

Gridley City Planning Commission – Special Meeting Agenda

Tuesday, November 15, 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. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives."

1. **CALL TO ORDER** – Chair Thomas
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 the "Regular Agenda".*
 - A. **Planning Commission Minutes dated November 8, 2016**
5. **PUBLIC HEARINGS**
 - A. **Continued review of the Infill Design Guidelines: Development of design guidelines to provide realistic recommendations for infill development in the City of Gridley.**
 - 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 Categorical Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
2. Forward to and recommend the City Council adopt Infill Design Guidelines.

B. Introduction and first reading of Ordinance 822-2016: An ordinance amending various chapters of Title 17 of the Gridley Municipal Code.

- 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. Forward to and Recommend the City Council adopt Ordinance 822-2016.

6. INFORMATIONAL

Planning Commission meetings - Depending upon the caseload and completion of necessary Planning projects, some of these dates may not be used. Staff will keep the Planning Commission apprised of its progress.

The Planning Commission meetings will continue to be scheduled weekly as follows:

- November 22, 2016 (Regular Meeting)
- November 29, 2016 (Special Meeting)
- December 6, 2016 (Special Meeting)
- December 13, 2016 (Special Meeting)
- December 20, 2016 (Regular Meeting)
- December 27, 2016 (Special Meeting)

7. REPORTS & COMMUNICATIONS – None

8. ADJOURNMENT - to the regular meeting of the Planning Commission to be held on Tuesday, November 22, 2016 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 November 11, 2016, 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 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.

Gridley City Planning Commission – Special Meeting Minutes

Tuesday, November 8, 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. 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. Vice Chairman Wise called the meeting to order.**

2. **ROLL CALL**

Planning Commissioners

Present: Robert Wise
Mary Espino
Ishrat Aziz Khan
Shirley O’Brien

Arriving post roll call: None

Absent: Robert Thomas

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

3. **COMMUNITY PARTICIPATION FORUM – There was no audience in attendance.**

4. **CONSENT AGENDA -**

A. Planning Commission Minutes dated November 1, 2016

MOTION BY ESPINO, SECOND BY KHAN, for approval of the Planning Commission Minutes dated November 1, 2016 (with corrections).

By unanimous vote, the motion passed 4-0.

5. PUBLIC HEARINGS

A. Introduction and review of the Climate Action Plan: A plan designed support the long term Greenhouse Gas Reduction efforts of the State of California

- 1) Receive staff report – Continued public hearing. Planning Consultant Donna Decker provided a brief update on the changes and suggested recommendations from the prior Planning Commission meeting. She announced City Council accepted and appreciated Planning Commission recommendations and corrections.
- 2) Hear public testimony – Vice Chairman Wise opened the public hearing.
- 3) Hear public testimony - There was no testimony or audience.
- 4) Close public hearing - Vice Chairman closed the public hearing.
- 5) Commission discussion – The Planning Commission reviewed Table 1 of the Climate Action Plan. She explained that the work is required to be completed by December 31, 2016 and after that date, the City will not have funding available to offset costs beyond this date.

Ms. Decker reviewed the amendments made to Table 1, providing a definition to the timing of the implementation measures as part of the Executive Summary. She explained the purpose of the Climate Action Plan/GHG Reduction Plan is to implement the policies that were adopted in the 2030 General Plan in 2010. She further reported that the State of California has also legislated that projects be evaluated relating to the environmental impact of greenhouse gas emissions through CEQA process and the City must comply with these reviews, implementation measures for the reduction of emissions needed to offset the CEQA mitigation measures for the project.

There was further Planning Commission discussion regarding the following: educational outreach and goals, solar percentage ranges use provided by City Electric Superintendent Daryl Dye, solar and solar farms, harvesting methane, adequate street lighting and City meeting standards, led lighting and pollution, population growth, population forecasts and benchmarks set by the State, leaf blowers being suggested and included in the educational information, and typographical errors suggested (by Planning Commissioner Espino).

MOTION BY O'BRIEN, SECOND BY ESPINO, to recommend the City Council adopt the Climate Action Plan/Greenhouse Gas Reduction Plan.

Roll Call

Ayes: Wise, Espino, Khan, O'Brien Noes: None Abstain: None Motions passes 4-0

B. Introduction and first reading of Ordinance 822-2016: An ordinance amending various chapters of Title 17 of the Gridley Municipal Code.

- 1) Receive staff report – Planning Consultant Donna Decker announced that the City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The amendments to the Title 17 will implement the 2030 General Plan and is one of the deliverables of the Grant funding.

Ms. Decker elaborated as to the proposed amendments as listed in the staff report and closed her staff report with recommendations that the Planning Commission introduce and adopt Ordinance 822-2016 and determine that the project is Categorically Exempt per the California Environmental Quality Act.

- 2) Open public hearing - Vice Chairman Wise opened the public hearing.
- 3) Hear public testimony - There was no testimony or audience.
- 4) Close public hearing - Vice Chairman closed the public hearing.
- 5) Commission discussion - There was discussion amongst Planning Commissioners regarding the amendments to chapter 17.02, 17.02.020 which clarifies the implementation of the code, 17.02.030 which removes entitlement provisions as it is a duplicate in the code and not necessary, 17.02.070 (a)(b) the need to list the responsible party as "City Administrator or his/her designee, Chapter 17.09 RE Residential Estates District which formally deletes zoning district, and chapter 17.33 Conditional Overlay Zone which was related to two properties in the City. There was further Planning Commission discussion relating to the five different zoning overlays and use permit application process.

MOTION BY ESPINO, SECOND BY KHAN, for approval of the following:

1. Determine the project is Categorical Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
2. Recommend the City Council Introduce Ordinance 822-2016 and adopt by reading of title only.

Roll Call

Ayes: Wise, Espino, Khan, O'Brien Noes: None Abstain: None Motions passes 4-0

6. INFORMATIONAL – None

7. REPORTS & COMMUNICATIONS

Planning Consultant, Donna Decker reviewed the dates for the November meetings. She reported there would be weekly meetings in order to meet grant project deadlines.

Vice Chairman Wise inquired on the status of the Daddow Park and if there would be bike racks installed in the park. He pointed out the importance of having bike racks located throughout the city. Ms. Decker reported the City will be working and inspecting the park and it is moving along. The park will be very nice once it is completed. As for bike racks, they anticipate more in the future as the City improves its streets, sidewalks and if there is funding.

Planning Commissioner, Shirley O'Brien announced she has a new email and confirmed with staff that they had received the correct email. Decker and Arteaga concurred.

8. ADJOURNMENT – at 7:15 p.m. the Planning Commission adjourned to the next special meeting of the Planning Commission to be held on Tuesday, November 15, 2016 at 6:00 p.m.

Approval:

Donna Decker, City Planner/Consultant, DES LLC

Planning Commission Agenda Item #5A
Staff Report

Date: November 15, 2016
To: Planning Commission
From: Donna Decker, Planning

	Regular
X	Special
	Closed
	Emergency

Subject: **Infill Design Guidelines:** Development of design guidelines to provide realistic recommendations for infill development in the City of Gridley.

