
TO ADDRESS THE COMMISSION
PLEASE STEP TO THE ROSTRUM &
STATE YOUR NAME & ADDRESS

Regular Meeting
March 7, 2007 - 7 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION
AGENDA

Commissioner Satwant Takhar
Commissioner Preet Didbal
Commissioner John Dukes

Commissioner John Sanbrook
Commissioner Craig Starkey
Commissioner Mike Tomlinson

Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on February 28, 2007

Appearance of Interested Citizens*

Correspondence: - None

Presentation of Resolutions:

Presentation of Planning Commission Resolutions to past Planning Commissioners, Tej Maan (07-01), Mike Cartoscelli (07-02), Melia Campbell (07-03) and Maynard Dunn (07-04), in recognition of their outstanding contributions to the Planning Commission.

Public Hearings:

1. Public Hearing: General Plan Amendment #GP 07-01 and Rezone #RZ 07-01. Proposal to amend the General Plan designation from Medium Density Residential to Community Commercial and proposal to amend the Zoning from R-3, Multiple-Family Residence District, to C-2, Community Commercial District; located at 1619 Franklin Road, northwest corner of Franklin Road and Walton Avenue; APN 58-020-006; Property Owner/Applicant, Siri Pritam Khalsa.
2. Public Hearing: Development Plan #DP 07-01. Proposal to construct a 39-unit apartment complex utilizing a 35% density bonus; zoned R-3, Multiple Family Residence District with a General Plan Designation of Medium Density Residential; located at 1247 Live Oak Boulevard; APN 51-540-092; Property Owner, Michael Robinson and Roger Gaither, Trustee; Applicant, Global Premier Development.

Commission Consideration: - None

Over

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.



City of Yuba City
Planning Division Agenda Report
Planning Commission Meeting

March 7, 2007

DATE: March 1, 2007
TO: Yuba City Planning Commission
FROM: Brian Trudgeon, Principle Planner
SUBJECT: Agenda Report – Meeting of March 7, 2007

- 1. PUBLIC HEARING: GENERAL PLAN AMENDMENT GP 07-01 RE-DESIGNATING ONE PARCEL FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL; AND REZONE RZ 07-01 TO CHANGE THE ZONING FROM R-3, MULTIPLE-FAMILY RESIDENCE DISTRICT TO C-2, COMMUNITY COMMERCIAL DISTRICT; LOCATION: 1619 FRANKLIN ROAD; ASSESSOR'S PARCEL NUMBER: 58-020-006; APPLICANT/PROPERTY OWNER: SIRI PRITAM KHALSA**

Project Description:

The proposed project is to change the General Plan designation for 1.21 acres located at 1619 Franklin Road from Medium Density Residential to Community Commercial and to change the Zoning classification from R-3, Multiple-Family Residence District, to C-2, Community Commercial District. The applicant intends to construct a commercial building on the site at a future date. At this time, however, there is no application for a development plan or for building permits. (See Attachment 4, letter from applicant.)

Property Description:

The vacant parcel is located at the northwest corner of Franklin Road and Walton Avenue.

General Plan Designation:

Medium Density Residential

Zoning Classification:

R-3, Multiple-Family Residence District

Surrounding Land Use:

The properties to the north and west have General Plan designations of Medium Density Residential and Zoning designations of R-3, Multiple-Family Residence District. The properties to the east and south have General Plan designations of Community Commercial and zoning designations of C-3, General Commercial, and C-2, Community Commercial, respectively. The land to the north and west is used for single family homes, vacant R-3 parcels, and a church, while Franklin Road and vacant commercial land is located to the south, and Walton Avenue, a gas station, and a convenience store are located to the east.

Previous Actions and/or Policies:

None.

Environmental:

A Negative Declaration (Exhibit A) was prepared for the project and is attached for Planning Commission review and consideration. No adverse impacts were identified. The Commission should review the environmental document, and, if it determines that the document adequately meets the requirements of CEQA, recommend that the City Council adopt the Negative Declaration. The Negative Declaration did not address future redevelopment of the property as no known project has been submitted. The applicant has indicated that a commercial building and related improvements will be constructed.

