



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Donald Rust
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City of Oroville PLANNING COMMISSION

CHAIR: Damon Robison
VICE-CHAIR: Carl Durling
MEMBERS: Adonna Brand; Randy Chapman; Tua Vang; Wyatt Jenkins;
Michael Britton

PLANNING COMMISSION MEETING **AGENDA**

Monday, March 23, 2015 at 7:00 p.m.
MEETING AGENDA

OROVILLE CITY HALL
1735 MONTGOMERY STREET, OROVILLE, CA 95965
ALL MEETINGS ARE RECORDED

*This meeting may be broadcast remotely via audio and/or video conference at the following address:
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.*

ADMINISTRATIVE AGENDA

1. **CALL TO ORDER**

2. **ROLL CALL**

Commissioners Adonna Brand, Michael Britton, Randy Chapman, Tua Vang, Wyatt Jenkins, Vice Chairperson Carl Durling, Chairperson Damon Robison

3. **PLEDGE OF ALLEGIANCE**

4. **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.

5. **PUBLIC COMMENTS**

This is an opportunity for members of the public to address the Planning Commission on any subject relating to the Planning Commission, but not relative to items on the present agenda. The Planning Commission reserves the right to impose a reasonable limit on time afforded to any individual speaker.

6. **CORRESPONDENCE**

None

7. **APPROVAL OF MINUTES**

Approve the minutes of the January 26, 2015 Planning Commission Meeting.

REGULAR AGENDA

8. **PUBLIC HEARINGS**

- 8.1 **VAR 15-01: Oroville Hospital Sign Variance** - The Planning Commission of the City of Oroville will conduct a public hearing to review and consider approving a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The Oroville Hospital and medical campus have a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation:

Adopt Resolution No. P2015-01: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE NO. 15-01 GRANTING THE OROVILLE HOSPITAL MEDICAL CENTER LOCATED AT 2767 OLIVE HIGHWAY (APNs: 013-260-062, 063, 068, 079 & 080) A VARIANCE FROM THE CITY'S SIGN REGULATIONS TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT OF A MONUMENT SIGN BY 11.5 FEET

- 8.2 **Oroville Sustainable Code Updates** - The Planning Commission of the City of Oroville will conduct a public hearing to review and consider sending a

recommendation to the Oroville City Council for the approval of updates to the City's Zoning Ordinance to bring it into conformance with the 2030 General Plan, changes to the Zoning Map to bring it into conformance with the City's 2030 General Plan land use designations, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, new Climate Action Plan, new Balanced Mode Circulation Plan, targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, and other updates to the Oroville Municipal Code, including solar energy ordinance revisions, local and healthy food amendments, development incentives for community benefits, Crime Prevention Through Environmental Design, park provision standards, and a new oak tree loss mitigation ordinance.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation:

Adopt Resolution No. P2015-02: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE FORWARDING A RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF OROVILLE TO ADOPT ALL PROPOSED NEW AND AMENDED DOCUMENTS COLLECTIVELY KNOWN AS THE "OROVILLE SUSTAINABLE CODE UPDATES," CERTIFY THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, ADOPT THE AMENDED MITIGATION MONITORING AND REPORTING PROGRAM, AND AUTHORIZE THE EXPENDITURE FOR THE FILING OF THE NOTICE OF DETERMINATION

9. REGULAR BUSINESS

- 9.1 Installation of Soda Machines at Fuel Islands** - The Planning Commission will review and consider directing staff on the appropriate ministerial controls for the installation of soda dispensers and other similar machines at fuel islands.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation: Provide direction to staff on ministerial controls for the installation of soda dispensers and other similar machines at fuel islands.

10. DISCUSSION ITEMS

None

11. DIRECTOR'S REPORT

A verbal report may be given by the Community Development Director.

12. COMMISSION REPORTS

Reports by commission members on information they have received and meetings they have attended which would be of interest to the commission or the public.

13. ADJOURNMENT

Adjourn to Monday, April 27, 2015 at 7:00 P.M. at the Oroville City Council Chambers.

Respectfully submitted by,



Donald Rust, Director
Community Development Department

***** NOTICE *****

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact Donald Rust, Director for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact Donald Rust, Director as soon as possible and preferably at least 24 hours prior to the meeting. Donald Rust, Director may be reached at 530-538-2433, or at e-mail rustdl@cityoforoville.org, or at the following address: City of Oroville Planning and Development Services Department, 1735 Montgomery Street, Oroville, CA 95965.

***** NOTICE *****

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.



**CITY OF OROVILLE
PLANNING COMMISSION MEETING MINUTES
JANUARY 26, 2014 – 7:00 PM**

These minutes detail the action which was taken related to each particular agenda item and do not reflect any discussion that may have occurred. For information regarding what was discussed related to a particular item, if anything, you can obtain a copy of the audio recording for this meeting by sending an email to cityclerk@cityoforoville.org or by calling the Clerk's office at 530-538-2535.

The agenda for the January 26, 2015 regular meeting of the Oroville Planning Commission was posted on the bulletin board at the front of City Hall and on the City of Oroville's website located at www.cityoforoville.org on Friday, January 23, 2015, at 11:40 a.m.

1. CALL TO ORDER

The January 26, 2015 regular meeting of the Oroville Planning Commission was called to order by Chairperson Robison at 7:01 p.m.

2. ROLL CALL

Present: Commissioners Chapman, Jenkins, Vang, Vice Chairperson Durling, Chairperson Robison

Absent: Commissioner Brand (excused), Commissioner Britton

Staff Present:

Donald Rust, Director of Community Development
Dawn Nevers, Administrative Assistant

Luis Topete, Associate Planner
Gary Layman, Building Official

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Robison.

4. RECOGNITION OF INDIVIDUALS WISHING TO SPEAK ON AGENDA ITEMS - None

5. PUBLIC COMMENT - None

6. CORRESPONDENCE

Letter dated January 8, 2015 from Nancy Ritchie regarding Precision Craft Boatworks

7. **APPROVAL OF MINUTES**

A motion was made by Vice Chairperson Durling, seconded by Commissioner Jenkins, to:

Approve the minutes of the December 15, 2014 special Planning Commission meeting.

The motion was passed by the following vote:

Ayes: Commissioners Vang, Chapman, Jenkins, Vice Chairperson Durling,
Chairperson Robison
Noes: None
Abstain: None
Absent: Commissioners Brand, Britton

8. **PUBLIC HEARINGS**

8.1 **UP 14-09: Outdoor Boat Storage** - The City of Oroville Planning Commission conducted a public hearing to consider a use permit request for the outdoor storage of boats on the property identified as 2139 W. Lincoln Street (APN: 012-230-012 & 014). The subject property has a zoning designation of Commercial / Light Manufacturing (CLM) and a General Plan land use designation of Mixed Use. Per the City of Oroville Municipal Code Section 26-16.140(B), in commercial and mixed-use districts, all outdoor storage areas greater than 250 square feet in size, including storage areas for uses that are customarily conducted outdoors, shall be required to obtain a use permit. **(Staff Report: Luis A. Topete, Associate Planner)**

Chairperson Robison opened the Public Hearing.

Alishia Ferris, applicant, and Carol Miles, Office Manager of Precision Craft Boatworks, answered questions for the Commission.

Hearing no further public comment, Chairperson Robison closed the Public Hearing.

Following discussion, a motion was made by Commissioner Jenkins, seconded by Commissioner Vang, to:

Adopt Resolution No. P2014-22: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 14-09 FOR THE OUTDOOR STORAGE OF BOATS IN AN AREA LARGER THAN 250 SQUARE FEET ON THE PROPERTY IDENTIFIED AS 2139 W. LINCOLN STREET (APN: 012-230-012 AND 012-230-014)

The motion was passed by the following vote:

Ayes: Commissioners Vang, Chapman, Jenkins, Vice Chairperson
Durling, Chairperson Robison
Noes: None
Abstain: None
Absent: Commissioners Brand, Britton

9. DISCUSSION ITEMS

Outdoor Soda Machines at 1330 Feather River Boulevard.

10. DIRECTOR'S REPORT

Don Rust, Director of Community Development updated the Planning Commission on the following:

- Status of the Wal-Mart
- January 21, 2015 Mr. Rust, Mr. Topete, and Vice Mayor Wilcox attend the American Planning Association of Northern CA Chapter to receive an Award of Excellence for the Arts Cultural & Entertainment District.
- Upcoming workshop for Planning Commissioners
- South Oroville Annexation
- League of CA Cities Planning Commissioners Academy to be held in New Port Beach March 4-6, 2015.

11. CHAIRPERSON/COMMISSIONERS REPORTS - None

12. ADJOURNMENT

The meeting was adjourned at 7:49 p.m. A regular meeting of the Oroville Planning Commission will be held on Monday, February 23, 2015, at 7:00 p.m.

Donald Rust, Secretary

Damon Robison, Chairperson



City of Oroville

Donald Rust
DIRECTOR

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
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PLANNING COMMISSION STAFF REPORT

March 23, 2015

VAR 15-01: Oroville Hospital Sign Variance – The project applicant, Darrin Kean, a representative of the Oroville Hospital, has applied for a variance of the City’s sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The applicant is proposing to replace an existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign. The subject property, 2767 Olive Highway and surrounding medical campus, has a zoning designation of Limited Commercial (C-1), which allows a maximum height of 8 feet for monument signs. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.

APPLICANT: Darrin Kean (Oroville Hospital)
2767 Olive Highway
Oroville, CA 95966

LOCATION: 2767 Olive Highway
Oroville, CA 95966
APNs: **013-260-062, 063,
068, 079 & 080**

GENERAL PLAN: Public
ZONING: Limited Commercial (C-1)
FLOOD ZONE:
ZONE X: Areas determined to be outside the 0.2% annual chance floodplain (500-year floodplain).
ZONE A: Areas subject to inundation by the 1% annual chance flood event (Small portion at the northwest corner of APN: 013-260-068)

ENVIRONMENTAL DETERMINATION:

- General Rule Exemption; CCR, Title 14, §15061(b)(3)
- Replacement or Reconstruction; Title 14, CCR, §15302
- Accessory Structures; Title 14, CCR, §15311

REPORT PREPARED BY:

REVIEWED BY:

Luis A. Topete, Associate Planner
Community Development Department

Donald Rust, Director
Community Development Department

RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **HOLD** a public hearing and receive testimony on the proposed sign variance from the Oroville Hospital to exceed the maximum allowable height of a monument sign in a C-1 zoning district by approximately 11.5 feet at 2767 Olive Highway (APNs: 013-260-062, 063, 068, 079 & 080);
2. **ADOPT** the General Rule Exemption, Replacement or Reconstruction Categorical Exemption, and Accessory Structures Categorical Exemption (**Attachment B**) as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines;
3. **ADOPT** the Findings for VAR 15-01 (**Attachment C**);
4. **ADOPT** Resolution No. P2015-01 (**Attachment D**);
5. **APPROVE** the Conditions of Approval for VAR 15-01 (**Attachment E**); and

SUMMARY

The project applicant, Darrin Kean, a representative of the Oroville Hospital, has applied for a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The subject property has a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.

