

Gridley Planning Commission – Regular Meeting Agenda

Wednesday, December 15, 2021; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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

The Public is encouraged to attend and participate in person. Comments from the public on agenda items will be accepted until 4 pm on December 15, 2021, via email to jmolinari@gridley.ca.us or via the payment/document drop box at Gridley City Hall and will be conveyed to the Commission for consideration.

You may view using the following link, ID, and passcode:

<https://us06web.zoom.us/j/83017705070?pwd=aHZiUHFieFd5a0cxZGlzeEpONko0UT09>

Webinar ID: 830 1770 5070

Passcode: 047464

OR

Call-in using one of the following numbers, and the above ID and passcode:

1-(253) 215-8782

1-(720) 707-2699

To make a public comment during the Community Participation Forum or during the public portion of any agenda item, use the ‘raise hand’ feature and you will be called on when it’s your turn to speak.

CALL TO ORDER

ROLL CALL

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 act on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.

CONSENT AGENDA

1. Commission minutes dated August 18, 2021

PUBLIC HEARING

2. **Stewart Tentative Parcel Map 3-21**; Application for a Tentative Parcel Map to subdivide an existing developed 0.2- acre parcel into two, 0.1-acre parcels in the Single-Family

Residential District (R-1) and General Plan Land Use Designation of Residential, Low Density. The property is located on the northwest corner of Sycamore Street and Oregon Street. (APN 009-173-006)

- a. Receive Staff Report
- b. Open Public Hearing
- c. Close Public hearing
- d. Commission Discussion

3. **Industrial Park Tentative Subdivision Map 4-21;** Application for a Tentative Subdivision Map to subdivide an existing partially developed 70-acres into eight parcels zoned Heavy Industrial (M-2) and a General Plan Land Use Designation of Industrial. The property is located in the City of Gridley Industrial Park. (APN 021-240-027 and 021-240-042)

- a. Receive Staff Report
- b. Open Public Hearing
- c. Close Public hearing
- d. Commission Discussion

4. **Zoning Text Amendment 1-21:** Zoning text amendment to Chapter 17, Performance Standards, to establish the use of generators and allowable noise levels.

- a. Receive Staff Report
- b. Open Public Hearing
- c. Close Public hearing
- d. Commission Discussion

CITY STAFF AND COMMISSION INFORMATIONAL UPDATES

ADJOURNMENT – Adjourning to the next regularly scheduled meeting on January 19, 2022.

This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m. on December 10, 2021. 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 to accommodate your request.

Gridley Planning Commission – Regular Meeting Minutes

Wednesday, August 18, 2021; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

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

Notice of Temporary City Planning Commission Meeting Procedures

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Act, Governor Gavin Newsom’s Emergency Declaration related to COVID-19, and Governor Newsom’s Executive Order N-29-20 issued March 17, 2020 that allows attendance by Planning Commission, City staff and the public to participate and conduct the meeting remotely and to participate in the meeting to the same extent as if they were present. Comments from the public on agenda items will be accepted until 2 pm on August 18, 2021, via email to jmolinari@gridley.ca.us and will be conveyed to the Commission for consideration. The Commission appreciates the public’s adaptation and patience during this time.

CALL TO ORDER

Chair Espino called the meeting to order at 6:00 pm.

SWEARING IN AND SEATING OF NEWLY APPOINTED COMMISSIONERS

- Allan Cornett
- Beverly Jamison

City Administrator Cliff Wagner swore in the two new commissioners, and they took their seats at the dais.

ROLL CALL

Planning Commissioners

Present: Espino, Wolfe, Cornett, Jamison
Absent: Khan
Arriving after roll call: None

Staff Present: Donna Decker, City Planner

COMMUNITY PARTICIPATION FORUM

Pat Coghlan, 852 Idaho Street, addressed the Commission regarding his concern about the following sentence on the agenda, “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.”

CONSENT AGENDA

1. Commission minutes dated July 28, 2021

Motion to approve the consent agenda by Commissioner Jamison, seconded by Vice Chair Wolfe.

ROLL CALL VOTE

Ayes: Espino, Wolfe, Jamison, Cornett

Motion passed, 4-0

PUBLIC HEARING

2. **Tentative Parcel Map No. 2-21; Application** for a tentative parcel map to subdivide one parcel consisting of approximately 8.66 acres into forty-six (46) parcels for a residential housing development located on the south side of Little Avenue at the southeast corner of Richins Road and Little Avenue (APN: 021-250-008)

General Plan Amendment GPA 2-21 and Rezone RZ 2-21; Application for a General Plan Amendment and Rezone of approximately 8.66 acres from the General Plan land use designation of Residential, Very Low Density (RVLD) to Residential, Medium Density (RMD), and rezone from Residential Suburban (R-S) to Single Family Residential District (R-1) located at the south side of Sycamore Street adjacent to Palm Lane (APN: 021-250-008)

Planner Donna Decker reviewed the staff report stating the previous approved Tentative Subdivision Map had expired. The new map has an increased number of lots to meet the increased need for homes due to recent and ongoing California fires. Decker noted the following changes to the Conditions of Approval: #2 would say 'a three (3) year period' instead of 5 years and #23 would be removed completely.

There was brief discussion among the Commission that included the increased traffic on Little Avenue.

Motion to approve item #2 as staff recommended with changes to the Conditions of Approval by Commissioner Jamison, seconded by Vice Chair Wolfe.

ROLL CALL VOTE

Ayes: Cornett, Espino, Wolfe, Jamison

Motion passed, 4-0

CITY STAFF AND COMMISSION INFORMATIONAL UPDATES

There were no updates provided.

ADJOURNMENT

With no items for further discussion, the Commission adjourned to the next regularly scheduled meeting on September 15, 2021.

Donna Decker, Planner

DRAFT

Planning Commission Item #2
Staff Report

Date: December 15, 2021
To: Chair and Planning Commissioners
From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Stewart Tentative Parcel Map 3-21;** Application for a Tentative Parcel Map to subdivide an existing developed 0.2- acre parcel into two, 0.1-acre parcels in the Single-Family Residential District (R-1) and General Plan Land Use Designation of Residential, Low Density. The property is located on the northwest corner of Sycamore Street and Oregon Street. (APN 009-173-006)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15315, Minor Land Divisions; and,
2. Recommend the City Council approve Tentative Parcel Map 3-21 to subdivide an approximately 0.2-acre parcel into two parcels consisting of a 0.1-acre parcel each subject to the conditions of approval, Exhibit A.

Summary

The applicant, Arnold and Dianne Stewart, submitted an application for a tentative parcel map to create two parcels of equal size approximately 0.1 acre each.

Site Description

The subject site is an approximately 0.2-acre parcel located at 505 Oregon Street and 1640 Sycamore Street. The parcel currently has two existing homes; one faces Oregon Street

and the other faces Sycamore Street. It is bounded on the south by Sycamore Street and on the east by Oregon Street. The subject site is surrounded by single family residential. The west property is contiguous to an alleyway.

