

Gridley City Planning Commission – Regular Meeting Agenda

Wednesday, August 14, 2019; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

"Our purpose is to continuously enhance our community's vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives."

1. **CALL TO ORDER** – Chairwoman Espino
2. **ROLL CALL** – Recording Secretary
3. **COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the Planning Commission on matters not listed on the agenda. The Planning Commission may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*
4. **CONSENT AGENDA** - *All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Planning Commissioner may request that an item be removed for separate consideration. The Planning Commission may only make minor comments; otherwise the item should be removed from the consent agenda and placed as the first item(s) under "Public Hearings".*

A. **Planning Commission Minutes dated July 10, 2019.**

5. **PUBLIC HEARINGS**

A-D. **Variance No. 1-19 to 4-19** Norcal Investors, Inc., Applicant/Owner; Application for a variance from Title 17 zoning code development standards to reduce the side yard setback area for three residential parcels from 20 feet to 15 feet located at 1900 Canvasback Ct (APN 009-240-035), 1905 Cinnamon Teal Ct (APN 009-240-001), 1905 Canvasback Ct (APN 009-240-016), and 1905 Gray Lodge Ct (APN 009-250-064) in the Heron Landing Subdivision. Zoning for the property is Single Family Residential (R-1) and Residential Low Density (RLD) General Plan land use designation.

City staff respectfully recommends the Planning Commission:

1. Receive staff report
2. Open public hearing
3. Hear public testimony
4. Close public hearing
5. Commission discussion

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorical Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,

2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 1-19 to 4-19 with Conditions of Approval as shown in Exhibit B.

E. Conditional Use Permit 1-19 Branden Meyers, Applicant; Application for a conditional use permit to allow the use of a recreational vehicle as a living unit for a one-year period located at 1431 Vermont Street on a 0.69 acre parcel. Zoning for the property is Single Family Residential District (R-1) and Residential Low Density (RLD) General Plan land use designation. (APN 010-360-052)

6. INFORMATIONAL – None.

8. REPORTS & COMMUNICATIONS – None

9. ADJOURNMENT - to a special meeting of the Planning Commission dated September 18, 2019.

General Notes:

This agenda was posted on the public bulletin board in the foyer of City Hall at or before 4:00 p.m. on August 9, 2019, in accordance with Government Code Section 54954.2. This agenda along with all attachments, if any, is available for public viewing online at www.gridley.ca.us and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA. This is a public meeting and anyone may address the Planning Commission. Any documents that were provided to the Planning Commission after the Agenda packet was distributed are also available for public review during normal business hours.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, contact the City Clerk by calling 846-3631 (voice). This request should be received at least three working days prior to the meeting in order to accommodate your request. For questions about this agenda, please call the Recording Secretary, Elisa Arteaga, at (530) 846-5695.

Gridley City Planning Commission – Regular Meeting Minutes

Wednesday, July 10, 2019; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

“Our purpose is to continuously enhance our community’s vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives.”

1. **CALL TO ORDER** – At 6:00 p.m., Chairwoman Espino called the meeting to order.
2. **ROLL CALL** – Recording Secretary

Planning Commissioners

Present:
Maria Espino, Chairman
Ken Wolfe, Vice Chair
Ishrat Khan-Aziz, Commissioner

Arriving post roll call: None

Absent: None

Staff Present:
Donna Decker, City Planner/Consultant (DES,LLC)
Elisa Arteaga, Recording Secretary

3. **COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the Planning Commission on matters not listed on the agenda. The Planning Commission may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*

There was no public comment.

4. **CONSENT AGENDA** - *All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Planning Commissioner may request that an item be removed for separate consideration. The Planning Commission may only make minor comments; otherwise the item should be removed from the consent agenda and placed as the first item(s) under “Public Hearings”.*

- A. **Approval of the Planning Commission Minutes dated February 12, 2018, June 18th, 2018, and August 8th, 2018.**

Motion by Wolfe, second by Khan, for approval of Planning Commission minutes dated February 12, 2018, June 18th, 2018, and August 8th, 2018.

Roll Call

Ayes: Khan, Wolfe, Espino Noes: None Absent: None Abstain: None **Motion Passes 3-0**

5. PUBLIC HEARINGS

A. Tentative Parcel Map No. 1-19; Application for a tentative parcel map to subdivide three parcels consisting of approximately 4.7 acres into twenty-one (21) parcels consisting of one 0.25 acre parcel for a detention basin and twenty (20) parcels for a residential housing development located at the northeast corner of Peach Street and West Biggs Gridley Road in the Single Family Residential District (R-1) and Residential, Low Density (RLD) General Plan land use designation. (APN: 022-230-022, -024 & -025)

1. Receive staff report

Staff report – Donna Decker reviewed the staff report and plans as submitted to Commission. She explained the differences in previous plans (originally submitted in 1993) and changes since the first submittal of the map. She explained the applicant is proposing a 21-parcel single-family residential subdivision on three parcels (4.7 acre). The proposed subdivision was initially proposed and approved in 1993 and 2005; both maps expired. The applicant is submitting a similar proposal as previously approved with slight differences in lot sizes, the connection to Bridgeford Avenue for future growth to the north. The tentative subdivision map will create 20 new single-family lots ranging in size from 5,050 to 6,565 square feet and one lot reserved for a storm water detention basin 11,200 square feet. She elaborated as to revised zoning codes and purpose to support infill design and legalize small parcels in town. She explained the City reduced lot sized and allowed for smaller lot designations under R1 zoning. She reviewed exhibit “A” Conditions of Approval and map as well as discussing the variety of zones and lot sizes within the map, proposed sidewalk improvements and deferred improvements as well as standards that need to be made for this subdivision. She closed that this is an opportunity for Commission to make recommendations to bring to City Council of this project. The project is categorically exempt and no environmental impacts.

Chairwoman Espino and Vice Chairman Wolfe asked for clarification of deferred sidewalk improvements. Decker reported it was for curb and gutter (north to south areas of the project with landscaping only). Espino and Wolfe both expressed concerns with conditions relating to the City entering into a deferred agreement relating to improvements located on the east one-half of West Biggs Gridley Road and costs associated to the improvements be passed onto the future property owners of those parcels. They both elaborated as to when other subdivisions have built along West Biggs Gridley Road, the improvements were included.

Commissioner Khan inquired if there are issues with archeological artifacts. Decker explained if found, the contractor is required to stop and inform the City and the owner will need to have an archeologist come out to the site. Decker reviewed the process of approval of the map and responsible parties for the project and development. Khan inquired what the term “slope” meant on the property map. Decker explained it’s part of the drainage information for the lots. The grading plans and improvement plans will be further submitted.

Chairwoman Espino inquired on the Bridgeford Ave proposed future street extension. Decker reviewed the future street extension (county) plan submittal and designation. She explained the future street extension on Bridgeford, required annexation due to county lines. The original proposal was not to have Glen Drive but due to safety personnel access concerns, this plan has been submitted.

Espino inquired about #11 condition. Decker explained it is to keeping the dust down for Butte County Air Quality. There was further discussion between Decker and Espino relating to the City providing the same type of maintenance of districts such as those of Heron Landing. Decker concurred and explained the process of the deed lot 21, detentions, landscaping and streetlights, as well as frontage improvements.

Commissioner Khan inquired if the building requirements included building to code for "earthquakes" criteria. Decker reported that they will need to meet the most current uniform building codes which include that criteria.

2. Open the public hearing – Chairwoman Espino opened the public hearing.

Curt Hilburs – 1555 Ackinson Court, Yuba City, owner of Hilburs Inc. introduced himself to the Commission. He explained there is a lot of interest to build especially after CampFire Disaster and would like to see the project built. The difference between them and other builders is that the project this is a much smaller project. Chairwoman Espino ask about project timelines. Mr. Hilburs explained they are working on a smaller project in Gridley, so it would be fast and they anticipate to be under construction this summer. They have much larger projects in other cities, this is a small project and it would move fast. There was discussion between Chairwoman Espino and Vice Chairman Wolfe relating to the deferred development of improvements and if the new owners would be made aware ahead of time before purchasing the project of those assessments. There was concern expressed of passing on the costs of the improvement to new homeowners.

Decker explained the owners would be notified of deferred improvement costs. It is best to design the entire road vs a short entire section of the road. She explained the theory for deferring improvements to ensure design conformity. Wolfe expressed concern of future costs for improvements could change over time. Decker explained control points and improvements and elaborated as to designing of small sections, pockets done if not right there could be problems with funding to tear out and rebuild improvements. There would be disclosures provided to owners and options to set up an assessment district.

Commissioner Khan ask Hilburs to confirm the other areas of improvements, lift station and retention basin. Hilburs confirmed per City Engineer and City requirements would have to be completed before homes are sold and all improvements should be in place and to code and prior to sale of homes.

Pat Coghlan – 852 Idaho Street, addressed the Commission and asked the Commission to reconsider the allowance of deferred improvements. The deferment of improvements only provides savings of costs to the developer. It puts the burden on new homeowners, the City and/or County. He reported that all other builders have provided improvement upfront and allowing deferment of improvements makes the future property owners jump through hoops take on the burden that should be on the developer. He urged the Commission to reconsider. He added that that the detention pond calls for 6 ft cyclone fence with flats, that will look very unattractive. His primary concern was the safety issues with the plot plan. He

deferred to other areas that are unsafe for pedestrians and cyclists. He suggested have a safety engineer look at the plot plan because it is not safe and the City do not allow deferred improvements on West Biggs Gridley Road.

