
TO ADDRESS THE COMMISSION
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Regular Meeting
October 25, 2006 - 7 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION
AGENDA

Chairman Michael Cartoscelli

Vice Chairman Satwant Takhar
Commissioner Melia Campbell
Commissioner Tej Maan

Commissioner Maynard Dunn
Commissioner John Sanbrook
Commissioner Preet Didbal

Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on September 27, 2006

Appearance of Interested Citizens*

Correspondence

Public Hearings:

1. Public Hearing – Development Plan #DP 06-02 for Sierra Central Credit Union for the four-phase construction of a 117,000 square foot corporate headquarters and banking facility located in the C-M, SP zone at the southeast corner of Harter Parkway and Butte House Road; APN: 59-010-103; applicant: Rengel+Company Architects; property owner: Sierra Central Credit Union.
2. Public Hearing: Tentative Subdivision Map SM#06-05 Of Harter Estates North; located at the southwest corner of Butte House Road and Harter Parkway in the Harter Specific Plan Area; subdivider/property owner: Harter Packing Company, LLC.

Commission Consideration:

1. Request for Extension of time for filing of final map for Subdivision Map #SM 04-10, Vista Estates. Applicant: Roger W. Borrell.

Commission Discussion: - None

Other Business - None

Report on Actions of the City Council

Adjournment

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$753 (\$363 if the project concerns a single-family residence), must be filed with the City Clerk, 1201 Civic Center Boulevard, Yuba City, CA 95993 within 10 days of such action. If no appeal is filed within this time limit, the Commission action becomes final. The exception to this is rezonings--please check with the Planning Department, 1201 Civic Center Boulevard, Yuba City for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530/822-4601) at least 72 hours in advance so such aids or services can be arranged. City Hall TDD: 530/822-4732.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.

DATE: October 19, 2006
TO: Yuba City Planning Commission
FROM: Brian Trudgeon, Principle Planner
SUBJECT: Agenda Report – Meeting of October 25, 2006

1. PUBLIC HEARING: DEVELOPMENT PLAN #DP 06-02 FOR SIERRA CENTRAL CREDIT UNION FOR THE FOUR-PHASE CONSTRUCTION OF A 117,000 SQUARE FOOT CORPORATE HEADQUARTERS AND BANKING FACILITY LOCATED IN THE C-M, SP ZONE AT THE SOUTHEAST CORNER OF HARTER PARKWAY AND BUTTE HOUSE ROAD; APN: 59-010-103; APPLICANT: RENGEL+COMPANY ARCHITECTS; PROPERTY OWNER: SIERRA CENTRAL CREDIT UNION

Project Description:

Rengel + Co. Architects submitted a Development Plan application on behalf of Sierra Central Credit Union for a four-phase 117,000 square foot corporate headquarters and retail branch banking facility. Phase 1 consists of a 54,500 building that will include a drive-through teller window. Phase 2 is a 41,000 square foot addition on the east side of Phase 1. Phase 3 consists of a 6,300 square foot retail branch with a walk-up ATM located at the corner of Blevin Road and Butte House Road. Phase 4 is a 15,000 square foot addition to the southwest side of Phase 1. The site is within the City limits and has General Plan and Zoning designations that support the project.

Property Description:

The subject property is identified as Assessor's Parcel Number 59-010-103. The vacant 8.2 acre site is bound by Butte House Road on the north, Harter Parkway on the west, the future private road Sierra Road on the south, and the future southern extension of Blevin Road on the east. The street frontages along Harter Parkway and Butte House Road are currently unimproved.

General Plan Designation:

Business, Technology, and Light Industry

Zoning Classification:

C-M, SP (Heavy Commercial/Light Industrial, Specific Plan Combining) District

Surrounding Land Use:

Located to the north are Butte House Road and a vacant parcel adjacent to two single-family homes. Located to the east is a vacant parcel. Located to the south is a vacant parcel and various

industrial uses. Located to the west is Harter Parkway and a vacant parcel where the proposed Harter North subdivision (which is before the Planning Commission for consideration at this meeting) will eventually be constructed.

Previous Commission Actions and/or Policies:

On October 26, 2004, the City Council followed the Planning Commission recommendation and approved the Harter Specific Plan, Rezoning, Development Agreement and the Development Plan for the Yuba City Marketplace shopping center and also certified the Harter Specific Plan and Yuba City Marketplace EIR.

Environmental:

An Initial Study/Negative Declaration tiered from the Harter Specific Plan and Yuba City Marketplace EIR has been prepared for this project and is attached (Exhibit A) for Commission review and consideration. No adverse impacts were identified. Staff requests the Planning Commission to recommend that the City Council adopt the attached negative declaration.

Staff Comments:

Design

In accordance with the Zoning Regulations, and based on the size of the proposed project, the City Council will be responsible for the final review and approval which includes design approval. Staff supports the design of the project and believes that the building will be an asset to the corner of Harter Parkway and Butte House Road. The design meets all requirements of the Business, Technology, and Light Industry General Plan designation. The project also meets all requirements of the C-M, Heavy Commercial/Light Industrial District, as well as all standards in the Yuba City Design Guidelines.

As is noted on the site plan, the project will be constructed in four phases. Condition number 9 requires that the architecture of Phases 2, 3, and 4 match the architecture of Phase 1 in all aspects, including but not limited to, building height, massing, setbacks, materials, and colors.

Landscaping

The preliminary landscape plan meets all requirements of the Zoning Regulations and Design Guidelines for the Harter Specific Plan. The applicant will be required to submit a detailed landscape and irrigation plan as a part of the building permit application.

Traffic

As stated in the Initial Study/Negative Declaration, the Harter Specific Plan and Yuba City Marketplace Draft EIR discusses Transportation/Traffic in Section 4.7 on pages 4.7-1 through 4.7-28. It was found that project-related traffic volumes would increase most on Butte House Road at the new intersection with Harter Parkway and along Highway 20 from the Highway 99 intersection to the Harter Parkway intersection, primarily due to the development of the Yuba

City Marketplace shopping center. These potential impacts were mitigated to a level less than significant with the incorporation of Mitigation Measures 4.7-1 through 4.7-5 listed on pages 3-21 through 3-26 of the Harter Specific Plan and Yuba City Marketplace Draft EIR.

Parking

The parking ratio for Sierra Central Credit Union is 1 space per 300 square feet of floor area for the office portion of the project and 1 space per 175 square feet of floor area for the bank portion of the project, for a total of 405 required parking spaces. As each phase is constructed, the parking provided will exceed the number of spaces required. Phase 1 requires 182 parking spaces; 209 parking spaces will be provided as part of Phase 1. After the construction of the final phase, a total of 476 parking spaces will be provided, for a surplus of 71 parking spaces over those required. Since the project exceeds the required parking by more than 10 percent, the “orchard parking” landscaping scheme has been shown on the site plan and preliminary landscape plan.

