



## Zoning Administrator Agenda Report Meeting Date 05/28/2019

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**DATE:** May 15, 2019

File: UP 19-08

**TO:** ZONING ADMINISTRATOR

**FROM:** Kelly Murphy, Project Planner, [kelly.murphy@chicoca.gov](mailto:kelly.murphy@chicoca.gov), 879-6810

**RE:** Use Permit 19-08 (United Rentals)  
2855 Fair Street; APN 005-580-013

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### RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 19-08 (United Rentals), 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 system on the 3.99-acre industrial property owned and operated by United Rentals. The project site is located at 2855 Fair Street (see Location Map, **Attachment A**) and bounded by Highway 99 to the east, Fair Street to the south, Country Drive to the west, and an industrial parcel owned and operated by U-Haul to the north. The subject parcel is zoned ML (Light Manufacturing/Industrial) and is designated Manufacturing and Warehousing (MW) on the General Plan Diagram. 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. In addition, CMC 19.60.060(A)(3), *Outdoor Storage and Work Yards*, states that "all auto dismantling operations, auto wrecking yards, building materials supply yards, junk yards, lumber yards, recycling facility/processing centers, scrap metal yards, waste resource and waste recycling operations, and uses with similar outside storage shall have a solid sight-obscuring masonry wall or metal fence not less than 6 feet nor more than 8 feet in height, of a type and design approved in advance of installation by the Director." The project site currently operates as an equipment rental storage yard, which is considered a similar outside storage use to those listed above. 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 project has been conditioned to comply with the requirement that outdoor storage uses have a sight-obscuring perimeter fence (see Condition of Approval #3).

The site has been developed with an industrial warehouse building. The parking and outdoor storage area is fully paved and surrounded by an existing 6-foot chain-link fence. A retention pond exists on an undeveloped portion of the site. No new grading or landscaping is proposed. Existing trees along the Fair 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 of equipment stored onsite.

### 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 at the terminus of Fair Street adjacent to Highway 99, in an area with little to no foot traffic. Furthermore, 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 of equipped stored outdoors. Full public improvements including curb, gutter and sidewalk exist along the Fair 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**

1. Use Permit 19-08 (United Rentals) authorizes the installation of an 8-foot low-voltage security fence at 2855 Fair Street, in general accord with the "Site Plan to Accompany Use Permit 19-08 (United Rentals)" 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. An acceptable sight-obscuring material shall be added to the existing chain-link perimeter fencing to decrease visibility of the outdoor storage area from the street and/or adjacent properties.
4. 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