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 Infill Design Guidelines.

Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The Infill Design Guidelines are one of the deliverables to implement the General Plan.

Discussion

The Infill Design Guidelines were reviewed:

- | | |
|---|--|
| <i>Planning Commission</i> | <i>City Council</i> |
| <ul style="list-style-type: none">• October 11, 2016• October 25, 2016 | <ul style="list-style-type: none">• October 17, 2016 |

The comments and requested additional information has been added to the Guidelines reflecting the following comments:

1. There was concern that some of the language had a negative effect related to the wide right-of-way found in the City;
2. More language was needed throughout the document related to how the infill design guidelines could reference the importance of the cultural and entertainment in the Downtown;
3. Unclear how better signage should be provided as an opportunity on Highway 99;
4. Ensure that the design guidelines are not restrictive in meeting energy efficiency in construction;
5. Consider ways to have Development Impact and other fees reduced to encourage infill development;

6. Supportive of the idea of Small lot Subdivision to re-legalize the non-conforming lots in the City allowing smaller lots, the potential for smaller lots to create more diversity in housing to meet the community's needs; and,
7. Create more pedestrian friendly amenities along the Highway 99 corridor when infill development is considered.
8. Graphics for the "Infill Form" needed to be amended to reflect setback requirements.

No substantive comments related to a change in the direction or scope of the proposed document has been received from the public, Planning Commission, or the City Council. The document has been noticed and circulated for more than 30 days to date. Staff believes the document ready for final review and approval by the City Council and requests the Planning Commission forward the document to the City Council for action.

This document reflects one of the deliverables under the grant which must be completed by December 31, 2016. In an ongoing effort to ensure the City meets this date, the documents that have had extensive review without comment or substantive change should proceed forward to the City Council for action.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the October 11, 2016 Planning Commission hearing date and the item has continued open for public discussion at all meetings held. Additionally, 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.

Fiscal Impact

The City would be able to recover reimbursement for infrastructure that has been in place for some time as infill sites are developed.

Attachments – None

Planning Commission Agenda Item #5B
Staff Report

Date: November 15, 2016
To: Planning Commission
From: Donna Decker, Planning

	Regular
X	Special
	Closed
	Emergency

Subject: **Introduction and first reading of Ordinance 822-2016:** An ordinance amending various chapters of Title 17 of the Gridley Municipal Code.

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 introduce Ordinance 822-2016 and adopt 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

The proposed amendments implement the 2030 General Plan plus ensure consistency within the Title itself. The following amendments to the Zoning Ordinance are summarized as follows:

- **Title 17 Zoning Index Page**
 - The index to the zoning code is revised to group zoning topics together and to add new zoning designations to the code
- **I. General Information**
 - The purpose of the Zoning Ordinance is described within this section as an introduction to the code.
- **Chapter 17.00 Administration and Enforcement**
 - Chapters 17.62, "Administration" and Chapter 17.64 "Enforcement" have been moved to the beginning of the code and retitled 17.00
 - 17.00.020 Duties of City Council has been amended to "Act on appeals of decisions by the planning commission" and deleting two entitlements which do not encompass all decisions
 - Added "D" Act on appeals or decisions by staff.
 - The City's code allows all decisions from a staff level and/or management level to be appealed to the Planning Commission.

- **Chapter 17.03 Nonconformities**
 - Change Chapter numbering due to reorganization
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Revision of Chapter references
- **Chapter 17.04 Definitions**
 - Revise minor spelling errors
 - 17.04.034
 - 17.04.036
 - 17.04.042
 - 17.04.062
 - 17.04.143
- **Chapter 17.05 Planning Entitlement Processes**
 - This chapter provides instruction for the application for a permit
- **Chapter 17.06 Amendments or Rezoning**
 - Change Chapter numbering and references
 - Clarification of application process for this entitlement
 - Clarification of Action by the Planning Commission
 - Clarification of Action by the City Council
 - Miscellaneous grammatical revisions, capitalization, etc.
- **Chapter 17.07 Site Development Plan (SDP)**
 - Change Chapter numbering due to reorganization
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Revision of Chapter references
 - 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**
 - Change Chapter numbering due to reorganization
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Revision of Chapter references
 - Reference “City Administrator/designee”
- **Chapter 17.09 Variances**
 - Change Chapter numbering due to reorganization
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Revision of Chapter references
 - Reference “City Administrator/designee”
- **II Zoning Map and Districts**
 - Restructure organization
 - Added the following zoning designations:
 - Urban Reserve
 - R-4 HDR, High Density Residential
 - M-3, Agriculture Industrial

- Downtown Mixed Use
 - Neighborhood Mixed Use
- Amended zoning map adoption from 1984 to 2016 due to zoning changes that have taken place
- Clarification of appeal process related to zoning interpretation
- Miscellaneous grammatical revisions, capitalization, etc.
- **Chapter 17.12 AR-5 Agricultural Residential District**
 - Change Chapter numbering due to reorganization
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Revision of Chapter references
 - Amended the permitted uses to include small commercial agriculture uses
 - Removed “mobile” home and provided types of structures that can be used
 - Revised accessory uses
 - 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.

The text amendments of the chapters of Title 17 reflect consistency with the General Plan requirements.

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. Amended Chapters of Title 17

17.04.030 Building.

"Building" means any structure having a permanent foundation and roof or other covering supported by columns or walls and designed or used for the shelter or enclosure of any person, animal or property of any kind, or for use by commercial, industrial or other enterprises.

(Ord. 458 § 1(part), 1984).

17.04.032 Building, main.

"Main building" means a building in which is conducted the principal use of the lot upon which it is situated.

(Ord. 458 §1 (part), 1984).

17.04.034 Building, accessory.

"Accessory building" means a subordinate building, the use of which is incidental and accessory to a principal use on the same lot.

(Ord. 458 § 1(part), 1984).

17.04.036 Building complex.

"Building complex" means any group of two or more detached buildings under one ownership on the same or adjoining lots.

(Ord. 458 § 1(part), 1984).

17.04.038 Carport.

"Carport" means a structure designed and constructed to cover a parking space, having no more than two permanent walls and being attached to or standing apart from a main building.

(Ord. 458 § 1(part), 1984).

17.04.040 Club.

"Club" means any building or premises used for regular or periodic meetings of a group of persons organized for a nonprofit purpose, exclusive of groups organized to render a service customarily carried on as a business.

(Ord. 458 § 1(part), 1984).

17.04.042 Combining district.

"Combining district" means a district within which certain regulations and requirements may apply in addition to, or in lieu of, regulations and requirements of another zoning district to which the combining district has been attached.

(Ord. 458 § 1(part), 1984).

17.04.044 Commercial recreation center.

sails, inboard or outboard motors in excess of eight feet in length, and any other vehicles for use on land or water which is self-contained and exceeds thirteen feet in length and eight feet in height. One-ton or smaller customized vans are not considered major recreational equipment under this title.