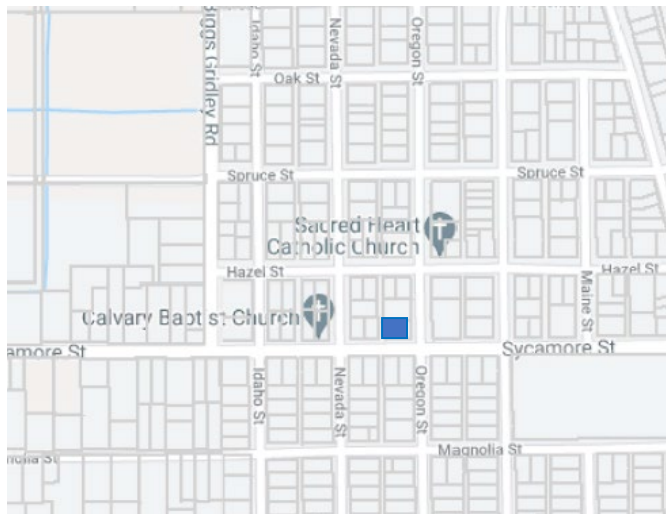


Figure 1: Site Location

Discussion

Proposed project

The site has two existing residences on site. Each home has its own address. The applicant wishes to subdivide the property to enhance the opportunity of home ownership for the parcels. The existing lot is 8,712 square feet. Each lot will be approximately 4,356 square feet continuing to be consistent with the single-family residential zoning district.

General Plan and Zoning

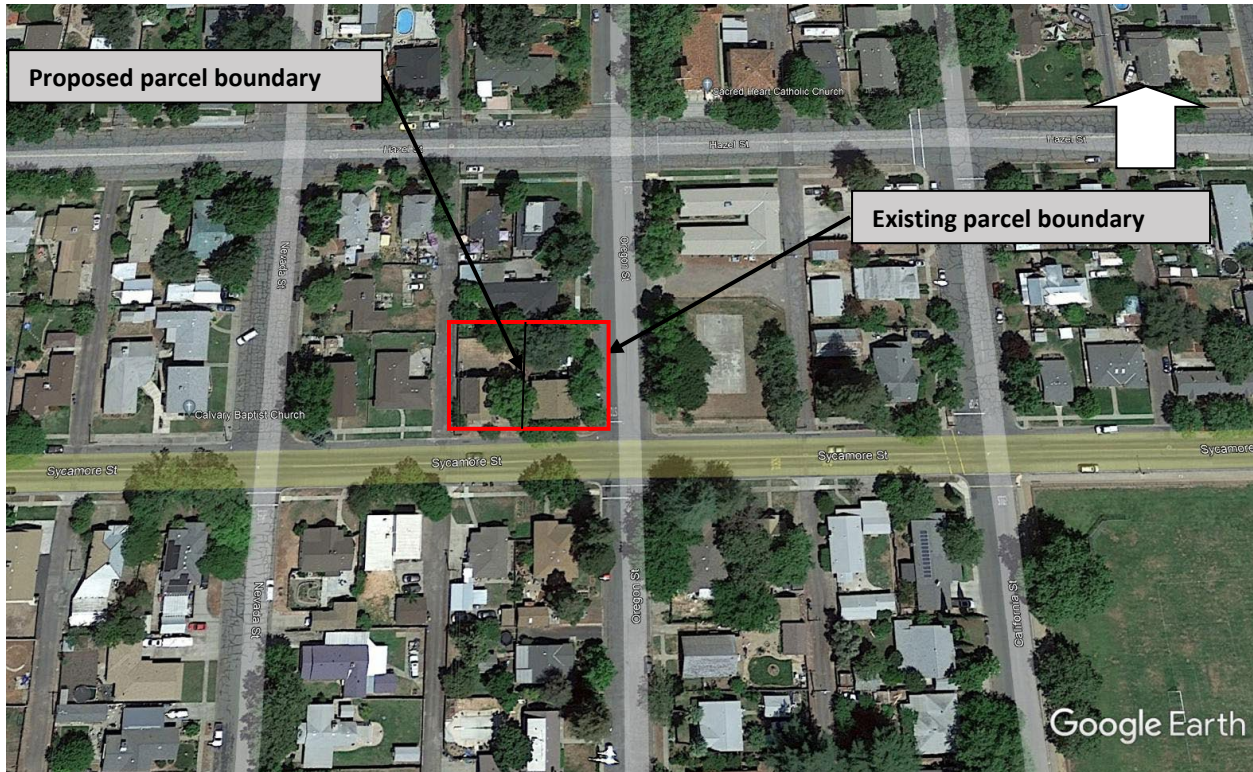


Figure 2: Proposed Parcel Division

The subject site is zoned Single-Family Residential District. Within this zoning designations, parcels are further defined by the lot size. The existing lot being 8,712 square feet is a lot in conformance to the R-1 designation. When the original lot is subdivided into two, the zoning will be R-1B. The R-1B designation is for lots between 3,501 square feet and 5,999 square feet. The lot coverage is increased from 40% to 60%. Additionally, interior yard setbacks are reduced from 5 feet to 0-3 feet. Although the setbacks are reduced, additional building requirements for fire resistive construction are required due to the reduced interior side yard setback. The General Plan land use designation is Residential, Low Density.

