



**CITY OF OROVILLE PLANNING COMMISSION
MONDAY, MAY 10, 2010, 6:00 P.M.
REGULAR MEETING AGENDA**

CITY COUNCIL CHAMBERS
1735 MONTGOMERY STREET, OROVILLE, CA 95965-4897

ALL MEETINGS ARE RECORDED

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE COMMISSION PROCEEDINGS IS REQUESTED TO CALL THE PLANNING DEPARTMENT, (530) 538-2430, PRIOR TO THE MEETING AND ARRANGEMENTS WILL BE MADE TO ASSIST YOU.

ROLL CALL

Commissioners Adonna Brand, Ronda Brunson, Randy Chapman, Chris Lambert, Hardeep Singh, Vice Chairperson Dan Gordon, Chairperson Damon Robison.

PLEDGE OF ALLEGIANCE

INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Chairperson will remind persons in the audience who wish to address the Commission on a matter that is on the agenda to fill out one of the cards located in the lobby and hand it to the clerk of the meeting. The Chairperson will also remind persons in the audience that under Government Code Section 54954.3, the time allotted for each presentation may be limited.

PUBLIC HEARING PROCEDURE

- A. Chairperson asks Staff to introduce agenda item.
- B. Chairperson opens item to public comment (proponents/opponents).
- C. Chairperson closes public comment period.
- D. Commission discussion and action.

PUBLIC HEARINGS

ZONING AMENDMENT 10-02 – ALLOWED USES IN THE AIRPORT BUSINESS PARK (ABP) INDUSTRIAL DISTRICT – Currently, the City of Oroville’s Zoning Ordinance does not allow the following uses within the Airport Business Park (ABP) Industrial District:

- Manufacturing – more than 40,000 square feet (SF) of gross floor area
- Metalwork – more than 40,000 sf of gross floor area
- Research laboratory
- Wholesaling and distribution

Staff Report: Rick Walls, PE

Staff Recommendation:

Staff recommends that the Planning Commission approve Resolution P2010-03 - A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT ZONING REGULATIONS BE AMENDED TO ALLOW MANUFACTURING AND METALWORK OVER 40,000 SQUARE FEET, RESEARCH LABORATORY AND WHOLESALING AND DISTRIBUTION USES WITHIN THE AIRPORT BUSINESS PARK INDUSTRIAL DISTRICT.

ITEMS FOR CONSIDERATION:

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the Chairperson will invite anyone in the audience to address the Commission on a matter that is not listed on the agenda to step to the podium, state your name and address for the record, and make your presentation. Presentations will be limited to five minutes. The Commission is prohibited by State law from taking action or possible discussion on any item presented if it is not listed on the agenda, except under special circumstances as defined in the Government Code.

ADJOURN to **MONDAY, MAY 24, 2010** FOR A SPECIAL MEETING OF THE OROVILLE PLANNING COMMISSION.

**OROVILLE PLANNING COMMISSION
STAFF REPORT**

TO: CHAIRPERSON AND COMMISSIONERS

**FROM: Rick Walls, P.E.
Interim Director of Community Development and Public Works**

MEETING DATE: May 10, 2010

**SUBJECT: ZONING AMENDMENT 10-02: Allowed uses in the Airport
Business Park (ABP) Industrial District**

DISCUSSION:

Currently, the City of Oroville's Zoning Ordinance does not allow the following uses within the Airport Business Park (ABP) Industrial District:

- Manufacturing – more than 40,000 square feet (SF) of gross floor area
- Metalwork – more than 40,000 sf of gross floor area
- Research laboratory
- Wholesaling and distribution

Limiting manufacturing and metalwork business activities to facilities less than 40,000 sf of gross floor area restricts the ability to expand existing businesses (such as Sierra Pacific Packaging) and attract new businesses to the ABP. In addition, not allowing research laboratory uses in today's era of clean technology and research will also make the ABP less viable to outside business interests. Staff has prepared a land release request to be submitted to the Federal Aviation Administration which if approved will allow the City to sell ABP property in the future. These zoning changes will make the ABP much more attractive to outside investors and business owners. The ABP land use designation contained in the City's General Plan reads in part as follows:

"This designation allows for light manufacturing, limited industrial, food processing, wholesale trade and offices. Retail businesses and public services are permitted to a lesser extent and would generally be allowed as an accessory use. Outdoor storage is only permitted in limited amounts if heavily screened."

The above four uses, if allowed, will be consistent with the GP land use designation. These uses are listed in Table 26-36.010-1: "Allowed Uses in Industrial Districts". These uses are denoted in Table 26-36.010-1 with a "—" indicating use not allowed. Staff proposes to allow these four uses with a use permit (UP). The "—" in Table 26-36.010-1 would be replaced with "UP" (use permit required) for these four uses.