(Ord. 458 § 1(part), 1984).

17.04.143 Manufactured home.

“Manufactured home” means ~~mobile, prefabricated, kit, or~~ modular or other manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq). Manufactured home does not include a recreational vehicle or commercial coach. (Ord. 671, 1997).

17.04.144 Minor recreational equipment.

“Minor recreational equipment” includes, but is not limited to, one-ton customized vans, one-half ton pickups with campers, boats less than thirteen feet in length, off-road vehicles less than thirteen feet in length and eight feet in height. (Ord. 458 §1(part), 1984).

17.04.145 Mobile food vendors.

“Mobile food vendor” includes any motorized or non-motorized enclosed, partially enclosed, or enclosed vehicle, trailer, cooking unit, and/or grill, operated by any person, firm, representative, partner, associate, or employee who drives, operates, vends, prepares, processes, wraps and distributes foods and beverages which are “ready-to-eat/drink” or “prepared/cooked on-site” which are sold, or offered for sale, directly to any consumer excepting therefrom any food delivery vehicle delivering products ordered by home delivery customers. (Ord. 806-2012 §2, 2012).

17.04.146 Mobile home.

“Mobile home” means a housing structure transportable in one or more sections, designed and equipped to be used with or without a foundation system, and certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq.). Mobile Home does not include a recreational vehicle or commercial coach. (Ord 671, 1997; Ord. 458 § 1(part), 1984).

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17.04.148 Mobile home park.

"Mobile home park" means an area or tract of land where two or more spaces are rented or leased or held out for rent or lease to accommodate mobile homes.

(Ord. 458 § 1(part), 1984).

17.04.149 Monument sign.

A low profile freestanding sign erected with its base on the ground and designed to incorporate design and building materials which complement the architectural theme(s) on the site. Content of monument signs shall be organized in a clear and cohesive manner, avoiding individual

Chapter 17.50 Combining District

Chapter 17.52 MUCZ Mixed Use Combining

Chapter 17.53 Downtown Mixed Use

Chapter 17.54 Neighborhood Mixed Use

Chapter 17.55 PD Planned Development District

Chapter 17.56 AO Agricultural Overlay District

Chapter 17.58 SP Special Parking Combining Zones

Chapter 17.60 Public Use District

Chapter 17.2862 POP Public and Quasi-Public District

Chapter 17.70 Development Standards

Chapter 17.3672 General Use Regulations

Chapter 17.3874 Performance Standards

Chapter 17.4676 Off-Street Parking

Chapter 17.4878 Yards

Chapter 17.80 Miscellaneous and Special Situations

Chapter 17.4081 Accessory Buildings

Chapter 17.4282 Second Dwelling Units

Chapter 17.4383 Temporary Occupancy of Mobile Homes and Recreational Vehicles

Chapter 17.4484 Home Occupations

Chapter 17.4585 At-Home Commercial Services in Residential Zones

Chapter 17.51—Chapter 17.86 Satellite Antennas and Equipment

Chapter 17.6087 Recycling Facilities

Chapter 17.88 Prohibiting Medical Marijuana Dispensary

Chapter 17.89 Special Situations

~~Chapter 17.08 AR-5 Agricultural Residential District~~

~~Chapter 17.09 R-E Residential Estates District~~

~~Chapter 17.10 R-S Residential Suburban District~~

~~Chapter 17.12 R-1 Single Family Residential District~~

~~Chapter 17.14 R-2 Duplex Residential District~~

~~Chapter 17.16 R-3 Multiple Family Residential District~~

~~Chapter 17.17 MUCZ Mixed Use Combining Zone~~

~~Chapter 17.18 C-1 Restricted Commercial District~~
~~Chapter 17.20 C-2 General Commercial District~~
~~Chapter 17.21 Commercial Land Use by Zoning District~~
~~Chapter 17.24 M-1 Limited Industrial District~~
~~Chapter 17.26 M-2 Heavy Industrial District~~
~~Chapter 17.28 PQP Public and Quasi-Public District~~
~~Chapter 17.30 O-S Open Space District~~
~~Chapter 17.31 AO Agricultural Overlay District~~
~~Chapter 17.32 PD Planned Development District~~
~~Chapter 17.33 Conditional Overlay Zone~~
~~Chapter 17.34 Residential Density Bonus~~
~~Chapter 17.36 General Use Regulations~~
~~Chapter 17.38 Performance Standards~~
~~Chapter 17.40 Accessory Buildings~~
~~Chapter 17.42 Second Dwelling Units~~
~~Chapter 17.43 Temporary Occupancy of Mobile Homes and Recreational Vehicles~~
~~Chapter 17.44 Home Occupations~~
~~Chapter 17.45 At-Home Commercial Services in Residential Zones~~
~~Chapter 17.46 Off-Street Parking~~
~~Chapter 17.47 SP Special Parking Combining Zones~~
~~Chapter 17.48 Yards~~
~~Chapter 17.49 (Repealed)~~
~~Chapter 17.51 Conditional Use Permits~~
~~Chapter 17.56 Variances~~
~~Chapter 17.58 Amendments or Rezoning~~
~~Chapter 17.60 Recycling Facilities~~

I. GENERAL INFORMATION

The purpose of Title 17 of the Gridley Municipal Code is to implement the City's General Plan through the adoption and administration of zoning laws, ordinances, rules, and regulations, this title:

1. Divides the city into zones of such shape, size, and number best suited to carry out these regulations, and to provide for their enforcement;
2. Regulates the use of land, buildings, or other structures for residences, commerce, industry, and other uses required by the community;
3. Regulates the physical characteristics of buildings, structures, and site development, including the location, height, and size of buildings and structures; yards, courts, and other open spaces; lot coverage; land use intensity through regulation of residential density and floor area ratios; and architectural and site design;
4. Ensures the provision of adequate open space for recreational, aesthetic, and environmental amenities; and
5. Establishes requirements for off-street parking

Chapter 17.62-00 ADMINISTRATION AND ENFORCEMENT

17.6200.010 Administrative standards.

17.6200.020 Duties of ~~city~~City ~~council~~Council.

17.6200.030 Duties of ~~planning commission~~Planning Commission.

17.6200.040 Zoning administrator.

17.6200.050 Certificate of zoning compliance.

17.6200.060 Certificate of occupancy.

17.00.070 Enforcement, investigations, penalties, and violations.

17.00.080 Nuisance designated abatement.

17.6200.010 Administrative standards.

Whenever, in the course of administration and enforcement of this title, it is necessary or desirable to make any administrative decision, then, unless other standards are provided in this title, the decision shall be made so that the result will not be contrary to the spirit and purpose of this title or injurious to the surrounding neighborhood.

(Ord. 491 (part), 1986).