DISCUSSION

The existing sign proposed for removal and replacement is located at the northeast corner of the intersection at Olive Highway and Medical Center Drive, on the property where the Orohealth Medical Plaza is located, with the Olive Medical Building to the west and the Main Hospital to the north. The sign will be reconstructed in the same location with some of the existing structural elements potentially being used for the new sign. The sign placement and construction will be reviewed by the City's engineer to ensure compliance with any applicable sight distance area requirements for an intersection. Additionally, this variance was forwarded to the California Department of Transportation (Caltrans) for comments, with no comments received. The construction of the sign shall be required to comply with any Caltrans and City engineering standards.

As part of the new monument sign being proposed, the sign face will change to a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. The LED display will be conditioned to ensure that it does not operate as an off-premise sign and advertise for

businesses not located on the premises of the Oroville Hospital medical campus. Additionally, the sign will be conditioned to comply with the lighting, safety, maintenance, and message display/transition standards that are required of digital display signs.

ISSUES

Section 26-50.080(A) of the OMC specifies that when the strict and literal enforcement of the provisions of the zoning code results in unreasonable and unnecessary hardships, or leads to results that are inconsistent with the general purposes of this chapter, the Planning Commission shall have the authority to grant variances that are in harmony with the purposes of the zoning code. The sole purpose of any variance shall be to prevent discrimination and undue hardship, and no variance shall be granted that would provide a special privilege not shared by other property in the same vicinity.

Per Section 26-50.080(C)(3), the Planning Commission shall grant a variance only upon making all required six findings, based on substantial evidence, and as detailed in **Attachment C**.

ENVIRONMENTAL REVIEW

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Replacement or Reconstruction; Title 14, CCR, §15302

Class 2 categorical exemptions consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed sign will be a replacement of an existing monument sign on the same site and location. The sign will continue to be used for communicating information to the public specific to the Oroville Hospital and its medical campus. Thus, this action is exempt from CEQA.

Accessory Structures; Title 14, CCR, §15311

Class 11 categorical exemptions consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including on-premise signs. As the replacement of the existing sign with a slightly larger monument sign is clearly an appurtenant structure, as defined by the City of Oroville Municipal Code §26-04.020, to an institutional facility (Oroville Hospital medical campus), this project is exempt from CEQA.

FISCAL IMPACT

The total fees associated with Variance 15-01 are as follows:

Item	Price	Tech Fee	Total	Paid
Variance (Deposit)	\$2,263.00	\$135.78	\$2,398.78	Yes
Filing of Notice of Exemption				
Butte County Clerks Filing Fee	\$50.00	-	\$50.00	No

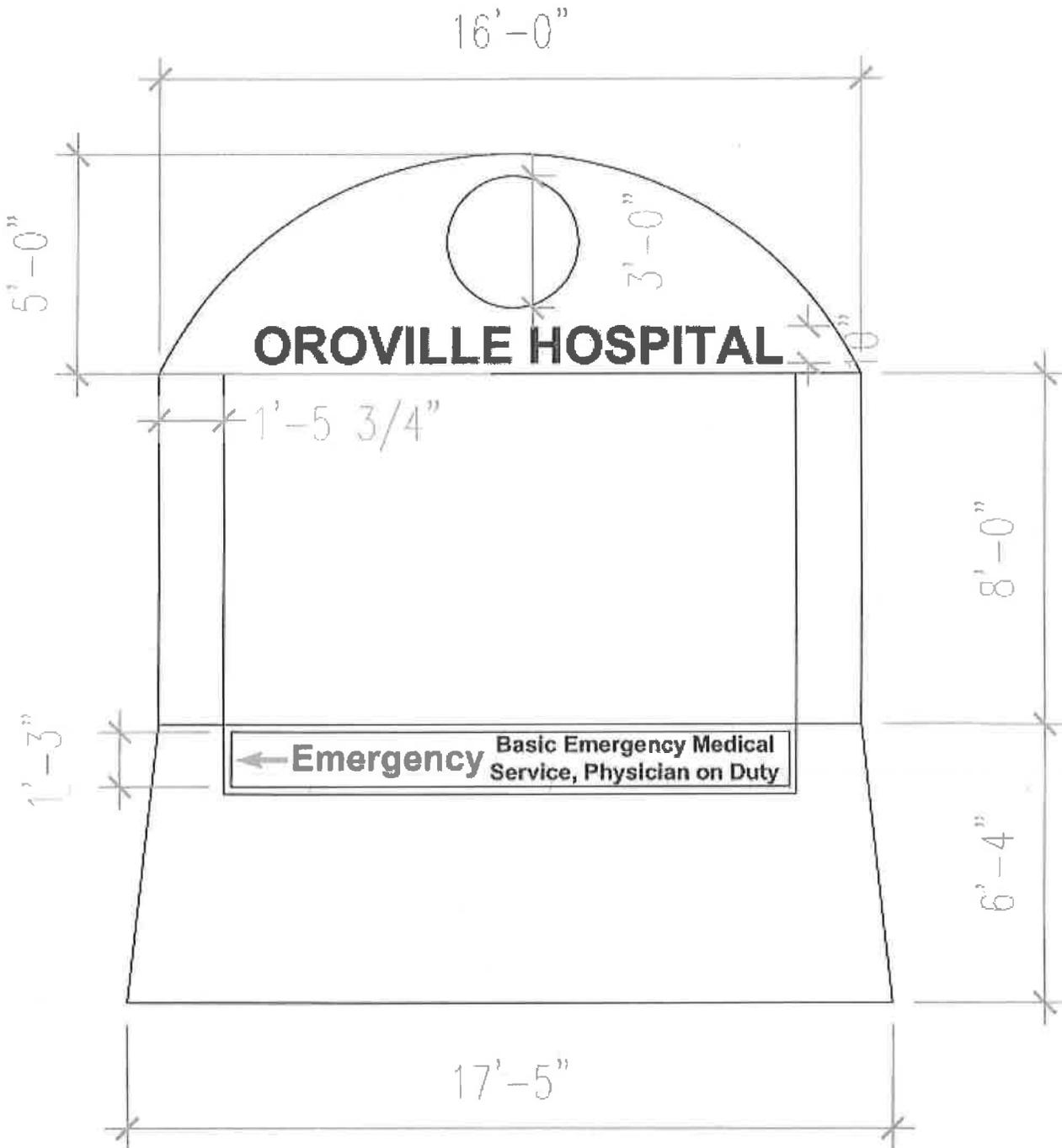
Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project by the Planning Commission.

PUBLIC NOTICE

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property on March 4, 2015 (**Attachment F**). Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register on March 13, 2015 and posted at City Hall on March 6, 2015 (**Attachment G**).

ATTACHMENTS

- A – Elevation Drawing
- B – Notice of Exemption
- C – Findings
- D – Resolution No. P2015-01
- E – Conditions of Approval
- F – Property Owner Notice
- G – Newspaper Notice



RECEIVED

JAN 20 2015

CITY OF OROVILLE
BUILDING DEPT.



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Donald Rust
DIRECTOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

NOTICE OF EXEMPTION

TO: Butte County Clerk
25 County Center Drive
Oroville, CA 95965

FROM: City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Project Title: VAR 15-01: Oroville Hospital Sign Variance

Project Location – Specific: 2767 Olive Highway

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Darrin Kean, a representative of the Oroville Hospital, has applied for a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The subject property has a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Darrin Kean (Oroville Hospital)

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
- General Rule Exemption; Title 14, CCR, §15061(b)(3)
 - Replacement or Reconstruction; Title 14, CCR, §15302
 - Accessory Structures; Title 14, CCR, §15311
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Replacement or Reconstruction; Title 14, CCR, §15302

Class 2 categorical exemptions consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same

purpose and capacity as the structure replaced. The proposed sign will be a replacement of an existing monument sign on the same site and location. The sign will continue to be used for communicating information to the public specific to the Oroville Hospital and its medical campus. Thus, this action is exempt from CEQA.

Accessory Structures; Title 14, CCR, §15311

Class 11 categorical exemptions consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including on-premise signs. As the replacement of the existing sign with a slightly larger monument sign is clearly an appurtenant structure, as defined by the City of Oroville Municipal Code §26-04.020, to an institutional facility (Oroville Hospital medical campus), this project is exempt from CEQA.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Lead Agency Contact Person: Luis A. Topete

Telephone: (530) 538-2408

Signature: _____

Date: _____

Signed by Lead Agency

Signed by Applicant

FINDINGS

VARIANCE 15-01: OROVILLE HOSPITAL SIGN VARIANCE 2767 Olive Highway (APN: 013-260-062, 063, 068, 079 & 080)

A. INTRODUCTION

The project applicant, Darrin Kean, a representative of the Oroville Hospital, has applied for a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The subject property has a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of monument sign by approximately 11.5 feet.

B. CEQA EXEMPTIONS

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Replacement or Reconstruction; Title 14, CCR, §15302

Class 2 categorical exemptions consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed sign will be a replacement of an existing monument sign on the same site and location. The sign will continue to be used for communicating information to the public specific to the Oroville Hospital and its medical campus. Thus, this action is exempt from CEQA.

Accessory Structures; Title 14, CCR, §15311

Class 11 categorical exemptions consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including on-premise signs. As the replacement of the existing sign with a slightly larger monument sign is clearly an appurtenant structure, as defined by the City of Oroville Municipal Code §26-04.020, to an institutional facility (Oroville Hospital

medical campus), this project is exempt from CEQA.

C. VARIANCE FINDINGS

Per the OMC Section 26-50.080(C)(3), the Planning Commission shall grant a variance only upon finding all of the following, based on substantial evidence:

- a. The granting of the variance is not inconsistent with the General Plan or any applicable specific plan.

Per the City's 2030 General Plan, Goal OPS-5, Policy 5.2, it is the intent of the City of Oroville to limit freeway-oriented signs to maintain and enhance the quality of Oroville's scenic and visual resources. The policy requires combining freeway signs listing available accommodations and services, and allow only small identity signs on buildings adjoining freeway. This is the only reference to freeway-oriented signs in the General Plan, which is directed towards signs on scenic highway routes that informs motorists of available accommodations and services in Oroville. Since the signage in question does not fall under this policy, and the portion of Highway 162 where the Oroville Hospital is located is not a scenic highway but rather the main commercial corridor of the City, the granting of this variance is not inconsistent with the General Plan. There are no specific plans overlaying this property.

