Gridley City Council – Regular City Council Meeting Agenda

Monday, December 19<sup>th</sup>, 2016; 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 collectedly develop, share, and are guided by a clear vision, values, and meaningful objectives."

- 1. CALL TO ORDER Mayor Hall
- 2. **ROLL CALL** Recording Secretary
- 3. **PLEDGE OF ALLEGIANCE** Mayor Hall
- 4. **INVOCATION** John Manganiello, United Methodist Church
- 5. **COMMUNITY PARTICIPATION FORUM -** Members of the public may address the City Council on matters not listed on the agenda. The City Council 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.
- 6. **CONSENT AGENDA -** All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Council member may request that an item be removed for separate consideration. The City Council may only make minor comments; otherwise the item should be removed from the Consent Agenda and placed as the first item(s) under "Items for Council Consideration".
  - A. Council minutes dated December 5<sup>th</sup>, 2016
  - B. Second Reading and Adoption of Ordinance No. 823-2016: An Ordinance of the City Council of the City of Gridley amending a portion of Title 17, "Zoning", of the Gridley Municipal Code. (Citywide)
  - C. Review and approval of modifications to the Climate Action Plan and Infill Design Guidelines adding required document acknowledgements and disclaimers
  - D. Updated State Mandated Ten-Year Electric Energy Efficiency Goals for 2017 to 2026
  - E. City Services Update

# 7. OTHER ITEMS FOR COUNCIL CONSIDERATION

- A. Introduction and First Reading of Ordinance No. 824-2016: An Ordinance of the City Council of the City of Gridley amending various chapters of Title 16, Zoning (Citywide)
- B. Approval of Resolution No. 2016-R-037: A Resolution of the City Council of the City of Gridley Amending the City of Gridley Public Works Standards

- C. Approval of Resolution No. 2016-R-038: A Resolution of the City Council of the City of Gridley Reciting the fact of the General Municipal Election Held on November 8, 2016, Declaring the Result and such other matters as Provided by Law
- 8. **CITY STAFF AND COUNCIL COMMITTEE REPORTS -** Brief updates from City staff and brief reports on conferences, seminars, and meetings attended by the Mayor and City Council members, if any.
- 9. **POTENTIAL FUTURE CITY COUNCIL ITEMS** (Appearing on the Agenda within 30-90 days):

| 1. Council Committee Appointments                     | 01/16/17 |
|---|----------|
| 2. Annual Audit                                       | 02/06/17 |
| 3. Biggs Police Contract                              | 02/21/17 |
| 4. Swimming Pool Discussion update                    | 02/21/17 |
| 5. Study Session – Electric Utility Process and Rates | 03/06/17 |
| 6. Cost Allocation / Fee Study Results                | 03/20/17 |
| 7. Marijuana Policies                                 | 03/20/17 |
| 8. Study Session – Building Services                  | 03/20/17 |

- 10. Seating of new City Council and Swearing in of Newly Elected City of Gridley City Councilmembers
- 11. Selection of Mayor and Vice Mayor
- ADJOURNMENT adjourning to the next regularly scheduled meeting on January 3<sup>rd</sup>, 2017

**NOTE 1**: **POSTING OF AGENDA-** This agenda was posted on the public bulletin board at City Hall at or before 4:00 p.m., December 16<sup>th</sup>, 2016, in accordance with Government Code Section 54954.2. This agenda along with all attachments is available for public viewing online at <u>www.gridley.ca.us</u> and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA.

**NOTE 2: REGARDING UNSCHEDULED MATTERS** – In accordance with state law, it shall be the policy of this Council that no action shall be taken on any item presented during the public forum or on unscheduled matters unless the Council, by majority vote, determines that an emergency situation exists, or, unless the Council by a two-thirds vote finds that the need to take action arose subsequent to the posting of this agenda.

Gridley City Council – DRAFT City Council Meeting Minutes

Monday, December 5<sup>th</sup>, 2016; 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 collectedly develop, share, and are guided by a clear vision, values, and meaningful objectives."

# 1. CALL TO ORDER

At 6:00 p.m. Vice Mayor Bruce Johnson called the meeting to order.

# 2. ROLL CALL

Councilmembers Present: Absent: Arriving post roll call:

Draper, Borges, Stiles, Johnson Hall None

Staff present:

Paul Eckert, City Administrator Tony Galyean, City Attorney Matt Michaelis, Finance Director Donna Decker, Planning Consultant Daryl Dye, Electric Superintendent Dean Price, Chief of Police

# 3. PLEDGE OF ALLEGIANCE

Vice Mayor Johnson led the pledge of allegiance.

# 4. INVOCATION

The invocation was given by David Henry from the First Baptist Church.

# 5. COMMUNITY PARTICIPATION FORUM

Martha Stiles, 284 Hazel Street, inquired on the status of street markers.

# 6. CONSENT AGENDA

- A. Council minutes dated November 21, 2016
- B. Second Reading and Adoption of Ordinance No. 822-2016: An Ordinance of the City Council of the City of Gridley amending various chapters of Title 17, Zoning. (Citywide)
- C. City Services Update
- D. Appointment to the Butte County Abandoned Vehicle Abatement Board

Councilmember Stiles asked for clarification pertaining to recommended actions relating to Title 17 on the agenda (consent agenda item #B and consideration item #B). Planning Consultant Donna Decker explained that the consent item was for the second reading and adoption of Ordinance 822 which is a portion of Title 17 and the consideration item #B is for the approval of the remainder portion of Title 17.

Motion to approve the consent agenda by Councilmember Stiles, seconded by Councilmember Draper.

**Roll Call Vote** 

Ayes: Draper, Stiles, Borges, Johnson Noes: None Motion

Motion passed 4-0

# 7. OTHER ITEMS FOR COUNCIL CONSIDERATION

A. FY 15-16 Preliminary Audit Results – Preliminary Concerns

Finance Director, Matt Michaelis provided a verbal update of the preliminary status of the FY 15/16 Audit and areas of concern. The fy 15/16 audit is nearing completion and staff anticipates issuing a detail audit report and audit presentation next month. The preliminary indications are that the financial processes and reporting are considered favorably by the third party independent auditor. There are important financial issues concerning three primary areas of concern as it pertains to the FY 15-16 Audit and the City's fiscal solvency. The areas of concern were the status of the General Fund balance, projected low Water Enterprise fund balance, and the low Electric Fund balance.

Finance Director, Matt Michaelis began his presentation by reporting on the Water Fund balance and stated that the water fund has not approached a deficit but is dangerously close. He referred to page 2 of the staff report of water fund figures. He noted that the growing decrease of the fund balance accounts for the lowest total fund balance in the last five years. Furthermore, this problem of not having adequate reserves in the fund is a critical threat to the water operation as an enterprise. The water rate schedule has not been updated in many years and as a result he will be requesting an RFP to find a capable firm that can conduct a rate study to determine if the current rates are adequate for the size of the utilities operation. Staff anticipates bringing the study results to Council and public early next year for possible options.

Next, Finance Director Michalis referred to the Electric Fund balance. The reported that the fund has not approached a deficit but also dangerously close. The utility billing revenues or operating costs have not decreased, but the decline is due to the result of the significant increases in purchase costs. City Staff is working on a wide variety of initiatives to overcome the Electric Utility growing deficit. The City Council will be presented some options and addressing any opportunities in the coming months.

Councilmember Ray Borges expressed concern and explained that part of the problem was the power purchases through NCPA. The City is paying for power that is not being used.

Vice Mayor Bruce Johnson entertained having study sessions relating to electrical issues. He expressed that the electrical fund is a major component that supports the

City. It would be beneficial for City Council to have a complete understanding of electrical matters and moving forward with study sessions it would be prudent to invite NCPA.

City Administrator, Paul Eckert confirmed the direction received from Vice Mayor Johnson and suggested scheduling immediate study sessions. They could begin as early as the second meeting in January, 2017, (as a starting point) and continuing into February 2017. The timing of the study sessions would align well with the strategic planning efforts. He further commended the efforts of Finance Director, Michaelis to bring forth the concerns early by notifying both the Council and public.

Councilmember Jeff Draper inquired if other cities are experiencing the same challenges. City Administrator Eckert explained the unique situation of the City is in by being faced with different growth numbers and renewable energy schedule challenges. He added it would be wise to research the matter further, having a complete understanding of the functions is vital, as well as being well informed of the roles and responsibilities of various parties and requirements that the City needs to abide by. In turn it would be best to also find perspective from NCPA and then and make future plans for potential changes to improve the status of the City. Vice Mayor Johnson concurred.

Finance Director, Michaelis closed his staff report by providing positive news relating to the General Fund deficit that has been a financial issue during the last three budget cycles. He explained the measures that were taken to address the deficit (furlough's, layoffs, reduction of operating costs, deferment of projects, early retirement incentive) and announced that due to this effort the City will report a positive fund balance of approximately \$300,000 at June 30th, 2016. Staff will continue cost containment and implementation of an updated fee system and cost allocation model.

B. Introduction and first reading of Ordinance No. 823-2016: An Ordinance Amending Various Chapters of Title 17 of the Gridley Municipal Code

Planning Consultant, Donna Decker reviewed the staff report and highlights. She explained the purpose of this amendment was to implement the 2030 General Plan and ensure consistency within Title 17 for zoning. She summarized the several major amendments to Title 17 such as the following: the creation of five new zoning districts (Urban Reserve 17.16 high density residential R4) increasing from 16 to 30 dwelling unit per acre, added M3 Agricultural Industrial zoning, and 2 new mixed use zones (Downtown mixed use and Neighborhood mixed use designation), height and density changes modifications (Residential Suburban which changed from 3 dwelling units to 2), two subzones added to the R1 district to implement the general plan, and yard and side setback modifications.

Councilmember Stiles inquired from Ms. Decker regarding Title 17, Sections 17.88 & 17.89 and how this aligns with current ordinances prohibiting of medical marijuana growth. Ms. Decker explained that the only changes in the section where numerical restructuring and did not encompass any recent changes to the legislation relating to allowing growth of medical marijuana in the City.

Motion for the introduction and first reading of Ordinance No. 823-2016: An Ordinance Amending Various Chapters of Title 17 of the Gridley Municipal Code by Councilmember Jeff Draper and seconded by Councilmember Owen Stiles.

**Roll Call Vote** 

Ayes: Draper, Stiles, Borges, Johnson Noes: None Motion passed 4-0

City Administrator, Paul Eckert thanked and acknowledged the Planning Commission, Planning Consultant, Donna Decker, and Recording Secretary, Elisa Arteaga for their efforts on the heavy workload and having weekly meetings to meet necessary deadlines.

C. Update to Gridley Resolution 2011-R-048, RPS Enforcement Program

City Administrator, Paul Eckert provided a verbal staff report. He reported that Staff respectfully requests the City Council review and accept the attached Resolution, which is an update to the City's Renewable Portfolio Standard (RPS) Procurement Plan which was most recently adopted on October 21, 2013, formally establishing a cost limitation provision. He explained doing so would provide an opportunity for the City to utilized the law that permits us to demonstrate a hardship to our rate payers, therefore reduce some of the renewable portfolio standard purchases. He provided a brief background on the California Senate Bill 1X2 (Statues of 2011) and table 1 RPS Procurement Requirements (2013-2020) and calculations. In the past, there have been discussions on this issue however a resolution has never been adopted. There were no questions from Council or the Public.

Motion to update to Gridley Resolution 2011-R-048, RPS Enforcement Program by Councilmember Ray Borges, and seconded by Councilmember Own Stiles.

**Roll Call Vote** 

Ayes: Draper, Stiles, Borges, Johnson Noes: None Motion passed 4-0

# 8. CITY STAFF AND COUNCIL COMMITTEE REPORTS

Councilmember Own Stiles provided a verbal update on the Christmas Tree Lighting/Parade event he attended. It was a well-attended event, there were food vendors and the parade was a success.

# **9. POTENTIAL FUTURE CITY COUNCIL ITEMS** - (Appearing on the Agenda within 30-90 days):

| 1. First Reading of 2 <sup>nd</sup> Half of Title 17 Amendments  | 12/19/16 |
|--|----------|
| 2. Second Reading of 1 <sup>st</sup> Half of Title 17 Amendments | 12/19/16 |
| 3. Adopt Portion of Title 16                                     | 12/19/16 |
| 4. Adopt Portion of Revised Development Standards                | 12/19/16 |
| 5. Seating of New City Councilmembers                            | 12/19/16 |
| 6. Council Selection of Mayor and Vice Mayor                     | 12/19/16 |
| 7. Council Committee Appointments                                | 01/16/17 |
| 8. Annual Audit  | 01/16/17 |

| 9. Cost Allocation/Fee Study Results                   | 01/16/17 |
|--|----------|
| 10. Swimming Pool Discussion update                    | 01/16/17 |
| 11. Study Session – Building Code Resp, City vs. State | 02/21/17 |

Vice Mayor Bruce Johnson acknowledged and commended both Councilmember Owen Stiles and Councilmember Jeff Draper. They were presented with plaques and thanked for their hard work and dedication to the City of Gridley.

Councilmember Own Stiles thanked all in attendance and quoted General McArthur "I shall return". He expressed that he has enjoyed the time on the Council and working with the City and all staff. He will enjoy spending more time with his family, other projects and much needed vacations.

Councilmember Jeff Draper stated he appreciated the opportunity to serve on Council. He thanked all of those that were in attendance. He thanked Staff; Jodi Molinari & Elisa Arteaga, all Administrative, Electrical, Public Works Staff, City Attorney Tony Galyean & Brant Bordsen, Matt Michaelis, Daryl Dye, Mike Hensley, Donna, Decker, Paul Eckert and Dean Price for their leadership and hard work to move the City forward.

There was a reception held for both Councilmembers Owen Stiles and Jeff Draper.

### **10.** CLOSED SESSION

None

ADJOURNMENT

At 7:10 p.m., with no further items for discussion, Council adjourned to the next meeting on December 19th, 2016.

Paul Eckert, City Clerk

# City Council Agenda Item #6B Staff Report

| Date:                        | December 19, 2016  |   |          |
|------------------------------|--|---|----------|
| То:                          | Mayor and City Council   | Х | Regular  |
|                              |  |   | Special  |
| From: Donna Decker, Planning | Donna Decker, Planning   |   | Closed   |
| Subject: Sec                 | Second reading and adoption of Ordinance 822 2016: An ordinance  |   | Emergenc |
| Subject:                     | Second reading and adoption of Ordinance 823-2016: An ordinance amending various chapters of Title 17 of the Gridley Municipal Code. |   |          |

### Recommendation

City staff respectfully recommends the City Council:

- 1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
- 2. Recommend the City Council adopt Ordinance 823-2016 by reading of title only.

### Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The amendments to Title 17 will implement the 2030 General Plan and is one of the deliverables of the grant funding.

### Discussion

On December 5, 2016 the City Council introduced Ordinance 823-2016 by reading of title only based on its review and the recommendations of the Planning Commission which held public meetings to review the amendments on November 22, 2016 and November 29, 2016 meeting dates.

The Ordinance returns to the City Council with a recommendation by staff for the second reading of the ordinance and adoption. The amendments will go into effect 30 days after the second reading of the ordinance.

### • Chapter 17.07 Site Development Plan (SDP)

- o §17.07.020
  - (A)(1) Change "plot plan" to "site plan";
  - (A)(2) Change "shall approve" to "may exercise its discretion at the approval, disapproval, or modification of"
- o §17.07.040
  - Amended text to "horizontal and vertical" replacing "air space".
- o Change Chapter numbering due to reorganization
- o Miscellaneous grammatical revisions, capitalization, etc.
- o Revision of Chapter references
- o Clarification of submittal requirements
- Reference "City Administrator/designee"

- Amend the expansion to 25% and clarify project expansion and parking addition requirements;
- Chapter 17.08 Conditional Use Permits
  - o §17.08.060
    - (A) Change "Planning Commission" to "City"
  - o Change Chapter numbering due to reorganization
  - o Miscellaneous grammatical revisions, capitalization, etc.
  - o Revision of Chapter references
  - o Reference "City Administrator/designee"
- Chapter 17.12 AR-5 Agricultural Residential District
  - o §17.12.020 (B)(3) Deleted
  - Delete 17.12.120 Livestock requirements: This is covered under §17.12.020 permitted uses.
  - o Change Chapter numbering due to reorganization
  - o Miscellaneous grammatical revisions, capitalization, etc.
  - o Revision of Chapter references
  - o Amended the permitted uses to include small commercial agriculture uses
  - o Removed "mobile" home and provided types of structures that can be used
  - Revised accessory uses
  - o Revised conditional uses
  - Revised maximum building height to conform to the General Plan. In this case a restriction has been added for a residential structure to thirty feet
  - Revised lot coverage from sixty percent to forty percent. The size of parcel is 5 acres therefore if 40 percent of the site were covered with paving and structures that would equal 87,120 square feet, or 2 acres if a 5 acre site covered.

### • Chapter 17.14 O-S Open Space District

- o Revision of Chapter references
- Amended the "Intent" to conform to the General Plan;
- o Minor language amendment

### • Chapter 17.16 Urban Reserve

• New code to reflect General Plan

### • Chapter 17.21 R-S Residential Suburban District

- o Revision of Chapter references
- Amended the "Intent" to conform to the General Plan;
- o Added permitted use for commercial agricultural use;
- o Clarified permitted uses, accessory uses, and conditional uses;
- o Revised minimum lot area in conformance to the General Plan;
- o Amended maximum lot coverage;
- o Added 17.10.120 "Deemed Variance Approval"

- Chapter 17.22 R-1 Single Family Residential
  - o Change Chapter numbering due to reorganization
  - o Amend the density per the General Plan
  - Created subzones R-1A and R-1B to remove non-conformity of smaller lots in the City.
  - o Miscellaneous grammatical revisions, capitalization, etc.
  - o Revision of Chapter references
  - o Add live work units under permitted uses
  - Modified minimum lot area for added subzones
  - o Amended lot width to include subzone and flag lots
  - o Revised lot coverage consistent to the General Plan

### • Chapter 17.25 R-2 MDR Medium Density Residential

- o Change Chapter numbering due to reorganization
- o Amend the density and lot size per the General Plan
- o Added Accessory uses and removed some conditional uses
- o Miscellaneous grammatical revisions, capitalization, etc.
- o Revision of Chapter references
- o Revised lot coverage consistent to the General Plan

### • Chapter 17.26 R-3 MFR Multiple Family Residential

- o Amend the density and lot area and lot width per the General Plan
- o Change Chapter numbering due to reorganization
- o Miscellaneous grammatical revisions, capitalization, etc.
- Revision of Chapter references
- o Revised permitted and accessory uses
- o Revised conditional uses
- o Amended lot coverage

### • Chapter 17.27 R-4 HDR High Density Residential

o Added new chapter per the General Plan

### • Chapter 17.28 Residential Density Bonus

- Revision of Chapter references
- o Minor language amendment

### • Chapter 17.32 C-1 Restricted Commercial District

- o Revision of Chapter references
- Revised permitted and accessory uses
- Revised conditional uses
- o Amended lot coverage
- o Amend the density and lot area and lot width per the General Plan
- Added language re: Landscaping

# • Chapter 17.34 C-2 General Commercial

- o Revision of Chapter references
- o Revised permitted and accessory uses
- Revised conditional uses
- Amended lot coverage
- o Amend the density and lot area and lot width per the General Plan
- Added language re: Landscaping

# • Chapter 17.36 C-2 Commercial Use by Zoning Designation

- o Revision of Chapter references
- o Revised permitted and conditionally permitted uses
- o Combined uses
- o Added live work

# • Chapter 17.42 M-1 Limited Industrial

- o Revision of Chapter references
- o Revised permitted and accessory uses
- o Revised conditional uses
- o Amended development standards

### • Chapter 17.46 M-3 Agricultural Industrial

• Added new chapter per General Plan

### • Chapter 17.52 MUCZ Mixed Use Combining

- Provided clarification
- o Revision of Chapter references
- o Revised permitted and accessory uses
- o Amended development standards
- Modified and updated tables

### Chapter 17.53 DMU Downtown Mixed Use Zone

o Added new chapter per General Plan

### • Chapter 17.54 NMU Neighborhood Mixed Use Zone

o Added new chapter per General Plan

### • Chapter 17.55 PD Planned Development

- o Provided clarification
- Revision of Chapter references
- o Amended development standards

### • Chapter 17.56 AO Agriculture Overlay District

- o Provided clarification
- o Revision of Chapter references
- o Revised permitted and accessory uses

- Chapter 17.56 AO Agriculture Overlay District
  - o Provided clarification
  - o Revision of Chapter references
  - o Revised permitted and accessory uses
- Chapter 17.58 Special Parking Combining Zone
  - Provided clarification
  - o Revision of Chapter references
  - Revised permitted and accessory uses
- Chapter 17.62 PQP Public Quasi Public
  - Provided clarification
  - Revision of Chapter references
  - Revised permitted and accessory uses
  - Amended development standards

### • Chapter 17.72 General Use Regulations

- Provided clarification also re: process
- o Revision of Chapter references
- o Revised permitted and accessory uses

### • Chapter 17.74 Performance Standards

- Provided clarification
- o Revision of Chapter references

### • Chapter 17.76 Off Street Parking

- o Provided clarification
- Revision of Chapter references
- Provided tandem parking as allowed, no use permit required
- Amended design standards

### • Chapter 17.78 Yards

- o Provided clarification
- Revision of Chapter references
- o Revised yards for R-1 subzones
- Chapter 17.81 Accessory Structures
  - Revision of Chapter references
- Chapter 17.82 Second Units
  - o Revision of Chapter references
- Chapter 17.83 Mobile home and RV use
  - o Revision of Chapter references

### • Chapter 17.84 Home Occupations

- Revision of Chapter references
- o Disallowed signage in the R-3 and R-4 residential districts

### Chapter 17.85 At Home Commercial Services

o Revision of Chapter references

### • Chapter 17.86 Satellite Antennas

- o Revision of Chapter references
- o Amended allowable placement and heights

### • Chapter 17.87 Recycling Facilities

- Revision of Chapter references
- o Added M-3 zone
- Chapter 17.88 Prohibiting Marijuana Dispensary
  - o Revision of Chapter references
- Chapter 17.89 Special Situations
  - o Revision of Chapter references

### **Public Notice**

A notice was advertised 10 days in advance, 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. The document is available at the public counter for review.

### **Environmental Review**

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

### Attachments:

1. Ordinance 823-2016 (Hard copy provided to Council and available for public review at the Administration Counter)

### ORDINANCE AMENDING VARIOUS CHAPTERS IN TITLE 17, ZONING, OF THE GRIDLEY MUNICIPAL CODE (Citywide)

WHEREAS, the City of Gridley received a California Sustainable Communities Planning Grant from the State of California, Department of Conservation/Division of Land Resource Protection to help the City bring its Municipal Code into compliance with the 2030 General Plan; and,

WHEREAS, the 2030 General Plan emphasizes opportunity to support the communities vision for a safe, clean, healthy and well-maintained community; and,

WHEREAS, the Planning Commission reviewed the proposed amendments to bring Title 17 into conformance with the General Plan at its November 22, 20016 and November 29, 2016 public meetings and recommended the City Council adopt the amendments; and,

WHEREAS, Title 17, Zoning, was found to need text amendments reflecting the 2030 General Plan;

**WHEREAS**, the City Council of the City of Gridley introduced the ordinance on December 5, 2016 by reading of title only, and further ordains as follows:

**SECTION 1**: Rescind Chapter 17.50 and portions of Ordinance 458 § 1(part), 1984, Ordinance 676 (part), 1998, and Ordinance 617, 1992 and replace with the following Chapter 17.07 "Site Development Plan (SDP) to provide the restructuring of Title 17:

# Chapter 17.07 SITE DEVELOPMENT PLAN (SDP)

- 17.07.010 Intent.
- 17.07.020 Application.
- 17.07.030 Appeal procedure.
- 17.07.040 Exemptions.
- 17.07.050 Application fee.

### 17.07.010 Intent.

A site development plan (SDP) is a master plan for the development of a parcel or a combination of parcels. The site development plan is intended to create a coordinated residential, commercial or industrial complex and shall show a unified and organized arrangement of buildings, off-street parking, vehicle and pedestrian circulation, landscaping, signing and service facilities which will minimize adverse effects on adjoining properties and neighborhoods.

### 17.07.020 Application.

A. Procedures. The following procedures and standards shall apply to all development projects including developer/builder single-family residential, multifamily, commercial,

industrial and public/quasi-public uses, unless exempt under Section 17.07.040 and which do not require a use permit under the provisions of this title.

1. Any use subject to the provisions of this chapter shall be required to apply to the Planning Department for site development plan review prior to submitting an application for the issuance of a building permit. The application is considered complete when the completed application form, a site plan along with the information listed in 17.07.020 (B) in sufficient detail to adequately evaluate the project and the application fee is presented for review.

2. The application shall be circulated to staff for review and comments. The Planning Commission may exercise its discretion at the approval, disapproval, or modification of all site development plans.

B. Standards. The following information is required to be provided:

- 1. Landscaping and Irrigation Plan;
- 2. Lighting Plan;
- 3. Proposed signage;
- 4. Site Plan with parking calculation;
- 5. Grading Plan providing on-site and off- site drainage;
- 6. Fencing requirements;
- 7. Hours of operation;
- 8. Location and position of uses on property;
- 9. Noise level limitations;
- 10. Access location and encroachment standards;
- 11. Building design (exterior);
- 12. Other department or agency requirements;
- 13. Other requirements as deemed necessary and proper to protect the health, safety and welfare of the residents of the city.

### 17.07.030 Appeal procedure.

The decision of the Planning Commission may be appealed pursuant to 17.00.020.

### 17.07.040 Exemptions.

Exemptions shall be as follows:

A. Interior building remodels;

B. Minor alterations on building exteriors (as determined by the City Administrator/designee);

C. Repair and maintenance of structures or parking areas;

D. Expansion of twenty-five percent or less of horizontal or vertical of developed area; however, if the expansion should result in a requirement of more parking, a site development review application is required in accordance with 17.07.020.

# 17.07.050 Application fee.

An application fee for site development plan review shall be established by City Council resolution.

**SECTION 2**: Rescind Chapter 17.54 and portions of Ordinance 491-1986 (part), Ordinance 665-1997, Ordinance 693-1999 (part), Ordinance 806-2012 §3(part), 2012, and replace with the following Chapter 17.08 "Conditional Use Permits" to provide the restructuring of Title 17:

# **Chapter 17.08 CONDITIONAL USE PERMITS**

17.08.010 General provisions.

17.08.020 Temporary uses.

17.08.030 Application procedure.

17.08.035 Action by City Administrator/designee.

17.08.040 Action by Planning Commission.

17.08.050 Appeal.

17.08.060 Revocation.

17.08.080 Extension of time limits.

17.08.090 Modification of use permits.

### 17.08.010 General provisions.

Use permit applications shall review the location, site development or conduct of land uses which may have an impact on the area in which they are located or are capable of creating special problems for adjacent properties. The City Administrator/designee and/or Planning Commission may designate such conditions in connection with the granting of a use permit to carry out the purpose and intent of this Title, and may include, but not be limited to, the following:

- A. Dedication of right-of-way;
- B. Improvement of vehicle access to the subject property to City standards;
- C. Regulation of height, number of stories;
- D. Regulation of the nature, hours of operation, extent of use;
- E. Regulation as to transferability of the use;
- F. Regulation of landscaping for the protection of adjoining and nearby properties;
- G. Regulation of off-street parking.

### 17.08.020 Temporary uses.

Temporary uses may be approved by the City Administrator or designee without a public hearing.

A. Temporary uses such as Christmas tree sales, flea markets, carnivals and bazaars for nonprofit organizations or for compensation; recreational use of land zoned for residential or commercial uses not yet developed; advertising for promotional contests; sales on parking lots for any use except for the parking of automobiles, and peddlers as defined in Title 5, Section 5.04 may be approved City Administrator/designee for a period not to exceed 60 days. An application to extend the 60 day period may be submitted for consideration.

B. Mobile food vendors as defined by Section 17.04.145 may apply for a temporary use permit for a period not to exceed one year. Prior to the date of expiration, an application to continue the use shall be submitted to the City. A mobile food vendor may locate in any land use district provided it can meet the following requirements:

1. Proposed hours of operation and shall not exceed Monday through Sunday, 5:30 a.m. to 11:00 p.m. If locating within a residential construction project area sited adjacent to existing established residences, the hours are restricted to Monday through Saturday, 7:00 a.m. to 7:00 p.m.

2. All necessary permits from other state and local entities, such as the Butte County Environmental Health Department shall be obtained and copies of approvals shall be provided to City staff prior to commencement of operations.

3. The location kept free of litter generated by the business at all times. Trash and recycling receptacles shall be provided for customer use. Any waste generated shall be removed daily from the site.

4. All waste discharges are to be done at a facility approved by the City of Gridley Public Works and Engineering Department Industrial Waste requirements. Other alternatives for discharge shall be reviewed and approved by the City staff.

5. Outdoor speakers and outdoor music shall not be permitted on the site.

6. Signs shall be permitted on the vehicle only.

7. The Building Department shall review and approve any new or existing electrical connection/service to the mobile vending unit.

8. A business license shall be obtained prior to commencement of business. Refer to Title 5, Business Taxes, Licenses, and Regulations.

9. The mobile food vendor vehicle shall be located on approved, dust free, surfacing material for both the vendor and customers. Such surfacing may include rock, asphalt concrete, decomposed granite, etc. City staff shall review and consider proposals to determine the surfacing requested.

10. The unit shall not be located within 300 feet of any public or private school, school grounds, or school district administration office.

11. The unit shall not be located closer than 300 feet to any restaurant unless written approval by the restaurant owner/operator is granted to the applicant and submitted to the City..

### 17.08.030 Application procedure.

A. Application shall be made on appropriate forms provided by the planning department.

B. Such application shall be accompanied by a fee set by resolution, no part of which shall be returned to any applicant.

C. A fee equal to the original application shall be submitted at the time an extension to a temporary use is requested.

D. An application with the established fee set by resolution shall be submitted for consideration by the approving body if an approved conditional or temporary use permit was granted and not established within a one year period as determined by the City Administrator/designee and as described in Section 17.08.060, Revocation.

E. An application with the established fee set by resolution shall be submitted for consideration by the approving body if an approved conditional or temporary use permit was granted, established, then vacated for a one year period as determined by the City Administrator/designee and as described in Section 17.08.060, Revocation.

### 17.08.035 Action by City Administrator/designee.

A. The City Administrator/designee may approve or conditionally approve the following uses within his or her authority without a public hearing. Such approval must be based on evidence that supports the findings described in Section 17.08.040. Uses that do not fall within the categories defined below shall comply with the use and development regulations and entitlement review provision that otherwise apply to the property.

1. Fences exceeding height limitations. The City Administrator/designee may issue a use permit for fences exceeding six feet in height between contiguous properties having different ground elevations pursuant to Section 17.72.040.

B. The City Administrator/designee may approve or conditionally approve a use permit within his or her authority without a public hearing. Such approval must be based on evidence that supports the findings described in Section 17.08.040.

C. When the City Administrator/designee determines to approve or conditionally approve an application for a use permit, the City Administrator/designee shall cause a notice of such determination to be served by mail on the applicant and each owner and occupant of property within 100 feet of the boundaries of the property which is the subject of the application. Such notice shall, in addition to setting forth the determination of the City Administrator/designee, set forth the right of any interested party to request Planning Commission review of the determination of the City Administrator/designee.

D. If the City Administrator/designee decides not to approve a use permit, the application shall be referred to the Planning Commission for action under Section 17.08.040.

### 17.08.040 Action by Planning Commission.

A. The Planning Commission shall hold public hearings on all applications and shall give notice in the manner prescribed by law, excepting those temporary uses pursuant to Section 17.08.020 of this chapter, and those uses for which the City Administrator/designee may issue a use permit pursuant to Section 17.08.035 of this chapter.

B. The findings necessary for the granting of a conditional use permit shall be that the establishment, maintenance, or operations of the use or building 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, or 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.

### 17.08.050 Appeal.

A. Appeal from any finding of the City Administrator/designee may be made in writing to the Planning Commission within ten calendar days from the date the City Administrator/designee mails notice of the decision to issue a use permit pursuant to Section 17.08.035. The Planning Commission may overrule the findings of the City Administrator/designee made pursuant to Section17.08.040, and reverse or modify the action of the City Administrator/designee accordingly.

B. Appeal from any finding of the Planning Commission may be made in writing to the City Council within ten calendar days from the date of the commission's action. Such appeal shall be made to the City Council which may overrule the findings of the Planning Commission but may not grant a conditional use permit which differs from that specified in the written application to the Planning Commission.

### 17.08.060 Revocation.

A. In any case where the conditions of the permit have not been or are not complied with, the City shall give notice to the permittee of intention to revoke such permit at least ten (10) calendar days prior to a Planning Commission hearing. Following such hearing the Planning Commission may revoke such permit.

B. In any case where a conditional use permit has not been used within one year after the date of granting thereof, or cases in which a use authorized by a use permit has been suspended for more than one year, then prior to issuance of a building permit or any subsequent permit required to initiate or reestablish the use, the City Administrator/designee shall consider whether circumstances upon which the approval of the use permit was based have changed.

1. If the City Administrator/designee determines that no significant changes have occurred, the approved use shall be allowed to be initiated or reestablished without further action by the Planning Commission.

2. If the City Administrator/designee determines that significant changes have or may have occurred, the Planning Commission shall consider the matter at its next regularly scheduled meeting, and determine whether to give notice to the permittee of intention to revoke such permit.

3. A use permit that has not been initiated after one year from the date of approval, or the approval for a use that has subsequently been suspended for more than one year after being initiated, may be revoked by the Planning Commission following a noticed public hearing on the matter.

4. Prior to revocation, the Planning Commission shall make findings that establishment, maintenance, or operations of the use or building applied for or involved will, 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, or 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.

# 17.08.080 Extension of time limits.

A. A permittee may request an extension of any time limitations previously made part of the conditions of approval for the use permit pursuant to Section 17.08.030, Application procedure.

B. A noticed public hearing will be held before the Planning Commission for consideration of time extension. Unless otherwise conditioned by the Planning Commission, all conditions of approval must be completed by the permittee within twelve months of the permit issuance.

# 17.08.090 Modification of use permits.

A. Any permittee may apply for a modification of the use permit by applying for reapplication pursuant to Section 17.08.030, Application procedure.

B. The Planning Commission at a noticed public hearing may modify the permit by changing, deleting or adding conditions to the existing permit. Any such modification shall be subject to the appeal process pursuant to Section 17.08.050, Appeal.

**SECTION 3**: Rescind Chapter 17.08 and portions of Ordinance 458-1984 §1 (part), Ordinance 572-1991 § 1, Ordinance 545-1989 §1 (part), Ordinance 542-1989 §1(part), Ordinance 569-1990 §2 (part) Ordinance 637-1994 (part), Ordinance 671-1997 (part), Ordinance 797-2011 §6 (part) and Ordinance 809-2014 § 1 (part) and replace with the following Chapter 17.12 "AR-5 Agricultural Residential District" to provide the restructuring of Title 17:

# **Chapter 17.12 AR-5 AGRICULTURAL RESIDENTIAL DISTRICT**

| 17.12.010 | Intent. |
|-----------|---------|
|-----------|---------|

- 17.12.020 Permitted principal uses.
- 17.12.025 Accessory uses.
- 17.12.030 Conditional uses.
- 17.12.040 Minimum lot area.
- 17.12.050 Maximum building height.
- 17.12.060 Minimum lot width.
- 17.12.070 Maximum lot coverage.
- 17.12.080 Minimum yard requirements.
- 17.12.090 Parking requirements.
- 17.12.100 Fence and hedge requirements.
- 17.12.110 Sign requirements.
- 17.12.120 Livestock requirements.

### 17.12.010 Intent.

The purpose of the AR-5 district is to preserve agricultural-residential districts at a population density appropriate for rural residential uses, to control nonagricultural encroachment onto prime agricultural areas, and to maintain the public health and safety in areas where water and sanitary facilities and other public services are not readily available. This district is further intended to perform the function of a buffer area between large parcel agricultural uses and more intensive urban uses, and to preserve land in open space uses of sufficient size for feasible development until such future time as urban development becomes appropriate.

### 17.12.020 Permitted principal uses.

Permitted principal uses in any AR-5 district shall be as follows:

- A. Agriculture, including any customary agricultural building and structure, and such uses as, but not limited to, livestock (as defined in Title 6), field crops, tree crops, nurseries and greenhouses and other agricultural pursuits.
- B. Agricultural uses, including small commercial raising of crops and/or livestock for retail sale of any products on the premises provided it meets the following criteria:
  - 1. Agricultural buildings, greenhouses, and other appurtenant structures to support small scale urban agricultural production;
  - 2. Field and tree crops;
    - a. Practices of fertilization, spraying, and/or harvesting shall not impact adjacent neighbors by overspray, dust, or nuisance.
  - 3. Livestock shall be:
    - a. Limited to sheep, goats, and small sized animals; and,
    - b. The keeping of cattle or swine shall require a conditional use permit and comply with the requirements of Chapter 17.08; and,
    - c. Restricted to other numbers of animals as defined in Title 6, Animals.
    - d. All areas and enclosures where livestock is kept to be maintained in a clean and sanitary manner.
- C. One single-family dwelling unit per lot provided it meets all of the following criteria:
  - 1. The structure is conventionally framed, kit, prefabricated, modular, or manufactured; and

2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code; and

D. Dwellings homes for farmworker or agricultural housing.

### 17.12.025 Accessory uses.

The following accessory uses shall be allowed in any AR-5 district:

- A. Home occupations, pursuant to Chapter 17.84;
- B. At-home commercial services, pursuant to Chapter 17.85;

C. Private offices, stables, corrals and barns appurtenant to the conduct of agricultural uses on the premises;

D. Roadside stand for the sale of agricultural products grown on the premises, with a floor area having no more than five hundred square feet and no greater than fifteen feet in height;

- E. Other structures and uses customarily appurtenant to permitted uses.
- F. Large family day care homes requiring an administrative use permit.
- G. Second dwelling units, pursuant to Chapter 17.82.

# 17.12.030 Conditional uses.

Conditional uses in any AR-5 district shall be as follows:

- A. Veterinary hospitals and clinics;
- B. Golf courses;
- C. Public and quasi-public uses;
- D. Residential care facility.
- E. Keeping of cattle or swine;
- F. Kennels

# 17.12.040 Minimum lot area.

A minimum gross lot area of five acres shall be required in an AR-5 district.

### 17.12.050 Maximum building height.

A residential structure shall not exceed a height of thirty feet. There is no height limit to other structures supporting agricultural uses in this zoning designation.

### 17.12.060 Minimum lot width.

No minimum lot width shall be required in an AR-5 district, but a ratio of lot depth to lot width shall not exceed three-to-one.

### 17.12.070 Maximum lot coverage.

The aggregate coverage of the lot by buildings and required parking in an AR-5 district shall not exceed the following percentage of the lot area:

- A. For permitted principal uses related to structures and paved areas, twenty (20) percent.
- B. For residential plus non-residential structures, forty (40) percent.

# 17.12.080 Minimum yard requirements.

In an AR-5 district, the provisions of Chapter 17.78 shall apply.

# 17.12.090 Parking requirements.

In an AR-5 district, the general provisions of Chapter 17.76 shall apply.

### 17.12.100 Fence and hedge requirements.

In an AR-5 district, the general provisions of Chapter 17.72 shall apply.

### 17.12.110 Sign requirements.

Sign requirements in an AR-5 district shall be as follows:

A. One temporary detached sign pertaining to the sale, lease or rental of the property, not to exceed four square feet in area;

B. Signs may be erected in conjunction with a home occupation and shall not exceed three square feet in area and shall not be illuminated.

**SECTION 4**: Rescind Chapter 17.30 and portions of Ordinance 491-1986 (part) and replace with the following Chapter 17.14, "O-S Open Space District" to provide the restructuring of Title 17:

# Chapter 17.14 0-S OPEN SPACE DISTRICT

- 17.14.010 Intent.
- 17.14.020 Permitted principal uses.
- 17.14.025 Accessory uses.
- 17.14.030 Conditional uses.
- 17.14.040 Minimum lot area.
- 17.14.050 Maximum building height.
- 17.14.060 Maximum lot coverage.
- 17.14.070 Parking requirements.

### 17.14.010 Intent.

The purpose of the O-S district is to preserve areas of recreational, historical and cultural value and devoted to the enjoyment of scenic beauty, conservation of natural resources and agriculture, and resource production activities. Land use designations of the General Plan consistent with the intent of open space are agricultural and agricultural buffering, open space corridors, off street pedestrian and bicycle trail system, habitat protection, storm water detention areas, natural recreation open space and developed parkland.

### 17.14.020 Permitted principal uses.

Permitted principal uses in any O-S district are as follows:

A. Parks, playgrounds and open public areas and related facilities including playfields and courts, ball diamonds, swimming pools, riding and hiking trails and bike paths, picnic sites and similar uses;

B. Crop and tree farming and grazing;

C. Preservation or study of land, water, vegetation and wildlife in a natural or underdeveloped state for scientific or educational purposes;

D. Establishment, maintenance and investigation of historical and archaeological sites;

E. Irrigation, drainage and flood control facilities.

# 17.14.025 Accessory uses.

The following accessory uses are allowed in any O-S district:

A. Access, parking, stables fences, signs, walkways, trails, fountains, ponds, benches, picnic tables and similar improvements and structures, not including buildings and conditional uses described in Section 17.14.030;

- B. Restrooms;
- C. Other accessory structures with less than five hundred square feet of gross floor area.

# 17.14.030 Conditional uses.

Conditional uses in any O-S district are as follows:

- A. Dwellings and public and quasi-public buildings;
- B. Heliports;
- C. Cemeteries;
- D. Facilities for the storage, transfer, treatment and disposal of solid and liquid wastes;
- E. Generation, major transmission lines and substations for electrical power and natural gas;
- F. Parking areas

# 17.14.040 Minimum lot area.

A minimum lot area of one-half acre is required.

# 17.14.050 Maximum building height.

A maximum building height in an O-S district shall be as follows:

- A. Not to exceed thirty feet for main buildings;
- B. No accessory building shall exceed a height of fifteen feet.

# 17.14.060 Maximum lot coverage.

The maximum aggregate coverage by buildings shall not exceed ten percent.

# 17.14.070 Parking requirements.

The general provisions of Chapter 17.76 shall apply.

**SECTION 5**: Add Chapter 17.16 "UR Urban Reserve" with the following to Title 17:

# Chapter 17.16 UR URBAN RESERVE

- 17.16.010 Intent.
- 17.16.020 Findings for development.

# 17.16.010 Intent.

The purpose of the Urban Reserve District to defer urban development in areas adjacent to future growth areas until a determination is made that public utilities, costs, and maintenance thereof, are available to serve future growth, restrict development into such areas until all infill sites within the City and Planned Growth areas are completely built out and no additional area is available to serve the community, and to protect growth into viable commercial agricultural areas until no other option is available to serve the buildout of the City of Gridley annexed lands within the Sphere of Influence.

# 17.16.010 Findings for development.

The following findings must be made by the City Council prior to amendment of the General Plan to a different land use designation:

Development of the Urban Reserve area can be planned and phased to ensure efficient delivery of public infrastructure and services;

The Planned Growth Area is approaching buildout, and the Urban Reserve area will be needed to accommodate population and/or employment growth consistent with the goals of the General Plan;

The Urban Reserve area is required to accommodate land uses with extraordinary public benefits, such as a local employment center, that cannot feasibly be developed on lands within the existing City limits, Sphere of Influence, or Planned Growth Area; and,

The results of a Public Service Facilities Study finds that based upon the findings made above in A through C, that there would not be a financial burden placed on the City to provide services in life safety, water, sanitary sewer, and electric.

**SECTION 6**: Rescind Chapter 17.10 and portions of Ordinance 458 §1(part), 1984 and Ordinance 542-1989 § 1(part), Ordinance 545-1989 § 1(part), Ordinance 569-1990 § 5, Ordinance 572-1991 § 2, Ordinance 575-1991 § 1, Ordinance 612-1992 § 1, Ordinance 637- 1994 (part), Ordinance 700-2000 § 2, Ordinance 807-2013 §3(part), and Ordinance 809-2014 § 1 (part) and replace with the following Chapter 17.21 "R-S Residential Suburban District" to provide the restructuring of Title 17:

# Chapter 17.21 R-S RESIDENTIAL SUBURBAN DISTRICT

- 17.21.010 Intent.
- 17.21.020 Permitted principal uses.
- 17.21.025 Accessory uses.
- 17.21.030 Conditional uses.
- 17.21.040 Minimum lot area.
- 17.21.050 Maximum building height.
- 17.21.060 Minimum lot width.

- 17.21.070 Maximum lot coverage.
- 17.21.080 Minimum yard requirements.
- 17.21.090 Parking requirements.
- 17.21.100 Fence and hedge requirements.
- 17.21.110 Sign requirements.
- 17.21.120 Non-conforming lots-Deemed Variance Approval

# 17.21.010 Intent.

The purpose of the R-S district is to accommodate very low density residential uses composed of a single-detached residence per lot with the exception of a second residential unit, characterized by a maximum density up to two (2) dwelling units or less per gross acre fronting on a public street.

# 17.21.020 Permitted principal uses.

Permitted principal uses in any R-S district shall be as follows:

A. One single-family dwelling unit per lot provided it meets all of the following criteria:

1. The structure is a conventional framed, prefabricated, kit, modular, or manufactured home; and,

2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code; and,

B. Agricultural uses, including small commercial raising of crops and/or livestock for retail sale of any products on the premises provided it meets the following criteria:

- 1. Agricultural buildings, greenhouses, and other appurtenant structures to support small scale urban agricultural production;
- 2. Field and tree crops;
- 3. Practices of fertilization, spraying, and/or harvesting shall not impact adjacent neighbors by overspray, dust, or nuisance.
- 4. Livestock shall be:
  - a. Limited to sheep, goats, and small sized animals; and,
  - b. The keeping of cattle or swine shall require a conditional use permit and comply with the requirements of Chapter 17.54; and,
  - c. Restricted to other numbers of animals as defined in Title 6, Animals; and,
  - d. All areas and enclosures where livestock is kept to be maintained in a clean and sanitary manner.
- C. Small family child care home as defined by 17.04.077;
- D. Family care facility as defined by 17.04.0765;

E. Family day care homes, provided that family day care homes serving seven (7) to twelve (12) children shall be subject to the provisions of Chapter 17.72.

### 17.21.025 Accessory uses.

The following accessory uses shall be allowed in any R-S district:

- A. Home occupations, pursuant to Chapter 17.84;
- B. At-home commercial services, pursuant to Chapter 17.85;
- C. Private stables and corrals;
- D. Other structures and uses customarily appurtenant to permitted uses.
- E. Large family child care home requiring an administrative use permit;
- F. Second dwelling units, pursuant to Chapter 17.82

### 17.21.030 Conditional uses.

Conditional uses in any R-S district shall be as follows:

- A. Public and quasi-public uses;
- B. Churches;
- C. Residential care facility;
- D. Temporary sales tract office;
- E. Keeping of cattle or swine;
- F. Kennels.

### 17.21.040 Minimum lot area.

A minimum lot area in an R-S district shall be as follows:

A. Each lot shall have a standard minimum area of ten thousand square feet, except as described herein.

B. Lots as small as ten thousand square feet in area may be permitted in subdivisions which meet all of the criteria listed below:

1. The total number of lots existing or created by a land division does not exceed the gross area of the site being subdivided, divided by the standard minimum area described in "A." of this section and does not exceed the allowable density described in 17.21.020. In R-S zones, no lots with less than 22,000 square feet of area may be subdivided, and 43,560 (1 acre) square feet shall be required in order to create two lots, etc.

2. If the number of lots created by the a land division or subdivision equals the maximum number permitted by density standards for the zoning district, then all lots must be smaller in area than 1.9% times the standard minimum area described in "A" above. This requirement is intended to prevent future density increases on the property being subdivided, unless at some

point in the future the City revises adopted density limitations and lot standards are also revised accordingly.

- 3. No corner lot may have an area less than seven thousand five hundred square feet.
- C. No lot shall be further divided if calculated contiguous to other parcels the total is equal to the maximum allowable density.

### 17.21.050 Maximum building height.

No building in an R-S district shall exceed a height of thirty (30) feet.

### 17.21.060 Minimum lot width.

Minimum lot width in an R-S district shall be as follows:

A. Each lot fronting a residential street shall have a minimum width of seventy-five (75) feet.

B. Each corner lot abutting an arterial or collector road shall have a minimum width of one hundred (100) feet.

# 17.21.070 Maximum lot coverage.

In an R-S district, lot coverage shall not exceed A. Forty (40) percent for all residential and paved areas;

A. Sixty percent combined square footage for all residential, accessory and paved areas with a second residential unit;

### 17.21.080 Minimum yard requirements.

In an R-S district, the provisions of Chapter 17.78 shall apply.

# 17.21.090 Parking requirements.

In an R-S district, the general provisions of Chapter 17.46 shall apply.

### 17.21.100 Fence and hedge requirements.

In an R-S district, the general provisions of Chapter 17.72 shall apply.

# 17.21.110 Sign requirements.

Sign requirements in any R-S district are as follows:

A. One temporary detached sign pertaining to the sale, lease, or rental of the property, not to exceed four square feet in area;

B. Signs may be erected in conjunction with a home occupation and shall not exceed three square feet in area and shall not be illuminated.

# 17.21.120 Nonconforming lots--Deemed Variance Approval

Any lawfully established development prior to the adoption of this ordinance that, because of a change in zoning designation or amendment to adopted design guidelines or development standards, no longer conforms with the design guidelines or development standards applicable to

the development and requires a variance, is deemed to have such entitlement and is subject to the provisions of all of this title related to variances.

**SECTION 7**: Rescind Chapter 17.12 and portions of Ordinance 458-1984 §1(part), Ordinance 567-1990 § 1(part), Ordinance 568-1990 §1, Ordinance 599-1992 §1, Ordinance 622-1992 §2, Ordinance 671-1997 (part), Ordinance 807-2013 §3(part), and Ordinance 809-2014 § 1 (part) and replace with the following Chapter 17.22 "R-1 Single Family Residential District" to provide the restructuring of Title 17:

# Chapter 17.22 R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

- 17.22.010 Intent.
- 17.22.020 Permitted uses.
- 17.22.025 Accessory uses.
- 17.22.030 Conditional uses.
- 17.22.040 Minimum lot area.
- 17.22.050 Maximum building height.
- 17.22.060 Minimum lot width.
- 17.22.070 Maximum lot coverage.
- 17.22.080 Minimum yard requirements.
- 17.22.090 Parking requirements.
- 17.22.100 Fence and hedge requirements.
- 17.22.110 Sign requirements.

# 17.22.010 Intent.

The purpose of the R-1 district is to accommodate low density residential uses composed of a single detached residence per lot with the exception of a second residential unit characterized by a density range from two (2) to four (4) dwelling units or less per gross acre with lots fronting a public street.

The following single family sub zones are hereby established:

R-1A: The purpose of the R-1A subzone is to accommodate and preserve the single family low density residential uses composed of a single detached residence per lot with the exception of a second residential unit if it can meet the lot coverage requirements.

R-1B: The purpose of the R-1B subzone is to accommodate and preserve the single family low density residential uses composed of a single detached residence per lot with the exception of a second residential unit if it can meet the lot coverage requirements.

# 17.22.020 Permitted uses.

Permitted principal uses in any R-1, R-1A, and R-1B district shall be as follows:

A. One single-family dwelling unit per lot. A provided it meets all of the following criteria:

1. The structure is a conventional framed, prefabricated, kit, modular or manufactured home; and,

2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code; and,

- B. Small family child care home, as defined by 17.04.077;
- C. Family care facility, as defined by 17.04.0765.
- D. Household pets the number and types in accordance with Title 6, Animals.
- E. Live-work units.

# 17.22.025 Accessory uses.

The following accessory uses shall be allowed in any R-1, R-1A, and R-1B district subsequent to an application being made to the City with a fee on its prescribed form for review and approval in order to evaluate any impacts related to the use due to noise, parking, concentration or other issues that may need to be mitigated:

- A. Home occupations, pursuant to Chapter 17.84;
- B. At-home commercial services, pursuant to Chapter 17.85;
- C. Other structures and uses customarily appurtenant to permitted uses;
- D. Large family child care home requiring an administrative use permit;
- E. Cottage food operation, pursuant to Chapter 17.85;
- F. Second dwelling units, pursuant to Chapter 17.82.

# 17.22.030 Conditional uses.

Conditional uses in any R-1 district shall be as follows:

- A. Public and quasi-public uses;
- B. Churches;
- C. Residential care facility;
- D. Temporary sales tract offices;
- E. Mobile home parks;
- F. Small scale professional offices.

Conditional uses in A-F above are not allowed in the R-1A and R-1B sub zone districts.

# 17.22.040 Minimum lot area.

A minimum lot area in an R-1 district shall be as follows:

A. Each lot shall have a standard minimum area of seven thousand five hundred (7,500) square feet, except as described herein.

B. Lots as small as six thousand (6,000) square feet in area may be permitted in subdivisions which meet all of the criteria listed below:

1. The total number of lots created by the subdivision does not exceed the gross area of the site being subdivided, divided by the standard minimum area described in "A" of this section. Therefore, in R-1 zones, no lots with less than fifteen thousand (15,000) square feet of area may be subdivided, and twenty-two thousand five hundred (22,500) square feet shall be required in order to create three lots, etc.

2. If the number of lots created by the subdivision equals the maximum number permitted by density standards for the zoning district, then all lots must be smaller in area than 1.9%.times the standard minimum area described in "A" above. This requirement is intended to prevent future density increases on the property being subdivided, unless at some point in the future the City revises adopted density limitations and lot standards are also revised accordingly.

3. No corner lot may have an area less than seven thousand five hundred (7,500) square feet.

C. A minimum lot area in the R-1A district shall be as follows:

- 1. Each lot with a lot area from one thousand seven hundred (1,700) square feet to three thousand five hundred (3,500) square feet.
- 2. No further reduction of lot size shall be allowed within this R-1 sub zone.
- 3. Lots that conform to the lot area as noted for R-1A are considered legal conforming lots and do not need to be rezoned when located in an R-1 zoning district.
- D. A minimum lot area in the R-1B district shall be as follows:
- 1. Each lot with a lot area from three thousand five hundred and one (3,501) square feet to three thousand five hundred (5,999) square feet.
- 2. A lot may be subdivided into two parcels if a minimum of two thousand five hundred (2,500) net square feet shall be allowed within this R-1 sub zone.
- 3. Lots that conform to the lot area as noted for R-1B are considered legal conforming lots and do not need to be rezoned when located in an R-1 zoning district.

# 17.22.050 Maximum building height.

Maximum building height in any R-1, R-1A, and R-1B district shall be as follows:

- A. No building in the R-1 district shall exceed a height of thirty (30) feet.
- B. No accessory structure shall exceed a height of fifteen feet

# 17.22.060 Minimum lot width.

Minimum lot width in an R-1 district shall be as follows:

A. Each lot fronting a residential street shall have a minimum lot width of sixty (60) feet.

B. Each corner lot abutting an arterial or collector road shall have a minimum width of eighty-five (85) feet.

- C. The minimum width of a flag lot abutting a street shall be twenty-five (25) feet.
- D. The minimum lot width for lots with a subzone of R-1A and R-1B shall be twenty-five (25) feet.

### 17.22.70 Maximum lot coverage.

- A. In an R-1 district, lot coverage shall not exceed the following percentage of the lot area:
  - 1. Forty (40) percent combined square footage for all residential, accessory, and paved areas;
- B. In the R-1A and R-1B subzone, lot coverage shall not exceed the following percentage of the lot area:
  - 1. Sixty (60) percent combined square footage for all residential, accessory, and paved areas.

### 17.22.080 Minimum yard requirements.

In an R-1, R-1A, and R-1B district, the provisions of Chapter 17.78 shall apply.

### 17.22.090 Parking requirements.

In an R-1, R-1A, and R-1B district, the general provisions of Chapter 17.76 shall apply.

### 17.22.100 Fence and hedge requirements.

In an R-1, R-1A, and R-1B district, the general provisions of Chapter 17.72 shall apply.

### 17.22.110 Sign requirements.

Sign requirements in any R-1, R-1A, and R-1B district shall be as follows:

A. One temporary detached sign pertaining to the sale, lease or rental of the property, not to exceed four square feet in size;

B. Signs may be erected in conjunction with a home occupation and shall not exceed three square feet in area and shall not be illuminated.

**SECTION 8**: Rescind Chapter 17.14 and portions of Ordinance 458-1984 §1(part), Ordinance 542-1991 § 1(part), Ordinance 568-1990 §2, Ordinance 572-1991 §4, Ordinance 609-1992 §2, Ordinance 637-1994 (part), Ordinance 700-2000 §2 (part), Ordinance 807-2013 §3(part), and Ordinance 809-2014 § 1 (part) and replace with the following Chapter 17.25 "R-2 MDR Medium Density Residential District" to provide the restructuring of Title 17:

# Chapter 17.25 R-2 MDR MEDIUM DENSITY RESIDENTIAL DISTRICT

- 17.25.010 Intent.
- 17.25.020 Permitted principal uses.
- 17.25.025 Accessory uses.
- 17.25.030 Conditional uses.
- 17.25.040 Minimum lot area.
- 17.25.050 Maximum building height.
- 17.25.055 Maximum building size.
- 17.25.060 Minimum lot width.
- 17.25.070 Maximums lot coverage.
- 17.25.080 Minimum yard requirements.
- 17.25.090 Parking requirements.
- 17.25.100 Fence and hedge requirements.
- 17.25.110 Sign requirements.

### 17.25.010 Intent.

The purpose of the R-2 district is to accommodate medium density residential uses composed of single family attached and/or detached homes and duplexes with a density of five to eight dwelling units or less per gross acre with lots fronting a public street.

### 17.25.020 Permitted principal uses.

Permitted principal uses in any R-2 district shall be as follows:

A. All uses permitted "as of right" in the R-1 District.

One duplex on a lot with a minimum size of 6,000 square feet.

### 17.25.025 Accessory uses.

The following accessory uses shall be allowed in any R-2 district:

- A. Home occupations, pursuant to Chapter 17.84;
- B. At-home commercial services, pursuant to Chapter 17.85;

C. Other structures and uses customarily appurtenant to permitted uses. (Cottage food operation, pursuant to Chapter 17.85.

D. Second dwelling units, pursuant to Chapter 17.82.

### 17.25.030 Conditional uses.

Conditional uses in any R-2 district shall be as follows:

A. Temporary sales tract offices;

### 17.25.040 Minimum lot area.

A minimum lot area in an R-2 zoning district shall be as follows:

- A. The minimum area of an interior lot shall be 5,000 square feet.
- B. The minimum area of a corner lot shall be 6,000 square feet.

### 17.25.050 Maximum building height.

Maximum building height in any R-2 district shall be as follows:

- A. No residential structure shall exceed a height of thirty (30) feet, for main buildings;
- B. No accessory structure shall exceed a height of fifteen feet.

### 17.25.060 Minimum lot width.

Minimum lot width in an R-2 zone shall be as follows:

- A. Each interior lot shall have a minimum width of fifty (50) feet.
- B. Each corner lot abutting a local street shall have a minimum width of sixty (60) feet.

C. Each corner lot abutting a major arterial shall have a minimum width of seventy-five (75) feet.

### 17.25.070 Maximum lot coverage.

In an R-2 district, lot coverage shall not exceed the following percentage of the lot area:

A. Forty (40) percent combined square footage for all residential, accessory, and paved areas;

### 17.25.080 Minimum yard requirements.

In an R-2 district, the provisions of Chapter 17.78 shall apply.

# 17.25.090 Parking requirements.

In an R-2 district, the general provisions of Chapter 17.76 shall apply.

### 17.25.100 Fence and hedge requirements.

In an R-2 district, the general provisions of Chapter 17.72 shall apply.

### 17.25.110 Sign requirements.

Sign requirements in any R-2 district shall be as follows:

A. One temporary detached sign pertaining to the sale, lease or rental of the property, not to exceed four square feet in size;

B. Signs may be erected in conjunction with a home occupation, shall not exceed three square feet in area and shall not be illuminated.

**SECTION 9**: Rescind Chapter 17.16 and portions of Ordinance 458-1984 §1(part), Ordinance 542-1989 §1(part), Ordinance 542-1991 § 1(part), Ordinance 572-1991 §5, Ordinance 575-1991 §7, Ordinance 591-1991 §2, Ordinance 612-1992 §3, Ordinance 637-1994 (part), Ordinance 700-2000 §5 (part), Ordinance 797-2011§5, and Ordinance 809-2014 § 1 (part) and replace with the following Chapter 17.26 "R-3 MFR Multi-Family Residential District" to provide the restructuring of Title 17:

# Chapter 17.26 R-3 MFR MULTIPLE-FAMILY RESIDENTIAL DISTRICT

| 17.26.010 | Intent. |
|-----------|---------|
|-----------|---------|

- 17.26.020 Permitted principal uses.
- 17.26.025 Accessory uses.
- 17.26.030 Conditional uses.
- 17.26.040 Minimum lot area.
- 17.26.050 Maximum building height.
- 17.26.055 Maximum building size.
- 17.26.060 Minimum lot width.
- 17.26.070 Maximum lot coverage.
- 17.26.080 Minimum yard requirement.
- 17.26.090 Parking requirements.
- 17.26.100 Fence and hedge requirements.
- 17.26.110 Sign requirements.
- 17.26.120 Landscaping.
- 17.26.130 Boat, trailer and recreational vehicle storage.

### 17.26.010 Intent.

The purpose of the R-3 multi-family residential district is to accommodate higher densities of nine to fifteen dwelling units per gross acre and to serve as a buffer area between low and medium density residential districts to commercial or industrial districts with each lot fronting on a public street.

### 17.26.020 Permitted principal uses.

Permitted principal uses in any R-3 district shall be as follows:

A. Multiple family residential units, single-room occupancy units (SROs, boarding houses, apartment hotels, community apartments, and stock cooperative apartments), either attached or detached, with a density not to exceed 15 units.

B. Household pets the numbers and types in accordance with Title 6, Animals.

### 17.26.025 Accessory uses.

The following accessory uses are allowed in any R-3 district:

- A. At-home commercial services, pursuant to Chapter 17.85.
- B. Home occupations, pursuant to Chapter 17.84.
- C. Cottage food operation, pursuant to Chapter 17.85.

### 17.26.030 Conditional uses.

Conditional uses in any R-3 district shall be as follows:

A. Public and quasi-public uses.

### 17.26.040 Minimum lot area.

There is no minimum lot area for the R-3 district.

### 17.26.050 Maximum building height.

Maximum building height in any R-3 district shall be as follows:

- A. No residential structure shall exceed thirty (30) feet;
- B. No accessory structure shall exceed a height of fifteen feet.

### 17.26.060 Minimum lot width.

Minimum lot width in an R-3 district shall be as follows:

A. Each lot fronting a residential street shall have a minimum width of eighty (80) feet.

B. Each corner lot abutting a major arterial shall have a minimum width of one hundred (100) feet.

### 17.26.070 Maximum lot coverage.

In an R-3 district, lot coverage shall not exceed the following percentage of the lot area:

A. Fifty (50) percent combined square footage for all residential, accessory, and paved areas.

# 17.26.080 Minimum yard requirement.

In an R-3 district, the provisions of Chapter 17.78 shall apply.

#### 17.26.090 Parking requirements.

In an R-3 district, the general provisions of Chapter 17.76 shall apply.

#### 17.26.100 Fence and hedge requirements.

In an R-3 district, the general provisions of Chapter 17.72 shall apply.

## 17.26.110 Sign requirements.

Sign requirements in any R-3 district shall be as follows:

A. One temporary detached sign pertaining to the sale, lease or rental of the property not to exceed four square feet in size;

B. Each multiple-family dwelling group shall be limited to one identification sign not exceeding twelve square feet of surface area. Signs may be indirectly lighted and if detached may not exceed five feet in height and may not be located within any right-of-way or public easement.

#### 17.26.120 Site development plan.

All development projects in the R-3 district shall be subject to site development review in accordance with Chapter 17.07.

#### 17.26.125 Landscaping.

All open areas not covered with buildings or paving in an R-3 district shall be landscaped and maintained. A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

#### 17.26.130 Boat, trailer and recreational vehicle storage.

All boats, trailers and recreational vehicles in an R-3 district shall be stored only within areas specifically designed for such storage on approved plans. Said area shall be screened by fencing and/or landscaping.

SECTION 10: Add Chapter 17.27 "R-4 HDR, High Density Residential District" to Title 17:

# Chapter 17.27 R-4 HDR HIGH DENSITY RESIDENTIAL DISTRICT

- 17.27.010 Intent.
- 17.27.020 Permitted principal uses.
- 17.27.025 Accessory uses.
- 17.27.030 Conditional uses.
- 17.27.040 Minimum lot area.

- 17.27.050 Maximum building height.
- 17.27.055 Maximum building size.
- 17.27.060 Minimum lot width.
- 17.27.070 Maximum lot coverage.
- 17.27.080 Minimum yard requirement.
- 17.27.090 Parking requirements.
- 17.27.100 Fence and hedge requirements.
- 17.27.110 Sign requirements.
- 17.27.120 Site Development Plan.
- 17.27.125 Landscaping.
- 17.27.130 Boat, trailer and recreational vehicle storage.

# 17.27.010 Intent.

The purpose of the R-4 high density residential district is to accommodate higher densities of sixteen (16) to thirty (30) dwelling units per gross acre and to serve as a buffer area between residential districts and commercial or industrial districts with each lot fronting on a public street.

# 17.27.020 Permitted principal uses.

Permitted principal uses in any R-4 district shall be as follows:

A. Multiple family residential units, single-room occupancy units (SROs, boarding houses, apartment hotels, community apartments, and stock cooperative apartments), either attached or detached, with a density not to exceed 30 units.

B. Household pets the numbers and types in accordance with Title 6, Animals.

## 17.27.025 Accessory uses.

The following accessory uses are allowed in any R-4 district:

A. At-home commercial services, pursuant to Chapter 17.85;

- B. Home occupations, pursuant to Chapter 17.84;
- C. Cottage food operation, pursuant to Chapter 17.85;

# 17.27.030 Conditional uses.

Conditional uses in any R-4 district shall be as follows:

A. Public and quasi-public uses.

# 17.27.040 Minimum lot area.

There is no minimum lot area for the R-4 district.

## 17.27.050 Maximum building height.

Maximum building height in any R-4 district shall be as follows:

- A. No residential structure shall exceed forty (40) feet;
- B. No non-residential accessory building shall exceed a height of fifteen feet.

#### 17.27.060 Minimum lot width.

Minimum lot width in an R-4 district shall be as follows:

A. Each lot fronting a residential street shall have a minimum width of eighty (80) feet.

B. Each corner lot abutting a major arterial shall have a minimum width of one hundred (100) feet.

#### 17.27.070 Maximum lot coverage.

In an R-4 district, lot coverage shall not exceed the following percentage of the lot area:

A. Sixty (60) percent combined square footage for all residential, accessory, and paved areas.

#### 17.27.080 Minimum yard requirement.

In an R-4 district, the provisions of Chapter 17.78 shall apply.

#### 17.27.090 Parking requirements.

In an R-4 district, the general provisions of Chapter 17.76 shall apply.

#### 17.27.100 Fence and hedge requirements.

In an R-4 district, the general provisions of Chapter 17.72 shall apply.

#### 17.27.110 Sign requirements.

Sign requirements in any R-4 district shall be as follows:

- A. One temporary detached sign pertaining to the sale, lease or rental of the property not to exceed four square feet in size;
- B. Each multiple-family dwelling group shall be limited to one identification sign on a building not exceeding 8 square feet of surface area. Signs may be indirectly lighted and if detached may not exceed five feet in height and may not be located within any right-ofway or public easement.

#### 17.27.120 Site development plan.

A site development plan review is required for all development in the R-4 district in accordance with Chapter 17.07.

# 17.27.125 Landscaping.

All open areas not covered with buildings or paving in an R-4 district shall be landscaped and maintained. A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

# 17.27.130 Boat, trailer and recreational vehicle storage.

All boats, trailers and recreational vehicles in an R-4 district shall be stored only within areas specifically designed for such storage on approved plans. Said area shall be screened by fencing and/or landscaping.

**SECTION 11**: Rescind Chapter 17.34 and portions of Ordinance 810-2014 and replace with the following Chapter 17.28 "Residential Density Bonus" to provide the restructuring of Title 17:

# **Chapter 17.28 RESIDENTIAL DENSITY BONUS**

| 17.28.010 | Intent. |
|-----------|---------|
|-----------|---------|

- 17.28.020 Definitions.
- 17.28.030 Application requirements.
- 17.28.040 Eligibility for bonus.
- 17.28.050 Density bonus calculation and allowance.
- 17.28.060 Eligibility and application requirements for incentives.
- 17.28.070 Child care facilities.
- 17.28.080 Donation of land.
- 17.28.090 General guidelines.
- 17.28.100 Findings for approval for density bonus and/or incentive(s).

17.28.110 Affordable housing agreement required.

# 17.28.010 Intent.

The purpose of the residential density bonus is to encourage affordable housing by providing the incentive for the provision of affordable housing as a portion of certain new development within the community, to implement the affordable housing goals, policies, and objectives of the city, to ensure the opportunity of affordable housing for all income levels to maintain a balanced community, and to comply with California Government Code Sections 65915 through 65918.

# 17.28.020 Definitions.

For the purpose of this chapter, the following words and phrases shall have the following meanings:

A. "Affordable Housing" means housing with a sales price or rental amount within the means of a household that may occupy moderate- and low-income housing. In the case of dwelling units

for sale, affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30% of such gross annual household income for a household of the size that may occupy the unit in question. In the case of dwelling units for rent, affordable means housing for which the rent and utilities constitute no more than 30% of such gross annual household income for a household of the size that may occupy the unit in question.

B. "Affordable Housing Development Agreement" means a written agreement between an applicant for a development and the city containing specific requirements to ensure the continuing affordability of housing included in the development.

C. "Affordable Housing Dwelling Unit" means any affordable housing subject to covenants or restrictions requiring such dwelling units to be sold or rented at prices preserving them as affordable housing for a period of at least 30 years.

D. "Affordable Housing Development" means any housing subsidized by the federal or state government, or any housing development in which at least 20% of the housing units are affordable dwelling units.

E. "Affordable Housing Development Plan" means that plan prepared by an applicant for an Affordable Housing Development under this ordinance that outlines and specifies the development's compliance with the applicable requirements of this chapter.

F. "Affordable Housing Trust Fund" means the fund created by the city to hold in-lieu fees paid by a developer instead of constructing affordable units.

G. "Affordable Housing Unit" means either a housing unit subsidized by the federal or state government or an affordable dwelling unit.

H. "Child care facility" is defined as a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.

I. "Conversion" means a change in a residential rental development or a mixed-use development that includes rental dwelling units to a development that contains only owner-occupied individual dwelling units or a change in a development that contains owner-occupied individual units to a residential rental development or mixed-use development.

J. "Density bonus" means an increase in density over the otherwise maximum allowable residential density under the applicable general plan designation as of the date of filing of an application for density bonus with city. A density bonus request shall be considered as a component of a qualified housing development.

K. "Development" means the entire proposal to construct or place one or more dwelling units on a particular lot or contiguous lots including, without limitation, a planned unit development, site plan, or subdivision.

L. "Development standard" is defined as the site, development, or construction standards and/or conditions of approval that apply to a residential development.

M. "Housing development" is defined as one or more groups of projects for residential units constructed within a large lot parcel. For the purposes of this chapter, "housing development"

also includes a subdivision or common interest development as defined in Section 1351 of the Civil Code and consists of residential units or unimproved residential lots. A density bonus may be permitted in geographic areas of the housing development other than the areas where the affordable units are located, so long as the density bonus units are located on the same large lot parcel.

N. "Incentive" is defined as a reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission. An incentive can be requested by the applicant for purposes of reducing the cost of development to make the project financially feasible. The term "incentive" includes the term "concession" as that term is used in California Government Code Sections 65915 through 65918.

O. "Lot" means either: (a) the basic development unit for determination of area, width, depth, and other dimensional variations; or (b) a parcel of land whose boundaries have been established by some legal instrument, such as a recorded deed or recorded map, and is recognized as a separate legal entity for purposes of transfer of title.

P. "Lower income" is defined as less than 80% of the area median income, as defined by Section 50079.5 of the California Health and Safety Code.

Q. "Lower income unit" is defined as a unit with an affordable rent or payment that does not exceed 30% of 60% of area median income adjusted for family size appropriate for the unit.

R. "Low-income housing" means housing that is affordable, according to the U.S. Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that does not exceed 50% of the median gross household income for households of the same size within the in which the housing is located.

S. "Median gross household income" means the median income level for the as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development, adjusted for household size.

T. "Moderate income" is defined as less than 120% of the area median income, as defined in Section 50093 of the California Health and Safety Code.

U. "Moderate-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than 50% but does not exceed 80% of the median gross household income for households of the same size.

V. "Moderate income unit" is defined as a unit with an affordable rent or payment that does not exceed 35% of 110% of area median income adjusted for family size appropriate for the unit.

W. "Renovation" means physical improvement that adds to the value of real property, but that excludes painting, ordinary repairs, and normal maintenance.

X. "Senior citizen housing development" is defined as a housing project where residency is restricted to persons 62 years of age or older, or 55 years of age or older in a senior citizen housing development per Sections 51.3 and 51.12 of the California Civil Code.

Y. "Very low income" is defined as less than 50% of the area median income, as defined in Section 50105 of the California Health and Safety Code.

Z. "Very low income unit" is defined as a unit with an affordable rent or payment that does not exceed 30% of 50% of the area median income, adjusted for family size appropriate for the unit.

#### 17.28.030 Application requirements.

A density bonus may be approved pursuant to a request for approval of a density bonus, provided the request complies with the provisions of this chapter. Each application for a density bonus request shall be accompanied by the following:

A. A site plan that identifies all units in the project including the location of the affordable units and the bonus units;

B. A narrative briefly describing the housing development and shall include information on:

1. The number of units permitted under the general plan;

- 2. The total number of units proposed in the project;
- 3. The number of affordable and/or senior units;

4. The number of bonus units requested based on the tables provided in Section 17.28.050 of this chapter;

5. A breakdown of units proposed for very low, lower, and moderate income, senior citizen, and/or market rate units; and

6. Any requested incentive(s), including an explanation as to why the incentive(s) is required for the housing development;

C. Information indicating that appropriate and sufficient infrastructure capacity (water, sewer, roadway) and water supply is available to serve the bonus units;

D. A pro-forma illustrating the financial need for the density bonus and/or any requested Incentives. The information that shall be included is as follows:

1. The project pro-forma shall include, but is not limited to: capital costs, operating expenses, return on investment, revenues, loan-to-value ratio and debt-coverage ratio, any contribution provided by subsidy programs, and the economic effect created by the use and income restrictions of the affordable units;

2. An appraisal report indicating the value of the density bonus and any incentive(s) requested; and

3. A source and use of funds statement identifying any projected financing gap of the project. The developer shall establish how much of the gap is covered by the density bonus units, and how much will be covered by the requested incentive(s).

E. Any such additional information in support of a request for a density bonus as may be requested by the planning and redevelopment department.

# 17.28.040 Eligibility for bonus.

A developer of a housing development containing five or more units may qualify for a density bonus and at least one other incentive as provided by this chapter if the developer does one of the following:

A. Agrees to construct and maintain at least 5% of the units dedicated to very low income households;

B. Agrees to construct and maintain at least 10% of the units dedicated to lower income households;

C. Agrees to construct and maintain at least 10% of the units in a common interest development (as defined in Section 1351 of the California Civil Code) dedicated to moderate income households, provided that all units in the development are offered to the public for purchase;

D. Agrees to construct and maintain a senior citizen housing development as defined in Section 17.28.020 of this chapter;

E. Donates land to the city dedicated for the construction of very low income units pursuant to Section 17.28.080 of this chapter; or

F. Includes a qualifying child care facility as described in Section 17.28.070 of this chapter in addition to providing housing as described in subsections (A) through (C) of this section.

# 17.28.050 Density bonus calculation and allowance.

A. **State law preemption.** Pursuant to state law, the granting of a density bonus or the granting of a density bonus together with an incentive(s) shall not be interpreted, in and of itself, to require a general plan amendment, specific plan amendment, rezone, or other discretionary approvals.

B. **Density bonus calculation.** An applicant must choose a density bonus from only one applicable affordability category in below subsection C and may not combine categories with the exception of child care facilities or land donation, which may be combined with an affordable housing development, for an additional density bonus up to a combined maximum of 35%.