Recommended Action:

Staff recommends that the Planning Commission take the following actions:

- A) Recommend that the City Council adopt the following Findings:
 - 1. Following review and consideration of the negative declaration tiered from the Harter Specific Plan and Yuba Sutter Marketplace EIR and any comments received, find that there is no evidence the project will create any new significant impacts on the environment.
 - 2. The proposed Sierra Central Credit Union project is consistent with the goals and policies of the General Plan as well as with the designation Business, Technology, and Light Industry as shown on the Land Use Map of the General Plan.
 - 3. The proposed Sierra Central Credit Union project is consistent with the goals and policies of the Harter Specific Plan.
 - 4. The proposed Sierra Central Credit Union is consistent with the requirements of the C-M, (Heavy Commercial/Light Industrial) District as modified by the Harter Specific Plan. The project meets all C-M District development standards including building height, setbacks, fencing, parking configuration, landscape, and signage.
 - 5. The 8.2-acre project site is adequate in size and shape to accommodate the proposed 117,000 square foot development with respect to public access, parking and loading, yards, and landscaping. The proposed project meets the standards in the Yuba City Design Guidelines.
- B) Recommend that the City Council adopt the attached Negative Declaration.

- C) Recommend that the City Council approve the Development Plan (DP 06-02) subject to the following conditions of approval:

General Requirements

1. The Developer shall prepare and submit improvement plans for the construction of all public improvements including water, sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips, signing, striping, and streetlights.
2. All improvements shall be constructed and all fees paid in accordance with the Harter Specific Plan Financing Strategy and Phasing Plan, the Development Agreement, and the Harter Specific Plan Infrastructure Improvement Fee. Improvements shall be completed per the timelines in the above-mentioned documents or when not specified, prior to issuance of Certificate of Occupancy.

Specific improvements identified in the Financing Plan that shall be constructed prior to issuance of Certificate of Occupancy for this project include:

- Completion of all improvements identified in “Year 1” of Table 3 of the Harter Financing Plan.
 - Widening of Butte House Road, including construction of storm drainage and undergrounding of existing overhead utilities, as listed in “Year 2” of Table 3 of the Harter Financing Plan.
 - Widening of Harter Parkway to full width from the end of the existing ultimate improvements near Poole Boulevard to Butte House Road, including construction of the required water line and sewer line, as listed in “Year 3” of Table 3 of the Harter Financing Plan.
3. All design and construction shall conform to the Harter Specific Plan, the latest edition of the City of Yuba City Standard Specifications and Details, State of California Standard Specifications for Construction of Local Streets and Roads (July 2002), AASHTO Policy on Geometric Design of Streets and Highways for local roads, and FHWA Manual on Uniform Traffic Control Devices for Streets and Highways (2003 edition).
 4. The Developer shall obtain all necessary approvals from City agencies, utilities and other effected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of improvement plans the developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.
 5. Improvement plans shall be approved by the Yuba City Fire Department prior to issuance of a building permit.
 6. In the event that the City is forced to condemn or acquire off-site property interest in connection with required off-site improvements, the developer shall fund the cost of condemnation or acquisition, including, but not to be limited to the amounts necessary to

purchase the easement or fee simple interest, document preparation, and severance or other damages payable to the owners of the land upon which the improvements are to be located, the actual cost and acquisition, and all fees, including attorney fees and/or other expenses necessary to prosecute the condemnation action, including expert witness and appraisal fees. In the event that the City elects to proceed with acquisition or condemnation pursuant to Government Code Section 66462.5, the developer shall, within 60 days of written notice by the City, deposit with the City, as an advance, the full estimated cost of such acquisition or condemnation. The developer shall prepare any easements or deeds necessary for off-site improvements.

7. Required Improvement Plan Notes:

- a. “Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations.”
 - b. “During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible that all construction equipment is equipped with manufacturer-approved muffler baffles. Failure to do so may result in the issuance of an order to stop work.”
 - c. “If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.”
 - d. “The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the CalTrans “Manual of Traffic Safety Controls for Construction and Maintenance Work Zones.” The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s).”
 - e. “Prior to the issuance of building permits, all applicable development impact fees shall be paid to the satisfaction of the Public Works Department and in accordance with City and local district ordinances.”
 - f. “Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department.”
8. Prior to issuance of a building permit, the project proponent shall submit a signed Fugitive Dust Control Plan to the Feather River Air Quality Management District (FRAQMD) to acknowledge his/her duty to address state and local laws governing fugitive dust emissions

and the potential for first offense issuance of a Notice of Violation by the air district where violations are substantiated by FRAQMD staff.

9. The architecture of Phases 2, 3, and 4 shall match the architecture of Phase 1 in all aspects, including but not limited to, building height, massing, setbacks, materials, and colors.
10. In accordance with the comments received from Yuba Sutter Transit, the following three measures shall be incorporated into the project:
 - a. The existing bus stop on the project site should be moved around the corner from Harter Road to Butte House Road.
 - b. A bus turnout suitable in size for two buses at one time shall be provided at the new bus stop location.
 - c. A 16-foot by 6-foot concrete pad should be provided behind the sidewalk beginning at the two-thirds point of the new turnout for the future placement of the bus stop furnishings such as a bench or shelter which will be provided at no cost to the project developer.

Permits Required

11. The Developer shall provide evidence that a Notice of Intent has been submitted and received by the local Water Quality Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan (SWPPP) shall be provided to the City prior to the issuance of a building permit.
12. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.

Roadway Improvements

13. Harter Parkway shall be constructed to a width of 73.0 feet (back of curb to back of curb). Right-of-way shall be dedicated to a width of 127.0 feet (60.5 feet on the east, 66.5 feet on the west) including a 12.0 foot PUE behind the detached sidewalk on the west side and a 10.0 foot PUE behind the detached sidewalk on the east side. Construction shall include on *each side* of the center line a 7.0 foot landscape median (for a total of 14.0 feet), a 27.0 foot road, and 2.5 foot curb and gutters. Construction on the east side shall also include an 8.0 foot landscape parkway strip, a 6.0 foot detached sidewalk, 10.0 foot PUE, street trees, and street lights except as otherwise approved by the Public Works Department. The sidewalk location may vary relative to the curb, but shall not be located less than 6-feet nor more than 9-feet from the back of curb (Yuba City Harter Specific Plan design standard 2). Construction on the west side of Harter Parkway beyond the curb and gutter shall be constructed in conjunction with the development on the west side (Harter Estates – North) and shall include an 8.0 foot landscape parkway strip, a 10.0 foot detached sidewalk, a 12.0 foot landscaped PUE, and 6.0 foot to 8.0 foot high masonry walls.