- b. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that does not generally apply to other land, buildings or uses in the same district.

As specified in the City Code 26-04.020, signs are designed to identify, announce, direct or inform. Most sign applications that are submitted are specific to one business or location. However, the Oroville Hospital operates as a medical campus with the Main Hospital, Office Complex, Orohealth Medical Plaza, and Olive Medical Building. As a medical campus with many different services within each facility, it is appropriate and the interest of the public health, safety, and welfare to ensure that proper signage is provided to properly guide patients. As most visits to the Oroville Hospital and medical campus are health related, and may often involve emergency situations, appropriate signage becomes all the more important.

The Oroville Hospital and medical campus, as a facility serving the public health, safety and welfare, may also have important medical or other health related information that is important to the public which may be displayed through the proposed monument sign. As a result of the direct relationship of the facility to the public health, safety, and welfare of the community, and the difference in the underlying purpose of the signage (directing patients potentially with medical emergencies) with that of the average sign application in a C-1 zoning district, it is believed that the land use this sign will be associated with presents exceptional

and extraordinary circumstances or conditions that do not generally apply to other land uses typically found in the same C-1 district.

- c. The granting of the variance will not grant a special privilege to the property.

For the reasons given above under item (b), it is believed that the granting of the requested sign variance will not grant a special privilege to the property but is rather an effort to support a Guiding Principle of the General Plan, "to ensure the health and safety of Oroville's residents," and one of the objectives of the zoning code, "to promote, protect and preserve the general public health, safety and welfare" (OMC Section 26-01.050(H)).

- d. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.

Please reference items (b and c) above.

- e. The granting of the variance will not be materially detrimental to the public welfare.

Please reference items (b and c) above.

- f. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

The existing sign proposed for removal and replacement is located at the northeast corner of the intersection at Olive Highway and Medical Center Drive, on the property where the Orohealth Medical Plaza is located, with the Olive Medical Building to the west and the Main Hospital to the north. The sign placement and construction will be reviewed by the City's engineer to ensure compliance with any applicable sight distance area requirements for an intersection. Additionally, this variance was forwarded to the California Department of Transportation (Caltrans) for comments, with no comments received. The construction of the sign shall be required to comply with any Caltrans and City engineering standards.

The sign location is part of an existing medical campus, and in an area surrounded by properties zoned C-1 (medical campus) and Intensive-Commercial (C-2) on the opposite side of Olive Highway (Arby's, Plaza Del Sol Professional Center and Air Cooled Unlimited). The granting of this variance will be conditioned to ensure the sign complies with all requirements of the City's Municipal Code not expressly granted a variance under this request. It is therefore believed that the existing sign is and will remain compatible with the surrounding properties and that this requested variance from the City's sign regulations will not be injurious to, or incompatible with any nearby property or improvements.

RESOLUTION NO. P2015-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE MAKING FINDINGS AND CONDITIONALLY APPROVING VARIANCE NO. 15-01 GRANTING THE OROVILLE HOSPITAL MEDICAL CENTER LOCATED AT 2767 OLIVE HIGHWAY (APNs: 013-260-062, 063, 068, 079 & 080) A VARIANCE FROM THE CITY'S SIGN REGULATIONS TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT OF A MONUMENT SIGN BY 11.5 FEET

WHEREAS, the City of Oroville Community Development Department has received an application requesting a variance from the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC); and

WHEREAS, the Oroville Hospital and medical campus located at 2767 Olive Highway (APNs: 013-260-062, 063, 068, 079 & 080) are proposing to replace the existing 14.5 foot tall monument sign located at the northeast corner of the intersection at Olive Highway and Medical Center Drive with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display; and

WHEREAS, the subject property has a zoning designation of Limited Commercial (C-1); and

WHEREAS, per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign; and

WHEREAS, the variance request is to exceed the permitted height of a monument sign in a C-1 zoning district by approximately 11.5 feet; and

WHEREAS, per the OMC Section 26-50.080(C)(3), the Planning Commission shall grant a variance only upon finding all of the following, based on substantial evidence:

- a. The granting of the variance is not inconsistent with the General Plan or any applicable specific plan.

Per the City's 2030 General Plan, Goal OPS-5, Policy 5.2, it is the intent of the City of Oroville to limit freeway-oriented signs to maintain and enhance the quality of Oroville's scenic and visual resources. The policy requires combining freeway signs listing available accommodations and services, and allow only small identity signs on buildings adjoining freeway. This is the only reference to freeway-oriented signs in the General Plan, which is directed towards signs on scenic highway routes that informs motorists of available accommodations and services in Oroville. Since the signage in question does not fall under this policy, and the portion of Highway 162 where the Oroville Hospital is located is not a scenic highway but rather the main commercial corridor of the City, the granting of this variance is not inconsistent with the General Plan. There are no specific plans overlaying this property.

- b. There are exceptional and extraordinary circumstances or conditions applying to the land, building or use referred to in the application that do not generally apply to other land, buildings or uses in the same district.

As specified in the City Code 26-04.020, signs are designed to identify, announce, direct or inform. Most sign applications that are submitted are specific to one business or location. However, the Oroville Hospital operates as a medical campus with the Main Hospital, Office Complex, Orohealth Medical Plaza, and Olive Medical Building. As a medical campus with many different services within each facility, it is appropriate and the interest of the public health, safety, and welfare to ensure that proper signage is provided to properly guide patients. As most visits to the Oroville Hospital and medical campus are health related, and may often involve emergency situations, appropriate signage becomes all the more important.

The Oroville Hospital and medical campus, as a facility serving the public health, safety and welfare, may also have important medical or other health related information that is important to the public which may be displayed through the proposed monument sign. As a result of the direct relationship of the facility to the public health, safety, and welfare of the community, and the difference in the underlying purpose of the signage (directing patients potentially with medical emergencies) with that of the average sign application in a C-1 zoning district, it is believed that the land use this sign will be associated with presents exceptional and extraordinary circumstances or conditions that do not generally apply to other land uses typically found in the same C-1 district.

- c. The granting of the variance will not grant a special privilege to the property.

For the reasons given above under item (b), it is believed that the granting of the requested sign variance will not grant a special privilege to the property but is rather an effort to support a Guiding Principle of the General Plan, "to ensure the health and safety of Oroville's residents," and one of the objectives of the zoning code, "to promote, protect and preserve the general public health, safety and welfare" (OMC Section 26-01.050(H)).

- d. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, and that would otherwise be denied to the property in question.

Please reference items (b and c) above.

- e. The granting of the variance will not be materially detrimental to the public welfare.

Please reference items (b and c) above.

- f. The granting of the variance will not be injurious to, or incompatible with, any nearby property or improvements.

The existing sign proposed for removal and replacement is located at the northeast corner of the intersection at Olive Highway and Medical Center Drive, on the property where the Orohealth Medical Plaza is located, with the Olive Medical Building to the west and the Main Hospital to the north. The sign placement and construction will be reviewed by the City's engineer to ensure compliance with any applicable sight distance area requirements for an intersection. Additionally, this variance was forwarded to the California Department of Transportation (Caltrans) for comments, with no comments received. The construction of the sign shall be required to comply with any Caltrans and City engineering standards.

The sign location is part of an existing medical campus, and in an area surrounded by properties zoned C-1 (medical campus) and Intensive-Commercial (C-2) on the opposite side of Olive Highway (Arby's, Plaza Del Sol Professional Center and Air Cooled Unlimited). The granting of this variance will be conditioned to ensure the sign complies with all requirements of the City's Municipal Code not expressly granted a variance under this request. It is therefore believed that the existing sign is and will remain compatible with the surrounding properties and that this requested variance from the City's sign regulations will not be injurious to, or incompatible with any nearby property or improvements.

WHEREAS, the sole purpose of any variance shall be to prevent discrimination and undue hardship, and no variance shall be granted that would provide a special privilege not shared by other property in the same vicinity; and

WHEREAS, at a noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the variance described herein, and also considered the City's staff report regarding the project.

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

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Replacement or Reconstruction; Title 14, CCR, §15302

Class 2 categorical exemptions consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed sign will be a replacement of an existing monument sign on the same site and location. The sign will continue to be used for communicating information to the public specific to the Oroville Hospital and its medical campus. Thus, this action is exempt from CEQA.

Accessory Structures; Title 14, CCR, §15311

Class 11 categorical exemptions consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including on-premise signs. As the replacement of the existing sign with a slightly larger monument sign is clearly an appurtenant structure, as defined by the City of Oroville Municipal Code §26-04.020, to an institutional facility (Oroville Hospital medical campus), this project is exempt from CEQA.

2. The Planning Commission adopts the findings required by the Oroville Municipal Code §26-50.080(C)(3) as described in this Resolution.
3. The project applicant agrees to comply with all City sign regulations as found in Section 26-19 of the City's Municipal Code, except as otherwise granted by this variance.
4. The attached conditions of approval have been deemed necessary to achieve the purposes of the City's Zoning Code and promote the general health, safety and public welfare of the City.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission of the City of Oroville hereby conditionally approves Variance 15-01, allowing the Oroville Hospital and medical campus located at 2767 Olive Highway (APNs: 013-260-062, 063, 068, 079 & 080) a variance from the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. The subject property has a zoning designation of Limited Commercial (C-1). Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The variance request to exceed the permitted height of a monument sign by approximately 11.5 feet is hereby approved, subject to the following conditions:

1. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the

project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.

2. Pursuant to Section 26-19.040, the applicant is required to apply for sign permits for any new signs to be installed on the property.
3. The applicant shall ascertain and comply with the requirements of all Federal Highway Administration and California Department of Transportation standards, as well as all other applicable local, state and federal requirements that may be applicable to the proposed project.
4. Unless otherwise specified in this variance (VAR 15-01), this project shall fully comply with all City sign regulations as found in the Oroville Municipal Code Section 26-19.
5. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this variance may be grounds for the revocation.
6. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this variance or any environmental or other documentation related to approval of this variance. Applicant further agrees to provide a defense for the City in any such action.
7. The sign shall not be permitted to display video or any display with continuous motion. Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited.
8. Messages shall be displayed for a minimum of 8 seconds. Transition during messages shall be two seconds or less and shall either be instantaneous or fade out/in.
9. Pursuant to City Code Section 26-19.045, a sign that utilized light technologies (such as light emitting diodes) to create digital messages shall be equipped with a light sensor that automatically adjusts the lighting of the sign face as ambient lighting changes. In no event shall the sign face increase ambient illumination by more than 0.3 foot-candles when measured perpendicular to the message sign face at a distance based off the following formula:
 - *Measurement Distance* = $\sqrt{(\text{Area of Sign Sq. Ft.} \times 100)}$
10. All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds, debris, and graffiti.