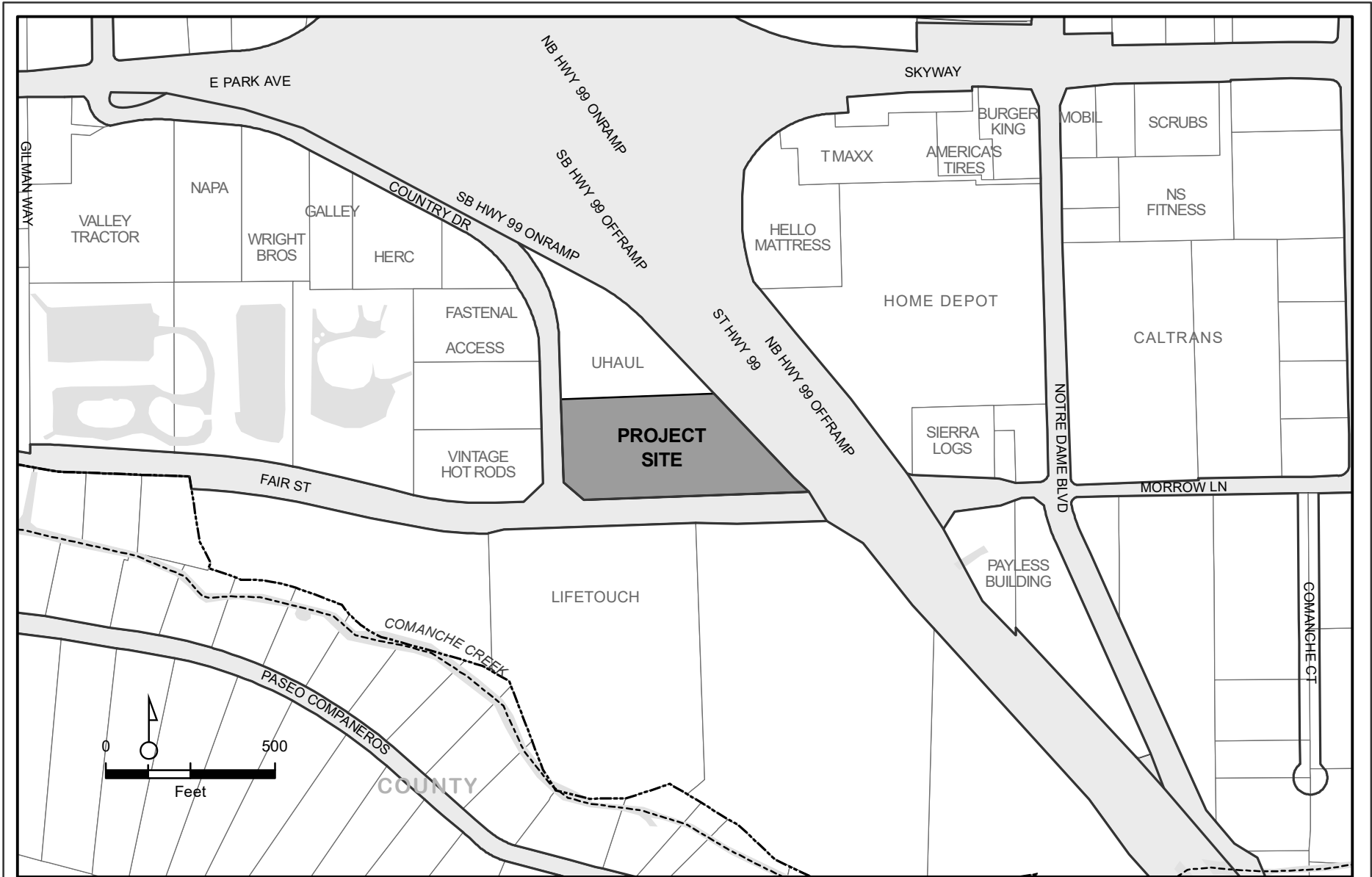
External (2)

Electric Guard Dog LLC., Attn: Carol Bausinger, [cbausinger@electricguarddog.com](mailto:cbausinger@electricguarddog.com)

US Rentals Inc., 13727 Noel Road #900, Dallas, Texas, 75240

#### **ATTACHMENTS:**

- A. Location Map
- B. Site Plan to Accompany Use Permit 19-08 (United Rentals)



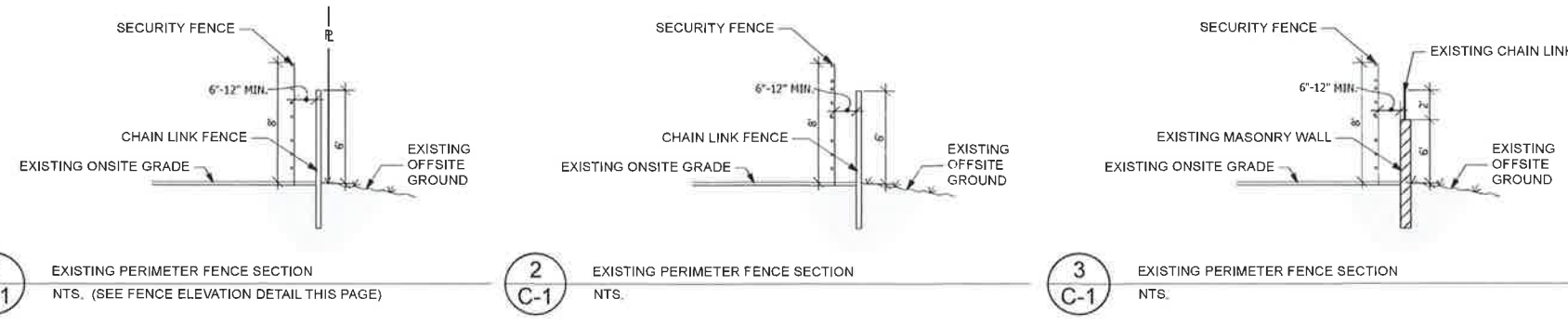
UP 19-08 (United Rentals)  
 2855 Fair Street  
 APN 005-580-013-000