There was brief overview of the map reassessing safety for pedestrians and cyclists. Decker reported if upon building the detention pond it is deep that would require fencing the instead of the cyclone fence it could be changed to an iron fence around Lot 21 detention basin with shrubbery.

3. **Close Public Hearing** - Chairwoman Espino closed the public hearing.

4. **Commission Discussion** -

Chairwoman Espino announced that new housing good idea for Gridley and Heron Landing Development has already set a standard to have improvements in place prior to the sale of homes. There will be more traffic and safety is a huge issue and she was not in support of the deferment of roadside improvements. She concluded she was in support of the development however, not the deferment of improvements along West Biggs Gridley Road as well as the extension to Bridgford Street.

Commissioner Khan announced she appreciated the interest in developing in Gridley but the sidewalk improvements should in place prior to the building of the development or if there is a deferment there should be a plan for deferred costs for future owners. There needs to be clarification for costs for proposal of deferred amounts to homeowners such as annual tax assessments.

Vice Chairman Wolfe expressed concern with deferment of improvements along West Biggs Gridley Road. He was in support of new housing but not deferring costs to homeowners.

Planning Consultant, Donna Decker suggested adding language to fencing conditions to the detention basin and deferment and cost plans. She explained the assessment process and plans.

MOTION BY ESPINO, for the following:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15332(a-e), Class 32, Infill Development Projects; and,
2. Recommend approval of TSM 1-19 to the City Council with added two conditions of approval; if the detention basin requires fencing, it will not be cyclone fence, it will be iron/steel tubular fencing with shrubbery and the improvements along West Biggs Gridley Road and the Bridgford extension not be deferred.

For a lack of a second, motion did not pass.

Vice Chairman provided clarification that the Bridgford extension is County and is not included within the improvement limits of the project. He further elaborated that he did not agree with deferring of improvements.

MOTION BY WOLFE, SECOND BY KHAN for the following:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15332(a-e), Class 32, Infill Development Projects; and,
2. Recommend approval of TSM 1-19 to the City Council with added two conditions; if the detention basin requires fencing, it will not be cyclone fence, it will be iron tubular fencing with shrubbery and the all improvements along West Biggs Gridley Road be included not deferred.
3. Direct staff to work with the Developer to define deferred improvement buildout costs and plans.

Ayes: Khan, Wolfe, Espino Noes: None Abstain: None **Motion passes 3-0**

6. INFORMATIONAL – None

7. REPORTS & COMMUNICATIONS

Donna Decker, Planning Consultant provided clarification of regular meeting schedule. They are scheduled to be held every 2nd Wednesday of the month. She added there will be an upcoming meeting with other items and provided a verbal update on the status of the AM/PM project.

- 8. ADJOURNMENT** – At 7:50 p.m. the Planning Commission adjourned to the next regular meeting of the Planning Commission to be held on Wednesday, August 14, 2019.

Approved: _____
Donna Decker, Planning Consultant

Planning Commission Item #5A
Staff Report

Date: August 14, 2019

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Variance No. 1-19;** Application for a variance from Title 17 zoning code development standards to reduce the side yard setback from 20 to 15 feet located at 1900 Canvasback Court in the Single Family Residential District (R-1) and Residential, Low Density (RLD) General Plan land use designation. (APN: 009-240-035)

Recommendation

City staff respectfully recommends the Planning Commission:

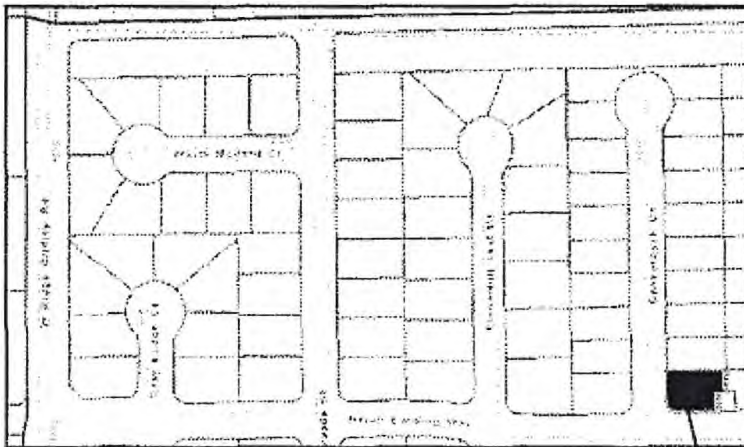
1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 01-19 with Conditions of Approval as shown in Exhibit B.

Summary

The applicant is requesting a variance from the development standards to reduce the side yard setback on the street side of a corner lot from twenty feet to fifteen feet. The proposed site plan depicts a reduction to seventeen feet, staff is recommending fifteen feet to ensure the construction can stay within that limit.

Site Description

The subject site is located in the Heron Landing Subdivision. It is a corner lot located on the northeast corner of Heron Landing Way and Canvasback Court. The lot is approximately



Vicinity Map

Site

6,146 square feet in size (0.14 acre) and has setbacks on the streetside of twenty feet (Heron Landing Way, twenty feet for the front yard setback (Canvasback Court) a minimum of five feet at the interior sideyard, and a minimum of five feet at the rear yard setback area. The rear yard is "notched" for the City generator system on the east side of the lot.

Discussion

Background

The parcel is one of seventeen parcels that remained to be developed. Mr. Sandeep Dhama purchased the parcels and requested guidance for the completion of the lots with single family homes. The City and Mr. Dhama conducted several meetings both in person and via telephone conferences to develop the site more economically and independent of the housing types that had been approved. The City worked with Mr. Dhama and reviewed what the home type would need to be and how they fit within the required setbacks.

Mr. Dhama presented several models that could be used on any of the sites thus “masterplanning” the final construction to reduce potential additional costs. These were reviewed and accepted as viable substitutions for the proposed lot development.

Land Use

The project site is zoned R-1, Single Family Residential District with a General Plan land use designation of Residential, Low Density. The single-family residential district now has four (4) designations:

1. R-1A Parcels sized from 1,700 – 3,500 square feet
2. R-1B Parcels sized from 3,501 – 5,999 square feet
3. R-1C Parcels sized from 6,000 – 7,499 square feet
4. R-1 Parcels sized from 7,500 and greater

The parcel is considered R-1C. This designation does not reduce the setback requirements from the R-1 district.

Setback Requirements

The setback requirements for a corner lot are 20% of the frontage distance with a minimum of 5' on the interior boundary and 20' on the street side. The site is approximately 67 feet wide. Generally, the setback required would be approximately 13.4 feet for an interior lot. The requirement to have 20 feet and five feet realizes 42 feet available for the width of a new home.

Front Yard:	20'
Interior Side Yard:	5'
Rear Yard:	5'
Street Side:	20'

The proposed structure is 45' in width. This allows only a 17' street side setback. Although the applicant is requesting a reduction to 17', it is appropriate to reduce it to 15' to allow some room for placement during construction.

The irregular lot shape and desire to maximize the rear yard area limits the depth of the design to meet setback standards.

The proposed lot layout for the 45' home is shown below:

