

Gridley City Planning Commission – Regular Meeting Agenda

Monday, August 14, 2017; 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** – Chairman Wise
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 May 9, 2017, June 7, 2017, & July 24, 2017 - Continued to September 11, 2017**
5. **PUBLIC HEARINGS**
 - A. **Conditional Use Permit No. 4-17; Tracy Van Nguyen; Application for a conditional use permit to allow a pet store located on a 0.28 acre parcel located at 1061 Hazel Street in the Limited Commercial (C-1) zoning district and Downtown Mixed Use (DMU) General Plan land use designation. (APN No. 009-192-004)**
 1. **Receive staff report**
 2. **Open public hearing**
 3. **Hear public testimony**
 4. **Close public hearing**
 5. **Commission discussion**

Recommendation

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1.
2. Make the required findings of fact as described within the staff report; and,
3. Approve Conditional Use Permit 4-17 subject to the conditions attached to the staff report as Exhibit A.

6. **INFORMATIONAL – None**
7. **REPORTS & COMMUNICATIONS – None**
8. **ADJOURNMENT** - to the regular meeting of the Planning Commission to be held on Monday, September 11, 2017 at 6:00 p.m.

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 11, 2017, 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.

Planning Commission Agenda Item #5A
Staff Report

DATE: August 14, 2017

TO: Planning Commission

FROM: Donna Decker, Planning Department

SUBJECT: **Conditional Use Permit No. 4-17;** Tracy Van Nguyen; Application for a conditional use permit to allow a pet store located on a 0.07 acre parcel located at 1061 Hazel Street in the Limited Commercial (C-1) zoning district and Downtown Mixed Use (DMU) General Plan land use designation. (APN No. 009-192-002)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1.
2. Make the required findings of fact as described within the staff report; and,
3. Approve Conditional Use Permit 4-17 subject to the conditions attached to the staff report as Exhibit A.

SUMMARY

Ms. Tracy Van Nguyen, Exotic Bird and Pet, is requesting a conditional use permit to operate a pet store that will cater to the exotic bird and reptile market located at 1061 Hazel Street. Chapter 17.32 and 17.36 of the Gridley Municipal Code lists allowable land uses and those requiring a conditional use permit. The City has reviewed the permitted land uses for this zoning district and has determined that a conditional use permit is required.

SITE DESCRIPTION

The subject site is an approximately 0.07 acre parcel located on the south side of Hazel Street in the Downtown area between Ohio and Vermont Streets. The area is surrounded with commercially zoned properties on the North, South, East and West as shown on Figure 1: Location Map.

DISCUSSION

Conditional use permits (CUP) are entitlements that once activated are tied to the property without expiring unless so conditioned. The General Plan land use designation is Commercial and the zoning designation is C-1, Limited Commercial. A pet store is allowed with a conditional use permit.