PROJECT INDEX	
SHEET ID	SHEET NAME
C-1	SITE PLAN
C-2	TYPICAL DETAILS
C-3	TYPICAL DETAILS

**SITE PLAN REQUEST TO AUTHORIZE  
A SECURITY SYSTEM FOR:  
UNITED RENTALS  
2855 FAIR ST  
CHICO, CA 95928**

#	DATE / DESCRIPTION
#1-	2/7/2019 UPDATED FENCE TYPE
#2-	2/7/2019 ADDED DRAIN INLETS
#3-	3/5/2019 ADDED MEASUREMENTS



**LEGEND**

	PROPERTY LINE/ROW
	EXISTING FENCE
	PROPOSED PERIMETER SECURITY SYSTEM
	BUILDING
	CURB
	APPROXIMATE LENGTH OF PROPOSED FENCE
	EXISTING BUILDING
	EXISTING MASONRY WALL

**PROPERTY OWNER**  
U S RENTALS INC  
13727 NOEL RD #900  
DALLAS TX 75240

**PROJECT DATA**  
APN: 005-580-013  
ACRES: 3.99  
ZONING: ML

**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'

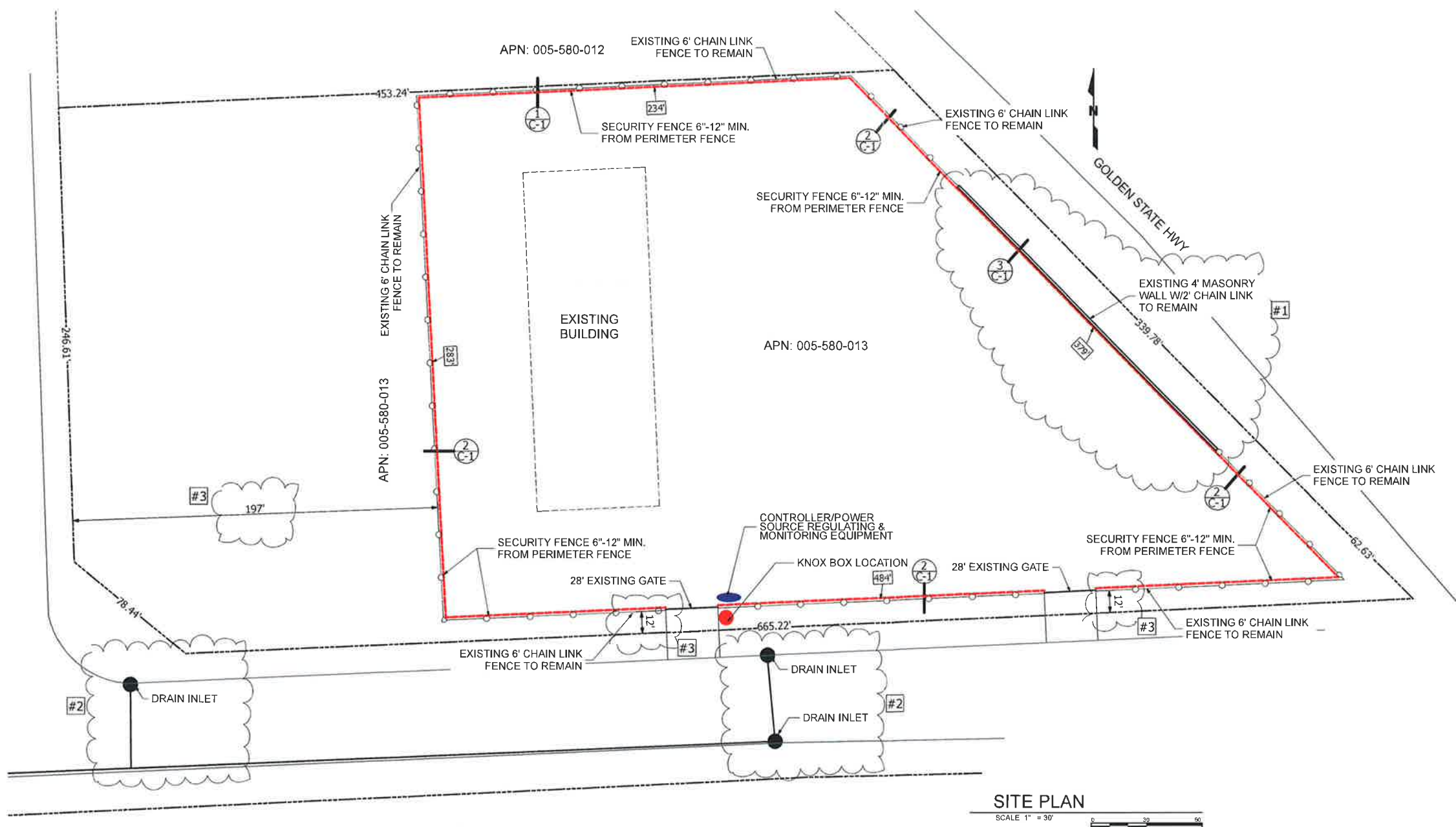
**DISCLAIMER:**  
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

