



## OROVILLE PLANNING COMMISSION

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**October 22, 2020**  
**REGULAR MEETING**  
**6:00 PM**  
**AGENDA**

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### COVID-19 AND PUBLIC ACCESS AND PARTICIPATION

With the Governor's Declaration of Emergency for the State of California (Executive Order N-25-20), the Oroville City Council requests the help of the public in preventing the spread of the coronavirus and COVID-19. In light of the social distancing requirements limiting groups to 10 people or less the council chambers will remain closed to the public for the foreseeable future.

#### To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>

#### To Participate in the Meeting:

1. Email before the meeting by 4:00 PM your comments to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org)
  2. Stand outside the council chambers and speak during public comment sections the provided microphone.
  3. [Join Microsoft Teams Meeting](#) – Virtual Option
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### CALL TO ORDER / ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Randy Chapman, Susan Sears, 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 October 1, 2020.

#### RECOMMENDATION

Approve the minutes of October 1, 2020

## PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

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

### 2. MODIFICATION OF USE PERMIT UP20-05 TO ISSUE A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR COLLINS AND DENNY MARKET

The Oroville Planning Commission will consider adopting a Finding of Public Convenience or Necessity for a Type-21 "Off-Sale General" license for the property identified as 434 Plumas Ave.

#### RECOMMENDATION

Approve modified Use Permit 20-05 with:

Revised finding No. 9 relating to public convenience or necessity.

**Approve** a letter of Public Convenience and Necessity to the California Department of Alcohol Beverage Control for the sale of alcohol for off-site consumption at Collins and Denny at 434 Plumas Ave;

**Adopt** Resolution No. P2020-18 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN OFF-SALE GENERAL (TYPE-21) ALCOHOLIC BEVERAGE LICENSE TO COLLINS AND DENNY FOR THE PROPERTY IDENTIFIED AS 434 PLUMAS AVE, OROVILLE, CA 95965. (Attachment 2).

### **3. LINKSIDE PLACE 2 SUBDIVISION TENTATIVE MAP EXTENSION**

The Oroville Planning Commission may consider extending the existing Tentative Subdivision Map for Linkside Place 2 until December 10, 2021.

#### **RECOMMENDATION**

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

**Adopt** Resolution No. P2020-17 extending the deadline for filing a Final Subdivision Map for TSM 07-04 for one year until December 10, 2021, with the stipulation that approval of the Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.

### **4. CALIFORNIA WATER SERVICE TREATMENT UNIT MINOR USE PERMIT UP 20-07**

The Oroville Planning Commission will review and consider approving Use Permit UP20-07 for a new activated charcoal treatment unit at the existing well facility at 1185 Feather River Blvd (APN 012-290-001).

#### **RECOMMENDATION**

Adopt a Categorical Exemption as the appropriate level of CEQA review;

**Adopt** the recommended Findings for Use Permit No. UP 20-07, and

**Approve** Use Permit UP 20-07 and recommended Conditions of Approval;

**Adopt** Resolution No. P2020-21

### **5. ZC 20-01 CHANGE TO THE ZONING CODE**

The Oroville Planning Commission will review and consider recommending to the City Council approval of Zoning Change No. ZC 20-01 amending Chapter 17-20 of the Oroville Municipal Code relating to the City's sign regulations.

#### **RECOMMENDATION**

**Adopt** Resolution 2020-19, A Resolution of Intention of the Oroville Planning Commission recommending that the City Council adopt the proposed amendments to the Oroville Municipal Code Chapter 17-20 relating to the City's sign regulations.

### **6. ZC 20-03 CHANGES TO THE ZONING CODE**

The Oroville Planning Commission may review and consider recommending to the City Council approval of Zoning Change No. ZC 20-03 for the minor amendment to 4 sections of the Oroville Municipal Code Zoning Ordinance.

#### **RECOMMENDATION**

**Adopt** Resolution 2020-20, A Resolution of Intention of the Oroville Planning Commission recommending that the City Council adopt the proposed amendments to zoning regulations for Tables 17.28.010-1 and 17.32.010-1 and Sections 17.04.060 and 17.16.090 of the Oroville Municipal Code.

## REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Commissioner Reports
2. Director's Report

## ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on November 19, 2020 at 6:00 PM.

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

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

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



**October 01, 2020  
MINUTES**

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This agenda was posted on September 25, 2020 at 6:34pm. This meeting was recorded and can be viewed at [cityoforoville.org](http://cityoforoville.org)

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

Meeting called to order by Chairperson Durling at 6:02pm.

**PRESENT:** Commissioners: Tammy Flicker, Michael Britton (arrived at 6:21pm), Randy Chapman, Susan Sears, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

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

## **OPEN SESSION**

Pledge of Allegiance – Led by Chairperson Durling

## **CONSENT CALENDAR**

Motion by Commissioner Sears and second by Commissioner Flicker to approve the consent calendar. Motion passed.

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

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

The Planning Commission approved the minutes of August 27, 2020.

## **PUBLIC HEARINGS**

### **2. MODIFICATION OF USE PERMIT UP20-04 TO ISSUE A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR TACOS TIJUANA**

The Oroville Planning Commission considered adopting a Finding of Public Convenience or Necessity for a Type-40 “On-Sale Beer” license for the property identified as 1835 Oro Dam Boulevard.

**Motion by Commissioner Flicker and second by Vice Chairperson Jenkins to Approve** modified Use Permit 20-04 with revised finding No. 9 relating to public convenience or necessity. A Type 40 “on-sale beer” license. **Approve** a letter of Public Convenience and Necessity to the California Department of Alcohol Beverage Control for the sale of beer at Tacos Tijuana at 1835

Oro Dam Blvd; and **Adopt** Resolution No. P2020-15 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN ON-SALE BEER (TYPE-40) ALCOHOLIC BEVERAGE LICENSE TO TACOS TIJUANA FOR THE PROPERTY IDENTIFIED AS 1835 ORO DAM BOULEVARD, OROVILLE, CA 95965. Motion passed.

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

**4. THE VILLAGE AT RUDDY CREEK SUBDIVISION, INCLUDING GENERAL PLAN AMENDMENT GPA 20-01, ZONING AMENDMENT ZC 20-02, TENTATIVE SUBDIVISION MAP TSM 20-01, AND PROPOSED ANNEXATION**

The Oroville Planning Commission reviewed and considered recommending that the City Council approve General Plan Amendment GPA 20-01, Zoning Code Amendment ZC 20-01, Tentative Subdivision Map TSM 20-01, and the proposed annexation of 24.39 acres (APN 030-360-091 and -092) at Feather Avenue and 18th Street into the City limits.

The following individuals spoke or provided written communication on this item:

- Rose Kaya
- Annette Ramos
- Steve Stewart
- Kathy Brazil
- Mark Brackett
- Barbara Brazil
- Brenda and John Trisdale
- Kathleen Faith

**Motion by Vice Chairperson Jenkins and second by Commissioner Sears to Recommend** that the City Council Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the “Initial Study and Mitigated Negative Declaration for The Village at Ruddy Creek Subdivision”— as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA); and **Recommend** that the City Council approve General Plan Amendment GPA 20-01; and **Recommend** that the City Council approve Zoning Code Amendment ZC 20-02; and **Recommend** that the City Council initiate annexation proceedings to bring the unincorporated territory into the City limits; and **Approve Tentative Subdivision Map TSM20-01 for a new 97-unit subdivision, subject to the City Council approving the previous actions; and Adopt** Resolution No. P2020-12; and have the applicant work with Staff on a reduced tree mitigation measure for the property. Motion passed.

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

The Commission took at 5-minute recess.

**3. GPA 20-02 GENERAL PLAN AMENDMENTS**

The Oroville Planning Commission conducted a public hearing to consider sending a recommendation to the City Council to adopt amendments to the General Plan.

**Motion by Commissioner Britton and second by Commissioner Sears to Approve** Resolution of Intention 2020-16; and **recommend** to council the general plan amendments. Motion passed.

**AYES:** Flicker, Sears, Chapman, Jenkins, Durling, Britton

**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

Item 1.

## **ADJOURN THE MEETING**

Chairperson Durling ended the meeting at 8:30pm

APPROVED:

ATTESTED:

\_\_\_\_\_  
Chairperson Carl Durling

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



# City of Oroville

**Leonardo DePaola**  
Community Development Director

## COMMUNITY DEVELOPMENT DEPARTMENT

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

### PLANNING COMMISSION STAFF REPORT

Thursday, October 22, 2020

**RE: Modification of Use Permit UP20-05 to issue a Letter of Public Convenience or Necessity for Collins and Denny Market:**

**SUMMARY:** The Oroville Planning Commission will consider adopting a Finding of Public Convenience or Necessity for a Type-21 "Off-Sale General" license for the property identified as 434 Plumas Ave.

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

1. Approve modified Use Permit 20-05 with:
  - a. Revised finding No. 9 relating to public convenience or necessity.
2. **Approve** a letter of Public Convenience and Necessity to the California Department of Alcohol Beverage Control for the sale of alcohol for off-site consumption at Collins and Denny at 434 Plumas Ave;
3. **Adopt** Resolution No. P2020-18 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN OFF-SALE GENERAL (TYPE-21) ALCOHOLIC BEVERAGE LICENSE TO COLLINS AND DENNY FOR THE PROPERTY IDENTIFIED AS 434 PLUMAS AVE, OROVILLE, CA 95965. (Attachment 2).

**APPLICANTS:** Gold Star Grocery, Inc. DBA: Collins and Denny Market

**LOCATION:** 434 Plumas Ave  
Oroville, CA 95965  
APN: 031-172-081

**GENERAL PLAN:** RBS (Retail and Business Services)  
**ZONING** C-2 (Intensive Commercial)  
**FLOOD ZONE:** ZONE X: Areas determined to be outside the 0.2% annual chance floodplain.

**ENVIRONMENTAL DETERMINATION:** Covered by previous Categorical Exemption

**REPORT PREPARED BY:**

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

**REVIEWED BY:**

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



## DISCUSSION

The Oroville Planning Commission will consider modifying its earlier approval of Use Permit UP20-05 by adopting a Finding of Public Convenience or Necessity for a Type-21 “Off-Sale General” alcoholic beverage license for the property identified as 434 Plumas Ave, the location of Collins and Denny Market, a neighborhood grocery store. Other than the changes below, the conditional approval letter and all conditions remain as approved by this Commission on July 23, 2020.

### 1. Public Convenience or Necessity.

The Planning Commission approved Use Permit UP20-05 on July 23, 2020, including making the nine required findings for alcohol sales. At that time there was no indication of an undue concentration. However, staff recently learned that Census Tract 29 has more licenses than allowed, and that ABC will need a letter of Public Convenience and Necessity from the City before issuing their permit.

Census Tract 29 generally includes the northern portion of the Thermalito Area, from Grand Ave north to the Thermalito Forebay and SR-70 west to the Forebay.

**Proposed new Finding No. 9**, whether approval would result in an undue concentration of these uses, and whether public convenience or necessity would mitigate the issue of undue concentration. ABC has determined that the number of existing licenses exceed the number allowed for this type of permit in Census Tract 29. However, since this census tract fronts a major travel corridor on State Route 70, and since this market provides for the immediate grocery and convenience needs of the Thermalito community, the Planning Commission has determined that the number of establishments does not constitute an undue concentration, and that it is in the City’s interest to issue a letter of Public Convenience or Necessity supporting this license.

## BACKGROUND

Census Tract 29 allows two off-sale licenses, with five already existing. The issuance of another Type-21 license would increase the “undue concentration” of off-sale licenses. As an undue concentration of licenses currently exists in the subject census tract, the Business and Professions Code Section 23958.4 requires a finding of public convenience “or” necessity in order for the California Department of Alcoholic Beverage Control (ABC) application to be approved. It is not legally necessary to demonstrate both a finding of convenience “and” necessity.

Findings of Public Convenience or Necessity are a tool for local governments and communities that directly ties them into the state liquor licensing process. Current state law limits the issuance of new licenses in geographical regions (census tracts) defined as high crime areas or in areas of “undue concentration” of retail alcohol outlets. However, the law also states these restrictions can be sidestepped in specified circumstances when the Department of ABC or the local jurisdiction makes a determination that the license in question would serve the “public convenience or necessity” by demonstrating that the business operation will provide some kind of benefit to the surrounding community.

"Undue concentration" (also referred to as "over concentration") is defined, with respect to on-sale retail alcoholic beverage license applications, in the Business and Professions Code Section 23958.4 as a ratio of the number of licenses in a census tract compared to the average number of licenses in a county, as a whole. It does not mean that a particular census tract necessarily has too many licenses for the needs of convenience of residents in that tract. "Over concentration" also does not mean that the State, or anyone else, has previously looked at this census tract and determined that it has suffered any adverse effects from the actual number of licenses existing or that it will suffer any adverse effects if a new license is issued.

Sections 23958 and 23958.4 of the Business and Professions Code requires ABC to deny the application unless the City determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance of the license.

### **ENVIRONMENTAL REVIEW**

Like Use Permit 20-05 itself, there is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment. Therefore, the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) "General Rule Exemption."

### **FISCAL IMPACT**

None. Applicant has paid the relevant processing fees.

### **ATTACHMENTS**

1. Census Tract 29 Map
2. Letter of Public Convenience or Necessity
3. Resolution No. P2020-18

## RESOLUTION NO. P2020-18

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN OFF SALE GENERAL (TYPE-21) ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 434 PLUMAS AVE, OROVILLE, CA 95965 (APN: 031-172-081).**

**WHEREAS**, pursuant to applicable provisions of the Business and Professions Code of the State of California, the Department of Alcoholic Beverage Control is charged with the responsibility of reviewing applications and issuance of licenses for the sale and/or manufacture of alcoholic beverages in the State of California; and

**WHEREAS**, Section 23958 of the Business and Professions Code provides that the Department of Alcoholic Beverage Control shall deny an application for a license or for a transfer of a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4 of said Business and Professions Code; and

**WHEREAS**, Section 23958.4 of the Business and Professions Code provides that, notwithstanding the limitations of Section 23958, the Department of Alcoholic Beverage Control may issue a license if the local governing body of the area in which the applicant premises are located determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance; and

**WHEREAS**, the applicant has petitioned the Department of Alcoholic Beverage Control for a Type-21 "Off Sale General" alcoholic beverage license for the property identified as 434 Plumas Ave (APN: 031-172-081), the location of Collins and Denny Market; and

**WHEREAS**, the subject business is located in Census Tract 29 with a population such that the Department of Alcoholic Beverage Control authorizes up to 2 off-sale licenses before an undue concentration would exist, and there are currently five licenses issued and active; and

**WHEREAS**, the City of Oroville has prepared a Letter of Public Convenience or Necessity provided as EXHIBIT "A" attached hereto.

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

**SECTION 1.** The foregoing recitals are incorporated herein and made a part hereof.

**SECTION 2.** That the public convenience or necessity would be served by the issuance of a Type-21 “Off Sale General” alcoholic beverage license for the property identified as 434 Plumas Ave.

**SECTION 3.** The Planning Commission finds and has determined that the use and operation of the site as proposed will assist in the generation of additional sales tax revenues to the City, as well as, assist in the creation and maintenance of additional jobs and economic opportunities for the residents of the City.

**SECTION 4.** Since 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 has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15061(b)(3), commonly known as the “general rule.” This request for a Finding of Public Convenience or Necessity is for use by an existing operating business.

**SECTION 5.** The request for a Finding of Public Convenience or Necessity Determination is hereby approved.

**SECTION 6.** The Zoning Administrator is hereby authorized to sign and transmit Exhibit A to the Department of Alcoholic Beverage Control on behalf of the City.

\*\*\*\*\*

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of October, 2020, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

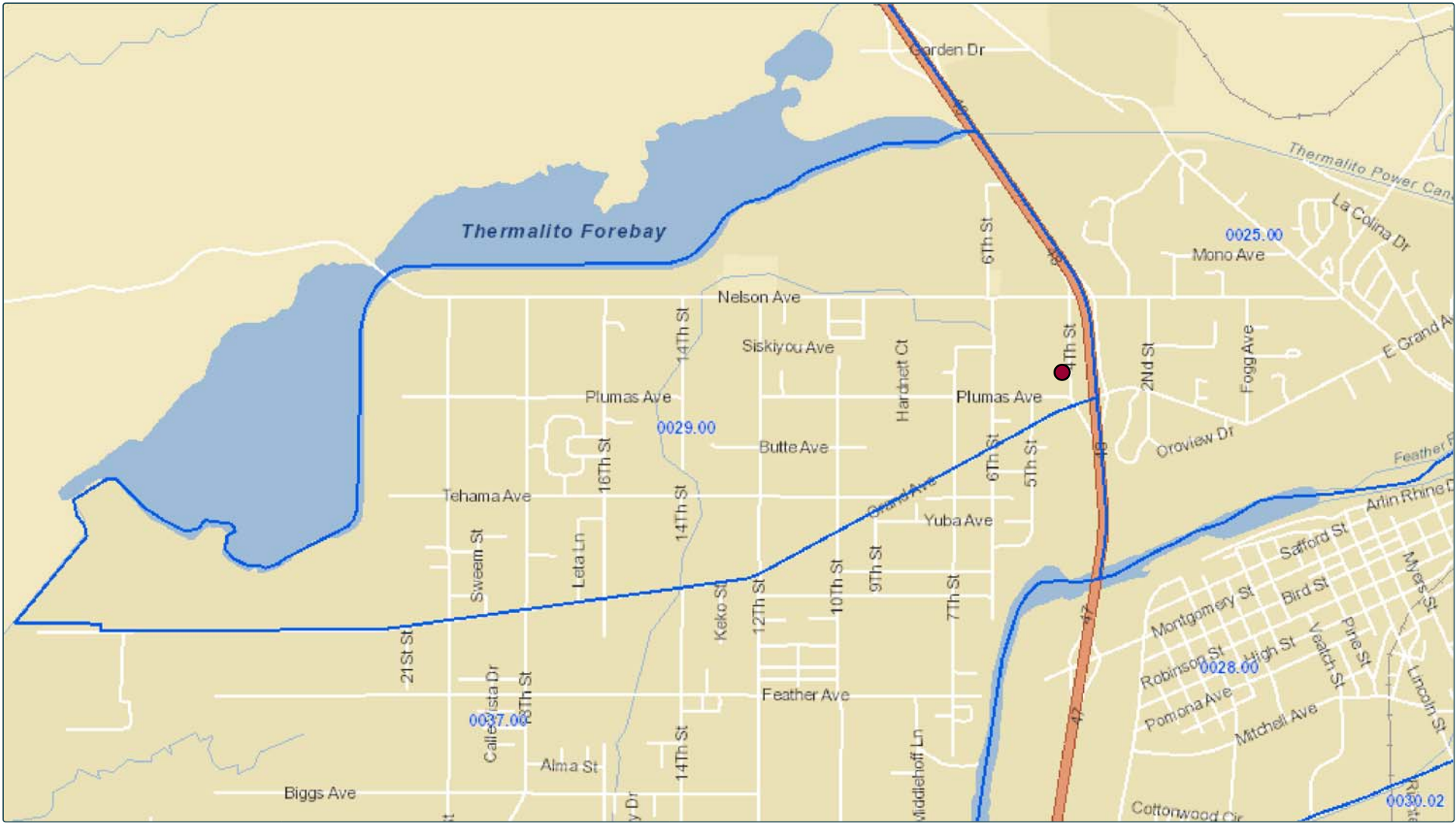
ATTEST:

APPROVE:

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

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

EXHIBIT  
*A – Letter of Public Convenience or Necessity*



● Matched Address: 434 PLUMAS AVE, OROVILLE, CA, 95965  
MSA: 17020 - CHICO, CA || State: 06 - CALIFORNIA || County: 007 - BUTTE COUNTY || Tract Code: 0029.00

● Selected Tract  
MSA: || State: || County: || Tract Code:



# City of Oroville

**Leonardo DePaola**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

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

October 22, 2020

State of California  
Department of Alcoholic Beverage Control  
1900 Churn Creek Rd, Suite 215  
Redding, CA 96002

**RE: LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE-21 “OFF-SALE GENERAL” ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 434 PLUMAS AVE, OROVILLE, CA 95965 (APN: 031-172-081)**

To Whom It May Concern:

This letter shall serve to notify the California Department of Alcoholic Beverage Control that on October 22, 2020, the City of Oroville Planning Commission adopted a finding of public convenience or necessity and authorized the Zoning Administrator to sign this letter conveying the City’s support for issuing an alcoholic beverage license (Type-21 “Off-sale General”) for the property located at 434 Plumas Ave, also known as Collins and Denny Market. The City of Oroville supports the efforts of community businesses to expand the local economy and finds no cause to oppose the requested license.

If there are any questions regarding the matters described in this letter, please contact Wes Ervin, Planner, by phone at (530) 538-2408 or by e-mail at [wervin@cityoforoville.org](mailto:wervin@cityoforoville.org)

Sincerely,

Dawn Nevers, Assistant Director  
Community Development Department



# City of Oroville

**Leonardo DePaola**  
Community Development Director

## COMMUNITY DEVELOPMENT DEPARTMENT

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### PLANNING COMMISSION STAFF REPORT

Thursday, October 22, 2020

**RE: Linkside Place 2 Subdivision Tentative Map Extension**

**SUMMARY:** The Oroville Planning Commission may consider extending the existing Tentative Subdivision Map for Linkside Place 2 until December 10, 2021.

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

1. Conduct a Public Hearing to consider extending the existing Subdivision Map
2. **Adopt** Resolution No. P2020-17 extending the deadline for filing a Final Subdivision Map for TSM 07-04 for one year until December 10, 2021, with the stipulation that approval of the Final Map shall remain subject to all other conditions of approval identified in the Letter of Approval dated April 26, 2016.

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

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

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

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

**REPORT PREPARED BY:**

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

**REVIEWED BY:**

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

## **DISCUSSION**

On April 26, 2016, the Planning Commission approved an amendment to Tentative Subdivision Amp TSM 07-04, subject to the conditions of approval described in the Letter of Approval dated April 25, 2016. The Planning Commission subsequently approved a one-year extension of the Tentative Subdivision map at their October 24<sup>th</sup>, 2019 meeting, with the new expiration date of the map set for December 10, 2020.

Due to the COVID-19 pandemic, the project was put on hold by the developer, delaying the initial building plans which were scheduled for spring of 2020. On September 9, 2020, the owner requested a one-year extension to December 10, 2021 in order to get the project processed and finalized, with plans for construction in Spring of 2021. If this extension is granted, the map would then be eligible to be extended for one additional year.

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

## **FISCAL IMPACT**

None. The project is subject to all customary fees.

## **ATTACHMENTS**

1. Request for map extension
2. Project Letter of Approval 2016
3. Map of Linkside Place 2
4. Resolution No P2020-17





## GENESIS ENGINEERING

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September 9, 2020

Wes Ervin  
Planning Division  
City of Oroville  
1735 Montgomery Street  
Oroville, CA 95965

Re: Linkside Subdivision Phase 2 Map Extension.

We would like to request a map extension to our Linkside Place Subdivision, Phase II (TSM 07-04) – Map Amendment. It originally had an expiration date of December 10, 2019. On October 29<sup>th</sup>, 2019 it was extended to December 10<sup>th</sup>, 2020. We would like this map extended an additional year as allowed per the City Code.

We were progressing with our plans to build last spring but with all the craziness, which was going on, the building project was put on hold. We are planning for a more normal atmosphere in the near future. At this time, we are planning to build this project in the spring of 2021.

I have included the “Letter of Approval” extension letter, so you will have all the file numbers.

Please let me know what the fee is to request the extension. Last time it was \$1,085.54. If it is still this amount I can mail a check to the city offices, if not let me know what the current fee is.

Please let me know what other items may be needed

Thanks for your help,

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Sean M. O'Neill & Patrick Laughlin

## RESOLUTION NO. P 2007-24

**A RESOLUTION OF THE OROVILLE PLANNING COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM FOR, AND CONDITIONALLY APPROVING, TENTATIVE SUBDIVISION MAP NO. 07-04 TO CREATE 59 BUILDING LOTS FROM APPROXIMATELY 19 ACRES OF LAND THAT ABUTS THE WESTERN BOUNDARY OF THE OROVILLE MUNICIPAL GOLF COURSE, APPROXIMATELY 600 FEET SOUTH OF SR 162 (LINKSIDE PLACE SUBDIVISION PHASE 2)**

WHEREAS, the City of Oroville has received an application from Subdivider to subdivide portions of two contiguous properties totaling 19 acres (Property) into 59 lots for single-family homes; and

WHEREAS, the eastern boundary of the Property abuts the Oroville Municipal Golf Course and the southern boundary abuts the Linkside Place Subdivision Phase 1, south of SR 162; and

WHEREAS, the design of the proposed subdivision is illustrated on the revised tentative subdivision map labeled Sheet 1 of 2 (Map), received by the City on June 13, 2007, which Map has been assigned the file number of TSM No. 07-04, and a copy of which is attached to this resolution as Exhibit "A; and

WHEREAS, lots 1 through 6 of the tentative map are currently being used as a drainage detention facility serving the Linkside Phase 1 subdivision and cannot be used as separate lots for residential development until an alternative drainage detention facility is provided; and

WHEREAS, the proposed Map will also create Lot A, being a narrow strip of land between the Oroville Municipal Golf Course and the Property, for purposes of conserving wetlands on that Property; and

WHEREAS, the proposed Map will also create a 5.8-acre remainder Lot B for purposes of conserving wetlands and providing open space for airport operation safety purposes in accordance with the provisions of the Butte County Airport Land Use Commission's (ALUC) *Airport Land Use Compatibility Plan (CLUP)*, adopted by ALUC in 2000; and

WHEREAS, the Property is designated by Oroville's General Plan Diagram as *Medium Density Residential / Airport Influence Area (AIA) Zone "C,"* and the Zoning Map designation of this area is *Single-Family Residential (R-1) / AIA "C,"* and these combined land use designations allow residential development at a density not less than four and not more than six homes per acre; and

WHEREAS, the area of property to be developed in Linkside Place Phases 1 and 2 is 31 acres, and the combined subdivisions proposed to create 124 building lots with a resulting density of 4.1 homes per acre; and

WHEREAS, the AIA "C" zoning regulations require that approval of new development must provide dedication of an avigation easement and must provide a notice about overflight and regarding potential noise from airport operations; and

WHEREAS, Oroville City Charter Appendix A specifies that a fire flow of seven hundred and fifty gallons per minute is required for a duration period of ten hours in standard residential areas that do not have churches, schools, and other similar structures interspersed within the residential area; and

WHEREAS, Thermalito Irrigation District provides water to the Property for domestic use and fire flow purposes, and that District has indicated that it may not be able to provide the required fire flow to properties in the Thermalito area unless the District's existing water mains are upgraded in some locations. Therefore, the conditions of approval described in this resolution specify that off-site water system improvements must be constructed if necessary to provide the required fire flow capability; and

WHEREAS, Oroville's General Plan Safety Element Objective 8.30h states that the Oroville Fire Department should be able to place a first-response unit at fire and medical incidents that occur in the City within 5-minutes travel time, and the Oroville Fire Chief has stated that there is no City Fire Station located close enough to the Property to allow Fire personnel and equipment to reach the Property within that time; and

WHEREAS, In September 2006, the City of Oroville formed two community facilities districts: CFD No. 2006-1 Westside Public Safety Facilities; and CFD 2006-2 Public Safety Services. CFD 2006-1 was formed to provide a funding mechanism for new public safety facilities, primarily a new fire station to be located in the vicinity of the Oroville Municipal Airport, which will include within it a small police substation. CFD 2006-2 was formed to fund on-going fire, police, and code enforcement services that are needed as a result of additional development. To mitigate cumulative impacts, all new development west of Highway 70 will be required to annex into both of these districts and will be subject to the collection of fees and revenues to fund additional public safety facilities and services;

WHEREAS, Subdivider proposes to detain stormwater from Linkside Phase 1 and 2 in two separate ponds (being Ponds 1 and 2). Pond 2 is located on a distinct property located south of the Property, being property that is not located within the jurisdiction of the City of Oroville; and

WHEREAS, Subdivider proposes to dedicate to the City the area of land on which Ponds 2 and the access road that serves it have been constructed for purposes of maintenance; and

WHEREAS, pursuant to State law, the Butte County Local Agency Formation Commission requires that lands utilized to provide services to development within a city should be annexed to that city to promote orderly development of government services,

and the boundaries of lands being annexed are logical extensions of municipal boundaries. Annexation of only that area that contains the ponds and access roads would create a new long peninsula of City boundary. Therefore, the conditions of approval described in this resolution specify that Subdivider shall sign an agreement not to protest future annexation of the land on which the ponds and the access roads have been constructed, as those lands abut City limits and annexation of those lands will result in a logical extension of the City's municipal boundaries; and

WHEREAS, the City requires that certain improvements must be constructed to the Ponds and road as a condition of acceptance by City; and

WHEREAS, by letter dated August 3, 2005, the US Army Corps of Engineers suggests that it may assert jurisdiction over water features located adjacent to the access road that serves Ponds 2 and additionally to the access road that serves pond 3; and

WHEREAS, if improvement of the access road as required by the City requires permits from the USACE, the ability to construct the improvements may be delayed. Therefore, the conditions of approval described in this resolution specify that no final map shall be recorded until all required improvements have been constructed, and that security and a subdivider's agreement may not be substituted for actual construction of the improvements; and

WHEREAS, there will be no public street access to the Property until Subdivider has fulfilled the terms of an agreement with the City, in exchange for which the City will accept the streets. Therefore, the conditions of approval described in this resolution specify that no final map shall be recorded until the terms of the agreement have been implemented and the City has accepted the streets between SR 162 and the Property; and

WHEREAS, a draft Mitigated Negative Declaration has been prepared for TSM 07-04, with the proposed Mitigation Measures and Mitigation Monitoring Program described in Exhibit "B" attached hereto; and

WHEREAS, a noticed public comment period was conducted for the draft Mitigated Negative Declaration from November 5 to December 5, 2007, and Comments were received from the Regional Water Quality Control Board, Feather River Recreation and Park District, SC-OR, and the Department of Water Resources submitted comments and said comments have either been incorporated into the conditions for the project or addressed in the initial study and no new significant impacts were identified; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE PLANNING

## COMMISSION AS FOLLOWS:

Based upon the evidence in the record before it, the following findings are adopted for this project:

1. There is no evidence in the record before the Commission to support a finding that potentially significant adverse environmental effects are likely to occur as a result of approval of this Map, which determination reflects the Planning Commissioners' independent judgment and analysis, and is based upon the following facts:
  - A. Subdivider must obtain permits from agencies responsible for protecting natural resources, then implement the requirements of those permits and maintain the conditions required by the permits.
  - B. The conditions of approval described in this resolution will implement all mitigations identified in the Mitigated Negative Declaration, as described in Exhibit B attached to this resolution, and implementation of those mitigation measures will be monitored as described in Exhibit B.
  - C. All comments regarding the Mitigated Negative Declaration are addressed in the conditions of approval
  - D. Construction of 78 single-family homes will not result in significant demand on streets or municipal services.
2. Based upon the evidence in the record before it, the following findings are adopted for this project:
  - A. The Map and its design and improvements are consistent with, and will not impede implementation of, Oroville's General Plan policies related to the Property and the area around it. *The Residential Medium Density land use designation of the City's General Plan establishes a maximum density of 6 dwelling units per acre. The proposed project has a gross density of approximately 4.8 dwelling units per acre of land. The Property is not listed in Table 52 of the Housing Element of the General Plan as on upon which the City is relying for purposes of meeting its very low to low income housing goals for the 2003-2008 planning period.*
  - B. The site is physically suitable for the type and density of development proposed. *The project, as conditioned and designed takes into account the physical features of the property including but not limited to slope, drainage features, and topography. The site is level to gently sloping with no significant topographic features that would require unique building design or layout. The project utilizes smaller lot sizes in order to maintain single family residential development, consistent with the predominant single family residential development that surrounds the area. Services including sewer and water are available to serve the site.*

- C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, or wildlife or their habitat. *The site was reviewed under the requirements of the California Environmental Quality Act and an initial study prepared which identified potentially significant impacts to the environment but revisions in the project plans submitted or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect would occur and there is no substantial evidence, in light of the whole record, that the project as revised may have a significant effect on the environment and a Negative Declaration with mitigation measures is being recommended.*
  - D. The design of the subdivision or the proposed improvements is not likely to cause serious public health problems. *As conditioned, the project will provide roadway and construction to minimize project related problems. Standard subdivision improvements will include fire hydrants, streetlights and roadways designed to accommodate the expected volume of use.*
  - E. The design of the project and division of the land in the manner set forth on the Map will not unreasonably interfere with the free and complete use of existing public and/or public utility easements or rights-of-way or conflict with easements, acquired by the public at large, for access through or use of property within the proposed project. *Adequate public access to and through the subdivision is provided by internal and adjacent public rights-of-way. There are no internal easements that will be affected by the project.*
  - F. The Property is not listed in Table 52 of the Housing Element of the General Plan as on upon which the City is relying for purposes of meeting its very low to low income housing goals for the 2003-2008 planning period.
  - G. Division of the Property in the manner set forth on the Map will not unreasonably interfere with the free and complete use of existing public and/or public utility easements or rights-of-way.
  - H. The Property, on which slopes proposed for subdivision into building lots are generally less than three percent, is physically suitable for development to the proposed density of approximately 4 homes per acre.
  - I. The dedication of an airport safety open space easement over approximately 5.8 acres of land is consistent with and implements policies in the General Plan and the Butte County Airport Land Use Compatibility Plan.
3. TSM 07-04, as described herein, is conditionally approved and a Mitigated Negative Declaration, and the Mitigation Monitoring Program attached to this resolution as Exhibit B, are adopted for said approval. The Director of Community Development is designated as custodian of the documents and other materials which constitute the record of proceedings upon which the decision of the Planning Commission is

based, and this record shall be maintained at Oroville City Hall, 1735 Montgomery Street, Oroville.

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

1. The approval of the Tentative Map and/or tentative site plan does not constitute approval of the proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. The Engineer shall submit construction details, plans and profiles, typical sections, grading and erosion control details, specifications, and cost estimates to the Engineering Division for review and approval with submittal of the improvement plans.
2. The grading plans shall clearly identify all existing water, sewer, storm water, traffic, and other public utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15-feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures.
3. Grading plans shall be accompanied by a soils report or geotechnical report prepared by a registered Civil Engineer or geologist in a manner consistent with standard engineering practice. The report shall be reviewed for acceptability by the Engineering Division.
4. Maximum fill and cut slopes including detention basins shall be 2:1 maximum.
5. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than 4-feet in height as measured from bottom of footing to top of wall. All retaining walls visible from a public street or property shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment.
6. The grading plans shall identify areas, details, and/or cross sections proposed for mass grading, and shall identify areas for no mass grading where the houses will be constructed on raised foundations.
7. Except as otherwise specifically approved in these conditions, all lots shall be graded to prevent cross-lot drainage, and graded to prevent drainage from entering other properties adjacent to the subdivision.
8. The design and construction of all improvements shall conform to the latest Construction Standards, practices and policies of the City of Oroville, or as modified by these conditions of approval, or as directed by the Director of Community Development and Public Works.

