

# Gridley Planning Commission – Regular Meeting Agenda

Wednesday, November 18, 2020; 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. We collectively develop, share, and are guided by a clear vision, values, and meaningful objectives.”*

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## Notice of Temporary City Planning Commission Meeting Procedures

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Act, Governor Gavin Newsom’s Emergency Declaration related to COVID-19, and Governor Newsom’s Executive Order N-29-20 issued March 17, 2020 that allows attendance by Planning Commission, City staff and the public to participate and conduct the meeting by teleconference and to participate in the meeting to the same extent as if they were present. Comments from the public on agenda items will be accepted until 2pm on November 18, 2020, via email to [jmolinari@gridley.ca.us](mailto:jmolinari@gridley.ca.us) or via the payment/document drop box at Gridley City Hall and will be conveyed to the Commission for consideration. The Commission appreciate the public’s adaptation and patience during this crisis.

You may attend via teleconference:

- Dial 1-888-204-5987
- Enter the Access Code 5767603#

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## CALL TO ORDER – Chair

**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.

**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”.

1. June 17 and September 16, 2020 Commission meeting minutes
2. **Variance 2-20**; John Casaulong, Applicant; An application for a variance from the lot coverage development standards to allow reduce of the required side yard setback from 5 ft to 3 ft, and to reduce the allowable distance between a primary and accessory structure from 6 ft to 3 ft located at 1150 Vermont Street in the Single Family Residential

District/Mixed Use Combining District 1 (R-1/MUCZ-1) and Residential, Low Density General Plan land use designation. (APN 009-013-011)

## **PUBLIC HEARINGS**

3. **General Plan Amendment GPA 3-20, Rezone RZ 3-20, and Tentative Parcel Map 3-20; Mitigated Negative Declaration 3-20;** Sandeep Dhami, Applicant; Application for a proposed General Plan Amendment, Rezone, Tentative Map, and Mitigated Negative Declaration of approximately 1 acre. The applicant proposes to subdivide the property into two parcels; one having 0.3 acre and one 0.6-acre parcel. The project proposes to maintain the existing single-family residence and to create the 0.6-acre parcel for the development of a multi-family residential development. The property division will amend the General Plan land use designation of Commercial to Commercial and High Density Residential 1, and rezone the property from Commercial to Commercial and Multi-Family Residential. The property is located at 1296 Highway 99. (024-270-001)

- a) Receive Staff Report
- b) Open Public Hearing
- c) Close Public Hearing
- d) Commission Discussion

## **CITY STAFF AND COMMISSION INFORMATIONAL UPDATES**

**ADJOURNMENT** - to the regular meeting of the Planning Commission dated December 16, 2020.

This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m. on November 13, 2020. This agenda along with all attachments, if any, is available for public viewing online at [www.gridley.ca.us](http://www.gridley.ca.us) and in the Police Department Foyer, 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.

## Gridley Planning Commission – Regular Meeting Minutes

Wednesday, June 17, 2020; 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. We collectively develop, share, and are guided by a clear vision, values, and meaningful objectives.”*

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### CALL TO ORDER

**Donna Decker called the meeting to order at 6 pm.**

#### Commissioners

Present: Espino, Wolfe

Absent: None

Arriving post roll call: None

### SWEARING IN AND SEATING OF COMMISSIONERS

#### 1. Swearing in of new Commissioners

- Rukhsana Khan
- Sumran Khan
- Mel Dewsnap

**The three new Commissioners were sworn in by Planning Director Donna Decker and took their seat.**

2. Commission Vote for Chair and Vice Chair

**Motion for Maria Espino as Chair made by R. Khan, seconded by S. Khan.**

**ROLL CALL VOTE**

**Ayes: Dewsnup, Wolfe, Espino, R. Khan, S. Khan**

**Motion passed, 5-0**

**Motion for Ken Wolfe as Vice Chair by Chair Espino, seconded by Commissioner Dewsnup.**

**ROLL CALL VOTE**

**Ayes: Espino, S. Khan, R. Khan, Dewsnup, Wolfe**

**Motion passed, 5-0**

**COMMUNITY PARTICIPATION FORUM**

**Chair Espino opened the forum and seeing no one present wishing to speak, it was closed.**

**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".

3. Approval of minutes dated October 16, 2019 and February 19, 2020

**Motion to approve the minutes by Commissioner Wolfe, seconded by Commissioner S. Khan.**

**ROLL CALL VOTE**

**Ayes: S. Khan, R. Khan, Espino, Wolfe, Dewsnup**

**Motion passed, 5-0**

**PUBLIC HEARINGS**

4. **Variance 1-20** - Application for a variance from the lot coverage development standards to allow an increase from 40% to 46% lot coverage to accommodate a rear yard 13' x 32' (416 sf) patio cover located at 2022 Eagle Meadows Drive, a 0.14-acre parcel. Zoning for the property is RS/PUD (Residential Suburban Planned Unit Development) and Residential, Low Density General Plan land use designation. (APN 009-300-016)

- a. Receive staff report
- b. Open Public Hearing/Receive Public Comment
- c. Close Public Hearing
- d. Commission Discussion

Staff recommendation:



- Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
- Make the required variance findings as described within Exhibit A allowing the increased lot coverage from 40% to 46%; and,
- Approve Variance No. 1-20 with Conditions of Approval as shown in Exhibit B.

