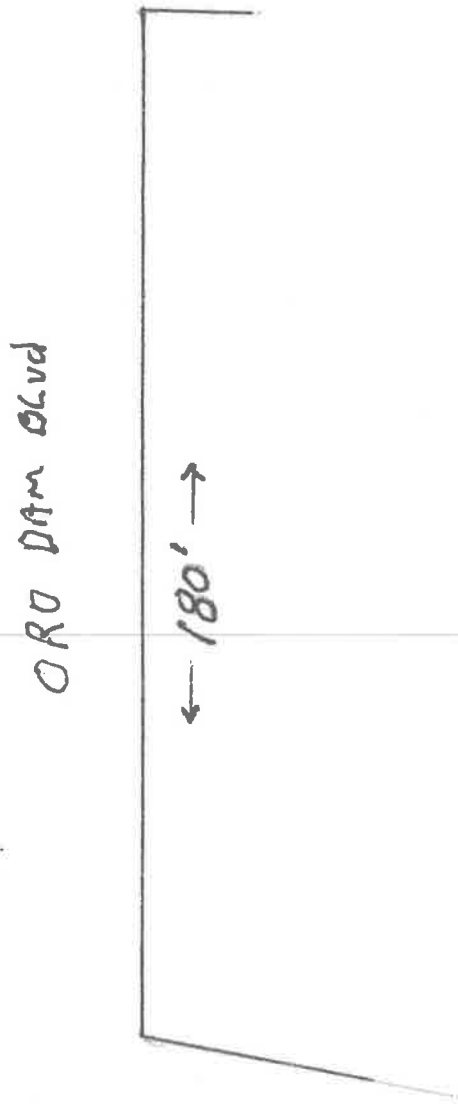
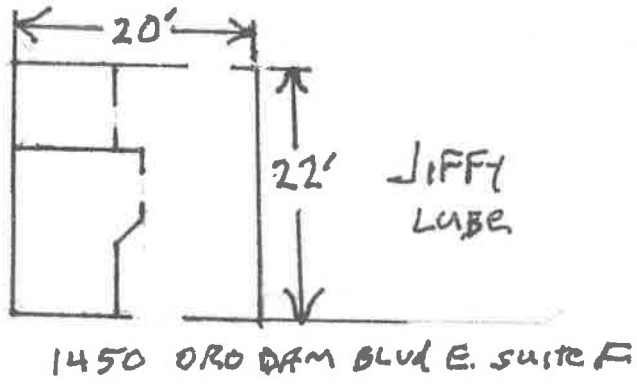
From;
Paradise Motors LLC
6627 Clark Rd
Paradise CA 95969

Paradise Motors LLC is applying for a use permit to operate a used car dealership at 1450 Oro Dam Blvd East Suite F. This site was previously Hertz Rental Cars. Attached are our proposed signage and site dimensions and aerial photo. Standard Parking spots are 9 feet wide by 18 feet long. According to the dimensions of street frontage (180 feet) supplied by the property owner, we can have 18 display spots for inventory vehicles and offer 2 parking spots for customer parking. The office space is 220 square feet, this should meet the required customer parking spots. We will hold business hours from 9am to 6pm 7 days a week.

Please let us know if this meet your requirements or if any modifications need to be done. You can contact Denise at 530 354 0742 or Justin or Ken.

Thank you,

Robert "Justin" Cahoy 530 965 6288
Ken Blanton 530 519 0025
Paradise Motors LLC 530 354 8018











City of Oroville

Building Department
Cash Collections
RECEIPT: P1124

Project Number: PL2201-011
Project Name: PARADISE MOTORS, LLC

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

Date Paid: 1/25/2022

Paid By: PARADISE MOTORS, LLC

Pay Method: CHECK

Check # 1525

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.

2018 Street View

Google



Google

2021 Street View





City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, February 24, 2022

RE: Adoption of a new City Ordinance Regulating Massage Establishments

SUMMARY: The Oroville Planning Commission will review and consider recommending that the City Council adopt an ordinance relating to the regulation of massage establishments and persons providing massage in the City of Oroville.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed Massage Ordinance;
- **Review PROPOSED ZONING CHANGE ZC 22-01 WITH NEW REQUIREMENTS FOR MASSAGE THERAPIST AND OWNER CERTIFICATIONS, AND FOR MASSAGE ESTABLISHMENTS AND OPERATIONS.**
- **Adopt Resolution P2022-01 -- A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING CHANGE ZC 22-01 RELATING TO THE CITY'S REGULATIONS OF MASSAGE ESTABLISHMENTS AND INDIVIDUALS THAT PRACTICE MASSAGE AND THERAPEUTIC BODY WORK.**

APPLICANT: City of Oroville

LOCATION: City-Wide

GENERAL PLAN: N/A
ZONING: N/A
FLOOD ZONE: N/A

ENVIRONMENTAL DETERMINATION: This Massage Ordinance is not a project under CEQA since it has no possibility of having a direct or indirect effect on the environment.

REPORT PREPARED BY:

 Connie Spade, Associate Planner
 Community Development Department

REVIEWED BY:

 Dawn Nevers, Assistant Director
 Community Development Department

DISCUSSION

At present, the City of Oroville has not adopted regulations to adequately govern massage businesses. The proposed massage ordinance would provide direction, structure and minimum requirements for massage certification, sanitation, safety, and operational standards.

The city recognizes massage therapy as a healing art and the many benefits it provides to residents and visitors in Oroville. However, the city must also address the widespread use of

massage establishments as a front for sex trafficking and other criminal activity. Therefore, the proposed ordinance includes several factors to prevent and curtail illegal activities to ensure the health, safety, and welfare of the community and possibly the victims of sex trafficking.

The California Massage Therapy Council (CAMTC) has provided vital information and support in the development of the proposed massage ordinance. The Development Review Committee and the Director of Code Enforcement reviewed the ordinance at two meetings. Research regarding the current number of sole providers and massage establishments in the city and who has current business licenses are in Attachment B.

MESSAGE LAW IN CALIFORNIA

The California Massage Therapy Council (CAMTC) oversees and regulates “individuals” (verses establishments) and issues certificates and photo identification cards once an applicant has passed the State exam and a criminal background check. Certificates must be renewed every two years.

The Massage Therapy Act (“Act”) is a uniform statewide regulation enacted by the State Legislature in 2008, as well as subsequent amendments, in Business and Professions Code Section 4600 et seq. The Act created the California Massage Therapy Council (CAMTC) a non-profit organization formed to oversee and certify individual massage therapists and identify and approve legitimate massage schools.

The intent of the legislature in creating the Massage Therapy Act and the CAMTC was for local governments, law enforcement, nonprofit stakeholders, the massage industry, and massage professionals to work together to improve communication and share information to further increase the value of statewide certification, to collaborate in the implementation of the Massage Therapy Act, and to respect local control and the dignity of the profession of massage therapy.

The CAMTC assists local governments and law enforcement in meeting their duty to maintain the highest standards of conduct in massage establishments by vetting and disciplining certificate holders, ensure that schools approved by the council that are teaching massage and bodywork provide a high level of training and are not selling massage diplomas/certificates and ensure full compliance with, and execution of, the requirements of the Massage Therapy Act.

The CAMTC may discipline an owner or operator of a massage business or establishment who is certified or is an applicant for certification pursuant to this chapter for the conduct of all individuals providing massage for compensation on the business premises. CAMTC certification is voluntary, but many jurisdictions require certification to operate in their city or county.

KEY HEALTH AND SAFETY ELEMENTS OF THE MESSAGE ORDINANCE

1. Qualified Massage Therapists

Massage Establishments

Only massage therapists with a minimum of 500 hours of study from a school approved by the California Massage Therapy Council (CAMTC) can work at a massage establishment.

Sole Provider

A sole provider is a massage therapist or therapeutic bodyworker that individually owns their business and is the only worker. The proposed massage ordinance does not require existing or future sole providers to have 500 hours of study or to be CAMTC certified. Existing sole provider is required to provide proof of valid education to the city within 60 days of ordinance enactment.

Future sole providers are required to have a minimum of 350 hours of study and practice from a CAMTC approved school but do not have to be CAMTC certified. The CAMTC websites list approved and non-approved schools. Many of the non-approved schools are still operating and were rejected (over half in the State) by CAMTC due to selling certificates and diplomas (teleconference Officer Rick McElroy of CAMTC on 1-10-22).

2. **CAMTC Certification Required for Massage Establishments.** Existing massage establishment managers and massage therapists that are not CAMTC certified are allowed 16 months from the date of massage ordinance enactment to submit a copy of their CAMTC certificate and photo identification card to the city. At 12 months each manager and massage therapist must provide proof to the city they completed 500 hours of study and CAMTC has accepted a complete application from them. Sixteen months includes the 3-4 months of CAMTC review. This grace period does not apply to massage establishments operating without a current city business license or other violation of the city municipal code.
3. **Live Scan Background Check.** Live scans are digital inkless images of fingerprints used for criminal background checks. All massage establishments and sole providers operating in the city prior to enactment of the massage ordinance (massage establishment owners, managers, persons administering massage, administrative and support staff) are required to submit to the Chief of Police results of a live scan (as requested by Officer Belser) within 60 days of enactment of the massage ordinance unless this has been done through a CAMTC certification. Current massage establishment owners and support staff (other than CAMTC certified managers and massage therapists) are not required to be CAMTC certified. However, future applicants (owners) and their support staff are required to have a live scan.
4. **Massage Establishments - Owner History.** Future applicants (all owners) are required to submit their work history, work location(s), and job title(s) for the previous five years and provide documents regarding any suspension or revocation of a massage establishment permit in any jurisdiction over the last 10 years.
5. **Location Moratorium.** No person shall provide massage, operate a massage establishment, or provide property for operation of a massage establishment at a particular location if:
 - a. Another massage establishment is or was operating at that location within the prior thirty-six (36) months and that massage establishment has been deemed by the city attorney or a court of competent jurisdiction to have violated any provision of this Chapter.
 - b. Another massage establishment is or was operating at that location within the prior thirty-six (36) months and that massage business has outstanding unpaid fines or penalties, whether criminal, administrative, or civil.
6. Certain other facility and operational requirements are also included in the ordinance, including window treatments, cleanliness, prohibited conduct and advertising.