Notice of this proposed zoning change was published in the Oroville Mercury Register on

March 28, 2010 and was posted at City Hall on the same date.

ENVIRONMENTAL REVIEW:

The proposed zoning amendment has been determined to be categorically exempt from the California Environmental Quality Act guidelines -15061(b)(3).

ATTACHMENTS: Table 26-36.010-1 Amendments
Current Table 26-36.010-1

RECOMMENDATION:

That the Planning Commission approve Resolution P2010-02 - A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION RECOMMENDING THAT ZONING REGULATIONS BE AMENDED TO ALLOW MANUFACTURING AND METALWORK OVER 40,000 SQUARE FEET, RESEARCH LABORATORY AND WHOLESALING AND DISTRIBUTION USES WITHIN THE AIRPORT BUSINESS PARK INDUSTRIAL DISTRICT

Table 26-36.010-1: Allowed Uses in Industrial Districts

| Land Use | Zoning Districts | | | Use-Specific Regulations |
|--|------------------|-----|-----|--------------------------|
| | ABP | M-1 | M-2 | |
| Public Assembly | | | | |
| Carnival, circus or fair | AP | AP | AP | 26-16.060 |
| Commercial recreational facility | — | UP | UP | — |
| Concert or performance | AP | AP | AP | 26-16.060 |
| Library or museum | — | UP | UP | — |
| Meeting facility | — | UP | UP | — |
| Park or playground | — | UP | UP | — |
| Training facility | UP | P | P | — |
| Residential | | | | |
| Caretaker dwelling unit | P | P | P | — |
| Retail | | | | |
| Adult-oriented business | — | S | S | 26-16.110 |
| Building supply | — | UP | UP | — |
| Drive-through establishment | — | UP | UP | 26-16.080 |
| Equipment and machinery sales or rental | — | UP | P | — |
| Farmers' market | AP | AP | AP | 26-16.060 |
| Food and beverage sales—10,000 square feet or less of gross floor area | P | P | P | — |
| Food and beverage sales—more than 10,000 square feet of gross floor area | — | — | — | — |
| Gas station | — | UP | UP | 26-16.070 |
| General retail—10,000 square feet or less of gross floor area | UP | UP | UP | — |
| General retail—more than 10,000 square feet of gross floor area | — | UP | UP | — |
| Retail (continued) | | | | |

Key
P Permitted use, subject to zoning clearance
AP Administrative permit required
UP Use permit required
S See use-specific regulations for permit requirement
— Use not allowed

Table 26-36.010-1: Allowed Uses in Industrial Districts

| Land Use | Zoning Districts | | | Use-Specific Regulations |
|---|------------------|-----|-----|--------------------------|
| | ABP | M-1 | M-2 | |
| Mobile food vendor | — | S | S | 26-16.150 |
| Plant nursery or garden supply store | — | UP | UP | — |
| Restaurant or café | UP | UP | UP | — |
| Seasonal holiday agricultural sales | AP | AP | AP | 26-16.060 |
| Vehicle sales | — | UP | UP | — |
| Services | | | | |
| Business support service | P | P | P | — |
| Car wash | — | UP | UP | — |
| Catering service | — | UP | UP | — |
| Child day care | UP | UP | UP | — |
| Instructional or production studio | — | P | P | — |
| Kennel | — | UP | UP | 26-16.120 |
| Office—professional | P | UP | UP | — |
| Office—all other | P | UP | UP | — |
| Temporary real estate office | AP | AP | AP | 26-16.060 |
| Temporary uses not listed here | S | S | S | 26-16.060 |
| Veterinarian | — | P | P | 26-16.120 |
| Manufacturing, Wholesale, Repair and Storage | | | | |
| Food or beverage production | — | UP | P | — |
| Junk yard | — | — | UP | — |
| Manufacturing, Wholesale, Repair and Storage (continued) | | | | |
| Landscape material sales | — | UP | P | — |

Key
P Permitted use, subject to zoning clearance
AP Administrative permit required
UP Use permit required
S See use-specific regulations for permit requirement
— Use not allowed

Table 26-36.010-1: Allowed Uses in Industrial Districts

| Land Use | Zoning Districts | | | Use-Specific Regulations |
|--|------------------|-----|-----|--------------------------|
| | ABP | M-1 | M-2 | |
| Manufacturing—40,000 square feet or less of gross floor area | P | P | P | — |
| Manufacturing—more than 40,000 square feet of gross floor area | — | UP | P | — |
| Metalwork—40,000 square feet or less of gross floor area | P | P | P | — |
| Metalwork—more than 40,000 square feet of gross floor area | — | UP | P | — |
| Mini-storage facility | — | S | S | 26-42.060 |
| Outdoor storage—500 square feet or less | P | P | P | 26-16.140 |
| Outdoor storage—more than 500 square feet | UP | P | P | 26-16.140 |
| Repair service, large equipment | P | P | P | — |
| Repair service, small appliances | P | P | P | — |
| Research laboratory | — | P | P | — |
| Warehousing | P | P | P | — |
| Wholesaling and distribution | — | P | P | — |
| Agricultural and Resource-Based Uses | | | | |
| Surface mining | — | — | UP | Chapter 23A |
| Transportation and Infrastructure | | | | |
| Parking garage or lot as primary use | — | UP | UP | — |
| Public safety facility | P | P | P | — |
| Utility building or substation | P | P | P | — |
| Vehicle depot | — | P | P | — |