**Donna Decker reviewed the staff report and explained the reason for the request for a variance. During public comment Patrick Coghlan of 852 Idaho Street spoke in regard to setback requirements and the variance process itself.**

**There was brief discussion among the Commission, then motion to approve item #4 and staff recommendations by Commissioner S. Khan and seconded by Vice Chair Wolfe.**

#### **ROLL CALL VOTE**

**Ayes: S. Khan, Dewsnap, R. Khan, Wolfe, Espino**

**Motion passed, 5-0**

#### **CITY STAFF AND COMMISSION INFORMATIONAL UPDATES**

**Donna Decker mentioned that a Planning Commission Handbook will be made available to the new Commissioners at the next meeting or before.**

#### **ADJOURNMENT**

**With no items for further discussion the Commission adjourned at 6:35 pm to the next regular meeting of the Planning Commission dated July 15, 2020.**

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**Donna Decker, Planning Director**

## Gridley Planning Commission – Regular Meeting Minutes

Wednesday, September 16, 2020; 6:00 pm  
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### CALL TO ORDER

**Chair Espino called the meeting to order at 6:08 pm.**

#### Commissioners

Present: Espino, R. Khan, Dewsnup, Wolfe, S. Khan

Absent: None

Arriving post roll call: None

**Staff present:** Donna Decker, Planning Director

### COMMUNITY PARTICIPATION FORUM

**The forum was opened and seeing no one present wishing to speak, the forum was closed.**

### CONSENT AGENDA

1. August 19, 2020 Commission meeting minutes

2. **Conditional Use Permit 3-20** 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)

**Motion to approve the consent agenda by Commissioner Wolfe, seconded by Commissioner S. Khan**

**ROLL CALL VOTE**

**Ayes: Espino, S. Khan, Wolfe, Dewsnap, R. Khan**

**Motion passed, 5-0**

**PUBLIC HEARINGS**

**Chair Espino announced items 3 and 4 would be considered in reverse order.**

3. **Introduction of a General Plan Amendment GPA 2-20, Pre-zone RZ 2-20, and Tentative Parcel Map 2-20; Annexation 2-20; Mitigated Negative Declaration 2-20;** Darryl & Sue Bernard, Applicant; Application for a proposed General Plan Amendment, Pre-zone, Tentative Map, Annexation and Mitigated Negative Declaration of approximately 40.0 acres. The applicant proposes to annex the property into the City of Gridley providing to amend the General Plan land use designation of Residential, Low Density, to General Plan Medium Density and pre-zoned for Single Family Residential District(R-1). The property is located on the east side of West Biggs Gridley Road, north and contiguous to the Heron Landing Subdivision. (022-210-092)

**Donna Decker reviewed the staff report and provided a detailed summary of the proposed project.**

**Comments were received from members of the public. Nora Hogan, Pat Coghlan, Alvin Davis, Teri Garcia all spoke in opposition to the item stating multiple concerns regarding increased traffic, narrow roads, detention basin location and the City's ability to handle increased need for services.**

**Jeff Spence, the architect on the project, spoke in favor of the project addressing some of the issues brought up by the members of the public.**

**This was an introductory item; no action was taken.**

4. **General Plan Amendment GPA 1-20, Pre-zone RZ 1-20, and Tentative Parcel Map 1-20; Annexation 1-20; Mitigated Negative Declaration 1-20;** Application for a proposed General Plan Amendment, Pre-zone, Tentative Map, Annexation and Mitigated Negative Declaration of approximately 19.95 acres. The applicant proposes to annex the property into the City of Gridley providing for approximately 2.7 acres of General Plan land use designation of Residential, Very Low Density, and pre-zoned for Residential Suburban (RS).

The remaining 17.25 acres will be designated as Residential, Medium Density General Plan land use and pre-zoned for Single Family Residential District (R-1). The property is located on the west side of West Biggs Gridley Road. (009-290-006)

Planning Director Donna Decker briefed the Commission, reviewing the staff report and the intent of the project. This project was introduced to the Commission on August 19, 2020. Decker reminded the Commission that the action tonight does not include any construction. Tonight's action is simply a map to separate two existing home sites at 1.8 and 0.9 acres each leaving the remaining 17.25 acres for future development. Decker stated there are no environmental impacts, so this item should state 'Negative Declaration'.

The Commission heard comments from Kimberly Hogan of 740 Berry Patch Court and Kevin Reid of 1635 West Biggs Gridley Road, who shared their concerns in opposition to development in Gridley.

Motion to approve item #4 and staff recommendations by Vice Chair Wolfe, seconded by S. Khan.

#### **ROLL CALL VOTE**

Ayes: S. Khan, Dewsnap, R. Khan, Wolfe, Espino

Motion passed, 5-0

#### **CITY STAFF AND COMMISSION INFORMATIONAL UPDATES**

#### **ADJOURNMENT**

With no items for further discussion, the Commission adjourned to the next regularly scheduled meeting of October 21, 2020.

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Donna Decker, Planning Director

**Planning Commission Item #2**  
**Staff Report**

**Date:** November 18, 2020

**To:** Chair and Planning Commissioners

**From:** Donna Decker, Planning Department

<b>X</b>	Regular
	Special
	Closed
	Emergency

**Subject:** **Variance 2-20;** John Casaulong, Applicant; An application for a variance from the lot coverage development standards to reduce the required side yard setback from 5 ft to 3 ft, and to reduce the allowable distance between a primary and accessory structure from 6 ft to 3 ft located at 1150 Vermont Street in the Single Family Residential District/Mixed Use Combining District 1 (R-1/MUCZ-1) and Residential, Low Density General Plan land use designation. (APN 009-013-011 )

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**Recommendation**

City staff respectfully recommends the Planning Commission:

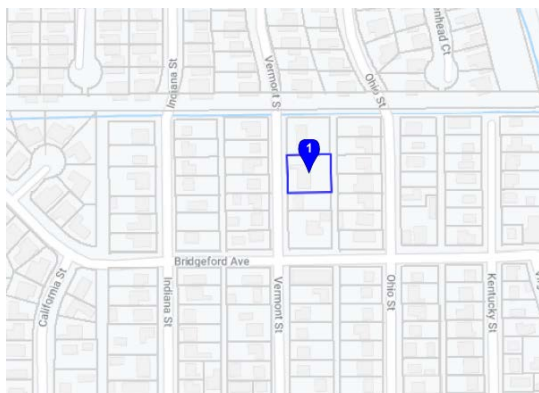
1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15305 (a), Class 5, Minor Alterations in Land Use Limitations; and,
2. Make the required variance findings as described within Exhibit A allowing the a reduction of the side yard setback, and primary and secondary structure separation; and,
3. Approve Variance No. 2-20 with Conditions of Approval as shown in Exhibit B.