11. Any outstanding installation of landscaping and irrigation systems shall be completed before sign permit is finalized.
12. Pursuant to City Code Section 26-13.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County recorder. The agreement shall be binding upon the property owner and any successors in interest.

--- End of Conditions ---

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 23rd of March 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

DONALD L. RUST, SECRETARY

DAMON ROBISON, CHAIRPERSON

CONDITIONS OF APPROVAL

VARIANCE 15-01: OROVILLE HOSPITAL SIGN VARIANCE

Approved project: The Planning Commission of the City of Oroville hereby conditionally approves Variance 15-01, allowing the Oroville Hospital and medical campus located at 2767 Olive Highway (APNs: 013-260-062, 063, 068, 079 & 080) a variance from the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. The subject property has a zoning designation of Limited Commercial (C-1). Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The variance request to exceed the permitted height of a monument sign by approximately 11.5 feet is hereby approved, subject to the following conditions:

1. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
2. Pursuant to Section 26-19.040, the applicant is required to apply for sign permits for any new signs to be installed on the property.
3. The applicant shall ascertain and comply with the requirements of all Federal Highway Administration and California Department of Transportation standards, as well as all other applicable local, state and federal requirements that may be applicable to the proposed project.
4. Unless otherwise specified in this variance (VAR 15-01), this project shall fully comply with all City sign regulations as found in the Oroville Municipal Code Section 26-19.
5. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this variance may be grounds for the revocation.
6. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this variance or any environmental or other documentation related to approval of this variance. Applicant further agrees to provide a defense for the City in any such action.

7. The sign shall not be permitted to display video or any display with continuous motion. Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited.
8. Messages shall be displayed for a minimum of 8 seconds. Transition during messages shall be two seconds or less and shall either be instantaneous or fade out/in.
9. Pursuant to City Code Section 26-19.045, a sign that utilized light technologies (such as light emitting diodes) to create digital messages shall be equipped with a light sensor that automatically adjusts the lighting of the sign face as ambient lighting changes. In no event shall the sign face increase ambient illumination by more than 0.3 foot-candles when measured perpendicular to the message sign face at a distance based off the following formula:
 - *Measurement Distance = $\sqrt{(\text{Area of Sign Sq. Ft.} \times 100)}$*
10. All structures shall be properly maintained, kept in good repair and kept clean. The area occupied by such structure shall be kept free of weeds, debris, and graffiti.
11. Any outstanding installation of landscaping and irrigation systems shall be completed before sign permit is finalized.
12. Pursuant to City Code Section 26-13.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County recorder. The agreement shall be binding upon the property owner and any successors in interest.

--- End of Conditions ---



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
 Oroville, CA 95965-4897
 (530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

Donald Rust
 DIRECTOR

ATTENTION: PROPERTY OWNERS AND INTERESTED PARTIES

The project listed below has been filed with the Community Development Department. You are invited to comment because your property is located near the proposed project. Please comment in the space below. You may attach additional pages as necessary.

Please submit your comments to this department no later than **Monday, March 23, 2015** to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. If you have no comment, a reply is not necessary.

VICINITY MAP

ASSESSOR
PARCEL 013-260-062, 063, 068,
NUMBERS: 079 and 080

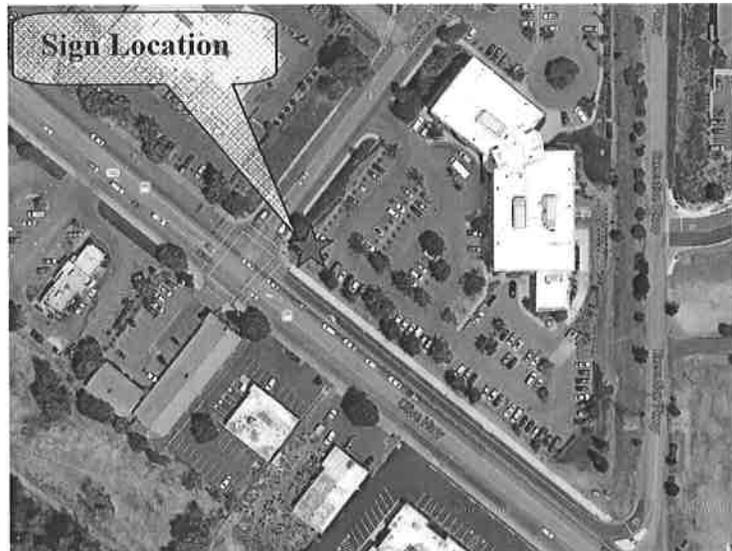
FILE VAR 15-01
NUMBER:

APPLICANT: Darrin Kean
 Oroville Hospital

ZONING: Limited Commercial (C-1)

LOCATION: 2767 Olive Highway

CONTACT Luis A. Topete,
PERSON: Associate Planner
 530 538-2408
 530 538-2426 Fax
topetela@cityoforoville.org



PROJECT DESCRIPTION

VAR 15-01 – Oroville Hospital Sign Variance: The project applicant, Darrin Kean, a representative of the Oroville Hospital, has applied for a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code. The applicant is proposing to replace an existing 14.5 foot tall monument sign located at the northeast corner of the intersection at Olive Highway and Medical Center Drive with an approximately 19.5 foot tall monument sign. The Oroville Hospital and medical campus have a zoning designation of Limited Commercial (C-1), which allows a maximum height of 8 feet for monument signs. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.

NOTICE IS HEREBY GIVEN that the City of Oroville Planning Commission will hold a public hearing on the project described above. Said hearing will be held on **Monday, March 23, 2015 at 7:00 p.m.** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.



City of Oroville

Donald Rust
DIRECTOR

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NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OROVILLE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Oroville will hold a public hearing on the projects described below. Said hearing will be held at **7:00 p.m. on Monday, March 23, 2015** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **VAR 15-01: Oroville Hospital Sign Variance** – The Planning Commission of the City of Oroville will conduct a public hearing to review and consider approving a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The Oroville Hospital and medical campus have a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.
2. **Oroville Sustainable Code Updates** – The Planning Commission of the City of Oroville will conduct a public hearing to review and consider sending a recommendation to the Oroville City Council for the approval of updates to the City's Zoning Ordinance to bring it into conformance with the 2030 General Plan, changes to the Zoning Map to bring it into conformance with the City's 2030 General Plan land use designations, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, new Climate Action Plan, new Balanced Mode Circulation Plan, targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, and other updates to the Oroville Municipal Code, including solar energy ordinance revisions, local and healthy food amendments, development incentives for community benefits, Crime Prevention Through Environmental Design, park provision standards, and a new oak tree loss mitigation ordinance.

Additional information regarding the projects described in this notice can be obtained from the Oroville Community Development Department at 1735 Montgomery Street, Oroville, CA. Anyone desiring to submit information, opinions or objections is requested to submit them in writing to the Community Development Department prior to the hearing. In accordance with Government Code Section 65009, if you challenge an action on these projects in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meetings.



City of Oroville

Donald Rust
DIRECTOR

COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

March 23, 2015

Oroville Sustainable Code Updates – The Planning Commission of the City of Oroville will conduct a public hearing to review and consider sending a recommendation to the Oroville City Council for the approval of updates to the City's Zoning Ordinance to bring it into conformance with the 2030 General Plan, changes to the Zoning Map to bring it into conformance with the City's 2030 General Plan land use designations, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, new Climate Action Plan, new Balanced Mode Circulation Plan, targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, and other updates to the Oroville Municipal Code, including solar energy ordinance revisions, local and health food amendments, development incentives for community benefits, Crime Prevention Through Environmental Design (CPTED), park provision standards, and a new oak tree loss mitigation ordinance.

APPLICANT: City of Oroville
Planning Division
1735 Montgomery Street
Oroville, CA 95965

LOCATION: Citywide

GENERAL PLAN: N/A
ZONING: N/A
FLOOD ZONE: N/A

ENVIRONMENTAL DETERMINATION:
Supplemental Environmental Impact Report

REPORT PREPARED BY:

Luis A. Topete, Associate Planner
Community Development Department

REVIEWED BY:

Donald Rust, Director
Community Development Department

RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **HOLD** a public hearing and receive testimony on the proposed Oroville Sustainable Code Updates and certification of the Final Supplemental Environmental Impact Report (SEIR); and
2. **ADOPT** Resolution No. P2015-02 (**Attachment A**).

SUMMARY

The Planning Commission will conduct a public hearing to review and consider sending a recommendation to the Oroville City Council for the approval of multiple documents collectively referred to as the "Oroville Sustainable Code Updates," which include updates to the City's Zoning Ordinance to bring it into conformance with the 2030 General Plan, changes to the Zoning Map to bring it into conformance with the City's 2030 General Plan land use designations, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, new Climate Action Plan, new Balanced Mode Circulation Plan, targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, and other updates to the Oroville Municipal Code, including solar energy ordinance revisions, local and healthy food amendments, development incentives for community benefits, Crime Prevention Through Environmental Design, park provision standards, and a new oak tree loss mitigation ordinance.

BACKGROUND

The City of Oroville adopted the Oroville 2030 General Plan on June 2, 2009. Since that time, the City has been proceeding with several key steps to implement the updated General Plan, including updating the Zoning Ordinance to bring it into conformance with the 2030 General Plan, preparing other updates to the Municipal Code, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, preparing a Climate Action Plan (CAP), and preparing a Balanced Mode Circulation Plan. In addition, the City is preparing targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville. Collectively, these project components are referred to as the Oroville Sustainability Code Updates.

On January 3, 2012, the Council authorized City staff to apply for the Strategic Growth Council's (SGC) 2nd round of Planning Grants. The grant is being funded by The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (or Proposition 84). Round 2 appropriated \$90 million for State Planning Grants. On February 15, 2012, the City successfully submitted its grant application. On July 1, 2012, the City was notified that its grant application was awarded \$390,000 by the state Strategic Growth Council.

On October 3, 2012, the Request for Proposal (RFP) went out for the grant work that was awarded. On November 26, 2012, the City received five proposals from the

following planning consultant firms: Atkins, PMC, AECOM, The Planning Institute, and The Planning Center DC&E. Of the five consultants, three were interviewed on February 7, 2013. On March 5, 2013, the Oroville City Council adopted Resolution No. 8044 authorizing the City Administrator to execute an agreement on behalf of the City with The Planning Center DC&E for contract planning services regarding the SGC Planning Grant.