Any input, comments, or concerns from the Planning Commission will contribute to a clear, practical, effective, and enforceable massage ordinance for review by the City Council.

FISCAL IMPACT

None.

ATTACHMENTS

- A. Draft Massage Ordinance
- B. Resolution No. P2022-01

DRAFT MESSAGE ESTABLISHMENT ORDINANCE
VERSION 2-24 -2022
PLANNING COMMISSION REVIEW FEBRUARY 24, 2022

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17.16.xxx - Purpose and Intent.

The city recognizes that massage is a viable professional healing art offering the public valuable health and therapeutic services. The city also recognizes that unless properly regulated, the profession may be hijacked for use by the sex industry or human traffickers, posing a threat to the victims, customers, and the quality of life in the community. It is the purpose and intent of this Chapter to protect the public health, safety, and welfare by providing for the orderly regulation of massage establishments and sole providers ensuring individuals providing massage or other therapeutic bodywork are qualified and properly trained to avoid injury to clients, and by providing minimum building, sanitation, and operation standards for such businesses, while relying on the uniform statewide regulation enacted by the State Legislature in 2008, as well as subsequent amendments, in Business and Professions Code Section 4600 et seq., known as the Massage Therapy Act.

Specifically, the regulations in this Chapter are intended to reduce or prevent blight, protect and preserve the quality of properties and the quality of life in the City of Oroville, deter criminal activity and prevent commercial sexual exploitation and human trafficking.

17.16.xxx - Definitions.

The following terms and phrases, whenever used in this Chapter, are defined as follows:

Accessory Massage Business. A massage business in a building, office or other fixed location that is secondary to the primary use including, but not limited to, a hotel, motel, beauty salon, spa, athletic club, nail salon, or yoga studio.

California Massage Therapy Council or “CAMTC”. The non-profit organization formed to oversee and certify individual massage therapist and massage schools pursuant to the California Business and Professions Code Chapter 10.5 of Division 2 of the Business and Professions Code (commencing with section 4600). The CAMTC does not regulate massage establishments.

CAMTC certification or state certification. These terms are used interchangeably and refer to a valid certificate properly issued by CAMTC pursuant to California Business and Professions Code Section 4600 et seq., as amended issued to individuals completing 500 hours of massage instruction from a CAMTC approved school, passed the State exam, and successfully passed a live scan background check. Certification is valid for two years.

Certified massage establishment. Any establishment where the manager(s) and massage therapist(s) have current and valid CAMTC certificates.

Certified massage therapist. Any individual to whom the CAMTC has issued a certificate and photo identification card per Business and Professions Code sections 4600-4620.

Chief of Police. The City Chief of Police, or his or her designee.

City business license. The city license required for all businesses in the city and issued per Municipal Code Section 5.08.030.

City Administrator. The City Administrator, or his or her designee.

Compensation. The payment, loan, advance, donation, contribution, deposit, exchange, or gift of money or anything of value.

Exempt Individuals. Sole providers and massage establishment owners are exempt from CAMTC certification after successfully passing a live scan background check and other conditions, but not otherwise exempt from other requirements of this Chapter.

Franchise Massage Establishment. A franchise is a type of license that grants a franchisee access to a franchisor's proprietary trade name, products and services, and an entire system for operating the business.

Live scan. A criminal background check using inkless fingerprint imaging required by the State prior to CAMTC certification and for individuals exempt from CAMTC certification by this Chapter.

Massage. Massage means the therapeutic manipulation of the external soft tissues of the body for remedial health, or hygienic purposes for any form of compensation by means of pressure, friction, stroking, kneading, rubbing, tapping, vibrating, pounding, to produce increased awareness, relaxation, pain relief, injury rehabilitation, or neuromuscular reeducation with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, gels, lotions, ointments, or other similar preparations commonly used in this practice; or baths, showers or electric tub.

Massage therapist. An individual that provides massage therapy who has completed verifiable hours in a resident course of study from a recognized school.

Massage business. Any person, firm, association, partnership, corporation, joint venture, or a combination of individuals who engages in, conducts, carries on or permits to be engaged in, conducted or carried on for consideration, massages or health treatments in the city in which massages are given in return for compensation of any type whether at a fixed place of business or a location designated by the client.

Massage establishment. An office, site or premises, or portion thereof, where the owner(s) employ, contract with, or otherwise retain massage therapists to provide on-site massage, off-site massage on behalf of the establishment, or a combination of both.

Massage establishment manager. Any person who supervises, manages, directs, organizes, controls or in any other way is responsible for or in charge of the overall operation, conduct or activities of a massage establishment business. The manager may be the massage establishment owner or a CAMTC certified massage therapist.

Mobile and off-site massage. The engaging in or carrying on of massage therapy or other bodywork for compensation at a location requested by the client (e.g., client residence or office) or by the massage therapist (e.g., sports event, health fair or senior home).

Other Bodywork. A therapeutic practice of the healing arts, other than massage (e.g., shiatsu, acupressure, bowen, manual lymph drainage) that include therapeutic touch or energy work.

Owner. For purposes of this Chapter "owner" refers to all owners of a massage establishment.

Owners. A partnership, corporation, or shareholder of a massage establishment and means any of the following:

- Any general partner of a partnership that owns and operates a massage establishment business; or
- Any person who has an ownership interest in a corporation that owns and operates a massage establishment; or
- All owners of a massage establishment including any of the following persons, a general partner, a limited partner, a shareholder, or any person who has a five percent or greater ownership interest in a massage business whether as an individual, corporate entity, limited partner, or shareholder.

Reception Area. An area immediately inside the main entry door of the massage establishment dedicated to the reception and waiting of clients.

Recognized school. Any school or institution of higher learning which has been approved pursuant to California Education Code Section 94300 et seq. or other applicable state law or regulations of California or another state school on the ethics, practice, methods, and contraindications of the profession of massage, including the study of anatomy, physiology and hygiene, and practice of massage techniques and that provides a diploma or certificate.

Sole provider. An individual that administers massage or other therapeutic bodywork, owns 100 percent of their business, and is the only person working for that business.

Visitor. Any individual not retained or employed by the massage establishment and not receiving or waiting to receive massage therapy services including, but not limited to, a caretaker, child of a client, parent of child receiving massage, delivery person, and the public.

17.16.xxx - Regulation of Massage Establishments

This Chapter includes requirements for massage establishments and other types of massage businesses. Requirements are different for existing businesses and future businesses that wish to operate in the city.

A. State (CAMTC) Certification

1. No person shall establish, operate, or maintain a Massage Establishment within city limits without ensuring that each individual administering massage or other bodywork (whether an employee or independent contractor) and manager has a current and valid state certification through CAMTC.
2. CAMTC certificate holders shall renew their CAMTC certification every two (2) years as required by the Massage Therapy Act.

Business License

1. Any person or persons that currently operate or that wish to open a massage establishment within the city shall have a valid Business License as required in Section 5.08.030, renew the license every 12 months, and obtain all necessary city approvals.

2. The massage establishment business license shall be valid for one (1) year from the date of issuance, and, unless suspended or revoked, must be renewed by the massage establishment owner every 12 months.
 3. Applications for renewal must be submitted to the Police Chief or his or her designee by no later than sixty (60) calendar days before the expiration of such business license.
 4. Massage therapists that are non-employees of a massage establishment must also obtain a business license separate from the massage establishment.
- B. Personal Service - Medium Impact Zoning Removed. Any massage establishment that employs, contracts with, or otherwise retains massage therapists certified by the CAMTC shall be considered a personal service - low-impact as defined in OMC Section 17.04.060. The permitting process shall be as outlined in the zoning table for the zoning district in which the applicant proposes to operate a massage establishment. Personal Services - Medium Impact (allowed with use permit approval) will no longer apply to massage establishments regulated by this Chapter.
- C. Registry of Owners, Managers, Massage Therapists and Staff. The massage establishment owner(s) and manager(s) shall maintain on the premises a register of all current owners, managers, massage therapists, and support staff. The register shall be updated every 30 days. The register shall be legible, in English and maintained for a minimum of two years following the time that any individual ceases services or affiliation with the massage establishment. A massage establishment owner "employs or retains" a person to practice massage therapy for compensation when:
1. That person is a directly paid employee of the massage establishment; or
 2. That person's association with a massage establishment is that of an independent contractor who receives compensation for massage therapy provided to clients of the massage establishment; or
 3. That person receives a referral of clients from the massage establishment and, at any time before or after the referral, arranges in any way for compensation to flow to the massage establishment owner (regardless of whether the parties involved acknowledge that compensation is flowing in exchange for the referral, or whether such parties record such compensation in their financial records).
 4. The owner, manager, or massage therapist or other staff shall make the register immediately available for inspection upon demand of a representative of the Police Department, any health officer, or any other city official charged with the monitoring and enforcement of this Chapter. The register shall include the following information:
 - a. Name, nicknames, and/or aliases;
 - b. Home address and relevant telephone number, including but not limited to home, cellular, and pager numbers and email;