**STREETS AND TRAFFIC IMPROVEMENT REQUIREMENTS**

11. Construct half-width street section along SR 162 frontage of Linkside Place to City of Oroville and Caltrans specifications and in accordance with an encroachment permit from Caltrans. Improvements to include a half-width street section of 38-feet as measured from centerline of the highway to face-of-curb, 6-inch vertical curb and gutter, and under grounding of the roadside ditch with catch basins and storm pipe as required. Striping to include the southbound left-turn lane into the subdivision as required with phase 1, a 12-foot wide eastbound travel lane as required with phase 1, and the remaining shoulder areas (approximately 14-feet) to be striped as a right-turn deceleration lane into, and right-turn acceleration out of the project entrance.
12. Interior streets shall be constructed as follows:
  - a. Christian Way construct 40-foot curb-to-curb road width, 6-inch vertical curb and gutter, and 5-foot wide sidewalks contiguous to the curb.
  - b. Hawes Way and Renfro Drive construct 40-foot curb-to-curb road width, 6-inch rolled curb and gutter, and 5-foot wide sidewalks contiguous to the curb.
  - c. Westland Drive and Elvis Court construct 35-foot curb-to-curb road width, 6-inch rolled curb and gutter, 6-foot wide planter strips, and 5-foot wide separated sidewalks.
13. Provide a 48-foot radius minimum cul-de-sac measured from center to face-of-curb, 6-inch rolled or vertical curb and gutter, 6-foot planter strip, and 5-foot separated sidewalk, designed and constructed to City standards as specified by the Public Works Director.
14. Minimum paved structural section on all new residential roadway sections shall be 3-inch A.C. over 10-inch A.B. unless soil conditions based on an engineered pavement design warrant a different structural section.
15. Construct a 14-foot wide gravel access road from the southern terminus of Christian Avenue to Pond 2 and a 14-foot wide gravel perimeter access roads around ponds 2 as illustrated on the Map. Construct permanent metal gate across the end of Christian Drive to design requirements of the City Engineer. Prior to construction, submit design and improvement plans to Butte County Public Works for approval.
16. Construct a 12-foot wide paved access road and turnaround through Lots A and B as illustrated on the TSM, with removable bollards at the entrance from Zachary Court. Minimum structural section shall have 2-inches A.C. over 8-inches A.B. unless soil conditions warrant an increased structural section.
17. Construct a 12-foot wide paved access road within the utility easement along the southerly boundary of Lot 16, connecting Westland Drive and the access road within Lot A, with removable bollards at Westland Drive. Minimum structural section shall



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

18. Minimum slopes at road edges or back of sidewalks shall be 4:1 unless guardrail or other decorative pedestrian metal hand railing is installed.
19. Construct handicapped ramps to current Disability Access Standards and the City's ST-15 standard at all intersections complete with black truncated domes. The curb ramps and sidewalk back of ramps shall be placed within the City's right-of-way.
20. Where matching existing paving, all edges shall be saw cut.
21. Install permanent, wooden or other approved material, Type III Barricades across the roadway and sidewalk termini at the "end" of Hawes Way. Barricades shall have red and white reflective sheeting, and other necessary signage.
22. Install centerline monuments in accordance with City Standards.
23. Install stop signs at all pertinent intersections.
24. All traffic control devices including stop signs, street legends, centerline striping, shoulder striping, warning signs, etc, shall be shown on the improvement plans and shall be installed on all roadways in accordance with City Standards. All paint striping and legends shall be Thermoplastic. All street signs shall be high intensity reflective sheeting.
25. All public facilities such as mailboxes, signs, and fire hydrants shall be located out of sidewalk. Multi-tenant mailboxes shall be installed in a location approved by the postal service and shown on plans.
26. Street names shall be approved by the City Address Coordinator, and street name signs shall be provided per requirements of the Department of Community Development and Public Works. A minimum of 3 alternate names for each new street shall be submitted.
27. Prior to construction of required street improvements, submit improvement plans to the Engineering Division for approval. All improvement plans shall be designed by a Registered Civil Engineer, shall conform to the Standards of the City of Oroville, and shall be approved by the City Engineer prior to the start of work.
28. All streets and frontage improvements shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans.

#### SEWER IMPROVEMENT REQUIREMENTS

29. Subdivider shall construct sewer extensions to the Property at Subdivider's expense, in accordance with standards and plans approved by Thermalito Irrigation District (TID).
30. All new structures constructed on the new lots created by this subdivision shall be connected to the TID sanitary sewer system. Sewer service laterals shall be constructed to each lot. All installations of sewer lines within public rights-of-way will be done according to TID standards in effect at the time of the installation.
31. All lots shall be designed to be served by gravity sewer.
32. Sanitary sewer design, plan, and profile shall be submitted to TID for approval. It is the developer's responsibility to obtain TID approval. Approved sewer plans shall be submitted to City.

### STORM DRAINAGE IMPROVEMENT REQUIREMENTS

33. Each lot shall be graded to drain to the street, and graded to prevent cross-lot drainage.
34. On-site drainage shall be collected on-site and transported via underground gravity conduit to the detention Pond 2, then discharged to an on-site drainage swale approved by the City Engineer that drains to the east and southeast. Pond 2 shall be designed to drain after each storm event.
35. Storm water from the Property shall be detained using a metered orifice to maintain the pre-development peak rate of discharge from the Property for 2, 10, and 100-year storm intervals. Emergency overflow provisions for storm exceeding 100-years, and trash, debris, & sediment collection shall also be incorporated into the design.
36. The design of stormwater detention/retention facilities shall include emergency overflow provisions for storm events that exceed the design storage capacity of the facility.
37. Where lots cannot be graded to drain to a street or graded to prevent cross-lot drainage to adjacent properties, construct concrete V-ditches or underground piping within private stormwater easements at the back of those lots. All storm water conveyances constructed along the back of lots shall be privately owned, unless a Registered Civil Engineer can demonstrate to the City Engineer that public ownership of the conveyance facility is necessary for conveyance of public storm water, or for conveyance of substantial off-site drainage tributaries.
38. Storm drainage drop inlets shall have adhesive applied curb markers installed in accordance with City Standards. The curb markers shall be part number "SDS" as manufactured by DAS, Curb Markers, or approved equal and shall say "DON'T POLLUTE".

39. All drainage pipe laid within City right-of-way shall be 12" minimum RCP unless otherwise approved by the Director of Community Development and Public Works. Flexible pipes such as HDPE and PVC will not be considered unless the developer provides certification and assurances, and if required, securities for the installation of the pipe. Certifications and assurances may be in the form of special inspections paid for by the developer, with written statements from a Registered Professional Engineer guaranteeing the installation, and written statements from the manufacturer guaranteeing the materials. Securities may be in the form of maintenance bonds with extended warrantee periods.
40. All drainage improvements shall be constructed in conformance with Oroville Construction Standards, the City Master Drainage Plan, and the details shown on approved construction plans. The subdivider shall have a Registered Civil Engineer prepare and submit construction details, plans and profiles, typical sections and specifications, and cost estimates to the Engineering Division for review and approval prior to the start of any work.

#### WATER AND FIRE PROTECTION IMPROVEMENT REQUIREMENTS

41. Fire hydrants shall be installed at locations required by the Oroville Fire Department. Installation of the hydrants shall conform to the requirements of the City of Oroville Fire Department and the TID.
42. Installation of the hydrants shall conform to the requirements of the City of Oroville and Thermalito Irrigation District.
43. Water for domestic use and fire suppression shall be obtained from the Thermalito Irrigation District. Water service shall be stubbed out to each lot within the subdivision. All water installations shall be completed in accordance with TID standards and all civil plans must be approved and signed by the water purveyor.
44. All connections to existing TID infrastructure shall be performed in accordance with the requirements of TID.
45. Subdivider shall construct water line extensions to the Property and shall install and/or replace water lines off-site if TID determines that such improvements are required in order to meet City's minimum fire flow standards. All such improvements shall be designed in accordance with TID standards and plans approved by TID, and shall be constructed at Subdivider's expense.
46. Prior to recording of a Final Map for any of the lots created by this Map, subdivider shall provide evidence to the City that all of the following requirements have been met:
- a. All water mains and other infrastructure necessary to provide domestic service and fire flow protection to the standard identified in the Appendix to

the City Charter have been installed.

b. All water services have been stubbed out to each lot created by the Final Map in accordance with TID standards in effect at the time of the installation.

c. TID has accepted all such infrastructure for service and maintenance and has agreed to provide service to the lots being created by the Final Map.

#### OTHER UTILITY IMPROVEMENT REQUIREMENTS

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

**LANDSCAPING AND FENCE IMPROVEMENT REQUIREMENTS:**

54. Install 6-foot high black vinyl coated chain link fencing with black vinyl coated fence posts, gate posts and frames, and top and bottom fence rails around Ponds 2.
55. Install an irrigation system, street trees, and turf between the curb and sidewalk along the frontages of all streets created by the Map, in accordance with landscape and irrigation plans approved by the Director of Parks and Trees. The described improvements for all internal street frontages shall be installed on each lot prior to issuance of a Certificate of Occupancy of Building Permit Final for that lot.

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

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

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

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

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

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

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

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

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

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

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

60. Prior to approval of a grading and construction permit, the permit applicant shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be allowed outside of the designated staging areas. As much as practicable, the staging areas shall be located on level terrain.

Staging areas shall not be located within 100 feet of any wetlands, water features or residence that exists or may be constructed while the staging area is in use (Required CEQA Mitigation).

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

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

62. Provide a detailed construction schedule for City review. If construction is proposed during the rainy season, demonstrate to the satisfaction of the City that the erosion and sediment control measures outlined in the SWPP Plan are adequately designed to protect the project from SWPP non-compliance
63. All plan check fees (1.5% construction valuation), and construction inspection fees (3.0% construction valuation) fees shall be paid.
64. All other agency approvals shall be obtained by Applicant. Improvement plans will not be signed or released until written documentation of plan acceptance is provided to the City from the other agencies having jurisdiction over their infrastructure.

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

65. No clearing and grubbing, vegetation and tree removal, grading, or other on-site improvements shall be initiated until the grading and/or improvement plans are signed and approved by the Director of Community Development and Public Works, and grading, construction and/or encroachment permits are issued by the Engineering Division. Grading of the lots shall be completed in accordance with Oroville City Code and Oroville's Construction Standards.
66. Applicant shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer, storm water, traffic, and other public utilities to the satisfaction of the City.
67. Grading and construction activities will be subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is allowed between the hours of 7 a.m. and 7 p.m. Monday through Friday. Applicant is advised that required inspections, under normal circumstances, are limited to between the hour of 8 a.m. and 5 p.m., Monday through Fridays (City holidays

excluded). Weekend work is not allowed without prior authorization from the City, and additional inspection fees will be required to pay for consultant and staff overtime.

68. The project applicant, in coordination with the City and BCAQMD, shall implement BCAQMD standard mitigation measures set forth below:

- a. Use adequate fugitive dust control measures for all construction activities during all phases of construction.
- b. Use EPA Phase II certified wood burning devices or District approved fireplaces. Provide energy-efficient lighting (includes controls) and process systems such as water heaters, furnaces, and boiler units.
- c. Use adequate fugitive dust control measures for all construction activities during all phases of construction.
- d. Use alternatives to open burning of vegetative material on the project site.
- e. Use temporary traffic control as appropriate at all stages of construction.
- f. Schedule construction activities that direct traffic flow to off-peak hours as much as practicable.
- g. Paved streets adjacent to the development site should be swept at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the development site.
- h. Land clearing, grading, earthmoving or excavation activities suspended when winds exceed 20 miles per hour.

Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the District shall also be visible to ensure compliance with District Rule 200 & 205 (Nuisance and Fugitive Dust Emissions)

69. Construction practices shall conform to the standards adopted by the Butte County Air Quality Management District, which require all of the following:

- a. All construction debris must be discarded at Norcal Waste Systems of Butte County located at 2720 South 5<sup>th</sup> Avenue, phone #533.5868, per City Franchise Agreement Number 0474-3 and Construction and Demolition Ordinance No. 1721.

70. If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially eligible resource is encountered, then the archaeologist, City of Oroville, and project proponent shall arrange for either 1) test excavations or total data recovery; or 2) total avoidance of the resource, if possible.



71. Obtain inspection approvals from the City and other agencies for all improvements shown on the approved grading and subdivision improvement plans.

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

72. Applicant is expressly responsible for managing and completing all required tasks and for the submittal of required documents to the City to facilitate Final Map approval. The Final Map will not be approved until all items listed in this section have been completed to the satisfaction of the City.
73. Approval of this tentative Map shall expire on December 10, 2009. After that date no Final Maps will be approved for any of the lots created by this tentative Map unless an extension is applied for and approved in accordance with City Code.
74. Dedicate to the City of Oroville in fee simple a sixty-foot wide right-of-way for all streets, and a 60-foot radius for all cul-de-sacs, within the Property, consistent with the configuration of those streets as illustrated on the Map.
75. Dedicate a 1-foot no-access strip or relinquish abutter's rights to the City along the eastern boundary of all building lots that abut Lot A (affects Lots 8 through 16 and Lot 59).
76. Deed by separate instrument recorded concurrently with the Final Map land that includes Pond 2, and access road right-of-way from the southern terminus of Christian Avenue and around Pond 2, for drainage purposes; and enter into an agreement with the City of Oroville specifying that ownership of all or portions of the land shall be deeded back to Subdivider provided that an alternative location and/or method of stormwater disposal is approved by the City Engineer. The general location, area, and configuration of the land to be dedicated is illustrated on Exhibit B attached to this resolution.
77. Dedicate a 20-foot wide utility and access easement, and turnaround area across Lots A and B as illustrated on the Map.
78. Ownership of Lot A, being identified on the Map as open space and a utility road abutting the easterly boundary of the Property, shall remain with subdivider for purposes of protecting the native vegetation and topography of this lot to sustain wetlands, and to provide for a utility access easement and access road. Notice about the location and extent of wetlands identified on Lot A shall be provided by separate instrument recorded concurrently with the Final Map.
79. Ownership of Lot B, being identified on the Map as 253,000 square feet of open space abutting the southern boundary of the Property, shall remain with subdivider for purposes of protecting the native vegetation and topography of those lots to sustain wetlands. Notice about the location and extent of wetlands identified on Lot B shall be provided by separate instrument recorded concurrently with the Final

Map.

80. Deed by separate instrument recorded concurrently with the Final Map an open space easement for airport safety purposes over at least 3.1 acres of the land identified as Lot B, and enter into an agreement with the City of Oroville specifying all of the following:
  - a. No structures, trees, or equipment shall be constructed or installed within the easement area unless Subdivider provides 3.1 acres of open space within the AIA "C" zone in another location approved by City.
  - b. Alternately, if and when City establishes mitigation fees for acquisition of open space for airport safety in a location somewhere other than on the Property, Subdivider may elect to pay applicable mitigation fees for 3.1 acres of open space in exchange for abandonment by City of the open space easement described in this resolution.
81. Obtain from City the ownership of Lot "A" created by the subdivision map for Phase 1 (being the temporary street between Christian Avenue and Lauren Way), and Lot "B" (the temporary open space / drainage retention area at the south end of the Property), if those lots have been accepted by the City in accordance with the terms of Oroville City Council's Resolution Number 6374 which approved the Final Map for Linkside Place Phase 1, and the terms of Agreement No. 1567 entered into between subdivider and City
82. Dedicate a 15-foot wide easement along the boundary between Lots 12 and 13 for drainage purposes.
83. Dedicate a 20-foot wide drainage easement at the end of Hawes/Lauren Way and across the southerly boundary of Lot 58. Subdivider shall obtain an easement for permission to discharge storm water from Hawes/Lauren Way to land that abuts the western boundary of the Property or, if Subdivider is unable to obtain a drainage easement on the abutting land, subdivider shall provide alternate means to discharge the storm water in a location and manner approved by the City Engineer.
84. Dedicate a 10-foot wide Public Utility Easement along all lots abutting streets interior to and adjacent to the Property, as requested by PG&E.
85. Where lots cannot be graded to drain to a street or open area, create minimum 5-foot wide private drainage easements for cross-lot drainage as approved by the City Engineer. The easements shall be created by separate instrument recorded concurrently with the Final Map. Owners of lots for which private drainage easements are created shall be responsible in perpetuity for maintaining all private drainage facilities constructed on that lot. Notice of this maintenance responsibility shall be provided by separate instrument recorded concurrently with the Final Map.
86. Deed to Thermalito Irrigation District all easements across the Property required by the District for water and sewer lines not located within public rights-of-way. All

easements shall be a minimum of 20-feet in width unless the District approves a lesser width.

87. Provide evidence that Thermalito Irrigation District has abandoned all easements for sewer and water lines on the Property that are located within any and all building lots created by this Map.
88. All stormwater easements dedicated to the City shall have a minimum width of 20 feet except as otherwise noted in these conditions.
89. All easements of record on and appurtenant to the Property, and all easements created by approval of this Map, shall be noted on the Final Map and shown on site plans and improvement plans.
90. Deed to the City of Oroville an avigation easement over all lots created by this Map, using forms provided by the City of Oroville. Notice of the restriction shall be recorded on the Final Map, or shall be recorded concurrently with the map on a separate instrument. In accordance with regulations for the Airport Influence Area, as codified in Chapter 26 of City Code, the avigation easement shall do all of the following:
  - a. Provide the right of flight in the airspace above the property;
  - b. Allow the generation of noise and other impacts associated with aircraft overflight;
  - c. Restrict the height of structures, trees and other objects;
  - d. Permit access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and
  - e. Prohibit electrical interference, glare, and other potential hazards to flight from being created on the property.
91. Provide by separate instrument recorded concurrently with the Final Map a Notice of Proximity to Oroville Municipal Airport and the potential for aircraft overflights, utilizing forms provided by the City.
92. The following requirement shall apply to Lots 9 through 16 and Lot 59, and Notice of this requirement shall be provided by separate instrument recorded concurrently with the Final Map: A uniform 6-foot high decorative open metal fencing, such as segmental metal-rail fencing or other uniform fencing approved by the Director of Community Development and Public Works, shall be installed along the back of Lots 9-16, and the west side of Lot 59 prior to issuance of a final building permit for each of those lots.
93. All required improvements to Pond 2 and the access roads to them shall be constructed in accordance with approved plans.

94. Applicant shall be responsible for ensuring that all required notes, owner's statements, statements of easements and dedications, references to recordation instruments, etc., are present on the Final Map in a form acceptable to the Butte County Recorders office.
95. Prior to approval of a Final Map, Subdivider shall complete all obligations set forth in the City's Agreement No. 1567 as a condition of the City accepting the streets that will connect SR 162 with the Property.
96. The stormwater detention basin constructed to serve Linkside Place Phase 1, as required by the conditions of approval for that subdivision and described in Resolution No. P 2003-10, shall not be filled until an alternative drainage detention facility has been approved by the City of Oroville Department of Public Works and installed to City standards. At that time, lots 1-6 can be utilized as separate lots for residential development. (affects Lots 1 through 7 and Lot 59).
97. Annex to the City's Landscape and Lighting Maintenance District (LLMAD). Applicant is responsible for all costs for annexation into the district including the City's Consultant fees.
98. Annex to the City's consolidated Drainage Benefit Assessment District for storm drainage facilities. Applicant is responsible for all costs for annexation into the district including the City's Consultant fees.
99. Prior to recordation of the Final Map, the subdivision shall annex in to both CFD 2006-01 and CFD 2006-02. (CEQA mitigation)
100. A final map may be approved prior to completion of all required improvements and conditions of approval in the following circumstances:
  - a. Provide the City with a detailed list of any uncompleted improvements, and the construction value of the uncompleted improvements. Uncompleted improvements requiring security include but are not limited to landscaping, irrigation systems, oak tree mitigation plantings, fences, and walls. Construction values shall be either estimates of value prepared by a California Registered Civil Engineer, or construction contracts signed by Applicant and the licensed contractor who will complete the improvements, and
  - b. Provide the City with 150% security for all uncompleted improvements. The form of security shall be an irrevocable bank letter of credit, or the ability to provide cash deposit subject to the approval of the City Attorney, addressed to the City of Oroville, valued at 150% of the construction value of the uncompleted improvements, and
  - c. All construction work in progress shall be adequately secured and protected and in full compliance with applicable storm water pollution plan requirements.

- c. All construction work in progress shall be adequately secured and protected and in full compliance with applicable storm water pollution plan requirements.
- 101. Pay all fees due to the City for all services rendered, including, but not limited to assessment district formation fees, geotechnical oversight fees, plan check fees, final map check fees and construction inspection fees.
- 102. Submit documentation to the City that in the event all utility work, including but not limited to water, power, and natural gas have been completed, or that financial arrangements satisfactory to the other utility agencies have been made.
- 103. Submit to the City a landscape maintenance agreement, and any other plans and/or agreements required by these project conditions.
- 104. Submit to the City a signed Statement of Taxes obtained from the Butte County Tax Assessor's office showing that all taxes for the property have been paid. The County Recorder will not accept a Statement of Taxes that was issued more than 60 days prior to the date a final map is to be recorded.

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

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

\*\*\*\*\*

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at an adjourned meeting of the Planning Commission of the City of Oroville held on the 10<sup>th</sup> day of December, 2007, by the following vote:

AYES: COMMISSIONERS Brunson, Gordon, Tarczy, Wilcox, Frazier

NOES: COMMISSIONERS \_\_\_\_\_

ABSTAIN: COMMISSIONERS \_\_\_\_\_

ABSENT: COMMISSIONERS Robison

ATTEST:

APPROVE:

Craig Sanders  
SECRETARY

Rochelle Frazier  
CHAIRMAN

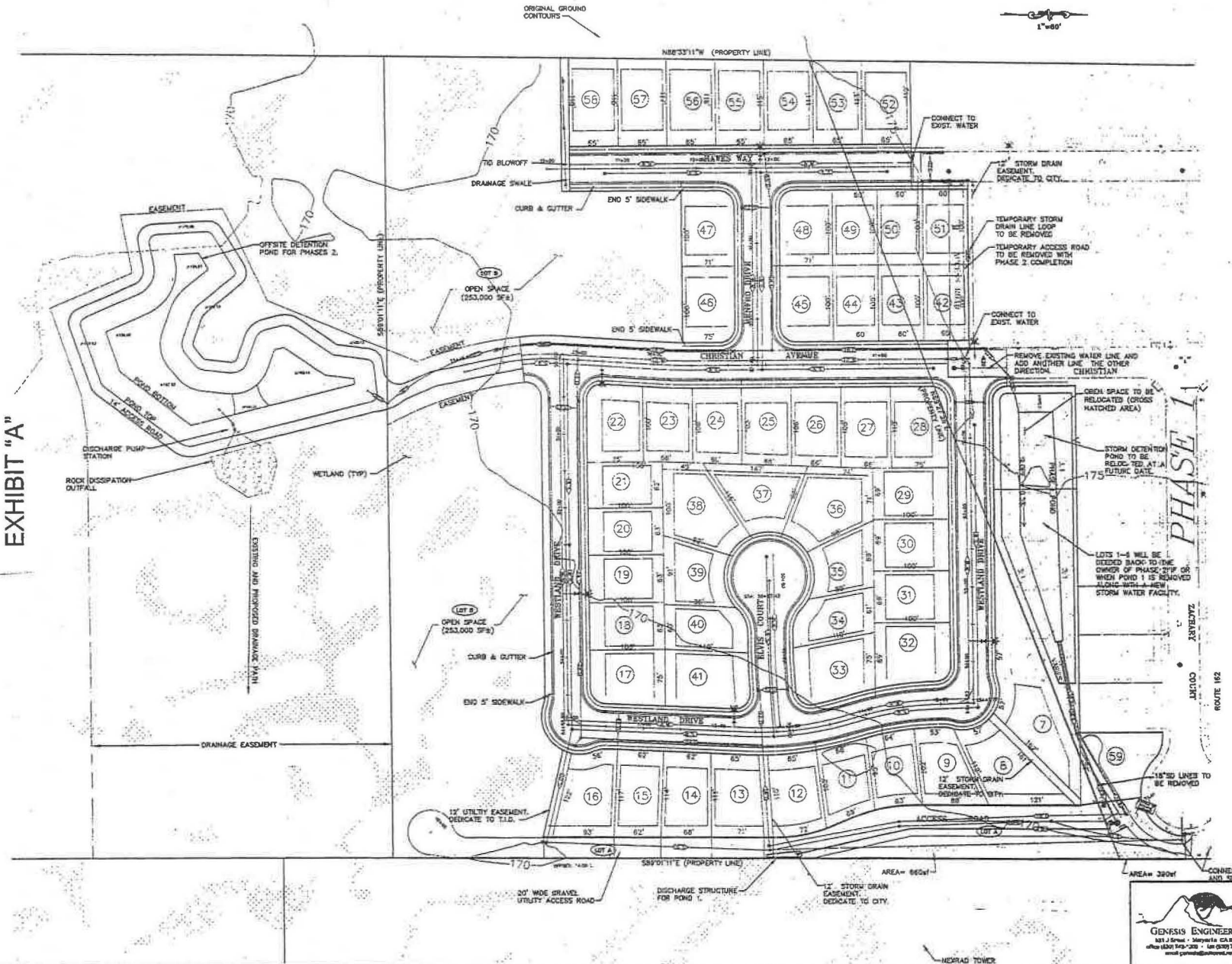
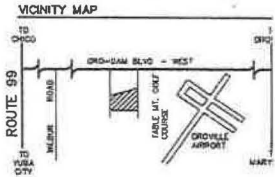
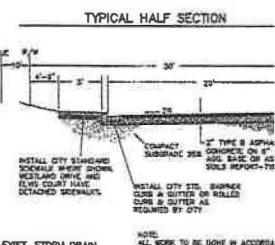


EXHIBIT "A"



- LOT DESCRIPTION**
- (LOT A) 28' WIDE UTILITY EASEMENT (MIN.) WITH A 2' WIDE GRAVEL UTILITY ACCESS ROAD.
  - (LOT B) 253,000 SF OPEN SPACE.

- GENERAL NOTES**
- 1) OWNER: WILLIAM ISAAC FAMILY TRUST 5050 PLATON AVENUE, SHERMAN OAKS CA 91423
  - 2) DEVELOPER: GARLAND AND ASSOCIATES, INCLINE VILLAGE, NEVADA 89450 (530) 200-0900
  - 3) ENGINEER: GENESIS ENGINEERING 521 J STREET MARTYRSVILLE, CALIF. 95901 (530) 742-1300
  - 4) ACREAGE (PHASES 1 & 2): 31.0± ACRES
  - 5) PRESENT USE: OPEN SPACE
  - 6) PROPOSED USE: SINGLE FAMILY RESIDENTIAL
  - 7) EXISTING ZONING: PD/SR
  - 8) PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL
  - 9) LOT SIZES: AS SHOWN ON MAP
  - 10) PROPOSED IMPROVEMENTS: TO CITY STANDARD
  - 11) PROPOSED WATER SUPPLY: THERMOLTO IRRIGA DISTRICT
  - 12) PROPOSED SEWER DISPOSAL: THERMOLTO IRRIGATION DISTRICT
  - 13) FIRE PROTECTION: CITY OF ORVILLE
  - 14) SCHOOL DISTRICT: BUTTE COUNTY SCHOOL DIS
  - 15) STORM DRAINAGE: OFFSITE DETENTION (SEE S-1)
  - 16) POWER & GAS UTILITIES: P.G. & E.
  - 17) ASSESSOR'S PARCEL NO.'s 030-260-026 & 0
  - 18) SIDEWALK INSTALLED ADJACENT TO DEVELOPED LOTS ONLY. CURB AND GUTTER ADJACENT TO ALL PAVED SURFACES.
  - 19) WETLAND MITIGATION SHALL MEET ALL STATE / FEDERAL REQUIREMENTS
  - 20) THIS DEVELOPMENT MAY BE PHASED. THE PHASE LINES SHALL BE DETERMINED BY THE DEVELOPER / TIME OF FINAL MAP, OR MULTIPLE FINAL MAPS.
  - 21) PHASE 1 & 2 DEVELOPED AREA= 31.0 ACRES 124 LOTS. (SPREAD DENSITY= 4.1 LOTS PER ACRE)



**LINKSIDE PLACE SUBDIVISION, I**  
Tentative Subdivision Map No. \_\_\_\_\_

A DIVISION OF A PORTION OF THE SE 1/4 OF SECTION 16, AND A PORTION OF THE NE 1/4 OF SECTION 21, T 19 N. R. 3 E. M.D. & M. ALL IN THE CITY OF ORVILLE, BUTTE COUNTY, CALIFORNIA.

GENESIS ENGINEERING  
631 J Street - Marysville CA 95901  
Office (530) 742-1300 • Fax (530) 742-1321  
Email: genesis@genesiseng.com

DECEMBER 2007  
MAY 2007 REV.

## EXHIBIT "B"

### Mitigation Monitoring Program Contents

This document is the Mitigation Monitoring Program (MMP) for the Linkside Place II Tentative Subdivision Project. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

### Legal Basis of and Purpose for the Mitigation Monitoring Program

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Linkside Place II Tentative Subdivision Project Mitigated Negative Declaration. It is intended to be used by City of Oroville (City) staff, participating agencies, project contractors and mitigation monitoring personnel during implementation of the project.

The Linkside Place II Tentative Subdivision Mitigated Negative Declaration presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines Section 15370 as measures that do any of the following:

- Avoid impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to City staff.

### Development and Approval Process

The timing elements of mitigation measures and definition of the development process has been provided in detail throughout this MMP to assist existing and future City staff, by providing the most usable monitoring document possible.

### Responsibilities and Authority

The City of Oroville Planning Department (Department) will have primary responsibility for the operation and implementation of the MMP. The Department will be responsible for the following activities:

- Coordination of monitoring activities.
- Direction of the preparation and filing of compliance reports.
- Maintenance of records concerning the status of all mitigation measures.



Other agencies will have responsibility for implementing and enforcing specific mitigation measures. Refer to the "Enforcement/Monitoring" column in the Monitoring Matrix for the responsible agencies.

### **Monitoring Matrix**

The tables on the back pages of the MMP identify the mitigation measures proposed for the Project. These mitigation measures are reproduced from the Mitigated Negative Declaration (MND) for the project. The tables have the following columns:

**Mitigation Measure:** Lists the mitigation measures identified within the Oak Park Tentative Subdivision Project MND for a specific impact, along with the number for each measure as enumerated in the MND.

**Timing:** Identifies at what point in time, review process or phase the mitigation measure will be completed.

**Agency/Department Consultation:** References the City department or any other public agency with which coordination is required to satisfy the identified mitigation measure.

**Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

### **Noncompliance Complaints**

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Department in written form providing specific information on the asserted violation. The Department shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Department shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

**MONITORING MATRIX FOR  
LINKSIDE PLACE II TENTATIVE SUBDIVISION MAP NO. 07-01 PROJECT MMP**

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM 3.1</b> The project applicant, in coordination with the City and BCAQMD, shall implement BCAQMD standard mitigation measures set forth below:</p> <ul style="list-style-type: none"> <li>i. Use adequate fugitive dust control measures for all construction activities during all phases of construction.</li> <li>j. Use EPA Phase II certified wood burning devices or District approved fireplaces. Provide energy-efficient lighting (includes controls) and process systems such as water heaters, furnaces, and boiler units.</li> <li>k. Use adequate fugitive dust control measures for all construction activities during all phases of construction.</li> <li>l. Use alternatives to open burning of vegetative material on the project site.</li> <li>m. Use temporary traffic control as appropriate at all stages of construction.</li> <li>n. Schedule construction activities that direct traffic flow to off-peak hours as much as practicable.</li> <li>o. Paved streets adjacent to the development site should be swept at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the development site.</li> <li>p. Land clearing, grading, earthmoving or excavation activities suspended when winds exceed 20 miles per hour.</li> <li>q. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the District shall also be visible to ensure compliance with District Rule 200 &amp; 205 (Nuisance and Fugitive Dust Emissions)</li> </ul>	<p>During all site grading and soil disruption activities.</p>	<p>City of Oroville Planning Department/ Butte County AQMD.</p>	
<p><b>MM 4.1</b> To the extent practicable, the discharge or dredged or fill material into Waters of the U.S. and Waters of the State shall be avoided (this also includes waters not subject to USACE</p>	<p><i>Prior to initiating construction</i></p>	<p>USACE, RWQCB, CDFG</p>	

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>jurisdiction, but subject to RWQCB, CDFG jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:</p> <ol style="list-style-type: none"> <li>1) Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit, as applicable, shall be obtained from the USACE. For any features determined to not be subject to USACE jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.</li> <li>2) Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent, ephemeral creeks or riparian vegetation, notification of streambed alteration shall be submitted to the CDFG; and, if required, a streambed alteration agreement shall be obtained.</li> <li>3) Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.</li> <li>4) Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility.</li> </ol>			

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).</p> <p>5) Vehicular entry into "waters of the U.S.", including wetlands, to be avoided, shall be prohibited during construction.</p> <p>6) Loss of wetlands shall be compensated at a creation ratio stipulated by the ACOE. This can be accomplished through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the USACE or RWQCB).</p> <p>7) Loss of "other waters" shall be compensated through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the USACE and the applicant during the permitting process.</p> <p>8) Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. USACE, RWQCB, CDFG) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.</p>			
<p><b>MM 7.1</b> Prior to approval of a grading and construction permit, the permit applicant shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be allowed outside of the designated staging areas. As much as practicable, the staging areas shall be</p>	<p>To be implemented upon commencement of construction</p>	<p>City of Oroville</p>	

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
located on level terrain. Staging areas shall not be located within 100 feet of any water course or residence that exists or may be constructed while the staging area is in use.	<i>activities.</i>		
<b>MM 13.1</b> Prior to recordation of the Final Map, the subdivision shall annex in to both CFD 2006-01 and CFD 2006-02.	<i>Prior to approval of Final Map</i>	City of Oroville	



# 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](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

Thursday, October 22, 2020

**RE: California Water Service Treatment Unit Minor Use Permit UP 20-07**

**SUMMARY:** The Oroville Planning Commission will review and consider approving Use Permit UP20-07 for a new activated charcoal treatment unit at the existing well facility at 1185 Feather River Blvd (APN 012-290-001).