C. **Density bonus allowance.** In calculating the number of units required for very low, lower and moderate income households, the density bonus units shall not be included, in no event shall a density bonus exceed 35%. A housing development that satisfies all applicable provisions of this chapter shall be allowed the following applicable density bonuses:

1. Very low income. The potential density bonus for a project is calculated in the following table. For example, if there is a provision for five (5) very low income units, the development could potentially gain a twenty (20) percent increase in overall number of units in the development.

| Percentage of Very Low-Income<br>Units | Percentage Density Bonus |
|--|--------------------------|
| 5                                      | 20                       |
| 6                                      | 22.5                     |
| 7                                      | 25                       |
| 8                                      | 27.5                     |
| 9                                      | 30                       |
| 10                                     | 32.5                     |
| 11                                     | 35                       |

2. Lower income. The potential density bonus for a project is calculated in the following table. For example, if there is a provision for ten (10) lower income units, the development could potentially gain a twenty (20) percent increase in overall number of units in the development.

| Percentage of Lower Income Units | Percentage Density Bonus |
|----------------------------------|--------------------------|
| 10                               | 20                       |
| 11                               | 21.5                     |
| 12                               | 23                       |
| 13                               | 24.5                     |
| 14                               | 26                       |
| 15                               | 27.5                     |
| 16                               | 29                       |
| 17                               | 30.5                     |
| 18                               | 32                       |
| 19                               | 33.5                     |
| 20                               | 35                       |

3. Moderate income. The potential density bonus for a project is calculated in the following table. For example, if there is a provision for ten (10) moderate income units, the development could potentially gain a five (5) percent increase in overall units in the development.

| Percentage of Moderate-Income<br>Units | Percentage Density Bonus |
|--|--------------------------|
| 10                                     | 5                        |
| 11                                     | 6                        |
| 12                                     | 7                        |
| 13                                     | 8                        |
| 14                                     | 9                        |
| 15                                     | 10                       |

| Percentage of Moderate-Income<br>Units | Percentage Density Bonus |
|--|--------------------------|
| 16                                     | 11                       |
| 17                                     | 12                       |
| 18                                     | 13                       |
| 19                                     | 14                       |
| 20                                     | 15                       |
| 21                                     | 16                       |
| 22                                     | 17                       |
| 23                                     | 18                       |
| 24                                     | 19                       |
| 25                                     | 20                       |
| 26                                     | 21                       |
| 27                                     | 22                       |
| 28                                     | 23                       |
| 29                                     | 24                       |
| 30                                     | 25                       |
| 31                                     | 26                       |
| 32                                     | 27                       |
| 33                                     | 28                       |
| 34                                     | 29                       |
| 35                                     | 30                       |
| 36                                     | 31                       |
| 37                                     | 32                       |
| 38                                     | 33                       |
| 39                                     | 34                       |
| 40                                     | 35                       |

4. Senior citizen housing development. The density bonus for a senior citizen housing development that provides housing for seniors consistent with Section 17.28.040 of this chapter shall be 20%.

5. Child care facility. A project (whether a housing, commercial, or industrial project) is eligible for a density bonus for a child care facility when in compliance with Section 17.28.070 of this chapter and California Government Code Section 65917.5.

6. **Donation of land.** A project is eligible for the following density bonus for the donation of land when in compliance with Section 17.28.080 of this chapter:

| Percentage of Very Low-Income Units | Percentage Density Bonus |
|-------------------------------------|--------------------------|
| 10                                  | 15                       |
| 11                                  | 16                       |
| 12                                  | 17                       |
| 13                                  | 18                       |
| 14                                  | 19                       |
| 15                                  | 20                       |
| 16                                  | 21                       |
| 17                                  | 22                       |
| 18                                  | 23                       |
| 19                                  | 24                       |
| 20                                  | 25                       |
| 21                                  | 26                       |
| 22                                  | 27                       |
| 23                                  | 28                       |
| 24                                  | 29                       |
| 25                                  | 30                       |
| 26                                  | 31                       |
| 27                                  | 32                       |
| 28                                  | 33                       |
| 29                                  | 34                       |
| 30                                  | 35                       |

7. **Conversion of apartments to condominiums.** A project is eligible percent density bonus for the conversion of apartments to condominiums when in compliance with California Government Code Section 65915.5.

# 17.28.060 Eligibility and application requirements for incentives.

A. Available incentives. A housing development qualifying for a density bonus may be entitled to at least one incentive. Incentives may include, but are not limited to:

- 1. A reduction in site development standards such as:
  - a. Reduced minimum lot sizes and/or dimensions;
  - b. Reduced minimum lot setbacks;
  - c. Reduced minimum outdoor and/or private outdoor living area;
  - d. Increased maximum lot coverage;
  - e. Increased maximum building height and/or stories;
  - f. Reduced on-site parking requirements;
  - g. Reduced street standards;

2. A reduction in architectural design requirements;

3. A density bonus greater than the amount required by this chapter;

4. Other regulatory incentives proposed by the developer or the city, which result in identifiable, financially sufficient, and actual cost reductions;

5. If an applicant qualifies for a density bonus pursuant to this chapter, the applicant may request, in addition to any requested incentive(s), that the following parking requirement be applied to the project in place of the city's current parking requirements. The parking requirement is inclusive of handicapped and guest parking for the entire housing development, but shall not include on-street parking spaces in the count towards the parking requirement:

a. Zero to one bedroom: 1 on-site parking space;

b. Two to three bedrooms: 2 on-site parking spaces;

c. Four or more bedrooms: 2.5 on-site parking spaces.

B. Eligibility for incentives. Incentives are available to a housing developer as follows:

1. One incentive for housing developments that (a) restrict at least 10% of the total units to lower income households, at least 5% for very low income households, or at least 10% for persons and families of moderate income in a common interest development, or (b) are for senior housing.

2. Two incentives for housing developments that restrict at least 20% of the total units to lower income households, at least 10% for very low income households, or at least 20% for persons and families of moderate income in a common interest development.

3. Three incentives for housing developments that restrict at least 30% of the total units for lower income households, at least 15% for very low income households, or at least 30% for persons and families of moderate income in a common interest development.

# 17.28.070 Child care facilities.

A. Child care facility density bonus. When an applicant proposes to construct a housing development that is eligible for a density bonus under Section 17.28.040 of this chapter and California Government Code Section 65917.5, and includes a child care facility that will be located on the premises or adjacent to the housing development, the city shall grant either:

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the square footage of the child care facility up to a combined maximum of 35% of the project square footage without the density bonus; or

2. An additional incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

B. Child care facility requirements. The city shall require, as a condition of approving the housing development that the following occur:

1. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the affordable units are required to remain affordable per this chapter; and

2. Of the children who attend the child care facility, the children of very low income households, lower income households or families of moderate income households shall equal a percentage that is equal to or greater than the percentage of affordable units in the housing development that are required for very low, low or families of moderate income households.

C. Child care facility criteria. The city shall not be required to provide a density bonus or incentive for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

#### 17.28.080 Donation of land.

A. **Donation of land density bonus.** When a developer of a tentative subdivision map, parcel map, or other residential development donates land to the city, the developer shall be entitled to a density bonus above the otherwise maximum allowable residential density, up to a maximum of 35% depending on the amount of land donated (see Section 17.28.050 of this chapter). This increase shall be in addition to any increase in density permitted by Section 17.28.040 of this chapter up to a maximum combined density increase of 35% if an applicant seeks both the increase required by Section 17.28.040 and this section of this chapter.

B. The developer shall be eligible for the density bonus for the donation of land, if all of the following conditions are met:

1. The developer shall donate and transfer land no later than the date of approval of the final subdivision map, parcel map, or residential development application;

2. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in the amount not less than 10% of the residential units in the proposed development;

3. The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The transferred land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income units on the transferred land, except that the city may subject the proposed development to subsequent design review if the design is not reviewed by the local government prior to the time of transfer;

4. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section 17.28.110 of this chapter if required by financing programs or subsidy programs;

5. The land is transferred to the city or to a housing developer approved by the city. The city may require the developer to identify and transfer the land to the affordable housing developer; and

6. The transferred land shall be within the boundary of the proposed development or, if the city determines appropriate, within one-quarter mile of the boundary of the proposed development.

# 17.28.090 General guidelines.

A. Location of bonus units. As required by California Government Code Section 65915(g), the location of density bonus units within the qualifying housing development may be at the discretion of the developer, and need not be in the same area of the project where the units for the lower income households are located as long as the density bonus units are located within the same housing development.

B. **Preliminary review.** A developer may submit to the planning and redevelopment department a preliminary proposal for the development of housing pursuant to this chapter prior to the submittal of any formal application for a density bonus. The city shall, within 90 days of receipt of a written proposal, notify the housing developer in writing of either (1) any specific requirements or procedures under this chapter, which the proposal has not met, or (2) the proposal is sufficient for preparation of an application for density bonus.

C. **Infrastructure and supply capacity.** Criteria to be considered in analyzing the requested bonus will include the availability and capacity of infrastructure (water, sewer, road capacity, and the like) and water supply to accommodate the additional density.

# 17.28.100 Findings for approval for density bonus and or incentive(s).

A. **Density bonus approval.** The following finding shall be made by the approving authority in order to approve a density bonus request:

1. The density bonus request meets the requirements of this chapter.

B. **Density bonus approval with incentive(s).** The following findings shall be made by the Approving Authority in order to approve a density bonus and incentive(s) request:

1. The density bonus request meets the requirements of this chapter;

2. The incentive is required in order to provide affordable housing; and

3. Approval of the incentive(s) will have no specific adverse impacts upon health, safety, or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, low, and moderate income households.

C. **Denial of a request for an incentive(s).** The approving authority shall make the following findings prior to disallowing an incentive (in the case where an accompanying density bonus may be approved, or in the case of where an incentive(s) is requested for senior housing or child care facility):

1. That the incentive is not necessary in order to provide for affordable housing costs as defined in Section 17.28.020 of this chapter, or for rents for the targeted units to be set as specified in Section 17.28.020 of this chapter.

2. That the incentive would result in specific adverse impacts upon health, safety, or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, low, and moderate income households.

#### 17.28.110 Affordable housing agreement required.

A. Agreement required. In approving a density bonus, the associated permit or tentative map shall require that an affordable housing agreement, or other form of agreement as approved by the city attorney, effectuating the terms of affordability of the development be executed prior to effectuation of the permit or recordation of the final map.

B. **Continued availability.** The density bonus request shall include the procedures proposed by the developer to maintain the continued affordability of all affordable income density bonus units and shall be evidenced by an affordable housing agreement as follows:

1. An applicant shall agree to, and the city shall ensure, continued affordability of all very low and low income units that qualified the applicant for the award of the density bonus for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section of this chapter. Owner-occupied units shall be available at an affordable housing cost as defined in Section 17.28.020 of this chapter.

2. An applicant shall agree to, and the city shall ensure that, the initial occupants of the moderate income units are directly related to the receipt of the density bonus in the common interest development as defined in Section 1351 of the California Civil Code, are persons and families of moderate income, as defined in Section 17.28.020 of this chapter and that the units are offered at an affordable housing cost, as that cost is defined in Section 17.28.020 of this chapter. The city shall enforce an equity-sharing agreement unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity-sharing agreement:

a. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The city shall recapture any initial subsidy and its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in subdivision (e) of Section 33328.2 of the California Health and Safety Code that promote home ownership.

b. For purposes of this subdivision, the city's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

c. For purposes of this subdivision, the city's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

**SECTION 12**: Rescind Chapter 17.18 and portions of Ordinance 491-1986 (part), Ordinance 527-1988 § 1(part), Ordinance 606-1992 §1, Ordinance 639-1995 (part), Ordinance 666-1997 (part), and replace with the following Chapter 17.32 "C-1 Restricted Commercial District" to provide the restructuring of Title 17:

# Chapter 17.32 C-1 RESTRICTED COMMERCIAL DISTRICT

- 17.32.020 Permitted principal uses.
- 17.32.030 Accessory uses
- 17.32.040 Conditional uses.
- 17.32.050 Minimum lot area.
- 17.32.060 Maximum building height.
- 17.32.070 Minimum yard requirements.
- 17.32.080 Maximum lot coverage.
- 17.32.090 Parking requirements.
- 17.32.100 Minimum loading area.
- 17.32.110 Fence and hedge requirements.
- 17.32.120 Site development plan.
- 17.32.130 Sign requirements.

# 17.32.010 Intent.

The purpose of the C-1 district is to preserve commercial areas with stores, services, offices, restaurants and other retail uses contained within enclosed buildings.

# 17.32.020 Permitted principal uses.

The uses designated "P" (Permitted) under C-1 in the Commercial District Table (Chapter 17.36 of this title), are permitted.

# 17.32.030 Accessory uses.

Commercial use classifications include the following accessory uses, activities and structures:

A. Any commercial use classification that is not listed as a permitted use in the same district, and complies with the following criteria:

1. Is operated primarily for the convenience of employees, clients or customers of principal use;

2. Occupies less than ten percent of the total floor area of the principal use;

3. Is located and operated as an integral part of the principal use and does not comprise a separate business or activity.

# 17.32.040 Conditional uses.

The uses designated "UP" (Use Permit) under C-1 in the Commercial District Table (Chapter 17.36 of this title), are conditional uses.

## 17.32.050 Minimum lot area.

No minimum lot area is required.

## 17.32.060 Maximum building height.

- A. No commercial building shall exceed a height of fifty (50) feet.
- B. No accessory building shall exceed fifteen feet.

## 17.32.070 Minimum yard requirements.

A. Front Yard. No requirements. Exceptions:

1. When the frontage in a block is partially in an "R" district, the front yard shall be the same as required in such "R" district.

2. Parcel frontages abutting the State Highway shall have a five foot building setback.

B. Side Yard. No requirements, except where the side of a lot abuts an R district, in which case the side yard shall not be less than ten feet.

C. Rear Yard. No requirements, except where the rear of a lot abuts an R district, in which case the rear yard shall not be less than fifteen feet.

#### 17.32.080 Maximum lot coverage.

In a C-1 district, lot coverage shall not exceed the following percentage of the lot area:

A. Ninety (90) percent combined square footage for all structures and paved areas.

# 17.32.090 Parking requirements.

The provisions of Chapter 17.76 shall apply, except that for those properties within Special Parking Combining Zone Number 1, the central Gridley business area, the provisions of Chapter 17.58 shall apply.

#### 17.32.100 Minimum loading area.

Private off-street space for the loading and handling of all goods, materials and equipment shall be provided. Such space shall be of sufficient dimensions and design to permit loading and handling activities to take place without use of public streets, or required parking areas. Areas intended for loading, unloading and movement of trucks shall be at least twelve feet wide and fourteen feet high.

# 17.32.110 Fence and hedge requirements.

The general provisions of Chapter 17.72 shall apply.

# 17.32.120 Site development plan.

All commercial development projects shall be subject to site development review in accordance with Chapter 17.07.

# 17.32.125 Landscaping.

A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

# 17.32.130 Sign requirements.

The provisions of Chapter 17.72 shall apply.

**SECTION 13**: Rescind Chapter 17.20 and portions of Ordinance 491-1986 (part), Ordinance 527-1988 § 1(part), Ordinance 606-1992 §1, Ordinance 639-1995 (part), and replace with the following Chapter 17.34 "C-2 General Commercial District" to provide the restructuring of Title 17:

# Chapter 17.34 C-2 GENERAL COMMERCIAL DISTRICT

- 17.34.010 Intent.
- 17.34.020 Permitted uses.
- 17.34.030 Accessory uses.
- 17.34.040 Conditional uses.
- 17.34.050 Minimum lot area.
- 17.34.060 Maximum building height.
- 17..34070 Minimum yard requirements.
- 17.34.080 Maximum lot coverage.
- 17.34.090 Parking requirements.
- 17.34.100 Minimum loading area.
- 17.34.110 Fence and hedge requirements.
- 17.34.120 Site development plan.
- 17.34.130 Sign requirements.

# 17.34.010 Intent.

The purpose of the C-2 district is to preserve commercial districts to serve the community's needs for durable goods, automotive and repair services, and other retail and wholesale commercial uses.

#### 17.34.020 Permitted uses.

The uses designated "P" (Permitted) under C-2 in the Commercial District Table (Chapter 17.36 of this title), are permitted uses.

#### 17.34.030 Accessory uses.

Commercial use classifications include the following accessory uses, activities and structures:

A. Any commercial use classification that is not listed as a permitted use in the same district, and complies with the following criteria:

1. Is operated primarily for the convenience of employees, clients or customers of the principal use;

2. Occupies less than ten percent of the total floor area of the principal use;

3. Is located and operated as an integral part of the principal use and does not comprise a separate business or activity.

## 17.34.040 Conditional uses.

The uses designated "CUP" (Conditional Use Permit) under C-2 in the Commercial District Table (Chapter 17.36 of this title) are conditional uses.

#### 17.34.050 Minimum lot area.

No minimum lot area is required.

# 17.34.060 Maximum building height.

A. No commercial building shall exceed a height of fifty (50) feet.

B. No accessory building shall exceed fifteen feet.

#### 17.34.070 Minimum yard requirements.

A. Front Yard. No requirements. Exceptions:

1. When the frontage in a block is partially in an "R" district, the front yard shall be the, same as required in such "R" district.

2. Parcel frontages abutting the State Highway shall have a five-foot building setback.

B. Side Yard. No requirements, except where the side of a lot abuts an R district, in which case the side yard shall not be less than ten (10) feet.

C. Rear Yard. No requirements, except where the rear of a lot abuts an R district, in which case the rear yard shall not be less than fifteen feet.

#### 17.34.080 Maximum lot coverage.

In a C-2 district, lot coverage shall not exceed the following percentage of the lot area:

A. Ninety (90) percent combined square footage for all structures and paved areas.

# 17.34.090 Parking requirements.

The provisions of Chapter 17.76 shall apply, except that for those properties within Special Parking Combining Zone Number 1, the central Gridley business area, the provisions of Chapter 17.58 shall apply.

# 17.34.100 Minimum loading area.

Private off-street space for the loading and handling of all goods, materials and equipment shall be provided. Such space shall be of sufficient dimensions and design to permit loading and handling activities to take place without use of public streets or required parking areas. Areas intended for loading, unloading and movement of trucks shall be at least twelve feet wide and fourteen feet high.

# 17.34.110 Fence and hedge requirements.

The general provisions of Chapter 17.72 shall apply.

# 17.34.120 Site development plan.

All commercial development projects shall be subject to site development review in accordance with Chapter 17.07 (Ord. 491 (part), 1986).

# 17.34.125 Landscaping.

A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

# 17.34.130 Sign requirements.

The provisions of Chapter 17.72 shall apply.

**SECTION 13**: Rescind Chapter 17.21 and portions of Ordinance 491-1986 (part), Ordinance 598-1992 § 1(part), and replace with the following Chapter 17.36 "Commercial Land Use by Zoning District" to provide the restructuring of Title 17:

# Chapter 17.36 COMMERCIAL LAND USE BY ZONING DISTRICT

17.36.010 Permitted uses and use permit uses in commercial districts.

17.36.020 Unlisted uses.

# 17.36.010 Permitted uses and conditionally permitted uses in commercial districts.

Permitted uses and uses allowed by use permit in commercial districts are a follows:

P = Permitted CUP = Conditional Use Permit

Where a use is not designated as "Permitted" or "Conditional Use Permit" it is not allowed int that zoning district.

| LAND USE TYPES   | ZONING DISTRICT S<br>C-1 C-2 |   |
|--|------------------------------|---|
| Accountants  | Р                            | Р |
| Adult entertainment businesses<br>(Subject to the provisions of Chapter 17.72) |                              | Р |
| Advertising business   | Р                            | Р |
| Amusement arcades such as video games, pinball                                 | Р                            | Р |
| Answering service  | Р                            | Р |
| Antiques   | Р                            | P |
| Appliances   | Р                            | Р |
| Architects   | Р                            | Р |
| Art Galleries  | Р                            | Р |
| Art goods/supplies   | Р                            | Р |
| Art instructions   | Р                            | Р |
| Attorneys & legal services   | Р                            | Р |
| Automobile sales, service, and used auto sales                                 |                              | Р |
| Automobile repair  |                              | Р |
| Automobile body shop   | *******                      | Р |
| Automobile parts, retail   | Р                            | Р |
| Baby shops   | Р                            | Р |
| Bail bond  |                              | Р |
| Bakeries, retail   | Р                            | Р |
| Banks  | Р                            | Р |
| Banks, drive-through   | Р                            | Р |
| Barbershops  | Р                            | Р |
| Beauty salons  | Р                            | Р |
| Bicycle shops  | P                            | Р |
| Boat sales   |                              | Р |
| Boat supplies  |                              | Р |
| Books  | Р                            | Р |
| Bookkeeping  | Р                            | Р |

| Bowling alleys                                       |     | Р   |
|--|-----|-----|
| Building materials                                   |     | Р   |
| Butcher  | Р   | Р   |
| Cabinet/woodworking shops                            |     | Р   |
| Campers, RV sales, service and supplies new and used |     | Р   |
| Carwash  |     | Р   |
| Chambers of Commerce                                 | P   | Р   |
| Child care and preschool                             | Р   | Р   |
| Chiropractors  | Р   | Р   |
| Churches   | CUP | CUP |
| Cleaners   | Р   | Р   |
| Clothing sales                                       | Р   | Р   |
| Cocktail lounge/bar/taverns                          | CUP | CUP |
| Coffee shop  | Р   | Р   |
| Collection bureau                                    | Р   | Р   |
| Communication equipment                              | Р   | Р   |
| Community garden                                     | Р   | Р   |
| Computer store                                       | Р   | Р   |
| Contractor office (no storage)                       | Р   | Р   |
| Contractor office (with storage)                     | CUP | Р   |
| Cooking supplies shops                               | Р   | Р   |
| Copy shop  | Р   | Р   |
| Costume shop   | Р   | Р   |
| Counseling centers                                   | Р   | Р   |
| Counselors and therapists                            | Р   | Р   |
| Craft supplies                                       | Р   | Р   |
| Credit bureau  | Р   | Р   |
| Dairy, jobber-retail                                 |     | Р   |
| Dance school   | Р   | Р   |
| Delicatessen   | Р   | Р   |
| Dentist's office                                     | Р   | Р   |

|   | I   | 1   |
|---|-----|-----|
| Department store  | Р   | Р   |
| Discount drug   | Р   | Р   |
| Doctor's office   | Р   | Р   |
| Donut shop  | Р   | Р   |
| Dress shop  | Р   | Р   |
| Dressmaker, seamstress, tailor  | Р   | Р   |
| Drive-in restaurant and/or fast food  | CUP | Р   |
| Drug store, broad range   | Р   | Р   |
| Duplicating shop  | Р   | Р   |
| Employment agency   | Р   | Р   |
| Engineering office  | Р   | Р   |
| Equipment rental, household   | Р   | P   |
| Equipment rental, large type  |     | Р   |
| Escrow service  | Р   | Р   |
| Energy supply store   | CUP | Р   |
| Farm equipment sales  |     | Р   |
| Fabric shop   | Р   | Р   |
| Fireplace-stove shop  | Р   | Р   |
| Flea market<br>(One-day or single-weekend events sponsored by the Chamber<br>of Commerce or service groups may be administratively<br>approved in the C-1 and C-1 zoning districts) |     | CUP |
| Floor materials   | Р   | Р   |
| Florist   | Р   | Р   |
| Fraternal organization  | Р   | Р   |
| Freezer food lockers, rental  | CUP | Р   |
| Funeral directors   | Р   | Р   |
| Furniture, new and used   | Р   | Р   |
| Garden supplies   | Р   | Р   |
| Gift shops  | Р   | Р   |
| Glass shop (window glass)   | CUP | Р   |

| Government offices, administrative only                                       | Р   | Р   |
|---|-----|-----|
| Graphic art materials   | Р   | Р   |
| Grocers, less than 10,000 square feet<br>(see also, "market" & "supermarket") | Р   | Р   |
| Gunsmiths   | Р   | Р   |
| Hardware, retail  | Р   | Р   |
| Health food   | Р   | Р   |
| Hobby shop  | Р   | Р   |
| Home decorations and materials  | Р   | Р   |
| Hospital  | CUP | CUP |
| Hot tubs and spas sales   | CUP | Р   |
| Hotel   | Р   | Р   |
| Ice cream shop  | Р   | Р   |
| Ice skating rink  |     | CUP |
| Import store  | Р   | Р   |
| Income tax service  | Р   | Р   |
| Inns, bed and breakfast places  | Р   | Р   |
| Interior decorator  | Р   | Р   |
| Investment advisory service   | Р   | Р   |
| Jewelers  | Р   | Р   |
| Laboratories, dental  | P   | Р   |
| Laboratories, medical   | Р   | Р   |
| Laboratories, research  | CUP | CUP |
| Lamps   | Р   | Р   |
| Landscape architects  | Р   | Р   |
| Laundry, coin   | Р   | Р   |
| Lighting fixtures   | Р   | Р   |
| Liquor store  | Р   | Р   |
| Live Work   | Р   | CUP |
| Loan agency   | Р   | Р   |
| Locksmiths  | Р   | Р   |

| Lumber, retail  | CUP | Р   |
|---|-----|-----|
| Machine shop  |     | UP  |
| Markets, under 10,000 square feet<br>(see also "grocer" & "supermarkets") | Р   | Р   |
| Medical office  | Р   | Р   |
| Men's clothing  | Р   | Р   |
| Mini-storage  | <   | UP  |
| Mobile home sales, service  |     | Р   |
| Motorcycle sales, service   | CUP | Р   |
| Motorcycle repair   |     | Р   |
| Motels  | CUP | Р   |
| Museums   | Р   | Р   |
| Music store (instrument and equipment)                                    | Р   | Р   |
| News service  | P   | Р   |
| News stand  | Р   | Р   |
| Night club  | CUP | CUP |
| Novelties, notions store  | Р   | Р   |
| Nurseries, retail   | Р   | Р   |
| Office furniture  | Р   | Р   |
| Office supplies   | Р   | Р   |
| Optician, optometrist   | Р   | Р   |
| Paint dealers, retail   | Р   | Р   |
| Parking lots  | Р   | Р   |
| Parks   | Р   | Р   |
| Party shop  | Р   | Р   |
| Pawnshop  |     | Р   |
| Pet store   | CUP | CUP |
| Pharmacy  | Р   | Р   |
| Photocopy shop  | Р   | Р   |
| Photo processing  | Р   | Р   |
| Photographer  | Р   | Р   |

| Photographic equipment                           | Р   | Р   |
|--|-----|-----|
| Physical therapy                                 | P   | P   |
| Physician  | P   | P   |
| Pianos, organs                                   | Р   | Р   |
| Picture framing                                  | P   | P   |
| Plumbing, retail sales                           | Р   | Р   |
| Pottery, retail                                  | Р   | Р   |
| Printers   | Р   | Р   |
| Psychiatrist                                     | Р   | Р   |
| Psychologist                                     | Р   | Р   |
| Quasi-public uses                                | CUP | CUP |
| Racquetball and sports club                      | Р   | Р   |
| Radio and TV sales and service                   | Р   | Р   |
| Real estate                                      | ·P  | Р   |
| Record store                                     | Р   | P   |
| Recreation, indoor sports                        | Р   | Р   |
| Recreation vehicle sales                         |     | Р   |
| Recreation vehicle storage                       |     | CUP |
| Recycling center (primary use)                   |     | CUP |
| Refrigeration sales and service, industrial      |     | Р   |
| Religious office                                 | Р   | Р   |
| Rental, see equipment rental                     |     |     |
| Residential uses                                 | CUP | CUP |
| Restaurant, full service                         | Р   | Р   |
| Retail, general                                  | Р   | Р   |
| Rollerskating rink                               |     | Р   |
| Rug and carpet sales                             | Р   | Р   |
| Saddlery shop                                    | Р   | Р   |
| Satellite sales and service                      | Р   | Р   |
| Savings and loan (with or without drive-through) | Р   | Р   |
| Saw shop   | Р   | Р   |

| School supplies                       | Р   | Р |
|---------------------------------------|-----|---|
| Service station/gasoline station      |     | Р |
| Sewing machine sales and repair       | Р   | Р |
| Sheet metal shop                      |     | Р |
| Shoe store                            | Р   | Р |
| Shoe repair                           | Р   | Р |
| Sign shop                             |     | Р |
| Social clubs, halls and organizations | Р   | Р |
| Social service offices                | Р   | Р |
| Special job training centers          | Р   | Р |
| Sporting goods store                  | Р   | Р |
| Stationery store                      | Р   | Р |
| Stenographic service                  | Р   | Р |
| Stereo-sound system store             | Р   | Р |
| Stock and bond brokers                | Р   | Р |
| Supermarket (>10,000 square feet)`    | Р   | Р |
| Surveyor's office                     | Р   | P |
| Swimming pool sales, service          |     | Р |
| Tobacco shop                          | Р   | Р |
| Television sales and service          | Р   | Р |
| Theater                               | Р   | Р |
| Thrift shop                           | Р   | Р |
| Tire sales and service                |     | Р |
| Title company                         | Р   | Р |
| Toys                                  | Р   | Р |
| Travel agency                         | Р   | Р |
| Trophies                              | Р   | Р |
| Tropical fish and supplies            | Р   | Р |
| Tuxedo rental                         | Р   | Р |
| Upholsters                            | CUP | Р |
| Utility office-administrative only    | Р   | Р |

| Vacuum cleaner sales and service   | Р | Р   |
|------------------------------------|---|-----|
| Variety store                      | Р | Р   |
| Vegetable, fruit and flower stands | Р | Р   |
| Veterinarians                      | Р | Р   |
| Vocational center                  | Р | Р   |
| Wall covering store                | Р | Р   |
| Warehousing                        |   | CUP |
| Waterbeds                          | Р | Р   |
| Wine and beer shop                 | Р | Р   |
| Yarn shop                          | Р | Р   |

# 17.36.020 Unlisted uses.

Any use which is not listed in Section 17.36.010, or for which a reasonable determination cannot be made by the City Administrator/designee that such use is similar in nature, impact and intent as a listed use, shall be determined permitted, not permitted or conditionally permitted by the Planning Commission.

**SECTION 14**: Rescind Chapter 17.24 and portions of Ordinance 491-1986 (part), Ordinance 527-1988 § 1(part), Ordinance 598-1992 § 2 (part), Ordinance 606-1992 §1(part), Ordinance 637-1995 (part), Ordinance 797-2011§4 (part), and replace with the following Chapter 17.42 "M-1 Limited Industrial District" to provide the restructuring of Title 17:

# Chapter 17.42 M-1 LIMITED INDUSTRIAL DISTRICT

| 17.42.010 | Intent. |
|-----------|---------|
|-----------|---------|

- 17.42.020 Permitted principal uses.
- 17.42.030 Accessory uses.
- 17.42.040 Conditional uses.
- 17.42.045 Determination of appropriate use by Planning Commission
- 17.42.050 Maximum building height.
- 17.42.060 Minimum yard requirements.
- 17.42.070 Maximum lot coverage.
- 17.42.080 Parking requirements.
- 17.42.090 Minimum loading area.
- 17.42.100 Fence and hedge requirements.

17.42.110 Site development plan.

17.42.120 Sign requirements.

# 17.42.010 Intent.

The purpose of the M-1 district is to preserve areas for light industrial and heavy commercial uses which are generally inappropriate in restricted and general commercial districts.

# 17.42.020 Permitted principal uses.

Permitted principal uses are as follows:

- A. Any light industrial, research and development, or manufacturing use;
- B. The manufacture and assembly and storage of goods, materials, liquids and equipment (except the storage of combustible matter, explosives or materials which create dust, odors, or fumes or have the likelihood to be combustible);
- C. Machine and welding shops;
- D. Cabinet, furniture, light mill or woodworking shops;
- E. Wholesale and storage warehouses; mini storage;
- F. Dyeing and dry cleaning plants, rug cleaning plants, laundries, commercial food lockers and veterinary hospitals.
- G. Adult entertainment businesses, subject to provisions of Chapter 17.72.
- H. Transitional, Emergency shelters, and support housing providing housing for individuals or families without time limit for year-round use. Other industrial and related uses together with accessories which the Planning Commission may determine are appropriate in the district, pursuant to this chapter;).
- I. Manufacture and assembly of communications and testing equipment;
- J. Manufacture, research and development of communications and testing equipment, scientific, medical, dental equipment;
- K. Manufacturing of tools, dies, equipment, pattern making, and metal work;
- L. The recycling and re-manufacture of glass, plastics, rubber, cloth, clothing, and other materials to create another object from its original use and/or the processing of such materials for shipment to remanufacture at another location;
- M. Microbreweries, food manufacture and packaging;
- N. Passive energy systems manufacture or operation.

# 17.42.030 Accessory uses.

Industrial use classifications include the following accessory uses, activities, and structures:

A. Any commercial or industrial use that is not a permitted use in the same district, and complies with the following criteria:

1. Is operated primarily for the convenience of employees, clients, or customers of the principal use;

2. The accessory building or use occupies less than twenty-five percent of the floor area of the principal use;

3. Is located and operated as an integral part of the principal use and does not comprise a separate business use or activity; notwithstanding that a permitted use shall have the right to conduct a commercial operation from his premises subject to the restriction that he can only sell and/or service that which is manufactured upon the premises.

# 17.42.040 Conditional uses.

Conditional uses in any M-1 district are as follows:

- A. Motels and hotels;
- B. Flea markets and pet stores;
- C. Public and quasi-public uses, utility service yards.

# 17.42.045 Determination of appropriate use by Planning Commission.

Whenever a use is not listed in this Chapter as a use permitted as of right or a use subject to a use permit in the M-1 zoning district, the Planning Commission shall determine whether the use is appropriate for the zoning district, either as of right or subject to a use permit. In making its determination, the Planning Commission shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the district; and

B. That the use would not be detrimental to the continuing development of the area in which the use would be located; and

C. That the use would be in harmony and consistent with the purposes of this zoning district.

# 17.42.050 Maximum building height.

A. No industrial building shall exceed a height of sixty-five (65) feet. B. No accessory building shall exceed twenty (20) feet.

# 17.42.060 Minimum yard requirements.

A. Front Yard. No requirement. Exceptions:

1. When the frontage in a block is partially in an "R" district, the front yard shall be the same as required in such "R" district or, if an adjacent use is residential.

2. Parcel frontage abutting the State Highway shall have a five foot building setback.

B. Side Yard. None, except when the side property line of property situated in the M-1 district is immediately adjacent to or across the street from any property situated in any R district, there shall be a side yard of not less than ten feet. Said side yard shall be landscaped and maintained on corner lots where property in an R district is across the street.

C. Rear Yard. None, except when the rear property line of property situated in the M-1 district abuts property in any R district, there shall be a landscaped rear yard of not less than twenty feet.

# 17.42.070 Maximum lot coverage.

The aggregate coverage of a lot by-buildings and required parking area shall not exceed a total of eighty (80) percent of the lot area.

## 17.42.080 Parking requirements.

The provisions of Chapter 17.76 shall apply.

## 17.42.090 Minimum loading area.

Private off-street parking space for the loading and handling of all goods, materials, and equipment shall be provided. Such space shall be of sufficient dimensions and design as to permit loading and handling activities to take place without use of public streets or required parking areas. Areas intended for loading, unloading and movement of trucks shall be at least twelve feet wide and fourteen feet high.

#### 17.42.100 Fence and hedge requirements.

The general provisions of Chapter 17.72 shall apply.

## 17.42.110 Site development plan.

All industrial development projects shall be subject to site development review in accordance with Chapter 17.07.

## 17.42.120 Sign requirements.

The provisions of Chapter 17.72 shall apply.

#### 17.42.125 Landscaping.

A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

**SECTION 15**: Add Chapter 17.46 "M-3 Agriculture Industrial" with the following to Title 17:

# **Chapter 17.46 M-3 AGRICULTURE INDUSTRIAL DISTRICT**

- 17.46.010 Intent.
- 17.46.020 Permitted principal uses.
- 17.46.030 Accessory uses.
- 17.46.040 Conditional uses.
- 17.46.050 Maximum building height.
- 17.46.060 Minimum yard requirements.
- 17.46.070 Maximum lot coverage.
- 17.46.080 Parking requirements.

- 17.46.090 Minimum loading area.
- 17.46.100 Fence and hedge requirements.
- 17.46.110 Site development plan.
- 17.46.120 Sign requirements.

# 17.46.010 Intent.

The purpose of the M-3 district is to preserve areas for agriculture industrial uses which are generally incompatible with other zoning districts.

# 17.46.020 Permitted principal uses.

Permitted principal uses in any M-3 district are as follows:

- A. Grain elevators and grain storage facilities, commercial fruit dryers and dehydrators;
- B. Research and development for crop and livestock improvements;
- C. Agricultural test crop sites for intensive farming;
- D. Greenhouse farming;
- E. Experimental crop development and production using bio-degradable products in controlled environments;
- F. Research and laboratories for agricultural products;

# 17.46.030 Accessory uses.

Accessory uses shall be comprised of support use for the primary business/occupation and is located and operated as an integral part of the principal use and does not comprise a separatebusiness use or activity.

# 17.46.040 Conditional uses.

Conditional uses in any M-3 district are as follows:

A.Intensive agriculture/livestock production.

# 17.46.050 Maximum building height.

- A. No industrial building shall exceed a height of sixty-five (65) feet.
- B. No accessory building shall exceed twenty feet.

# 17.46.060 Minimum yard requirements.

A. Front Yard. No requirement. Exceptions:

1. When the frontage in a block is partially in an" R"district, the front yard shall be the same as required in such R" district or, if an adjacent use is residential.

B. Side Yard. None, except when the side property line of property situated in the M-3 district is immediately adjacent to or across the street from any property situated in any R district, there shall be a side yard of not less than twenty feet. Said side yard shall be landscaped and maintained on corner lots where property in an R district is across the street.

C. Rear Yard. None, except when the rear property line of property situated in the M-3 district abuts property in any R district, there shall be a landscaped rear yard of not less than twenty-five feet.

# 17.46.070 Maximum lot coverage.

The aggregate coverage of a lot by buildings and required parking area shall not exceed a total of eighty (80) percent of the lot area.

# 17.46.080 Parking requirements.

The provisions of Chapter 17.76 shall apply.

# 17.46.090 Minimum loading area.

Private off-street space for the loading and handling of all goods, materials and equipment shall be provided. Such space shall be of sufficient dimensions and design as to permit loading and handling activities to take place without use of public streets or required parking areas. Areas intended for loading, unloading and movement of trucks shall be at least twelve feet wide and fourteen feet high.

# 17.46.100 Fence and hedge requirements.

The general provisions of Chapter 17.72 shall apply.

# 17.46.110 Site development plan.

All industrial development projects shall be subject to site development review in accordance with Chapter 17.07.

# 17.46.120 Sign requirements.

The provisions of Chapter 17.72 shall apply.

# 17.46.125 Landscaping.

A detailed landscape plan shall be approved by the Planning Commission as a part of the site development plan review prior to the issuance of a building permit. Trees of sufficient size shall be planted throughout the development in all common open areas.

**SECTION 16**: Rescind Chapter 17.17 and portions of Ordinance 590-1991§ 3 (part), and replace with the following Chapter 17.52 "MUCZ Mixed Use Combining Zone" to provide the restructuring of Title 17:

# Chapter 17.52 MUCZ MIXED USE COMBINING ZONE

| 17.52.010   | Intent.                              |
|-------------|--------------------------------------|
| 17.52.020   | Permitted uses.                      |
| 17.52.030   | Conditional uses.                    |
| 17.52.040   | Maximum permitted density.           |
| 17.52.050   | Mixed residential uses are required. |
| 1 7 70 0 60 |                                      |

- 17.52.060 Development standards.
- 17.52.070 Minimum lot area, lot width, and yard requirements.
- 17.52.080 Maximum permitted lot coverage.
- 17.52.090 MUCZ Area 1

17.52.100 MUCZ Area 2

# 17.52.010 Intent.

The purpose of the MUCZ district is to permit the development of residential dwellings as a primary use in combination with another district in order to:

A. Encourage retention of mixed residential dwelling types in existing neighborhoods.

B. Require a mix of residential dwelling types in new developments if several parcels are cleared for new construction.

C. Permit introduction of limited professional and neighborhood commercial uses into residential neighborhoods.

D. Provide for small-scale development of specified mixed uses without approval of a use permit.

E. Provide a density bonus pursuant to Chapter 17.28. (Ord. 590 § 3, 1991).

# 17.52.020 Permitted uses.

A. One detached single-family dwelling unit and/or a combination of attached and/or detached dwelling unit(s):

- 1. The structure is a conventional framed, prefabricated, kit, modular or manufactured home; and,
- 2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code.
- B. Permitted and accessory uses consistent with the underlying zoning designation.
- C. Professional office use on the ground floor occupying no greater than 750 square feet.
- D. Neighborhood commercial on the ground floor occupying no greater than 1,200 square feet.

# 17.52.030 Conditional uses.

A. Conditional uses consistent with the underlying zoning designation excepting professional office and small neighborhood commercial as described in §17.52.040..

# 17.52.040 Maximum permitted density.

Maximum permitted density within a MUCZ district shall be as described in § 17.52.090 and 17.52.100, and in accordance with this section

A. Calculations of permitted density shall be based upon gross acreage within the boundaries of the combining district, including land utilized as public right-of-way for streets or alley purposes, or for open canals and ditches, private easements, public utility easements, and storm water detention ponds.

B. The total number of dwelling units permitted within the mixed use combining district shall be 150% of the number permitted by the underlying zoning district.

C. The density of dwelling units which are constructed on a single lot or on a group of lots within the mixed use combining district may vary pursuant to Chapter 17.28, "Residential Density Bonus".

# 17.17.050 Mixed residential uses are required for new construction.

- A. Detached single-family dwellings shall not exceed:
  - 1. 80% of the total number of dwellings within the boundaries described in this Chapter; and,
  - 2. Shall be as described within §17.52.090 for MUCZ Area 1 and §17.52.100 for MUCZ Area 2.

# 17.52.060 Development standards.

Standards for development shall be as described in the underlying zone.

# 17.52.070 Minimum lot area lot width and yard requirements.

A. Standards for minimum lot area, width and yard requirements shall be as described in the underlying zone

B. Open space in the form of a park, or parklet may be considered an equivalent to yard area if located within 300 feet of a parcel:

- 1. Each parcel open space or "yard" area is related to allowable lot coverage; and,
- 2. If on-site yard area is not possible, adequate park, open space, or school yard area shall be available within walking distance of 1,200 feet of the dwelling unit.

# 17.52.080 Maximum permitted lot coverage.

Standards for lot coverage shall be as described in the underlying zone (Ord. 590 § 3, 1991)

# 17.52.090 MUCZ Area 1

| Density Permitted:                        | 6 dwellings per acre average                         |  |
|---|--|--|
|   | North: North boundary of Orange Street               |  |
| Boundaries of Area:<br>(See attached Map) | South: North of Spruce Street, per map               |  |
|   | East: East boundary of railroad right-of-way         |  |
|   | West: West boundary of Indiana Street                |  |
| Gross acreage of area:                    | 49 (34.55 developable; 14.5 in streets, alleys, etc) |  |
| # Dwellings permitted:                    | 294 (6 units per 49 acres)                           |  |
| # Permitted/Net Acre:                     | 8.5 (294 divided by 34.5 acres)                      |  |

# A. MUCZ Area 1 by Assessor's Parcel Number:

| AP#         | Address |                   | Area  | Zone     |
|-------------|---------|-------------------|-------|----------|
| 009-012-002 | 1195    | Vermont Street    | 0.20  | MUCZ1-R1 |
| 009-012-003 | 1185    | Vermont Street    | 0.15  | MUCZ1-R1 |
| 009-012-008 | 1110    | Bridgeford Avenue | 0.157 | MUCZ1-R1 |
| 009-012-008 | 1140    | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-012-009 | 1137    | Vermont Street    | 0.146 | MUCZ1-R1 |
| 009-012-010 | 1125    | Vermont Street    | 0.168 | MUCZ1-R1 |
| 009-012-010 | 1125.5  | Vermont Street    |       | MUCZ1-R1 |
| 009-012-014 | 1166    | Indiana Street    | 0.157 | MUCZ1-R1 |
| 009-012-015 | 1190    | Indiana Street    | 0.157 | MUCZ1-R1 |
| 009-012-016 | 1182    | Indiana Street    | 0.157 | MUCZ1-R1 |
| 009-012-018 | 1150    | Indiana Street    | 0.157 | MUCZI-RI |
| 009-012-019 | 1120    | Indiana Street    | 0.315 | MUCZ1-R1 |
| 009-012-019 | 1182    | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-012-019 | 1184    | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-012-020 | 1142    | Indiana Street    | 0.157 | MUCZ1-RI |

| 009-012-020 | 1142.5 | Indiana Street    |       | MUCZ1-R1 |
|-------------|--------|-------------------|-------|----------|
| 009-012-021 | 1155   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-012-022 | 1175   | Vermont Street    | 0.146 | MUCZ1-R1 |
| 009-013-002 | 1195   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-003 | 1185   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-004 | 1175   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-009 | 1190   | Vermont Street    | 0.315 | MUCZ1-R1 |
| 009-013-011 | 1150   | Vermont Street    | 0.32  | MUCZ1-R1 |
| 009-013-012 | 1155   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-013 | 1135   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-014 | 1121   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-013-015 | 1010   | Bridgeford Avenue | 0.157 | MUCZ1-R1 |
| 009-013-016 | 1140   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-013-017 | 1060   | Bridgeford Avenue | 0.315 | MUCZ1-R1 |
| 009-021-002 | 1191   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-003 | 1181   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-004 | 1165   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-005 | 1155   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-005 | 1157   | Kentucky Street   |       | MUCZ1-R1 |
| 009-021-006 | 1141   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-006 | 1139   | Kentucky Street   |       | MUCZ1-R1 |
| 009-021-007 | 1121   | Kentucky Street   | 0.140 | MUCZ1-R1 |
| 009-021-008 | 900    | Bridgeford Avenue | 0.140 | MUCZ1-R1 |
| 009-021-012 | 1180   | Ohio Street       | 0.135 | MUCZ1-R1 |
| 009-021-013 | 1190   | Ohio Street       | 0.135 | MUCZ1-R1 |
| 009-021-014 | 1130   | Ohio Street       | 0.12  | MUCZ1-R1 |

| 009-021-015 | 1120    | Ohio Street       | 0.31  | MUCZ1-R1 |
|-------------|---------|-------------------|-------|----------|
| 009-021-015 | 1120.5  | Ohio Street       |       | MUCZ1-R1 |
| 009-021-015 | 960     | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-021-015 | 970     | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-021-015 | 980     | Bridgeford Avenue | -     | MUCZ1-R1 |
| 009-021-016 | 1176    | Ohio Street       | 0.135 | MUCZ1-R1 |
| 009-021-017 | 1130 +  | Ohio Street       | 0.11  | MUCZ1-R1 |
| 009-022-002 | 1150    | Kentucky Street   | 0.26  | MUCZ1-R1 |
| 009-022-004 | 890     | Bridgeford Avenue | 0.074 | MUCZ1-R1 |
| 009-022-007 | 1194    | Kentucky Street   | 0.20  | MUCZ1-R1 |
| 009-022-008 | 1160    | Kentucky Street   | 0.24  | MUCZ1-R1 |
| 009-022-009 | 1180    | Kentucky Street   | 0.22  | MUCZ1-R1 |
| 009-022-011 | 1140    | Kentucky Street   | 0.28  | MUCZ1-R1 |
| 009-022-011 | 1140.5  | Kentucky Street   |       | MUCZ1-R1 |
| 009-022-012 | 1120    | Kentucky Street   | 0.30  | MUCZ1-RI |
| 009-022-012 | 798     | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-022-013 | 786 A-D | Bridgeford Avenue | 0.23  | MUCZ1-R1 |
| 009-032-002 | 1095    | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-032-003 | 1083    | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-032-003 | 1083.5  | Vermont Street    |       | MUCZ1-R1 |
| 009-032-009 | 1162    | Pecan Street      | 0.130 | MUCZ1-R1 |
| 009-032-010 | 1194    | Pecan Street      | 0.092 | MUCZ1-R1 |
| 009-032-011 | 1020    | Indiana Street    | 0.092 | MUCZ1-R1 |
| 009-032-012 | 1040    | Indiana Street    | 0.157 | MUCZ1-R1 |
| 009-032-013 | 1058    | Indiana Street    | 0.157 | MUCZ1-R1 |
| 009-032-014 | 1066    | Indiana Street    | 0.157 | MUCZ1-R1 |
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|-------------|--------|-------------------|-------|----------|
| 009-032-017 | 1160   | Pecan Street      | 0.096 | MUCZ1-R1 |
| 009-032-018 | 1015   | Vermont Street    | 0.057 | MUCZ1-R1 |
| 009-032-019 | 1055   | Vermont Street    | 0.315 | MUCZ1-R1 |
| 009-032-019 | 1059   | Vermont Street    |       | MUCZ1-R1 |
| 009-032-022 | 1185   | Bridgeford Avenue | 0.135 | MUCZ1-R1 |
| 009-032-023 | 1080   | Indiana Street    | 0.18  | MUCZ1-R1 |
| 009-032-025 | 1035   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-032-026 | 1017   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-001 | 1090   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-001 | 1094   | Vermont Street    |       | MUCZ1-R1 |
| 009-033-001 | 1095   | Bridgeford Avenue |       | MUCZ1-R1 |
| 009-033-002 | 1091   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-003 | 1083   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-004 | 1079   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-005 | 1055   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-006 | 1035   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-007 | 1025   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-008 | 1005   | Ohio Street       | 0.157 | MUCZ1-R1 |
| 009-033-009 | 1010   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-010 | 1018   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-011 | 1042   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-012 | 1050   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-013 | 1070   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-014 | 1082   | Vermont Street    | 0.157 | MUCZ1-R1 |
| 009-033-014 | 1082.5 | Vermont Street    |       | MUCZ1-R1 |
| 009-041-003 | 1075   | Kentucky Street   | 0.140 | MUCZ1-R1 |
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| 009-041-004 | 1025   | Kentucky Street | 0.140 | MUCZ1-R1 |
|-------------|--------|-----------------|-------|----------|
| 009-041-005 | 1021   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-041-006 | 1015   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-041-007 | 1005   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-041-008 | 1010   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-041-009 | 1024   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-041-010 | 1030   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-041-010 | 1030.5 | Ohio Street     |       | MUCZ1-R1 |
| 009-041-011 | 1084   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-041-013 | 1050   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-041-014 | 1070   | Ohio Street     | 0.126 | MUCZ1-RI |
| 009-041-015 | 1080   | Ohio Street     | 0.144 | MUCZI-R1 |
| 009-041-016 | 1095   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-041-017 | 1085   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-042-001 | 1086   | Kentucky Street | 0.10  | MUCZ1-R1 |
| 009-042-003 | 1075   | Virginia Street | 0.16  | MUCZ1-RI |
| 009-042-004 | 1034   | Kentucky Street | 0.08  | MUCZ1-R1 |
| 009-042-005 | 1020   | Kentucky Street | 0.09  | MUCZ1-RI |
| 009-042-006 | 1025   | Virginia Street | 0.21  | MUCZI-RI |
| 009-042-008 | 1060   | Kentucky Street | 0.14  | MUCZI-RI |
| 009-042-009 | 1070   | Kentucky Street | 0.12  | MUCZI-RI |
| 009-042-010 | 890    | Pecan Street    | 0.11  | MUCZ1-RI |
| 009-042-011 | 880    | Pecan Street    | 0.09  | MUCZ1-R1 |
| 009-043-002 | 1066   | Virginia Street | 0.18  | MUCZ1-R1 |
| 009-043-003 | 1046   | Virginia Street | 0.18  | MUCZ1-R1 |
| 009-043-004 | 1014   | Virginia Street | 0.18  | MUCZ1-R1 |
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| 009-043-005 | 701     | Bridgeford Avenue | 0.18     | MUCZ1-R1 |
|-------------|---------|-------------------|----------|----------|
| 009-043-006 | 1090    | Virginia Street   | 0.18     | MUCZ1-R1 |
| 009-043-007 | 1080    | Virginia Street   | 0.18     | MUCZ1-R1 |
| 009-043-008 | 1070    | Virginia Street   | 0.18     | MUCZ1-R1 |
| 009-062-001 | 980     | Indiana Street    | 0.316    | MUCZ1-R1 |
| 009-062-002 | 991     | Vermont Street    | 0.157    | MUCZ1-R1 |
| 009-062-003 | 985     | Vermont Street    | 0.157    | MUCZ1-R1 |
| 009-062-004 | 977     | Vermont Street    | 0.157    | MUCZ1-R1 |
| 009-062-005 | 967     | Vermont Street    | 0.146    | MUCZ1-R1 |
| 009-062-006 | 941     | Vermont Street    | 0.17     | MUCZ1-R1 |
| 009-062-007 | 935     | Vermont Street    | 0.157    | MUCZ1-R1 |
| 009-062-008 | 1150    | Peach Street      | 0.157    | MUCZ1-R1 |
| 006-062-009 | 1194    | Peach Street      | 0.157    | MUCZ1-R1 |
| 009-062-010 | 908     | Indiana Street    | 0.157    | MUCZ1-R1 |
| 009-062-011 | 910     | Indiana Street    | 0.157    | MUCZ1-R1 |
| 009-062-012 | 944     | Indiana Street    | 0.157    | MUCZ1-R1 |
| 009-062-012 | 946     | Indiana Street    |          | MUCZ1-R1 |
| 009-062-013 | 970 A-D | Indiana Street    | 0.157    | MUCZ1-R1 |
| 009-071-001 | 1095    | Pecan Street      | 0.157    | MUCZ1-R1 |
| 009-071-001 | 1097    | Pecan Street      |          | MUCZ1-R1 |
| 009-071-002 | 999     | Ohio Street       | 0.157    | MUCZ1-R1 |
| 009-071-003 | 945     | Ohio Street       | 0.157    | MUCZ1-R1 |
| 009-071-004 | 943     | Ohio Street       | 0.157    | MUCZ1-R1 |
| 009-071-005 | 941     | Ohio Street       | 0.157    | MUCZ1-R1 |
| 009-071-006 | 935     | Ohio Street       | 0.157    | MUCZ1-R1 |
| 009-071-010 | 910     | Vermont Street    | 0.157    | MUCZ1-R1 |
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|-------------|-------|-----------------|-------|----------|
| 009-071-011 | 920   | Vermont Street  | 0.157 | MUCZ1-R1 |
| 009-071-012 | 940   | Vermont Street  | 0.157 | MUCZ1-R1 |
| 009-071-013 | 954   | Vermont Street  | 0.157 | MUCZ1-R1 |
| 009-071-015 | 986   | Vermont Street  | 0.157 | MUCZ1-R1 |
| 009-071-016 | 964   | Vermont Street  | 0.157 | MUCZ1-R1 |
| 009-071-019 | 1040  | Peach Street    | 0.157 | MUCZ1-R1 |
| 009-071-020 | 901   | Ohio Street     | 0.157 | MUCZ1-R1 |
| 009-072-001 | 970   | Ohio Street     | 0.086 | MUCZ1-R1 |
| 009-072-002 | 961   | Pecan Street    | 0.049 | MUCZ1-R1 |
| 009-072-004 | 945   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-072-005 | 931   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-072-009 | 885 + | Kentucky Street | 0.06  | MUCZ1-R1 |
| 009-072-010 | 920   | Ohio Street     | 0.30  | MUCZ1-R1 |
| 009-072-011 | 932   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-072-012 | 942   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-072-015 | 960   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-072-019 | 903   | Kentucky Street | 0.19  | MUCZ1-R1 |
| 009-072-020 | 991   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-072-021 | 975   | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-072-022 | 948   | Ohio Street     | 0.135 | MUCZ1-R1 |
| 009-072-023 | 895   | Kentucky Street | 0.145 | MUCZ1-R1 |
| 009-072-024 | 905   | Kentucky Street | 0.15  | MUCZ1-R1 |
| 009-072-024 | 905.5 | Kentucky Street |       | MUCZ1-R1 |
| 009-081-001 | 990   | Kentucky Street | 0.14  | MUCZ1-R1 |
| 009-081-006 | 927.5 | Virginia Street |       | MUCZ1-R1 |
| 009-081-006 | 927   | Virginia Street | 0.11  | MUCZ1-R1 |
| L           |       |                 |       |          |

| 009-081-007 | 925     | Virginia Street | 0.088 | MUCZ1-R1 |
|-------------|---------|-----------------|-------|----------|
| 009-081-008 | 917     | Virginia Street | 0.202 | MUCZ1-R1 |
| 009-081-009 | 851     | Virginia Street | 0.17  | MUCZ1-R1 |
| 009-081-010 | 870 A-C | Kentucky Street | 0.17  | MUCZ1-R1 |
| 009-081-011 | 890     | Kentucky Street | 0.17  | MUCZ1-R1 |
| 009-081-011 | 890.5   | Kentucky Street |       | MUCZ1-R1 |
| 009-081-012 | 898     | Kentucky Street | 0.07  | MUCZ1-R1 |
| 009-081-013 | 902     | Kentucky Street | 0.14  | MUCZ1-R1 |
| 009-081-013 | 902.5   | Kentucky Street |       | MUCZ1-R1 |
| 009-081-014 | 918     | Kentucky Street | 0.15  | MUCZ1-R1 |
| 009-081-015 | 924     | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-081-016 | 980     | Kentucky Street | 0.140 | MUCZ1-R1 |
| 009-081-016 | 980.5   | Kentucky Street |       | MUCZ1-R1 |
| 009-081-017 | 943     | Virginia Street | 0.13  | MUCZ1-R1 |
| 009-081-019 | 961     | Virginia Street | 0.10  | MUCZ1-R1 |
| 009-071-020 | 955     | Virginia Street | 0.13  | MUCZ1-R1 |
| 009-081-021 | 957     | Virginia Street | 0.08  | MUCZ1-R1 |
| 009-082-001 | 960     | Virginia Street | 0.18  | MUCZ1-R1 |
| 009-082-002 | 950     | Virginia Street | 0.18  | MUCZ1-R1 |
| 009-082-003 | 944     | Virginia Street | 0.18  | MUCZ1-R1 |
| 009-082-004 | 928     | Virginia Street | 0.30  | MUCZ1-R1 |
| 009-082-005 | 918     | Virginia Street | 0.21  | MUCZ1-R1 |
| 009-082-006 | 850     | Virginia Street | 0.35  | MUCZ1-R1 |
| 009-111-001 | 896     | Indiana Street  | 0.12  | MUCZ1-R1 |
| 009-111-003 | 831     | Vermont Street  | 0.101 | MUCZ1-R1 |
| 009-111-004 | 821     | Vermont Street  | 0.101 | MUCZ1-R1 |

| 009-111-005 | 777     | Vermont Street | 0.202    | MUCZ1-R1 |
|-------------|---------|----------------|----------|----------|
| 009-111-006 | 775     | Vermont Street | 0.113    | MUCZ1-R1 |
| 009-111-007 | 755     | Vermont Street | 0.120    | MUCZ1-R1 |
| 009-111-008 | 715     | Vermont Street | 0.180    | MUCZ1-R1 |
| 009-111-008 | 735     | Vermont Street |          | MUCZ1-R1 |
| 009-111-008 | 725     | Vermont Street |          | MUCZI-RI |
| 009-111-008 | 745     | Vermont Street |          | MUCZ1-R1 |
| 009-111-009 | 705     | Vermont Street | 0.170    | MUCZ1-R1 |
| 009-111-010 | 1160    | Spruce Street  | 0.10     | MUCZ1-R1 |
| 009-111-011 | 1180    | Spruce Street  | 0.10     | MUCZ1-R1 |
| 009-111-015 | 804     | Indiana Street | 0.21     | MUCZ1-R1 |
| 009-111-016 | 842     | Indiana Street | 0.14     | MUCZ1-R1 |
| 009-111-017 | 864     | Indiana Street | 0.14     | MUCZ1-R1 |
| 009-111-018 | 728.5   | Indiana Street | 0.390    | MUCZ1-R1 |
| 009-111-018 | 730     | Indiana Street |          | MUCZ1-R1 |
| 009-111-018 | 760 A-C | Indiana Street |          | MUCZ1-R1 |
| 009-111-019 | 895     | Vermont Street | 0.21     | MUCZ1-R1 |
| 009-111-020 | 851     | Vermont Street | 0.202    | MUCZ1-R1 |
| 009-111-021 | 780     | Indiana Street | 0.21     | MUCZ1-R1 |
| 009-111-022 | 778     | Indiana Street | 0.101    | MUCZ1-R1 |
| 009-112-002 | 1041    | Peach Street   | 0.14     | MUCZ1-R1 |
| 009-112-003 | 795     | Ohio Street    | 0.12     | MUCZ1-R1 |
| 009-112-004 | 785     | Ohio Street    | 0.151    | MUCZ1-R1 |
| 009-112-005 | 777     | Ohio Street    | 0.210    | MUCZ1-R1 |
| 009-112-006 | 749     | Ohio Street    | 0.110    | MUCZ1-R1 |
| 009-112-007 | 745     | Ohio Street    | 0.110    | MUCZ1-R1 |
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|-------------|---------|-----------------|-------|----------|
| 009-112-008 | 715     | Ohio Street     | 0.110 | MUCZ1-R1 |
| 009-112-013 | 826     | Vermont Street  | 0.110 | MUCZ1-R1 |
| 009-112-014 | 870 + A | Vermont Street  | 0.28  | MUCZ1-R1 |
| 009-112-015 | 830     | Vermont Street  | 0.101 | MUCZ1-R1 |
| 009-112-018 | 740     | Vermont Street  | 0.247 | MUCZ1-R1 |
| 009-112-019 | 750 A-C | Vermont Street  | 0.150 | MUCZ1-R1 |
| 009-112-020 | 730     | Vermont Street  | 0.138 | MUCZ1-R1 |
| 009-112-021 | 1078    | Spruce Street   | 0.260 | MUCZ1-R1 |
| 009-121-001 | 790     | Ohio Street     | 0.12  | MUCZ1-R1 |
| 009-121-002 | 965     | Peach Street    | 0.11  | MUCZ1-R1 |
| 009-121-003 | 885     | Kentucky Street | 0.19  | MUCZ1-R1 |
| 009-121-004 | 865     | Kentucky Street | 0.176 | MUCZ1-R1 |
| 009-121-005 | 855     | Kentucky Street | 0.227 | MUCZ1-R1 |
| 009-121-006 | 705     | Kentucky Street | 0.130 | MUCZ1-R1 |
| 009-121-007 | 940 +   | Spruce Street   | 0.018 | MUCZ1-R1 |
| 009-121-012 | 754     | Ohio Street     | 0.180 | MUCZ1-R1 |
| 009-121-013 | 758.1-4 | Ohio Street     | 0.110 | MUCZ1-R1 |
| 009-121-013 | 758.5   | Ohio Street     |       | MUCZ1-R1 |
| 009-121-014 | 762     | Ohio Street     | 0.110 | MUCZ1-R1 |
| 009-121-017 | 764     | Ohio Street     | 0.270 | MUCZ1-R1 |
| 009-121-017 | 768     | Ohio Street     | -     | MUCZ1-R1 |
| 009-121-017 | 772     | Ohio Street     |       | MUCZ1-R1 |
| 009-121-017 | 776     | Ohio Street     |       | MUCZ1-R1 |
| 009-121-017 | 774     | Ohio Street     |       | MUCZ1-R1 |
| 009-121-017 | 766     | Ohio Street     |       | MUCZ1-R1 |
| 009-121-017 | 770     | Ohio Street     |       | MUCZ1-R1 |
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| 778 | Ohio Street              |  | MUCZ1-R1  |
|-----|--------------------------|--|---|
| 860 | Kentucky Street          | 0.108  | MUCZ1-R1  |
| 850 | Kentucky Street          | 0.210  | MUCZ1-R1  |
| 856 | Kentucky Street          | 0.106  | MUCZ1-R1  |
| 765 | Virginia Street          | 0.25   | MUCZ1-R1  |
| 745 | Virginia Street          | 0.12   | MUCZ1-R1  |
|     | 860<br>850<br>856<br>765 | 860Kentucky Street850Kentucky Street856Kentucky Street765Virginia Street | 860Kentucky Street0.108850Kentucky Street0.210856Kentucky Street0.106765Virginia Street0.25 |

#### 17.52.100 MUCZ Area 2

| Density Permitted:        | 4 dwellings per acre average.  |
|---------------------------|--|
| Boundaries of<br>Area:    | All of the properties south and east of Sycamore School which are included within the area identified as "Area 2" on the attached map. |
| Gross Acreage of Area:    | 39.55 acres (20.71 developable; 18.84 streets, alleys, railroad ROW)   |
| # Dwellings<br>Permitted: | 158 (4 X 39.55 acres)  |
| # Permitted/Net<br>Acre:  | 7.63 (158 units divided by 20.71 acres)  |

### A. MUCZ Area 2 by Assessor's Parcel Number:

| AP#         | Address |                 | Area  | Zone     |
|-------------|---------|-----------------|-------|----------|
| 010-034-001 | 1487    | Magnolia Street | 0.149 | MUCZ2-R1 |
| 010-034-002 | 1467    | Magnolia Street | 0.149 | MUCZ2-R1 |
| 010-034-003 | 1435    | Magnolia Street | 0.149 | MUCZ2-R1 |
| 010-034-003 | 1445    | Magnolia Street |       | MUCZ2-R1 |
| 010-034-004 | 379     | Maine Street    | 0.149 | MUCZ2-R1 |
| 010-034-006 | 325     | Maine Street    | 0.149 | MUCZ2-R1 |
| 010-034-007 | 1436    | Laurel Street   | 0.149 | MUCZ2-R1 |
| 010-034-007 | 1446    | Laurel Street   |       | MUCZ2-R1 |

| 010-034-009 | 340     | California Street | 0.149 | MUCZ2-R1 |
|-------------|---------|-------------------|-------|----------|
| 010-034-010 | 350     | California Street | 0.149 | MUCZ2-R1 |
| 010-034-011 | 335 A-D | Maine Street      | 0.149 | MUCZ2-R1 |
| 010-034-012 | 355 A-D | Maine Street      | 0.149 | MUCZ2-R1 |
| 010-034-013 | 1460    | Laurel Street     | 0.09  | MUCZ2-R1 |
| 010-034-014 | 320     | California Street | 0.106 | MUCZ2-R1 |
| 010-034-015 | 310     | California Street | 0.107 | MUCZ2-R1 |
| 010-035-001 | 1387    | Magnolia Street   | 0.149 | MUCZ2-R1 |
| 010-035-002 | 1369    | Magnolia Street   | 0.149 | MUCZ2-R1 |
| 010-035-002 | 1365    | Magnolia Street   |       | MUCZ2-R1 |
| 010-035-004 | 375     | Indiana Street    | 0.149 | MUCZ2-R1 |
| 010-035-005 | 357     | Indiana Street    | 0.149 | MUCZ2-R1 |
| 010-035-006 | 347     | Indiana Street    | 0.149 | MUCZ2-R1 |
| 010-035-007 | 325     | Indiana Street    | 0.149 | MUCZ2-R1 |
| 010-035-008 | 1336    | Laurel Street     | 0.149 | MUCZ2-R1 |
| 010-035-009 | 308     | Maine Street      | 0.15  | MUCZ2-R1 |
| 010-035-010 | 320     | Maine Street      | 0.149 | MUCZ2-R1 |
| 010-035-011 | 376     | Maine Street      | 0.149 | MUCZ2-R1 |
| 010-035-012 | 378     | Maine Street      | 0.149 | MUCZ2-R1 |
| 010-035-015 | 1345    | Magnolia Street   | 0.149 | MUCZ2-R1 |
| 010-042-003 | 1245    | Magnolia Street   | 0.08  | MUCZ2-R1 |
| 010-042-004 | 391     | Park Street       | 0.08  | MUCZ2-R1 |
| 010-042-005 | 369     | Park Street       | 0.16  | MUCZ2-R1 |
| 010-042-006 | 355     | Park Street       | 0.149 | MUCZ2-R1 |
| 010-042-007 | 339     | Park Street       | 0.149 | MUCZ2-R1 |
| 010-042-008 | 335     | Park Street       | 0.149 | MUCZ2-R1 |

| 010-042-009 | 317   | Park Street     | 0.149 | MUCZ2-R1 |
|-------------|-------|-----------------|-------|----------|
| 010-042-015 | 1250  | Laurel Street   | 0.149 | MUCZ2-R1 |
| 010-042-016 | 300   | Indiana Street  | 0.149 | MUCZ2-R1 |
| 010-042-017 | 360   | Indiana Street  |       | MUCZ2-R1 |
| 010-042-017 | 1253  | Magnolia Street | 0.61  | MUCZ2-R1 |
| 010-043-001 | 1173  | Magnolia Street | 0.149 | MUCZ2-R1 |
| 010-043-004 | 355   | Vermont Street  | 0.14  | MUCZ2-R1 |
| 010-043-004 | 357   | Vermont Street  |       | MUCZ2-R1 |
| 010-043-006 | 310   | Park Street     | 0.17  | MUCZ2-R1 |
| 010-043-007 | 334   | Park Street     | 0.15  | MUCZ2-R1 |
| 010-043-008 | 336   | Park Street     | 0.149 | MUCZ2-R1 |
| 010-043-008 | 344   | Park Street     |       | MUCZ2-R1 |
| 010-043-008 | 346   | Park Street     |       | MUCZ2-R1 |
| 010-043-009 | 358   | Park Street     | 0.149 | MUCZ2-R1 |
| 010-043-009 | 362   | Park Street     |       | MUCZ2-R1 |
| 010-043-009 | 360   | Park Street     |       | MUCZ2-RI |
| 010-043-010 | 392   | Park Street     | 0.149 | MUCZ2-R1 |
| 010-043-011 | 1115  | Magnolia Street | 0.24  | MUCZ2-R1 |
| 010-043-013 | 365   | Vermont Street  | 0.18  | MUCZ2-R1 |
| 010-043-014 | 345   | Vermont Street  | 0.19  | MUCZ2-R1 |
| 010-043-014 | 345.5 | Vermont Street  |       | MUCZ2-R1 |
| 010-043-015 | 1140  | Laurel Street   | 0.21  | MUCZ2-R1 |
| 010-052-001 | 482 + | Sycamore Street | 0.21  | MUCZ2-R1 |
| 010-052-004 | 443   | Kentucky Street | 0.31  | MUCZ2-R1 |
| 010-052-004 | 441   | Kentucky Street |       | MUCZ2-R1 |
| 010-052-005 | 946   | Magnolia Street | 0.08  | MUCZ2-R1 |
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|-------------|-------|-----------------|-------|----------|
| 010-052-008 | 472   | Ohio Street     | 0.16  | MUCZ2-R1 |
| 010-052-008 | 480   | Ohio Street     |       | MUCZ2-R1 |
| 010-052-008 | 482   | Ohio Street     |       | MUCZ2-R1 |
| 010-052-010 | 464   | Ohio Street     | 0.17  | MUCZ2-R1 |
| 010-052-010 | 466   | Ohio Street     |       | MUCZ2-R1 |
| 010-052-010 | 468   | Ohio Street     |       | MUCZ2-R1 |
| 010-052-010 | 464.5 | Ohio Street     |       | MUCZ2-R1 |
| 010-052-010 | 468.5 | Ohio Street     |       | MUCZ2-R1 |
| 010-052-011 | 406   | Ohio Street     | 0.16  | MUCZ2-R1 |
| 010-052-011 | 430   | Ohio Street     | 0.145 | MUCZ2-R1 |
| 010-061-001 | 380   | Vermont Street  | 0.31  | MUCZ2-R1 |
| 010-061-001 | 1095  | Magnolia Street |       | MUCZ2-R1 |
| 010-061-002 | 381   | Ohio Street     | 0.21  | MUCZ2-R1 |
| 010-061-002 | 1017  | Magnolia Street |       | MUCZ2-R1 |
| 010-061-002 | 383   | Ohio Street     |       | MUCZ2-RI |
| 010-061-003 | 379   | Ohio Street     | 0.21  | MUCZ2-R1 |
| 010-061-004 | 329   | Ohio Street     | 0.21  | MUCZ2-R1 |
| 010-061-005 | 1040  | Laurel Street   | 0.21  | MUCZ2-R1 |
| 010-061-006 | 320   | Vermont Street  | 0.11  | MUCZ2-R1 |
| 010-061-007 | 330   | Vermont Street  | 0.126 | MUCZ2-R1 |
| 010-061-008 | 340   | Vermont Street  | 0.176 | MUCZ2-R1 |
| 010-061-009 | 360   | Vermont Street  | 0.11  | MUCZ2-R1 |
| 010-062-001 | 989   | Magnolia Street | 0.21  | MUCZ2-R1 |
| 010-062-004 | 345   | Kentucky Street | 0.11  | MUCZ2-R1 |
| 010-062-005 | 335   | Kentucky Street | 0.11  | MUCZ2-R1 |
| 010-062-008 | 940   | Laurel Street   | 0.11  | MUCZ2-R1 |
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| 010-062-009 | 332   | Ohio Street     | 0.16  | MUCZ2-R1 |
|-------------|-------|-----------------|-------|----------|
| 010-062-009 | 354   | Ohio Street     | 0.16  | MUCZ2-R1 |
| 010-062-009 | 356   | Ohio Street     |       | MUCZ2-R1 |
| 010-062-009 | 358   | Ohio Street     |       | MUCZ2-R1 |
| 010-062-010 | 920   | Laurel Street   | 0.11  | MUCZ2-R1 |
| 010-062-011 | 359   | Kentucky Street | 0.21  | MUCZ2-R1 |
| 010-062-013 | 322   | Ohio Street     | 0.11  | MUCZ2-R1 |
| 010-062-015 | 300   | Ohio Street     | 0.21  | MUCZ2-R1 |
| 010-062-015 | 300.5 | Ohio Street     |       | MUCZ2-R1 |
| 010-111-001 | 1181  | Laurel Street   | 0.149 | MUCZ2-R1 |
| 010-111-002 | 1151  | Laurel Street   | 0.149 | MUCZ2-R1 |
| 010-111-003 | 1149  | Laurel Street   | 0.22  | MUCZ2-R1 |
| 010-111-004 | 1147  | Laurel Street   | 0.22  | MUCZ2-R1 |
| 010-111-005 | 1109  | Laurel Street   | 0.21  | MUCZ2-R1 |
| 010-111-005 | 1111  | Laurel Street   |       | MUCZ2-R1 |
| 010-111-006 | 251   | Vermont Street  | 0.07  | MUCZ2-R1 |
| 010-111-006 | 255   | Vermont Street  |       | MUCZ2-R1 |
| 010-111-007 | 245   | Vermont Street  | 0.23  | MUCZ2-R1 |
| 010-111-008 | 221   | Vermont Street  | 0.16  | MUCZ2-R1 |
| 010-111-008 | 219   | Vermont Street  |       | MUCZ2-R1 |
| 010-111-009 | 1110  | Cedar Street    | 0.066 | MUCZ2-R1 |
| 010-111-010 | 1120  | Cedar Street    | 0.229 | MUCZ2-R1 |
| 010-111-011 | 1130  | Cedar Street    | 0.229 | MUCZ2-R1 |
| 010-111-016 | 260   | Park Street     | 0.17  | MUCZ2-R1 |
| 010-111-019 | 210   | Park Street     | 0.44  | MUCZ2-R1 |
| 010-112-001 | 1175  | Cedar Street    | 0.149 | MUCZ2-R1 |
|             |       |                 |       |          |

| -R1<br>-R1<br>-R1<br>-R1<br>-R1<br>-R1<br>-R1<br>-R1 |
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| -R1<br>-R1<br>-R1<br>-R1<br>-R1                      |
| -R1<br>-R1<br>-R1<br>-R1                             |
| -R1<br>-R1<br>-R1                                    |
| -R1<br>-R1<br>-R1                                    |
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| 010-121-009 | 1075 | Laurel Street   |       | MUCZ2-R1 |
|-------------|------|-----------------|-------|----------|
| 010-121-010 | 250  | Vermont Street  | 0.20  | MUCZ2-R1 |
| 010-122-006 | 210  | Ohio Street     | 0.09  | MUCZ2-R1 |
| 010-122-012 | 225  | Kentucky Street | 0.35  | MUCZ2-R1 |
| 010-122-012 | 233  | Kentucky Street |       | MUCZ2-R1 |
| 010-122-012 | 275  | Kentucky Street |       | MUCZ2-R1 |
| 010-122-012 | 227  | Kentucky Street |       | MUCZ2-R1 |
| 010-122-012 | 277  | Kentucky Street |       | MUCZ2-R1 |
| 010-122-015 | 950  | Cedar Street    | 0.05  | MUCZ2-R1 |
| 010-122-016 | 260  | Ohio Street     | 0.378 | MUCZ2-R1 |
| 010-122-017 | 965  | Laurel Street   | 0.159 | MUCZ2-R1 |
| 010-122-018 | 987  | Laurel Street   | 0.15  | MUCZ2-R1 |
| 010-122-019 | 945  | Laurel Street   | 0.128 | MUCZ2-R1 |
| 010-122-019 | 947  | Laurel Street   |       | MUCZ2-R1 |
| 010-122-020 | 943  | Laurel Street   | 0.08  | MUCZ2-R1 |
| 010-122-021 | 205  | Kentucky Street | 0.23  | MUCZ2-R1 |
| 010-122-021 | 219  | Kentucky Street |       | MUCZ2-R1 |

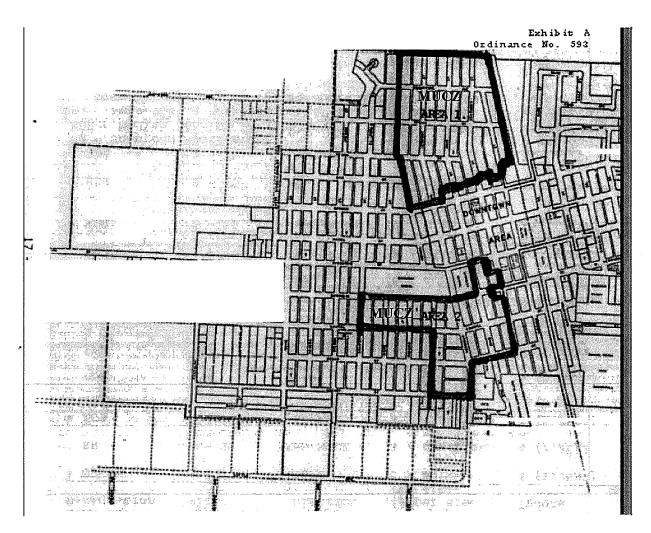


Exhibit A Ordinance No. 593

**SECTION 17**: Add Chapter 17.53 "DMU Downtown Mixed Use Combining Zone" with the following to Title 17:

# Chapter 17.53 DMU DOWNTOWN MIXED USE COMBINING ZONE

- 17.53.010 Intent.
- 17.53.020 Permitted uses.
- 17.53.030 Conditional uses.
- 17.53.040 Development standards

#### 17.53.010 Intent.

The purpose of the DMU district is to enhance the vitality of the Downtown are as shown in Exhibit "A" by allowing and encouraging a full range of high-intensity uses, including retail, multi-family housing, offices, entertainment and civic uses. The DMU District regulations specifically implement the following goals from the General Plan:

- A. Enhance the Downtown as the predominant activity center and community gathering place for the surrounding areas.
- B. Reinforce a compact development pattern in the Downtown core to support commercial uses for the surrounding residential areas.
- C. Promote the Downtown's vitality and cultural character to provide uses that support day and night activity, support pedestrian design and linkages to the parks nearby.
- D. Support residential and commercial uses together as single story or multi-story in existing or new construction.
- E. Encourage mixed use development with a residential component inclusive of multi-family and high density residential.
- F. Allowance of a dynamic mixture of uses from retail, arts and entertainment, restaurant, office, community service, and civic.