COMMUNITY OUTREACH

In an effort to make this an inclusive process, the following community outreach efforts have taken place:

Date	Time	Location	Audience
09/25/2013	6:00pm to 8:00pm	Centennial Cultural Center at 1931 Arlin Rhine Memorial Dr	Community-Wide Meeting
10/16/2013	8:00am to 9:00am	Bird Street Café International Room at 1435 Myers St	Oroville Downtown Business Association
12/10/2013	10:00am to 11:00am	Lake Oroville Visitors Center at 917 Kelly Ridge Rd	Tourism Committee
03/18/2014	9:00am to 12:00pm	Tahoe Room at 202 Mira Loma Dr	Mobile 4 Health Work Group of the Greater Oroville Area
04/16/2014	8:00am to 9:00am	Bird Street Café International Room at 1435 Myers St	Oroville Downtown Business Association
05/22/2014	4:00pm to 8:30pm	Centennial Cultural Center at 1931 Arlin Rhine Memorial Dr	1 st Community-Wide Public Scoping Meeting for the SEIR
06/19/2014	4:00pm to 7:00pm	Centennial Cultural Center at 1931 Arlin Rhine Memorial Dr	2 nd Community-Wide Public Scoping Meeting for the SEIR

On February 27, 2015, the City held a joint City Council / Planning Commission workshop to review the draft documents that were out for public review as part of the Oroville Sustainable Code Update. The consultant and City staff presented an overview of the information contained in all the proposed documents and answered questions. A summary of the edits to each document suggested by the Councilmembers and Commissioners at this meeting are identified in **Attachment H**.

Additionally, press releases have been sent out regarding community-wide meetings and availability of draft documents, and the draft documents have been placed on the City's website and several reviewing agencies have received notice of the completion of the environmental document and a copy of the SEIR was transmitted for review and comments (**Attachment I**).

COMMENTS RECEIVED

The public drafts of all the documents have been prepared and were made public on Friday, January 30, 2015 for a forty five (45) day public review period which ended on

Monday, March 16, 2015. During the 45 day public review period the City received two (2) separate comments from:

- (1) Central Valley Regional Water Quality Control Board (**Attachment J**); and
- (2) California Department of Transportation (Caltrans) District #3 (**Attachment K**)

No additional written comments have been received.

ENVIRONMENTAL REVIEW

The adopted Oroville 2030 General Plan was reviewed according to the California Environmental Quality Act (CEQA) statute and guidelines. A programmatic Draft Environmental Impact Report (2008 Draft EIR) was completed on March 31, 2008, sent to the State Clearinghouse, and reviewed by local, State, and federal agencies and the general public during the review period. A Final EIR including responses to comments was published on March 31, 2009. The Final EIR was certified by the Oroville City Council on June 2, 2009 (2009 EIR).

The Oroville Sustainable Code Updates must also be reviewed according to the CEQA statute and guidelines. CEQA guidelines §15162 and §15163 contain provisions regarding Supplemental EIRs, and when they may be used in place of a full EIR or Subsequent EIR. According to CEQA guideline §15162, a Subsequent EIR shall be prepared if changes are made to a project following certification of an EIR. According to CEQA guideline §15163, a Supplemental EIR may be prepared in lieu of a Subsequent EIR if only minor changes would be needed to make the previous EIR adequately apply to the revised project. The changes contained in the Oroville Sustainable Code Updates do not significantly change the analysis of the 2030 General Plan in the 2009 EIR. Therefore, an EIR has been prepared as a Supplemental EIR (SEIR).

The purpose of the SEIR is to inform the general public and decision makers of any changes to the environmental impacts of the 2030 General Plan caused by the 2030 General Plan (the "Approved Project" in this SEIR), in combination with the Oroville Sustainable Code Updates ("Modified Project"). The SEIR looks at the differences between the Modified Project and the Approved Project and evaluates whether the impacts would be increased or reduced, and how they would differ. Baseline conditions and regulatory information that were reported in the 2008 Draft EIR are updated as appropriate in the SEIR; the baseline also now includes the adopted 2030 General Plan. Where new impacts and mitigation measures are listed, they are numbered sequentially to the numbering in the 2009 EIR.

Some environmental regulations and guidelines have changed since the original EIR was prepared. In May 2010, new CEQA guidelines were adopted, including more specific questions for analysis of greenhouse gas (GHG) emissions and a new question regarding forestland conversion, among others. Therefore, the SEIR updates the thresholds to reflect the current CEQA guidelines, although only the changes between the Approved and Modified Project are evaluated against these thresholds, as discussed above.

As a Program EIR, the SEIR is not project-specific. It does not evaluate the impacts of specific projects that may be proposed under the 2030 General Plan and Oroville Sustainable Code Updates. Such projects will require separate environmental review to secure the necessary discretionary development permits. While future environmental review may be tiered off the SEIR, the SEIR is not intended to address impacts of individual projects.

FISCAL IMPACT

The work is primarily being funded by The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 or Proposition 84, of which the City was awarded \$390,000 by the state Strategic Growth Council. The consultant's agreement with the City for the completion of the work is in an amount not to exceed \$329,321, of which \$318,004 is being paid for by the grant. The remaining \$11,317 has been approved by the City Council for payment through the General Fund (Resolution No. 8250 and 8324) for additional services requested by the City outside the original scope of work.

Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, \$3,119.75 (\$3,069.75 Filing Fees + \$50 County Clerk Process Fee) are payable by the project applicant (City of Oroville) to file the Notice of Determination with Butte County within five working days of approval of this project by the City Council. This will be a \$3,119.75 impact to the General Fund.

PUBLIC NOTICE

The meeting date, time, and project description were published in the Oroville Mercury Register on March 13, 2015 and posted at City Hall on March 6, 2015 (**Attachment L**).

ATTACHMENTS

- A – Resolution No. P2015-02
- B – Oroville 2030 General Plan
- C – Climate Action Plan
- D – Balanced Mode Circulation Plan
- E – Design Guidelines
- F – Municipal Code Updates
- G – Supplemental Environmental Impact Report
- H – City Council and Planning Commission Comments from 2/27/15 Workshop
- I – Notice of Completion & Environmental Document Transmittal
- J – Comments from the Central Valley Regional Water Quality Control Board
- K – Comments from the California Department of Transportation (Caltrans)
- L – Newspaper Notice

RESOLUTION NO. P2015-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE FORWARDING A RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF OROVILLE TO ADOPT ALL PROPOSED NEW AND AMENDED DOCUMENTS COLLECTIVELY KNOWN AS THE "OROVILLE SUSTAINABLE CODE UPDATES," CERTIFY THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, ADOPT THE AMENDED MITIGATION MONITORING AND REPORTING PROGRAM, AND AUTHORIZE THE EXPENDITURE FOR THE FILING OF THE NOTICE OF DETERMINATION

WHEREAS, Section 65300 of the Government Code of the State of California authorizes cities to prepare long-range comprehensive guides known as general plans; and

WHEREAS, the current City of Oroville 2030 General Plan was reviewed and adopted in 2009 according to the California Environmental Quality Act (CEQA) statute and guidelines; and

WHEREAS, the Final Environmental Impact Report (EIR) for the City's current General Plan was certified by the City Council on June 2, 2009; and

WHEREAS, CEQA guidelines Section 15162 and Section 15163 contain provisions regarding Supplemental EIRs and when they may be used in place of a full EIR or Subsequent EIR; and

WHEREAS, according to CEQA guideline Section 15163, a Supplemental EIR may be prepared in lieu of a Subsequent EIR if only minor changes would be needed to make the previous EIR adequately apply to the revised project; and

WHEREAS, the changes contained in the project identified as the "Oroville Sustainable Code Updates" do not significantly change the analysis of the 2030 General Plan in the 2009 EIR; and

WHEREAS, the City of Oroville, as lead agency under CEQA Section 21067, has prepared a Draft and Final Supplemental EIR for consideration to update the City's General Plan (the "Approved Project" in the Supplemental EIR), in combination with the Oroville Sustainable Code Updates (the "Modified Project" in the Supplemental EIR); and

WHEREAS, the City's Housing Element of the General Plan was previously adopted by the City Council in 2014 for the 2014-2022 Planning Period and shall remain in full force and effect; and

WHEREAS, all proposed amendments (2030 General Plan; Design Guidelines; Municipal Code Updates; Zoning Map) and new documents (Balanced Mode Circulation Plan; Climate Action Plan) collectively referred to as the "Oroville Sustainable Code Updates" were circulated for a 45-day review period along with the Supplemental EIR from

January 30, 2015 to March 15, 2015; and

WHEREAS, comments received during the public review period were addressed and responses prepared as required by CEQA and a Final Supplemental EIR was prepared for the project; and

WHEREAS, the responses to comments received on the Draft Supplemental EIR were made available to the person or agency that made the comment at least 10 days prior to the certification of the Supplemental EIR; and

WHEREAS, at a noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the project described herein, and also considered the City's staff report regarding the project.

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

1. The information and analysis contained in the Final Supplemental EIR reflects the City's independent judgment as to the environmental consequences of the proposed project.
2. Recommend that the City Council find that the Final Supplemental EIR has been completed in compliance with the CEQA statute and guidelines.
3. Recommend that the City Council, having final approval authority over the project, adopt and certify as complete and adequate the Final Supplemental EIR, which reflects the City Council's independent judgment and analysis.
4. Recommend that the City Council consider and adopt the amended Mitigation Monitoring and Reporting Plan as specified in the Supplemental EIR. The Planning Commission finds that these mitigation measures are fully enforceable conditions.
5. Recommend that the City Council authorize the expenditure of \$3,119.75 from the General Fund to file the Notice of Determination with Butte County within five working days of approval of this project by the City Council.
6. Recommend that the City Council adopt all proposed amendments (2030 General Plan; Design Guidelines; Municipal Code Updates; Zoning Map) and new documents (Balanced Mode Circulation Plan; Climate Action Plan) collectively referred to as the "Oroville Sustainable Code Updates."