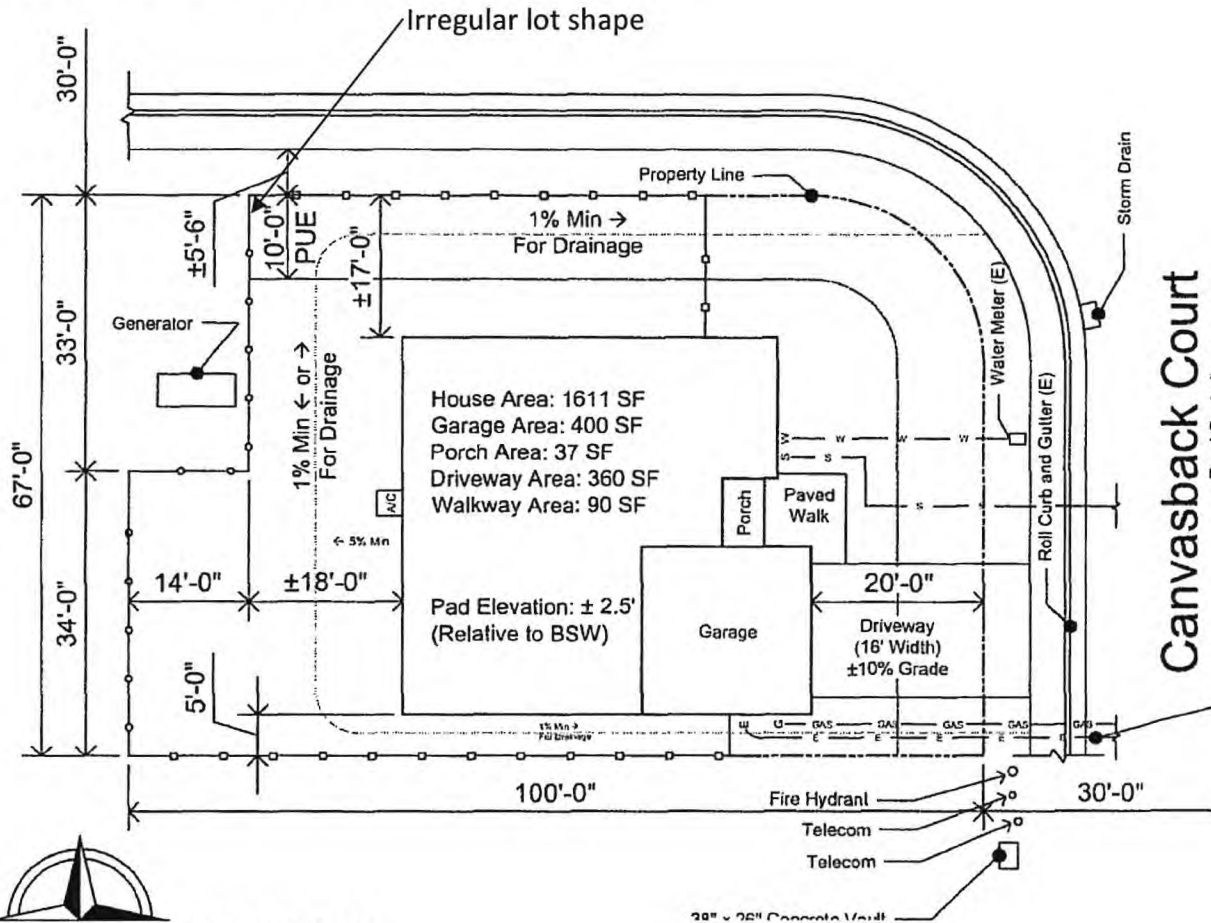


Figure 2: Lot Layout (nts)
Proposed Project

The applicant proposes to construct a single story residential unit with a building footprint of 2,048 square feet. This equals a lot coverage of 33% meeting the development standards. The size of structure is compatible with the surrounding area. The resulting reduction will not have a visual impact to the subdivision and does not significantly encroach into the setback area.



Property line

Approximate 20' setback

Proposed 15' setback

The request to reduce the setback is not a significant alteration to the neighborhood and would not change the character of the subdivision.

Proposed Structures

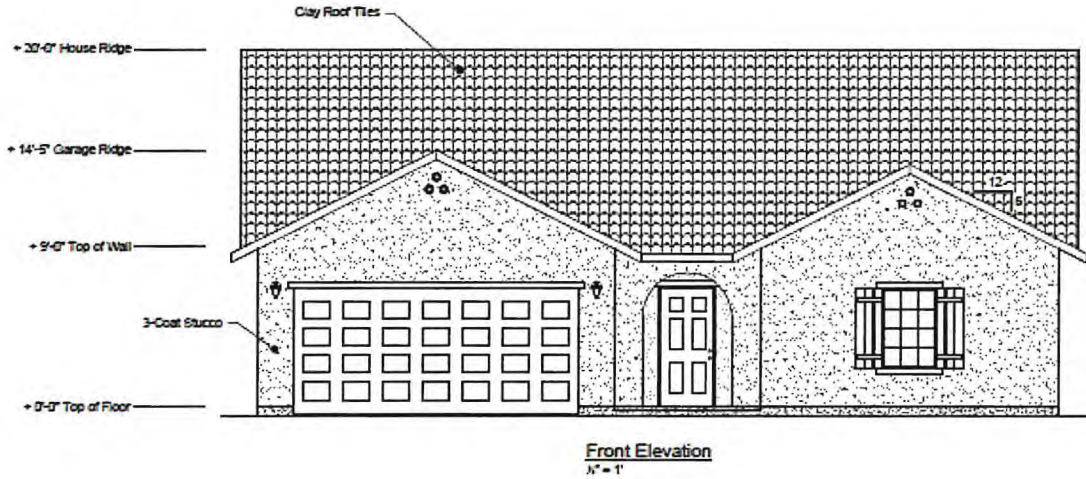


Figure 3: View on Canvasback Court

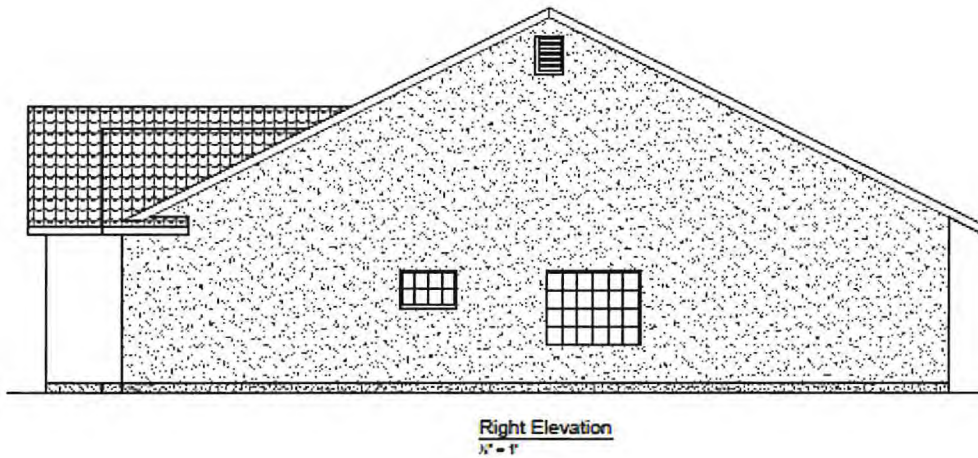


Figure 4: View on Heron Landing Way

The proposed architecture is compatible with other construction in the subdivision.

Findings:

Variances are entitlements that are supported when there are site constraints that preclude any other solution to meet the code. The applicant has stated that due to the irregular shape of the lot, it is not possible to design a home in keeping with others in the neighborhood. Should the commission believe that the variance can be supported it will need to make the following findings and describe how these have been met:

Variance Findings (17.09.030)

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district.**

(What are the special site conditions and circumstances that are peculiar to the site and not evident at other residential sites within the same district?)

- B. That literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**

(How does the application of the requirement deprive the applicant to enjoy their property that others enjoy?)

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

(How does granting the variance affect the neighborhood? Does the granting of the variance impact the neighborhood?)

Recommendation:

Options:

Option 1: The Planning Commission makes the required findings and approves the variance to allow the street side setback reduction. Findings are provided to the Planning Commission for consideration (Exhibit A) along with conditions of approval (Exhibit B).

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 01-19 with Conditions of Approval as shown in Exhibit B.

Staff supports the Planning Commission make the required findings per Exhibit A.

Option 2: The Planning Commission determines that it is unable to make the required findings and deny the request for a variance requiring the applicant to redesign the structure to meet existing setback requirements.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, mailed to residences within 300 feet of the site, posted at City Hall, made available at the Administration public counter, and placed on the City website for review. At the time this

report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15305, Class 5, of the California Environmental Quality Act (CEQA):

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Attachments –

- 1. Exhibit A Variance Findings
- 2. Exhibit B Conditions of Approval

Exhibit A

Variance Findings

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district;**

Special conditions exist that support the reduced street side setback in that the lot is an irregular shape and the subdivision was designed with minimal area for an owner to enjoy a reasonable rear yard private area.

- B. That literal application of the provisions of this title would deprive, the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title;**

The literal application of the development standards would deprive this property of the same rights that others enjoy with similar conditions of their property.

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

Allowing the property owner the planning entitlement to reduce the street side setback will not adversely impact the health or safety of ensure the health and safety of persons residing adjacent to and proximate to the site and will not be detrimental to the public welfare or injuruious to property or improvements in the neighborhood.

Exhibit B
Draft Conditions of Approval
Variance No. 01-19

1. The approved Variance No. 01-19 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the approval may be allowed subject to the review and approval by the City Administrator or designee, if the request is in substantial conformance to this approval.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall submit an application for a building permit with plans drawn to scale to the Building Department to determine all applicable improvement and fee requirements. Plans shall be provided for submittal to the Fire Department. The applicant shall pay the required building permit and inspection fees.
4. This variance approval will lapse within one (1) year from the date of approval unless residential unit has begun construction. The City Administrator or designee may grant an extension if no modifications to the approval are requested, otherwise, the request for extension may be forwarded to the Planning Commission for action.
5. All other code requirements shall be met and the applicant shall pay all required development impact fees as required by the City of Gridley.

Planning Commission Item #5B
Staff Report

Date: August 14, 2019

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Variance No. 2-19;** Application for a variance from Title 17 zoning code development standards to reduce the side yard setback from 20 to 15 feet located at 1905 Cinnamon Teal Ct in the Single Family Residential District (R-1) and Residential, Low Density (RLD) General Plan land use designation. (APN: 009-240-001)

Recommendation

City staff respectfully recommends the Planning Commission:

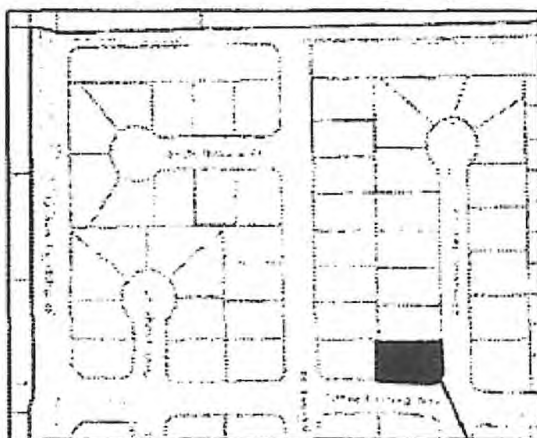
1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 02-19 with Conditions of Approval as shown in Exhibit B.