- c. Age, date of birth, gender, height, weight, color of hair and eyes;
 - d. The date such person began employment or providing services, and the date such person ended employment or stopped providing services, if any;
 - e. The duties of each person; and
 - f. In a separate portion of the register, Social Security numbers, which shall only be available for review by the Police Department or other law enforcement personnel, but not health officers or other officials charged with the enforcement of this Chapter.
- D. Location Moratorium - Problem Massage Business. No person shall provide massage, operate a massage establishment, or provide property for operation of a massage establishment at a particular location if:
- 1. Another massage establishment is or was operating at that location within the prior thirty-six (36) months and that massage establishment has been deemed by the city attorney or a court of competent jurisdiction to have violated any provision of this Chapter.
 - 2. Another massage establishment is or was operating at that location within the prior thirty-six (36) months and that massage business has outstanding unpaid fines or penalties, whether criminal, administrative, or civil.
- E. Business Name and Operation. No person permitted to operate a massage establishment under this Chapter shall operate under any business name or conduct business under any designation not specified in the massage establishment business license.
- F. Certificate of Occupancy. An application for a certificate of occupancy shall be required per Section 17.48.030 with one or more of the following:
- 1. Change of lessee or owner, even when the change does not alter the use. A copy of the lease agreement shall be provided to the Chief of Police within 30 days that the lease takes effect.
 - 2. A remodel
 - 3. Change in business location.
 - 4. Change in the use of the business including, but not limited to, adding or eliminating secondary services (spa, tanning, cosmetology, etc.) and expanding or reducing floor space.
- G. Advertising Requires State Certificate Number. Each manager or individual who administers massage shall include in all advertising and business cards the name under which he or she is certified and his or her certificate number. Any and all advertising and business cards by massage establishment owner(s) shall include their city business license number.
- H. Nuisance Abatement. If the city attorney declares a massage establishment to be a public nuisance, the city attorney may commence an action or actions, proceeding or proceedings, for the abatement, removal, and enjoinder thereof, in the manner provided by law.

17.16.xxx - Exemption from CAMTC Certification

A. Sole Providers.

Existing and future sole providers practicing massage or other therapeutic bodywork (e.g. Bowen therapy, cranio-sacral, movement therapy, manual lymphatic drainage, and energy work) are exempt from CAMTC certification with the following conditions:

1. Existing Sole Providers - Non CAMTC Certified

Submit the following information to the Chief of Police or his or her designee within 60 days of enactment of this Chapter:

- Results of a live scan background check.
- A clear color photo of applicant's face taken in the last three months (minimum size 2" by 3") that is acceptable to the city.
- The city "General Application" and supplemental documents including:
 - Questionnaire and Agreement for Sole Providers.
 - Diploma, certificate or other valid proof of education acceptable to the city.

2. Existing Sole Providers - CAMTC Certified

Existing Sole Providers that have an active CAMTC certificate shall submit the following information to the Chief of Police or his or her designee within 60 days of enactment of this Chapter:

- A copy of an active CAMTC certificate and CAMTC photo identification card.
- Results of a live scan background check.
- The city "General" Application.
- Questionnaire and Agreement

B. A student of massage therapy or bodywork working towards CAMTC certification under the supervision of a CAMTC certified massage therapist, a National Board-certified therapist, or equivalent.

C. Licensed professionals such as physicians, nurses, chiropractors, osteopaths, naturopaths, podiatrists, acupuncturists, or physical therapists who are duly licensed to practice their respective professions in the State of California or persons working for, and under the direct supervision of a physician, nurse, chiropractor, osteopath, naturopath, podiatrist, acupuncturist, or physical therapist.

D. Barbers, beauticians, estheticians, and cosmetologists who are duly licensed under the laws of the State of California, while practicing within the scope of their licenses.

E. Trainers of any amateur, semi-professional, or professional athlete or athletic team while engaging in their training responsibilities.

F. Individuals administering massages for a single-occurrence event, including but not limited to; a triathlon, festival, fair, and with approval of the event sponsors.

G. Owner(s) of a Massage Establishment unless actively managing or administering massages.

17.16.xxx - Deadline for Compliance - Existing Massage Establishments

A. Managers and Massage Therapists - Non CAMTC Certified

1. Within 12 months from the date of ordinance enactment each manager and massage therapist must provide proof to the city they have completed 500 hours of study and CAMTC has accepted their complete application.

2. Within 16 months from the date of ordinance enactment a copy of the manager(s) and massage therapist(s) CAMTC certificate and photo identification card shall be submitted to the city Planning and Development Department. The 16-month grace period shall not apply to existing massage establishments operating in the city without a current business license or in violation of any local, state, or federal regulation within the last 10 years.

B. All Owners, Managers, Therapists, and Staff

1. Live Scan. Within 60 days from the date of ordinance enactment all non-CAMTC certified persons affiliated with any massage establishment shall submit proof of successful passage of a live scan background check to the Chief of Police.

C. Owner(s)

1. The owner or owners (all owners) shall provide a government issued photo identification to the city that can include; a valid and current driver's license and/or photo identification issued by a state or federal governmental agency or other photographic identification bearing a bona fide seal by a foreign government.

17.16.xxx - Massage Establishment Operation

A. The following operational requirements and owner and manager responsibilities shall be applicable to all massage establishments located within the city:

1. All clients, visitors, and any persons other than individuals employed or retained by the massage establishment shall be required to enter and exit through the main entry door.

2. Clients and visitors as defined in this Chapter shall be permitted in the massage establishment only during the hours of operation. Massage shall be provided or given only between the hours of 7:00 a.m. and 9:30pm. A massage commenced prior to 9:30 p.m. must terminate at 9:30 p.m., and all clients and visitors shall exit the premises no later than 10:00pm through the front or main entry door.

3. All Massage Establishments shall be closed for business by no later than 10:00 p.m. and shall open for business no earlier than 6:00 a.m. It shall be unlawful for any Massage Therapist or other employee of a Massage Establishment to give or practice massage during the hours when the Massage Establishment is closed.

4. Clients shall only be permitted in a massage therapy cubicle, room, client restroom, reception and waiting area, dressing rooms, showers, and spa area, and only if at least one (1) duly authorized massage therapist is present on the premises of the massage establishment. Clients and visitors shall not be allowed in any employee break, employee restroom, laundry, or storage room on the premises.
5. Visitors shall not be permitted in massage therapy room, cubicle, or other enclosed space used for massage unless that visitor is:
 - a. The conservator, aid, or other caretaker of a client who is elderly or disabled; or
 - b. The parents or guardian of a client who is a minor child may be present in the massage therapy room with that minor child; or
 - c. The minor child of a client when necessary for the supervision of the child.
6. Establishment interior and exterior doors shall remain unlocked while the massage establishment is open. Exterior doors may remain locked if the massage establishment is a sole provider as allowed by AB 1147.
7. No massage establishment shall be used for residential purposes. There shall be no beds, blow up mattresses, cots, wall beds, or futons in the establishment. No part of the establishment shall be altered for residential or sleeping purposes.
8. No van, motorhome or other vehicle shall be parked in the parking lot of a massage establishment overnight.
9. No person shall give, or assist in the giving of, any massage or other body treatment to any other person under the age of eighteen years, unless the parent or guardian of the minor person has consented thereto in writing.
10. No person owning or managing a massage establishment may employ subcontract with or use any person under eighteen years of age.
11. No massage establishment may discriminate or exclude clients based on their race, sex, religion, age, disability, or any other classification protected under federal or state laws, rules, or regulations.
12. No person operating a massage establishment shall permit communication devices such as cameras or intercom systems used in any manner on the premises to interfere with or hinder inspections whether temporarily or permanently mounted to a fixed surface indoors or outdoors.
13. Each owner, operator and massage therapist of a massage establishment shall wear or display their CAMTC photo identification card in the room, cubicle, or space where they administer massage and, in a manner, easily visible to the client.
14. Each owner, operator and massage therapist shall provide his or her CAMTC photo identification card upon the request of a member of the public, the City Council, or a member of law enforcement, or a local government agency charged with regulating massage or massage establishments, at the location where he or she is providing massage services for compensation.

- 15. All massage services shall be paid for in the reception area, and all tips, if any, shall be paid for in the reception area. Massage Establishments may utilize a system where tip envelopes are provided in the treatment rooms to be utilized and deposited by the client in the reception area.