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

1. Adopt a Categorical Exemption as the appropriate level of CEQA review;
2. **Adopt** the recommended Findings for Use Permit No. UP 20-07, and
3. **Approve** Use Permit UP 20-07 and recommended Conditions of Approval;
4. **Adopt** Resolution No. P2020-21

**APPLICANTS:** California Water Service

**LOCATION:** 1185 Feather River Blvd.,  
Oroville, California

**GENERAL PLAN:** R-3 (Multi Family Residential)

**ZONING:** MHDR (Med High Density Residential)

**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt per Section 15301 and 15303(d) of Title 14, California Code of Regulations.

**REPORT PREPARED BY:**

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

**REVIEWED BY:**

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

### DISCUSSION

California Water Service (Cal Water) is planning to install a new water treatment unit to remove polyfluoroalkyl substances (PFAS), which exceeds minimum regulatory levels, and which must be removed prior to injection of the water into the water system.<sup>1</sup>

<sup>1</sup> Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that have been in use

The Development Review Committee reviewed the project on October 15, and had no significant comments or recommendations.

Using an abundance of caution, though this is an existing well facility that is getting a new treatment unit, it is an expansion of a “utility building or substation” with no record of a prior use permit. According to Table 17.28.010-1, this type of facility does require a use permit in an R-3 Zone. In addition, the new unit will be 17 feet high, potentially changing the local viewshed. The facility is also near Bedrock Park, the skate park, and a local winery. With applicant’s agreement, staff is thus bringing this minor use permit to the Planning Commission for approval.

Applicant is proposing to screen the entire well facility with opaque chain link fencing, which should mitigate any visual issues from the height of the new treatment tanks. The maximum height of a structure in an R-3 Zone is 45 feet.

The Development Review Committee met on October 15, and other than recommending: 1) that trees be planted between this facility and the Purple Line Winery next door; and 2) consideration of crash barriers to surround the new tank pad, the DRC had no comment and recommend approval.

The required Use Permit findings and recommended project conditions can be found in attached draft Resolution P2020-21.

## **ENVIRONMENTAL REVIEW**

The project is Categorically exempt as an existing utility structure, an infill project, and as new construction of an accessory structure.

## **FISCAL IMPACT**

None. The project is subject to all customary fees.

## **PUBLIC NOTICE**

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

## **ATTACHMENTS**

1. Application materials
2. Resolution P2020-21 with findings and proposed project conditions

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since the 1940s, and are (or have been) found in many consumer products like cookware, food packaging, and stain repellants. PFAS have been manufactured and used in a variety of industries around the globe. PFOA and PFOS have been the most extensively produced and studied of these chemicals. Both chemicals are very persistent in the environment and in the human body – meaning they don’t break down and they can accumulate over time. There is evidence that exposure to PFAS can lead to adverse human health effects.

3. Notice of Exemption (CEQA)



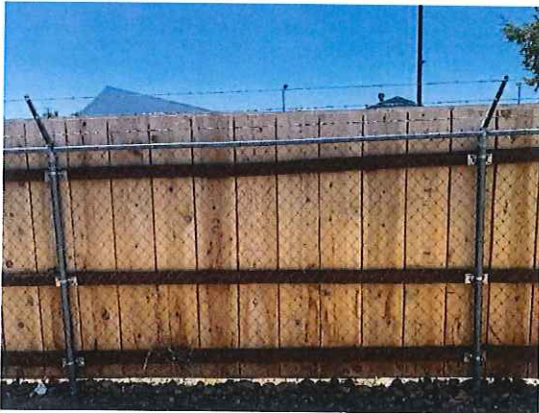
### 1185 Feather River Blvd Description- Use Permit Application Detailed Description

California Water Service's (Cal Water) Oroville Well 10-01 Station at 1185 Feather River Blvd. provides a backup source of water to the surface water treatment plant. The existing facilities consist of a potable water well, sodium hypochlorite disinfection, and sodium fluoride fluoridation. There are two existing buildings on site that provide enclosures for the well, electrical equipment, and chemical storage.

The new treatment facilities include adding granular activated carbon (GAC) to remove organic chemicals that are over the Division of Drinking Water (DDW) response levels. The carbon is contained in 12 foot diameter vessels that are approximately 16 feet high to the top of the pressure relief valve on top of the tank. A total of (2) 12 foot diameter vessels is being proposed. See site plans.

Staffing and Hours. The well will be operated as necessary to meet water demand. Typically, one employee will visit the site daily, during business hours.

Screening. Slats will be added to the existing chain-link fence along Feather River Boulevard to provide screening of the new tanks. The fence on the other two sides of the GAC vessels is made from wood with no visibility through it as shown in the below picture.



Barbed Wire. The existing fence will be extended as part of this project to provide a place for the operator to enter site. Barbed wire on top of the new fence is requested to match the existing fence type and provide security for this essential potable water facility.

Setbacks. A variance to the R-3 setbacks is requested.

Fluidization Water. Fluidization water is used for the initial carbon setup and is expected to happen once every three to five years. Cal Water will apply for a discharge permit to dispose of the fluidization water in a nearby sewer.

Noise. The GAC treatment does not add noise or vibration as it is a passive treatment methodology.

Lighting. No lighting is being added as part of this project.

Landscaping. No additional landscaping is being added as part of this project.



## CALIFORNIA WATER SERVICE

1720 North First Street  
San Jose, CA 95112-4598 Tel: (408) 367-8200

Item 4.

09/16/20

City of Oroville  
Planning Division  
Oroville, CA 95965  
RE: Use Permit Application – 1185 Feather River Blvd

Dear Planning Official,

As a Senior Engineer representative of California Water Service Company, I am submitting the attached Use Permit application concerning the installation of granular activated carbon at the subject address. Please consider this letter as authorization from Owner, California Water Service Company, to submit and request use permit.

Sincerely,  
Luis Zamudio, Senior Engineer, P.E

# CALIFORNIA WATER SERVICE

## OROVILLE STATION 10 PFAS REMOVAL PROJECT

### OROVILLE DISTRICT

APN 012-290-001

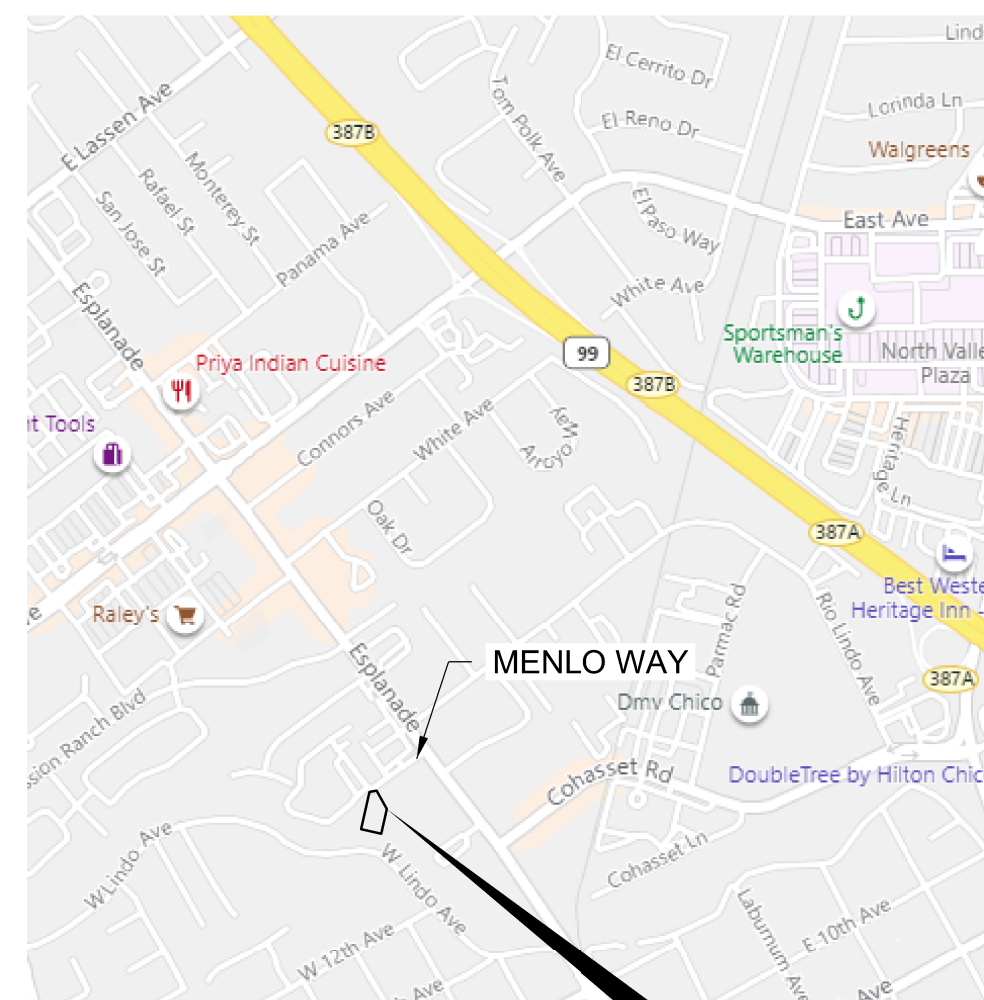
ENGINEERING



DEPARTMENT  
PROJECT ID: 122595



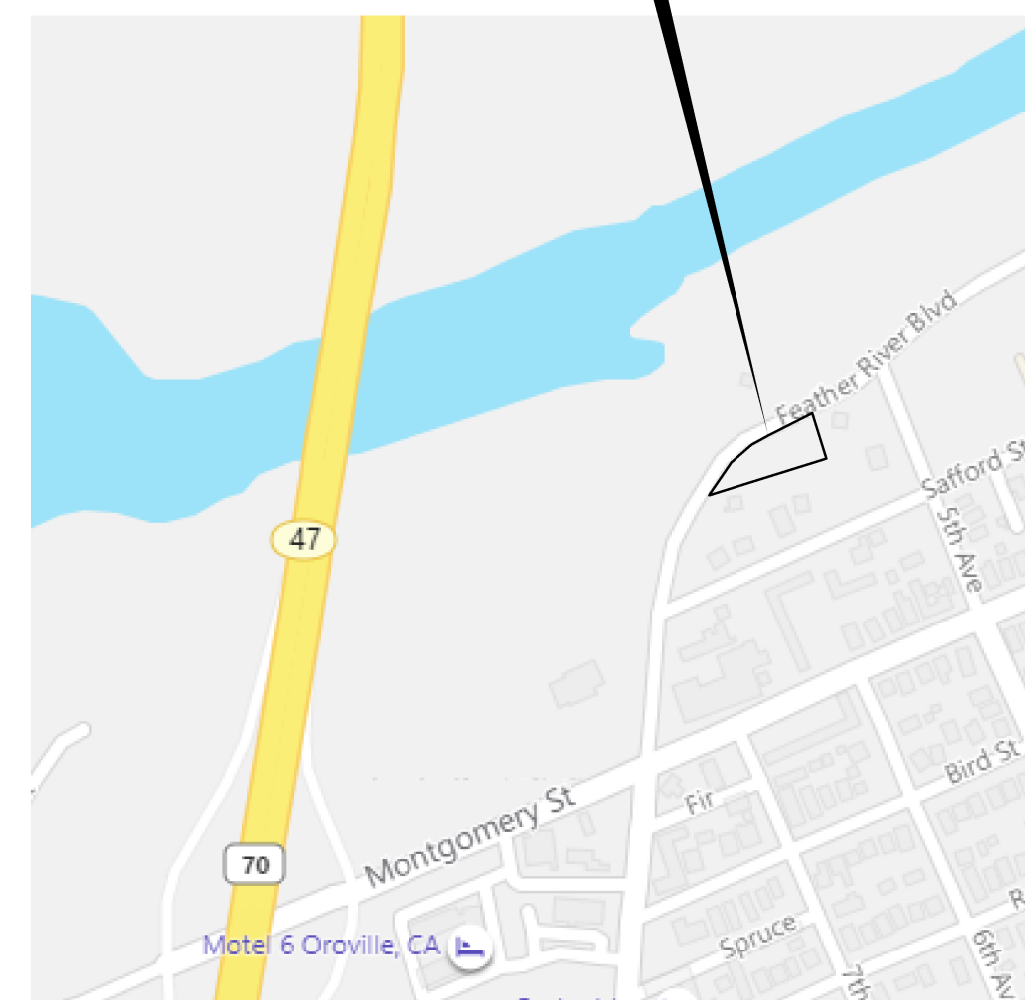
VICINITY MAP  
NTS



PROJECT LOCATION  
CHICO STATION 40  
121 MENLO WAY  
CHICO, CA 95926

LOCATION MAPS  
NTS

PROJECT LOCATION  
OROVILLE STATION 10  
1185 FEATHER RIVER BLVD  
OROVILLE, CA 95965  
APN 012-290-001



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ENGINEERING



DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT.

PLAY SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

SCALE: NTS

DRAWN BY: J MARTIN

DESIGNED BY: C BERTSCH 9/20

TECH REVIEW: T DURBIN 9/20

CHECKED BY: S KADER 9/20

APPROVED BY: S KADER 9/20

DATE: 9/20



WATERWORKS ENGINEERS

TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT

GENERAL

COVER SHEET AND INDEX TO DRAWINGS

DISTRICT: OROVILLE

DATE: SEPTEMBER 2020

PROJECT ID: 122595

DRAWING NO.: ORO-1682-G-1

SHT 1 OF X



SEPTEMBER 2020



DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY:	DATE:

ABBREVIATIONS

Table of abbreviations with columns for symbol and description. Includes categories like AIR, AT, ANCHOR BOLT, ASPHALTIC CONCRETE, AMERICAN CONCRETE INSTITUTE, AIR CONDITIONING UNIT, ADDITIONAL, ADHESIVE ANCHOR BOLT, ADJACENT, ANALYZER ELEMENT, ABOVE FINISH FLOOR, ABOVE FINISH GRADE, AIR: HIGH PRESSURE, COMPRESSED AIR, AMERICAN INSTITUTE OF STEEL, CONSTRUCTION, ANALYZER INDICATOR/TRANSMITTER, ALUMINUM, AIR LOW PRESSURE, ALTERNATE, AMERICAN NATIONAL STANDARDS INSTITUTE, APPROXIMATE, APPROVED, AMERICAN PUBLIC WORKS ASSOCIATION, AERATION, ARCHITECTURAL, AIR RELEASE VALVE, AMERICAN SOCIETY FOR TESTING AND MATERIALS, AUTOMATIC, AUXILIARY, AIR/VACUUM ASSEMBLY, AVENUE, AMERICAN WIRE GAGE, AMERICAN WATER WORKS ASSOCIATION, BORING, BALL VALVE, BEGIN CURVE, BOTTOM OF CURB, BLOW DOWN, BLIND FLANGE, BOTTOM FACE, BUTTERFLY VALVE DAMPER, BUTTERFLY VALVE, BUILDING, BLACK, BUREAU OF LAND MANAGEMENT, BENCH MARK, BEAM, BLOW OFF, BACK OF CURB, BACK OF GUTTER, BOTTOM OF OPENING, BOTTOM, BEARING, BEGINNING OF VERTICAL CURVE, BACKWASH DISPOSAL, BACKWASH IN, BACKWASH OUT, BYPASS, CENTER TO CENTER, CHANNEL (BEAM), COMBINATION AIR ADMISSION, AIR RELEASE VALVE, COMBINATION AIR RELEASE VALVE, CATHODIC PROTECTION, CABLE TELEVISION, CATCH BASIN, CONCRETE CYLINDER PIPE, CENTRAL CONTROL SYSTEM, CONDENSATE, CUBIC FEET, CUBIC FEET PER MINUTE, CUBIC FEET PER SECOND, CHEMICAL, CAST IRON GROOVED COUPLING, CAST IRON MECHANICAL JOINT, CAST IRON PIPE, CAST IRON RESTRAINED JOINT, CAST IRON SOIL PIPE, CONSTRUCTION JOINT, CONTRACTION JOINT, CAST IRON, CENTERLINE, CHLORINE, CEMENT-LINED DUCTILE IRON PIPE, CEILING, CLEAR, CLEARANCE, CONTROLLED LOW STRENGTH MATERIAL, CONCRETE MORTAR LINED AND COATED STEEL PIPE, CEMENT MORTAR LINED STEEL PIPE, CORRUGATED METAL PIPE, CONCRETE MASONRY UNIT, CLEANOUT, COLUMN, COMMUNICATION, COMBINED, CONCRETE, CONNECTION, CONTINUOUS, CONTINUATION, COORDINATE, COUPLING, CENTERED, CENTER, COPPER, CUBIC FOOT, CUBIC INCH, CUBIC YARD, CULVERT, CIRCULATING WATER, CHAPARRAL WATER TREATMENT PLANT, CHECK VALVE, CELSIUS, PENNY, DEFORMED BAR ANCHOR, DOUBLE, DETAIL, DOUGLAS FIR/LARCH, DROP INLET, DUCTILE IRON, DIAMETER, DIAGONAL, DILUTE, DIMENSION, DUCTILE IRON MECHANICAL JOINT, DUCTILE IRON PIPE, DUCTILE IRON PIPE, POLYETHYLENE LINED, DIRECTION, DISTANCE, DOWN, DRAIN, DITTO, DIFFERENTIAL PRESSURE TRANSMITTER, DRAWING, EAST, ELECTRIC, ELECTRICAL, EACH, END CURVE, ECCENTRIC, EACH FACE, EXHAUST FAN, EFFLUENT, EXISTING GRADE, EXPANSION JOINT, ELEVATION, ELBOW, ELECTRICAL LOAD CENTER, ELECTRIC, ELECTRICAL, EMISSION MEASUREMENT, EMERGENCY, ENGINEER, EMERGENCY OVERFLOW, EDGE OF PAVEMENT, EQUALIZATION, EQUALLY SPACED, EQUIPMENT, EFFLUENT REUSE WATER, EROSION SEDIMENT CONTROL, ENVIRONMENTALLY SENSITIVE AREA, END OF VERTICAL CURVE, ELSINORE VALLEY MWD, EACH WAY, EQUALIZATION, EACH WAY, EACH FACE, EXCAVATE, EXPOSED, EXPANSION, EXPANSION JOINT, EXISTING, INSTRUMENTATION & CONTROL, INTERNAL MIXED LIQUOR RETURN, INCH, INFLUENT, INSTRUMENTATION, INSULATE, INSULATION, INVERT, IRON PIPE, IRON ROD, IRRIGATION, INTERMEDIATE PRESSURE STREAM, INJECTION WATER, JOINT, THOUSAND POUNDS, KILOWATT, LEFT, ANGLE, LENGTH, LABORATORY, LATERAL, POUNDS, POUNDS PER CUBIC FOOT, LEVEL ELEMENT, LINEAR FEET, LONG, LEVEL INDICATOR/TRANSMITTER, LONGITUDINAL, LOW POINT, LONG RADIUS, LOW PRESSURE STREAM, LEVEL TRANSMITTER, LEVEL SWITCH HIGH, LOW WATER LEVEL, MAXIMUM, MOTOR CONTROL CENTER, MASONRY CONTROL JOINT, MECHANICAL, MANUFACTURER, MILLION GALLONS PER DAY, MANHOLE, MINIMUM, MINUTE, MISCELLANEOUS, MECHANICAL JOINT, MILES PER HOUR, MASONRY, RUBBER LINED STEEL, MANUAL OF STANDARD PRACTICE, MATERIAL, MAXIMUM WATER SURFACE, NORTH, NORMALLY CLOSED, NORTHEAST, NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION, NATIONAL FIRE PROTECTION ASSOCIATION, AMMONIA, NUMBER, NUMBERING, NATIONAL PIPE THREAD, NOT TO SCALE, NORTHWEST, ON CENTER, OUTSIDE DIAMETER, OVERFLOW DRAIN, OUTSIDE FACE, OVERFLOW, OVERFLOW RETURN, ORIGINAL GROUND, OVERHEAD ELECTRIC, OUT TO OUT, OPENING, OPPOSITE, OCCUPATIONAL SAFETY & HEALTH ADMIN., OUNCE, PROCESS AIR, POINT OF CURVE, PLAIN END, POLYETHYLENE, PERMANENT EASEMENT, PENETRATION, POINT OF INTERSECTION, PREMOLDED JOINT FILLER, PLATE, PROPERTY LINE, PROGRAMMABLE LOGIC CONTROLLER, PLYWOOD, PANEL, POINT OF BEGINNING, POINT OF CONNECTION, POINT OF ENDING, PLAIN ONE END, PLAN AND PROFILE, POWER POLE, PARTS PER MILLION, POINT OF REVERSE CURVE, PRECAST, PREFABRICATED, PRESSURE, POINT OF REVERSE CURVE, PRIMARY, PROPERTY, PRESSURE RELEASE VALVE, PRESSATE, PUMP STATION, POUNDS PER SQUARE FOOT, POUNDS PER SQUARE INCH, POUNDS PER SQUARE INCH GAUGE, POINT OF TANGENCY, PUBLIC UTILITY EASEMENT, PLUG VALVE, POLYVINYL CHLORIDE PLASTIC, POINT OF SEWER TYPE, POLYVINYL CHLORIDE PLASTIC-WATER DISTRIBUTION SERVICE TYPE, PAVEMENT, POINT OF VERTICAL INTERSECTION, POINT OF VERTICAL TANGENCY, PRIVATE POTABLE WATER, PROCESS WATER, RADIUS, RECLAIMED BACKWASH, REINFORCED CONCRETE, REINFORCED CONCRETE PIPE, ROAD, ROOF DRAIN, REDUCER, REFER, REFERENCE, REINFORCED, REINFORCING, REINFORCE, REQUIRED, RESTRAINED JOINT, RUBBER LINED STEEL, ROOM, RESTRAINED FLANGED COUPLING ADAPTER, RESTRAINED MECHANICAL JOINT, RADIUS POINT, REMOVE AND REPLACE, REINFORCING STEEL, RIGHT, RETURN WATER, ROOF VENT, RAW WATER, RIGHT-OF-WAY, I-BEAM, SOUTH, SLOPE, SLOPE EQUALS, SERVICE AIR, SUSPENDED ACOUSTIC TILE, SCUM, STANDARD CUBIC FEET PER HOUR, STANDARD CUBIC FEET PER MINUTE, SAN DIEGO GAS & ELECTRIC, SCHEDULE, STORM DRAIN, SECONDARY DIGESTED SLUDGE, SOUTHEAST, SECONDARY, SECTION, SODIUM HYPOCHLORITE, SHEET, SIMILAR, SLUDGE, SLUDGE, SLUDGE MANHOLE, SLUDGE, SLOPE, SAMPLE, SOLUTION, SLIP ON WELD, SPACE OR SPACES, SUMP PUMP DRAIN, SPECIFICATIONS, SUPPLY, SQUARE, SQUARE FOOT, SQUARE INCH, SANITARY SEWER, SAFETY SHOWER, SANITARY SEWER MANHOLE, SAMPLE TAP, STEAM TURBINE, STAINLESS STEEL, STATION, STANDARD, STEEL, STEEL PIPE, STEEL PIPE (SPECIAL), STRAIGHT, STRUCTURAL, STRUCTURE, SUBFLOOR, SUPERNATANT, SUPPLY, SUSPEND, SOUTHWEST, SERVICE WATER, SYMMETRICAL, TANGENT, TELEPHONE LINE, TOP AND BOTTOM, TONGUE AND GROOVE, THICKNESS, TUBING, TEMPORARY CONST EASEMENT, TOTAL DYNAMIC HEAD, TECHNICAL, TELEPHONE, TEMPORARY, TEMPERATURE, TOP FACE, THREAD, THICK, TANK, TOP OF CURB, TOP OF CONCRETE, TOP OF FOOTING, TURNING POINT, TEST PIT, TRANSITION, TRANSVERSE, TUBE STEEL, TOP OF STEEL, TURBIDITY, TREATED GROUND WATER, TRACER WIRE STATION, TYPICAL, UNIFORM BUILDING CODE, UNDERDRAIN, UNDERGROUND, UNITED STATES FOREST SERVICE, UNKNOWN, UNLESS NOTED OTHERWISE, VENT, VOLT, VALVE, VACUUM, VENT ACID RESISTANT, VERTICAL CURVE, VERTICAL, VARIABLE FREQUENCY DRIVE, VERTICAL POINT OF INTERSECTION, VENEER PLASTER SYSTEM, VENT THRU ROOF, WITH, WIDE FLANGE (BEAM), WEST, WATER, WATER CLOSET, WOOD, WATER HEATER, WATER METER, WATER RESISTANT, WATER SURFACE, WATER STOP, WEATHERING SHEET STEEL, TRANSFORMER, YARD

NOTES

- 1. FOR ELECTRICAL AND INSTRUMENTATION ABBREVIATIONS, SEE ELECTRICAL AND INSTRUMENTATION DRAWINGS.
2. CONTACT THE ENGINEER FOR ABBREVIATIONS NOT LISTED.
3. THIS IS A STANDARD LEGEND SHEET, THEREFORE, SOME SYMBOLS OR ABBREVIATIONS MAY APPEAR ON THIS SHEET AND MAY NOT BE UTILIZED ON THIS PROJECT.

Form with fields for DRAWN BY, CHECKED BY, DATE, DESIGNED BY, APPROVED BY (SIGNATURE), DATE.

ENGINEERING



DEPARTMENT

REVISIONS table with columns for NO., DATE, and INT.

DISTRIBUTION MAP, PLAT SHEET, SYSTEM SCHEMATIC, STATION SCHEMATIC, PLAT SHEET NO., SCALE: NTS, DRAWN BY: J MARTIN, DESIGNED BY: C BERTSCH 9/20, TECH REVIEW: T DURBIN 9/20, CHECKED BY: S KADER 9/20, APPROVED BY: S KADER 9/20

TECH REVIEW: T DURBIN 9/20, CHECKED BY: S KADER 9/20, APPROVED BY: S KADER 9/20



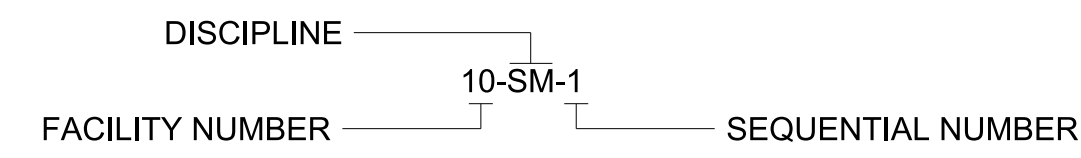
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DISTRICT: OROVILLE, DATE: SEPTEMBER 2020, PROJECT ID.: 122595, DRAWING NO.: ORO-1682-G-2, SHEET 2 OF X, FILENAME: 2057D-G002.DGN, PLOT DATE: 9/8/2020 2:35:15 PM

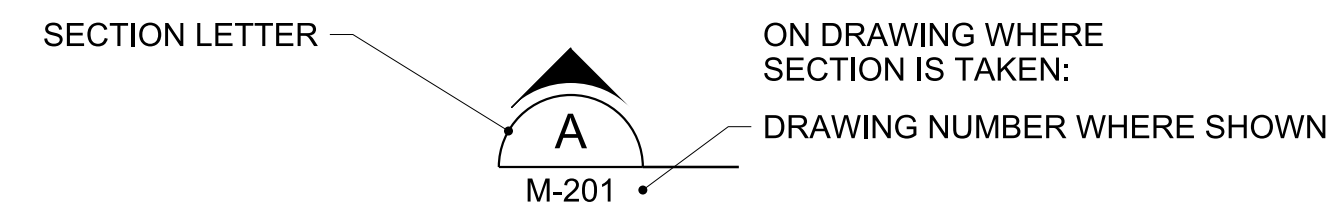
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LETTER	DISCIPLINE
G	GENERAL
C	SITE CIVIL
Y	YARD PIPING
SM	STRUCTURAL

### DRAWING NUMBER

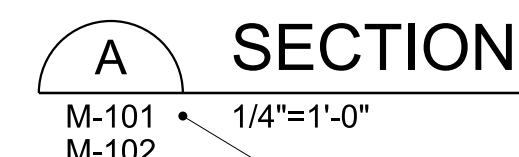


### SECTION



DRAWING NUMBER  
(REPLACED WITH A  
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SHOWN ON SAME SHEET)

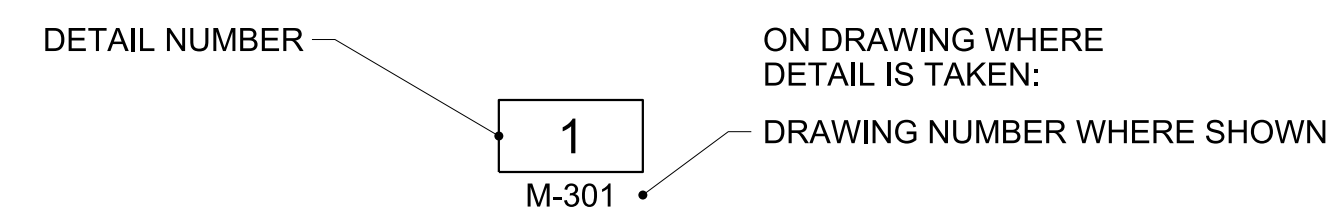
ON DRAWING WHERE  
SECTION IS TAKEN:  
DRAWING NUMBER WHERE SHOWN



DRAWING NUMBER  
(REPLACED WITH A  
LINE IF TAKEN AND  
SHOWN ON SAME SHEET)

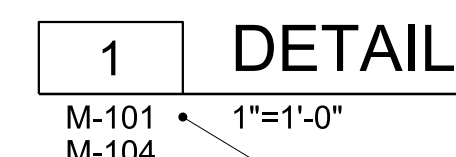
ON DRAWING WHERE  
SECTION IS SHOWN:  
DRAWING NUMBER(S)  
WHERE TAKEN

### DETAIL



DRAWING NUMBER  
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LINE IF TAKEN AND  
SHOWN ON SAME SHEET)

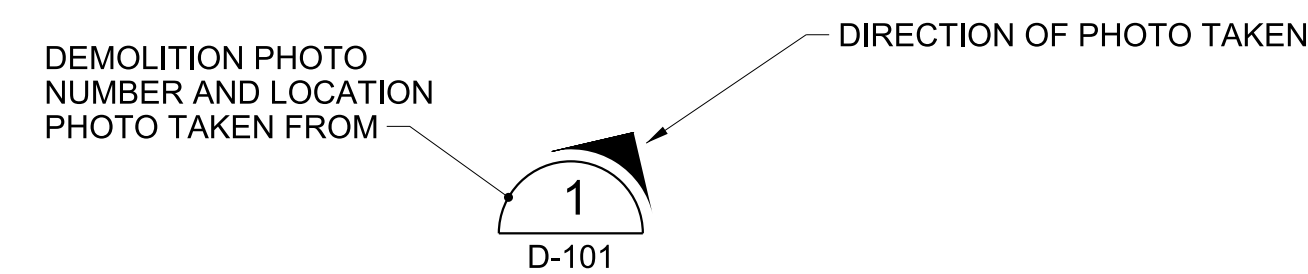
ON DRAWING WHERE  
DETAIL IS TAKEN:  
DRAWING NUMBER WHERE SHOWN



DRAWING NUMBER  
(REPLACED WITH A  
LINE IF TAKEN AND  
SHOWN ON SAME SHEET)

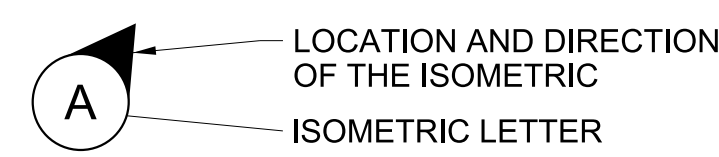
ON DRAWING WHERE  
DETAIL IS SHOWN:  
DRAWING NUMBER(S)  
WHERE TAKEN

### DEMOLITION PHOTO



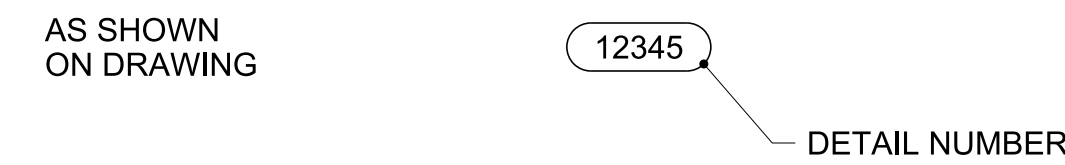
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(REPLACED WITH A  
LINE IF TAKEN AND  
SHOWN ON SAME SHEET)

### ISOMETRICS



DRAWING NUMBER  
(REPLACED WITH A  
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SHOWN ON SAME SHEET)

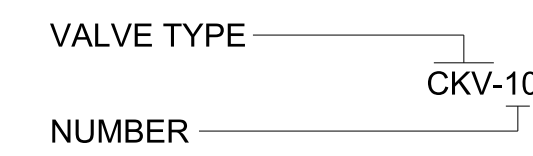
### STANDARD DETAIL



#### NOTES:

- STANDARD DETAIL CALLOUTS ARE SHOWN TO INDICATE DETAIL REQUIRED AT SPECIFIC LOCATIONS. DETAILS ARE NOT CALLED OUT AT ALL LOCATIONS. WHERE A STANDARD DETAIL CALLOUT IS NOT SHOWN, THE CONTRACTOR SHALL USE THE STANDARD DETAIL MOST APPLICABLE AND CONSISTENT WITH OTHER WORK UNDER THIS CONTRACT.

### STANDARD VALVE AND OPERATOR



#### NOTES:

- SEE SPECIFICATION SECTION 15200.

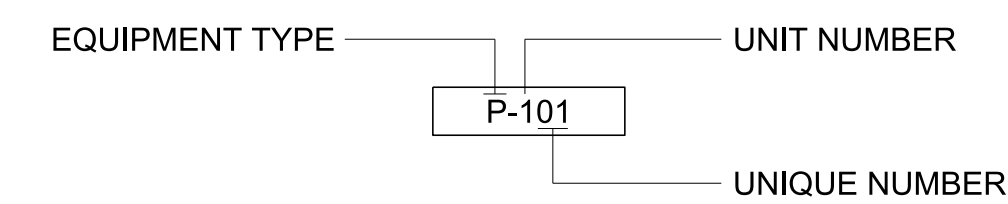
### UNIQUE VALVE AND OPERATOR



#### NOTES:

- SEE SPECIFICATION SECTION 15200 FOR VALVE SCHEDULE.

### EQUIPMENT DESIGNATION



### LINE TYPE APPEARANCE

—	BLACK	NEW 'ON' DISCIPLINE
—	LIGHT OR MEDIUM GRAY OR SCREENED	EXISTING 'ON' OR 'OFF' DISCIPLINE
—	DARK GRAY	NEW 'OFF' DISCIPLINE

### GENERAL SYMBOLOGY

	STRUCTURE OR EQUIPMENT TO BE SALVAGED OR DEMOLISHED
	PIPE TO BE SALVAGED OR DEMOLISHED
*	EQUIPMENT COMPONENTS OR PANELS SHOWN WITH A SINGLE ASTERISK (*) ARE TO BE PROVIDED AS PART OF A PACKAGE SYSTEM.