Tentative Map

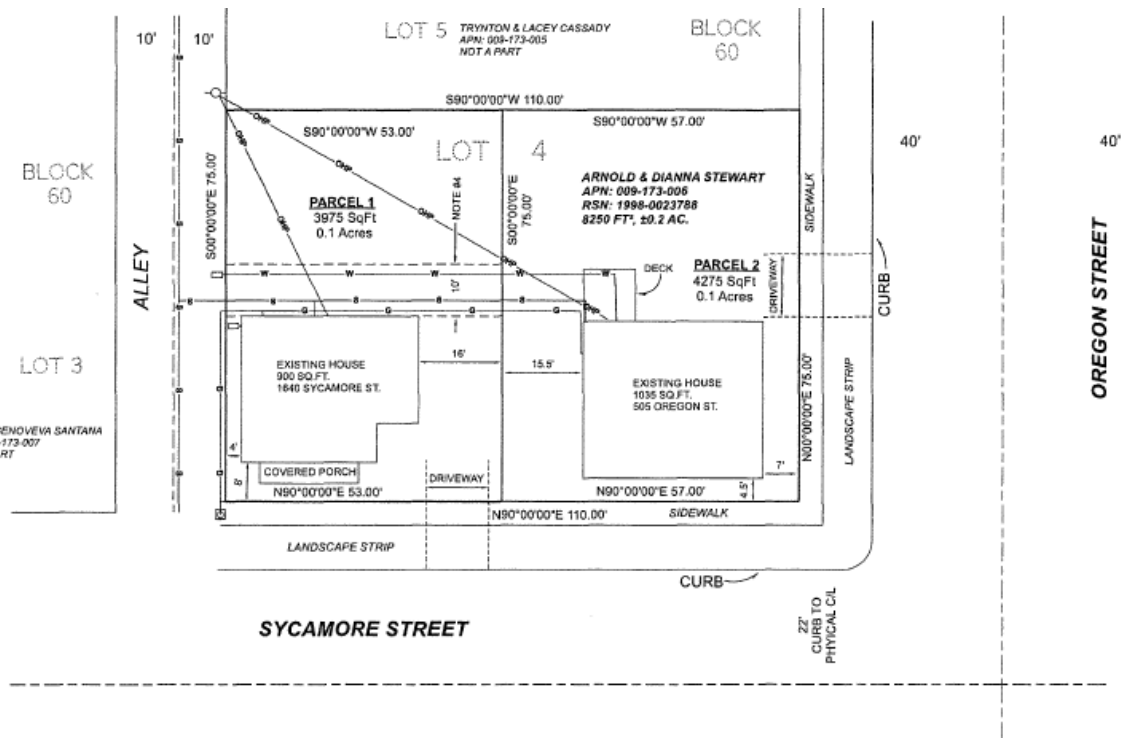


Figure 2: Proposed Tentative Map

The Tentative Map indicates easements crossing the proposed property lines. The applicant will need to relocate utilities and construct required improvements prior to filing a Final Map. The project has been conditioned.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, posted at City Hall, made available at the Administration public counter, and placed on the city website for review. Notices were also mailed to all owners within 300 feet. At the time this report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15315, Minor Land Divisions of the California Environmental Quality Act (CEQA).

Attachments –

- Exhibit A- Draft Conditions of approval
- Exhibit B- Tentative Parcel Map

Exhibit A

Conditions of Approval
TPM 3-21
(APN 009-173-006)

1. The applicant/property owner shall file a Declaration of Acceptance of the Conditions of Approval within 30 days of approval for the Tentative Parcel Map 3-21.
2. The Tentative Parcel Map 3-21 shall expire after a three (3) year period. An extension by the is allowed under the Subdivision Map Act; the applicant would need to apply 30 days prior to the expiration of the Tentative Parcel Map.
3. If the Tentative Parcel Map expires, a new application to develop the site would be required.
4. Any development of the site shall submit an application for review and approval to the City of Gridley and gain all necessary permits prior to construction.
5. The project shall be required to pay all applicable impact fees for the development of the project.
6. Minor changes may be approved by the Planning Director upon receipt of a request by the applicant, or their respected designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the approved application. Changes deemed to be major or significant in nature shall require a formal application for amendment.
7. In the event of the discovery or recognition of prehistoric or historic resources in the area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American heritage Commission within 24 hours.

Upon completion of the site examination, the archeologist shall submit a report to the City describing the significance of the finds and make recommendations as to its disposition. If human remains are unearthed during construction, the provisions of California Health and Safety Code Section 7050.5 shall apply. Under this section, no further disturbance of the remains shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. Mitigation measures, as recommended by the archaeologist and approved by the City, shall be implemented prior to recommencement of construction

activity within the 50-foot perimeter.

8. Prior to any site work, the project applicant shall submit a geotechnical report to the City, prepared by a certified engineering geologist. The project applicant shall incorporate any recommended measures into the final site plan.
9. The site shall have storm water pollution control measures in place prior to construction.
10. Upon commencement of grading and construction activities, the applicant shall implement measures to offset particulate matter and emissions from construction equipment as specified by Butte County Air Quality Management District.
11. The applicant/developer shall implement the conditions of approval listed herein prior to recordation of the Final Map.
12. Prior to recordation of a Final Map, the applicant shall submit for review and approval improvement plans prepared by a California registered civil engineer, that shall include, not limited to, details related to above and underground infrastructure; piping and service laterals, meters, drop inlets, manholes, curb, gutter, and sidewalk, roadway, pavement markings, lighting, hydrants, street signs, electrical, transformer pedestals, and any and all components as required by the City of Gridley, the City Engineer, the Utility Supervisor, and Public Works Manager. Plans shall meet all required state and local ordinances, regulations, and Public Works Development Standards. Omissions on the plans does not constitute approval for the omission. Plans shall be reviewed and approved by the City Engineer and the Gridley Municipal Services Division.
13. Prior to recordation of the Final Map, the applicant shall coordinate with the Butte County Assessor's Office and Tax Collector to segregate any assessments against the properties and pay any delinquent, current, and future taxes and/or assessments against the properties as required.
14. Coordinate the location of utilities and if a utility easement is required for construction of relocated utilities.
15. Prior to approval of a Final Map all of the following requirements shall be completed:

A registered engineer shall prepare and submit the following information to Gridley Department of Public Works for review and approval:

 - a. Construction details, plans and profiles, typical sections, specifications, and maintenance plans for any proposed facilities to be constructed to serve the parcels created by this subdivision.
 - b. Relocate all utilities from crossing property lines.
16. Telephone, cable television, electric, and gas service shall be provided to all parcels and

shown on plans in accordance with the Gridley Public Works Construction Standards, the Gridley Municipal Code, and the requirements of the agencies providing these services. Existing facilities shall be relocated as directed by the City Engineer, Electric Utilities, and the Department of Public Works.

17. If any existing utilities must be relocated as a result of this subdivision, the agencies that own the facilities may require the owner/developer to pay the cost of such relocations.
18. The lots shall be graded in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit grading details, plans and specifications prepared by a registered engineer to the City Engineer for review and approval prior to the start of any work.
19. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to the plaintiff in an action challenging the validity of this tentative parcel map or any environmental or other documentation related to approval of this tentative subdivision map.
20. Provide existing topography 50 feet beyond boundary and proposed finish grade contour lines both at 0.5-foot contour intervals.
21. Provide the utility locations on the plans and coordinate with the city.
22. Determine and install a fire hydrant and locate in accordance with the requirements of the Gridley Fire Department.
23. Develop conceptual sewer utility service and tie in locations.
24. Provide Landscape and Irrigation Plan for lots at the time of development including the site with the existing home.
25. All overhead utilities shall be underground.
26. Update driveways to City Standard Residential Driveway. Driveways shall be concrete.
27. Construct an ADA ramp at Sycamore and Oregon – Crossing Oregon only.
28. Prior to the filing the Final Map, electric utilities shall be undergrounded. A minimum of two-3" conduits shall be provided as required by the city to provide service. The City Electric Department will provide directions for the installation; the cost is the responsibility of the owner/ developer.

29. The applicant is responsible for the maintenance of the landscape parkway, curb, gutter and sidewalk. The planting strip shall be upgraded and planted with trees and groundcover. Review and approval shall be by the Planning Department. Any broken curbing or sidewalk shall be determined and removed and replaced at the expense of the owner. The owner shall enter into a maintenance agreement with the city.