Summary

The applicant is requesting a variance from the development standards to reduce the side yard setback on the street side of a corner lot from twenty feet to fifteen feet. The proposed site plan depicts a reduction to seventeen feet, staff is recommending fifteen feet to ensure the construction can stay within that limit.

Site Description

The subject site is located in the Heron Landing Subdivision. It is a corner lot located on the northwest corner of Heron Landing Way and Cinnamon Teal Court. The lot is approximately



Vicinity Map

Site

7,322 square feet in size (0.17 acre) and has setbacks on the streetside of twenty feet (Heron Landing Way, twenty feet for the front yard setback (Cinnamon Teal Court) a minimum of five feet at the interior sideyard, and a minimum of five feet at the rear yard setback area. The site is narrower at the rear than the front.

Discussion

Background

The parcel is one of seventeen parcels that remained to be developed. Mr. Sandeep Dhama purchased the parcels and requested guidance for the completion of the lots with single family homes. The City and Mr. Dhama conducted several meetings both in person and via telephone conferences to develop the site more economically and independent of the housing types that had been approved. The City worked with Mr. Dhama and reviewed what the home type would need to be and how they fit within the required setbacks.

Mr. Dhama presented several models that could be used on any of the sites thus “masterplanning” the final construction to reduce potential additional costs. These were reviewed and accepted as viable substitutions for the proposed lot development.

Land Use

The project site is zoned R-1, Single Family Residential District with a General Plan land use designation of Residential, Low Density. The single-family residential district now has four (4) designations:

1. R-1A Parcels sized from 1,700 – 3,500 square feet
2. R-1B Parcels sized from 3,501 – 5,999 square feet
3. R1-C Parcels sized from 6,000 – 7,499 square feet
4. R-1 Parcels sized from 7,500 and greater

The parcel is considered R-1C. This designation does not reduce the setback requirements from the R-1 district.

Setback Requirements

The setback requirements for a corner lot are 20% of the frontage distance with a minimum of 5' on the interior boundary and 20' on the street side. The site is approximately 64.6 feet wide. Generally, the setback required would be approximately 12.9 feet for an interior lot. The requirement to have 20 feet and five feet realizes 39.5 feet available for the width of a new home.

Front Yard:	20'
Interior Side Yard:	5'
Rear Yard:	5'
Street Side:	20'

The proposed structure is 43' in width. This allows only an 18' street side setback. Although the applicant is requesting a reduction to 18', it is appropriate to reduce it to 15' to allow some room for placement during construction.

[illegible]

Proposed Project

Proposed Structures



The request to reduce the setback is not a significant alteration to the neighborhood and would not change the character of the subdivision.

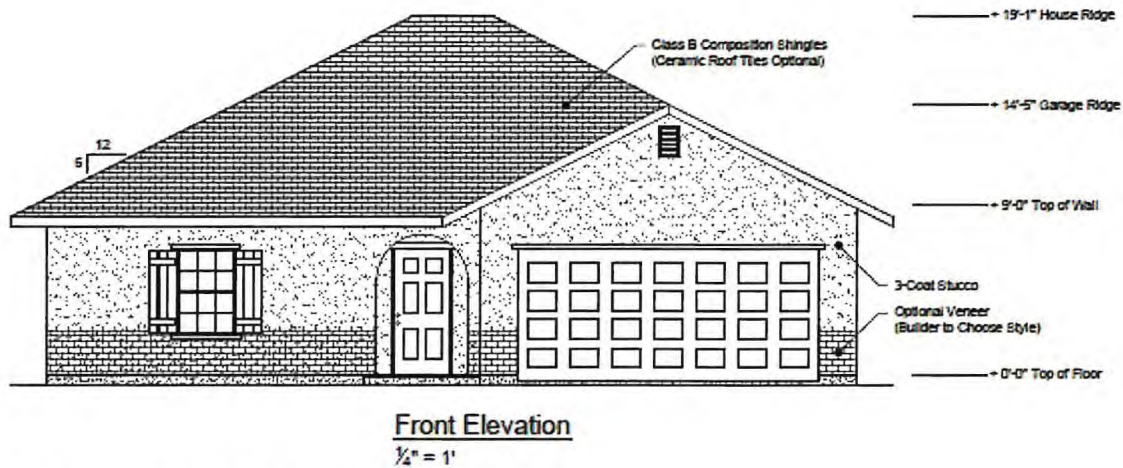


Figure 3: View on Cinnamon Teal Court

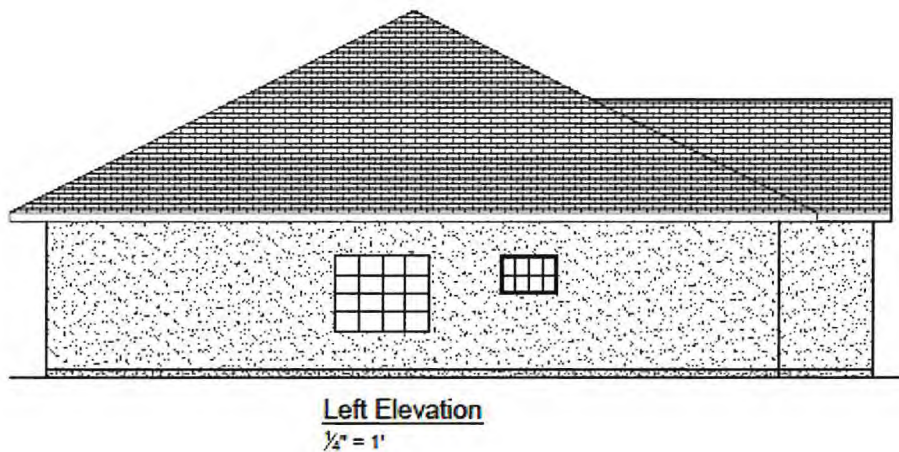


Figure 4: View on Heron Landing Way

The proposed architecture is compatible with other construction in the subdivision.

Findings:

Variances are entitlements that are supported when there are site constraints that preclude any other solution to meet the code. The applicant has stated that due to the irregular shape of the lot, it is not possible to design a home in keeping with others in the neighborhood. Should the commission believe that the variance can be supported it will need to make the following findings and describe how these have been met:

Variance Findings (17.09.030)

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district.**

(What are the special site conditions and circumstances that are peculiar to the site and not evident at other residential sites within the same district?)

- B. That literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**

(How does the application of the requirement deprive the applicant to enjoy their property that others enjoy?)

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

(How does granting the variance affect the neighborhood? Does the granting of the variance impact the neighborhood?)

Recommendation:

Options:

Option 1: The Planning Commission makes the required findings and approves the variance to allow the street side setback reduction. Findings are provided to the Planning Commission for consideration (Exhibit A) along with conditions of approval (Exhibit B).

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 02-19 with Conditions of Approval as shown in Exhibit B.

Staff supports the Planning Commission make the required findings per Exhibit A.

Option 2: The Planning Commission determines that it is unable to make the required findings and deny the request for a variance requiring the applicant to redesign the structure to meet existing setback requirements.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, mailed to residences within 300 feet of the site, posted at City Hall, made available at the Administration public counter, and placed on the City website for review. At the time this report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15305, Class 5, of the California Environmental Quality Act (CEQA):

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Attachments –

- 1. Exhibit A Variance Findings
- 2. Exhibit B Conditions of Approval

Exhibit A

Variance Findings

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district;**

Special conditions exist that support the reduced street side setback in that the lot is an irregular shape and the subdivision was designed with minimal area for an owner to enjoy a reasonable rear yard private area.

- B. That literal application of the provisions of this title would deprive, the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title;**

The literal application of the development standards would deprive this property of the same rights that others enjoy with similar conditions of their property.

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

Allowing the property owner the planning entitlement to reduce the street side setback will not adversely impact the health or safety of ensure the health and safety of persons residing adjacent to and proximate to the site and will not be detrimental to the public welfare or injuruious to property or improvements in the neighborhood.

Exhibit B
Draft Conditions of Approval
Variance No. 02-19

1. The approved Variance No. 02-19 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the approval may be allowed subject to the review and approval by the City Administrator or designee, if the request is in substantial conformance to this approval.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall submit an application for a building permit with plans drawn to scale to the Building Department to determine all applicable improvement and fee requirements. Plans shall be provided for submittal to the Fire Department. The applicant shall pay the required building permit and inspection fees.
4. This variance approval will lapse within one (1) year from the date of approval unless residential unit has begun construction. The City Administrator or designee may grant an extension if no modifications to the approval are requested, otherwise, the request for extension may be forwarded to the Planning Commission for action.
5. All other code requirements shall be met and the applicant shall pay all required development impact fees as required by the City of Gridley.