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 23rd of March 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

DONALD L. RUST, SECRETARY

DAMON ROBISON, CHAIRPERSON



Oroville 2030 General Plan



for the City of Oroville

Public Review Draft | January 30, 2015

City of Oroville Community Climate Action Plan

Public Draft

January 2015



Prepared by:
ICF International
with assistance from PlaceWorks and Fehr & Peers





OROVILLE

BALANCED MODE CIRCULATION PLAN



PLACEWORKS

JANUARY 30, 2015

CITY OF OROVILLE DESIGN GUIDELINES

Public Review Draft
January 2015



Oroville Municipal Code Updates



for the City of Oroville

Public Review Draft | January 30, 2015



January 30, 2015



Oroville Sustainability Updates Draft Supplemental EIR

for the City of Oroville

State Clearinghouse #2014052001



MEMORANDUM

DATE March 3, 2015
 TO Don Rust and Luis Topete
 City of Oroville, Community Development Department
 FROM Tanya Sundberg
 SUBJECT City Council and Planning Commission Comments from 2/27/15 Workshop

On February 27, 2015, the City Council and Planning Commission held a joint workshop to review the draft documents out for public review as part of the Oroville Sustainable Code Update. This memorandum summarizes the edits to each document suggested by Councilmembers and Commissioners at this meeting. Comments below were made by a single Councilmember or Commissioner except as noted below.

Draft 2030 General Plan Updates

Suggested edits to the Draft 2030 General Plan Updates were as follows:

- » Land Use Element: Add policy/s regarding coordination with the County on land use planning in the unincorporated areas within the City's SOI.
- » Circulation and Transportation Element:
 - Page 6-10: Update the location of the Greyhound bus stop.
 - Figure CIR-7, Bicycle Facilities – Future 2035 Conditions:
 - Add Table Mountain Boulevard north of Montgomery Street. *Note: Upon further review after the meeting, staff confirmed that this section is included as a planned bikeway in Figure CIR-7, so no edit is needed. Also, it is included as a "First Priority Bikeway" in the 2010 Oroville Bike Plan.*
 - Add an extension to the existing Orange Avenue bikeway that would continue northeast to connect to the lake.
 - Page 6-38: Revise Policy CIR-P3.1 to ensure that street widths are adequate for emergency vehicles, garbage trucks, and similarly large vehicles. *Note: This comment was supported by multiple Commissioners/Councilmembers.*
 - Add policy/s to promote connectivity between residential/employment and recreation areas via bikeways.
 - Add policy/s to coordinate with BCAG on bus stop locations. *Note: This comment was supported by multiple Commissioners/Councilmembers.*

- » Open Space, Natural Resources, and Conservation Element, Figure OPS-1, Parks, Recreational Facilities, and Open Space: Add the City-owned retention basin on the east side of the city as a proposed/future park location.

In addition, in response to a question that was raised at the meeting, the City's current parkland service ratio is 17 acres of parkland per 1,000 residents. This is based on an existing 2014 population of 16,000 (CA DOF) and the 279 acres of parkland within the city, as reported on page 7-4 of the Open Space, Natural Resources, and Conservation Element.

Draft Municipal Code Updates

Suggested edits to the Draft Municipal Code Updates were as follows:

- » Change the photos shown on the cover page so that it is easier to distinguish this document from the General Plan.
- » Section 26-16.120, Animal Keeping: Add an exemption to subsections D and E for 4-H and Future Farmers of America (FFA) activities.

Climate Action Plan

Suggested edits to the Climate Action Plan were as follows:

- » Change the *Land Conservation* Action Area name to clarify that it does not conserve land, but rather covers activities that affect the landscape.
- » Add an action to Strategy BE-7 (Local Renewable Energy Development) to support PG&E's new *Green Option* program that provides opportunities for customers to buy into a pool of locally-produced solar energy to meet electricity needs.
- » Add a discussion about the role of the City to model energy efficiency and sustainability through an energy audit of City facilities and associated energy conservation improvements.
- » Add a discussion about the Sustainable Groundwater Management Act to the regulatory section and other sections as appropriate.

Balanced Mode Circulation Plan

Suggested edits to the Balanced Mode Circulation Plan were as follows:

- » Page 3-3, Curb Extensions: Address issues with how curb extensions affect large truck turning.
Note: This comment was supported by multiple Commissioners/Councilmembers.

Design Guidelines Updates

Suggested edits to the Design Guidelines Updates were as follows:

- » Page 170: Add a new design guideline in the Water Use section that promotes the reuse of graywater in individual buildings for non-potable purposes. *Note: This comment was supported by multiple Commissioners/Councilmembers.*

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2014052001

Project Title: Oroville Sustainability Updates

Lead Agency: City of Oroville Community Development Department

Contact Person: Luis Topete

Mailing Address: 1735 Montgomery Street

Phone: (530) 538-2408

City: Oroville

Zip: 95965

County: Butte

Project Location: County: Butte

City/Nearest Community: Oroville

Cross Streets: n/a - citywide

Zip Code: 95965/95966

Longitude/Latitude (degrees, minutes and seconds): n/a ° ' " N / ° ' " W Total Acres: n/a

Assessor's Parcel No.: n/a

Section: n/a

Twp.:

Range:

Base:

Within 2 Miles: State Hwy #: 70, 162

Waterways: Numerous

Airports: Oroville Municipal Airport

Railways: Western Pacific

Schools: Numerous

Document Type:

CEQA:

- NOP
Early Cons
Neg Dec
Mit Neg Dec

- Draft EIR
Supplement/Subsequent EIR (Prior SCH No.) 2008022024
Other:

NEPA:

- NOI
EA
Draft EIS
FONSI

Other:

- Joint Document
Final Document
Other:

Local Action Type:

- General Plan Update
General Plan Amendment
General Plan Element
Community Plan

- Specific Plan
Master Plan
Planned Unit Development
Site Plan

- Rezone
Prezone
Use Permit
Land Division (Subdivision, etc.)

- Annexation
Redevelopment
Coastal Permit
Other: See attached

Development Type:

- Residential: Units, Acres
Office: Sq.ft., Acres, Employees
Commercial: Sq.ft., Acres, Employees
Industrial: Sq.ft., Acres, Employees
Educational
Recreational
Water Facilities: Type, MGD

- Transportation: Type
Mining: Mineral
Power: Type, MW
Waste Treatment: Type, MGD
Hazardous Waste: Type
Other:

Project Issues Discussed in Document:

- Aesthetic/Visual, Agricultural Land, Air Quality, Archeological/Historical, Biological Resources, Coastal Zone, Drainage/Absorption, Economic/Jobs, Fiscal, Flood Plain/Flooding, Forest Land/Fire Hazard, Geologic/Seismic, Minerals, Noise, Population/Housing Balance, Public Services/Facilities, Recreation/Parks, Schools/Universities, Septic Systems, Sewer Capacity, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Water Supply/Groundwater, Wetland/Riparian, Growth Inducement, Land Use, Cumulative Effects, Other:

Present Land Use/Zoning/General Plan Designation:

Numerous

Project Description: (please use a separate page if necessary)

After a multi-year effort involving extensive community input, the City of Oroville adopted the Oroville 2030 General Plan on June 2, 2009. Since that time, the City has been proceeding with several key steps to implement the updated General Plan, including updating the Zoning Ordinance to bring it into conformance with the 2030 General Plan, preparing other updates to the Municipal Code, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, preparing a Climate Action Plan (CAP), and preparing a Balanced Mode Circulation Plan. In addition, the City is preparing targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, as discussed in more detail in Chapter 3 of the attached Draft Supplemental EIR.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

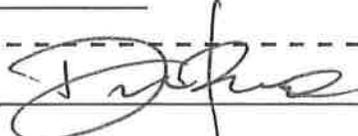
- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input checked="" type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>3</u> | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u> |
| <input checked="" type="checkbox"/> Caltrans Planning | <input checked="" type="checkbox"/> Resources Agency |
| <input checked="" type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>2</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: <u>Butte County Air Quality Management District</u> |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date January 30, 2015 Ending Date March 16, 2015

Lead Agency (Complete if applicable):

Consulting Firm: <u>PlaceWorks</u>	Applicant: <u>City of Oroville</u>
Address: <u>1625 Shattuck Ave., Suite 300</u>	Address: <u>1735 Montgomery Street</u>
City/State/Zip: <u>Berkeley, CA 94709</u>	City/State/Zip: <u>Oroville, CA 95965</u>
Contact: <u>Tanya Sundberg</u>	Phone: <u>(530) 538-2408</u>
Phone: <u>510-848-3815</u>	

Signature of Lead Agency Representative:  **Date:** 01.28.15

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**Attachment to Notice of Completion
Oroville Sustainability Updates
SCH#2014052001**

Local Action Type: Other
Municipal Code Update
Design Guidelines Update
Climate Action Plan
Circulation Plan

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

12 February 2015

Mr. Luis Topete
City of Oroville
1735 Montgomery Street
Oroville, CA 95965

COMMENTS ON THE SUPPLEMENT EIR FOR PROPOSED OROVILLE SUSTAINABILITY UPDATE PROJECT, OROVILLE, BUTTE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 2 February 2015, we received your request for comments on the Supplement Environmental Impact Report for the Oroville Sustainability Update Project.

The City of Oroville adopted the Oroville 2030 General Plan on June 2, 2009. Since that time, the City has been proceeding with several key steps to implement the updated General Plan, including updating the Zoning Ordinance to bring it into conformance with the 2030 General Plan, preparing other updates to the Municipal Code, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, preparing a Climate Action Plan, and preparing a Balanced Mode Circulation Plan.

Based on our review of the information submitted for the proposed project, we have the following comments:

Studies have found the amount of impervious surface in a community is strongly correlated with the impacts on community's water quality. New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II Municipal Storm Water Permit requirements the City of Oroville must ensure that new developments comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and establish maintenance requirements. The proposed project must be conditioned to comply with post construction standards adopted by the City of Oroville in compliance with their Phase II Municipal Storm Water Permit.

Luis Topete
City of Oroville
Oroville Stainability Update Project

- 2 -

12 February 2015

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at szaitz@waterboards.ca.gov.



Scott A. Zaitz, R.E.H.S.
Environmental Scientist
Storm Water & Water Quality Certification Unit

SAZ: wrb

cc w/o

enclosures: Ms. Leah Fisher, U.S. Army Corp of Engineers, Sacramento
Department of Fish and Wildlife, Region 2, Rancho Cordova
State Clearing House Number (2014052001)

R:\RB5\RB5RSection\N Central Valley\laCross Section\Clerical\Storm_water\SZaitz\2015\CEQA Comment Oroville Sustainability Update Project.doc

DEPARTMENT OF TRANSPORTATION
DISTRICT 3
703 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4199
FAX (530) 741-5346
TTY 711



*Flex your power!
Be energy efficient!*

March 16, 2015

FMP# 032015BUT0012
03-BUT-Var/PM Var
SCH# 2014052001

Mr. Luis Topete
Community Development Department
City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Dear Mr. Topete:

Thank you for the opportunity to review and comment on the Oroville Sustainability Updates (SCH# 2014052001) project. This project consists of a targeted update of the 2030 General Plan adopted in 2009. It includes updates to the City's Zoning Ordinance, Municipal Code, Design Guidelines and the preparation of a Climate Action Plan and Balanced Mode Circulation Plan. The project area includes the 13-square-mile incorporated area for which the City of Oroville has jurisdiction as well as the City's defined Sphere of Influence. The following comments are based on the draft Supplemental Environmental Impact Report (Draft SEIR):

We commend the City's goal of accommodating bicyclists, children and seniors, persons with disabilities, motorists, pedestrians, and users of public transportation. We are encouraged by the increased emphasis on active transportation and we look forward to the results of partnering with the City, Butte County Association of Governments (BCAG), and the consultant selected to study mobility alternatives on State Route (SR) 162 from SR 70 interchange to Foothill Boulevard.

