



**DATE:** November 4, 2022

File: UP 22-08

**TO:** ZONING ADMINISTRATOR

**FROM:** Madison Driscoll, Assistant Planner (madison.driscoll@chicoca.gov, 879-681)

**RE:** Use Permit 22-08 (Peterson Holding) – 425 Southgate Avenue; APN 040-400-099

### RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 22-08 (Peterson Holding), 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 a 2 acre portion of the 45.6 acre parcel. The project site is located at 425 Southgate Avenue (See Location Map, **Attachment A**). The subject parcel is designated Regional Commercial (RC) on the General Plan Land Use Diagram and zoned CR (Regional Commercial). 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 partially developed with an industrial warehouse building and sales/rental yard for heavy machinery. Sales and rental yard is a principally permitted use in the CR zone per CMC Section 19.46.020. The proposed new fencing would be located a minimum of 4 to 8 inches interior to an existing 6 foot-tall, chain link perimeter fence. Approval of the proposed project would enhance site security. No new grading or landscaping is proposed. No trees are proposed to be removed.

### 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 CR zoning district subject to the issuance of a use permit. This use permit was processed in compliance with CMC 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 a commercial parcel on which an existing industrial land use has been established. Surrounding uses include similar industrial uses to the northwest and southeast. Other uses within the vicinity include a tree farm. The site is located on the eastern side of Highway 99 and Southgate Avenue. The new fence would be located at least 4 to 8 inches interior to the existing 6 foot tall perimeter fence. The proposed fencing is not expected to have detrimental effects on the surrounding neighborhoods.

- 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. 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 an accessory to a permitted use to the Regional Commercial 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 industrial and commercial uses, as demonstrated by the existing land use.

## **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 22-08 (Peterson Holding) authorizes the installation of an 8-foot low-voltage security fence at 425 Southgate Avenue in general accord with the "Site Plan to Accompany Use Permit 22-08 (Peterson Holding)" and in compliance with all other conditions of approval.
2. 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

Madison Driscoll, Assistant Planner

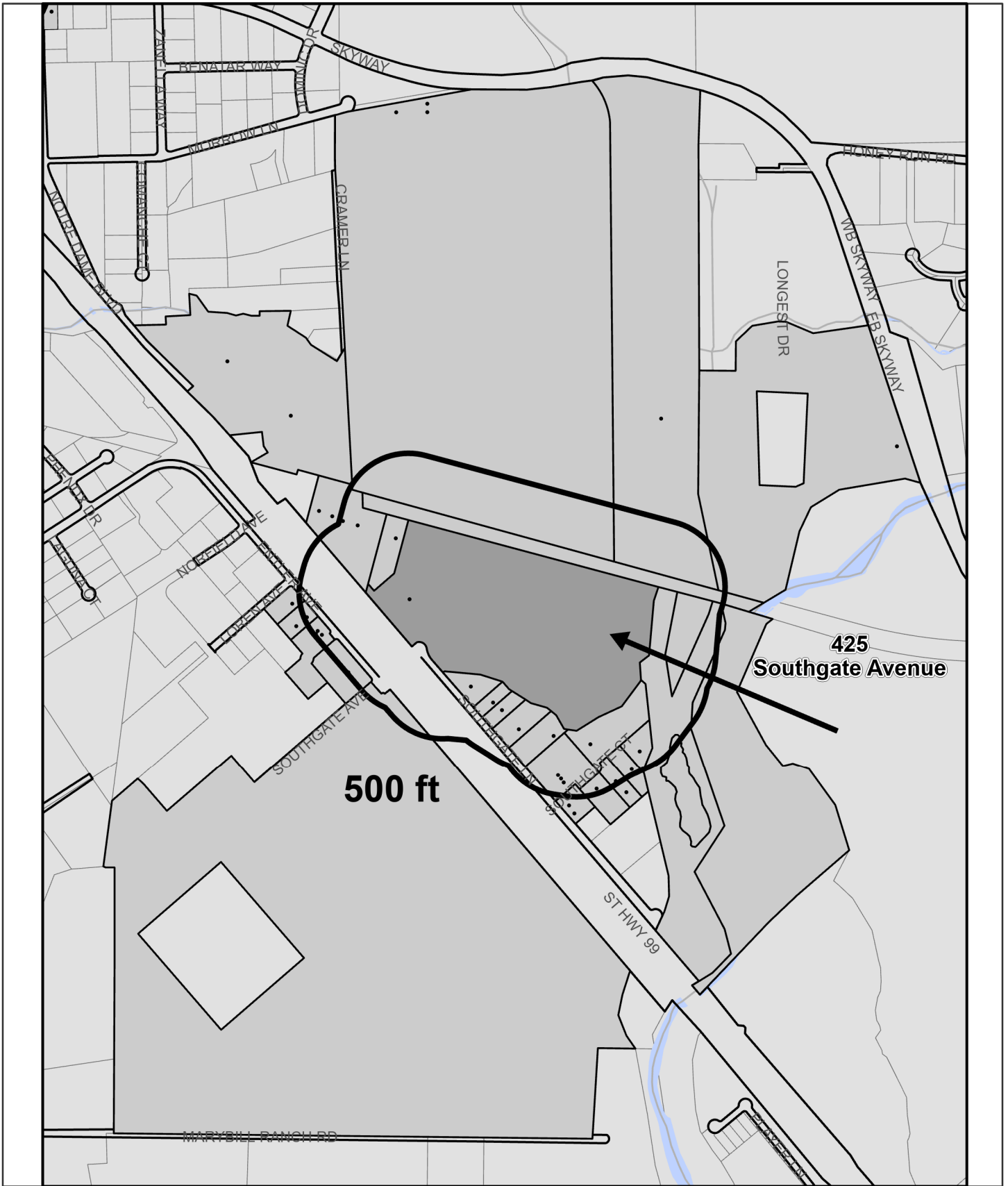
External (2)