Staff Comments:

Once the General Plan and Zoning designations are changed, the applicant (or any future owner of the property) will be allowed to construct any of the uses allowed in the C-2, Community Commercial District. If a proposed future office project exceeds 35,000 square feet or if a proposed future retail project exceeds 25,000 square feet, the Planning Commission would review the application for compliance with the Zoning Regulations and Design Guidelines. Staff would review projects that are smaller than the aforementioned sizes.

Land Use Compatibility

As shown on the Existing General Plan map (Attachment 2) and Existing Zoning map (Attachment 3), the proposed amendment of the General Plan to a Community Commercial designation and rezoning of the properties to the C-2 District is compatible with the existing uses and zoning districts located to the south and east. Additionally, any future development project will be required to conform to the Zoning Regulations so that it does not adversely impact the surrounding residential uses. For example, Section 8-5.1302 requires all structures in a C-2 District to be located at least 15 feet from the property line shared with a residential district. Also, Section 8-5.5905(4) states that when a commercial development is adjacent to a residential property, a 6-foot high masonry wall shall be constructed along all common property lines. As a result of conforming to the Zoning Regulations, any future commercial development would be compatible with the surrounding residential uses and districts.

Traffic

As noted in the Initial Study/Negative Declaration, the Engineering Division and Caltrans reviewed the proposed General Plan Amendment and Rezone requests. The traffic generation as a result of the change in General Plan and Zoning designations is not anticipated to be greater than that which would have existed with multi-family development on the project site. The existing street improvements in the vicinity of the project area have sufficient capacity to handle the anticipated traffic generated by this project. When an application for a development project is submitted, the Engineering Division will require the property owner to dedicate any necessary right-of-way and construct any needed street improvements in accordance with City Standards. The driveways for any future project will be required to be located at the far north and west ends of the property to be as far from the intersection of Franklin and Walton as possible.

Staff requests that the Planning Commission recommend adoption of the Negative Declaration and approval of General Plan amendment GP 07-01 and Rezone RZ 07-01 to the City Council.

Recommended Action:

- A. Recommend that City Council adopt the following findings:
 - 1. Following review and consideration of the attached Negative Declaration and any comments received, find there is no substantial evidence that the project will have a significant impact on the environment.
 - 2. The proposed project is to change the General Plan designation from Medium Density Residential to Community Commercial and to change the Zoning classification from R-3, Multiple-Family Residence District, to C-2, Community Commercial District on Assessor's Parcel Number 58-020-006.
 - 3. The 1.21-acre parcel being re-designated is of adequate size to accommodate commercial uses in the Community Commercial land use designation.
 - 4. Approval of the General Plan amendment and Rezone for Assessor's Parcel Number 58-020-006 will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the vicinity of the property or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
- B. Recommend that the City Council adopt the Mitigated Negative Declaration (Exhibit A).
- C. Recommend that the City Council approve the General Plan Amendment GP 0-01 and Rezone RZ 07-01 to change the General Plan designation from Medium Density Residential to Community Commercial, as shown on Exhibit B, and to change the Zoning classification from R-3 Multiple-Family Residence District, to C-2 Community Commercial, as shown on Exhibit C, for Assessor's Parcel Number 58-020-006.

2. **PUBLIC HEARING: DEVELOPMENT PLAN #DP 07-01 FOR A 39-UNIT APARTMENT COMPLEX UTILIZING A 35% DENSITY BONUS LOCATED AT 1247 LIVE OAK BOULEVARD; ASSESSOR'S PARCEL NUMBER: 51-540-092; APPLICANT: GLOBAL PREMIER DEVELOPMENT; PROPERTY OWNERS: SARAH ALICE GAITHER FAMILY REVOCABLE TRUST AND MICHAEL ROBINSON.**

Project Description:

Global Premier Development has submitted a development plan application for a 39-unit apartment complex, known as "Plumas Family Apartments", located on the eastern half of 1247 Live Oak Boulevard. (See Attachment 1, "Aerial Photo".) The proposed project consists of three buildings, a small children's play area, and a parking lot. The applicant has requested a 35% density bonus and two incentives in accordance with Senate Bill 1818. A detailed description of the density bonus and incentives is included below under "Staff Comments".

Property Description:

The 2.07-acre property is located south of Lynn Way between Live Oak Boulevard and Plumas Street. The western half of the property contains a single-family house and a variety of accessory structures. The eastern half of the property is vacant with the exception of a small shed-like structure.