#### 17.53.020 Permitted uses.

Permitted uses consist of the permitted uses in the underlying zone, C-1, and the following without a conditional or administrative use permit:

- A. A combination of attached and/or detached dwelling unit(s) in combination with a commercial use. (Minimum density is 10 du/ac)
- B. Live/Work units.
- C. Residential uses above first floor commercial uses.
- D. Parks, play grounds, play structures, outdoor recreation (skate park), plazas and similar uses.
- E. Child care and preschool.
- F. Public/Quasi public administration.

#### 17.53.030 Conditional uses.

Conditional uses requiring Planning Commission review and approval:

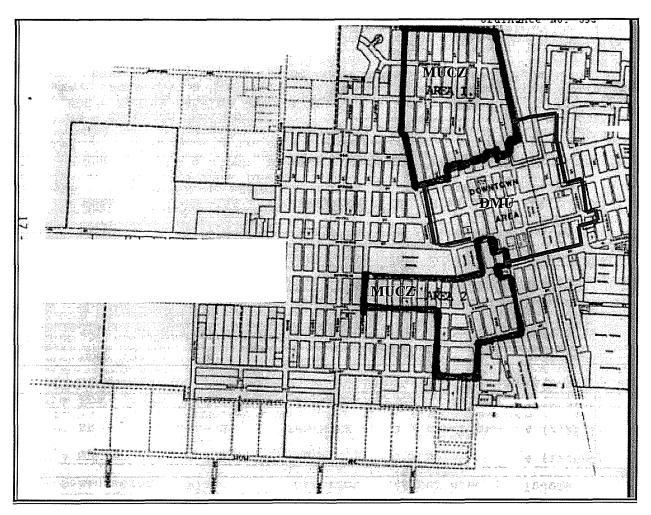
- A. Residential care facility with more than 14 clients.
- B. Wireless communication tower;
- C. Other uses or services not listed in the C-1 or Downtown Mixed Use districts.

#### 17.53.040 Development standards.

Standards for development shall be as follows:

- A. Allowable Building Height: Fifty (50) feet-no restriction for first floor height
- B. Lot Coverage: 100%
- C. Density: Stand-alone residential development 10-30 du/ac. No maximum density if development is vertically mixed with commercial.
- D. Parking required: None excepting 1 space per residential unit.
  - 1. May use street parking or shared parking lots. No new parking shall be along the front property line. New parking shall be located to the side or rear of a structure and shall not be located at an intersection.
  - 2. Parking lot lighting shall use the then current City of Gridley lighting.
- E. Yard required: None
- F. Streetscape: Trees in planters or parkways- coordinate with city
- G. Street furnishings: Required
- H. Signage: May have the following building signage:
  - 1. Blade signs affixed perpendicular to structure
  - 2. Building signage up to 25% of the building frontage for the business.
  - 3. Lighting shall be halo, gooseneck or similar.
  - 4. No monument signage allowed.
  - I. Design standards shall meet or exceed the design standards for Infill Design Guidelines. The Planning Department may submit the design for review and approval by the Planning Commission. The architecture of existing structures built from the 1800's(or before) to the 1950's shall be renovated and protected when new development, façade upgrades, or change in use is proposed which would create substantial exterior modifications. Design shall be coordinated with the Planning Department.
  - J. Loading and unloading zones shall be coordinated with the Planning Department and Public Works to ensure street visibility, blocking, and safety are addressed.
  - K. All outdoor refuse areas shall provide an enclosure, landscaped and with a roof pursuant to Chapter 17.72.100.

#### **ORDINANCE NO. 823-2016**



#### **Exhibit A-Downtown Mixed Use Zoning District**

**SECTION 18**: Add Chapter 17.54 "NMU Neighborhood Mixed Use Combining Zone" with the following to Title 17:

# Chapter 17.54 NMU NEIGHBORHOOD MIXED USE COMBINING ZONE

- 17.54.010 Intent.
- 17.54.020 Permitted uses.
- 17.54.030 Conditional uses.
- 17.54.040 Development standards

#### 17.54.010 Intent.

The purpose of the NMU district is to provide neighborhood service commercial and high density residential in "village" neighborhoods allowing a full range of retail, multi-family

housing, offices, medical, entertainment and civic uses. The NMU District regulations specifically implement the following goals from the General Plan:

- A. Enhance the NMU district as the predominant activity center and community gathering place for the Planned Growth Area neighborhoods and surrounding areas.
- B. Reinforce a compact development pattern in the neighborhood center core to support commercial uses for the surrounding residential areas.
- C. Promote the neighbor center vitality and cultural character to provide uses that support day and night activity, support pedestrian design and linkages to the parks nearby.
- D. Support residential and commercial uses together as single story or multi-story in existing or new construction.
- E. Encourage mixed use development with a residential component inclusive of multi-family and high density residential.
- F. Allowance of a dynamic mixture of uses from retail, arts and entertainment, restaurant, office, community service, and civic.

#### 17.54.020 Permitted uses.

Permitted uses consist of the permitted uses in the underlying zone and in the C-1 district and the following without a conditional or administrative use permit:

- A. A combination of attached and/or detached dwelling unit(s) in combination with a commercial use. (Minimum density is 10 du/ac)
- B. Live/Work units.
- C. Residential uses above first floor commercial uses.
- D. Parks, play grounds, play structures, outdoor recreation (skate park), plazas and similar uses.
- E. Child care and preschool.
- F. Public/Quasi public administration.

#### 17.54.030 Conditional uses.

Conditional uses requiring Planning Commission review and approval:

- A. Residential care facility with more than fourteen (14) clients.
- B. Wireless communication tower;
- C. Other uses or services not listed in the C-1 or Neighborhood Mixed Use districts.

#### 17.54.040 Development standards.

Standards for development shall be as follows:

A. Allowable Building Height: Forty (40) feet-no restriction for first floor height

- B. Lot Coverage: 90%
- C. Density: Stand-alone residential development 10-30 du/ac. No maximum density if development is vertically mixed with commercial.
- D. Parking required: None excepting 1 space per residential unit.
  - 1. May use street parking or shared parking lots. Parking shall be located to the side, center, or rear of a structure or development and shall not be located at an intersection.
  - 2. Parking lot lighting shall use the then current City of Gridley lighting.
- E. Yard required: Yard pursuant to the requirements for R-3 and R-4.
- F. Streetscape: Trees in planters or parkways- coordinate with city
- G. Street furnishings: Required
- H. Signage: May have the following building signage:
  - 1. Blade signs affixed perpendicular to structure
  - 2. Building signage up to 25% of the building frontage for the business or no greater than 100 square feet.
  - 3. Lighting shall be halo, gooseneck or similar.
  - 4. Monument signage pursuant to Chapter 17.72.060.
- I. Site Development Plan review required.
- J. Loading and unloading zones shall be coordinated with the Planning Department and Public Works to ensure street visibility, blocking, and safety are addressed.
- K. All outdoor refuse areas shall provide an enclosure, landscaped and with a roof pursuant to Chapter 17.72.100.

**SECTION 19**: Rescind Chapter 17.32 and portions of Ordinance 553-1989 § 1 (part), and replace with the following Chapter 17.55 "PD Planned Development District" to provide the restructuring of Title 17:

### Chapter 17.55 PD PLANNED DEVELOPMENT DISTRICT

- 17.55.010 Intent.
- 17.55.020 Applicability.
- 17.55.030 Permitted uses.
- 17.55.040 General regulation.
- 17.55.050 Applicability--modification powers.
- 17.55.060 Preapplication review.
- 17.55.070 Application and initiation procedure.

17.55.080 Application.

- 17.55.090 Additional materials--Prior to permit issuance.
- 17.55.100 Action by Planning Commission.
- 17.55.110 Action by City Council.
- 17.55.120 Approval.
- 17.55.130 Development.
- 17.55.140 Expiration of PD district.

#### 17.55.010 Intent.

The purpose of the PD district, is to permit flexibility in the use and design of land and structures where modifications of specific provisions of this title will not be contrary to the intent of the General Plan or harmful to areas adjacent to such development.

#### 17.55.020 Applicability.

The Planned Development District may be applied as a combining zone to any city zoning designation.

#### 17.55.030 Permitted uses.

Permitted uses in any PD zone shall be any use or combination of uses and densities which are so arranged and designed to provide a development which is in conformity with the General Plan. The underlying zoning district shall determine the dominant use of the PD district. Mixing uses under certain circumstances may be permitted.

#### 17.55.040 General regulation.

The following regulations shall apply to all PD districts:

A. The land use density and intensity of any PD district shall be consistent with the land use designation with which the PD district is combined. Densities may be increased for mixed residential uses which are consistent with the policies of the general plan. In no case shall densities exceed the maximum numbers of dwelling units allowed by the Gridley General Plan, except as otherwise permitted by State law.

B. Minimum off-street parking requirements shall be in accordance with Chapter 17.76.

C. Sufficient open space shall be required as determined by the Planning Commission/City Council. The amount of required open space shall be based on proposed intensity of land uses, population density, mixture of land uses, amenities provided and other pertinent factors. Open space shall not be construed to include streets, driveways, parking, or covered areas.

#### 7.55.050 Applicability--modification powers.

In accordance with the public hearing procedure set forth in Chapter 17.08 Conditional Use Permits and 17.06 Amendments or Rezoning and regulations applicable only to the project area which differ from the otherwise applicable zoning provisions may be developed and applied. In acting on any such application, the city may alter setback requirements, height limits, sign requirements, building coverage limits, off-street parking regulations and density and intensity limits. The city may further authorize uses not permitted in the principal zoning district; provided, that such uses are desirable or convenient for the users of the project and compatible with other allowable and planned uses. Unless the Planning Commission grants a specific exception, such uses not otherwise permitted in the zoning district shall not occupy more than thirty percent of the planned development area, nor involve the construction of buildings occupying more than fifteen percent of the total floor area of planned structures. Approval of the planned development project may contain conditions or restrictions which the city deems necessary to carry out the purposes of this title and to protect the public health, safety and welfare.

#### 17.55.060 Preapplication review.

Prior to application, the prospective applicant should consult with the planning director to obtain information and guidance before making commitments, or incurring substantial expense in the preparation of plans, surveys and other data.

#### 17.55.070 Application and initiation procedure.

A. An application for the establishment of a PD zone shall include an application and fee as established by resolution by the City Council.

B. Where the planned development project includes the creation of new lots or condominium units, a tentative subdivision map application must be filed in accordance with Title 16.

#### 17.55.080 Application.

An application shall contain a site development plan and shall conform to the requirements of Chapter 17.07 and other information which provide the following information:

A. Legal boundaries, dimensions and area of the site, of existing parcels partially or wholly within the site, and of all existing streets, alleys and easements partially or wholly within or adjacent to the site.

B. Elevation, contour lines, slope, trees and other natural features of the site;

C. Existing structures, pavement, curbs, sidewalks, ditches, canals, pipes, poles, wiring, fences, landscaping and other manmade improvements on the site;

D. Boundaries, number, dimensions and area of all proposed lots, rights-of-way, easements, common areas and areas to be dedicated to the city or other public agency;

E. Location, lot coverage, number of stories and intended uses of all proposed buildings and structures;

F. Number, location and size of proposed dwelling units;

G. Location and dimensions of proposed streets, driveways, parking areas, loading areas and walkways;

H. Location and general description of proposed landscaping;

I. Arrangements for ownership, development and maintenance of community-owned areas and facilities, including covenants, conditions and restrictions;

J. Description of any proposed phasing of the project, indicating the sequence and timing of each unit and how each unit would independently constitute reasonable and orderly development of the site;

K. Architectural drawings and elevations of all building types and signs, including materials, colors and roofing;

L. Any additional information requested by the city staff or the Planning Commission.

#### 17.55.090 Additional materials--Prior to permit issuance.

Following the City Council approval of the PD project and prior to the issuance of building permits, additional information may be required by the city staff:

A. Proposed facilities and improvements for drainage, water, sewer, power, gas, telephone, cable, waste disposal, fire hydrants, lighting and other utilities;

B. Grading plan for construction;

C. Grades, widths and cross-sectional design of proposed streets, curbs, sidewalks, drainage canals and utility pipes, and plan and profile of road and utility improvements.

#### 17.55.100 Action by Planning Commission.

A. The Planning Commission shall review and provide recommendations to the City Council upon the application as provided in Chapter 17.06 and the regulations set forth in Title 16.

B. The commission shall condition the tentative subdivision or tentative parcel map to become, effective concurrently with the effective date of the rezone approved by the City Council.

#### 17.55.110 Action by City Council.

A. The council shall consider the application and draft concept plan, together with the recommendation of the Planning Commission.

B. The council may approve a planned development district if it finds that:

1. The proposed district and the concept plan as recommended by the commission, or as modified by the council, is consistent with the general plan and with the purposes of this title;

2. The proposed district and all uses therein shall be compatible and complementary to existing and potential development in the general vicinity.

C. An ordinance establishing a PD district, if enacted by the council, shall reference the development plan for the district as approved by the council.

#### 17.55.120 Approval.

A. Approval of a planned development project shall be tied to the approved site development plan and the conditions deemed necessary by the City Council to ensure compliance with the standards and objectives of this title and the general plan.

B. Where the approved site development plan includes the creation of new lots, approval of a tentative subdivision map pursuant to the provisions of Title 16 shall be accomplished at the same time as the PD rezone is approved.

#### 17.55.130 Development.

A. When a specific planned development project has been approved, the site development plan and conditions approved by the City Council shall constitute the regulations for the use, improvement and maintenance of the property within the boundaries of the PD district.

B. Except as provided in this title, no use, structure or lot shall be created or altered in a PD district.

C. Minor revisions to the approved site development plan may be approved by the Planning Commission as long as such revisions do not increase the density or intensity or significantly modify the location, size or use of any main building.

#### 17.55.140 Expiration of PD district.

- A. If the PD district change is not associated with a tentative subdivision map or tentative parcel map and construction of the project has not commenced within twenty-four months, then the planned development use permit will expire.
- B. If any PD district expires, the zoning which existed prior to the adoption of the PD district, or its current equivalent, shall be in full force and effect.
- C. A one-year extension may be granted by the City Council prior to the date of expiration.

**SECTION 20**: Rescind Chapter 17.31 and portions of Ordinance 698-2000 § II (part), and replace with the following Chapter 17.56 "AO Agricultural Overlay District" to provide the restructuring of Title 17:

# Chapter 17.56 AO AGRICULTURAL OVERLAY DISTRICT

- 17.56.010 Intent.
- 17.56.020 Application of the AO district.
- 17.56.030 AO district regulations modify or supersede primary zoning district regulations.
- 17.56.040 Permitted principal uses.
- 17.56.050 Accessory uses.
- 17.56.060 Conditional uses.
- 17.56.070 Fence requirements.
- 17.56.080 Sign requirements.
- 17.56.090 Fee waiver.

#### 17.56.010 Intent.

The purpose of the AO district is to provide a secondary zoning designation to allow commercial agricultural uses to be conducted on properties that are designated on the General Plan and Zoning maps for eventual residential and/or non-residential urban uses, until those urban uses are actually developed. In a rural area characterized by intensive commercial agricultural production, some commercial agricultural uses may be conducted within an urbanizing farm community with minimal adverse impact on adjacent non-agricultural uses.

#### 17.56.020 Application of the AO district.

A. The AO district may be applied as a secondary zoning designation to properties on which no habitable structures have been constructed, or to those portions of a partially developed property that do not exceed an average density of two (2) residences per five (5) gross acres.

B. The minimum gross area in an AO district shall be five (5) acres.

#### 17.56.030 AO district regulations modify or supersede primary zoning district regulations.

For properties having the secondary AO zoning designation, permitted uses include only those allowed in the AO district. Uses allowed in the primary district may be established upon removal of the AO district pursuant to the zoning amendment procedure described in Chapter 17.06 of this title.

#### 17.56.040 Permitted principal uses.

Permitted principal uses in the agricultural overlay district shall be as follows:

A. Commercial production agriculture, including growing of field crops, orchards, seed crops, and orchard stock.

- B. One single-family dwelling unit per lot provided it meets all of the following:
  - 1. A conventional framed, prefabricated, kit, modular or other manufactured structure may be installed; and,
  - 2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code; and,

#### 17.56.050 Accessory uses.

Accessory uses may include any non-residential use that complies with the following criteria:

- A. Wholesale and/or retail sales of commodities produced on the site, provided the use is operated as an integral part of the principal use and does not comprise a separate business or activity.
- B. Use of structures or equipment for hulling, drying or otherwise processing the commodities produced on the site.
- C. It does not occupy more than five percent (5%) of the gross area of the AO district.

#### 17.56.060 Conditional uses.

The following uses may be permitted in an agricultural overlay zone upon approval of a use permit:

- A. Greenhouses.
- B. Keeping of livestock for commercial raising of livestock.

#### 17.56.070 Fence requirements.

The general provisions of Chapter 17.72 shall apply. For purposes of fence regulations, the AO district is a non-residential district.

#### 17.56.080 Sign requirements.

The general provisions of Chapter 17.72 shall apply.

#### 17.56.090 Fee waiver.

There shall be no fee applied to an application for this Agricultural Overlay Zone.

**SECTION 21**: Rescind Chapter 17.47 and portions of Ordinance 570-1991 § 3 (part), Ordinance 621-1994 § 2 (part), Ordinance 639-1995 (part), and replace with the following Chapter 17.58 "SP Special Parking Combining Zones" to provide the restructuring of Title 17:

## Chapter 17.58 SP SPECIAL PARKING COMBINING ZONES

17.58.010 Intent.

17.58.020 Parking requirements for Special Parking Combining Zone Number 1, the special central business area parking district.

17.58.030 Parking requirements for Special Parking Combining Zone Number 2, the downtown residential area.

#### 17.58.010 Intent.

The purpose of the special parking combining zones are to permit greater flexibility as described below:

A. Within Special Parking Combining Zone Number 1, to permit a more dense development of small commercial properties, as is traditional in the Downtown Business District.

B. Within Special Parking Combining Zone Number 2, to minimize hardship on lots previously subdivided and developed in a manner that precludes compliance with parking requirements described in Chapter 17.76.

# 17.58.020 Parking requirements for Special Parking Combining Zone Number 1, the central business area parking district.

A. This zone applies to the non-residential zoning districts located west of Haskell Street.

B. There are no on-site parking requirements for non-residential uses within Special Parking Combining Zone Number 1.

C. Parking shall comply with §17.53.040 for residential use.

# 17.58.030 Parking requirements for Special Parking Combining Zone Number 2, the Downtown residential area.

A. This zone applies to the area bounded by the following lines:

- 1. Locust Street on the south
- 2. Butte Water District Lateral No. 8 on the north
- 3. West Biggs-Gridley Road on the west
- 4. Highway 99 on the east.
- B. The requirements of Chapter 17.76 shall apply except:
  - 1. No required parking space for residential uses within this district need be covered by a garage.
  - 2. Tandem parking is permitted.

**SECTION 22**: Rescind Chapter 17.28 and portions of Ordinance 491-1986 (part), Ordinance 527-1988 § 1(part), Ordinance 614-1992 § 1(part), Ordinance 797-2011 § 3(part), and replace with the following Chapter 17.62 "PQP Public and Quasi-Public District" to provide the restructuring of Title 17:

# Chapter 17.62 PQP PUBLIC AND QUASI-PUBLIC DISTRICT

- 17.62.010 Intent.
- 17.62.020 Permitted uses.
- 17.62.030 Conditional uses.
- 17.62.040 Maximum building height.
- 17.62.050 Maximum lot coverage.
- 17.62.060 Minimum yard requirements.
- 17.62.070 Minimum loading area.
- 17.62.080 Parking requirements.
- 17.62.090 Site development plan.

#### 17.62.010 Intent.

The purpose of the PQP district is to provide sites in public or private ownership for use by public, private, or nonprofit uses of a community service nature.

#### 17.62.020 Permitted uses.

The following uses are permitted in the PQP district:

A. Federal, State, County and City buildings and related structures (eg. Government administrative offices, police, fire, public works, utility offices and yards, irrigation and water supply companies, and reclamation districts);

B. Medical hospital;

C. Parks and recreation areas, fairgrounds, civic center and similar sites and uses;

D. Educational facilities;

E. Transitional, Emergency shelters, and support housing providing housing for individuals or families without time limit for year-round use.

#### 17.62.030 Conditional uses.

Conditional uses in the PQP district are:

A. Ambulance Service

B. Medical offices or medical clinic.

#### 17.62.040 Maximum building height.

No building shall exceed a height of forty-five (45) feet unless a use permit is first secured.

#### 17.62.050 Maximum lot coverage.

A. The aggregate coverage of the lot by buildings and required parking area shall not exceed a total of sixty (60) percent of the total lot area.

B. Additional lot coverage shall be subject to the requirements of Chapter 17.09 for an increase from sixty (60) percent to ninety (90) percent.

#### 17.62.060 Minimum yard requirements.

A. Front Yard. None, except where the frontage is partially in a residential district, in which case the front yard shall be the same as required in the residential district.

B. Side Yard. None, except where the side of a lot abuts a residential district, in which case the side yard shall be the same as required in the residential district.

C. Rear Yard. None, except where the rear yard of a lot abuts a residential district, in which case the rear yard shall be the same as required in the residential district.

#### 17.62.070 Minimum loading area.

Private off-street parking space for the loading and handling of all goods, materials and equipment shall be provided. Such space shall be of sufficient dimensions and design as to permit loading and handling activities to take place without use of public streets or required parking areas. Areas intended for loading, unloading and movement of trucks shall be at least twelve feet wide and fourteen feet high.

#### 17.62.080 Parking requirements.

The general provisions of Chapter 17.76 shall apply.

#### 17.62.090 Site development plan.

All public and quasi- public development projects shall be subject to site development review in accordance with Chapter 17.07.

SECTION 23: Rescind Chapter 17.36 and portions of Ordinance 458-1984 (part), Ordinance 471-1985 § 1(part), 1985, Ordinance 491-1986 (part), Ordinance 542-1989 § 1(part), Ordinance 569-1990 § 3 (part), Ordinance 577-1991 § 2 (part), Ordinance 585-1991 § 1(part), Ordinance 598-1992 § 3 (part), Ordinance 606-1992 § 2 (part), Ordinance 626-1994 § 1(part), Ordinance 633-1994 (part), Ordinance 647-1995 (part), Ordinance 665-1997 (part), Ordinance 684-1999 (part), Ordinance 689-1999 (part), Ordinance 718-2003 (part), Ordinance 731-2004 (part), Ordinance 750-2005 (part), Ordinance 766-2007 (part), Ordinance 773-2007 (part), Ordinance 800-2011 § 2(part), and replace with the following Chapter 17.72 "General Use Regulations" to provide the restructuring of Title 17:

# **Chapter 17.72 General Use Regulations**

- 17.72.010 Abandonment of public holding.
- 17.72.020 Public facilities.
- 17.72.030 Access to structures.
- 17.72.040 Fences and hedges.
- 17.72.041 Permits required for fences.
- 17.72.042 Fence permits--conditions.
- 17.72.043 Failure to obtain permit--penalties.
- 17.72.044 Fence regulations.
- 17.72.050 Height exceptions.
- 17.72.060 Sign requirements.
- 17.72.070 New residential construction.
- 17.72.080 Bed and breakfast inn defined.
- 17.72.090 Special restriction for particular uses--adult entertainment businesses.
- 17.72.100 Refuse collection areas.

#### 17.72.010 Abandonment of public holding.

Where a public street, or alley, or parcel of land is officially vacated or abandoned, the regulations which apply to abutting property shall apply equally to such vacated street or alley; and the regulations applicable to the largest abutting parcel shall apply to any abandoned parcel.

#### 17.72.020 Public facilities.

Public facilities necessary for providing the City with public improvements required by the General Plan, including public parks and safety installations, municipal, county or special district

yards and buildings may be located in any zoning district upon securing a conditional use permit as provided by this title.

#### 17.72.030 Access to structures.

A. Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

B. In any residential district, public alleys may be used for access to rear yards and required off-street parking spaces only in conjunction with a detached single-family dwelling unit or a two-family dwelling unit. No public alley may be used for access to required off-street parking in conjunction with a multiple-family dwelling unit.

#### 17.72.040 Fences and hedges.

A. In R districts, fences and hedges in side yards and rear yards may not exceed seven feet in height, and may not exceed three feet in front yards in order to provide a clear view in the front yard area onto the street, except in either of the following circumstances:

1. A height of four feet may be permitted, provided that clear visibility is maintained above the height of three feet. For purposes of this section, "clear visibility" is maintained if the average ratio of material to open space is a minimum of 40%

2. An administrative use permit may be issued by the Planning Department to authorize fences as high as eight (8) feet between the side or rear yards of two adjoining or contiguous lots having a difference in ground elevation between the foundations of the homes, or at the property line. The height of the fence shall be measured from the ground level of the lower lot at the property line.

B. On a corner lot in any residential district, the following special restrictions shall apply:

1. Either street frontage may be deemed the front of the lot for purposes of determining the height of fences.

2. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of three feet and ten feet above the centerline grades of the intersecting street in the area bounded by the street lines on such corner lots and a line joining points along the lines thirty feet from the point of the intersection. Fences four feet in height shall be permitted if in compliance with the requirements of subsection A(1) of this section.

C. The development of any property of a non-residential nature shall include a minimum sixfoot solid block wall fence along the rear and side property lines where such a property abuts or rears on property zoned or used for residential uses and shall be reviewed and approved by the Planning Department.

#### 17.72.041 Permits required for fences.

Until a permit has been issued by the Planning/Building Departments authorizing any of the following actions, no person shall do any of the following acts whether by themselves personally or through the act of an agent or employee:

- A. Erect new fencing.
- B. Extend or modify any existing fence.

C. Make repairs to an existing fence if the value of such repairs exceed 50% of the replacement cost of installing said fence or if repairs are made to more than 25% of the existing fence. (For purposes of this section, repairs to "more than 25%" of an existing fence means repairs which exceed 25% of the linear footage of the total existing fence.)

#### 17.72.042 Fence permits--conditions.

A permit is required for the construction of, or repair to, fences based on the following criteria:

A. That the fence location falls outside of existing City property and/or right-of-way.

B. That the fence is in compliance with applicable zoning requirements. Applicants for a fence permit shall make application upon such forms as the City may prescribe, which application shall include but not be limited to a plan or other sufficient depiction to show the location of the fence for which a permit is being sought and its relationship to other structures and boundaries in the vicinity thereof.

C. The City may collect a fee for processing the fence permit application in an amount as the City Council may, from time to time, establish by resolution.

D. Nothing in this Section 17.72.042 or in any other part of this Code shall impose upon the City Administrator/designee or any other official agent or employee of the City an obligation to determine the location of any private property lines, or to conduct any other research requested by any citizen or other person referable to the location of existing or proposed fences. Furthermore, no liability shall be imposed upon the City, nor any of its officials, agents, employees or volunteers with respect to the issuance of any permits for the erection and/or repair of fences as required by this Code.

#### 17.72.043 Failure to obtain permit--penalties.

A. Any person who performs any of the acts delineated in Section 17.72.041 without first obtaining a permit therefor shall be guilty of an infraction and may be punished therefor as provided in Section 17.64.020 of this Code.

B. In addition to prosecution for an infraction as specified in Paragraph A above, any person erecting or causing to be erected, or repairing or causing to be repaired, any fence, without first obtaining a necessary permit therefor, may be ordered to remove the fence and upon failure to do so, the City Council of the City of Gridley may authorize removal of the same, per 17.00. The costs of such removal may then be assessed against those persons acting without first obtaining a necessary permit and may be established in the same manner as an action based upon contract b way of a civil action.

C. Nothing in this Section 17.72.043, nor in Section 17.72.041 or Section 17.72.042 shall impose any limit upon any rights or remedies which might otherwise exist to the City of Gridley in that regard, the provisions of said Sections are cumulative and not limiting.

#### 17.72.044 Fence regulations.

A. Construction material. All fences shall be constructed of appropriate and durable materials, such as wood, wrought iron, tubular steel, concrete, brick, stone, or similar material. Materials of poor quality or unattractive appearance, such as unfinished plywood, fiberglass, corrugated metals, and bare metal wire (whether barbed, razor, or smooth) shall be prohibited. For the purpose of these regulations, barbed wire includes concertina wire, razor wire, or any similar devise.

Notwithstanding the above regulations, it shall be unlawful for any person to erect, construct or maintain any barbed wire fencing within the City except:

1. Not more than three courses of barbed wire may be installed above the top line of a sixfoot (1.83 meters) chain link fence. Barbed wire may only be used in the following zoning districts:

a. M-1.

b. M-2.

- c. M-3
- d. C-2.

2. Regardless of the zoning district, no barbed wire may be used in the following locations before first obtaining an administrative use permit that are:

a. Visible to a residential zoned property; or

b. Within 20 feet of a public road.

3. Non-conforming barbed wire installed prior to 2005 shall be subject to the regulations contained in Chapter 17.03.

4. Barbed wire fences may be erected, constructed and maintained on premises zoned for agricultural uses and where such agricultural uses are allowed

B. Maintenance. Maintenance and repair of all fences and walls adjacent to street rights-ofway relating to aesthetics and structural safety, such as paint, mortar, loose blocks, or damaged sections, shall be the sole responsibility of the owner of the property on which the wall is located.

#### 17.72.050 Height exceptions.

Towers, spires, chimneys, machinery, water tanks, radio aerials, television antennae and similar architectural and utility structures and necessary mechanical appurtenances may be constructed and used to a height not greater than twenty-five feet above the maximum height established for the district in which such structures are located; provided, that and administrative use permit is obtained and that no such structure shall be used for sleeping or eating quarters or for any commercial advertising purposes. Additional heights may be permitted by the Planning Commission for public utility structures. Height limitations provided in this section shall not apply to public utility transmission towers and poles.

#### 17.72.060 Sign requirements.

Signage shall be subject to restrictions on total area, height, lighting, and location and manner of attachment to buildings. The restrictions may vary, depending upon whether the signage is classified as "business identification," "incidental," "special promotional," "off-premises directory," or "exempt," as described herein.

A. Business identification signage. Business identification signage is subject to the area and height restrictions described herein. For purposes of this section, business identification signage is any material containing the name and/or primary logo of a business and displayed in a manner visible from the exterior of the business site for purposes of attracting attention to that business.

1. Business identification signage is permitted on the exterior of structures in commercial and industrial zoning districts, and may be displayed on any side of a structure in those districts that:

a) Provides public access into the structure;

b) Provides a service to the public from outside the structure (such as a drive-up or walkup window);

c) Is visible from a street that borders the site on which the structure is located;

d) Faces a parking lot shared with other businesses.

2. The total area of all business identification signage permanently affixed to any single side of a building window, wall and/or roof, the content of which is visible from the exterior of the structure, when measured as described herein, shall be limited as follows:

a) On the side of a structure which provides public access or a public service; two (2) square feet of signage for each lineal foot of the width of that particular side of the structure, up to a maximum of two hundred (200) square feet, except as provided herein (Ord 668, 1997).

b) On any side of a structure which does not provide public access or a public service, but which otherwise qualifies for signage (as described in this section), total signage may equal thirty-five percent (35%) of the ratio described above, up to a maximum of thirty-five (35) square feet.

c) The total area of signage permitted on any side of a structure may be doubled, up to a maximum of one hundred (100) square feet, subject to issuance of an administrative use permit from the Planning Department.

d) Blade signs, which are perpendicular to a wall face, are allowed and shall be reviewed and approved by the Planning Department.

B. Incidental signage. For purposes of this section, incidental signage is any signage that is not classified herein as exempt, special promotional, off-premises directory, or as a business identification sign. Incidental signage is permitted, subject to the restrictions described below:

1. The total combined area of all incidental signage that is displayed on buildings or poles on a single lot may not exceed one percent (1%) of the area of the lot on which the signs are located.

2. The area of any single incidental sign may not exceed seventy-five (75) square feet, when measured as described herein.

(Ord. 626 § 1 (part), 1994)

C. Special promotional signage. Special promotional signage consisting of balloons, flags, and similar articles is permitted, subject to the following restrictions:

1. Such signage is permitted only on properties having non-residential uses, and shall be installed totally on the property at which the advertised activity occurs.

2. Such signage shall be permitted for a maximum of thirty (30) days in any twelve month period.

3. Prior to the use of such signage, an administrative permit shall be obtained from the planning office. No fee shall be charged for the permit.

D. Off-premises directory signage. All signs which advertise or promote business or services, including the availability of real or personal property for sale, where such business, goods, services or property, as the case may be, are not found or located on the parcel of property where the sign is located. Specifically included within the definition of "off-premises directory signage" are all signs which fall within the provisions of California Civil Code Section 713. Off-premises directory signage is not permitted, except upon approval of a use permit and shall be subject to the following additional restrictions:

1. An off-premises directory shall be mounted on or adjacent to a building or use that is open to the general public.

- 2. The directory shall be primarily visible to pedestrians.
- 3. Listings shall be displayed in an orderly format.
- 4. Lettering for the directory shall be inscribed on similar, durable materials.

5. With regard to community resource-oriented directory signage, the area devoted to each individual listing shall not exceed 10 square feet.

6. As to any sign for which a use permit applicant can establish that such sign is governed by the provisions of California Civil Code Section 713, such sign shall be allowed to include the following information:

a. That the property is for sale, lease or exchange by the owner or his or her agent;

- b. Directions to the property;
- c. The owner's or agent's name; and
- d. The owner's or agent's address and telephone number.

7. As to any sign governed by the provisions of California Civil Code Section 713, aside from the fact that at least one sign which contains the above information shall be allowed for each parcel subject to a use permit application pursuant to this subsection, the parameter for approval of a use permit for such sign shall not be in any other way restricted and, in particular, the use permit may place reasonable restrictions on location, dimensions and design and may further take into consideration any adverse effect on public safety, including traffic safety.

8. As to any sign governed by the provisions of California Civil Code Section 713, the applicant for a use permit (at the applicant's discretion and subject to the requirements stated herein), after submission of a completed use permit application and payment of all required fees, may cause a sign to be erected which contains the information specified in subsection D6, above, provided that such sign must be relocated and/or modified to comply with the requirements of the use permit that is subsequently issued. Any sign so erected must be located entirely on private property owned or controlled by the applicant, and cannot be greater than five feet (5') in height and cannot exceed 32 square feet of area. The use permit may allow signage of different parameters. The failure to comply with the provisions of this section (including the failure to relocate or modify the sign to conform to the requirements of the use permit) shall be a violation of this title for which the owner of the property where the sign is located, as well as any other person, firm or corporation causing placement of the sign shall be subject to the provisions of § 17.64.020.

E. Exempt signage. The following signage is exempt from limitations on height or area, and shall not be included in area calculations for business identification or incidental signage:

1. Signage displayed in the "feature windows" of the traditional recessed foyer of a theater 2. Signage displayed without benefit of any special structure, frame or other mounting equipment.

a. Exempt signage includes paper price signs taped or hung without frames in windows, and signage written in washable paint on windows.

b. Signage not exempt from area and height restrictions includes identification or incidental messages displayed from banners, A-frame (sandwich board) structures, and other relatively durable structures or frames used primarily to display continuously changing messages, whether mounted on a building or other structure, or placed elsewhere on the lot.

F. Measured area of signage. The measured area of a sign shall be as follows:

1. The measured area of a sign shall be the collective area required to encompass the entire visual display, including all words and graphics, from top to bottom and side to side.

2. For double-sided signs such as projecting signs and freestanding signs, the area of the reverse or second side shall not be included in calculations of total area of signage displayed.

G. Other building signage requirements. The manner in which signage is displayed on a building shall be as follows:

1. Signs attached to a wall shall be flat against the wall or designed as part of an architectural feature.

2. No portion of a sign attached to a roof shall project higher than the highest elevation of the side of the structure to which the sign is attached.

3. Projecting signs placed below the roof line shall be attached to the building in accordance with the height and setback regulations of the Uniform Sign Code and other regulation specified by this title.

4. No portion of a sign shall project beyond the dripline of the structure excepting blade signs as approved by the Planning Department.

H. Non-building signage requirements. Freestanding signs are permitted subject to the following restrictions, except as noted herein:

1. Pole signs are not permitted. Non-conforming pole signs shall be subject to the regulations contained in Chapter 17.03.

2. For the area within the eight-block downtown Gridley area bounded by Spruce Street, Sycamore Street, Vermont Street and the railroad tracks, one ground or monument sign is permitted per parcel, provided such signs meet the following requirements:

a. Maximum area does not exceed 20 square feet.

b. Maximum height above the surface to which the sign is attached does not exceed three (3) feet.

3. Only one freestanding business identification sign may be located on any one parcel. The maximum permitted area of any sign shall be 60 square feet.

4. The maximum area for any one incidental sign shall be 50 square feet. The combined area of all incidental signage that is displayed on buildings and/or freestanding signs on a single lot may not exceed 1% of the area of the lot on which the signs are located.

5. No portion of a freestanding sign may encroach upon required parking space in a manner which restricts use of the space for parking.

6. All, and any part, of freestanding signs must be located behind the public right-of-way and in accordance with the adopted Uniform Sign Code.

7. Landscaping shall be provided around the base of any freestanding sign.

8. Monument signs shall not exceed eight feet in height, as measured from the base of curb, including the base, except for signs located on properties abutting State Route 99. Signs located on properties which abut State Route 99 shall not exceed twelve feet in height, as measured from the base of curb, including the base.

I. Lighting of signage. For all signage, illumination is permitted, subject to the following restrictions:

1. No flashing lighting is permitted.

2. Monument signs abutting State Route 99 and the portion of Spruce Street and Sycamore Street from Highway 99 to Haskell Street may be internally illuminated; all other freestanding (including monument) signs shall be illuminated by exterior lighting; halo illumination is acceptable

3. Monument signs containing changeable copy (electronic) displays are allowed only along the portion of Spruce Street from Highway 99 to Haskell Street on parcels zoned Public Quasi Public (PQP), provided the following standards are met:

a. The parcel is not adjacent to residential land uses;

b. The electronic message display shall be incorporated into a high quality decorative structure compatible with the architectural design of the building(s) on the site;

c. No more than one electronic message display shall be permitted on a site. The electronic message display may be single-faced or double-faced;

d. The electronic message display shall be an electronic LED (Light Emitting Diode) screen;

e. The message shall not flash on and off. A message shall remain fixed for a minimum of eight (8) seconds. Fading in or out, or scrolling of text shall be permitted as transitions;

f. The electronic message display shall be maintained in good operating condition and external appearance at all times;

g. The electronic message display shall not result in unacceptable light intensity and glare impacting surrounding property;

h. The electronic message display component of the sign structure shall not exceed 1/3 of the total sign area per sign face;

i. The sign must meet all other requirements of the GMC Section 17.72.060 for signs. J. Political signage. Political signs may be posted in all zoning districts, subject to the following restrictions:

1. Such signs may not be posted until three (3) months before an election and must be removed within ten (10) days after the election.

2. Such signs shall be no larger than thirty-two (32) square feet and no higher than five (5) feet.

3. Signs displayed within the sight distance area described in Gridley Municipal Code section 17.72.040 B may not exceed three (3) feet in height.

5. Signs consistent with the above specifications may be posted within the public right-ofway behind a curb or sidewalk.

### 17.72.070 New residential construction.

No dwelling unit shall be constructed in or moved into any zoning district unless the unit meets the minimum applicable building code standards for residential occupancy of that particular type of dwelling unit.

### 17.72.080 Bed and breakfast inn defined.

"Bed and breakfast inn" means any building used in whole or in part for sleeping and living facilities of not more than five guest units, available to the public for hire on an overnight or limited-term basis. Such use may also include meal service, if limited to guests.

A. Bed and breakfast inns shall be permitted in any residential, business and professional, historical or commercial zone, provided a use permit is obtained pursuant to Chapter 17.08 when required.

B. No use permit shall be granted unless the following findings are made:

- 1. The conversion of an existing building to a bed and breakfast inn will not damage any significant historical features or character of such building.
- 2. Adequate off-street parking can be provided equivalent to one space per guest unit, plus two spaces for the innkeeper or caretaker. Such parking spaces shall be constructed and maintained in accordance with the requirements of Chapter 17.46 of this code.
- 3. The bed and breakfast and permitted ancillary uses will be compatible with adjacent uses. Ord. 590,.§ 1, 1991; Ord. 471 § 1 (part), 1985).
- C. The following special requirements shall be complied with:
  - 1. Signs. One sign shall be permitted, the size, location and lighting to be determined at the time of a use permit public hearing.
  - 2. Building standards. Buildings proposed for conversion to a bed and breakfast inn shall be required to comply with residential building code standards upon conversion, provided that where meal service is to be provided, higher standards may be applied to kitchen facilities where necessary to protect the public health and safety.
  - 3. Ancillary activities. The use permit may authorize limited ancillary activities such as weddings, receptions, fund-raisers or similar events attended by non-guests, subject to conditions which are necessary to satisfy Section 17.17.030including, but not limited to, restrictions upon the frequency and time of holding events, duration thereof and the maximum number of persons attending. Unless expressly authorized in the use permit, such ancillary activities are prohibited.

### 17.72.090 Special restriction for particular uses--Adult entertainment businesses.

A. The location of any adult entertainment business may not be:

- 1. Within 500 feet of any public or private school, park, or any church.
- 2. Within 500 feet of any other adult entertainment business.

B. Materials which characterize the adult entertainment portion of a business may not be sold to or be made available for viewing by persons under eighteen years of age.

### 17.72.100 Refuse collection areas.

All outdoor refuse collection areas for businesses located on commercial and industrial zoned properties shall be visually screened from access streets, highways, and adjacent properties by an opaque screen. All refuse collection areas shall:

- A. Be located remote from main project entrances, main building entrances and main circulation paths. Enclosures should be located to provide easy accessibility for users, adequate room for servicing by refuse trucks, and should not hinder visibility for vehicle circulation.
- B. Be designed with a roof assembly as approved by the City.
- C. Provide landscaping to further screen the structure.
- D. Be large enough to provide refuse bins for refuse and one for recyclables.

The City may upon review of the project, adopt additional refuse collection area requirements.

**SECTION 24**: Rescind Chapter 17.38 and portions of Ordinance 491-1986 (part), and replace with the following Chapter 17.74 "Performance Standards" to provide the restructuring of Title 17:

### **Chapter 17.74 PERFORMANCE STANDARDS**

| 17.74.010 | Intent. |
|-----------|---------|
|-----------|---------|

- 17.74.020 Vibration.
- 17.74.030 Noise.
- 17.74.040 Air pollution.
- 17.74.050 Odors.
- 17.74.060 Electromagnetic radiation.
- 17.74.070 Fire and explosions.
- 17.74.080 Radioactive materials.
- 17.74.090 Glare and heat.
- 17.74.100 Nonradioactive liquid or solid wastes.

### 17.74.010 Intent.

The purpose of these regulations is to prevent land or buildings, including permitted uses or conditional uses, from being used or occupied in any manner so as to create any dangerous, injurious, noxious and otherwise objectionable or hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat, liquid or solid refuse or wastes or other substance, condition or elements (all referred to in this chapter as "dangerous or objectionable elements"), in a manner or amount as to adversely affect surrounding areas. Any permitted or conditional uses listed under Chapters 17.08 through 17.34 may be undertaken and maintained if they conform to all district regulations, and specifically if they conform to the limitations set forth in Sections 17.74.020 through 17.74.100 in this chapter.

### 17.74.020 Vibration.

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or beyond the lot line nor shall any vibration produced exceed 0.0029 peak measured at or beyond the lot line using either seismic or electronic vibration measuring equipment.

### 17.74.030 Noise.

All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound-pressure level of noise radiated continuously from a structure exceed at the lot line the values in Table 1 of this section. The sound level shall be measured with a sound level meter that conforms to specifications published by the American National Standards Institute (ANSI).

| Table 1         EXTERIOR NOISE LIMITS         (Levels not to be exceeded more than thirty minutes in any hour)         Noise Level (dBA)         Noise Zone         Classification* |                                |           |                 |
|---|--------------------------------|-----------|-----------------|
| Adjoining Land Use Category   | Time<br>Period                 | R-S zones | All other zones |
| One and two family<br>Residential   | 10 p.m 7 a.m.<br>7 a.m 10 a.m. | 40<br>50  | 45<br>55        |
| Multiple dwelling<br>Residential<br>Public Space  | 10 p.m 7 a.m.<br>7 a.m 10 p.m. | 45<br>55  | 50<br>55        |
| Limited commercial<br>some multiple<br>dwellings  | 10 p.m 7 a.m.<br>7 a.m 10 p.m. |           | 55<br>60        |
| Commercial  | 10 p.m 7 a.m.<br>7 a.m 10 p.m. |           | 60<br>65        |
| Light Industrial  | Anytime                        |           | 70              |
| Heavy Industrial  | Anytime                        |           | 75              |

\* The classification of different areas of the community in terms of environmental noise zones is contained in the Noise Element of the General Plan. Additional area classifications should be used as appropriate to reflect both lower and higher existing ambient levels than those shown. Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction within the zone.

### 17.74.040 Air pollution

A. Visible Emissions. There shall not be discharged into the atmosphere from any source any air pollutant in excess of the Federal, State, or County limitations. This shall include emissions of air pollutants of such opacity as to obscure an observer's view to a degree equal to or greater than the visible emission described in this section. Visible emissions of any kind at ground level are prohibited past the lot line of the property on which the source of the emissions is located. No emission shall exceed No. 1 on the Ringelmann Chart, or as directed by the currently adopted measurement standard

B. Materials Handling. No person shall cause or permit any materials to be handled, transported, or stored in a manner which allows or may allow particulate matter to become airborne and all transported materials shall be covered

C. Particulate Matter. There shall not be discharged into the atmosphere any particulate matter in excess of the quantities allowed under the Butte County Air Quality Management Plan.

### 17.74.050 Odors.

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public, or which interferes unreasonably with the comfort of the public, shall be removed, stopped, or so modified as to eliminate the odor including the recreational or medical use of any drug, prescribed or not.

### 17.74.060 Electromagnetic radiation.

The following standards shall apply:

A. General. It is unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use which does not comply with the current regulations of the Federal Communications Commission. Further, the operation in compliance with the Federal Communications Commission regulations is unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, harmonic content, modulation or energy conducted by power or telephone lines. The determination of "abnormal degradation in performance" and with good engineering practices is defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association. In case of any conflict between the latest standards and principles of the above groups, the following precedence in the interpretation of the standards and principles shall apply:

- 1. American Institute of Electrical Engineers;
- 2. Institute of Radio Engineers; and
- 3. Electronic Industries Association.

It is unlawful for any person, firm or corporation to operate or cause to be operated, maintain or cause to be maintained, any planned or intentional sources of electromagnetic energy, with a radiated power in excess of one thousand watts.

B. Electromagnetic Interference. For the purpose of these regulations, "electromagnetic interference" shall be by the use of electrical equipment other than planned and intentional sources of electromagnetic energy which interfere with the proper operation of electromagnetic receptors of quality and proper design. It is unlawful to operate or to cause to be operated any source of electromagnetic interference, by the radiation or transmission from which it is detectable beyond the lot line of the property on which the source is located.

### 17.74.070 Fire and explosions.

All activities and all storage of flammable and explosive materials at any point shall be provided with adequate safety and firefighting devices, in accordance with the Fire Prevention Codes of the City, the County and the State. Storage of compressed gasses in all zoning designations shall be in accordance with the safety measures commonly used.

### 17.74.080 Radioactive materials.

The handling of radioactive materials, the discharge of such materials into the air and water, and the disposal of radioactive wastes shall comply with the Nuclear Regulatory Commission as set forth in Title 10, Chapter One, Part 20, Standards for Protection Against Radiation, as amended, and all applicable regulations of the State.

### 17.74.090 Glare and heat.

No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this title. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line.

### 17.74.100 Non-radioactive liquid or solid wastes.

There shall be no discharge into any public or private sewage disposal system or into the ground, of any liquid or solid materials except in accordance with the regulations of the county health department and the Regional Water Quality Control Board.

SECTION 25: Rescind Chapter 17.46 and portions of Ordinance 458-1984 § 1 (part), Ordinance 500-1986 §1 (part), Ordinance 504-1986 § 2(part), Ordinance 527-1988 §1-3 (part), Ordinance 570-1991 § 1 (part), Ordinance 573-1991§1(part), Ordinance 579-1991 §1-2(part), Ordinance 603-1992 § 1-3(part), Ordinance 621-1994 §1 (part),Ordinance 647-1995 (part), Ordinance 622-1993 §1-2(part), and replace with the following Chapter 17.76 "Off-Street Parking" to provide the restructuring of Title 17:

# **Chapter 17.76 OFF-STREET PARKING**

- 17.76.010 Intent.
- 17.76.020 General provisions.
- 17.76.025 Repair, rehabilitation and remodel.
- 17.76.030 Number of spaces.
- 17.76.035 Compact spaces.
- 17.76.040 Location of spaces.
- 17.76.050 Design standards.
- 17.76.060 Access.
- 17.76.070 Landscaping and fencing.

### 17.76.010 Intent.

The purpose of this chapter is to maintain maximum safety and convenience for vehicles, pedestrians and the general public by requiring well designed off-street parking areas.

### 17.76.020 General provisions.

A. Accessible off-street parking and loading areas shall be provided and maintained for all uses based on the anticipated occupancy of a given building, structure, or area of land

B. The requirements of this chapter shall be applied and evidence of compliance provided prior to issuance of any building permit, certificate of occupancy, business license or other approval by the city which would authorize the construction or expansion of any building or structure or any change in type or intensity of use or occupancy which would require an increase in the number of parking spaces provided.

C. At the time an existing use is expanded or changed to another use, the regulations apply only to that portion of the development initiated after adoption of the ordinance in 1984, with the following exceptions:

1. No existing parking spaces may be eliminated to accommodate new development, except for those spaces which may exceed the number of spaces required for the existing use and the proposed new development combined.

2. No existing parking spaces may be counted toward the number of spaces required for new development (or a change of use), except that the total number of spaces provided need not exceed the number required for the existing use and the proposed new use or development combined.

D. When an existing use provides inadequate parking according to adopted code, and a change is proposed to a use which requires even more parking, an incremental increase in parking shall be provided which is equal to the difference between what is required for the old use and the new use. Example - 5000 square-feet of retail space (17 spaces required) being converted to a restaurant seating 60 people (20 spaces required) must provide 3 more spaces.

#### 17.76.025 Repair, rehabilitation and remodel.

A. Building permits may be issued for the repair and/or rehabilitation of existing singlefamily residences without requiring compliance with the off-street parking provisions of this chapter.

B. Building permits may be issued for the remodeling and/or enlargement of existing singlefamily residences which do not have two off-street parking spaces in accordance with the provisions of this chapter, subject to the following considerations:

1. The proposed work will not change the character or intensity of the use of the property;

2. No existing off-street parking spaces will be eliminated or reduced in size by the proposed work;

3. The proposed work complies with all other provisions of the Gridley Municipal Code.

### 17.76.030 Number of spaces.

The number of off-street parking spaces required for various uses or occupancies shall be determined in accordance with the following principles and standards:

A. When two or more uses are located in the same building or on the same parcel, the required number of parking spaces equals the sum of the separate requirements for each use, reduced by an amount determined by the Planning Commission, but not more than twenty-five percent.

B. An adequate number of parking spaces shall be provided and designated for use by disabled persons, as specified in Title 24, California Administrative Code. These spaces shall be complete with required access areas and ramps as necessary to facilitate use by disabled persons.

C. An adequate number of bicycle racks or similar facilities shall be provided for the type and size of facility served, and shall be located to prevent obstruction of parking and pedestrian facilities, subject to the approval of the Planning Commission.

D. An adequate number of oversize parking spaces and/or loading areas suitable for delivery trucks and recreational vehicles shall be provided for the type and size of facility served, subject to the approval of the Planning Commission.

E. The number of spaces required for particular uses are as follows:

1. Residential Uses.

a. Cottage units and second dwelling units, one space each:

b. Senior citizen complexes with no more than one bedroom and occupancy limited to senior citizens, 0.8 spaces each, plus additional parking spaces for guests, the number of those spaces to be 10% of the total number required for occupants;

c. Boardinghouses, rooming houses and residential hotels, one space per rented room.

d. Residential care homes and hospitals, one space per each two beds plus one space per two non-resident employees on the maximum shift;

e. Studio or one-bedroom apartments, one space per unit, plus additional parking spaces for guests, the number of those spaces to be 10% of the total number required for occupants;

f. Two-bedroom apartments other than duplexes and triplexes, 1.5 spaces per unit, plus additional parking spaces for guests, the number of those spaces to be 10% of the total number required for occupants;

g. Single-family homes, duplexes and triplexes, two spaces each.

h. Other single-family dwelling units on properties created and developed with a habitable residence prior to July, 1992, and equal to or smaller than 5,000 square feet in area, one space each;

i. Mobile home parks, two spaces per unit.

2. Commercial Uses.

a. Barbershops and beauty shops, three spaces per operator.

b. Bowling alleys, four spaces per alley;

c. Hotels and motels, one space per bedroom;

d. Laundromats, one space per each four washing machines;

e. Offices, medical and dental, one space per two hundred square feet of floor area;

f. Offices, other professional and business, one space per three hundred square feet of floor area;

g. Recreational centers, one space per five seats or five occupants as determined by the Uniform Building Code;

h. Restaurants and taverns, one space per each three seats or three occupants as determined by the Uniform Building Code;

i. Sales and service of furniture, large appliances, floor covering, vehicles, boats, lumber, farm equipment, trailers and similar bulky merchandise, one space per five hundred square feet of retail floor area (excludes partitioned floor area with a Uniform Building Code "occupancy" designation of storage space).

j. Sales, other retail conducted within a building, one space per three hundred square feet of floor area.

k. Service stations, 1 space for each 3,000 sq. ft of land area.

3. Other Uses.

a. Churches, lodges, meeting halls, auditoriums and similar indoor places of assembly, one space per five seats or five occupants as determined by the Uniform Building Code;

b. Funeral homes and mortuaries, one space per four seats plus spaces for funeral vehicles.

c. Golf courses, tennis clubs, race tracks and other outdoor recreation enterprises, per conditions of approval for use permit.

d. Passenger terminals, one space per one hundred square feet of floor area in the waiting room;

e. Public facilities not open to the general public, one and one-half spaces per employee on the maximum shift;

f. Schools, day nurseries, one space per employee plus one space per six children on the premises;

g. Schools, public and private, one space per employee on the maximum shift, plus one per classroom, plus one for every four students sixteen years of age or older;

h. Warehousing and industrial uses, one and one-half spaces per employee on the maximum shift;

i. Other uses not listed above and not similar to listed uses, per Planning Commission determination.

|          |   | NUMBER OF SPACES |   |
|----------|---|------------------|---|
|          | TYPE OF USE   | #                | Criteria  |
| 1.<br>a. | Residential:<br>Cottage units and second dwellings  | 1                | 1 unit  |
| b.       | Senior citizen dwelling<br>(with one bedroom)   | 0.8 +<br>10%     | 1 unit<br>additional spaces for guests                                  |
| с.       | Boardinghouses, etc.  | 1                | 1 room  |
| d.       | Hospitals and residential care  | 1+<br>1          | 2 beds<br>1 non-residential employee on max shift                       |
| e.       | Studio or one-bedroom apts  | 1+<br>10%        | 1 unit<br>additional spaces for guests                                  |
| f.       | Two-bedroom apts (except 2 & 3-plexes)  | 1.5 +<br>10%     | 1 unit<br>additional spaces for guests                                  |
| g.       | Single-family, duplexes and triplexes   | 2                | 1 unit; tandem parking allowed  |
| h.       | Single-family, on lot smaller than 5000 ft <sup>2</sup> lot created and house built prior to 7/1992 | 1                | 1 unit; tandem parking allowed  |
| i.       | Mobile home parks   | 2                | 1 unit  |
| 2.<br>a. | Commercial Uses:<br>Barbershops & beauty shops  | 3                | 1 operator  |
| b.       | Bowling alleys  | 4                | 1 alley   |
| c.       | Hotels and motels   | 1                | 1 bedroom   |
| d.       | Laundromats   | 1                | 2 washing machines  |
| e.       | Offices, medical or dental  | 1                | 200 sq. ft. floor area  |
| f.       | Offices, other (inc. banks)   | 1                | 300 sq. ft. floor area  |
| g.       | Recreational centers  | 1                | 5 seats or 5 occupants permitted  |
| h.       | Restaurants and taverns   | 1                | 3 seats or occupants  |
| i.       | Sales/service, bulky items<br>(furniture, vehicles, lumber)   | 1                | 500 sq. ft. retail floor area<br>(excluding partitioned warehouse area) |
| j.       | Sales, other retail space, in building  | 1                | 300 sq. ft. floor area  |
| k.       | Service stations  | 1                | 3,000 sq. ft. of land area  |
| 3.       | Other Uses:   | 1                | 5 seats or 5 occupants permitted  |

| a. | Churches, auditoriums, places of assembly |               |   |
|----|---|---------------|---|
| b. | Funeral homes and mortuaries              | 1<br>1        | 4 seats<br>each funeral vehicle   |
| e. | Schools, day nurseries                    | 1<br>+1       | 1 employee<br>6 children on premises per license max  |
| f. | Schools, other                            | 1<br>+1<br>+1 | <ol> <li>employee on shift max</li> <li>classroom</li> <li>students age sixteen or older</li> </ol> |
| h. | Warehousing and industrial uses           | 1             | 1 employee on max shift   |
|    | See text for other uses                   |               |   |

### 17.76.035 Compact spaces.

Up to one-third of required off-street parking spaces may be designed as compact spaces, consistent with the standards set forth in Section 17.76.050.

### 17.76.040 Location of spaces.

All off-street parking spaces shall be located as follows:

A. Off-street parking spaces for residential use may be located in the side and front yard setback areas. Front yard areas for off street parking is restricted to that area that is specifically paved for the driveway/access drive limited to the lot coverage percentages for each zoning district. Rear yard parking is allowed when adjacent to an alleyway. All parking spaces shall be provided with an approved surface as described in §17.76.050 (C), Refer to Section 17.72.040B for sight distance area clearances.

B. A parking lot in conjunction with a use requiring off-street parking may not be located on a separate lot, shall not be located on a corner lot, and may not be constructed as the single use of a commercial or residential lot.

C. Off-street parking lots in conjunction with commercial use are not permitted on residentially zoned properties adjoining commercial districts.

D. All off-street parking areas shall be landscaped and provide trees, shrubs, and groundcover.

### 17.76.050 Design standards.

All off-street parking spaces shall be designed in accordance with the following standards:

A. Minimum dimensions of a parking space shall be as follows:

1. Eight feet by twenty-two feet for parallel parking spaces adjacent to a curb and sidewalk;

2. Eight (8) feet by seventeen (17) feet for compact spaces as permitted by Section 17.76.035;

3. Ten feet by-twenty feet for standard parking spaces.

4. Twelve feet by forty feet for oversized parking spaces to accommodate delivery trucks and recreational vehicles.

5. Diagonal parking spaces shall be designed to be compatible with standard engineering criteria.

B. For any single-family residential use, with the exception of those residential uses located within special Parking Combining Zone Number 2 as that Zone is illustrated and described in Chapter 17.47, one of the required parking spaces shall be covered by a garage.

C. All other required parking spaces and access drives shall be paved with asphalt, concrete or a similar durable dust-free surface. No vehicle shall encroach upon or into the right-of-way, public easement, or sidewalk area when parked.

D. Any lighting of off-street parking areas shall be directed and designed so as to prevent glare, insure privacy of adjacent uses, and maintain safe conditions for vehicular traffic.

E. The design of all proposed off-street parking areas with five or more spaces shall be reviewed by the Planning Commission before granting of any City permits or approvals.

### 17.76.060 Access.

All required off-street parking spaces shall be provided vehicle access to and from public streets in accordance with the following requirements:

A. Except as provided for in subsection B of this section, all required off-street parking spaces shall be so located as to be independently accessible by automobiles and light trucks, from a public street.

B. Tandem parking defined as one space located behind another parking space is allowed in all R-S and all R-1 A and R-2 zones

C. Where off-street parking spaces share access to a public street, the spaces and access shall be designed so that vehicles do not back out into a public street.

### 17.76.070 Landscaping and fencing.

All off-street parking areas for non-residential use shall be accompanied by landscaping and fencing in accordance with the following requirements:

A. A solid wall six feet in height shall be required along all common property lines when a parking area abuts residentially zoned property.

B. Parking areas serving residential or commercial facilities shall be landscaped compatibly with the facility served subject to review and approval of the Planning Department or Planning Commission, as required.

**SECTION 26**: Rescind Chapter 17.48 and portions of Ordinance 458-1984 § 1 (part), Ordinance 479-1985 (part), Ordinance 542-1989 §1 (part), Ordinance 700-2000 §1 (part), Ordinance 712-2002 §1 (part), Ordinance 798-2011 (part) and replace with the following Chapter 17.78 "Yards" to provide the restructuring of Title 17:

# Chapter 17.78 YARDS

17.78.010 General restrictions.

17.78.020 Residential yard requirements.

17.78.030 Residential buildings in nonresidential districts.

### 17.78.010 General restrictions.

No yard or other open space provided about any building for the purpose of complying with the regulations of this title shall be considered as providing yard or open space for any other building or structure except as provided under the provisions of the Planned Development Combining district.

### 17.78.020 Residential yard requirements.

Residential yard requirements in AR-5, R-S, R-1, R-2 and R-3, and R-4 districts shall be as follows:

A. Main building Yard Requirements. Minimum yard requirements as measured from any lot line to the foundation of a residential building or required parking area or structure which requires a building permit:

- 1. Front Yard.
  - a. Twenty (20) feet from lot line. Where four or more lots in a block have been improved with buildings, the minimum front yard may be the average of the improved lots if less than the required twenty feet but not less than fifteen feet.
- 2. Side Yard.

a. Twenty percent of lot width for total of both sides but not less than five (5) feet, but no more than twenty-five (25) feet will be required. An additional three foot setback is required for each story.

b. The side yard on the street side of a corner lot shall not be less than twenty feet unless the parcel was created prior to June 1, 1984; then, a minimum of ten feet will be required.

- c. The side yard for interior lots designated as R-1A or R-1B may be zero to 3 feet. Preexisting conditions are allowed until such time that a permit is requested to improve the property at which time the Building Department shall evaluate the building requirements to improve wall construction for either a residence or accessory structure up to the currently adopted code for fire resistance to enhance the general safety of the City; the applicant may be required to upgrade the construction to ensure the building code is met.
- 3. Rear Yard.
  - a. Five (5) feet from rear lot line.

b. Front yard landscaping. Entire front yard area shall be landscaped. For new dwelling units, an underground irrigation system with at least one shade tree from the city of Gridley

approved list of trees in at least a five-gallon container size shall be planted within the front yard prior to final inspection or occupancy.

c. Walkways, parking areas, vehicular access ways and other impervious surfaces shall not collectively occupy more than 50% of the total front yard area between the principal dwelling unit and the front public or private street curb. Any paved areas in excess of this requirement in existence at the time of adoption shall be deemed legal nonconforming.

B. Accessory Building Yard Requirements. Minimum yard requirements of twenty feet in the front yard and five feet as measured from the side and rear lot lines to the foundation of any accessory building or required parking area, or to the points or locations at which a semi-permanent structure is anchored to the ground.

C. R-3 and R-4 Districts (Yard Requirements, Additional).

1. Distances between buildings and special yards are as follows:

a. Minimum distance of ten feet between the side of one building and the side of another building;

b. Minimum distance of twenty feet between the side of one building and the front or rear of another building;

c. The minimum distance for single story buildings is twenty (20) feet and two story buildings is forty feet between the front or rear of one building and the front or rear of another building.

D. Projections Into Required Yard Areas and Setbacks. The Planning Commission may approve the following projections into required yard areas. The determination of the Planning Commission may be appealed to the City Council within ten (10) days of the date of determination. Projections shall not be permitted in yards that are less than the minimum established by district regulations, except as provided for in Section 17.78.020 (D), subsection 3 and shall comply with the following:

1. Architectural features shall be compatible with existing structures, such as cornices, canopies, eaves and sills shall be permitted to project into front, rear, and side yards two feet;

2. Steps serving the first floor, and bay windows, decks and porches serving the first floor may encroach into the front yard setback area ten (10) feet or an amount equal to one-half of the current required setback, whichever results in a greater setback, if all of the following apply:

a. The residence was constructed prior to 1940 or has obvious historic significance.

b. The proposed feature/addition is architecturally compatible with the existing residence.

c. The proposed feature/addition complies with Section 17.36.040 of the Gridley Municipal Code regarding site distance visibility.

d. The features and/or additions listed in this subsection shall not extend beyond the width of the building wall along which it is located.

3. Any structure necessary to provide access to the first floor for the physically disabled.

### 17.78.030 Residential buildings in nonresidential districts.

Yards required for residential buildings which may be permitted in a non-residential district on shall be determined on a case by case basis.

**SECTION 27**: Rescind Chapter 17.40 and replace with the following Chapter 17.81 "Accessory Structures" to provide the restructuring of Title 17:

# **Chapter 17.81 ACCESSORY STRUCTURES**

| Intent  |
|---|
| Applicability   |
| Severability  |
| Definitions   |
| Connections to main building                            |
| Location in yard setbacks                               |
| Locations   |
| Occupancy   |
| Use and maintenance standards and requirements          |
| Notification requirements for metal shipping containers |
| Removal of metal shipping containers                    |
|   |

### 17.81.010 Intent

The following provisions to control the construction and use of accessory structures on residential, commercial and industrially zoned properties within the City for the preservation and protection of the aesthetic appearance of the community, property values, and the public health, safety and general welfare.

### 17.81.020 Applicability

In order to keep the City of Gridley clean, safe, and ensure a healthy environment, the provisions of this chapter shall apply to all property and structures within the city, including nonresidential lands and vacant lots. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between this code and other standards, the provisions of the most restrictive shall govern. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the currently adopted California codes for all trades as well as zoning code requirements.

### 17.81.030 Severability

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### 17.81.040 Definitions

ACCESSORY STRUCTURE means a structure, metal/other container of any size, or building on the same lot and serving a purpose commonly incidental to the principal use, structure, or building.

**DETACHED ACCESSORY STRUCTURE** thereof in common with the primary structure. The accessory structure has no wall or portion

**ATTACHED ACCESSORY STRUCTURE** The accessor thereof in common with the primary structure.

The accessory building has a wall or portion

**METAL/OTHER CONTAINER** means any container originally constructed to transport or store large quantities of goods by ship, rail, or truck not exceeding the dimensions of up to  $8' \times 8' \times 40'$ .

### 17.81.050 Connection to main building.

Private garages, carports and other accessory buildings may be attached to and have a common wall with the main building or, when located as required by this title, may be connected by a breezeway.

### 17.81.060 Location in yard setbacks.

No accessory building shall be erected in any required yard setback except it may be located five feet from the rear property line within the rear yard setback area.

### 17.81.070 Location

No detached accessory building shall be erected within six feet of any other building with the exception of metal shipping/other containers as noted in "C" below.

Metal shipping containers may not be located in any zoning district except R-S, C-1, and C-2 with a conditional use permit in accordance with Chapter 17.54. The location of containers within these districts is further restricted:

- A. Containers shall not be located equal to or in front of the leading edge of the home or business closest to the street frontage;
- B. Container may not be placed within the driveway or parking area next to or in front of structures;
- C. Containers shall not be closer than 20 feet from any wall of a structure on the site.
- D. Containers shall not be placed in a location causing disruption to drainage, swales, or other public work improvements.

Metal shipping containers are allowed by right and do not require a conditional use permit in zoning districts M-1, M-2, and M-3. Sections 17.81.090 (A), (B) (C2) and (C3) shall be complied with in the M-1, M-2, and M-3 zoning districts.

### 17.81.080 Occupancy

Accessory structures whether attached or detached may not be used for habitable space/living quarters.

### 17.81.090 Use and Maintenance Standards and Requirements

- A. An accessory structure may not be allowed as the principle use in any allowed zone. No accessory structure shall be allowed to be placed on a vacant site without the primary use first established.
- B. All accessory structures of any size shall be maintained and in good condition, free of obvious deterioration, all exterior surfaces areas painted, doors and windows operable and structurally intact. Repairs shall be made and the integrity of the unit/structure shall be maintained.
- C. Metal Containers shall adhere to the following requirements:
  - 1. Metal containers where allowed shall be screened from view from any public right-of-way or easement. Any unit located closer than 100 feet from a residential use shall be screened from view. Screening shall consist of the use of materials such as fencing or dense landscaping.
  - 2. Metal container may not be used as animal habitation in any form.
  - 3. Metal containers shall not be connected to any utilities.
  - 4. Metal containers shall be painted the same color as the primary structure. Should the unit be defaced with graffiti, it shall be repainted the same color of the unit, or, the entire unit shall be repainted to be a uniform color. No paint patching will be allowed.
  - D. Temporary use of metal containers:
  - The City Administrator for the City of Gridley or his or her designee may issue a temporary conditional use permit to maintain a metal storage container provided such container is utilized for the storage of construction materials and uses incidental to construction and further provided that such structure is actually used for the storage of construction materials to be utilized on the site where the structure is located. If the location proposed is within the City right-of-way or easements, the applicant shall obtain an encroachment permit.
  - 2. A temporary use permit may be issued for an original term not to exceed one year (and for a single extension not to exceed six months) only if all of the following criteria are met:
    - a. The storage container/structure is located on the site where construction is to occur, pursuant to a current and validly issued building permit.

- b. At the time of application for a permit, the construction site consists of unimproved property (for purposes of this Section "unimproved" shall refer to property not then improved with buildings or other structures) or previously improved property proposed for redevelopment.
- c. The applicant provides all requested information on forms as might be prescribed by the City of Gridley Fire Chief to demonstrate that the requirements for issuance of a permit have been met.
- d. The applicant agrees, as a condition of issuance of the permit, to remove the storage container/structure at the earlier of the time the permit expires or construction is complete.
- e. An applicant may apply for a temporary conditional use permit for property that has been improved with buildings or other structures to store construction materials for additions or remodel of the existing principal and/or accessory structures. The temporary use permit may be initially granted for a period of 6 months and allow 1 extension for 6 months.
- f. For any particular parcel of improved property for which a temporary conditional use permit has been issued, no further permit applications or issuances shall occur for a period of 1 year after issuance of the original permit (by way of example, if a permit is issued pursuant to this Section allowing a storage container on improved property for the storage of construction materials, application may not be made for a new permit, nor shall an additional permit be issued until 1 year have elapsed following the issuance of the original permit. This requirement is intended to limit applications for permits under this Section with respect to improved property and to require applicants to organize their construction projects such that, to the extent storage containers are deemed necessary during construction, such projects occur simultaneously and are not spread out over an extended period of time).

### 17.81.100 Notification requirements for metal shipping containers

- A. No later than six months from the effective date of this chapter the legal property owner, or the person/s in control of such property, shall submit in writing, to the City, the property's Assessor Parcel Number (APN), the property's legal owner, a "property diagram" illustrating the distances between a container and primary structures, from property lines and conformity to all setback requirements along with definition of successful visual barrier efforts. Any person(s) in control of such property, who is not the property owner, shall notify the legal property owner/s that the requirements of this section and that they must be met.
- B. Failure on the part of the property owner, or the person/s in control of such property, to notify the City within the time frame set forth herein may result in code enforcement action.
- C. Should a container exist on property that is not allowed as described herein, the container(s) shall be removed from the property within six (6) months from the effective date of this chapter.

### 17.81.110 Removal of metal shipping containers.

- A. All metal shipping containers shall be removed from all property prior to or upon the sale or transfer of residential property if located in zoning districts containers are not allowed in. Failure of the property owner, or individual in control of a property, to remove all containers from a residentially designated property in conformance to this chapter shall be in violation of the Gridley Municipal Code.
- B. It is the responsibility of the residential property owner, that prior to or upon the sale, transfer, or any change in ownership of residential property where a container(s) are located to remove all metal shipping containers from that residential property. Metal shipping containers not removed in accordance with the provisions of this section at the time of sale or transfer shall be, by the authority of this chapter, in violation of this chapter and be subject to removal at a date determined by the City. If the City is required to remove containers, the City will attempt to recover any costs thereof pursuant to the Gridley Municipal Code.

**SECTION 28**: Rescind Chapter 17.42 and portions of Ordinance 458-1984 §1(part), Ordinance 720-2003 (part), Ordinance 807-2013 §4 (part), and replace with the following Chapter 17.82 "Second Dwelling Unit" to provide the restructuring of Title 17:

### **Chapter 17.82 SECOND DWELLING UNITS**

17.82.010 Intent.

- 17.82.020 Regulations.
- 17.82.030 Inapplicability of density requirements.

#### 17.82.010 Intent.

Pursuant to Government Code Sections 65852.1 and 65852.2, the intent of this chapter is:

A. To provide a more cost-effective means of serving development using existing infrastructure rather than constructing new, costly infrastructure;

B. To serve development in undeveloped areas;

C. To provide a method for relatively affordable housing to the residents of the city without public subsidy;

D. To provide a means for purchase of new or existing homes, or both;

E. To meet payments on high-interest loans;

F. To provide security for homeowners who fear both criminal intrusion and personal accidents while alone by allowing second dwellings.

### 17.82.020 Regulations.

The following regulations shall apply to all districts within the city which permit a maximum of one dwelling unit on one parcel:

A. No more than one second dwelling may be approved or constructed per parcel pursuant to Chapter 17.22.025, Accessory Uses. An application for an accessory use shall be submitted for review and approval prior to constructing such unit. Any application for a second dwelling unit that meets the location and development standards contained in this code shall be approved ministerially, without discretionary review or public hearing.

B. All second dwellings shall not exceed one thousand two hundred (1,200) square feet of living area.

C. A detached second dwelling unit shall comply with all applicable regulations for lot coverage, building height, setbacks, signs, parking and other standards applicable to the district in which it is located.

D. A second dwelling attached to a primary unit shall be no greater than 30% of the existing living area and shall be regulated by the city building code pertaining to additions.

E. Architectural compatibility. The second dwelling unit shall incorporate the same or similar architectural features, building materials and colors as the main dwelling unit or dwelling units located on adjacent properties.

