

# Zoning Administrator Agenda Report Me

Meeting Date 02/09/2021

File: UP 21-01

**DATE:** January 26, 2021

TO: ZONING ADMINISTRATOR

FROM: Kelly Murphy, Project Planner, kelly.murphy@chicoca.gov, 879-6535

RE: Use Permit 21-01 (Old Dominion Security Fence) – 325 Meyers Street; APN 039-

430-095.

#### RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 21-01 (Old Dominion), based on the findings and subject to the recommended conditions of approval.

### **BACKGROUND AND ANALYSIS**

This is a request to allow for the installation of an 8-foot tall, low-voltage security fence on the 2.19-acre industrial property owned and operated by Old Dominion. The project site is located at 325 Meyers Street (see Location Map, **Attachment A**). The subject parcel is designated Manufacturing and Warehousing (MW) on the General Plan Land Use Diagram and zoned ML (Light Manufacturing/Industrial). There are no residential uses in the vicinity.

Pursuant to Chico Municipal Code (CMC) 19.60.060(F), the use of an electrified fence is allowed only upon issuance of a use permit. The applicant has provided a site plan consistent with the requirements for a Conditional Use Permit set forth in CMC Chapter 19.24 (see Site Plan, **Attachment B**).

The site has been developed with an industrial warehouse facility for the Old Dominion Freight Line company. Vehicle and freight terminals are a principally permitted transportation use per CMC Section 19.46.020. There is a gravel parking, loading and unloading area near the front of the site that is not fenced, while parking areas at the rear and sides of the building are enclosed with an existing 6-foot chain-link fence. No new grading or landscaping is proposed. Existing trees along the Meyers Street frontage would remain. The proposed new fencing would be located 12 inches interior to the existing perimeter fence. Approval of the project would enhance the security of the site and deter theft/vandalism.

#### **ENVIRONMENTAL REVIEW**

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303(e) (New Construction – Accessory Structures).

### **FINDINGS**

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of the following findings can be made:

### **Use Permit Findings**

A. The proposed use is allowed within the subject-zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).

Pursuant to CMC 19.60.60(F), an electrified fence may be permitted in the ML zoning district subject to the issuance of a use permit. This use permit was processed in compliance with 19.24.

B. The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.

The project site is an industrial parcel surrounded by industrial and commercial uses. There are no residential uses or properties in the vicinity. The site is located adjacent to the Comanche Creek Greenway and bike path, where Meyers Street becomes lvy Street. The new fence would be located 12 inches interior to the existing perimeter fence. As such, the proposed fencing is not expected to have detrimental effects on the surrounding neighborhood.

C. The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.

The existing land use on the project site would not change. The proposed new fencing would improve onsite security and deter theft/vandalism. Full public improvements including curb, gutter and sidewalk exist along the Meyers Street frontage. Installation of the proposed fence is not anticipated to have any detrimental effects on property or improvements in the area.

D. The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.

The proposed use is accessory to a permitted use in the Manufacturing and Warehousing General Plan land use designation. There are no neighborhood or specific plans for this site.

E. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

The proposed use is compatible with surrounding commercial and light industrial uses, as demonstrated by the existing land use.

### **CONDITIONS OF PROJECT APPROVAL**

- Use Permit 21-01 (Old Dominion Security Fence) authorizes the installation of an 8-foot low-voltage security fence at 325 Meyers Street, in general accord with the "Site Plan to Accompany Use Permit 21-01 (Old Dominion Security Fence)" and in compliance with all other conditions of approval.
- The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.
- 3. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities,

demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

## **PUBLIC CONTACT**

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed out to all property owners and tenants within 500 feet of the project site. As of this report's publication, staff has not received any public comments.