**STORM DRAIN:**  
THERE IS NO EXISTING STORM DRAIN ADJACENT TO THE PROPERTY. NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT.

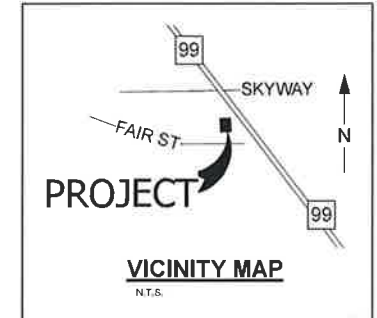
**UTILITY RIGHT-OF-WAY/EASEMENTS NOTE:**  
THERE ARE NO UTILITY RIGHT-OF-WAY OR EASEMENTS LOCATED ON THE PROPERTY.

**DRAINAGE/IRRIGATION NOTE:**  
THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD ZONE. THERE ARE NO IRRIGATION OR DRAINAGE EASEMENTS ON THE PROPERTY.

**LANDSCAPE/RESERVATIONS NOTE:**  
ALL COMMON AREA LANDSCAPE WILL BE MAINTAINED BY A LANDSCAPE MAINTENANCE ASSOCIATION. THERE ARE NO RESERVATIONS FOR PARKS, SCHOOLS OR OTHER PUBLIC USES.



**SITE PLAN**  
SCALE 1" = 30'



**Electric Guard Dog**  
550 Assembly St., 5th Floor  
Columbia, SC 29201  
PHONE: 803-786-6333  
FAX: 803-404-5378

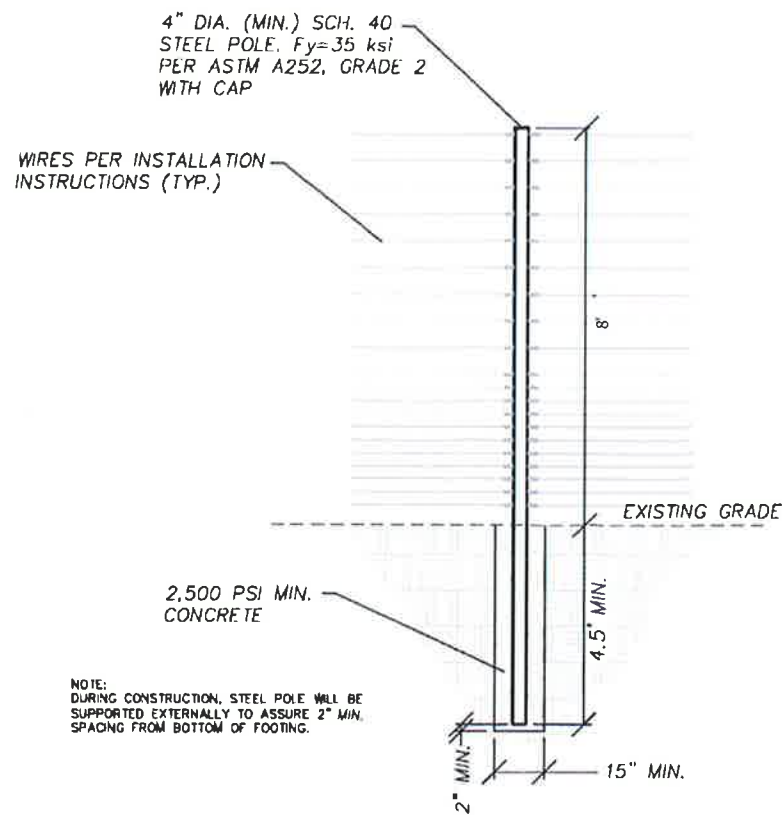
PROJECT: UNITED RENTALS  
2855 FAIR ST  
CHICO, CA 95928