14. Right-of-way on the south side of Butte House Road shall be dedicated to a width of 62.5 feet including a 12.0 foot PUE behind the detached sidewalk. Construction on the south side shall include a future 7.0 foot landscape median which shall be constructed per the required street section in the interim, a 27.0 foot road, 2.5 foot curb and gutters, an 8.0 foot landscape parkway strip, a 6.0 foot detached sidewalk, a 12.0 landscaped PUE, 6.0 foot to 8.0 foot high masonry walls, street trees, and street lights except as otherwise shown on the tentative map and approved by the Public Works Department. In areas adjacent to the multi-family, no masonry block wall shall be required. The property line shall be located one-half foot behind the curb.
15. The location of any proposed driveways off of Butte House Road shall be approved by the Public Works Director. Traffic shall be restricted to right-in and right-out movements only.
16. The road titled "Park Road Extension" shall be constructed full width with curb and gutters on the north and south side. Additional improvements on the north side include a landscape parkway strip, a 5.0 foot detached sidewalk, 10.0 foot PUE, street trees, and street lights except as otherwise approved by the Public Works Department. The sidewalk location may vary relative to the curb, but shall be located not less than six feet from the back of curb.
17. Sierra Road shall be constructed full width with curb and gutters on both sides. Additional improvements on the west side shall include a 5.0 foot sidewalk, a 10.0 foot PUE, and street lights except as otherwise approved by the Public Works Department. If Sierra Road is to be a private road, then the necessary easements shall be dedicated to the City for any City maintained utilities.
18. Blevin Road shall be constructed full width with curb and gutters on both sides from Butte House Road to Sierra Road. Additional improvements on the west side shall include a landscape parkway, 5.0 foot detached sidewalk, 10.0 foot PUE, street trees, and street lights except as otherwise approved by the Public Works Department.
19. The structural section of all road improvements shall be designed using a geotechnical investigation which provides the basement soils R-value and expansion pressure test results. The structural section shall be designed to the following standards:
 - a. Use 3" minimum for residential, and 4" minimum for collectors and arterials, of 5" 'Type A' asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)
 - b. Use a traffic index of 6.5 for residential streets
 - c. Use a traffic index of 9 for collector streets
 - d. Use a traffic index of 10 for arterial streets

A copy of the geotechnical investigation, including R-value, test locations and structural section calculations, shall also be submitted with the first improvement plan check.

20. Striping, pavement markings, and traffic signage shall be provided on all streets as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department.
21. The Developer shall slurry seal all streets after issuance of the Certificate of Occupancy.
22. ADA approved ramps shall be provided at all intersections and crosswalks where sidewalks are proposed.

Utilities

23. There shall be a minimum of 48” (forty-eight inches) of cover from finished grade to top of pipe for all water mains and a minimum of 60” (sixty inches) of cover from finished grade to top of pipe for all storm drain and sewer mains or as approved by the Public Works Director.
24. The fire suppression system(s) that will be servicing the property shall tie in directly to the City water main. All applicable fees shall apply.
25. All service laterals (water, sewer, irrigation, fire suppression), along with required shall be shown on the civil improvement plans. All applicable fees shall apply.
26. Prior to paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.
27. Prior to paving, the Developer shall hydroflush all storm drain mains and all sewer mains. In addition, prior to the City’s acceptance of the improvements, the storm sewer and sewer mains shall be re-hydroflushed.
28. The Design Engineer shall provide technical reports to substantiate the sizing of pipes. The reports shall include:
 - a. hydrology/hydraulic calculations;
 - b. sewer calculations; and
 - c. calculations using the City’s water module.
29. The Design Engineer shall provide calculations analyzing available sewer and storm drain capacity and certify additional demands of the project can be satisfied. If the demands cannot be satisfied, the Design Engineer shall provide offsite improvement plans to do so.
30. The Developer’s Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of the first building permit for each phase of construction.

Lighting and Landscaping

31. The property owner shall petition for formation of a Zone of Benefit of the Yuba City Landscaping and Lighting District for the purpose of maintaining landscaping and street trees which are to be planted along all streets, maintaining the street lights, and maintaining any masonry walls within the street right-of-way.
32. The Developer shall be responsible for preparation of a street tree and irrigation plan that is deemed acceptable by the Director of Parks and Recreation, which shall be submitted with the improvement plans.
33. All street lighting shall be dedicated to the City of Yuba City.
34. All street lighting shall be energized and operational prior to the issuance of any Certificates of Occupancy. Street lights on existing roadways shall remain operational, or temporary lighting shall be provided, until the final streetlights are constructed, energized, and operational.
35. The street landscape planters, the street trees, and street lighting are public improvements which shall meet the Parks Division Planting Standards and Yuba City Standard Details and be included in the improvement plans and specifications for the project when the improvement plans are submitted for the first improvement plan check.
36. The typical median design will include a primary street tree located 30 feet on center, near the centerline of the median (Yuba City Harter Specific Plan design standard 31).
37. All public and/or private landscaping must be irrigated. A separate meter shall be installed on the landscape service. More than one meter may be required. The Developer shall pay all applicable fees.
38. The final improvement plans shall reflect street tree placement so that no interference with streets, streetlights, and driveways will occur to the satisfaction of the Public Works Department.
39. The street trees proposed by the Developer shall be a minimum of 15 gallon in size with a one-inch dbh (diameter at breast height). The tree specie(s) shall be a shade type approved by the City Arborist and the Public Works Department. Only one tree specie shall be planted on any street.

Drainage

40. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flows onto the adjacent lands or impedes the drainage from those properties. If retaining walls are required, they shall be constructed of concrete or masonry block.

41. The improvement plans shall include detailed information demonstrating how storm water and flood control drainage will be transported to the existing drainage lateral.
42. Existing and proposed grade elevations at perimeter of the proposed land development shall be shown on the improvement plans. The Engineer of Record shall designate on the plans as to where any retaining walls are required and provide details of all proposed retaining walls. The retaining wall is required where grade differences between the proposed development and the surrounding land is greater than 6 inches. The use of any type of wood as the retaining wall shall not be permitted.
43. Prior to the filing of any final map the developer shall submit to the Sutter County Public Works Department a drainage plan for any drainage improvements that utilize County facilities for approval by the Sutter County Public Works Director.
44. The Developer shall be required to pay any applicable Sutter County Water Agency drainage fees. The Developer shall provide the City with a copy of the receipt indicating that the fees have been paid.
45. Prior to the issuance of a building permit, the Developer shall enter into an agreement with Sutter County providing the following:

Participation in a zone of benefit, drainage district, agency, service area or any other public entity for the financing of construction and maintenance of a drainage system. In addition to the special assessment district or public entity referred to immediately above, the agreement shall contemplate the imposition by the district or public entity of any legally available fee, assessment or other financing mechanism to facilitate the construction and maintenance of a drainage system.
46. Drain inlet frames shall be installed with the indication “No Dumping – Drains to River”. If acceptable frames cannot be found that match City’s Standard Detail for drain inlets, then markings shall be installed on top of curb, or at an appropriate alternate location. Proposed drain inlet frame or marking shall be submitted with the improvement plans.

Grading

47. A master grading plan for all phases of the improvement shall be submitted to the Public Works Department as part of the improvement plans with the first improvement phase.
48. The applicant shall submit, with the first improvement plan check, to the City for review and approval, a detailed geotechnical investigation prepared by a Civil Engineer registered in the State of California and qualified to perform geotechnical work. The grading plan shall incorporate the recommendations of the approved geotechnical investigation.
49. Where soil or geologic conditions encountered during grading operations are different from those anticipated in the geotechnical investigation, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic investigation shall be submitted for approval by the Public Works Department. The revised

investigation shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of settlement and seismic activity.