17.16.xxx Responsibilities of Owners and Managers

- A. All owners and managers shall be responsible for the conduct of all massage establishment employees, agents, independent contractors, or other representatives while such persons are on the premises of the massage establishment or providing off site massage on behalf of the massage establishment.
- B. The owner and/or manager shall be required to file copies of each CAMTC certificate and CAMTC photo identification card with the Chief of Police prior to or within seven days of a massage therapist beginning to work at the massage establishment.
- C. The owner or manager of the massage establishment shall maintain copies of each massage therapist's State certificate and a color copy of the CAMTC photo identification card on file on the premises of the massage establishment which shall be readily available to law enforcement, city code enforcement officer, or other city personnel that oversee compliance with this Chapter.
- D. A legible written daily log shall record the following:
 - 1. Each client first and last name
 - 2. The assigned room (or address of off-site massage service)
 - 3. The legal name and nick name if applicable of the individual administering such massage,
 - 4. A description of service(s) provided
 - 5. Date and time of the massage.

The daily log shall be completed by the close of business each day. Such records shall be made available upon request based on good cause, for inspection by the Chief of Police, or his/her authorized designee and the City Administrator and his/her designee. The information contained in such records shall be confidential. The daily log shall be retained on the premises of the massage establishment business office for period of not less than three (3) years.

- E. It is the responsibility of the owner or manager to notify the city authority of any change of personnel, ownership, number of owners, remodel, move to another location, change in the use such as addition or removing spa services, and use of space, Notification shall be in writing to the city authority within ten (10) days of change in ownership, number of owners, and change in personnel. The owner or manager shall provide prior notice to the city authority for a move, change in type of service(s), and revised use of space. A revised floor plan shall be submitted noting the revised use of all floor space.
- F. The owner or manager shall post the following in an open and conspicuous public place on the premises or as specified.

1. All original CAMTC certification documents and CAMTC photo identification cards in an open and conspicuous place inside the premises visible from the main entry door reception and waiting area of the massage establishment.
 2. A list of services available and the cost of such services. The services shall be described in English and in other language(s) as may be convenient. No massage establishment owner or operator shall permit, and no person employed or retained by the massage establishment shall offer to perform any services or request or demand fees other than those posted at the place of business. A list of services and the cost of such services shall also be provided to clients prior to conducting an off-site massage.
 3. The massage establishment business name and hours of operation shall be displayed in the reception area or other conspicuous public place within the massage establishment visible to clients.
 4. The required notices of human trafficking information and telephone hotline numbers in English, Spanish, Cantonese, Vietnamese, and other appropriate languages as determined by the city per the requirements of California Civil Code Section 52.6. The notices shall be posted in an area of the massage establishment that is readily accessible to massage therapists and all massage establishment personnel.
 5. All operating rules including hours of operation, inspections and health and sanitation requirements in English, Cantonese, Vietnamese, and other appropriate language accessible to all staff.
- G. It is the massage establishment owner's responsibility for ensuring that each individual administering massage complies with the Massage Therapy Act (B&P Code Section 4609(a)) provisions relating to sexual acts, including the prohibitions on: engaging in any form of sexual activity on the premises of a massage establishment.

17.16.xxx - Notification Requirements

- A. An owner or manager shall report to the Chief of Police or his or her designee within ten (10) days any change with respect to the information contained in the business owner's application .
- B. An owner or manager shall report any of the following within 96 hours of the occurrence:
 1. Arrests of any employees or owners of the registrant's massage business for an offense other than a misdemeanor traffic offense.
 2. Resignations, terminations, or transfers of massage therapists employed or under contract with the owner.
 3. Any event involving the owner's massage business or a massage therapist employed or under contract therein that constitutes a violation of this chapter or state or federal law.

This provision requires reporting to the Chief of Police even if the massage business believes that the Chief of Police has or will receive the information from another source.

17.16.xxx - Application for Massage Establishment Business License

- A. The owner(s) of a massage establishment or his/her duly authorized agent shall complete the city application on forms provided by the City and be responsible for the completeness and accuracy of all required information. For purposes of this section, the "applicant" for the massage establishment business licenses shall refer to and include all owner(s) of the massage establishment.
- B. All applications for a massage establishment from any person looking to open a massage establishment shall include, at a minimum, the following information:
 1. The massage establishment name, address, website, email, and telephone number.
 2. The applicant's full name, all other names the applicant uses or has used, the applicant's residential address, telephone number and email address.
 3. The name, residence address, email and telephone number of all owners or partners associated with the massage establishment business.
 4. A color copy of the current CAMTC certification and CAMTC photo identification card for each, manager and massage therapist.
 5. For all owners, a valid and current driver's license and/or identification issued by a state or federal governmental agency or other photographic identification bearing a bona fide seal by a foreign government.
 6. A live scan and government issued photo identification card for all individuals that will be working for the massage establishment and are not required to be CAMTC certified under this Chapter.
 7. A list of all persons administering massage who are working or will work, be employed, or under contract to provide massage services at the massage establishment.
 8. The name and position of the owner or manager principally in charge of the massage establishment.
 9. The owner's signed statement that all the information contained in the application is true and correct, that all owners shall be responsible for the conduct of the business's employees or independent contractors providing massage services; and acknowledging that failure to comply with the California Business and Professions Code sections 4600 et seq., and local, state, or federal law, or the provisions of this Chapter may result in revocation of the city business license.
 10. The names and addresses of any and all previous establishments owned or operated by the applicant (includes all owners) for the past five (5) years.
 11. Site plan drawn to scale of building location and street names, floor plan showing office or similar space to be utilized by the massage business or establishment, square footage, waiting areas, massage rooms, cubicles, or other space to be

utilized for massage treatments, chair massage location if applicable, restroom facilities for clients and staff if separate, employee break rooms, laundry room, storage areas, closets, and relevant facilities.

12. Applicant's business, occupation, and employment related to other massage establishments, including the name and address of any massage establishment or other like establishment owned or operated by any applicant.
 13. History with any agency, board, city, county, territory, or state recognized certifying or permitting organization, and dates of issuance, denial, restriction, revocation, or suspension, and the reasons therefore, of any individual or establishment permit for the past five (5) years.
 14. The form of business under which the applicant will be conducting the massage establishment, i.e., corporation, general or limited partnership, limited liability Company, or other form. If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, together with the names and residence addresses of each of its officers, directors, and each shareholder holding more than ten percent (5%) of the stock of the corporation. If the applicant is a general or limited partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one (1) or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply. If the applicant is a limited liability company, the application shall set forth the name and residence address of each of the members. If one (1) or more of the members is a partnership, limited liability company, or corporation, the provisions of this section pertaining to a partnership, limited liability company, or corporate applicant shall apply, as applicable.
 15. The name, address, and email of the owner of the real property upon, in, or from which the massage establishment is to be operated.
 16. In the event the applicant is not the legal owner of the property, the application shall be accompanied by a copy of any written lease between the applicant and the property owner authorizing use of the premises for a massage establishment, or, alternatively, if there is no written lease, then a written, notarized acknowledgment from the property owner that the property owner has been advised that a massage establishment will be operated by the applicant upon, in, or from the property owner's property.
 17. Application fee as established by the city's master fee schedule.
- C. Where the applicant is not the owner of record, as shown on the latest county assessment roll, of the property upon, in, or from which the massage establishment is to be operated, then upon issuance of a business license, the city authority may send a written notice to the property owner advising of the issuance of the massage establishment business license and of the regulations applicable to the massage establishment and the property pursuant to this Chapter.

Any notices sent to the applicant pursuant to this Chapter at any time before or after issuance of the massage establishment business license may also be sent to the property owner.

- D. A business license shall be denied if any of the following are found to be true:
1. The application is incomplete and/or required supplementary materials are not submitted on a timely basis including CAMTC certificates and photo identification card for the manager(s) and massage therapist(s).
 2. The applicant, or any shareholder, partner, or member of the applicant, within ten (10) years immediately preceding the date of filing of the application, has had a certificate, permit or license to practice massage for compensation or to own and/or operate a massage establishment revoked or denied in any jurisdiction.
 3. The applicant, or any shareholder, partner, or member of the applicant, has knowingly made a false, misleading, or fraudulent statement or omission of fact in his or her application or other materials submitted with the application.
 4. The applicant, or any shareholder, partner, or member of the applicant, within ten (10) years immediately preceding the date of filing of the application, has been convicted in a court of competent jurisdiction of any offense that relates directly to the operation of a massage establishment whether as a massage establishment owner or manager, or as a person practicing massage for compensation, or as an employee of either; or has at any time been convicted in a court of competent jurisdiction of any felony the commission of which occurred on the premises of a massage establishment.
 5. The results of a live scan indicate the owner, manager, supervisor, or a person administering massage has convictions in a court of law including registration as a sex offender under the provisions of Section 290 of the Penal Code and/or Sections 266, 266a, 266e, 266f, 266g, 266h, 266i, 266j, 315, 316, 318, 647(b), [or] 653.22 of the California Penal Code 4 or equivalent offenses under the laws of another jurisdiction, including any other State or Country.
 6. If the business license was issued in error.
 - 7.
 8. The applicant, including applicant as a corporation or partnership, or former employer of the applicant while the applicant was so employed, has been successfully prosecuted in an abatement proceeding under the California Red Light Abatement Act (Penal Code sections 11225 through 11325) or any other similar laws in another jurisdiction.
 8. The applicant has been convicted of:
 - a. a prior offense which involves the sale of controlled substances specified in California Health and Safety Code sections 11054, 11056, 11057 or 11058, or equivalent offenses under the laws of another jurisdiction, including any other state or county;

- b. any offense involving dishonesty, fraud, deceit or the use of force or violence upon another person in the last 10 years; or
- c. any offense involving sexual misconduct;
- d. for purposes of this section, a plea of "nolo contendere" may also serve as the basis for the denial of a Massage Establishment business license because the above listed underlying offenses bear a substantial relationship to the qualifications, functions or duties of a Massage Therapist or Establishment.