17.6200.020 Duties of ~~city~~City ~~council~~Council.

The ~~city~~City ~~council~~Council shall:

A. Render decisions on amendments to this chapter and rezonings upon receipt of the recommendation of the ~~planning commission~~Planning Commission;

B. Act on appeals of ~~denial of variances and/or denial or revocation of conditional use permits~~decisions by the ~~planning commission~~Planning Commission.

(Ord. 491 (part), 1986)

17.6200.030 Duties of ~~planning commission~~Planning Commission.

A. The ~~city~~City ~~planning commission~~Planning Commission shall:

1. Interpret and administer the provisions of this title in such a way as to carry out the intent and purpose of the general plan as interpreted on the zoning map for the ~~city~~City;

2. Act on minor exceptions to and/or variances from the provisions of this title regarding the development of land and construction, enlarging, or alteration of any building or structure and to grant and revoke conditional use permits.

B. It is the purpose of this section to observe that activities and affairs of the people and the government of the ~~city~~City shall not be restricted by law in any manner such that the effect of the law would not serve the intent of this title. It is, therefore, provided in this title that certain forms

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of relief from the regulations of this title may be applied by the ~~planning commission~~Planning Commission.

C. The ~~planning commission~~Planning Commission shall, on the basis of all relevant information and under the standards of this title, make a finding in any matter of zoning relief. The ~~planning commission~~Planning Commission may make any rules of procedure, consistent with law which may be necessary or convenient for carrying out its functions.

D. Act on appeals of the decision of the City Administrator or designee.

(Ord. 491 (part), 1986)

17.0062.040 Zoning administrator.

The office of zoning administrator is established. The zoning administrator shall administer the provisions of this title and shall have all administrative powers connected herewith which are not specifically assigned to some other officer or body. He shall have no power to vary or waive the requirements of this title.

(Ord. 491 (part), 1986)

17.0062.050 Certificate of zoning compliance.

Hereafter, no land use shall be commenced or changed and no structure shall be erected or enlarged until such use or enlarging has been reviewed for zoning compliance by the zoning administrator. The zoning administrator shall sign all building plans certifying zoning compliance for each building permit issued by the ~~city~~City. No certification of zoning compliance shall be issued where it appears that a proposed use or improvement is not a principal permitted use or accessory or is not in compliance with the letter of intent of the regulations of this title, unless some form of zoning relief has been obtained as provided by Chapters ~~17.52, 17.54~~17.08 and ~~17.56~~09. No building permit may be issued by the ~~city~~City without a certification of zoning compliance. Any certification of zoning compliance based on any materially false statement in application or supporting documents is absolutely void ab initio and shall be revoked. No certification of zoning compliance shall remain valid if the use or structure it authorized became nonconforming in the district in which it is located.

(Ord. 491 (part), 1986)

17.0062.060 Certificate of occupancy.

Upon completion of any authorized use, building, structure or improvement, the zoning administrator shall affix to the pending building permit a seal certifying that such use, building, structure, or improvement complies with the applicable ordinances of the ~~city~~City and is suitable for occupancy. A temporary certificate of occupancy may be issued under circumstances where expressly permitted in Section ~~17.54.020~~.

(Ord. 491 (part), 1986)

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17.00.070 Enforcement, investigations, penalties and violations.

A. Investigations, penalties, abatement and enforcement of the provisions of this title shall be conducted or applied as specified and regulated in this code.

B. All departments, officials, and public employees of the City vested with the duty and authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no permit or license for uses, buildings, or purposes in conflict with the provisions of this chapter. Any such permit or license issued in conflict with the provisions of this chapter shall be null and void.

C. The administration of this chapter 17.00.070 and 17.00.080 shall be the responsibility of the ~~Planning Director~~ City Administrator/designee.

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(Ord. 791-2010 (part), 2010)

17.00.080 Nuisance--designated--abatement.

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this title shall be and is declared to be unlawful and a public nuisance.

(Ord. 791-2010 (part), 2010)

NOTE: THIS SECTION HAS BEEN MOVED TO CHAPTER 17.00 ADMINISTRATION AND ENFORCEMENT

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Chapter 17.64 ENFORCEMENT-VIOLATION-PENALTY

~~17.64.010 Enforcement, investigations, penalties and violations.~~

~~17.64.020 Nuisance-designated-abatement.~~

17.64.010 Enforcement, investigations, penalties and violations.

Forma

~~A. Investigations, penalties, abatement and enforcement of the provisions of this title shall be conducted or applied as specified and regulated in this code.~~

~~B. All departments, officials, and public employees of the city vested with the duty and authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no permit or license for uses, buildings, or purposes in conflict with the provisions of this chapter. Any such permit or license issued in conflict with the provisions of this chapter shall be null and void.~~

~~C. The administration of this chapter shall be the responsibility of the Planning Director.~~

~~(Ord. 791-2010 (part), 2010)~~

17.64.020 Nuisance-designated-abatement.

Forma

~~Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this title shall be and is declared to be unlawful and a public nuisance.~~

~~(Ord. 791-2010 (part), 2010)~~

Chapter 17.52-03 NONCONFORMITIES

- 17.5203.010 Purpose.
- 17.5203.020 Definition.
- 17.5203.030 Unlawful buildings, structures and uses distinguished.
- 17.5203.040 Types of nonconformities.
- 17.5203.050 Construction approved prior to regulation.
- 17.5203.060 Continuance of nonconformities.
- 17.5203.070 Enlargement of nonconformities.
- 17.5203.080 Change from nonconforming use to another nonconforming use.
- 17.5203.090 Repairs and alterations.
- 17.5203.100 Change to nonconforming use.
- 17.5203.110 Termination by discontinuance of use.
- 17.5203.120 Termination by destruction.
- 17.5203.130 Nonconforming uses--nuisance.

17.5203.010 Purpose.

Existing uses, buildings and structures which do not conform to the regulations of the ~~zone~~ zoning district where located shall be subject to the regulations in this chapter, in addition to general regulations contained in other chapters of this ~~title~~Title, in order to permit the continued operation of such uses, buildings and structures, while providing for their eventual elimination. This chapter is intended to be administered in such a manner as to encourage the abatement of a nonconforming use or building, and the conformance of nonconforming lots.

(Ord. 571, § 2, 1991).

17.5203.020 Definition.

A nonconformity is a building, structure, use or lot which, when erected, established, developed or created complied with all the applicable provisions of this ~~title~~Title or prior planning and zoning regulations, but which presently fails to conform to one or more of the provisions of this ~~title~~Title. Nonconformity shall include a building, structure, lot or use legally existing and located in the unincorporated territory which, upon annexation to the City, does not comply with the provisions of this ~~title~~Title. Refer to definitions in Sections 17.04.152 and 17.04.154.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.030 Unlawful buildings, structures and uses distinguished.

Buildings, structures and uses which did not conform to the applicable provisions of this ~~title~~Title or prior planning and zoning regulations when established are violations of this ~~title~~Title and subject to the provisions of Chapter 17.6400.070. No right to continue occupancy of property containing such a building, structure, or use is granted by this chapter, is allowed unless, such activity, use, or site development is lawfully permitted to continue and all permits and entitlements required by this ~~title~~Title are obtained.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.040 Types of nonconformities.