50. All grading operations on the project shall be suspended as directed by the Feather River Air Quality Management District when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures. An operational water truck shall be onsite at all times to assist in dust control.
51. Onsite dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizer employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizer according to manufacturers' specifications to all inactive construction areas.
52. A grading certificate shall be provided to the City. The Developer shall provide the certification by a licensed surveyor as to lot elevation, grading, and lot drainage conformance with the approved improvement plans. The City Engineer shall sign off on the certifications.

Storm Water Pollution and Prevention Plan

53. The Developer shall be responsible for implementing the Storm Water Pollution and Prevention Plan (SWPPP) through the use of Best Management Practices (BMP). The Developer shall be responsible for maintaining the SWPPP. Should the Developer fail to ensure satisfactorily compliance with the SWPPP, the City Inspector may issue a stop work order until compliance is achieved.
54. To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved street from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
55. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
56. As part of the water pollution control work, a Storm Water Pollution Prevention Plan (SWPPP) is required. The SWPPP shall conform to the provisions in Section 7-1.01G, "Water Pollution," of the Caltrans Standard Specifications for construction of streets and local roads dated July 2002, the requirements in the Manuals, and the requirements of the Permits. The Developer shall be responsible to include provisions for SWPPP requirements on the contract documents for the work under the proposed development. These provisions shall direct the successful contractor to develop a SWPPP document per the directions on the Caltrans website at <http://www.caltrans.ca.gov/hq/construc/stormwater/stormwater1.htm>. The Contractor shall submit the SWPPP document within the timelines set forth on the development's special provisions and allow 15 days for the City of Yuba City to review and approve or return the document for revisions. *The developer/Contractor shall not start any work until the SWPPP document has been approved by the City of Yuba City.*

57. The following minimum Best Management Practices (BMPs) shall be required during construction:

- a. Construction crews shall be instructed in preventing and minimizing pollution on the job.
- b. Stabilize construction entrance/exit to prevent tracking onto roadway. Only one stabilized construction entrance/exit will be allowed per site. Vehicles entering and leaving construction sites spread pollutants such as sediment, gravel, and other loose particles onto adjacent roads. Pollutants are washed into roadside ditches and are a nuisance to drivers and may cause damage to vehicles.
- c. Protect exposed slopes from erosion through preventative measures. Cover slopes to avoid contact with storm water by hydro-seeding, mulch, use of plastic sheeting, or other approved means.
- d. Use brooms and shovels when possible to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
- e. Designate a concrete washout area, if needed, to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
- f. Establish a vehicle storage, maintenance, and refueling area, if needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
- g. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags, or straw wattles.
- h. Be prepared for rain and have the necessary materials onsite before the rainy season.
- i. Inspect all BMPs before and after each storm event. Maintain BMPs on a regular basis and replace as necessary, through the entire course of construction.

58. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1. Erosion control measures shall be monitored and maintained continuously throughout the storm season.

Easements

59. A public utility easement shall be provided, extending 10 feet behind the property line (unless otherwise specified above), along the street frontages of Butte House Road, Harter Parkway, and any proposed streets adjacent to the development.

Miscellaneous

60. Prior to acceptance of the improvements, all sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips,

blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

61. Prior to the occupancy of any building, the curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction shall be replaced.
62. Prior to issuance of any Certificate of Occupancy, all existing overhead utilities (of 26,000 volts or less) and proposed utilities, both onsite and along Butte House Road, shall be placed underground. The undergrounding shall extend the length of the street improvements on Butte House Road from the next post beyond the project frontage, across the frontage and then to the next post beyond the project boundary. This condition does not include surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets. Appropriate easements shall be obtained by the Developer to facilitate these installations.
63. Open burning is a source of fugitive gas and particulate emissions, and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) shall be conducted at the project site. Vegetative wastes should be chipped or delivered to waste facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.
64. Prior to approval of the improvement plans, the debris and equipment south of the property shall be removed and/or fenced off from view of a public street and from view of the proposed development.
65. Construction signs shall be installed/erected per CalTrans Standards and Details. The signs shall be maintained throughout the project duration.
66. Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.
67. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project as directed by the Public Works Department.
68. Temporary silt fencing shall be erected during construction and permanent fencing shall be completed prior to occupancy so that transport of construction debris can be retained on-site.
69. The contractor shall maintain record drawings of all public improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the

Engineer of Record shall submit both an electronic copy (AutoCad version 2000 or newer) and hard copy (on mylar) to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.

70. The Developer shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to ensure compliance.
71. The Developer's Superintendent/Representative shall be onsite when contractor is working and be available to the City's Construction Inspector assigned to the project. The Developer shall be responsible for making sure that the contractor is working from signed improvement plans, signed special provisions, signed Storm Water Pollution Prevention Plan, and the approved project agreement conditions.
72. The Developer's Superintendent/Representative shall ensure that all private vehicles be either parked off-site or outside of construction areas. All vehicles, construction equipment, and construction material related to the project shall be organized in such a manner as to provide emergency vehicle access to the entire project. Sidewalks within and adjacent to the construction area shall be kept clean and remain accessible for American Disability Act compliance.
73. The Developer and/or the Developer's Superintendent/Representative shall have a pre-construction meeting with the City prior to commencing construction of public improvements. The Developer shall notify the City of the meeting no less than two working days in advance of such meeting. Those in attendance at the meeting shall include: the City, the Developer and/or the Developer's Superintendent/Representative, the Contractor, the Design Engineer, the Developer's safety representative, the Developer's SWPPP representative.
74. All Developer fees shall be paid to Sutter County prior to the City's acceptance of the improvement plans. The Developer shall provide the City with a copy of the receipt indicating that the fees have been paid.

During Construction Operations

75. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as determined necessary by the City.
76. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
77. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be

responsible that all construction equipment is equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work.

78. The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.

Attachments:

1. Aerial Photo of Project Area

Exhibits:

- A. Initial Study and Negative Declaration
- B. Project Plans

2. **PUBLIC HEARING: TENTATIVE SUBDIVISION MAP #06-05 OF HARTER ESTATES NORTH; LOCATED AT THE SOUTHWEST CORNER OF BUTTE HOUSE ROAD AND HARTER PARKWAY IN THE HARTER SPECIFIC PLAN AREA; SUBDIVIDER/PROPERTY OWNER, HARTER PACKING COMPANY, LLC**

Project Description:

Request to subdivide 21.8 acres into 78 single-family lots and 3 multiple-family lots. The residential lots meet the lot size standards for the Harter Specific Plan and Zoning Code with interior lots larger than 4,500 square feet and corner lots larger than 5,000 square feet. The single-family residential density is 4.64 units per acre for Unit 1 and 6.87 units per acre for Unit 2. The average density of Units 1 and 2 is 5.3 units per acre. Unit 3 includes the three multiple-family residential parcels which range in size from 2.16 acres to 2.69 acres and which total 7.13 acres.

Property Description:

The subject property is identified as Assessor's Parcel Number 62-310-004. The vacant 21.8 acre parcel is located on the southwest corner of Harter Parkway and Butte House Road. The street frontages along Harter Parkway and Butte House Road are currently unimproved.