Key
P Permitted use, subject to zoning clearance
AP Administrative permit required
UP Use permit required
S See use-specific regulations for permit requirement
— Use not allowed

Table 26-36.020-1: Development Standards for Industrial Districts

| Development Standard | Zoning Districts | | | Additional Regulations |
|-------------------------------|---------------------------------|---------------------------------|---------|------------------------|
| | ABP | M-1 | M-2 | |
| Lot Area - Minimum | None | None | None | |
| Lot Width - Minimum | None | None | None | |
| Height – Maximum ¹ | 35 feet | 35 feet | 65 feet | Section 26-36.040 |
| Setbacks ² | | | | |
| Front | None, except as required in (3) | | | |
| Side | None | None, except as required in (4) | | |
| Rear | None | None, except as required in (5) | | |
| Floor Area Ratio - Maximum | 0.35 | 0.4 | 0.4 | |

1) Maximum heights apply to main buildings or structures. Height restrictions for accessory structures are in Section 26.13.070.

2) See Section 26-13.040 for additional provisions regarding setbacks.

3) For sites that abut a residential district on any side, the front setback shall be as required in that residential district.

4) Where the side of a site abuts a residential district, the required minimum setback shall be 10 feet on the side abutting the residential district.

5) The required minimum rear setback shall be 20 feet if the rear of the site abuts a residential district.

**A RESOLUTION OF INTENTION OF THE OROVILLE PLANNING COMMISSION
RECOMMENDING THAT ZONING REGULATIONS BE AMENDED
TO ALLOW MANUFACTURING AND METALWORK OVER 40,000 SQUARE FEET,
RESEARCH LABORATORY AND WHOLESALING AND DISTRIBUTION USES WITHIN
THE AIRPORT BUSINESS PARK INDUSTRIAL DISTRICT**

WHEREAS, pursuant to Section 26-56.090 of the Oroville Municipal Code, amendments to the City's zoning regulations may be initiated by the Planning Commission; and

WHEREAS, the Planning Commission held a noticed public hearing regarding a proposal to amend the allowed uses within the Airport Business Park; and

WHEREAS, no adverse comments were received from the public about the described zoning amendments; and

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE PLANNING COMMISSION as follows:

1. The public interest and welfare would be served by amending Oroville's zoning regulations as described in this resolution for two reasons:
 - A. Amending the regulations as proposed will allow, but not require, Commissioners and Council members to approve larger sizes of manufacturing and metalwork uses, and research laboratory and wholesaling and distribution uses at the ABP, thereby providing the City with the ability to attract additional outside businesses to the ABP; and
 - B. Amending the regulations as proposed will also allow existing businesses at the ABP to expand their existing uses consistent with the amended regulations, thereby expanding the business base at the ABP.
2. A recommendation shall be forwarded to Oroville City Council that Table 26-36.010-1 of Chapter 26 of the Code of the City of Oroville Zoning Regulations should be amended in the following manner:

SECTION I. Table 26-36.010-1 of Chapter 26, which section sets forth allowed uses in Industrial Districts, including the ABP Zoning District, shall read as follows:

Table 26-36.010-1: Allowed Uses in Industrial Districts

| Land Use | Zoning Districts | | | Use-Specific Regulations |
|--|------------------|-----|-----|--------------------------|
| | ABP | M-1 | M-2 | |
| Manufacturing, Wholesale, Repair and Storage | | | | |
| Manufacturing—more than 40,000 square feet of gross floor area | UP | UP | P | — |
| Metalwork—more than 40,000 square feet of gross floor area | UP | UP | P | — |
| Research laboratory | UP | P | P | — |
| Wholesaling and distribution | UP | P | P | — |

Key
P Permitted use, subject to zoning clearance
AP Administrative permit required
UP Use permit required
S See use-specific regulations for permit requirement
— Use not allowed

The amendments to Table 26-36.010-1 to allow the four uses listed above with a use permit are highlighted in red. All other uses listed in Table 26-36.010 remain unchanged with regard to allowed uses and use-specific regulations.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 10th day of May, 2010, by the following vote:

AYES: COMMISSIONERS _____

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

ATTEST:

APPROVE:

SECRETARY

CHAIRPERSON