However, we have substantial concern with this targeted update in that it proposes to allow SR 162 (Olive Highway) from Oroville Dam Boulevard to Lower Wyandotte Road to remain at Level of Service (LOS) F with no plans for improvement. In addition, we note it identifies three additional segments of SR 162 that will degrade to LOS F within the planning horizon (2030) with no plans for improvement. This is unacceptable and does not meet the State's LOS standards.

State facility LOS is determined by Caltrans. The urban area standard is identified as LOS E. All public transit in Oroville, now and in the foreseeable future, is provided via transit bus which traverses roadways including SR 162. A road system that includes critical segments operating at LOS F could mean poor public transportation performance. Permitting the system to operate at LOS F while allowing other segments to degrade to LOS F appears to be contradictory to the goal of reducing greenhouse gas emissions.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Luis Topete/City of Oroville
March 16, 2015
Page 2

With regard to *Emergency Access* on page 4.13-31, the proposed degradation of major roadways to LOS F will likely have a significant impact on emergency services. This is particularly true for SR 162 (Olive Highway) between Oroville Dam Boulevard and Lower Wyandotte Road, as this segment provides access to Oroville Hospital. Roadways that are congested and operate at LOS F can create significant and unpredictable delays for emergency response times.

Concerning *Impacts and Mitigation Measures* on page 4.13-33, the proposed cumulative impacts appear much more significant than the previously approved environmental document.

Any local development that impacts the State Highway System (SHS) and further degrades the LOS below LOS E must be mitigated to an acceptable level. Based on the type of development proposed, fair share fees or ad hoc improvements that mitigate impacts to the SHS, taking into consideration nexus and rough proportionality, should be collected and coordinated through consultation with Caltrans.

We recommend the City consider re-incorporating SR 162 into the existing traffic impact mitigation fee program or consider creating an overlay zone for the SR 162 corridor that allows tailored regulations, specific to the corridor, in order to meet specific goals. We believe either or both of these recommendations will benefit the City and Caltrans while providing a better understanding of the requirements and necessary infrastructure as the General Plan approaches full build-out. As an alternative, relinquishment of SR 162 east of SR 70 could also be explored through consultation with Caltrans.

Please provide our office with copies of any further actions regarding this project.

If you have questions regarding these comments, please contact Shannon Culbertson, Intergovernmental Review Coordinator for Butte County, by phone at (530) 741-5435 or by e-mail to shannon.culbertson@dot.ca.gov.

Sincerely,



SUSAN ZANCHI, Chief
Office of Transportation Planning – North

c: Scott Morgan, State Clearinghouse



City of Oroville

Donald Rust
DIRECTOR

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OROVILLE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Oroville will hold a public hearing on the projects described below. Said hearing will be held at **7:00 p.m. on Monday, March 23, 2015** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **VAR 15-01: Oroville Hospital Sign Variance** – The Planning Commission of the City of Oroville will conduct a public hearing to review and consider approving a variance of the City's sign regulations as found in Section 26-19 of the Oroville Municipal Code (OMC). The Oroville Hospital and medical campus have a zoning designation of Limited Commercial (C-1) and a General Plan land use designation of Public. Per the OMC Table 26-19.120-2, one monument sign is allowed per frontage for properties zoned C-1, with a maximum height of 8 feet per monument sign. The applicant is proposing to replace the existing 14.5 foot tall monument sign with an approximately 19.5 foot tall monument sign with a light-emitting diode (LED) display. Per the OMC Table 26-19.120-2, internal illumination is permitted for monument signs in C-1 zoning districts. This variance request is to exceed the permitted height of a monument sign by approximately 11.5 feet.
2. **Oroville Sustainable Code Updates** – The Planning Commission of the City of Oroville will conduct a public hearing to review and consider sending a recommendation to the Oroville City Council for the approval of updates to the City's Zoning Ordinance to bring it into conformance with the 2030 General Plan, changes to the Zoning Map to bring it into conformance with the City's 2030 General Plan land use designations, adding a chapter on low-impact development and resource-efficient design to the City's Design Guidelines, new Climate Action Plan, new Balanced Mode Circulation Plan, targeted updates to the 2030 General Plan to strengthen the environmental, community, and economic sustainability of Oroville, and other updates to the Oroville Municipal Code, including solar energy ordinance revisions, local and healthy food amendments, development incentives for community benefits, Crime Prevention Through Environmental Design, park provision standards, and a new oak tree loss mitigation ordinance.

Additional information regarding the projects described in this notice can be obtained from the Oroville Community Development Department at 1735 Montgomery Street, Oroville, CA. Anyone desiring to submit information, opinions or objections is requested to submit them in writing to the Community Development Department prior to the hearing. In accordance with Government Code Section 65009, if you challenge an action on these projects in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meetings.



City of Oroville

Donald Rust
DIRECTOR

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT

March 23, 2015

Installation of Soda Machines at Fuel Islands – The Planning Commission will review and consider directing staff on the appropriate ministerial controls for the installation of soda dispensers and other similar machines at fuel islands.

APPLICANT: Town and Country Contractors
3181 Luyung Drive, Suite A
Rancho Cordova, CA 95742

LOCATION: 1330 Feather River Blvd
Oroville, CA 95965
(APN: 012-050-019)

GENERAL PLAN: Retail and Business Services
ZONING: Intensive Commercial (C-2)
FLOOD ZONE: ZONE X: Areas determined to be outside the 0.2% annual chance floodplain (500-year floodplain).

ENVIRONMENTAL DETERMINATION:
Ministerial Exemption – Title 14, CCR, Section 21080(b)(1)

REPORT PREPARED BY:

REVIEWED BY:

Luis A. Topete, Associate Planner
Community Development Department

Donald Rust, Director
Community Development Department

RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **PROVIDE** direction to staff on ministerial controls for the installation of soda dispensers and other similar machines at fuel islands.

SUMMARY

The Planning Commission will review and consider directing staff on the appropriate ministerial controls for the installation of soda dispensers and other similar machines at fuel islands.

DISCUSSION

The City of Oroville Community Development Department has received a building permit application for the installation of three soda vending machines at the fuel islands located at the gas station on 1330 Feather River Boulevard. As the installation of these vending machines is a pilot program, this building permit application is the first time the City has had to review the installation of these machines at fuel islands.

The way in which the vending system works is as follows:

- When a person is purchasing their fuel from the fuel dispenser they will have an option on the dispensers screen to purchase a soda or water from the vending machine.
- The purchasing transaction is done through the fuel dispensers and the customer would then go over to the vending machine to pick up their soda or water.

The City has safety concerns regarding the installation of the aforementioned machines at fuel islands. Some concerns include the potential to create extra foot traffic around the fuel islands that could lead to accidents, customer distractions, and an overall decrease in safety at and around the fuel islands.

ENVIRONMENTAL REVIEW

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 21080(b)(1) which specifies that CEQA does not apply to ministerial projects proposed to be carried out or approved by public agencies. As the purpose of this item is to receive direction from the Planning Commission regarding ministerial controls over similar projects for the purpose of providing direction on requirements to be carried out in a set way, this project is exempt from CEQA review.

FISCAL IMPACT

No fiscal impact at this time.

ATTACHMENTS

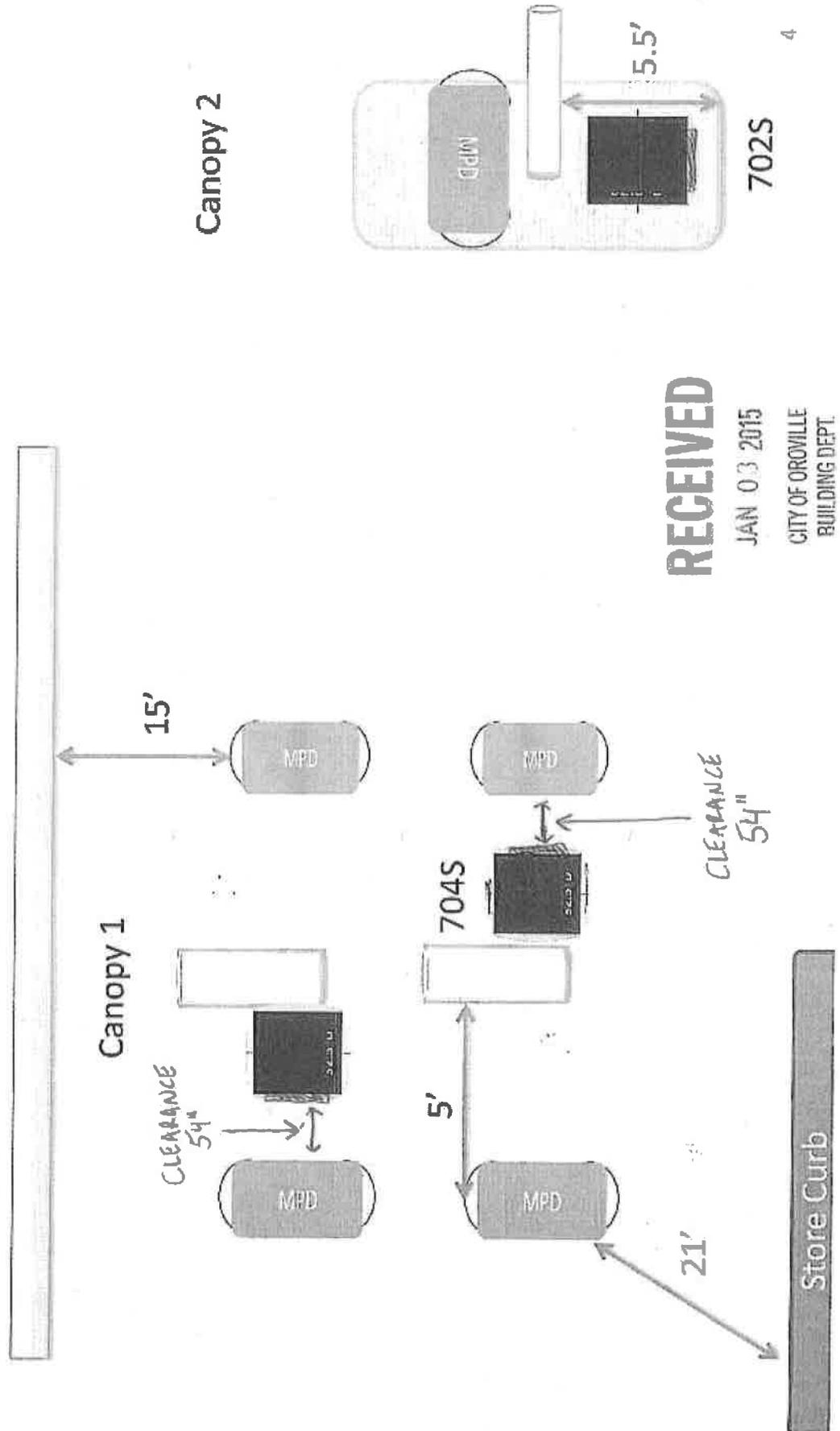
- A – Drawings
- B – Equipment Information