If the owner/applicant or any other person is dissatisfied with the action regarding an application for a massage establishment, they may appeal to the proper decision body as provided in Section 17.56.100.

17.16.xxx - Inspection

- A. The Chief of Police or his/her designee shall have the right to enter any massage establishment during regular business hours, **without a search or inspection warrant**, to make reasonable inspection to ascertain whether there is compliance with the provisions of this Chapter.
- B. It shall be unlawful for any owner, manager, massage therapist, or other staff to fail to allow such inspection officer access to the premises or hinder or attempt to delay such officer in any manner.
- C. The massage establishment owner shall take immediate action to correct each violation noted by the inspector. A reinspection will be performed within thirty (30) days to ensure that each violation noted by the inspector has been corrected.
- D. All managers, supervisors, and massage therapists shall, during permissible hours of operation, have on their person or immediately available at the massage establishment a current CAMTC issued photo identification card. Other massage establishment staff not required to have a CAMATC certification shall have a valid driver's license or other valid government issued photo identification readily available.
- E. All managers and massage therapists shall provide his or her full name and certificate number upon the request of a member of the public, the council, or a member of law enforcement, or a local government agency charged with regulating massage or massage establishments, at the location where he or she is providing massage services for compensation.

17.16.xxx - Amendment Required for Personnel Changes

- A. Whenever the information provided in the application for massage establishment business license on file with the city changes, for example by a change in employees, or independent contractors, number of owners, new massage establishment ownership, the owner or manager shall, within ten (10) business days after such change, notify the city

authority to amend the massage establishment application of the massage establishment business license to reflect such change.

- B. It shall be a violation of this Chapter for the operator to allow any person to perform massage therapy for compensation on the premises of a massage establishment unless and until an amended massage establishment business license has been issued by the city authority identifying that person as employed or retained by the massage establishment to practice massage therapy for compensation. A CAMTC certification document and CAMTC issued photo identification card of any new massage therapist shall be provided with the application to amend the massage establishment business license.

17.16.xxx - Amendment Required for Change of Business Name or Location

Upon a change of location of a massage establishment, an application for an amended business license shall be filed with the city authority, and such application shall be granted, provided all applicable provisions of this code are complied with as to the new location, and any due and unpaid citations issued to the owner(s) pursuant to this Chapter are paid in full.

17.16.xxx - Sale or Transfer of Massage Establishment or Ownership Interest Therein.

- A. Upon a sale or transfer of any massage establishment, or upon the sale or transfer of some or all the interest of any massage establishment owner to a person who is not already an owner of the massage establishment, a zoning clearance/certificate of occupancy application shall be required.
- B. A business license for a sole provider or a massage establishment if altered in name, sold, transferred, or assigned by the owner, or attempted sale, transfer or assignment shall be deemed to constitute a voluntary surrender of such business license and shall thereafter be deemed terminated and void.

17.16.xxx - Health and Safety Requirements

- A. The following health and safety requirements shall be applicable to all massage establishments located within the city:
1. The massage establishment shall always be equipped with an adequate supply of clean sanitary towels, coverings, and linens, and all massage tables shall be covered with a waterproof pad and clean sheet or other clean covering for client. After each towel, covering, or linen has been used once, it shall be deposited in a closed receptacle and not used again until properly laundered and sanitized.
 2. All bathrobes, bathing suits, and/or other garments that are provided for the use of clients shall be either fully disposable and not used by more than one (1) client or shall be laundered after each use pursuant to subsection (D)(1) of this section.
 3. All massage therapy rooms or cubicles, wet and dry heat rooms, toilet rooms, shower compartments, hot tubs, and pools shall be thoroughly cleaned and disinfected at least once each business day or more often as needed, when the

- premises have been or will be open and such facilities in use. Bathtubs shall be thoroughly cleaned and disinfected after each use.
4. All liquids, creams, or other preparations used on or made available to clients shall be kept in clean and closed containers. All containers shall be correctly labeled to disclose their contents. When only a portion of a liquid, cream, or other preparation is to be used on or made available to a client, it shall be removed from the container in such a way as not to contaminate the remaining portion.
 5. No invasive procedures shall be performed on any client. Invasive procedures include, but are not limited to:
 - a. Application of electricity that contracts the muscle;
 - b. Penetration of the skin by metal needles;
 - c. Abrasion of the skin below the nonliving, epidermal layers;
 - d. Removal of skin by means of any razor-edged instrument or other device or tool;
 - e. Use of any needle-like instrument for the purpose of extracting skin blemishes;
 - f. Colon cleansing; and
 - g. Other similar procedures.
 6. Massage shall only be provided to a client upon a table or chair standard to the massage profession. No other furniture or similar item shall be used.
 7. All combs, brushes, and/or other personal items of grooming or hygiene that are provided for the use of clients shall be either fully disposable and not used by more than one (1) client or shall be fully disinfected after each use.
 8. The premises shall have adequate equipment and disinfecting substances for disinfecting and sterilizing nondisposable instruments or other materials used in administering massages and be disinfected after each use on each patron.
 9. Walls, ceilings, floor, pools, showers, bathtubs, water basins, toilets, wet and dry heat rooms, steam or vapor rooms and cabinets and all other facilities shall be maintained in good repair and in a clean and sanitary condition.
 10. The cover pad used on massage tables shall consist of a durable, washable waterproof material.
 11. All persons shall thoroughly wash their hands with soap and warm water or any equally effective cleansing agent immediately before providing massage therapy to a client.

B. Prohibited Conduct

1. No massage establishment owner, operator, employee, contractor, or support staff shall be under the influence of alcohol, recreational or illegal drugs at any time on the massage premises or when providing off premise massage.

2. No alcoholic beverages, recreational or illegal drugs shall be kept, possessed, consumed, sold, or distributed on the premises of a massage establishment and massage establishment personnel shall not allow a client or visitor to bring or consume an alcoholic beverage or controlled substance within or outside of a massage establishment.
3. A massage shall not be given, and no client shall be in the presence of any massage establishment staff unless the client's genitalia and, if a female client, the female client's breasts, are fully covered by an opaque, nontransparent covering.
4. No massage establishment owner, operator, employee, massage therapist or other staff shall, while on the premises of a massage establishment or while performing any onsite or mobile massage service, and while in the presence of any client, customer, employee, or visitor, expose his or her genitals, buttocks, or chest.
5. No storage or sale of condoms or spermicides shall be permitted within the massage establishment.
6. No person shall use or possess, nor shall there be, any storage of, any sexually oriented tool, equipment, or apparatus which are designed or marketed primarily for the stimulation of human genital organs or sadomasochistic activity.
7. No electrical, mechanical, or artificial device shall be used by any massage establishment staff for audio and/or video recording or for monitoring the performance of a massage, of the conversation or other sounds in the massage rooms, without the knowledge and written consent of the client.
8. The following attire requirements shall be applicable to all employees and any other persons who work permanently or temporarily on the premises, of a massage establishment within the city. No person shall dress in:
 - a. Attire that is transparent, see-through, or substantially exposes the person's under garments;
 - b. Swim attire, if not providing a water-based massage modality approved by the CAMTC;
 - c. A manner that exposes the person's breasts, buttocks, or genitals;
 - d. A manner that constitutes a violation of Section 314 of the California Penal Code.
 - e. In a manner which has been deemed by CAMTC to constitute unprofessional attire.
9. Except for a client who is inside a massage therapy room for the purpose of receiving a massage, no clients or visitors shall be permitted in or on the massage establishment premises at any time who are less than fully clothed in outer garments of nontransparent material, or who display or expose themselves in underclothing or similar intimate apparel
10. No Massage therapist, employee or other staff of a Massage Establishment shall place either his/her hand or hands upon, or touch with any part of his/her body, a sexual or genital part of any other person in the course of a massage or massage a sexual or

genital part of any other person. Sexual and genital parts shall include the genitals, pubic area, anus or perineum of any person or the vulva or breast of a female. In the case of breast massage, female clients shall sign a written consent form, provided by the establishment and/or massage therapist prior to providing breast massage.

11. No Massage Therapist, or other employee of a Massage Establishment shall uncover and expose the sexual or genital parts, of a client while giving a massage, or before or after a massage.

C. Prohibited Advertising

1. No owner, supervisor, manager, massage therapist or support staff of a massage establishment shall place, publish, or distribute or allow or cause to be placed, published, or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective clients or clients that any service is available other than those services described in this Chapter and posted on the premises.
2. No owner, massage therapist or other staff of a massage establishment shall employ language in the text of any sign or advertising material that would reasonably suggest to a prospective client that any service is available other than those services described in this Chapter and posted on the premises.
3. It shall be unlawful for any massage establishment or business or any independently employed certified massage practitioner or certified massage therapist to advertise through any media that is classified for “adults only” or other similar classification.
4. It shall be unlawful for any person who does not possess a valid and current CAMTC certificate to do any of the following within the city:
 - Advertise or represent to the public in any manner that he or she is certified, registered, or licensed by a government agency a massage therapist; or
5. Hold himself or herself out as or use the title of “certified massage therapist” or any other term such as “licensed” or “registered” that implies or suggests that he or she possesses a current and valid CAMTC certificate.
6. All independently employed certified massage therapists shall include in any advertising for massage services the name under which he or she is certified and his or her CAMTC certificate number.

