

# Gridley City Planning Commission – Regular Meeting Agenda

Monday, July 24, 2017; 6:00 pm

Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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

1. **CALL TO ORDER** – Chairman Wise
2. **ROLL CALL** – Recording Secretary
3. **COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the Planning Commission on matters not listed on the agenda. The Planning Commission may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*
4. **CONSENT AGENDA** - *All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Planning Commissioner may request that an item be removed for separate consideration. The Planning Commission may only make minor comments; otherwise the item should be removed from the consent agenda and placed as the first item(s) under “Public Hearings”.*
  - A. **Planning Commission Minutes dated May 9, 2017 & June 7, 2017 - Continued to August 14, 2017**
5. **PUBLIC HEARINGS**
  - A. **Conditional Use Permit No. 2-17; Joseph Fontes; Application for a conditional use permit to allow the continued use of a single family residential use and commercial use of the property on a 0.19 acre parcel located at 16 Evelyn Drive located in the Light Industrial (M-1) zoning district and Industrial (I) General Plan land use designation. (APN No. 021-240-003)**
    1. Receive staff report
    2. Open public hearing
    3. Hear public testimony
    4. Close public hearing
    5. Commission discussion

## **Recommendation**

City staff respectfully recommends the Planning Commission:

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



- B. Conditional Use Permit No. 3-17; Barbara Kowall; Application for a conditional use permit to allow the continued use of a single family residential use and commercial use of the property on a 0.19 acre parcel located at 14 Evelyn Drive located in the Light Industrial (M-1) zoning district and Industrial (I) General Plan land use designation. (APN No. 021-240-002).**

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

**Recommendation**

City staff respectfully recommends the Planning Commission:

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

- C. Conditional Use Permit No. 4-17; Tracy Van Nguyen; Application for a conditional use permit to allow a pet store located on a 0.28 acre parcel located at 1061 Hazel Street in the Limited Commercial (C-1) zoning district and Downtown Mixed Use (DMU) General Plan land use designation. (APN No. 009-192-004)**

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

**Recommendation:** *Continue to August 14, 2017*

- D. Zoning Text Amendment 829-2017: An Ordinance of the City of Gridley amending Title 17, adding Chapter 17.XX, HCC Highway Commercial Corridor Mixed Use Combining Zone to the Gridley Municipal code related to the provision for an infill, mixed use highway corridor land use designation.**

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

**Recommendation**

City staff respectfully recommends the Planning Commission:

1. 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 ZTA 829-2017.

- E. **RZ 1-17: 828-2017; Application to add the Agricultural Overlay (AO) district as a secondary zoning to the existing Light Industrial (M-1) zoning district to allow commercial agricultural uses until the property is developed on the ±22.6 acre parcel (APN 021-240-025).**

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

**Recommendation**

City staff respectfully recommends the Planning Commission:

1. 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 ZTA 828-2017.

**6. INFORMATIONAL – None**

**7. REPORTS & COMMUNICATIONS – None**

**8. ADJOURNMENT - to the regular meeting of the Planning Commission to be held on Monday, August 14<sup>th</sup>, 2017 at 6:00 p.m.**

**General Notes:**

This agenda was posted on the public bulletin board in the foyer of City Hall at or before 4:00 p.m. on July 21, 2017, in accordance with Government Code Section 54954.2. This agenda along with all attachments, if any, is available for public viewing online at [www.gridley.ca.us](http://www.gridley.ca.us) and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA. This is a public meeting and anyone may address the Planning Commission. Any documents that were provided to the Planning Commission after the Agenda packet was distributed are also available for public review during normal business hours.

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



**Planning Commission Agenda Item #5A**  
**Staff Report**

**DATE:** July 24, 2017

**TO:** Planning Commission

**FROM:** Donna Decker, Planning Department

**SUBJECT:** **Conditional Use Permit No. 2-17;** Joseph Fontes; Application for a conditional use permit to allow the continued use of a single family residential use and commercial use of the property on a 0.19 acre parcel located at 16 Evelyn Drive located in the Light Industrial (M-1) zoning district and Industrial (I) General Plan land use designation. (APN No. 021-240-003)

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**Recommendation**

City staff respectfully recommends the Planning Commission:

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

**SUMMARY**

The applicant is requesting a conditional use permit in order to continue the use of the property as an existing single family residence with commercial use on APN 021-240-003. The property was developed with a detached single family residence in the early 1940's. Since that time the property has been used as a single family dwelling unit and has utilized the property as a business at times.