Ship to Number: 822485
1330 Feather River Blvd
Oroville, CA95965

MPD: 5
704S: 2
702S: 1

Notes:

- Canopy 1: Must use 704S for clearance due to Colum vendgogh
- Canopy 2: If no ADA, 702 up on pad is used
- If ADA, 702S up on pad is used



RECEIVED
JAN 03 2015
CITY OF OROVILLE
BUILDING DEPT.

PREPARED FOR:
TOWN AND COUNTRY
CONTRACTORS, INC.
17100 LINDS DRIVE
SAN FRANCISCO, CA
94142
(415) 884-8800

PREPARED BY:
DAVID CAMPBELL
1785 CAMINO REAL WAY
ROSEVILLE, CA 95747
(916) 265-1119

Vendgogh Unit Installation
1330 Feather River Blvd.
Orville, California 95965

Site Plan and Details

Drawn By:
DWC
Checked By:
DWC
Job No.
14003
Date:
11-23-14
Revision:
REVISED



L1.1
Drawing No.

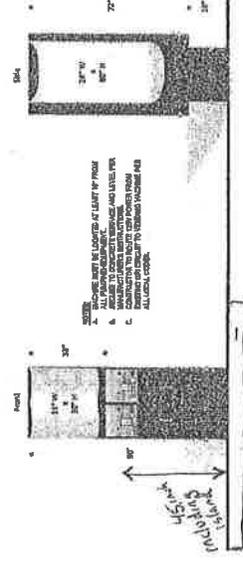
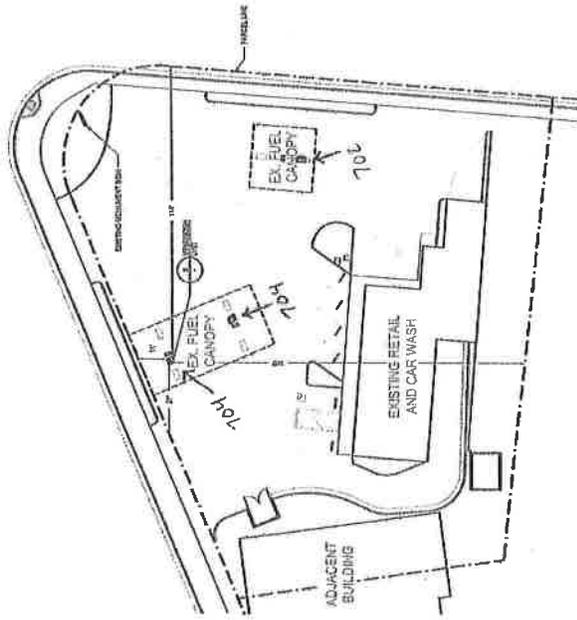
PROJECT INFORMATION

ADDRESS: 1330 FEATHER RIVER BLVD., PT.
ORVILLE, CA
OWNER: TOWN AND COUNTRY CONTRACTORS, INC.
17100 LINDS DRIVE
SAN FRANCISCO, CA 94142
CONTRACT NO.: 14003
DATE: 11-23-14
REVISION: REVISED

SITE PLAN NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.

VICINITY MAP



- A. UNITS SHALL BE LOCATED AT LEAST 10' FROM THE PROPERTY LINE.
- B. UNITS SHALL BE LOCATED AT LEAST 10' FROM THE EXISTING FUEL CANOPY.
- C. UNITS SHALL BE LOCATED AT LEAST 10' FROM THE EXISTING RETAIL AND CAR WASH.

MODEL 702.5

1 SITE PLAN

2 VENDOR UNIT

vendgogh

Gas Island Shop

More Customers



buy on the Island



than anywhere.

The Market

Gas & Go Customers	<i>(Never go in the store)</i>
US C - Stores	10.4 Billion per year
C-Store Chain (1600 stores)	138.8 Million per year
Average C Store (150K per gpm)	151,600 per year

Opportunity Lost @ \$1.79 / drink

US C - Stores	\$18.6 Billion per year
C-Store Chain (1600 stores)	\$248.5 Million per year
Average C Store (150K Gpm)	\$271,400 per year

Gas Island Vending - Works

We have stores today selling 20 to 50 cases per month per store.

Gas Island customers... come to your location - with credit in hand - are making buying decisions and you have 100% of their attention. Seems like the right place to offer a high margin cold drink. Consumers are prompted at the pump, select how many drinks and the drink is delivered at the Gis next to the pump.

The beverage charge is included on the gas purchase. Each dispenser has its own Gis consumer face for selection and pick up.

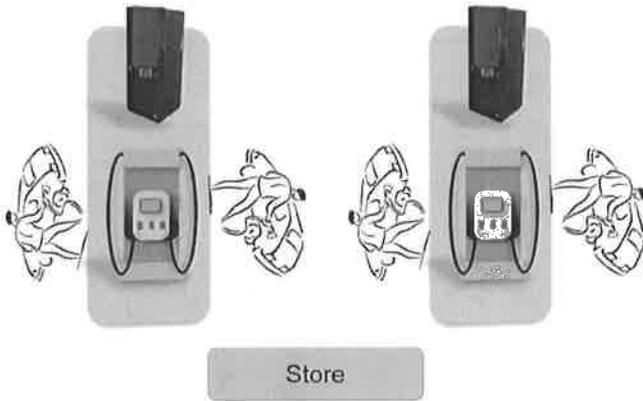
Store Value

- Incremental Sales
- No Shelf Space or Labor
- Enhance Customer loyalty
- Sell best SKU's
- Increase Profit per Gas Customer
- No Shrinkage
- Reduced Transaction Fees
- More opportunity to sell

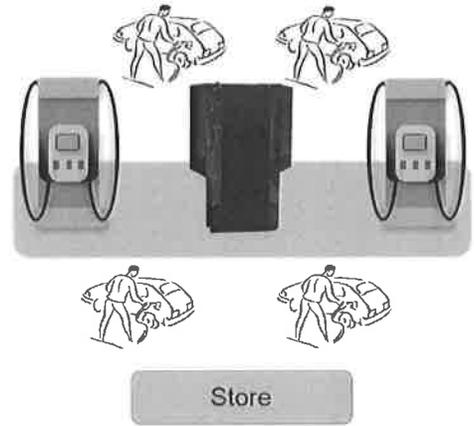
700 Series Equipment

Gis 702 and 704 machine

Gas Island Shop (Gis) is the best in class vending machine that delivers the selected product to the gas island consumer. The store pump configuration dictates quantity.



2 Sided "Dive-In" Layout



4 Sided "Stacked" Layout

i2pos

The Vendgogh hardware located in the store's facility that delivers connectivity between the point of sale and Gis 700 series machines. *One i2pos per store is required.*

Software License

A yearly license paid for the software delivering interoperability, surveillance and reporting functionality. *One license per store is required.*

Gas Island Shop Features

- Single transaction convenience
- Drink Prompts at gas pump
- 240 Bottles, 544 cans or combination
- Stackable product for simple loading
- Illuminated product display
- Sensor for product & messaging
- R134A refrigerant
- Class I Division II pump requirements
- Inventory Control
- Sell best 8 SKU's
- Real-time sales & inventory
- Awareness marketing plan

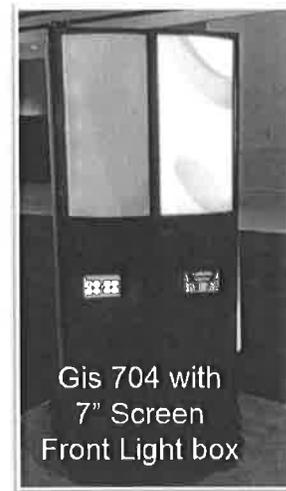
Gis 700 Product Overview

Dimensions



Gis 702 & 704 Options

Item	Options		
Customer Screens	Mono Chrome w/ Buttons	7" Monitor	15" Monitor
Curved Front	Flat Styro Board Frame	Lighted	
Curved Sides	Flat Styro Board Frame	Curved Back Lite Box	
Top	Lighted		
Customized	TBD		



Specifications

Gis700 Model Number:	Gis702	Gis704
Number of sides	1	2
User interfaces	2	4
Total Can/PET Capacity	544/240	544/240
Number of Selections	8	8
UL 541 & CSA C22.2 No. 128 Cert.	Yes	Yes
Class 1 Division II Fuel Certified	Yes	Yes
Operation Voltage	115V 60Hz	115V 60Hz
Amp Rating	8A	8A
Shipping Weight	625lbs	660lbs

Power Consumption (*Estimate hot day*) = V21 consumes 6.86 kWh/24hrs @ 90F 65%RH

Station Layout



- Vending unit must be 18" from gas pump
- Electrical must have GFI outlet 18" above ground (can be placed in back of machine)
- Vending unit must be secured to the concrete
- Need an area inside the store/kiosk for a computer sized control box
- Need a broadband internet connection inside the store/kiosk.

- Reporting

VendTrack

- Inventory (per column)
- Machine Configuration
- Credits on the machine (real-time)
- Machine State (service mode, normal)
- Machine alerts (hardware, connection)
- Sales Report & Drop Report

Vendgogh Email Alert System

- Site not communicating
- Machine not communicating
- Out of stock/Jam
- Sales Daily /Weekly



Contacts: Charlie Young (919) 334 - 8872 cyoung@vendgogh.com

See The Gas Island Shop on **YouTube** at:

<http://www.youtube.com/watch?v=GAeqyNYBELc>