Planning Commission Item #5C
Staff Report

Date: August 14, 2019

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Variance No. 3-19;** Application for a variance from Title 17 zoning code development standards to reduce the side yard setback from 20 to 15 feet located at 1905 Canvasback Ct in the Single Family Residential District (R-1) and Residential, Low Density (RLD) General Plan land use designation.
(APN: 009-240-016)

Recommendation

City staff respectfully recommends the Planning Commission:

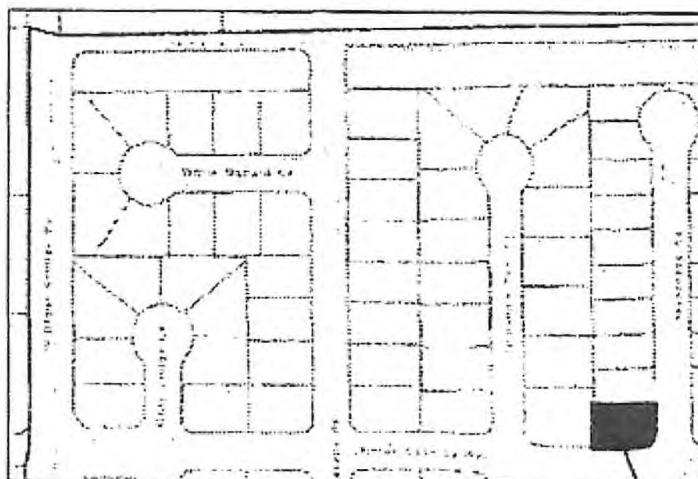
1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 03-19 with Conditions of Approval as shown in Exhibit B.

Summary

The applicant is requesting a variance from the development standards to reduce the side yard setback on the street side of a corner lot from twenty feet to fifteen feet. The proposed site plan depicts a reduction to seventeen feet, staff is recommending fifteen feet to ensure the construction can stay within that limit.

Site Description

The subject site is located in the Heron Landing Subdivision. It is a corner lot located on the northwest corner of Heron Landing Way and Cinnamon Teal Court. The lot is approximately



Vicinity Map

Site

6,616 square feet in size (0.15 acre) and has setbacks on the streetside of twenty feet (Heron Landing Way, twenty feet for the front yard setback (Canvasback Court) a minimum of five feet at the interior sideyard, and a minimum of five feet at the rear yard setback area.

Discussion

Background

The parcel is one of seventeen parcels that remained to be developed. Mr. Sandeep Dhama purchased the parcels and requested guidance for the completion of the lots with single family homes. The City and Mr. Dhama conducted several meetings both in person and via telephone conferences to develop the site more economically and independent of the housing types that had been approved. The City worked with Mr. Dhama and reviewed what the home type would need to be and how they fit within the required setbacks.

Mr. Dhama presented several models that could be used on any of the sites thus “masterplanning” the final construction to reduce potential additional costs. These were reviewed and accepted as viable substitutions for the proposed lot development.

Land Use

The project site is zoned R-1, Single Family Residential District with a General Plan land use designation of Residential, Low Density. The single-family residential district now has four (4) designations:

1. R-1A Parcels sized from 1,700 – 3,500 square feet
2. R-1B Parcels sized from 3,501 – 5,999 square feet
3. R-1C Parcels sized from 6,000 – 7,499 square feet
4. R-1 Parcels sized from 7,500 and greater

The parcel is considered R-1C. This designation does not reduce the setback requirements from the R-1 district.

Setback Requirements

The setback requirements for a corner lot are 20% of the frontage distance with a minimum of 5' on the interior boundary and 20' on the street side. The site is approximately 67 feet wide. Generally, the setback required would be approximately 13.4 feet for an interior lot. The requirement to have 20 feet and five feet realizes 42 feet available for the width of a new home.

Front Yard:	20'
Interior Side Yard:	5'
Rear Yard:	5'
Street Side:	20'

The proposed structure is 45' in width. This allows only an 17' street side setback. Although the applicant is requesting a reduction to 17', it is appropriate to reduce it to 15' to allow some room for placement during construction.

The site plan for 15151 Canvasback Court shows an irregular lot shape with the following features and dimensions:

- Property Line:** The boundary of the lot, with a 5' setback from the top boundary.
- Driveway:** 16' Width, ±10% Grade, 20' wide.
- Garage:** 400 SF, with a Pad Elevation of ±2.5' (Relative to BSW).
- House Area:** 2023 SF.
- Porch Area:** 63 SF.
- Driveway Area:** 360 SF.
- Walkway Area:** 65 SF.
- Utilities:**
 - Gridley Electric Vault (E)
 - Electric Conduit Shall and Not Contain More 270° (3x90°) of Total. No Smaller Than 24"
 - Roll Curb and Gutter (E)
 - Slope Sign (E)
 - Storm Drain
 - Water Meter
 - Mailbox
- Dimensions and Setbacks:**
 - Overall lot width: 67'.
 - Overall lot depth: 30'.
 - Setback from top boundary: 5'.
 - Setback from bottom boundary: 10' PUE.
 - Setback from right boundary: 17'.
 - Driveway width: 16'.
 - Driveway depth: 20'.
 - House depth: 17'.
 - House width: 15'.
 - House area: 2023 SF.
 - Garage area: 400 SF.
 - Porch area: 63 SF.
 - Driveway area: 360 SF.
 - Walkway area: 65 SF.
 - House area: 2023 SF.
 - Garage area: 400 SF.
 - Porch area: 63 SF.
 - Driveway area: 360 SF.
 - Walkway area: 65 SF.
- Other Features:**
 - 1% Min ← or → For Drainage
 - 1% Min → For Drainage
 - Canvasback Court
 - Heron Landing Way
 - Road Centerline

Proposed Project

Proposed Structures



The request to reduce the setback is not a significant alteration to the neighborhood and would not change the character of the subdivision.

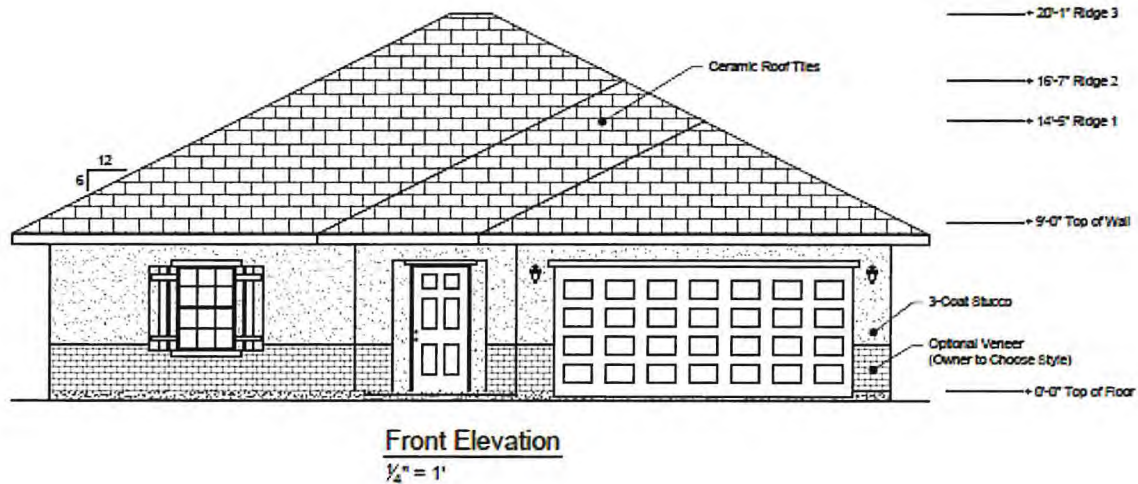


Figure 3: View on Canvasback Court

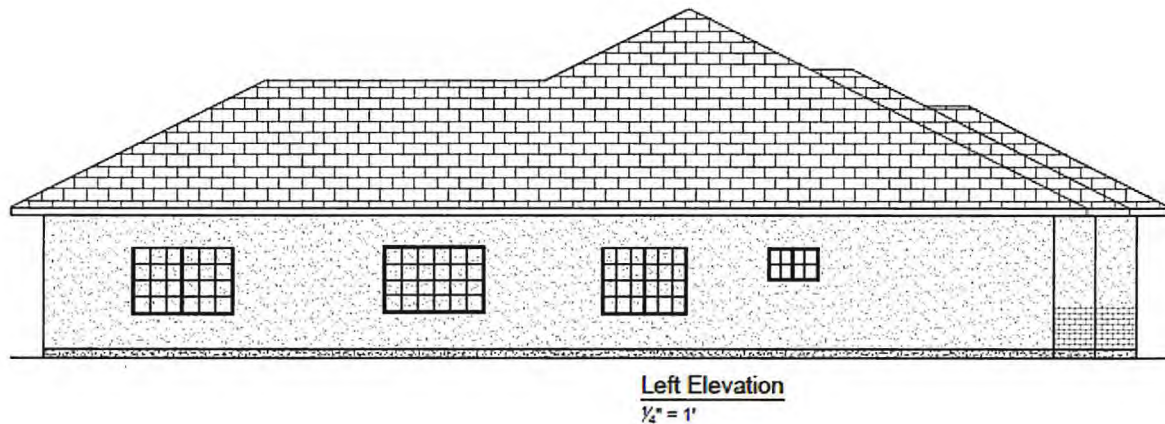


Figure 4: View on Heron Landing Way

The proposed architecture is compatible with other construction in the subdivision.

Findings:

Variances are entitlements that are supported when there are site constraints that preclude any other solution to meet the code. The applicant has stated that due to the irregular shape of the lot, it is not possible to design a home in keeping with others in the neighborhood. Should the commission believe that the variance can be supported it will need to make the following findings and describe how these have been met:

Variance Findings (17.09.030)

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district.