17.16.xxx - Physical Facility Requirements.

Except as otherwise specifically provided in this Chapter, the following physical facility and building code requirements shall be applicable to all massage establishments located within the city:

- A. One (1) main entry door shall be provided for client entry to the massage establishment, which shall open immediately to a well-lighted (without a dimmer switch) interior client reception and waiting area.

- B. Signage shall not cover or block more than 25% of any window area and the view into the interior reception and waiting area shall not be obstructed, blurred, or unreasonably darkened with window tint, posters, photos, graphics, tall plants, tall furniture or fixtures, closed blinds, shades, or curtains.
- C. Exterior sign. A recognizable and legible sign shall be posted at the main entrance that clearly identifies the establishment as a massage business and the businesses name visible to foot and/or automobile traffic. An additional "Massage" sign need not be in addition to the primary business sign. The sign shall be in compliance with Title 17 of this Code.
- D. The name of the massage business and hours of operation shall be posted on the exterior of the main entry door or adjacent wall or in a window closest to the main entry door that is easily visible to persons outside the establishment,
- E. All interior doors, but excluding individual dressing rooms and toilet rooms, shall be incapable of being locked and shall not be blocked to prevent opening. Draw drapes, curtain enclosures, or accordion-pleated closures in lieu of doors are acceptable on all inner massage therapy rooms or cubicles.
- F. Minimum lighting equivalent to at least one (1) 40-watt light shall be provided in each massage therapy room or cubicle.
- G. The massage establishment shall comply with all applicable state and local building standards as adopted in Title 15 of this code.
- H. All walls, ceilings, floors, and other physical facilities for the business must be in good repair and maintained in a clean and sanitary condition.
- I. All locker facilities that are provided for the use of client shall be fully secured for the protection of the client' valuables, and each client shall be given control of the key or other means of access.

17.16.xxx - Suspension or Revocation

The Chief of Police shall suspend or revoke a massage establishment business license for any violation of this Chapter and/or Section 4609 of the Massage Therapy Act following findings by the city attorney in accordance with Title 5 and Title 9 of the Oroville Municipal Code.

The CAMTC works with local jurisdictions and will inform the City of any disciplinary action pertaining to a certificate holder, which includes enforcing probation, suspending or revoking a certificate as indicated in Section 4610 of the Massage Therapy Act.

17.16.xxx - Applicability of other Ordinances.

Nothing contained in this chapter shall be constructed to exempt any person from complying with the provisions of any other applicable ordinance, rule, or regulation, or to exempt a massage establishment or independently certified massage therapists from provisions of any zoning, licensing, taxing, or other building ordinance, rule, or regulation.

17.16- xxx - Severability.

If any part or provision of this ordinance, or the application thereof to any person or circumstance, is held to be invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable.

DRAFT

RESOLUTION NO. P2022-01

A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING CHANGE ZC 22-01 RELATING TO THE CITY'S REGULATIONS OF MASSAGE ESTABLISHMENTS AND INDIVIDUALS THAT PRACTICE MASSAGE AND THERAPUTIC BODYWORK.

WHEREAS, the City of Oroville staff recommends the addition of Section 17.16.240 to the City of Oroville Zoning Code relating to the City's regulations of massage establishments and individuals that practice massage therapy recognized by the California Massage Therapy Council (CMTC); and

WHEREAS, the City Council finds that massage therapy is an integral component of the scope of services sought by residents and tourists when visiting the City of Oroville and recognizes massage is a therapeutic healing art; and

WHEREAS, in 2015, the State restored the ability of towns and cities to impose local regulations on massage establishments and massage therapist with the new provisions of Assembly Bill 1147 and the massage ordinance will implement the City's regulatory and land use authority, to ensure the public's health, safety and welfare, reduce criminal activity, and enforce local standards for the operation of the business of massage therapy; and

WHEREAS, Government Code Section 51034 recognized the authority of cities to regulate massage businesses under Section 7 of Article XI of the California Constitution which reserves the right of cities to make and enforce within its limits all local, police, sanitary and other ordinances not in conflict with general laws; and

WHEREAS, the Massage Ordinance mainly focuses on the regulation of massage establishments to deter illicit and illegal activity and ensure a high level of training of massage therapists, it also provides minimum requirements for individual sole proprietors, including a criminal background check and basic information regarding their business and qualifications; and

WHEREAS, the Massage Ordinance complies with the Massage Therapy Act, by staying in the regulatory confines as specified in the Act, while utilizing regulatory language of the Act for accuracy and consistency with State law; and

WHEREAS, the Massage Ordinance was prepared with the support of the California Massage Therapy Council, staff review of other jurisdiction's regulations, and review and comment from the City's Code Enforcement Manager.

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 new code described herein and considered the City’s staff report regarding the project.

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

SECTION 1. The Planning Commission determines:

- A. That the proposed addition of Section 17.16.240, titled, “Massage Therapy” is consistent with the General Plan; and
- B. That the proposed addition of Section 17.16.240 is consistent with other applicable provisions of the Municipal Code and compatible with the uses authorized in the applicable zoning districts for which the revisions are proposed.

SECTION 2. The Planning Commission hereby recommends that the City Council approve Zoning Change ZC 22-01 to the Oroville Municipal Code as set forth in Attachment A, a zoning modification to add the Massage Ordinance to the City of Oroville Municipal Code Zoning Ordinance.

PASSED AND ADOPTED by the Planning Commission of the City of Oroville at a regular meeting on January 27, 2022, by the following vote:

AYES: Commissioner

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

Jackie Glover, Assistant City Clerk

Carl Durling, Chairperson



City of Oroville

Leonardo DePaola
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, January 27, 2022

RE: Historic Preservation Award Program of the Oroville Historic Advisory Commission

SUMMARY: The Oroville Historic Advisory Commission may consider creating an annual award to honor outstanding achievement in Oroville historic revitalization.

RECOMMENDATION: Staff recommends the following actions:

1. Adopt the attached award program and implement it for 2022.

APPLICANTS: Initiated by the Oroville Historic Advisory Commission

LOCATION: city-wide

GENERAL PLAN: NA

ZONING: NA

FLOOD ZONE: NA

ENVIRONMENTAL DETERMINATION: Not a project under CEQA since it has no possibility of having a direct or indirect effect on the environment.

REPORT PREPARED BY:

Wes Ervin, Senior Planner
Community Development Department

REVIEWED BY:

Dawn Nevers, Assistant Director
Community Development Director

DISCUSSION

The Oroville Historic Advisory Commission may consider instituting the attached award program as a way to celebrate Oroville’s history and to encourage the revitalization of structures in the Downtown and city-wide.

FISCAL IMPACT

None.

PUBLIC NOTICE

NA

ATTACHMENTS

- 1. Historic Preservation Award Program Description

Historic Preservation Award Program of the Oroville Historic Advisory Commission

DRAFT *** DRAFT DRAFT**

The Historic Advisory Commission hereby creates an annual award to honor outstanding achievement in downtown and city-wide historic revitalization.

1. Duties of the Commission. This award is intended to advance the mission and duties of the Commission, to wit:

- a. Duties of the Commission. The historic advisory commission shall have the following duties (from OMC 17.56.050):
- b. To advise the city council of the historic nature and historic value of any landmarks and landmark sites proposed by property owners within DH-O districts.
- c. To recommend specific guidelines, subject to city council approval, for designation and development of landmarks and landmark areas.
- d. To promote and conduct educational and interpretational programs on historic properties within DH-O districts, subject to approval by the city council.
- e. To provide the city council with an inventory of existing landmarks and landmark sites, as well as an inventory of possible future landmarks and landmark sites, within the city.
- f. To provide the city council with an inventory of contributing and noncontributing features within existing DH-O districts.
- g. To perform any other duties, responsibilities and functions enumerated in this chapter. (Ord. 1749 § 4; Ord. 1790 § 2)

2. Historic Preservation Award Program Goals.

- a. To honor outstanding achievement in architecturally period-appropriate rehabilitation and economically stimulating adaptive reuse of Oroville's historic properties.
- b. To preserve and glorify Oroville's historic heritage and values.
- c. To encourage building owners to rehabilitate and maintain historic structures stewarding their best and highest use.

3. Award Criteria

- a. The property must exhibit:
- b. Outstanding period appropriate architectural and landscape restoration.
- c. Evidence of an understanding of and dedication to the history of the structure within the context of Oroville's history.
- d. A commitment to excellence in ongoing stewardship of the property.
- e. Sustainable reuse that brings economic vitality to the City of Oroville by stimulating the local economy.
- f. Compliance with the general plan, city codes, zoning and ordinances.

4. Administration

- a. The awards are sponsored by the City of Oroville and are administered by the Historical Advisory Committee and presented by the City Council.
- b. The Historic Advisory Committee will choose a minimum of one property per year to receive this award.
- c. The award will be consistent with the criteria of the California Office of Historic Preservation.
- d. The Commission will solicit corporate sponsorships to help promote and support the award, its implementation, its promotion, and its longevity.
- e. Awardees will receive a plaque, be invited to host a reception and tour, recognition in local press, and may receive additional support from the City.

5. Potential cost

- a. Plaque Design TBD
- b. Plaque Cost -- \$300 to \$500
- c. Reception refreshments and signage -- \$500
- d. Promotion – By Commissioners and City staff.



