

Gridley City Planning Commission – Regular Meeting Minutes

Monday, February 12, 2018; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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

1. **CALL TO ORDER** – At 6:06 p.m. Chairman Wise called the meeting to order.

2. **ROLL CALL**

Planning Commissioners

Present:
Bob Wise, Chairman
Maria Espino, Vice Chairman
Ken Wolfe, Commissioner
Ishrat Khan-Aziz, Commissioner
Zachary Torres, Commissioner

Arriving post roll call: None

Absent: None

Staff Present:
Donna Decker, City Planner/Consultant
Elisa Arteaga, Recording Secretary

Media Lisa Van De Hey

3. **COMMUNITY PARTICIPATION FORUM** – *There was no public comment.*

4. **CONSENT AGENDA**

A. Planning Commission Minutes dated December 11, 2017

Motion by Wolfe, second by Torres for approval of the Planning Commission minutes dated December 11, 2017. **By unanimous vote the motion passes 5-0.**

5. **PUBLIC HEARINGS**

A. Conditional Use Permit No. 1-18; Application for a conditional use permit to allow residential use in an existing building located at 912 Hazel Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. (APN: 009-161-021)

1. Receive staff report – Donna Decker provided an overview of the staff report for the application of the conditional use permit for an existing building located at 912 Hazel Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. She reported this was brought to the Planning Commission because it is a single-story building. She explained that previously the Gridley Municipal Code was amended to allow residential use in the limited commercial zoning district for residential on the second floor and the amendment unintentionally omitted the opportunity for residential if the building only had one floor. Therefore, that is why it is before the Commission. She elaborated as to the square footage of the building (3,036 square feet.), square footage intended to be used for residential (750 square feet). Decker reviewed the staff recommendations as listed on the staff report, conditional use permit findings, public notice information. She added that although no public written comments were received, she has had some telephone conversations with concerns of the project. The concerns were not about the residential aspect but other ongoing issue may be involved with the application. Decker further clarified to Commission this item is to simply make a determination on the land use and is not an issue with the applicant unrelated to land use or litigious litigation. After discussions with concerned parties there was a phone call received that there were no further concerns from moving forward with the land use. She closed her presentation with final review of the conditions of approval.
2. Open public hearing – Chairman Wise opened the public hearing.
3. Hear public testimony – No public testimony given.
4. Close public hearing – Chairman Wise closed the public hearing.
5. Commission discussion - There was Planning Commission discussion regarding the process for the future applicants requesting residential use in the downtown district. There was lengthy discussion relating to parking requirements, health and safety codes, and enforcement of the health and safety codes. Decker provided clarification of business license code enforcements, safety codes and inspections with Butte County Building Department and CalFire for fire sprinkler inspections.

Planning Commissioner Ishrat Khan-Aziz announced she had a concern with health and safety of the business. She was walking by and noticed there were three or four notices on the door and today she was driving by and saw a sheriff officer knocking on the door. She expressed concerns of the applicant compliance with the building department building codes such as a fire wall and safety of the building. Khan inquired what agency would be responsible to ensure the applicant is complying with all requirements. Ms. Decker explained the applicant would be

required to comply with all building code requirements required by the Butte County Building Dept. The Gridley Electric Department would be inspecting and evaluating all electrical issue requirements and the Fire Department for the sprinkler and fire safety inspections. Ms. Decker clarified that the property owner and/or business owner which is the applicant is ultimately responsible for the building and the property and if all requirements are not met, she will not be able to reside at the property.

Vice Chairman Maria Espino reported she had additional concerns pertaining to the intended use of the facility. She referenced wording on the Conditional Use Permit Findings #3 which states “that the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan”. She reported the proposed use will not bring people downtown and is not benefiting the downtown area. She inquired if there was a list of business uses for the downtown area because felt this did not benefit the downtown area. Ms. Decker explained the decision before Commission was related to whether or not to allow residential use on a single-story building in the downtown area. As for the use of the business which is a Home Town Clinic, medical use is permitted in the downtown area (C-1 & C-2 zones). If the Commission wanted to only designate retail uses in the downtown areas, the Commission would need to entertain amending the Gridley Code to exclude those uses other than retail.