Amarok LLC., Attn: Keith Kaneko, [kkaneko@amarok.com](mailto:kkaneko@amarok.com)

Amarok LLC., Attn: Jennifer Jenkins, [jjenkins@amarok.com](mailto:jjenkins@amarok.com)

## **ATTACHMENTS:**

- A. Location Map
- B. Site Plan to Accompany Use Permit 22-08 (Peterson Holding)

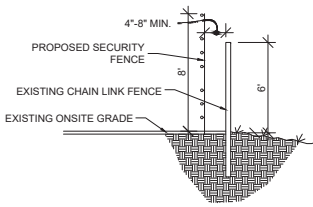


UP 22-08 (Peterson Holding)  
 425 Southgate Avenue  
 APN: 040-400-099

- Noticed Parcels
- Noticed Addresses



Date Saved: 11/3/2022



1 PERIMETER FENCE SECTION  
C-1  
NTS.

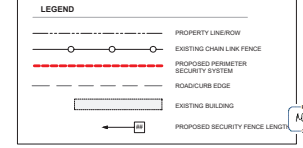
**NOTES:**  
 FOR SCHEDULING INDICATE NO WORK SHALL TAKE PLACE WHEN RAIN IS IN THE FORECAST.  
**RESPONSE NOTE: NO WORK SHALL TAKE PLACE WHEN RAIN IS IN THE FORECAST.**  
 EXPLAIN HOW EQUIPMENT AND TOOLS USED FOR CONCRETE WORK WILL BE CLEANED AND SUPPLY A CONCRETE WASHOUT IF NECESSARY.  
**RESPONSE NOTE: 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 WASHOUT IS NOT REQUIRED.**  
 EXPLAIN WHAT WILL HAPPEN TO THE EXCESS SOIL OR PROVIDE STOCKPILE PROTECTION OF SOIL WILL BE STORED ONSITE.  
**RESPONSE NOTE: EXCESS SOIL IS DIMINUS; 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 IS POURED.**

**NOTES:**  
 POLE LOCATIONS:  
 STEEL POLES: TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATE(S) & EVERY 90° (OR GREATER) TURN IN FENCE LINE. FIBERGLASS/INTERMEDIATE POLES: TO BE LOCATED APPROXIMATELY EVERY 30°  
 DISCLAIMER:  
 POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS  
 FIBERGLASS/INTERMEDIATE POLES TO BE LOCATED APPROXIMATELY EVERY 30°