**Summary**

The applicant is requesting a variance from the development standards to decrease the required side yard setback from five feet to three feet and to reduce the required separation between a primary and secondary structure from six feet to three feet. The purpose of the request is to construct a carport to park a recreational vehicle under.

**Site Description**

The subject site is located midblock between Bridgeford Avenue and Heron Landing Way on the east side of Vermont Street as shown.



It is an interior lot consisting of 13,939 square feet in size (0.32 acre) with a 1,531 square foot residence. The site is approximately 106' x 143'. The residence is situated on the site set back 30.6' west front yard set back, 24.16' north side yard setback, 55.3' east rear yard setback, and 14.3' south side yard setback.

**Figure 1: Site Location**

**Discussion**

### Land Use

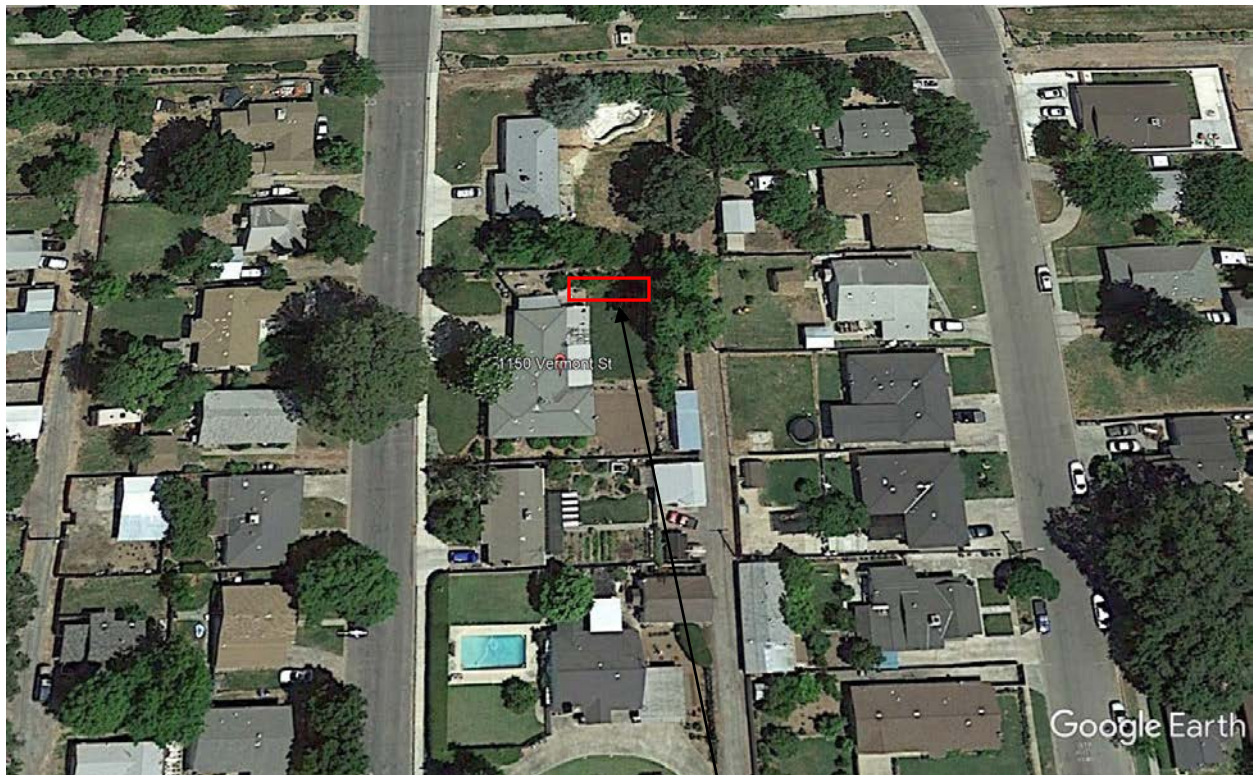
The project site is zoned R-1/MUCZ-1, Single-Family Residential District/Mixed Use Combining District 1 with a Residential, Low Density General Plan land use designation. The lot was developed exceeding the standard yard setback requirements:

Front Yard: 20'  
Interior Side Yard: 20% of the lot width  
Rear Yard: 5'

The side yard setbacks are calculated to be 20% of the lot width. The lot width is approximately 106 feet; 20% calculates to 21.2 feet. The site development provides greater side yard setback prior to development.

### **Proposed Project**

The applicant proposes to construct a 18' x 40' carport to house a recreational vehicle.



**Figure 2: Project location**

Location of proposed structure

The applicant proposes to locate the carport as far back into the rear yard as possible. There are several mature trees in the rear yard they have expressed a desire to maintain and not impact. This moves the location closer to the primary structure the residence. The Gridley Municipal Code allows accessory structures to be attached or detached. If they are detached, they are required to be placed six feet from the structure.

The carport will need to meet building code requirements for the reduced setback distances. The applicant has described the proposed unit to be constructed out of metal. Staff has not received information related to the style of structure. The project has been conditioned to have plans submitted to the Planning Department prior to building permit application. The applicant wanted to ensure that the requested setback reductions were approved before moving forward.

***Findings:***

The Planning Commission will need to make the findings that are supported by staff as described within Exhibit A.