Wise reported the City did need to take into consideration as to how saturated the area becomes with residential uses and causes problems with parking for other businesses. Ms. Decker concurred and acknowledged that requiring that applicants/property owners apply for a conditional use permit for residential uses in the downtown area would be one way to try and control the amount of residential area is utilized by each applicant.

Commissioner Espino reiterated their concerns of the business use because it appears that the business is vacant and not a benefit to the Downtown Business District which conflicts with Conditional Use Permit Finding #3. Khan expressed the County has limited control that is much less than when the City had their own building department. Ms. Decker clarified the findings are based on the general plan use that allows residential use in a single story located in zone C-1/C-2 not the nature of the business which is not bringing in pedestrian traffic. After brief discussion between the Commission, as to the business use of the property and further deliberation, a motion was made.

Motion by Wolfe, second by Khan, for approval of the following:

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

2. Make the required conditional use findings as described within the staff report; and,
3. Approve Conditional Use Permit 1-18 subject to the conditions attached to the staff report as Exhibit A.

Roll Call

Ayes: Torres, Wolfe, Wise Noes: Khan, Espino Abstain: None Motion passes 3-2

- B. Conditional Use Permit No. 2-18;** Application for a conditional use permit to allow residential use in an located at 681 Vermont Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. (APN: 009-151-002)
1. Receive staff report – Donna Decker, Planning Consultant cited staff report. Decker explained this item was similar as previous request pertaining to residential use in a limited commercial/downtown mix use zone. She explained the applicant has a second unit built on the property and they were wanting to have separate metering. Upon processing the request, Staff recognized that the zoning was C-1 zoning therefore a conditional use permit. She reviewed that information contained in the staff report and recommendations and conditions for approval.
 2. Open public hearing – Chairman Wise opened the public hearing.
 3. Hear public testimony - There was no public comment.
 4. Close public hearing – Chairman Wise closed the public hearing.
4. Commission discussion - Commissioner Khan inquires if there was a business on the property and if fire department will conduct an inspection. Donne Decker concurred that the units on the property are not being used as businesses and all necessary inspections will be conducted per code requirements. Chairman Wise inquired if the project met the required lot coverage requirements. Decker stated they were in compliance with those requirements as well as parking requirements. Decker reviewed the conditions of approval and code requirement. After brief review of conditions, Commissioners had no additional questions or concerns, a motion was made.

Motion by Espino, second by Khan, for approval of the following:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required conditional use findings as described within the staff report;

- and,
3. Approve Conditional Use Permit 2-18 subject to the conditions attached to the staff report as Exhibit A.

Roll Call

Ayes: Torres, Wolfe, Khan, Espino, Wise Noes: None Abstain: None Motion passes 5-0

6. INFORMATIONAL

Commissioner Khan reported she had safety concerns with students walking along the Fairview Drive/East Gridley Rd. because the dealership has been parking vehicles along the dealership property (East Gridley/Fairview Drive) She inquired if they should have a special permit to park their vehicles along the shoulder of the road and along Fairview Drive. Decker recommended this needed to be reported to the Police Department.

7. REPORTS & COMMUNICATIONS

Decker reviewed the information from the Planning Institute for Planning Commissioners Training. The City has funding to send two Commissioners and make arrangements for lodging and mileage reimbursement. Espino and Khan expressed interest in attending the conference training.

8. **ADJOURNMENT** – at 7:21 p.m., the Planning Commission adjourned to the regular meeting of the Planning Commission to be held on Monday, March 12, 2018 at 6:00 p.m.

APPROVAL : _____
Donna Decker, Planning Consultant