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

Thursday, February 24, 2022

RE: Tentative Parcel Map 22-01

SUMMARY: The Commission will review and consider approving Tentative Parcel Map 22-01 (TPM 22-01) for a lot split of commercial property on Feather River Boulevard. The map will split two lots into four lots.

RECOMMENDATION: Staff recommends the following actions:

1. **Approve** the recommended findings for Tentative Parcel Map 22-01 and recommended Conditions of Approval;
2. **Adopt** Resolution No. P2022-01

APPLICANTS: Guillon Brouhard Gen Part 1

LOCATION: Feather River Boulevard, Oroville, California

GENERAL PLAN: MU (Mixed Use)
ZONING: C2 (Intensive Commercial)
FLOOD ZONE: Zone X

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

REPORT PREPARED BY:

METH

 Matt Thompson, City Engineer
 Community Development Department

REVIEWED BY:

 Dawn Nevers, Assistant Director
 Community Development

A. DISCUSSION

The Planning Commission will review an application for Tentative Parcel Map 22-01 to separate two parcels totaling 6.41-acres into four parcels.

The proposed map will create two parcels fronting onto Feather River Boulevard. These parcels will be future retail development. Behind them will be a large lot created for a new Tractor Supply store. The fourth lot will be utilized for storm water mitigation.

All required conditions and considerations per OMC 16.12.050 "Tentative Parcel Map" apply to this requested tentative parcel map, including curb, gutter and sidewalk.

Prior to filing the Final Parcel Map, all public improvements required by OMC 16 "Subdivisions" shall be completed and accepted by the City.

B. RECOMMENDATION

Staff recommends the Planning Commission review and approve Tentative Parcel Map 22-01 along with all the findings and conditions pertaining thereto.

C. ENVIRONMENTAL DETERMINATION

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

D. FINDINGS

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

- 1) The requested tentative parcel map is in conformance with the General Plan and the City's zoning ordinance,
- 2) The site is physically suitable for the proposed density or type of development;
- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;
- 4) The design of the land division is not likely to cause serious public health problems;
- 5) A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions that cannot be corrected to the satisfaction of the City Engineer shall be submitted prior to the issuance of building permits;
- 6) The design of the land division will not conflict with any existing easements;
- 7) The proposed land division is consistent with OMC 16.12.050, and the

requested parcel map seeks no variances or exceptions;

- 8) All services and access to the proposed parcels are available and meet City standards. Discharges of waste into a community sewer system will not violate existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code);
- 9) The parcel was not involved in the division of a larger parcel anytime in the last two years.

E. CONDITIONS OF APPROVAL

- 1) These conditions of approval are to permit the land division of Tentative Parcel Map No. 22-01 (TPM 22-01) as generally described above.
- 2) This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
- 3) The Planning Commission approval date of this Tentative Parcel Map No. 22-01 is referenced below. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
- 4) All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans. The Final Map shall include a reciprocal access easement with the property to the south.
- 5) The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
- 6) The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval

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

--- End of Conditions ---

F. FISCAL IMPACT

The total fees associated with this project are as follows:

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

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

ATTACHMENTS

- 1. Proposed Map TPM 22-01
- 2. Resolution No. 2020-26
- 3. Notice of Exemption

FLOOD ZONE CLASSIFICATION

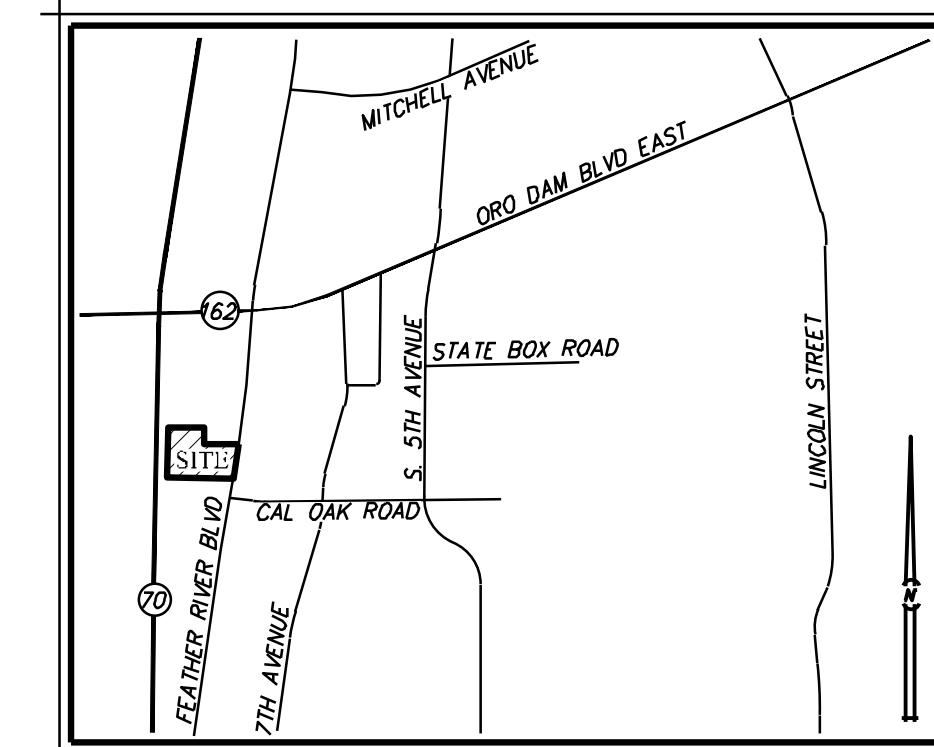
FLOOD ZONE CLASSIFICATION FOR THE SUBJECT PROPERTY: SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X", OTHER AREAS (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AND WITHIN AN AREA HAVING A ZONE DESIGNATION "X", OTHER FLOOD AREAS (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) ON FLOOD INSURANCE RATE MAP NO. 06020C098E, WITH A DATE OF IDENTIFICATION OF JANUARY 6, 2011, FOR COMMUNITY NO. 0602020, IN THE CITY OF OROVILLE, STATE OF CALIFORNIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

GENERAL NOTES

1. ASSESSOR'S PARCEL NOS: 035-330-023 & 035-330-025
2. EXISTING LAND USE: VACANT, NO STRUCTURES
3. TOTAL AREA: 6.41 ACRES
4. EXISTING GENERAL PLAN: RETAIL & BUSINESS SERVICES; EXISTING ZONING: C-2 (INTENSIVE COMMERCIAL)
5. THE PROJECT SITE ELEVATIONS (SEE CONTOURS THIS SHEET)
6. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM A SURVEY
7. PROPOSED LANDSCAPING PER CITY OF OROVILLE STANDARD SPECIFICATIONS
8. PROPOSED ON-SITE STORM DRAINAGE TO DRAINAGE BASIN (SEE SITE PLAN)
9. PROPOSED SANITARY SEWER SYSTEM TO EXISTING CITY OF OROVILLE SANITARY SEWER SYSTEM
10. PROPOSED DOMESTIC, FIRE, AND LANDSCAPING WATER SYSTEMS FROM EXISTING CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
11. NO KNOWN EXISTING WELLS OR SEPTIC SYSTEMS ARE PRESENT.

UTILITY PURVEYORS:

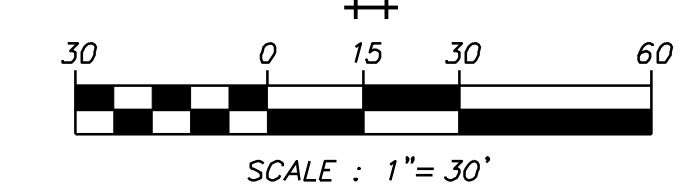
NATURAL GAS & ELECTRIC: PG&E
 WATER: CALIFORNIA WATER SERVICE COMPANY (CAL WATER)-OROVILLE DISTRICT
 CITY OF OROVILLE SEWER
 ON-SITE STORM DRAIN
 DIRECTV



VICINITY MAP
NO SCALE

LEGEND

- FOUND MONUMENT AS NOTED
- I.P. INDICATES IRON PIPE
- (M) MEASURED AS NOTED ON THIS MAP
- B.C.R. BUTTE COUNTY RECORDS
- A.P.N. ASSESSOR'S PARCEL NUMBER
- S.N.F. SEARCHED, NOTHING FOUND
- EXISTING BOUNDARY
- EXISTING RIGHT-OF-WAY LINE
- EXISTING SECTION LINE
- EXISTING LOT LINE
- EXISTING CENTER LINE
- EXISTING EASEMENT LINE
- PROPOSED LOT LINE
- EXISTING CURB
- EXISTING CURB & GUTTER
- EXISTING VALLEY GUTTER
- EXISTING CURB GUTTER & SIDEWALK
- EXISTING AREA OF AC PAVING
- EXISTING AREA OF CONCRETE
- EXISTING CHAIN LINK FENCE
- EXISTING WIRE FENCE
- ⊗ WV EXISTING WATER VALVE
- ⊗ WM EXISTING WATER METER
- ⊗ FH EXISTING FIRE HYDRANT
- ⊗ RPBP EXISTING WATER REDUCED PRESSURE BACKFLOW PREVENTOR
- W — EXISTING UNDERGROUND WATER LINE
- 18"SD — EXISTING UNDERGROUND STORM DRAIN LINE
- ⊗ SSMH EXISTING SANITARY SEWER MANHOLE
- 6"SS — EXISTING UNDERGROUND SANITARY SEWER LINE
- ⊗ EL EXISTING ELECTRICAL BOX
- ⊗ UTIL EXISTING UTILITY BOX
- ⊗ SL EXISTING STREET LIGHT
- ⊗ RSR EXISTING UTILITY RISER
- ⊗ ICV EXISTING LANDSCAPE IRRIGATION CONTROL VALVE
- ⊗ SIGN EXISTING SIGN
- ⊗ UP EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- ⊗ EXISTING TREE, SPREAD TO SCALE



Item 6.