### 17.82.030 Inapplicability of density requirements.

All second dwellings complying with this chapter shall not be considered in determining the density of the lot upon which it is located.

**SECTION 29**: Rescind Chapter 17.43 and portions of Ordinance 577-1991 §5(part), Ordinance 615-1992 §1 (part), Ordinance 644-1995 (part), and replace with the following Chapter 17.83 "Temporary Occupancy of Mobile Homes and Recreational Vehicles" to provide the restructuring of Title 17:

### Chapter 17.83 TEMPORARY OCCUPANCY OF MOBILE HOMES AND RECREATIONAL VEHICLES

- 17.83.010 Intent.
- 17.83.020 Provisions.
- 17.83.030 Temporary occupancy in residential zoning districts.
- 17.83.040 Residential zone occupancy permit -- annual review, expiration, and revocation.
- 17.83.050 Temporary occupancy in non-residential zoning districts.
- 17.83.060 Non-residential zone occupancy permit--application, issuance, and expiration.
- 17.83.070 Occupancy which is permitted in any zoning district.

### 17.83.010 Intent.

The purpose of this chapter is to provide for and regulate occupancy of mobile structures for residential and/or business purposes when the mobile structure is not secured to a permanent foundation.

### 17.83.020 Provisions.

Notwithstanding any provisions to the contrary in this Title, a mobile home or recreational vehicle as both are defined in Chapter 17.04 of this Title may be occupied in all zoning districts, even though not secured to a permanent foundation, subject to the provisions of this Chapter.

### 17.83.030 Temporary occupancy in residential zoning districts.

A mobile home or recreational vehicle located on private property may be occupied as a residence in residential zoning districts subject to the following conditions:

A. A permit-for such use is obtained in the manner described in this section.

1. An administrative permit authorizing occupancy for a period of thirty (30) days may be issued by the planning department. The administrative permit may be extended on a month-to-month basis by the planning department for a period of time not to exceed ninety (90) days.

2. Approval of a use permit in accordance with the procedures set forth in Chapter 17.03 shall be required for occupancy of a mobile home or recreational vehicle for any consecutive period of time which is longer than ninety (90) days.

B. Occupancy of the mobile home or recreational vehicle is restricted to a close friend, or a relative of persons who reside at or own the site for which a temporary permit is approved.

C. No rent is charged to the occupant of the mobile home or recreational vehicle.

D. The placement of the mobile home or recreational vehicle shall not be subject to additional site requirements of Chapter 17.78. Five foot setbacks from all property lines should be provided when possible. Certain site requirements may be required to mitigate potential adverse impacts upon neighboring residences.

E. The mobile home or recreational vehicle shall be connected to city sanitary facilities and other utilities as a condition of approval of residential occupancy for a period of time greater than six (6) months.

### 17.83.040 Residential zone occupancy permit -- annual review, expiration, and revocation.

A. The approved use permit to allow a temporary mobile home shall be reviewed annually in the month of September by the Planning Commission. City staff shall render a report of the status of each permit to the Planning Commission and shall place such items on a consent agenda. Approved use permits for temporary mobile homes which were granted less than six months prior to the September review will be reviewed the succeeding year.

B. The use permit shall expire immediately if the person(s) residing in the mobile home or the primary residence for any reason move(s) to another location or is (are) deceased. In such instances, the temporary mobile home shall be removed within one hundred twenty days. In the

event the mobile home is not removed within the one hundred twenty days, the City may remove the mobile home and store it at the owner's expense.

C. The applicant shall consent to placement of lien on both the mobile home and real property in the event that the mobile home is not removed upon City demand as provided in this Chapter.

D. The use permit may be revoked if any of the terms and conditions of such permit are violated or if any acts or omissions of the permittee in connection with the use authorized by the permittee constitute a public nuisance.

### 17.83.050 Temporary occupancy in non-residential zoning districts.

Subject to the provisions of Section. 17.83.060, a mobile home or recreational vehicle may be temporarily located and occupied in a non-residential zoning district for the purposes described in this section, except that camper shells may be occupied only when attached to the transporting vehicle:

A. For purposes of conducting business on a lot zoned for such use and upon which a permanent structure is constructed, provided that the permanent structure has been damaged and cannot be reoccupied until repairs or reconstruction are complete.

B. As a residence for security purposes on a lot zoned for commercial or manufacturing uses.

### 17.83.060 Non-residential zone occupancy permit--application, issuance, and expiration.

A. An administrative permit authorizing occupancy of the mobile home or recreational vehicle in a non-residential zoning district shall be obtained within five working days after a mobile home or recreational vehicle is moved onto a lot and is occupied and will continue to be occupied without being attached to a permanent foundation.

B. The permit may be issued by the Planning Director, with appeal to the Planning Commission. An application for a permit shall be accompanied by a written statement supporting the need for the requested occupancy.

C. The permit shall be valid for a period of three months, and may be renewed once by the Planning Director for another three months. Additional renewals shall require approval of the Planning Commission, and shall be based upon evidence of good faith effort to eliminate the need for occupying mobile structures which are not attached to a permanent foundation.

### 17.83.070 Occupancy which is permitted in any zoning district.

A. One mobile home may be temporarily located on a lot where a permanent dwelling is under construction, providing the applicant for the mobile home obtains a temporary use permit approved by the zoning administrator which shall be valid for one year from the date of issue. Occupancy of the mobile home shall be confined to those persons who intend to reside in the dwelling under construction providing that location of the mobile home conforms to all site requirements and meets all city building health and safety codes applicable to the zone in which the mobile home is located, except for conditions exempted herein.

B. A temporary tract office in any district shall be located on the property to which it is appurtenant. A conditional use permit may be granted which shall be limited to a six-month period. At the expiration of the use permit the applicant may request a further six-month

extension of time. Otherwise, within thirty days of the expiration of said permit, said tract office shall be removed at the expense of the owner.

C. A mobile or modular structure may be occupied on a lot without being placed on a permanent foundation, provided that:

1. The structure is to be used in conjunction with a school or day care facility.

2. The structure will be removed from the site for a portion of each year.

3. A building permit must be obtained for each annual installation and removal of the structure.

4. Each annual installation of the structure must be consistent with whatever building codes are in effect at the time of installation.

**SECTION 30**: Rescind Chapter 17.44 and portions of Ordinance 458-1984 §1(part), Ordinance 542-1989 §1 (part), and replace with the following Chapter 17.84 "Home Occupations" to provide the restructuring of Title 17:

### **Chapter 17. 84 HOME OCCUPATIONS**

17.84.010 Intent.

17.84.020 Regulations.

### 17.84.010 Purpose.

The purpose of home occupation regulations is to allow limited business activities in residential districts when conducted by the occupants of a dwelling in a manner wholly accessory to and compatible with residential characteristics.

#### 17.84.020 Regulations.

A home occupation is permitted as an accessory activity to any dwelling unit, subject to the following regulations:

A. The business shall be conducted entirely within the dwelling or accessory building.

B. Employment shall be limited to members of the family residing on the premises, and to one additional nonresident employee.

C. The total floor area used for the home occupation, including area within accessory buildings, shall be less than forty percent of the gross floor area of the dwelling unit.

D. Signs shall be limited to one unlighted sign, not more than four square feet in area. Such sign may be attached flat on the building wall or may be located elsewhere on the site, but may not be located on an easement, public right-of-way or required side yard. Minimum setback shall be ten feet from the street curb. No signage is allowed in the R-3 and R-4 residential districts.

E. The use shall not generate traffic, noise, vibration, dust, odor, heat, light, glare, electrical interference, solid waste, or other characteristics in excess of that customarily associated with similar residential uses in the general vicinity.

F. No equipment, materials, or products associated with the use shall be stored or displayed where visible from off the premises.

G. Home occupations may be permitted subject to obtaining a home occupation permit.

1. Permits--Applications. Applications for home occupation permits shall be made in writing by the owner of the property, lessee, purchaser in escrow with the written consent of the property owner. Applications shall be on forms provided by the Planning Department. All applications shall be accompanied by a fee. The fee for the Home Occupation Permit shall be set by resolution of the City Council.

2. Permits--Issuance. Upon receipt of the application the City Administrator/designee shall determine if the application meets the requirements of this section. The approval of a home occupation permit may include such conditions as is deemed necessary and reasonable to comply with subsection E of this section.

3. Permits--Business License. Upon securing a home occupation permit, the applicant must secure a City business license.

4. Appeal. Any applicant for a home occupation permit, which has been denied a permit, may appeal the decision within ten calendar days. Such appeal shall be in writing to the Planning Commission, which shall conduct a hearing in public within thirty days of receipt of the appeal to the Planning Department.

**SECTION 31**: Rescind Chapter 17.45 and portions of Ordinance 637-1994 (part), Ordinance 807-2013 §5 (part), and replace with the following Chapter 17.85 "At-Home Commercial Services in Residential Zones" to provide the restructuring of Title 17:

### **Chapter 17.85 At-Home Commercial Services in Residential**

### Zones

17.85.010 Intent.

17.85.020 Regulations.

### 17.85.010 Intent.

The purpose of the at-home commercial service regulations is to allow businesses to provide services within residential neighborhoods for the convenience of those seeking the services, in a manner that is acceptable to the larger residential neighborhood.

### 17.85.020 Regulations.

Commercial activities are permitted in residential zoning districts under the following circumstances:

A. The activity must occur there (as with yard maintenance, large appliance repair, construction, etc.), or,

B. The activity is offered in a commercial zone and it can be conducted elsewhere, but one of the following will occur:

1. The activity can and will be conducted indoors, or will not otherwise be readily visible or audible to surrounding properties, or

2. The activity will be completed within one day - between the hours of 8 to 5 -- if it is conducted outdoors and is readily audible and/or visible to surrounding properties (as in hiring someone to rebuild a car in a residential driveway instead of in a commercial shop).

C. At-home commercial uses must apply for and receive a home occupation permit in accordance with Chapter 17.84.

D. Cottage Food Operations pursuant to Chapter 17.22.025. An application for a permit is required to use a residence as any Class A or Class B cottage food operation that complies with requirements concerning noise control, nuisance, waste, traffic control, and parking. The permit issued shall be approved by the city administrator/designee and may have certain locational, site specific conditions of approval.

1. A "Class A" cottage food operation, which is a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales venues described in paragraph (4) of subdivision (b).

2. A "Class B" cottage food operation, which is a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues described in paragraph (4) of subdivision (b), from offsite events, or from a third-party retail food facility described in paragraph (5) of subdivision (b).

3. "Cottage food products" means non-potentially hazardous foods, including foods that are described in Section 114365.5 and that are prepared for sale in the kitchen of a cottage food operation. This list of non-potentially hazardous foods shall include, but not be limited to, all of the following:

a. Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.

- b. Candy, such as brittle and toffee.
- c. Chocolate-covered nonperishable foods, such as nuts and dried fruit.
- d. Dried fruit.
- e. Dried pasta.
- f. Dry baking mixes.
- g. Fruit pies, fruit empanadas, and fruit tamales.
- h. Granola, cereals, and trail mixes.
- i. Herb blends and dried mole paste.
- j. Honey and sweet sorghum syrup.
- k. [Reserved]

1. Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations.

- m. Nut mixes and nut butters.
- n. Popcorn.
- o. Vinegar and mustard.
- p. Roasted coffee and dried tea.
- q. Waffle cones and pizelles.

**SECTION 32**: Rescind Chapter 17.51 and portions of Ordinance 495-1986 §1 (part), Ordinance 596-1986 §1 (part), and replace with the following Chapter 17.86 "Satellite Antennas and Equipment" to provide the restructuring of Title 17:

### Chapter 17.86 SATELLITE ANTENNAS AND EQUIPMENT

| 17.86.010 | Intent.                   |
|-----------|---------------------------|
| 17.86.020 | Findings and declaration. |
| 17.86.030 | Definitions.              |
| 17.86.040 | Permits.                  |
| 17.86.050 | Regulations.              |
| 17.86.060 | Nonexclusive regulations. |
|           |                           |

### 17.86.010 Intent.

The purpose of this chapter is to regulate the installation of satellite antennas in all zoning districts within the city.

### 17.86.020 Findings and declaration.

The City Council finds that the installation of satellite antennas and equipment can, unless controlled, affect the aesthetic and safety values of agricultural, residential, commercial and industrial areas. Therefore, the installation of these antennas and equipment is regulated to result in locations which are least visible from public rights-of-way in the vicinity, while not burdening adjacent property owners with adverse visual impacts.

### 17.86.030 Definitions.

As used in this chapter, "satellite antenna" means a device designed to receive signals transmitted from orbiting satellites or radio frequencies.

### 17.86.040 Permits.

A. All satellite antenna installations shall require a building permit excepting those types for household television use that accompany the installations by service vendors and are no larger than 18-24" in diameter. A fee determined by City Council resolution, and plot plan must accompany all permit applications. Failure to acquire a permit prior to installation shall result in a double fee penalty. The acquisition of a permit shall be the responsibility of the property owner or lessee.

B. A use permit shall be required for:

1. Placement of a satellite antenna in yard setback areas in all zones; Placement of satellite antenna on top of or above any roof in residential zones. Television communication antennas are allowed to be placed on the eave or sides of structures.

2. Any height greater than the ridge of a roof within any zone.

### 17.86.050 Regulations.

A. No advertising or signage material shall be allowed on satellite antennas in residential zones.

B. The City shall inspect locations of all sites proposed for satellite antennas to assure compliance with all applicable laws.

C. Satellite dish setback from a property line shall be five feet plus one-half of the diameter of the dish from the support pole. Support poles or structures shall be reviewed and approved by the Building Department.

D. Antenna installation shall comply with all applicable building codes and similar regulations.

#### 17.86.060 Non-exclusive regulations.

This chapter supplements and is in addition to other regulatory codes, statutes and ordinances.

**SECTION 33**: Rescind Chapter 17.60 and portions of Ordinance 522-1987 §2 (part), and replace with the following Chapter 17.87 "Recycling Facilities" to provide the restructuring of Title 17:

### **Chapter 17.87 RECYCLING FACILITIES**

- 17.87.010 Recycling activities not permitted in residential zones.
- 17.87.020 Processing facility allowed by use permit in industrial zones.
- 17.87.030 Reverse vending machines, recycling center and recycling locations occupying less than eighty square feet--administrative permit required.
- 17.87.040 Small collection facilities--permit required.
- 17.87.050 Facilities exceeding five hundred square feet in area--permit required.
- 17.87.087 Administrative permits issued by Planning Department.
- 17.87.070 Permit criteria.

#### 17.87.010 Recycling activities not permitted in residential zones.

There shall not be permitted any recycling center, recycling location, reverse vending machine, recycling facility, collection facility, processing center or mobile recycling unit within any R-S, R-1, R-2, R-3, R-4 or AR-5 zone.

### 17.87.020 Processing facility allowed by use permit in industrial zones.

A processing facility shall not be allowed in any zone except for zones M-1, M-2, or M-3 zone without a use permit.

# 17.87.030 Reverse vending machines recycling centers and recycling locations occupying less than eighty square feet--administrative permit required.

Recycling centers, recycling locations, reverse vending machines and collection facilities which occupy less than eighty square feet are permitted only in C-1, C-2, M-1, M-2, and M-3 zones upon acquisition of an administrative use permit for such use. The permit applicant shall meet those criteria specified in Section 17.87.070A.

### 17.87.040 Small collection facilities-permit required.

Recycling centers, recycling locations, reverse vending machines and collection facilities which occupy an area of not more than five hundred square feet are permitted only within zones C-2, M-1, M-2, and M-3 upon issuance of an appropriate permit therefor. The criteria for such a permit are set forth in Section 17.87.070B.

### 17.87.050 Facilities exceeding five hundred square feet in area--permit required.

No recycling center, recycling location, reverse vending machine, recycling facility, collection facility, processing center or mobile recycling unit which occupies an area greater than five hundred square feet shall be permitted in any zone except zones C-2, M-1, M-2, and M-3 and only after so authorized by appropriate use permit. The criteria for issuance of such a permit are delineated in Section 17.87.070C.

### 17.87.087 Administrative Permits issued by Planning Department.

A. The permits prescribed in Sections 17.87.030 and 17.87.040 shall be issued by the Planning Department. Applicants for such permits shall submit all information necessary to allow Planning Department a determination whether the criteria for the specific permit has been fulfilled. All applications shall be accompanied by a fee, the amount of which shall be set by resolution of the City Council.

A single administrative permit may be granted to allow more than one reverse vending machine or small collection facility (five hundred square feet or less) located on different sites so long as the operator of each of the proposed facilities is the same, the proposed facilities are determined by the Planning Department to be similar in nature, size, and intensity of activity and all of the applicable criteria and standards with respect to the permits sought are met for each such proposed facility.

Those recycling facilities permitted with an administrative permit shall meet all of the applicable criteria and standards listed for that permit. Those recycling facilities permitted by use permit shall meet the applicable criteria and standards provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this section and the purposes of this title.

B. The applicant shall maintain all conditions and requirements imposed by any permit issued pursuant to this title and the failure to abide by such conditions may be grounds for revocation of

the permit and may likewise be punishable as an infraction for each day that the applicant fails to abide by the conditions of any permit issued hereunder. This subsection is not limiting insofar as the City reserves unto itself any other remedy available to it by law by virtue of an applicant's noncompliance with an issued permit and is not limited solely by revoking said permit and/or prosecuting the violations thereof as an infraction.

C. Any applicant may appeal the denial of a permit or the conditions imposed by the approval of an administrative permit or use permit may pursuant to Chapter 17.02 by the Planning Department provided that a written notice of appeal is delivered to the city clerk not later than ten days following the date that the applicant is given written notice (either by mail or personal delivery) that a permit application has been denied or that a permit has been issued.

### 17.87.070 Permit criteria.

A. Applicants for a permit issued pursuant to Section 17.87.030 shall demonstrate that their recycling center, recycling location, reverse vending machine, recycling facility or collection facility complies with the following standards:

1. The facility shall be established in conjunction with a commercial use or community service facility which is in compliance with the zoning, building and fire codes of the city;

2. The facility shall be located within thirty feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;

3. The facility shall not occupy parking spaces required by the primary use;

4. The facility shall occupy no more than eighty square feet of floor space per installation, including any protective enclosure and shall be no more than eight feet in height;

5. The facility shall be constructed and maintained with durable waterproof and rustproof material;

6. The facility shall be clearly marked to identify the type of material to be deposited, operating instructions and the identity and phone number of the operator or responsible person to call if the machine is inoperative;

7. The facility shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions;

8. The facility shall be maintained in a clean, litter-free condition on a daily basis;

9. The facility's operating hours shall be at least the operating hours of the host use;

10. The facility shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn;

11. The facility shall comply with such other requirements as the Planning Department determines are necessary in light of the facility proposed by the applicant.

B. Applicants for a permit issued pursuant to Section 17.87.040 shall demonstrate that their recycling center, recycling location, reverse vending machine, recycling facility or small collection facility complies with the following standards:

1. The facility shall be established in conjunction with an existing commercial use or community service facility which is in compliance with the zoning, building and fire codes of the city;

2. The facility shall be no larger than five hundred square feet and occupy no more than five parking spaces not including space that will be periodically needed for removal of materials or exchange of containers;

3. The facility shall be set back at least ten feet from any street line and shall not obstruct pedestrian or vehicular circulation;

4. The facility shall accept only glass, metals, plastic containers, papers and reusable items. Used motor may be accepted with permission of the local public health official;

5. The facility shall use no power-driven processing equipment except for reverse vending machines;

6. The facility shall use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;

7. The facility shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present;

8. The facility shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;

9. The facility shall not exceed noise levels of sixty dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed seventy dBA;

10. Attended facilities located within one hundred feet of a property zoned or occupied for residential use shall operate only during the hours between nine a.m. and seven p.m.;

11. Containers for the twenty-four hour donation of materials shall be at least thirty feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;

12. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;

13. Signs may be provided as follows:

a. Recycling facilities may have identification signs with a maximum of twenty percent per side or sixteen square feet, whichever is larger, in addition to informational signs required in subsection B(12) of this section; in the case of a wheeled facility, the side will be measured from the pavement to the top of the container,

b. Signs must be consistent with the character of the location,

c. Directional signs, bearing no advertising message, may be installed with approval of the Planning Department if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way,

d. The Planning Department may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses;

14. The facility shall not impair the landscaping required by local ordinances for any concurrent use by this title or any permit issued pursuant thereto;

15. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;

16. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;

17. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all the following conditions exist:

a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation,

b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;

c. The permit will be reconsidered at the end of eighteen months. A reduction in available parking spaces in an established parking facility may then be allowed as follows:

1) For a commercial host use:

| Number of Available Parking Spaces | Maximum Reduction |
|------------------------------------|-------------------|
| 025                                | 0                 |
| 2635                               | 2                 |
| 3649                               | 3                 |
| 5099                               | 4                 |
| 100+                               | 5                 |

2) For a community facility host use, a maximum five spaces, reduction will be allowed when not in conflict with parking, needs of the host use;

18. If the permit expires without renewal, the collection facility shall be removed from the site on the day following permit expiration;

19. The facility shall comply with such other requirements as the Planning Department determines are necessary in light of the facility proposed by the applicant.

C. Applicants for a permit issued pursuant to Section 17.87.050 shall demonstrate that their recycling center, recycling location, reverse vending machine, recycling facility or large collection facility complies with the following standards:

1. Facility does not abut a property zoned or planned for residential use;

2. Facility will be screened from the public right-of-way by operating in an enclosed building or:

a. Within an area enclosed by an opaque fence at least six feet in height with landscaping,

b. At least one hundred fifty feet from property zoned or planned for residential use, and

c. Meets all applicable noise standards in this chapter;

3. Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located;

4. All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Gridley fire chief. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing;

5. Site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis;

6. Space will be provided on site for six vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the Planning Department determines that allowing over-flow traffic above six vehicles is compatible with surrounding businesses and public safety;

7. One parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements will be as provided for in the zone, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility;

8. Noise levels shall not exceed sixty dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed seventy dBA;

9. If the facility is located within five hundred feet of property zoned, planned or occupied for residential use, it shall not be in operation between seven p.m. and seven a.m.;

10. Any containers provided for after-hours donation of recyclable materials will be at least fifty feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials;

11. Donation areas will be kept free of litter and any other undesirable material, and the containers will be clearly marked to identify the type of material that may be deposited; facility shall display a notice stating that no material shall be left outside the recycling containers;

12. Facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the Planning Department, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;

13. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, shall be approved through a use permit process;

14. The facility shall comply with such other requirements as the Planning Department determines are necessary in light of the facility proposed by the applicant.

**SECTION 34**: Rescind Chapter 17.65 and portions of Ordinance 737-2004 and replace with the following Chapter 17.88 "Prohibiting Medical Marijuana Dispensary" to provide the restructuring of Title 17:

### Chapter 17.88 PROHIBITING MEDICAL MARIJUANA DISPENSARY

- 17.88.010 Definition of a medical marijuana dispensary
- 17.88.020 Not an allowable use
- 17.88.030 Use is not a home occupation
- 17.88.040 Applicability

### 17.88.010 Definition of a medical marijuana dispensary.

"Medical Marijuana Dispensary" or "Dispensary" means any facility or location where medical marijuana is made available to and/or distributed by or to three or more of the following; a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses area otherwise regulated by this code or applicable law; a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility license pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of the Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code § 11362.5 et seq.

### 17.88.020 Not an allowable use.

A medical marijuana dispensary is not an allowable use within any district of the City of Gridley.

### 17.88.030 Use is not a home occupation.

A medical marijuana dispensary is not permitted as a home occupation in any district within the City of Gridley.

### 17.88.040 Applicability.

This chapter becomes applicable when medical marijuana dispensaries become legal under Federal and State law.

**SECTION 35**: Rescind Chapter 17.66 and portions of Ordinance 779-2008 (part), and replace with the following Chapter 17.89 "Special Situations" to provide the restructuring of Title 17:

## **Chapter 17.89 SPECIAL SITUATIONS**

| 17.89.010 | Intent  |
|-----------|---|
| 17.89.020 | Applicability   |
| 17.89.030 | Definitions   |
| 17.89.040 | Prohibition of Marijuana Cultivation, Processing, Transport and/or Deliveries                                     |
| 17.89.050 | Separation of Section 17.89.040   |
| 17.89.060 | Cultivation of Marijuana in Residential/Commercial Zone<br>District for Personal Use                              |
| 17.89.070 | Prohibition of Medical Marijuana Collectives, Cooperatives, Dispensaries, Processing, Transport and/or Deliveries |
| 17.89.080 | Separation of Section 17.89.070   |
| 17.89.090 | Medical Marijuana Collectives,<br>Cooperatives, and Dispensaries  |
| 17.89.100 | Enforcement   |
|           |   |

### 17.89.010 Intent

A. The City Council hereby finds that the cultivation of medical marijuana significantly impacts, or has the potential to significantly impact, the City's jurisdiction. These impacts include damage to buildings in which cultivation occurs, improper and dangerous electrical alterations and use, inadequate ventilation, increased occurrences of home-invasion robberies and similar crimes, nuisance impacts to neighboring properties due to noxious odors, and increased crime.

B. It is acknowledged that the voters of the State of California have provided a criminal defense to the cultivation, possession, and use of marijuana for medical purposes through the adoption of the Compassionate Use Act in 1996 pursuant to Proposition 215 codified in Health and Safety Code section 11362.5. The Compassionate Use Act (CUA) does not address land use or other impacts that result from the cultivation of medical marijuana.

C. The purpose of this section is to adopt rules consistent with the CUA and the Medical Marijuana Program Act (MMPA) commencing with Health and Safety Code section 11362.7 to regulate medical marijuana in a manner that protects the public health, safety, and welfare of the community, prevent adverse impacts which such activities may have on nearby properties and residents without interfering with the rights of qualified patients and their primary caregivers to possess or cultivate medical marijuana pursuant to state law.

D. The CUA is limited in scope providing a defense from criminal prosecution for possession and cultivation of marijuana to qualified patients and their primary caregivers. The scope of the MMPA is also limited; it established a statewide identification program of qualified patients, persons with identification cards, and their primary caregivers providing an affirmative defense to certain enumerated criminal sanctions that would otherwise apply to transporting, processing, administering or distributing marijuana.

E. The CUA and MMPA do not appear to have facilitated the stated goals of providing access to marijuana for patients in medical need of marijuana; the predominant use of marijuana continues to be for recreational and not medicinal purposes. The report entitled, "California Chiefs Association Position Paper on Decriminalizing Marijuana" (September, 2009), states, "[i]t has become clear, despite the claims of use by critically ill people that only about 2% of those using crude marijuana for medicine are critically ill. The vast majority of those using crude marijuana as medicine are young and are using the substance to be under the influence of THC [tetrahydrocannabinol] and have no critical medical condition."

F. Facilities purportedly dispensing marijuana for medicinal purposes are commonly referred to as medical marijuana dispensaries, medical marijuana cooperatives or medical marijuana collectives; however, these terms are not defined anywhere in the CUA or MMPA. Significantly, nothing in the CUA or MMPA specifically authorizes the operation and the establishment of medical marijuana dispensing facilities.

G. The CUA and the MMPA do not require or impose an affirmative duty or mandate upon local governments, such as the City of Gridley, to allow, authorize, or sanction the establishment and/or the establishment and operation and of facilities dispensing medical marijuana within its jurisdiction. Moreover, the CUA/MMPA do not create a constitutional right to obtain medical marijuana.

H. It is critical to note that neither Act abrogates the City's powers to regulate for public health, safety, and welfare. Health and Safety Code section 11362.5(b) (2) provides that the Act does not supersede any legislation intended to prohibit conduct that endangers others. In addition, Health and Safety Code section 11352.83 authorizes cities and counties to adopt and enforce rules and regulations consistent with the MMPA.

I. On August 25, 2008, Edmond G. Brown, the California Attorney General, issued "Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use" (the Attorney General Guidelines"), which sets regulations intended to ensure the security and non-diversion of marijuana grown for medical use by qualified patients. Health and Safety Code section 11362.81(d) authorizes the Attorney General to "develop and adopt appropriate guidelines to ensure the security and non-diversion of marijuana grown for medical use by patients qualified under" the CUA/MMPA. Nothing in the Guidelines imposes an affirmative mandate or duty upon local governments, such as the City of Gridley, to allow, sanction, or

permit the establishment and/or the operation of facilities dispensing marijuana within their jurisdictional limits.

J. Marijuana remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, *et. seq.* and is classified as a "Schedule I Drug" which is defined as a drug or other substance that has a high potential for abuse, which is not currently accepted as medical use for treatment in the United States, and it has not been accepted as safe for its use under medical supervision. Furthermore, the Federal Controlled Substances Act (FCSA) makes it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense marijuana. The Federal Controlled Substances Act contains no statutory exemption for the possession of marijuana for medical purposes. The City of Gridley does not wish to be in violation of federal law.

K. The City has the power to regulate permissible land uses throughout the City and to enact regulation for the preservation of public health, safety, and welfare of its residents and community pursuant to the City of Gridley's police powers as authorized in Article XI, Section 7 of the California Constitution. The City also has the power through the City Council to declare actions and activities that constitute a public nuisance pursuant to Government Code 38771.

L. The City Council finds that neither the CUA nor the MMPA preempts the City's exercise of its traditional police powers in enacting land use and zoning regulations, as well as legislation for preservation of public health, safety, and welfare, such as this zoning ordinance prohibiting the cultivation and establishment and operation of medical marijuana cooperatives and collectives within the City.

M. The City Council finds that the public health, safety, and general welfare of the City and its residents necessitates and requires the adoption of this zoning ordinance, prohibiting the cultivation and the establishment and operation of medical marijuana cooperatives and collectives, and prohibits the processing, transport and/or delivery of marijuana and its products in order to: (a) protect and safeguard against the detrimental secondary negative effects and adverse impacts of facilities dispensing medical marijuana; (b) preserve and safeguard minors, children, and students in the community from the deleterious impacts of medical marijuana cultivation and facilities; and (c) preserve the City's law enforcement services, in that monitoring and addressing the negative secondary effects and adverse impacts will likely burden the City's law enforcement resources. The City Council further finds that due to negative secondary effects and adverse impacts of facilities dispensing medical marijuana, the establishment and operation of these facilities will negatively impact the City.

N. The zoning code, Title 17, of the Gridley Municipal Code, is consistent with the City of Gridley 2030 General Plan's goals, policies, and objectives and do not permit or contemplate the cultivation of marijuana nor the establishment or operation of medical marijuana cooperatives, collectives, or similar facilities that engage in dispensing of marijuana for medical purposes.

#### 17.89.020 Applicability

A. Nothing in this Chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution under the CUA/MMPA.

B. Nothing in this Chapter is intended, nor shall it be construed, to make legal any cultivation, sale or other use of medical marijuana that is otherwise prohibited under California law.

C. Nothing in this Chapter is intended, nor shall it be construed, to preclude any landlord from limiting or prohibiting medical marijuana cultivation by tenants.

D.Nothing in this Chapter is intended, nor shall it be construed to exempt any activity related to the cultivation of medical marijuana from any applicable electrical, plumbing, land use, or other building or land use standards or permitting requirements.

E. All cultivation and sale of medical marijuana within the City shall be subject to the provisions of this Chapter.

F. Any medical marijuana cultivation that legally occurred prior to the effective date of this ordinance does not have non-conforming rights provided in Chapter 17.52.

#### 17.89.030 Definitions.

As used herein the following definitions shall apply:

A. "Cultivation" means the planting, growing, harvesting, drying, or processing of marijuana plants or any part thereof.

B. "Fully enclosed and secure structure" means a space within a building that complies with the California Building Code, as adopted in the city, or, if exempt from permit requirements, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two inch by four inch (2" x 4") or thicker studs overlaid with three-eighths inch (3/8") or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California Building, Electrical, and Fire Codes as adopted in the city.

C. "Immature marijuana plant" means a marijuana plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination.

D. "Indoors" means within a fully enclosed and secure structure.

E. "Mature marijuana plant" means a marijuana plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.

F. "Medical marijuana" means marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

G. "Medical marijuana collective, cooperative, or dispensary" means a collective, cooperative, dispensary, operator, establishment, provider, association or similar entity that cultivates, distributes, delivers or processes marijuana for medical purposes relating to a qualified patient or primary caregiver, pursuant to the CUA and MMPA.H.

H. "Outdoor" means any location within the city that is not within a fully enclosed and secure structure.

I. "Parcel" means property assigned a separate parcel number by the Butte County Assessor.

J. "Primary caregiver" means a primary caregiver as defined in Health and Safety Code Section 11362.7(d).

K. "Qualified patient" means a qualified patient as defined in Health and Safety Code Section 11362.7(f).

# 17.89.040 Prohibition of Marijuana Cultivation, Processing, Transport and/or Deliveries

A. Marijuana cultivation by any person, including primary caregivers and qualified patients, collectives, cooperatives or dispensaries is prohibited in all zone districts within the City of Gridley.

B. All transport and/or deliveries of medical cannabis are expressly prohibited within the City of Gridley. No person shall conduct any transport and/or deliveries that either originate, terminate, or pass through within the City limits.

C. All commercial processing of medical cannabis is expressly prohibited within the City of Gridley.

## 17.89.050 Separation of Section 17.89.040

If Section 17.89.040, or any subsection, sentence, clause, phrase or portion of Section 17.89.040 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section 17.89.060 shall apply in lieu of Section 17.89.040.

# 17.89.060 Cultivation of marijuana in Residential/Commercial Zone Districts for Personal Use.

It is unlawful to cultivate medical marijuana in any zone district allowing residential use by right including AR-5, R-1, R-2, R-3, R-4, R-S, PD, and MUCZ, DMU, OR NMU (Mixed Use) Overlay, or, zone districts allowing residential use by conditional use permit including C-1, C-2, M-1,M-2, and M-3, overlay zones unless a zoning Administrative Review is first secured and all of the following criteria are met:

A. Indoor cultivation: Medical marijuana may be cultivated only in a fully enclosed and secure structure (refer to number 5 below)by a qualified patient or primary caregiver in a residential zone (AR-5, R-1, R-2, R-3, R-4, R-S, PD, MUCZ, DMU, and NMU and with a conditional use permit within the C-1, C-2, M-1, M-2, and M-3 zones) if an administrative review is first secured and all of the following criteria are met:

- 1. The applicant must reside on the property and must be either a qualified patient or primary caregiver.
- 2. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within the city to cause or allow such parcel to be used for the cultivation of marijuana, unless the person is a qualified patient or primary caregiver, growing the amount of marijuana per qualified patient authorized by Health and Safety Code Section 11362.77(a) (b) and (d) (f), not to exceed the per parcel limit in subsection B of this section.

- 3. The owner of the property, if other than the applicant, has consented in writing to the cultivation of marijuana on the property. A notarized affidavit from the owner and proof of property ownership shall be submitted to the City with the application for an administrative review.
- 4. No plants may be cultivated within the primary living unit, second unit, nor garage area whether attached or detached. The cultivation of the plants shall occur within an accessory building separated by a minimum of six (6) feet from the garage and/or primary/second unit(s) area and shall be at least thirty (30) feet from any habitable and/or garage structure on any adjacent property.
- 5. The accessory building shall be:
  - a. no greater than 120 square feet calculated from the outside wall dimensions;
  - b. constructed on a concrete foundation/slab, with a minimum 2" x 4" stud wall construction having an exterior finish to match the existing primary residence;
  - c. provided with no more than 1200 watts of power for use in the structure provided with a subpanel at the accessory structure and a meter that can verify the amount of use;
  - d. shall have all electrical, exhaust, piping, supply lines, and water lines reviewed and approved by the City's Building Official;
  - e. screened and not visible from other adjacent property;
  - f. reviewed, inspected, and approved by the City Building Official.
  - g. located no closer than 1,000 feet from any school, childcare, or residential day care for children and adults, nor shall it be located within 1,000 of any residential development of other sensitive populations such as seniors, disabled, and/or developmentally disabled persons.
  - h. located no closer than 600 feet from any restaurant, food preparation for public consumption, or cottage food operator;
  - i. The site is not within 1,000 feet of any park, library or recreational area commonly used by minor children.
  - j. The existence of city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.
  - k. A map that reflects the restrictive distances noted above shall be submitted with the application for administrative review.
- 6. No compressed gases shall be stored within the accessory structure nor used to enhance the growth of the cultivated marijuana including but not limited to propane, butane, oxygen, carbon dioxide, or others. The City's staff may enter the site upon issuance of a 24 hour notice, or as determined if there exists health and safety concerns and may consist of the City's code enforcement officer, fire marshal, building official, or others and shall inspect the premises at least one time/year or as needed based upon complaint.
- 7. The cultivation of medical marijuana shall not be an allowed home occupation nor as a cottage food operator.

- 8. All cultivated marijuana is for the personal use for a qualified patient residing on the property and none of the cultivated marijuana may be distributed in any form, crude leaf, distilled, and or in foods to any other person, collective, cooperative, or dispensary and if so, may be prosecuted under the fullest extent of the law.
- 9. The Administrative Review approval is valid for a period of one year and may be extended annually provided the conditions with which the original approval and any other conditions required based on potential changed circumstances on the site. The administrative review extension shall be applied for a minimum of 30 days prior to the expiration of the original review approval.

B. Outdoor cultivation: It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the city to cause or allow such premises to be used for the outdoor cultivation of marijuana plants.

### 17.89.070 Prohibition of Medical Marijuana Collectives, Cooperatives, Dispensaries, Processing, Transport and/or Deliveries

A. Medical marijuana collectives, cooperatives and dispensaries are not permitted in any zone district within the City of Gridley.

B. All transport and/or deliveries of medical cannabis are expressly prohibited within the City of Gridley. No person shall conduct any transport and/or deliveries that either originate, terminate, or pass through within the City limits.

C. All commercial processing of medical cannabis is expressly prohibited within the City of Gridley.

## 17.89.080 Separation of Section 17.89.070

If Section 17.89.070, or any subsection, sentence, clause, phrase or portion of Section 17.89.070 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section 17.89.090 shall apply in lieu of Section 17.89.070.

## 17.89.090 Medical Marijuana Collectives, Cooperatives, Dispensaries

A. Purpose: To establish a comprehensive set of regulations applicable to the operation of medical marijuana dispensaries within the City to insure such operation in a manner consistent with the overall health, welfare and safety of the City and its populace and in compliance with the California Compassionate Use Act.

B. Allowed zone districts: Medical marijuana dispensaries are allowed in the Limited Commercial(C-1), General (C-2), and Industrial (M-1, M-2, and M-3) Zone Districts, subject to an approved use permit in compliance with Chapter <u>17.08</u>, and provided that all of the criteria provided below can be satisfied.

- 1. The site is not within 1,000 feet of any public or private school for grades kindergarten through 12, any preschool or licensed child care facility.
- 2. The site is not within 500 feet of any residential use, residential area or residential zone.
- 3. The site is not within 1,000 feet of any park, library or recreational area commonly used by minor children.
- 4. The site is not within 500 feet of any adult business which sells or provides in any manner drug paraphernalia.
- 5. The site is located no closer than 600 feet from any restaurant, food preparation for public consumption, or cottage food operator;
- 6 A map that reflects the restrictive distances noted above shall be submitted with the application for administrative review.

C. Needed information: In addition to the information required by the City for any potential use permit application or any potential business license application, persons or entities making such application(s) for the establishment of a medical marijuana dispensary shall also provide the following information with the application(s).

- 1. The application must be signed by the owner, lessee or agent who is applying for the use permit or business license and the owner, lessee or agent shall specifically identify the individuals who will be conducting the business of the medical marijuana dispensary for the premises for which the permit or license is sought. In the case of a lessee of a property applying for a permit pursuant to this chapter, the property owner shall acknowledge on the application consent to the application for a use permit for a medical marijuana dispensary.
- 2. The owner of the property, if other than the applicant, has consented in writing to the cultivation of marijuana on the property. A notarized affidavit from the owner and proof of property ownership shall be submitted to the City with the application for an administrative review.
- 3. The application shall list the legal form of the applicant, e.g., individual, partnership, corporation.

a. If the applicant is an individual, the application shall list his or her legal name, any aliases and date of birth;

b. If the applicant is a partnership, the application shall list the full and complete name of the partnership, the legal names and addresses of all partners, dates of birth, all aliases used by all of the general partners and whether the partnership is general or limited; and,

c. If the applicant is a corporation, the applicant shall list the full and complete corporate name, the date and status of its incorporation, evidence that the corporation is in good standing, the legal names and dates of birth and aliases used and the capacity of all officers, directors and principal stockholders (i.e., all stockholders with 10 percent or more of all outstanding shares, and the name and addresses of the registered officers for service of process.

4. The application must list whether, preceding the date of the application, the applicant or any individuals listed pursuant to subsection C.2. of this section has:

a. Other licenses and/or permits issued to and/or revoked from the applicant, in the three years prior to the year of the permit application, such other license and/or permit relating to similar business activities as in the permit application. If the application lists such other licenses and/or permits, the list shall include the type, current status and issuing agency for each permit;

b. Been a partner in a partnership or an officer, director or principal stockholder of a corporation which has had any other licenses and/or permits, relating to similar business activities as in the permit application, issued to and/or revoked in the three years prior to the year of the permit application. The type, current status, and issuing agency for each previously issued or revoked licenses and/or permits shall be listed on the application;

c. Been found guilty of or pleaded nolo contendere within the last four years to a misdemeanor or a felony classified by the state as a drug or drug related offense.

**D.** Restrictions on use: The following restrictions/regulations/conditions shall apply to the operation of all medical marijuana dispensaries:

- 1. Hours of operation: Medical marijuana dispensaries shall be restricted to hours of operation between 8 a.m. and 7 p.m.
- 2. Conviction of Crimes: No operator and/or employee of a medical marijuana dispensary shall have been convicted of any felony under state or federal law, convicted of a crime in any other jurisdiction the commission of which would not be a felony under California law, nor convicted of any crime of moral turpitude. All operators and/or employees of a medical marijuana dispensary shall be subject to verification by the City of Gridley of the absence of any disqualifying conviction under this subsection prior to commencement of any such operation and/or employment and annually thereafter, pursuant to reasonable regulations pertaining thereto as established and promulgated by the City.
- 3. Security system: medical marijuana dispensaries shall be equipped with, and the operators of such dispensaries shall maintain in working order at all times burglary/robbery alarms in a manner compliant with the provisions of this code.
- 4. Security Guard: During all hours of operation there shall be, for each 1,000 square feet of occupied building space, or portion thereof, at least one licensed, uniformed security guard present and visible on the premises, i.e., one guard for zero to and including 1,000 square feet, two guards for 1,001 to and including 2,000 square feet, etc.
  - a. Such guards(s) shall be duly licensed by the State of California, Department of Consumer Affairs in a manor compliant with all applicable state and local laws. In particular, all security officers shall comply with the provisions of California Business and Professions Code Section 7582, et seq.
  - b. The presence and licensing of such guards shall be subject to proof thereof by operator(s), employee(s) or security guard(s) of such dispensary at all

required times, upon reasonable demand by any state or federal police officer.

- 5. Use on premises: Use or consumption in any manner of marijuana is not permitted on premises of any medical marijuana dispensary at any time.
- 6. Drug paraphernalia: No medical marijuana dispensary may sell or display any drug paraphernalia on the premises at any time, including but not limited to cocaine and sniffing kits, glass mirrors for cutting cocaine, snorting spoons and tubes, strainers to sift cocaine, water pipes (bongs), everyday items with special removable tops that have been converted to conceal narcotics and drugs, including but not limited to beer cans, oil cans and plastic photograph film vials, roach clips (for holding marijuana cigarettes), cigarette paper or filters or any device similarly representing paraphernalia as noted above.
- 7. Minors: Persons under the age of 18 years of age are not permitted to be on the premises of any medical marijuana dispensary at any time.
- 8. Alcohol: No alcoholic beverage shall be sold, conveyed or consumed on the premises of any medical marijuana dispensary at any time.
- 9. Under the influence: No person shall be present on the premises of a medical marijuana dispensary while intoxicated and/or under the influence of alcohol or any controlled substance at any time, as defined in California Health and Safety Code Section 11007.
- 10. Unobstructed view: The interior of the dispensary shall be configured such that there is an unobstructed view, by use of the naked eye, and unaided by video, closed circuit cameras or any other means, of every public area of the premises by a manager. No public area shall be obscured by any door, curtain wall, two-way mirror or other device. A manager shall be in the public portion of the dispensary at all times it is in operation or open to the public in order to enforce all rules and regulations.
- 11. Exterior painting: Buildings and structures shall not be painted or surfaced with any design that would simulate a sign or advertising message and cannot be established or maintained such that the exterior appearance of the structure is substantially inconsistent with the external appearance of abutting properties.
- 12 Displays: Advertisements, displays of merchandise, signs or any other exhibit depicting activities of the dispensary placed within the interior of buildings of premises shall be arranged or screened to prevent public viewing from outside such building or premises.
- 13. Loudspeakers: Outdoor loudspeakers or other outdoor sound equipment advertising or directing attention to a dispensary, including but not limited to pre-recorded or live music or sounds, are prohibited.
- 14. Graffiti: Upon order of the City Police Department, graffiti appearing on any exterior surface of a building or premises of a dispensary, which graffiti is in

public view, shall be removed and that surface shall be restored within 48 hours of

- 15. Notification to the owner or person in charge of the premises or as may be specified in other ordinances of the City regulating graffiti removal.
- 16 Security cameras: The operator of the medical marijuana dispensary shall be responsible for insuring that a video surveillance system on the premises complies with the following standards:
  - a. Visually records and monitors all parking lot areas, rear alley areas immediately adjacent to the dispensary, the main building entrance(s) and exit(s), and any and all transaction areas for the dispensing of medical marijuana. The operator of the dispensary or his/her designated representative shall instruct the company or individual(s) installing the surveillance equipment at the dispensary to position cameras to maximize the quality of facial and body images and avoid backlighting and physical obstructions. The company or individual(s) installing the surveillance equipment for any medical marijuana dispensary shall be responsible for reasonable compliance with those instructions in installing such equipment at the dispensary.
  - b. Cameras shall have a minimum resolution of 600 lines per inch and a minimum light factor requirement of 0.7 LUX, or if IP a minimum of 1080p. Light sensitive lenses or the installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image.
  - c. The recorded device shall be defined as a "high density recorder" by manufacturer specifications. The device shall be a time-lapse recorder that displays a current date and time stamp on the videotape. Systems required to have more than one camera shall include a "quad" or "multiplexer" video display splitter. The recording equipment and all recorded video tapes kept in compliance with this section shall be secured in a locked area in which access is limited to the dispensary operator, the permit holder, and/or his/her designated representative(s). Recordings shall be kept for a period of one year.
  - d. A display monitor with a minimum screen size of 15 inches shall be connected to the video surveillance system at all times. If a "quad" video display splitter is utilized, the display monitor shall have a minimum screen size of 22 inches.
  - e. Video surveillance systems shall be maintained in good working order at all times. The owner of the dispensary shall instruct each employee, volunteer, agent, servant or other individual overseeing the functioning of the video system, to immediately report any malfunctioning of or technical problems whatsoever with surveillance equipment. Every three months, the operator of the dispensary or his/her designated representative shall inspect all cameras and video recorders to ensure proper operation and shall perform the following functions: the camera lenses shall be cleaned and the date and time stamp shall be calibrated to reflect true information; all wires connected to the camera and video recording device shall be inspected for wear and tear; and, a test recording shall be done to verify

image quality and the date and time stamp. The operator of the dispensary or his/her designated representative shall keep a video surveillance maintenance log documenting all inspections and repairs to the system. Any technical problems or inoperable equipment shall be repaired as soon as possible, not to exceed 15 days from the discovery of the problem. The video surveillance system and maintenance log are subject to periodic inspection by the City, in order to ensure compliance with this section. A copy of the maintenance log shall be submitted to the City when requesting the annual extension of the administrative permit.

- f. The video surveillance system and recording device shall be in continuous operation from one full hour before to one full hour after the dispensary is open to the public, or any portion thereof. Videotapes or digital copies of daily operations shall be kept a minimum of 1 year prior to reuse or destruction of such videotapes, and shall be provided to the City as may be authorized by state and federal law. Such videotapes shall be clearly marked with the date the videotape was most recently recorded, and, in the event there are multiple tapes of the same date, each videotape shall be clearly marked in the sequential numerical order that it was so recorded.
- 17. Lighting shall comply with the following:
  - a. Interior: The premises within which the dispensary is operated shall be equipped with and, at all times during which the dispensary is open to the public or any portion thereof, shall remain illuminated with overhead lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than 40 foot-candles as measured at the floor level.
  - b. Exterior: The exterior of the premise upon which the dispensary is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than two-foot candle as measured at the ground level, including, but not limited to landscape areas, parking lots, driveways, walkways, entry areas and refuse storage areas.
- 18. Change of ownership: If a dispensary operating with a permit pursuant to this chapter changes ownership, the current owner or operator shall notify the Sheriff's Department of the new owner's name and address within 10 days of the effective date of such change of ownership.
- 19. Manager on premises: All dispensaries shall have a responsible person who shall be at least 21 years of age and shall be on the premises to act as manager at all times during which the dispensary is open to the public or any portion thereof. The individual designated as the on-site manager shall be registered with the Sheriff's Department and fingerprinted to receive all complaints and be responsible for all violations taking place on the premises.

- 20. Records and inspection: All dispensaries shall maintain sufficiently detailed written records regarding their verification that medical marijuana is dispensed only to qualified patients and primary caregivers under the California Compassionate Use Act, Health and Safety Code Section 11362.5 et. seq. These written records are subject to periodic inspection by the Sheriff's Department, in order to ensure compliance with this section, as authorized by state and federal law.
- 21. Other conditions: The Planning Commission or City Council may add any conditions to the granting of a permit pursuant to this chapter, should the particular facts and/or circumstances of a propose use sojustify.

E. Operator Responsible: The operator(s) of any medical marijuana dispensary is responsible for insuring at all times that employees, volunteers, agents or any other individuals having any charge over the functioning of the dispensary are acting in compliance with the provisions of this section.

F. Other regulations: The provisions of this section do not waive or modify any other provisions of this code with which medical marijuana dispensaries are required to comply. Nothing in this section is intended to authorize, legalize or permit the establishment, operation or maintenance of any facility, building or use which violates any City of Gridley ordinance or California statute regarding public nuisances, medical marijuana or any federal regulations or statutes.

G. Measure of Distance: All required minimum distances set forth in 17.89.060(A) and 17.89.090 (B) shall be measured from the nearest property line of one designated location to the nearest property line of the other designated location along a straight line extended between the two points without regard to intervening structures.

H. Prohibited in other zone districts: Medical marijuana dispensaries are prohibited in any other zone district other than those listed in this Section.

#### 17.89.100 Enforcement.

A. Public nuisance. The violation of this section is hereby declared to be a public nuisance.

B. Abatement. A violation of this section may be abated by the city attorney by the prosecution of a civil action for injunctive relief and by the summary abatement procedure set forth in subsection C of this section.

C. Summary abatement procedure. The city administrator/designee (hereafter, the "enforcement official"), are hereby authorized to order the abatement of any violation of this section by issuing a notice to abate. The notice shall:

1. Describe the location of and the specific conditions which represent a violation of this section and the actions required to abate the violation.

2. Describe the evidence relied upon to determine that a violation exists, provided that the enforcement official may withhold the identity of a witness to protect the witness from injury or harassment, if such action is reasonable under the circumstances.

3. State the date and time by which the required abatement actions must be completed.

4. State that to avoid the civil penalty provided in subsection C.8. of this section and further enforcement action, the enforcement official must receive consent to inspect the premises where the violation exists to verify that the violation has been abated by the established deadline.

5. State that the owner or occupant of the property where the violation is located has a right to appeal the notice by filing a written notice of appeal with the City Clerk by no later than three (3) business days from the service of the notice. The notice of appeal must include an address, telephone number, fax number, if available, and e-mail address, if available. The city may rely on any of these for service or notice purposes. If an adequate written appeal is timely filed, the owner or occupant will be entitled to a hearing as provided in subsection E. of this section.

6. State that the order to abate the violation becomes final if a timely appeal is not filed or upon the issuance of a written decision after the appeal hearing is conducted in accordance with subsection E. of this section.

7. State that a final order of abatement may be enforced by application to the superior court for an inspection and/or abatement warrant or other court order.

8. State that a final order to abate the nuisance will subject the property owner and the occupant to a civil penalty of One Thousand Dollars (\$1,000.00) for each day that the violation continues after the date specified in the notice under subsection C.3. of this section, when the violation must be abated. The penalty may be recovered through an ordinary civil action, or in connection with an application for an inspection or nuisance abatement warrant.

9. State that in any administrative or court proceeding to enforce the abatement order the prevailing party is entitled to recover reasonable attorney fees from the other party or parties to the action, if the city elects, at the initiation of an individual action or proceeding, to seek recovery of its own attorney fees. In no action, administrative proceeding, or special proceeding shall an award of attorney fees to a prevailing party exceed the amount of reasonable attorney fees incurred by the city in the action or proceeding.

D. The notice described in subsection C. of this section shall be served in the same manner as summons in a civil action in accordance with article 3 (commencing with section 415.10) of chapter 4 of title 5 of part 2 of the Code of Civil Procedure, or by certified mail, return receipt requested, at the option of the city. If the owner of record, after diligent search cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of ten (10) days and publication thereof in a newspaper of general circulation pursuant to Government Code Section 6062.

E. Not sooner than five (5) business days after a notice of appeal is filed with the City Clerk, a hearing shall be held before the City Administrator or a hearing officer designated by the City Administrator to hear such appeals. The appellant shall be given notice of the date, time and place of the hearing not less than five (5) days in advance. The notice may be given by telephone, fax, e-mail, personal service or posting on the property. At the hearing, the enforcement official shall present evidence of the violation, which may include, but is not limited

to, incident and police reports, witness statements, photographs, and the testimony of witnesses. The property owner and the occupant of the property where the violation is alleged to exist shall have the right to present evidence and argument in their behalf and to examine and cross examine witnesses. The property owner and property occupant are entitled at their own expense to representation of their choice. At the conclusion of the hearing, the City Administrator or hearing officer shall render a written decision which may be served by regular first class mail on the appellants.

F. A final order to abate the nuisance will subject the property owner or owners and any occupant or occupants of the property who are cultivating marijuana in violation of this section to a civil penalty of One Thousand Dollars (\$1,000.00) for each day that the violation continues after the date specified in the notice under subsection C.3. of this section, when the violation must be abated. The enforcement official or the City Administrator or hearing officer hearing an appeal pursuant to subsection C.5. of this section may reduce the daily rate of the civil penalty for good cause. The party subject to the civil penalty shall have the burden of establishing good cause, which may include, but is not limited to, a consideration of the nature and severity of the violation, whether it is a repeat offense, the public nuisance impacts caused by the violation, and the violator's ability to pay. The daily penalty shall continue until the violation is abated. The penalty may be recovered through an ordinary civil action, or in connection with an application for an inspection or nuisance abatement warrant.

G. Violation. Cultivation of marijuana on parcels within the city that does not comply with this section constitutes a violation of the zoning ordinance and is subject to the penalties and enforcement as provided in subsections C.8. and F. of this chapter.

H. Penalties not exclusive. The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any others and none of these penalties and remedies prevent the city from using any other remedy at law or in equity which may be available to enforce this section or to abate a public nuisance.

**I HEREBY CERTIFY** that the foregoing text amendments to Title 17 were approved, and an ordinance was read a second time at a regular meeting of the City Council of the City of Gridley, California, held on the 19<sup>th</sup> day of December, 2016, by the following vote:

| Paul Eckert, City Clerk |                 | Frank Hall, Mayor |  |
|-------------------------|-----------------|-------------------|--|
| ATTEST:                 |                 | APPROVE:          |  |
| ABSTAIN:                | COUNCIL MEMBERS |                   |  |
| ABSENT:                 | COUNCIL MEMBERS |                   |  |
| NOES:                   | COUNCIL MEMBERS |                   |  |
| AYES:                   | COUNCIL MEMBERS |                   |  |

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

## City Council Agenda Item #6C Staff Report

| Date:                        | December 19, 2016   |           |               |
|------------------------------|---|-----------|---------------|
| То:                          | o: Mayor and City Council   |           | Regular       |
|                              |   |           | Special       |
| From:                        | Donna Decker, Planning  |           | Closed        |
| Trom. Donna Decker, Framming |   | Emergency |               |
| Subject:                     | Review and Approval of modifications to the Climate Action Plan and Infill Design |           | Infill Design |
|                              | Guidelines adding required document acknowledgements and disclaimers per          |           | mers per      |
|                              | the grant requirements.   |           |               |

#### Recommendation

City staff respectfully recommends the City Council :

- Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
- 2. Approve the additional information required on the grant documents.

#### Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The Climate Action Plan/Greenhouse Gas Reduction Plan (Plan) implements the 2030 General Plan "Safety" element and is one of the deliverables of the grant.

#### Discussion

The grant requires specific language to be placed on the final documents for the grant to be closed out. Attached are the pages of the Climate Action Plan and the Infill Design Guidelines providing the required text.

#### **Public Notice**

A notice was 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 15061(b) (3), and Review for Exemption, General Rule.

#### Attachments:

1. Excerpted pages of the Climate Action Plan/Greenhouse Gas Reduction Plan and the Infill Design Guidelines



**CITY OF GRIDLEY** 

# **CLIMATE ACTION PLAN**

2016



The work upon which this publication is based was funded whole or in part through a grant awarded by the Strategic Growth Council.

# ACKNOWLEDGEMENTS

The effort to create a meaningful Climate Action Plan containing realistic measures to reduce greenhouse gas emissions is one requiring an array of expertise. The following have contributed to making this a document prioritizing the interests of the community and its citizens of the City of Gridley.

#### **CITY COUNCIL**

Frank Hall, Mayor Bruce Johnson, Vice-Mayor Owen Stiles Jeff Draper Ray Borges

#### PLANNING COMMISSION

Robert Thomas, Chair Robert Wise, Vice-Chair Shirley O'Brien Maria Espino Ishrat Aziz-Khan

#### **City Administrator**

Paul Eckert

-016-

In addition to the leadership of the City of Gridley, the following were instrumental in the preparation of this document.

Donna Decker, City of Gridley Consultant, Planning Department

#### **City of Gridley Staff**

Gridley Municipal Utilities Engineering Department Building Department

Amanda Leahy, Kittleson & Associates

AECOM

December, 2016



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The statements and conclusions of this report are those of the Grantee and/or Subcontractor and not necessarily those of the Strategic Growth Council or of the Department of Conservation, or its employees. The Strategic Growth Council and the Department of Conservation make no warranties, express or implied, and assume no liability for the information contained in the succeeding text.

# City of Gridley Infill Design Guidelines



The work upon which this publication is based was funded whole or in part through a grant aworded by the Strategic Growth Council.

ACKNOWLEDGEMENTS

# **CITY COUNCIL**

# PLANNING COMMISSION

Frank Hall, Mayor Bruce Johnson, Vice-Mayor Owen Stiles Jeff Draper Ray Borges Robert Thomas, Chair Robert Wise, Vice-Chair Shirley O'Brien Maria Espino Ishrat Aziz-Khan

# **City Administrator**

Paul Eckert

In addition to the leadership of the City of Gridley, the following were instrumental in the preparation of this document.

Prepared by Donna Decker, Planning Consultant, DES

with

Special Recognition Given To:

VIA Architecture for their permission to use certain graphics

Fletcher & Company For their permission to use certain common text universal in the Planning Field

AECOM

December, 2016

# DISCLAIMER

The statements and conclusions of this report are those of the Grantee and/or Subcontractor and not necessarily those of the Strategic Growth Council or of the Department of Conservation, or its employees. The Strategic Growth Council and the Department of Conservation make no warranties, express or implied, and assume no liability for the information contained in the succeeding text.

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### City Council Agenda Item #6D Staff Report

| Date:    | December 19, 2016  | Х | Regular   |
|----------|--|---|-----------|
|          |  |   | Special   |
| То:      | Mayor and City Council   |   | Closed    |
| From:    | Paul Eckert, City Administrator                                    |   | Emergency |
| FIOIII.  | Faul Eckert, City Auministrator                                    |   |           |
| Subject: | Updated Ten-Year Electric Energy Efficiency Goals for 2017 to 2026 |   |           |
|          |  |   |           |

#### Recommendation

Staff respectfully recommends that the Council approve the proposed Annual Electric Energy Efficiency Target Goals for the period 2017 to 2026 as shown in the attached Table.

#### Background

As required by State law, specifically outlined in AB2021, the City must update its Ten-Year Energy Efficiency (EE) Goals every three years. The Goals are presented to the City Council in December to ensure full compliance with reporting requirements and allow time to develop the EE Program and Budget. The proposed annual Target kWh is 108,000. As shown on the attached Table, the City has well exceeded 106,000 in all years since 2006 except one. Therefore, the recommended EE Target is both very achievable and financially modest. The City of Gridley EE Model is similar to those used by most publicly owned utilities. The Model estimates the technical, economic and market potential for energy efficiency measures for residential and non- residential customers, defined as follows:

- Technical potential is the energy savings that would result from installation of the most energy efficient measures that are commercially available.
- Economic potential includes savings from the installation of cost-effective EE measures.
- Market potential is a subset of the economic potential; it reflects the reality of customers' awareness and willingness to adopt energy efficient equipment.

The Model established 2006 as the base year. The EE Program takes into consideration past EE achievements as well as user-specified input such as projected avoided energy costs and retail rates, discount rates, building stock, and assumptions regarding appliance and equipment among residential customers (e.g. room air-conditioner, electric/gas clothes dryer or others). Efficiency measures included in the analysis cover over 50 residential electric measures.

#### **Financial Impact**

Records reflect that the EE program expenditures have decreased steadily in the past few years. Funding for EE programs comes from the mandated Public Benefit surcharge for all electric customers and supply

resource funds. To meet the proposed electric EE goals, staff estimates that the annual EE budget will not exceed \$110,000.

#### Compliance with City Council Strategic Plan or Budget Goals

Approval of this recommendation conforms to the Council's Long-Term Electric Management Plans which call for funding programs that maximize the deployment of cost-effective, reliable and feasible energy efficiency.

#### Attachments:

1.) City of Gridley Annual Energy Efficiency Target Goals 2017-2026

## Attachment 1

# City of Gridley

:

# Annual Electric Energy Efficiency Targets

|      | Target kWh | Actual Gross kWh |
|------|------------|------------------|
| Year | 5          |                  |
| 2008 | 91,700     | 115,003          |
| 2009 | 91,700     | 87,982           |
| 2010 | 91,700     | 467,517          |
| 2011 | 75,000     | 277,889          |
| 2012 | 75,000     | 374,539          |
| 2013 | 75,000     | 338,626          |
| 2014 | 170,000    | 195,190          |
| 2015 | 170,000    | 135,689          |
| 2016 | 170,000    | 220,044          |
| 2017 | 106,000    | TBD              |
| 2018 | 106,000    | TBD              |
| 2019 | 106,000    | TBD              |
| 2020 | 106,000    | TBD              |
| 2021 | 106,000    | TBD              |
| 2022 | 106,000    | TBD              |
| 2023 | 106,000    | TBD              |
| 2024 | 106,000    | TBD              |
| 2025 | 106,000    | TBD              |
| 2026 | 106,000    | TBD              |
|      |            |                  |

### City Council Agenda Item #6E Staff Report

| Date:    | December 19, 2016               |
|----------|---------------------------------|
| То:      | Mayor and City Council          |
| From:    | Paul Eckert, City Administrator |
| Subject: | City Services Update            |

| X | Regular   |  |
|---|-----------|--|
|   | Special   |  |
|   | Closed    |  |
|   | Emergency |  |

#### Recommendation

Staff respectfully requests the City Council review and accept the attached City Services Update.

#### Background and Compliance with City Council Strategic Plan or Budget Goals

The attached Update is provided to the Mayor and City Council in keeping with the Council's commitment to ensure that all members of our community are fully informed of all City activities and initiatives. The Update will soon be shared online at <u>http://www.gridley.ca.us/</u>. The Update is also shared timely with all City of Gridley coworkers.

#### **Financial Impact**

There are no financial impacts associated with this Agenda item. Council review and acceptance of the City Services Update is consistent with our ongoing efforts to transparently share all City financial and budgetary information.

#### Attachments:

**City Services Update** 

# City of Gridley

To:Mayor Hall and City CouncilmembersFrom:Paul Eckert, City AdministratorSubject:City Services Weekly UpdateDate:December 11, 2016

This Weekly Update is intended to provide useful and timely updates to the Mayor and City Council, Community Members, and City staff. This Update will soon be available online at <u>http://www.gridley.ca.us</u> We regret if we have inadvertently omitted useful items from this report. As always, your input and guidance are appreciated. Please send any response to me directly and do not "copy all."

#### City Administrator/City Council/Information Technology

 Employee Potluck – Enormous appreciation to everyone who helped put together the Employee Potluck. Special thanks to the Electric and Public Works Crews for preparing the feast and for the elaborate and festive atmosphere and Elisa Arteaga for coordinating it. There was a great feeling of genuine comradery. Thank you so much Gridley Team! We look forwarding to doing another event in the Spring.



- New City Councilmember Orientation New Councilmembers Davidson and Williams will begin their Department Tours on December 16<sup>th</sup> of the Electric and Public Works Operations and 17<sup>th</sup> for Fire Operations.
- City Council Strategic Visioning Process Staff will begin the development of the Strategic Plan in December and hope to conduct City Council Strategic Planning Sessions in February and March. The new 2017-2020 City Council Strategic Plan will be adopted before April 17<sup>th</sup>.
- NCPA Staff has participated in several constructive efforts with NCPA in recent weeks. Our Renewable Energy Credits (REC) account with WREGIS has been updated and organized following years of neglect. We have made significant progress establishing a new process for NCPA to assist us and several other agencies to sell excess energy.
- Financial Update to Council We greatly appreciate the Council and Finance staff dialogue at last week's Council meeting regarding the challenges the City is confronting with the Water Fund and Electric Fund. Action will be required for both Water and Electric.
- Inter-Governmental Collaborations Staff continues to meet with the County Administrator and other County staff to discuss potential collaborations. Our next meeting will be the week of December 12<sup>th</sup>.
- Staff continues to progress efforts for a state-of-the-art new 30-unit senior housing project.
- Our Information Technology Director Mike Hensley continues to update or install critical systems including the Voice Mail for Police CAD/RMS System; replacement of the Symantec Backup Exec Version 14 with Veritas Backup Exec Version 16; and Surface Pro Tablet (Admin). Mike's also working with OES Liaison regarding grant funding issues and continues to develop and deploy the Itron fixed network solution.



#### Economic Development

- Staff is coordinating with State Economic Development staff.
- City Industrial Park We will keep the City Council informed of our progress with the sale of the initial parcel.
- Business Retention, Expansion, and Attraction (BREA) Program Staff is developing the BREA Program for Council consideration in December. In the meantime, City staff continue to meet with 3-5 businesses weekly.

#### Engineering/Planning/Building/Code Enforcement

- City Engineer transition Bennett Engineering officially began their contract with the City as our City Engineer December 1<sup>st</sup>. We have now received all historic documents from the former City Engineer.
- Planning Activities Planning continues to be very busy developing ordinances for City Council consideration.
- Code Enforcement Enhancements to our information tracking systems are currently underway. Evaluation of approaches and processes are also underway.

#### <u>Police</u>

- Police Incidents The Gridley-Biggs Police Department (GBPD) Detectives and Department personnel conducted parole checks on local gang members for compliance; Detective and Department personnel assisted Sacramento County Sheriff's Office Detectives with the apprehension of two Gridley gang members involved in a Sacramento area gang related homicide incident; Detective and Department personnel arrested a Gridley gang member as an Accessory After the Fact with gang enhancement in a prior Gridley drive-by shooting incident; and personnel apprehended two suspects at the Gridley Rite Aid attempting to return stolen Rite Aid merchandise from the Chico stores resulting in arrests.
- Police personnel attended the Gridley Rotary meeting in support of a community outreach program.
- Appointments The Department continues its Police Officer Recruitment effort for the vacant Police
  Officer position and has started the background process on a lateral dispatcher candidate to fill the
  Dispatcher vacancy.
- Police Administration attended the CA Police Chiefs Association's Training Committee meeting.
- Animal Control continues to provide proactive patrol and compassion for lost/stray animals.
- Police personnel are doing a great job of policing our communities. The Department continues in its goal to provide quality service in all aspects of public safety to the residents we serve. The November 2016 statistics are provided below:

| 65<br>6<br>61<br>5 | 724<br>37<br>660      |
|--------------------|-----------------------|
| 61                 | 660                   |
|                    |                       |
| 5                  | 05                    |
|                    | 95                    |
| 1.3                | 167                   |
| 59                 | 781                   |
| 1,095              | 12,414                |
| 8                  | 80                    |
| 2                  | 49                    |
| 1                  | 7                     |
| 3                  | 81                    |
| 3                  | 23                    |
| 0                  | 1                     |
|                    | 8<br>2<br>1<br>3<br>3 |

| Public Intoxication     | 5   | 60    |
|-------------------------|-----|-------|
| Patrol Request          | 13  | 150   |
| Medical Aid             | 4   | 57    |
| Area Checks             | 118 | 1,016 |
| Pedestrian Checks       | 32  | 531   |
| Disturbing the Peace    | 24  | 232   |
| Total 911 Calls         | 301 | 3,084 |
| Total Accidents         | 11  | 93    |
| Name Exchanges          | 3   | 11    |
| Total Traffic Citations | 92  | 860   |
| DUI Arrests             | 6   | 28    |
| Traffic Stops           | 205 | 2,123 |
| Extra Help Hours        | 301 | 3,084 |
| RSVP Hours              | 10  | 343   |
|                         |     |       |

"Police Incidents" are those Police responses originating from telephone calls to the Dispatch Center, walk-ins at the Police lobby, Police Officer self-initiated activity and email or social media communications.

#### Electric

- Electric Crews have completed tree trimming around the 12 Kv distribution lines in Biggs.
- Crews responded to a damaged meter service call at the Post Office building, a delivery truck backed into the meter main and damage the meter and meter socket. This will require the meter to be tested and the meter socket to be replaced.
- Crews took advantage of the weather to clean the Electrical shop. The Crews did amazing work converting the Shop area to the festive Christmas Potluck Area. They were in early and out late attending to details for the City-wide event.



| <b>Electrical Department Activity</b> | Gridley | Biggs |
|---------------------------------------|---------|-------|
| Street light Repairs                  | 0       | 0     |
| Nonpayment shut off/turn on           | 0       | 0     |
| Underground Service Alerts (USA's)    | 8       | 4     |
| Sets and outs                         | 4       | 0     |
| Electrical related service calls      | 2       | 0     |
| Trim/Remove tree                      | 0       | 0     |
| Discrepancy Report Items              | 0       | 0     |
| After Hours Call out's                | 0       | 0     |
| Solar Sets                            | 0       | 0     |
| 24 hr. notices                        | 5       | 0     |

#### Public Works

The Public Works Department Leadership and Crewmembers are responsible for a broad array of important duties including: Water Distribution; Water Production; Sanitary Sewer Collection; the Wastewater Treatment Plant; Street and Sidewalk Maintenance; our Maintenance Districts; Parks Maintenance; City Building and Facility Maintenance. Recent work activity is as follows:

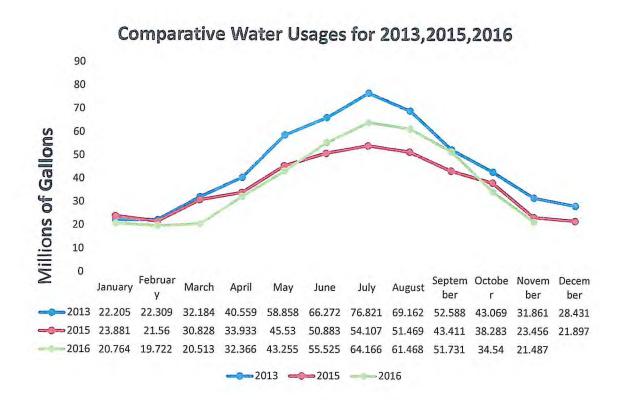
- Public Works Crews have completed concrete work for new curb and sidewalk in front of Gridley Herald. Crews doing the work saved the City and property owner a great deal of money.
- Weekly street sweeping continues in order to protect our storm drain system and reduce liabilities associated with storm drain back-ups.
- Public Works Crews have started remodeling the baseball field restrooms at Vierra Park. Sinks and flush valves for commodes are being replaced and hand dryers are being installed.
- Crews have started spraying maintenance ditches with weed killer and pre-emergent.
- The Corp Yard lift station project has been started. Crews removed the old cabinet from the lift station.
- Public Works Crews delivered basketball hoops to Manzanita School for the Recreation Division.
- Remodel work continues at the Waste Water Treatment Plant (WWTP) Office.

| Department of Public Works Activity | Reporting through 12/8/16 |  |
|-------------------------------------|---------------------------|--|
| Water Leaks Repaired                | 1                         |  |
| Water Encoder Receiver Transmitter  |                           |  |
| installed/Replaced (ERT's)          | 0                         |  |
| Sewer Plugs                         | 0                         |  |
| Tree Removal/Trimmed                | 1                         |  |
| Water Related Service Calls         | 2                         |  |
| Sewer Related Service Calls         | 0                         |  |
| Under Ground Service Alerts (USA's) | 0                         |  |
| Park Related Service Calls          | 0                         |  |
| Other Service Calls                 | 1                         |  |

| Production Well | Volume Pumped | Calc. Fl | Calc. Chl           |
|-----------------|---------------|----------|---------------------|
| Eagle Meadows   | 00.000 M.G.   | .00 mg/l | .0000 mg/l          |
| Spruce          | 8.694 M.G.    | .51 mg/l | .23 <b>1</b> 1 mg/l |
| Wilson          | 00.000 M.G.   | .00 mg/l | .0000 mg/l          |
| Little Ave.     | 10.867 M.G    | .59mg/l  | .2623 mg/l          |
| Liberty         | .940 M.G.     | .57 mg/l | .2642 mg/l          |
| Parkside        | .986 M.G.     | .76 mg/l | .2358 mg/l          |

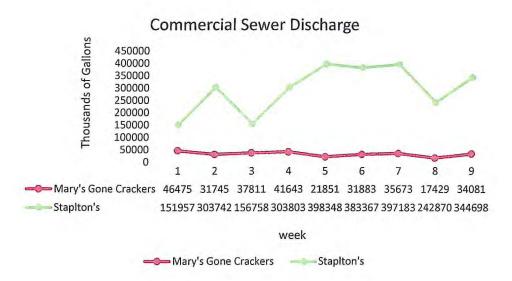
#### Water Production

| October Monthly Production            |             |
|---------------------------------------|-------------|
| Total water pumped to system:         | 21.487 M.G. |
| Ave. chlorine residual in the system: | .18 mg/l    |
| Ave. tested fluoride in the system:   | .76 mg/l    |
| Lab tested fluoride in the system:    | .9 mg/l     |
|                                       |             |



#### Waste Water Treatment Plant

Total flow to the Plant was 37.010 Flow from Butte County Housing Authority was .5987



#### **Recreation**

- The Division has concluded basketball signups. The teams have been generated and coaches are being called to pick up their equipment for the upcoming season. All games will be played at Manzanita Gym on Saturdays starting at 8 am and will go through the 18<sup>th</sup> of February.
- Due to the young ages of this year's Gladiator Wrestling team we have decided to wrestle the spring league this season. We will start wrestling in February instead of December with practices to start in January.
- This year we have added several contests to our Breakfast with Santa event in an effort to make it a more family orientated instead of being aimed basically at children. The additions are a Decorated Tree Contest, Decorated Cake Contest and Ugly Sweater Contest.
- The Division is currently offering our Letter to Santa program in which children are invited to write Santa via the Rec Center and get back a "Letter from Santa" with a North Pole postmark. (Flyer attached.)
- The Division offers its community center meeting rooms as rentals on evenings and weekends. The rental fee is \$100.00 per room, with an additional refundable \$50.00 cleaning deposit.