SHEET TITLE: **SITE PLAN**

DATE: 3/5/2019  
SCALE: SEE PLAN

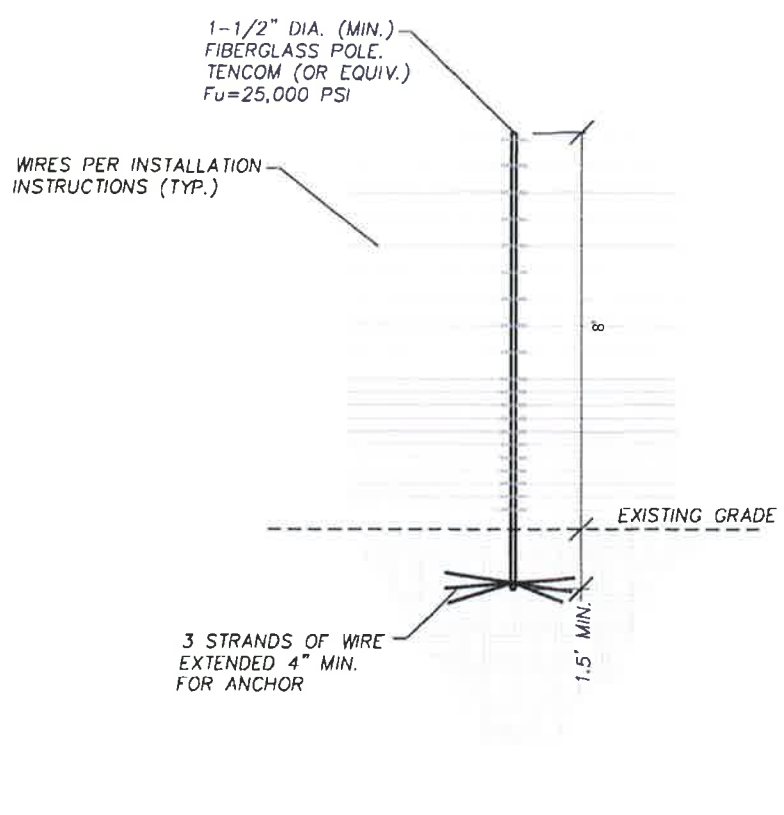
SHEET  
**C-1**  
of 3

#	DATE / DESCRIPTION
#1	3/5/2019 NEW SHEET



STEEL POLE DETAIL

NTS

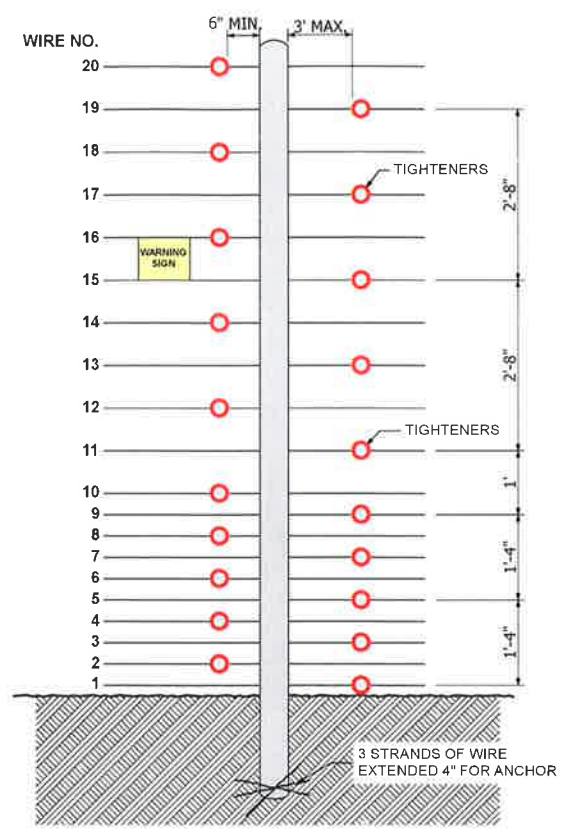


FIBERGLASS POLE DETAIL

NTS

**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', WHICH IS THE MAXIMUM DISTANCE BETWEEN WARNING 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