Nonconformities include, but are not limited to, the following:

- A. Nonconforming buildings or structures.
- B. Nonconforming use or activity within a nonconforming building or structure.
- C. Nonconforming use or activity within a conforming building or structure.
- D. Nonconforming use or activity upon land containing no buildings or only structures incidental to the use of the land.
- E. Nonconformance with development standards as defined in Section 17.04.051.
- F. Uses which require a use permit which were not established in accordance with Chapter 17.5408.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.050 Construction approved prior to regulation.

A. A building, structure or part thereof which does not conform to the regulations for the zone in which it is situated, but for which a building permit, use permit, or variance was issued and exercised prior to the applicability of such regulations to the property, may be completed, provided that work is pursued continuously and without delay. Such building structure or part thereof shall be deemed to be a nonconformity and shall thereafter be subject to the restrictions set forth in this chapter.

B. A right granted by a variance or use permit requiring a building permit shall be deemed exercised when the permit has been secured, continuous onsite construction activity such as the pouring of a foundation, installation of utilities or other similar substantial improvements have commenced, and the construction is being diligently pursued to completion. Grading of a site shall not constitute construction activity. For purposes of this section, a right "requiring a building permit" shall mean a right by which specific construction activity requiring a building permit is authorized, which construction activity could not be legally performed in the absence of the variance or conditional use permit granting the right.

C. A right not requiring a building permit shall be deemed exercised when the activity permitted has commenced to the extent authorized by the variance or conditional use permit.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.060 **Continuance of nonconformities.**

Nonconformities may be continued subject to the provisions of this chapter.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991.)

17.5203.070 **Enlargement of nonconformities.**

Except as permitted in Section 17.5203.110, a nonconformity shall not be enlarged, expanded, or intensified:

- A. To occupy a greater area, either on the same or on any adjoining parcel of land.
- B. To other parts of a building when the nonconformity occupies a part of such building.
- C. To displace a conforming use.
- D. By use of non-adjoining land for parking, storage or other accessory or incidental uses.
- E. By any other change in the nonconformity which has a significant impact upon the use and enjoyment of any other property in the area.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991.)

17.5203.080 **Change from nonconforming use to another nonconforming use.**

A Planning Commission conditional use permit is required to change from one (1) nonconforming use to another nonconforming use. A conditional use permit must be granted prior to the change in nonconforming use or shall be subject to the provisions of Chapter 17.6400.070.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.090 **Repairs and alterations.**

- A. Structural alterations shall be permitted in nonconforming buildings or structures with the granting of a conditional use permit. Only such repairs as are a part of normal, necessary maintenance shall be permitted in nonconforming buildings or structures without an entitlement.
- B. Such repairs shall not exceed fifteen percent (15%) of the replacement value of the building or structure in any one (1) year.
- C. Structural alterations shall not be permitted in buildings or structures in which a nonconforming use exists.
- D. Notwithstanding subsections A, B, and C of this section, all repairs or alterations otherwise required by law shall be permitted.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.100 Change to nonconforming use.

A. Notwithstanding any other provision of this chapter, the Planning Commission may issue a use permit to authorize an addition, enlargement or relocation of a nonconforming building, structure, or use, or to authorize a change of a nonconforming use to a similar or less intensive nonconforming use, upon a determination that the benefit to the public health, safety or welfare exceeds any detriment inherent in such change.

B. The procedural and substantive requirements for any hearing to consider changes to a nonconformity as provided in this section shall be the same as those for a use permit provided in [Chapter 17. 5408](#). Both the standards in this section and the standards in [Chapter 17. 5408](#) must be satisfied before an application for a change to a nonconformity may be approved.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.110 Termination by discontinuance of use.

A. The discontinuance of a legal, nonconforming use for a continuous period of one (1) year shall terminate all rights in such conformity.

B. The discontinuance of a legal nonconforming use on a parcel of land containing no buildings and containing only structures incidental to the use of such land for a continuous period of three (3) months shall terminate all rights in such nonconformity.

C. The non-renewal of a business license establishes a presumption that the activity for which it was granted has been discontinued.

D. The abandonment of any nonconformity shall terminate all rights herein.

(Ord. 813- 2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.120 Termination by destruction.

If a nonconforming building or structure, or a conforming building or structure used for a nonconforming use, is damaged, destroyed, or demolished, the right to continue occupancy of the nonconforming building or structure, or to continue the nonconforming use shall cease; provided, however, that such building or structure may be repaired or rebuilt and reoccupied as follows:

A. If the cost of repairing or replacing the damaged portion of the building or structure does not exceed seventy-five percent (75%) of the total replacement value of the building or structure prior to damage or destruction, the building or structure may be restored and the use continued if such restoration is started within one (1) year of the date of damage or destruction and is diligently pursued to completion.

B. If the cost of repairing or replacing the damaged portion of the building exceeds seventy-five percent (75%) of the total replacement value of the building or structure prior to damage or destruction, a use permit shall be required to authorize the restoration of such building or structure and continue the use, upon a determination that the benefit to the public health, safety or welfare exceeds any detriment inherent in the restoration. The procedural and substantive requirements for any hearing to consider restoration of a nonconforming building or structure as

provided in this section shall be the same as those for a use permit provided in Chapter 17.5408. The standards in ~~Chapters 17.52~~ Chapters 17.03 and ~~Chapter 17.54~~ Chapter 17.08 must be satisfied before an application allowing restoration of nonconformity may be approved.

(Ord. 813-2015, § 2 (part), 2015; Ord. 571, §2, 1991).

17.5203.130 Nonconforming uses--nuisance.

In the event that a legal nonconforming use or building is found to constitute a public nuisance, nothing in this chapter shall be construed to permit the retention of such nonconforming use or building. The City Attorney may, with the consent of the City Council, commence an action or proceeding for the abatement and removal of such nonconforming use or building.

(Ord. 813- 2015, § 2 (part), 2015; Ord. 571, §2 1991).

Chapter 17.05 PLANNING ENTITLEMENT PROCESS

17.05.010 Intent.

17.05.020 Responsibility of applicant.

17.05.030 Applicability.

17.05.010 Intent.

The intent of this chapter is to identify the types of entitlements that are applied for in order to continue a use, develop property, develop property not in conformance with the development standards, or request confirmation of, deferment of, variance or conditional use, or any other review process prior to such development commencing.

17.05.020 Responsibility of an applicant.

The owner of real property, or the authorized agent of the owner, may submit an application for a permit, discretionary review, or legislative change request under this title relating to development on property. The application shall be in writing and shall be filed with the City.

- A. The application shall be accompanied by an application fee as established by City Council under "Master Fee Schedule" and by the plans, specifications, and other information required.
- B. The applicant shall attest by signature on the application that the information stated in the application is true to the best of the applicant's knowledge and belief.