#### <u>Fire</u>

- Gridley Fire completed an orientation and walk-thru of the Wild Goose Natural Gas Storage Facility on Pennington Road.
- The Department participated in the Holiday Party located at the Electrical Shop.
- Staff participated in extensive Swift Water Rescue Refresher Training with the Butte County Rope Rescue Team.
- Staff attended the Pearl Harbor Commemoration at the Gridley- Biggs Cemetery.
- Our personnel continued working on the Training props at 100 Kentucky St.
- Truck 74 assisted with the rescue of a victim who fell down a rice silo at Lundberg Rice Mill in Richvale.
- Butte College Fire Academy Cadets participated in a 24-hour ride-along on Saturday and Sunday.
- Engine 74 covered Live Oak on Monday the 5<sup>th</sup> so that Live Oaks' Fire personnel could attend a memorial.

| Gridley Fire Station 74          |      |        |  |
|----------------------------------|------|--------|--|
| Weekly Emergency Responses       | City | County |  |
| Medical Aids                     | 5    | 1      |  |
| Traffic Collisions               | 1    | 3      |  |
| Structure Fires                  | 1    | 3      |  |
| Vegetation Fires                 | 0    | 0      |  |
| Vehicle Fires                    | 0    | 0      |  |
| Public A <b>s</b> sist           | 1    | 0      |  |
| Cover Assignments                | 2    |        |  |
| Other (smoke checks, hazardous   |      |        |  |
| conditions, control burns, etc.) | 1    |        |  |
| Technical Rescues                | 1    | 0      |  |

**November Fire Department Statistics** 

EMS City=33 County= 14 Traffic Collisions City=1 Count=8 Structure Fire City= 0 County= 4 Vegetation Fire City= 0 County= 0 Vehicle fire City= 0 County= 2 Public Assist City= 7 County= 3 Cover Assignment County stations= 3 Other (check control burn, hazardous condition, etc.) City=0 County= 5 Technical Rescue (Water) County= 1 Total number of responses for = 82

#### **City Council Formal Calendar**

- The City Council will hold its next City Council meeting on December 19th at 6:00 pm at City Hall.
- The Butte County Board of Supervisors Agenda for the 9:00 am meeting on Tuesday, December 13<sup>th</sup> in Oroville can be accessed at the following link: <u>http://www.buttecounty.net/boardofsupervisors/BoardMeetings.aspx</u>

Thank you for your ongoing support and guidance.

Respectfully,

paul

## City Council Agenda Item #7A Staff Report

| Date:    | December 19, 2016   |      |                |  |
|----------|---|------|----------------|--|
|          |   | X    | Regular        |  |
| То:      | Mayor and City Council  |      | Special        |  |
| From:    | Donna Decker, Planning  |      | Closed         |  |
|          |   |      | Emergency      |  |
| Subject: | Introduction of Ordinance 824-2016: An ordinance amending various 16, Subdivision Ordinance, of the Gridley Municipal Code. | chap | oters of Title |  |

#### Recommendation

City staff respectfully recommends the City Council:

- 1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
- 2. Forward to the City Council and recommend approval for Ordinance 824-2016.

#### Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The amendments to Title 16 will implement the 2030 General Plan and is one of the deliverables of the grant funding.

#### Discussion

Title 16 is known as the Subdivision Ordinance and the amendments of the text reflect additional information for a developer/applicant. The following code amendments reflect changes to update and clarify language in the code to provide consistency with the General Plan and incorporate further amendments from the Planning Commission reviews dated December 6, 2016 and December 14, 2016:

- Chapter 16.03 General Provisions
  - o General text modifications from Planning Commission December 6, 2016.
  - o Change section numbering due to reorganization
  - o Amend the text to reflect consistency with the GMC
  - o Miscellaneous grammatical revisions, capitalization, etc.
  - Amended language for clarification in line with the Subdivision Map Act (SMA).

#### • Chapter 16.06 Definitions

- Added and revised definitions; general text modifications from Planning Commission December 6, 2016.
- o Miscellaneous grammatical revisions, capitalization, etc.
- o Added definitions and numbering similar to that used in Title 17
- Definitions include nomenclature for streets made consistent with the General Plan.

#### • Chapter 16.09 Administration and Enforcement

- o General text modifications from Planning Commission December 6, 2016.
- Miscellaneous grammatical revisions, capitalization, etc.
- o Amendments provided for language clarification

#### • Chapter 16.12 General Requirements

- o General text modifications from Planning Commission December 6, 2016.
- o Miscellaneous grammatical revisions, capitalization, etc.
- o Clarification of text
- Added City Engineer to reviewing body for map review
- Amended statements under E(3)(a-c)

#### • Chapter 16.15 Tentative Maps

- o General text modifications from Planning Commission December 6, 2016.
- o Revision of Chapter references
- Minor language amendment
- Clarification of CEQA terminology and process
- o Added 200 yr storm event

#### • Chapter 16.16 Vesting Tentative Maps

- o General text modifications from Planning Commission December 6, 2016.
- o Revision of Chapter references
- o Minor language amendment
- o Clarification of CEQA terminology and process
- o Added 200 yr storm event

#### • Chapter 16.18 Final Maps and Parcel Maps

- Added language related to application for an extension
- o Added items required for submittal
- o Minor language amendment
- o Added 200 yr storm event
- o Revised nomenclature for responsible department

#### • Chapter 16.21 Design Standards and Requirements

- o General text modifications
- o Miscellaneous grammatical revisions, capitalization, etc
- o Minor language amendment
- o Modified minimum street standards per the General Plan
- o Added "Mixed Use" to non-residential subdivisions

#### • Chapter 16.24 Public Improvements

- o Miscellaneous grammatical revisions, capitalization, etc
- Chapter 16.27 Modifications
  - o Miscellaneous grammatical revisions, capitalization, etc

#### • Chapter 16.30 Reconsideration of Decision

o Miscellaneous grammatical revisions, capitalization, etc

#### • Chapter 16.33 Building Permit Issuance

o Miscellaneous grammatical revisions, capitalization, etc

#### • Chapter 16.36 Violation – Penalty

o Miscellaneous grammatical revisions, capitalization, etc

#### • Chapter 16.40 Park and Recreation Land Dedication & In-Lieu Fees

- o Miscellaneous grammatical revisions, capitalization, etc
- o Clarified fees for new dwelling units
- Clarified conditions of private open space (2)
- o Clarified exemptions

#### • Chapter 16.50 Mergers

o Miscellaneous grammatical revisions, capitalization, etc

#### Notice

A notice was advertised 10 days in advance of the City Council meeting, 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. A hardcopy of the redline document is available for review at the counter due to size limitations related to posting it on the City's website.

#### **Environmental Review**

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

#### Attachments:

- **1.** Ordinance 824-2016 (provided hard copy to Council and available for public review at the Administration Counter)
- **2.** Redline Ch 16.03 to Ch 16.50 (provided hard copy to Council and available for public review at the Administration Counter)

## ORDINANCE AMENDING VARIOUS CHAPTERS IN TITLE 16, SUBDIVISIONS, OF THE GRIDLEY MUNICIPAL CODE (Citywide)

WHEREAS, the City of Gridley received a California Sustainable Communities Planning Grant from the State of California, Department of Conservation/Division of Land Resource Protection to help the City bring its Municipal Code into compliance with the 2030 General Plan; and,

WHEREAS, the 2030 General Plan emphasizes opportunity to support the communities vision for a safe, clean, healthy and well-maintained community; and,

WHEREAS, the Planning Commission reviewed the proposed amendments to bring Title 17 into conformance with the General Plan and recommended the City Council adopt the amendments; and,

WHEREAS, Title 16, Subdivisions was found to need text amendments reflecting the 2030 General Plan;

WHEREAS, the City Council of the City of Gridley ordains as follows:

**SECTION 1**: Rescind portions of Ordinance 486-1986 (part) amending Title 16, and replace with the following Chapter 16.03 "General Provisions":

## **Chapter 16.03 GENERAL PROVISIONS**

16.03.010 Authority.
16.03.020 Intent.
16.03.030 Planning and Zoning Law.
16.03.040 Validity.

## 16.03.010 Authority.

This Title is adopted pursuant to Article XI, Section 7of the Constitution of California and the general laws of the State. The provisions of this Title are supplemental to the regulations of the Subdivision Map Act, Government Code Section 66410, *et seq.*, is hereby adopted and made a part hereof by reference as they now exist or may be amended in the future and may be cited as the Subdivision Ordinance of the City of Gridley.

## 16.03.020 Intent.

The purpose of these regulations is to assist in the systematic implementation of the General Plan, Title 17, Zoning, and to provide for public needs, health and safety, convenience, amenities, and general welfare and to establish procedures necessary for the implementation of the Subdivision Map Act.

## 16.03.030 Planning and Zoning Law.

A. The General Plan and Title 17, Zoning, and the Department of Public Works Construction Standards shall guide the use of all land within the incorporated boundaries of the City. The size and design of lots, the nature of utilities, the design and improvement of streets, the type of intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards that have been established. Neither the approval nor conditional approval of a development project shall constitute or waive compliance with any other applicable provisions of the Gridley Municipal Code (GMC) or other applicable regulations adopted by the City, nor shall any such approval authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of its code or other applicable ordinances or regulations adopted by the City.

B. The environmental impact of any subdivision shall be considered in accordance with the California Environmental Quality Act of 1970 (CEQA), as they now exist or may be amended in the future.

C. Community facilities such as schools, recreation areas, etc., shall be considered in accordance with the General Plan. This Title establishes procedures for the referral of proposed subdivision data to other departments, interested boards, bureaus and other governmental agencies and utility companies, both public and private, so that the extension of community facilities may be accomplished in an orderly manner, and coordinated with the development of the subdivision. To facilitate the acquisition of land required to implement this policy, the City may require the subdivider to dedicate, grant easements, or otherwise reserve land for schools, playgrounds, thoroughfares, utility easements and other public purposes as specified in accordance with the provisions of the Subdivision Map Act and this Title.

## 16.03.040 Validity.

If any section, subsection, sentence, clause, or phrase of this Title is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Title.

**SECTION 2**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), amending Title 16, and replace with the following Chapter 16.06 "Definitions":

# **Chapter 16.06 DEFINITIONS**

16.06.010 Applicability of definitions in Subdivision Map Act.

16.06.020 Definitions.

## 16.06.010 Applicability of definitions in Subdivision Map Act.

Except as otherwise provided in this Title, all terms used in this Title which are defined in the Subdivision Map Act are used in this Title so defined, unless from the context hereof it clearly appears that a different meaning is intended.

## 16.06.020 Definitions.

For the purposes of this Title, the following words shall have the meanings set out in this section:

| 16.06.020.001 | "Advisory Agency" means the City of Gridley Planning Commission as advisory to the City Council.   |  |  |  |  |  |
|---------------|--|--|--|--|--|--|
| 16.06.020.002 | "Alley" means a public way, other than a street or highway, providing a secondary means of vehicular access to abutting property.  |  |  |  |  |  |
| 16.06.020.004 | "Building site" means a parcel of land which is identified on a final map or<br>parcel map recorded in the office of the County Recorder with a separate and<br>distinct number or letter. (See "Lot")   |  |  |  |  |  |
| 16.06.020.006 | "CEQA" means the California Environmental Quality Act.   |  |  |  |  |  |
| 16.06.020.008 | "City code" means the City of Gridley Municipal Code.  |  |  |  |  |  |
| 16.06.020.010 | "City Administrator's designee" means a person authorized to practice land<br>surveying pursuant to the Business and Professions Code, State of California.  |  |  |  |  |  |
| 16.06.020.012 | "Commission" means the Planning Commission of the City of Gridley  |  |  |  |  |  |
| 16.06.020.014 | "Council" means the City Council of the City of Gridley.   |  |  |  |  |  |
| 16.06.020.016 | "County" means the County of Butte.  |  |  |  |  |  |
| 16.06.020.018 | "Director of Utilities" means the Director of the Gridley Municipal Services, or<br>the duly authorized representative of said director.   |  |  |  |  |  |
| 16.06.020.020 | "EIR" means an Environmental Impact Report prepared pursuant to the requirements of CEQA.  |  |  |  |  |  |
| 16.06.020.022 | "Final map" means a map showing a subdivision of five or more parcels for<br>which a tentative and final map are required by the Subdivision Map Act and<br>this Title, prepared in accordance with the provisions of the Subdivision Map<br>Act and this Title, and designed to be filed for recordation in the office of the<br>County Recorder. |  |  |  |  |  |
| 16.06.020.024 | "Fire protection" means such fire hydrants and other protective measures as<br>may be reasonably required by the Fire Marshal of the Gridley Fire<br>Department for protection of property to be located within a subdivision.   |  |  |  |  |  |
| 16.06.020.026 | "Flood hazard" means a hazard to land or improvements due to seasonal<br>inundation or to overflow water having sufficient velocity to transport or<br>deposit debris, scour the surface soil, dislodge or damage buildings, or erode<br>the banks of water courses.   |  |  |  |  |  |

- **16.06.020.028** "General Plan" means the adopted current and long range planning document outlining the goals and policies of acceptable land uses to guide the growth and land development within the City of Gridley.
- **16.06.020.030** "Geological hazard" means a hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property or improvements due to the movement, failure or shifting of earth.
- **16.06.020.032** "Inundation" means ponded water or water in motion of sufficient depth to damage property due to the presence of the water or to deposits of alluvium.
- **16.06.020.034** "Lot" means a parcel of land which is identified on a final map or parcel map recorded in the office of the County Recorder with a separate and distinct number or letter. (See "Building Site")
- **16.06.020.036** "Lot line adjustment" means a modification of a boundary line between two (2) or more adjacent legal parcels where the modification does not create new parcels, does not delete legal parcels, does not reduce any of the parcels below the minimum lot area for the zoning designation as set forth in Title 17, and does not alter any public rights-of-way or easements.
- 16.06.020.038 "Map Act" means the Subdivision Map Act of the State of California. (See Subdivision Map Act).
- **16.06.020.040** "Merger" means the joining of two or more contiguous parcels of land under one ownership into one parcel.
- **16.06.020.042** "Mobile home lot" means any area designated, designed or usable for the occupancy of one mobile home on a temporary, semi-permanent or permanent basis.
- **16.06.020.044** "Multiple-family dwelling unit" means a building or portion thereof designed for occupancy by three or more families living independently of each other, but under one roof.
- **16.06.020.046** "Negative declaration" is a document that states upon completion of an initial study, that there is no substantial evidence that the project may have a significant effect on the environment pursuant to the requirements of CEQA.
- 16.06.020.048 Parcel map" means a map showing a subdivision of four or less parcels, as required by the Subdivision Map Act and this Title, prepared in accordance with the provisions of the Subdivision Map Act and this Title and designed to be filed for recordation in the office of the County Recorder.
- **16.06.020.050** "Pedestrian way" means a right-of-way or easement designed for use by pedestrians only and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.

| 16.06.020.052 | "Planned development" is a type of building development and also a            |
|---------------|---|
|               | regulatory process. As a building development, it is a designed grouping of   |
|               | both varied and compatible land uses, such as housing, recreation, commercial |
|               | centers, and industrial parks, all within one contained development or        |
|               | subdivision.  |

- **16.06.020.054** "Planning Director" means the principal administrative officer of the Planning Department.
- **16.06.020.056** "Post-subdivision modification" means a subdivision modification for which a request is filed after approval of the tentative map.
- 16.06.020.058 "Private road easement" means a parcel of land not dedicated as a public street, over which a private easement for road purposes is proposed to be or has been granted to the owners of property contiguous or adjacent thereto which intersects or connects with a public street, or a private street; in each instance the instrument creating such easement shall be or shall have been duly recorded or filed in the office of the County Recorder.
- **16.06.020.060** "Public way" means any street, highway, alley, pedestrian way, equestrian or hiking trail, biking path, channel, viaduct, subway, tunnel, bridge, easement, right-of-way, or other way in which the public use has a right of use.
- **16.06.020.061** "Responsible Agency" means all public agencies other than the lead agency which have discretionary approval power over the project.
- **16.06.020.062** "Revised tentative map" means a tentative map filed for approval showing a revised arrangement of the streets, alleys, easements or lots or a modification of the boundary of property for which a tentative map has been previously approved.
- **16.06.020.064** "Roadway" means that portion of a right-of-way or easement for a street, highway or alley designed or used to accommodate the movement of motor vehicles.
- **16.06.020.066** Street, Arterial. "Arterial street" means a street that carries the vehicular traffic of local and collector streets to and from highways, through traffic between nearby cities with limited direct access to abutting properties.
- **16.06.020.068** Street, Collector. "Collector street" means a street that provides for through traffic movement within and between neighborhoods, as well as access to abutting property and collects and distributes vehicular traffic moving between arterial streets and local streets.
- **16.06.020.070** Street, Cul-de-sac. "Cul-de-sac street" means a street which is designed to remain permanently closed at one end with the closed end terminated by a vehicular turnaround. For the purposes of these regulations, the length of a cul-

de-sac street shall be measured from the center line of the intersecting street along the center line of the cul-de-sac to the center of the radius of the turnaround.

- **16.06.020.072** Street, Industrial. "Industrial Streets" are local streets that serve industrial areas, have wider travel lanes and wider allowances for on-street parking to accommodate trucks.
- 16.06.020.074 Street, Local. "Local street" means any street other than a collector street, arterial or freeway that provides direct access to abutting properties and serves movement within a single neighborhood or part of a neighborhood designed for low volume and low speed travel.
- **16.06.020.076** Street, Major. "Major street" means a street carrying through traffic between neighborhoods more than minor collector streets allowing more direct access to abutting property and may serve a single neighborhood.
- **16.06.020.078** Street, Minor. "Minor street" means any street other than a collector street, major or freeway providing direct access to abutting property and serving local as distinguished from through traffic.
- **16.06.020.080** "Subdivider" means a person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for himself/herself or for others.
- 16.06.020.082 "Subdivision" means the division of any improved or unimproved land shown on the latest equalized County assessment roll as a unit or as contiguous units for the purpose of a sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements or railroad rights-of-way. "Subdivision" includes a condominium project as defined in the Civil Code, or a community apartment project, as defined in the Business and Professional Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in the Business and Professions Code. Any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for purposes of computing the number of parcels. All other divisions of land not expressly defined in this section are subject to the requirements of this Title, State and County health requirements for water and sewage disposal, conformity with the zoning district containing the land and must be accessible through approved right-of-way.
- **16.06.020.084** "Subdivision Map Act" means the Subdivision Map Act of the State of California, Government Code Section 66410 *et seq.*, inclusive, as that Act currently provides or is subsequently amended.
- **16.06.020.086** "Subdivision modification" means a request by a subdivider for modifications to the requirements or standards imposed by these subdivision regulations filed prior to the approval of the tentative map.

- **16.06.020.088** "Tentative map" means a map prepared in accordance with the provision of the Map Act and this Title to show the design of a proposed subdivision and the existing conditions in and around the land proposed to be divided. Such map shall be an accurate and detailed field survey "Tentative map" includes a tentative map prepared in connection with the parcel map or subdivision pursuant to the provisions of this Title.
- **16.06.020.090** "Vehicular access right" means the right or easement for vehicular access of owners or occupants of abutting lands to a public way.
- 16.06.020.092 "Vesting tentative map" means a tentative map that has a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative parcel map or vesting tentative subdivision map is approved or conditionally approved and recorded. Such map shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed as an application and recorded in accordance with the provisions thereof.
- **16.06.020.094** "Water supply" means such water supply and distribution facilities as are necessary to provide a reliable and adequate water supply for appropriate residential, commercial and industrial use and for public and private fire protection purposes.

**SECTION 3**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), amending Title 16, and replace with the following Chapter 16.09 "Administration and Enforcement":

# **Chapter 16.09 ADMINISTRATION AND ENFORCEMENT**

16.09.010 General responsibilities.

16.09.020 Enforcement.

## 16.09.010 General responsibilities.

**A**. **Subdivider.** The subdivider shall prepare maps consistent with the standards contained in this Title, and design public improvements consistent with the Public Works Construction Standards of the City. The subdivider shall process said maps in accordance with the regulations set forth in this Title.

**B.** Planning Department. The Planning Department shall be responsible for the analysis of the tentative map as to conformity with the General Plan and the Title 17 of the GMC, for any required analysis of the environmental impact of the proposed project, and for the expeditious processing of tentative maps and reports as set forth in this Title. The Planning Department shall be the approving body for lot line adjustments.

**C.** Public Works Department. The City Public Works Department shall be responsible for reporting to the Planning Department as to the engineering requirements, including street width, grade and alignment, and whether the proposed public improvements are consistent with the

regulations set forth in this Title with all applicable City standards that pertain to the development project, the inspection and ultimate approval of all such public improvements, and for expeditious processing of the final or parcel map as set forth in this Title. The City Engineer shall examine all final and parcel maps and shall certify thereon that the map is substantially the same as the approved tentative map, that the provisions of the Map Act and this Title have been complied with and that a final map is technically correct.

**D.** Other city departments. Tentative maps shall be distributed to City departments as required for their review and comments.

**E. Planning Commission**. The Planning Commission shall act as the advisory agency to the City Council. It is charged with reviewing the design and improvements of proposed divisions of land. The Planning Commission shall conduct hearings for requests of tentative map extensions and shall be the approving body. The Planning Commission shall conduct hearings reviewing tentative maps and make a recommendation for approval or denial to the City Council.

**F.** City Council. The City Council shall have final jurisdiction in the approval of tentative maps, parcel maps, final maps. The City Council is also responsible for establishing requirements for the standards of design of public improvements that may be proposed for dedication as a result of the subdivision process, and for setting fees.

**G.** Other public agencies. Tentative maps shall be referred to special districts, governmental boards, bureaus, school districts, utility companies and other responsible agencies which provide public and private facilities and services to said subdivision and to such agencies which the Planning Department determines may be affected, for their information and comment.

## 16.09.020 Enforcement.

The Planning Department shall be responsible for the enforcement of this Title.

**SECTION 4**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), Ordinance 663-1997 (part), and Ordinance 686-1999 (part) amending Title 16, and replace with the following Chapter 16.12 "General Requirements":

## **Chapter 16.12 GENERAL REQUIREMENTS**

- 16.12.010 Tentative and final map required.
- 16.12.020 Tentative parcel map required.
- 16.12.030 Waiver of parcel map.
- 16.12.040 Lot line adjustments.
- 16.12.050 Improvement security--required.

## 16.12.010 Tentative and final map required.

A tentative map and final map shall be required for all subdivisions pursuant to the Subdivision Map Act.

## 16.12.020 Tentative parcel map required.

A tentative map and a parcel map shall be required for those subdivisions pursuant to the Subdivision Map Act.

## 16.12.030 Waiver of parcel map.

If the Planning Commission reviews a tentative parcel map and determines that one or more of the following conditions exist, it may waive the requirement for recording a parcel map:

- A. The proposed division is exempt from the requirement of the Subdivision Map Act;
- B. A parcel map is not required by the Subdivision Map Act;
- C. The Planning Commission makes the following finding:

"The proposed division of land complies with such requirements as may have been established by the Subdivision Map Act or local ordinance enacted pursuant thereto as to area, improvement and design, floodwater drainage control, appropriate in the provision of public roads, sanitary disposal facilities, water supply availability, environmental protection, and other State and Local ordinances and/or regulations enacted pursuant thereto."

## 16.12.040 Lot line adjustments.

A. An application for a lot line adjustment shall be accompanied by all of the following:

1. A fee in an amount to be established by resolution of the City Council.

2. A preliminary map report prepared by a title company for all properties to be modified by approval of the application. The report from the title company must identify all owners of interest in all of the properties included in the application.

- 3. A statement of the existing zoning and uses of the properties involved.
- 4. A legal description for each new proposed parcel.
- 5. A drawing to scale providing the following information:
  - a. Dimensions and acreage of each affected lot, existing and proposed.
  - b. Location and type of all existing public utilities.
  - c. Location of existing buildings, wells, septic tank and leach fields,
  - d. Location of parking areas required for existing and proposed uses.
  - e. Location of all existing and proposed easements.
  - f. Location and names of all adjoining streets.

B. An application for a lot line adjustment shall be reviewed by the Planning Department and the City Engineer for conformance with adopted zoning and building codes, and for potential conflicts with existing or future planned conditions, easements,. Applications that are consistent

that do not create conflicts with lot size and zoning requirements, existing and/or proposed easements, access or right-of-way may be approved or conditionally approved.

C. The approval of an application for a lot line adjustment may not violate provisions of other titles of the Gridley Municipal Code.

D. The Planning Department shall prepare a lot line agreement that certifies the approval or conditional approval of a lot line adjustment. In the event that all affected properties are owned by the same persons, then a declaration of lot line adjustment shall be prepared. The lot line agreement (declaration) shall be executed by the Planning Department and all owners of the properties involved and it shall describe all conditions of approval including but not limited to the following:

1. The approved descriptions of all resulting property boundaries shall be referenced in the lot line agreement and attached to it.

2. Approval of the lot line adjustment shall not be effective until the lot line agreement is recorded.

3. The following statements shall be included in the lot line agreement (declaration):

a. "The purpose of this agreement (declaration) is to effect a boundary line modification as approved by the City of Gridley on [date]. The scope of review of said boundary line modification was limited as specified in Government Code section 66412(d), and approval of it does not constitute assurance that the lots as originally configured were legally created, or that future applications for building permits or other land use entitlements on the modified lots or parcels will be approved.

b. "The resulting lots or parcels described in the attachments to the lot line agreement (declaration) pursuant to this chapter are the only lots or parcels which shall remain after recording of the lot line agreement (declaration)".

c. "The City's signature on the lot line agreement (declaration) shall signify that the lot line adjustment has met the requirements of the City of Gridley."

4. Prior to recording the lot line agreement (declaration), all deeds of trust and other encumbrances on the affected properties shall be modified to apply to each resulting lot or parcel, and taxes shall be prepaid and also segregated if the County Tax Collector determines that segregation is necessary. The City shall accept evidence of application to segregate taxes and payment of any fees required by the County for that procedure as compliance with a requirement to segregate the taxes.

## 16.12.050 Improvement security--Required.

A. Whenever this Title authorizes or requires the furnishing of security in connection with the performance of any act or agreement, the security shall be in the form and in the amounts as specified pursuant to the Subdivision Map Act.

B. Form of security:

1. A bond or bonds shall be allowed by one or more duly authorized corporate sureties duly admitted and licensed to transact insurance business in the State of California, to secure the faithful performance or for the security of laborers and materialmen and shall be

substantially in the form prescribed by the Subdivision Map Act. In the discretion of the City Council, security in lieu or in addition to a bond or bonds may be had by way a cash deposit, an instrument of credit or a first lien upon the property to be divided.

- 2. In the event a cash deposit is utilized as security, the deposit shall be made directly to the City and shall be held by the City without interest paid to the depositor, pending release of such security in accordance with the Subdivision Map Act. The deposit agreement between the City and the person depositing the funds as security shall be in a form acceptable to the City Attorney.
- 3. In the event an instrument of credit is utilized as security, the form of the instrument of credit shall be acceptable to the City Attorney as set forth in §16.12.050 (B) (1-4). In the case that either a cash deposit or instrument of credit is utilized as security, an amount equal to the greater of \$100,000 or 10% of the amount to be secured or an amount determined by the City at its discretion based upon the cost of the City to complete the improvements at prevailing wage, and shall be withheld until all obligations secured have been satisfied, the amount shall be withheld to secure the costs and reasonable expenses, including reasonable attorney fees, incurred by the City in successfully enforcing the secure obligation.
- 4. In the event a first lien on the property to be divided is provided as security, the person giving such security shall furnish, at their expense, a policy of Title insurance wherein the City is the insured under the policy, the policy insuring that the City's lien on the property to be divided is in first position ahead of any other liens or encumbrances on the property. The amount of the Title insurance shall be equal to 200% of the total estimated cost of the improvements.

C. The amount of security for the faithful performance of the act or agreement to be secured shall be based upon the total estimated costs of the improvement as determined by the City Engineer. Improvements security securing faithful performance of all work, including sufficient funds to insure construction staking and contract administration by the subdivider's consulting engineer, shall be in an amount equal to 150% of the estimated costs of improvement. All improvement security shall be maintained in full force and effect for a period of twelve (12) months following acceptance of all improvements by the City to assure the property completion or maintenance of the work; provided, that substitution or partial release of security may be authorized by the City Engineer if, in his/her opinion, the substitution or partial release is consistent with proper completion or maintenance of the work and protection of possible lien holders, and further provided that the amount of the continuing security shall in no case be less than 50% of the amount of the original security.

D. In addition to the amount of security specified in subsection (C) of this section (for example, 150% of the total estimated cost of improvement to secure faithful performance of the act or agreement), there shall also be provided an additional amount for labor and suppliers securing the payment to the contractor, to the subcontractors and to the persons furnishing labor, materials or equipment to them for the improvement or the performance of the required act. The amount of the security shall be an amount equal to 150% of the total estimated cost of the improvements as determined by the City Engineer, except that if the security is in the form of a cash deposit, deposits, or instrument of credit, then the amount to secure payments pursuant to this subsection shall be equal to 50% of the total estimated cost of the improvements.

**SECTION 5**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), Ordinance 663-1997 (part), and Ordinance 686-1999 (part), Ordinance 695-2000 (part), Ordinance 696-2000 (part), amending Title 16, and replace with the following Chapter 16.15 "Tentative Maps":

## **Chapter 16.15 Tentative Maps**

- 16.15.010 Preliminary conference.
- 16.15.015 Oversizing improvements Reimbursement.
- 16.15.020 Submittal.
- 16.15.030 Form of map--size and scale.
- 16.15.040 Form of map--information required.
- 16.15.050 Form of map--statement required.
- 16.15.060 Form of map--environmental review forms required.
- 16.15.065 Design information required.
- 16.15.070 Acceptance.
- 16.15.080 Fees.
- 16.15.090 Environment review.
- 16.15.100 Distribution.
- 16.15.110 Preparation of environmental documents.
- 16.15.120 Application--deemed not received.
- 16.15.130 Filing.
- 16.15.140 Notification of public hearing on tentative map.
- 16.15.150 Planning Commission action on tentative map.
- 16.15.155 City Council action on tentative map.

## 16.15.010 Preliminary conference.

Prior to the preparation of a tentative map, the subdivider is encouraged to consult with the Planning Department for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. A conference will be scheduled with the subdivider to discuss the preliminary map and make recommendations concerning the submittal of a tentative map.

## 16.15.015 Oversizing improvements - Reimbursement.

As a condition of approval of a tentative map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of adjacent property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. The City may at its discretion, determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements if such a condition is not imposed.

## 16.15.020 Submittal.

An application for division of land shall include copies of the tentative map, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of the City Council.

## 16.15.030 Form of map--size and scale.

Tentative maps shall be prepared pursuant to the requirements of the Subdivision Map Act. The City may require further details based on the nature of the project. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions.

## 16.15.040 Form of map--information required.

Every tentative map shall be clearly and legibly reproduced and shall contain the following information:

A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;

B. The subdivision/tract/parcel name or number, date, north symbol scale, and sufficient description to define location and boundaries of the proposed subdivision development;

C. Name and address of recorded owner or owners;

D. Name and address of subdivider;

E. Name and business address of the person who prepared the map;

F. Acreage of proposed tract to the nearest tenth  $(10^{th})$  of an acre;

G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;

H. The locations, names, widths, and grades of all roads, streets, highways, and ways in the proposed subdivision which are to be offered for dedication as approved by the County street name coordinator;

I. The locations, names and existing widths of all adjoining and contiguous highways, streets, and ways;

J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;

K. The widths, location, and purposes of all existing and proposed easements;

L. Lot layout, dimensions of each lot, and lot numbers;

M. City limit lines occurring within the general vicinity of the proposed subdivision;

N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;

O. Names and owners of land immediately adjacent to the subdivision.

P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leaching fields;

Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;

R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width, and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources, the 200-year storm occurrence;

S. Typical section of the proposed street improvements.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986)

#### 16.15.050 Form of map--statement required.

A statement shall be presented by the subdivider in written form accompanying the map and shall contain the following information:

A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;

B. Proposed plan for drainage;

C. Proposed fire hydrant placement;

D. Provision for sewerage and sewage disposal;

E. Provision for proposed water supply;

F. Provision for proposed electric power supply, natural gas distribution, and any communication lines;

G. Public areas proposed;

H. Type and location of street lighting proposed;

I. Proposed building setback lines and-width of side yards;

J. Justification and reasons for any exceptions to provisions of this Title, or for any amendments to the General Plan and/or Zoning Ordinance which may be required in conjunction with the subdivision proposed;

K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;

L. The existing use or uses of the property;

M. The proposed use or uses of the property;

N. The tree plantings proposed;

O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;

P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

(Ord. 486 (part), 1986)

## 16.15.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the tentative map an environmental questionnaire to be provided by the Planning Department. ."

## 16.15.065 Design information required.

The subdivider shall provide complete design information with the Vesting Tentative Map to permit the planning staff and the Planning Commission to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to City standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to city standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may affect the use, appearance, or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

H. All other applicable design information which may be required by other sections of this title, applicable City standards, codes, or regulations.

## 16.15.070 Acceptance.

The authorized representative of the Planning Department will examine the tentative map, statement and environmental questionnaire upon or soon after submittal and shall, within thirty (30) calendar days, determine in writing whether such application is complete. The Planning Department will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

#### 16.15.080 Fees.

At the time a tentative map, parcel map or application for a lot line adjustment is submitted to the Planning Department, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the City Council.

#### 16.15.090 Environment review.

Upon finding the application complete, the authorized representative of the Planning Department will conduct an initial study environmental review of the subdivision, as required by CEQAGuidelines, as amended, and will determine within thirty (30) calendar days what further environmental documentation is necessary, prior to approval of the tentative map. The Planning Department will immediately transmit such determination to the subdivider.

#### 16.15.100 Distribution.

Upon completion of the initial environmental study, the Planning Department shall:

A. Environmental Impact Report not required:

Prepare required environmental document, i.e., Notice of Exemption or Negative Declaration and transmit the requested number of copies of the tentative map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twenty-one (21) days from receipt of a copy of a tentative map, forward to the Planning Department a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as shall be given an opportunity to comment on any proposed Negative Declaration prior to its adoption. If any responsible agencies are State agencies, a proposed Negative Declaration shall be circulated through the State Clearinghouse.

B. Environmental Impact Report required:

Prepare a Notice of Preparation and distribute as prescribed in the CEQA Guidelines.

## 16.15.110 Preparation of environmental documents.

The Planning Department will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the City Council within the time periods prescribed in the CEQA Guidelines.

## 16.15.120 Application--deemed not received.

A tentative map shall not be deemed received for filing under the Map Act until the environmental documentation required by CEQA has been completed.

### 16.15.130 Filing.

Upon its finding that the tentative map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the Planning Department will officially file the tentative mapA review of the tentative map, and the recommendations of the various agencies involved, will be provided to the subdivider or his/her duly authorized representative with information regarding the map and agency comments within ten (10) days from the date of the official filing of the tentative map. The Planning Department will prepare a report to the Planning Commission on the tentative map for further proceedings in accordance with the provisions of this Title, said report to represent the recommendations of the various departments consulted by the Planning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the tentative map to the provisions of the General Plan, the Zoning Ordinance, and all regulations of the City. Any report of recommendations on the tentative map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the Planning Commission or the City Council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

## 16.15.140 Notification of public hearing on tentative map.

The Planning Department will give notice of the Planning Commission hearing to review the tentative map at least ten (10) days prior to the date of the hearing by:

A. Publication of notice of public hearing;

B. Mailing to the property owners of record of property located within three hundred feet of the boundary of the subject property the notice of public hearing.

## 16.15.150 Planning Commission action on tentative map.

The Planning Commission shall review at a public hearing the tentative map within fifty (50) days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings--Determination. If the Planning Commission finds that the proposed map complies with the requirements of the General Plan, the Subdivision Map Act, and the Gridley Municipal Code, it shall recommend approval of the tentative map to the City Council. The Planning Commission shall recommend denial of the tentative map if it makes any of the following findings:

1. That the proposed map is not consistent with the General Plan or the Gridley Municipal Code;

2. That the design or improvements of the proposed subdivision are not consistent with applicable General or the Gridley Municipal Code;

- 3. That the site is not physically suitable for the proposed density of development;
- 4. That the site is not physically suitable for the type of development;

5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;

6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

B. The Planning Commission recommendation will be reported to the subdivider or designated representative within ten (10) days of the hearing.

C. Following the hearing by the Planning Commission, a copy of the tentative map, together with any required environmental documents and a copy of the Planning Commission recommendations thereon, shall be transmitted to the City Council.

#### 16.15.155 City Council action on tentative map.

A. Subsequent to a recommendation by the Planning Commission, the Planning Department shall notice and schedule a public hearing with the City Council, to consider the tentative map., B. The Planning Department will give notice of the City Council hearing to review and approve, conditionally approve or disapprove the tentative map at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation published and circulated within the City;

2. Mailing to the property owners of record of property located within three hundred (300) feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of City Council action. Any aggrieved person may request that the City Council reconsider its determination on the tentative map in accordance with Chapter 16.30 entitled "Reconsideration of Decision."

**SECTION 6**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), Ordinance 695-2000 (part), amending Title 16, and replace with the following Chapter 16.16 "Vesting Tentative Maps":

## Chapter 16.16 VESTING TENTATIVE MAPS

- 16.16.010 Preliminary conference.
- 16.16.015 Oversizing improvements Reimbursement
- 16.16.020 Submittal.
- 16.16.030 Form of map--size and scale.
- 16.16.040 Form of map--information required.
- 16.16.050 Form of map--subdivider's statement required.

16.16.060 Form of map--environmental review forms required.

- 16.16.070 Design information required.
- 16.16.080 Acceptance.
- 16.16.090 Fees.
- 16.16.100 Environmental review.
- 16.16.110 Distribution.
- 16.16.120 Preparation of environmental documents.
- 16.16.130 Application--deemed not received.
- 16.16.140 Filing.
- 16.16.150 Notification of public hearing--Vesting Tentative Map.
- 16.16.160 Planning Commission action--Vesting Tentative Map.
- 16.16.170 City Council action--Vesting Tentative Map.
- 16.16.180 Vesting on approval of Vesting Tentative Map.

#### 16.16.010 Preliminary conference.

This title is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the State of California referred to in this title as the Vesting Tentative Map Statute.

Prior to the preparation of a Vesting Tentative Map, the subdivider is encouraged to consult with the Planning Department for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary map and make recommendations concerning the submitted of a Vesting Tentative Map.

#### 16.16.015 Oversizing improvements - Reimbursement.

As a condition of approval of a Vesting Tentative Map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of adjacent property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. The City may, at its discretion, determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements if such a condition is not imposed.

#### 16.16.020 Submittal.

An application for division of land shall include copies of the Vesting Tentative Map, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of City Council.

#### 16.16.030 Form of map--size and scale.

Vesting Tentative Maps shall be prepared pursuant to the requirements of the Subdivision Map Act. The City may require further details based on the nature of the project. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions.

#### 16.16.040 Form of map--information required.

Every Vesting Tentative Map shall be clearly and legibly reproduced and shall contain the following information:

A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;

B. The subdivision/tract/parcel name or number, date, north symbol point, scale and sufficient description to define location and boundaries of the proposed subdivision development;

C. Name and address of recorded owner or owners;

D. Name and address of subdivider;

E. Name and business address of the person who prepared the map;

F. Acreage of proposed tract to the nearest tenth  $(10^{th})$  of an acre;

G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;

H. The locations, names, widths, and grades of all roads, streets, highways and ways in the proposed subdivision which are to be offered for dedication (names must be approved by the county street name coordinator);

I. The locations, names and existing widths of all adjoining and contiguous highways, streets and ways;

J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;

K. The widths, location, and purposes of all existing and proposed easements;

L. Lot layout, dimensions of each lot, and lot numbers;

M. City limit lines occurring within the general vicinity of the proposed subdivision;

N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;

O. Names and owners of land immediately adjacent to the subdivision;

P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leach fields;

Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;

R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width, and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources, the 200 year storm occurrence;

S. Typical section of the proposed street improvements.

## 16.16.050 Form of map--subdivider's statement required.

A written statement by the subdivider shall be prepared accompanying the Vesting Tentative Map containing the following information:

A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;

B. Proposed plan for drainage;

C. Proposed fire hydrant placement;

D. Provision for sewerage and sewage disposal;

E. Provision for proposed water supply;

F. Provision for proposed electric power supply, natural gas distribution, and any communication lines;

G. Public areas proposed;

H. Type and location of street lighting proposed;

I. Proposed building setback lines and width of side yards;

J. Justification and reasons for any exceptions to provisions of this title, or for any amendments to the General Plan and/or Zoning Ordinance which may be required in conjunction with the subdivision proposed;

K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;

L. The existing use or uses of the property;

M. The proposed use or uses of the property;

N. The tree planting proposed;

O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;

P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

#### 16.16.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the Vesting Tentative Map an environmental questionnaire to be provided by the Planning Department.

#### 16.16.070 Design information required.

The subdivider shall provide complete design information with the Vesting Tentative Map to permit the planning staff and the Planning Commission to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to city standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to City standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may affect the use, appearance, or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

H. All other applicable design information which may be required by other sections of this title, applicable City standards, codes, or regulations.

#### 16.16.080 Acceptance.

The authorized representative of the Planning Department will examine the Vesting Tentative Map, design information, subdivider's statement, and environmental questionnaire upon or soon after submittal and shall, within thirty (30) calendar days, determine in writing whether such application is complete. The Planning Department will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

## 16.16.090 Fees.

At the time a Vesting Tentative Map is submitted to the Planning Department, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the City Council.

## 16.16.100 Environmental review.

Upon finding the application complete, the authorized representative of the Planning Department will conduct an initial study environmental review of the subdivision, as required by CEQA, as amended, and will determine within thirty (30) calendar days what further environmental documentation is necessary, prior to approval of the Vesting Tentative Map. The Planning Department will immediately transmit such determination to the subdivider.

## 16.16.110 Distribution.

Upon completion of the initial environmental study, the Planning Department shall either:

A. Environmental Impact Report not required:

Prepare required environmental document, i.e., Notice of Exemption or Negative Declaration. Transmit the requested number of copies of the Vesting Tentative Map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twentyone (21) days from receipt of a copy of a Vesting Tentative Map, forward to the Planning Department a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies shall be given an opportunity to comment on any proposed Negative Declaration prior to its adoption. If any responsible agencies are State agencies, a proposed Negative Declaration shall be circulated through the State Clearinghouse.

B. Environmental Impact Report required:

Prepare a Notice of Preparation and distribute as prescribed in the CEQA Guidelines.

## 16.16.120 Preparation of environmental documents.

The Planning Department will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the City Council within the time periods prescribed in the CEQA Guidelines.

## 16.16.130 Application--deemed not received.

A Vesting Tentative Map shall not be deemed received for filing under the Map Act until the environmental documentation required by CEQA has been completed.

## 16.16.140 Filing.

Upon its finding that the Vesting Tentative Map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the Planning Department will officially file the Vesting Tentative Map. A review of the Vesting Tentative Map, and the recommendations of the various agencies involved, will be provided to the subdivider or his duly authorized representative with information regarding the map and agency comments within ten (10) days from the date of the official filing of the Vesting Tentative Map. The Planning Department will prepare a report to the Planning Commission on the vesting, tentative map for further proceedings in accordance with the provisions of this Title, said report to represent the recommendations of the various departments consulted by the Planning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the Vesting Tentative Map to the provisions of the General Plan, the Zoning Ordinance, and all regulations of the City. Any report of recommendations on the Vesting Tentative Map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the Planning Commission or the City Council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

#### 16.16.150 Notification of public hearing--Vesting Tentative Map.

The Planning Department will give notice of the Planning Commission hearing to review the Vesting Tentative Map at least ten (10) days prior to the date of the hearing by:

A. Publication of notice of public hearing;

B. Mailing to the property owners of record of property located within three hundred (300) feet of the boundary of the subject property the notice of public hearing.

#### 16.16.160 Planning Commission action--Vesting Tentative Map.

The Planning Commission shall review at a public hearing the Vesting Tentative Map within fifty (50) days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings--Determination. If the Planning Commission finds that the proposed map complies with the requirements of the General Plan the Subdivision Map Act, and the Gridley Municipal Code it shall recommend approval of the Vesting Tentative Map to the City Council. The Planning Commission shall recommend denial of the Vesting Tentative Map if it makes any of the following findings:

1. That the proposed map is not consistent with the General Plan or the Gridley Municipal Code;

2. That the design or improvements of the proposed subdivision are not consistent with applicable general and specific plans;

3. That the site is not physically suitable for the proposed density of development;

4. That the site is not physically suitable for the type of development;

5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;

6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

B. The Planning Commission recommendation will be reported to the subdivider or designated representative, within ten (10) days of the hearing.

C. Following the hearing by the Planning Commission, a copy of the Vesting Tentative Map, together any required environmental documents and a copy of the Planning Commission recommendations thereon, shall be transmitted to the City Council

## 16.16.170 City Council action--Vesting Tentative Map.

A. Subsequent to a recommendation by the Planning Commission, the Planning Department shall notice and schedule a public hearing with the City Council to consider the Vesting Tentative Map.

B. The Planning Department will give notice of the City Council hearing to review and approve, conditionally approve or disapprove the Vesting Tentative Map at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation within the City;

2. Mailing to the property owners of record of property located within three hundred (300) feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of City Council action. Any aggrieved person may request that the City Council reconsider its determination on the Vesting Tentative Map in accordance with Chapter 16.30 entitled "Reconsideration of Decision."

## 16.16.180 Vesting on approval of Vesting Tentative Map.

A. The approval or conditional approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the Vesting Tentative Map is approved or conditionally approved.

B. Notwithstanding subdivision (A) of this section, a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

2. The condition or denial is required, in order to comply with State or Federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the Vesting Tentative Map as provided in this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of 12 months. Where several final maps are recorded on various phases of a project covered by a single Vesting Tentative Map, this initial time period shall begin for each phase when the final map for the phase is recorded.

2. The initial time period set forth in subdivision 1 of this subsection shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days, from the date a complete application is filed.

3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subdivision 1 of this subsection expires. If the extension is denied, the subdivider may appeal that denial to the City Council within fifteen (15) days.

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions 1 through 3 of this subsection, the rights referred to in this section shall continue until the expiration of that permit, or any extension of that permit.

<u>SECTION 7</u>: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), Ordinance 642-1995 (part), Ordinance 696-2000 (part), amending Title 16, and replace with the following Chapter 16.18 "Final Maps and Parcel Maps":

## Chapter 16.18 FINAL MAPS AND PARCEL MAPS

- 16.18.010 Filing final map.
- 16.18.020 Fees.
- 16.18.030 Data to accompany final map.
- 16.18.040 Preparation of maps--size, material and scale.
- 16.18.050 Preparation of maps--title.
- 16.18.060 Preparation of maps--adjacent lots.
- 16.18.070 Preparation of maps--subdivision boundary.
- 16.18.080 Preparation of maps--dimensions, bearing and curve data.
- 16.18.090 Preparation of maps--lots and blocks.
- 16.18.100 Preparation of maps--streets.
- 16.18.110 Preparation of maps--building setback line.
- 16.18.120 Preparation of maps--easements.
- 16.18.130 Preparation of maps--high water line.
- 16.18.140 Preparation of maps--monuments.

- 16.18.150 Preparation of maps--certificates, acknowledgment and description.
- 16.18.160 Preparation of maps--description of property.
- 16.18.170 Preparation of maps--certificate regarding tax lien.
- 16.18.180 Preparation of maps--other documents.
- 16.18.190 Action on final map by planning director.
- 16.18.200 Public improvement agreement.
- 16.18.210 Recordation.
- 16.18.220 Amending maps after recordation.

### 16.18.010 Filing final map.

A. An approved or conditionally approved tentative map shall expire twenty-four (24) months after its approval or conditioned approval.

B. The expiration of an approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map.

C. The subdivider shall submit an application to extend a tentative map a minimum of thirty (30) days prior to the expiration of the tentative map as allowed by Government Code §  $66410 \ et$  seq. along with the fee as established by resolution of the City Council.

An application to extend a tentative map will require a verification of current ownership affidavit or title report, plans, and any additional information for the Planning Department to evaluate if there are changed conditions or circumstances from the previously approved tentative map. The Planning Commission, as the advisory agency to the City Council, may approve a request for an extension and will review the request after a public notice has been prepared by the Planning Department and duly published for a minimum of ten (10) days in a local publication prior to the meeting.

The map may be extended up to a total of five years, excepting additional time extensions periodically legislated by the State. The period of extension specified in this subdivision shall be in addition to the period of time provided by §16.18.010 (A). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied.

If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the City Council within fifteen (15) days after the advisory agency has denied the extension.

#### 16.18.020 Fees.

At the time of filing of the final or parcel map or extension thereof, the subdivider shall pay a filing fee prescribed by resolution of the City Council.

#### 16.18.030 Data to accompany final map.

The final map or parcel map shall substantially conform to the tentative map as approved or conditionally approved, including all approved modifications, and shall contain the following information:

A. The boundary line of the subdivision shall be clearly delineated and labeled. All areas shown on the map which do not constitute a part of the subdivision shall be labeled "Not a Part" or "N.A.P." All lines delineating such areas shall be dashed;

B. All survey data and information required by this Title;

C. Calculation and traverse sheets in a form approved by the Public Works Department giving bearings and distance and coordinates of the boundary of the subdivision and blocks and lots therein shown on the final or parcel map;

D. All lots or parcels intended for sale or reserved for private purposes and all parcels offered for dedication to the City or any other public agency, for any purpose, with all dimensions, boundaries, and courses clearly shown and defined in every case.

E. Dimensions of lots shall be as total dimensions, corner-to-corner, in addition to point-topoint dimensions and total acreage within the subdivision or parcel(s). Lots of more than one (1) acre shall show net acreage to the nearest one hundredth (1/100th);

F. All lots shall be numbered consecutively, without omissions or duplications. Parcels offered for dedication other than for streets or easements shall be designated by letters. Each numbered lot or parcel shall be shown entirely on one sheet;

G. The location and total width of all streets, alleys, pedestrian ways, equestrian and hiking trails, and biking paths; the names of streets, and the width on each side of the centerline of each street; the width of the portion of the street, alley, pedestrian way, equestrian and hiking trail and biking path being dedicated, and the width of the existing dedication, if any, within the subdivision;

- H. All limitations on rights of access to and from streets and lots and other parcels of land;
- I. The lines of any natural watercourse, channel, stream, creek or body of water in or adjacent to the subdivision and officially adopted floodplain lines;
- J. Detailed plans, cross-sections and profiles of public street improvements and of all other improvements proposed to be installed as required by the provisions of this Title and of all other improvements proposed to be installed by the subdivider in, on, over, or under any street, right-of-way, easement, or parcel of land dedicated by the map or previously dedicated, including the estimated cost thereof, shall be submitted to the City Engineer for processing and approval.. All such plans shall be prepared in accordance with the requirements of the Subdivision Map Act

K. A no-access rights certificate shall be shown on the final map where required by the City Engineer;

L The design calculations and analysis shall be prepared by a licensed Land Surveyor or Registered Civil Engineer and shall be signed and stamped;

M Report and guarantee of clear title:

1. The final or parcel map shall be accompanied by a current report prepared by a duly authorized title company naming the persons whose consent is necessary for the preparation and recordation of such map and for dedication of the streets, alleys, and other public places shown on the map and certifying that as of the date of the preparation of the report, the persons therein named are all the persons necessary to give clear title to such subdivision;

2. At the time of recording said map, following approval by the Planning Commission or City Council, there shall be filed with the County Recorder a guarantee executed by a duly authorized title company identifying the person(s) consenting to the preparation and recordation of such map and offering for dedication theright-of-way, alleys and other public places shown thereon. Said named individuals being all the persons necessary to pass clear title to such subdivisions and the dedications shown thereon;

N. The agreement and bonds specified in Section 16.12.050, entitled "Improvement Security--Required";

O. Two copies of all deed restrictions, bylaws and Articles of Incorporation;

P. One copy of each reference document, deed or map shown or referenced on the map or in the title report.

## 16.18.040 Preparation of maps--size, material and scale.

The final map or parcel map shall be of a size and legibly drawn guaranteeing a permanent record Certificates, affidavits, and acknowledgments may be legibly printed upon the map. The scale of the map shall be sufficient to show all details clearly in conformance with the Subdivision Map Act and subject to review and approval by the City Engineer. Enough sheets shall be used to accomplish this end. The number of each sheet and the total number of sheets comprising the map shall be stated on each of the sheets and the relation of each adjoining sheet shall be clearly shown by a small key map on the first sheet. Each sheet of such map proper shall show the date of the survey, north point, written graphic scale, and other information as necessary. The map shall be so made and shall be in such condition when filed that good legible prints can be made therefrom, and will become the property of the City when submitted. The final record of as-built drawings shall be submitted as original drawings (Ord. 486 (part), 1986).

## 16.18.050 Preparation of maps-title.

The title of each sheet of such final map shall consist of the approved name and unit number of the tract, if any, at the lower right hand corner of the street, followed by the words, "City of Gridley". Maps filed for the purpose of showing an acreage of land previously subdivided shall be conspicuously marked with the words, "Reversion to Acreage." (Ord. 486 (part), 1986).

## 16.18.060 Preparation of maps--adjacent lots.

The adjoining corners of all adjacent lots shall be identified by lot and block numbers, subdivision name and place of record, or other proper designation.

## 16.18.070 Preparation of maps--subdivision boundary.

An accurate and complete boundary survey to second order accuracy (100<sup>th</sup>) shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract and of each block when computed from field measurements on the ground, shall close within a limit of one foot to

ten thousand feet (1:10,000) or in the case of a parcel map, shall be based either upon a field survey made in conformity with the Land Surveyors Act or be compiled from recorded or filed data when sufficient survey information exists on field maps to locate and retrace the exterior boundary lines of the parcel map if the location of at least one of these boundary lines can be established from an existing monumented line. The boundary of the subdivision shall be indicated on the final or parcel map by a distinctive line and/or symbols, clearly designated.

#### 16.18.080 Preparation of maps--dimensions, bearing and curve data.

The final or parcel map shall show all survey and mathematical information and data necessary to locate all monuments thereon, including bearing and distance of straight lines and central angle, radius, and arc length of curves, and such information as may be necessary to determine the location of the centers of the curves.

#### 16.18.090 Preparation of maps--lots and blocks.

All lots and blocks and all parcels offered for dedication for any purpose shall be particularly delineated and designated with all dimensions, boundaries, and courses clearly shown and defined in every case; except in the case of a parcel map, the location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey but only by deed reference to the existing record boundaries of such remainder if such remainder has a gross area of five (5) or more acres. Parcels offered for dedication other than for streets and easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two or more sheets and whenever practical, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with the numeral "1" and continue consecutively throughout the tract, with no omissions or duplications.

#### 16.18.100 Preparation of maps--streets.

The final or parcel map shall show the right-of-way lines to each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty (50) feet of the subdivision shall be shown. If any street in the subdivision is a continuation or approximately a continuation of any existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown. Whenever the centerline of a street has been established or recorded, the data shall be shown on the final or parcel map.

## 16.18.110 Preparation of maps--building setback line.

A. The final or parcel map shall show building setback lines on all streets by long, thick dashed lines.

B. All structures, buildings or required parking area in a residential subdivision shall conform to the setback requirements as specified in Title 17.

## 16.18.120 Preparation of maps--easements.

The side lines of all easements, including utility and new access easements shall be shown by fine dashed lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference shall appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement shall be narrowed or so shown that the map will indicate clearly the actual lengths of the lot lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference shall be given. If an easement is being dedicated by the map, it shall be set out in the owner's certificate of dedication.

## 16.18.130 Preparation of maps--high water line.

The final or parcel map shall show the limits of high water coverage based upon a onehundred-year-frequency storm and as available from the California Department of Water Resources, the 200-year storm occurrence, with a fine continuous line if the subdivision includes or is adjacent to areas subject to periodic inundation, and the use of such areas may be required to be restricted by a covenant of restrictions.

## 16.18.140 Preparation of maps--monuments.

A. The final or parcel map shall fully and clearly show what stakes, monuments or other evidence to determine the boundaries of the subdivision were found on the ground, and the adjacent corners of each adjoining subdivision or portion thereof, by lot and block numbers, tract name or number and place of record, by section, township and range, or other proper designation.

B. The procedure and practice of all survey work done upon any such subdivision shall conform to the accepted standards of the engineering profession.

C. All monuments shall not be less substantial than a three-quarter-inch diameter pipe eighteen inches long or a five-eighth-inch diameter steel reinforcing bar eighteen inches long with a brass tag, aluminum or plastic cap bearing the registration number of the engineer or surveyor who set the monument, and shall be subject to inspection and approval by the City engineer. "Permanent" monuments shall be set in concrete. Before street improvements are accepted, all monuments disturbed by the improvements shall be reset.

D. In making the survey for the subdivision, the engineer or surveyor shall set "permanent" monuments at all angle and curve points on the exterior boundaries of the subdivision, in all street intersections, at all angle points of street lines, and at all curved points, both simple and compound, of street lines. "Permanent" monuments at street intersections and at angle and curved points of street lines shall set on street centerlines, unless otherwise directed by the City engineer; provided, however, that the "permanent" monuments need not be set at intervals of less than four hundred feet.

E. The "permanent" monument shall be set in the ground upright with the metal marker centered in the concrete, by excavating a six-inch minimum diameter hole two feet below the finished grade and pouring the same full of concrete. When streets are required to be paved, the location of such monument and access thereto shall be given by a suitable concrete or cast iron sliding sleeve surmounted by a circular cast iron frame and lid at street surface. In case the monument is not on a street, the metal marker may be set flush with the existing ground surface.

F. The engineer and surveyor shall set monuments at all lot corners and at all curve points on lot boundary lines.

G. There shall be one or more permanent bench marks for each subdivision, of a type approved by the City engineer and referred to the City datum, set at each street intersection in the curb return or other location approved by the City engineer. The bench mark shall be a brass disc two inches  $\pm$  in diameter set in the concrete curb.

#### 16.18.150 Preparation of maps--certificates, acknowledgment and description.

The title sheet of the map, below the title, shall show the name of the engineer or surveyor, together with the date of the survey, the scale of the map and the number of sheets. The following certificates, acknowledgments and descriptions shall appear on the title sheet of the final or parcel map and such certificates in accordance with the provisions of the Subdivision Map Act may be combined where appropriate:

- A. Certificate by parties holding title
- B. Engineer's certificate.
- C. Certificate to be executed. Certificates for execution by each of the following:
  - 1. City Engineer;
  - 2. City Clerk;
  - 3. County Recorder.

#### 16.18.160 Preparation of maps--description of property.

A description of all property being subdivided by reference to maps or deeds of the property shown thereon as shall have been previously recorded or filed. Each reference in such description to any tract or subdivision shall shown a complete reference to the book and page or records of the county. The description shall also include reference to any vacated area with the number of the ordinance vacating thereof.

#### 16.18.170 Preparation of maps--certificate regarding tax lien.

Prior to the filing of the final or parcel map with the City Council, the subdivider shall file the certificate and documents pursuant to the Map Act or any amendments thereto relating to taxes and assessments.

#### 16.18.180 Preparation of maps--other documents.

Such other affidavits, certificates, acknowledgments, endorsements, and notarial seals as are required by law and by this title shall be completed and/or furnished by the subdivider.

#### 16.18.190 Action on final map by Planning Department.

A. Upon acceptance of the final map or parcel map and accompanying documents as property of the City, fees and materials for filing, the Planning Department shall cause the same to be examined and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications and provisions made or required by the approving body, and if found to be complete, technically correct, in conformity with improvement plans and

specifications, and in compliance with the requirements of this Title, planned street lines and other applicable specific plans and ordinances, shall file said map with the City Clerk. No map shall be certified until the required improvements have been installed in accordance with Chapters 16.21 and 16.24. Notwithstanding anything to the contrary in this section, the on-site improvements for the unimproved parcels shown on a parcel map may be constructed after the final parcel map is filed for record, but prior to the issuance of a permit or other grant of approval for the development of such parcel. In such instance, the final or parcel map shall contain a statement setting forth all on-site and off-site improvements which must be constructed prior to further parcel development.

B. Should the map or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised, in writing, by mail, of the changes or additions that must be made before the map may be certificated. If the defect is the result of a technical and inadvertent error, which does not materially affect the validity of the map, the defect may be waived.

C. The planning director need not approve final map or parcel map which is not substantially similar to the approved tentative map if, in his/her opinion, circumstances concerning the design and improvement of the subdivision, as they relate to the public health, safety and welfare, having materially changed since approval of the tentative map, and such changed circumstances warrant reconsideration thereof. In such instance, the map shall be returned to the approving agency for further consideration.

D. The final or parcel map shall not be considered filed for action by the City Clerk until the Planning Department has completed such action required.

## 16.18.200 Public improvement agreement.

If, at any time of approval of the final map by the Planning Department, any public improvements required by the City Engineer pursuant to the provisions of this title have not been completed and accepted in accordance with City standards applicable at the time of the approval or conditional approval of the tentative map, as a condition precedent to the approval of the final map, the subdivider shall be required to enter into an agreement with the City upon mutually agreeable terms to thereafter complete such improvements at the subdivider's expense, within the time specified in the agreement, which time shall in no event exceed twelve (12) months from the date thereof. Such agreement shall be secured by improvement security in the amount and form set forth in this title.

## 16.18.210 Recordation.

When the final map has been approved as set forth in this Title, the City Clerk shall record the same with the Butte County Recorder.

## 16.18.220 Amending maps after recordation.

After a final map or parcel map is filed in the office of the Butte County Recorder, such a recorded map may be amended by a Certificate of Correction or an amending map, at the discretion of the City Council, if the City Council finds that:

A. There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary; and,

- B. The modifications do not impose any additional burden on the present fee owner of the property; and,
- C. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and,
- D. the map as modified conforms to the requirements for such maps imposed by this code and by state law.

The subdivider shall apply for an amendment under this section by filing an application with the Planning Department setting forth all of the amendments proposed to be made and addressing specifically all of the findings set forth above. Upon receipt of an application under this section, it shall immediately be set for a public hearing at the next council meeting allowing compliance with the notice provisions of Government Code Section 66451.3. The council may, by resolution, set fees to be charged for this application pursuant to Government Code Section 66451.2.

**SECTION 8**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 528-1988 (part), Ordinance 533-1988 § 1(part), amending Title 16, and replace with the following Chapter 16.21 "Design Standards and Requirements":

# **Chapter 16.21 DESIGN STANDARDS AND REQUIREMENTS**

- 16.21.010 Requirements.
- 16.21.020 Access to public streets.
- 16.21.030 Lot standards.
- 16.21.040 Streets.
- 16.21.050 Street patterns.
- 16.21.060 Design adjacent to arterials.
- 16.21.070 Street names.
- 16.21.080 Alleys.
- 16.21.090 Grades, curves and sight distances.
- 16.21.100 Curbs, gutters, sidewalks and pedestrian ways.
- 16.21.110 Utilities and easements.
- 16.21.120 Watercourses.
- 16.21.130 Block standards.
- 16.21.135 Residential subdivision construction requirements.
- 16.21.140 Non-residential subdivisions.

## 16.21.010 Requirements.

Except where modified in accordance with this Title, each subdivision and the map thereof shall be in conformity with the standards set forth or referred to in this Chapter.

### 16.21.020 Access to public streets.

All lots or parcels created by the subdivision of land shall have access to public streets improved to standards required in this Chapter. The design of private streets will be in accordance with the Public Works Construction Standards and subject to Planning Commission review.

## 16.21.030 Lot standards.

The size, shape and orientation of lots shall be appropriate to the location of the proposed subdivision and to the type of developments contemplated. The following principles and standards shall be observed:

A. The minimum area and dimensions of all lots shall conform to the requirements of Title 17 of the City for the district in which the subdivision is located except cul-de-sac lots may have a minimum width of sixty (60) feet measured at the building setback line.

B. Corner lots shall have a radius of not less than twenty (20) feet at the street corner property line.

C. In general, the average width of a lot should not be less than one-third the average depth, and the lot width should not be greater than such depth or as defined in Title 17.

D. Wherever it is practical, the side lines of all lots shall be perpendicular to the street which the lot faces or along radial lines if the street is curved.

E. Flag lots will only be approved where the Planning Commission determines that the topographic features and/or dimensions of the property make it impractical to create conventional lots. All proposed flag lots must meet the following criteria:

1. Flag lots must conform to all, requirements of this section, and applicable zoning requirements. The access way serving the flag lot shall not be included when calculating required lot area or allowable lot coverage.

2. The access way serving one unit on a single lot shall be at least twenty-five (25) feet wide, with a minimum of twelve (12) feet thereof being paved with concrete or asphalt concrete.

3. The access way serving two (2) or three (3) lots, or a single lot with more than one unit shall be at least twenty-five (25) feet wide, with twenty (20) feet thereof being paved with concrete or asphalt concrete, with an adequate turn-around provided at the end. The number of flag lots served by one access way shall not exceed three (3).

4. Curb and gutter may be required along the access way if the Planning Commission determines that it is necessary to provide adequate drainage. Adequate drainage shall be provided for all flag lots in accordance with the Public Works Construction Standards.

5. The maximum length of a roadway serving one flag lot shall be 200 feet. The maximum length of roadway serving two or three flag lots shall be 300 feet.

6. Each dwelling unit situated on a flag lot shall provide two (2) off-street parking spaces in addition to those spaces required by Title 17 of the Gridley Municipal Code.

7. Prior to the time a flag lot is developed, the site plan therefor shall be reviewed and approved by the Gridley Fire Chief for fire access and service requirements.

#### 16.21.040 Streets.

A. Conformance. The streets shall conform in principle to the streets shown in the Circulation Element of the General Plan and shall conform to the Public Works Construction Standards and the requirements of this Title.

B. Minimum Standards. Where higher standards have not been established as set forth in subsection A of this section, or lesser standards have not been established as set forth in subsection C of this section, all major and minor streets shall be platted according to the following minimums except higher standards may be required where streets are to serve commercial or industrial property or where probable traffic conditions warrant:

| Type of Street       | Right-of-<br>Way<br>width*<br>(in feet) | No. of<br>Lanes | Lane<br>Width | Sidewalk               | Bike<br>Lane        | Planter<br>Parkway<br>Strip | On<br>Street<br>Pkg. |
|----------------------|---|-----------------|---------------|------------------------|---------------------|-----------------------------|----------------------|
| 1. Highway 99        | Per<br>Caltrans                         | -               | -             | -                      | -                   | -                           | -                    |
| 2. Arterial          | 60-84'                                  | 2-4             | 12'           | 5-12'<br>Both<br>Sides | None                | 6'<br>Both<br>Sides         | No                   |
| 3. Major Collector   | 50-60'                                  | 2               | 11'           | 5-12'<br>Both<br>Sides | 5'<br>Both<br>Sides | 6'<br>Both<br>Sides         | No                   |
| 4. Minor Collector   | 66-74'                                  | 2               | 10'           | 5-12'<br>Both<br>Sides | 5'<br>Both<br>Sides | 6'<br>Both<br>Sides         | 8'<br>Both<br>Sides  |
| 5. Local Street      | 56-64'                                  | 2               | 10'           | 5-6'<br>Both<br>Sides  | No                  | No                          | 8'<br>Both<br>Sides  |
| 6. Industrial Street | 84' min                                 | 2               | 14'           | 4-6'<br>One<br>Side    | No                  | No                          | 10'<br>Both<br>Sides |

Notes:

\* Plus additional easement for utilities.

\*\* Interior streets and alleys are as determined by the Planning Commission

C. Exceptions to minimum standards. Streets which have been determined to have exceptional circumstances, and for which lesser minimum standards have been adopted, include the following:

| Name of Street                                 | Right-of-Way<br>(in feet) | Curb to Curb width (in feet) |
|--|---------------------------|------------------------------|
| 1. Magnolia Street, between Idaho and Randolph | 18                        | not applicable               |

# 16.21.050 Street patterns.

The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed:

A. Where appropriate to the design, proposed streets shall be contiguous and in alignment with existing planned or platted streets with which they are to connect.

B. When required by the Department of Public Works, proposed streets shall be extended to the boundary line of the land to be subdivided. A "No Access Rights" Certificate shall be shown on the final map where required by the public works department.

C. Where the Public Works Department determines that it is necessary to give access to or permit a satisfactory subdivision of adjoining land, streets shall extend to the boundary of the property and the resulting dead-end streets may be approved with a temporary cul-de-sac in accordance with the Public Works Construction Standards.

D. No cul-de-sac shall exceed five hundred (500) feet in length from the center of the turnaround to the centerline of the intersecting street unless approved as a special condition by the Planning Commission.

E. Proposed streets shall intersect one another at nearly at right angles as the conditions and other limiting factors of good design shall permit.

F. The centerlines of all streets wherever practicable shall be the continuation of the centerlines of existing streets or shall be offset at least two hundred (200) feet for local streets and three hundred (300) for all other streets.

# 16.21.060 Design adjacent to arterials.

Subdivision design adjacent to major streets or highways shall be as determined by the Planning Commission.

A. Street Design. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on such arterials.

B. Intersecting Streets. The number of intersecting streets along arterials shall be held to a minimum.

C. Bordering Highways. When the rear or side lines of any lots border a State highway or major street, the subdivider may be required to execute and deliver to the City an instrument prohibiting the right of ingress and egress to such lots across the side lines of such highways.

D. Service Roads; Off-street Parking. When lots proposed for commercial or industrial uses front on any major or secondary street or highway, the subdivider may be required to dedicate and improve a parallel service road to provide ingress and egress to and from such lots. When any lots proposed for residential use front on a State highway or a major street, the subdivider may be required to dedicate and improve a frontage service road at the front of such lots or to back lots to the highway or major streets.

E. Additional parking areas. In addition to the requirements for a service road, the Planning Commission requires adequate off-street parking areas for all lots pursuant to Title 17.

#### 16.21.070 Street names.

All street names shall be as approved by the County street name coordinator.

#### 16.21.080 Alleys.

When lots are proposed for commercial or industrial use, alleys at least twenty-four (24) feet in width may be required at the rear thereof.

#### 16.21.090 Grades, curves and sight distances.

Grades, curves and sight distances shall be subject to approval by the Public Works Department to insure proper drainage and safety for vehicles and pedestrians in accordance with the Public Works Construction Standards.

#### 16.21.100 Curbs, gutters. sidewalks and pedestrian ways.

A. Curbs, sidewalks, and gutters as shown on the City's Public Works Construction Standards shall be required.

B. When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities, or for unusually long blocks, the subdivider shall construct pedestrian ways in accordance with §16.21.040 (B).

#### 16.21.110 Utilities and easements.

A. Easements for public utilities shall be provided and shall not be less than ten (10) feet in width, direct and continuous from block to block, or six (6) feet on each side or rear lot lines and side lines where necessary. When an easement on only one side of lot lines is required, it shall have a minimum width of twelve (12) feet. Easements of greater width may be required along natural watercourses, conforming substantially to the lines of such channels or such channels realigned.

B. All utility distribution facilities shall be placed underground except as hereinafter provided in this Title.

#### 16.21.120 Watercourses.

The subdivider shall dedicate right-of-way for storm drainage conforming substantially with the lines of any natural watercourse that traverses the subdivision, or at the option of the Planning Commission, the subdivider shall provide by dedication further and sufficient easements or constructions or both, to dispose of such surface and stormwater.

# 16.21.130 Block standards.

The major dimensions of a block shall not exceed six hundred sixty (660) feet (four hundred (400) feet is preferred) in length or less than two hundred eighty (280) feet (three hundred twenty (320) feet is preferred) in length between street centerlines unless modified in accordance with the provisions of Chapter 16.24 entitled "Public Improvements."

# 16.21.135 Residential subdivision construction requirements.

It is the policy of the City to prevent construction of two houses with substantially identical exterior appearance within sight of each other. To implement this policy, the Planning Commission and/or City Council shall establish reasonable standards to evaluate the exterior appearance of proposed houses.

All building plans for new residential buildings must be reviewed by the Planning Department. Where more than one dwelling unit is being constructed as part of a new subdivision in which the units proposed will have similar floor plans and exterior elevations, each building shall be reviewed by the appropriate City department. Unusual or controversial building proposals shall be referred to the Planning Commission for review. Conventional single-family or duplex buildings proposed to be constructed on individual existing lots may be reviewed and approved by the Planning Department and be consistent with the Infill Design Guidelines.

To ensure compliance with this section, no building permit may be issued without a clearance from the Planning Department that the proposed building plan has been reviewed and approved in accordance with this section and Title 17.

# 16.21.140 Mixed Use and Non-residential subdivisions.

A. Conformance to General Plan. The street and lot layout of a mixed use and non-residential subdivision shall be appropriate to the land use for which the subdivision is proposed, and shall conform to the proposed land use and standards established in the General Plan and Title 17 of the city.

B. Types of mixed use and non-residential subdivisions. Non-residential subdivisions may include industrial, commercial, and mixed use subdivisions. Mixed use subdivisions include a mix of commercial and residential uses.

C. Principles and standards. In addition to the principles and standards in this title which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the zoning and street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.

2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon.

3. Special requirements may be imposed by the City with respect to street, curb and gutter, and sidewalk design and construction.

4. Special requirements may be imposed by the City with respect to the installation of public utilities, including electric, water, sewer, fire protection and storm drainage.

5. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed non-residential subdivisions, including the provisions of extra depth in parcels backing upon existing or potential residential development and provisions for a permanently landscape buffer strip when necessary.

6. Streets expected to carry frequent non-residential heavy traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets extended for predominantly residential traffic.

**SECTION 9**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), amending Title 16, and replace with the following Chapter 16.24 "Public Improvements":

# Chapter 16.24 PUBLIC IMPROVEMENTS

- 16.24.010 Minimum requirements.
- 16.24.020 Streets and pedestrian ways.
- 16.24.030 Fire hydrants.
- 16.24.040 Stormwater drains.
- 16.24.050 Water mains.
- 16.24.055 Sanitary sewers.
- 16.24.060 Street name signs.
- 16.24.070 Permanent monuments, barricades and traffic signs and safety devices.
- 16.24.080 Subdivision lighting facilities.
- 16.24.090 Underground utility facilities.
- 16.24.100 Underground utilities--general.
- 16.24.110 Completion.
- 16.24.120 Dedications.
- 16.24.130 School sites.
- 16.24.140 Sites for public facilities.

#### 16.24.010 Minimum requirements.

The subdivider shall improve or agree to improve all streets, pedestrian ways or easements and public utilities in the subdivision and adjacent thereto required to serve the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the Public Works Department and City Engineer. Improvements shall be installed to permanent line and grade and to the satisfaction of the Public Works Department and in accordance with the Public Works Construction Standards. The minimum improvement which the subdivider must make or agree to make at the cost of the subdivider, prior to acceptance and approval of the final subdivision map or parcel map by the City, shall be set forth in the Public Works Construction Standards and/or this Chapter.

### 16.24.020 Streets and pedestrian ways.

All streets and pedestrian ways shall be improved to widths and grades shown on the improvement plans and profiles signed by the City engineer and approved by the City Council as established by law. The subdivider shall improve the extension of all subdivision streets and pedestrian ways to their intersecting with any county road, City street, or State highway.

### 16.24.030 Fire hydrants.

Subdividers of residential subdivisions subject to provisions of this Title shall cause to be installed fire hydrants, gated connections and appurtenances, including an adequate source of water supply for fire hydrants. If the subdivider has not installed or caused to be installed said hydrants, gated connections and appurtenances, including an adequate source of water, prior to the recordation of the final subdivision map or record of survey maps, he/she shall:

A. Include such installation in the contract and bonds required of the subdivider pursuant to the ordinance codified in this Title and other ordinances regulating the subdivision of land;

B. The City Council may, upon verified petition of a subdivider, and upon the recommendation of the Planning Commission, subject to the requirements of this Title, postpone the installation of fire hydrants, gated connections and appurtenances, including an adequate source of water, upon finding that the expected population growth in the area does not warrant that all of the improvements have to be installed.

### 16.24.040 Stormwater drains.

Stormwater drains shall be installed as shown on the improvement plans signed by the City Engineer.

#### 16.24.050 Water mains.

Water mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection. Whenever water service to a property requires construction of an off-site water main to the corner of the property, or construction of a well, fire hydrants, tanks, pumps or other unusual water facilities, these costs must be borne by the person or properties to be served.

#### 16.24.055 Sanitary sewers.

Sanitary sewers shall be installed with laterals to each lot and/or parcel shown on the final or parcel map in accordance with the Public Works Construction Standards and the improvement plans signed by the City Engineer.

#### 16.24.060 Street name signs.

Street name signs shall be provided and placed as required by the Public Works Department.

#### 16.24.070 Permanent monuments, barricades and traffic signs and safety devices.

Permanent monuments, barricades and traffic signs and safety devices shall be placed as required by the City Engineer.

#### 16.24.080 Subdivision lighting facilities.

Subdivision lighting facilities shall be provided in accordance with the recommendations of the Public Works Department. Lighting shall be adequate to permit proper policing of the subdivision.

### 16.24.090 Underground utility facilities.

All new utility facilities (including, but not limited to, electric and gas distribution, communication and cable television lines) extended to and installed within any new subdivision shall be placed underground. The installation of the facilities of privately owned utility companies shall be made in accordance with the Utilities Rules and Regulations on file with the Public Utilities Commission. Exempt from this requirement are: equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

A. The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies involved for the installation of said facilities.

B. Public rights-of-way and easements where utilities are to be placed underground shall be graded to within six (6) inches of the final grade prior to the installation of those utilities.