The property was rezoned to Light Industrial (M-1) some time ago. In 2016, the City updated the Gridley Municipal Code to ensure it was consistent with the 2030 General Plan. The ability to have residential in the Industrial zone required a use permit and/or is not an allowed use; therefore, the applicant would like to have a conditional use permit to preserve the single family and commercial use on the property and to ensure there are no issues from lenders for the sale of the property and to ensure the reconstruction of the structures in the event of fire or casualty.



## SITE DESCRIPTION

The subject site is located on the west side of Highway 99 south of the Butte Mobile Home park.



Figure 1: Location Map

## DISCUSSION

Conditional use permits (CUP) are entitlements that once activated are tied to the property without expiring unless so conditioned. The property has been zoned M-1, Light Industrial and was likely anticipated that the residential properties would eventually become industrial and be a part of the Industrial Park. The residential homes were established prior to the rezoning process.

In order to maintain the ability to legally rebuild the structures on the sites, a conditional use permit is required to establish the use in the M-1 zone. Should the Planning Commission vote favorably, this entitlement will allow the continued residential use and allow commercial use.





In March 2017, the Planning Commission recommended the City Council adopt an ordinance to rezone approximately 41 acres from the M-1, Light Industrial zoning district to a new designation of HCC Highway Commercial Corridor Combining District. The first step in this process was to present an amendment of the General Plan Amendment and rezone of the property and establish the use in the Gridley Municipal Code. The recommendation was forwarded to the City Council; however, two of the owners previously supporting the change, requested the City Council delay a decision until such time the language of allowed uses would be considered by both the Planning Commission and the City Council.

Staff has corresponded with and hosted one meeting to discuss the proposed language for the new zoning district. A second meeting is scheduled for July 5, 2017. Staff will provide a verbal report of the outcome of this meeting at the Planning Commission.

While the process is continuing to move forward, the owner, Mr. Fontes, believes it prudent to request the conditional use permit to ensure his investment is protected. The property has been in the Fontes' family for some time and Mr. Fontes is concerned that during this period of time while the City Council and other owners deliberate, that should an unforeseen event occur, the property will be protected with a conditional use permit and could be rebuilt and/or sold.

#### **PUBLIC NOTICE**

Notices were mailed to the surrounding property owners within a 100-foot radius of the subject site. A notice was also published in the Gridley Herald, posted at City Hall, and on the city



website. At the time this report was prepared, no comments had been received.

### **FINDINGS**

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

#### **Conditional Use Permit Findings:**

1. **The proposed use is in accordance with the objectives of the Industrial General Plan land use designation and M-1, Light Industrial zoning district.**

Approval of a conditional use permit will create an allowable use in the land use district noted; therefore this finding can be made.

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

The continued use of the property with a single family residential uses will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use; therefore this finding can be made.

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

The use of the property as a single family use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan; therefore this finding can be made.

### **ENVIRONMENTAL REVIEW**

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

### **CONCLUSION**

Approving a conditional use for continued single family residential use will allow the site to continue its historical use and will allow the reconstruction of the structures should they be destroyed by fire or other calamity.

### **ATTACHMENTS:**

1. Exhibit A, Draft Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL**

Conditional Use Permit No. 2-17  
16 Evelyn Drive  
APN 021-240-003

**Approved Use:**

Conditional Use Permit to allow single family residential and commercial use located at 16 Evelyn Drive. Zoning for the property is Light Industrial (M-1) and Industrial (I) General Plan land use designation.

**Conditions of Approval:**

1. The approved use for CUP 2-17 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the use, areas, and etc., shall be subject to the review and approval by the Planning Department. Staff may recommend changes to be reviewed by the Planning Commission.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall arrange to have Gridley Electric inspect the meter panel(s) at the site to insure they meet the current standards and if future commercial uses are established at such time to ensure the proper loads and metering are in place.
4. Any modifications to the existing structures in the future for replacement or enlargement are required to conform to the currently adopted building code applicable at the time of work.