17.05.030 Applicability.

No structure and/or uses shall be constructed, erected, placed or maintained and no land use commenced or continued within the City except as specifically, or by necessary implication, without the appropriate review by the City to allow such structures/uses.

Chapter 17.58-06 AMENDMENTS OR REZONING

17.5806.010 Generally.

17.5806.020 Initiation.

17.5806.030 Public hearings.

17.5806.040 Action by planning Commission.

17.5806.050 Action by eCity eCouncil.

17.5806.010 Generally.

This title may be amended by changing the boundaries of districts or by changing any other provisions thereof whenever the public health, safety and general welfare warrants such action.

(Ord. 491(part), 1986).

17.5806.020 Initiation.

A. An application for a zoning amendment to property shall be accompanied by a fee ~~to be~~ established by resolution of the eCity Council and may be initiated by a property owner or the City.

B. Only the City may initiate a text amendment to the Gridley Municipal Code and no other party has authority thereof.

(Ord 695, 2000; Ord 491 (part), 1986).

17.5806.030 Public hearings.

The planning eCommission shall hold public hearings as required by law on any proposed amendments, and shall give notice thereof in the following manner:

A. Hearings on the amendment of the text of this title require at least one (1) publication in a newspaper of general circulation not less than ten (10) calendar days prior to the date of hearing.

B. Hearings on a proposed rezoning of property require at least one (1) publication in a newspaper of general circulation not less than ten (10) calendar days prior to the date of the hearing. ~~The eommission~~ City may post public notice of the rezoning not less than ten (10) calendar days prior to the date of the hearing along the streets and roads upon which the property proposed to be reclassified abuts and the vicinity thereof.

(Ord. 491 (part), 1986).

17.5806.040 Action by planning eCommission.

~~Following the hearings~~ The pPlanning Commission, shall forward its recommendations to the City Council relaying ~~shall submit a report of its findings, and a summary of its hearings, together with~~ and its recommendations for consideration by the ~~to the~~ eCity eCouncil for final action.

(Ord. 491 (part), 1986).

17.5806.050 Action by eCity Council.

A. ~~Upon receipt of the report from the planning commission, the~~The eCity eCouncil shall ~~set~~
~~the~~consider the matter ~~for~~at a public hearing subsequent to the action of the Planning
Commission and shall give notice thereof by one (1) publication in ~~at least one~~ a newspaper of
general circulation at least ten (10) calendar days prior to such ~~review.~~ hearing.

B. The eCity eCouncil may approve, modify or disapprove the recommendations ~~from~~of the
ePlanning eCommission.

(Ord. 491 (part), 1986).

Chapter ~~17.50~~07 SITE DEVELOPMENT PLAN (SDP)

~~17.5007.010~~ Intent.

~~17.5007.020~~ Application.

~~17.5007.030~~ Appeal procedure.

~~17.5007.040~~ Exemptions.

~~17.5007.050~~ Application fee.

~~17.5007.010~~ 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.

(Ord. 458 § 1(part), 1984).

~~17.5007.020~~ 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 ~~17.5007.040~~ 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 ~~department of planning~~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 plot plan along with the information listed in 17.07.020 (B) in sufficient detail to adequately evaluate the project, ~~together with any necessary supplemental information,~~ and the application fee is presented ~~to the department of planning for review.~~

2. The application shall be circulated to staff for review and comments. The ~~planning director~~Planning Commission shall approve all site development plans, ~~that are consistent with applicable zoning regulations.~~

(Ord. 676 (part), 1998; Ord. 617, 1992)

B. Standards. The ~~site development plan committee or any appeal body,~~ may impose the following ~~standards~~information is required to be provided: ~~on a project subject to review under this section:~~

- ~~1. —1.—~~ Landscaping and Irrigation Plan
- ~~2. —including signing and lighting review—~~ Plan ;
2. Site Plan with Pparking requirementscalculation;

3. Grading Plan ~~On-site and off-site drainage;~~
4. Fencing requirements;
5. Hours of operation;
6. Location and position of uses on property;
7. Noise level limitations;
8. Access location and encroachment standards;
9. Building design (exterior);
10. ~~Grading requirements;~~
11. Other department or agency requirements;
12. Other requirements as deemed necessary and proper to protect the health, safety and welfare of the residents of the city.

(Ord.458 § 1(part), 1984)

17.507.030 Appeal procedure.

The decision of the ~~planning director~~ Planning Commission may be appealed pursuant to 17.00.020. shall be final unless a written appeal is filed with the planning department within ten days after such decision is made. Any person aggrieved by the decision of the ~~planning director~~ may appeal the decision to the ~~planning commission~~ pursuant to chapter 17.02.070 of this title.

(Ord. 676, 1998; Ord. 458 § 1(part), 1984).

17.507.040 Exemptions.

Exemptions shall be as follows:

- A. Interior building remodels;
- B. Minor alterations on building exteriors (as determined by the ~~director of planning~~ City Administrator/designee);
- C. Repair and maintenance of structures or parking areas;
- D. Expansion of twenty-~~four~~ five percent or less of developed area, including air space; however, -if the expansion should result in a requirement of more parking a site development review application shall be required in accordance with 17.07.020.

(Ord. 458 § 1(part), 1984).

17.507.050 Application fee.

An application fee for site development review shall be established by city council resolution.

(Ord. 458 § 1 (part), 1984).

Chapter 17.54-08 CONDITIONAL USE PERMITS

17.5408.010 General provisions.

17.5408.020 Temporary uses.

17.5408.030 Application procedure.

17.5408.035 Action by ~~city administrator~~ City Administrator/designee.

17.5408.040 Action by ~~planning commission~~ Planning Commission.

17.5408.050 Appeal.

17.5408.060 Revocation.

17.5408.080 Extension of time limits.

17.5408.090 Modification of use permits.

17.5408.010 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~~ City Administrator/designee and/or ~~planning commission~~ 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~~ 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~~ City standards;
- C. Regulation of height, number of stories;
- D. Regulation of the nature, hours of operation, extent of use;
- F. Regulation as to transferability of the use;
- G. Regulation of landscaping for the protection of adjoining and nearby properties;
- H. Regulation of off-street parking. (Ord. 806-2012 §3(part), 2012: Ord. 491 (part), 1986).

17.5408.020 Temporary uses.

Temporary uses may be approved by the ~~city administrator~~ 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; advertizing 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~~ 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~~ 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~~ 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~~ 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~~ 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~~ City. (Ord. 806-2012 §3(part), 2012).

17.5408.030 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~~City Administrator/designee and as described in Section ~~17.5408.060~~, 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~~City Administrator/designee and as described in Section 17.54.060, Revocation. (Ord. 806-2012 §3(part), 2102: Ord. 491 (part), 1986).

~~17.5408.035~~ Action by ~~city administrator~~City Administrator/designee.

A. The ~~city administrator~~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 ~~17.5408.040~~. 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~~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 ~~17.3672.040~~.