(What are the special site conditions and circumstances that are peculiar to the site and not evident at other residential sites within the same district?)

- B. That literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**

(How does the application of the requirement deprive the applicant to enjoy their property that others enjoy?)

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

(How does granting the variance affect the neighborhood? Does the granting of the variance impact the neighborhood?)

Recommendation:

Options:

Option 1: The Planning Commission makes the required findings and approves the variance to allow the street side setback reduction. Findings are provided to the Planning Commission for consideration (Exhibit A) along with conditions of approval (Exhibit B).

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 03-19 with Conditions of Approval as shown in Exhibit B.

Staff supports the Planning Commission make the required findings per Exhibit A.

Option 2: The Planning Commission determines that it is unable to make the required findings and deny the request for a variance requiring the applicant to redesign the structure to meet existing setback requirements.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, mailed to residences within 300 feet of the site, posted at City Hall, made available at the Administration public counter, and placed on the City website for review. At the time this report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15305, Class 5, of the California Environmental Quality Act (CEQA):

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Attachments –

- 1. Exhibit A Variance Findings
- 2. Exhibit B Conditions of Approval

Exhibit A

Variance Findings

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district;**

Special conditions exist that support the reduced street side setback in that the lot is not a standard R-1 lot size of greater than 7,500 square feet.

- B. That literal application of the provisions of this title would deprive, the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title;**

The literal application of the development standards would deprive this property of the same rights that others enjoy with similar conditions of their property.

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

Allowing the property owner the planning entitlement to reduce the street side setback will not adversely impact the health or safety of ensure the health and safety of persons residing adjacent to and proximate to the site and will not be detrimental to the public welfare or injuruious to property or improvements in the neighborhood.

Exhibit B
Draft Conditions of Approval
Variance No. 03-19

1. The approved Variance No. 03-19 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the approval may be allowed subject to the review and approval by the City Administrator or designee, if the request is in substantial conformance to this approval.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall submit an application for a building permit with plans drawn to scale to the Building Department to determine all applicable improvement and fee requirements. Plans shall be provided for submittal to the Fire Department. The applicant shall pay the required building permit and inspection fees.
4. This variance approval will lapse within one (1) year from the date of approval unless residential unit has begun construction. The City Administrator or designee may grant an extension if no modifications to the approval are requested, otherwise, the request for extension may be forwarded to the Planning Commission for action.
5. All other code requirements shall be met and the applicant shall pay all required development impact fees as required by the City of Gridley.

Planning Commission Item #5D
Staff Report

Date: August 14, 2019

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Variance No. 4-19;** Application for a variance from Title 17 zoning code development standards to reduce the side yard setback from 20 to 15 feet located at 1905 Grey Lodge Ct in the Single Family Residential District (R-1) and Residential, Low Density (RLD) General Plan land use designation.
(APN: 009-250-064)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 04-19 with Conditions of Approval as shown in Exhibit B.

Summary

The applicant is requesting a variance from the development standards to reduce the side yard setback on the street side of a corner lot from twenty feet to ten feet. The proposed site plan depicts a reduction to seventeen feet, staff is recommending fifteen feet to ensure the construction can stay within that limit.

Site Description

The subject site is located in the Heron Landing Subdivision. It is a corner lot located on the northwest corner of Heron Landing Way and Cinnamon Teal Court. The lot is approximately



Vicinity Map

7,504 square feet in size (0.17 acre) and has setbacks on the streetside of twenty feet (Heron Landing Way, twenty feet for the front yard setback (Grey Lodge Ct) a minimum of five feet at the interior sideyard, and a minimum of five feet at the rear yard setback area. The site is narrower at the rear than the front.

Discussion

Background

The parcel is one of seventeen parcels that remained to be developed. Mr. Sandeep Dhami purchased the parcels and requested guidance for the completion of the lots with single family homes. The City and Mr. Dhami conducted several meetings both in person and via telephone conferences to develop the site more economically and independent of the housing types that had been approved. The City worked with Mr. Dhami and reviewed what the home type would need to be and how they fit within the required setbacks.

Mr. Dhami presented several models that could be used on any of the sites thus “masterplanning” the final construction to reduce potential additional costs. These were reviewed and accepted as viable substitutions for the proposed lot development.

Land Use

The project site is zoned R-1, Single Family Residential District with a General Plan land use designation of Residential, Low Density. The single-family residential district now has four (4) designations:

1. R-1A Parcels sized from 1,700 – 3,500 square feet
2. R-1B Parcels sized from 3,501 – 5,999 square feet
3. R1-C Parcels sized from 6,000 – 7,499 square feet
4. R-1 Parcels sized from 7,500 and greater

The parcel is considered R-1.

Setback Requirements

The setback requirements for a corner lot are 20% of the frontage distance with a minimum of 5’ on the interior boundary and 20’ on the street side. The site is approximately 67.8 feet wide. Generally, the setback required would be approximately 13.6 feet for an interior lot. The requirement to have 20 feet and five feet realizes 42.8 feet available for the width of a new home.

Front Yard:	20’
Interior Side Yard:	5’
Rear Yard:	5’
Street Side:	20’

The proposed structure is 44’ in width. This allows only an 18’ street side setback. Although the applicant is requesting a reduction to 18’, it is appropriate to reduce it to 15’ to allow some room for placement during construction.

The proposed lot layout for the 44' home is shown below:

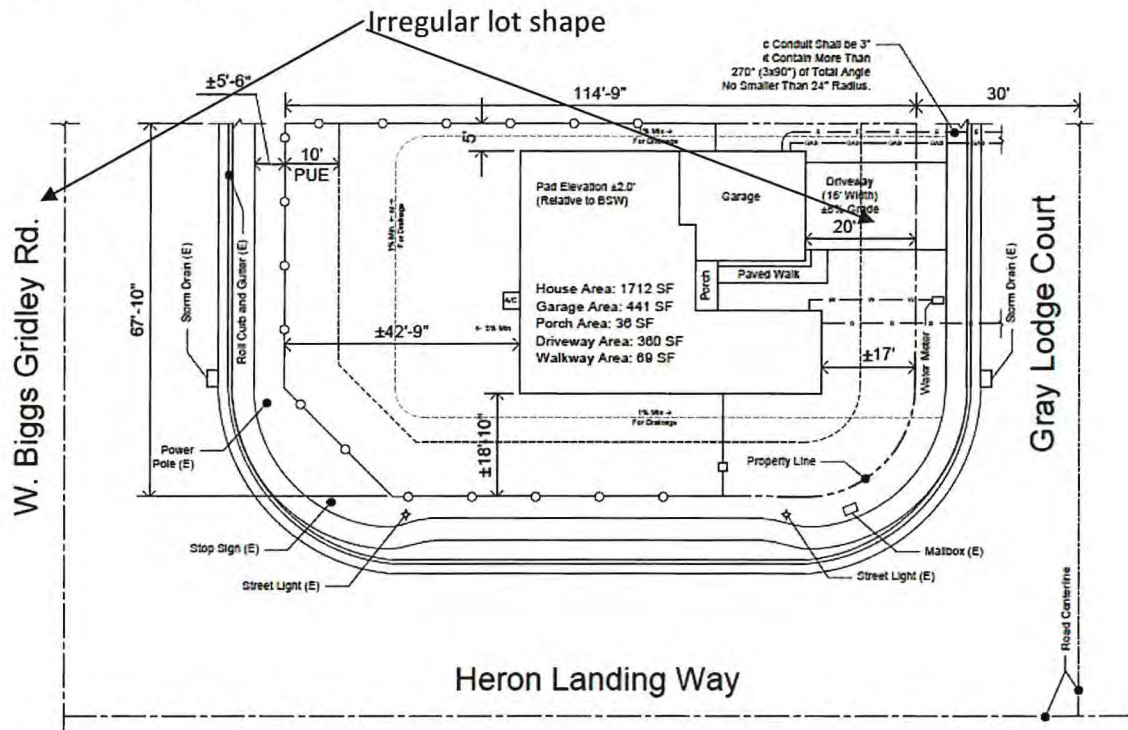


Figure 2: Lot Layout (nts)

Proposed Project

The applicant proposes to construct a single story residential unit with a building footprint of 2,189 square feet. This equals a lot coverage of 29% meeting the development standards. The size of structure is compatible with the surrounding area. The resulting reduction will not have a visual impact to the subdivision and does not significantly encroach into the setback area.