*{End}*



**Planning Commission Agenda Item #5B**  
**Staff Report**

**DATE:** July 24, 2017

**TO:** Planning Commission

**FROM:** Donna Decker, Planning Department

**SUBJECT:** **Conditional Use Permit No. 3-17;** Barbara Kowall; Application for a conditional use permit to allow the continued use of a single family residential use and commercial use of the property on a 0.19 acre parcel located at 14 Evelyn Drive located in the Light Industrial (M-1) zoning district and Industrial (I) General Plan land use designation. (APN No. 021-240-0023)

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**Recommendation**

City staff respectfully recommends the Planning Commission:

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

**SUMMARY**

The applicant is requesting a conditional use permit in order to continue the use of the property as an existing single family residence with commercial use on APN 021-240-002. The property was developed with a detached single family residence in the early 1940's. Since that time the property has been used as a single family dwelling unit and has utilized the property as a business at times.

The property was rezoned to Light Industrial (M-1) some time ago. In 2016, the City updated the Gridley Municipal Code to ensure it was consistent with the 2030 General Plan. The ability to have residential in the Industrial zone required a use permit and/or is not an allowed use; therefore, the applicant would like to have a conditional use permit to preserve the single family and commercial use on the property and to ensure there are no issues from lenders for the sale of the property and to ensure the reconstruction of the structures in the event of fire or casualty.



## SITE DESCRIPTION

The subject site is located on the west side of Highway 99 south of the Butte Mobile Home park.



Figure 1: Location Map

## DISCUSSION

Conditional use permits (CUP) are entitlements that once activated are tied to the property without expiring unless so conditioned. The property has been zoned M-1, Light Industrial and was likely anticipated that the residential properties would eventually become industrial and be a part of the Industrial Park. The residential homes were established prior to the rezoning process.

In order to maintain the ability to legally rebuild the structures on the sites, a conditional use permit is required to establish the use in the M-1 zone. Should the Planning Commission vote favorably, this entitlement will allow the continued residential use and allow commercial use.



In March 2017, the Planning Commission recommended the City Council adopt an ordinance to rezone approximately 41 acres from the M-1, Light Industrial zoning district to a new designation of HCC Highway Commercial Corridor Combining District. The first step in this process was to present an amendment of the General Plan Amendment and rezone of the property and establish the use in the Gridley Municipal Code. The recommendation was forwarded to the City Council; however, two of the owners previously supporting the change, requested the City Council delay a decision until such time the language of allowed uses would be considered by both the Planning Commission and the City Council.

Staff has corresponded with and hosted one meeting to discuss the proposed language for the new zoning district. A second meeting is scheduled for July 5, 2017. Staff will provide a verbal report of the outcome of this meeting at the Planning Commission.

While the process is continuing to move forward, the owner, Ms. Kowall, believes it prudent to request the conditional use permit to ensure her investment is protected. Ms. Kowall is concerned that during this period of time while the City Council and other owners deliberate, that should an unforeseen event occur, the property will be protected with a conditional use permit and could be rebuilt and/or sold.

#### **PUBLIC NOTICE**

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

#### **FINDINGS**

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

#### **Conditional Use Permit Findings:**

- 1. The proposed use is in accordance with the objectives of the Industrial General Plan land use designation and M-1, Light Industrial zoning district.**

Approval of a conditional use permit will create an allowable use in the land use district noted; therefore this finding can be made.

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

The continued use of the property with a single family residential uses will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use; therefore this finding can be made.

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

The use of the property as a single family use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan; therefore this finding can be made.

**ENVIRONMENTAL REVIEW**

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

**CONCLUSION**

Approving a conditional use for continued single family residential use will allow the site to continue its historical use and will allow the reconstruction of the structures should they be destroyed by fire or other calamity.

**RECOMMENDATION**

The Planning Commission effect the following actions:

1. Determine the project is Categorical Exempt per the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required findings of fact as described within the staff report; and,
3. Approve Conditional Use Permit 3-17.