#### **DISTRIBUTION:**

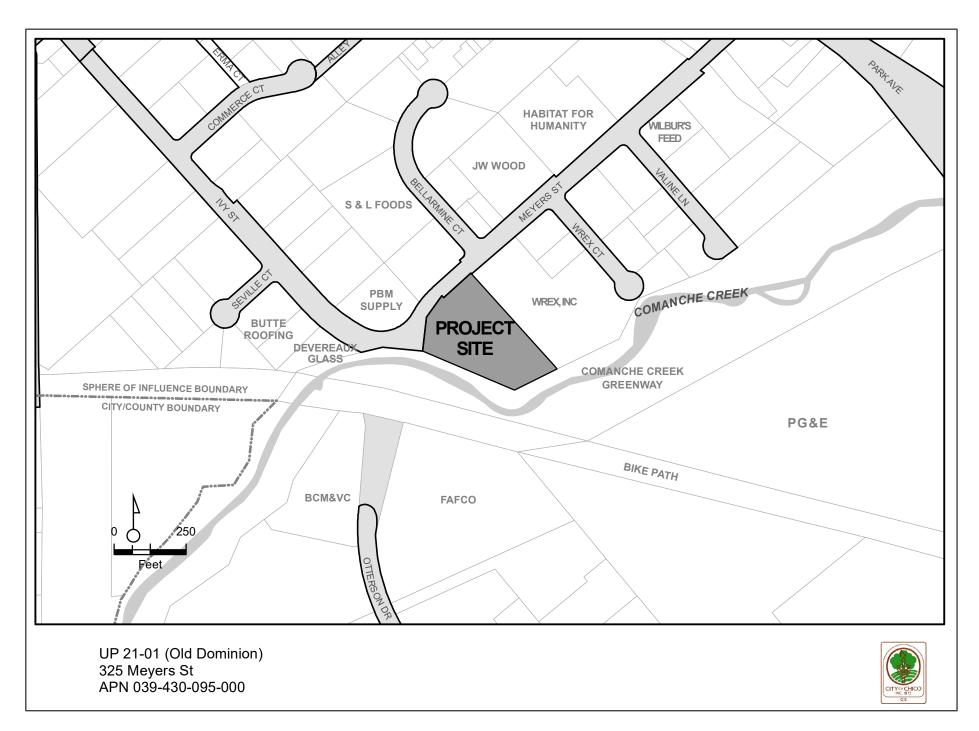
Internal (2)
Mike Sawley, Zoning Administrator
Kelly Murphy, Project Planner

External (2)

Amarok LLC., Attn: Carol Bausinger, <a href="mailto:cbausinger@amarok.com">cbausinger@amarok.com</a> Edna Rodriguez, 1145 Parkgreen Drive, Dixon, CA 95620

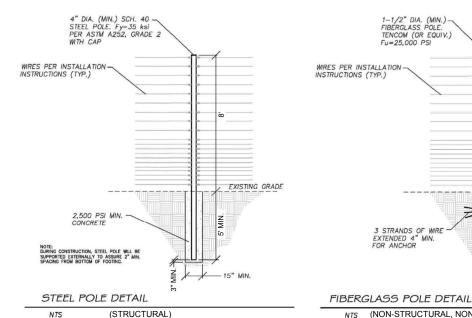
### **ATTACHMENTS:**

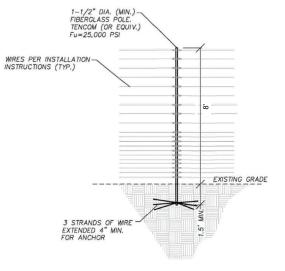
- A. Location Map
- B. Site Plan to Accompany Use Permit 21-01 (Old Dominion)

