

Gridley City Planning Commission – Regular Meeting Minutes

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** – At 6:00 p.m. Chairman Wise called the meeting to order.
2. **ROLL CALL** – Recording Secretary
3. **COMMUNITY PARTICIPATION FORUM** - *None*
4. **CONSENT AGENDA**
 - A. **Planning Commission Minutes dated May 9, 2017 & June 7, 2017** – *Chairman Wise 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** – Donna Decker provided a verbal report as summarized in the staff report. She explained that the applicant would like to receive a conditional use permit to allow the continued use of a single family residential use and commercial use of the property designated and located in the light industrial and industrial district. The property has been used as a single-family dwelling unit since the 1940’s.

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. 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.

Ms. Decker closed her report by informing the Commission public notices of this hearing were mailed to surrounding property owners within the 100 ft. radius of the site and the applicant was in attendance to answer any questions.

2. Open public hearing – Chairman Wise opened the public hearing.
3. Hear public testimony – Joe Fontes, property owner approached Commission as to the intended use, upkeep of the property and asked Commission to vote in favor of the permit.
4. Close public hearing – Chairman Wise closed the public hearing.
5. Commission discussion - There was brief discussion among Planning Commission as to clarification of the designation use relating to the conditional use permit should the property be sold or rebuilt.

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 2-17 subject to the conditions attached to the staff report as Exhibit A.

Roll Call

Ayes: Wolfe, Khan, Espino, Wise

Noes: None

Abstain: None

Absent: Torres

Motion passes 4-0

- 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 - Ms. Donna Decker, Planning Consultant provided a verbal overview of the 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. She explained this was another parcel located next to the property 16 Evelyn Drive which the Commission just acted on before this item.

2. Open public hearing – Chairman Wise opened the public hearing.

3. Hear public testimony – Barbara Kowall approached Commission and inquired how long the conditional permit would last. Staff informed Ms. Kowall that it would run with the last as long as needed.
4. Close public hearing – Chairman Wise closed the public hearing.
5. Commission discussion – No discussion

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.
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.

Roll Call

Ayes: Wolfe, Khan, Espino, Wise Noes: None Abstain: None Absent: Torres

Motion passes 4-0

- 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)**

Chairman Wise continue the item 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** – Ms. Donna Decker explained that this was an Ordinance of the City of Gridley amending Title 17, adding Chapter 17, 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. 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 proposed area 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

Ms. Decker reviewed the 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 - The City 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, and 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 - A community meeting held to discuss proposed HCC code. In attendance were: Ed Becker, Joe Fontes, Barbara Kowell

At the meeting 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.

Ms. Decker reviewed the amendment document and added that the proposed code language that has been discussed as noted above. 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.

2. **Open public hearing** – Chairman Wise opened the public hearing.
3. **Hear public testimony** – Joe Fontes recommended keeping these areas as open concept, he voiced his concern of compatible uses when combining uses with residential. He elaborated as to concerns of noise, fumes related to big rigs behind commercial and residential uses. He had concerns of parking spaces allowed and not blocking residential views, but allowing for scenery views for residential areas. He thanked Commission for the opportunity to voice their concerns.
4. **Close public hearing** – Chairman Wise closed the public hearing.
5. **Commission discussion** – There was lengthy discussion between Commission and Staff as to planning for land designation uses, allowed uses and not allowed uses. There was clarification as to why some uses were supported, other uses not supported by land designation, and the impacts to current properties. There was discussion of increasing the parking spaces for in residential areas and not requiring walls as buffer zones between each lot to keep the concept of open parking areas, and building heights along the corridor. Staff added that as the properties are developed, the proposals will be brought to Planning and Council for addressing any concerns and recommendations.

Motion by Wolfe, Second by Espino, for approval of the following:

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
3. Modification of amendments on the development standards to require no walls to be required between various allowed uses and modified parking to be maintained at 1 space per 300 sq. feet per commercial and residential, parking required per provisions of chapter 17.76.

Roll Call

Ayes: Wolfe, Khan, Espino, Wise Noes: None Abstain: None Absent: Torres

Motion passes 4-0

- 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** – Ms. Donna Decker, Planning Consultant provided an overview of the staff report submitted to Commission. She explained that this was an application #RZ 1-17 (828-2017) 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. 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. Ms. Decker closed with requesting Commission approve the recommendations as listed in the staff report.
2. **Open public hearing** – Chairman Wise opened the public hearing.
3. **Hear public testimony** - None
4. **Close public hearing** – Chairman Wise closed the public hearing.
5. **Commission discussion** – Planning Commission had no concerns and acted on this item.

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

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.

Roll Call

Ayes: Wolfe, Khan, Espino, Wise Noes: None Abstain: None Absent: Torres

Motion passes 4-0

6. INFORMATIONAL – None

7. REPORTS & COMMUNICATIONS – None

8. ADJOURNMENT – Planning Commission adjourned to the regular meeting of the Planning Commission to be held on Monday, August 14th, 2017 at 6:00 p.m.

Approved: _____
Donna Decker, Planning Consultant