**PROPERTY OWNER**  
 E & D INVESTMENTS LLC  
 24829 PALOMARES RD,  
 CASTRO VALLEY CA 94552

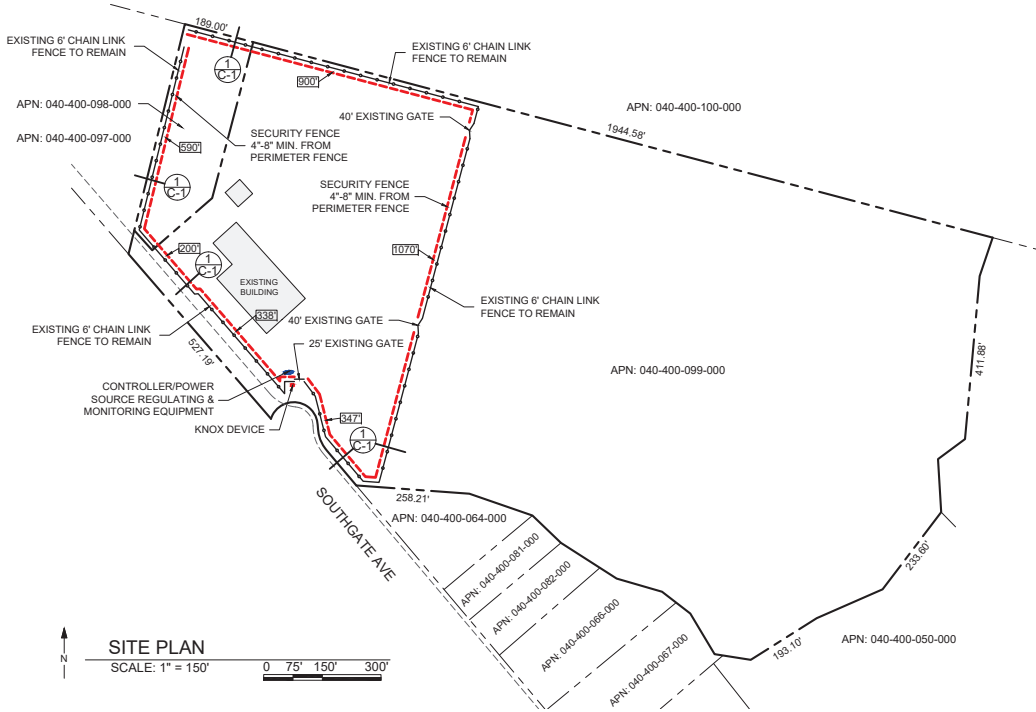
**PROJECT DATA**      **PROJECT DATA**  
 APN: 040-400-098-000      APN: 040-400-099-000  
 ZONING: CR                      ZONING: CR  
 ACRES: 2.01                      ACRES: 45.62

**SITE PLAN REQUEST TO AUTHORIZE  
 A SECURITY SYSTEM FOR:  
 PETERSON HOLDING  
 425 SOUTHGATE AVE,  
 CHICO CA 95928**

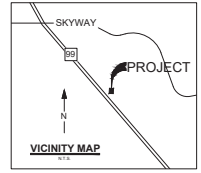


#	DATE / DESCRIPTION

Professional Engineer  
 No. C 69561  
 Exp. 12/31/23  
 CIVIL  
 LIFORNIA  
 Nicholas Day Jasper  
 7/8/2022