C. Grades of curbs and sidewalks shall be determined and staked before utilities are installed underground, and all surface mounted appurtenances and vaults shall be carefully set to grade to match the curb and/or sidewalk grade.

#### 16.24.100 Underground utilities--general.

All underground utilities installed in streets or alleys shall be constructed prior to the surfacing of such streets or alleys. Connections for all underground utilities shall be laid to such lengths as will obviate the necessity for disturbing the street or alley improvements when service connections thereto are made. Where necessary, dry conduit shall be installed for future underground utility crossings.

### 16.24.110 Completion.

A. A complete set of "as-built" improvement plans shall be filed with the Public Works Department upon completion of said improvements and said plans shall become the property of the City. The final set of "as-built" improvement plans shall be submitted as original drawings, photographic mylars or other. B. Said "as-built" plans are to be certified as to accuracy and completeness by the subdivider's licensed contractor or engineer. Upon receipt and acceptance of said "as-built" plans, the City Engineer shall recommend to the City Council formal acceptance of the improvements by the City.

# 16.24.120 Dedications.

A subdivider shall dedicate by deed or make an irrevocable offer to dedicate, without cost to the City, real property for the following purposes:

A. Streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements;

B. Bicycle paths in any subdivision containing two hundred (200) or more lots as specified in the Map Act;

C. Parks and recreation, in accordance with the General Plan and the Gridley Municipal Code and as specified by the provisions of the Subdivision Map Act, except where the subdivider pays an in-lieu fee in accordance with standards approved by the City Council;

D. Such other public purposes as the Planning Commission may deem necessary, provided the amount of real property required to be dedicated bears a reasonable relationship to the increased need for public facilities created by the subdivision.

# 16.24.130 School sites.

A subdivider may be required to provide such land for school sites as may be necessary in accordance with the provisions of the Subdivision Map Act. Collection and administration of school impact fees shall be the responsibility of the local school district office.

# 16.24.140 Sites for public facilities.

A subdivider may be required to reserve sites for public uses as provided by the Subdivision Map Act. This section shall not be deemed to conflict with Subsection D of Section 16.24.120.

**SECTION 10**: Rescind portions of Ordinance 486-1986 (part) and portions of Ordinance 533-1988 § 1(part), amending Title 16, and replace with the following Chapter 16.27 "Modifications (Exceptions)":

# **Chapter 16.27 MODIFICATIONS (EXCEPTIONS)**

- 16.27.010 Modification of title provisions.
- 16.27.020 Referral of proposed modifications.
- 16.27.030 Condominiums, community apartment and cluster-type subdivisions.

# 16.27.010 Modification of title provisions.

Whenever the land involved in any subdivision is of such size or shape or is subject to such title limitations of record or is affected by such topographical location or conditions or is to be devoted to such use that it is impossible, impractical, or undesirable in a particular case for the subdivider to fully conform to the regulations contained in this title, the Planning Commission may recommend modifications may be reasonable and necessary if such modifications are in conformity with the spirit and purpose of the Subdivision Map Act and of the Gridley Municipal Code. Application for any such modifications shall be made by a petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with or after the acceptance of the tentative map of the subdivision. In order for the property referred to in the petition to come within the provisions of this chapter, it shall be necessary that the Planning Commission makes the following findings of fact:

A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as topography, fixed rights-of-way, unique location of easements, etc.;

B. Because of the unique nature of a particular subdivision concept, design innovations are proposed which meet the functional standards of the zoning and subdivision regulations without strict adherence to the requirements of this title;

C. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner; and,

D. That the granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the territory in which said property is situated.

#### 16.27.020 Referral of proposed modifications.

A. Each proposed modification shall be referred to the officer of the department under whose jurisdiction the regulation comes and such officer or department shall transmit to the Planning Commission a written recommendation, which recommendations shall be reviewed prior to any proposed modification by the Planning Department.

B. The Planning Commission shall review the request for a proposed modification in light of its impact on public health and safety and the general welfare of the public. Any action taken with reference to said requested modifications shall be in accordance with and subject to provisions of Chapter 16.30 entitled "Reconsideration of Decision."

#### 16.27.030 Condominiums, community apartment and cluster-type subdivisions.

In the case of condominium subdivisions and community apartment subdivisions, as defined by the Subdivision Map Act of the state, and cluster-type subdivisions, the Planning Commission may approve or conditionally approve such subdivisions providing that the following findings are made:

A. Adequate light and air space, vehicular and pedestrian access, utilities, including but not limited to water, sewer, electric power, gas and storm drainage, public services, such as fire protection, police protection and solid waste disposal; landscaping and such other factors as the City may deem appropriate, must be provided to ensure the development of improvements necessary to protect the health, safety and welfare of the citizens of the City.

B. That a legal entity pursuant to the laws of the State will be established for the control and maintenance of all land and improvements to be held in common. Such legal entity shall possess

the authority to make sufficient assessment and be responsible for the maintenance of all facilities and shall be self-sustaining.

C. That the granting of approval or conditional approval of such subdivision shall not be detrimental to the public welfare or injurious to other property in the territory in which such property is situated.

**SECTION 11**: Rescind portions of Ordinance 486-1986 (part) amending Title 16, and replace with the following Chapter 16.30 "Reconsideration of Decision":

# **Chapter 16.30 RECONSIDERATION OF DECISION**

- 16.30.010 Filing of request for reconsideration.
- 16.30.020 Report of the city clerk to the planning department, department of public works, and applicant.
- 16.30.030 Action on request for reconsideration.

# 16.30.010 Filing of request for reconsideration.

A. The subdivider, or any tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, may request reconsideration of any action with respect to a tentative map from the City Council.

B. Any such request for reconsideration shall be in writing and filed with the City Clerk within ten (10) days after the action from which the request for reconsideration is being made.

# 16.30.020 Report of the city clerk to the planning department, department of public works, and applicant.

The City Clerk shall report the filing of such notice to the Planning Department, the Public Works Department, the City Engineer, and to the applicant, if the request for reconsideration is filed by anyone other than the applicant. A written report shall be submitted by the City Engineer and the Planning Department to the City Council, not later than the date set for hearing said request for reconsideration.

# 16.30.030 Action on request for reconsideration.

Upon receipt of a request for reconsideration, the City Council shall set the matter for hearing. The hearing shall be held within thirty (30) days after the date of filing the completed request as accepted by the Planning Department. Upon conclusion of the hearing, the City Council shall, within ten (10) days, declare its findings based upon testimony and documents before it. The City Council may overrule or modify the decision, determination, or requirement which is the subject of the request for reconsideration and enter such orders as are in harmony with the spirit and purposes of this Title and the provisions of the Subdivision Map Act.

**SECTION 13**: Rescind portions of Ordinance 533-1988 §1 (part) amending Title 16, and replace with the following Chapter 16.33 "Building Permit Issuance":

# **Chapter 16.33 BUILDING PERMIT ISSUANCE**

# 16.33.010 Requirements.

# 16.33.010 Requirements.

No building permit shall be issued for the construction of any building, structure, or other work on any parcel proposed to be erected until a parcel map or final map has been approved and recorded in accordance with the provisions of this title and of Title 7, Division 2, Chapter 3, Article 6, beginning at Section 66464 of the Government Code of the State and recorded in the office of the Butte County Recorder. No building permit shall be issued for the construction of any building, structure or other work other than works of improvement required to be performed as a condition of approval of the parcel map or final map on any parcel created on a parcel map or final map until all works of improvement required as a condition of the parcel map or final map have been completed and accepted by the City or until all works of improvement required as a condition of the parcel map or final map have been agreed to be constructed by a qualified contractor and this agreement is properly bonded, or other appropriate security is furnished in accordance with this Title, and pursuant to the provisions of the Subdivision Map Act.

**SECTION 14**: Rescind portions of Ordinance 486-1986 (part) amending Title 16, and replace with the following Chapter 16.36 "Violation -- Penalty":

# Chapter 16.36 VIOLATION--PENALTY

16.36.010 Violation--penalty.

# 16.36.010 Violation--penalty.

Any person, firm, corporation, partnership, or co-partnership who willfully violates any of the provisions or fails to comply with any of the mandatory requirements of this Title is guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed five hundred (500) dollars or by imprisonment except that nothing herein contained shall be deemed to bar any legal equitable or summary remedy to which the City or other political subdivision, or any person, firm, corporation, partnership, or co-partnership may file suit to the Superior Court of the County to restrain or enjoin any attempted or proposed subdivision or sale in violation of this Title.

**SECTION 15**: Rescind portions of Ordinance 503-1986 §2 (part), and Ordinance 533-1986 §1 (part), amending Title 16, and replace with the following Chapter 16.40 "Park and Recreation Land Dedication and In-Lieu Fees":

# Chapter 16.40 PARK AND RECREATION LAND DEDICATION AND IN-LIEU FEES

16.40.010 Intent.

16.40.020 Requirements.

16.40.030 General standards.

16.40.040 Formula for dedication of land.

16.40.050 Formula for fees in lieu of land dedication.

- 16.40.060 Criteria for requiring both dedication and fee.
- 16.40.070 Amount of fee in lieu of land dedication.
- 16.40.080 Determination of fair market value.
- 16.40.090 Determination of land or fee.
- 16.40.100 Credit for private open space.
- 16.40.110 Procedure.
- 16.40.120 Alternate procedure for collection of fees.
- 16.40.130 Disposition of fees.
- 16.40.140 Exemptions.
- 16.40.150 Subdivider-provided park and recreation improvements.
- 16.40.160 Access.
- 16.40.170 Sale of dedicated land.

# 16.40.010 Intent.

This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of the State of California. The park and recreational facilities for which dedication of and/or payment of a fee is required by this Chapter are in accordance with the Open Space Element of the General Plan of the City.

#### 16.40.020 Requirements.

At the time of approval of the tentative map or tentative parcel map, the City Council shall determine, pursuant to Section 10.40.040, the land required for dedication or in-lieu fee payment. As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the City, for neighborhood and community park or recreational purposes at the time and according to the standards and formula contained in this Chapter. In the event park and recreational services are provided by a public agency other than the City, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the City and such public agency.

### 16.40.030 General standards.

It is found and determined that the public interest, convenience, health, welfare, and safety require that five acres of property for each one thousand persons residing within this City be devoted to neighborhood and community park and recreational purposes.

#### 16.40.040 Formula for dedication of land.

A. Where a park or recreation facility has been designated in the Open Space Element of the General Plan of the City, and is to be located in whole or in part within a proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for a local park sufficient in size and topography that bears a reasonable relationship to serve the present and future needs of the residents of the subdivision but not

designated solely for that subdivision being created. The amount of land to be provided shall be determined pursuant to the following formulas:

Formula based on population estimate: The formula for determining acreage per proposed dwelling unit to be dedicated shall be as follows:

DU x population x 5 acres = acreage to be dedicated

Dwelling unit 1000 people

The calculation shall be based on the most recent number provided by the State Department of Housing and Community Development. The average number of persons per dwelling unit in the as of 2016 is 2.96 persons per unit.

B. Dedication of the land shall be made in accordance with the procedures contained in Section 16.40.110.

C. For the purposes of this section, the number of new dwelling units, defined as single family detached, attached, second units, live-work units or any combination thereof, the fee or dedication of land shall be calculated at the greatest possible number of units a parcel may be able to be developed to for any residential or non-residential parcel. In the case of a condominium project, the number of new dwelling units shall be the number of condominium units. The term "new dwelling unit" does not include dwelling units lawfully in place prior to the date on which the parcel or final map is filed.

D. The subdivider shall, without credit:

1. Provide full street improvements and utility connections including, but not limited to, curbs gutters, street paving, traffic-control devices, street trees, and sidewalks to land which is dedicated pursuant to this section.

2. Provide for fencing along the property line of that portion of the subdivision contiguous to the dedicated land pursuant to the requirements and limitations of Title 17.

3. Provide improved drainage through the site.

4. Provide other minimal improvements which the City Council determines to be essential to the acceptance of the land for recreational purposes.

E. The land to be dedicated and the improvements to be made pursuant to this section shall be approved by the City Council.

#### 16.40.050 Formula for fees in lieu of land dedication.

A. General formula. If there is no park or recreation facility designated in the Open Space Element, to be located in whole or in part within the proposed subdivision, to serve the immediate and future needs of the residents of the subdivision and the City in general, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of that land, plus twenty-five (25) percent toward costs of off-site improvements prescribed for dedications in Section 16.40.040 and in an amount determined in accordance with the provisions of

Section 16.40.040, such fee to be used for a local park which bears a reasonable relationship to serve the present and future residents of the area being subdivided.

For the purpose of this chapter, off-site improvements are defined as those improvements which would have been required if land had been dedicated using the provisions of Section 16.40.040.

B. Fees in lieu of land; fifty parcels or less. If the proposed subdivision contains fifty (50) parcels or less, the subdivider shall pay a fee equal to the land value, plus twenty –five (25) percent toward costs of off-site improvements, of the portion of the local park required to serve the needs of residents of the proposed subdivision as prescribed in Section 16.40.040, and in an amount determined in accordance with the provisions of Section 16.40.070.

However, nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of fifty (50) parcels or less, where the subdivider proposes such dedication voluntarily and the land is acceptable to the City Council.

C. Use of money. The money collected under this chapter shall be used only for the purpose of acquiring necessary land and developing new or rehabilitating existing park or recreational facilities reasonably related to serving the subdivision.

# 16.40.060 Criteria for requiring both dedication and fee.

In subdivisions of more than fifty (50) parcels, the subdivider shall both dedicate land and pay a fee in lieu thereof in accordance with the following formula:

A. When only a portion of the land to be subdivided is proposed on the Open Space Element, as the site for a local park, such portion shall be dedicated for local park purposes and a fee computed pursuant to the provisions of Section 16.40.070 shall be paid for the value of any additional land, plus twenty-five (25) percent toward costs of off-site improvements, that would have been required to be dedicated pursuant to Section 16.40.040.

B. When a major part of the local park or recreation site has already been acquired by the City and only a small portion of land is needed from the subdivision to complete the site, such remaining portion shall be dedicated and a fee computed pursuant to the provisions of Section 16.40.070 shall be paid in an amount equal to the value of the land, plus twenty –five (25) percent toward costs of off-site improvements, which would otherwise have been required to be dedicated pursuant to Section 16.40.040 hereof, such fees to be used for the improvement of the existing park and recreation facility or for the improvement of other local parks and recreation facilities in the area serving the subdivision.

# 16.40.070 Amount of fee in lieu of land dedication.

A. When a fee is to be paid in lieu of land dedication value of the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required for dedication pursuant to Section 16.40.040, plus twenty percent toward costs of off-site improvements.

B. The fee shall be determined by the following formula:

Formula based on population estimate: The formula for determining acreage per proposed dwelling unit to be dedicated shall be as follows:

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DU x population x 5 acres = acreage to be dedicated
Dwelling unit 1000 people
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The calculation shall be based on the most recent number provided by the State Department of Housing and Community Development. The average number of persons per dwelling unit in the as of 2016 is 2.96 persons per unit.

C. Fees to be collected pursuant to this section shall be approved by the City Council.

# 16.40.080 Determination of fair market value.

The fair market value shall be determined upon a written appraisal prepared by an appraiser who is acceptable to both the City and the subdivider. The cost of the appraisal shall be borne by the subdivider. The appraisal will be made immediately prior to the filing of the final map. The subdivider shall notify the City of the expected filing date at least six weeks prior to filing of the final map. If more than one year elapses prior to the filing of the final map, the City will prepare a new appraisal and will bill the subdivider for the cost of the reappraisal. For the purposes of this chapter, the determination of the fair market value of a buildable acre, as defined in Section 16.40.070, shall consider, but not necessarily be limited to, the following:

- 1. Approval of and conditions of the tentative subdivision map;
- 2. The General Plan;
- 3. Zoning;
- 4. Property location;
- 5. Off-site improvement facilitating use of the property;
- 6. Site characteristics of the property.

# 16.40.090 Determination of land or fee.

A. Whether the City Council accepts a land dedication or elects to require payment of a fee in-lieu thereof, or a combination of both, shall be determined by consideration of the following:

1. The natural features, access, and location of land in the subdivision available for dedication;

- 2. The size and shape of the subdivision and land available for dedication;
- 3. The feasibility of dedication;
- 4. The compatibility of dedication with the open space element policies;
- 5. The location of existing and proposed park sites and trail ways.

B. The determination of the City Council as to whether land shall be dedicated or whether a fee shall be charged, or a combination thereof, shall be final and conclusive.

# 16.40.100 Credit for private open space.

A. No credit shall be given for private open space in the subdivision. except as hereinafter provided. Where private open space usable for recreational purposes is provided in a proposed planned development or real estate development as defined in Sections 11003 and 11003.1 of the Business and Professions Code, partial credit not to exceed fifty percent shall be given towards the requirement of land dedication or payment of fees in lieu thereof if the City Council finds that it is in the public interest to do so and that all the following standards are met:

1. Yards, court areas, setbacks, and other open areas required by the zoning and building ordinances and regulations shall not be included in the computation of such private open space; and

2. Private park and recreation facilities shall be owned by a home owner's association composed of all property owners in the subdivision and being an incorporated nonprofit organization capable of dissolution only by a one hundred percent affirmative vote of the membership, operated under recorded land agreements through which each lot owner in the neighborhood is automatically a member and each lot is subject to a charge for a proportionate share of expenses for maintaining the facilities. In the case of dissolution of the homeowner's association, the former private open space may be determined to be accessible and useable by any resident of the City; and

3. Use of the private open space is restricted for park and recreation purposes by recorded covenant which runs with the land in favor of the future owners of the property and which cannot be defeated or eliminated;and

4. The proposed private open space is reasonably adaptable for use for park and recreation purposes, taking into consideration such factors as size, shape, topography, geology, access, and location; and,

5. Facilities proposed for the open space are in substantial accordance with the provisions of the Open Space Element of the General Plan; and

6. The open space for which credit is given is generally a minimum of three acres and provides all the local park basic elements listed below, or a combination of such and other recreation improvements that will meet the specific recreation needs of future residents of the area:

a. Recreational open spaces which are generally defined as park areas for active recreation pursuits such as soccer, golf, baseball, softball and football, for organized sports and leagues for use, and have at least one acre of maintained turf with less than five percent slope,

b. Court areas, which are generally defined as tennis courts, badminton courts, shuffleboard courts, or similar hard surfaced areas especially designed and exclusively used for court games,

c. Recreational swimming areas, which are defined generally as fenced areas devoted primarily to swimming, diving, or both. They must also include decks, lawn area, bathhouses, or other facilities developed and used exclusively for swimming and diving and consisting of no less than fifteen (15) square feet of water surface area for each three percent of the population of the subdivision with a minimum of eight hundred(800) square feet of water surface area per pool together with an adjacent deck and/or lawn area twice that of the pool,

d. Recreation buildings and facilities designed and primarily used for the recreational needs of the residents of the development.

B. The determination of the City Council as to whether credit shall be given and the amount of credit shall be final and conclusive.

#### 16.40.110 Procedure.

A. At the time of approval of the tentative map or parcel map, the City Council shall determine pursuant to Section 16.40.040 the land required for dedication. If the City Council requires in-lieu fee payment by the subdivider, the City Council will set the amount of land upon which the in-lieu fee will be based at the time of the final map approval.

B. At the time of filing of the final subdivision map or parcel map, the subdivider shall dedicate the land or pay the fees as required by the City Council as established at the time of tentative map or parcel map approval. In-lieu fees will be established using current land values at the time of final map approval with the formula set forth in Section 16.40.070. The City Council shall set the in-lieu fee based on the fair market value of the land as determined using the process set forth in Section 16.40.080.

C. Open space covenants for private park or recreation facilities shall be submitted to the City prior to approval of the final subdivision map or parcel map and will be recorded contemporaneously with the final subdivision map.

### 16.40.120 Alternate procedure for collection of fees.

Upon written request by the subdivider prior to the filing of the final subdivision map or parcel map, the City Council, in their discretion, may provide for the collection of in-lieu fees at the time of the issuance of any building permit for any structure or building to be located upon any lot in the subdivision.

#### 16.40.130 Disposition of fees.

A. Fees determined pursuant to Section 16.40.070 shall be paid to the City Finance Director and shall be deposited into the subdivision park trust fund, or its successor. Money in the fund shall be expended solely for acquisition or development of park land, or improvements related thereto. Accrued interest in the fund may be used for maintenance of existing City parks in accordance with Government Code Section 66477.5.

B. Collected fees shall be appropriated by the local agency to which the land or fees are conveyed or paid for in specific project to serve residents of the subdivision in a budgetary year within five (5) years upon receipt of payment or within five (5) years after the issuance of building permits on one-half (1/2) of the lots created by the subdivision, whichever occurs first.

C. Such fees shall remain deposited with the City until such time the appropriation or project need is determined for the benefit of the residents of the City of Gridley.

#### 16.40.140 Exemptions.

A. Subdivisions containing less than five parcels and not used for residential purposes shall be exempted from the requirements of this chapter; provided however, that a condition shall be placed on the approval of such parcel map that if a building permit is requested for construction

of a residential structure or structures on one or more of the parcels, the fee shall be required to be paid by the owner of each such parcel as a condition of the issuance of such permit.

B. The provisions of this chapter apply to condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment unless it can be shown the project previously paid in-lieu fees or dedicated land.

# 16.40.150 Subdivider-provided park and recreation improvements.

The value of park and recreation improvements provided by the subdivider to the dedicated land shall not be credited against the fees or dedication of land required by this chapter. The City Council reserves the right to approve such improvements prior to agreeing to accept the dedication of land to require in-lieu fee payments should the land and improvements be unacceptable.

# 16.40.160 Access.

All land offered for dedication to local park or recreational purposes shall have access to at least one existing or proposed public street.

# 16.40.170 Sale of dedicated land.

If, during the ensuing time between dedication\_ of land for park purposes and commencement of first-stage development, circumstances arise which indicate that another site would be more suitable for local park or recreational purposes serving the subdivision and the neighborhood (such as receipt of a gift of additional park land or a change in school location), the land may be sold upon approval of the City Council with the resultant funds being used for purchase and improvements for a more suitable site.

**SECTION 17**: Rescind portions of Ordinance 695-2000 (part) amending Title 16, and replace with the following Chapter 16.50 "Mergers":

# **Chapter 16.50 Mergers**

- 16.50.010 Merger Generally.
- 16.50.020 Merger Application.
- 16.50.030 Merger Approval.
- 16.50.040 Merger Owner's Consent.
- 16.50.050 Merger Certificate of Compliance.

# 16.50.010 Merger - Generally.

Contiguous parcels of land under common ownership may be merged without reverting to acreage.

# 16.50.020 Merger - Application.

An application for merger shall be in the same form as an application for a certificate of compliance, and shall include a preliminary title report, a legal description of the property as a

single merged parcel, and an administrative fee in an amount to be established by resolution of City Council.

#### 16.50.030 Merger - Approval.

An application for merger shall be approved by the Planning Department after review by other affected departments. Prior to approval, all encumbrances, including bonded indebtedness, shall be modified to apply uniformly to the entire modified parcel, rather than to the portions of the modified parcel corresponding to the separate lots prior to the merger.

### 16.50.040 Merger - Owner's Consent.

All persons owning an interest in the real properties to be merged shall consent to the merger by executing an owner's certificate consenting to merger.

# 16.50.050 Merger - Certificate of Compliance.

The Planning Department shall record a certificate of compliance, including the owner's consent to merger, as set forth in this Title, to evidence the merger of the properties.

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**I HEREBY CERTIFY** that the foregoing text amendments to Title 16 were approved, and an ordinance was duly introduced at a regular meeting of the City Council of the City of Gridley, California, held on the 19<sup>th</sup> day of December, 2016, by the following vote:

| Paul Eckert, Ci | ty Clerk        | Frank Hall, Mayor |  |
|-----------------|-----------------|-------------------|--|
| ATTEST:         |                 | APPROVE:          |  |
| ABSTAIN:        | COUNCIL MEMBERS |                   |  |
| ABSENT:         | COUNCIL MEMBERS |                   |  |
| NOES:           | COUNCIL MEMBERS |                   |  |
| AYES:           | COUNCIL MEMBERS |                   |  |

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

# -Chapter 16.03 GENERAL PROVISIONS

16.03.010 Authority.

16.03.020 Purposes and items of considerationIntent.

16.03.030 Planning and Zoning Law.

16.03.040 Validity.

# -16.03.010 Authority.

This title<u>Title</u> is enacted adopted pursuant to <u>Section II of Article XI. Section -7</u>of the Constitution of California and the general laws of the <u>sState</u>, including the <u>Subdivision Map</u> Act. The provisions of this <u>titleTitle</u> are <u>in addition supplemental</u> to the regulations of the Subdivision Map Act. <u>Government Code Section 66410</u>, <u>et seq</u>. is hereby adopted and made a part hereof <u>this Title</u> by reference as they now exist or may be amended in the future and may be cited as the Subdivision Ordinance of the City of Gridley., and are supplemental thereto.

This title is also enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the state of California (referred to in this title as the Vesting Tentative Map Statute).

(Ord. 486 (part),' 1986) .

-16.03.020 Purposes and items of consideration Intent.

A. Purposes.

1.

<u>The purpose of these regulations established by this title are designed</u> is to assist in the systematic implementation of the General Plan. specific and community plans, the Planning and Development Code, and other land use regulations, the Zoning Ordinance, and to provide for public needs, health and safety, convenience, amenities, and general welfare and

The purpose of this title and any hereafter adopted is to regulate and control the design and improvement of land for all purposes within the city in order to preserve and enhance the health, safety, welfare and amenities of the community.

2. It is also the purpose of this title<u>Title</u> to establish procedures necessary for the implementation of the Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act. and <u>Chapter 16.15</u> of and this title<u>Title</u>.

-B. Considerations16.03.030 -Planning and Zoning Law.

-1. General plan and zoning laws. A.

—The general planGeneral Plan and Title 17. Zoning Ordinance. and the Department of Public Works Standards for the city shall guide the use of all land within the incorporated boundaries of the cityCity. The size and design of lots, the nature of utilities, the design and improvement of streets, the type of intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards that have been established. in the General PlanGeneral Plan and the Title 17. Zoning Zoning oOrdinance. of the cityCity., and any specific plans adopted for the area.

Neither the approval nor conditional approval of a development project shall constitute or waive compliance with any other applicable provisions of the Gridley Municipal Code (GMC) or other applicable ordinances or regulations adopted by the City, nor shall any such approval authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of its code or other applicable ordinances or regulations adopted by the City. Nothing in these regulations shall be construed to permit the premature or haphazard subdivision of lands in violation of the applicable zoning and land use regulations.

<u>2. Environmental impact.B.</u> The environmental impact of any subdivision shall be considered in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended: the implementation thereof by the , and the <u>CEQA Guidelines for Implementation of the California Environmental Quality of 1970, adopted by the Secretary of Resources of the state.</u> and city council of the city as they now exist or may be amended in the future.

<u>3. Community facilities.C.</u> Community facilities such as schools, recreation areas, etc., shall be considered in accordance with <u>General PlanGeneral Plan</u> standards. This <u>titleTitle</u> establishes procedures for the referral of proposed subdivision data to other departments, interested boards, bureaus and other governmental agencies and utility companies, both public and private, so that the extension of community facilities and utilities may be accomplished in an orderly manner, and coordinated with the development of the subdivision. To facilitate the acquisition of land areas required to implement this policy, the <u>eityCity</u> may require that the subdivider dedicate, grant easements, or otherwise reserve land for schools, playgrounds, thoroughfares, utility easements and other public purposes as specified in accordance with the provisions of the Subdivision Map Act and this <u>titleTitle</u>.

(Ord. 486 (part), 1986).

### -16.03.0340 Validity.

If any section, subsection, sentence, clause, or phrase of this <u>titleTitle</u> is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this <u>titleTitle</u>. The city council declares that it would have passed the ordinance codified in this title and each section, subsection, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses, or phrases be declared invalid or unconstitutional.

(Ord. 486 (part), 1986).

# **Chapter 16.06 DEFINITIONS**

16.06.010 Applicability of definitions in Subdivision Map Act.

16.06.020 Definitions.

16.06.010 Applicability of definitions in Subdivision Map Act.

Except as otherwise provided in this <u>titleTitle</u>, all terms used in this <u>titleTitle</u> which are defined in the Subdivision Map Act are used in this <u>titleTitle</u> so defined, unless from the context hereof it clearly appears that a different meaning is intended.

(Ord. 486 (part), 1986).

16.06.020 Definitions.

For the purposes of this <u>titleTitle</u>, the following words shall have the meanings set out in this section:

| 16.02.020.001 | "Advisory Agency" means the City of Gridley Planning Commission as  |
|---------------|---|
|               | advisory to the City Council.   |
| 16.02.020.002 | "Alley" means a public way, other than a street or highway, providing a   |
|               | secondary means of vehicular access to abutting property.   |
| 16.02.020.004 | "Building site" means a parcel of land which is identified on a final map or  |
|               | parcel map recorded in the office of the County Recorder with a separate  |
|               | and distinct number or letter. (See "Lot")  |
| 16.02.020.006 | "CEQA" means the California Environmental Quality Act, Public Resources   |
|               | Code Section 21000. et seq.   |
| 16.02.020.008 | "City code" means the City of Gridley Municipal Code  |
|               |   |
| 16.02.020.010 | "City Administrator's designee" means a person authorized to practice land<br>surveying pursuant to the Business and Professions Code, State of California. |
|               | surveying pursuant to the Business and Professions Code, State of Cantonna.   |
| 16.02.020.012 | "Commission" means the Planning Commission of the City of Gridley   |
| 16.02.020.014 | "Council" means the City Council of the City of Gridley.  |
| 16.02.020.016 | "County" means the County of Butte.   |
| 16.02.020.018 | "Director of utilities" means the Director of the Gridley Municipal Services, or  |
|               | the duly authorized representative of said director.  |
| 16.02.020.020 | "EIR" means an Environmenta Impact Report prepared pursuant to the  |
| *****         | requirements of CEQA. Public Resources Code Section 21000. et seq.  |

|  | "Final map" means a map showing a subdivision of five or more parcels for<br>which a tentative and final map are required by the Subdivision Map Act and  |
|--|---|
|  | this Title, prepared in accordance with the provisions of the Subdivision Map   |
|  | Act and this Title, and designed to be filed for recordation in the office of the   |
|  | County Recorder.  |
| 16.02.020.024  | "Fire protection" means such fire hydrants and other protective measures as   |
| 1010210201021  | may be reasonably required by the Fire Marshal of the Gridley Fire  |
|  | Department for protection of property to be located within a subdivision.   |
| 16.02.020.026  | "Flood hazard" means a hazard to land or improvements due to seasonal   |
|  | inundation or to overflow water having sufficient velocity to transport or  |
|  | deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.  |
| 16 02 020 029  |   |
| 16.02.020.028  | "General Plan" means the adopted current and long range planning document<br>outlining the goals and policies of acceptable land uses to guide the growth an  |
|  | land development within the City of Gridley.  |
| 16.02.020.030  | "Geological hazard" means a hazard inherent in the crust of the earth, or   |
| 100040040000   | artificially created, which is dangerous or potentially dangerous to life.  |
|  | property or improvements due to the movement, failure or shifting of earth.   |
|  |   |
| 16.02.020.032  | "Inundation" means ponded water or water in motion of sufficient depth to   |
| 16.02.020.032  | "Inundation" means ponded water or water in motion of sufficient depth to<br>damage property due to the presence of the water or to deposits of alluvium.   |
| - <del>A. "Final ma</del>  | damage property due to the presence of the water or to deposits of alluvium.<br>p" means a map prepared by a registered engineer or licensed land surveyor in   |
| A "Final ma<br>accordance with   | damage property due to the presence of the water or to deposits of alluvium.  |
| - <u>A. "Final ma</u><br>accordance with<br>on record in the   | damage property due to the presence of the water or to deposits of alluvium.<br>p" means a map prepared by a registered engineer or licensed land surveyor in<br>the provisions of the Map Act and this title, which map is designed to be place  |
| - <u>A.</u> "Final ma<br>accordance with<br>on record in the<br><u>B.</u> "Lot" mee  | damage property due to the presence of the water or to deposits of alluvium.<br>p" means a map prepared by a registered engineer or licensed land surveyor in<br>the provisions of the Map Act and this title, which map is designed to be place<br>office of the county recorder.  |
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| - A. "Final ma<br>accordance with<br>on record in the<br>B. "Lot" mea<br>division of inter<br>parcel map.<br>16.02.020.034 | damage property due to the presence of the water or to deposits of alluvium.<br>p" means a map prepared by a registered engineer or licensed land surveyor in<br>a the provisions of the Map Act and this title, which map is designed to be placed<br>office of the county recorder.<br>ans a parcel or portion of land established for purposes of sale, lease, finance,<br>rest or separate use, separated from other lands by description, a final map or<br>"Lot" means a parcel of land which is identified on a final map or parcel map<br>recorded in the office of the County Recorder with a separate and distinct<br>number or letter. (See "Building Site")<br>"Lot line adjustment" means a division of land consisting modification of a<br>boundary line between two (2) or more adjacent legal parcels where the<br>modification does not create new parcels, does not delete legal parcels, does<br>not reduce any of the parcels below the minimum lot area for the zoning<br>designation as set forth in Title 17, and does not alter any public rights-of-way   |

| 16.02.020.038  | Map Act" means the Subdivision Map Act of the <u>Sstate of California. (See</u> Subdivision Map Act).   |
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| 16.02.020.040  | "Merger" means the joining of two or more contiguous parcels of land under one ownership into one parcel.   |
| 16.02.020.042  | "Mobile home lot" means any area designated, designed or usable for the   |
|  | <u>occupancy of one mobile home on a temporary, semi-permanent or permanent basis.</u>  |
| 16.02.020.044  | "Multiple-family dwelling unit" means a building or portion thereof designed  |
|  | for occupancy by three or more families living independently of each other, bu<br>under one roof.   |
| 16.02.020.046  | "Negative declaration" means a is a document that states upon completion of   |
|  | an initial study, that there is no substantial evidence that the project may have   |
|  | significant effect on the environment.negative declaration pursuant to the  |
|  | requirements of CEQA. Public Resources Code Section 21000 et seq.   |
| 16.02.020.048  | Parcel map" means a map showing a subdivision of four or less parcels, as   |
|  | required by the Subdivision Map Act and this Title, prepared in accordance  |
|  |   |
|  | with the provisions of the Subdivision Map Act and this Title and designed to   |
| "Darcal map"   | with the provisions of the Subdivision Map Act and this Title and designed to be filed for recordation in the office of the County Recorder.  |
| - "Parcel map"                                       | with the provisions of the Subdivision Map Act and this Title and designed to<br>be filed for recordation in the office of the County Recorder.<br>means a map prepared by a registered civil engineer or licensed land surveyor is   |
| accordance with                                      | with the provisions of the Subdivision Map Act and this Title and designed to be filed for recordation in the office of the County Recorder.  |
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| accordance with<br>placed on record<br>16.02.020.050 | <ul> <li>with the provisions of the Subdivision Map Act and this Title and designed to be filed for recordation in the office of the County Recorder.</li> <li>means a map prepared by a registered civil engineer or licensed land surveyor in the provisions of the Map Act and this title, which map is designated to be d in the office of the county recorder.</li> <li>"Pedestrian way" means a right-of-way or easement designed for use by pedestrians only and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or without a street right-of-way at grade, or grade separated from vehicular traffic.</li> <li>"Planned development" is a type of building development and also a regulatory process. As a building development, it is a designed grouping of both varied and compatible land uses, such as housing, recreation, commercia</li> </ul>  |
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| 16.02.020.058 | "Private road easement" means a parcel of land not dedicated as a public stree  |
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|               | over which a private easement for road purposes is proposed to be or has been<br>granted to the owners of property contiguous or adjacent thereto which<br>intersects or connects with a public street, or a private street: in each instance<br>the instrument creating such easement shall be or shall have been duly |
|               | recorded or filed in the office of the County Recorder.   |
| 16.02.020.060 | "Public way" means any street, highway, alley, pedestrian way, equestrian or  |
|               | hiking trail. biking path, channel. viaduct, subway, tunnel, bridge, easement, right-of-way, or other way in which the public use has a right of use.   |
| 16.02.020.061 | "Responsible Agency" means all public agencies other than the lead agency   |
|               | which have discretionary approval power over the project.   |
| 16.02.020.062 | "Revised tentative map" means a tentative map filed for approval showing a  |
|               | revised arrangement of the streets, alleys, easements or lots or a modification   |
|               | of the boundary of property for which a tentative map has been previously approved.   |
| 16.02.020.064 | "Roadway" means that portion of a right-of-way or easement for a street.  |
|               | highway or alley designed or used to accommodate the movement of motor vehicles.  |
| 16.02.020.066 | Street, Arterial. "Arterial street" means a street that carries the vehicular traffi  |
|               | of local and collector streets to and from highways, through traffic between nearby cities with limited direct access to abutting properties.   |
| 16.02.020.068 | Street, Collector, "Collector street" means a street that provides for through  |
|               | traffic movement within and between neighborhoods, as well as access to<br>abutting property and collects and distributes vehicular traffic moving betwee<br>arterial streets and local streets.  |
| 16.02.020.070 | Street. Cul-de-sac. "Cul-de-sac street" means a street which is designed to   |
|               | remain permanently closed at one end with the closed end terminated by a vehicular turnaround. For the purposes of these regulations, the length of a cu  |
|               | <u>de-sac street shall be measured from the center line of the intersecting street</u><br><u>along the center line of the cul-de-sac to the center of the radius of the</u><br>turnaround.  |
| 16.02.020.072 | Street, Industrial. "Industrial Streets" are local streets that serve industrial  |
|               | areas, have wider travel lanes and wider allowances for on-street parking to accommodate trucks.  |
| 16.02.020.074 | Street, Local. "Local street" means any street other than a collector street.   |

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|                      | movement within a single neighborhood or part of a neighborhood designed for low volume and low speed travel.  |
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| 16.02.020.076        | Street. Major. "Major street" means a street carrying through traffic between<br>neighborhoods more than minor collector streets allowing more direct access to<br>abutting property and may serve a single neighborhood.  |
| 16.02.020.078        | Street. Minor. "Minor street" means any street other than a collector street.  |
|                      | major or freeway providing direct access to abutting property and serving local as distinguished from through traffic.   |
| 16.02.020.080        | "Subdivider" means a person, firm, corporation, partnership, or association<br>who proposes to divide, divides, or causes to be divided, real property into a<br>subdivision for himself/herself or for others.  |
| 16.02.020.082        | "Subdivision" means the division of any improved or unimproved land shown<br>on the latest equalized <u>Ce</u> ounty assessment roll as a unit or as contiguous units<br>for the purpose of a sale, lease, or financing, whether immediate or future.<br>Property shall be considered as contiguous units even if it is separated by<br>roads, streets, utility easements or railroad rights-of-way. "Subdivision"<br>includes a condominium project as defined in <u>Section 1350 of</u> the Civil Code,<br>or a community apartment project, as defined in <u>Section 11004 of</u> the Business<br>and Professional Code, or the conversion of five or more existing dwelling<br>units to a stock cooperative, as defined in <u>Section 11003.2 of</u> the Business and<br>Professions Code. Any conveyance of land to a governmental <u>defined</u> agency,<br>public entity, or public utility shall not be considered a division of land for<br>purposes of computing the number of parcels. All other divisions of land not<br>expressly defined in this section are subject to the requirements of this<br>title <u>Title</u> , <u>sS</u> tate and <u>eC</u> ounty health requirements for water and sewage<br>disposal, conformity with the zoning district containing the land and must be<br>accessible through approved right-of-way. |
| <u>16.02.020.084</u> | "Subdivision Map Act" means the Subdivision Map Act of the <u>sS</u> tate of California, Government Code Section 66410 <i>et seq</i> ., inclusive, as that Act currently provides or is subsequently amended.  |
| <u>16.02.020.086</u> | "Subdivision modification" means a request by a subdivider for modifications<br>to the requirements or standards imposed by these subdivision regulations filed<br>prior to the approval of the tentative map.   |
| <u>16.02.020.088</u> | "Tentative map" means a map prepared in accordance with the provision of<br>the Map Act and this title <u>Title</u> to show the design of a proposed subdivision<br>and the existing conditions in and around the land proposed to be divided. Such<br>map need not be based uponshall be an accurate or and detailed field survey;<br>however, it shall be graphically accurate to reasonable tolerances. "Tentative<br>map" includes a tentative map prepared in connection with the parcel map or   |

|                      | subdivision pursuant to the provisions of Chapter 16.32. Parcel Maps, of this Title.  |
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| 16.02.020.090        | "Vehicular access right" means the right or easement for vehicular access of  |
|                      | owners or occupants of abutting lands to a public way.  |
| 16.02.020.092        |   |
|                      | proceed with development in substantial compliance with the ordinances.   |
|                      | policies, and standards in effect at the time the vesting tentative parcel map or   |
|                      | vesting tentative subdivision map is approved or conditionally approved and   |
|                      | recorded. Such map residential subdivision, as defined in this section, that  |
|                      | shall have printed conspicuously on its face the words "Vesting Tentative<br>Map" at the time it is filed as an application and recorded in accordance with |
|                      | the provisions thereof. If a subdivider does not seek the rights conferred by the   |
|                      | Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be   |
|                      | a prerequisite to any approval for any proposed subdivision, permit for   |
|                      | construction, or work preparatory to construction.  |
| <u>16.02.020.094</u> | "Water supply" means such water supply and distribution facilities as are   |
|                      | necessary to provide a reliable and adequate water supply for appropriate   |
|                      | residential, commercial and industrial use and for public and private fire  |
|                      | protection purposes.  |

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# -Chapter 16.09 ADMINISTRATION AND ENFORCEMENT

16.09.010 General responsibilities.

16.09.020 Enforcement.

-16.09.010 General responsibilities.

 A. Subdivider. The subdivider shall prepare maps consistent with the standards contained in this title<u>Title</u>, and design public improvements consistent with the <u>Public wWorks</u>
 Forma

 eConstruction sStandards of the-Ceity. The subdivider shall process said maps in accordance
 Forma

 with the regulations set forth in this title<u>Title</u>.
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**B.** Planning <u>dD</u>epartment. The <u>pPlanning dD</u>epartment shall be responsible for the analysis of the tentative map as to conformity with the General Plan and the <u>zZ</u>oning <u>oO</u>rdinance of the <u>eCity</u>, and for the <u>any required</u> analysis of the environmental impact of the proposed project.; and for the expeditious processing of tentative maps and reports as set forth in this <u>titleTitle</u>. <u>The</u> <u>Planning Department shall be the approving body for lot line adjustments</u>.

C. Public wWorks Ddepartment. The eCity Ppublic wWorks dDepartment shall be responsible for reporting to the pPlanning dDepartment as to the engineering requirements, including street width, grade and alignment, and whether the proposed public improvements are consistent with the regulations set forth in this <u>titleTitle</u> with all applicable eCity standards <u>that</u> pertaining thereto, the development project. the inspection and ultimate approval of all such public improvements, and for expeditious processing of the final or parcel map as set forth in this <u>titleTitle</u>. The eCity eEngineer shall examine all final and parcel maps and shall certify thereon that the map is substantially the same as appeared on the map-approved tentative map, that the provisions of the Map Act and this <u>titleTitle</u> have been complied with and that a final map is technically correct.

| D. Other city departments. Tentative maps shall be distributed to eCity departments as  | Forma |
|---|-------|
| required for their review and comments.   | Forma |
| E. Planning eCommission. The planning commissionPlanning Commission of the eCity  | Forma |
| shall act as the advisory agency to the eity council <u>City Council</u> . It is charged with making  | Forma |
| investigations and reports onreviewing the design and improvements of proposed divisions of   | Forma |
| land. The Planning Commission shall conduct hearings for requests of tentative map extensions<br>and shall be the approving body. The planning commission Planning Commission shall make  | Forma |
| investigations and conduct hearings regarding the approval of reviewing tentative maps and  | Forma |
| make its written report on the tentative map directly a recommendation for approval or denial to  | Forma |
| the eity council <u>City Council</u> .  | Forma |
| F. City councilCity Council. The city councilCity Council shall have final jurisdiction in the  | Forma |
| approval of tentative maps, parcel maps, final maps. The <u>eity councilCity Council</u> is also<br>responsible for establishing requirements for the standards of design of public improvements that<br>may be proposed for dedication as a result of the subdivision process, and for setting fees. |       |
| C Other public agencies Tentative mans shall be referred to special districts governmental  | Forma |

G. Other public agencies. Tentative maps shall be referred to special districts, governmental Formation boards, bureaus, schools districts, utility companies and other responsible agencies which Formation for a standard formation for a standard formation formation for a standard for a standard formation for a standard f

provide public and private facilities and services to said subdivision and to such agencies which the pPlanning Ddepartment determines may be affected, for their information and comment.

(Ord. 533 § 1 (part), 1988: Ord. 486(part), 1986).

# -16.09.020 Enforcement.

The pPlanning dDepartment shall be responsible for the enforcement of this title<u>Title</u>.

(Ord. 486 (part), 1986).

# **Chapter 16.12 GENERAL REQUIREMENTS**

16.12.010 Tentative and final map required.

<u>16.12.020</u> Tentative parcel map required.

16.12.030 Exclusions.

16.12.0350 Waiver of parcel map.

- 16.12.040 Lot line adjustments.
- 16.12.050 Improvement security--required.

# 16.12.010 Tentative and final map required.

A tentative map and final map shall be required for all subdivisions in accordance with <u>pursuant</u> to <u>Section 66426 of</u> the Subdivision Map Act.

(Ord. 486 (part), 1986).

# 16.12.020 Tentative parcel map required.

A tentative map and a parcel map shall be required for those subdivisions excepted under pursuant to <u>Section 66426 in accordance with Section 66428 of</u> the Subdivision Map Act.

(Ord. 486 (part), 1986).

# 16.12.030 Exclusions.

- This title shall not be applicable to those actions excluded under Section 66412 of the Subdivision Map Act.

(Ord. 486 (part), 1986).

# 16.12.0350 Waiver of parcel map.

If the <u>planning commissionPlanning Commission</u> reviews a tentative parcel map and determines that one or more of the following conditions exist, <u>the commissionit</u> may waive the requirement for recording <sup>-</sup>a<sup>-</sup>parcel map:

A. The proposed division is exempt from the requirement of the Subdivision Map Act-in accordance, with Section 66428;

B. A parcel map is not required by the Subdivision Map Act in accordance with Section 66428;

C. The planning commissionPlanning Commission makes a the following finding:

"that t<u>T</u>he proposed division of land complies with such requirements as may have been established by the division (Section 66428 of the Subdivision Map Act) or local ordinance enacted pursuant thereto as to area, improvement and design, floodwater drainage control, appropriate in the provision of proved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other <u>State and Local</u> <u>ordinances and/or regulations</u>requirements of this division or local <del>ordinance</del> enacted pursuant thereto."

(Ord. 486 (part), 1986).

### 16.12.040 Lot line adjustments.

A. An application for a lot line adjustment shall be accompanied by all of the following:

1. A fee in an amount to be established by resolution of the CityCity-CouncilCity Council.

2. A preliminary map report prepared by a title company for all properties to be modified by approval of the application. The report from the title company must identify all owners of interest in all of the properties included in the application.

- 3. A statement of the existing zoning and uses of the properties involved.
- 4. A legal description for each new proposed parcel.
- 5. A drawing to scale which depicts all of providing the following information:
  - a. Dimensions and acreage of each affected lot, existing and proposed.
  - b. Location and type of all existing public utilities.
  - c. Location of existing buildings, wells, septic tank and leach fields,
  - d. Location of parking areas required for existing and proposed uses.
  - e. Location of all existing and proposed easements.
  - f. Location and names of all adjoining streets.

B. An application for a lot line adjustment shall be reviewed by the <u>planning directorPlanning</u> <u>Department and the City Engineer</u> for conformance with adopted zoning and building codes, and for potential conflicts with existing <u>or future planned conditions</u>, easements. Applications that are consistent with adopted zoning and building codes and that do not create conflicts with <u>lot</u> <u>size and zoning requirements</u>, existing and/or proposed easements, access or right-of-way shall may be approved or conditionally approved.

C. <u>The approval of an application for a lot line adjustment may not violate provisions of other</u> <u>titles of the Gridley Municipal Code</u>. <u>Applications that are not consistent with adopted zoning</u> and building codes may be approved in the following circumstances:

- 1. Existing property boundaries, dimensions, and/or building setbacks are not consistent with the adopted zoning and building codes; and

- 2. The proposed lot line adjustment will not create greater inconsistency between the characteristics of the parcel and adopted zoning and building codes.

D. The approval or conditional approval of an application for a lot line adjustment shall not constitute an approval of any exception or deviation from any zoning regulation of the city nor shall it be deemed as an approval to proceed with any development in violation of any applicable provision of law.

E.D. The planning director Planning Department shall prepare a lot line agreement\_that certifies the approval or conditional approval of a lot line adjustment. In the event that all affected properties are owned by the same persons, then a declaration of lot line adjustment (as opposed to a lot line agreement) shall be prepared. The lot line agreement\_-(or (declaration), as the case may be) shall be executed by the planning director Planning Department and all owners of the properties involved, and it shall describe all conditions of approval, which shall includeing but may-not be-limited to the following:

1. The approved descriptions of all resulting property boundaries shall be referenced in the lot line agreement and attached to it.

2. Approval of the lot line adjustment shall not be effective until the lot line agreement is recorded.

3. The following statements shall be included in the lot line agreement (or declaration, as the case may be).

a. A statement that: "The purpose of this agreement\_(or (declaration), as the case may be) is to effect a boundary line modification as approved by the <u>City of</u> Gridley <u>Planning Department</u> on [date]. The scope of review of said boundary line modification was limited as specified in Government Code section 66412(d), and approval of it does not constitute assurance that the lots as originally configured were legally created, or that future applications for building permits or other land use entitlements on the modified lots or parcels will be approved. by the City of Gridley.

b. <u>A statement specifying that</u><u>"</u><u>+</u><u>T</u>he resulting lots or parcels described in the attachments to the lot line agreement\_-(or (declaration), as the case may be) pursuant to this chapter are-the only lots or parcels which shall remain after recording of the lot line agreement or (declaration).

c. <u>A statement specifying that "Tthe eityCity</u>'s signature on the lot line agreement <u>(declaration)</u>, as the case may be), shall signify that the lot line adjustment has met the eity's requirements of the City of Gridley. for recordation." and the eity's approval shall be binding on the eity; however it shall not make the city as party to any such agreement. That is to say, the eity's approval of the lot line adjustment is required; however, the eity has ownership interest in the properties affected by the lot line adjustment, and so is not contractually a party to any agreement (or declaration, as the case may be).

4. Prior to recording the lot line agreement <u>(declaration)</u>, all deeds of trust and other encumbrances on the affected properties shall be modified to apply to each resulting lot or parcel, and taxes shall be prepaid and also segregated if the County Tax Collector determines that segregation is necessary. The <u>eityCity</u> shall accept evidence of application to segregate taxes and payment of any fees required by the <u>C</u>eounty for that procedure as compliance with a requirement to segregate the taxes.

(Ord 686, 1999; Ord 663, 1997; Ord 533, 1988).

#### 16.12.050 Improvement security--Required.

A. Whenever this <u>title\_Title</u> authorizes or requires the furnishing of security in connection with the performance of any act or agreement, the security shall be in the form and in the amounts as specified <u>below and shall be in accordance withpursuant to</u> <u>Section 66499 through 66499.10 of</u> the Subdivision Map Act.

#### B. Form of security-:

- 1. A bond or bonds shall be allowed by one or more duly authorized corporate sureties duly admitted and licensed to transact insurance business in the State of California, to secure the faithful performance or for the security of laborers and materialmen and shall be substantially in the form prescribed by the Subdivision Map Act. In the discretion of the City Council City Council, security in lieu or in addition to a bond or bonds may be had by way a cash deposit, an instrument of credit or a first lien upon the property to be divided.
- 2. In the event a cash deposit is utilized as security, the deposit shall be made directly with to the eityCity and shall be held by the eityCity without interest paid to the depositor, pending release of such security in accordance with the Subdivision Map Act. The deposit agreement between the eityCity and the person depositing the funds as security shall be in a form acceptable to the City Attorney.
- 3. In the event an instrument of credit is utilized as security, the form of the instrument of credit shall be acceptable to the City Attorney as set forth in §16.12.050 (B) (1-4). In the case that either a cash deposit or instrument of credit is utilized as security, an amount equal to the greater of \$100,000 or 10% of the amount to be secured (to a maximum of \$200,000)or an amount determined by the City at its discretion based upon the cost of the City to complete the improvements at prevailing wage . and -shall be withheld until all obligations secured have been satisfied, the amount shall be withheld to secure the costs and reasonable expenses, including reasonable attorney fees, incurred by the eityCity in successfully enforcing the secure obligation.
- 4. In the event a first lien on the property to be divided is provided as security, the person giving such security shall furnish, at their expense, a policy of title<u>Title</u> insurance wherein the eity<u>City</u> is the insured under the policy, the policy insuring that the eity<u>Citv</u>'s lien on the property to be divided is in first position ahead of any other liens or encumbrances on the property. The amount of the title<u>Title</u> insurance shall be equal to 200% of the total estimated cost of the improvements.

C. The amount of security for the faithful performance of the act or agreement to be secured shall be based upon the total estimated costs of the improvement as determined by the City: EngineerCity Engineer. Improvements security securing faithful performance of all work, including sufficient funds to insure construction staking and contract administration by the subdivider's consulting engineer, shall be in an amount equal to 1050% of the estimated costs of improvement. All improvement security shall be maintained in full force and effect for a period of 12 months following acceptance of all improvements by the eityCity to assure the property completion or maintenance of the work; provided, that substitution or partial release of security may be authorized by the eity engineerCity Engineer if, in his/her opinion, the substitution or partial release is consistent with proper completion or maintenance of the work and protection of

possible lien holders, and further provided that the amount of the continuing security shall in no case be less than 2550% of the amount of the original security.

D. In addition to the amount of security specified in subsection C. of this section (for example, 1050% of the total estimated cost of improvement to secure faithful performance of the act or agreement), there shall also be provided an additional amount for labor and materialmen suppliers securing the payment to the contractor, to the subcontractors and to the persons furnishing labor, materials or equipment to them for the improvement or the performance of the required act. The amount of the security shall be an amount equal to 1050% of the total estimated cost of the improvements as determined by the <u>City EngineerCity Engineer</u>, except that if the security is in the form of a cash deposit, deposits, or instrument of credit, then the amount to secure payments pursuant to this subsection shall be equal to 50% of the total estimated cost of the improvements.

(Ord. 486 (part), 1986; Ord. 726, 2004).

# **Chapter 16.15 Tentative Maps**

- 16.15.010 Preliminary conference.
- 16.15.015 Oversizing improvements Reimbursement.
- 16.15.020 Submittal.
- 16.15.030 Form of map--size and scale.
- 16.15.040 Form of map--information required.
- 16.15.050 Form of map--statement required.
- 16.15.060 Form of map--environmental review forms required.
- 16.15.065 Design information required.
- 16.15.070 Acceptance.
- 16.15.080 Fees.
- 16.15.090 Environment review.
- 16.15.100 Distribution.
- 16.15.110 Preparation of environmental documents.
- 16.15.120 Application--deemed not received.
- 16.15.130 Filing.

16.15.140 Planning commissionPlanning Commission hearing on environmental document.

- **16.15.1450** Notification of public hearing on tentative map.
- 16.15.150 Planning commissionPlanning Commission action on tentative map.
- 16.15.155 City council City Council action on tentative map.

#### 16.15.010 Preliminary conference.

Prior to the preparation of a tentative map, the subdivider is encouraged to consult with <u>the</u> <u>planning departmentPlanning Department Planning Department</u> staff for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. The planning departmentPlanning Department will schedule aA</u> conference will be scheduled with the subdivider to discuss the preliminary map and make recommendations concerning the submitted of a tentative map.

(Ord. 533 § 1(part), 1988).

#### 16.15.015 Oversizing improvements - Reimbursement.

As a condition of approval of a tentative map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of <u>adjacent</u> property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. <u>The City may at its discretion</u>. determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements if such a condition is not imposed.

(Ord 696, 2000)

#### 16.15.020 Submittal.

An application for division of land shall include copies of the tentative map, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of <u>eity council</u>the <u>City Council</u>.

(Ord 695, 2000)

#### 16.15.030 Form of map--size and scale.

Tentative maps shall be prepared pursuant to the requirements of the Subdivision Map Act. and/or at The City may require further details based on the nature of the project. -s discretion. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions. eighteen by twenty six inches in size and to a scale of one inch equals one hundred feet for large areas, and to a scale of one inch equals fifty feet for small areas unless otherwise approved by the planning departmentPlanning Department.

(Ord. 486 (part), 1986)

#### 16.15.040 Form of map--information required.

Every tentative map shall be clearly and legibly reproduced and shall contain the following information:

A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;

B. The <u>tract subdivision/tract/parcel name</u> or number, date, north <u>symbol</u> <u>point</u>, scale, and sufficient description to define location and boundaries of the proposed <u>tractsubdivision</u> <u>development</u>;

- C. Name and address of recorded owner or owners;
- D. Name and address of subdivider;
- E. Name and business address of the person who prepared the map;

F. Acreage of proposed tract to the nearest tenth  $(10^{th})$  of an acre;

G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;

H. The locations, names, widths, and grades of all roads, streets, highways, and ways in the proposed subdivision which are to be offered for dedication as approved by the e<u>Co</u>unty street name coordinator;

I. The locations, names and existing widths of all adjoining and contiguous highways, streets, and ways;

J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;

K. The widths, location, and purposes of all existing and proposed easements;

L. Lot layout, dimensions of each lot, and lot numbers;

M. City limit lines occurring within the general vicinity of the proposed subdivision;

N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;

O. Names and owners of land immediately adjacent to the subdivision.

P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leaching fields;

Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;

R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width, and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources. the 200-year storm occurrence;

S. Typical section of the proposed street improvements.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986)

#### 16.15.050 Form of map--statement required.

A statement shall be presented by the subdivider in written form accompanying the map and shall contain the following information:

A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;

B. Proposed plan for drainage;

C. Proposed fire hydrant placement;

D. Provision for sewerage and sewage disposal;

E. Provision for proposed water supply;

F. Provision for proposed electric power supply. <u>natural gas distribution</u>. and any <u>communication lines</u>;

G. Public areas proposed;

H. Type and location of street lighting proposed;

I. Proposed building setback lines and-width of side yards;

J. Justification and reasons for any exceptions to provisions of this <u>title\_Title</u>, or for any amendments to the <u>general planGeneral Plan</u> and/or <u>zoning ordinanceZoning Ordinance</u> which may be required in conjunction with the subdivision proposed;

K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;

L. The existing use or uses of the property;

\_M. The proposed use or uses of the property;

N. The tree plantings proposed;

O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;

P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

(Ord. 486 (part), 1986)

#### 16.15.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the tentative map an environmental questionnaire to be provided by the <u>pPlanning dDepartment</u>. <u>"Appendix E of the City of Gridley"</u> Environmental Review Guidelines."

(Ord. 486 (part), 1986)

## 16.15.065 Design information required.

The subdivider shall provide complete design information with the Vesting Tentative Map to permit the planning staff and the Planning Commission to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to City standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to city standards:

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards:

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards:

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided:

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may effect affect the use, appearance, or condition of the project:

G. Engineer's estimate of cost for all proposed improvements. itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees:

H. All other applicable design information which may be required by other sections of this title, applicable City standards, codes, or regulations.

### 16.15.070 Acceptance.

The authorized representative of the <u>pPlanning dDepartment will examine the tentative map</u>, statement and environmental questionnaire upon or soon after submittal and shall, within thirty (<u>30</u>) calendar days, determine in writing whether such application is complete. The <u>planning staffPlanning Department</u> will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

(Ord. 486 (part), 1986)

## 16.15.080 Fees.

At the time a tentative map, parcel map or application for a lot line adjustment is submitted to the <u>planning departmentPlanning Department</u>, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the <u>eity councilCity Council</u>.

(Ord. 486 (part), 1986)16 - 9

#### 16.15.090 Environment review.

Upon finding the application complete, the authorized representative of the planning departmentPlanning Department will conduct an initial study environmental review of the subdivision, as required by City and State EIR-CEQAGuidelines, as amended, and will determine within thirty (30) calendar days what further environmental documentation is

necessary, prior to approval of the tentative map. The <u>planning staffPlanning Department</u> will immediately transmit such determination to the subdivider.

(Ord. 486 (part), 1986)

## 16.15.100 Distribution.

Upon completion of the initial environmental study, the planning departmentPlanning Department shall:

## A. (EIR not required.)Environmental Impact Report not required:

Prepare required environmental document, i.e., <u>#N</u>otice of <u>eExemption</u> or <u>#Negative</u> <u>dDeclaration.<u>T</u> and transmit the requested number of copies of the tentative map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twenty-one (<u>21</u>) days from receipt of a copy of a tentative map, forward to the <u>planning departmentPlanning</u> <u>Department</u> a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as <u>defined in Section 15039 of the State EIR Guidelines</u> shall be given an opportunity to comment on any proposed <u>aNegative dDeclaration prior</u> to its adoption. If any responsible agencies are <u>sState</u> agencies, a proposed <u>nNegative dDeclaration</u> shall be circulated through the State Clearinghouse.<u>as required by Section 15161.5(a) of the State EIR Guidelines</u>.</u>

## B. (EIR required.)Environmental Impact Report required:

Prepare a <u>#Notice of pPreparation and distribute as prescribed in the <u>S\_tate EIR\_CEQA</u> Guidelines.</u>

(Ord. 533 § 1(part), 1988).

#### 16.15.110 Preparation of environmental documents.

The <u>planning staffPlanning Department</u> will prepare or oversee the preparation of any environmental documents required for the subdivision.\_Such documents will be completed and acted upon by the <u>eity councilCity Council</u> within the time periods prescribed in <u>Section 15054.2</u> of the <u>State EIR CEQA</u> Guidelines.

(Ord. 486 (part), 1986).

#### 16.15.120 Application--deemed not received.

A tentative map shall not be deemed received for filing under the Map Act until the environmental documentation required by the California Environmental Quality Act(CEQA) has been completed.

(Ord. 486 (part), 1986)

## 16.15.130 Filing.

Upon its finding that the tentative map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the planning staffPlanning Department will officially file the tentative map. The planning staff willA review of the tentative map, and the recommendations of the various agencies involved, and will be provided to -the subdivider or his/her duly authorized representative with information regarding the map and agency comments within ten (10) days from the date of the official filing of the tentative map. The planning staffPlanning Department will prepare a report to the planning commissionPlanning Commission on the tentative map for further proceedings in accordance with the provisions of this title<u>Title</u>, said report to represent the recommendations of the various departments consulted by the planning staffPlanning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the tentative map to the provisions of the General PlanGeneral Plan, the zoning ordinanceZoning Ordinance, and all regulations of the eityCity. Any report of recommendations on the tentative map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the planning commission Planning Commission or the eity councilCity Council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

(Ord. 486 (part), 1986)

16.15.140 Planning commission Planning Commission hearing on environmental document.

After appropriate notice of public hearing pursuant to Paragraph G of the City Environmental Review Guidelines <u>The planning commission</u> <u>Planning Commission</u> shall hold a public review of draft environmental impact reports or negative declarations and shall solicit input from interested members of the public. Approval of the environmental document is necessary prior to any formal action on the tentative map.

(Ord. 486 (part), 1986)

16.15.1450 Notification of public hearing on tentative map.

The <u>planning staffPlanning Department</u> will give notice of the <u>planning commissionPlanning</u> <u>Commission</u> hearing to review the tentative map at least ten(10) days prior to the date of the hearing by:

A. Publication of notice of public hearing;

B. Posting the subject property with the notice of public hearing; and

 $\oplus$  <u>B</u>. Mailing to the property owners of record of property located within three hundred feet of the boundary of the subject property the notice of public hearing.

(Ord. 486 (part), 1986).

#### 16.15.150 Planning Planning eCommission action on tentative map.

The <u>planning commission</u> <u>Planning Commission</u> shall review at a public hearing the tentative map within fifty (50) days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings--dDetermination. If the planning commissionPlanning Commission finds that the proposed map complies with the requirements of the General Plan. this title and the Subdivision Map Act\_-and the zoning ordinanceZoning Ordinance of the City, Gridley Municipal Code. it shall recommend approval of the tentative map to the City Council. The planning commissionPlanning Commission shall recommend denial of the tentative map if it makes any of the following findings:

 That the proposed map is not consistent with applicable the gGeneral Plan or the Gridley Municipal Codeand specific plans;

2. That the design or improvements of the proposed subdivision are not consistent with applicable <u>gG</u>eneral and specific plansor the Gridley Municipal Code;

3. That the site is not physically suitable for the proposed density of development;

4. That the site is not physically suitable for the type of development;

5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;

6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the planning commission may recommend approval of the map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

B. <u>Report to subdivider</u>. The <u>planning commission</u> <u>Planning Commission</u> recommendation will be reported to the subdivider or designated representative within ten (10) days of the hearing.

C. <u>Report to the city council</u>. Following the hearing by the <u>planning commission</u>Planning <u>Commission</u>, a copy of the tentative map, together with <u>the any required</u> environmental documents and a copy of the <u>planning commission</u>Planning Commission recommendations thereon, shall be transmitted to the <u>city councilCity Council</u>. within fourteen days of the hearing.

<u>D. Extension of time for preparation of environmental impact report. Notwithstanding the requirements of this subsection for making the report required to be made by the planning commission, if an environmental impact report is prepared for the tentative map, the planning commission.</u>

commission shall render its report within forty five days after certification of the environmental impact report.

(Ord. 486 (part), 1986)

16.15.155 City council City Council action on tentative manmap.

A. <u>Hearing by city council</u>. <u>Subsequent to a recommendation by the Planning Commission</u>, the Planning Department shall notice and schedule a public hearing At the next regular meeting of the city council following the filing of the planning commission report with the city council<u>City Council</u>, the city council shall set a date for a public hearing for the <u>to</u> consideration of the tentative map, which date shall be within thirty days thereafter and the city council shall approve, conditionally approve, or disapprove the tentative map within the thirty day period.

B. The <u>planning staffPlanning Department</u> will give notice of the <u>eity councilCity Council</u> hearing to review and approve, conditionally approve or disapprove the tentative map at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation published and circulated within the CityCity;

2. Posting the subject property with the notice of the hearing; and

 $-\frac{32}{2}$ . Mailing to the property owners of record of property located within three hundred (300) feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of <u>eity council</u><u>City Council</u> action. Any aggrieved person may request that the <u>eity council</u><u>City Council</u> reconsider its determination on the tentative map in accordance with Chapter 16.30\_entitled "Reconsideration of Decision."

(Ord. 486 (part), 1986)

# Chapter 16.16 VESTING TENTATIVE MAPVESTING TENTATIVE MAPS

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Forma

Forma

Forma

## **16.16.010** Preliminary conference.

<u>This title is enacted pursuant to the authority granted by Chapter 4.5 (commencing with</u> Section 66498.1) of Division 2 of Title 7 of the Government Code of the <u>State of California</u> referred to in this title as the Vesting Tentative Map Statute.

Prior to the preparation of a Vesting Tentative MapVesting Tentative Map, the subdivider is encouraged to consult with the pPlanning dDepartment staff\_for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches-of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. The planning staff will<u>A conference will be</u> schedule<u>d</u> a conference with the subdivider to discuss the preliminary map and make recommendations concerning the submitted of a Vesting Tentative MapVesting Tentative Map.

(Ord. 533 § 1(part), 1988).

## 16.16.015 Oversizing improvements - Reimbursement.

As a condition of approval of a Vesting Tentative Map. it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of adjacent property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. The City may at its discretion, determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements if such a condition is not imposed.

## -16.16.020 Submittal.

An application for division of land shall include copies of the <u>vesting tentative mapVesting</u> <u>Tentative Map</u>, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of <u>eity</u> <u>eouncilCity Council</u>.

(Ord 695, 2000)

-16.16.030 Form of map--size and scale.

Vesting Tentative Map Vesting Tentative Maps shall be prepared pursuant to the requirements of the Subdivision Map Act, and/or at The City may require further details based on the nature of the project. is discretion. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions. eighteen by twenty six inches in size and to a scale of

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one inch equals-fifty feet. for small areas unless otherwise approved by the planning department.

(Ord. 486 (part), 1986)

## -16.16.040 Form of map--information required.

Every <u>Vesting Tentative MapVesting Tentative Map</u> shall be clearly and legibly reproduced and shall contain the following information:

A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;

B. The tract subdivision/tract/parcel name or number, date, north symbol point, scale and Forma sufficient description to define location and boundaries of the proposed tractsubdivision formated evelopment;

C. Name and address of recorded owner or owners;

D. Name and address of subdivider;

E. Name and business address of the person who prepared the map;

F. Acreage of proposed tract to the nearest tententh  $(10^{\text{th}})$ th of an acre;

G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;

H. The locations, names, widths, and grades of all roads, streets, highways and ways in the proposed subdivision which are to be offered for dedication (names must be approved by the county street name coordinator);

I. The locations, names and existing widths of all adjoining and contiguous highways, streets and ways;

J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;

K. The widths, location, and purposes of all existing and proposed easements;

Forma

L. Lot layout, dimensions of each lot, and lot numbers;

M. City limit lines occurring within the general vicinity of the proposed subdivision;

N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;

O. Names and owners of land immediately adjacent to the subdivision;

P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leach fields;

Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;

R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width, and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources. the 200 year storm occurrence;

Forma

S. Typical section of the proposed street improvements.

(Ord. 486 (part), 1986).

#### -16.16.050 Form of map--subdivider's statement required.

A <u>written statement shall be presented by the subdivider shall be prepared</u> in written form accompanying the <u>Vesting Tentative MapVesting Tentative Map</u> and shall-containing-the following information:

A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;

B. Proposed plan for drainage;

C. Proposed fire hydrant placement;

D. Provision for sewerage and sewage disposal;

E. Provision for proposed water supply;

F. Provision for proposed electric power supply. <u>natural gas distribution</u>, and any <u>communication lines</u>;

G. Public areas proposed;

H. Type and location of street lighting proposed;

I. Proposed building setback lines and width of side yards;

J. Justification and reasons for any exceptions to provisions of this title, or for any amendments to the <u>General Pplan</u> and/or zZ oning  $\Theta$  reduce which may be required in conjunction with the subdivision proposed;

K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;

L. The existing use or uses of the property;

\_M. The proposed use or uses of the property;

N. The tree planting proposed;

O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;

P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

(Ord. 486 (part), 1986)

#### -16.16.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the <u>Vesting Tentative Map</u><u>Vesting</u> <u>Tentative Map</u> an environmental questionnaire to be provided by the <del>planning</del> <del>department</del><u>Planning Department</u>, <u>"Appendix E of the City of Gridley Environmental Review</u> <u>Guidelines."</u>

(Ord. 486 (part), 1986)

## -16.16.070 Design Design information required.

The subdivider shall provide complete design information with the <u>Vesting Tentative</u> <u>MapVesting Tentative Map</u> to permit the planning staff and the <u>Planning Commission</u>Planning <u>Commission</u> to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to city standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to <u>eityCity</u> standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may <u>effect affect</u> the use, appearance, or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

Forma

Forma

H. All other applicable design information which may be required by other sections of this title, applicable <u>eity City</u> standards, codes, or regulations.

Forma

(Ord. 486 (part), 1986)

#### -16.16.080 Acceptance.

The authorized representative of the <u>planning departmentPlanning Department</u> will examine the <u>Vesting Tentative MapVesting Tentative Map</u>, design information, subdivider's statement, and environmental questionnaire upon or soon after submittal and shall, within thirty (30) calendar days, determine in writing whether such application is complete. The <u>planning</u> staffPlanning Department will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

(Ord. 486 (part), 1986)

## 16.16.090 Fees.

At the time a vesting tentative map<u>Vesting Tentative Map</u> is submitted to the <u>pP</u>lanning <u>dD</u>epartment, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the <u>city councilCity Council</u>.

(Ord. 486 (part), 1986)

#### -16.16.100 Environmental review.

Upon finding the application complete, the authorized representative of the planning departmentPlanning Department will conduct an initial study environmental review of the subdivision, as required by <u>City and State EIR CEQA</u> Guidelines, as amended, and will determine within thirty(30) calendar days what further environmental documentation is necessary, prior to approval of the vesting tentative mapVesting Tentative Map. The planning staffPlanning Department will immediately transmit such determination to the subdivider.

(Ord. 486 (part), 1986)

## -16.16.110 Distribution.

Upon completion of the initial environmental study, the <u>planning departmentPlanning</u> <u>Department</u> shall either:

| A. (EIR not required.) Environmental Impact Report not required:                              | *****  | Forma |
|---|--------|-------|
| Prepare required environmental document, i.e., #Notice of eExemption or #Negative             | ······ | Forma |
| dDeclaration. Transmit the requested number of copies of the vesting tentative mapVesting     |        |       |
| Tentative Map, together with accompanying data to such public agencies, utility companies and |        |       |
| other departments as may be concerned. Each of the public agencies, utilities and other       |        |       |
| departments shall, within twenty-one (21) days from receipt of a copy of a vesting tentative  |        |       |
| mapVesting Tentative Map, forward to the planning departmentPlanning Department a written     |        |       |

report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as defined in Section 15039 of the State EIR Guidelines shall be given an opportunity to comment on any proposed nNegative dDeclaration prior to its adoption. If any responsible agencies are State agencies, a proposed nNegative dDeclaration shall be circulated through the State-Clearinghouse as required by Section 15161.5(a) of the State EIR Guidelines.

B. (EIR required.) Environmental Impact Report required:

Prepare a <u>n</u>Notice of <u>pP</u>reparation and distribute as prescribed in the <u>State EIR-CEQA</u> Forma Guidelines.

(Ord. 486 (part), 1986)

## -16.16.120 Preparation of environmental documents.

The <u>planning Planning staff Department</u> will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the <u>city councilCity Council</u> within the time periods prescribed in <u>Section 15054.2</u> Formation of the <u>State EIR</u> CEQA Guidelines.

(Ord. 486 (part), 1986)

## -16.16.130 Application--deemed not received.

A vesting tentative map<u>Vesting Tentative Map</u> shall not be deemed received for filing under the Map Act until the environmental documentation required by the California Environmental Quality Act<u>CEQA</u> has been completed.

(Ord. 486 (part), 1986)

## -16.16.140 Filing.

Upon its finding that the <u>vesting tentative mapVesting Tentative Map</u> is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the <u>planning staffPlanning Department</u> will officially file the <u>vesting tentative mapVesting Tentative Map</u>. The planning staff will<u>A</u> review <u>of</u> the <u>vesting tentative mapVesting Tentative Map</u>, and the recommendations of the various agencies involved, <u>and will be</u> provided to the subdivider or his duly authorized representative with information regarding the map and agency comments within ten <u>(10)</u> days from the date of the official filing of the <u>vesting tentative mapVesting Tentative Map</u>. The planning staffThe Planning Department will prepare a report to the <u>planning commissionPlanning Commission</u> on the vesting. tentative map for further proceedings in accordance with the provisions of this <u>tritle</u>, said report to represent the recommendations of the various departments consulted by the planning staffPlanning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the <del>vesting</del>

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tentative mapVesting Tentative Map to the provisions of the <u>gG</u>eneral <u>pP</u>lan, the <u>zZ</u>oning  $\oplus$ Ordinance, and all regulations of the City. Any report of recommendations on the <u>vesting</u> tentative mapVesting Tentative Map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the <u>planning commissionPlanning Commission</u> or the <u>eity councilCity Council</u>. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

(Ord. 486 (part), 1986)

After appropriate notice of public hearing pursuant to Paragraph G of the City Environmental Review Guidelines, the planning commission shall hold a public review of draft environmental impact reports or negative declarations and shall solicit input from interested members of the public. Approval of the environmental document is necessary prior to any formal action on the vesting tentative map.