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:



REVISIONS:

NO.	DATE	INT.

DISTRIBUTION MAP

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

NTS

DRAWN BY:

J MARTIN

DESIGNED BY:

C BERTSCH 9/20

TECH REVIEW: DATE:

T DURBIN 9/20

CHECKED BY: DATE:

S KADER 9/20

APPROVED BY: DATE:

S KADER 9/20



TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT  
GENERAL DESIGNATIONS  
GENERAL DESIGNATIONS

DISTRICT:

OROVILLE

DATE:

SEPTEMBER 2020

PROJECT ID.:

122595

DRAWING NO.:

ORO-1682-G-3

SHT 3 OF X

### CIVIL LEGEND

	SPOT ELEVATION
	CONTOUR LINE
	GRADE BREAK
	CUT SLOPE (HORIZ:VERT)
	EMBANKMENT - FILL SLOPE (HORIZ:VERT)
	DRAINAGEWAY OR DITCH
	DIRECTION OF FLOW
	CENTER LINE, BUILDING, ROAD
	PROPERTY LINE
	RIGHT OF WAY, EASEMENT OR SETBACK
	STAGING OR WORK AREA LIMITS
	STRUCTURE, BUILDING OR FACILITY LOCATION POINT COORDINATES
	STRUCTURE, BUILDING OR FACILITY
	WALL OR RETAINING WALL
	CONCRETE CURB
	ARCHITECTURAL FENCE
	GUARD RAIL/BARRICADE
	CHAIN LINK FENCE WITH 3 STRAND BARBED WIRE TOPPING
	ARCHITECTURAL FENCE
	CHAIN LINK FENCE
	BARBED WIRE
	SINGLE SWING GATE
	DOUBLE SWING GATE
	SLIDING GATE
	CULVERT
	FIRE HYDRANT
	BRUSH/TREE LINE
	TREE
	DEMOLITION
	ABANDON IN PLACE
	AUTOMATIC AIR RELEASE VALVE
	MANUAL AIR RELEASE VALVE
	WATER SURFACE

### CIVIL LEGEND (CONTINUED)

	BEDROCK
	ROCKS OR RIPRAP
	SAND
	AGGREGATE BASE
	NATURAL SOIL
	COMPACTED SOIL
	CONCRETE
	GROUT
	CONTROLLED LOW STRENGTH MATERIAL (CLSM)
	PAVEMENT
	GRATING

PLAN VIEW OR SECTION VIEW

#### NOTES:

- EXISTING PIPING, EQUIPMENT AND TOPOGRAPHY ARE SHOWN SCREENED AND/OR LIGHT-LINED. NEW PIPING, EQUIPMENT, STRUCTURES AND FINISHED GRADE ARE SHOWN HEAVY-LINED.
- THIS IS A STANDARD LEGEND SHEET. SOME SYMBOLS MAY APPEAR ON THIS SHEET BUT MAY NOT BE USED ON THE PLANS.

#### ENGINEERING



#### DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT:

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

SCALE:

NTS

DRAWN BY: J MARTIN

DESIGNED BY: C BERTSCH 9/20

TECH REVIEW: T DURBIN 9/20

CHECKED BY: S KADER 9/20

APPROVED BY: S KADER 9/20



TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT  
GENERAL  
CIVIL LEGEND

DISTRICT: OROVILLE

DATE: SEPTEMBER 2020

PROJECT ID.: 122595

DRAWING NO.: ORO-1682-G-4

SHT 4 OF X

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:

PIPING SYMBOLS		
SYMBOL	SINGLE LINE	DESCRIPTION
		EXISTING PIPE (SCREENED)
		NEW PIPE
		EXISTING PIPE TO BE ABANDONED
		EXISTING PIPE TO BE DEMOLISHED OR REMOVED AND SALVAGED
VALVES		
SYMBOL	VALVE TYPE	
	BALL VALVE	
	VENTED BALL VALVE	
	CORPORATION STOP VALVE	
	BUTTERFLY VALVE	
	DIAPHRAGM VALVE	
	GATE VALVE	
	KNIFE GATE	
	GLOBE VALVE	
	MUD VALVE	
	MULTIPORT VALVE	
	NEEDLE VALVE	
	PINCH VALVE	
	PLUG VALVE	
	PLUG VALVE (ECCENTRIC)	
	BALL CHECK VALVE	
	DOUBLE DISK SWING CHECK VALVE	
	DUCKBILL CHECK	
	SILENT CHECK VALVE	
	SWING CHECK VALVE	
	TELESCOPING VALVE	
	AIR RELIEF VALVE	
	AIR VACUUM VALVE	
	COMBINATION AIR RELIEF AIR VACUUM VALVE	
	PRESSURE REGULATING VALVE	
	PRESSURE RELIEF VALVE	
	HOSE BIBB OR FLUSHING CONNECTION	
	BACKFLOW PREVENTER VALVE	

PUMPS	
SYMBOL	PUMP TYPE
	CENTRIFUGAL PUMP
	SUBMERSIBLE PUMP
	VERTICAL TURBINE PUMP (PLAN)
	VERTICAL TURBINE PUMP (SECTION)
	DIAPHRAGM METERING PUMP
	PERISTALTIC PUMP
	PROGRESSIVE CAVITY PUMP
	AXIAL FLOW PUMP
BLOWERS	
SYMBOL	BLOWER TYPE
	CENTRIFUGAL BLOWER
	BLOWER FAN
FLOWMETERS	
SYMBOL	FLOWMETER TYPE
	MAGNETIC FLOWMETER
	PROPELLER FLOWMETER
FILTERS AND STRAINERS	
SYMBOL	FILTER TYPE
	FILTER
	CARTRIDGE FILTER (SMALL)
	CARTRIDGE FILTER (LARGE)
	BASKET STRAINER
MIXERS	
SYMBOL	MIXER TYPE
	MIXER
	STATIC MIXER
	WAFER STATIC MIXER

ACTUATORS	
SYMBOL	ACTUATOR TYPE
	MOTOR ACTUATOR
	PNEUMATIC ACTUATOR
	SOLENOID ACTUATOR
GATES / WEIR	
SYMBOL	GATE / WEIR TYPE
	SLIDE GATE
	STOP LOG
	WEIR
MISC EQUIPMENT	
SYMBOL	TYPE
	WATER METER
	AIR DIFFUSER
	SPRAY BAR OR DIFFUSER
	EMERGENCY EYEWASH AND SHOWER

MISC FITTING SYMBOLS	
SYMBOL	EQUIPMENT TYPE
	Y STRAINER
	PULSATION DAMPER
	GAUGE
	DIAPHRAGM SEAL
	RUPTURE DISK (PRESSURE)
	RUPTURE DISK (VACUUM)
	ORIFICE
	BLIND FLANGE OR TANK NOZZLE
	EXPANSION COUPLING
	FLEXIBLE COUPLING
	UNION
	CONCENTRIC REDUCER
	ECCENTRIC REDUCER
	CAP
	FEMALE QUICK CONNECT
	MALE QUICK CONNECT
	QUICK CONNECT WITH CAP
	QUICK CONNECT COUPLING
	DRAIN
	DRAIN
	SIGHT GLASS
	CALIBRATION COLUMN
	ROTAMETER
	ROTAMETER WITH NEEDLE VALVE
MISC SYMBOLS	
SYMBOL	DESCRIPTION
	SAMPLE
	WATER SURFACE
	EQUIPMENT TAG

### PIPING DESIGNATIONS

**DOUBLE LINE PIPES**

OPTIONAL FLOW STREAM IDENTIFICATION PER PIPE SCHEDULE  
 FLOW DIRECTION  
 CL EL XXXX.X (PRESSURE PIPES)  
 INV EL XXXX.X (GRAVITY PIPES)  
 FLOW STREAM IDENTIFICATION PER PIPE SCHEDULE  
 NOMINAL PROCESS PIPE DIAMETER

**SINGLE LINE PIPES**

FLOW DIRECTION  
 SINGLE-LINE FLOW STREAM IDENTIFICATION PER PIPE SCHEDULE

**VALVE DESIGNATIONS**

ACTUATOR SYMBOL  
 VALVE SYMBOL  
 VALVE EQUIPMENT NUMBER, MOTORIZED VALVES ONLY. SEE I&C LEGEND  
 VALVE TYPE DESIGNATION. ALL VALVES, SEE SPEC SECTION 15200  
 FLOW DIRECTION

**NOTES:**

- MOTORIZED VALVE SHOWN, MANUAL VALVE SIMILAR.
- ONLY FLANGED END CONNECTIONS ARE SHOWN HERE FOR DOUBLE LINE FITTINGS. FITTINGS WITH OTHER END PATTERNS ARE SHOWN SIMILARLY ON THE CONSTRUCTION DRAWINGS. ALSO SEE PIPING SPECIFICATIONS AND THE PIPING SCHEDULE.
- SYMBOLS SHOWN HERE FOR SINGLE LINE FITTINGS ARE GENERIC ONLY. REFER TO PIPING SPECIFICATIONS FOR SPECIFIC END CONNECTIONS FOR SINGLE LINE PIPE AND FITTINGS.

**GENERAL PIPING NOTES:**

- LAY PIPE TO UNIFORM GRADE BETWEEN INDICATED ELEVATION POINTS. MINIMUM COVER SHALL BE 36 INCHES UNLESS OTHERWISE SHOWN.
- SIZE OF FITTINGS SHOWN ON DRAWINGS SHALL CORRESPOND TO ADJACENT STRAIGHT RUN OF PIPE, UNLESS OTHERWISE INDICATED. TYPE OF JOINT AND FITTING MATERIAL SHALL BE THE SAME AS SHOWN FOR ADJACENT STRAIGHT RUN OF PIPE.
- LOCATION AND NUMBER OF PIPE HANGERS AND PIPE SUPPORTS SHOWN IS ONLY APPROXIMATE. FINAL SUPPORT REQUIREMENTS SHALL BE DETERMINED IN THE FIELD AND APPROVED BY THE ENGINEER PRIOR TO INSTALLATION. MAXIMUM SPACING SHALL BE AS SPECIFIED.
- APPROPRIATE STANDARD WALL PIPE DETAIL SHALL BE USED WHEREVER PIPING PASSES FROM A STRUCTURE TO BACKFILL.
- ALL FLEXIBLE CONNECTORS OR FLANGED COUPLING ADAPTERS SHALL BE PROVIDED WITH THRUST TIES, BLOCKS, OR ANCHORS, UNLESS OTHERWISE NOTED. THRUST PROTECTION SHALL BE ADEQUATE FOR TEST PRESSURES SPECIFIED.
- SYMBOLS, LEGENDS, AND PIPE USE IDENTIFICATIONS SHOWN SHALL BE FOLLOWED THROUGHOUT THE DRAWINGS, WHEREVER APPLICABLE. ALL OF THE VARIOUS APPLICATIONS ARE NOT NECESSARILY USED IN THE PROJECT.
- ALL PIPING SPECIFIED TO BE PRESSURE TESTED, EXCEPT FLANGED, WELDED, GROOVED END, OR SCREWED PIPING, SHALL BE PROVIDED WITH THRUST PROTECTION AT ALL DIRECTION CHANGES, UNLESS OTHERWISE NOTED. SEE THRUST DETAILS AND NOTES ON DRAWINGS.
- NUMBER AND LOCATION OF UNIONS SHOWN ON DRAWINGS ARE ONLY APPROXIMATE. PROVIDE ALL UNIONS NECESSARY TO FACILITATE CONVENIENT REMOVAL OF VALVES AND MECHANICAL EQUIPMENT.
- THE CONTRACTOR FOR THIS PROJECT IS RESPONSIBLE FOR COORDINATING AND PERFORMING THE CONNECTION OF THE PIPING AND ASSOCIATED APPURTENANCES INSTALLED UNDER THIS CONTRACT TO BOTH THE EXISTING PIPING AND FACILITIES.
- PRIOR TO SUBMITTING PIPING DRAWINGS FOR ANY NEW PIPE THAT IS TO CONNECT TO OR CROSS AN EXISTING PIPE OR STRUCTURE, THE CONTRACTOR SHALL EXPOSE THE EXISTING PIPE OR STRUCTURE TO VERIFY ITS EXACT LOCATION, SIZE, MATERIALS, AND INVERT ELEVATIONS.
- COMPONENTS SHOWN WITH A DOUBLE ASTERISK (\*\*) ARE PART OF A PACKAGE SYSTEM. SEE EQUIPMENT SPECIFICATIONS.

**ENGINEERING**

**DEPARTMENT**

REVISIONS:

NO.	DATE	INT.

DISTRIBUTION MAP SHEET  DATE: INT:

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

SCALE: NTS

DRAWN BY: J MARTIN

DESIGNED BY: C BERTSCH 9/20

TECH REVIEW: T DURBIN 9/20

CHECKED BY: S KADER 9/20

APPROVED BY: S KADER 9/20

**WATERWORKS ENGINEERS**

TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT

DISTRICT: OROVILLE

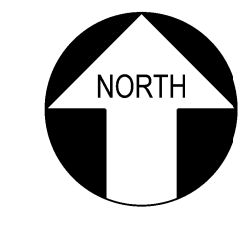
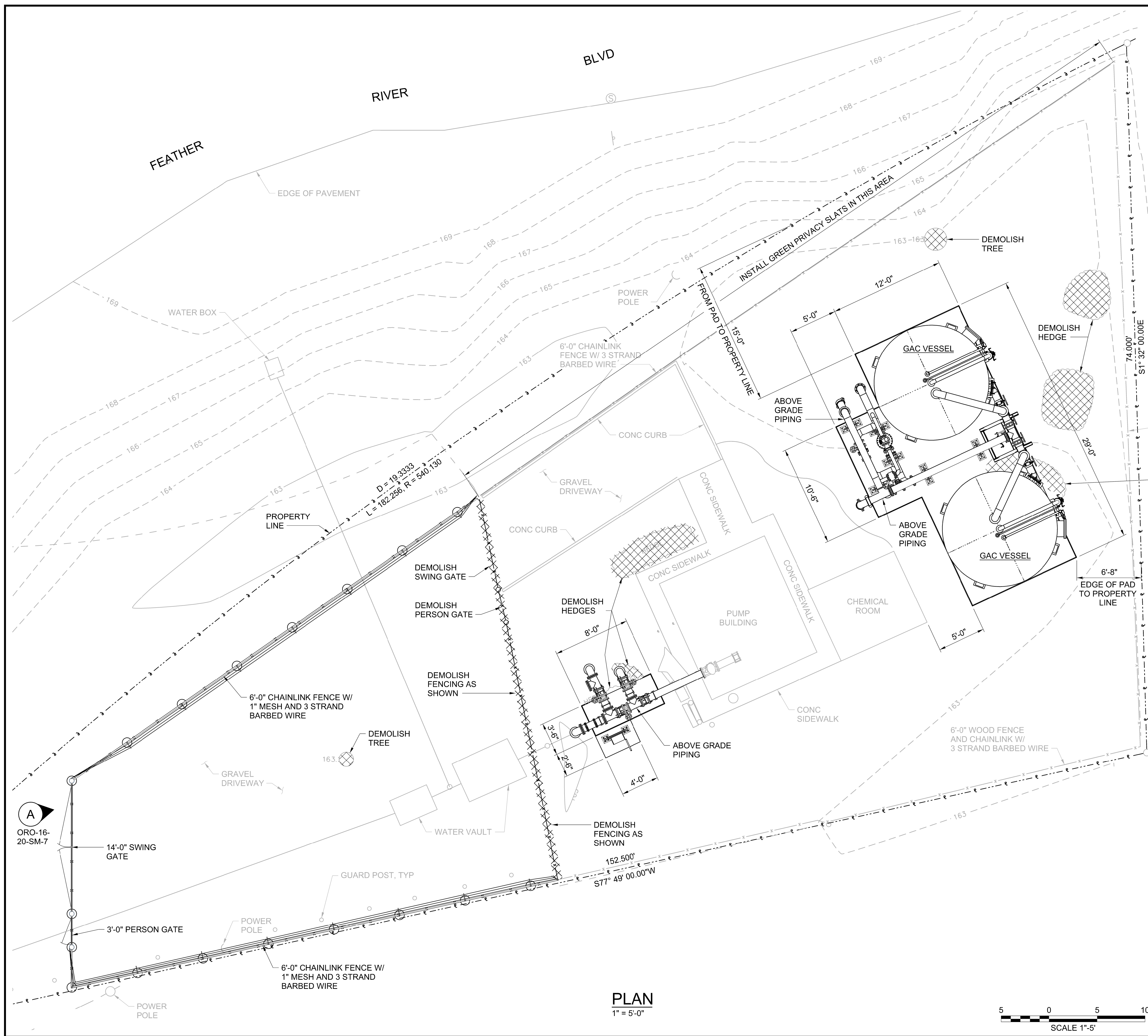
DATE: SEPTEMBER 2020

PROJECT ID.: 122595

DRAWING NO.: ORO-1682-G-6

SHT 6 OF X

FILENAME: 2057D-G006.dgn PLOT DATE: 9/8/2020 3:01:01 PM



- PROJECT NOTES:**
- NO GRADING.
  - NO CONNECTION TO SEWER OR STORM DRAIN.
  - NEW IMPERVIOUS AREA IS 440 SF OR 7% OF TOTAL PARCEL AREA OF 6362 SF.
- TREATMENT SYSTEM:**
- 2 - 12'-0" DIA VESSELS.
  - 16'-0" HEIGHT TO TOP OF VALVE.
  - GRANULAR ACTIVATED CARBON.

**VERTICAL DATUM:**

NGS BM: KS 1206  
 NVAD 88 ELEVATION: 163.00

**HORIZONTAL DATUM:**

CA ZONE 2  
 NAD 83  
 EPOCH: 2020.54 (AUTONOMOUS SET-UP)  
 SCALE FACTOR: 0.99994236  
 CONVERGENCE: +00° 16' 18.73"

ALL DISTANCES IN US FEET GROUND (1:1)  
 TO OBTAIN GRID DISTANCES, MULTIPLY  
 GROUND DISTANCES BY 0.99994236

**ENGINEERING**



**DEPARTMENT**

**REVISIONS:**

NO.	DATE	BY

**DISTRIBUTION MAP**  DATE: INVT.

**PLAT SHEET**

**SYSTEM SCHEMATIC**

**STATION SCHEMATIC**

**PLAT SHEET NO.:**

**SCALE:**

AS SHOWN

**DRAWN BY:**  
C WORRALL

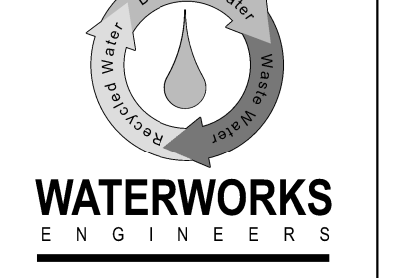
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C BERTSCH 9/20

**TECH REVIEW:** DATE:

T DURBIN 9/20  
**CHECKED BY:** DATE:

S KADER 9/20  
**APPROVED BY:** DATE:

S KADER 9/20



**TITLE:**  
 OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 CIVIL  
 PLAN

**DISTRICT:**  
 OROVILLE

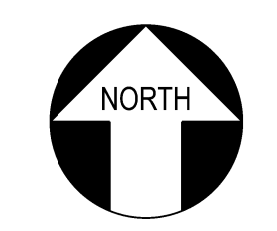
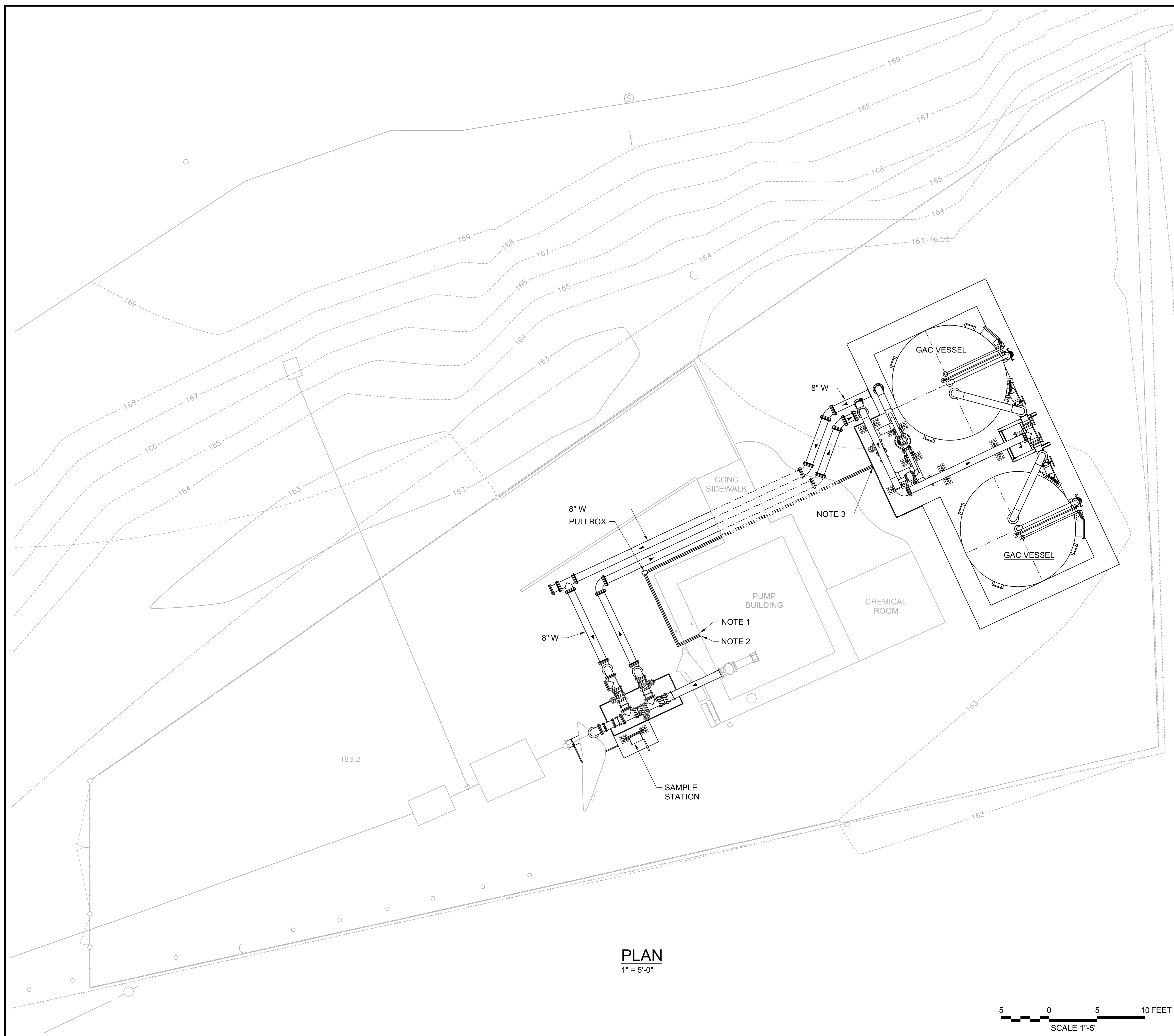
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 SEPTEMBER 2020  
**PROJECT ID.:**  
 122595  
**DRAWING NO.:**  
 ORO-1682-20-C-1  
**SHT** X **OF** X

<b>DRAWN BY:</b>	<b>CHECKED BY:</b>	<b>DATE:</b>
<b>DESIGNED BY:</b>	<b>APPROVED BY:</b>	<b>DATE:</b>



**PLAN**  
 1" = 5'-0"





- NOTES:**
1. PULL 1 #16 TWSH FOR BYPASS FLOW METER IN NEW CONDUIT. OWNER TO CONNECT TO EXISTING SPARE BREAKER.
  2. PULL 2 #16 TWSH FOR NEW PRESSURE TRANSDUCERS IN NEW CONDUIT TO RTU. OWNER TO LAND WIRE AND INTEGRATE IN EXISTING RTU
  3. (3) 1" CONDUIT, 2 #16 TWSH PAIR FOR PRESSURE TRANSDUCERS. 1#16 TWSH PAIR FOR BYPASS FLOWMETER. LEAVE THE OTHER EMPTY AS A FUTURE/SPARE.



**DEPARTMENT**

**REVISIONS:**

NO.	DATE	BY

DISTRIBUTION MAP

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

**SCALE:**  
AS SHOWN

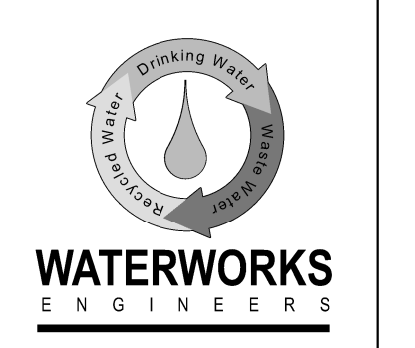
**DRAWN BY:**  
C WORRALL

**DESIGNED BY:**  
C BERTSCH 9/20

**TECH REVIEW:** DATE:  
T DURBIN 9/20

**CHECKED BY:** DATE:  
S KADER 9/20

**APPROVED BY:** DATE:  
S KADER 9/20



**TITLE:**  
OROVILLE STATION 10 PFAS REMOVAL PROJECT  
CIVIL  
YARD PIPING PLAN

**DISTRICT:**  
OROVILLE

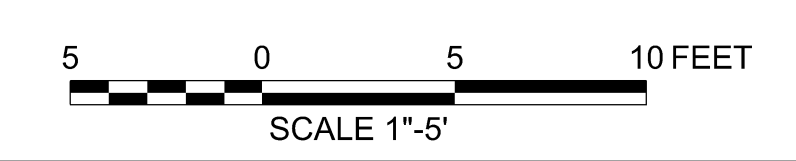
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SEPTEMBER 2020

**PROJECT ID:**  
122595

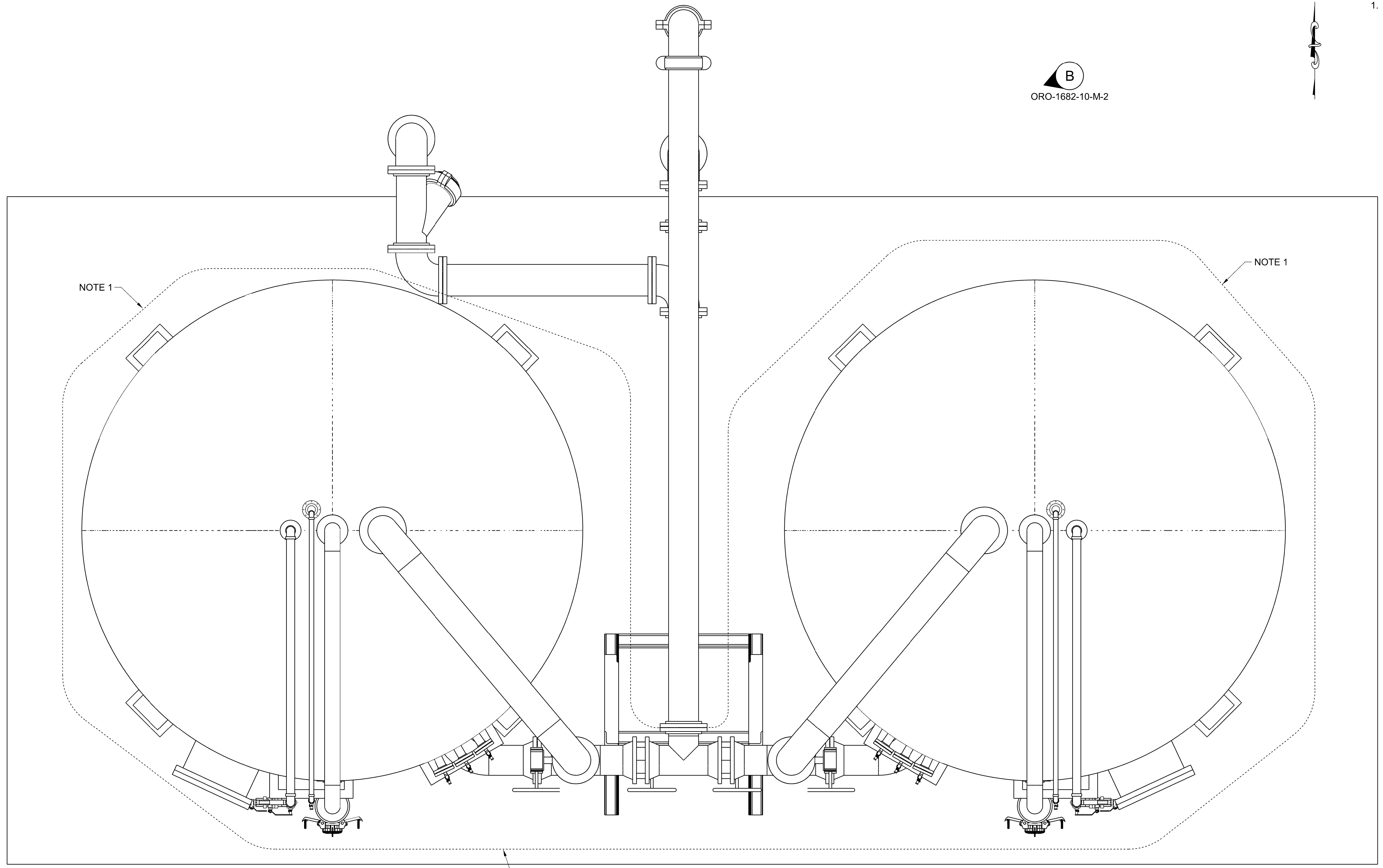
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ORO-1682-20-Y-1

SHT X OF X

**PLAN**  
1" = 5'-0"



<b>DRAWN BY:</b>	<b>CHECKED BY:</b>	<b>DATE:</b>
<b>DESIGNED BY:</b>	<b>APPROVED BY:</b>	<b>DATE:</b>



NOTE 1

NOTE 1

NOTE 1

**B**  
ORO-1682-10-M-2

**A**  
ORO-1682-10-M-2

**PLAN**  
3/4" = 1'-0"

**NOTES:**

1. REMOVE AND RELOCATE TANKS AND ASSOCIATED PIPING.

ENGINEERING



DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT:

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

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

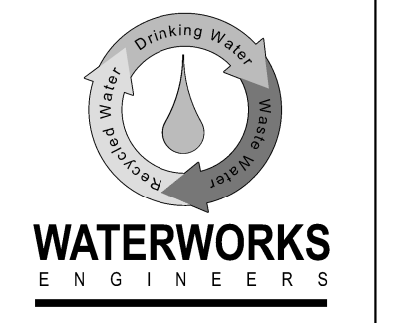
DRAWN BY:  
J MARTIN

DESIGNED BY:  
C BERTSCH 9/20

TECH REVIEW: DATE:  
T DURBIN 9/20

CHECKED BY: DATE:  
S KADER 9/20

APPROVED BY: DATE:  
S KADER 9/20



TITLE:  
OROVILLE STATION 10 PFAS REMOVAL PROJECT  
STRUCTURAL / MECHANICAL  
CHICO 40 GAC PLAN

DISTRICT:  
OROVILLE

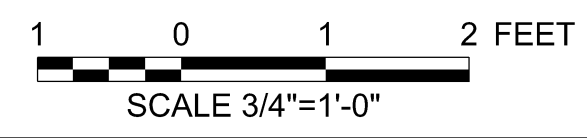
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SEPTEMBER 2020

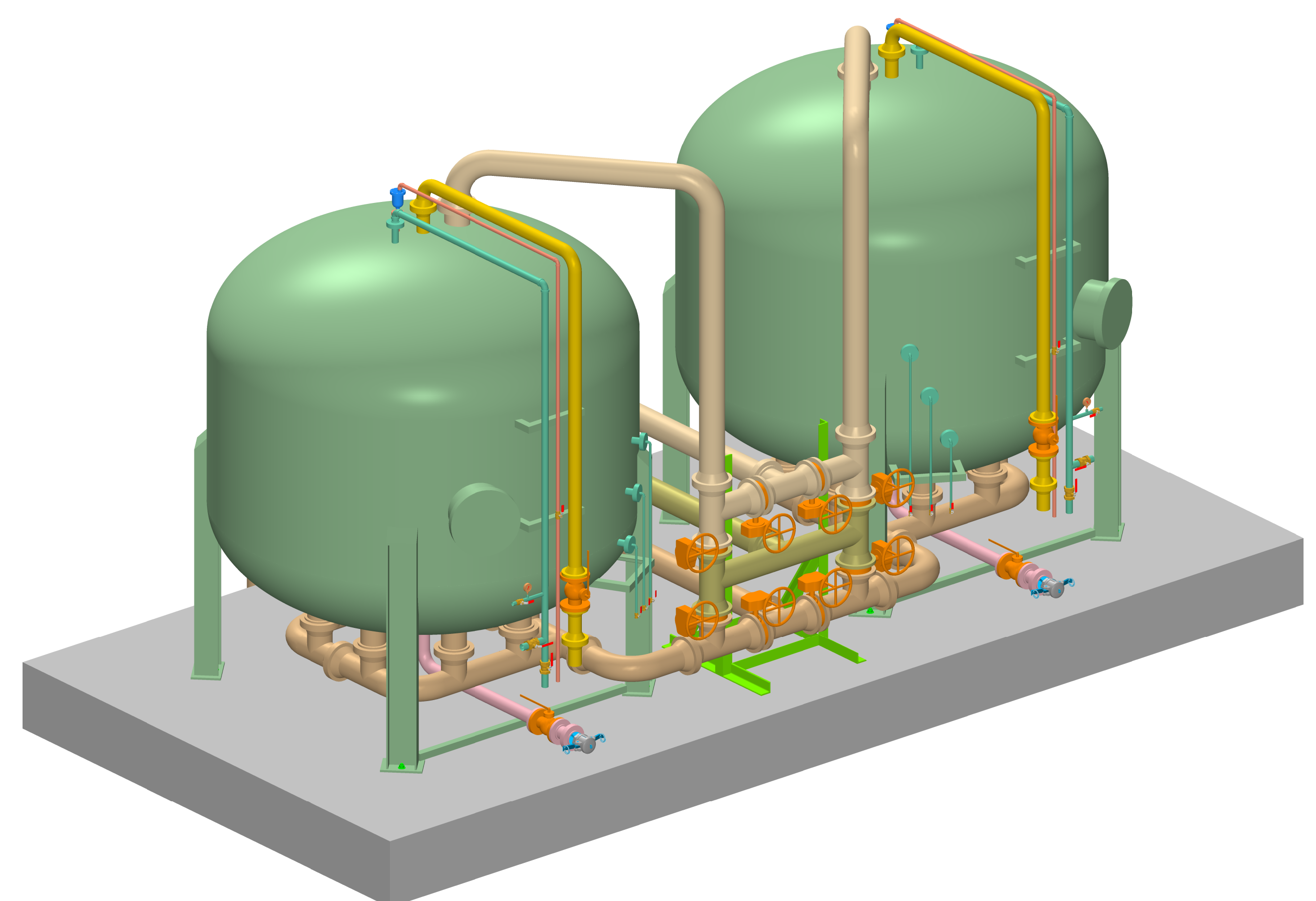
PROJECT ID.:  
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DRAWING NO.:  
ORO-1682-10-M-1