**SITE PLAN**  
 SCALE: 1" = 150'  
 0 75' 150' 300'



**AMAROK**  
 ULTIMATE PERIMETER SECURITY

550 Assembly Street, 3rd Floor Columbia, SC 29201 PH: 803-786-6333

PROJECT: PETERSON HOLDING  
 425 SOUTHGATE AVE,  
 CHICO CA 95928

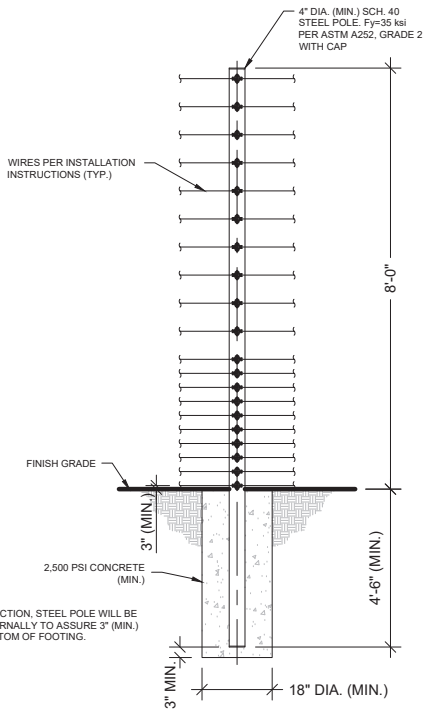
SHEET TITLE: SITE PLAN

APPLICANT: AMAROK  
 550 ASSEMBLY ST 5TH FL  
 COLUMBIA SC 29201  
 803-786-6333

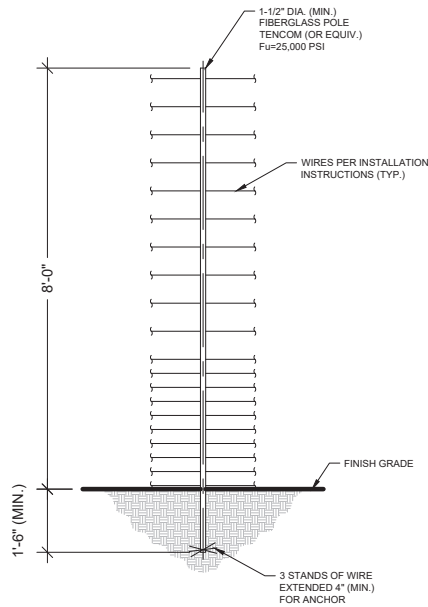
ENGINEER: ALLIANCE ENGINEERING  
 2700 MARKET ST NE  
 SALEM OR 97301  
 503-589-1727

DATE: 07/07/2022  
 SCALE: SEE PLAN

SHEET  
**C-1**  
 1 of 3



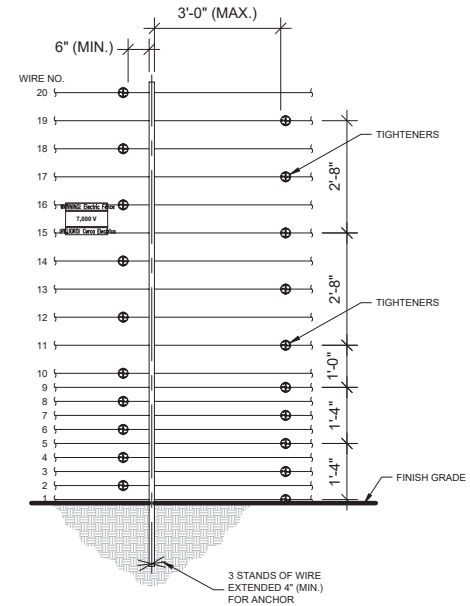
**STEEL POLE DETAIL**  
SCALE: NONE (STRUCTURAL)



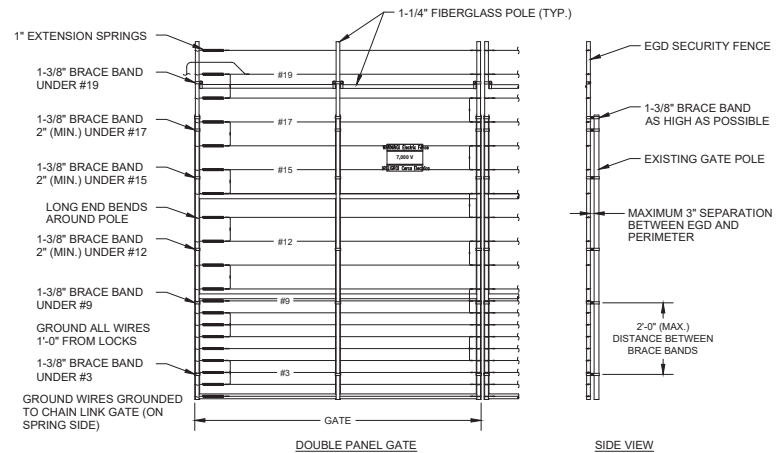
**FIBERGLASS POLE DETAIL**  
SCALE: NONE (NON-STRUCTURAL, NON-LOAD BEARING WIRE SEPARATOR)

**RAPID TIGHTENERS**  
RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION - BETWEEN 6" INCHES AND 3 FEET FROM A FIBERGLASS POLE - TOWARD THE CENTER OF THE RUN.  
THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.  
WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