**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, density and include variances from setback requirements.

**Attachments –**

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

## Exhibit A

### **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.**

Special circumstances exist whereby the site is fully developed with mature landscaping. In an effort to preserve the large trees, the structure will be closer to the side yard and the primary structure. This creates a special situation to preserve the existing vegetation; therefore this finding can be made.

- 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 request to construct a cover for the recreational vehicle to the site for is reasonable and many others enjoy the same; therefore this finding can be made.

- 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.**

Granting the variance will not adversely affect the neighborhood nor detrimental to the public welfare, therefore this finding can be made.



**Exhibit B**  
Draft Conditions of Approval  
Variance No. 2-20  
(APN 009-013-011)

1. The approved Variance No. 2-20 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 shall submit plans to scale of the proposed carport to house the recreational vehicle for review and approval prior to obtaining a building permit or applying for a building permit.
4. 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.
  - Improvements may include driveway widening and an additional concrete drive for the recreational vehicle to drive into the storage area. Plans shall show how the unit will be moved on and off of the site.
  - Plans shall provide a concrete pad for the unit to be on. Plans shall also show how drainage is managed to the front.
5. This variance approval will lapse within one (1) year from the date of approval unless the 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.
6. All other code requirements shall be met and the applicant shall pay all required development impact fees as required by the City of Gridley.





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

Fees Apply

Application No.

## Variance

Planning Department

### Application for

Applicant		Property	
Name	John Casaulong	APN <sup>e</sup>	009-013-011-000
Company	n/a	Parcel Size <sup>e</sup>	.32 acres
Address	1150 Vermont Street	Existing Land Use	Residential
City	Gridley	State	CA
Owner	John & Julie Casaulong		
Zip	95948	Address	1150 Vermont Street
Phone 1	(530) 680-7757	City	Gridley
Phone 2		State	CA
E-mail	tjdc1956@sbcglobal.net	Zip	95948
		Phone 1	530-680-7757
		E-mail	tjdc1956@sbcglobal.net

### Project Information

Request (Applicant must also provide information to support findings necessary to grant variance by completing attached Findings of Fact form.)

RV Cover in residential backyard

Days & Hours of Operation

No. of Employees

No. of Off-Street Parking Spaces Proposed

n/a

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

John Casaulong

Date

9/1/2020

### Office Use Only

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



*Requirements***Requirements**

- ☒ Completed and Signed Application Form
- ☒ Completed Environmental Questionnaire Form
- ☐ Written Authorization from the Property Owner (if Applicant is not the owner)
- ☒ 8 1/2' X 11" Site Plan of Proposed Development
- ☐ Application and Environmental Review Fees

As a result of the environmental review process, additional information may be required to determine if significant adverse environmental impacts could result from the project.

**Time Limits**

Pursuant to California Government Code Section 65943 and 65950, the City has thirty (30) days from the date of submittal to determine if an application is complete and six months from the date of acceptance of a complete application to take final action when a negative declaration is prepared.

If an Environmental Impact Report is required, the City must take action within ninety (90) days after certification of the Report.

Any required public hearing must be held at least 60 days prior to the expiration of the time limit.

After a final decision is made on the application there is a ten day appeal period during which the decision may be contested. The conditional use permit shall not be valid until after the appeal period.

**Notice of Pending Amendments**

Pursuant to California Government Code Section 65945, et seq., an applicant can make a written request to receive notice of any pending amendments to the General Plan, Specific Plans, land use regulations, ordinances affecting building permits, or to regulation pertaining to developing permits, if the amendment is reasonably related to the applicant's project.

Note: By signing the front page of this application form, the applicant is indicating that project site is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, as amended in January, 1996.



*Findings of Fact*

**Background**

Each zoning classification and land use has an associated set of development standards which are specified in the Gridley Municipal Code. The Code also established a procedure to grant variances from these standards where unique circumstances exist to warrant relief from the strict application of these standards.

A variance can be granted only if specific findings are made to indicate that unique circumstances do, in fact, exist. These special circumstances may include factors such as the size, shape, topography, location and surroundings of a piece of property.

The courts have clearly indicated that variances are not intended to rewrite the City Code and can only be granted if all the findings listed below are made. Further, the courts have indicated the actual factual basis for these findings must be stated.

*Note to Applicant*

Please DO NOT apply for a variance unless you can provide the necessary factual basis to the requested variance. All necessary application fees are non-refundable.

**Finding**

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.

We have purchased a 36' trailer. This trailer needs to be covered to protect it from the elements, sap from surrounding trees, theft and/or crime. Do to the size of the unit we would put the structure in our back yard. Do to the size restraints of this project we would need to have 3'1" from the fence on the North side leaving it 1'11" over the set back line. The south side would be 3'1" from the patio eve.

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

This would deprive us to put our RV under cover and protect it from the elements and to use our property as we see fit. This would protect our property and would be set back off of the road and not be seen.