General Plan Designation:

Low Density Residential, 2 to 8 units per acre
Medium/High Density Residential, 12 to 36 units per acre

Specific Plan Designations:

Single-Family Residential – Units 1 and 2
Multi-Family Residential – Unit 3

Zoning Classification:

One-Family Residence, Specific Plan Combining (R-1-SP) District – Units 1 and 2
Multiple-Family Residence, Specific Plan Combining (R-3-SP) District – Unit 3

Surrounding Land Use:

Surrounding the project site: to the north is Butte House Road; to the east is Harter Parkway and the proposed Sierra Central Credit Union corporate headquarters; to the south is the future Harter Park; and to the west is the city limits, beyond which are single-family residential development along Oro Grande Street.

Previous Commission Action and/or Policies:

On October 26, 2004, the City Council followed the Planning Commission recommendation and approved the Harter Specific Plan, Rezoning, Development Agreement and the Development Plan for the Yuba City Marketplace shopping center and also certified the Harter Specific Plan and Yuba City Marketplace EIR. On August 9, 2006, the Planning Commission approved SM 06-04, Harter Estates South, to divide 32.93 acres into 85 single-family lots, 11 commercial lots, and 4 office lots. Neighbors subsequently appealed the decision to the City Council on the grounds that the proposed lot sizes, additional traffic, and density were incompatible with the neighboring parcels. On October 17, 2006, the City Council continued the item until November 21, 2006.

Environmental:

Exempt – Section 15182 (a) of the California Environmental Quality Act (CEQA) provides that where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. The scope of this exemption includes residential land divisions, zone changes, and planned unit developments. An EIR was prepared for the Harter Specific Plan and the proposed subdivision is consistent with the goals, policies, and objectives of the Plan in all aspects.

Staff Comments:

Staff supports the applicant's request to subdivide. The map meets the Harter Specific Plan Design Guidelines in that the streets provide for pedestrian access through the neighborhood and to the neighborhood park that will be located south of George Drive. The subdivision design also complies with the Circulation Plan in that George Drive and Pioneer Way provide access east to Harter Parkway and north to Butte House Road, respectively. With the completion of the Harter Estates North project and Sierra Central Credit Union to the east, the intersection of

Harter Parkway and Butte House Road will be improved, and Harter Parkway will be improved its full width nearly 700 feet south from the intersection of Harter Parkway and Butte House Road.

Unlike Harter Estates South, there are no homes or lots in the proposed subdivision that will front onto existing streets, resulting in better compatibility with the surrounding neighborhood. While the overall density of the project is higher than the adjacent residential neighborhood located in the County, the majority of the highest density single-family homes are located in the interior of the proposed subdivision in Unit 2, near the multiple-family parcels, and adjacent to the future park.

In addition, Guiding Policy 3.5-G-3 of the Yuba City General Plan states: “Allow and encourage low-medium density small-lot single-family housing development in new and existing neighborhoods that enable compact development and efficient infill.” The single- and multiple-family residential portions of this project utilize existing residential space and provide an opportunity for efficient residential development.

Recommended Actions:

Staff recommends that the Planning Commission take the following actions:

A) Adopt the following recommended Findings:

1. The approval of the tentative subdivision map is consistent with the Guiding and Implementing Policies as well as the Low Density and Medium Density Residential designations of the Yuba City General Plan.
2. The approval of the tentative subdivision map is consistent with the goals, policies, and objectives, as well as the Design Guidelines and Land Use Map, of the Harter Specific Plan.
3. The tentative map is consistent with and meets the minimum standards for the R-1 District as modified by the Specific Plan and the R-3 District.
4. There have been no new environmental impacts identified as a result of this project, nor has new information been presented that was not known at the time the environmental impact report for the Harter Specific Plan and Yuba City Marketplace was certified as complete. A copy of the Final EIR is available for examination at the Yuba City Community Development Department located in City Hall at 1201 Civic Center Blvd., Yuba City, California.

B) Approve the tentative subdivision map subject to the following conditions of approval:

General Requirements

1. All improvements shall be constructed and all fees shall be paid in accordance with the Harter Specific Plan Financing Strategy and Phasing Plan, the Development Agreement, and the Harter Specific Plan Infrastructure Improvement Fee.
2. Prior to the issuance of the sixtieth (60th) building permit for single family housing or the first building permit for multi-family housing, whichever occurs first, Developer shall complete the design and construction of the five acre neighborhood park, including all adjacent street frontages.
3. The Developer shall prepare and submit improvement plans for the construction of all public improvements including water, sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips, signing, striping, and streetlights.
4. All design and construction shall conform to the Harter Specific Plan, the latest edition of the City of Yuba Standard Specifications and Details, State of California Standard Specifications for Construction of Local Streets and Roads (July 2002), AASHTO Policy on Geometric Design of Streets and Highways for local roads, and FHWA Manual on Uniform Traffic Control Devices for Streets and Highways (2003 edition).
5. The developer shall obtain all necessary approvals from the City, utilities and other affected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of improvement plans the developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.
6. Improvement plans shall be approved by the Yuba City Fire Department.
7. In the event that the City is forced to condemn or acquire off-site property interest in connection with required off-site improvements, the developer shall fund the cost of condemnation or acquisition, including, but not to be limited to, the amounts necessary to purchase the easement or fee simple interest, document preparation, and severance or other damages payable to the owners of the land upon which the improvements are to be located, the actual cost and acquisition, and all fees, including attorney fees and/or other expenses necessary to prosecute the condemnation action, including expert witness and appraisal fees. In the event that the City elects to proceed with acquisition or condemnation pursuant to Government Code Section 66462.5, the developer shall, within 60 days of written notice by the City, deposit with the City, as an advance, the full estimated cost of such acquisition or condemnation. The developer shall prepare any easements or deeds necessary for off-site improvements.
8. Required Improvement Plan Notes:
 - g. “Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations.”

- h. “During construction, the contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The contractor shall be responsible that all construction equipment is equipped with manufacturer-approved muffler baffles. Failure to do so may result in the issuance of an order to stop work.”
- i. “If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.”
- j. “The contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours and to minimize traffic restriction during construction. The contractor shall be required to follow traffic safety measures in accordance with the CalTrans “Manual of Traffic Safety Controls for Construction and Maintenance Work Zones.” The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s).”
- k. “Prior to the issuance of building permits, all applicable development impact fees shall be paid to the satisfaction of the Public Works Department and in accordance with City and local district ordinances.”
- l. “Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department.”

Permits Required

- 9. The Developer shall provide evidence that a Notice of Intent has been submitted and received by the local Water Quality Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan (SWPPP) shall be provided to the City.
- 10. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights-of-way.