**ATTACHMENTS:**

1. Exhibit A, Draft Conditions of Approval



**DRAFT CONDITIONS OF APPROVAL**

Conditional Use Permit No. 3-17  
14 Evelyn Drive  
APN 021-240-003

**Approved Use:**

Conditional Use Permit to allow single family residential and commercial use located at 14 Evelyn Drive. Zoning for the property is Light Industrial (M-1) and Industrial (I) General Plan land use designation.

**Conditions of Approval:**

1. The approved use for CUP 3-17 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the use, areas, and etc. shall be subject to the review and approval by the Planning Department. Staff may recommend changes to be reviewed by the Planning Commission.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall arrange to have Gridley Electric inspect the meter panel(s) at the site to insure they meet the current standards and if future commercial uses are established at such time to ensure the proper loads and metering are in place.
4. Any modifications to the existing structures in the future for replacement or enlargement are required to conform to the currently adopted building code applicable at the time of work.

{End}

**Planning Commission Agenda Item # 5D**  
**Staff Report**

**Date:** July 24, 2017  
**To:** Chair and Planning Commissioners  
**From:** Donna Decker, Planning Department

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

**Subject:** **Zoning Text Amendment 829-2017:** An Ordinance of the City of Gridley amending Title 17, adding Chapter 17.XX, HCC Highway Commercial Corridor Mixed Use Combining Zone to the Gridley Municipal Code related to the provision for an infill, mixed use highway corridor land use designation

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**RECOMMENDATION**

Staff respectfully requests the Planning Commission:

1. Review and provide comment related to the proposed HCC code language;
2. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule; and,
3. Recommend the City Council adopt an ordinance (829-2017) creating the HCC Highway Commercial Corridor Mixed Use Combining District.

**DISCUSSION**

The City of Gridley recently amended the Gridley Municipal Code to bring the code into consistency with the 2030 General Plan. The second step in this process is to review existing land uses and determine if they are appropriately zoned for existing and future uses. The final step is to create the language for the Gridley Municipal Code for an infill, mixed use, commercial corridor zoning district for use specific to the Highway 99 corridor.

The area proposed for amendment of its land use designations was at one time considered a part of the Industrial Park that was formed with the City of Gridley Redevelopment agency. The lands were bisected by the UPRR right-of-way; however, the City found it could not connect the properties by crossing the tracks of the Industrial Park to the property along Highway 99 that was zoned Industrial. Access to the Industrial Park could only be from West Liberty Street.

The proposed area is located south of Stuke Nursery and north of West Liberty Road and is a natural extension of the Highway 99 commercial corridor. The area is currently developed with single family residential, a mobile home park, commercial, vacant land and industrial lands at the very southerly portion.

The Planning Commission considered a change in the General Plan land use designation and rezone of the property. This action is the creation of an ordinance describing the new land use zoning designation. The additional code not only corresponds to existing uses, but will also support future infill mixed use development.



Below is a timeline reflecting the process to date:

- **April 18, 2017** The General Plan Amendment 2017-R-008 and rezone 827-2017 was considered by the Planning Commission; the Planning Commission forwarded to the City Council a recommendation to adopt the resolution and ordinance.
- **May 1, 2017** The items were presented to the City Council for adoption. Mr. Ed Becker provided testimony indicating concern for the action without having an ordinance describing the allowed uses in the proposed HCC zoning district. He requested the City Council delay a decision until such time the Council would have the benefit of seeing the code that would be developed.

**Action-** The City Council moved to continue the two items until an ordinance was also presented to them for action. Staff noted that the ordinance would need to be heard by the Planning Commission for a recommendation prior to consideration by the Council. These items have stayed on the agenda so the cost of noticing would not be incurred at a later date.