B. The ~~city administrator~~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 ~~17.5408.040~~.

C. When the ~~city administrator~~City Administrator/designee determines to approve or conditionally approve an application for a use permit, the ~~city administrator~~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~~City Administrator/designee, set forth the right of any interested party to request ~~planning commission~~Planning Commission review of the determination of the ~~city administrator~~City Administrator/designee.

D. If the ~~city administrator~~City Administrator/designee decides not to approve a use permit, the application shall be referred to the ~~planning commission~~Planning Commission for action under Section 17.54.040. (Ord. 806-2012 §3(part), 2012: Ord. 802-2012, 2012: Ord. 665, 1997).

~~17.5408.040~~ Action by ~~planning commission~~Planning Commission.

A. The ~~planning commission~~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 ~~17.5408.020~~ of this chapter, and those uses for which the ~~city administrator~~ City Administrator/designee may issue a use permit pursuant to Section ~~17.5408.035~~ 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~~ City or substantially impede enactment of the comprehensive plan. (Ord. 806-2012 §3(part), 2012: Ord. 665, 1997: Ord. 491 (part), 1986).

17.5408.050 Appeal.

A. Appeal from any finding of the ~~city administrator~~ City Administrator/designee may be made in writing to the ~~planning commission~~ Planning Commission within ten calendar days from the date the ~~city administrator~~ City Administrator/designee mails notice of the decision to issue a use permit pursuant to Section ~~17.5408.035~~. The ~~planning commission~~ Planning Commission may overrule the findings of the ~~city administrator~~ City Administrator/designee made pursuant to Section ~~17.5408.040~~, and reverse or modify the action of the ~~city administrator~~ City Administrator/designee accordingly.

B. Appeal from any finding of the ~~planning commission~~ Planning Commission may be made in writing to the ~~city~~ City ~~e~~ Council within ten calendar days from the date of the commission's action. Such appeal shall be made to the ~~city~~ City ~~e~~ Council which may overrule the findings of the ~~planning commission~~ Planning Commission but may not grant a conditional use permit which differs from that specified in the written application to the ~~planning commission~~ Planning Commission. (Ord. 806-2012 §3(part), 2012: Ord. 665, 1997: Ord. 491 (part), 1986).

17.5408.060 Revocation.

A. In any case where the conditions of the permit have not been or are not complied with, the ~~planning commission~~ Planning Commission shall give notice to the permittee of intention to revoke such permit at least ten (10)-calendar days prior to a hearing thereon. Following such hearing the ~~planning commission~~ 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~~ City Administrator/designee shall consider whether circumstances upon which the approval of the use permit was based have changed.

1. If the ~~city administrator~~ 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~~ Planning Commission.

2. If the ~~city administrator~~ City Administrator/designee determines that significant changes have or may have occurred, the ~~planning commission~~ 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~~Planning Commission following a noticed public hearing on the matter.

4. Prior to revocation, the ~~planning commission~~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~~City or substantially impede enactment of the comprehensive plan. (Ord. 806-2012 §3(part), 2012: Ord. 693, 1999: Ord. 491 (part), 1986).

17.5408.080 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 17.5408.030, Application procedure.

B. A noticed public hearing will be held before the ~~planning commission~~Planning Commission for consideration of time extension. Unless otherwise conditioned by the ~~planning commission~~Planning Commission, all conditions of approval must be completed by the permittee within twelve months of the permit issuance. (Ord. 491 (part), 1986).

17.54.090 Modification of use permits.

A. Any permittee may apply for a modification of the use permit by applying for reapplication pursuant to Section 17.5408.030, Application procedure.

B. The ~~planning commission~~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 17.54.050, Appeal. (Ord. 491 (part), 1986).

Chapter 17.56-09 Variances

17.5609.010 Granting requirements.

17.5609.020 Application procedure.

17.5609.030 Action by ~~planning commission~~Planning Commission.

17.5609.040 Appeal.

17.5609.050 Revocation.

17.5609.060 Permit signing.

17.5609.010 Granting requirements.

A. Where practical difficulties, unnecessary hardships or results inconsistent with the purpose and intent of this ~~title~~Title would result from the literal application of certain area, height, setback, or coverage regulations in this ~~title~~Title, variances may be granted as provided in this section.

B. The ~~planning commission~~Planning Commission may grant a variance when it finds that the grant of a requested variance will cause no significant hazard, annoyance or inconvenience to the owners or occupants of nearby property; will not significantly change the character of the neighborhood or reduce the value of nearby property; will not impose any significant obstacle to implementation of this ~~title~~Title or of the ~~general~~General planPlan. The ~~planning commission~~Planning Commission may attach any conditions to the grant of a variance under this section which it may find necessary to insure that the intent and purpose of this ~~title~~Title are in all respects observed.

(Ord. 491 (part), 1986).

17.5609.020 Application procedure.

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

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

17.5609.030 Action by ~~planning commission~~Planning Commission.

The ~~planning commission~~Planning Commission shall not grant a variance unless findings can be made:

A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to lands, structures or buildings in the same district;

B. That literal application of the provisions of this ~~title~~Title would deprive, the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ~~title~~Title;

C. That the granting of such application will not, under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

(Ord. 491 (part), 1986).

17.5609.040 Appeal.

Appeal from any finding of the ~~planning commission~~Planning Commission in the matter of a variance may be made in writing within ten calendar days from the granting or denial of a variance. Such appeal shall be made to the ~~city~~City council, which may overrule the findings of the ~~planning commission~~Planning Commission, but may not grant a variance which differs from that specified in the written application to the ~~planning commission~~Planning Commission.

(Ord. 491 (part), 1986).

17.5609.050 Revocation.

A. In any case where conditions attached to the granting of a variance have not been or are not complied with, the zoning administrator shall give notice to the permittee of intention to revoke such variance at least ten calendar days prior to the public hearing before the ~~planning commission~~Planning Commission thereon. After the conclusion of the hearing, the ~~planning commission~~Planning Commission may revoke such variance.

B. In any case where a variance has not been used within one year after the date of granting thereof, then without further action by the ~~planning commission~~Planning Commission, the variance permit granted shall be null and void. The ~~planning commission~~Planning Commission may approve a one-year extension upon written request by the permittee one month prior to the expiration date.

(Ord. 491 (part), 1986).

17.5609.060 Permit signing.

The variance permit shall be deemed granted when the appeal period has lapsed and the permit has been signed by the applicant and ~~planning director~~City Administrator/designee. The applicant must sign the variance permit within thirty days of receipt of the permit by certified letter. Any variance permits approved that are not signed within the thirty-day period shall be deemed invalid.

(Ord. 491 (part), 1986).

II. ZONING MAP AND DISTRICTS

- 17.06.010 Establishment of districts.
- 17.06.020 Zoning map--Adopted.
- 17.06.030 Zoning map--Interpretation.
- 17.06.040 Prezoning.