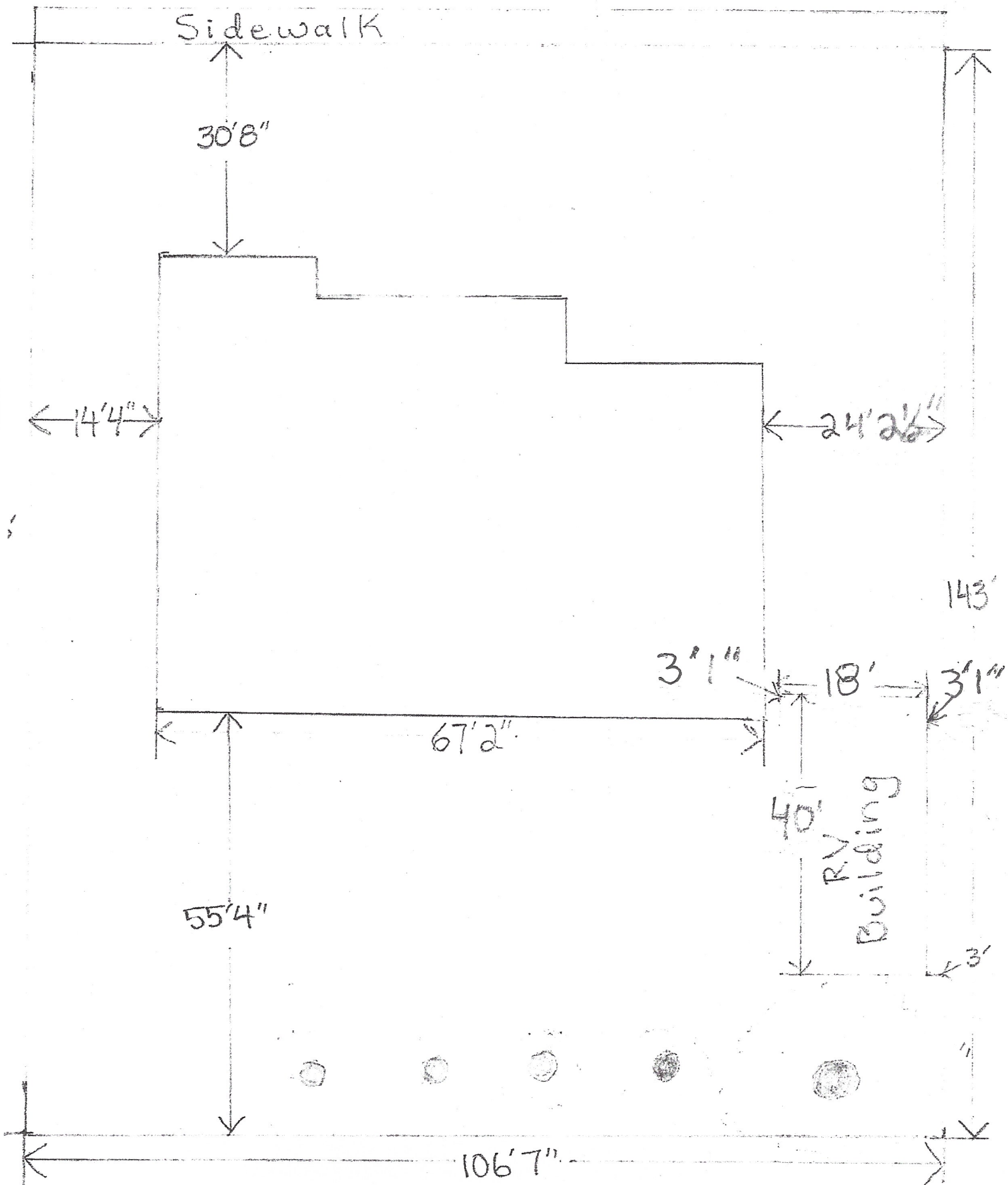


*Findings of Fact*

Finding	Statement of Fact
<p>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. (Ord. 491 (part), 1986.)</p>	<p>This project would not effect our neighbors. The RV would not be on the narrow street in front of our house and would be parked under cover in our own backyard. This would also eliminate the possibility of crime and theft.</p>
<p>D. The variance will be on general harmony with the Purpose and Intent of Title 10 "Land Use Regulations."</p>	<p>Absolutely - as stated above affect the harmony of the land use.</p>
<p>E. Where a specific plan is applicable to the site, the proposed use and variance is consistent with the specific plan.</p>	<p>Park the trailer in a cover storage for preservation of the RV. We will not be living in the unit it would only be for storage.</p>
<p>F. The granting of the variance will not be inconsistent with the provisions of the General Plan.</p>	<p>No, This would not be subject to any inconsistencies of the General Plan.</p>

**All of the above findings must be made, including the statement of specific facts, to grant a variance.**

John Casaulong 1150 Vermont St. Gridley



**Planning Commission Item #3**  
Staff Report

**Date:** November 18, 2020

**To:** Chair and Planning Commissioners

**From:** Donna Decker, Planning Department

<b>X</b>	Regular
	Special
	Closed
	Emergency

**Subject:** **General Plan Amendment GPA 3-20, Rezone RZ 3-20, and Tentative Parcel Map 3-20; Mitigated Negative Declaration 3-20;** Sandeep Dhami, Applicant; Application for a proposed General Plan Amendment, Rezone, Tentative Map, and Mitigated Negative Declaration of approximately 1 acre. The applicant proposes to subdivide the property into two parcels; one having 0.3 acre and one 0.6-acre parcel. The project proposes to maintain the existing single-family residence and to create the 0.6-acre parcel for the development of a multi-family residential development. The property division will amend the General Plan land use designation of Commercial to Commercial and High Density Residential 1, and rezone the property from Commercial to Commercial and Multi-Family Residential. The property is located at 1296 Highway 99. (024-270-001)

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**Recommendation**

City staff respectfully recommends the Planning Commission:

1. Recommend the City Council adopt the resolution to amend the General Plan land use designation from Commercial to Commercial/ High Density Residential (HDR R-1);
2. Approve an ordinance to rezone the property from Commercial to Commercial/ Multi-Family Residential (MFR); and,
3. Approve a Tentative Parcel Map to subdivide an approximately 1-acre parcel into two parcels consisting of a 0.3-acre parcel and a 0.6-acre parcel subject to the conditions of approval, Exhibit A.