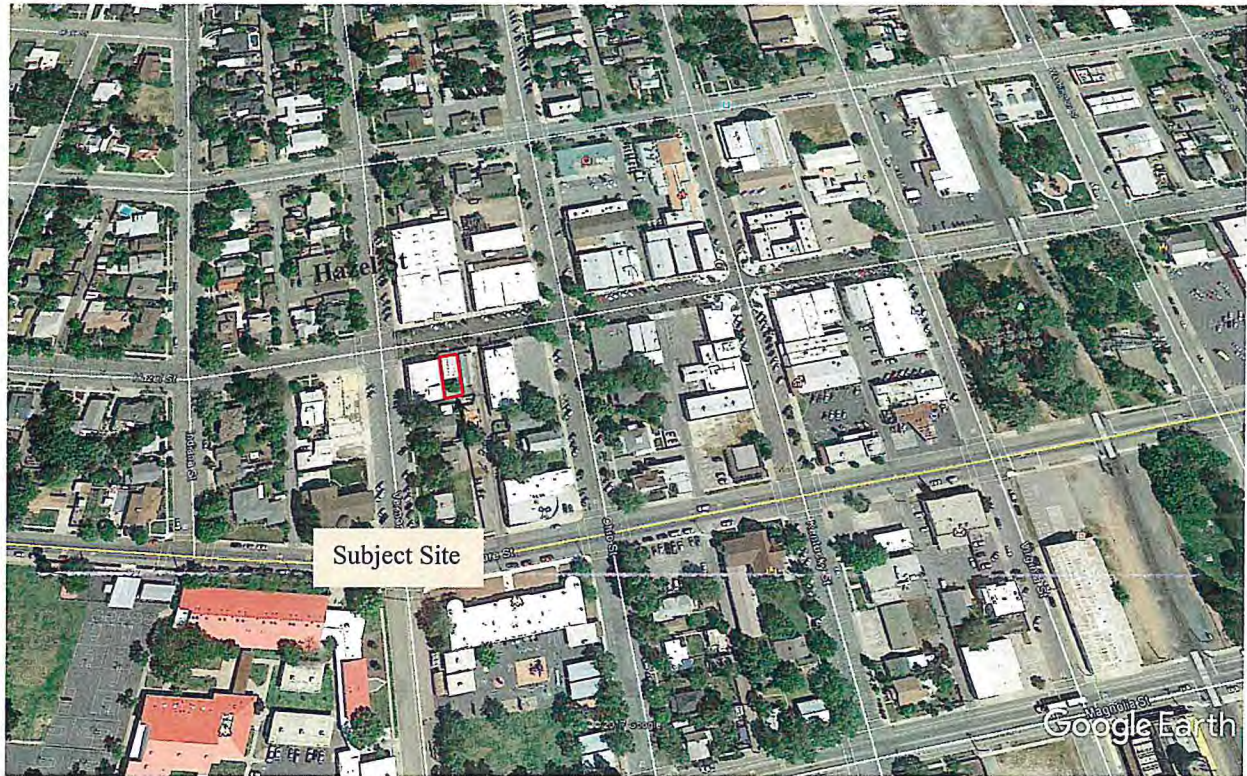


Figure 1: Location Map

The use of the site as a pet store is an appropriate use, as conditioned. The intent is to sell exotic birds and reptiles along with supplies to support them such as food, bedding, and housing. Ms. Nguyen has indicated that she may stock other pet supplies such as specialized dog and cat foods, toys, and other supplies in the future if there is a demand.

PUBLIC NOTICE

Notices were mailed to the surrounding property owners within a 100-foot radius of the subject site. A notice was also published in the Gridley Herald, posted at City Hall, and on the city website. At the time this report was prepared, no comments had been received.

FINDINGS

The Planning Commission is required to make the Findings of Fact for quasi-judicial actions of which this is.

Conditional Use Permit Findings:

1. The proposed use is in accordance with the objectives of the Downtown Mixed Use General Plan land use designation and C-1, Limited Commercial zoning district.

Approval of a conditional use permit will create an allowable use in the land use district noted; 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.

The use of the property with a retail pet store specializing in birds and reptiles will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use; 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 use of the property as retail commercial 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; therefore this finding can be made.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1.

CONCLUSION

Approving a conditional use for a retail pet store commercial use will utilize an existing vacant structure.

ATTACHMENTS:

1. Exhibit A, Draft Conditions of Approval

DRAFT CONDITIONS OF APPROVAL
Conditional Use Permit No. 4-17
1061 Hazel Street
APN 009-192-002

Approved Use:

Conditional Use Permit to allow a retail pet store commercial use located at 1061 Hazel Street. Zoning for the property is Limited Commercial (C-1) and Downtown Mixed Use (DMU) General Plan land use designation.

Conditions of Approval:

1. The approved use for CUP 4-17 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 use, areas, and etc. shall be subject to the review and approval by the Planning Department. Staff may recommend changes to be reviewed by the Planning Commission.
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 arrange to have Gridley Electric inspect the meter panel(s) at the site to insure they meet the current standards and to ensure the proper loads and metering are in place.
4. Any modifications to the existing structures in the future for are required to conform to the currently adopted building code applicable at the time of work.
5. All exterior improvements shall be reviewed and approved by the Planning Department.
6. The applicant shall submit an application for all new signage prior to constructing or installing.
7. The applicant shall comply with all California Health & Safety Code § 122350 – 122361.
8. All animals shall have an appropriate enclosure appropriate for each type, with an opening on at least one side.

9. An enclosure/area shall be of sufficient size to allow adequate exercise and movement shall be provided and will have a secure locking mechanism to prevent access by the public.
10. Enclosures, cages, and exercise areas shall be kept clean, dry, and in sanitary condition, providing adequate ventilation, a healthful temperature, and protection against weather extremes.
11. Daily food, free of visible contamination, that is palatable and of sufficient quantity and quality to meet the normal nutrient requirements for the type, condition, and size of the animal and fresh water that is always available and that is kept in a removable container shall be provided at all times.
12. The applicant/owner/operator of the pet shop shall maintain records sufficient to document the source of each bird, mammal, or reptile the pet shop acquires, for at least one year following the date of acquisition. Such records shall be made available, immediately upon request by city staff, any Animal Control Officer, Police Officer and/or Sanitation Inspector or Code Enforcement Officer.
13. The operator shall maintain records of each animal, bird, reptile and the source from which it was obtained. A sign listing from where the animal was acquired shall be posted on the cage, housing, or enclosure of each bird, mammal, or reptiles for sale.
14. This conditional use permit shall expire in one year, August 14, 2018 if a business license has not been obtained to begin operations.

{End}