SANNAR LAND SURVEYING
 RICHARD F. SANNAR, PLS
 556 LITTLE AVENUE
 GRIDLEY, CA 95948
 PHONE: (530) 680-7212

APN: 009-173-006 SHEET 1 OF 1 OCTOBER, 2021

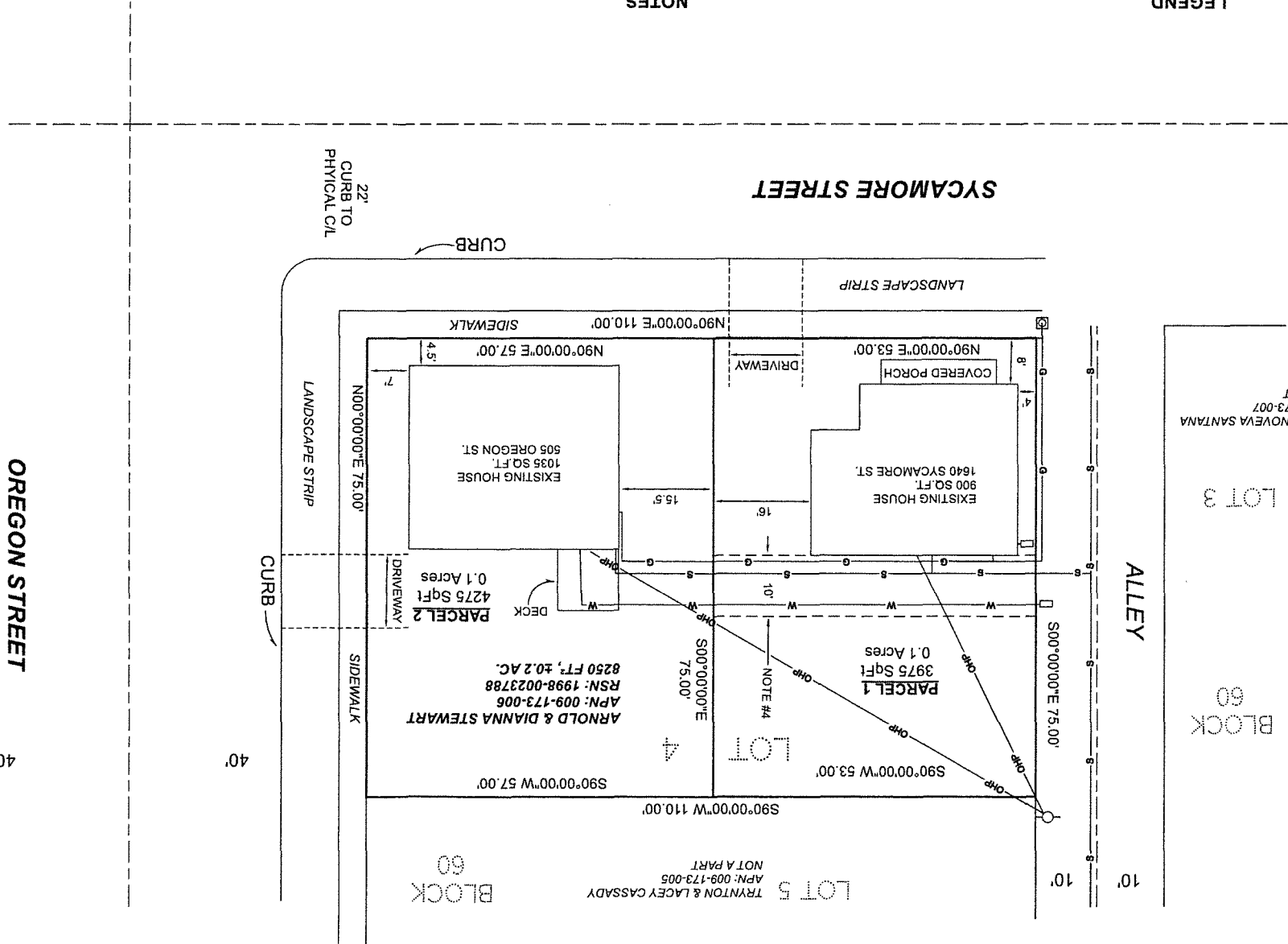
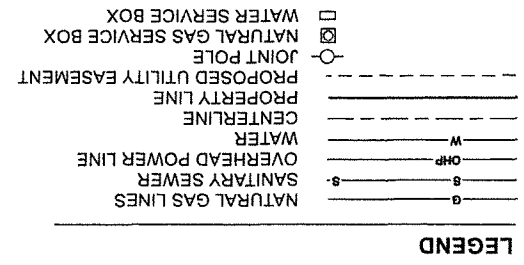
OWNER/APPLICANT:
 ARNOLD & DIANNA STEWART
 144 OBERMEYER AVENUE
 GRIDLEY, CA 95948
 (530) 846-4159

ZONING: R1 - SFR
 GENERAL PLAN: RESIDENTIAL, LOW DENSITY

CITY OF GRIDLEY, COUNTY OF BUTTE, STATE OF CALIFORNIA
 BEING A LAND DIVISION OF LOT 4 IN BLOCK 60 OF THAT
 CERTAIN MAP ENTITLED, "MAP OF THE TOWN OF GRIDLEY"
 AS FILED IN BOOK 1 OF MAPS AT PAGE 41 IN BUTTE COUNTY
 RECORDS, LOCATED IN SECTION 36 TOWNSHIP 18 NORTH
 RANGE 2 EAST, M.D.M.

TENTATIVE PARCEL MAP

- NOTES**
1. THE SUBJECT PARCEL IS WITHIN THE CITY LIMITS.
 2. THE SUBJECT PARCEL IS LEVEL WITH A SLOPE OF LESS THAN 1% ACCORDING TO FEMA FLOOD ZONE MAPS. NO GRADING IS PROPOSED AS PART OF THIS TENTATIVE PARCEL MAP.
 3. THE EXISTING HOUSES LOCATED ON PROPOSED PARCEL 1 AND PROPOSED PARCEL 2, RESPECTIVELY, ARE CONNECTED TO MUNICIPAL UTILITY SERVICES. BOTH HOUSES TO BE RETAINED. NO WELLS OR SEPTIC SYSTEMS EXIST ON EITHER PROPOSED PARCEL.
 4. PROPOSED 10FT PUBLIC UTILITY EASEMENT TO SERVE PARCEL 2.



JOSE & GENOVEVA SANTANA
 APN: 009-173-007
 NOT A PART

LOT 3

ALLEY

BLOCK 60

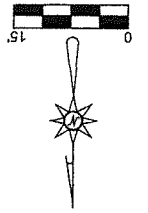
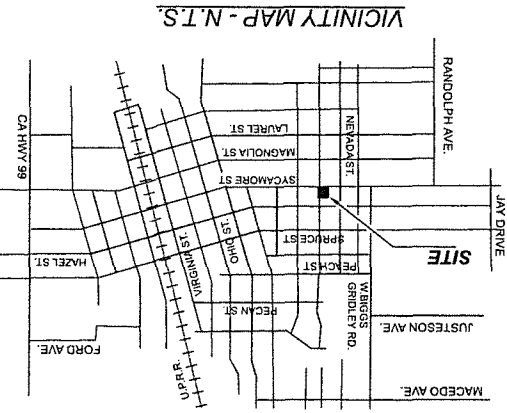
LOT 5
 TRANTON & LACEY CASSADY
 APN: 009-173-005
 NOT A PART

BLOCK 60

OREGON STREET

SYCAMORE STREET

22' CURB TO PHYSICAL CL



Planning Commission Item #3
Staff Report

Date: December 15, 2021
To: Chair and Planning Commissioners
From: Donna Decker, Planning Department

X	Regular
	Special
	Closed
	Emergency

Subject: **Industrial Park Tentative Subdivision Map 4-21;** Application for a Tentative Subdivision Map to subdivide an existing partially developed 70-acres into eight parcels zoned Heavy Industrial (M-2) and a General Plan Land Use Designation of Industrial. The property is located in the city of Gridley Industrial Park. (APN 021-240-027 and 021-240-042)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15315, Minor Land Divisions; and,
2. Recommend the City Council approve Tentative Parcel Map 4-21 to subdivide approximately 70-acres into eight parcels.