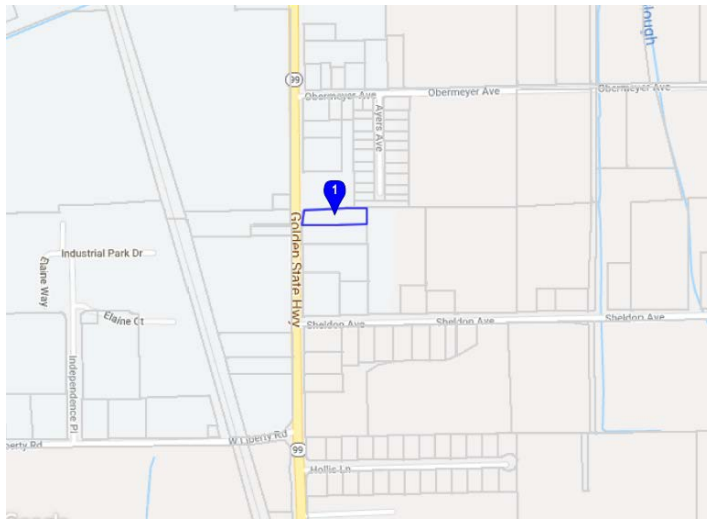
**Summary**

The applicant, Sandeep Dhami, Norcal Investors, Inc., submitted applications for a tentative parcel map, a rezone and General Plan Amendment for the property located at 1296 Highway 99. The tentative parcel map is typically approved by the Planning Department in conjunction with a review by the City Engineer. The original parcel was split zoned with Commercial (C-2) and Multi-Family Residential (R-3).

**Site Description**

The subject site is an approximately 1acre parcel located on the east side of Highway 99 south of the Pacific Motel, north of Sheldon Avenue.





**Figure 1: Site Location**

The property is a narrow lot that currently has a single-family residence fronting Highway 99. There is also a garage on the south property line.

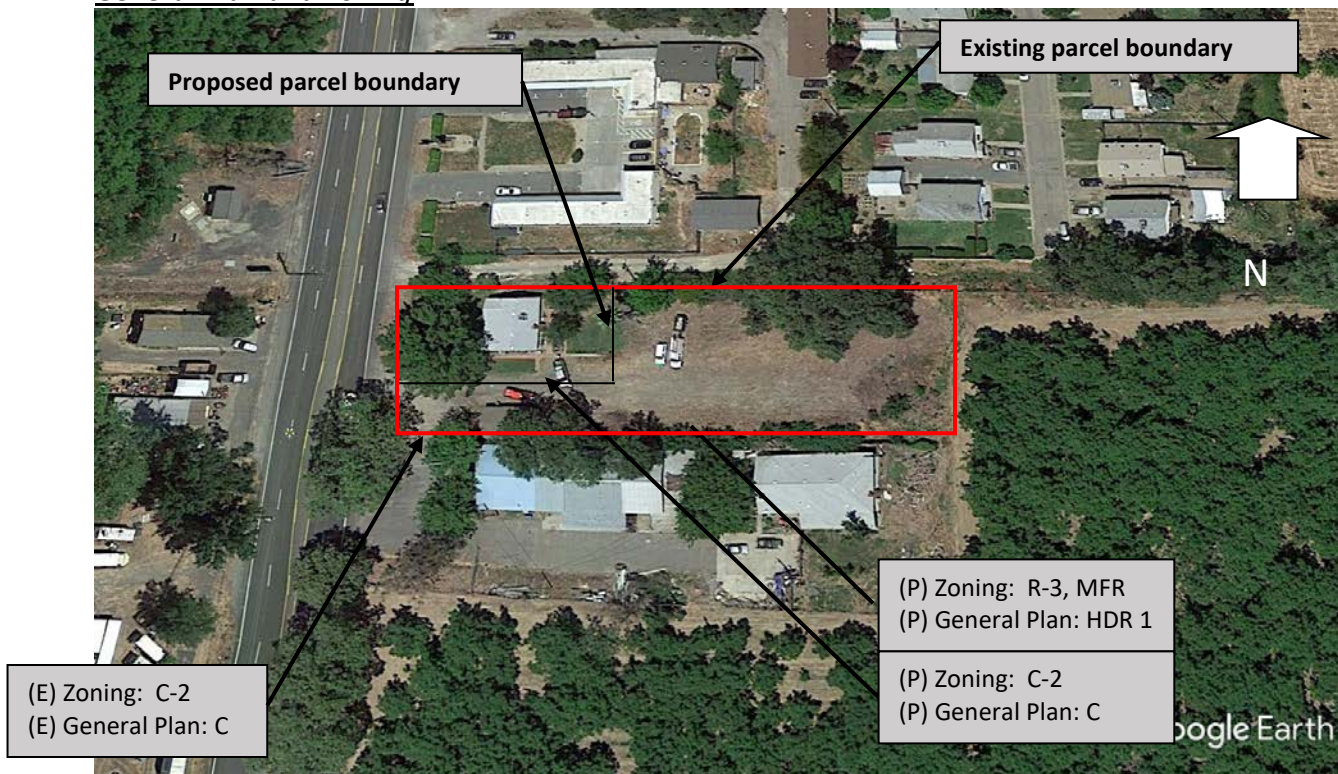
The property is located south of the Pacific Motel to the north, single-family residential to the northeast, agriculture to the east, commercial and agriculture to the south. Highway 99 lies on the west side of the property. Across the highway, there are commercial and agriculture land uses.

## Discussion

### Existing Land Use

The site is currently used as a single-family residence with a garage. Entry is from Highway 99. On August 8, 2018, a conditional use permit was approved by the Planning Commission to allow the continued use of the property for residential use. The plan for a continuous commercial corridor would eventually realize dwellings that exist contiguous to Highway 99 would be either converted to, or demolished, for a commercial use. This property will be allowed to continue the residential use until such time another use may be desired.