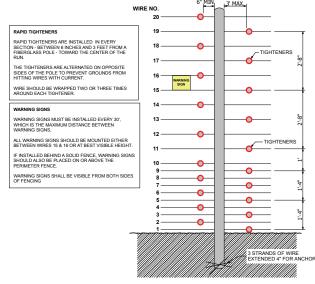


DocuSion Envelope ID: CF841167-3362-4AD1-AF7E-AE0C358F2690 PROJECT DATA SITE PLAN REQUEST TO AUTHORIZE A # DATE / DESCRIPTION APN: 039-430-095-000 SECURITY SYSTEM FOR: ZONING:M2 OLD DOMINION FREIGHT LINE ACRES:2.19 325 MEYERS ST **CHICO CA 95928** EXISTING 6' CHAIN LINK FENCE TO REMAIN PROPERTY OWNER RODRIGUEZ/RODRIGUEZ EDNA M 1145 PARKGREEN DR, DIXON CA 95620 KNOX DEVICE LOCATION 24' EXISTING GATE CONTROLLER/POWER SOURCE REGULATING & MONITORING EQUIPMENT Milholas Clay Jasper 1/19/2020 EXISTING PERIMETER SECTION 039-510-016-000 FXISTING BUILDING EXISTING 6' CHAIN LINK FENCE TO REMAIN SECURITY FENCE 6"-12" MIN FROM PERIMETER FENCE SECURITY FENCE 6"-12" MIN. FROM PERIMETER FENCE EXISTING 6' CHAIN LINK FENCE TO REMAIN 039-430-095-000 NOTES SECURITY FENCE 6"-12" MIN. FROM PERIMETER FENCE POLE LOCATIONS:
STEEL POLES: TO BE LOCATED
APPROXIMATELY ON EACH SIDE OF GATE(S) &
EVERY 90' (OR GREATER) TURN IN FENCE LINE.
FIBERGLASSINTERMEDIATE POLES: TO BE LOCATED APPROXIMATELY EVERY 30' DISCLAIMER:
POLE LOCATIONS MAY SLIGHTLY DEVIATE
FROM STIPULATIONS ABOVE DUE TO ON-SITE
CONDITIONS SECURITY FENCE 6"-12" MIN FROM PERIMETER FENCE OLD DOMINION FREIGHT LINE 325 MEYERS ST CHICO CA 95928 DRAINAGE/IRRIGATION NOTE: THIS PROPERTY IS LOCATED IN THE 100-YEAR FLOOD ZONE. (SEE SITE PLAN) 039-420-001-000 100 YEAR FLOOD PLAIN (AE) 340' YEAR FLOOD PLAIN (AE) -Explain how equipment and tools used for concrete work = EXISTING 6' CHAIN LINK FENCE TO REMAIN will be cleaned and supply a concrete washout if SITE PLAN mercessary.

RESPONSE NOTE: Equipment and tools used for concrete work will be cleaned by the contractor immediately upon completion of work. This will consist of footings being poured. A concrete wash is not required. 039-420-001-000 Explain what will happen to the excess soil or provide stockpile protection of soil will be stored orsite. RESPONSE NOTE: Excess soil is diminimus; the soil removed from the ground in order to dig the footing, is immediately used to either backfill on top of the concrete or equally dispersed surrounding the post hole. If needed due to rain in the forecast, the soil will be protected by covering with a tarp. Otherwise, the soil will be immediately dispersed of once the concrete soil will be immediately dispersed of once the concrete. SITE PLAN SHEET TITLE: SCALE: 1" = 20 NOTES POLE LOCATIONS: STEEL POLES TO BE LOCATED APPROXIMATELY LEGEND ON EACH SIDE OF GATE(S) & EVERY 90° (OR GREATER) TURN IN FENCE LINE. DATE: 11/18/2020 500 VCP SERIES FLEXMESH SCALE: SEE PLAN FIBERGLASS/INTERMEDIATE POLES TO BE LOCATED APPROXIMATELY EVERY 30' **PROJECT** SHEET Colors III III III III APPROXIMATE LENGTH OF PROPOSED FENCE VICINITY MAP POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS C-1







WIRE CONNECTIONS



Millidas Clay Jasper 11/19/20

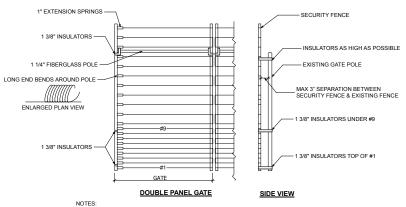
# DATE / DESCRIPTION

(NON-STRUCTURAL, NON-LOADBEARING, WIRE SEPARATOR)

ARNING! Electric Fence **ALARMED AND MONITORED AMAROK ALARMADO Y SUPERVISADO** iPELIGRO! Cerca Eléctrica

**EXAMPLE WARNING SIGNS** 

WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND 30 FEET ON CENTER THEREAFTER. WARNING SIGNS SHALL BE VISIBLE FROM BOTH SIDES OF FENCING AND BE 9"X12" IN SIZE.



- 1. INSULATORS ARE LOCATED ON TOP OF #1, UNDER #9, TO AS HIGH ON THE GATE AS POSSIBLE.
- 2. SPRINGS ARE LOCATED ON OPPOSITE SIDES OF LOCK.

  3. ALL CONTACTS MUST INCLUDE SPRINGS.

  4. ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
- ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.
   EVERY GATE PANEL MUST HAVE A SIGN.
   GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.

#### GATE DETAIL

N.T.S.

OLD DOMINION FREIGHT LINE 325 MEYERS ST CHICO CA 95928 TYPICAL DETAILS IGINEER: ALLIANCE ENGINEER 00 MARKET ST NE ILEM OR 97301 3-589-1727 DATE: 11/18/2020 SHEET C-2