17.06.010 Establishment of districts.

The city is divided into the following zoning districts:

Agriculture District

- A. AR-5 Agricultural Residential District
- B. O-S Open Space District
- C. Urban Reserve

Residential District

- D. R-S Residential Suburban District
- E. R-1 Single-Family Residential District
- F. R-2 MDR, Medium Density Residential District
- G. R-3 MFR, Multiple-Family Residential District
- H. R-4 HDR, High Density Residential District

Commercial District

- I. C-1 Restricted Commercial
- J. C-2 General Commercial

Industrial, Manufacturing, Research and Development

- K. M-1 Limited Industrial
- L. M-2 Heavy Industrial
- M. M-3 Agriculture Industrial

Combining District

- N. MUCZ Mixed Use Combining
- O. Downtown Mixed Use
- P. Neighborhood Mixed Use
- Q. PD Planned Development District
- R. AO Agricultural Overlay District
- S. SP Special Parking Combining Zones

Public Use District

- T. PQP Public and Quasi-Public District
- (Ord 458 § 1(part), 1984).

17.06.020 Zoning map--Adopted.

The particular zoning map entitled "City of Gridley Zoning Map - ~~1984~~2016" together with its attachments, all being attached to the ordinance codified in this title is adopted as the official zoning map of the city.

(Ord 459 § 1, 1984).

17.06.030 Zoning map--Interpretation.

Where, due to the scale, lack of detail or illegibility of the official zoning map there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the planning director shall make an interpretation of the map upon request of any person. Any person aggrieved by any such interpretation may appeal to the Planning Commission. ~~The planning director and the planning commission, in interpreting interpretation of~~ the zoning map or deciding any appeal, shall apply the following standards:

A. Zoning district boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the centerlines of alleys, streets, rights-of-way or watercourses, unless such boundary lines are fixed by dimensions shown on the zoning map.

B. Where zoning district boundary lines are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundary lines.

C. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary line, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.

D. If, after the application of the provisions of this section, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary shall be determined in a reasonable manner by appeal to the eCity eCouncil, considering the history of uses of property and history of zoning ordinances and amendments in the ~~city~~ City as well as all other relevant facts.

(Ord. 458 § 1(part), 1984).

17.06.040 Prezoning.

When initiated by lawful petition, by recommendation of the pPlanning Ceommission or by action of the eCity eCouncil, an area outside the city boundary but within the planning area may be prezoned under the provisions and regulations of this ~~§~~ Title. The prezoned area will not be subject to the legal force or effect of this ~~§~~ Title until such time as the prezoned area is annexed to the eCity as provided by law. Any and all prezoned areas shall be recorded on the zoning map of the city. The procedures for initiation, hearings and action shall be as provided for rezoning in ~~Chapter 17.58~~ Chapter 17.06.

(Ord. 458 § 1(part), 1984).

Chapter 17.0812 AR-5 AGRICULTURAL RESIDENTIAL DISTRICT

- 17.0812.010 Intent.
- 17.0812.020 Permitted principal uses.
- 17.0812.025 Accessory uses.
- 17.0812.030 Conditional uses.
- 17.0812.040 Minimum lot area.
- 17.0812.050 Maximum building height.
- 17.0812.060 Minimum lot width.
- 17.0812.070 Maximum lot coverage.
- 17.0812.080 Minimum yard requirements.
- 17.0812.090 Parking requirements.
- 17.0812.100 Fence and hedge requirements.
- 17.0812.110 Sign requirements.
- 17.0812.120 Livestock requirements.

17.0812.010 Intent.

The purpose of the AR-5 district is ~~intended to establish and 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.

(Ord. 458 § 1 (part), 1984).

17.0812.020 Permitted principal uses.

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

- A. ~~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:

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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.

Form
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B. One single-family dwelling unit per lot. ~~A mobile or other manufactured structure may be installed on a lot in lieu of a conventional single family home,~~ provided it meets all of the following criteria:

1. The structure is ~~a mobile or other~~ conventionally framed, kit, prefabricated, modular, or manufactured home as defined in this Chapter; and
2. It is placed on a foundation system pursuant to Section 18551 of the Health and Safety Code; and
3. It was not manufactured more than ten (10) years prior to the date of application for a permit to install it on the lot”

(Ord 671, 1997; Ord. 545 §1(part), 1989; Ord. 458 §1(part), 1984).

C. ~~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 17.36.~~

(Ord. 569 §2, 1990).

D. Dwellings ~~and mobile~~ homes for farmworker or agricultural housing. (Ord. 809-2014 § 1 (part), 2014; Ord. 797 §6, 2011)

~~17.08~~12.025 Accessory uses.

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

- A. Home occupations, pursuant to ~~Chapter 17.44~~Chapter 17.84;
- B. At-home commercial services, pursuant to ~~Chapter 17.45~~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.

(Ord 637, 1994; Ord. 458 § 1(part), 1984).

17.0812.030 Conditional uses.

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

- ~~A. Second dwelling units, pursuant to Chapter 17.42;~~
- B. Veterinary hospitals and clinics;
- C. Golf courses;
- D. Public and quasi-public uses;
- E. Residential care ~~homes for more than six people~~facility.
- F. Keeping of cattle or swine;
- G. Kennels;
- ~~F. One mobile home not on a foundation, per lot where there are no dwellings on the lot.~~

(Ord. 797 §6, 2011; Ord. 569 §4, 1990, Ord. 545 §1(part), 1989).

17.0812.040 Minimum lot area.

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

(Ord. 458 § 1(part), 1984).

17.0812.050 Maximum building height.

A residential structure shall not exceed a height of ~~No building in an AR-5 district shall exceed a height of thirty-five feet.~~ There is no height limit to other structures supporting agricultural uses in this zoning designation.

(Ord. 458 § 1(part), 1984).

17.0812.060 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.

(Ord. 458 § 1(part), 1984).

17.0812.070 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 uses-structures, ~~permitted with a use permit, sixty-four~~ (60) percent.

(Ord. 572, § 1, 1991; Ord. 542 § 1(part) 1989; Ord. 458 § 1 (part), 1984).

17.0812.080 Minimum yard requirements.

In an AR-5 district, the provisions of ~~Chapter 17.48~~ Chapter 17.78 shall apply.

(Ord. 458 § 1(part), 1984).

17.0812.090 Parking requirements.

In an AR-5 district, the general provisions of ~~Chapter 17.46~~ Chapter 17.76 shall apply.

(Ord. 458 § 1(part), 1984).

17.0812.100 Fence and hedge requirements.

In an AR-5 district, the general provisions of ~~Chapter 17.36~~ Chapter 17.72 shall apply.

(Ord. 458 § 1(part), 1984).

17.0812.110 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.

(Ord. 458 § 1(part), 1984).

17.0812.120 Livestock requirements.

Livestock may be kept in AR-5 districts if the following criteria are met:

- A. No commercial raising of livestock.
- B. Livestock raising is for educational or personal recreation.
- C. All areas and enclosures where livestock is kept to be maintained in a clean and sanitary manner.

(Ord. 545 § 1 (part), 1989)