(Ord. 486 (part), 1986)

## 16.16.16.160–150 Notification of public hearingg--vesting tentative mapVesting Tentative Map.

The planning staffPlanning Department will give notice of the planning commissionPlanning <u>Commission</u> hearing to review the vesting tentative map<u>Vesting Tentative Map</u> at least ten (10) days prior to the date of the hearing by:

A. Publication of notice of public hearing;

| -B. Posting the subject property with the notice of public hearing; and   | Forma |
|---|-------|
| CB. Mailing to the property owners of record of property located within three_hundred (300) feet of the boundary of the subject property the notice of public hearing.                      |       |
| (Ord. 486 (part), 1986)   |       |
| 16.16.170-160 Planning commissionPlanning Commission actionvesting tentative<br>mapVesting Tentative Map.   | Forma |
| The planning commissionPlanning Commission shall review at a public hearing the vesting tentative mapVesting Tentative Map within fifty (50) days after the official filing thereof, unless | Forma |

| such time is extended by agreement with the subdivider.                                     | Forma   |
|---|---------|
| A. FindingsdDetermination. If the planning commissionPlanning Commission finds that the     |         |
| proposed map complies with the requirements of the General Plan and any applicable specific | Forma   |
| plans of this title and the Subdivision Map Actand the zoning ordinanceGridley Municipal    | Forma   |
| Code of the City, it shall recommend approval of the vesting tentative mapVesting Tentative | Forma   |
| Map to the City Council. The planning commissionPlanning Commission shall recommend         | Forma   |
| denial of the vecting tentetive men Vecting Tentetive Man if it makes any of the following  | <u></u> |

denial of the vesting tentative map<u>Vesting Tentative Map</u> if it makes any of the following findings:

| Municipal Code applicable and sSpecific pPlans;  | Forma |
|--|-------|
| 2. That the design or improvements of the proposed subdivision are not consistent with   |       |
| applicable general and specific plans;   |       |
| 3. That the site is not physically suitable for the proposed density of development;   |       |
| 4. That the site is not physically suitable for the type of development;   |       |
| 5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;   |       |
| 6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;  |       |
| 7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the  |       |
| proposed subdivision. In this connection, the planning commission may recommend approval of the map if it finds that alternate easements for access or for use will be provided, and that these  | Forma |
| will be substantially equivalent to ones previously acquired by the public. This subsection shall<br>apply only to easements of record or to casements established by judgment of a court of<br>competent jurisdiction and no authority is granted to determine that the public at large has<br>acquired casements for access through or use of property within the proposed subdivision.  |       |
| B. <u>Report to subdivider</u> . The <u>planning commissionPlanning Commission</u> recommendation<br>will be reported to the subdivider or designated representative, within ten (10) days of the<br>nearing.  | Forma |
| C. <u>Report to the city council</u> . Following the hearing by the <u>planning commissionPlanning</u><br><u>Commission</u> , a copy of the <u>vesting tentative mapVesting Tentative Map</u> , together with the <u>any</u><br><u>required</u> environmental documents and a copy of the <u>planning commissionPlanning</u><br><u>Commission</u> recommendations thereon, shall be transmitted to the <u>city councilCity Council</u><br><u>within fourteen days of the hearing</u> . | Forma |
| D. Extension of time for preparation of environmental impact report. Notwithstanding the   | Forma |
| equirements of this subsection for making the report required to be made by the planning<br>commission, if an environmental impact report is prepared for the vesting tentative map, the<br>planning commission shall render its report within forty five days after certification of the<br>environmental impact report.  |       |
| Ord. 486 (part), 1986)   |       |
| 416.16.1870 City council City Council action+ Vesting #Tentative mMap.   | Forma |
| A. Hearing by city council. Subsequent to a recommendation by the PlanningCommission, the  | Forma |
| Planning Department shall notice and schedule a public hearing At the next regular meeting of  | Forma |

and the city council shall approve, conditionally approve, or disapprove the vesting tentative map within the thirty day period.

B. The <u>planning staffPlanning Department</u> will give notice of the <u>eity councilCity Council</u> hearing to review and approve, conditionally approve or disapprove the <u>vesting tentative</u> <u>mapVesting Tentative Map</u> at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation within the City;

2. Posting the subject property with the notice of the hearing; and

<u>32</u>. Mailing to the property owners of record of property located within three -hundred (300) Formative feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of <u>eity council</u><u>City Council</u> action. Any aggrieved person may request that the <u>eity council</u><u>City Council</u> reconsider its determination on the <u>vesting tentative</u> <u>mapVesting Tentative Map</u> in accordance with <u>Chapter 16.30</u> entitled "Reconsideration of Decision." (Ord. 486 (part), 1986)

### 

A. The approval or conditional approval of a vesting tentative map<u>Vesting Tentative Map</u> shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Government Code Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map<u>Vesting Tentative Map</u> is approved or conditionally approved.

B. Notwithstanding subdivision (A) of this section, a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

2. The condition or denial is required, in order to comply with State or Federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative mapVesting Tentative Map as provided in this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of 12 months. Where several final maps are recorded on various phases of a project covered by a single vesting tentative mapVesting Tentative Map, this initial time period shall begin for each phase when the final map for the phase is recorded.

2. The initial time period set forth in subdivision 1 of this subsection shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days, from the date a complete application is filed.

Forma Field ( Forma Forma 3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subdivision 1 of this subsection expires. If the extension is denied, the subdivider may appeal that denial to the <u>eity council</u> <u>City Council</u> within <u>fifteen (15)</u> days.

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions 1 through 3 of this subsection, the rights referred to in this section shall continue until the expiration of that permit, or any extension of that permit.

(Ord. 486 (part), 1986)

| 16.16.200 Development inconsistent with approval.  | Forma |
|--|-------|
|  | Forma |
| A. Whenever a subdivider files a vesting tentative map for a subdivision whose intended                        |       |
| development is inconsistent with the zoning ordinance in existence at that time, that                          |       |
| inconsistency shall be noted on the map. The City may deny such a vesting tentative map or                     |       |
| approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change               |       |
| in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is               |       |
| obtained, the approved or conditionally approved vesting tentative map shall, notwithstanding                  |       |
| Section  |       |
|  |       |
| 16.16.210 Applications inconsistent with current policies.   | Forma |
|  | Forma |
| <ul> <li>Notwithstanding any provision of this chapter, a property owner or his or her designee may</li> </ul> |       |

seek approvals or permits for development which depart from the ordinances, policies, and standards described in this chapter, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law.

(Ord. 486 (part), 1986)

## Chapter 16.18 FINAL MAPS AND PARCEL MAPS

- 16.18.010 Filing final map.
- 16.18.020 Fees.
- 16.18.030 Data to accompany final map.
- 16.18.040 Preparation of maps--size, material and scale.
- 16.18.050 Preparation of maps--title.
- 16.18.060 Preparation of maps--adjacent lots.
- 16.18.070 Preparation of maps--subdivision boundary.
- 16.18.080 Preparation of maps--dimensions, bearing and curve data.
- 16.18.090 Preparation of maps--lots and blocks.
- 16.18.100 Preparation of maps--streets.
- 16.18.110 Preparation of maps--building setback line.
- 16.18.120 Preparation of maps--easements.
- 16.18.130 Preparation of maps--high water line.
- 16.18.140 Preparation of maps--monuments.
- 16.18.150 Preparation of maps--certificates, acknowledgment and description.
- 16.18.160 Preparation of maps--description of property.
- 16.18.170 Preparation of maps--certificate regarding tax lien.
- 16.18.180 Preparation of maps--other documents.
- 16.18.190 Action on final map by planning director.
- 16.18.200 Public improvement agreement.
- 16.18.210 Recordation.
- 16.18.220 Amending maps after recordation.

## 16.18.010 Filing final map.

A. An approved or conditionally approved tentative map shall expire twenty-four (24) months after its approval or conditioned approval.

B. The expiration of the <u>an</u> approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map.

C. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires <u>The subdivider shall</u> <u>submit an application to extend a tentative map a minimum of thirty (30) days prior to the</u> <u>expiration of the tentative map may be extended</u> as allowed by Government Code § 66410 et seq. along with the fee as established by resolution of the City Council.

An application to extend a tentative map will require a verification of current ownership affidavit or title report, plans, and any additional information for the Planning Department to evaluate if there are changed conditions or circumstances from the previously approved tentative map. The Planning Commission, as the advisory agency to the City Council, may approve a request for an extension and will review the request after a public notice has been prepared by the Planning Department and duly published for a minimum of ten (10) days in a local publication prior to the meeting.

The map may be extended up to a total of five years. excepting additional time extensions periodically legislated by the State. The period of extension specified in this subdivision shall be in addition to the period of time provided by §16.18.010 (A). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied.

If the advisory agency denies a subdivider's application for extension, the subdivider may appeal to the legislative body <u>City Council</u> within fifteen (15) days after the advisory agency has denied the extension.

(Ord 696, 2000; Ord 486 (part), 1986).

## 16.18.020 Fees.

At the time of filing of the final or parcel map<u>or extension thereof</u>, the subdivider shall pay a filing fee to the planning department. Said fee shall be prescribed by resolution of <u>eitythe</u> <u>eouncilCity Council</u>.

(Ord. 533 § 1(part), 1988).

#### 16.18.030 Data to accompany final map.

Prior to or at the time of submitting the final or parcel map to the planning department, the subdivider shall submit therewith the following documents The final map or parcel map shall substantially conform to the tentative map as approved or conditionally approved, including all approved modifications, and shall contain the following information:

<u>÷ A.</u> The boundary line of the subdivision shall be clearly delineated and labeled. All areas shown on the map which do not constitute a part of the subdivision shall be labeled "Not a Part" or "N.A.P." All lines delineating such areas shall be dashed:

B. All survey data and information required by this Title:

A<u>C.</u> — Traverse sheets. Calculation and traverse sheets in a form approved by the <u>pP</u>ublic <u>wWorks dD</u>epartment giving bearings and distance and coordinates of the boundary of the subdivision and blocks and lots therein shown on the final or parcel map;\_\_\_\_

D. All lots or parcels intended for sale or reserved for private purposes and all parcels offered for dedication to the City or any other public agency, for any purpose, with all dimensions, boundaries, and courses clearly shown and defined in every case.

E. Dimensions of lots shall be as total dimensions, corner-to-corner, in addition to point-topoint dimensions and total acreage within the subdivision or parcel(s). Lots of more than one (1) acre shall show net acreage to the nearest one hundredth (1/100th):

F. All lots shall be numbered consecutively, without omissions or duplications. Parcels offered for dedication other than for streets or easements shall be designated by letters. Each numbered lot or parcel shall be shown entirely on one sheet:

G. The location and total width of all streets, alleys, pedestrian ways, equestrian and hiking trails, and biking paths: the names of streets, and the width on each side of the centerline of each street; the width of the portion of the street, alley, pedestrian way, equestrian and hiking trail and biking path being dedicated, and the width of the existing dedication, if any, within the subdivision:

H. All limitations on rights of access to and from streets and lots and other parcels of land;

I. The lines of any natural watercourse, channel, stream, creek or body of water in or adjacent to the subdivision and officially adopted floodplain lines:

<u>B.J.</u> Public improvement plans. The original tracings of dDetailed plans, cross-sections and profiles of public street improvements and of all other improvements proposed to be installed as required by the provisions of this  $\underline{tT}$  and of all other improvements proposed to be installed by the subdivider\_in, on, over, or under any street, right-of-way, easement, or parcel of land dedicated by the map or previously dedicated, including the estimated cost thereof, shall be <u>filed</u> <u>submitted to with the public works departmentCity Engineer</u> for its processing and approval. and processing. All such plans shall be prepared in accordance with the requirements of the <u>public works departmentSubdivision Map Act</u>. Plan sheets shall be twenty-two by thirty four or twenty four by thirty six inches with a one inch left margin;

C.K. A no-access rights certificate shall be shown on the final map where required by the public works department<u>City Engineer;</u>

 $\underline{DL}$ . Design data. The design calculations and analysis shall be prepared by a <u>licensed Land</u> <u>Surveyor or R</u>registered e<u>C</u>ivil <u>Eengineer</u>-and shall be signed and stamped by said engineer;

 $\underline{EM}_{-}$  Report and guarantee of clear title:

1. The final or parcel map shall be accompanied by a current report prepared by a duly authorized title company naming the persons whose consent is necessary for the preparation and

recordation of such map and for dedication of the streets, alleys, and other public places shown on the map and certifying that as of the date of the preparation of the report, the persons therein named are all the persons necessary to give clear title to such subdivision;

2. At the time of recording said map, following approval by the <u>city council</u>, <u>Planning</u> <u>Commission or City Council</u>, there shall be filed with the <u>c</u>Ounty <u>R</u>recorder a guarantee executed by a duly authorized title company showing (namingidentifying the) person(s) consenting to the preparation and recordation of such map and offering for dedication the, <u>right-of-way</u>, alleys and other public places shown thereon. Said named individuals being all the persons necessary to pass clear title to such subdivisions and the dedications shown thereon;

FN. The agreement and bonds specified in Section <u>16.12.050</u>, entitled "Improvement Security--Required";

GO. Two copies of all deed restrictions, bylaws and aArticles of iIncorporation;

<u>HP</u>. One copy of each reference document, deed or map shown or referenced on the map or in the title report.

(Ord. 533 § 1(part, 1988, Ord. 486 (part), 1986).

#### 16.18.040 Preparation of maps--size, material and scale.

The final map or parcel map shall be of a size and legibly drawn, printed or reproduced by a process guaranteeing a permanent record in block on tracing cloth or polyester base film. Certificates, affidavits, and acknowledgments may be legibly printed upon the map-with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to insure permanent legibility. The dimensions of each sheet of such map shall be eighteen inches by twenty-six inches. A marginal line shall be drawn completely around each sheet leaving an entirely blank margin of one inch. The scale of the map shall be sufficient to show all details clearly and in no case shall be greater than one inch equals one hundred feet, nor less than one inch equals fifty feet. A scale greater than one inch equals one hundred feet may be in conformance with the Subdivision Map Act and permitted subject to authorization review and approval by the public works departmentCity Engineer. Enough sheets shall be used to accomplish this end. The number of each sheet and the total number of sheets comprising the map shall be stated on each of the sheets and the relation of each adjoining sheet shall be clearly shown by a small key map on the first sheet. Each sheet of such map proper shall show the date of the survey, north point, written graphic scale, and other information as necessary. The map shall be so made and shall be in such condition when filed that good legible prints and negatives can be made therefrom, and will become the property of the eityCity when submitted. The final record of as-built drawings shall be submitted as original drawings, photographic mylars or ozalid mylars.

(Ord. 486 (part), 1986).

## 16.18.050 Preparation of maps-title.

The title of each sheet of such final map shall consist of the approved name and unit number of the tract, if any, at the lower right hand corner of the street, followed by the words, "City of Gridley". Maps filed for the purpose of showing an acreage of land previously subdivided shall be conspicuously marked with the words, "Reversion to Acreage." (Ord. 486 (part), 1986).

### -16.18.060 Preparation of maps--adjacent lots.

The adjoining corners of all adjacent lots shall be identified by lot and block numbers, subdivision name and place of record, or other proper designation.

(Ord. 486 (part), 1986).

#### 46.18.070 Preparation of maps--subdivision boundary.

An accurate and complete boundary survey to second order  $\operatorname{accuracy}(100^{\text{th}})$  shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract and of each block when computed from field measurements on the ground, shall close within a limit of one foot to ten thousand feet (1:10.000) or in the case of a parcel map, shall be based either upon a field survey made in conformity with the Land Surveyors Act or be compiled from recorded or filed data when sufficient survey information exists on field maps to locate and retrace the exterior boundary lines of the parcel map if the location of at least one of these boundary lines can be established from an existing monumented line. The boundary of the subdivision shall be indicated on the final or parcel map by a distinctive line and/or symbols, clearly designated.

(Ord. 486 (part), 1986).

## -16.18.080 Preparation of maps--dimensions, bearing and curve data.

The final or parcel map shall show all survey and mathematical information and data necessary to locate all monuments thereon, including bearing and distance of straight lines and central angle, radius, and arc length of curves, and such information as may be necessary to determine the location of the centers of the curves.

(Ord. 486 (part), 1986).

## -16.18.090 Preparation of maps--lots and blocks.

All lots and blocks and all parcels offered for dedication for any purpose shall be particularly delineated and designated with all dimensions, boundaries, and courses clearly shown and defined in every case; except in the case of a parcel map, the location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey but only by deed reference to the existing record boundaries of such remainder if such remainder has a gross area of five (5) or more acres. Parcels offered for dedication other than for streets and easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two or more sheets and whenever practical, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for

lot dimensions. Lot numbers shall begin with the numeral "1" and continue consecutively throughout the tract, with no omissions or duplications.

(Ord. 486 (part), 1986).

#### -16.18.100 Preparation of maps--streets.

The final or parcel map shall show the right-of-way lines to each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty (50) feet of the subdivision shall be shown. If any street in the subdivision is a continuation or approximately a continuation of any existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown. Whenever the centerline of a street has been established or recorded, the data shall be shown on the final or parcel map.

(Ord. 486 (part), 1986).

#### 

A. The final or parcel map shall show building setback lines on all streets by long, thick dash<u>ed</u>-lines.

B. All structures, buildings or required parking area in a residential subdivision shall conform to the setback requirements as specified in the city zoning ordinance <u>Title 17</u>.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986).

#### -16.18.120 Preparation of maps--easements.

The side lines of all easements, including utility and new access easements shall be shown by fine dashed lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference shall appear on the title sheet. Distances and, bearings on the side lines of lots which are cut by an easement shall be narrowed or so shown that the map will indicate clearly the actual lengths of the lot lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference shall be given. If an easement is being dedicated by the map, it shall be set out in the owner's certificate of dedication.

(Ord. 486 (part), 1986).

## -16.18.130 Preparation of maps--hierh-high water line.

The final or parcel map shall show the limits of high water coverage based upon a onehundred-year-frequency storm and as available from the California Department of Water <u>Resources</u>, the 200-year storm occurrence, with a fine continuous line if the subdivision includes or is adjacent to areas subject to periodic inundation, and the use of such areas may be required to be restricted by a covenant of restrictions.

(Ord. 533 § 1(part), 1988).

## -16.18.140 Preparation of maps--monuments.

A. The final or parcel map shall fully and clearly show what stakes, monuments or other evidence to determine the boundaries of the subdivision were found on the ground, and the adjacent corners of each adjoining subdivision or portion thereof, by lot and block numbers, tract name or number and place of record, by section, township and range, or other proper designation.

B. The procedure and practice of all survey work done upon any such subdivision shall conform to the accepted standards of the engineering profession.

C. All monuments shall not be less substantial than a three-quarter-inch diameter pipe eighteen inches long or a five-eighth-inch diameter steel reinforcing bar eighteen inches long with a brass tag, aluminum or plastic cap bearing the registration number of the engineer or surveyor who set the monument, and shall be subject to inspection and approval by the eity<u>Citv</u> engineer. "Permanent" monuments shall be set in concrete. Before street improvements are accepted, all monuments disturbed by the improvements shall be reset.

D. In making the survey for the subdivision, the engineer or surveyor shall set "permanent" monuments at all angle and curve points on the exterior boundaries of the subdivision, in all street intersections, at all angle points of street lines, and at all curved points, both simple and compound, of street lines. "Permanent" monuments at street intersections and at angle and curved points of street lines shall set on street centerlines, unless otherwise directed by the eityCity engineer; provided, however, that the "permanent" monuments need not be set at intervals of less than four hundred feet.

E. The "permanent" monument shall be set in the ground upright with the metal marker centered in the concrete, by excavating a six-inch minimum diameter hole two feet below the finished grade and pouring the same full of concrete. When streets are required to be paved, the location of such monument and access thereto shall be given by a suitable concrete or cast iron sliding sleeve surmounted by a circular cast iron frame and lid at street surface. In case the monument is not on a street, the metal marker may be set flush with the existing ground surface.

F. The engineer and surveyor shall set monuments at all lot corners and at all curve points on lot boundary lines.

G. There shall be one or more permanent bench marks for each subdivision, of a type approved by the <u>eityCity</u> engineer and referred to the <u>eityCity</u> datum, set at each street intersection in the curb return or other location approved by the <u>eityCity</u> engineer. The bench mark shall be a brass disc two inches +/- in diameter set in the concrete curb.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986).

## 16.18.150 Preparation of maps--certificates, acknowledgment and description.

The title sheet of the map, below the title, shall show the name of the engineer or surveyor, together with the date of the survey, the scale of the map and the number of sheets. The following certificates, acknowledgments and descriptions shall appear on the title sheet of the final or parcel map and such certificates in accordance with the provisions of the Subdivision Map Act may be combined where appropriate:

A. Certificate by parties holding title. A certificate in accordance with the provisions of Section 66436 of the Map Act.

B. Engineer's certificate. A certificate in accordance with Section-66441 of the Map Act.

C. Certificate to be executed. Certificates for execution by each of the following:

1. City eEngineer;

2. City eClerk;

3. County <u>#R</u>ecorder.

(Ord. 533 § 1(part), 1988:Ord. 486 (part), 1986).

-16.18.160 Preparation of maps--description of property.

A description of all property being subdivided by reference to maps or deeds of the property shown thereon as shall have been previously recorded or filed. Each reference in such description to any tract or subdivision shall shown a complete reference to the book and page or records of the county. The description shall also include reference to any vacated area with the number of the ordinance vacating thereof.

(Ord. 486 (part), 1986).

#### -16.18.170 Preparation of maps--certificate regarding tax lien.

Prior to the filing of the final or parcel map with the <u>eity council</u> <u>City Council</u>, the subdivider shall file the certificate and documents set forth in Section 66492 of the pursuant to the -Map Act or any amendments thereto relating to taxes and assessments.

(Ord. 486 (part), 1986).

#### -16.18.180 Preparation of maps--other documents.

Such other affidavits, certificates, acknowledgments, endorsements, and notarial seals as are required by law and by this title shall be completed and/or furnished by the subdivider.

(Ord. 486 (part), 1986).

#### 4-16.18.190 Action on final map by planning director.

A. Upon acceptance of the final map or parcel map and accompanying documents as property of the <u>eityCity</u>, fees and materials for filing, the <u>planning directorPlanning Department</u> shall cause the same to be examined and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications and provisions made or required by the approving body, and if found to be complete, technically correct, in conformity with improvement plans and specifications, and in compliance with the requirements of this  $\pm$ Title, planned street lines and other applicable specific plans and ordinances, shall file said map with the <u>eityCity elerkClerk</u>. No map shall be certified until the required improvements have been installed in accordance with Chapters 16.21 and 16.24. Notwithstanding anything to the contrary in this section, the on-site improvements for the unimproved parcels shown on a parcel map may

be constructed after the final parcel map is filed for record, but prior to the issuance of a permit or other grant of approval for the development of such parcel. In such instance, the final or parcel map shall contain a statement setting forth all on-site and off-site improvements which must be constructed prior to further parcel development.

B. Should the map or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised, in writing, by mail, of the changes or additions that must be made before the map may be certificated. If the defect is the result of a technical and inadvertent error, which does not materially affect the validity of the map, the planning director may waive the defect the defect may be waived.

C. The planning director need not approve final map or parcel map which is <u>not</u> substantially similar to the approved tentative map if, in his/her opinion, circumstances concerning the design and improvement of the subdivision, as they relate to the public health, safety and welfare, having materially changed since approval of the tentative map, and such changed circumstances warrant reconsideration thereof. In such instance, the map shall be returned to the approving agency for further consideration.

D. The final or parcel map shall not be considered filed for action by the <u>eityCity</u> e<u>C</u>lerk until the <u>planning directorPlanning Department</u> has completed <u>such</u> action required. of him/her by this section.

(Ord. 642, 1995; Ord. 486 (part), 1986).

#### **16.18.200** Public improvement agreement.

If, at any time of approval of the final map by the <u>planning directorPlanning Department</u>, any public improvements required by the <u>eityCity Engineer</u> pursuant to the provisions of this title have not been completed and accepted in accordance with <u>eityCity</u> standards applicable at the time of the approval or conditional approval of the tentative map, as a condition precedent to the approval of the final map, the subdivider shall be required to enter into an agreement with the <u>eityCity</u> upon mutually agreeable terms to thereafter complete such improvements at the subdivider's expense, within the time specified in the agreement, which time shall in no event exceed twelve (12) months from the date thereof. Such agreement shall be secured by improvement security in the amount and form set forth in this title.

(Ord. 642, 1995; Ord. 486 (part), 1986).

#### -16.18.210 Recordation.

When the planning director has approved the final map <u>has been approved</u> as set forth in this  $\pm Title$ , the <u>eityCity C</u>elerk shall record the same with the Butte County  $\pm Recorder$ .

(Ord. 642, 1995; Ord. 486 (part), 1986).

### -16.18.220 Amending maps after recordation.

After a final map or parcel map  $i\underline{s}\underline{f}$  filed in the office of the Butte County <u>R</u>recorder, such a recorded map may be amended by a e<u>C</u>ertificate of e<u>C</u>orrection or an amending map,  $i\underline{n}$  at the discretion of the <u>eity councilCity Council</u>, if the <u>eity councilCity Council</u> finds that:

- <u>A.</u> (1) t<u>There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary: and.</u>
- B. (2) tThe modifications do not impose any additional burden on the present fee owner of the property: and.-and
- <u>C. (3) tThe</u> modifications do not alter any right, title, or interest in the real property reflected on the recorded map:, and
- <u>D. (4)</u> the map as modified conforms to the requirements for such maps imposed by this code and by state law.

The subdivider shall apply for an amendment under this section by filing an application with the <u>public works departmentPlanning Department</u> setting forth all of the amendments proposed to be made and addressing specifically all of the findings set forth above. Upon receipt of an application under this section, it shall immediately be set for a public hearing at the next council meeting allowing compliance with the notice provisions of Government Code Section 66451.3. The council may, by resolution, set fees to be charged for this application pursuant to Government Code Section 66451.2.

(Ord. 486 (part), 1986).

# Chapter 16.21 DESIGN STANDARDS AND REQUIREMENTS

- 16.21.010 Requirements.
- 16.21.020 Access to public streets.
- 16.21.030 Lot standards.
- 16.21.040 Streets.
- 16.21.050 Street patterns.
- 16.21.060 Design adjacent to arterials.
- 16.21.070 Street names.
- 16.21.080 Alleys.
- 16.21.090 Grades, curves and sight distances.
- 16.21.100 Curbs, gutters, sidewalks and pedestrian ways.
- 16.21.110 Utilities and easements.
- 16.21.120 Watercourses.
- 16.21.130 Block standards.
- 16.21.135 Residential subdivision construction requirements.

16.21.140 Non-residential subdivisions.

## 16.21.010 Requirements.

Except where modified in accordance with this <u>titleTitle</u>, each subdivision and the map thereof shall be in conformity with the standards set forth or referred to in this e<u>C</u>hapter.

(Ord. 486 (part), 1986).

#### -16.21.020 Access to public streets.

All lots or parcels created by the subdivision of land shall have access to public streets improved to standards required in this e<u>C</u>hapter. The design of private streets will be in accordance with the <u>-pP</u>ublic <u>wWorks</u> e<u>C</u>onstruction <u>sS</u>tandards and subject to <u>pP</u>lanning e<u>C</u>ommission review.

(Ord. 533 § 1(part), 1988).

## -16.21.030 Lot standards.

The size, shape and orientation of lots shall be appropriate to the location of the proposed subdivision and to the type of developments contemplated. The following principles and standards shall be observed:

A. The minimum area and dimensions of all lots shall conform to the requirements of the zoning law<u>Title 17</u> of the e<u>C</u>ity for the district in which the subdivision is located except <del>cul de</del> sae<u>cul-de-sac</u> lots may have a minimum width of sixty (60) feet measured at the building setback line.

B. Corner lots shall have a radius of not less than twenty (20) feet at the street corner property line.

C. In general, the average width of a lot should not be less than one-third the average depth, and the lot width should not be greater than such depth<u>or as defined in Title 17</u>.

D. Wherever it is practical, the side lines of all lots shall be perpendicular to the street which the lot faces or along radial lines if the street is curved.

E. Flag lots will only be approved where the Planning Commission determines that the topographic features and/or dimensions of the property make it impractical to create conventional lots. All proposed flag lots must meet the following criteria:

1. Flag lots must conform to all, requirements of this -section, and applicable zoning requirements. The access way serving the flag lot shall not be included when calculating required lot area or allowable lot coverage.

2. The access way serving one unit on a single lot shall be at least twenty-five (25) feet wide, with <u>a minimum of twelve (12)</u> feet thereof being paved with concrete or asphalt concrete.

3. The access way serving two (2) or three (3) lots, or a single lot with more than one unit shall be at least twenty-five (25) feet wide, with twenty (20) feet thereof being paved with concrete or asphalt concrete, with an adequate turn-around provided at the end. The number of flag lots served by one access way shall not exceed three (3).

4. Curb and gutter may be required along the access way if the Planning Commission determines that it is necessary to provide adequate drainage. Adequate drainage shall be provided for all flag lots in accordance with the Public Works Construction Standards.

5. The maximum length of a roadway serving one flag lot shall be 200 feet. The maximum length of roadway serving two or three flag lots shall be 300 feet.

6. Each dwelling unit situated on a flag lot shall provide two (2) off\_street parking spaces in addition to those spaces required by Title 17 of the Gridley Municipal Code.

7. Prior to the time a flag lot is developed, the site plan therefor shall be reviewed and approved by the Gridley Fire Chief for fire access and service requirements.

(Ord. 533, § 1(part), 1988: Ord. 528, 1988: Ord. 486 (part), 1986).

### -16.21.040 Streets.

A. Conformance. The streets shall conform in principle to the streets shown on in the <u>Ceirculation Eelement</u> of the General Plan and in width and alignment to the streets shown on any specific plan adopted by the city council relating to streets, and shall conform to the Public Works Construction Standards and the requirements of this  $\pm$ Title.

B. Minimum Standards. Where higher standards have not been established as set forth in subsection A of this section, or lesser standards have not been established as set forth in subsection C of this section, all major and minor streets shall be platted according to the following minimums except higher standards may be required where streets are to serve commercial or industrial property or where probable traffic conditions warrant:

| Type of Street  | $\frac{R/W}{Right-of}$ $\frac{Way}{width*}$ (in feet) | Curb to<br>Curb wi<br>dth (in<br>feet)<br><u>No. of</u><br>Lanes | Lane<br>Width | <u>Sidewalk</u>                          | Bike<br>Lane                             | <u>Planter</u><br>Parkway<br>Strip       | <u>On</u><br><u>Street</u><br><u>Pkg.</u> |   | Forma                 |
|---|---|--|---------------|--|--|--|---|---|-----------------------|
| 1. Highway 99   | 100Per<br>Caltrans                                    | <del>78</del>  |               |  |  |  |   |   |                       |
| 2. <del>Major street or<br/>highway</del><br>(arterial) <u>Arterial</u> | <del>84<u>60-84'</u></del>                            | <u>64_2-4</u>  | <u>12'</u>    | 5-12'<br>Both<br>Sides                   | <u>None</u>                              | <u>6'</u><br><u>Both</u><br><u>Sides</u> | <u>No</u>                                 |   | <b>Forma</b><br>0.75" |
| 3. Standard<br>residential and cul-<br>de-sac streets                   | <del>60</del>   | 40   |               |  |  |  |   |   | <b>Forma</b><br>0.75" |
| 3. Major Collector  | <u>50-60'</u>   | 2  | <u>11'</u>    | <u>5-12'</u><br>Both<br>Sides            | <u>5'</u><br><u>Both</u><br><u>Sides</u> | <u>6'</u><br><u>Both</u><br><u>Sides</u> | <u>No</u>                                 |   | <b>Forma</b><br>0.75" |
| 4. <u>Minor</u> Collector   | <del>8</del> 4 <u>66-74'</u>                          | 64 <u>2</u>  | <u>10'</u>    | <u>5-12'</u><br>Both<br>Sides            | <u>5°</u><br>Both<br>Sides               | <u>6'</u><br>Both<br>Sides               | <u>8'</u><br><u>Both</u><br><u>Sides</u>  | - | <b>Forma</b><br>0.75" |
| 5. Local Street   | <u>56-64</u> *  | 2  | <u>10'</u>    | <u>5-6'</u><br>Both<br>Sides             | No                                       | No                                       | <u>8'</u><br><u>Both</u><br><u>Sides</u>  | - | <b>Forma</b><br>0.75" |
| 6. Industrial Street  | <u>84' min</u>  | 2  | 14'           | <u>4-6'</u><br><u>One</u><br><u>Side</u> | No                                       | <u>No</u>                                | <u>10</u> <sup>°</sup><br>Both<br>Sides   | 4 | <b>Forma</b><br>0.75" |

5. Interior streets and alleys as determined by the planning commission

#### \* Plus additional easement for utilities. (Ord. 486 (part), 1986).

C. Exceptions to minimum standards. Streets which have been determined to have exceptional circumstances, and for which lesser minimum standards have been adopted, include the following:

| Name of Street                                    | <u>Right-of-Way</u><br>_ <del>R/W width</del> (in<br>feet) | Curb to Curb width (in feet) |
|---|--|------------------------------|
| 1. Magnolia Street, between Idaho and<br>Randolph | 18   | not applicable               |

## -16.21.050 Street patterns.

The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed:

A. Where appropriate to the design, proposed streets shall be contiguous and in alignment with existing planned or platted streets with which they are to connect.

B. When required by the <u>dD</u>epartment of <u>pP</u>ublic <u>wW</u>orks, proposed streets shall b-e extended to the boundary line of the land to be subdivided. A "No Access Rights" Certificate shall be shown on the final map where required by the public works department.

C. Where the <u>pPublic</u> <u>wWorks</u> <u>dD</u>epartment determines that it is necessary to give access to or permit a satisfactory subdivision of adjoining land, streets shall extend to the boundary of the property and the resulting dead-end streets may be approved with a temporary <u>cul de saecul-de-sac</u> in accordance with the <u>pPublic</u> <u>wWorks</u> <u>eC</u>onstruction <u>sS</u>tandards.

D. No cul-de-sac shall exceed five hundred (500) feet in length from the center of the turnaround to the centerline of the intersecting street unless approved as a special condition by the <u>Pplanning eCommission</u>.

E. Proposed streets shall intersect one another as <u>at</u> nearly at right angles as the conditions and other limiting factors of good design shall permit.

F. The centerlines of all streets wherever practicable shall be the continuation of the centerlines of existing streets or shall be offset at least two hundred (200) feet for local streets and three hundred (300) for all other streets.

(Ord. 533 § 1(part), 1988).

## 16.21.060 Design adjacent to arterials.

Subdivision design adjacent to major streets or highways shall be as determined by the pP lanning eCommission.

A. Street Design. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on such arterials.

B. Intersecting Streets. The number of intersecting streets along arterials shall be held to a minimum.

C. Bordering Highways. When the rear or side lines of any lots border a <u>sS</u>tate highway or major street, the subdivider may be required to execute and deliver to the <u>eCity</u> an instrument prohibiting the right of ingress and egress to such lots across the side lines of such highways.

D. Service Roads; Off-street Parking. When lots proposed for commercial or industrial uses front on any major or secondary street or highway, the subdivider may be required to dedicate and improve a parallel service road to provide ingress and egress to and from such lots. When any lots proposed for residential use front on a <u>sState</u> highway or a major street, the subdivider may be required to dedicate and improve a frontage service road at the front of such lots or to back lots to the highway or major streets.

E. Additional parking areas. In addition to the requirements for a service road, the pPlanning eCommission requires adequate off-street parking areas for all lots pursuant to Title 17.

(Ord. 486 (part), 1986).

## -16.21.070 Street names.

All street names shall be as approved by the e<u>C</u>ounty street name coordinator.

(Ord. 486 (part), 1986).

#### -16.21.080 Alleys.

When lots are proposed for commercial or industrial use, alleys at least twenty-four (24) feet in width may be required at the rear thereof.

(Ord. 486 (part), 1986).

## -16.21.090 Grades, curves and sight distances.

Grades, curves and sight distances shall be subject to approval by the <u>P</u>ublic <u>W</u>orks <u>d</u>Department to insure proper drainage and safety for vehicles and pedestrians in accordance with the <u>P</u>ublic <u>W</u>orks <u>eC</u>onstruction <u>sS</u>tandards.

(Ord. 486 (part), 1986).

## -16.21.100 Curbs, gutters. sidewalks and pedestrian ways.

A. Curbs, sidewalks, and gutters as shown on the e<u>C</u>ity's <u>P</u>ublic <u>W</u>works e<u>C</u>onstruction s<u>S</u>tandards shall be required.

B. When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities, or for unusually long blocks, the subdivider shall construct pedestrian ways not less than ten feet in accordance with §16.21.040 (B)in width.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986).

### -16.21.110 Utilities and easements.

A. Easements for public utilities shall be provided and shall not be less than ten (10) feet in width, direct and continuous from block to block, or six (6) feet on each side or rear lot lines and side lines where necessary. When an easement on only one side of lot lines is required, it shall have a minimum width of twelve (12) feet. Easements of greater width will-may be required along natural watercourses, conforming substantially to the lines of such channels or such channels realigned.

B. All utility distribution facilities shall be placed underground except as hereinafter provided in this *T*itle.

(Ord. 486 (part), 1986).

#### -16.21.120 Watercourses.

The subdivider shall dedicate right-of-way for storm drainage conforming substantially with the lines of any natural watercourse that traverses the subdivision, or at the option of the  $p\underline{P}$ lanning eCommission, the subdivider shall provide by dedication further and sufficient easements or constructions or both, to dispose of such surface and stormwater.

(Ord. 486 (part), 1986).

#### -16.21.130 Block standards.

The major dimensions of a block shall not exceed six hundred sixty (660) feet (four hundred (400) feet is preferred) in length or less than two hundred eighty (280) feet (three hundred twenty (320) feet is preferred) in length between street centerlines unless modified in accordance with the provisions of <u>Chapter 16.24</u> entitled "Public Improvements." (Ord. 486 (part), 1986).

## -16.21.135 Residential subdivision construction requirements.

It is the policy of the e<u>C</u>ity to prevent construction of two houses with substantially identical exterior appearance within sight of each other. To implement this policy, the <u>pP</u>lanning e<u>C</u>ommission and/or e<u>C</u>ity e<u>C</u>ouncil shall establish reasonable standards to evaluate the exterior appearance of proposed houses.

All building plans for new residential buildings must be reviewed by the <u>pPlanning</u> <u>dDepartment</u>. Where more than one dwelling unit is being constructed as part of a new subdivision in which the units proposed will have similar floor plans and exterior elevations, each building shall be reviewed by the appropriate site development review committee<u>City</u> <u>department</u>. Unusual or controversial building proposals shall be referred to the <u>pPlanning</u> e<u>C</u>ommission for review. Conventional single-family or duplex buildings proposed to be constructed on individual existing lots may be reviewed and approved by the <u>planning</u> staffPlanning Department and be consistent with the Infill Design Guidelines.

To ensure compliance with this section, no building permit may be issued without a certification clearance from the pPlanning dDepartment that the proposed building plan has been reviewed and approved in accordance with this section and Title 17.

(Ord. 533 § 1(part), 1988).

## 4-16.21.140 Mixed Use and Non-residential subdivisions.

A. Conformance to General Plan. The street and lot layout of a <u>mixed use and non-</u>residential subdivision shall be appropriate to the land use for which the subdivision is proposed, and shall conform to the proposed land use and standards established in the General Plan and <del>zoning</del> law<u>Title 17</u>s of the city.

B. Types of <u>mixed use and non-residential subdivisions</u>. Non-residential subdivisions shall <u>may</u> include industrial tracts and may include. commercial <u>and mixed use subdivisions</u> tracts. Mixed use subdivisions include a mix of commercial and residential uses.

C. Principles and standards. In addition to the principles and standards in this title which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the <u>pPlanning eCommission</u> that the zoning and street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.

2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon.

3. Special requirements may be imposed by the e<u>C</u>ity with respect to street, curb and gutter, and sidewalk design and construction.

4. Special requirements may be imposed by the e<u>C</u>ity with respect to the installation of public utilities, including electric, water, sewer, fire protection and storm drainage.

5. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed non-residential subdivisions, including the provisions of extra depth in parcels backing upon existing or potential residential development and provisions for a permanently landscape buffer strip when necessary.

6. Streets <u>expected to carry frequent earrying non-residential heavy</u> traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets extended for predominantly residential traffic.

(Ord. 486 (part), 1986).

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## **Chapter 16.24 PUBLIC IMPROVEMENTS**

- 16.24.010 Minimum requirements.
- 16.24.020 Streets and pedestrian ways.
- 16.24.030 Fire hydrants.
- 16.24.040 Stormwater drains.
- 16.24.050 Water mains.
- 16.24.055 Sanitary sewers.
- 16.24.060 Street name signs.

16.24.070 Permanent monuments, barricades and traffic signs and safety devices.

- 16.24.080 Subdivision lighting facilities.
- 16.24.090 Underground utility facilities.
- 16.24.100 Underground utilities--general.
- 16.24.110 Completion.
- 16.24.120 Dedications.
- 16.24.130 School sites.

16.24.140 Sites for public facilities.

#### 16.24.010 Minimum requirements.

The subdivider shall improve or agree to improve all streets, pedestrian ways or easements and public utilities in the subdivision and adjacent thereto required to serve the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the <u>public works departmentPublic Works Department and City Engineer</u>. Improvements shall be installed to permanent line and grade and to the satisfaction of the <u>public works departmentPublic Works Department</u> and in accordance with the <u>public works construction standardsPublic Works Construction Standards</u>. The minimum improvement which the subdivider must make or agree to make at the cost of the subdivider, prior to acceptance and approval of the final subdivision map or parcel map by the <u>eityCity</u>, shall be set forth in the <u>public works construction standardsPublic Works Construction Standards</u> and/or this <u>ehapterChapter</u>.

(Ord. 533 § 1(part), 1988).

#### 16.24.020 Streets and pedestrian ways.

All streets and pedestrian ways shall be improved to widths and grades shown on the improvement plans and profiles signed by the <u>eityCity</u> engineer and approved by the <u>eityCity</u> e<u>C</u>ouncil as established by law. The subdivider shall improve the extension of all subdivision

streets and pedestrian ways to their intersecting with any county road, eity<u>City</u> street, or s<u>S</u>tate highway.

(Ord. 533 § 1(part), 1988).

### 16.24.030 Fire hydrants.

Subdividers of residential subdivisions subject to provisions of this  $\pm \underline{T}$  itle shall cause to be installed fire hydrants, gated connections and appurtenances, including an adequate source of water supply for fire hydrants. If the subdivider has not installed or caused to be installed said hydrants, gated connections and appurtenances, including an adequate source of water, prior to the recordation of the final subdivision map or record of survey maps, he/she shall:

A. Include such installation in the contract and bonds required of the subdivider pursuant to the ordinance codified in this  $\pm$ Title and other ordinances regulating the subdivision of land;

B. The <u>eityCity</u> <u>Ceouncil</u> may, upon verified petition of a subdivider, and upon the recommendation of the <u>pPlanning</u> <u>eCommission</u>, subject to the requirements of this <u>tTitle</u>, postpone the installation of fire hydrants, gated connections and appurtenances, including an adequate source of water, upon finding that the expected population growth in the area does not warrant that all of the improvements have to be installed.

(Ord. 486 (part), 1986).

### 6.24.040 Stormwater drains.

Stormwater drains shall be installed as shown on the improvement plans signed by the eity<u>City</u> eEngineer.

(Ord. 486 (part), 1986).

### 16.24.050 Water mains.

Water mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection. Whenever water service to a property requires construction of an off-site water main to the corner of the property, or construction of a well, fire hydrants, tanks, pumps or other unusual water facilities, these costs must be borne by the person or properties to be served.

(Ord. 533 § 1(part), 1988).

### 16.24.055 Sanitary sewers.

Sanitary sewers shall be installed with laterals to each lot and/or parcel shown on the final or parcel map in accordance with the <u>public works construction standardsPublic Works</u> <u>Construction Standards</u> and the improvement plans signed by the <u>eityCity E</u>engineer.

(Ord. 486 (part), 1986).

#### 16.24.060 Street name signs.

Street name signs shall be provided and placed as required by the public works departmentPublic Works Department.

(Ord. 486 (part), 1986).

### 16.24.070 Permanent monuments, barricades and traffic signs and safety devices.

Permanent monuments, barricades and traffic signs and safety devices shall be placed as required by the <u>public works departmentCity Engineer</u>.

(Ord. 533 § 1(part), 1988).

### 16.24.080 Subdivision lighting facilities.,

Subdivision lighting facilities shall be provided in accordance with the recommendations of the public works departmentPublic Works Department. Lighting shall be adequate to permit proper policing of the subdivision.

(Ord. 486 (part), 1986).

### 16.24.090 Underground utility facilities.

All new utility facilities (including, but not limited to, electric and ,-gas distribution, communication and cable television lines) extended to and installed within any new subdivision shall be placed underground. The installation of the facilities of privately owned utility companies shall be made in accordance with the Utilities Rules and Regulations on file with the pPublic uUtilities eCommission. Exempt from this requirement are: equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

A. The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies involved for the installation of said facilities.

B. Public rights-of-way and easements where utilities are to be placed underground shall be graded to within six (6) inches of the final grade prior to the installation of those utilities.

C. Grades of curbs and sidewalks shall be determined and staked before utilities are installed underground, and all surface mounted appurtenances and vaults shall be carefully set to grade to match the curb and/or sidewalk grade.

(Ord. 486 (part), 1986).

#### 16.24.100 Underground utilities--general.

All underground utilities installed in streets or alleys shall be constructed prior to the surfacing of such streets or alleys. Connections for all underground utilities shall be laid to such lengths as will obviate the necessity for disturbing the street or alley improvements when service connections thereto are made. Where necessary, dry conduit shall be installed for future underground utility crossings.

(Ord. 486 (part), 1986).

### 16.24.110 Completion.

A. A complete set of "as-built" improvement plans shall be filed with the <u>public works</u> <u>departmentPublic Works Department</u> upon completion of said improvements and said plans shall become the property of the <u>eityCity</u>. The final set of "as-built" improvement plans shall be submitted as original drawings, photographic mylars or <u>ozalid mylarsother</u>.

B. Said "as-built" plans are to be certified as to accuracy and completeness by the subdivider's licensed contractor or engineer. Upon receipt and acceptance of said "as-built" plans, the public works departmentCity Engineer shall recommend to the <u>eityCity</u> eCouncil formal acceptance of the improvements by the <u>eityCity</u>.

(Ord. 486 (part), 1986).

### 16.24.120 Dedications.

A subdivider shall dedicate by deed or make an irrevocable offer to dedicate, without cost to the <u>eityCity</u>, real property for the following purposes:

A. Streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements;

B. Bicycle paths in any subdivision containing two hundred (200) or more lots as specified in the Subdivision Map Act;

C. Parks and recreation, in accordance with the General Plan and the Gridley Municipal Code and as, specified by the provisions of the Subdivision Map Act, except where the subdivider pays an in-lieu fee in accordance with standards approved by the e<u>City C</u>ouncil;

D. Such other public purposes as the <u>Pplanning Ceommission</u> may deem necessary, provided the amount of real property required to be dedicated bears a reasonable relationship to the increased need for public facilities created by the subdivision.

(Ord. 486 (part), 1986).

### 16.24.130 School sites.

A subdivider may be required to provide such land for school sites as may be necessary in accordance with the provisions of the Subdivision Map Act. Collection and administration of school impact fees shall be the responsibility of the local school district office.

(Ord. 533 § 1(part), 1988).

### 16.24.140 Sites for public facilities.

A subdivider may be required to reserve sites for public uses as provided by the Subdivision Map Act. This section shall not be deemed to conflict with Subsection D of Section 16.24.120.

(Ord. 486 (part), 1986).

# Chapter 16.27 MODIFICATIONS (EXCEPTIONS)

16.27.010 Modification of title provisions.

16.27.020 Referral of proposed modifications.

16.27.030 Condominiums, community apartment and cluster-type subdivisions.

### 16.27.010 Modification of title provisions.

Whenever the land involved in any subdivision is of such size or shape or is subject to such title limitations of record or is affected by such topographical location or conditions or is to be devoted to such use that it is impossible, impractical, or undesirable in a particular case for the subdivider to fully conform to the regulations contained in this title, the <u>pPlanning eCommission</u> may <u>permit-recommend</u> modifications thereof as may be reasonable and -necessary if such modifications are in conformity with the spirit and purpose of the Subdivision Map Act and of this title the Gridley Municipal Code. Application for any such modifications shall be made by a petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with or after the acceptance of the tentative map of the subdivision. In order for the property referred to in the petition to come within the provisions of this chapter, it shall be necessary that the <u>pPlanning eCommission makes the following findings of fact: finds the following facts with respect thereto:</u>

A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as topography, fixed rights-of-way, unique location of easements, etc.; <del>or</del>

B. Because of the unique nature of a particular subdivision concept, design innovations are proposed which meet the functional standards of the zoning and subdivision regulations without strict adherence to the requirements of this title; <del>or</del>

C. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;-or. and.

D. That the granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the territory in which said property is situated.

(Ord. 486 (part), 1986).

### 16.27.020 Referral of proposed modifications.

A. Each proposed modification shall be referred to the officer of the department under whose jurisdiction the regulation comes and such officer or department shall transmit to the <u>pPlanning</u> e<u>C</u>ommission <u>his or its a</u> -written recommendation, which recommendations shall be reviewed prior to any proposed modification by the Planning Department.

B. The <u>pPlanning eCommission</u> shall review the request for a proposed modification in light of its impact on public health and safety and the general welfare of the public. Any action taken with reference to said requested modifications shall be in accordance with and subject to provisions of Chapter 16.30 entitled "Reconsideration of Decision."

(Ord. 533 § 1(part), 1988).

### 16.27.030 Condominiums, community apartment and cluster-type subdivisions.

In the case of condominium subdivisions and community apartment subdivisions, as defined by the Subdivision Map Act of the state, and cluster-type subdivisions, the <u>pPlanning eCommission</u> may approve or conditionally approve such subdivisions providing that the following findings are made:

A. Adequate light and air space, vehicular and pedestrian access, utilities, including but not limited to water, sewer, electric power, gas and storm drainage, public services, such as fire protection, police protection and solid waste disposal; landscaping and such other factors as the e<u>C</u>ity may deem appropriate, must be provided to iensure the development of improvements necessary to protect the health, safety and welfare of the citizens of the e<u>C</u>ity.

B. That a legal entity pursuant to the laws of the s $\underline{S}$ tate will be established for the control and maintenance of all land and improvements to be held in common. Such legal entity shall possess the authority to make sufficient assessment and be responsible for the maintenance of all facilities and shall be self-sustaining.

C. That the granting of approval or conditional approval of such subdivision shall not be detrimental to the public welfare or injurious to other property in the territory in which such property is situated.

(Ord. 486 (part), 1986).

# **Chapter 16.30 RECONSIDERATION OF DECISION**

<u>16.30.010</u> Filing of request for reconsideration.

- <u>16.30.020</u> Report of the city clerk to the planning department, department of public works, and applicant.
- <u>16.30.030</u> Action on request for reconsideration.

### 16.30.010 Filing of request for reconsideration.

A. The subdivider, or any tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, may request reconsideration of any action with respect to a tentative map from the e<u>C</u>ity e<u>C</u>ouncil.

B. Any such request for reconsideration shall be in writing and filed with the e<u>C</u>ity <u>C</u>elerk within ten (10) days after the action from which the request for reconsideration is being made.

(Ord. 486 (part), 1986).

# 16.30.020 Report of the city clerk to the planning department, department of public works, and applicant.

The e<u>C</u>ity e<u>C</u>lerk shall report the filing of such notice to the <u>pP</u>lanning <u>dD</u>epartment, the <u>pP</u>ublic <u>W</u>works <u>dD</u>epartment, <u>the City Engineer</u>, and to the applicant, if the request for reconsideration is filed by anyone other thean the applicant. A written report shall be submitted by the <u>department of public worksCity Engineer</u> and the <u>pP</u>lanning <u>dD</u>epartment to the e<u>C</u>ity e<u>C</u>ouncil, not later than the date set for hearing said request for reconsideration.

(Ord. 486 (part), 1986).

### 16.30.030 Action on request for reconsideration.

Upon receipt of a request for reconsideration, the e<u>C</u>ity <u>C</u>eouncil shall set the matter for hearing. The hearing shall be held within thirty (<u>30</u>) days after the date of filing the <u>completed</u> request <u>as accepted by the Planning Department</u>. Upon conclusion of the hearing, the <u>C</u>eity e<u>C</u>ouncil shall, within ten (<u>10</u>) days, declare its findings based upon testimony and documents before it. The e<u>C</u>ity e<u>C</u>ouncil may overrule or modify the decision, determination, or requirement which is the subject of the request for reconsideration and enter such orders as are in harmony with the spirit and purposes of this <u>t</u>Title and the provisions of the Subdivision Map Act.

(Ord. 486 (part), 1986).

# Chapter 16.33 BUILDING PERMIT ISSUANCE

16.33.010 Requirements.

### 16.33.010 Requirements.

No building permit shall be issued for the construction of any building, structure, or other work on any parcel proposed to be erected until a parcel map or final map has been approved and recorded in accordance with the provisions of this title and of Title 7, Division 2, Chapter 3, Article 6, beginning at Section 66464 of the Government Code of the Sstate and recorded in the office of the Butte County rRecorder. No building permit shall be issued for the construction of any building, structure or other work other than works of improvement required to be performed as a condition of approval of the parcel map or final map on any parcel created on a parcel map or final map until all works of improvement required as a condition of the parcel map or final map have been completed and accepted by the e<u>C</u>ity or until all works of improvement required as a condition of the parcel map or final map have been agreed to be constructed by a qualified contractor and this agreement is properly bonded.-(or other appropriate security is furnished <u>in</u> <u>accordance with this Title.</u>) and pursuant to the provisions of the Subdivision Map Act.

(Ord. 533 § 1(part), 1988).

# Chapter 16.36 VIOLATION--PENALTY

16.36.010 Violation--penalty.

### 16.36.010 Violation--penalty.

Any person, firm, corporation, partnership, or co-partnership who willfully violates any of the provisions or fails to comply with any of the mandatory requirements of this <u>T</u> title is guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed five hundred (500) dollars or by imprisonment except that nothing herein contained shall be deemed to bar any legal equitable or summary remedy to which the e<u>C</u>ity or other political subdivision, or any person, firm, corporation, partnership, or co-partnership may file suit to the s<u>S</u>uperior e<u>C</u>ourt of the e<u>C</u>ounty to restrain or enjoin any attempted or proposed subdivision or sale in violation of this t<u>T</u> title.

(Ord. 486 (part), 1986).

# Chapter 16.40 PARK AND RECREATION LAND DEDICATION AND IN-LIEU FEES

16.40.010 Intent.

- 16.40.020 Requirements.
- 16.40.030 General standards.

<u>16.40.040</u> Formula for dedication of land.

16.40.050 Formula for fees in lieu of land dedication.

16.40.060 Criteria for requiring both dedication and fee.

16.40.070 Amount of fee in lieu of land dedication.

16.40.080 Determination of fair market value.

16.40.090 Determination of land or fee.

- <u>16.40.100</u> Credit for private open space.
- 16.40.110 Procedure.
- 16.40.120 Alternate procedure for collection of fees.

16.40.130 Disposition of fees.

- 16.40.140 Exemptions.
- 16.40.150 Subdivider-provided park and recreation improvements.
- 16.40.160 Access.

16.40.170 Sale of dedicated land.

### 16.40.010 Intent.

This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of the <u>S</u>state of California. The park and recreational facilities for which dedication of and/or payment of a fee is required by this e<u>C</u>hapter are in accordance with the <u>o</u><u>D</u>pen <u>s</u><u>S</u>pace recreation e<u>E</u>lement of the <u>gG</u>eneral <u>pP</u>lan of the <u>eity\_adopted by the cityCity on June 18, 1984.</u>

(Ord. 503 Sec. 2 (part), 1986).

#### 16.40.020 Requirements.

At the time of approval of the tentative map or tentative parcel map, the <u>eityCity</u> <u>CeouncilCouncil</u> shall determine, pursuant to Section <u>10.40.040</u>, the land required for dedication or in-lieu fee payment. As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the <u>eityCity</u>, for neighborhood and community park or recreational purposes at the time and according to the standards and formula contained in this e<u>C</u>hapter. In the event park and recreational services are provided by a public agency other than the <u>eityCity</u>, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the <u>eityCity</u> and such public agency.

(Ord. 533 § 1(part), 1988).

### 16.40.030 General standards.

It is found and determined that the public interest, convenience, health, welfare, and safety require that five acres of property for each one thousand persons residing within this <u>eityCity</u> be devoted to neighborhood and community park and recreational purposes.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.040 Formula for dedication of land.

A. Where a park or recreation facility has been designated in the <u>oOpen sSpace eElement</u>, an <u>element</u> of the <u>General pPlan</u> of the <u>eityCity</u>, and is to be located in whole or in part within a proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for a local park sufficient in size and topography that bears a reasonable relationship to serve the present and future needs of the residents of the subdivision <u>but not designated solely for that subdivision being created</u>. The amount of land to be provided shall be determined pursuant to the following formulas:

Formula based on population estimate: The formula for determining acreage per proposed dwelling unit to be dedicated shall be as follows:

 $\underline{DU \ x \ population} \ x \ \underline{5 \ acres} = acreage to be dedicated$ 

Dwelling unit 1000 people

The average number of persons per dwelling unit in the eity<u>City</u> as of 1986 is 2.529 persons per unit.

B. Dedication of the land shall be made in accordance with the procedures contained in Section 16.40.110.

C. For the purposes of this section, the number of new dwelling units. <u>defined as single family</u> <u>detached</u>. <u>attached</u>. <u>second units</u>. <u>live-work units or any combination thereof</u>. <u>the fee or dedicatin</u> <u>of land shall be calculated at the greatest possible number of units a parcel may be able to be</u> <u>developed to for any residential or non-residential parcel</u>. <u>shall be based on the number of parcels</u> <u>indicated on the map when</u>. <u>an area is zoned for one dwelling unit per parcel</u>. When all or part of the subdivision is located in an area zoned for more than one dwelling unit per parcel, the number of proposed dwelling units in the area so zoned shall equal the maximum allowed under that zone</u>. In the case of a condominium project, the number of new dwelling units shall be the number of condominium units. The term "new dwelling unit" does not include dwelling units lawfully in place prior to the date on which the parcel or final map is filed.

D. The subdivider shall, without credit:

1. Provide full street improvements and utility connections including, but not limited to, curbs gutters, street paving, traffic-control devices, street trees, and sidewalks to land which is dedicated pursuant to this section.

2. Provide for fencing along the property line of that portion of the subdivision contiguous to the dedicated land <u>pursuant to the requirements and limitations of Title 17</u>.

3. Provide improved drainage through the site.

4. Provide other minimal improvements which the <u>eityCity</u> <u>council</u> determines to be essential to the acceptance of the land for recreational purposes.

E. The land to be dedicated and the improvements to be made pursuant to this section shall be approved by the eity<u>City</u> council<u>Council</u>.

(Ord. 533 § 1(part), 1988, Ord. 503 Sec. 2 (part), 1986).

### 16.40.050 Formula for fees in lieu of land dedication.

A. General formula. If there is no park or recreation facility designated in the  $\Theta$  pen sSpace eElement, to be located in whole or in part within the proposed subdivision, to serve the immediate and future needs of the residents of the subdivision and the City in general, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of that land, plus twenty-five (25) percent toward costs of off-site improvements prescribed for dedications in Section 16.40.040 and in an amount determined in accordance with the provisions of Section 16.40.040, such fee to be used for a local park which bears a reasonable relationship to serve the present and future residents of the area being subdivided.

For the purpose of this chapter, off-site improvements are defined as those improvements which would have been required if land had been dedicated using the provisions of Section 16.40.040.

B. Fees in lieu of land; fifty parcels or less. If the proposed subdivision contains fifty (50) parcels or less, the subdivider shall pay a fee equal to the land value, plus twenty <u>-five (25)</u> percent toward costs of off-site improvements, of the portion of the local park required to serve the needs of residents of the proposed subdivision as prescribed in Section <u>16.40.040</u>, and in an amount determined in accordance with the provisions of Section <u>16.40.070</u>.

However, nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of fifty (50) parcels or less, where the subdivider proposes such dedication voluntarily and the land is acceptable to the <u>eityCity eouncilCouncil</u>.

C. Use of money. The money collected under this chapter shall be used only for the purpose of acquiring necessary land and developing new or rehabilitating existing park or recreational facilities reasonably related to serving the subdivision.

(Ord. 503 Sec. 2 (part), 1986).

16.40.060 Criteria for requiring both dedication and fee.

In subdivisions of more than fifty (50) parcels, the subdivider shall both dedicate land and pay a fee in lieu thereof in accordance with the following formula:

A. When only a portion of the land to be subdivided is proposed on the  $\oplus \underline{O}pen \oplus \underline{S}pace$   $e \underline{E}lement$ , as the site for a local park, such portion shall be dedicated for local park purposes and a fee computed pursuant to the provisions of Section <u>16.40.070</u> shall be paid for the value of any additional land, plus twenty<u>five (25)</u>-percent toward costs of off-site improvements, that would have been required to be dedicated pursuant to Section <u>16.40.040</u>.

B. When a major part of the local park or recreation site has already been acquired by the eity<u>City</u> and only a small portion of land is needed from the subdivision to complete the site, such remaining portion shall be dedicated and a fee computed pursuant to the provisions of Section <u>16.40.070</u> shall be paid in an amount equal to the value of the land, plus twenty <u>-five</u> (<u>25</u>) percent toward costs of off-site improvements, which would otherwise have been required to be dedicated pursuant to Section <u>16.40.040</u> hereof, such fees to be used for the improvement of the existing park and recreation facility or for the improvement of other local parks and recreation facilities in the area serving the subdivision.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.070 Amount of fee in lieu of land dedication.

A. When a fee is to be paid in lieu of land dedication value of the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required for dedication pursuant to Section <u>16.40.040</u>, plus twenty percent toward costs of off-site improvements.

B. The fee shall be determined by the following formula:

Formula based on population estimate: The formula for determining acreage per proposed dwelling unit to be dedicated shall be as follows:

<u>DU x population x 5 acres</u> = acreage to be dedicated

Dwelling unit 1000 people

The average number of persons per dwelling unit in the <u>eityCity</u> as of <u>1986-2010</u> is 2.<u>529-96</u> persons per unit.

C. Fees to be collected pursuant to this section shall be approved by the <u>eityCity</u> <u>CeouncilCouncil</u>.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.080 Determination of fair market value.

The fair market value shall be determined upon a written appraisal prepared by an appraiser who is acceptable to both the <u>cityCity</u> and the subdivider. The cost of the appraisal shall be borne

by the subdivider. The appraisal will be made immediately prior to the filing of the final map.
The subdivider shall notify the <u>eityCity</u> of the expected filing date at least six weeks prior to filing of the final map. If more than one year elapses prior to the filing of the final map, the
<u>eityCity</u> will prepare a new appraisal and will bill the subdivider for the cost of the reappraisal. For the purposes of this chapter, the determination of the fair market value of a buildable acre, as defined in Section <u>16.40.070</u>, shall consider, but not necessarily be limited to, the following:

- 1. Approval of and conditions of the tentative subdivision map;
- 2. The <u>gG</u>eneral <u>pP</u>lan;
- 3. Zoning;
- 4. Property location;
- 5. Off-site improvement facilitating use of the property;
- 6. Site characteristics of the property.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.090 Determination of land or fee.

A. Whether the <u>eityCity</u> <u>councilCouncil</u> accepts a land dedication or elects to require payment of a fee in\_-lieu thereof, or a combination of both, shall be determined by consideration of the following:

1. The natural features, access, and location of land in the subdivision available for dedication;

- 2. The size and shape of the subdivision and land available for dedication;
- 3. The feasibility of dedication;
- 4. The compatibility of dedication with the open space element policies;
- 5. The location of existing and proposed park sites and trail\_ways.

B. The determination of the <u>cityCity councilCouncil</u> as to whether land shall be dedicated or whether a fee shall be charged, or a combination thereof, shall be final and conclusive.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.100 Credit for private open space.

A. No credit shall be given for private open space in the subdivision except as hereinafter provided. Where private open space usable for recreational purposes is provided in a proposed planned development or real estate development as defined in Sections 11003 and 11003.1 of the Business and Professions Code, partial credit not to exceed fifty percent shall be given towards the requirement of land dedication or payment of fees in lieu thereof if the eity<u>City</u> eouncil<u>Council</u> finds that it is in the public interest to do so and that all the following standards are met:

1. Yards, court areas, setbacks, and other open areas required by the zoning and building ordinances and regulations shall not be included in the computation of such private open space; and

2. Private park and recreation facilities shall be owned by a home <u>owner's</u> -association composed of all property owners in the subdivision and being an incorporated nonprofit organization capable of dissolution only by a one hundred percent affirmative vote of the membership, operated under recorded land agreements through which each lot owner in the neighborhood is automatically a member and each lot is subject to a charge for a proportionate share of expenses for maintaining the facilities. In the case of dissolution of the homeowner's association, the former private open space may be determined to be accessible and useable by any resident of the City; and

3. Use of the private open space is restricted for park and recreation purposes by recorded covenant which runs with the land in favor of the future owners of the property and which cannot be defeated or eliminated without the consent of the city or its successor; and

4. The proposed private open space is reasonably adaptable for use for park and recreation purposes, taking- into- cons-ideration such factors as size, shape, topography, geology, access, and location; and.

5. Facilities proposed for the open space are in substantial accordance with the provisions of the  $\Theta$  pen Sepace e Element of the g General p Plan; and

6. The open space for which credit is given is generally a minimum of three acres and provides all the local park basic elements listed below, or a combination of such and other recreation improvements that will meet the specific recreation needs of future residents of the area:

a. Recreational open spaces which are generally defined as park areas for active recreation pursuits such as soccer, golf, baseball, softball and football, <u>for organized sports and leagues for</u> <u>use.</u> and have at least one acre of maintained turf with less than five percent slope,

b. Court areas, which are generally defined as tennis courts, badminton courts, shuffleboard courts, or similar hard surfaced areas especially designed and exclusively used for court games,

c. Recreational swimming areas, which are defined generally as fenced areas devoted primarily to swimming, diving, or both. They must also include decks, lawn area, bathhouses, or other facilities developed and used exclusively for swimming and diving and consisting of no less than fifteen (15) square feet of water surface area for each three percent of the population of the subdivision with a minimum of eight hundred (800) square feet of water surface area per pool together with an adjacent deck and/or lawn area twice that of the pool,

d. Recreation buildings and facilities designed and primarily used for the recreational needs of the residents of the development.

B. The determination of the <u>eityCity</u> <u>council</u> as to whether credit shall be given and the amount of credit shall be final and conclusive.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.110 Procedure.

A. At the time of approval of the tentative map or parcel map, the <u>eityCity</u> <u>eouncilCouncil</u> shall determine pursuant to Section <u>16.40.040</u> the land required for dedication. If the <u>eityCity</u> <u>eouncilCouncil</u> requires in-lieu fee payment by the subdivider, the <u>eityCity</u> <u>eouncilCouncil</u> will set the amount of land upon which the in-lieu fee will be based at the time of the final map approval.

B. At the time of filing of the final subdivision map or parcel map, the subdivider shall dedicate the land or pay the fees as required by the <u>eityCity councilCouncil</u> as established at the time of tentative map or parcel map approval. In-lieu fees will be established using current land values at the time of final map approval with the formula set forth in Section <u>16.40.070</u>. The <u>eityCity councilCouncil</u> shall set the in-lieu fee based on the fair market value of the land as determined using the process set forth in Section <u>16.40.080</u>.

C. Open space covenants for private park or recreation facilities shall be submitted to the eity<u>City</u> prior to approval of the final subdivision map or parcel map and will be recorded contemporaneously with the final subdivision map.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.120 Alternate procedure for collection of fees.

Upon written request by the subdivider prior to the filing of the final subdivision map or parcel map, the <u>eityCity</u> <u>eouncilCouncil</u>, in their discretion, may provide for the collection of in-lieu fees at the time of the issuance of any building permit for any structure or building to be located upon any lot in the subdivision.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.130 Disposition of fees.

A. Fees determined pursuant to Section <u>16.40.070</u> shall be paid to the <u>eityCity</u> <u>#Finance</u> <u>#Director</u> and shall be deposited into the subdivision park trust fund, or its successor. Money in the fund shall be expended solely for acquisition or development of park land, or improvements related thereto. Accrued interest in the fund may be used for maintenance of existing <u>eityCity</u> parks in accordance with Government Code Section 66477.5.

B. Collected fees shall be appropriated by the local agency to which the land or fees are conveyed or paid for in specific project to serve residents of the subdivision in a budgetary year within five (5) years upon receipt of payment or within five (5) years after the issuance of building permits on one-half (1/2) of the lots created by the subdivision, whichever occurs laterfirst.

C. If such fees are not committed, these fees shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots in the subdivision. The finance director shall report to the city council at least annually on income, expenditures, and status of the subdivision park trust fund. Such fees shall remain

deposited with the City until such time the appropriation or project need is determined for the benefit of the residents of the City of Gridley.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.140 Exemptions.

A. Subdivisions containing less than five parcels and not used for residential purposes shall be exempted from the requirements of this chapter; provided however, that a condition shall be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels, the fee <u>may shall</u> be required to be paid by the owner of each such parcel as a condition of the issuance of such permit.

B. The provisions of this chapter do not apply to commercial or industrial subdivisions, nor do they apply to condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment <u>unless it can be shown the project previously paid in-lieu fees</u> or dedicated land., building which is more than five years old when no new dwelling units are added.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.150 Subdivider-provided park and recreation improvements.

The value of park and recreation improvements provided by the subdivider to the dedicated land shall <u>not</u> be credited against the fees or dedication of land required by this chapter. The <u>eityCity councilCouncil</u> reserves the right to approve such improvements prior to agreeing to accept the dedication of land to require in-lieu fee payments should the land and improvements be unacceptable.

(Ord. 503 Sec. 2 (part), 1986).

16.40.160 Access.

All land offered for dedication to local park or recreational purposes shall have access to at least one existing or proposed public street. This requirement may be waived by the city council if the city council determines that public street access is unnecessary for the maintenance of the park area or use thereof by residents.

(Ord. 503 Sec. 2 (part), 1986).

### 16.40.170 Sale of dedicated land.

If, during the ensuing time between dedication\_ of land for park purposes and commencement of first-stage development, circumstances arise which indicate that another site would be more suitable for local park or recreational purposes serving the subdivision and the neighborhood (such as receipt of a gift of additional park land or a change in school location), the land may be sold upon approval of the <u>eityCity</u> eouncilCouncil with the resultant funds being used for purchase and improvements for <u>of</u> a more suitable site.

(Ord. 503 Sec. 2 (part), 1986).

## Chapter 16.50 Mergers

16.50.010 Merger Generally.

16.50.020 Merger Application.

16.50.030 Merger Approval.

16.50.040 Merger Owner's Consent.

16.50.050 Merger Certificate of Compliance.

### 16.50.010 Merger - Generally.

Contiguous parcels of land under common ownership may be merged without reverting to acreage.

### 16.50.020 Merger - Application.

An application for merger shall be in the same form as an application for a certificate of compliance, and shall include a preliminary title report, a legal description of the property as a single merged parcel, and an administrative fee in an amount to be established by resolution of City Council.

(Ord 695, 2000)

### 16.50.030 Merger - Approval.

An application for merger shall be approved by the <u>planning directorPlanning Department</u> after review by other affected departments. Prior to approval, all encumbrances, including bonded indebtedness, shall be modified to apply uniformly to the entire modified parcel, rather than to the portions of the modified parcel corresponding to the separate lots prior to the merger.

### 16.50.040 Merger - Owner's Consent.

All persons owning an interest in the real properties to be merged shall consent to the merger by executing an owner's certificate consenting to merger.

### 16.50.050 Merger - Certificate of Compliance.

The planning director Planning Department shall record a certificate of compliance, including the owner's consent to merger, as set forth in this *t*Title, to evidence the merger of the properties.

### City Council Agenda Item #7B Staff Report

| Date:    | December 19, 2016  |   |           |
|----------|--|---|-----------|
|          |  | Х | Regular   |
| То:      | Mayor and City Council   |   | Special   |
| From:    | Donna Decker, Planning   |   | Closed    |
| From:    |  |   | Emergency |
| Subject: | Approval of Resolution No. 2016-R-037: A Resolution of the City Council of the City of Gridley amending the Public Works Construction Standards. |   |           |

### **Recommendation**

City staff respectfully recommends the City Council:

- 1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
- 2. Adopt Resolution No. 2016-R-037 amending the Public Works Construction Standards.

### Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The revisions to the Public Works Construction Standards will implement the 2030 General Plan and is one of the deliverables of the grant funding.

### Discussion

The Public Works Construction Standards (Standards) are used together with the State of California Caltrans Standard Specifications. They are developed to help developers know what the local conditions may be. These standards address most common situations and are amended to be consistent with the General Plan Circulation Element. Most of the other utility details have remained unchanged. Additional details are provided for road width design alternatives found in the General Plan, Title 16, and made consistent within the Standards. The Gridley Municipal Code provides the approval process to amend the Standards:

### 15.06.010 Public works construction standards.

The city may adopt public works construction standards by resolution and, from time to time, may by resolution add to, amend, correct or repeal all or any part or portion thereof.

### **Public Notice**

A notice was advertised 10 days in advance of the regularly schedule City Council meeting, 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. Hardcopies of the text are available at the public counter due to the electronic size limitations for posting.

### **Environmental Review**

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

### Attachments:

1. Resolution Number 2016-R-037

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRIDLEY AMENDING THE PUBLIC WORKS CONSTRUCTION STANDARDS (CITYWIDE)

WHEREAS, Government Code Section 65300 requires that every City and County prepare and adopt a comprehensive, long-range General Plan complete with text and a map, to serve as a guide for the physical development of that community and to implement the adopted plan, and is then required to amend or adopt other documents as is necessary to implement the General Plan; and,

WHEREAS, the 2030 General Plan identified goals, policies, and specific design elements in the chapter, "Circulation Element" outlining the design standards to be used for projects that are submitted to the City; and,

WHEREAS, the City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant to amend the Public Works Construction Standards to implement the General Plan; and,

WHEREAS, the Public Works Construction Standards implement the 2030 General Plan, Circulation Element by providing the detailed construction specifications for use; and,

WHEREAS, the Planning Commission has duly considered the Public Works Construction Standards and on December 14, 2016 forwarded to the City Council with a positive recommendation for adoption;

WHEREAS, in accordance with Section 15061 (b)(3) the project is Categorically Exempt of the CEQA Guidelines that it is not considered a project under the General Rule;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gridley hereby resolves as follows:

Section 1: The City Council adopts Resolution Number 2016-R-037; and,
 Section 2: The City Council affirms by this resolution that the Public Works Construction Standards, excerpts as amended and attached hereto as Exhibit "A", implement the 2030 General Plan Element, "Circulation Element".

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at the regular City Council meeting of the City of Gridley held on the 19<sup>th</sup> day of December, 2016 by the following vote:

| AYES:    | COUNCIL MEMBERS |          |
|----------|-----------------|----------|
| NOES:    | COUNCIL MEMBERS |          |
| ABSENT:  | COUNCIL MEMBERS |          |
| ABSTAIN: | COUNCIL MEMBERS |          |
| ATTEST:  |                 | APPROVE: |
|          |                 |          |

Frank Hall, Mayor

### **CITY OF GRIDLEY**

### **PUBLICWORKS CONSTRUCTION STANDARDS**

In Accordance With

Title 15, Chapter 06, Section 010 of the

Gridley Municipal Code and

### ADOPTED BY RESOLUTION NO. 50

of the

**GRIDLEY CITY COUNCIL** 

September 16, 1991

Revised by Resolution No. 2016-R-036

December 19, 2016

### INTRODUCTION

The Public Works Construction Standards are intended to be used in conjunction with the State of California Department of Transportation Standard Specifications, as amended, and all requirements pursuant to the General Construction Permit of the State of California, as amended, for all work.

Earthwork, grading, paving, and concrete work shall conform to the applicable sections of the State Standard Specifications, unless modified by these Construction Standards.

The City of Gridley developed the Public Works Construction Standards (PWCS) to mitigate design constraints as follows:

- Generally level slope grades 1-2%.
- High groundwater table at all times.
- Some unstable soils below the groundwater table.
- Storm drainage outfalls into Reclamation District agricultural drainage channels.

The Public Works Construction Standards will help to provide:

- Accurate establishment of grades, and careful construction practices to maintain the design grades.
- Watertightness of gravity pipelines and structures.
- Adequate construction and safety procedures regarding shoring, bracing, and dewatering of all excavations.
- Building pad elevations established above potential high water elevations, with adequate lot grading to the back of sidewalk.
- Storm drainage detention facilities designed to limit peak flows.

### **GENERAL DESIGN CRITERIA**

**GENERAL DESIGN CRITERIA** shall apply to the design of all improvements within the City of Gridley which are subject to review by the City Engineer.

**DRAWINGS** shall be on standard size sheets (8-1/2" x 11", 11" x 17", 17" x 22", 18" x 24", 22' x 34", or 24" x 36") with standard title block. All lettering shall be a minimum of 0.10" or 1/8" or larger to permit photographic reduction.

TITLE SHEETS shall have an index or key map clearly indicating the sheet numbers for all drawings.