- **May 18, 2017** Received letter of opposition from the Carli family. City staff recommended additional outreach for the proposed project.
- **June 13, 2017** A community meeting was noticed and sent to the property owners and interested parties. In attendance were:
  - Ed Becker
  - Joe Fontes
  - Jagtar Madare

A draft ordinance was developed for discussion with the community. The parties generally agreed to uses that should not be allowed; however, the following indicated dissention:

- Ed Becker was interested in having the new HCC designation allow truck and trailer parking on the rear area of the site. This is part of what one potential buyer of the 22 acres would want. They would park truck trailers for short term parking. He assured that it would be unlikely for any semi-trucks to park there and probably no overnight sleep rests would take place. Planning did not support this request.
- Joe Fontes did not wish to have automotive repair. He said that sales would be ok, but that repair and service could cause noise issues for properties that have residential uses.
- Jagtar Madare expressed an interest in the greatest latitude of uses to be allowed to provide the greatest flexibility.

Revisions were requested to be made to the proposed code and a second meeting was requested by the parties. Prior to the meeting Mr. Devin Waterbury had expressed concern that the change in land use could impact his state licenses for auto dismantling.

- **June 28, 2017** Public notice was developed for publication in the Gridley Herald June 30, 2017 for the Planning Commission dated July 10, 2017 for the proposed code amendment to add the HCC zoning requiring a 10 day public notice.
- **June 30, 2017** Received email that the public notices did not publish on June 30, 2017.
- **July 5, 2017** Received email that the notices were published July 5, 2017. This was in error and did not allow the 10 day time period.
- **July 5, 2017** Held community meeting to discuss proposed HCC code. In attendance were:
  - Ed Becker
  - Joe Fontes
  - Barbara Kowell

Ed Becker requested minor clarification to the map page of the proposed ordinance. Joe Fontes and Barbara Kowell had questions related to residential in the HCC zone.

The map of the area has been revised to remove the Waterbury properties from the action because it is unknown what impact a rezone from M-2 to HCC would have on his dismantling operations. The commercial zoning uses that are allowed in the HCC zone would not allow auto dismantling. Additionally, the HCC zone would not allow shipping containers. At the City Council meeting dated November 21, 2016, the City Council wished to ensure the business in the M-2 zone would be able to continue the unlimited provision of shipping containers on site; to wit, the Waterbury properties. Should his property be rezoned, containers would not be allowed in the HCC zone unless the City Council believed that it would be appropriate to have more containers along the Highway Commercial Corridor. Planning would not advise the increase of containers along Highway 99 commercial corridor.

The purpose of the rezone and land use designation change is to allow more commercial opportunities along Highway 99 with supporting residential and light industrial uses. More commercial land use will result in an increase of tax revenue for the City.

- Planning Commission hearing date cancelled. Rescheduled to July 24, 2017 to allow for 10 day noticing which should be published on July 14, 2017.

Attached for consideration is the proposed code language that has been discussed as noted above.

#### **CONCLUSION:**

The creation of a new zoning district in support of mixed use is supported by the General Plan and allows the continued uses as they exist in the location noted as well as looks forward to the best possible use of the property. The new code could also be applied to other Highway 99 corridor properties on a case by case basis, thus utilizing the land to its fullest capacity.



**PUBLIC NOTICE**

A notice was advertised 10 days prior to the regularly scheduled Planning Commission meeting in the Gridley Herald, posted at City Hall, noticed to property owners 100 feet from the subject site, 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, The proposed new chapter to the Gridley Municipal Code does not create a project or create environmental impacts.

**ATTACHMENTS**

1. Draft Chapter 17.XX HCC Highway Commercial Corridor Mixed Use Combining Zone

**Planning Commission Item #5E**  
**Staff Report**

**Date:** June 24, 2017

**To:** Chair and Planning Commissioners

**From:** Donna Decker, Planning Department

**Subject:** RZ 1-17 (828-2017); Application to add the Agricultural Overlay (AO) district as a secondary zoning to the existing Light Industrial (M-1) zoning district to allow continued commercial agricultural uses until the property is developed on the ±22.6 acre parcel (APN 021-240-025).