### General Plan and Zoning

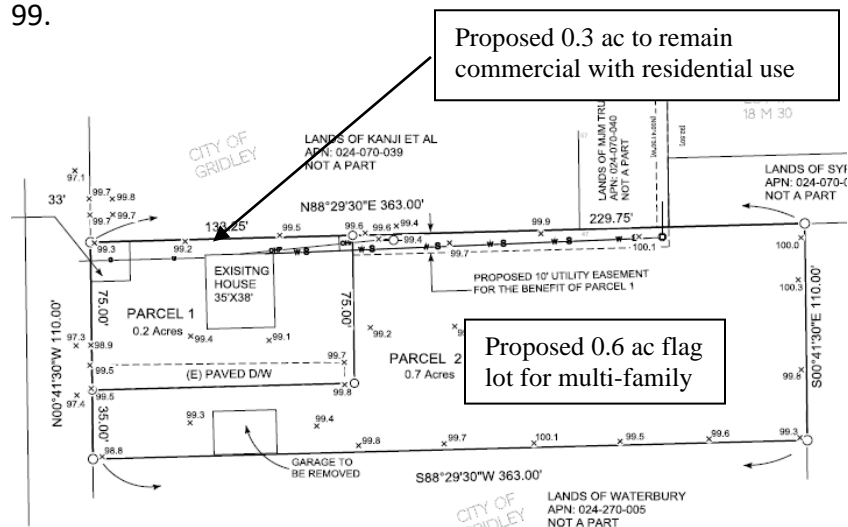


**Figure 3: Existing and Proposed Land Use Designations**

The subject site is currently zoned with two designations as shown in Figure 1 below. The area on the existing parcel configuration located from Highway 99 to the southeast corner of Dollar General is zoned General Commercial (C-2). The area located to the east on the same parcel is zoned Multi-Family Residential (R-3). When the lot line is complete, the General Plan designation for the new parcel outlined in red will all be High Density Residential 2 (HDR 2) and the zoning will be High Density Residential (R-4).

### Proposed Land Use

The applicant proposes to subdivide the parcel to maintain the residential use contiguous to Highway 99, remove the existing garage, and create a parcel having direct access to Highway 99.



**Figure 2: Proposed Land Division**

In order to fully utilize the property, the application outlines the proposal to continue the existing General Plan and zoning land use designations for the existing residentially used portion of the property and then create a 0.6-acre parcel that is configured as a flag lot.

The new parcel would be designated for Multi-Family Residential and High Density 1 residential zoning and general plan land use designations, respectively

### Density

The applicant has proposed the development of the Multi-family residential with duplexes or four-plex buildings. Two to three structures could be developed ranging from four to eight units. This would be a density of 13 du/ac fitting into the proposed zoning and General Plan land use designations.

### Project Design

The applicant has not submitted a site plan designing the multi-family development. At this time, the applicant has not determined the design of the project. When a proposal is submitted to the City, it will be reviewed for compliance with the Gridley Municipal Code.

The first step in this process is to determine if the site can be subdivided for the uses the applicant has proposed.

**Public Notice**

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

**Environmental Review**

The proposed project requires a Negative Declaration. At the time of this report, no significant impacts had been identified. The Initial Study and Negative Declaration will be provided to the City Council for approval when the resolution for the General Plan Amendment and the Ordinance for the rezone are presented.

**Attachments –**

1. Exhibit A- Draft Conditions of approval
2. Exhibit B- Tentative Parcel Map

## **Exhibit A**

### **Conditions of Approval TPM 3-20; RZ 3-20; GPA 3-20 (APN 024-270-001)**

1. The applicant/property owner shall file a Declaration of Acceptance of the Conditions of Approval within 30 days of approval for the Tentative Parcel Map 3-20.
2. The Tentative Parcel Map 3-20 shall expire after a two (2) year period. An extension by the is allowed under the Subdivision Map Act; the applicant would need to apply 30 days prior to the expiration of the Tentative Parcel Map.
3. If the Tentative Parcel Map expires, a new application to develop the site would be required.
4. Any development of the site shall submit an application for review and approval to the City of Gridley and gain all necessary permits prior to construction.
5. The project shall be required to pay all applicable impact fees for the development of the project.
6. Minor changes may be approved by the Planning Director upon receipt of a substantiated request by the applicant, or their respected designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the approved application. Changes deemed to be major or significant in nature shall require a formal application for amendment.
7. In the event of the discovery or recognition of prehistoric or historic resources in the area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American heritage Commission within 24 hours.

Upon completion of the site examination, the archeologist shall submit a report to the City describing the significance of the finds and make recommendations as to its disposition. If human remains are unearthed during construction, the provisions of California Health and Safety Code Section 7050.5 shall apply. Under this section, no further disturbance of the remains shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. Mitigation measures, as recommended by the archaeologist and approved by the City, shall be implemented prior to recommencement of construction activity within the 50-foot perimeter.

8. Prior to any site work, the project applicant shall submit a geotechnical report to the City, prepared by a certified engineering geologist. The project applicant shall incorporate any recommended measures into the final site plan.
9. Construction of the project shall comply with the requirements of the National Pollution Discharge Elimination (NPDES) Permit and obtain a WDID from the State of California in conformance with the General Construction Storm Water Permit; Storm Water Pollution Prevention Plan (SWPPP) shall be prepared prior to construction activities.
10. Upon commencement of grading and construction activities, the applicant shall implement measures to offset particulate matter and emissions from construction equipment as specified by Butte County Air Quality Management District.
11. Prior to recordation of a Final Map, the applicant shall submit for review and approval improvement plans that shall include, not limited to, details related to above and underground infrastructure; piping and service laterals, meters, drop inlets, manholes, curb, gutter, and sidewalk, roadway, pavement markings, lighting, hydrants, street signs, electrical, transformer pedestals, and any and all components as required by the City of Gridley, the City Engineer, the Utility Supervisor, and Public Works Manager. Plans shall meet all required state and local ordinances, regulations, and Public Works Development Standards. Omissions on the plans does not constitute approval for the omission. Plans shall be reviewed and approved by the City Engineer and the Gridley Municipal Services Division.
12. Prior to recordation of the final map, the applicant shall coordinate with the Butte County Assessor's Office and Tax Collector to segregate any assessments against the properties and pay any delinquent, current, and future taxes and/or assessments against the properties as required.
13. Dedicate additional right-of-way as determined by the State of California and improve the total length of the frontage along Highway 99.
14. Dedicate and improve the 35-foot wide access road into the residential development to the satisfaction of the City Engineer meeting all code requirements.
15. Dedicate a 10-foot public services easement adjacent to all public right-of-way frontages. Additional easements may be required into the site to serve the multi-family development.
16. Prior to approval of a Final Map all of the following requirements shall be completed:
17. A registered engineer shall prepare and submit the following information to Gridley Department of Public Works for review and approval:
  - a. Calculations identifying the estimated rate of peak stormwater runoff from the cross area of the undivided site and abutting streets - as they exist at the time