Proposed Structure

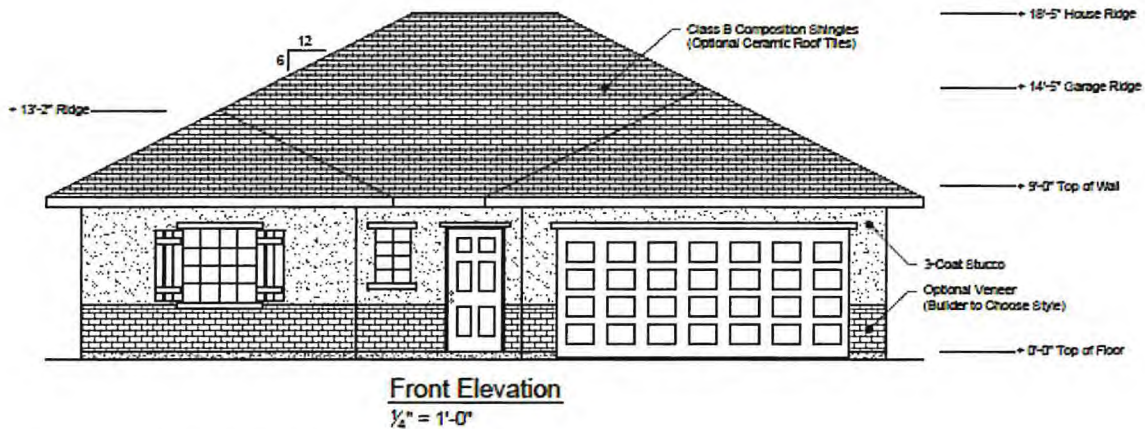


Figure 3: View on Grey Lodge Court

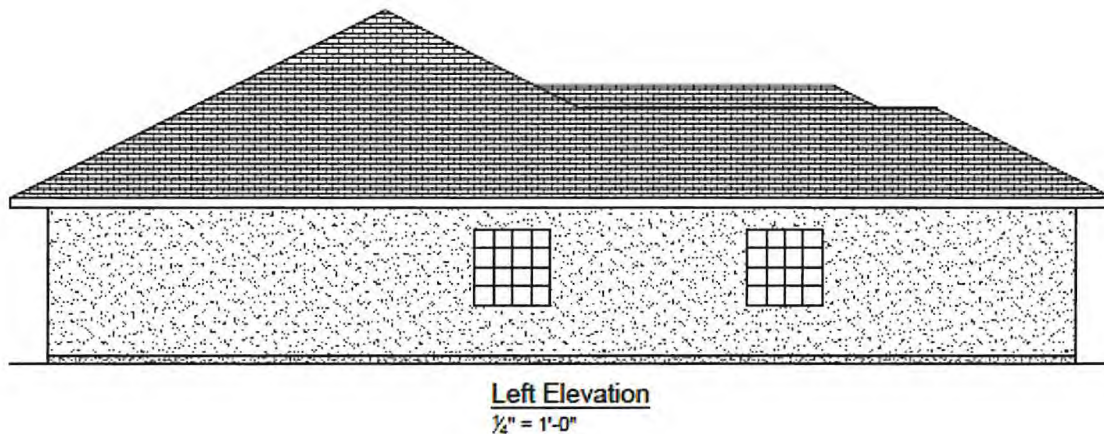


Figure 4: View on Heron Landing Way

The proposed architecture is compatible with other construction in the subdivision.

Findings:

Variances are entitlements that are supported when there are site constraints that preclude any other solution to meet the code. The applicant has stated that due to the irregular shape of the lot, it is not possible to design a home in keeping with others in the neighborhood. Should the commission believe that the variance can be supported it will need to make the following findings and describe how these have been met:

Variance Findings (17.09.030)

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district.**

(What are the special site conditions and circumstances that are peculiar to the site and not evident at other residential sites within the same district?)

- B. That literal application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.**

(How does the application of the requirement deprive the applicant to enjoy their property that others enjoy?)

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

(How does granting the variance affect the neighborhood? Does the granting of the variance impact the neighborhood?)

Recommendation:

Options:

Option 1: The Planning Commission makes the required findings and approves the variance to allow the street side setback reduction. Findings are provided to the Planning Commission for consideration (Exhibit A) along with conditions of approval (Exhibit B).

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the reduced streetside setback from 20 feet to 15 feet; and,
3. Approve Variance No. 04-19 with Conditions of Approval as shown in Exhibit B.

Staff supports the Planning Commission make the required findings per Exhibit A.

Option 2: The Planning Commission determines that it is unable to make the required findings and deny the request for a variance requiring the applicant to redesign the structure to meet existing setback requirements.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, mailed to residences within 300 feet of the site, posted at City Hall, made available at

the Administration public counter, and placed on the City website for review. At the time this report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15305, Class 5, of the California Environmental Quality Act (CEQA):

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Attachments –

- 1. Exhibit A Variance Findings
- 2. Exhibit B Conditions of Approval

Exhibit A

Variance Findings

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district;**

Special conditions exist that support the reduced street side setback in that the lot is an irregular shape and the subdivision was designed with minimal area for an owner to enjoy a reasonable rear yard private area.

- B. That literal application of the provisions of this title would deprive, the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title;**

The literal application of the development standards would deprive this property of the same rights that others enjoy with similar conditions of their property.

- C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

Allowing the property owner the planning entitlement to reduce the street side setback will not adversely impact the health or safety of ensure the health and safety of persons residing adjacent to and proximate to the site and will not be detrimental to the public welfare or injuruiose to property or improvements in the neighborhood.

Exhibit B
Draft Conditions of Approval
Variance No. 04-19

1. The approved Variance No. 04-19 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the approval may be allowed subject to the review and approval by the City Administrator or designee, if the request is in substantial conformance to this approval.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall submit an application for a building permit with plans drawn to scale to the Building Department to determine all applicable improvement and fee requirements. Plans shall be provided for submittal to the Fire Department. The applicant shall pay the required building permit and inspection fees.
4. This variance approval will lapse within one (1) year from the date of approval unless residential unit has begun construction. The City Administrator or designee may grant an extension if no modifications to the approval are requested, otherwise, the request for extension may be forwarded to the Planning Commission for action.
5. All other code requirements shall be met and the applicant shall pay all required development impact fees as required by the City of Gridley.

Planning Commission Item #5E
Staff Report

Date: August 14, 2019

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Conditional Use Permit 1-19** Branden Meyers, Applicant; Application for a conditional use permit to allow the use of a recreational vehicle as a living unit for a one- year period located at 1431 Vermont Street on a 0.69 acre parcel. Zoning for the property is Single Family Residential District (R-1) and Residential Low Density (RLD) General Plan land use designation. (APN 010-360-052)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Determine the project is categorically exempt per the California Environmental Quality Act, California Environmental Quality Act, Section 15304, Minor Alterations to Land, Class 4 (e).
2. Make the required conditional use permit findings as described within Exhibit A; and,
3. Approve Conditional Use Permit 01-19 subject to the conditions attached to the staff report as Exhibit B.

Summary

The applicant is requesting a conditional use permit to allow the temporary use of a recreational vehicle for housing to be parked at 1431 Vermont Street for a period of one year for a family member to use.

Site Description

The subject site is located on Vermont Street at the most southern end. It is an interior lot with a single family residential unit and outbuildings on a 0.69 acre parcel.



Proposed location of
RV screened from view

Discussion

The applicant proposes to use the recreational vehicle for a family member who works in the Bay Area to provide temporary housing for a period of one year. The person has a general work schedule of 10 days on and 10 days off. Each month the recreational vehicle would be used approximately 20 days per month.

Power would be provided from the existing home to the recreational vehicle and the unit would be pumped as required either at the site, or towed to a dumping station. The location of the unit would be screened from Vermont Street by placing it behind the existing single family home and shop.

Conditional Use Permit Findings (17.08.040(b))

The Planning Commission must make the following conditional use permit findings prior to granting an approval:

Conditional Use Permit Findings:

1. The proposed use is in accordance with the objectives of the Residential Very Low Density General Plan land use designation and R-1, Residential Low Density zoning district.
2. That the establishment, maintenance, or operations of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.
3. That the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, mailed to residences within 300 feet of the site, posted at City Hall, made available at the Administration public counter, and placed on the City website for review. At the time this report was prepared no comments had been received.

Environmental Review

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15304, Minor Alterations to Land, Class 4 (e).

Attachments –

- | | |
|--------------|---------------------------------|
| 1. Exhibit A | Conditional Use Permit Findings |
| 2. Exhibit B | Conditions of Approval |
| 3. Exhibit C | Application |

Exhibit A

Conditional Use Permit Findings:

1. **The proposed use is in accordance with the objectives of the Residential Very Low Density General Plan land use designation and R-1, Residential Low Density zoning district.**

The proposed use is compatible with the General Plan and zoning land use designations provided a conditional use permit is granted. Therefore, this finding can be made.

2. **That the establishment, maintenance, or operations of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.**

This use would not be detrimental to the general welfare of the residents, is a temporary use and would not be detrimental to the surrounding neighbors. Therefore, this finding can be made.

3. **That the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan.**

The recreational vehicle will be screened from view by the existing residence. The proposal will not be detrimental to the general welfare of the city. Therefore, this finding can be made.

Exhibit B

Draft Conditions of Approval Conditional Use Permit 01-19

1. The approved use for CUP 01-19 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the approved operation may be allowed subject to the review and approval by the City Administrator or designee, if the request is in substantial conformance to this approval.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant shall provide an exterior receptacle for connecting the unit to the electrical service at the residence.
4. The applicant shall ensure the unit will be pumped at a recreational vehicle dumping station as required.
5. This conditional use permit approval will be in effect for a period of one year from the date of the Planning Commission approval and may be extended by submitting an application to the City a minimum of 30 days prior to the expiration date. The application to extend the temporary use shall be determined by the Planning Commission.