RODRICK H. HAWKINS
 ANDREW S. FOX
 SYM. DATE DESCRIPTION OF REVISION APPD.

811
 Know what's below
 Call before you dig

BY: RCS
 CHK: RHH
 DATE: 10/15/2021

**HAWKINS & ASSOCIATES
 ENGINEERING, INC.**
 436 MITCHELL ROAD
 MODESTO, CA. 95354
 PH: (209) 575-4295
 FX: (209) 578-4295

**TENTATIVE PARCEL MAP
 THE SOBEL COMPANY, INC.**
 CONCEPT PLANNING EXHIBIT FOR:
**PARCELS 1-3 OF 153-PM-39
 A.P.N. 035-330-023 & 025
 OROVILLE, CALIFORNIA 95965**

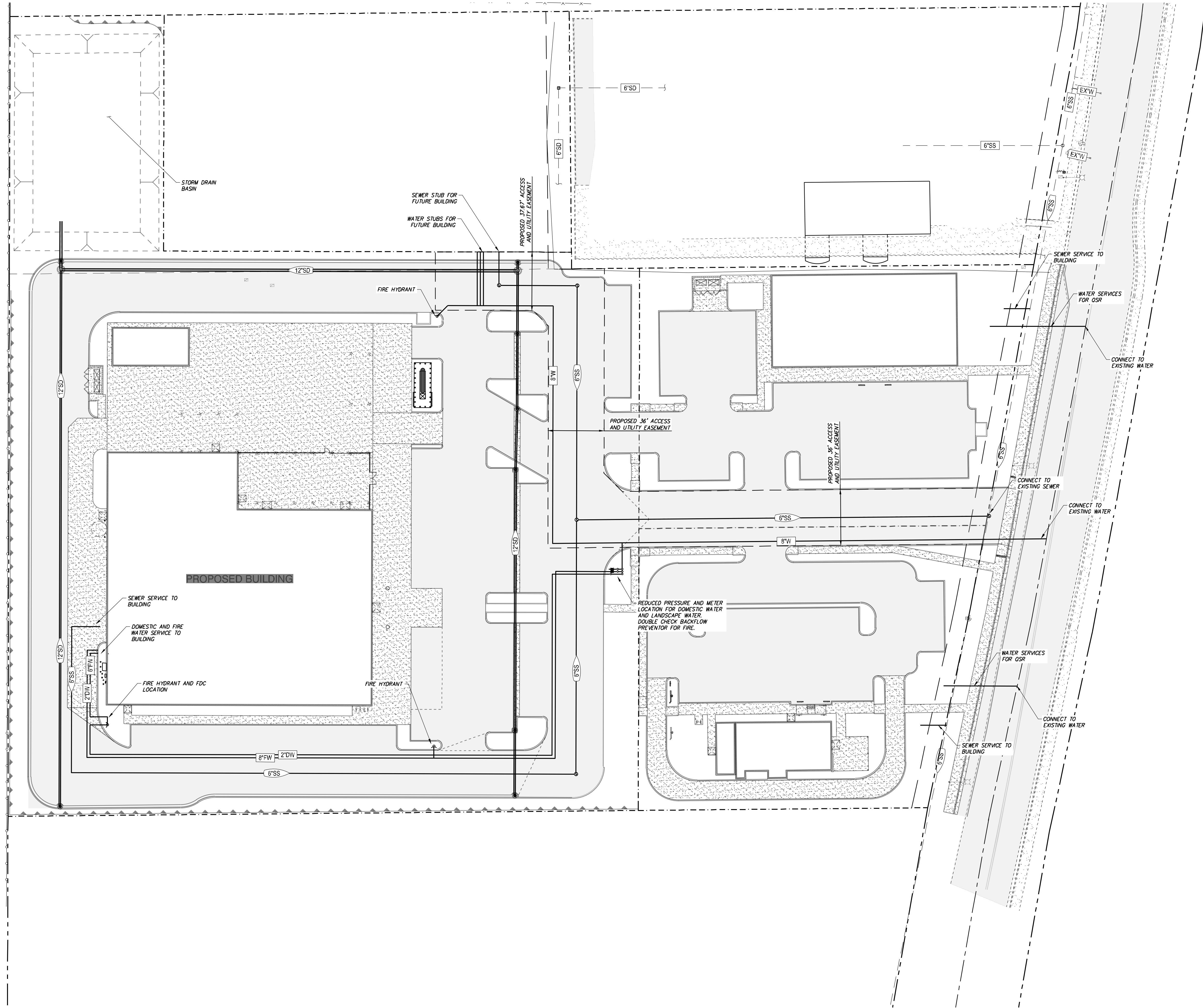
OWNER
 GULLON BROUGHARD GEN PART 1
 ATTN: BILL BROUGHARD
 ADDRESS: 2550 LAKEWEST DRIVE, SUITE 50
 CHICO, CA 95928
 PHONE: (530) 624-0851

SUBDIVIDER
 THE SOBEL COMPANY, INC.
 CONTACT: BRAD SOBEL
 ADDRESS: 9454 WILSHIRE BLVD STE 210,
 BEVERLY HILLS, CA 90212
 PHONE: (310) 277-4697
 FAX: (310) 277-4699

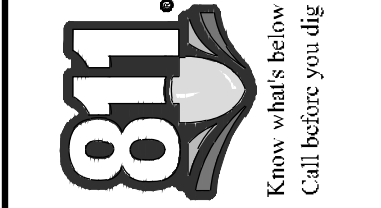
ENGINEER
 HAWKINS AND ASSOCIATES ENGINEERING, INC.
 436 MITCHELL ROAD
 MODESTO, CA 95354
 PHONE: (209) 575-4295

DATE: _____
 SHEET 1
 OF 1

3584 116



SYM.	DATE	DESCRIPTION OF REVISION	APPD.



BY: MTS
 CHK: RHH
 DATE: 2022-02-01

**HAWKINS & ASSOCIATES
 ENGINEERING, INC.**
 436 MITCHELL ROAD
 MODESTO, CA. 95354
 PH: (209) 575 - 4295
 FX: (209) 578 - 4295

PRELIMINARY UTILITY PLAN
TRACTOR SUPPLY CO.
 OROVILLE, CALIFORNIA

DATE: _____
 SHEET 1
 OF 1



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Leonardo DePaola
DIRECTOR

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

NOTICE OF EXEMPTION

TO: Butte County Clerk
25 County Center Drive
Oroville, CA 95965

FROM: City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Project Title: TPM 22-01 Tentative Parcel Map

Project Location – Specific: 2592 Feather River Blvd at Cal Oak Road (APN 035-330-023 & 025)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The tentative parcel map would separate the existing 3.86 and 2.55-acre parcels into four separate parcels to allow for retail development on the C-2 Zoned parcels.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: The Sobel Company, Inc.

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:
 - Minor Land Divisions, Title 14 CCR, §15315
- Statutory Exemption: State code number:

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

Minor Land Divisions; Title 14, CCR, §15315

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

If filed by applicant:

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant

RESOLUTION NO. P2022-04

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 22-01

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

WHEREAS, the tentative parcel map proposes to separate two existing parcels totaling 6.37-acres into four parcels

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

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

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

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

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

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

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

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

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

- 1) The requested tentative parcel map is in conformance with the General Plan and the City's zoning ordinance,
- 2) The site is physically suitable for the proposed density or type of development;
- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;
- 4) The design of the land division is not likely to cause serious public health problems;
- 5) A preliminary soils report or geological hazard report indicating no adverse soil or

geological conditions that cannot be corrected to the satisfaction of the City Engineer shall be submitted prior to the issuance of building permits;

- 6) The design of the land division will not conflict with any existing easements;
- 7) The proposed land division is consistent with OMC 16.12.050, and the requested parcel map seeks no variances or exceptions;
- 8) All services and access to the proposed parcels are available and meet City standards. Discharges of waste into a community sewer system will not violate existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code);
- 9) The parcel was not involved in the division of a larger parcel anytime in the last two years.

CONDITIONS OF APPROVAL

- 1) These conditions of approval are to permit the land division of Tentative Parcel Map No. 22-01 (TPM 22-01) as generally described above.
- 2) This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
- 3) The Planning Commission approval date of this Tentative Parcel Map No. 22-01 referenced below. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
- 4) All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans.
- 5) The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
- 6) The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
- 7) The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
- 8) This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
- 9) Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.

- 10) All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
- 11) The Planning Commission’s action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City’s Code.
- 12) Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
- 13) The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Parcel Map.
- 14) The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on any plans for construction on the parcels. Said monuments shall be protected or replaced per State law.
- 15) All easements of record that affect this property are to be shown on the Parcel Map.
- 16) Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.

--- 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 24th of February 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

CARL DURLING, CHAIRPERSON