**DESIGN ENGINEER AS DESIGNER, ARCHITECT, OR REGISTERED ENGINEER** shall sign each sheet applicable to the field. Designs for structures and other on and off site improvements which are required by law to be designed by a Registered Engineer or Architect shall be stamped and signed.

**SOILS REPORT** shall, when required, be signed by a Registered Engineer or Registered Geotechnical Engineer.

**REVISIONS TO ORIGINAL DRAWINGS** must be notated on the drawing, dated, and Initialed by the Engineer of Record and approved by the City Engineer and the Department of Public Works.

**IMPROVEMENTS** are to be designed and constructed in accordance with these Public Works Construction Standards.

**SUBDIVISIONS** shall have improvement drawings showing overall layout of the water, sewer, electrical and gas distribution systems, storm drainage, and streets. Public utility locations shall be shown on the "as-built" plans for all projects and shall be provided to the City at the completion of the project.

**PROFILES** shall be shown on the improvement drawings for streets and street improvements. Vertical curves shall show all curve data, i.e.length, beginning, ending, P.I., etc. Typical design data shall be shown on all sheets, i.e., elevations, stationing, etc.

**SCALE** for improvement shall be a minimum of 1'' = 40' for the horizontal and 1'' = 2' for the vertical. The vertical scale may be changed to 1'' = 5', or other appropriate scale where depths are great. For complex plans the scale may be 1'' = 20' or larger as necessary for clarity.

#### Exhibit A

**IMPROVEMENT PLANS** shall be prepared in ink on mylar, unless otherwise approved by the City Engineer and the Department of Public Works.

**STREET SURVEY CONTROL**, horizontal and vertical, storm drainage, subdivision boundary and lot calculations, shall accompany all submittals for checking and approval by the City Engineer and the Public Works Department.

**STORM WATER POLLUTION PREVENTION PLAN** shall be provided for each project that requires such under the State of California General Construction Permit for water pollution prevention and the implementation of Best Management Practices, inspections, and reporting to meet the State requirements prepared by and conducted by a Qualified Stormwater Developer (QSD) and Qualified Stormwater Practitioner (QSP).

**IMPROVEMENT BONDS** shall include a detailed cost estimate, prepared by the Design Engineer, and approved by the City Engineer.

**ORIGINAL DRAWINGS** shall be revised by the Design Engineer stamped and signed "as-built" to reflect the actual "as-built" conditions, and duplicate or photographic mylar copies shall be furnished to the City prior to final acceptance of the work by the City.

### **IMPROVEMENT PLANS - REQUIRED CONTENTS**

- 1. Project Title
- 2. Project Design Credits:
  - a. Designer's Signature Date
  - b. Scale
  - c. Project Approval Signature
- 3. Existing pertinent topography, (i.e., street, curb, gutters, storm drains and all drainage facilities, sanitary sewers, water electric, and gas line, trees, creeks, , and other features that will effect design, existing right-of-way (R/W), property lines, street names.)
- 4. Profiles of existing improvements and/or ground.
- 5. Location of proposed improvements:
  - a. Right-of-Way (R/W), easements, etc.
  - b. Horizontal control points (2 min.) with ties, North arrow, contours
  - c. A minimum of 2 benchmarks on City Datum with location, description, elevations. Project stationing (Reading left to right)
  - d. Typical sections of work Cross-sections as required Profiles of all improvements.
- 6. Horizontal and Vertical Curves:
  - a. Begin Curve (B.C. & B.V.C. or P.V.C.)
  - b. End Curve (E.C. & E.V.C.)
  - c. Point of Intersection (P.I. & P.V.1.)
  - d. Invert Station and Elevations:
  - e. All Structures Gravity Pipelines
- 7. General Design Data Grades
  - a. Lengths of design element hydraulic gradient
  - b. Energy gradient
  - c. Other design data as required
- 8. Special Notes
- 9. References to Public Works Construction Standards
- 10. Drawing Legend

#### SURVEY MONUMENTATION

#### SURVEY MONUMENTS

The procedure and practice of all survey work done upon any subdivision shall conform to the accepted standards of the engineering profession.

All monuments shall not be less substantial than a 3/4-inch diameter iron pipe or 5/8-inch diameter steel reinforcing bar, 18 inches long with a brass tag or plastic cap bearing the registration number of the engineer or surveyor who set the monument, and shall be subject to inspection and approval by the City Engineer. "Permanent" monuments shall be set in concrete. Before street improvements are accepted, all monuments disturbed by the improvements shall be reset.

In making the survey for a subdivision, the engineer or surveyor shall set "permanent" monuments at all angle and curve points on the exterior boundaries of the subdivision, in all street intersections, at all angle points of street lines, and at all points of curvature, both simple and compound, of street lines. "Permanent" monuments at street intersections and at angle and curved points of street lines shall be set on street centerlines, unless otherwise directed by the City Engineer; provided, however, that the "permanent" monuments need not be set at intervals of less than 400 feet.

The "permanent" monuments shall be set in the ground upright with the metal marker centered in the concrete, by excavating a six-inch minimum diameter hole two feet below the finished grade and pouring the same full of concrete. When streets are required to be paved, the location of such monument and access thereto shall be given by a suitable concrete or cast-iron sliding sleeve surmounted by a circular cast-iron frame and lid at street surface per standard number G2 of the State Specifications or as modified by the City Engineer. In case the monument is not in a street, the metal marker may be set flush with the existing ground surface.

The engineer or surveyor shall set monuments at all lot corners and at all curve points on lot boundary lines.

There shall be one or more permanent bench marks for each subdivision, of a type approved by the City Engineer and referred to the City Datum, set at each street intersection in the curb return or other location approved by the City Engineer. The bench mark shall be a brass disc two inches  $\pm$  in diameter, set in concrete.

### STREET DESIGN CRITERIA

The design, layout, width, circulation, and other aspects of streets, both public and private, shall conform to the locations shown on the Circulation Element of the General Plan and approved by the City Engineer and the Public Works Department.

The final improvement plans for streets shall show the survey monuments and rights-of-way referenced to existing property corners, width of paving, and all improvements, i.e. sanitary sewer system, storm drain system, concrete curb, concrete gutter. The widths and locations of adjacent streets shall be shown referenced to centerline stationing or monuments on the final improvement plans for streets.

### STREET WIDTHS [1]

| Class              | Lane Width | Right-of-Way<br>(R/W) Width | On-Street<br>Parking<br>Permitted?    | Bicycle Lanes<br>Permitted?           |
|--------------------|------------|-----------------------------|---------------------------------------|---------------------------------------|
| Thoroughfares & A  | rterials   |                             | · · · · · · · · · · · · · · · · · · · | · · · · · · · · · · · · · · · · · · · |
|                    |            |                             |                                       |                                       |
| Arterial           | 12'        | 60'-84'                     | No                                    | No                                    |
| Industrial streets | 14'        | 84'                         | Yes – 10' Both<br>Sides               | No                                    |
| Collectors         |            |                             | <u> </u>                              | L                                     |
| Major<br>collector | 11'        | 50'-60'                     | No                                    | Yes 5' Both<br>Sides                  |
| Minor<br>collector | 10'        | 66'-74'                     | Yes 8' Both<br>Sides                  | Yes 5' Both<br>Sides                  |
| Local streets      | 10'        | 56-64'                      | Yes 8' Both<br>Sides                  | No                                    |

Notes:

[1] An exception to street width dimensions shall be permitted for incorporating stormwater management features or alternative landscape parkway designs, where the sidewalk and landscaping area is greater than 20 feet.

The width of the roadway shall be measured perpendicular or radial to the centerline. Any exceptions to the above widths must be submitted to, and approved by, the City Engineer and the Public Works Department.

Intersections of arterials, depending on estimated traffic volumes, may require special design. The need for single and double left turn pockets, free right turn lanes, right turn islands, raised medians, etc., shall be investigated.

Where feasible, when streets are improved for only one-half widths, the unimproved half shall drain away from the paved section and shall be provided with an adequate ditch.

Typical street cross-sections shall be based on 8-foot parking lanes, allowed only on minor collector and local streets and 10-foot width for Industrial travel lanes. If an additional 10-foot width is added to the following width of travel lanes, on street parking may be allowed at the discretion of the City Engineer:

|   | Arterial Streets        | 12' |
|---|-------------------------|-----|
| - | Major Collector Streets | 11' |

### STREET GRADES

Maximum street grades shall not exceed the following limits:

| Arterial Streets       | 8%  |
|------------------------|-----|
| Major, Minor Collector | 10% |
| Streets                |     |
| Local Streets          | 15% |

Minimum street grades shall not be less than 0.25% unless authorized by the City Engineer.

The gradient of a street entering an intersection shall not be more than ADA compliance allowances at the intersection(s).

Vertical curves are required when grade breaks exceed 1.0%. Vertical curves shall be made with parabolic vertical curves determined by minimum stopping sight distance and good engineering practice established by the City Engineer and the Department of Public Works.

### STREET IMPROVEMENTS

Concrete curbs and gutters shall conform to these Public Works Construction Standards. The minimum grade for curbs and gutters shall be 0.25 % unless a reduction is authorized by the City Public Works Department. Rolled curb and gutter shall only be permitted in residential areas on local streets which do not have existing vertical curb and gutter. Installation of rolled curb and gutter on streets which have existing vertical curb and gutter must have specific approval by the Director of Public Works or the City Engineer.

Street improvement plans shall show curb and gutter profiles, including profiles for all curb returns and any approved cul-de-sacs. (Cul-de-sacs require specific approval of the Department of Public Works.)

Concrete sidewalk shall conform to the City Public Works Construction Standards, 5-feet or 9.5-feet wide exclusive of curbs (11.5-feet for existing streets), and no less than four inches thickness for public and private sidewalks, and six inches thickness for driveways.

Concrete sidewalks may be either adjacent and contiguous in design and construction to curbs and gutters or a non-contiguous parkway sidewalk. Where existing subdivisions and tracts have separated sidewalks with landscape parkway, sidewalk infill shall conform to the existing design. Expansion joints shall be provided at 20-feet maximum spacing, as required for the curb and gutter.

| Class                         | (Min.) Curb Return_Radius |
|-------------------------------|---------------------------|
| Local Street Intersections    | 20'                       |
| Cul-de-sac                    | 40'                       |
| Minor Collector Streets       | 25'                       |
| Major Collector Streets       | 30'                       |
| Arterial Street Intersections | 30'                       |

Curb returns shall be constructed on a curve having a radius equal to that shown below:

Curb and gutter shall be carefully constructed to the design lines and grades. The extremely flat grades necessary in the City of Gridley requires particularly careful construction to maintain flowline and lip of gutter grades within 0.02-feet of design grades at all locations.

### STREETIMPROVEMENTS

Tops of curbs and lips of gutters shall be straight and uniform, and within 1/8" of a 10-foot long straightedge at all locations on straight sections.

The stringent alignment and grade control necessary for minimum grades requires extreme care in the use of extruding machines to construct curb and gutter, and control shall be carefully checked for alignment and grade immediately before pouring.

### Exhibit A

### 2016-R-036

Any curb and gutter which fails to meet the alignment and grade requirements shall be removed and replaced at no cost to the City.

### SIDEWALK REQUIREMENT

The principal reason for a sidewalk is pedestrian safety. The sidewalk gives the pedestrian a place to walk outside of the vehicular travel lanes. The City's experience has been that graded or graveled areas have not been a satisfactory replacement for sidewalks as property owners' plants, vegetation, landscaping, or fences force people into the street.

Curb and gutter is required to protect the edge of the pavement, to channel storm drainage to collection points, to define the right-of-way for vehicular traffic, to make better use of the City's street sweeping program, and to protect pedestrian sidewalk traffic. Curb and gutter reduces the City's street maintenance costs, establishes reference points for property lines, and shows where underground utilities are stubbed out.

### SIDEWALK REQUIREMENT BY PERMIT

Generally, curb, gutter, and sidewalk are required for all new development in the City. Several exceptions to the basic policy will be discussed later. The sidewalk requirement occurs in several areas under City procedures:

### **BUILDING PERMITS**

Pursuant to Section 12 of the Gridley Municipal Code, any person obtaining a building permit to construct a new residence or develop property is required to construct curb, gutter, and sidewalk along all public street frontages adjacent to the lot. In addition, the builder or developer is required to pave between the edge of the existing street and the gutter. In situations where it is not practical to set grades for the improvements, the property owner must sign a "Deferred Improvement Agreement" that essentially provides that curb, gutter, and sidewalk will be installed upon demand by the City. This agreement also amounts to an automatic "yes" vote in any future assessment district for street improvements.

### **SUBDIVISIONS**

It is the policy of the City that sidewalks are required as a condition of approval of any subdivision. For subdivisions by final map, sidewalk is required prior to the recording of the final map. For subdivisions by parcel map, sidewalk is required at the time of development. The map condition requiring sidewalk construction shall be noted on the recorded parcel map.

### **USE PERMITS, SITE PLAN REVIEWS, AND VARIANCES**

Curb, gutter, and sidewalk are also required as a condition of approval of use permits, site plan reviews, and variances. In addition, the developer is also required to pave between the edge of the existing pavement and gutter. Generally the conditions on these applications are more of an information item since most would fall under the building permit requirements.

### SIDEWALK REQUIREMENT BY STREET CLASSIFICATION

There is some variation in the sidewalk requirements for property depending upon the street classification. In all cases, curb, gutter, and sidewalk are required. By type of street, sidewalk varies as follows:

| Arterial:                  | 5-12 foot sidewalk on both sides of the street.   |
|----------------------------|---|
| Major and Minor Collector: | 5-12 foot sidewalk on both sides of the street.   |
| Local:                     | 5-6 foot sidewalk on both sides of the street.    |
| Industrial:                | 4-6 foot sidewalk on one side of the street only. |

For all uses within the Downtown Mixed-Use designations in the City, along the Highway 99 corridor, and in new designated Neighborhood Mixed-Use areas, sidewalks shall be a minimum width of 6 feet.

### SIDEWALK REQUIRED BY LAND USE

### PRIVATE STREETS AND MOBILE HOME PARKS

Private Streets and mobile home parks are treated somewhat different in that curb, gutter, and sidewalk are only required on the public street frontages. Internal roads within the projects are private, thus no sidewalk requirement is made.

### STREET TREE WELL LOCATION CRITERIA

The only situations where tree wells for trees are specified are in commercial, mixed-use, or industrial areas where full width commercial sidewalk (curb to property line) is to be constructed. This results in a total sidewalk width of 9-1/2 to 11-1/2-feet, and there is enough room for the construction of a tree well immediately behind the curb and to allow for the passage of pedestrians around the tree. Do not attempt to place tree wells in any sidewalk narrower than 7-1/2-feet. Some of the most common obstacles to pedestrians are signs, utility poles, hydrants, parking meters, and building doors that swing out.

The general guidelines relating to the spacing of trees are that they be located no closer than 25 to 30-feet to intersections, with a spacing between trees most suitable for mature growth, and no tree is to be planted closer than 6-feet to an interior property line or a driveway. The former instance is to clearly indicate to a property owner that the tree is in front of their property and not on a common lot line where adjacent property owners could have conflicting views regarding tree maintenance or removal. Clearance to driveway locations is to insure that the tree does not create a blind spot for motorists attempting to exit the driveway into oncoming traffic.

Regarding the spacing of trees along the streets, a number of considerations are involved in addition to the above mentioned intersection, property lines, and driveways. Power poles, street light standards, fire hydrants, the location of underground utilities and services, the placement of parking meters and stalls along the street, and the architecture of a building itself often dictates when and where a tree is to be located. Do not place a tree immediately next to a parking meter where a person cannot get to the meter or in the middle of a parking stall so that it hinders or obstructs a person from opening a car door to enter or exit a vehicle.

Do not place a tree so close to power poles and street lights that the spread of the tree would interfere with access to the pole by utility companies or obliterates the lighting effect from the street lights, nor so close to a fire hydrant that it hinders the Fire Department's use of the hydrant.

Do not locate trees adjacent to water meters, nor over utility service lines. Consideration should be given to height clearances for traffic control signs and street sweeper operation in the selection of trees for planting.

Tree locations should be coordinated with building designs to provide shade for energy conservation without obstructing entrances or windows.

All tree wells shall be provided with a root barrier to ensure roots are directed downward.

#### **DRIVEWAY STANDARDS AND CRITERIA**

#### DRIVEWAYS - GENERAL

All driveway approaches in City right-of-way shall be constructed in conformance with these Public Works Construction Standards or as modified for special situations described herein.

1. A residential driveway apron shall be constructed between the curb and the property line with Portland cement concrete per driveway standards.

- 2. A commercial driveway apron to a parking lot or "drive-in" business shall be constructed between the curb and the property line with portland cement concrete, per driveway standards.
- 3. An industrial driveway apron shall be constructed between the curb and the property line with an approved Portland cement concrete structural section, based on the amount of truck traffic (TI) and ability of the soil (R-value) to withstand truck wheel loads.
- 4. In all cases, it shall be the responsibility of the abutting property owner to maintain the driveway apron in a safe and suitable condition for the traffic to be carried, whether pedestrian or vehicular.

### COMMERCIAL - INDUSTRIAL HIGH VOLUME DRIVEWAYS

Commercial and industrial driveways that serve a substantial number of vehicles or trucks shall have dimensions, sight distance, geometrics, spacing, etc., determined by the City Engineer.

### **ONE-WAY DRIVEWAYS**

One-Way entrance or exit driveways shall conform to these Public Works Construction Standards for commercial driveways or as modified by the City Engineer for special situations.

### AMOUNT OF FRONTAGE ALLOWED FOR DRIVEWAYS

Not more than 60 percent of the frontage of any parcel may be devoted to driveways.

### **DRIVEWAY WIDTH "W"**

The total width of driveways shall be measured between full height curb.

### MINIMUM WIDTH "W"

- 1. The minimum width of driveways for one and two family residences shall provide for a bottom width of 12 feet, exclusive of the transition to full curb height at both ends.
- The minimum width of non-residential driveways shall provide for the safe, efficient, and economical movement of traffic and should be approximately 24 feet for two-way streets, exclusive of the transition to full curb height at both ends. This driveway width may be reduced to 16 feet for one-way streets.

### MAXIMUM WIDTH "W"

- 1. The maximum width of driveways for one and two family residences shall provide for a bottom width of 24 feet, exclusive of the transition to full curb height at both ends.
- The maximum width of all commercial driveways shall be 35 feet, exclusive of the transition to full curb height at both ends, except this may be increased by the City Engineer where necessary to provide for the safe, efficient, and economical movement of traffic.
- 3. In the case of a driveway located adjacent to an alley, if approved by the City Engineer. The driveway apron may not be combined with the alley but the total combined width shall not exceed 40 feet.
- 4. The driveway width may be modified by the City Engineer to facilitate turning movements where curb lanes are used.

### DISTANCE BETWEEN DRIVEWAYS

- 1. The minimum length of full height curb between a driveway and a side property line shall be three (3)feet.
- The minimum length of full height curb between driveways on adjacent lots shall be six
   (6) feet unless specific approval of a shorter length is given by the City Engineer.
- 3. No driveway shall be located closer than six (6) feet from an existing or future alley entrance except as provided elsewhere in these standards.
- 4. Where two or more driveways are constructed on the same lot, the minimum length of full height curb between driveways shall be 24 feet. Where practical to provide parking, the total length of full height curb between driveways shall be in multiples of 20 feet.

### DRIVEWAY GRADE (SLOPE)

The maximum grade for driveways shall be limited to 12.5% or as directed by the City Engineer. Eight percent is a desirable maximum for commercial and industrial driveways.

### DRIVEWAY DISTANCES FROM UTILITY OR SAFETY DEVICES

No driveway shall be located closer than five (5) feet from a fire hydrant, traffic signal, street light standard, utility pole, or guy wire.

### UTILITY RELOCATION

Relocation of utility company's facilities or other public improvements to accommodate a driveway shall be accomplished without cost to the City.

### SIGNAL AND ELECTRICAL CONDUIT

Where traffic signal or highway lighting is planned or anticipated, a minimum of one 2-inch PVC-P&C TC-6 conduit shall be placed under any new driveway apron and extend a minimum of one foot beyond the ends of the driveway. The conduit shall be placed behind, and a minimum of 24 inches below, the top of curb.

### **REMOVAL OF EXISTING DRIVEWAYS**

When driveway construction is to take place on a parcel, any abandoned driveways shall be removed and replaced with standard curb, gutter, and sidewalk concurrently with the new construction and without cost to the City.

### MODIFICATION

The above standards may be modified by the City Engineer for hardship conditions or where necessary to provide for the safe and efficient movement of traffic.

### INTERSECTIONS

| Class            | Tangent Distance Required at Street<br>Intersections |
|------------------|--|
| Local Street     | 50'  |
| Collector Street | 100'   |
| Arterial Street  | Require Special Design                               |

Deviation from the above design standards shall be approved by the City Department of Public Works.

The centerline of streets entering upon opposite sides of any given street shall normally align, or shall be offset by at least 200 feet for local residential streets and 300 feet for all other streets. Local streets shall normally be designed as "T" type intersections.

Cul-De-Sacs: Dead-end streets require special approval by the City Engineer, and if approved shall terminate in a paved turn-around and shall have a 40-foot minimum curb line radius at the

tum-around. If approved, cul-de-sacs shall not exceed 500 feet in length, measured from the centerline of the intersecting street to the center of the cul-de-sac "bulb."

### HORIZONTAL CURVES

The radius of curvature in the centerline of the street shall be not less than:

| Arterial Streets                  | 650' |
|-----------------------------------|------|
| Major and Minor Collector Streets | 200' |
| Local Streets                     | 75'  |

Superelevation Rate: -2% from the center line towards the right-of-way line shall be typical cross slope. Deviation from the typical superelevation rate shall be considered due to gutter drainage run-off, horizontal curve requirements, etc.

#### STRUCTURAL SECTION:

Structural design of pavement, which includes the structural section to be used, shall be based on soil tests results, the TI (Traffic Index), and standard gravel equivalent calculations according to good engineering practice and shall be approved by the City Public Works Department.

Slopes: Earth slopes in cut or embankment sections shall not be steeper than two feet horizontal to one-foot vertical, unless steeper slopes have been approved by the City Public Works Department based on a soil report.

### STREET LIGHTS

Street lights shall be located as directed by the Gridley Electric Department, and shall be 100 Watt High Pressure Sodium Lights or low-emitting diode (LED) lighting fixtures installed on 25-foot tapered steel poles with 8-foot arms, as approved by the City Engineer. Pole bases shall be in accordance with the Standard Details.

### COMPACTION DENSITY REQUIREMENTS IN STREETS

To clarify City requirements for the compaction of street subgrade and base materials, the following criteria shall apply:

- 1. Maximum Density Optimum moisture relationships (compaction tests), will be determined in accordance with ASTM D 1557, Method C, (dry density).
- 2. Subgrade shall be:
  - a. Compacted to a relative compaction of 92 percent for all soil material (cohesive, clay).
  - b. Compacted to a relative compaction of 95 percent for all granular material (non-cohesive, granular soils).
  - c. Aggregate base shall be compacted to 95 percent relative compaction.
  - d. Asphalt concrete pavement shall be compacted to 95 percent relative compaction (ASTM D 1188 Test Method).
  - e. Class A or B backfill for trenches shall be compacted to 95 percent relative compaction. Class C backfill for trenches shall be compacted to 92 percent relative compaction.
- 3. Compaction test results will be acceptable as meeting the 95 percent requirement if the average of all tests is 95 percent with no individual test lower than 93 percent.
- 4. Compaction tests will be acceptable as meeting the 92 percent requirement if the average of all tests is 92 percent with no individual test lower than 90 percent.

Gridley Public Works Construction Standards

# Exhibit A 2016-R-036

#### WATER SYSTEM DESIGN CRITERIA

#### **PIPE MATERIALS FOR MAINS**

Ductile Iron Pipe PVC Pipe - AWWA C900 Cast Iron Dimensions

#### MINIMUM PIPE SIZES FOR MAINS

6" for looped mains and interconnections 8" for unlooped mains 10" for transmission mains between wells

**VALVES** shall be resilient wedge gate valves installed in accordance with the standard details. A sufficient number of valves shall be provided to permit isolation of each main, not more than 600 feet in length.

**FIRE HYDRANTS** shall be dry barrel hydrants, Waterous Pacer WB-67 located as directed by the Fire Chief, and not more than 400 feet apart. Hydrant installation shall be in accordance with the City Standard Details.

**SERVICES** shall be installed in accordance with the Standard Details. All water services shall be single services, 1" minimum diameter. Backflow prevention devices shall be installed on all services to property with access to water from a private well or separate water service, and on all services to properties with potential contamination sources, as determined by the City Engineer and/or the California State Department of Health Services.

**MINIMUM COVER** for water mains shall be 30 inches, with 36 inches of cover desirable whenever possible.

#### **CROSS-CONNECTION CONTROL ON FIRE SPRINKLER SYSTEMS**

Considerable confusion has arisen regarding the intent and purpose of AB 2503, Chapter 425, Statutes of 1982, which adds Section 13114.7 to the Health and Safety Code. Any regulations implementing the provisions of Section 13114.7 of the Health and Safety Code must be promulgated or approved by the State Fire Marshal in accordance with Section 11342.3 of the Government Code.

Section 13114.7 makes it clear that no backflow prevention devices other than those specified in the Standards of the National Fire Protection Association (NFPA) may be required for Class I and II fire sprinkler systems. Class I automatic fire sprinkler systems are those

systems supplied by public water mains only (i.e., no pumps, tanks or reservoirs, physical connection from other water supplies, and no anti-freeze or other additives of any kind).

Class II systems are the same except that booster pumps, whose sole source of supply is the public water system, may be installed in the connection from the street main.

| ja<br>Ja   |                                     |                  |   |                |  |          |
|--|-------------------------------------|------------------|---|----------------|--|----------|
|  | land-<br>scope                      | 12'              | 14°   | 12'<br>lane    | 6'<br>land-<br>scape   |          |
|  | 11'-18'<br>sidewalk/<br>landscaping |                  | 38'<br>R.O.W. (minimum)<br>CAL ABOUT CENTER | LINE .         | sidewalk/<br>landscaping   |          |
| DEFINITION   | AND GENERALL<br>GEOMETRIC DE        | Y HAVING LIMITED | DIRECT ACCESS T                             | O ABUTTING P   | VITH INTERSECTIONS A<br>ROPERTY, AND ON W<br>TO EXPEDITE THE SAF | HICH     |
| ACCESS   | INTERSECTIONS                       | AT GRADE WITH LI | MITED DIRECT ACC                            | CESS TO ABUTTI | NG PROPERTY.   |          |
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| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |                                     |                  |   |                |  |          |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      |                                     |                  | PUBLIC V<br>STANDA                          |                |  |          |
|  |                                     |                  | CITY OF                                     | GRIDLE         | (  | DWG, NO. |
|  |                                     | D                | EPARTMENT OF                                | PUBLIC WO      | RKS  | 6A       |
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| ACCESS   | INTERSECTIONS AT GRADE WITH LIMITER | D DIRECT ACCESS TO ABUTTING PROPERT  | Y          |
| TRAFFIC FEATURES   |                                     | TURNING MOVEMENTS AT INTERSECTIONS<br>OR INTERSECTIONS, PARKING AND DRIVE  |            |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)                       |                                     |  |            |
| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |                                     |  |            |
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| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      |                                     | PUBLIC WORKS<br>STANDARD NO.   |            |
|  |                                     | CITY OF GRIDLEY  | DWG. NO.   |
|  | 4-LANE                              | ARTERIAL STREET (opt   | <b>6B</b>  |

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| ACCESS  | INTERSECTIONS AT GRADE WITH LIMITED DIRECT ACCESS TO ABUTTING PROPERTY.  |                              |
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| STRUCTURAL DESIGN SECTION<br>(MINIMUM)                                  |  |                              |
| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL            |  |                              |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                                 | PUBLIC WORKS<br>STANDARD NO.   |                              |
|   | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS  | DWG. NO.                     |
|   | 4-LANE ARTERIAL STREET (opt 2)   | 6C                           |

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| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |   |            |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      | PUBLIC WORKS<br>STANDARD NO.  |            |
|  | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS   | dwg. NO.   |
|  | MAJOR COLLECTOR STREET (opt 1)  | 1          |

# Exhibit A 2016-R-036

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| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |   |
| APPROVED BY:   |   |
| RESOLUTION NO.<br>DATE:                                      | PUBLIC WORKS<br>STANDARD NO.  |
|  | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS 7D                                |
|  | MAJOR COLLECTOR STREET (opt 2)  |

| 6'<br>land-<br>scope   | 8'     10'     10'     8'     6'       parking     Iane     Iane     parking     Iand-scape       36'     11'-18'  |
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| sidewalk/<br>landscape   | sidewalk/<br>landscape<br>58' R.O.W. (minimum)   |
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| ACCESS INTERSECTIO   | AT SERVES ABUTTING PROPERTY AND CARRIES TRAFFIC TO THE ARTERIALS.<br>DNS AT GRADE WITH DIRECT ACCESS TO ABUTTING PROPERTY.<br>SNALS, PARKING RESTRICTIONS, AND OTHER CONTROL MEASURES, AS WARRANTED. |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |  |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:  | PUBLIC WORKS<br>STANDARD NO.   |
|  | CITY OF GRIDLEY     DWG. NO.       DEPARTMENT OF PUBLIC WORKS     7C   |
|  | MINOR COLLECTOR STREET (opt 1)   |

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| sidewalk/<br>landscape                                       | sidewalk/<br>landscape<br>&8' R.O.W. (minimum)                     |  |
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| STRUCTURAL DESIGN SECTION<br>(MINIMUM)                       |  |  |
| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |  |  |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      | PUBLIC WORKS<br>STANDARD NO.                                       |  |
|  | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS 7D                   |  |
|  | MINOR COLLECTOR STREET (opt 2)                                     |  |

| 6<br>Jand-<br>scape<br>11-12<br>sidewalk/<br>Jandscape       | 8' 10' 10'<br>parking lane lane<br>36'                | 8' 6'<br>parking land-<br>scape<br>11'-12'<br>sidewałk/<br>landscape |                    |
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| *  | 58' R.O.W. (minimum)<br>SYMMETRICAL ABOUT CENTER LINE |  |                    |
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| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |   |  |                    |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      | PUBLIC WO<br>STANDARI                                 |  |                    |
|  | CITY OF C   |  | DWG. NO. <b>7E</b> |
|  | LOCAL   | STREET   | / <b>L</b> a       |

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# **CITY OF GRIDLEY**

# PUBLICWORKS CONSTRUCTION STANDARDS

In Accordance With

Title 15, Chapter 06, Section 010

of the Gridley Municipal Code and

ADOPTED BY RESOLUTION NO. 50

of the

**GRIDLEY CITY COUNCIL** 

September 16, 1991 with

revisions through January 13,

2016

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December 19, 2016

# INTRODUCTION

The Public Works Construction Standards is <u>It is</u>are intended that these Construction <u>Standards are to be used in conjunction with the State of California Department of Transportation</u> <u>Standard Specifications, July, 1992 (English Units) Edition</u> as amended, and all requirements pursuant to the General Construction Permit of the State of California, as amended, for all work.

Earthwork, grading, paving, and concrete work shall conform to the applicable sections of the State Standard Specifications, unless modified by these Construction Standards.

\_\_\_\_\_The following physical characteristics of the City of Gridley <u>developed the Public Works</u> Construction Standards (PWCS) to mitigate design constraints as follows:

require special design and construction consideration:

| Generally level slope grades 1-2% Extremely flat grades. | 4 | Forma   |
|--|---|---------|
|  |   | 0.75" - |

- •\_\_\_High groundwater table at all times.
- <u>Some</u> <u>⊎u</u>nstable soils below the groundwater table.
- Storm drain<u>age outfalls into</u>-outlet restrictions from <u>Reclamation District</u> agricultural drainage channels.

The City Public Works Department is particularly concerned about: The Public Works Construction Standards will help to provide:

- Accurate establishment of grades, and careful construction practices to maintain the design grades.
- Watertightness of gravity pipelines and structures.
- Adequate construction and safety procedures regarding shoring, bracing, and dewatering of all excavations.
- Building pad elevations established above potential high water elevations, with adequate lot grading to the back of sidewalk.
- Storm drainage detention facilities designed to limit peak flows.

Forma

Forma

Forma 0.75" -

#### **STANDARD SPECIFICATIONS**

It is intended that these Construction Standards are to be used in conjunction with the State of Galifornia Department of Transportation Standard Specifications, July, 1992 (English Units) Edition.

Earthwork, grading, paving, and concrete work shall conform to the applicable sections of the State Standard Specifications, unless modified by these Construction Standards.

### **GENERAL DESIGN CRITERIA**

**GENERAL DESIGN CRITERIA** shall apply to the design of all improvements within the City of Gridley which are subject to review by the City Engineer.

**DRAWINGS** shall be on standard size sheets ( $8-1/2" \times 11"$ ,  $11" \times 17"$ ,  $17" \times 22"$ ,  $18" \times 24"$ , 22' x 34", or 24" x 36",  $11" \times 17"$ , or  $8-1/2" \times 11"$ ) with standard title block. All lettering shall be a minimum of -0.10" or 1/8" or larger to permit photographic reduction.

TITLE SHEETS shall have an index or key map clearly indicating the sheet numbers for all drawings.

|   | Torme |
|---|-------|
| DESIGN ENGINEER AS DESIGNER, ARCHITECT, OR REGISTERED ENGINEER shall sign each sheet      | Forma |
| applicable to the field. Designs for structures and other design subjects on and off site |       |
| improvements which are required by law to be designed by a Registered Engineer or         |       |
| Architect shall be stamped and signed, and stamped by the Registered Engineer or          | Forma |
| Architect.  |       |

**SOILS REPORT** shall, when required, be signed by a Registered Engineer<u>or Registered</u> <u>Geotechnical Engineer</u>. or Geologist.

| REVISIONS TO ORIGINAL DRAWINGS must be notated on the drawing, dated, and              | Forma |
|--|-------|
| -Initialed_ by the Design-Engineer of Record and approved by the City Engineer and the | Forma |
| Department of Public Works.  | Forma |
|  | Forma |

**IMPROVEMENTS** are to be designed and constructed in accordance with these Public Works Construction Standards.

**SUBDIVISIONS** shall have improvement drawings showing overall layout of the water, sewer, electrical <u>and gas</u> distribution <u>systems</u>, storm drainage, and streets. Public utility locations shall be shown on the <u>"as-built"</u> plans for all projects <u>and shall be provided to the City at the completion of the project</u>.

**PROFILES** shall be shown on the improvement drawings for streets and street improvements. Vertical curves shall show all curve data, i.e. length, beginning, ending, P.I., etc. Typical design data shall be shown on all sheets, i.e., elevations, stationing, etc.

**SCALE** for improvement shall normally be <u>a minimum of</u> 1'' = 40' for the horizontal and 1'' = 2' for the vertical. The vertical scale should may be changed to 1'' = 5', or other appropriate scale

Forma

Forma

where depths are great. For complex plans the scale  $\frac{\text{shall}}{\text{may}}$  be 1" = 20' or larger as necessary for clarity.

**IMPROVEMENT PLANS** shall be prepared in <u>pencil or</u> ink on vellum, unless otherwise approved by the <u>City Engineer and the City</u>-Department of Public Works.

| <b>STREET SURVEY CONTROL</b> , horizontal and vertical, storm drainage, subdivision boundary and <b>the control</b> lot calculations, shall accompany all submittals for checking and approval by the <u>City</u> | Form |
|---|------|
| Engineer and the City of Gridley Public Works Department.   | Form |
| STORM WATER POLLUTION PREVENTION PLAN shall be provided for each project that   | Form |
| requires such under the General Construction Permit for water pollution prevention and the  | Form |
| implementation of Best Management Practices, inspections, and reporting to meet the State   |      |
| requirements prepared by and conducted by a Qualified Stormwater Developer (QSD) and  |      |
| Qualified Stormwater Practitioner (QSP).  | Form |
|   | Form |



# **GENERAL DESIGN CRITERIA**

**IMPROVEMENT BONDS,** when required, shall include a detailed cost estimate, prepared by the Design Engineer, and approved by the City <u>Engineer</u>. <u>Department of Public works</u>.

**ORIGINAL** DRAWINGS shall be revised by the Design Engineer stamped and signed "as-built" to Forma reflect the actual "as-built" conditions, and duplicate or photographic mylar copies shall be furnished to the City prior to final acceptance of the work by the City.

### **IMPROVEMENT PLANS - REQUIRED CONTENTS**

**Project Title** 

Project Design Credits:

Designer's Signature Date Scale Project Approval Signature

Existing pertinent topography, (i.e., street, curb, gutters, storm drains<u>and all drainage facilities</u>, sanitary sewers, water <u>electric</u>, and gas line, trees, creeks, <del>drainage swales</del>, and other features that will effect design, existing right-of-way (R/W), property lines, street names.)

Profiles of existing improvements and/or ground.

Location of proposed improvements:

- R/W, easements, etc.
- Horizontal control points (2 min.) with ties, -North arrow, contours
- A minimum of 2 benchmarks on City Datum with location, description, elevations. Project stationing (Reading left to right)
- •\_\_\_\_Typical sections of work Cross-sections as required Profiles of all improvements
- Horizontal and Vertical Curves:
  - Begin Curve (B.C. & B.V.C. or P.V.C.)
  - o End Curve (E.C. & E.V.C.)
  - O Point of Intersection (P.I. & P.V.1.)
  - O Invert Station and Elevations:
  - All Structures Gravity Pipelines

### General Design Data Grades

- Lengths of design element Hydraulic gradient
- Energy gradient
- •\_\_\_Other design data as required

### **Special Notes**

References to City-Public Works Construction Standards

Drawing Legend

Forma

Forma 0.75" -

Forma

1.25" -

Forma 0.75" -

Gridley Public Works Construction Standards

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### SURVEY MONUMENTATION

#### SURVEY MONUMENTS

The procedure and practice of all survey work done upon any subdivision shall conform to the accepted standards of the engineering profession.

All monuments shall not be less substantial than a 3/4-inch diameter iron pipe or 5/8-inch diameter steel reinforcing bar, 18 inches long with a brass tag or plastic cap bearing the registration number of the engineer or surveyor who set the monument, and shall be subject to inspection and approval by the City Engineer. "Permanent" monuments shall be set in concrete. Before street improvements are accepted, all monuments disturbed by the improvements shall be reset.

In making the survey for a subdivision, the engineer or surveyor shall set "permanent" monuments at all angle and curve points on the exterior boundaries of the subdivision, in all street intersections, at all angle points of street lines, and at all points of curvature, both simple and compound, of street lines. "Permanent" monuments at street intersections and at angle and curved points of street lines shall be set on street centerlines, unless otherwise directed by the City Engineer; provided, however, that the "permanent" monuments need not be set at intervals of less than 400 feet.

The "permanent" monuments shall be set in the ground upright with the metal marker centered in the concrete, by excavating a six-inch minimum diameter hole two feet below the finished grade and pouring the same full of concrete. When streets are required to be paved, the location of such monument and access thereto shall be given by a suitable concrete or cast-iron sliding sleeve surmounted by a circular cast-iron frame and lid at street surface <u>per standard number G2</u> of the State Specifications or as modified by the City Engineer. In case the monument is not in a street, the metal marker may be set flush with the existing ground surface.

The engineer or surveyor shall set monuments at all lot corners and at all curve points on lot boundary lines.

There shall be one or more permanent bench marks for each subdivision, of a type approved by the City Engineer and referred to the City Datum, set at each street intersection in the curb return or other location approved by the City Engineer. The bench mark shall be a brass disc two inches +I- in diameter, set in concrete.

# STREET DESIGN CRITERIA

The design, layout, width, circulation, and other aspects of streets, both public and private, shall conform to the locations shown on the Circulation Element of the General Plan and approved by the City Public Works Department.

The final improvement plans for streets shall show the survey monuments and rights-of-way referenced to existing property corners, width of paving, and all improvements, i.e., sanitary sewer system, storm drain system, concrete curb, concrete gutter. The widths and locations of adjacent streets shall be shown referenced to centerline stationing or monuments on the final improvement plans for streets.

# STREET WIDTHS [1]

| 1 | Class | Curb WidthLane | R/W Width | On-Street  | Bicycle Lanes Forma |
|---|-------|----------------|-----------|------------|---------------------|
|   |       | Width          |           | Parking    | Permitted?          |
|   |       |                |           | Permitted? |                     |

| -2-Lane            | <mark>24′-38′</mark>    | 46'-60'                          | no   | no                       | <br>Form         |
|--------------------|-------------------------|----------------------------------|--|--------------------------|------------------|
| 4-LaneArterial     | 4 <u>8'-62'12'</u>      | <del>70'-84'<u>60'-84'</u></del> | no   | ne <u>No</u>             | <br>Form         |
| Industrial streets | <mark>48'14'</mark>     | 84'                              | <del>yes</del> Yes – 10' Both<br><u>Sides</u>    | <del>no<u>No</u></del>   | Form             |
| Collectors         |                         |                                  |  |                          | <br>Form<br>Form |
| Major<br>collector | <mark>22'-46'11'</mark> | 44 <u>'-68'50'-60'</u>           | no <u>No</u>                                     | Yes-5' Both Sides        | Form<br>Form     |
| Minor<br>collector | <mark>36′-46′10′</mark> | <u>58'-68'66'-74'</u>            | <del>yes</del> Yes-8' Both<br><u>Sides</u>       | Yes-5' Both Sides        | <br>Form<br>Form |
| Local streets      | <u>36'10''</u>          | <del>58'</del> 56-64'            | <u>Yes-8' Both</u><br><u>Sides<del>yes</del></u> | Noshared with<br>traffic | <br>Form<br>Form |

**Thoroughfares & Arterials** 

Notes:

[1] An exception to street width dimensions shall be permitted for incorporating stormwater management features or alternative landscape parkway designs, where the sidewalk and landscaping area is greater than 20 feet.

The width of the roadway shall be measured perpendicular or radial to the centerline. Any exceptions to the above widths must be submitted to, and approved by the City Public Works Department.

Intersections of arterials, depending on estimated traffic volumes, may require special design. The need for single and double left turn pockets, free right turn lanes, right turn islands, raised medians, etc., shall be investigated.

Where feasible, when streets are improved for only one-half widths, the unimproved half shall drain away from the paved section and shall be provided with an adequate ditch.

Typical street cross-sections shall be based on 8-foot parking lanes, allowed only on minor collector streets and local streets and 10-foot parking lanes on industrial streets and travel lanes widths of:

| Industrial Streets     | <mark>14'</mark> | Forma |
|------------------------|------------------|-------|
| Arterial Streets       | <mark>12'</mark> | Forma |
| Major, Minor Collector | <mark>11'</mark> | Forme |
| Streets                |                  | Forma |
| Local Streets          | 10'              | Forma |

### STREET GRADES

Maximum street grades shall not exceed the following limits:

| Arterial Streets       | 8%  |       |
|------------------------|-----|-------|
| Major, Minor Collector | 10% | Forma |
| Streets                |     | Forma |
| Local Streets          | 15% | 0.25" |
| •                      |     | Forma |

Minimum street grades shall not be less than 0.25% unless authorized by the City Public Works Department.City Engineer.

The gradient of a street entering an intersection shall not be more than  $\frac{5}{\text{ADA}}$  compliance allows% at the intersection.

Vertical curves are required when grade breaks exceed 1.0%. Vertical curves shall be made with parabolic vertical curves determined by minimum stopping sight distance and good engineering practice established by the City Department of Public Works.

### STREET IMPROVEMENTS

Concrete curbs and gutters shall conform to these Public Works Construction Standards. The minimum grade for curbs and gutters shall be 0.25 % unless a reduction is authorized by the City Public Works Department. Rolled curb and gutter shall only be permitted in residential areas on local streets which do not have existing vertical curb and gutter. Installation of rolled curb and gutter on streets which have existing vertical curb and gutter must have specific approval by the Director of Public Works or the City Engineer.

Street improvement plans shall show curb and gutter profiles, including profiles for all curb returns and any approved cul-de-sacs. (Cul-de-sacs require specific approval of the Department of Public Works.)

Concrete sidewalk shall conform to the City Public Works Construction Standards, 5-feet or 9.5feet wide exclusive of curbs (11.5-feet for existing streets), and no less than four inches thickness for public and private sidewalks, and six inches thickness for driveways.

Concrete sidewalks shall be adjacent and contiguous in design and construction to curbs and gutters unless a non-contiguous parkway sidewalk is specifically approved by the Director of Public Works or the City Engineer, and shall have expansion joints at 20-feet maximum spacing, as required for the curb and gutter.

| Class                         | (Min.) Curb Return_Radius | Forma |
|-------------------------------|---------------------------|-------|
| Local Street Intersections    | <del>15′-</del> 20′       | Forma |
| Cul-de-sac                    | 40'                       |       |
| Minor Collector Streets       | <del>20′-</del> 25′       | Forma |
| Major Collector Streets       | <del>25′-</del> 30′       | Forma |
| Arterial Street Intersections | 30'                       |       |

Curb returns shall be constructed on a curve having a radius equal to that shown below:

Curb and gutter shall be carefully constructed to the design lines and grades. The extremely flat grades necessary in the City of Gridley requires particularly careful construction to maintain flowline and lip of gutter grades within 0.02-feet of design grades at all locations.

# STREET IMPROVEMENTS

Tops of curbs and lips of gutters shall be straight and uniform, and within 1/8" of a 10-foot long straightedge at all locations on straight sections.

The stringent alignment and grade control necessary for minimum grades requires extreme care in the use of extruding machines to construct curb and gutter, and control shall be carefully checked for alignment and grade immediately before pouring.

Any curb and gutter which fails to meet the alignment and grade requirements shall be removed and replaced at no cost to the City.

#### SIDEWALK REQUIREMENT

The principal reason for a sidewalk is pedestrian safety. The sidewalk gives the pedestrian a place to walk outside of the vehicular travel lanes. The City's experience has been that graded or graveled areas have not been a satisfactory replacement for sidewalks as property owners' plants, vegetation, landscaping, or fences force people into the street.

Curb and gutter is required to protect the edge of the pavement, to channel storm drainage to collection points, to define the right-of-way for vehicular traffic, to make better use of the City's street sweeping program, and to protect pedestrian sidewalk traffic. Curb and gutter reduces the City's street maintenance costs, establishes reference points for property lines, and shows where underground utilities are stubbed out. Developments that provide naturalized stormwater management features may not be required to provide curb and gutter facilities.

### SIDEWALK REQUIREMENT BY PERMIT

Generally, curb, gutter, and sidewalk are required for all new development in the City. Several exceptions to the basic policy will be discussed later. The sidewalk requirement occurs in several areas under City procedures:

BUILDING PERMITS: Pursuant to Section 12 of the Gridley Municipal Code, any person obtaining a building permit to construct a new residence or develop property is required to construct curb, gutter, and sidewalk along all public street frontages adjacent to the lot. In addition, the builder or developer is required to pave between the edge of the existing street and the gutter. In situations where it is not practical to set grades for the improvements, the property owner must sign a "Deferred Improvement Agreement" that essentially provides that curb, gutter, and sidewalk will be installed upon demand of the City. This agreement also amounts to an automatic "yes" vote in any future assessment district for street improvements.

#### **SUBDIVISIONS**

It is the policy of the City that sidewalks are required as a condition of approval of any subdivision. For subdivisions by final map, sidewalk is required prior to the recording of the final map. For subdivisions by parcel map, sidewalk is required at the time of development. The map condition requiring sidewalk construction shall be noted on the recorded parcel map.

#### USE PERMITS, SITE PLAN REVIEWS, AND VARIANCES

Curb, gutter, and sidewalk are also required as a condition of approval of use permits, site plan reviews, and variances. In addition, the developer is also required to pave between the

edge of the existing pavement and gutter. Generally the conditions on these applications are more of an information item since most would fall under the building permit requirements.

| SIDEWALK REQUIREMENT | BY STREET CLASSIFICATION   | Forma |
|----------------------|--|-------|
|                      | A consideration of the second |       |

There is some variation in the sidewalk requirements for property depending upon the street classification. In all cases, curb, gutter, and sidewalk are required. By type of street, sidewalk varies as follows:

| Arterial:                    | 5-12 foot sidewalk on both sides of the street.      |
|------------------------------|--|
| Major and Minor Collector:   | 5-12 foot sidewalk on both sides of the street.      |
| Local:                       | 5-6 foot sidewalk on both sides of the street.       |
| Industrial:                  | 4-6 foot sidewalk on one side of the street only.    |
| ses within the Downtown Mixe | d-Use designations in the City, along the Highway 99 |
| and in new designated Neight | orhood Mixed-Use areas, sidewalks shall be a minimum |

#### SIDEWALK REQUIRED BY LAND USE

#### PRIVATE STREETS AND MOBILE HOME PARKS

Private Streets and mobile home parks are treated somewhat different in that curb, gutter, and sidewalk are only required on the public street frontages. Internal roads within the projects are private, thus no sidewalk requirement is made. Usually planned developments have their own internal walkway system.

### STREET TREE WELL LOCATION CRITERIA

The only situations where tree wells for trees are specified are in commercial, <u>mixed-use</u>, or <u>Forma</u> industrial areas where full width commercial sidewalk (curb to property line) is to be constructed. This results in <u>a</u> total sidewalk width of 9-1/2 to 11-1/2-feet, and there is enough <u>Forma</u> room for the construction of a tree well immediately behind the curb and to allow for the passage of pedestrians around the tree. Do not attempt to place tree wells in any sidewalk narrower than 7-1/2-feet. Some of the most common obstacles to pedestrians are signs, utility poles, hydrants, parking meters, and building doors that swing out.

The general guidelines relating to the spacing of trees are that they be located no closer than 25 to 30-feet to intersections, with a spacing between trees of approximately 25 to 30 feetmost suitable for mature growth, and no tree is to be planted closer than 6-feet to an interior property line or a driveway. The former instance is to clearly indicate to a property owner that the tree is in front of their property and not on a common lot line where adjacent property owners could have conflicting views regarding tree maintenance or removal. Clearance to driveway locations is to insure that the tree does not create a blind spot for motorists attempting to exit the driveway into oncoming traffic.

Regarding the spacing of trees along the streets, a number of considerations are involved in addition to the above mentioned intersection, property lines, and driveways. Power poles, street light standards, fire hydrants, the location of underground utilities and services, the placement of parking meters and stalls along the street, and the architecture of a building itself often dictates when and where a tree is to be located. Do not place a tree immediately next to a parking meter where a person cannot get to the meter or in the middle of a parking stall so that it hinders or obstructs a person from opening a car door to enter or exit a vehicle.

Do not place a tree so close to power poles and street lights that the spread of the tree would interfere with access to the pole by utility companies or obliterates the lighting effect

from the street lights, nor so close to a fire hydrant that it hinders the Fire Department's use of the hydrant.

Do not locate trees adjacent to water meters, nor over utility service lines. Consideration should be given to height clearances for traffic control signs and street sweeper operation in the selection of trees for planting.

Tree locations should be coordinated with building designs to provide shade for energy conservation without obstructing entrances or windows.

# All tree wells shall be provided with a root barrier to ensure roots are directed downward.

# **DRIVEWAY STANDARDS AND CRITERIA**

### DRIVEWAYS - GENERAL

All driveway approaches in City right-of-way shall be constructed in conformance with these Public Works Construction Standards or as modified for special situations described herein.

- 1. A residential driveway apron shall be constructed between the curb and the property line with Portland cement concrete per driveway standards.
- 2. A commercial driveway apron to a parking lot or "drive-in" business shall be constructed between the curb and the property line with portland cement concrete, per driveway standards.
- 3. An industrial driveway apron shall be constructed between the curb and the property line with an approved Portland cement concrete structural section, based on the amount of truck traffic (TI) and ability of the soil (R-value) to withstand truck wheel loads.
- 4. In all cases, it shall be the responsibility of the abutting property owner to maintain the driveway apron in a safe and suitable condition for the traffic to be carried, whether pedestrian or vehicular.

### COMMERCIAL -INDUSTRIAL HIGH VOLUME DRIVEWAYS

Commercial and industrial driveways that serve a substantial number of vehicles or trucks shall have dimensions, sight distance, geometrics, spacing, etc., determined by the City Engineer.

### **ONE-WAY DRIVEWAYS**

One-Way entrance or exit driveways shall conform to these Public Works Construction Standards for commercial driveways or as modified by the City Engineer for special situations.

### AMOUNT OF FRONTAGE ALLOWED FOR DRIVEWAYS

Not more than 60 percent of the frontage of any parcel may be devoted to driveways.

### DRIVEWAY WIDTH "W"

The total width of driveways shall be measured between full height curb.

### MINIMUM WIDTH "W"

- 1. The minimum width of driveways for one and two family residences shall provide for a bottom width of 12 feet, exclusive of the transition to full curb height at both ends.
- 2. The minimum width of non-residential driveways shall provide for the safe, efficient, and economical movement of traffic and should be approximately 24 feet for two-way streets, exclusive of the transition to full curb height at both ends. This driveway width may be formative reduced to 16 feet for one-way streets.

### MAXIMUM WIDTH "W"

- 1. The maximum width of driveways for one and two family residences shall provide for a bottom width of 24 feet, exclusive of the transition to full curb height at both ends.
- The maximum width of all commercial driveways shall be 35 feet, exclusive of the transition to full curb height at both ends, except this may be increased by the City Engineer where necessary to provide for the safe, efficient, and economical movement of traffic.
- In the case of a driveway located adjacent to an alley, if approved by the City Engineer.\_\_tThe driveway apron may <u>n o t</u> be combined with the alley but the total combined width shall not exceed 40 feet.
- 4. The driveway width may be modified by the City Engineer to facilitate turning movements where curb lanes are used.

### DISTANCE BETWEEN DRIVEWAYS

- The minimum length of full height curb between a driveway and a side property line shall be <u>three (3-)</u>feet.
- The minimum length of full height curb between driveways on adjacent lots shall be six
   (6) feet unless specific approval of a shorter length is given by the City Engineer.
- 3. No driveway shall be located closer than six (6) feet from an existing or future alley entrance except as provided elsewhere in these standards.
- 4. Where two or more driveways are constructed on the same lot, the minimum length of full height curb between driveways shall be 24 feet. Where practical to provide parking, the total length of full height curb between driveways shall be in multiples of 20 Forma feet.

# **DRIVEWAY GRADE (SLOPE)**

The maximum grade for driveways shall be limited to 12.5% or as directed by the City Engineer. Eight percent is a desirable maximum for commercial and industrial driveways.

### DRIVEWAY DISTANCES FROM UTILITY OR SAFETY DEVICES

No driveway shall be located closer than five (5) feet from a fire hydrant, traffic signal, street light standard, utility pole, or guy wire.

### UTILITY RELOCATION

Relocation of utility company's facilities or other public improvements to accommodate a driveway shall be accomplished without cost to the City.

# SIGNAL AND ELECTRICAL CONDUIT

Where traffic signal or highway lighting is planned or anticipated, a minimum of one 2-inch PVC-P&C TC-6 conduit shall be placed under any new driveway apron and extend a minimum of one foot beyond the ends of the driveway. The conduit shall be placed behind, and a minimum of 24 inches below, the top of curb.

### REMOVAL OF EXISTING DRIVEWAYS

When driveway construction is to take place on a parcel, any abandoned driveways shall be removed and replaced with standard curb, gutter, and sidewalk concurrently with the new construction and without cost to the City.

### MODIFICATION

The above standards may be modified by the City Engineer for hardship conditions or where necessary to provide for the safe and efficient movement of traffic.

# INTERSECTIONS

| Class            | Tangent Distance Required at Street<br>Intersections |
|------------------|--|
| Local Street     | 50'  |
| Collector Street | 100'   |
| Arterial Street  | Require Special Design                               |

Deviation from the above design standards shall be approved by the City Department of Public Works.

The centerline of streets entering upon opposite sides of any given street shall normally align, or shall be offset by at least 200 feet for local residential streets and 300 feet for all other streets. Local streets shall normally be designed as "T" type intersections.

Cul-De-Sacs: Dead-end streets require special approval by the City Engineer, and if approved shall terminate in a paved turn-around and shall have a 40-foot minimum curb line radius at the tum-around. If approved, cul-de-sacs shall not exceed 500 feet in length, measured from the centerline of the intersecting street to the center of the cul-de-sac "bulb."

### HORIZONTAL CURVES

The radius of curvature in the centerline of the street shall be not less than:

| Arterial Streets                  | 650'             |       |
|-----------------------------------|------------------|-------|
| Major and Minor Collector Streets | 200'             | Forma |
| Local Streets                     | <mark>75'</mark> |       |

Superelevation Rate: -2% from the center line towards the right-of-way line shall be typical cross slope. Deviation from the typical superelevation rate shall be considered due to gutter drainage run-off, horizontal curve requirements, etc.

## STRUCTURAL SECTION:

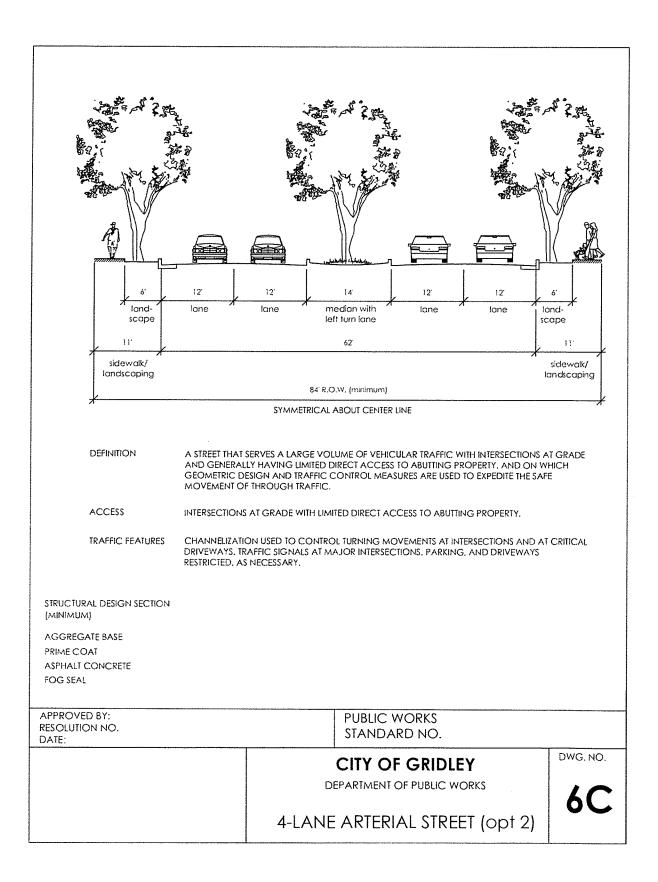
Structural design of pavement, which includes the structural section to be used, shall be based on soil tests results, the TI (Traffic Index), and standard gravel equivalent calculations according to good engineering practice and shall be approved by the City Public Works Department.

Slopes: Earth slopes in cut or embankment sections shall not be steeper than two feet horizontal to one-foot vertical, unless steeper slopes have been approved by the City Public Works Department based on a soil report.

# STREET LIGHTS

Street lights shall be located as directed by the Gridley Electric Department, and shall be 100 Watt High Pressure Sodium Lights or low-emitting diode (LED) lighting fixtures installed on 25-foot tapered steel poles with 8-foot arms, as approved by the City Engineer. Pole bases shall be in accordance with the Standard Details.

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|---|----------------------------|--|---|--|
| 6<br>land-<br>scape<br>11-18<br>sidewalk/<br>landscaping  |                            | 48'<br>48'<br>A. (minimum)<br>SOUT CENTER LINE   | 6'<br>land-<br>scape<br>11'-18'<br>sidewalk/<br>landscaping |  |
| AND G<br>GEOME  | ENERALLY HAVING LIMITED DI | JME OF VEHICULAR TRAFFIC WITH<br>RECT ACCESS TO ABUTTING PROF<br>ONTROL MEASURES ARE USED TO   | ERTY, AND ON WH   | IICH   |
| TRAFFIC FEATURES CHANN<br>DRIVEW  | IELIZATION USED TO CONTRO  | ED DIRECT ACCESS TO ABUTTING<br>L TURNING MOVEMENTS AT INTER:<br>NOR INTERSECTIONS, PARKING AI |   |  |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL  |                            |  |   |  |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:   |                            | PUBLIC WORKS<br>STANDARD NO.   |   |  |
|   |                            | CITY OF GRIDLEY  |   | DWG. NO.   |
|   | 4-LANE                     | ARTERIAL STREET  | (opt 1)   | 6B   |



| DEFINITION A STREET THA<br>ACCESS INTERSECTIO<br>TRAFFIC FEATURES TRAFFIC SIGN<br>SIRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE | Image: state of the state |
|--|--|
| PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL<br>APPROVED BY:   | PUBLIC WORKS   |
| RESOLUTION NO.<br>DATE:  | STANDARD NO.   |
|  | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS<br>MAJOR COLLECTOR STREET (opt 1)  |
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|  | 11-<br>sidew<br>landsc | ralk/ sidewalk/   |                    |
|--|------------------------|---|--------------------|
| DEFINITION   | A STREET THA           | AT SERVES ABUTTING PROPERTY AND CARRIES TRAFFIC TO THE ARTERIALS. |                    |
| ACCESS   | INTERSECTIO            | NS AT GRADE WITH DIRECT ACCESS TO ABUTTING PROPERTY.              |                    |
| TRAFFIC FEATURES   | traffic sigi           | VALS, PARKING RESTRICTIONS, AND OTHER CONTROL MEASURES, AS WAR    | RANIED.            |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |                        |   |                    |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:  |                        | PUBLIC WORKS<br>STANDARD NO.                                      |                    |
|  |                        | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS                     | DWG. NO. <b>78</b> |
|  |                        | MAJOR COLLECTOR STREET (opt 2)                                    | <i>ע י</i>         |

|  | Jik/ sidewalk/  |
|--|---|
| *  | SYMMETRICAL ABOUT CENTER LINE   |
| ACCESS INTER   | ET THAT SERVES ABUTTING PROPERTY AND CARRIES TRAFFIC TO THE ARTERIALS.<br>ECTIONS AT GRADE WITH DIRECT ACCESS TO ABUTTING PROPERTY.<br>C SIGNALS, PARKING RESTRICTIONS, AND OTHER CONTROL MEASURES, AS WARRANTED. |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE |   |
| PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL               |   |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                  | PUBLIC WORKS<br>STANDARD NO.  |
| ,  | CITY OF GRIDLEY DEPARTMENT OF PUBLIC WORKS DWG. NO. 7C  |
|  | MINOR COLLECTOR STREET (opt 1)  |

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| 6<br>8<br>11.18<br>sidewalk/<br>landscape                    | SYMMETRICAL ABOUT CENTER LINE  |
|--|--|
|  |  |
|  | SERVES ABUTTING PROPERTY AND CARRIES TRAFFIC TO THE ARTERIALS.       |
|  | ALS, PARKING RESTRICTIONS, AND OTHER CONTROL MEASURE, AS WARRANTED.  |
|  |  |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)                       |  |
| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |  |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      | PUBLIC WORKS<br>STANDARD NO.   |
|  | CITY OF GRIDLEY     DWG. NO.       DEPARTMENT OF PUBLIC WORKS     70 |
|  | MINOR COLLECTOR STREET (opt 2)                                       |

| 6'<br>land-<br>scape<br>11'-12'<br>sidewalk/                 | 8' 10' 10' 8'<br>parking lane lane parking<br>36' | 6<br>land-<br>scape<br>11:12<br>sidewalk/ |
|--|---|---|
| landscape  | 58' R.O.W. (minimum)                              | landscape                                 |
|  | SYMMETRICAL ABOUT CENTER LINE                     |   |
| DEFINITION A STREET W  | Th low traffic volumes and speeds that serve      | S ABUTTING PROPERTY.                      |
| ACCESS INTERSECTION  | ONS AT GRADE WITH DIRECT ACCESS TO ABUTTING P     | ROPERTY.                                  |
| TRAFFIC FEATURES TRAFFIC SIC                                 | NALS, PARKING RESTRICTIONS, AND OTHER CONTRO      | DL MEASURES, AS WARRANTED.                |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)                       |   |   |
| AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL |   |   |
| APPROVED BY:<br>RESOLUTION NO.<br>DATE:                      | PUBLIC WORKS<br>STANDARD NO.                      |   |
|  | CITY OF GRIDI                                     |   |
|  | LOCAL STREE                                       | <b>7E</b>                                 |

|  | · ·   |  |
|--|---|--|
| 18'  | 48'<br>84' R.O.W. (minimum)   | 5' 4'-6'<br>land- side-<br>scape walk<br>18'<br>sidewalk/<br>landscaping |
| ACCESS INTERSECTIONS   | SYMMETRICAL ABOUT CENTER LINE<br>NG TRAFFIC WITHIN AN INDUSTRIAL AREA.<br>I AT GRADE WITH DIRECT ACCESS TO ABUTTING PROPERTY.<br>ROLS AND PARKING RESTRICTIONS, AS WARRANTED. |  |
| STRUCTURAL DESIGN SECTION<br>(MINIMUM)<br>AGGREGATE BASE<br>PRIME COAT<br>ASPHALT CONCRETE<br>FOG SEAL<br>APPROVED BY: | PUBLIC WORKS  |  |
| RESOLUTION NO.<br>DATE:  | CITY OF GRIDLEY<br>DEPARTMENT OF PUBLIC WORKS<br>INDUSTRIAL STREET  | DWG. NO.   |

#### City Council Agenda Item #7C Staff Report

| Date:    | December 19, 2016                                |
|----------|--|
| То:      | Mayor and City Council                           |
| From:    | Paul Eckert, City Administrator                  |
| Subject: | Resolution Approving Canvass of Election Results |

| Х | Regular   |
|---|-----------|
|   | Special   |
|   | Closed    |
|   | Emergency |

#### Recommendation

Staff respectfully requests the City Council adopt Resolution No. 2016-R-038 with Exhibit "A", Reciting the Facts of the General Election Held on Tuesday, November 8, 2016, and Accepting the Certified Canvass and Statement of Results of the Election from the Registrar of Voters.

#### Compliance with City Council Strategic Plan or Budget Goals

The recommendation is consistent with City Council Strategic Goals focused on effective leadership and long-term organizational planning.

Financial Impact None

#### Attachments:

- Resolution No. 2016-R-038
- Exhibit "A"

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRIDLEY RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Gridley, California on Tuesday, November 8, 2016 as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established, that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to Resolution No. 2016-R-021 adopted July 18, 2016, the County Election Department canvassed the returns of the election and has certified the results to this City Council, the results certified by Candace Grubbs on November 23<sup>rd</sup> are received, attached and made a part hereof as Exhibit "A".

#### NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRIDLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

- That the names of persons voted for at the election for Member of the City Council are as follows: Chris Williams, Gary Davidson, Frank Hall and Rukhsana Khan
- That the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates is listed in **Exhibit "A"**
- That Chris Williams, Gary Davidson and Frank Hall have been elected for the full term of four years.
- That the City Attorney shall administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected
- That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions

I HEREBY CERTIFY that the foregoing resolution was introduced, passed and adopted by

the City Council of the City of Gridley at a regular meeting held on the 19<sup>th</sup> day of December, 2016 by the following vote:

|               |                 | ······································ |  |
|---------------|-----------------|--|--|
| Paul Ecker, C | City Clerk      | Frank Hall, Mayor                      |  |
| ATTEST:       |                 | APPROVE:                               |  |
| ABSTAIN:      | COUNCIL MEMBERS |  |  |
| ABSENT:       | COUNCIL MEMBERS |  |  |
| NOES:         | COUNCIL MEMBERS |  |  |
| AYES:         | COUNCIL MEMBERS |  |  |

Exhibit 'A'



## Certification of County Clerk-Recorder/Registrar of Voters to the Results of the Canvass of the November 8, 2016 Consolidated Presidential General Election

STATE OF CALIFORNIA County of Butte

I, Candace J. Grubbs, County Clerk-Recorder/Registrar of Voters of Butte County, do hereby certify that, in pursuance of the provisions of California Elections Code Section 15300, et. seq., I did canvass the results of the votes cast in the Consolidated Presidential General Election held in Butte County on November 8, 2016, for the contests and measures that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.



I, hereby set my hand and official seal this 23<sup>rd</sup> day of November, 2016, at Oroville, California.

Candace J. Grubbs County Clerk-Recorder/Registrar of Voters County of Butte, State of California

## Help America Vote Act of 2002 Certification of Elections Official

STATE OF CALIFORNIA County of Butte

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (Pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. § 15483),

I, Candace J. Grubbs, County Clerk-Recorder/Registrar of Voters for the County of Butte, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Federal election held on the 8<sup>th</sup> of Novmeber, 2016 in the County of Butte, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 23rd day of November, 2016, at the County of Butte.



Registrar of Voters County of Butte State of California

Date: 11/23/16 Time: 07:54:22 Page: 3 of 8

#### Election Summary Report Official Results November 8, 2016 PRESIDENTIAL GENERAL ELECTION Butte County, California Countywide Cumulative

Page:3 of a

| Registered Voters 129286 - Cards Cast 98 | 3879 76.48% | ,<br>D   | Num. Report Precinct 141 - Num. | Reporting 141 | 100.00% |
|--|-------------|--|---------------------------------|---------------|---------|
| COUNTY SUPERVISOR 5TH DIST               |             | a la   | CITY OF GRIDLEY COUNCIL (3)     |               |         |
|  | Total       |  |                                 | Total         | 1 State |
| Number of Precincts                      | 32          |  | Number of Precincts             | 2             |         |
| Precincts Reporting                      | 32          | 100.0 %  | Precincts Reporting             | 2             | 100.0 % |
| Vote For                                 | 1           |  | Vote For                        | 3             |         |
| Times Counted                            | 23226/29360 | 79.1 %   | Times Counted                   | 2125/2952     | 72.0 %  |
| Total Votes                              | 20832       |  | Total Votes                     | 3856          |         |
| Times Blank Voted                        | 2389        |  | Times Blank Voted               | 191           |         |
| Times Over Voted                         | 5           |  | Times Over Voted                | 0             |         |
| Number Of Under Votes                    | 0           |  | Number Of Under Votes           | 1946          |         |
| DOUG TEETER                              | 12093       | 58.05%   | CHRIS WILLIAMS                  | 1139          | 29.54%  |
| BIG MO HUFFMAN                           | 8696        | 41.74%   | GARY DAVIDSON                   | 993           | 25.75%  |
| Write-in Votes                           | 43          | 0.21%  | FRANK HALL                      | 944           | 24.48%  |
|  |             | CODESS NO.   | RUKHSANA KHAN                   | 760           | 19.71%  |
| CITY OF BIGGS COUNCIL (2)                |             |  | Write-in Votes                  | 20            | 0.52%   |
|  | Total       |  |                                 |               |         |
| Number of Precincts                      | 1           |  | CITY OF OROVILLE COUNCIL (3)    |               |         |
| Precincts Reporting                      | ĩ           | 100.0 %  |                                 | Total         |         |
| Vote For                                 | 2           |  | Number of Precincts             | 12            |         |
| Times Counted                            | 606/808     | 75.0 %   | Precincts Reporting             | 12            | 100.0 % |
| Total Votes                              | 853         |  | Vote For                        | 3             | -       |
| Times Blank Voted                        | 34          |  | Times Counted                   | 5481/8397     | 65.3 %  |
| Times Over Voted                         | 0           |  | Total Votes                     | 12898         |         |
| Number Of Under Votes                    | 291         |  | Times Blank Voted               | 401           |         |
| ROGER FRITH                              | 311         | 36.46%   | Times Over Voted                | 10            |         |
| NATHAN WILKINSON                         | 272         | 31.89%   | Number Of Under Votes           | 2312          |         |
| JOHN BUSCH                               | 262         | 30.72%   | LINDA DRAPER                    | 1926          | 14.93%  |
| Write-in Votes                           | 8           | 0.94%  | JANET GOODSON                   | 1828          | 14.17%  |
|  |             | N. Carlos and Car | SCOTT THOMSON                   | 1723          | 13.36%  |
| CITY OF CHICO COUNCIL (4)                |             |  | DAVID PITTMAN                   | 1603          | 12.43%  |
| erri or enreo cooncil (4)                | Total       |  | MARK GROVER                     | 1400          | 10.85%  |
| Number of Precincts                      | 38          |  | AL SIMPSON                      | 1145          | 8.88%   |
| Precincts Reporting                      |             | 100.0 %  | SOU J. VANG                     | 1048          | 8.13%   |
| Vote For                                 | 4           | 100.0 /0   | ALFRED JONES III                | 670           | 5.19%   |
|  | 38863/50015 | 77.7 %   | CLAY HEMSTALK                   | 651           | 5.05%   |
| Total Votes                              | 117543      |  | THIL WILCOX                     | 506           | 3.92%   |
| Times Blank Voted                        | 3799        |  | CHERI BUNKER                    | 368           | 2.85%   |
| Times Over Voted                         | 62          |  | Write-in Votes                  | 30            | 0.23%   |
| Number Of Under Votes                    | 22465       |  |                                 |               |         |
| SEAN MORGAN                              | 15426       | 13.12%   |                                 |               |         |
| ANN SCHWAB                               | 15195       | 12.93%   |                                 |               |         |
| RANDALL STONE                            | 14362       | 12.22%   |                                 |               |         |
| KARL ORY                                 | 13994       | 11.91%   |                                 |               |         |
| TAMI RITTER                              | 13464       | 11.45%   |                                 |               |         |
| JOVANNI TRICERRI                         | 11174       | 9.51%  |                                 |               |         |
| LORETTA TORRES                           | 10372       | 8.82%  |                                 |               |         |
| JEFFREY GLATZ                            | 6541        | 5.56%  |                                 |               |         |
| LISA DUARTE                              | 5897        | 5.02%  |                                 |               |         |
|  |             | 1 0 00 / W   |                                 |               |         |

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199

JON SCOTT

Write-in Votes

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MERCEDES MACIAS

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4.80%

4.49%

0.17%

#### City Council Agenda Item #10 Staff Report

| Date:                                 | December 19, 2016  | Χ | Regular         |
|---------------------------------------|--|---|-----------------|
|                                       |  |   | Special         |
| То:                                   | Mayor and City Council   |   | Closed          |
| From: Paul Eckert, City Administrator |  |   | Emergency       |
| Subject:                              | Seating of the new City Council and Swearing in of the Newly Elected City of<br>Gridley Councilmembers |   | Elected City of |

#### Recommendation

Staff respectfully requests the City Council direct City Attorney Tony Galyean to assume temporary coordination the City Council meeting. The City Attorney will provide an overview of the steps involved in Swearing-In of the new City Council, seating of the new City Council, and selection of the Mayor and selection of the Vice Mayor.

The City Attorney will perform the Swearing-In of Chris Williams, Gary Davidson, and Frank Hall. The City Attorney will coordinate the Stepping-Down of the outgoing Councilmembers. The new Councilmembers will then take the vacant seats. After the position of the Mayor is selected, the Mayor will assume responsibility of the Council meeting and will ask for nominations for the Vice Mayor. The Council Meeting will then be adjourned.

#### **Compliance with City Council Strategic Plan or Budget Goals**

The recommendation is consistent with City Council Strategic Goals focused on effective leadership and long-term organizational planning.

Financial Impact None

Attachments: Oaths of Office

# CITY OF GRIDLEY

## OATH OF OFFICE

State of California, County of Butte

I, Chris Williams, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, so help me God.

Chris Williams, Councilmember

Subscribed and sworn before me, this 19th day of December, 2016

Tony Galyean, City Attorney

# CITY OF GRIDLEY OATH OF OFFICE

State of California, County of Butte

I, Gary Davidson, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, so help me God.

Gary Davidson, Councilmember

Subscribed and sworn before me, this 19th day of December, 2016

Tony Galyean, City Attorney

# CITY OF GRIDLEY

### OATH OF OFFICE

State of California, County of Butte

I, Frank Hall, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, so help me God.

Frank Hall, Councilmember

Subscribed and sworn before me, this 19th day of December, 2016

Tony Galyean, City Attorney

#### City Council Agenda Item #11 Staff Report

| Date:    | December 19, 2016                 |
|----------|-----------------------------------|
| То:      | Mayor and City Council            |
| From:    | Paul Eckert, City Administrator   |
| Subject: | Selection of Mayor and Vice Mayor |

| Χ | Regular   |
|---|-----------|
|   | Special   |
|   | Closed    |
|   | Emergency |

#### Recommendation

Staff respectfully requests that City Council select the 2017 City of Gridley Mayor and Vice Mayor

#### Background

In compliance with the City of Gridley Municipal Code, members of the City Council shall select a member of the Council to serve as Mayor and a member of the Council to serve as Vice Mayor, both for a 12 month period beginning immediately upon selection.

#### Compliance with City Council Strategic Plan or Budget Goals

The recommendation is consistent with City Council Strategic Goals focused on effective leadership and long-term organizational planning.

Financial Impact None

Attachments None