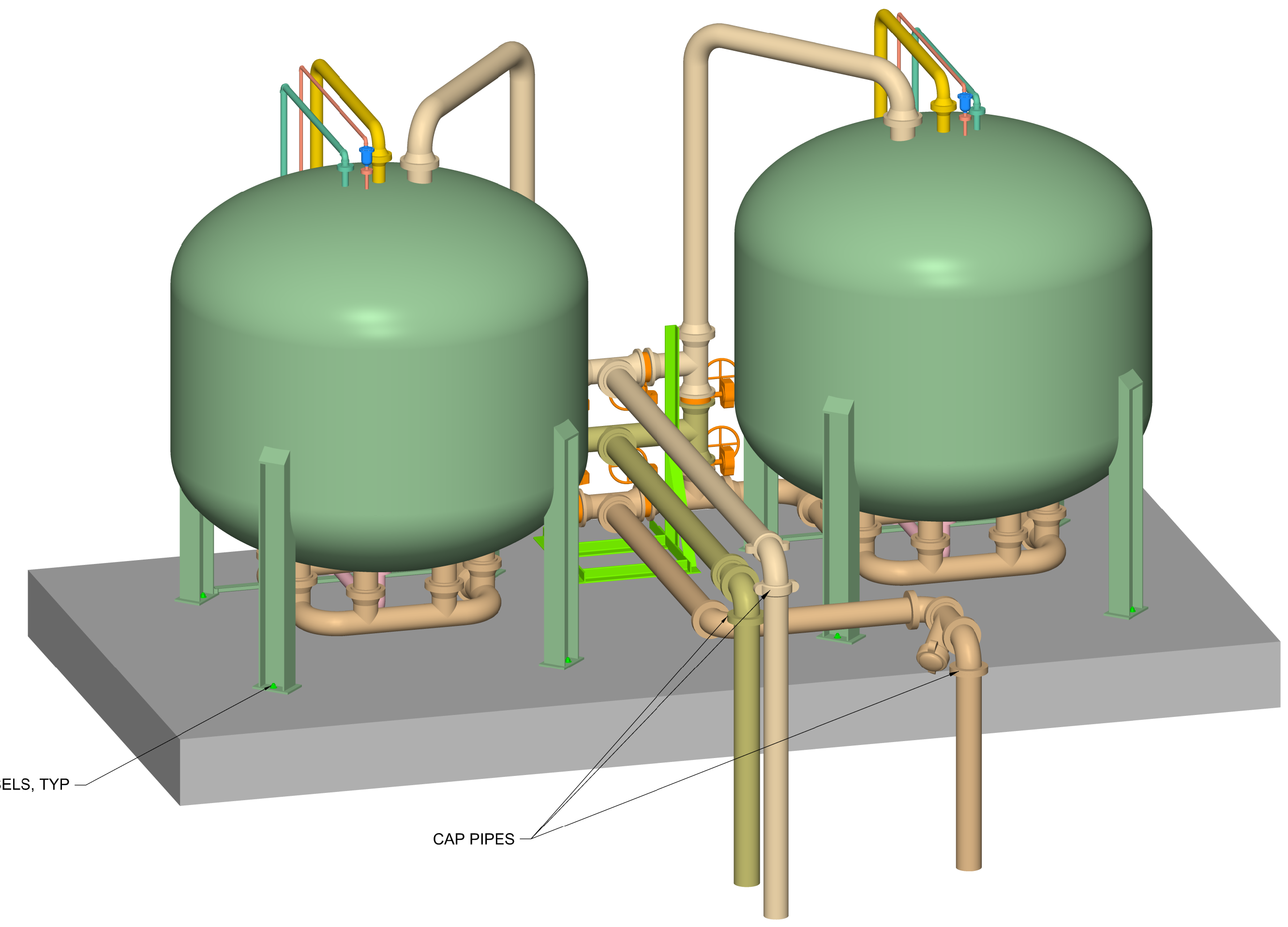
SHT x OF x

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:





**A** ISOMETRIC  
NTS  
ORO-1682-10-M-1



UNBOLT VESSELS, TYP

CAP PIPES

**B** ISOMETRIC  
NTS  
ORO-1682-10-M-1

ENGINEERING



DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT:  
 PLAT SHEET   
 SYSTEM SCHEMATIC   
 STATION SCHEMATIC   
 PLAT SHEET NO.:

SCALE: NTS  
 DRAWN BY: J MARTIN  
 DESIGNED BY: C BERTSCH 9/20  
 TECH REVIEW: T DURBIN 9/20  
 CHECKED BY: S KADER 9/20  
 APPROVED BY: S KADER 9/20

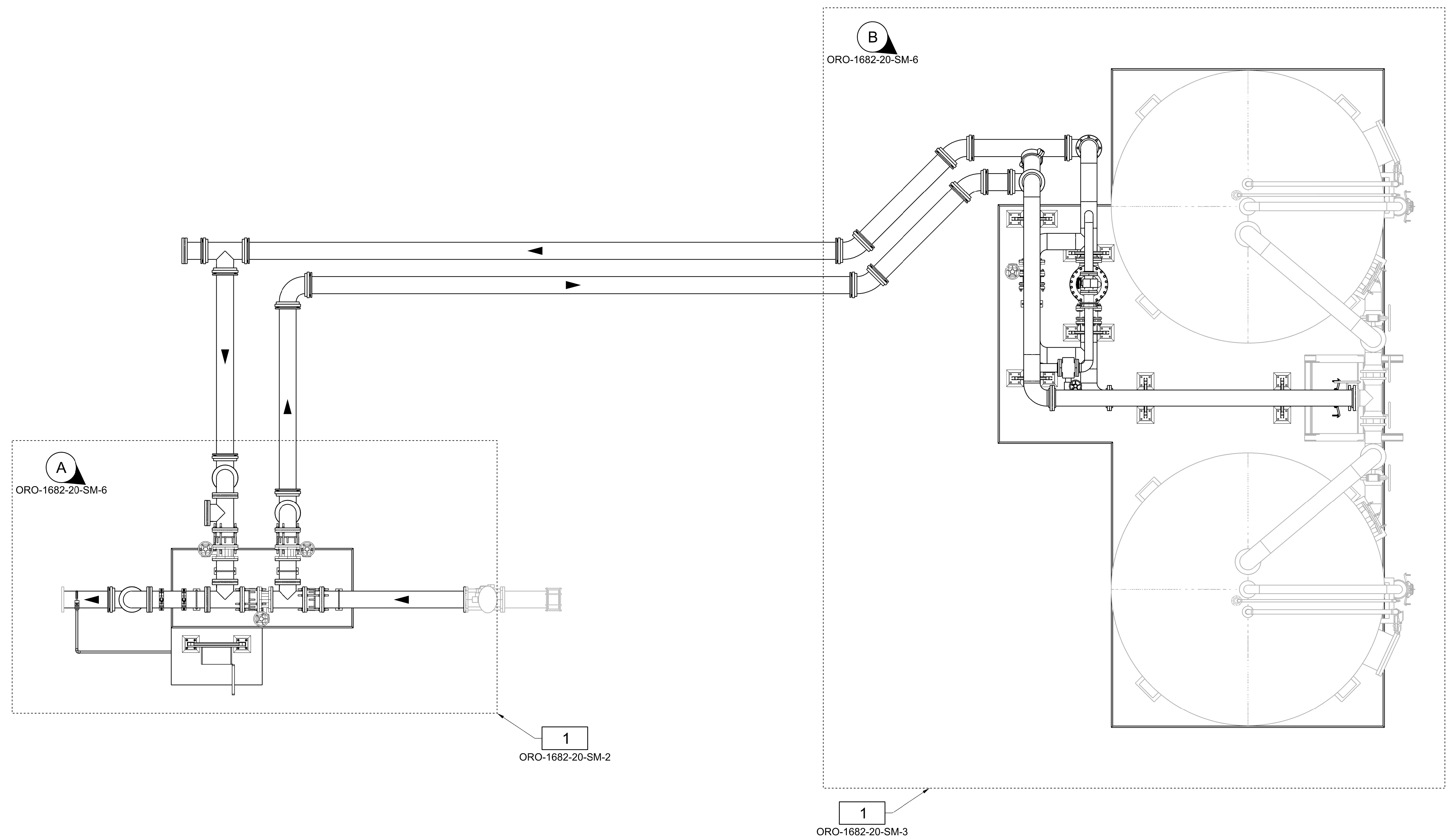


TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 STRUCTURAL / MECHANICAL  
 CHICO 40 ISOMETRICS

DISTRICT: OROVILLE

DATE: SEPTEMBER 2020  
 PROJECT ID.: 122595  
 DRAWING NO.: ORO-1682-10-M-2  
 SHIT x OF x

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:



- NOTES:
1. SCREENED TANKS ARE BEING RELOCATED FROM CHICO 40.

ENGINEERING



DEPARTMENT

REVISIONS:

NO.	DATE	BY	DESCRIPTION

DISTRIBUTION MAP

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

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

DRAWN BY: J MARTIN

DESIGNED BY: C BERTSCH 9/20

TECH REVIEW: T DURBIN 9/20

CHECKED BY: S KADER 9/20

APPROVED BY: S KADER 9/20

S KADER 9/20



TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 STRUCTURAL/MECHANICAL  
 OVERALL PLAN

DISTRICT: OROVILLE

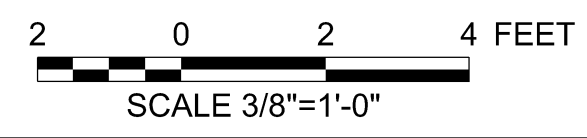
DATE: SEPTEMBER 2020

PROJECT ID.: 122595

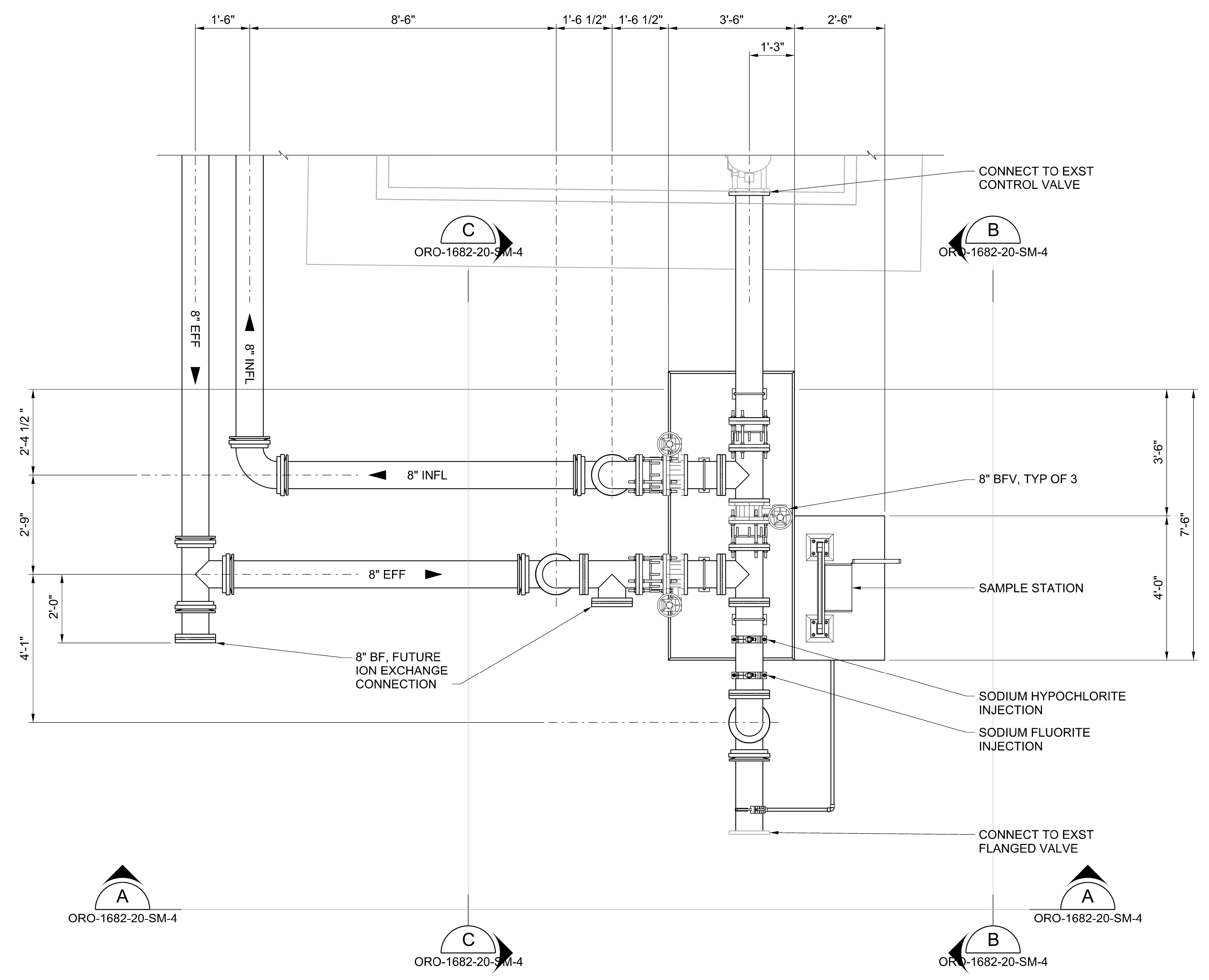
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SHT x OF x

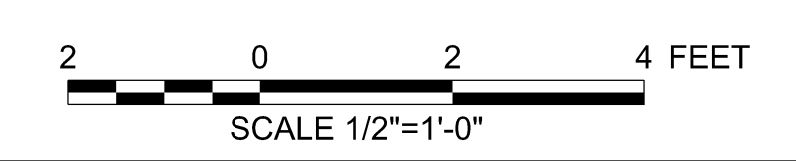
**OVERALL PLAN**  
 3/8" = 1'-0"



DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY (SIGNATURE):	DATE:



**1 PARTIAL PIPING PLAN**  
 ORO-1682-20-SM-1 1/2" = 1'-0"



DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY (SIGNATURE):	DATE:

FILENAME: 2057D-20SM102.DGN PLOT DATE: 9/8/2020 1:52:29 PM



**ENGINEERING**  
**DEPARTMENT**

REVISIONS:


DISTRIBUTION MAP  DATE: INT:

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

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

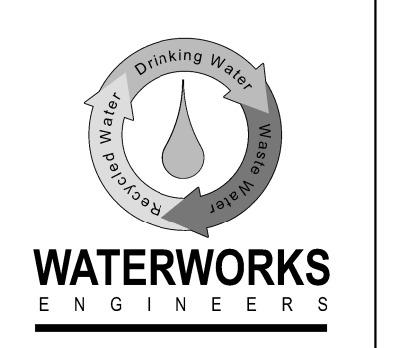
DRAWN BY:  
**J MARTIN**

DESIGNED BY:  
**C BERTSCH 9/20**

TECH REVIEW: DATE:  
**T DURBIN 9/20**

CHECKED BY: DATE:  
**S KADER 9/20**

APPROVED BY: DATE:  
**S KADER 9/20**



**WATERWORKS ENGINEERS**

TITLE:  
**OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 STRUCTURAL/MECHANICAL  
 PARTIAL PIPING PLAN**

DISTRICT:  
**OROVILLE**

DATE:  
**SEPTEMBER 2020**

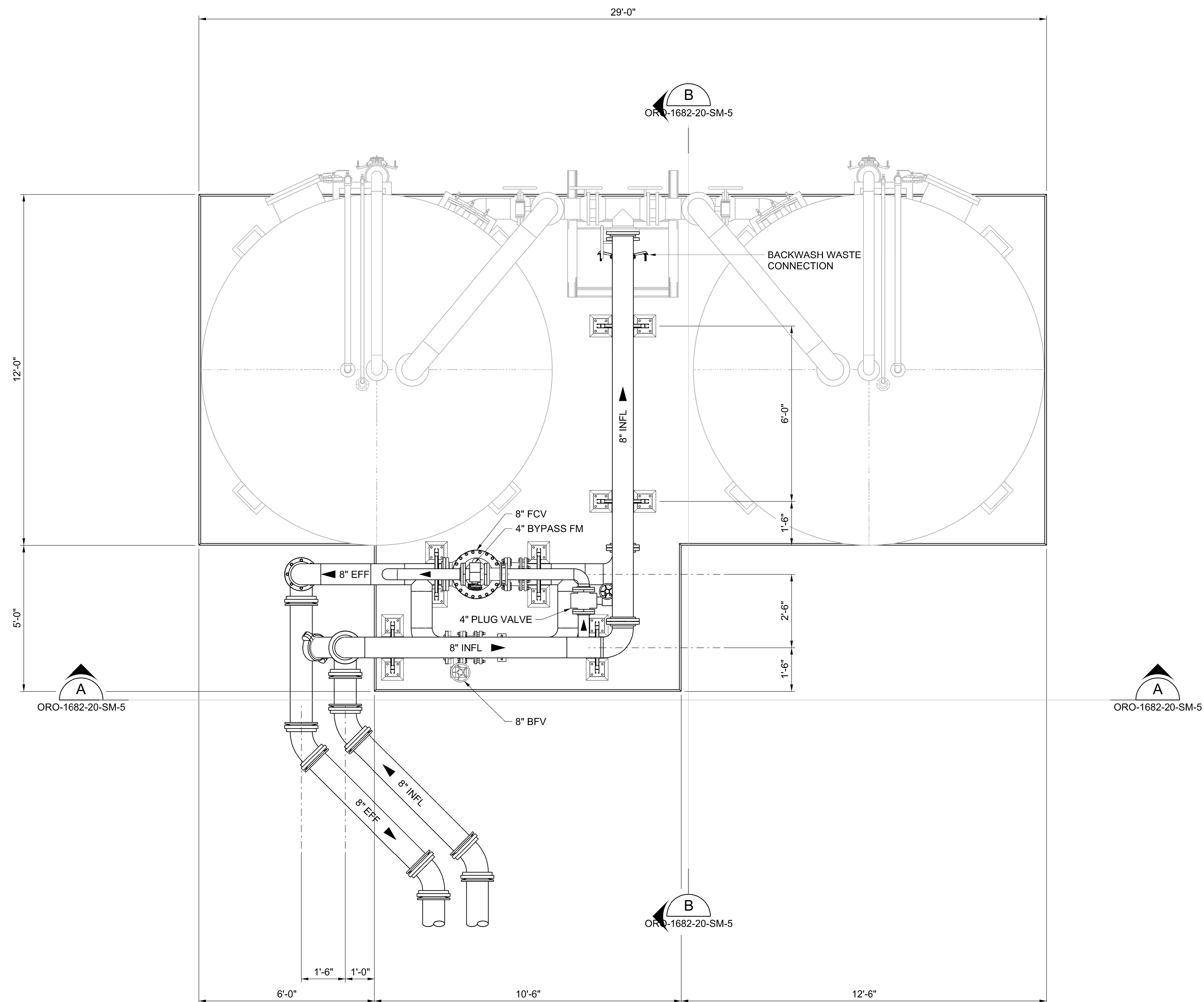
PROJECT ID.:

**122595**

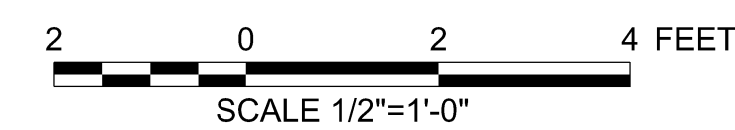
DRAWING NO.:

**ORO-1682-20-SM-2**

SHT **x** OF **x**



**1 PARTIAL PLAN**  
 ORO-1682-20-SM-1 1/2" = 1'-0"



DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:

FILENAME: 2057D-20SM103.DGN PLOT DATE: 9/8/2020 2:22:45 PM

ENGINEERING



DEPARTMENT

REVISIONS:


DISTRIBUTION MAP

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

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

DRAWN BY:  
**J MARTIN**

DESIGNED BY:  
**C BERTSCH 9/20**

TECH REVIEW: **T DURBIN 9/20**

CHECKED BY: **S KADER 9/20**

APPROVED BY: **S KADER 9/20**

DATE: **9/20**



TITLE:  
**OROVILLE STATION 10 PFAS REMOVAL PROJECT**  
**STRUCTURAL/MECHANICAL**  
**GAC PARTIAL PLAN**

DISTRICT:  
**OROVILLE**

DATE:  
**SEPTEMBER 2020**

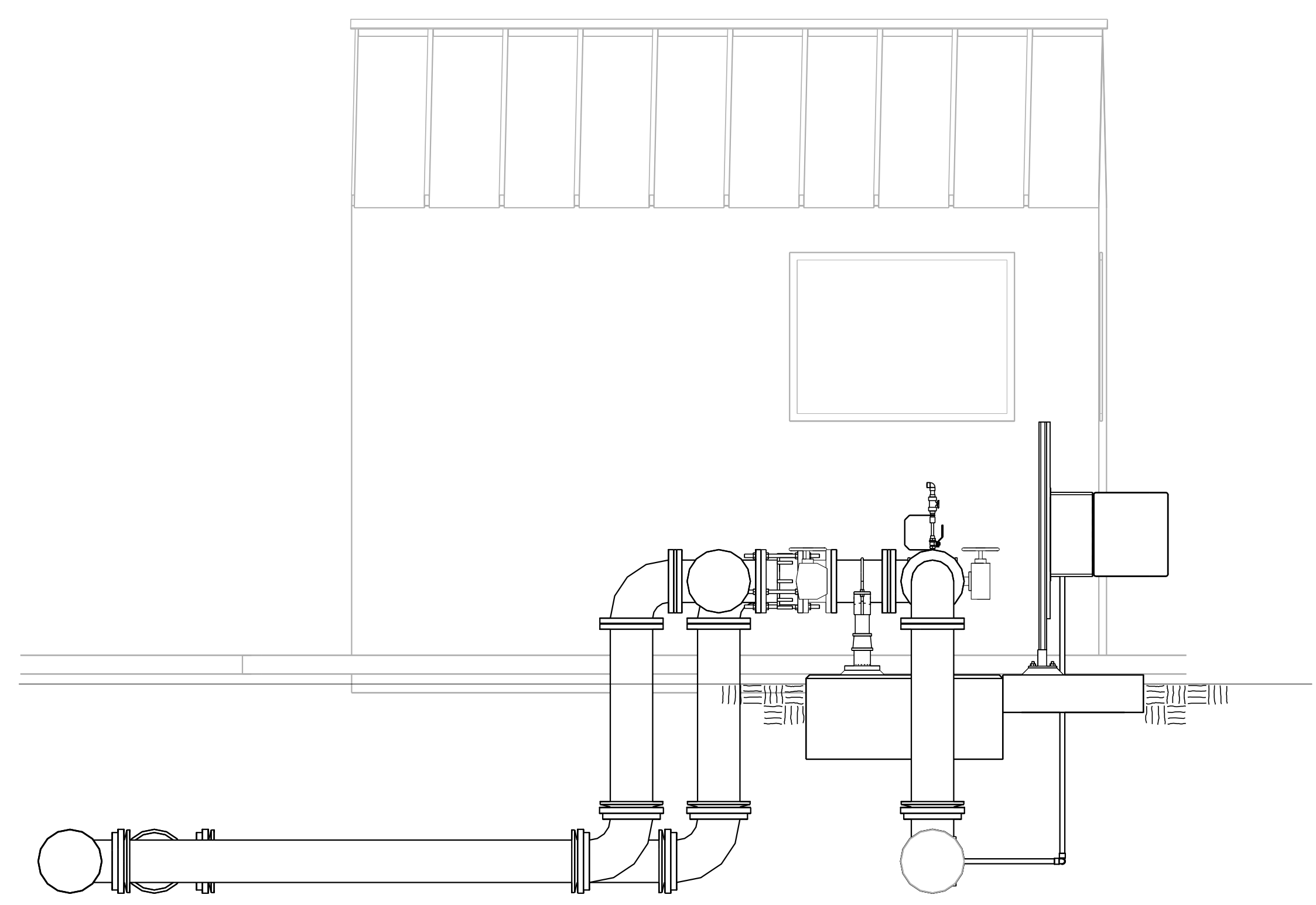
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**122595**

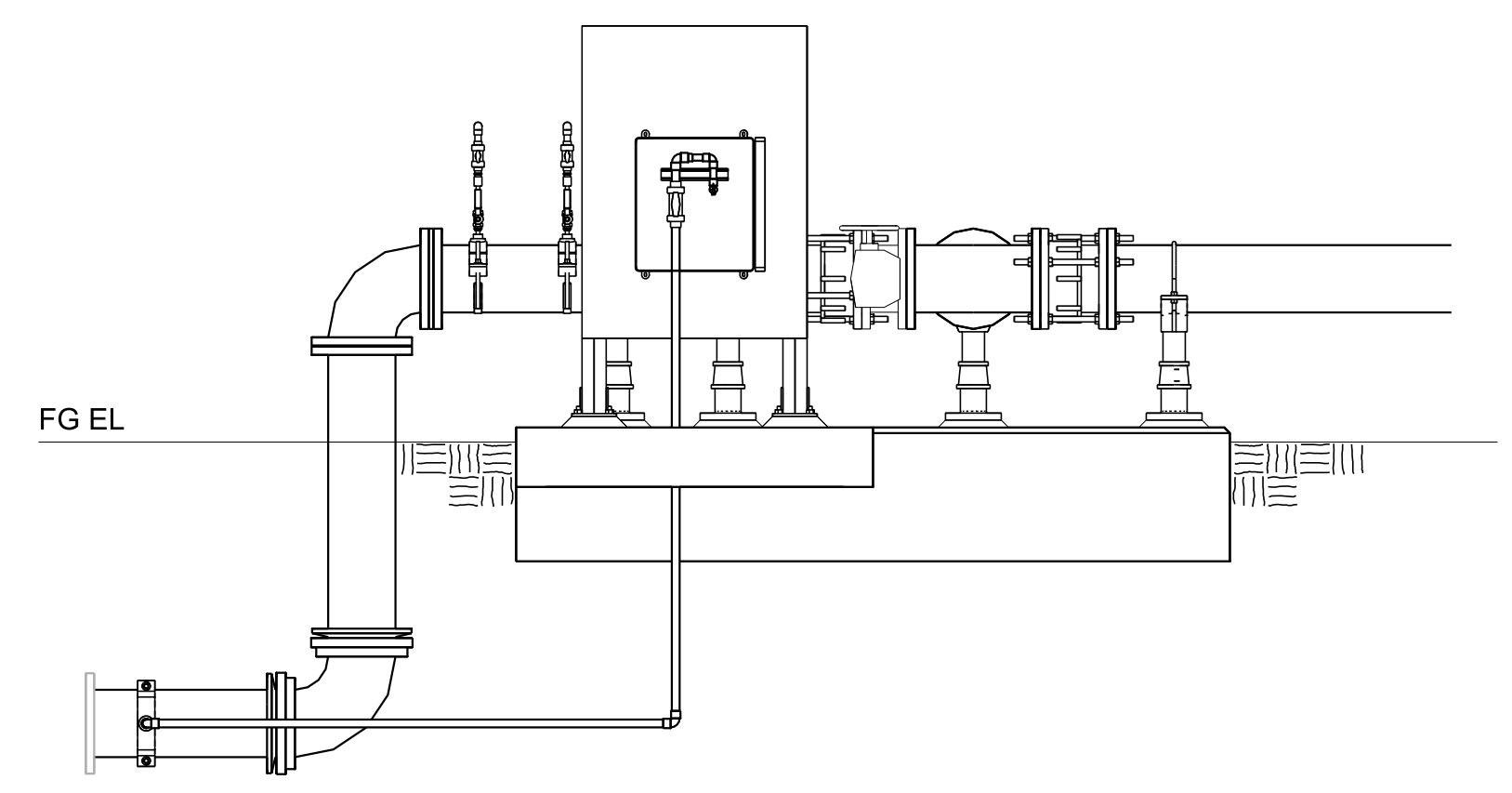
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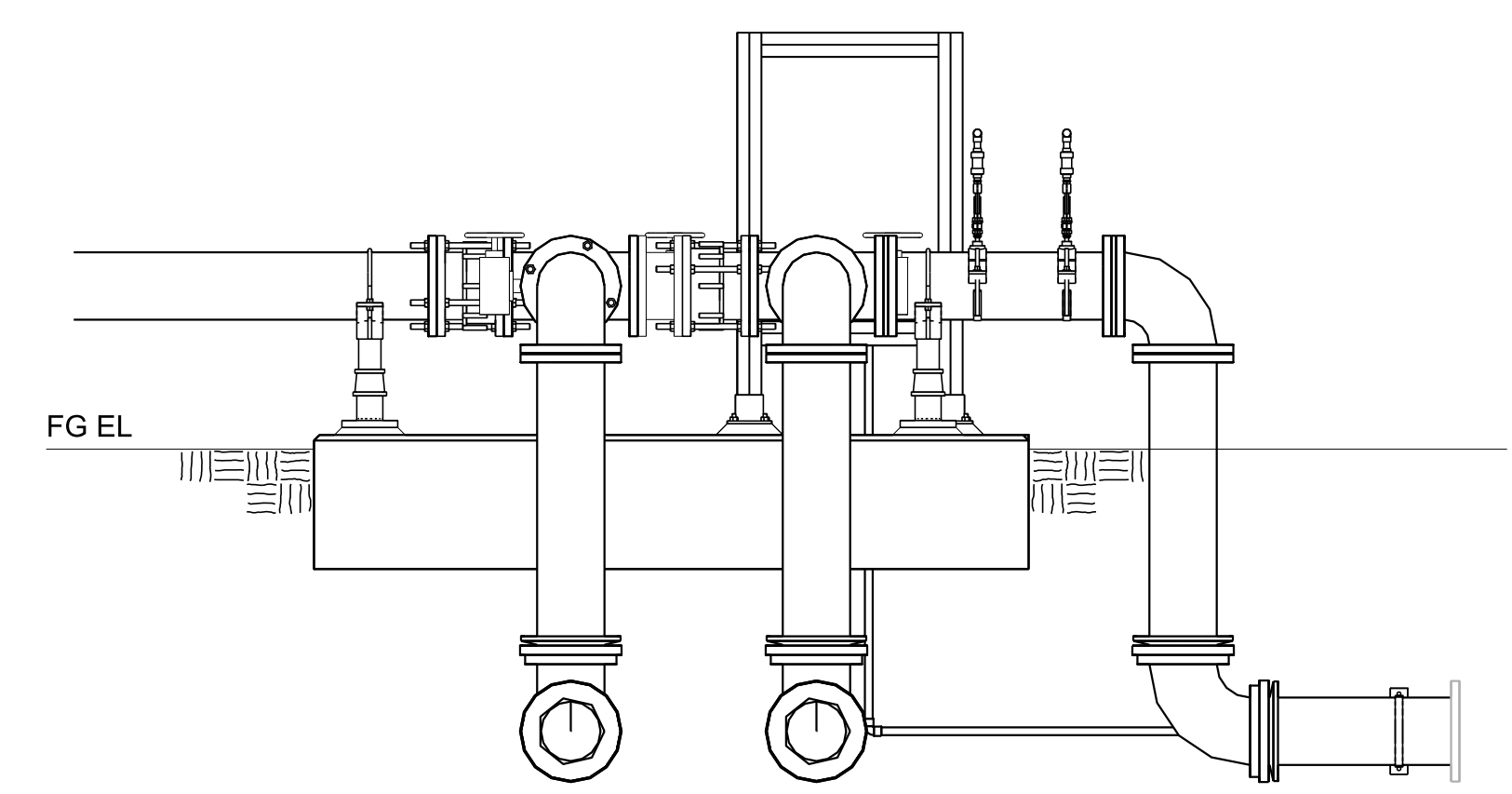
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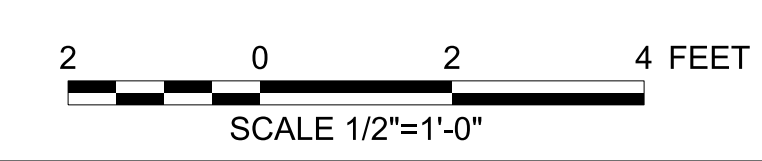
**A SECTION**  
 ORO-1682-20-SM-2 1/2" = 1'-0"



**B SECTION**  
 ORO-1682-20-SM-2 1/2" = 1'-0"



**C SECTION**  
 ORO-1682-20-SM-2 1/2" = 1'-0"



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DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:

FILENAME: 2057D-20SM201.DGN PLOT DATE: 9/8/2020 3:44:41 PM



ENGINEERING  
 DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT:

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

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

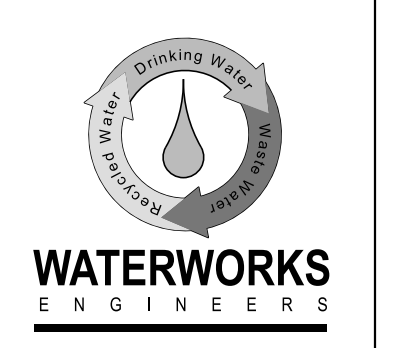
DRAWN BY:  
 J MARTIN

DESIGNED BY:  
 C BERTSCH 9/20

TECH REVIEW: DATE:  
 T DURBIN 9/20

CHECKED BY: DATE:  
 S KADER 9/20

APPROVED BY: DATE:  
 S KADER 9/20



TITLE:  
 OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 STRUCTURAL/MECHANICAL  
 PIPING SECTIONS

DISTRICT:  
 OROVILLE

DATE:  
 SEPTEMBER 2020

PROJECT ID.:  
 122595

DRAWING NO.:  
 ORO-1682-20-SM-4

SHT x OF x



DEPARTMENT

REVISIONS:

DISTRIBUTION MAP  DATE: INT:   
PLAT SHEET   
SYSTEM SCHEMATIC   
STATION SCHEMATIC   
PLAT SHEET NO.:

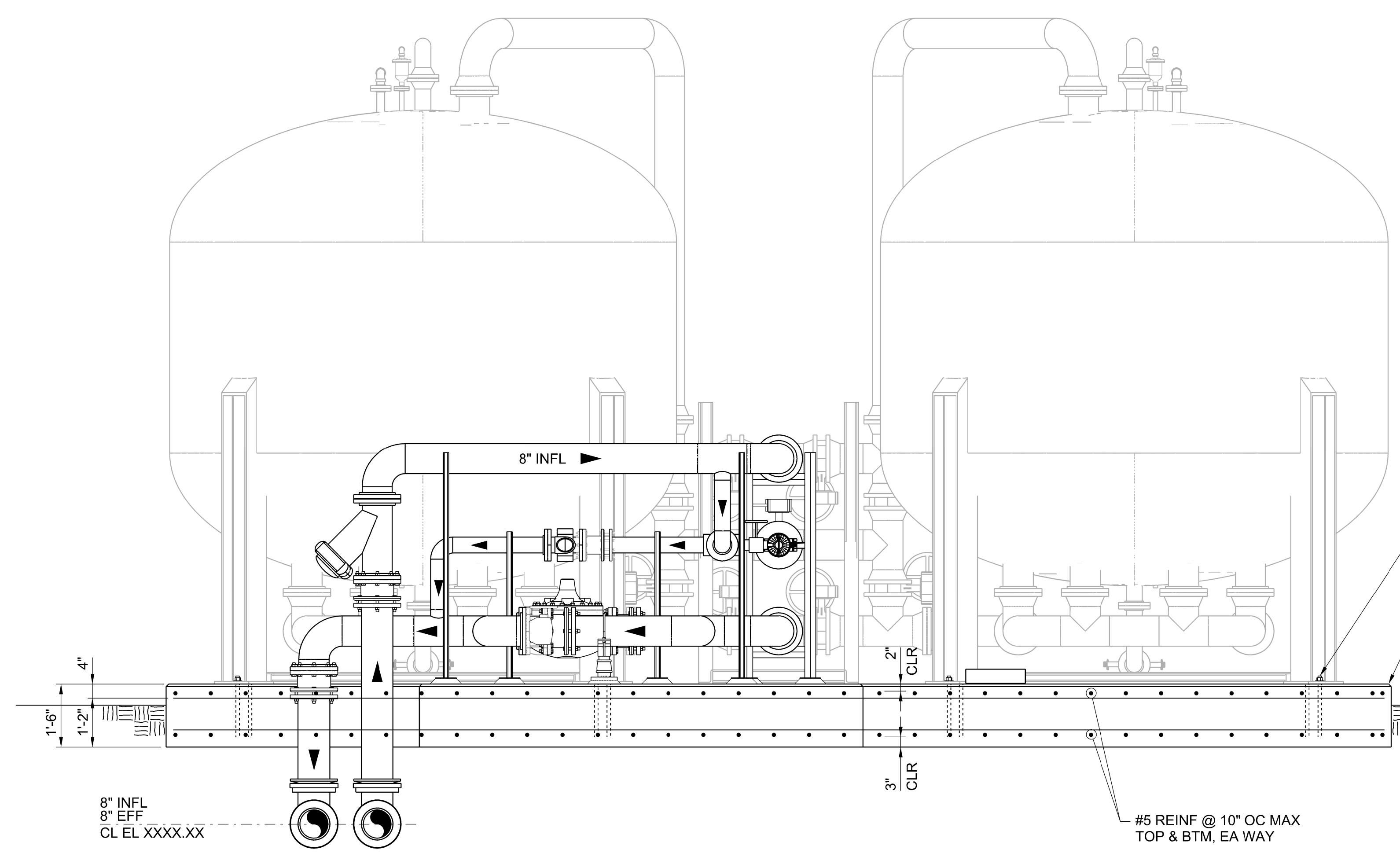
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1/2" = 1'-0"  
DRAWN BY:  
J MARTIN  
DESIGNED BY:  
C BERTSCH 9/20  
TECH REVIEW: DATE:  
T DURBIN 9/20  
CHECKED BY: DATE:  
S KADER 9/20  
APPROVED BY: DATE:  
S KADER 9/20



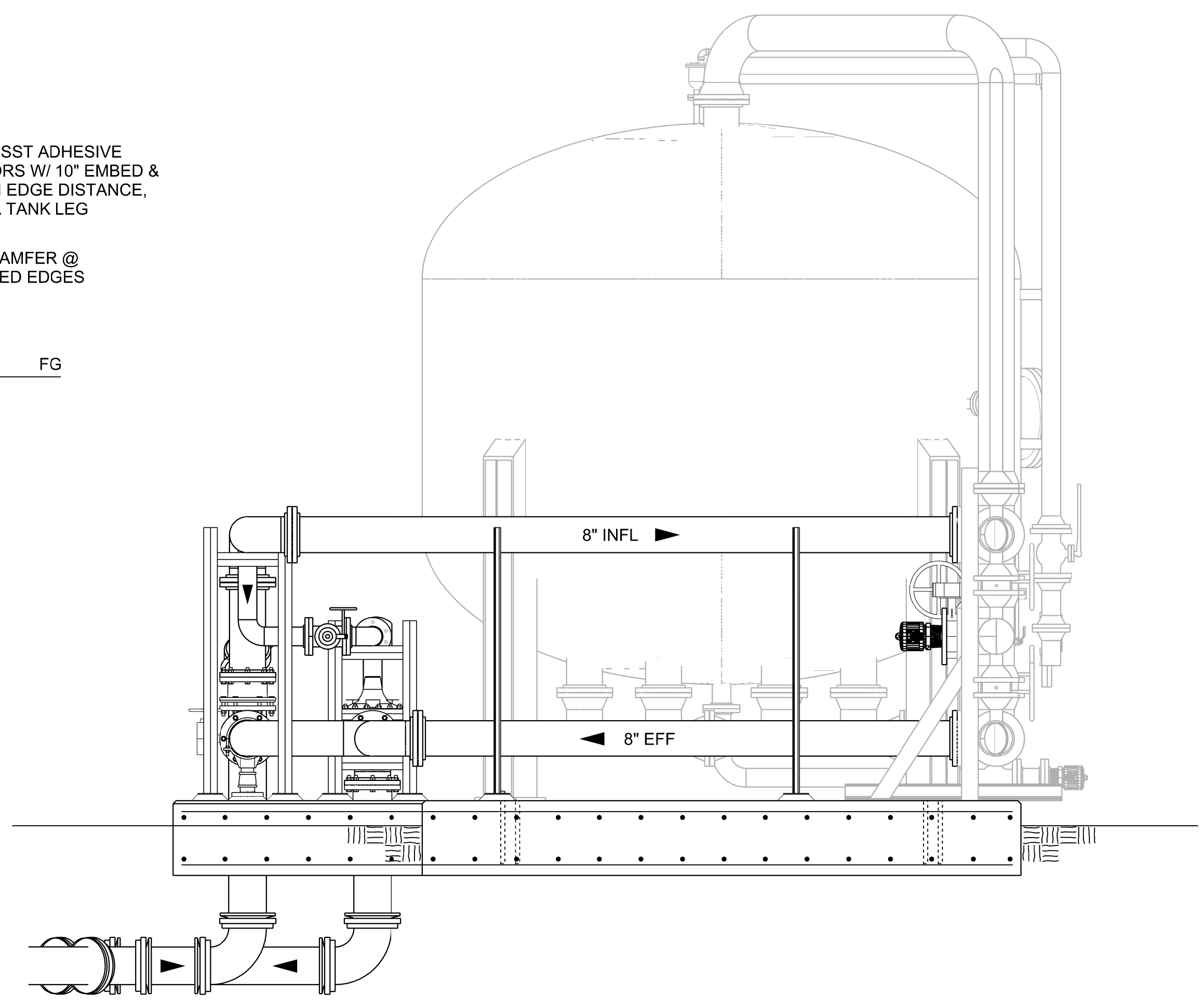
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OROVILLE STATION 10 PFAS REMOVAL PROJECT  
STRUCTURAL/MECHANICAL  
GAC SECTIONS

DISTRICT:  
OROVILLE

DATE:  
SEPTEMBER 2020  
PROJECT ID.:  
122595  
DRAWING NO.:  
ORO-1682-20-SM-5  
SHT x OF x



A SECTION  
ORO-1682-20-SM-3 1/2" = 1'-0"

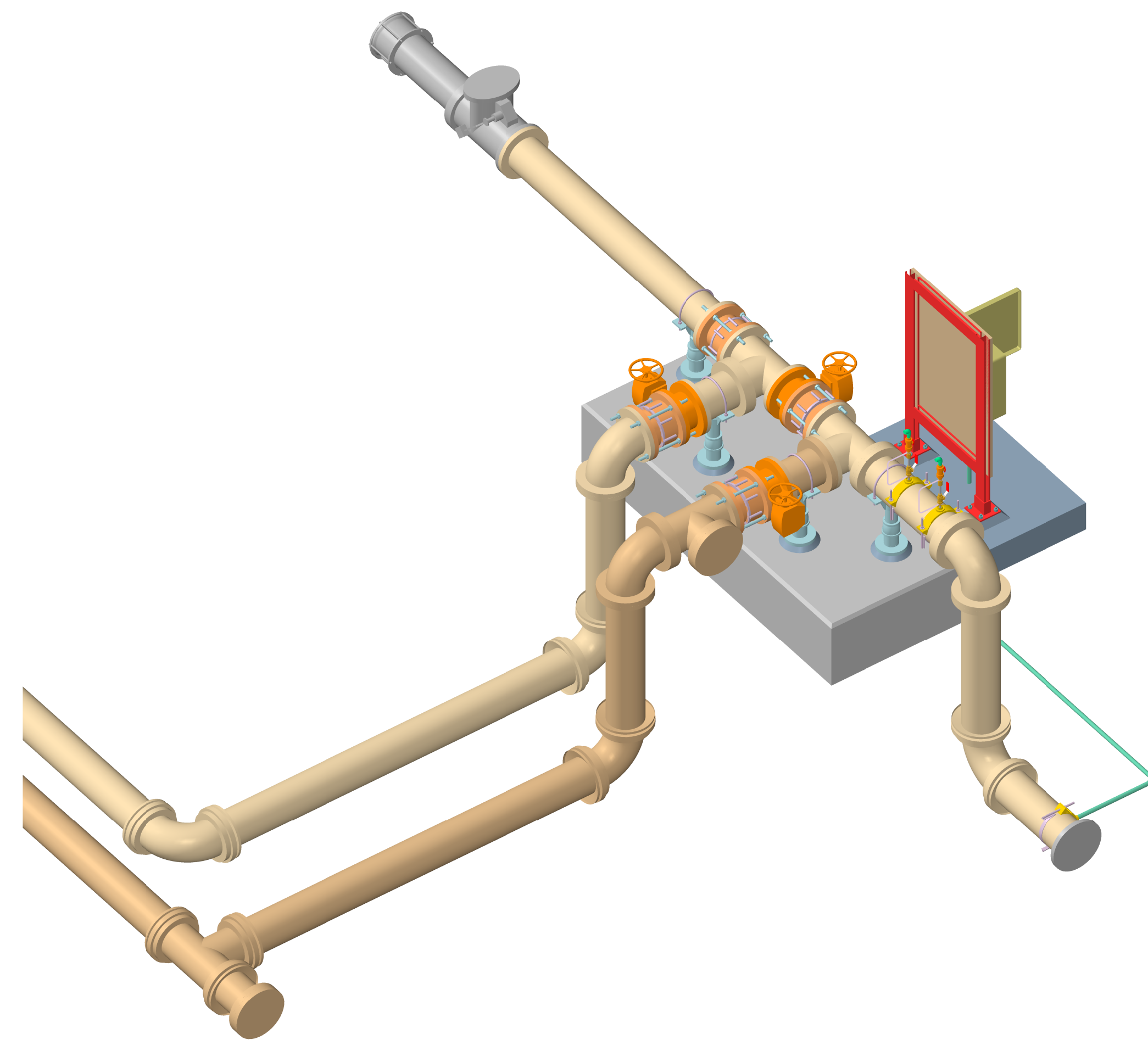


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ORO-1682-20-SM-3 1/2" = 1'-0"

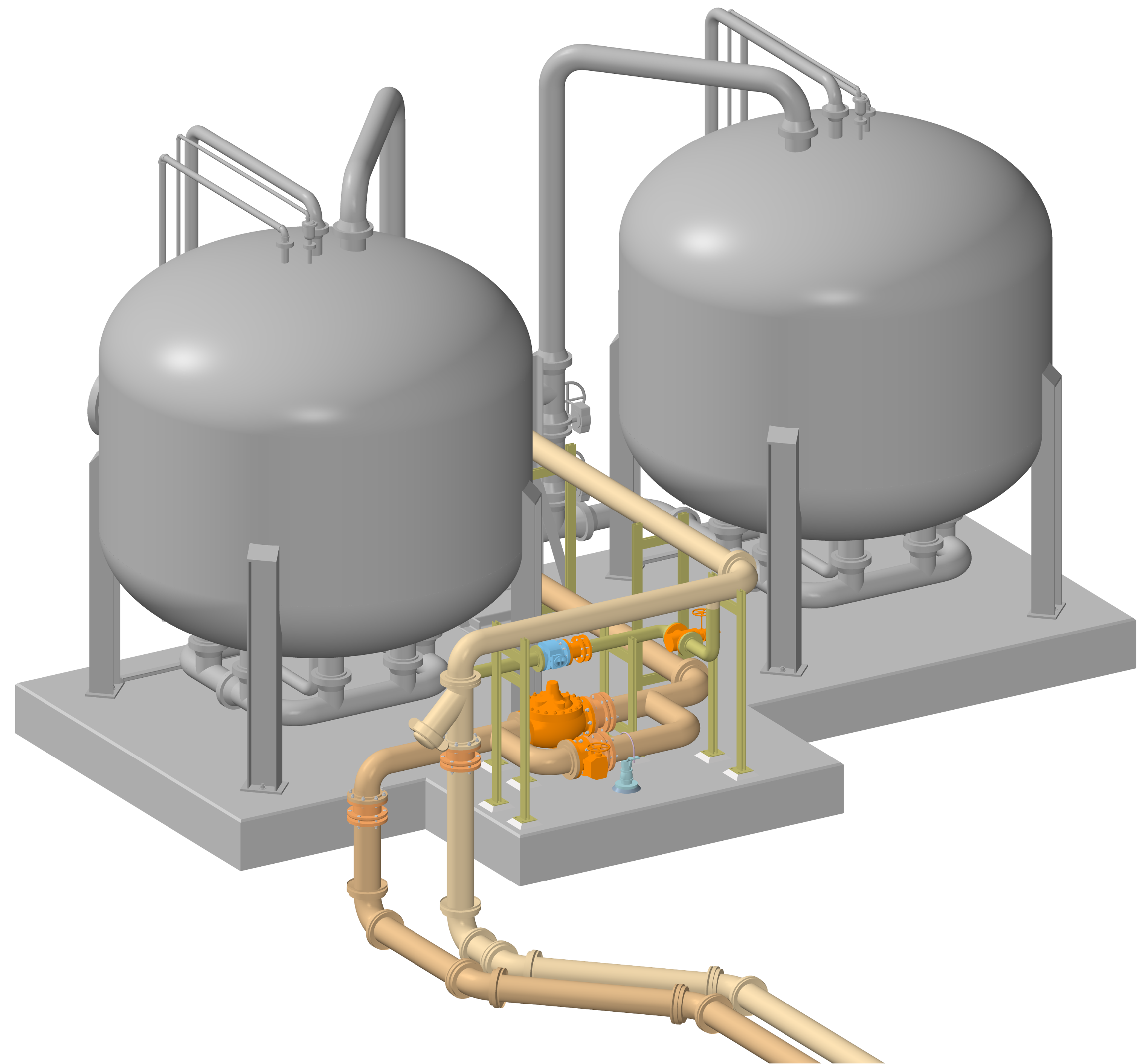


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DESIGNED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
(SIGNATURE)





**A** PIPING ISOMETRIC  
NTS  
ORO-1682-20-SM-1



**B** TANK ISOMETRIC  
NTS  
ORO-1682-20-SM-1

ENGINEERING



DEPARTMENT

REVISIONS:


DISTRIBUTION MAP  DATE: INT:

PLAT SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

PLAT SHEET NO.:

SCALE: NTS

DRAWN BY: J MARTIN

DESIGNED BY: C BERTSCH 9/20

TECH REVIEW: T DURBIN 9/20 DATE:

CHECKED BY: S KADER 9/20 DATE:

APPROVED BY: S KADER 9/20 DATE:



TITLE: OROVILLE STATION 10 PFAS REMOVAL PROJECT  
STRUCTURAL/MECHANICAL  
GAC ISOMETRICS

DISTRICT: OROVILLE

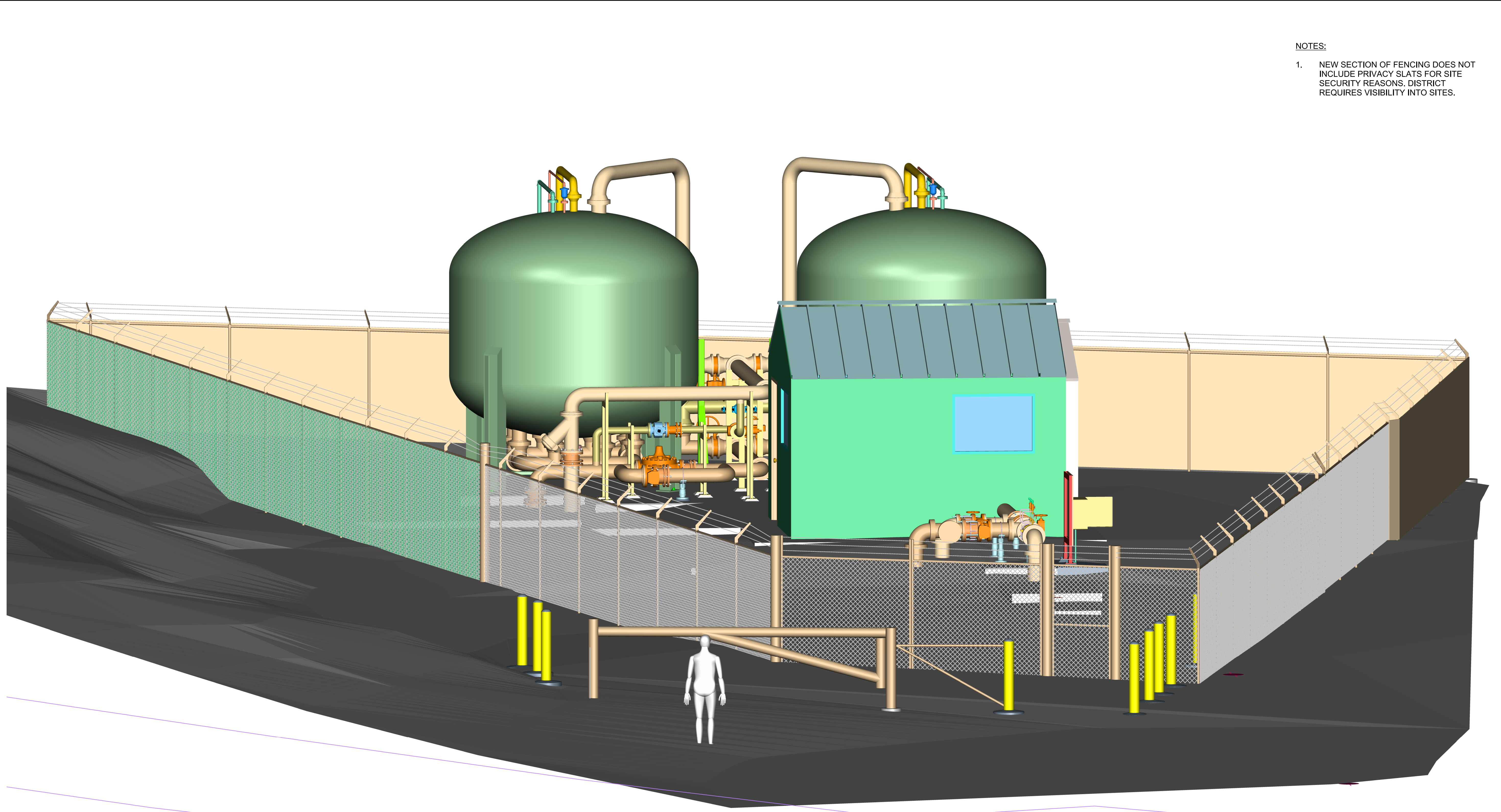
DATE: SEPTEMBER 2020

PROJECT ID.: 122595

DRAWING NO.: ORO-1682-20-SM-6

SHT x OF X

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:



NOTES:  
 1. NEW SECTION OF FENCING DOES NOT INCLUDE PRIVACY SLATS FOR SITE SECURITY REASONS. DISTRICT REQUIRES VISIBILITY INTO SITES.

ENGINEERING

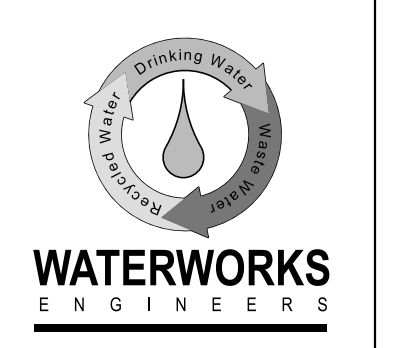


DEPARTMENT

REVISIONS:  
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DISTRIBUTION MAP  DATE: INT:  
 PLAN SHEET   
 SYSTEM SCHEMATIC   
 STATION SCHEMATIC   
 PLAT SHEET NO.:

SCALE:  
 NTS  
 DRAWN BY:  
 J MARTIN  
 DESIGNED BY:  
 C BERTSCH 9/20  
 TECH REVIEW: DATE:  
 T DURBIN 9/20  
 CHECKED BY: DATE:  
 S KADER 9/20  
 APPROVED BY: DATE:  
 S KADER 9/20



TITLE:  
 OROVILLE STATION 10 PFAS REMOVAL PROJECT  
 STRUCTURAL/MECHANICAL  
 OVERALL ISOMETRIC

DISTRICT:  
 OROVILLE

DATE:  
 SEPTEMBER 2020  
 PROJECT ID.:  
 122595  
 DRAWING NO.:  
 ORO-1682-20-SM-7  
 SHIT X OF X

**A**  
 OVERALL ISOMETRIC  
 NTS  
 ORO-1682-C-1

DRAWN BY:	CHECKED BY:	DATE:
DESIGNED BY:	APPROVED BY: (SIGNATURE)	DATE:

## RESOLUTION NO. P2020-21

### A RESOLUTION OF THE OROVILLE PLANNING COMMISSION APPROVING MINOR USE PERMIT UP 20-07 TO INSTALL A GRANULAR ACTIVATED CARBON WATER TREATMENT UNIT AT THE CAL WATER WELL AT 1185 FEATHER RIVER BOULEVARD

**WHEREAS**, the City of Oroville staff recommends approving a new water treatment unit as required to meet water quality regulations; and

**WHEREAS**, per the City of Oroville Municipal Code (OMC), property at the proposed location of the water treatment unit and existing water well has a zoning designation of Multi Family Residential (R-3) and

**WHEREAS**, pursuant to Section (OMC) Table 17.32.010-1, utility buildings or substations are uses requiring a Use Permit in R-3 Zones, and no prior use permit could be found; and

**WHEREAS**, As a condition of approval, the applicant will be required to comply with all requirements of the City's Zoning Code as found in the OMC Chapter 17, including, but not limited to, development standards, permit requirements and development review; and

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

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15301 "Existing Facilities", Section 15303(d) "New construction or conversion of small structures", 15332 "Infill Development Projects" and 15311 "Accessory Structures."
2. The Planning Commission approves the findings required by Section 17.16.160 of the Oroville City Code, as described in this Resolution;
3. The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code and to promote the general health, safety and public welfare of the City.

### REQUIRED FINDINGS FOR A USE PERMIT (OMC 17.48.010 E 4)

- a) The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the city as a whole;
- b) The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity;
- c) Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use;
- d) The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties;
- e) The subject site is physically suitable for the type and intensity of land use being proposed;
- f) The size, intensity and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole;
- g) The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code.

### CONDITIONS OF APPROVAL

**Approved project:** The project applicant, California Water Service, has applied for a use permit (UP 20-07) for the construction of a new well water treatment unit (APN 012-290-001). The property has a zoning land use designation of Multi Family Residential (R-3). The proposal is an expansion of a utility facility not previously permitted in a Zone requiring a Use permit. The unmanned facility will be secured by a perimeter fence.

**The Planning Commission hereby approves UP 20-07, subject to the following:**

#### **General Conditions**

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

changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.

3. The applicants 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.
4. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
5. The applicant shall ascertain and comply with all requirements of the Butte County Environmental Health Department. This condition is not applicable.
6. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.
7. All applicable development impact fees shall be paid prior to issuance of a building permit.
8. 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.
9. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.
10. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
11. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbance 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.
12. 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.
13. 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. The agreement shall be binding upon the property owner and any successors in interest. This condition is not applicable

14. Pursuant to Section 17.08.135, the project shall install public art on the project site in a public place as approved by the Arts Commission and City Council. The cost of the public art must be equal to at least one percent (1%) of the estimated construction costs. The developer has the option to opt out of this requirement and instead pay the equivalent in lieu fee which shall be a one percent (1%) fee of the estimated construction costs.
15. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 26, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
16. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

**Project-specific conditions**

17. To ensure drainage and traffic safety, applicant shall complete a driveway approach and shoulder paving along the frontage of the property. The extent of paving to be developed in discussions with the City Engineer.
18. If practicable, applicant shall install crash barriers around the new tanks as protection against any errant vehicles;
19. Applicant will take appropriate measures to provide proper maintenance of the building exterior, including provisions to keep the premises free of litter and debris;
20. Applicant shall consult with the owners of the Purple Line Winery to discuss trees or other screening between the two properties.

**--- 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 22nd of October, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

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

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



# City of Oroville

**COMMUNITY DEVELOPMENT DEPARTMENT**

**LEONARDO DEPAOLA**  
DIRECTOR

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

## NOTICE OF EXEMPTION

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

Project Title: PL2009-006 California Water Service Treatment Unit

Project Location – Specific: 1185 Feather River Boulevard

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, California Water Service, has applied to add a regulatorily mandated PFAS removal unit to its existing Station 10 well facility. The subject property has a zoning designation of Multi-family residential (R-3) and a General Plan land use designation of Medium High Density Residential (MHDR). The site is in the Downtown Historic Overlay District. All work is inside the existing fence line of the municipal well facility. The project is categorically exempt as a modification of an existing structure and as new construction of a small structure.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: California Water Service

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:
  - Existing Facilities, Title 14, CCR, §15301
  - New Construction or conversion of small structure, Title 14, CCR, §15303(d)
  - 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 in all of the below ways:

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. This includes utility facilities providing public utility services involving negligible or no expansion of use. *The new treatment unit is required by a regulatory agency at an existing well facility and is not an expansion of use.*

New Construction or conversion of small structure, Title 14, CCR, §15303(d)

Class 3 categorical exemptions consists of construction and location of limited numbers of new, small facilities or structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The exemption includes water main, sewage, electrical, gas, and other utility extensions... *As an extension of a municipal water well facility, this treatment unit is clearly exempt.*

Accessory Structures; Title 14, CCR, §15311

Class 11 categorical exemptions consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities. *As an accessory structure within a well facility, the new treatment unit 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. *With a Use permit, this infill project will be consistent with the General Plan.*

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



# City of Oroville

**Leonardo DePaola**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
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### PLANNING COMMISSION STAFF REPORT

Thursday, October 22, 2020

<b>RE: ZC 20-01 Change to the Zoning Code</b>	
<b>SUMMARY:</b> The Oroville Planning Commission will review and consider recommending to the City Council approval of Zoning Change No. ZC 20-01 amending Chapter 17-20 of the Oroville Municipal Code relating to the City's sign regulations.	
<b>RECOMMENDATION:</b>	
1. <b>Adopt</b> Resolution 2020-19, A Resolution of Intention of the Oroville Planning Commission recommending that the City Council adopt the proposed amendments to the Oroville Municipal Code Chapter 17-20 relating to the City's sign regulations.	
<b>APPLICANTS:</b>	City of Oroville
<b>LOCATION:</b> City-Wide	<b>GENERAL PLAN:</b> N/A <b>ZONING:</b> N/A <b>FLOOD ZONE:</b> N/A
<b>ENVIRONMENTAL DETERMINATION:</b> CEQA Exempt per §15301 "Existing Facilities"	
<b>REPORT PREPARED BY:</b>	<b>REVIEWED BY:</b>
_____ Wes Ervin, Contract Planner Community Development Department	_____ Dawn Nevers Assistant Community Development Director

### DISCUSSION

The amendments to Chapter 17-20, Sign Regulations, of the Oroville Municipal Code were started in 2015 with a special Planning Commission Committee to discuss potential changes to the City's sign regulations. A draft sign code was prepared that included clearer Planning Commission authority, stiffer maintenance requirements, and modified design criteria, among other changes. This draft sign code was never finalized or adopted due to the lack of staffing for some time.

After an increase in staffing, an initial workshop was held on February 27, 2020 to restart the proposed changes from where they were left off. The goal of the sign code

changes was to allow for greater clarity the types of signs allowed, how they are regulated, and remove some overly restrictive regulations.

A special Planning Commission workshop was held on July 15, 2020 to go over the first half of the sign code changes line-by-line and a gather commissioner’s comments and suggestions.

At their regular July 23, 2020 meeting, the Planning Commission completed their review of the sign code changes line-by-line and provided their comments and suggestions.

Using the comments and suggestions gathered from the Commissioners, staff prepared an updated draft of the sign code amendments and presented it to the Planning Commission at their regular August 27, 2020 meeting to receive any final comments regarding the changes made.

Staff has made the changes requested by the Commission and have prepared a final version (**Attachment A**) for approval and recommendation to City Council for adoption.

**ENVIRONMENTAL IMPACT**

This action has been determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15061(b)(3) “Common Sense Exemption”

**FISCAL IMPACT**

None.

**ATTACHMENTS**

- Attachment A: Sign Code Amendments (Final)
- Attachment B: Resolution P2020-19
- Attachment C: Notice of Exemption

## RESOLUTION NO. P2020-19

### A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS TO THE OROVILLE MUNICIPAL CODE CHAPTER 17-20 RELATING TO THE CITY’S SIGN REGULATIONS

**WHEREAS**, the City of Oroville staff recommends a change to Chapter 17-20 of the City of Oroville Zoning Code relating to the City’s sign regulations; and

**WHEREAS**, staff and the Oroville Planning Commission began discussing a comprehensive update to the City’s sign regulations over 5 years ago have held a series of workshops and meeting to review potential changes; and

**WHEREAS**, the changes to the sign regulations include clearer approval authority, stiffer maintenance requirements, and more freedom for applicant looking to propose signage in conjunction to their business operations; 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 code changes described herein, and also considered the City’s staff report regarding the project.

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

1. The Planning Commission approves this action to adopt a comprehensive update to the City’s sign regulations as outlined in Chapter 17-20 “Sign Regulations” of the Oroville Municipal Code, and recommends that the City Council adopt Zoning Change No. ZC 20-01.

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of October 2020, by the following vote:

AYES:  
 NOES:  
 ABSTAIN:  
 ABSENT:

ATTEST:

APPROVE:

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

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

## SECTION 17-20 SIGN REGULATIONS

17-20.010	Purpose and Applicability
17-20.020	Noncommercial Signs and Messages
17-20.030	General Provisions
17-20.040	Sign Permits
17-20.045	Signs Requiring a Use Permit
17-20.050	Required Signs
17-20.060	Location, Placement, and Design of Signs
17-20.070	Requirements for Specific Types of Signs
17-20.080	Sign Programs
17-20.090	Temporary Signs
17-20.100	Temporary Sign Permits
17-20.110	Requirements for Residential Districts
17-20.120	Requirements for Commercial and Mixed-Use Districts
17-20.130	Requirements for Industrial Districts
17-20.140	Requirements for Special Purpose Districts
17-20.150	Requirements for Downtown Historic Overlay (DH-O) Districts
17-20.160	Creative Signs
17-20.170	Nonconforming Signs
17-20.180	Removal of Signs
17-20.190	Violations and Penalties

### 17-20.010 Purpose and Applicability

- A. **Purpose.** The purpose of this section is to provide standards to safeguard the public health, safety and welfare, and to enhance the aesthetic character of development in the City, by regulating and controlling the design, number, area, height, quality of materials, construction, illumination, location and maintenance of all signs and sign structures and to implement the purposes, policies and programs of the General Plan.
- B. **Applicability.** The requirements of this section shall apply in all districts.
- C. **Exceptions.** Exceptions to the standards of this section may be granted by the Planning Commission if warranted for safeguarding the public health, safety and welfare.

### 17-20.020 Noncommercial Signs and Messages

- A. Any sign that is allowed under the provisions of this section may contain a noncommercial message.
- B. Signs displaying a message which is not commercial in nature, including those that are displayed temporarily, are considered non-commercial signs. Messages typically relate to topics of public concern and debate, such as, by way of example and not limitation, religion, politics, arts, science, philosophy, commentary on governmental policy, etc. Non-commercial signs shall be allowed subject to the following requirements:

1. Non-commercial signs are permitted at all times in any zone.
2. No individual sign shall exceed six (6) square feet in RL, R-1, R-2, R-3, RP, and R-4 zones and 32 square feet in all other zones.
3. No sign shall be placed within any public right-of-way or so as to obstruct a required sight distance area (See Figure 17-12.020-1 of this chapter).
4. The signs shall be placed on private property.
5. Campaign signs are subject to State law regarding Temporary Political Signs.

### 17-20.030 General Provisions

#### A. Materials and Structural Components.

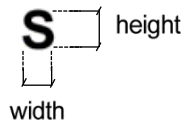
1. All permanent signs that are displayed outdoors shall be constructed of durable, weatherproof materials.
2. All materials and structural components in a permanent sign shall meet the applicable requirements of the City Building Code. Illuminated signs shall meet the requirements of the City Electrical Code.

B. **Maintenance.** All signs, together with all of their supporting structural elements, shall be kept in a state of good repair at all times. Damage to signs, including cracked sign faces, frayed or weathered fabric, and broken lighting, shall be repaired. Failure to comply with this requirement shall be considered a violation of this section.

C. **Permission of Property Owner.** No person shall erect, construct or maintain any sign or sign structure on any property or building without the written consent of the owner, holder, lessee, agent or trustee thereof.

D. **Sign Area.** The area of a sign shall be calculated as follows:

1. The area of each face of a sign shall be measured as the area of the smallest rectangle or circle that encloses all of the following, as shown in Figure 17-20.030-1:
  - a. Any words, characters, symbols, and images on the sign face.
  - b. Any border or frame around the information on the sign face.
  - c. Any background color on the sign face.
  - d. Any internally illuminated portion of the sign face.