**WARNING SIGNS**  
WARNING SIGNS MUST BE INSTALLED EVERY 30 FEET, WHICH IS THE MAXIMUM DISTANCE BETWEEN SIGNS.  
ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.  
IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



**WIRE CONNECTIONS**  
SCALE: NONE (FIBERGLASS POLE)



**GATE DETAIL**  
SCALE: NONE

**GATE DETAIL NOTES:**

- BRACE BANDS ARE INSTALLED AS HIGH AS POSSIBLE UNDER #3 AND #9; 2" (MIN.) UNDER #12, #15, AND #17; UNDER #19 AND AS HIGH ON THE GATE AS POSSIBLE. MAXIMUM DISTANCE OF 2" BETWEEN BRACE BANDS.
- SPRINGS ARE LOCATED ON HINGE SIDE OF SWING GATE AND REAR OF SLIDE GATE.
- ALL CONTACTS MUST INCLUDE SPRINGS.
- ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
- ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREW.
- EVERY GATE PANEL MUST HAVE A SIGN.
- ALL GATE CONTACTS MUST BE SECURE IN A MANNER THAT ENSURES CONTACT WILL EASILY BE MADE.
- GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.



WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND 30 FEET ON CENTER THEREAFTER

**EXAMPLE WARNING SIGN @ 9"x12"**

# DATE / DESCRIPTION

#	DATE / DESCRIPTION



**AMAROK**  
ULTIMATE PERIMETER SECURITY

550 Assembly Street, 3th Floor Columbia, SC 29201 PH: 803-796-6333

PROJECT: PETERSON HOLDING  
425 SOUTHGATE AVE,  
CHICO CA 95928

SHEET TITLE: TYPICAL DETAILS

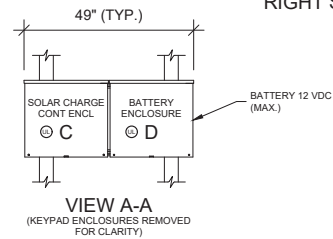
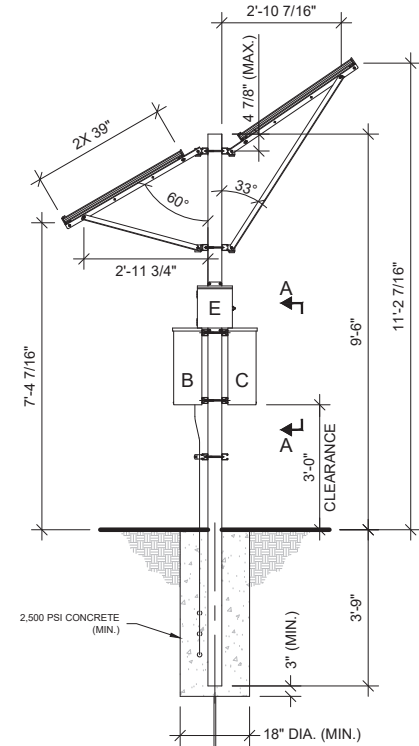
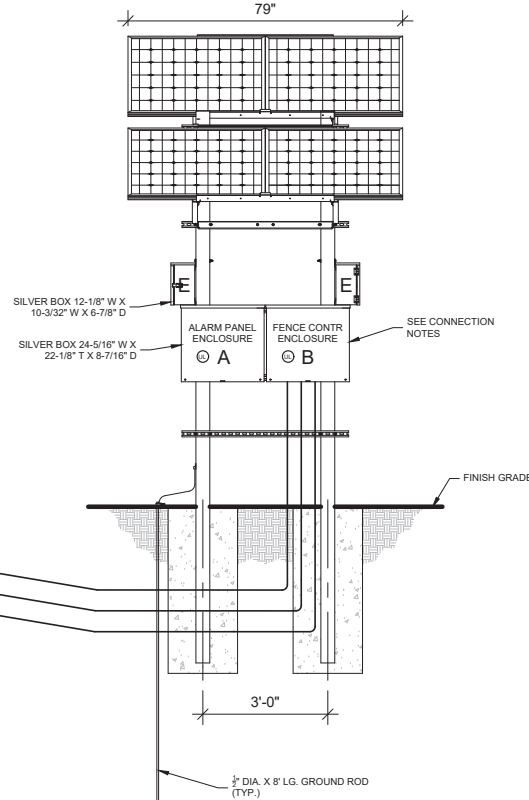
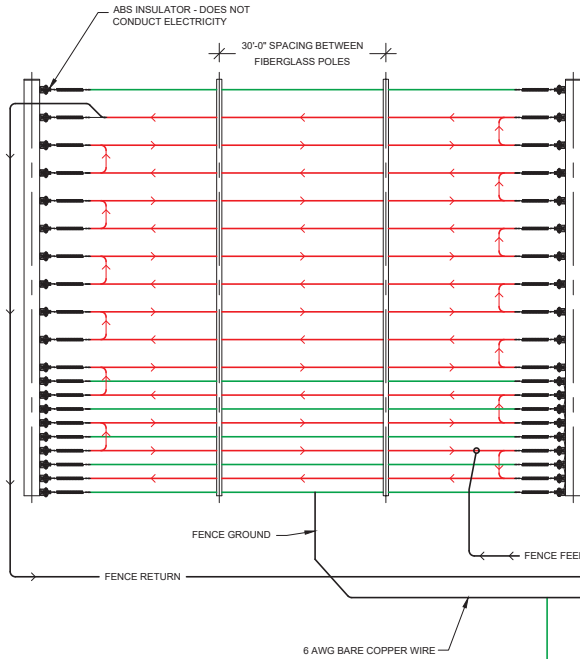
APPLICANT: AMAROK  
550 ASSEMBLY ST 3TH FL  
COLUMBIA SC 29201  
803-796-6333