Summary

The Industrial Park was part of the lands within the city of Gridley Redevelopment Agency. As a result of the State of California terminating these agencies, the city entered into a Long-Range Property Management Plan with the Department of Finance to divest its real capital assets. The Plan identifies existing Agency real property assets (e.g., land, buildings, etc.) and sets forth a strategy for the appropriate retention and disposition of such assets in accordance with the provisions of AB 1484. The state granted approximately half of the acreage to remain as city property for the development of municipal uses; the remainder is required to be sold.

Site Description

The subject site is an approximately 70 acres comprising the land area of the Industrial Park. It has recently had the FEMA Emergency Housing which is now also terminated providing an opportunity to sell a portion of the property identified for divestment.

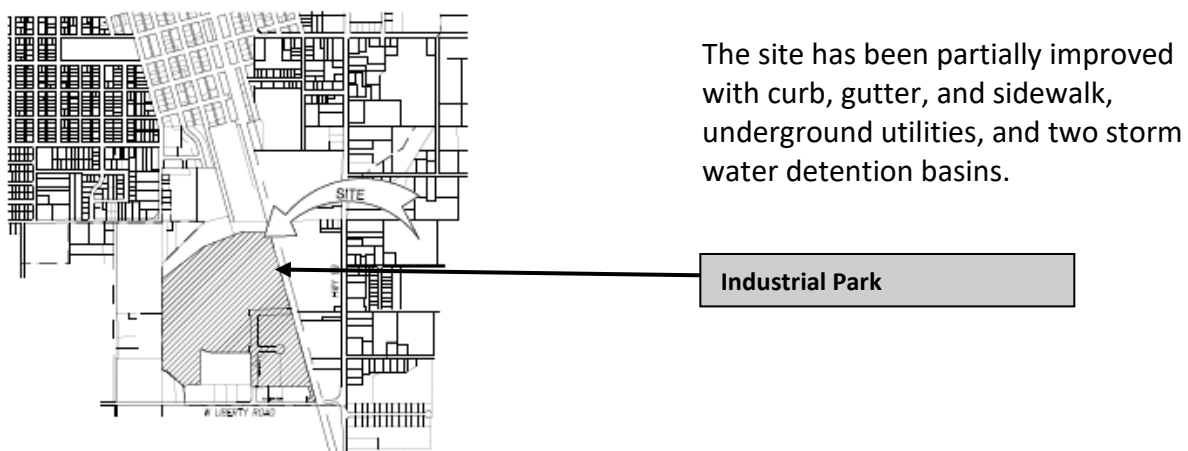


Figure 1: Site Location

Discussion

Proposed project

In an effort to divest the real property assets, staff has proceeded to develop a tentative subdivision map to sell the parcels implementing the Long-Range Property Management Plan. The sale of the property will complete the obligation the city has to its taxing entities. The city will receive approximately 18% of the sale of the real property.

General Plan and Zoning

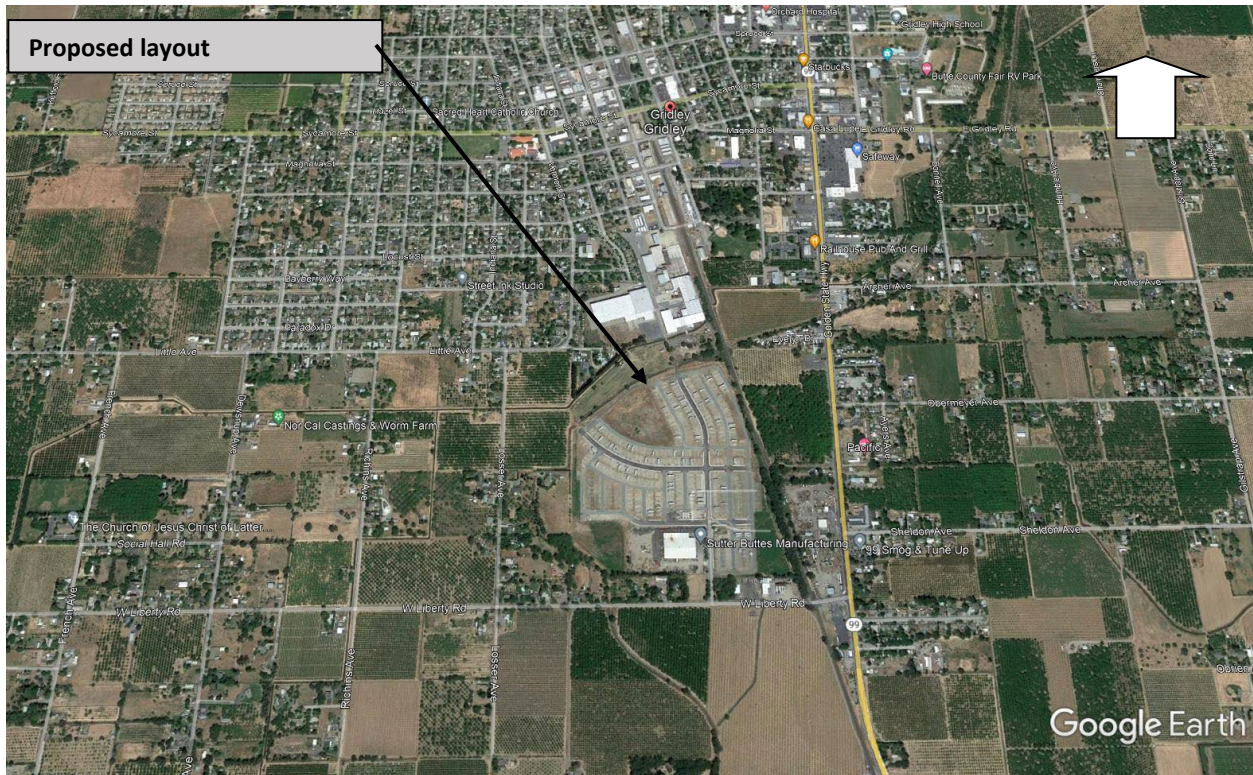


Figure 2: Existing conditions

The subject site is zoned Heavy Industrial (M-2) District. The General Plan land use designation is Industrial. The state desires to have redevelopment lands be sold to uses that complement the intended industrial use. The city will ensure through the sale process to adhere to the intent as is practicable.