Roadway Improvements

- 11. Harter Parkway shall be constructed to a width of 73.0 feet (back of curb to back of curb). Right-of-way shall be dedicated to a width of 127.0 feet (60.5 feet on the east, 66.5 feet on the west) including a 12.0 foot PUE behind the detached sidewalk on the west and a 10.0 foot PUE behind the detached sidewalk on the east. Construction shall include on *each side* of the center line a 7.0 foot landscape median (for a total of 14.0 feet), a 27.0 foot road, and 2.5 foot curb and gutters. On the west side of Harter Parkway, construction behind the curb and gutter shall include an 8.0 foot landscape parkway strip, a 10.0 foot detached sidewalk, a 12.0 foot landscaped PUE, 6.0 foot to 8.0 foot high masonry walls,

street trees, and street lights except as otherwise shown on the tentative map and approved by the Public Works Department. In areas adjacent to the multi-family housing and business park, no masonry block wall shall be required. The property line shall be located one-half foot behind the curb. Construction on the east side of Harter Parkway beyond the curb and gutter shall be constructed in conjunction with development on the east side of Harter Parkway (Sierra Central Credit Union) and shall include an 8.0 foot landscape parkway, a 6.0 foot detached sidewalk, and 10.0 foot PUE.

12. Right-of-way on the south side of Butte House Road shall be dedicated to a width of 62.5 feet including a 12.0 foot PUE behind the detached sidewalk. Construction on the south side shall include a future 7.0 foot landscape median which shall be constructed per the required street section in the interim, a 27.0 foot road, 2.5 foot curb and gutters, an 8.0 foot landscape parkway strip, a 6.0 foot detached sidewalk, a 12.0 landscaped PUE, 6.0 foot to 8.0 foot high masonry walls, street trees, and street lights except as otherwise shown on the tentative map and approved by the Public Works Department. In areas adjacent to the multi-family housing, no masonry block wall shall be required. The property line shall be located one-half foot behind the curb.
13. All interior streets shall be constructed to a width of 37.0 feet (back of curb to back of curb). Right-of-way shall be dedicated to a width of 38.0 feet together with a 19.5 foot easement behind the right-of-way. Construction shall include on *each side* of the center line a 16.0 foot road, 2.5 foot curb and gutters, 6.0 foot landscape parkway strips, 4.0 foot detached sidewalks, 10.0 PUE, street trees, and street lights except as otherwise shown on the tentative map and approved by the Public Works Department.
15. Residential streets shall be less than 800 feet in length unless the street is interrupted by a change of direction of not less than 10 degrees or other feature designed to slow traffic speed. (Harter Specific Plan DS 89).
16. The structural section of all road improvements shall be designed using a geotechnical investigation which provides the basement soils R-value and expansion pressure test results. The structural section shall be designed to the following standards:
 - a. Use 3” minimum for residential and 4” minimum for collectors and arterials of Type A asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)
 - b. Use a traffic index of 6.5 for residential streets.
 - c. Use a traffic index of 9 for collector streets.
 - d. Use a traffic index of 10 for arterial streets.

A copy of the geotechnical report, including R-value, test locations and structural section calculations, shall also be submitted with the first improvement plan check.

17. Striping, pavement markings, and traffic signage shall be provided on all streets as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department. Twenty-five miles per hour speed limit signs shall be installed within the subdivision at locations determined by the Public Works Department.
18. The Developer shall slurry seal all streets after issuance of the Certificate of Occupancy of the last unit in each phase of the subdivision.
19. ADA approved ramps shall be provided at all intersections and crosswalks where sidewalks are proposed.

Utilities

20. There shall be a minimum of 48” (forty-eight inches) of cover from finished grade to top of pipe for all water mains and a minimum of 60” (sixty inches) of cover from finished grade to top of pipe for all storm drain and sewer mains.
21. Any fire suppression systems shall tie in directly to the City water main. All applicable fees shall apply.
22. All service laterals (water, sewer, irrigation, fire suppression), along with required meters, shall be shown on the civil improvement plans.
23. Prior to paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.
24. Prior to paving, the Developer shall hydroflush all storm drain mains and all sewer mains. In addition, prior to the City’s acceptance of the subdivision improvements, the storm sewer and sewer mains shall be re-hydroflushed.
25. The Design Engineer shall provide technical reports to substantiate the sizing of pipes. The reports shall include:
 - e. hydrology/hydraulic calculations;
 - f. sewer calculations; and
 - g. calculations using the City’s water module
26. The Design Engineer shall provide calculations analyzing available sewer and storm drain capacity and certify additional demands of the subdivision can be satisfied. If the demands cannot be satisfied, the Design Engineer shall provide offsite improvement plans to do so.

27. The Developer's Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of the first building permit for each phase of construction.

Lighting and Landscaping

28. The property owner shall petition for formation of a Zone of Benefit of the Yuba City Landscaping and Lighting District for the purpose of maintaining landscaping and street trees which are to be planted along all streets, maintaining the street lights, and maintaining the masonry walls within the street right-of-way.
29. The Developer shall be responsible for preparation of a street tree and irrigation plan that is deemed acceptable by the Director of Parks and Recreation prior to entering into a Subdivision Agreement with the City.
30. All street lighting shall be dedicated to the City of Yuba City.
31. All street lighting shall be energized prior to the issuance of any Certificates of Occupancy.
32. The street landscape planters, the street trees, and street lighting are public improvements which shall meet the Parks Division Planting Standards and Yuba City Standard Details and be included in the improvement plans and specifications for the subdivision when the improvement plans are submitted for the first improvement plan check.
33. All landscaping shall be irrigated. Within the residential subdivision, it will be the responsibility of the property owner to irrigate the landscape planter fronting their property. In all other areas, a separate meter shall be installed on the landscape service. More than one meter may be required. The Developer shall pay all applicable fees.
34. The final improvement plans shall reflect street tree placement so that no interference with streets, streetlights, and driveways will occur to the satisfaction of the Public Works Department.
35. The street trees proposed by the Developer shall be a minimum of 15 gallon in size with a one-inch dbh (diameter at breast height). The tree specie(s) shall be a shade type approved by the City Arborist and the Public Works Department. Only one tree specie shall be planted on any street.
36. Each lot shall be landscaped between the residence and the curb prior to occupancy. If it is deemed impractical by the Public Works Department to have the landscaping completed prior to occupancy, the Builder/Developer shall provide security for the value of the landscaping and commit to a water quality control plan to prevent the input of pollutants from the lot to the urban drainage system as approved by the Public Works Department.

Drainage

37. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flows onto the adjacent residential or agricultural lands or impedes the drainage from those properties. If retaining walls are required, they shall be constructed of concrete or masonry block.
38. The Engineer of Record shall designate on the plans as to where any retaining walls are required and provide details of all proposed retaining walls. The retaining wall is required where grade differences between the proposed development and the surrounding land is greater than 6 inches. The use of any type of wood as the retaining wall shall not be permitted.
39. Prior to the filing of any final map, the developer shall submit to the Sutter County Public Works Department a drainage plan for any drainage improvements that utilize County facilities for approval by the Sutter County Public Works Director.
40. The Developer shall be required to pay any applicable Sutter County Water Agency drainage fees. The Developer shall provide the City with a copy of the receipt indicating that the fees have been paid.
41. Prior to filing any final map the developer shall enter into an agreement with Sutter County providing the following:

Participation in a zone of benefit, drainage district, agency, service area or any other public entity for the financing of construction and maintenance of a drainage system. In addition to the special assessment district or public entity referred to immediately above, the agreement shall contemplate the imposition by the district or public entity of any legally available fee, assessment or other financing mechanism to facilitate the construction and maintenance of a drainage system.
42. Drain inlet frames shall be installed with the indication “No Dumping – Drains to River”. If acceptable frames cannot be found that match City’s Standard Detail for drain inlets, then markings shall be installed on the top of curb or at an appropriate alternate location. Proposed drain inlet frame or marking shall be submitted with the improvement plans.