ENGINEER: ALLIANCE ENGINEERING  
2705 MARKET ST NE  
DALLAM OR 97001  
503-586-1727

DATE: 07/08/2022  
SCALE: SEE PLAN

SHEET  
**C-2**  
2 of 3

WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH STEEL POLE DETAIL



**CONNECTION NOTES:**

A: ALARM PANEL ENCLOSURE - HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "B" / FENCE CONTROLLER ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE AND "C" / SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. ENCLOSURE WEIGHT 21 LBS. (MAX.)

B: FENCE CONTROLLER ENCLOSURE - HOUSES THE FENCE ENERGIZER OR EQUIVALENT. THIS BOX CONNECTS TO "A" / ALARM PANEL ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE. ENCLOSURE WEIGHT 22 LBS. (MAX.)

C: SOLAR CHARGE CONTROLLER ENCLOSURE - HOUSES POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY, AND LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLED BY THE LOAD BREAKER. ENCLOSURE WEIGHT 25 LBS. (MAX.)

D: BATTERY ENCLOSURE - HOUSES THE BATTERIES AND INTERCONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G AND 10G THWN WIRES. ENCLOSURE WEIGHT 145 LBS. (MAX.)

E: KEYPAD ENCLOSURE - HOUSES THE KEYPAD. THIS BOX INTERCONNECTS TO "B" USING 10 CONDUCTOR / 18 AWG WIRE. ENCLOSURE WEIGHT 12 LBS. (MAX.)

**NOTES:**

MOUNT 4 SILVER BOXES TO A PAIR OF 4"x4"x180" LG. GALVANIZED ASTM A500 STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM OF 3 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE EMBEDDED AT A MINIMUM OF 3'-9" BELOW GROUND LEVEL.

#	DATE / DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER  
 NICHOLAS CLAY JENSEN  
 No. C 6666  
 Exp. 12/31/2024  
 7/8/2022

**AMAROK**  
 ULTIMATE PERIMETER SECURITY  
 550 Assembly Street, 3rd Floor Columbia, SC 29201 PH: 803-768-6333

PROJECT: PETERSON HOLDING  
 425 SOUTHGATE AVE,  
 CHICO CA 95928

SHEET TITLE: TYPICAL DETAILS

APPLICANT: AMAROK  
 550 ASSEMBLY ST 5TH FL  
 COLUMBIA SC 29201  
 803-768-6333

ENGINEER: ALLIANCE ENGINEERING  
 2700 MARKET ST NE  
 SALEM OR 97301  
 503-589-1727

DATE: 07/07/2022  
 SCALE: SEE PLAN

SHEET  
**C-3**  
 3 of 3