{end}



City of Gridley
planning@gridley.ca.us
phone: (530) 846-3631
fax: (530) 846-3229

Fees Apply

Application No. _____

Conditional Use Permit

Planning Department

Application for

Applicant		Property	
Name	BRANDEN MEYER	APN	010-360-052
Company		Parcel Size	0.69 Acres
Address	1431 VERMONT ST	Existing Land Use	City of Gridley
City	Gridley	Owner	BRANDEN MEYER
State	CA	Address	SAME
Zip	95948	City	
Phone 1	(530) 933-1193	State	
Phone 2		Zip	
E-mail		Phone 1	
		E-mail	

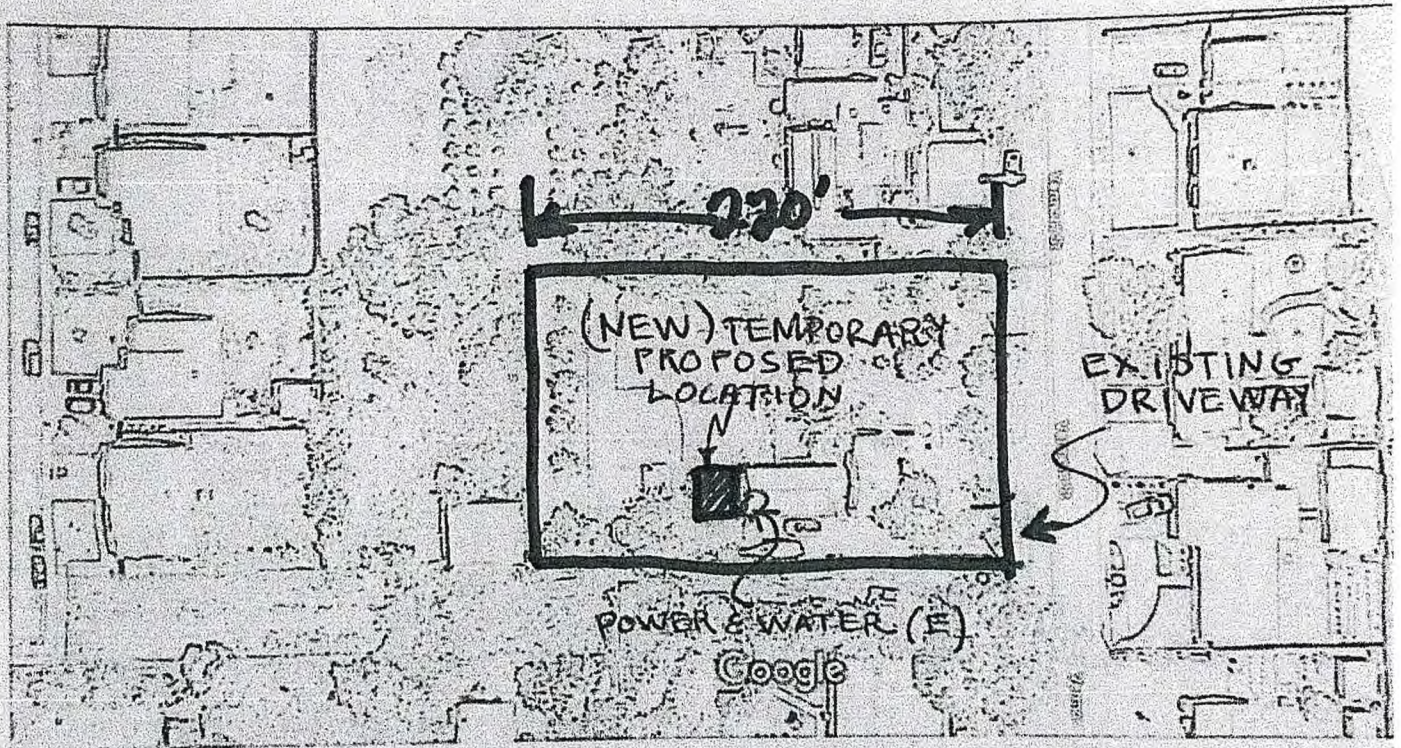
PAID

CITY OF GRIDLEY
DE02

Project Information	
Request: Allow small trailer to stay on property for father-in-law.	
Days & Hours of Operation	NA
No. of Employees	NA
No. of Off-Street Parking Spaces Proposed	NA
Notes	

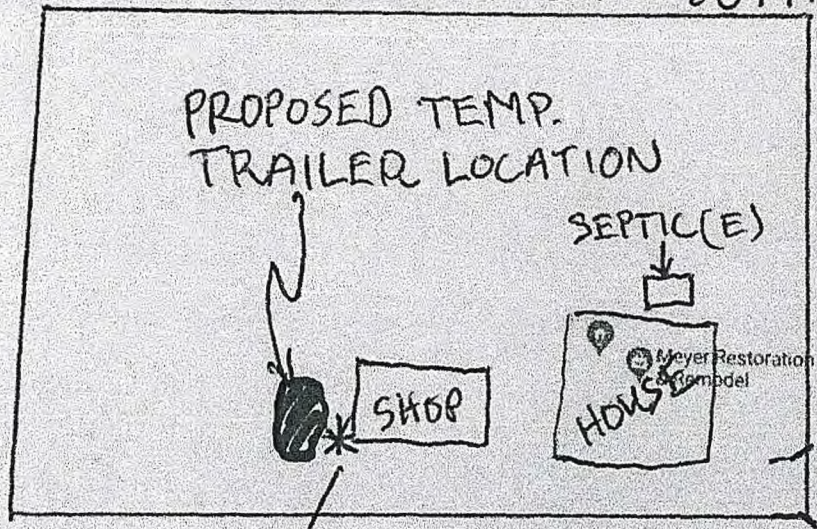
Applicant Signature	
I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property or have attached the owners written consent to file this application. I understand that verification of property ownership or interests in the property or application may be required. (Before signing, see the information on page 2.)	
Signature 	Date 7-15-2019

Office Use Only	
Received By	Butte County Filing Fee \$25 (Check Payable to Butte County)
Date	<input type="checkbox"/> Applies
Assigned Planner	<input type="checkbox"/> Does Not Apply
Tentative Hearing Date	Receipt No.
	Application Fee \$
	Envl Review Fee \$
	Total Fees \$



← ~ 220' →

1431 VERMONT ST. 0.67 AC



PROPOSED TEMP.
TRAILER LOCATION

SEPTIC(E)

SHOP

HOUSE

Google

WATER & POWER(E)

DRIVEWAY(E)

Vermont St
Vermont St
Vermont St
Vermont St



CITY OF GRIDLEY

685 Kentucky St.
Gridley, CA 95948

Environmental Questionnaire

The following information is requested to expedite the environmental review process necessary to process your permit request. Please complete thoroughly and attach reference materials as appropriate. Feel free to ask a staff Planner if you have any questions; omissions and errors could delay your project.

Project Information		
Describe the proposed project <i>Allow small trailers to be set on property for father-in-law.</i>		
Is grading proposed with the project? if yes, for what purpose and approximately how many cubic yards? <i>NO</i>		
Will the project include outdoor lighting? (Include type and location) <i>NO</i>		
Estimate the approximate square footage of proposed impervious surfaces, including building area, concrete, paving and other hardscape features <i>NONE</i>		
List the requested City permits and other public agency approvals required for this project, including County, State and Federal agencies. Please be aware that omissions may delay environmental review.		
Permit Name/Type	Responsible Agency	Date Request Submitted
<i>Conditional Use Permit</i>	<i>City of Gridley</i>	<i>7-5-19</i>

For Office Use Only	
Project Title	SCH No.
Assigned Planner	Receipt No.
Received By	Environmental Review Fee \$
	Date Received

See Other Side

Project HistoryHave any previous environmental studies or documents been prepared for the project site? If yes, please describe. **NO**Was this project heard by the Development Review Committee? When? **NO****Existing Conditions**Describe the existing and historic use of the site **Residential home**Provide a concise statement describing the current environmental setting of the project site **Residential home site, w/ small shop outbuilding, flat level ground w/ several fruit trees, lawn areas.**Are there residents/tenants who will need to be relocated as a result of the proposed project? **NO****Site Features**Is the project located near any of the following: schools, churches, day care facilities, health care facilities, streams, parks, nature preserves, or undeveloped natural land? Please describe. **NO**Does the site contain trees over 6" in diameter or native vegetation? Would the project remove these features? **NO**Are any endangered, threatened, rare or sensitive species suspected of existing on site? Describe. **NO**Have any known historical, archaeological, or paleontological resources been identified on site? **NO****Water Features**Will a new storm drainage outfall, or improvements to the existing storm drainage outfall, be necessary? **NO**

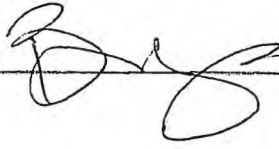
Environmental Questionnaire

Page 3

Does the project site include any surface water features including creeks, tributary channels or areas of ponding water in the wet season? Describe: NO

Toxins and Hazardous Substances
Is there a history of contaminated soil or groundwater associated with this site? NO
Are any underground storage tanks or other subsurface structures located on site (not including utilities)? SEPTIC TANK
Will the project involve the use or disposal of potentially hazardous materials including flammable, explosive, or toxic substances?
Disposal of RV trailer waste, propose small holding tank to be emptied semi-monthly by Ben's Toilet Rental.

Other Pertinent Information
Please describe any other characteristics or effects of the project that may be of environmental consequence NONE

Required Signatures
I hereby certify that the information provided above is true and correct to the best of my knowledge and belief.
Applicant's Signature  Date 7-5-19