Grading

43. A master grading plan for all phases of the subdivision shall be submitted to the Public Works Department as part of the improvement plans with the first subdivision phase.
44. The applicant shall submit, with the first improvement plan check, to the City for review and approval, a detailed geotechnical report prepared by a Civil Engineer registered in the State of California and qualified to perform geotechnical work. The grading plan shall incorporate the recommendations of the approved geotechnical report.

45. Where soil or geologic conditions encountered during grading operations are different from those anticipated in the geotechnical report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the Public Works Department. The revised investigation shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of settlement and seismic activity.
46. The rear yards and/or side yards of the lots created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as the existing lots within tolerances as approved by the Public Works Department.
47. All grading operations on the project shall be suspended as directed by the Feather River Air Quality Management District when winds exceed 20 miles per hour.
48. Two grading certificates for each lot shall be provided to the City. The first certificate shall be prior to the issuance of a building permit, and the second certificate shall be after placement of landscaping (unless landscape bond is in place) and prior to issuance of the Certificate of Occupancy. The Developer shall provide the certification by a licensed surveyor as to lot elevation, grading, and lot drainage conformance with the approved improvement plans. The City Engineer shall sign off on the certifications.
49. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project as directed by the Public Works Department.

Driveways

50. All driveway locations shall be shown on the improvement plans. The pan width shall not exceed 24 feet in length for 3-car garages, and 16 feet in length for 2-car garages.
51. Alternative driveway designs shall be as stated in the Harter Specific Plan. (Harter Specific Plan DS 104)
52. The driveway widths shall match and align with the curb cut widths that were installed as part of the improvement plans.
53. The only hard surface (concrete or pavers) that can be placed in the street planter area other than the standard driveway serving the residence is 18" wide strips to accommodate the wheel path of vehicles. The Developer shall notice individuals acquiring lots in this subdivision by posting a notice in the garage prior to final inspection.

Storm Water Pollution and Prevention Plan

54. The Developer shall be responsible for implementing the Storm Water Pollution and Prevention Plan (SWPPP) through the use of Best Management Practices (BMP). The Developer shall be responsible for maintaining the SWPPP. Should the Developer fail to ensure satisfactorily compliance with the SWPPP, the City Inspector may issue a stop work order until compliance is achieved.

55. As part of the water pollution control work, a Storm Water Pollution Prevention Plan (SWPPP) is required. The SWPPP shall conform to the provisions in Section 7-1.01G, "Water Pollution," of the Caltrans Standard Specifications for construction of streets and local roads dated July 2002, the requirements in the Manuals, and the requirements of the Permits. The Developer shall be responsible to include provisions for SWPPP requirements on the contract documents for the work under the proposed development. These provisions shall direct the successful contractor to develop a SWPPP document per the directions on the the Caltrans website at <http://www.caltrans.ca.gov/hq/construc/stormwater/stormwater1.htm>. The Contractor shall submit the SWPPP document within the timelines set forth on the development's special provisions and allow 15 days for the City of Yuba City to review and approve or return the document for revisions. *The developer/Contractor shall not start any work until the SWPPP document has been approved by the City of Yuba City.*
56. The following minimum Best Management Practices (BMPs) shall be required during construction:
- a. Construction crews shall be instructed in preventing and minimizing pollution on the job.
 - b. Stabilize construction entrance/exit to prevent tracking onto roadway. Only one stabilized construction entrance/exit will be allowed per site. Vehicles entering and leaving construction sites spread pollutants such as sediment, gravel, and other loose particles onto adjacent roads. Pollutants are washed into roadside ditches and are a nuisance to drivers and may cause damage to vehicles.
 - c. Protect exposed slopes from erosion through preventative measures. Cover slopes to avoid contact with storm water by hydro-seeding, mulch, use of plastic sheeting, or other approved means.
 - d. Use brooms and shovels when possible to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
 - e. Designate a concrete washout area, if needed, to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
 - f. Establish a vehicle storage, maintenance, and refueling area, if needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
 - g. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags, or straw wattles.
 - h. Be prepared for rain and have the necessary materials onsite before the rainy season.
 - i. Inspect all BMPs before and after each storm event. Maintain BMPs on a regular basis and replace as necessary through the entire course of construction.
57. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures conforming to the project erosion control plans shall be in place

before October 1. Erosion control measures shall be monitored and maintained continuously throughout the storm season.

Easements

57. The Final Map shall show provisions for the placement of centralized mail delivery units in the Public Utility Easement (PUE). Developer will provide a concrete base for placement of the centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba City Public Works Department, with due consideration for street light location, traffic safety, security, and consumer convenience. The Developer shall provide a letter and exhibit showing mailbox locations from the Postmaster approving mailbox locations.

Miscellaneous

58. Prior to issuance of any building permits, all underground utilities, public improvements, and site improvements, including rough grading, shall be completed.
59. Prior to acceptance of the improvements, all sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from expansion joint to expansion joint.
60. Prior to the occupancy of any building, the curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction shall be replaced.
61. Prior to issuance of any building permit, all existing overhead utilities (of 26,000 volts or less) and proposed utilities, both onsite and along all project frontages, shall be placed underground, in accordance with the Harter Specific Plan Financing Strategy and Phasing Plan. Appropriate easements shall be obtained by the Developer to facilitate these installations.
62. No two-story homes shall be constructed on Lots 1-10 of Unit 1 and Lots 37-42 of Unit 2 if there are existing single-story residences constructed on the adjacent residential properties to the west.
63. Construction signs shall be installed/erected per CalTrans Standards and Details. The signs shall be maintained throughout the project duration.
64. The Developer shall demonstrate to the satisfaction of the Public Works Department how notice will be provided informing individuals acquiring lots in this subdivision of the proximity of:
 - h. The Light Industrial (M-1) District and its associated uses; and