General Plan Designation:

Low/Medium Density Residential (6-14 units per acre)

Zoning Classification:

R-3, Multiple-Family Residence District

Surrounding Land Use:

A mobile home park is located north, Plumas Street and a variety of office uses are located east, apartments are located south, and a single-family home and Live Oak Boulevard are located west of the proposed project.

Previous Actions and/or Policies:

On March 10, 2004, the Planning Commission approved Tentative Map TM 04-01 to subdivide the parcel on which the proposed apartment complex and single-family home are located. On February 20, 2007, the City Council executed a subdivision agreement with Michael Robinson Construction providing for public improvements and dedication of right-of-way for TM 04-01. As of the writing of this staff report, the final map had not yet been recorded. When the map is recorded, the single-family home will be located on the western parcel and the apartment complex will be located on the eastern parcel. The project plans for DP 07-01 show the location of the lot line as it was approved by the Planning Commission on March 10, 2004. Since the parcel has a zoning designation of R-3, the apartment complex and the single-family home may

be located on the same parcel. Therefore, the recordation of the final map need not take place prior to approval of the development plan for the apartment complex.

Environmental:

A Mitigated Negative Declaration (Exhibit A) was prepared for the project and is attached for Commission review and consideration. Mitigation measures to offset possible adverse impacts from construction are contained in the conditions of approval. Staff requests that the Planning Commission adopt the attached Mitigated Negative Declaration.

Staff Comments:

In September 2004, the Governor of the State of California signed Senate Bill 1818 (SB 1818). SB 1818 has been codified in Sections 65915-65918 of the California Government Code. As a result of SB 1818, local jurisdictions are required to grant a density bonus of up to 35% of the maximum allowed density if a certain percentage of the units in a development will be reserved for low-income individuals or families. Federal and State guidelines define “low-income” as a person who earns less than 80% of the Area Median Income (AMI). Also, SB 1818 requires local jurisdictions to grant up to three “incentives or concessions” depending on the level of affordability of the proposed project. The State of California defines the median income in Yuba City as \$50,800 for a family of four. Below is a table of the proposed levels of affordability for the 39-unit apartment complex:

Level of Affordability as a Percentage of AMI	Corresponding Income Level for 4-member Household	Number of Affordable Units	Percent Affordable Units
60%	\$30,500	3	7.69%
50%	\$25,400	20	51.28%
40%	\$20,320	8	20.51%
30%	\$15,240	8	20.51%
Total	-	39	100%

Since 100% of the units will be affordable to low-income individuals or families, the applicant is seeking the maximum 35% density bonus and two incentives in accordance with Senate Bill 1818.

Density Bonus

The General Plan designation “Low/Medium Density Residential” allows between 6 and 14 dwelling units per acre. The project site is 2.07 acres, allowing for a maximum project density of 29.68 units. Because the entire proposed project will be affordable to low-income people, the applicant is entitled to request, and the City is required to grant a 35% density bonus. Below is a calculation of the maximum number of units that the applicant may request in accordance with SB 1818:

$$\begin{aligned}
 &2.07 \text{ acres} * 14 \text{ units/acre} = 28.98 \text{ units} \\
 &28.98 \text{ units} * 35\% = 10.143 \text{ units} \\
 &10.143 \text{ units} + 28.98 \text{ units} = 39.123 \text{ units}
 \end{aligned}$$

It should be noted that since the density of the project before utilizing the 35% bonus is within the density allowed by the Low/Medium Density Residential designation, the project conforms to the General Plan.

Incentives

SB 1818 also allows an applicant to seek up to three incentives depending on the level of affordability of a project. SB 1818 defines “incentives” as the waiver or reduction in development standards that are applied to a construction project. Since all of the units in the proposed project will be affordable to low-income households, the applicant may request up to three incentives. The applicant has requested the following two incentives:

1. Reduce the parking requirement from 72 spaces to 59 spaces.
2. Reduce the parking lot shade coverage requirement from 50% to 43%.

SB 1818 states that a jurisdiction must grant all requested incentives unless the jurisdiction can make either of the following two findings:

1. The incentive is not required to provide for affordable housing costs.
2. The incentive would have a specific adverse impact on public health, the physical environment, or a property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income households.