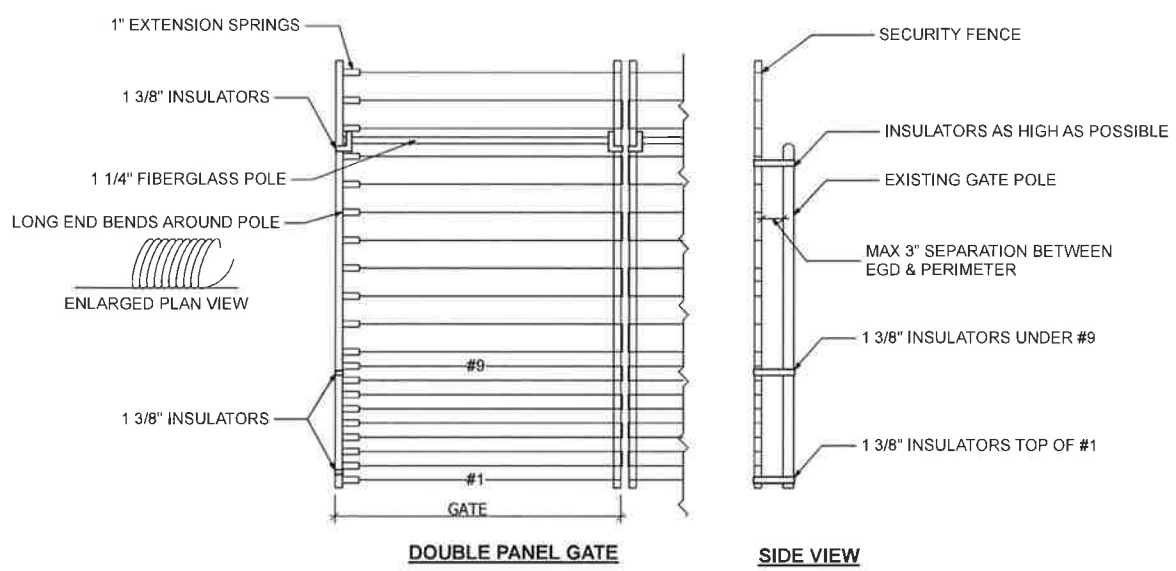
NTS



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

EXAMPLE WARNING SIGNS @ 12"x9"

NTS



**NOTES:**  
 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).  
 5. ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.  
 6. EVERY GATE PANEL MUST HAVE A SIGN.  
 7. GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE

GATE DETAIL

N.T.S.