Tentative Map

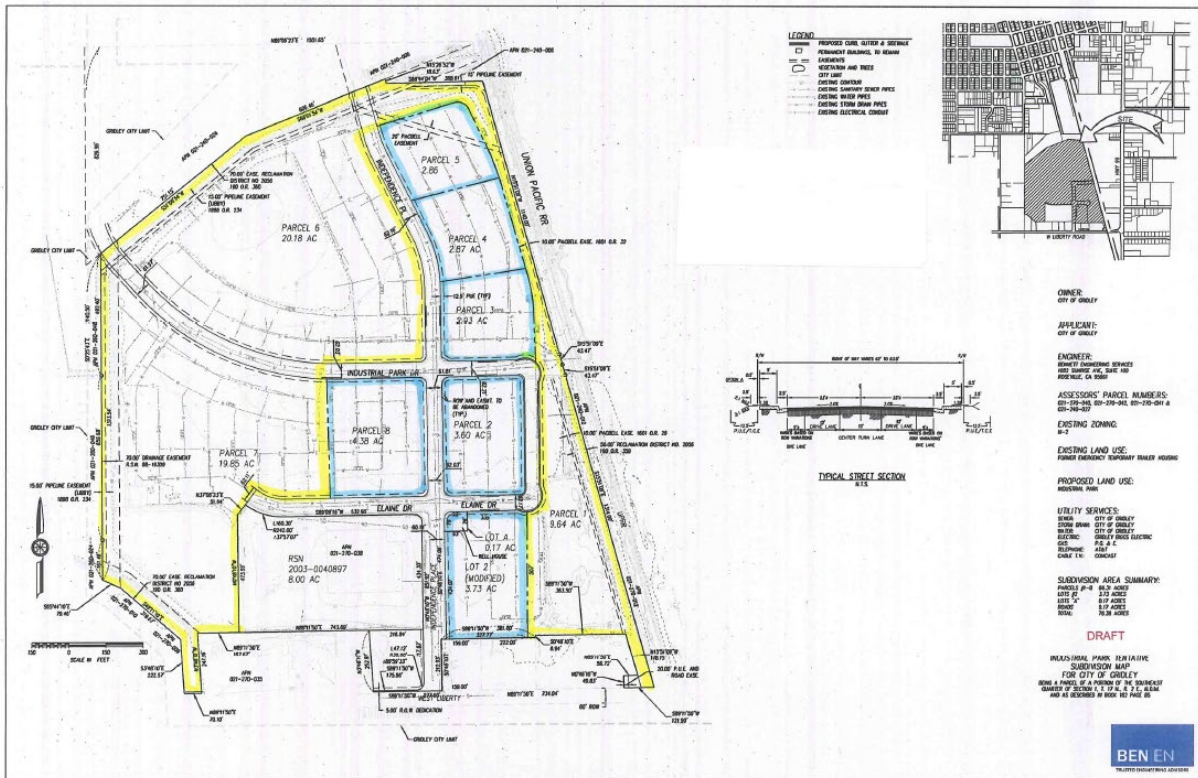


Figure 2: Proposed Tentative Map

The proposed Tentative Subdivision Map has segregated lands to be held by the city as shown in Figure 2 outlined in yellow. The six parcels outlined in blue represent the parcels that will be sold. The city does not condition itself; however, Exhibit A reflects common conditions that will be met in accordance with the Subdivision Map Act and the city codes and regulations.

Public Notice

A notice was posted in the Gridley Herald 10 days in advance of the Planning Commission meeting, posted at City Hall, made available at the Administration public counter, and placed on the city website for review. Notices were also mailed to all owners within 300 feet. At the time this report was prepared no comments had been received.

Environmental Review

The project to be categorically exempt in accordance with Section 15312, Surplus Government Property Sales of the California Environmental Quality Act (CEQA).

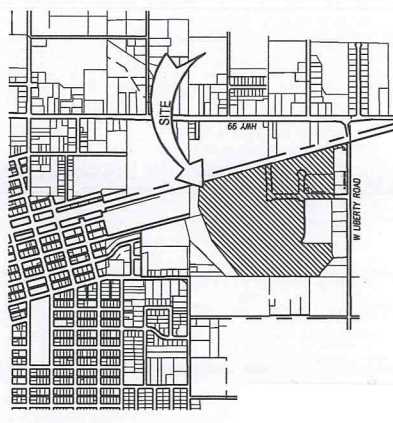
Attachments –

- Exhibit A- Draft Conditions of approval
- Exhibit B- Tentative Subdivision Map

Exhibit A

TSM 4-21
(APN 021-240-027 and 021-240-042)

1. The Tentative Parcel Map 4-21 shall expire after a three (3) year period. An extension by the is allowed under the Subdivision Map Act; the applicant would need to apply 30 days prior to the expiration of the Tentative Parcel Map.
2. If the Tentative Parcel Map expires, a new application to develop the site would be required.
3. Any development of the sites identified for sale shall submit an application for review and approval to the City of Gridley and gain all necessary permits prior to construction.
4. The project developers of sold parcels shall be required to pay all applicable impact fees for the development of a project. No costs for impact fees shall be absorbed by the city.
5. Minor changes may be approved by the Planning Director upon review and approval made by each Department.
6. Street improvements and infrastructure are the responsibility of the parcel developers for those that will be sold consisting of Lot 2, Parcel 2, Parcel 3, Parcel 4, Parcel 5 and Parcel 8
7. Prior to recordation of the Final Map, the city shall coordinate with the Butte County Assessor's Office and Tax Collector do determine property tax segregation of the new parcels.
8. If any existing utilities must be relocated as a result of this subdivision, the agencies that own the facilities shall coordinate with the city of such relocations.
9. The sold lots shall be graded in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer(s) shall submit grading details, plans and specifications prepared by a registered engineer to the City Engineer for review and approval prior to the start of any work.
10. The developer of purchased parcels shall hold the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to the plaintiff in an action challenging the validity of this tentative parcel map or any environmental or other documentation related to approval of this tentative subdivision map.
11. The development of sold parcels shall adhere to and conform to all city of Gridley municipal codes, regulations, and ordinances in effect at the time of development.