Granting the first incentive is required to provide for affordable housing costs. If the applicant were required to reduce the number of units to comply with the City’s parking requirements, keeping the project affordable at the proposed levels would not be financially feasible. Furthermore, the requested reduction of 13 parking spaces is not likely to have an adverse impact on public health or the physical environment, as the 59 parking spaces provide an average of 1.5 spaces per unit. Staff recommends that the Planning Commission grant the first incentive. Staff also recommends that the Planning Commission grant the second incentive. A 7% reduction in the normal shade requirements is not significant, and the applicant has attempted to offset any adverse impacts by providing a fairly extensive amount of landscaping on the rest of the project site.

With the exception of the two requested incentives, the proposed project conforms to all aspects of the Yuba City Zoning regulations, and therefore, staff supports the requested density bonus.

Project Design

The proposed design of the project is attractive and conforms to the Yuba City Design Guidelines. Although none of the buildings front on Plumas Street, the side elevation of the building closest to Plumas Street has been embellished to prevent a large blank wall from being seen on Plumas Street.

Traffic

Although the project density exceeds that which is allowed by the General Plan by 10 units, a traffic study was not required because the 60 additional daily trips was not determined to be an adverse impact on the areas street network. The 60 daily trips equate to only six additional peak hour trips. As stated in the Initial Study/Mitigated Negative Declaration, the proposed project is not expected to generate traffic beyond that which was anticipated in the 2004 General Plan EIR.

Project Financing

The applicant will be submitting an application for Federal Tax Credit financing to cover a major portion of the cost of developing the site. The applicant has also requested assistance from the City to finance a portion of the development. The City's financial consultant is currently reviewing the project pro forma. As noted in Condition #2, approval of Development Plan DP 07-01 for the 39-unit apartment complex in no way obliges the City to fund all or a part of the applicant's request for funding assistance.

Recommended Actions:

A. Adopt the following findings:

1. Following review and consideration of the attached Mitigated Negative Declaration and any comments received, find there is no substantial evidence that the project will have a significant impact on the environment.
2. The proposed 39-unit apartment complex is consistent with the designation Low/Medium Density Residential as shown on the Land Use Map of the General Plan. The increase in project density over that which is normally allowed by the General Plan is consistent with the requirements of Senate Bill 1818.
3. The proposed 39-unit apartment complex is consistent with the requirements of the R-3, Multiple-Family Residence District.
4. The 2.07-acre project site is adequate in size and shape to accommodate the 39-unit apartment complex with respect to the standards in the Yuba City Zoning Regulations and the Yuba City Design Guidelines. The reduction in the minimum parking requirements and minimum parking lot shade requirements are in accordance with Senate Bill 1818.
5. The streets serving the project site are adequate to carry the quantity of traffic generated by the proposed 39-unit apartment complex.
6. The proposed design of the 39-unit apartment complex will complement neighboring facilities.

B. Adopt the Mitigated Negative Declaration.

- C. Approve Development Plan DP 07-01 for a 39-unit apartment complex that utilizes a 35% density bonus in the R-3, Multiple-Family Residence District located at 1247 Live Oak Boulevard subject to the following conditions of approval:

General

1. The Conditions of Approval shall be attached to, and be made an integral part of, the development plans.
2. Approval of Development Plan DP 07-01 shall in no way be construed to mean that the City of Yuba City has agreed or will agree to provide any or all of the requested financial assistance. Any request for the City to provide some form of subsidy to the project shall require a separate review and approval process by the City.

Planning Division

3. 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. (*Mitigating Measure*)

Engineering Division

4. The Developer shall prepare and submit improvement plans for the construction of all public improvements including water, storm drain, roadway improvements, curbs, gutters, and sidewalks.
5. All design and construction shall conform to 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 (May 2006), 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).
6. Traffic control construction signs shall be installed/erected per City of Yuba City Standards and Details, CalTrans Standards and Details, and the Manual of Uniform Traffic Control Devices. The signs shall be maintained throughout the project duration.
7. 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. (*Mitigating Measure*)