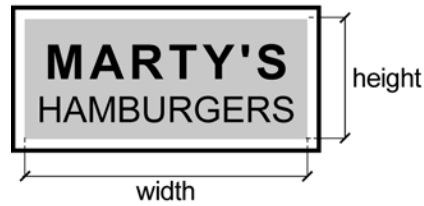


Figure 17-20.030-1: Measurement of sign area

2. The area of a sign with two parallel faces, such as the projecting sign shown in Figure 17-20.030-2, shall be measured as the area of the larger face.

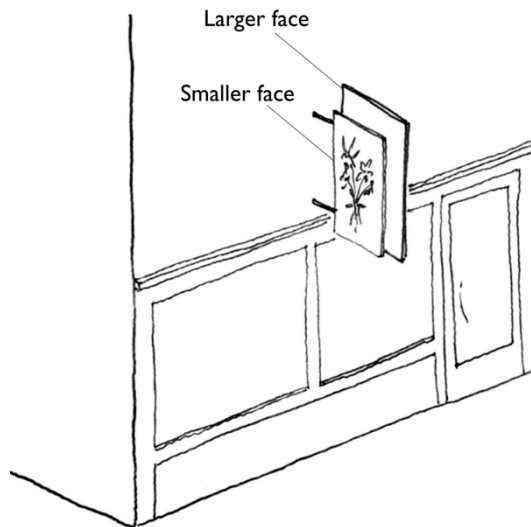


Figure 17-20.030-2: Sign with two parallel faces

3. The area of a spherical, conical, cylindrical, or other non-rectangular 3-dimensional sign shall be measured as the area of the smallest rectangle that encloses the maximum projection of that sign onto a vertical plane, as shown in Figure 17-20.030-3.

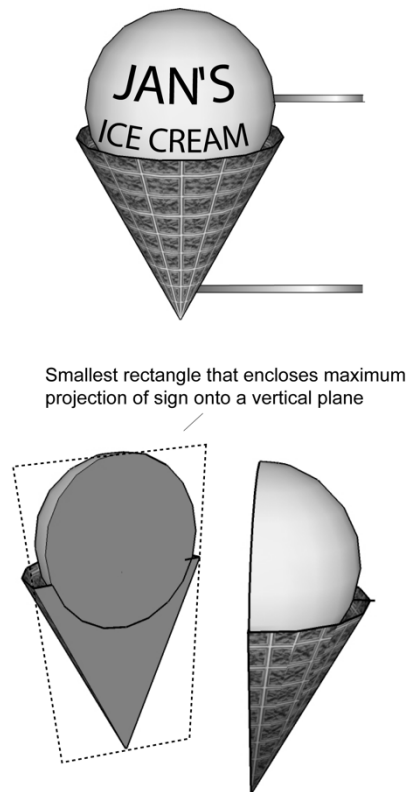


Figure 17-20.030-3: 3-dimensional sign

4. Structural elements that do not include any words, characters, symbols, and images shall not be counted as part of the sign area.
  5. For signs that may be double faced, such as freestanding and projecting signs, only one face shall be considered in the sign area calculation.
- E. **Sign Height.**
1. The height of a sign shall be measured from the finished grade at which the sign is placed to the highest point of the sign, including any decorative or supporting structures associated with the sign.
  2. The finished grade at a sign's base shall not be artificially raised above the surrounding finished grade for the purpose of increasing the sign's elevation above the ground.
- F. **Ideological and Political Signs.** No provision of this article shall prohibit an ideological, political or other noncommercial message on a sign otherwise permitted by this article.
- G. **Prohibited Signs.** The following types of signs shall be prohibited:
1. Signs that bear or contain statements, words, or pictures of an obscene, indecent, or immoral character that offends public morals or decency.



2. Roof signs.
  3. Rotating/revolving signs.
  4. Signs that have become a public nuisance due to inadequate maintenance, dilapidation, or abandonment.
  5. Signs that obstruct a door, window, fire escape, or other required access way.
  6. Wind-driven signs, “A” frame signs, sandwich boards, and portable signs except as specifically permitted in Section 17-20.090 (Temporary Signs) and Section 17-20.150 (Requirements for Downtown Historic Overlay (DH-O) Districts) of this chapter.
  7. Video or any other electronic display signs with continuous motion, blinking, flashing or fluttering lights or any other illuminated device which has a changing light intensity or brightness.
  8. Signs affixed to structures in the public right-of-way, except as otherwise provided for in this section, such as telephone poles, light poles, utility fixtures, posts and fences; provided, however, as follows:
    - a. Temporary signs may be posted on any public kiosk that provides space intended for the posting of signs.
    - b. Official signs posted or required by a government agency, or a public utility or service, may be affixed to structures in the public right-of-way.
  9. Signs attached, affixed, or carried by vehicles, excluding decals and painted signs, that advertise a business, service, or product, whether that business, service, or product is located on the same site or a different site. This prohibition shall not apply to standard identification practices where these signs are painted on or permanently attached to a commercial vehicle used to conduct a land use located on the site, or to bumper stickers.
  10. Signs that attempt or appear to attempt to direct traffic, or that interfere with, imitate, or resemble any official traffic device.
  11. Signs that were unlawfully installed, erected, or maintained.
  12. Signs that interfere with visibility for drivers at an intersection, public right-of-way, or driveway.
  13. Signs emitting audible sounds.
  14. Signs held or supported by human beings or animated figures in the public right-of-way; except for non-commercial signs.
- H. **Sign Face Removal.** A sign face shall be removed by the owner or lessee of the premises upon which the sign is located when the business it advertises is no longer on the premises. If the owner or lessee fails to remove the sign face after the business has been discontinued, the Building Official shall issue the owner a citation. If the sign is not removed within 90 days after the citation has been issued, the sign face shall be deemed nonconforming and shall be removed as provided in Section 17-20.170 (Removal of Signs) of this chapter.

**17-20.040 Sign Permits**

- A. **Permit Required.** All signs shall hereafter be erected, re-erected, constructed, painted, affixed, altered, or maintained in accordance with this section. A separate permit shall be required for each such sign; however, when multiple signs are to be installed on one site, a single application shall be filed for all of the signs.
- B. **Sign Permits and Development Review.** When a project is subject to development review, any signs associated with the project shall be evaluated by the review authority for development review, rather than in accordance with the procedure described in this section.
1. The review authority shall verify compliance with all applicable requirements of this section, considering the sign face as well as any structural elements of the sign. Sign permits shall be issued upon the approval of the development review application.
  2. The review authority shall issue a sign permit only upon determining that:
    - a. The signs use a palette of colors and materials that is generally related to the architecture and design of other buildings and signs on the site.
    - b. The signs conform to the requirements of this section, as well as any applicable specific plan adopted by the City Council.
- C. **Application.**
1. Application for a sign permit shall be submitted through a building permit application with the Building Division, accompanied by any fee established by resolution of the City Council. Plans will be routed to both the Building and Planning Divisions for review. In addition to the Building Division's requirements, the Planning Division requires the application contain all of the following information:
    - a. The location by street, number and assessor's parcel number of the proposed sign;
    - b. The name and address of the owner and the sign contractor or erector;
    - c. Site plans showing the location of the proposed sign(s) and dimensions of any existing onsite structures;
    - d. Scale drawings showing the sign's design and location;
    - e. An inventory of the location, sign area and type of all existing signs on the site;
    - f. Any other pertinent information that is necessary to ensure compliance with this section.
- D. **Inspections.** All signs for which a permit is required shall be subject to inspection by the Building Official.
- E. **Exempt Signs.** The following signs shall not require a sign permit and shall not be counted towards the allowable sign area or number of signs for a building or use. These exemptions shall not be construed as relieving the owner of the sign from the responsibility to comply with the provisions of this section and with all other applicable regulations.
1. Temporary signs, as described in Section 17-20.090 (Temporary Signs) of this chapter.
  2. Required signs, as described in Section 17-20.050 (Required Signs) of this chapter.
  3. Non-advertising signs, including, but not limited to, "No Trespassing," "Private Drive," "Beware of Dog," etc.

4. Professional name plates that have a maximum area of 2 square feet.
  5. One bulletin board, with a maximum area of 12 square feet, located on the premises of a community facility or institution such as a park, school, library, community center or house of worship.
  6. One (1) memorial sign or tablet, with a maximum area of 4 square feet, that includes information such as the name of a building and the date when it was erected, provided that the sign is cut into a masonry surface or constructed of an incombustible material such as bronze.
  7. On-site directional or informational signs, with a maximum area of 5 square feet for each sign, that provide information for the convenience or safety of the public, such as directional signs in parking lots, hours of business and locations of telephones, ATM's or restrooms.
  8. Any flag with a noncommercial message, provided that the pole height is no greater than 25 feet and the flag's longest dimension is no greater than 25% of the length of the pole.
  9. Signs within a building, or on the premises of a building, that are not visible from a public street.
  10. Murals on the exterior of a building that do not advertise a product, business or service.
  11. Artworks which do not identify a business, service, or product are not considered signs.
  12. Temporary exterior decorations that are associated with a cultural, religious or national holiday, and that are not used to advertise a product, business or service.
  13. Signs on licensed commercial vehicles; provided, however, that such vehicles shall not be utilized as parked or stationary outdoor display signs.
  14. Signs that are required by local, State or federal law or by court order. If any portion of the sign includes messages that are not required by law, that portion shall not be considered an exempt sign.
  15. Signs that are posted by a government agency, or a public utility or service, that are essential to protect the public health, safety and welfare, including but not limited to identification and directional signs, official signs for traffic control, official public notices and warnings of potential hazards.
  16. Signs that identify, beautify or pertain to the City and are authorized by the City Council. Such signs may include, but are not limited to, light pole banners.
  17. Signs created by landscaping (e.g., all of the letters and/or symbols are composed entirely of approved landscape elements).
  18. Bus shelter advertisements placed with the authorization of the transit authority.
- F. **Maintenance and Changes in Messages.** Painting, repainting, or cleaning of a sign, or the changing of the message on a sign, shall not require that a new sign permit be obtained, provided that all of the following conditions apply:

1. The structural elements associated with the sign are not reconfigured or replaced.
2. No electrical change is made to the sign.
3. The sign continues to comply with all requirements of the existing sign permit, as well as any requirements or conditions imposed as part of a discretionary approval.

#### 17-20.045 Signs Requiring a Use Permit

- A. **Off-Premise Signs (Outdoor Advertising including Billboards).** Except as otherwise provided in this section, every off-premise sign and outdoor advertising structure shall comply with the requirements of this section. Such signs may be erected within the Commercial and Industrial districts as herein after stated.
1. **Area.** The maximum size shall be 300 square feet limited to one advertising message per side. For an outdoor advertising structure located within ¼ mile of SR-70, targeting SR-70 traffic, the maximum sign area shall be 450 square feet on each face.
  2. **Height.** No such sign or advertising structure shall exceed a maximum height of 40 feet. For an outdoor advertising structure located within ¼ mile of SR-70, targeting SR-70 traffic, the maximum sign height shall not exceed eighty-five (85) feet measured from ground surface to the top of the sign. The need for this increased height shall be demonstrated by means of a balloon test or other method approved by the Zoning Administrator.
  3. **Location:** All off-premise outdoor advertising structures and off-premise signs shall be so placed so as to assure that they do not intrude or project beyond the public right-of-way of any street or highway, shall be located only in commercial and industrial zoning districts, and shall be placed in accordance with the following standards:
    - a. *Spacing:* A minimum of 500 feet shall be maintained between each off-premise outdoor advertising sign structure.
    - b. *Off-Premise Monument Signs:* Upon approval of a Use Permit in accordance with the provisions of Section 17-48.010 (Use Permits) of city code, off-premise identification signage may be allowed. The maximum sign area allowed for an off-premise monument sign is 85 square feet. City staff may require that the address be included on all such signs as a public service.
  4. The application for building permits for such outdoor displays or structures shall include plans showing the construction of the sign, the advertising display to be placed thereon, and the proposed location of the sign in relation to the freeway and to the property on which the sign is to be placed. No advertising structure or off-premise sign shall be placed unless it is built to withstand a wind pressure of 20 pounds per foot of exposed surface.
  5. **Lighting.** All lighting shall be effectively shielded so as to prevent beams or rays of light from being directed on the main traveled way of any highway, street or road.
  6. **Safety.** The Community Development Director, or designee, shall approve the location of all off-premise advertising structures.

7. **Maintenance.** All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds and debris. If violations of this paragraph occur, the planning commission may start proceedings to revoke the permit.
  8. **Permits.** A use permit will be required for all outdoor advertising (off-premise) signs. All requests for building permits for off-premise advertising structures shall be accompanied by engineer's specification drawings. (Ord. 1768)
- B. **Digital Display Signs.** Except as otherwise provided in this section, all digital display signs (DDS) shall comply with the requirements of this section.
1. **Area.** The maximum sign area for a DDS shall not exceed three hundred (300) square feet on each face. For a DDS within 150 feet of SR-70 right-of-way, targeting SR-70 traffic, the maximum sign area shall be 450 square feet on each face.
  2. **Height.** A DDS shall not exceed a maximum height of forty (40) feet measured from ground surface to the top of the sign. For a DDS within 150 feet of SR-70 right-of-way, targeting SR-70 traffic, the maximum sign height shall not exceed eighty-five (85) feet measured from ground surface to the top of the sign. The need for this increased height shall be demonstrated by means of a balloon test or other method approved by the Zoning Administrator.
  3. **Location.** DDS's shall only be allowed to be located within 150 feet of a State Route right-of-way within the City limits. All DDS's shall be located such that no part of the DDS encroaches into any public right of way. DDS's shall not be placed within any legal easements, unless such easements were specifically created for the placement of signs. The applicant for a DDS shall demonstrate that the proposed DDS location is free of such easements.
    - a. All proposed signs adjacent to state highways shall meet the requirements of the State of California Department of Transportation Outdoor Advertising standards for outdoor signs.
  4. **Spacing from other DDS.** Signs of this type must be separated from other display signs as follows:

State Route	Distance (miles)
Highway 70	1.0
Highway 162 (Oro Dam Boulevard)	1.25
Highway 162 (Olive Highway)	1.25

5. **Lighting.** Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited. A DDS that utilizes lighting technologies (such as light emitting diodes) to create digital messages shall be equipped with a light sensor that automatically adjusts the lighting of the sign face as ambient lighting changes. In no event shall a digital display sign face increase ambient illumination by more than 0.3

footcandles when measured perpendicular to the message sign face at a distance based on the sign face size as follows:

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

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

6. **Safety.** The Community Development Director, or designee, shall approve the location of all digital display signs to ensure that they do not introduce unsafe driving conditions to the roadway system.
7. **Maintenance.** All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds, debris, and graffiti. If violations of this paragraph occur, the Planning Commission may start proceedings to revoke the permit.
8. **Permits.** A use permit will be required for all DDS. All requests for building permits for these signs shall be accompanied by construction and design plans stamped by a California registered civil engineer; in addition, a lighting plan shall be required showing the brightness of the proposed sign and the message intervals between individual advertisements.
9. **Hours of Operation.** All DDS shall be permitted to operate only between the hours of 5:00 am to 12:00 am.
10. Messages shall be displayed for a minimum of 8 seconds.
11. Transition during messages shall be two seconds or less and shall either be instantaneous or fade out/in. Flashing is prohibited.
12. Signs shall be required to meet all Caltrans requirements, permits and other applicable standards.

**17-20.050 Required Signs**

- A. **Building Numbers.** In order to protect public health and safety by ensuring that buildings can be located by police, fire, paramedic and other public services that are responding to an emergency, main buildings shall display building numbers as follows:

1. The building number shall be displayed at the building's primary entrance. The number shall appear in a color that contrasts from the number's background and shall be illuminated.
  2. The minimum height of the building number shall be as specified in the California Fire Code.
- B. **Directory Signs.** In order to protect public health and safety by ensuring that individual tenant spaces in a building can be located by police, fire, paramedic and other public services that are responding to an emergency, directory signs shall be required as follows:
1. All multi-family residential developments, mobile home parks and commercial buildings with multiple tenants shall provide an illuminated directory sign at the building entrance that provides primary access to the businesses or uses contained within the building.
  2. The minimum area of the directory sign shall be 10 square feet, and no larger than 25 square feet.
  3. The directory sign shall include all of the following information:
    - a. The name of the building or complex of buildings.
    - b. A "You Are Here" marker indicating the current location.
    - c. Building locations, with numbers and addresses.
    - d. A site plan showing private drives.
    - e. Fire hydrant locations.

#### 17-20.060 Location, Placement, and Design of Signs

- A. **Off-Site Location Required.** All signs shall be located on the same site as the use with which they are associated, except as provided otherwise in this section.
- B. **Placement for Public Safety.** No sign shall be placed in a location where the sign would obstruct an entry or exit to a building or a safety device such as a fire alarm. In addition, no sign shall be located so as to obstruct a required sight distance area (See Figure 17-12.020-1).

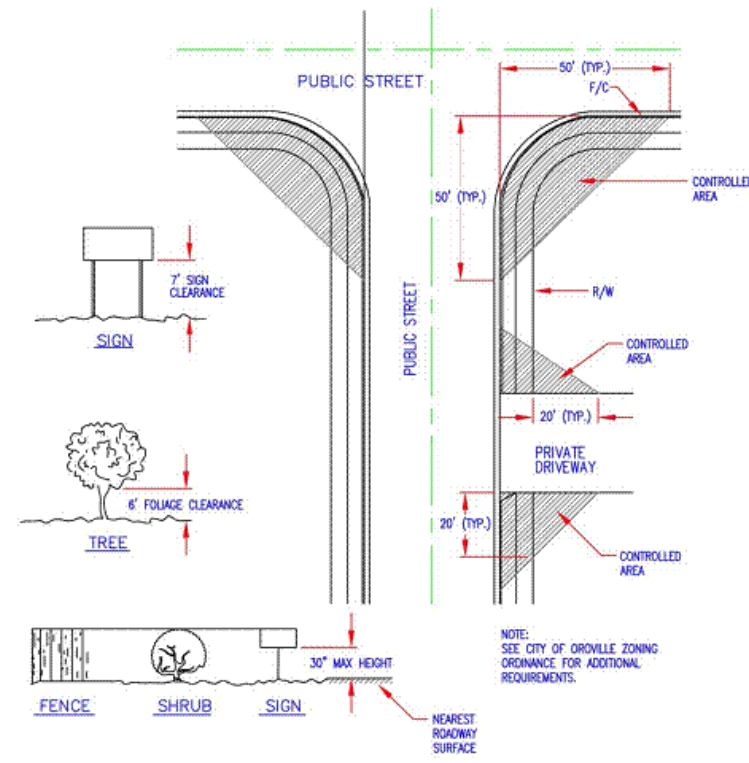
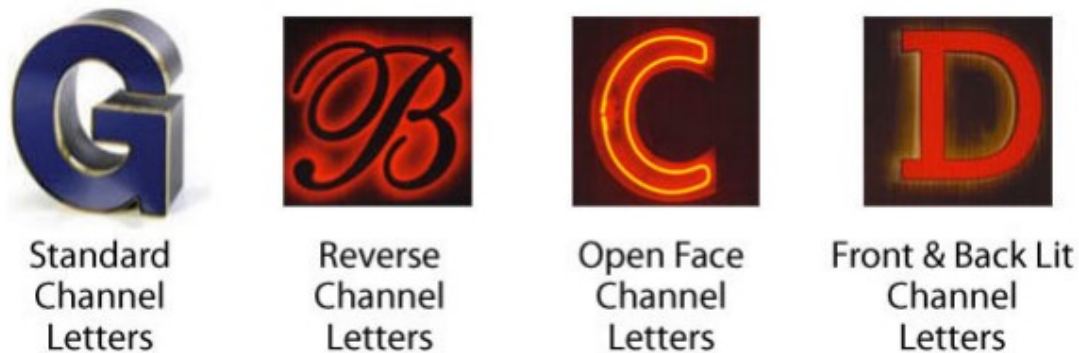


Figure 17-12.020-1: Sight distance areas

- C. **Sign Area Calculation and Sign Placement.** Allowable sign area shall be calculated based on lineal footage of a building that can be viewed from a public right-of-way. Signs may be placed on any side of a building, subject to the requirements of this section.
- D. **Vertical Clearance.** All signs shall provide adequate vertical clearance to avoid obstructing the movement of vehicles and pedestrians.
- E. **Lighting.**
1. Any sign that includes lighting shall conform to the lighting performance standards in Section 17-12.010 (Performance Standards) of this chapter.
  2. Any conduits or wires that are connected to a sign's lighting source shall be screened or hidden from view where practical.
- F. **Sign Designs.**
1. Signs should be compatible with the architecture of the building(s) on site. The sign structure and graphic imagery should relate to the building form and design concept of the entire project.
  2. Materials and colors of signs should be generally related to the building materials and colors of the buildings on site.
  3. Freestanding signs should be cladded or skirted from the base/ground to the sign frame so as to not leave an exposed pole. Cladding or skirting materials shall be complementary in style and color to the building(s) of the project.



4. Traditional cabinet signs or flat wall signs without three-dimensional character are not encouraged. Contoured cabinet signs are considered acceptable. Building/wall mounted signs with individual letters are preferred over signs with cans or cabinets. See *Figure 17-20.060-1* for encouraged sign lettering styles.



*Figure 17-20.060-1 Sign lettering styles*

#### 17-20.070 Requirements for Specific Types of Signs

The following requirements shall apply in any case where the specified type of sign is used, unless provided otherwise by this section: (See Tables 17-20.120-1 thru 17-20.120-3, 17-20.130-1 and 17-20.140-1).

##### A. Wall Signs.

1. No part of a wall sign shall extend more than one-third of the sign height or 8 feet, whichever is less, above the top of the portion of the building facade that is adjacent to the sign.
2. The thickness of any wall sign shall not exceed 1 foot.
3. The maximum area for the total of all permitted wall signs for any single wall plane shall not exceed 10 percent. The wall plane area shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line or parapet.

B. **Window Signs.** For windows that have multiple panes, in order to determine the maximum window area that may be covered, the window area shall be measured as the framed area of all of the window's panes.

##### C. Monument Signs.

1. Monument signs shall not be placed on any frontage with a building setback of less than 20 feet.
2. A minimum distance of 50 feet shall separate any two monument signs.

**D. Freestanding Signs.**

1. Freestanding signs shall not be placed on any frontage with a width of less than 75 feet, or with a building setback of less than 25 feet.
2. A minimum distance of 75 feet shall separate any two freestanding signs.
3. The maximum height of a freestanding freeway-oriented sign for properties that abut State Route (SR) 162 shall be 40 feet. Increased height, up to a maximum of 85 feet, may be permitted if the property is within a ¼ mile distance of SR 70. The maximum permitted height shall be specified in the sign permit.
4. The Planning Commission can approve an increase in the allowed height of a freestanding sign if the need for this increase is demonstrated by means of a balloon test or other method approved by the Zoning Administrator
5. The maximum freestanding sign area is based on the total linear street frontage of the front side of the site as follows:
 

<u>Street Frontage</u>	<u>Sign Area</u>
Up to 200 feet	50 square feet per side
200 to 400 feet	75 square feet per side
Over 400 feet	100 square feet per side
6. No portion of a freestanding sign shall project above a public right-of-way.
7. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 30 square feet of sign area equates to 60 square feet of required landscaped area.

**E. Projecting Signs.**

1. Projecting signs may be provided only for uses located on the ground floor of a building.
2. A projecting sign may include a projection above a maximum of 5 feet of the width of a public right-of-way, provided that the sign includes the minimum vertical clearance specified by Section 17-20.060 (Location, Placement, and Design of Signs) of this chapter and provides a 2-foot horizontal clearance from the curb face.
3. In a multi-story building, projecting signs shall be placed at or below the sill of the second-floor windows in a multi-story building.
4. No part of a projecting sign shall extend more than one-third of the sign height or 8 feet, whichever is less, above the top of the portion of the building facade that is adjacent to the sign.
5. Where practical, projecting signs shall be placed so that the sign face is perpendicular to the adjacent right-of-way.
6. Signs shall be double-faced or otherwise detailed on all sides visible to the public.
7. The thickness of any projecting sign shall not exceed 1 foot.

8. All signs shall have a minimum vertical clearance of eight (8) feet from the ground to the bottom of the sign or sign structure.
- F. **Awning Signs.** Awning signs may be placed at the sides or ends of the awning and shall not project from the surface of the awning.
- G. **Reader Boards.**
1. Reader boards may be provided as part of any allowed sign.
  2. The area of a reader board shall not exceed 40 square feet on any one face, and in no case shall a reader board be provided on more than two faces of a sign. (Ord. 1763)
- H. **3-Dimensional Signs.**
1. 3-dimensional signs shall not be limited to the width requirements specified for the different sign types.
- I. **Gas Station Signs.**
1. Signs advertising price of gasoline grade, and signs not exceeding five (5) square feet per sign, located on gasoline pumps, gasoline pump canopies or fuel island canopies typically used to identify the fuel brand, shall not be counted towards the maximum allowable sign area permitted.
  2. Each use offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium which complies with the requirements of the California Business and Professions Code Section 13531.
- J. **Electronic Programmable Signs.**
1. The content of programmable electronic signs shall be limited to non-commercial and on-site commercial messages, in any combination, but shall not include off-site commercial messages.
  2. A maximum of one (1) programmable electronic sign is permitted per site with a maximum sign area of thirty-two (32) square feet.
  3. Messages shall be static and unanimated for a minimum of eight (8) seconds.
  4. Transition during messages shall be two (2) seconds or less and shall either be instantaneous or fade out/in. Flashing is prohibited.
  5. For signs adjacent to a Caltrans right-of-way, signs shall be required to meet all Caltrans requirements, permits and other applicable standards.
  6. Lighting requirements shall be the same as for digital display signs (Section 17-20.045(B)).
- K. **Drive-Through Menu Boards.**
1. Menu boards associated with drive-through establishments, such as coffee houses and restaurants, shall not be considered in the sign area calculation if:
    - a. used primarily for displaying the type and price of food and beverages available; and
    - b. the menu board faces cannot be read from a public right-of-way.

**17-20.080 Sign Programs**

- A. **Purpose.** Sign programs are specifically intended to address the unique needs of certain uses and properties that include multiple uses on a site, or multiple signs for uses with special sign needs. Sign programs shall be used to achieve aesthetic compatibility between the signs within a project and provide flexibility in the number, size, location and type of signs.
- B. **Applicability.** Sign programs are permitted, and may be required as a condition of approval for a use permit, specifically for the following uses:
1. Multiple-tenant buildings.
  2. Uses with freeway-oriented signs.
  3. Automobile or other vehicle sales.
  4. All uses within a Planned Development (PD-O) overlay district.
- C. **Modification of Standards.** A sign program may modify any of the following standards of this section:
1. The number of signs allowed.
  2. The size allowed for an individual sign; provided, however, that the total area of all signs in the sign program shall not exceed the total area allowed by this section by more than 10 percent.
  3. The maximum height of monument and freestanding signs that display information for multiple tenants; provided, however, as follows:
    - a. The height shall not exceed 20 feet for establishments that are contiguous to Oroville Dam Boulevard, and 15 feet for all other establishments.
    - b. The maximum height shall not be increased for signs in a residential district.
  4. The location and type of signs allowed; provided, however, as follows:
    - a. A sign program shall allow no more than one sign that is not located on the same site as its associated use, in addition to any such signs that may be allowed by this section.
    - b. A sign program shall not include a prohibited sign.
- D. **Design Requirements.**
1. Sign programs shall be designed so that all signs have visually compatible themes and placement.
  2. Signs shall draw from a common palette of materials, colors, shapes, lettering types and sizes, and illumination methods. This common palette shall be compatible with the architecture and scale of the site's buildings.
- E. **Review of Sign Programs.** All sign programs shall be subject to development review, in accordance with the requirements of Section 17-52 (Development Review) of this chapter and the requirements of this section. The review authority for development review shall approve a sign program only upon determining that:

1. The signs included in the sign program have one or more common design elements, such as their placement, colors, materials, illumination, sign type, sign shape, letter size and lettering type.
2. The colors, materials, size and placement of the signs included in the sign program are compatible with the materials, architecture and scale of the buildings and signs on the site

#### 17-20.090 Temporary Signs

- A. **Intent.** The City recognizes that temporary signs provide an important medium through which to convey a variety of noncommercial and commercial messages. The intent of this section is to balance the right of individuals to convey their messages through temporary signs and the right of the public to be protected against the aesthetic nuisances, traffic hazards and detriments to property values that can result from the unrestricted proliferation of temporary signs.
- B. **General Requirements.**
1. Except as specified, no sign permit shall be required for the temporary signs described in this section, provided that the signs comply with all applicable requirements of this section.
  2. Temporary signs that are exempted by this section from obtaining a sign permit shall not include any form of lighting or illumination in association with the sign, nor shall any permanent structure be constructed in association with the temporary sign.
- C. **Development Signs.** Temporary development signs, such as those identifying a construction project, indicating the parties involved in a construction project or providing sales information for a subdivision, shall be allowed subject to the following requirements:
1. On a site with an area of less than 1 acre, a maximum of one temporary development sign, with a maximum area of 36 square feet and a maximum height of 6 feet, may be displayed on-site. On a site with an area of 1 acre or greater, a maximum of two temporary development signs, each with a maximum area of 50 square feet and a maximum height of 10 feet, may be displayed on-site.
  2. One directional sign, with a maximum area of 6 square feet, may be displayed on another site for each on-site temporary development sign that is allowed by this section, provided that permission to exhibit such signs shall be obtained from the owner of the premises upon which such signs are placed. These directional signs shall be installed on private property.
  3. Temporary development signs shall be removed within 30 days of the completion of construction or the sale of all available parcels or units, as applicable.
  4. A temporary sign that indicates the future use of a building being constructed/remodeled on the premises may be permitted if it does not exceed the total permitted sign area of the district requirements. Such sign may be permitted for a period of one year or until completion of the construction/remodel of the building, whichever first occurs.

- D. **Real Estate Signs.** One temporary real estate sign, with a maximum area of 32 square feet, may be displayed on the premises of a building or property that is for sale, lease, or rent.
- E. **Portable Signs.** Portable signs, such as “A” frame signs and sandwich boards, shall be allowed in non-residential districts, subject to the following requirements:
1. A business may display one portable sign, with a maximum area of 8 square feet on each face and a maximum of two faces. The sign shall be displayed on private property on which the business is located.
  2. Portable signs shall have a maximum height of 4 feet and a maximum width of 2 feet.
  3. Portable signs shall not be placed within 10 feet of any other portable sign.
  4. For multiple-tenant buildings, a maximum of one portable sign for each three tenants may be displayed at any given time, up to a maximum total of three portable signs.
  5. Portable signs shall be able to withstand wind gusts or must be removed during inclement weather.
  6. For portable signs in the Downtown Historic Overlay District please reference Section 17-20.150.
- F. **Special Function Signs.** Temporary signs for special functions, such as special sales, grand openings and fundraising drives, shall be allowed subject to the following requirements:
1. The display of flags or other decorations for nationally recognized and celebrated holidays are permitted.
  2. A maximum of two temporary special function signs, each with a maximum area of 25 square feet, may be displayed. The signs shall be located on private property.
  3. Wind-driven signs are permitted as follows:
    - a. Inflatable signs, with the exception of balloons with a diameter no greater than 14 inches and height no greater than 10 feet above the finished grade, shall require a temporary sign permit.
    - b. Signs that rotate or revolve are not permitted.
    - c. Pennants, ribbons, streamers and balloons are permitted subject to the requirements as found in this section.
  4. Temporary signs for special functions shall not be displayed more than 60 days prior to, or 7 days after, the function or event.
  5. Signs displayed in or placed on a window shall not obstruct more than 25 percent of the window’s area.
  6. Street banners strictly advertising a public event that has obtained a street closure/special event permit are permitted without regard to other requirements of this chapter.
  7. Garage/yard sale signs placed in compliance with the size and height requirements of Section 17-20.110 (Requirements for Residential Districts) located on private property. Signs may be on-site or off-site with the property owner’s permission. All garage/yard sale signs are to be removed within 24 hours of the conclusion of the sale.

- G. **Temporary Uses.** A maximum of two signs, each with a maximum area of 20 square feet, may be displayed on the site of an allowed temporary use. The signs shall be located on private property and shall be removed immediately upon cessation of the temporary use.
- H. **Temporary Non-Commercial Signs.** Temporary signs displaying a message that is not commercial in nature are subject to the provisions outlined in this section, 17-20.090 Temporary Signs, and in Section 17-20.020, Noncommercial Signs and Messages.

#### **17-20.100 Temporary Sign Permits**

- I. **Permit Required.** Temporary sign permits shall be required for certain temporary signs as specified in Section 17-20.090 (Temporary Signs) of this chapter.
- J. **Frequency of Permits.** For any site, no more than four temporary sign permits shall be issued within any 12-month period.
- K. **Application.**
  - 1. Application for a temporary sign permit shall be submitted to the Zoning Administrator in a form approved by the Zoning Administrator, accompanied by any fee established by resolution of the City Council. The application shall contain all of the following information:
    - a. The location by street and number of the proposed sign.
    - b. The name and address of the owner of the site, and of the person requesting the permit.
    - c. The business or event for which a permit is being requested.
    - d. The specific type of temporary sign for which a permit is being requested.
    - e. The dates and times on which the temporary sign will be displayed.
    - f. Any other pertinent information that is necessary to ensure compliance with this section.
  - 2. An application for a temporary sign permit shall be approved or denied in accordance with the procedure relating to an administrative permit, as provided in Section 17-48.020 (Administrative Permits) of this chapter.

#### **17-20.100 Requirements for Residential Districts**

In all residential districts, signs may be provided as follows:

- A. **Single-Family Units and Multiple-Family Developments.**
  - 1. Each single-family residence may display one wall, window, banner, canopy or freestanding sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.
  - 2. Any monument, freestanding or other sign not affixed to a building shall neither exceed four (4) feet in height nor a maximum of 5 square feet.
  - 3. In a multiple-family residential development that contains at least four dwelling units, one additional wall, window, banner, or canopy sign, with a maximum area of 10 square

feet, shall be allowed for the entire development. This sign shall not be internally illuminated.

- B. **Subdivision Signs.** A maximum of two monument signs shall be allowed at up to two entrances to a residential subdivision, or to a multi-family residential development with at least four dwelling units. Each sign shall have a maximum area of 30 square feet and a maximum height of 6 feet. The signs shall not be internally illuminated.
- C. **Non-Residential Uses.** Any non-residential use in a residential district may provide a wall, window, banner, canopy, or monument sign. The maximum area of all the signs shall not exceed 10 feet, and the signs shall not be internally illuminated.