- LEGEND**
- PROPOSED CURB, GUTTER & SIDEWALK
 - PERMANENT BUILDINGS TO REMAIN
 - VEGETATION AND TREES
 - CITY LIMIT
 - EXISTING CONTOUR
 - EXISTING WATER MAIN PIPES
 - EXISTING STORM DRAIN PIPES
 - EXISTING ELECTRICAL CONDUIT

OWNER:
CITY OF ORIDLEY

APPLICANT:
CITY OF ORIDLEY

ENGINEER:
BENNETT ENGINEERING SERVICES
1807 SARGENT AVE. SUITE 100
ROSELAND, CA 95061

ASSESSORS' PARCEL NUMBERS:
001-270-001, 001-270-002, 001-270-003, &
001-270-007

EXISTING ZONING:
M-2

EXISTING LAND USE:
FORMER EMERGENCY TEMPORARY TRAILER HOODING

PROPOSED LAND USE:
INDUSTRIAL PARK

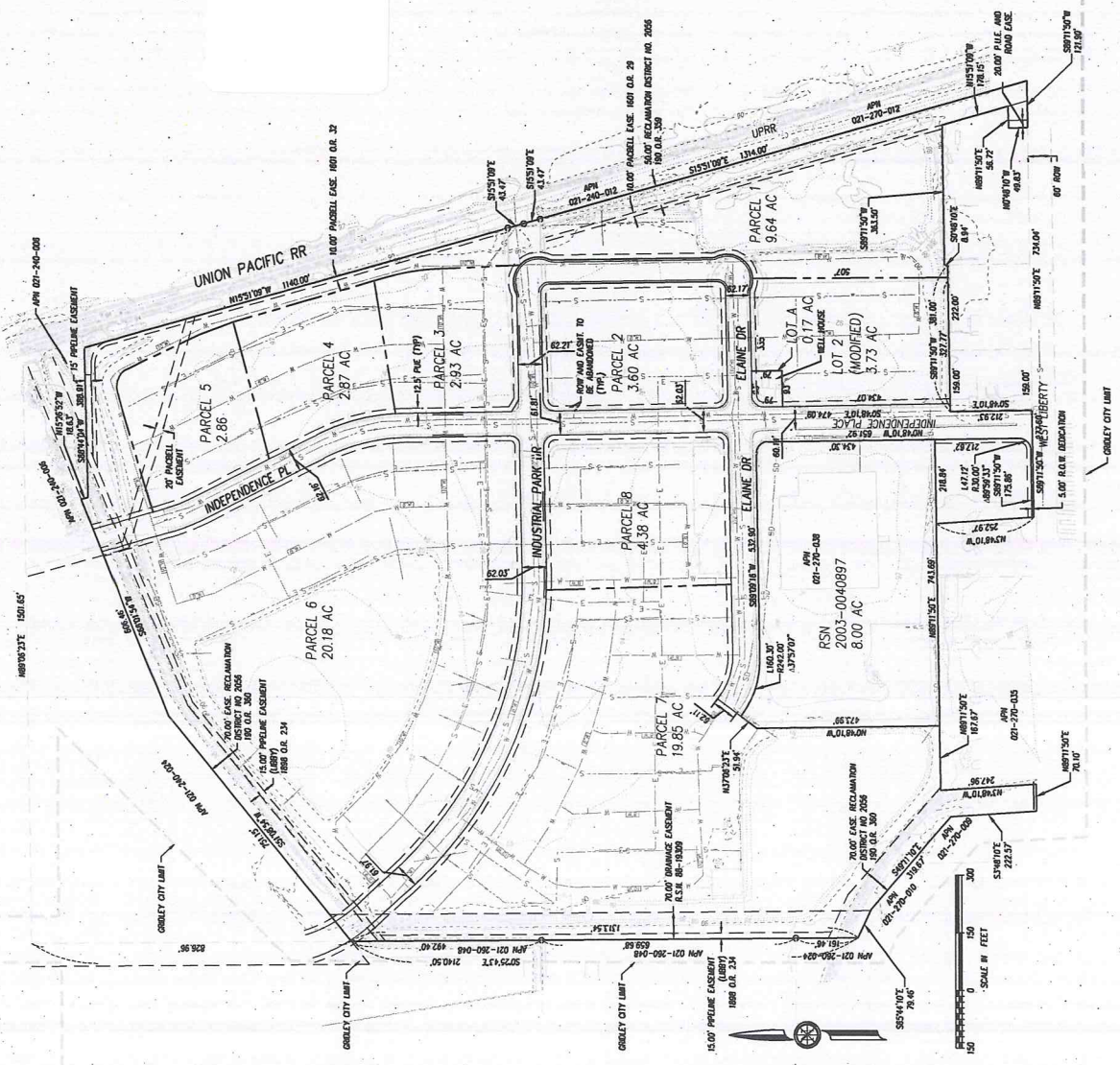
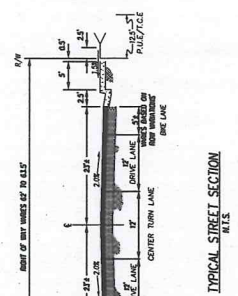
UTILITY SERVICES:
SEWER: CITY OF ORIDLEY
WATER: CITY OF ORIDLEY
ELECTRIC: ORIDLEY BROS ELECTRIC
TELEPHONE: AT&T
CABLE T.V.: COMCAST

SUBDIVISION AREA SUMMARY:
PARCELS #1-8 64.3 ACRES
LOTS 1-1 0.17 ACRES
ROADS 9.17 ACRES
TOTAL 73.64 ACRES

DRAFT

**INDUSTRIAL PARK TENTATIVE
SUBDIVISION MAP
FOR CITY OF ORIDLEY**

BEING A PART OF THE INDUSTRIAL PARK TENTATIVE
QUARTER OF SECTION 1, T. 17 N., R. 3 E., MEAL
AND AS RECORDED IN BOOK 162 PAGE 65



SCALE IN FEET
0 100 200 300

Planning Commission Agenda Item #4
Staff Report

Date: December 15, 2021

To: Chair and Planning Commissioners

From: Donna Decker, Planning Department

Subject: **Zoning Text Amendment 1-21:** Zoning text amendment to Chapter 17, Performance Standards, to establish the use of generators and allowable noise levels.

X	Regular
	Special
	Closed
	Emergency

RECOMMENDATION

Staff respectfully requests the Planning Commission:

1. Recommend the City Council adopt an ordinance establishing the use of permanent and temporary stand-by generators and allowable noise levels.
2. Find the proposed ordinance amendment is not a project according to CEQA.

DISCUSSION

The City has adopted performance standards related to noise levels within zoning districts. Due to an increase in the use of temporary generators and requests to install permanent generators, staff found these units do not meet the existing noise levels outlined in Chapter 17.74 of the Gridley Municipal Code. Staff recommends the Planning Commission consider the addition of the code language to clarify the use, placement and noise levels for the use of generators during emergencies due to power failure or shut-off due to inclement weather, maintenance, or safety.

PUBLIC NOTICE

A notice was advertised 10 days prior to the regularly scheduled Planning Commission meeting in the Gridley Herald, posted at City Hall, and 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 not considered a project pursuant to the California Environmental Quality Act.