- i. The water storage tanks located north of Jefferson Drive between Oro Grande Street and Harter Parkway.
65. Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.
66. The perimeter subdivision wall and/or fence shall be in place to the satisfaction of the Public Works Department prior to issuance of the first building permit.
67. The Developer shall, prior to the occupancy of the first residence in each phase, construct a solid 6-foot high chain link fence across the right-of-way of roads to be built in subsequent phase(s) connecting with the adjoining six-foot high fences. This fencing shall be constructed in addition to the standard dead end barricade. The fence and barricade shall be maintained by the City via the Landscape and Lighting District.
68. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (AutoCad version 2000 or newer) and hard copy (on mylar) to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.
69. The Developer shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to ensure compliance.
70. The Developer's Superintendent/Representative shall be onsite when contractor is working and be available to the City's Construction Inspector assigned to the project. The Developer shall be responsible for making sure that the contractor is working from signed improvement plans, signed special provisions, signed Storm Water Pollution Prevention Plan, and the approved project agreement conditions.
71. The Developer's Superintendent/Representative shall ensure that all private vehicles be either parked off-site or outside of construction areas. All vehicles, construction equipment, and construction material related to the project shall be organized in such a manner as to provide emergency vehicle access to the entire project. Sidewalks within and adjacent to the construction area shall be kept clean and remain accessible for American Disability Act compliance.
72. The Developer and/or the Developer's Superintendent/Representative shall have a pre-construction meeting with the City prior to commencing construction of public

improvements. The Developer shall notify the City of the meeting no less than two working days in advance of such meeting. Those in attendance at the meeting shall include: the City, the Developer and/or the Developer's Superintendent/Representative, the Contractor, the Design Engineer, the Developer's safety representative, the Developer's SWPPP representative.

73. All Developer fees shall be paid to Sutter County prior to the City's acceptance of the improvement plans. The Developer shall provide the City with a copy of the receipt indicating that the fees have been paid.

During Construction Operations

74. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as determined necessary by the City.
75. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
76. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturer-approved muffler baffles. Failure to do so may result in the issuance of an order to stop work.
77. **The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.**

Exhibits:

- A. Project Map

3. COMMISSION CONSIDERATION: REQUEST FOR EXTENSION OF TIME FOR FILING THE FINAL MAP FOR SUBDIVISION MAP 04-10 OF VISTA ESTATES; APPLICANT, ROGER W. BORRELL.

Section 8-2.610 of the Yuba City Municipal Code states that tentative maps are approved for a period of two years. Two extensions of time (not to exceed 18 months each) may be granted.

Project Description:

On November 10, 2004, the Planning Commission approved the subdivision map of Vista Estates to subdivide a 5.12± acre parcel into 12 single family lots.

The applicant has requested an extension of time for filing the final map for SM 04-10 (see attached letter).

Recommended Action:

Grant an 18-month extension of time which will extend the final filing date to May 10, 2008.

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
October 25, 2006
City Hall Council Chambers

The meeting was called to order by Chairman Cartoscelli at 7:00 p.m. Members present were as follows:

PRESENT

Chairman Mike Cartoscelli
Commissioner Maynard Dunn Commissioner Satwant Takhar
Commissioner Melia Campbell Commissioner Preet Didbal

ABSENT

Commissioner John Sanbrook (*excused*)
Commissioner Tej Maan (*excused*)

Also present were Aaron Busch, Community Development Director, and Katie Ertmer, Associate Planner.

The Pledge of Allegiance was led by Commissioner Dunn.

The meeting minutes of September 27, 2006 were approved as written by a vote of 5-0-2 (Commissioners Sanbrook and Maan absent).

Appearance of Interested Citizens: - None

Correspondence: - None

Chairman Cartoscelli recused himself due to conflict of interest of the two following public hearing items.

Vice Chairman Takhar took over the meeting.

Public Hearings:

- 1. PUBLIC HEARING: DEVELOPMENT PLAN #DP 06-02 FOR SIERRA CENTRAL CREDIT UNION FOR THE FOUR-PHASE CONSTRUCTION OF A 117,000 SQUARE FOOT CORPORATE HEADQUARTERS AND BANKING FACILITY LOCATED IN THE C-M, SP ZONE AT THE SOUTHEAST CORNER OF HARTER PARKWAY AND BUTTE HOUSE ROAD; APN: 59-010-103; APPLICANT: RENGEL+COMPANY ARCHITECTS; PROPERTY OWNER: SIERRA CENTRAL CREDIT UNION**

Katie Ertmer, Associate Planner, stated that the applicant was requesting a continuation to a date specific of December 13, 2006, and recommended continuation to the December 13, 2006 meeting.

Vice Chairman Takhar opened the public hearing.

There being no testimony, Vice Chairman Takhar closed the public hearing.

Vice Chairman Takhar requested that there be color renderings of the project. Ms. Ertmer said she will contact the architect.

Commissioner Campbell requested that the architect get input from the Planning Commission before maps are completed.

Commissioner Dunn stated that he is always available to do reviews of maps, etc.

Commissioner Campbell moved to continue DP 06-02 to a date specific of December 13, 2006, was seconded by Commissioner Dunn, and the motion passed by a vote of 5-0-2 (Commissioners Sanbrook and Maan absent).

2. PUBLIC HEARING: TENTATIVE SUBDIVISION MAP #06-05 OF HARTER ESTATES NORTH; LOCATED AT THE SOUTHWEST CORNER OF BUTTE HOUSE ROAD AND HARTER PARKWAY IN THE HARTER SPECIFIC PLAN AREA; SUBDIVIDER/PROPERTY OWNER, HARTER PACKING COMPANY, LLC

Katie Ertmer, Associate Planner, stated that the applicant was requesting a continuation to a date specific of December 13, 2006, and recommended continuation to the December 13, 2006 meeting.

Commissioner Campbell asked Ms. Ertmer if there have been any issues or comments from residents in this area. Ms. Ertmer stated that there have been none.

Vice Chairman Takhar opened the public hearing.

Tom Tucker, Harter Packing Company, LLC, spoke about the development and what they are prepared to do, and added that they just needed clarification of some of the conditions of approval.

There being no further public testimony, Vice Chairman Takhar closed the public hearing.

Commissioner Dunn moved to continue SM 06-05 to a date specific of December 13, 2006, was seconded by Commissioner Campbell, and the motion passed by a vote of 5-0-2 (Commissioners Sanbrook and Maan absent).

Chairman Cartoscelli returned to the dais.

Commissioner Campbell recused herself due to a conflict of interest with the following request.

COMMISSION CONSIDERATION: REQUEST FOR EXTENSION OF TIME FOR FILING THE FINAL MAP FOR SUBDIVISION MAP 04-10 OF VISTA ESTATES; APPLICANT, ROGER W. BORRELL.

Roger Borrell, applicant, offered to answer any questions the Planning Commission might have.

Commissioner Takhar asked if the only access to the project site is through Domain Estates.

Mr. Borrell said that was correct.

Commissioner Takhar moved to grant an 18-month extension for SM 04-10 of Vista Estates until May 10, 2008, was seconded by Commissioner Dunn, and the motion passed by a voice vote of 4-0-3 (Commissioners Sanbrook and Maan absent, and Commission Campbell recused).

Commissioner Campbell returned to the dais.

Other Business: - None

Report on Actions of the City Council:

Mr. Busch spoke about the Harter Map appeal, which was continued by the City Council until the November 21, 2006 meeting.

Mr. Busch also stated that the City Council had high compliments for the Planning Commission on their work with the Sutter Heritage project.

Adjournment: The meeting was adjourned at 7:13 p.m.

Respectfully submitted,

AARON BUSCH, Secretary
YUBA CITY PLANNING COMMISSION