of approval of the tentative parcel map- during currently adopted design storm event. The calculations shall be prepared in a manner consistent with the Gridley Public Works Construction Standards, and with standard engineering practice.

- b. Construction details, plans and profiles, typical sections, specifications, and maintenance plans for any proposed stormwater detention facilities to be constructed to serve the parcels created by this subdivision.
  - c. An assessment against the development and individual parcels shall be established to fund the on-going maintenance costs associated with any approved stormwater detention facilities, lighting, landscape, and drainage components as determined by the City Engineer.
  - d. Dedication of the area for the detention facilities, if required shall be made to the City of Gridley as a condition of recordation of the Final Map.
  - e. The design of surface detention facilities, if required, shall minimize use of the facility by mosquitoes- for breeding by incorporating some or all of the features recommended by the Butte County Mosquito and Vector Control District.
  - f. All drainage improvements shall be constructed in conformance with the Gridley Public Works Construction Standards, the City of Gridley Master Drainage Plan, and the details shown on approved construction plans. The developer shall have a registered engineer prepare and submit construction details, plans and profiles, typical sections, specifications, and cost estimates to the Department of Public Works for review and approval prior to the recordation of the Final Map.
18. Telephone, cable television, electric, and gas service shall be provided to all parcels in accordance with the Gridley Public Works Construction Standards, the Gridley Municipal Code, and the requirements of the agencies providing these services.
19. If any existing utilities must be relocated as a result of this subdivision, the agencies that own the facilities may require the developer to pay the cost of such relocations.
20. The lots shall be graded in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit grading details, plans and specifications prepared by a registered engineer to the Department of Public Works for review and approval prior to the start of any work.
21. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to the plaintiff in an action challenging the validity of this tentative parcel map or any environmental or other

documentation related to approval of this tentative subdivision map.

22. Provide existing topography 100 feet beyond boundary and proposed finish grade contour lines both at 1-foot contour intervals.
23. Provide water distribution plan, proposed sizes and tie in locations.
24. Proposed fire hydrant locations.
25. Develop conceptual sewer plan, proposed sizes, slopes, sewer manholes and tie in locations.
26. Develop conceptual drainage plan, sizes and overland release and detention facilities.
27. Show public utility easements (PUE) on plan.
28. Provide Landscape Plan for frontage along Highway 99.
29. Show all existing public facilities on Highway 99 and the subject site.
30. Show proposed building setbacks for each parcel or provide a typical set back detail for interior lots and corner lots.
31. All overhead utilities shall be underground within subdivision.
32. Street lighting shall be provided along Highway 99 and within the interior of the parcel. The lighting layout will be approved by the City and will be designed with decorative acorn lighting.
33. Meet requirements of Reclamation District. The proposed development shall mitigate the increased stormwater runoff such that facilities and properties served by the District aren't impacted due to the increased stormwater. The water surface elevation within the District canals, and any existing flooding duration within the District shall not be increased.

This shall be demonstrated by a detailed engineering analysis of the development and District facilities, or by mitigating post-development flows to that of pre-development conditions for 10, 25, 50, and 100-year events. Pre-development release rates shall take into consideration existing conditions within the District facilities. The increased volume of water also has a negative impact to downstream facilities and properties. The proposed development shall meter the 100-year post-development event volume such that the total volume of water discharged from the site over a 30-hour period is not increased as compared to the 100-year pre-development event volume.

The Reclamation District shall review and approve the storm water facility design with costs being reimbursed by the developer to the District.

34. The property owner shall enter into a written agreement for the installation and maintenance of landscaping in a form suitable for recordation with the Butte County Recorder binding upon the property owner and his/her successor(s) in interest. All plants shall be maintained in a healthy, disease free condition. Water and fertilizer shall be applied as necessary to maintain their normal color and growth rate. Weak or broken branches shall be removed by pruning. Dropped or faded flowers, seed pods, dead foliage and leaves shall not be allowed to accumulate. Dead plant materials shall be replaced with healthy plants promptly throughout the life of the project development. Annual and perennial planting beds shall be weed and litter free. Independent agreements shall be for the State and for the City of Gridley.
35. The property owner shall enter into a written agreement for the maintenance of the building, site, and site amenities, paving, and walkways in a form suitable for recordation with the Butte County Recorder binding upon the property owner and his/her successor(s) in interest. This agreement, at a minimum, shall state that all facilities and related equipment, including lighting, fences building facades, and materials shall be maintained in good repair, free from trash, debris, litter and graffiti, and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight. All pavement markings shall be maintained so as to be clearly visible throughout the life of the development. Trash, debris, litter or graffiti shall be removed from the site and any facility or equipment as soon as practicable and in no instance more than forty-eight hours from the time of notification by the City. The agreement shall acknowledge that any costs incurred by City staff due to non-responsiveness by the owner or manager of the site will be the responsibility of the property owner not taken care of, the costs of any cleanup by City staff will be a fee born by the owner and his/her successor(s) in interest. Independent agreements shall be for the State and for the City of Gridley.