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**RECOMMENDATION**

Staff respectfully recommends the Planning Commission:

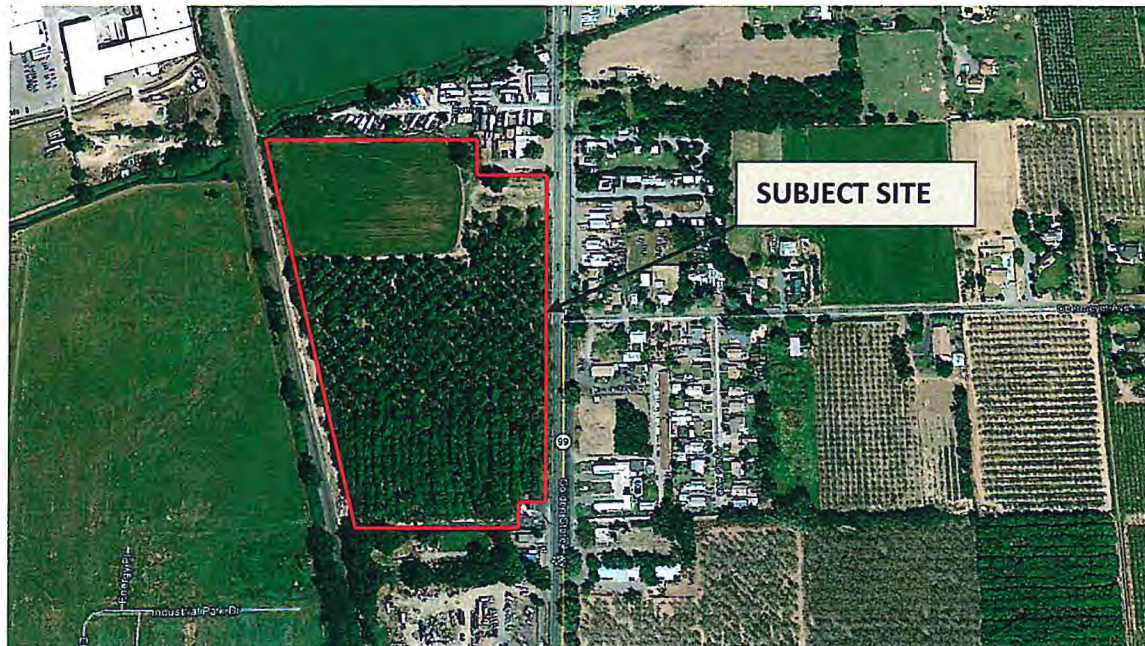
1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule; and,
2. Recommend the City Council adopt RZ 1-17 (828-2017).

**SUMMARY:**

The applicant requests adding the Agricultural Overlay (AO) zoning designation as a secondary zoning designation to the ±22.6 acre property located on the west side of Highway 99. The property has been considered for development in the past; however, remains in agricultural production; therefore, a request to have an agricultural overlay zoning designation has been requested.

**DISCUSSION:**

The subject site is located on the west side of Highway 99, south of Stuke Nursery and comprises the ±22.6 acres currently being used as a walnut orchard and hay production.



**Figure 1: Location Map**



The applicant is proposing to continue to utilize the property for commercial agricultural uses until development may be feasible. The property is also within the area that is being considered by the City Council for re-designation from M-1, Light Industrial to HCC, the proposed land use zoning designation, Highway Commercial Corridor Combining District.

The secondary zoning district of Agricultural Overlay was designed to allow land that has not been developed within the incorporated city boundary, to be farmed commercially until the land is developed. The allowance of the secondary zoning will ensure the property can be utilized and of benefit.

**CONCLUSION:**

Provision to add the secondary zoning of Agricultural Overlay on this property utilizes a planning tool specifically designed to allow a commercial land use while waiting for the market to improve. The use will not be incompatible at this location; agricultural uses are found to the north of the subject site with industrial to the south.

Adding a secondary zoning to the property is a City Council approval by ordinance. The Planning Commission would provide a recommendation to the City Council for action.

**PUBLIC NOTICE**

A notice was advertised 10 days prior to the regularly scheduled Planning Commission meeting in the Gridley Herald, posted at City Hall, noticed to property owners 100 feet from the subject site, 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, The proposed overlay zoning does not create a project or create impacts in that agricultural uses have been established on the property for years and prior to annexation into the city.