**Electric Guard Dog**  
 550 Assembly St., 5th Floor  
 Columbia, SC 29201  
 PHONE: 803-786-6333  
 FAX: 803-404-5378

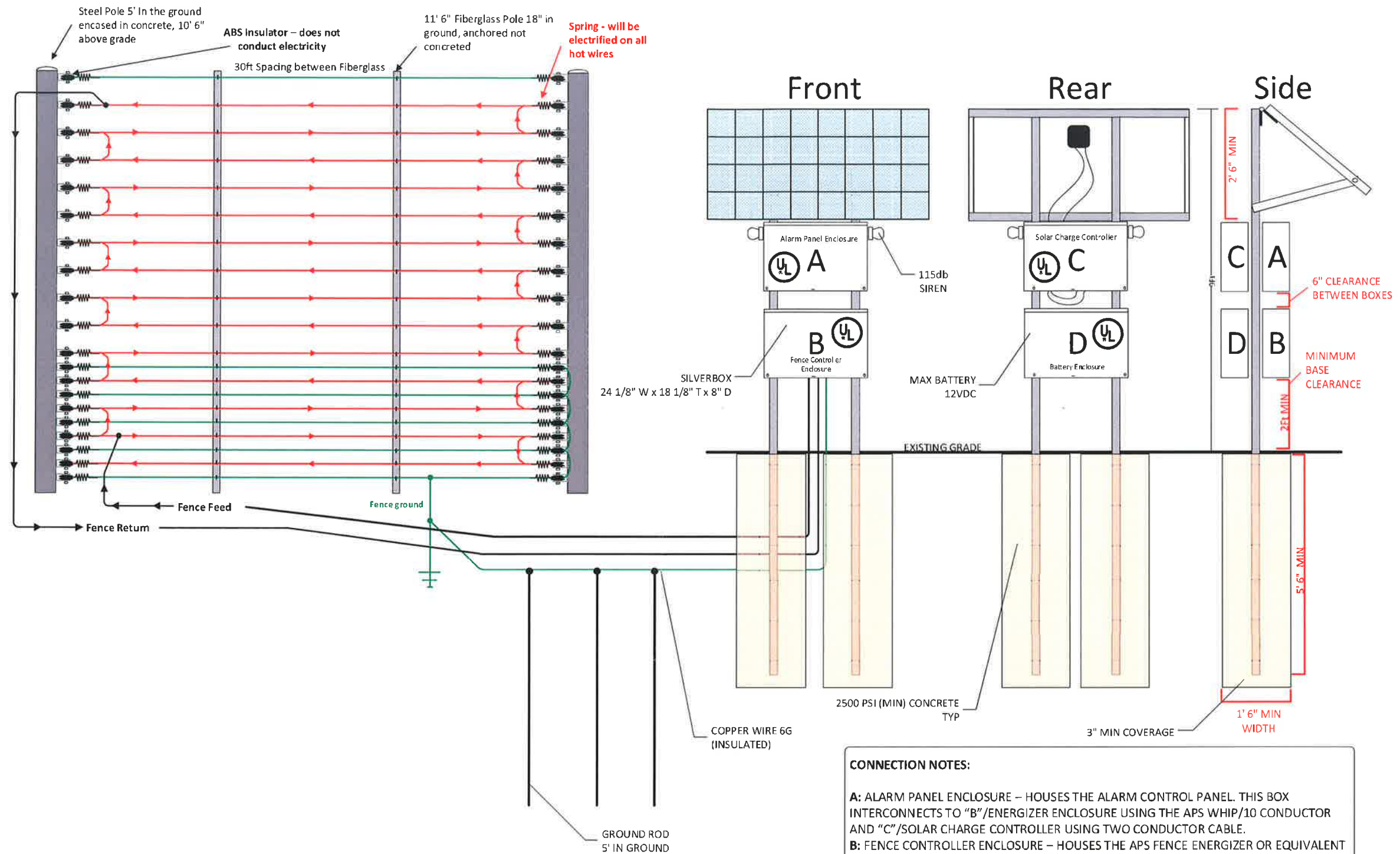
PROJECT: UNITED RENTALS  
 2855 FAIR ST  
 CHICO, CA 95928

SHEET TITLE: TYPICAL DETAILS

DATE: 3/5/2019  
 SCALE: SEE PLAN

SHEET  
**C-2**  
 of 3

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



**NOTE:**  
MOUNT 4 SILVER BOXES TO A PAIR OF 1 5/8" DOUBLE UNISTRUT OR 2 1/4" SCHEDULE 40 STEEL POLES. THE BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM 2 FEET ABOVE GROUND LEVEL. AND THE POLES MUST BE IMBEDDED AT **MINIMUM 5'-6"** BELOW GROUND LEVEL.

**CONNECTION NOTES:**

**A:** ALARM PANEL ENCLOSURE – HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "B"/ENERGIZER ENCLOSURE USING THE APS WHIP/10 CONDUCTOR AND "C"/SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE.

**B:** FENCE CONTROLLER ENCLOSURE – HOUSES THE APS FENCE ENERGIZER OR EQUIVALENT – THIS BOX INTERCONNECTS TO "A"/ALARM PANEL ENCLOSURE USING THE APS WHIP/10 CONDUCTOR CABLE.

**C:** SOLAR CHARGE CONTROLLER ENCLOSURE – POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR EACH SOLAR, BATTERY & LOAD CONNECTIONS. TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER ON THE ELECTRONICS. ELECTRONICS POWER IS CONTROLLED BY THE LOAD BREAKER.

**D:** BATTERY ENCLOSURE – THIS ENCLOSURE INTERCONNECTS TO THE "C"/CHARGE CONTROLLER ENCLOSURE USING 2 CONDUCTOR 14G AND 10G THWN.

#1	DATE / DESCRIPTION
	01- 3/5/2019 NEW SHEET
<b>Electric Guard Dog</b>	
550 Assembly St., 5th Floor Columbia, SC 29201 PHONE: 803-786-6333 FAX: 803-404-5378	
PROJECT:	UNITED RENTALS 2855 FAIR ST CHICO, CA 95928
SHEET TITLE:	TYPICAL DETAILS
DATE:	3/5/2019
SCALE:	SEE PLAN
SHEET	C-3
	of 3