#### 17-20.110 Requirements for Commercial and Mixed-Use Districts

- A. **Signs in CN and MXN Districts.** In CN and MXN districts, signs shall be permitted as specified in Table 17-20.120-1.
- B. **Signs in C-1, OF, and MXD Districts.** In C-1 and MXD districts, signs shall be permitted as specified in Table 17-20.120-2.
- C. **Signs in C-2, CLM, CH, and MXC Districts.** In C-2, CLM, CH, and MXC districts, signs shall be permitted as specified in Table 17-20.120-3.
- D. **Dwelling Units in Commercial and Mixed-Use Districts.**
  - 1. Any dwelling unit in a commercial or mixed-use district may display one wall, window, banner, or canopy sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.
  - 2. For mixed-use developments that contain at least four dwelling units, one additional wall, window, banner, or canopy sign, with a maximum area of 10 square feet, shall be allowed for the entire development. This sign shall not be internally illuminated. (Ord. 1763)

#### 17-20.120 Requirements for Industrial Districts

- A. **Signs in Industrial Districts.** In all industrial districts, signs shall be permitted as specified in Table 17-20.130-1.
- B. **Dwelling Units in Industrial Districts.** Any dwelling unit in an industrial district may display one wall, window, banner or canopy sign, with a maximum area of 5 square feet. No lighting shall be provided for the sign.

#### 17-20.130 Requirements for Special Purpose Districts

- A. **Signs in OS Districts.** In OS districts, the following requirements shall apply:
  - 1. Signs that identify the site and provide information of use to visitors, such as the hours of operation, shall be permitted. These site identification signs shall not be subject to a sign permit.
  - 2. No signs that are subject to a sign permit shall be permitted in an OS district.



- B. **Signs in PQ Districts.** In PQ districts, signs shall be permitted as provided in Table 17-20.140-1.

TABLE 17-20.120-1: ALLOWED SIGNS IN CN AND MXN DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements	
Awning signs	No maximum	Determined by maximum total sign area permitted	1 square foot for each linear foot of building fronting a street, public way or public or customer parking area[2]	No maximum	Yes; internal illumination prohibited	Section 17-20.070 (Requirements for Specific Types of Signs)	
Banner signs	1 per frontage			Below eave or below sill of second floor window	No	—	
Canopy signs	No maximum			Below eave or below sill of second floor window	Yes; internal illumination prohibited	—	
Monument signs	1 per frontage			6 feet	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)	
Projecting signs	1 per tenant on each frontage			Below eave or below sill of second floor window	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)	
Wall signs	No Maximum			10% of wall area	Below eave	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Window signs	No maximum			25% of window area	No maximum	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] The maximum total area shall not be lower than 25 square feet.

TABLE 17-20.120-2: ALLOWED SIGNS IN C-1, OF, AND MXD DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<i>Less than 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]	No maximum	Yes; internal illumination prohibited	Section 17-20.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [5]	No	—
Canopy signs	No maximum	5 square feet per face	<i>At least 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]	20 feet[5]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [4]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Monument signs	1 per frontage	Determined by total area	<i>40,000 to 80,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 400 square feet, whichever is less[4]	8 feet	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet	<i>80,000 to 140,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 450 square feet, whichever is less	20 feet[5]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Wall signs	No maximum	10% of wall area		20 feet[5]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area	<i>140,000 to 200,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 500 square feet, whichever is less.	No maximum	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.

[3] For a gross floor area of at least 20,000 square feet, the maximum total area shall not be lower than 75 square feet.

[4] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have 1 freestanding sign with additional height as specified in Section 17-20.070 (Requirements for Specific Types of Signs).

[5] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1763, 1796)

TABLE 17-20.120-3: ALLOWED SIGNS IN C-2, CLM, CH, AND MXC DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<i>Less than 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]	No maximum	Yes; internal illumination prohibited	Section 17-20.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [6]	No	—
Canopy signs	No maximum	5 square feet per face	<i>At least 20,000 square feet of gross floor area on site:</i> 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]  <i>40,000 to 80,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 400 square feet, whichever is less[4]  <i>80,000 to 140,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 450 square feet, whichever is less  <i>140,000 to 200,000 square feet of gross floor area:</i> 1.5 square feet per linear foot of building frontage, or 500 square feet, whichever is less.	20 feet[6]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [5]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Marquee Signs	1 per frontage	Determined by total area		10 feet	Yes	—
Monument signs	1 per frontage	Determined by total area		8 feet	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet		20 feet[6]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet[6]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area		No maximum	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.  
 [2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.  
 [3] For a gross floor area between 20,000 and 40,000 square feet, the maximum total area shall not be lower than 75 square feet.  
 [4] For a gross floor area more than 40,000 square feet, the maximum total area shall not be lower than 100 square feet.  
 [5] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have one freestanding sign with additional height as specified in Section 17-20.070 (Requirements for Specific Types of Signs).  
 [6] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission.  
 (Ord. 1763, 1796)

TABLE 17-20.130-1: ALLOWED SIGNS IN INDUSTRIAL DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	<p><i>Less than 20,000 square feet of gross floor area on site: 1.5 square feet for each linear foot of building frontage, or 300 square feet, whichever is less[2]</i></p> <p><i>At least 20,000 square feet of gross floor area on site: 1.5 square feet for each linear foot of building frontage, or 350 square feet, whichever is less[3]</i></p>	No maximum	Yes; internal illumination prohibited	Section 17-20.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	40 square feet		20 feet [5]	No	—
Canopy signs	No maximum	5 square feet per face		20 feet[5]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		8 feet [4]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Monument signs	1 per frontage	Determined by total area		8 feet	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet		20 feet [5]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet [5]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area		No maximum	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] For a gross floor area less than 20,000 square feet, the maximum total area shall not be lower than 50 square feet.

[3] For a gross floor area between 20,000 and 40,000 square feet, the maximum total area shall not be lower than 75 square feet.

[4] Freeway-oriented businesses, sites contiguous to Oroville Dam Boulevard, as well as other C-1 and MXD properties may have one freestanding sign with additional height as specified in Section 17-20.070 (Requirements for Specific Types of Signs).

[5] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1763, 1796)

TABLE 17-20.140-1: ALLOWED SIGNS IN PQ DISTRICTS

Permitted Sign Types	Maximum Number of Signs	Maximum Area	Maximum Total Area for All Signs [1]	Maximum Height	Lighting Allowed	Additional Requirements
Awning signs	No maximum	50% of awning area, or 40 square feet, whichever is less	1 square foot for each linear foot of building frontage, or 100 square feet, whichever is less [2]	No maximum	Yes; internal illumination prohibited	Section 17-20.070 (Requirements for Specific Types of Signs)
Banner signs	1 per frontage	30 square feet		20 feet [3]	No	—
Canopy signs	No maximum	4 square feet per face		20 feet[3]	Yes; internal illumination prohibited	—
Freestanding signs	1 per frontage	Determined by total area		6 feet	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Projecting signs	1 per tenant on each frontage	50 square feet		20 feet [3]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Wall signs	No Maximum	10% of wall area		20 feet [3]	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)
Window signs	No maximum	25% of window area		No maximum	Yes	Section 17-20.070 (Requirements for Specific Types of Signs)

[1] The maximum total area applies to all signs on a site, including signs for all tenants of a multi-tenant building.

[2] The maximum total area shall not be lower than 25 square feet.

[3] Maximum sign height of 20 feet may be exceeded, subject to the approval of the Planning Commission. (Ord. 1796)

### 17-20.140 Requirements for Downtown Historic Overlay (DH-O) Districts

- A. **Development Review.** In any case where a sign permit is required in a DH-O district, development review of the sign shall also be required. Any sign reviewed by the Historic Advisory Commission shall not require development review.
- B. **Types of Signs.** Freestanding signs and monument signs shall be prohibited in DH-O districts.
- C. **Lighting.** Externally illuminated signs shall be allowed, subject to the requirements found in Section 17-20.060(F) (Location, Placement, and Design of Signs, Lighting) in addition to the requirements of this section. Internally illuminated and neon-lighted signs shall require the approval of the Historic Advisory Commission in the DH-O district. Encouraged internally illuminated signs include:

#### Halo Lit Signs



Figure 17-20.140-1

#### Day / Night Channel Letters

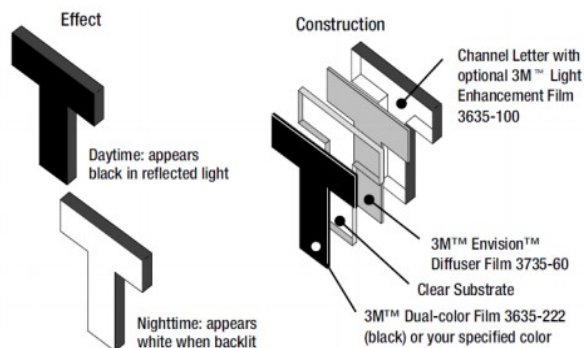


Figure 17-20.140-2

**Traditional Cabinet Signs** are not allowed within the DH-O District



Figure 17-20.140-3

- D. **Exemption for Historic Signs.** Any sign that is a contributing feature of a DH-O district, and that does not advertise a business that is currently in operation, shall not require a sign permit. In addition, any such sign shall not be counted towards the allowable sign area or number of signs for a building or use.
- E. **“A” Frame Signs.** One “A” frame sign is permitted, per business, in the DH-O in the public right-of-way. All signs shall:
1. be able to withstand wind gusts or must be removed during inclement weather;
  2. be located directly in front of the business;
  3. not unreasonably interfere with or impede the flow of pedestrian or vehicular traffic;
  4. not create visibility hazards for pedestrians or vehicular traffic;
  5. not interfere with the ingress into or egress from any residence or place of business;
  6. not be attached or secured in any way to any object in the public right-of-way;
  7. not endanger the safety of persons or property;
  8. not restrict the use of poles, posts, traffic signs or signal(s), utility access vaults, manholes, hydrants, mailboxes or other objects permitted at or near such a location;
  9. not have any balloons, streamers, pennants or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze;
  10. not obstruct a wheelchair ramp or violate any pedestrian path of travel or other requirements as may be required by the Americans with Disabilities Act.

#### 17-20.150 Creative Signs

- A. **Purpose.** This section establishes standards and procedures for the design, review, and approval of creative/artistic signs. The purposes of this section are to:
1. Encourage signs of unique design, and that exhibit a high degree of originality, thoughtfulness, imagination, inventiveness, and creativity; and
  2. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the property, the surrounding area, and the overall image of the city, while mitigating the impacts of large or unusually designed signs.
- B. **Applicability.** An applicant may request approval of a sign permit to authorize creative signs that employ standards that differ from the other sign provisions of this chapter. Approval of creative signs permitted shall not be construed to reduce the number and type of signs that are otherwise permitted by this chapter.
- C. **Authority.** The Planning Commission shall review and approve applications for creative signs.
1. If the sign falls within the DH-O the Historic Advisory Commission shall review and approve applications for creative signs.



- D. **Design Criteria.** In approving an application for a creative sign, the Planning Commission shall ensure that a proposed sign meets the following design criteria:
1. **Design quality.** The sign shall:
    - a. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
    - b. Be of unique design and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
    - c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality material, scale, and proportion.
  2. **Contextual criteria.** The sign shall contain at least one of the following elements:
    - a. Classic historic design style.
    - b. Creative image reflecting the current or historic character of the City.
    - c. Inventive representation of the use, name or logo of the structure or business.
  3. **Architectural criteria.** The sign shall:
    - a. Utilize and/or enhance the architectural elements of the building(s); and
    - b. Be placed in a logical location in relation to the overall project or composition of the building's façade and not cover any key architectural features/details of the façade.
  4. **Impacts on surrounding uses.** The sign shall be located and designed not to cause light and glare impacts on surrounding uses, especially residential uses.

#### Examples of Creative Signs.



Figure 17-20.150-1 Examples of creative signs

**17-20.160 Nonconforming Signs**

A. **Allowances and Requirements for Conformance.** Any existing sign that does not comply with the requirements of this section but which was constructed, operated and maintained in compliance with all regulations at the time of its placement shall be regarded as a legal nonconforming sign and shall be allowed to remain in use, except as follows:

1. If the sign is altered in shape, size, or any manner that increases its nonconformity, immediate conformance with the requirements of this chapter shall be required.
  - a. Electrical, structural, or other safety elements associated with a nonconforming sign can be reconfigured or replaced so long as the sign is not altered in shape, size, or any manner that increases its nonconformity.
2. If a business or use for which the nonconforming sign is provided has been discontinued for a continuous period of more than 2 years, the sign and its associated structures shall be removed or brought into conformance with the requirements of this section. For multiple-tenant buildings, this requirement shall apply when more than 50 percent of the multiple-tenant building's gross floor area has been unoccupied for 2 years.
3. If more than 50 percent of a nonconforming sign is destroyed, and structural repairs are required to restore the sign to good condition, the sign shall be removed or brought into conformance with the requirements of this section.

B. **Exceptions.**

1. If the Planning Commission finds, based on substantial evidence, that the provisions of this section would significantly affect the economic ability of a business to continue due to the impossibility of locating a new sign in a location where it would not be substantially obstructed or able to serve its purpose as a sign, the Commission may allow a nonconforming sign to be retained or modified, or a new nonconforming sign to be erected.
2. A sign that is part of a landmark or landmark site shall be deemed nonconforming only if at least one of the following conditions applies:
  - a. The sign does not contribute to the historic significance of the landmark or landmark site.
  - b. The sign poses an immediate threat to public safety. If the sign is deemed nonconforming solely because it threatens public safety, the sign shall be repaired or modified, if possible, rather than removed.
3. The Historic Advisory Commission may allow the continuation of signs in the Historic Downtown Overlay (DH-O) that are historic in nature, are a contributing feature to the DH-O, or identify a historic business that is no longer in operation.

**17-20.170 Removal of Signs**

A. **Removal of Permanent Signs.** The Zoning Administrator may order the removal of any permanent sign, including its associated structural elements, that has been erected or maintained in violation of this section.

1. The Zoning Administrator shall give written notice to the owner of the building, structure or premises upon which the sign is located, requiring the owner to remove the sign or to bring it into compliance with this section.
  2. If the owner does not comply with the City's notice within 30 days, the City may proceed to enter the premises and remove the sign and its structural elements. The cost of the removal shall be assessed to the record owner of the premises upon which the sign is situated.
  3. With the prior written approval of the City Attorney, the Building Official may remove any sign immediately, without notice, if the condition of the sign presents an immediate threat to public safety. The Building Official shall notify the Zoning Administrator in writing of any such action.
- B. **Removal of Temporary Signs.** The Zoning Administrator may order the removal of any temporary sign erected or maintained in violation of this section, without any notice requirement.
- C. **Storage of Removed Signs.** Any sign removed by the Zoning Administrator shall be stored for 10 days, during which time the owner or other party responsible for posting the sign may recover the sign upon payment to the City of the costs of removal and storage.
- D. **Cost of Sign Removal.** If a permanent sign is not recovered within the storage period required by this section, the City shall mail a notice to the last known record owner of the premises at the address set forth upon the last equalized assessment roll. The notice shall be of a form approved by the Zoning Administrator and City Attorney, and it shall set forth the cost of removing the sign and notify the owner of the City Council hearing at which the cost of sign removal will be assessed against the property.
- E. **Removal of Portion of a Sign.** Where practical, the Zoning Administrator may require the removal or screening of only a portion of a nonconforming sign, rather than the removal of the entire sign face and all of its associated structural elements.

#### 17-20.180 Violations and Penalties

- A. **Violation.** It shall be unlawful for any person or entity to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, or maintain any signs in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this section.
- B. **Penalties.** Any person or entity violating any of the provisions of this section shall be guilty of an infraction and shall be deemed guilty of a separate offense for each day during which any violation of the provisions of this section is committed, continued, or permitted. Upon conviction of any such violation, the violator shall be subject to a fine of not more than \$1,000.



# City of Oroville

**Leonardo DePaola**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

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### PLANNING COMMISSION STAFF REPORT

Thursday, October 22, 2020

**RE: ZC 20-03 Changes to the Zoning Code**

**SUMMARY:** The Oroville Planning Commission may review and consider recommending to the City Council approval of Zoning Change No. ZC 20-03 for the minor amendment to 4 sections of the Oroville Municipal Code Zoning Ordinance.

**RECOMMENDATION:**

- Adopt** Resolution 2020-20, A Resolution of Intention of the Oroville Planning Commission recommending that the City Council adopt the proposed amendments to zoning regulations for Tables 17.28.010-1 and 17.32.010-1 and Sections 17.04.060 and 17.16.090 of the Oroville Municipal Code.

**APPLICANTS:** City of Oroville

**LOCATION:** City-Wide

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

**ENVIRONMENTAL DETERMINATION:** CEQA Exempt; Title 14, CCR, § 15061(b)(3)  
“General Rule Exemption”

**REPORT PREPARED BY:**

**REVIEWED BY:**

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

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

**DISCUSSION**

**A. Table 17.28.010-1 Allowed Uses in Residential Districts**

Policy P3.6 of the Land Use Element of the Oroville General Plan reads, “Prohibit detached single-family homes in the R-3 High Density Residential, RP High Density Residential/Professional, and R-4 Urban Density Residential. Areas zones as R-3 High Density Residential, RP High Density Residential/Professional, and R-4 Urban Density Residential should be preserved for higher density housing, especially rental housing.”

The table as currently written permits a *single-family dwelling, detached* in an RP zone, and a *single-family manufactured home on permanent foundation* in and R-3, R-4, and RP zone. In order to align the zoning table with the City’s General Plan policy, this change would no longer permit a *single-family dwelling, detached* in an RP zone, and a *single-family manufactured home on permanent foundation* in an R-3, R-4, or RP zone.

The old wording is in ~~strikethrough~~ and the addition is **highlighted yellow**:

**Table 17.28.010-1  
Allowed Uses in Residential Districts**

Land Use	Zoning Districts												Use-Specific Regulations
	UR-10	UR-5	RA	RR-1	RR-20	RR-10	RL	R-1	R-2	R-3	R-4	RP	
<i>Residential</i>													
Mobile home park	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	—
Multiple-family dwellings	—	—	—	—	—	—	—	—	P	P	P	P	—
Residential care facility—6 units or fewer	P	P	P	P	P	P	P	P	P	P	P	P	—
Residential care facility—7 units or more	—	—	—	—	—	—	—	—	—	UP	UP	—	
Second dwelling unit	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	17.16.010
Single-family dwelling, attached	—	—	—	—	—	—	—	—	P	P	P	P	—
Single-family dwelling, detached	P	P	P	P	P	P	P	P	P	—	—	<b>P</b>	—

Single-family manufactured home not on permanent foundation	P	P	—	—	—	—	—	—	—	—	—	—	—
Single-family manufactured home on permanent foundation	P	P	P	P	P	P	P	P	P	<del>P</del>	<del>P</del>	<del>P</del>	—

**B. Table 17.32.010-1 Allowed Uses in Commercial District – Mini Storage Reference**

The table as currently written contains a minor error under Use Specific Regulations for a Mini-Storage Facility. The new proposed change to the Oroville Municipal Code would correct the Use Specific Regulation, changing it from 17.16.060 *Temporary Uses and Buildings* to 17.44.060 *MS-O – Mini-Storage Overlay*. This will allow for the proper reference to the development standards and regulations for someone looking to develop a mini-storage facility in a commercial district. All other tables provide the correct reference under Use Specific Regulations.

Note that the changes do not require the creation of a mini-storage overlay but point to the standards in the mini-storage overlay code. Creating an overlay is up to the discretion of the Planning Commission and City Council.

The old wording is in ~~striketrough~~ and the addition is in **red italics**:

**Table 17.32.010-1  
Allowed Uses in Commercial Districts**

<b>Key</b>	
<b>P</b>	<b>Permitted use, subject to zoning clearance</b>
<b>AP</b>	<b>Administrative permit required</b>
<b>UP</b>	<b>Use permit required</b>
<b>S</b>	<b>See use-specific regulations for permit requirement</b>
<b>-</b>	<b>Use not allowed</b>

Land Use	Zoning Districts						Use-Specific Regulations
	<b>CN</b>	C-1	C-2	CH	CLM	OF	

<b><i>Manufacturing, Wholesale, Repair and Storage</i></b>							
Food or beverage production	-	UP	UP	-	UP	-	-
Landscape material sales	-	UP	UP	-	P	-	-
Manufacturing—20,000 square feet or less of gross floor area	-	UP	P	-	P	P	-

Manufacturing—more than 20,000 square feet of gross floor area	-	-	UP	-	UP	UP	-
Metalwork—20,000 square feet or less of gross floor area	-	UP	UP	P	P	UP	-
Metalwork—more than 20,000 square feet of gross floor area	-	-	UP	UP	UP	UP	-
Mini-storage facility	S	S	S	-	S	-	17.16.060 (Temporary uses and buildings) <u>17.44.060 (MS-O—Mini-Storage Overlay)</u>
Outdoor storage—250 square feet or less	P	P	P	P	P	P	17.16.140 (Outdoor storage)
Outdoor storage—more than 250 square feet	UP	UP	P	UP	P	UP	17.16.140 (Outdoor storage)

**C. 17.04.060 Clarifying “Personal Services – Low Impact” by the Addition of Estheticians, Permanent Makeup Artists, and Certified Massage Therapists to the Definitions**

Staff is proposing three clarifications to the definition of “Personal services—Low Impact” which will help staff interpret when professions that treat pain and beautify the human body are considered low impact services performed in an office setting, and when they become more intensive and must be performed in a medical outpatient setting or require a discretionary Use Permit.

The proposed change would categorize estheticians under the definition of a Personal services – low-impact and add medical estheticians under the definition of professional office.

An “esthetician” specializes in beautifying, cleaning, and identifying issues involving the skin, typically found working in a spa or salon setting. Estheticians typically perform and offer facials, skin treatments, body wraps, skin analysis, and aromatherapy. These services focus more on relaxation and enhancing the client’s personal appearance.

A “medical esthetician” is a licensed skin care professional who works in a medical setting. Medical estheticians typically perform more intensive procedures and treatments like microdermabrasion, chemical peels, Botox injections, dermal fillers, and laser hair removal. The main difference is that a medical esthetician works in a clinical setting alongside medical professionals to promote healing of affected skin or help a patient who may have experienced an appearance-changing injury or procedure.

All estheticians must undergo a formal course of study and meet licensing requirements and regulations of the California Board of Barbering and Cosmetology.

Similarly, permanent makeup artists and Certified Massage Therapists must also meet licensing requirements at the State and/or County level.

A permanent makeup artist is, for the purposes of the Oroville Municipal Code, considered to be performing his/her services in a salon setting along with hair and nail care and other cosmetic services. A more intensive tattoo artist and ear piercer will still be considered as “Personal services—Moderate Impact” as per that definition, and a Use Permit would be required.

Staff notes that massage parlors in Oroville have typically been categorized as “personal services – Low Impact”, even though the potential for criminal misconduct and attracting criminal elements exist. Staff has proposed a set of permit conditions for massage establishments, which are based on the City of San Rafael’s codes, and which the City Attorney is reviewing.

The code as currently written does not specifically address how estheticians, permanent makeup artists, or Certified Massage Therapists are categorized. However, by adding them to the definitions of a personal service – low-impact in a professional office setting, this would allow greater clarity as to whether a person looking to provide these services would require a use permit or not. The proposed additions are in *italics*.

**17.04.060 Definitions**

**Personal services—low-impact.** A personal services establishment that tends to create minimal adverse impacts for its surroundings, including, but not limited to, clothing rental, dry-cleaning services with no on-site dry-cleaning equipment, *estheticians, permanent makeup artists, certified massage therapists,* laundromats, tailors, tanning salons and other uses of like kind or character.

**Professional office.** An office used by persons who provide services that require a state license or certificate, including, but not limited to, accountants, architects, dentists, doctors, engineers, lawyers, *medical estheticians, permanent makeup artists, certified massage therapist,* and real estate agents. The term “professional office” shall not include any facility that provides intensive medical treatment or overnight lodging for persons, such as a hospital; any facility that provides permanent or temporary boarding of animals, such as a veterinary office or kennel; any use that is considered a “personal service,” as defined in this title; or any adult-oriented business.

**D. 17.16.090 Car and Vehicle Washes**

Section 17.16.090 *Car and Vehicle Washes* of the Oroville Municipal Code does not currently align with state law. Assembly Bill No. 2230 was approved by the governor on September 25, 2012 which requires an in-bay car wash or a conveyor car wash permitted and constructed after January 1, 2014 to recycle at least 60% of the wash water. The proposed changes to 17.16.090(B) will align with the adopted state law and the added Section C. Vehicle Queuing will regulate queuing similar to how drive-through establishments are regulated.

The old wording is in ~~strikethrough~~ and the addition is in *italics*:

**17.16.090 Car and vehicle washes.**

A. **Applicability.** The requirements of this section shall apply to any commercial or industrial facility that has an on-site area for the washing of vehicles; any commercial washing facility for motor vehicles, boats or trailers; and all permanent locations where vehicles are washed for compensation.



**B. Water Quality Requirements.**

1. Vehicles shall be washed only in designated wash areas that are clearly marked on the pavement. Each designated wash area shall be paved with an impervious surface and shall be designed and graded so as to collect all wash water and direct the water to an approved drainage system.
2. All wash water shall be treated and filtered on-site to remove sediment and pollutants, using a method approved by the city engineering design standards, before it is discharged into the sanitary sewer storm drain system.
3. An in-bay car wash or a conveyor belt car wash permitted and constructed after January 1, 2014 shall do either of the following:
  - a. Install, use, and maintain a water recycling system that recycles and reuses at least 60 percent of the wash and rinse water.
  - b. Use recycled water provided by a water supplier for at least 60 percent of its wash and rinse water.

This requirement does not apply to a self-service car wash.
34. All stormwater runoff shall be channeled into storm drains, away from the interior of any buildings or structures. (Ord. 1749 § 4).

**C. Vehicle Queuing**

1. Traffic circulation shall be designed to ensure efficient circulation on and off the subject site and ensure that the car wash will not obstruct the use of on-site facilities, drive aisles, parking spaces, or neighboring properties. Furthermore, vehicles should not queue onto a public street, highway, alley, or other public rights-of-way.

**ENVIRONMENTAL IMPACT**

This action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15061(b)(3) "Common Sense Exemption".

**FISCAL IMPACT**

None.

**ATTACHMENTS**

- A: Resolution P2020-20\_Recommending zoning code changes  
 B: Potential Massage Establishment Policies and permit conditions

## RESOLUTION NO. P2020-20

**A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS TO ZONING REGULATIONS FOR TABLES 17.28.010-1 AND 17.32.010-1 AND SECTIONS 17.04.060 AND 17.16.090 OF THE OROVILLE MUNICIPAL CODE.**

### **A. Table 17.28.010-1 “Allowed Uses in Residential Districts”**

**WHEREAS**, Policy P3.6 of the Land Use Element of the Oroville General Plan reads, “Prohibit detached single-family homes in the R-3 High Density Residential, RP High Density Residential/Professional, and R-4 Urban Density Residential.”; and

**WHEREAS**, Policy P3.6 further states that R-3, RP, and R-4 zones should be preserved for higher density housing; and

**WHEREAS**, Table 17.28.010-1 currently permits a Single-family Dwelling, detached, in RP zones, and a Single-family Manufactured Home on Permanent Foundation in all zones; and

**WHEREAS**, City of Oroville staff recommends a change zoning table 17.20.010-1 of the City of Oroville Zoning Code relating to the City’s allowed uses in residential districts to prohibit single-family dwellings, detached and manufactured homes on permanent foundations in R-3, R-4, and RP zones.; and

**WHEREAS**, the changes to Zoning Table 17.28.010-1 would align the City’s Zoning Code with the Oroville General Plan to encourage higher density residential development in R-3, R-4 and RP zones; 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 code changes described herein, and also considered the City’s staff report regarding the project.

### **B. Table 17.32.010-1 “Allowed Uses in Commercial Districts” – Mini Storage Reference**

**WHEREAS**, all mini-storage facilities within the City are subject to use specific regulation found in Section 17.44.060 *MS-O – Mini-Storage Overlay*; and

**WHEREAS**, Table 17.32.010-1 as currently written incorrectly references the code section for use specific regulations for mini-storage facilities; and

**WHEREAS**, this change would replace 17.16.060 (*Temporary uses and buildings*) under the use specific regulations for a mini-storage facility in a commercial district with 17.44.060 (*MS-O – Mini-Storage Overlay*); and

**WHEREAS**, the change to Zoning Table 17.32.010-1 would allow for the proper reference to the development standards and regulations for someone looking to develop a mini-storage facility in a commercial district; and

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

**C. 17.04.060 Definitions – Clarifying “Personal Services – Low Impact” by the Addition of Estheticians, Permanent Makeup Artists, and Certified Massage Therapists.**

**WHEREAS**, the definitions as currently written for “Personal services – low impact” and “Professional office” allow for the broad interpretation of what is considered a or allowed in a low impact personal service and professional office; and

**WHEREAS**, by adding estheticians, permanent makeup artists, and certified massage therapists to the definitions of “Personal Service – Low Impact” and “Professional Office” this will help staff interpret when professions that treat pain and beautify the human body are considered low impact services of when they become more intensive and must be performed in a medical outpatient setting or require a discretionary 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 code changes described herein, and also considered the City’s staff report regarding the project.

**D. 17.16.090 “Car and Vehicle Washes”**

**WHEREAS**, Assembly Bill No. 2230 was approved by the Governor on September 25, 2012 which requires, among other regulations, an in-bay car wash or a conveyor car wash permitted and constructed after January 1, 2014 to recycle at least 60 percent of the wash water; and

**WHEREAS**, Section 17.16.090 *Car and Vehicle Washes* of the Oroville Municipal Code is outdated and does not align with State Law; and

**WHEREAS**, the changes to OMC Section 17.16.090 will align with the adopted state law by requiring at least 60 percent of the wash and rise water to be recycled and for all wash water to be drained into the sanitary sewer system as opposed to the storm drain system; and

**WHEREAS**, Subsection C. *Vehicle Queuing* was also added to regulate queuing similar to how drive-through establishments are regulated in the city, which can help applicants looking to propose a car wash design a facility to prevent unsafe queuing; 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 code changes described herein, and also considered the City’s staff report regarding the project.

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

1. The Planning Commission approves this action to adopt minor changes to multiple sections of the Zoning Code of the Oroville Municipal Code and recommends that the City Council adopt Zoning Change No. ZC 20-03.

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 22<sup>nd</sup> of October 2020, by the following vote:

AYES:  
 NOES:  
 ABSTAIN:  
 ABSENT:

ATTEST:

APPROVE:

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

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

**Zoning Interpretation No. 2020-001**  
**CITY OF OROVILLE POLICIES FOR MASSAGE ESTABLISHMENTS**  
**Effective X-XX-2020**

There is substantial research that indicates that the skillful practice of massage can provide many health benefits including relief of pain from disease, injury and other sources, and that massage can be a valuable component of a wellness program.

However, Because of the proliferation of massage establishments in Oroville and the potential for such operations to provide illegal sexual services and/or be an unregulated adult-oriented business, a set of policies is necessary to ensure compliance with Oroville’s Municipal Code and to promote the health, safety, morals and general welfare of the City’s residents and businesses.

Massage establishments have traditionally been classified in Oroville as “Personal Services Low Impact”, and are assumed to be similar to medical offices, chiropractors, salons, and barbershops, and which are assumed not to attract criminal activity or reduce property values in the vicinity. However, in order to maintain a level of certainty that an establishment meets the criteria for low impact, the following will be required of all applicants:

1. Establishments will continue to be allowed only where properly zoned;
2. Owners/operators shall continue to submit the requisite Administrative Zoning Clearance/Occupancy Permit application, Business License application, and relevant Building permit applications;
3. Each establishment shall be inspected prior to opening for business;
4. Each establishment shall be managed by an on-site Certified Massage Therapist or other certification from the California Massage Therapy Council (CAMTC). Copies of said certifications shall be provided with the Zoning Clearance application, along with the ID of all individuals staffing the facility;
5. All employees working at the establishment are required to have a valid certification through the California Massage Therapy Council (CAMTC).
6. If during any inspection an employee or person is found performing massage is found to be not certified, a citation will be issued;
7. To ensure compliance City inspectors have the right to enter any massage establishment during regular business hours without a search or inspection warrant;
8. The front door of all massage establishments must remain open and unlocked during business hours. The only exception is if the massage establishment is a sole proprietorship with the business owner the only employee;

9. A portion of the floor space shall be set aside for reception. Which if facing a primary street, shall provide transparent windows or doors with views into the building and the reception area;

Any owner or establishment that fails to meet the above requirements before or after approval, shall be deemed to be a “Personal Services Moderate Impact” establishment, and will be required to obtain a Use Permit.

From Oroville Municipal Code 17.04.060

**Personal services.** An establishment other than a professional office that provides services to individuals as a primary use, and that may provide accessory retail sales of products related to the services provided. Personal services shall not include substance abuse counseling or outpatient services, which are defined in this Code.

**Personal services—low-impact.** A personal services establishment that tends to create minimal adverse impacts for its surroundings, including, but not limited to, clothing rental, dry-cleaning services with no on-site dry-cleaning equipment, laundromats, tailors, tanning salons and other uses of like kind or character.

**Personal services—moderate-impact.** A personal services establishment that may tend to attract criminal activity or reduce property values when found near similar establishments, and that may need to be dispersed in order to reduce these potential negative impacts. The term “moderate-impact personal services” includes, but is not limited to, check-cashing stores, pawnshops, psychics, spas and hot tubs for hourly rental, tattoo and body piercing parlors and other uses of like kind or character.



# 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](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

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

Project Title: ZC 20-03 Minor Amendments to Oroville Zoning Code

Project Location – Specific: City-wide

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The City of Oroville is updating 4 sections of the Oroville Municipal Code, Chapter 17-20, to maintain consistency with the City’s General Plan, allow for clearer permitting requirements for certain uses, and to align with current state law. There are no significant new components of the code that would create or encourage new environmental effects.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: City of Oroville

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)
- 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. *This project is covered by the Common Sense Exemption. The code does not encourage or create any new or changed uses of land, it only regulates*

*uses that would be reviewed under other sections of the Zoning Code. This project regulates how residential uses, commercial uses, low impact personal services, medical offices, and car wash facilities are designed and permitted in Oroville, but does not encourage or cause any new residences, businesses, projects, or direct or indirect environmental effects not otherwise covered under other sections of the Zoning Code. Specific development proposals may follow, some as individual projects that will undergo separate project and CEQA review, but also as part of a specific development project that will also undergo the appropriate levels of project and CEQA review. Thus there is no possibility that the revised zoning ordinance will have a significant effect on the environment.*

Thus, this action is exempt from CEQA.

If filed by applicant:

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

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

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

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

- Signed by Lead Agency
- Signed by Applicant