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**Chapter 17.74
PERFORMANCE STANDARDS**

17.74.010 Intent.

17.74.020 Vibration.

17.74.030 Noise.

17.74.040 Air pollution.

17.74.050 Odors.

17.74.060 Electromagnetic radiation.

17.74.070 Fire and explosions.

17.74.080 Radioactive materials.

17.74.090 Glare and heat.

17.74.100 Nonradioactive liquid or solid wastes.

17.74.010 Intent.

The purpose of these regulations is to prevent land or buildings, including permitted uses or conditional uses, from being used or occupied in any manner so as to create any dangerous, injurious, noxious and otherwise objectionable or hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat, liquid or solid refuse or wastes or other substance, condition or elements (all referred to in this Chapter as "dangerous or objectionable elements"), in a manner or amount as to adversely affect surrounding areas. Any permitted or conditional uses listed under Chapters 17.08 through 17.34 may be undertaken and maintained if they conform to all district regulations, and specifically if they conform to the limitations set forth in Sections 17.74.020 through 17.74.100 in this Chapter.

(Ord. 823-2016 § 25 (part), 2016)

17.74.020 Vibration.

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or beyond the lot line nor shall any vibration produced exceed 0.0029 peak measured at or beyond the lot line using either seismic or electronic vibration measuring equipment.

(Ord. 823-2016 § 25 (part), 2016)

17.74.030 Noise.

A. All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound-pressure level of noise radiated continuously from a structure exceed at the lot line the values in Table 1 of this section. The

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sound level shall be measured with a sound level meter that conforms to specifications published by the American National Standards Institute (ANSI).

Table 1
EXTERIOR NOISE LIMITS
(Levels not to be exceeded more than thirty minutes in any hour)

		Noise Level (dBA)	
		Noise Zone	
		Classification*	
Adjoining Land Use Category	Time Period	R-S zones	All other zones
One and two family Residential	10 p.m. -- 7 a.m.	40	45
	7 a.m. -- 10 a.m.	50	55
Multiple dwelling Residential Public Space	10 p.m. -- 7 a.m.	45	50
	7 a.m. -- 10 p.m.	55	55
Limited commercial some multiple dwellings	10 p.m. -- 7 a.m.		55
	7 a.m. -- 10 p.m.		60
Commercial	10 p.m. -- 7 a.m.		60
	7 a.m. -- 10 p.m.		65
Light Industrial	Anytime		70
Heavy Industrial	Anytime		75

* The classification of different areas of the community in terms of environmental noise zones is contained in the Noise Element of the General Plan. Additional area classifications should be used as appropriate to reflect both lower and higher existing ambient levels than those shown. Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction within the zone.

B. Permanent and Temporary Standby Power Supply

A. Definitions:

1. Permanent standby power supply: A unit that is permanently installed and wired into the electrical panel in such a way as to provide instant standby power in the event of power failure.

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2. Temporary standby power supply: A unit that is not permanently installed and is used in the course of a power failure.

- B. Generators may be used as an auxiliary power source during periods of emergency when primary service is shut-off due to inclement weather, maintenance, or safety.
- a. A minimum of 4" concrete slab shall be provided for the placement/location of the unit.
 - b. The location on the site shall be no closer than 5 feet from the property lines at the rear and side yard setbacks for all zoning districts. No units are allowed in the front setback area.
 - c. Exhaust shall be located to face away from any window and door openings a minimum of ten feet from openings.
 - d. Installation shall meet all requirements and all of the building codes including, but not limited to the California Electric Code, Plumbing Code, Fuel Gas Code, and Flammable and Combustible Liquids Code.
 - e. Maximum allowable sound levels may be up to 70 decibels. Continuous use shall be in accordance with the manufacturer's installation and use recommendations. Continuous use is allowed only during times of emergency upon power failure or shut-offs as described above and does not include power shut-off due to non-payment of utility costs. Units may be tested in accordance with manufacturer's recommendations but no more than every two months for a period less than 15 minutes in length between the hours of 10 am and 4 pm.

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(Ord. 823-2016 § 25 (part), 2016)

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17.74.040 Air pollution.

A. Visible Emissions. There shall not be discharged into the atmosphere from any source any air pollutant in excess of the Federal, State, or County limitations. This shall include emissions of air pollutants of such opacity as to obscure an observer's view to a degree equal to or greater than the visible emission described in this section. Visible emissions of any kind at ground level are prohibited past the lot line of the property on which the source of the emissions is located. No emission shall exceed No. 1 on the Ringelmann Chart, or as directed by the currently adopted measurement standard.

B. Materials Handling. No person shall cause or permit any materials to be handled, transported, or stored in a manner which allows or may allow particulate matter to become airborne and all transported materials shall be covered.

C. Particulate Matter. There shall not be discharged into the atmosphere any particulate matter in excess of the quantities allowed under the Butte County Air Quality Management Plan.

(Ord. 823-2016 § 25 (part), 2016)

17.74.050 Odors.

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public, or which interferes

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unreasonably with the comfort of the public, shall be removed, stopped, or so modified as to eliminate the odor including the recreational or medical use of any drug, prescribed or not.

(Ord. 823-2016 § 25 (part), 2016)

17.74.060 Electromagnetic radiation.

The following standards shall apply:

A. General. It is unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use which does not comply with the current regulations of the Federal Communications Commission. Further, the operation in compliance with the Federal Communications Commission regulations is unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, harmonic content, modulation or energy conducted by power or telephone lines. The determination of "abnormal degradation in performance" and with good engineering practices is defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association. In case of any conflict between the latest standards and principles of the above groups, the following precedence in the interpretation of the standards and principles shall apply:

1. American Institute of Electrical Engineers.
2. Institute of Radio Engineers.
3. Electronic Industries Association.

It is unlawful for any person, firm or corporation to operate or cause to be operated, maintain or cause to be maintained, any planned or intentional sources of electromagnetic energy, with a radiated power in excess of one thousand watts.

B. Electromagnetic Interference. For the purpose of these regulations, "electromagnetic interference" shall be by the use of electrical equipment other than planned and intentional sources of electromagnetic energy which interfere with the proper operation of electromagnetic receptors of quality and proper design. It is unlawful to operate or to cause to be operated any source of electromagnetic interference, by the radiation or transmission from which it is detectable beyond the lot line of the property on which the source is located.

(Ord. 823-2016 § 25 (part), 2016)

17.74.070 Fire and explosions.

All activities and all storage of flammable and explosive materials at any point shall be provided with adequate safety and firefighting devices, in accordance with the Fire Prevention

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Codes of the City, the County and the State. Storage of compressed gasses in all zoning designations shall be in accordance with the safety measures commonly used.

(Ord. 823-2016 § 25 (part), 2016)

17.74.080 Radioactive materials.

The handling of radioactive materials, the discharge of such materials into the air and water, and the disposal of radioactive wastes shall comply with the Nuclear Regulatory Commission as set forth in Title 10, Chapter One, Part 20, Standards for Protection Against Radiation, as amended, and all applicable regulations of the State.

(Ord. 823-2016 § 25 (part), 2016)

17.74.090 Glare and heat.

No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this Title. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line.

(Ord. 823-2016 § 25 (part), 2016)

17.74.100 Non-radioactive liquid or solid wastes.

There shall be no discharge into any public or private sewage disposal system or into the ground, of any liquid or solid materials except in accordance with the regulations of the County Health Department and the Regional Water Quality Control Board.

(Ord. 823-2016 § 25 (part), 2016)

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