8. 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. *(Mitigating Measure)*
9. To help contain fugitive dust, construction sites shall be watered down during the construction of the project. *(Mitigating Measure)*
10. Temporary silt fencing shall be erected during construction so that transport of construction debris can be retained on-site. *(Mitigating Measure)*
11. To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets 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. *(Mitigating Measure)*
12. 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. *(Mitigating Measure)*
13. 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. *(Mitigating Measure)*
14. 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 for ensuring 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. *(Mitigating Measure)*
15. The Developer's Superintendent/Representative shall be onsite when Contractor is working and be available to the City's Inspectors assigned to the project. The Developer shall be responsible for making sure that the contractor is working from signed improvement plans and a signed storm water pollution prevention plan.
16. 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 to provide emergency vehicle access to the entire project.
17. Sidewalks, within and adjacent to the construction area, shall be kept clean and remain accessible for American Disability Act compliance.
18. Storage of construction material is not allowed in the travel way.

Prior to issuance of Grading Permit

Engineering Division

19. On proposed developments that are larger than one acre, 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 shall be provided to the City.
20. 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 flow onto the adjacent residential properties. If retaining walls are required, they shall be constructed of concrete or masonry block.
21. 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 is not permitted.
22. 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.
23. 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. 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 May 2006, 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.dot.ca.gov/hq/construc/stormwater/stormwater1.htm>. The Contractor shall submit the SWPPP document within the time lines 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.* Should the Developer fail to ensure satisfactorily compliance with the SWPPP, the City Inspector may issue a stop work order until compliance is achieved.
24. 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.

Building Division

25. Prior to beginning construction, the applicant shall obtain a demolition permit for removal of all existing structures on the site, if applicable.

Prior to approval of Improvement Plans

Engineering Division

26. If the Subdivision Agreement with Michael Robinson Construction is not executed, then an Improvement Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City.
27. Obtain all necessary approvals from 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.

28. The contractor shall obtain an Encroachment Permit from the City and/or County prior to performing any work within public rights of way.
29. Where an excavation for a trench and/or structure is 5 feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department.
30. Improvement plans shall be approved by the Yuba City Fire Department.
31. 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 for residential streets
 - c. Use a traffic index of 7 for collector streets
 - d. Use a traffic index of 10 for arterial streetsA copy of the geotechnical investigation, including R-value, test locations and structural section calculations, shall also be submitted with the first improvement plan check, or as directed by the Public Works Department.
32. All existing well(s), septic tank(s), and service lines shall be destroyed in accordance with the requirements of the Sutter County Environmental Health and Yuba City Building Departments, respectively.
33. All service laterals (water, sewer, irrigation), along with required meters, are to be shown on the civil improvement plans. Connection fees shall apply.
34. The fire suppression system(s) that will be servicing the property shall tie-in directly to the City water main. Hot tap fees shall apply.
35. All domestic, landscape, and fire service lines shall have reduced pressure backflow preventers.
36. If any drop inlets are to be installed within the City right-of-way, they shall meet the following criteria: Cast into the curb back shall be a message “Dump No Waste – Drains to River”. If casting cannot be found that fits the City’s standard drop inlet, then designated markers, approved by the City, shall be installed to the manufacturer’s specifications on the top of curb, or at an appropriate alternative nearby location when no curb is available.
37. Required Improvement Plan Notes:
 - a. "Any excess materials shall be considered the property of the contractor and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."

- b. "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)."
- c. "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."
- d. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

Prior to Certificate of Occupancy

Engineering Division

- 38. The curb, gutter, and sidewalk, 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. 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.
- 39. All reduced pressure backflow preventers shall be tested by an AWWA licensed tester and a certification shall be submitted to the Public Works Department.
- 40. Prior to the issuance of a certificate of occupancy, the Developer's Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines.
- 41. The City reserves the right to direct the Developer to hydroflush the storm drain and sewer lines if any construction debris is found in the lines.
- 42. 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 the street lights along the frontage of the property.
- 43. A street light shall be installed on Plumas Street somewhere along the project frontage and shall be dedicated to the City of Yuba City.
- 44. A public utility easement shall be provided along Plumas Street extending 10 feet behind the back of the sidewalk.
- 45. A 10 foot public utility easement shall be dedicated along the north property line from Live Oak Boulevard to Plumas Street.

46. Developer shall enter into a deferred improvement agreement with the City to pay for fair share of undergrounding of the overhead utilities along Plumas Street.