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

Regular Meeting
July 11, 2007 - 7 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION
AGENDA

Commissioner Satwant Takhar (Chair)
Commissioner Craig Starkey (Vice Chair) Commissioner John Sanbrook
Commissioner Preet Didbal Commissioner Mike Tomlinson
Commissioner John Dukes Commissioner Jose Flores

Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on June 13, 2007

Appearance of Interested Citizens*

Correspondence: - None

Public Hearings:

1. Public Hearing: Tentative Map #07-04; Tentative Map to subdivide one 16,222 square-foot parcel into two parcels of 11,122 square feet and 5,100 square feet; located on the east side of Live Oak Boulevard, south of Lynn Way; APN 51-540-091; Owner, Roger S. Gaither and Trustee Ruth E. Smikahl Estate; Applicant, Roger S. Gaither.
2. Public Hearing: Tentative Map #07-03; Tentative Map to subdivide a 1-acre parcel into two parcels of 0.5 acres each; located on the South side of Lassen Boulevard, east of Klamath Lane; APN 58-050-057; Owner, Gurjit and Amardeep Gosal; Applicant, Milestone Associates, Inc.
3. Public Hearing: Subdivision Map #SM 06-10; Subdivision Map to subdivide one 2.97 acre parcel into 7 parcels; located at 2182 Blevin Road; APN 59-530-010; Owner/Applicant, Doug Gibbs.
4. Public Hearing: Development Plan #DP 07-06; Development Plan to construct a 35-unit senior congregate care facility; located at 1279 Plumas Street; APN 51-540-039; Owner, Ran Singh and Surinder Kaur; Applicant, Inprosol, Inc.

Commission Consideration:

1. Request for 18 month extension of time for filing of final map that was approved by the Planning Commission on August 10, 2005, for Tentative Map #TM 05-10, located at 1181 Railroad Avenue. Applicant: Joginder S. Bains.

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 \$620, 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

July 11, 2007

DATE: July 6, 2007
TO: Yuba City Planning Commission
FROM: Brian Trudgeon, Principle Planner
SUBJECT: Agenda Report – Meeting of July 11, 2007

- 1. PUBLIC HEARING: TENTATIVE MAP TM 07-04 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS LOCATED ON THE EAST SIDE OF LIVE OAK BOULEVARD, SOUTH OF LYNN WAY; ASSESSOR'S PARCEL NUMBER: 51-540-091; PROPERTY OWNER: ROGER GAITHER, TRUSTEE RUTH E. SMIKAHL TRUST; APPLICANT: ROGER GAITHER**

Recommended Action:

Staff recommends that the Planning Commission continue this item to its August 8, 2007, meeting.

- 2. PUBLIC HEARING: TENTATIVE MAP TM 07-03 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS LOCATED ON THE SOUTH SIDE OF LASSEN BOULEVARD, EAST OF KLAMATH LANE; ASSESSOR'S PARCEL NUMBER: 58-050-057; PROPERTY OWNER: GURJIT AND AMARDEEP GOSAL; APPLICANT: MILESTONE ASSOCIATES**

Project Description:

The applicant proposes to subdivide a 1-acre parcel into two parcels of 0.5 acres on the south side of Lassen Boulevard, east of Klamath Lane.

Property Description:

The 1-acre parcel is currently vacant. Curb, gutter, and sidewalk exist along the north and south sides of Lassen Boulevard. (See Attachment 1, "Aerial Photo".)

General Plan Designation:

Business, Technology, Light Industry

Zoning Classification:

C-M, X-17 (Heavy Commercial/Light Industrial, Special Combining District)

Surrounding Land Use:

Single-family homes are located to the south, vacant commercial properties are located to the east and west, and Lassen Boulevard and the Gateway Business Park are located to the north.

Previous Actions and/or Policies:

On August 6, 2002, upon recommendation of the Planning Commission, the City Council adopted an ordinance rezoning the subject property to C-M, X-17. The X-17 Special Combining District requires, among other things, that cross access easements be reserved in deeds between all properties involved in the rezoning. Condition #29 ensures that the provisions of the X-17, Special Combining District are followed.

Environmental:

Categorically Exempt per Section 15315 pertaining to minor land divisions.

Staff Comments:

Section 8-2.609 of the Yuba City Municipal Code and the Subdivision Map Act require that findings be made in order to approve a tentative map. The required findings are listed below in bold italics and are followed by an evaluation of the tentative map in relation to each finding.

- 1. The proposed tentative map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the General Plan.***

The proposed tentative map conforms to the General Plan and the Yuba City Zoning Regulations in all respects. Specifically, the 21,780 square foot parcels meet the 5,000 square foot minimum lot size in the C-M District.

- 2. The site is physically suited for the type and proposed density of development.***

The proposed tentative map will allow development that is permitted on the site. With parcels that are 21,780 square feet, the site will be large enough to accommodate buildings required parking, setbacks, and other improvements. Since the site is flat, there are no topographical features that would preclude development of either of the proposed parcels.

- 3. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage and the type of improvements are not likely to cause serious public health problems.***

Curb, gutter, and sidewalk presently exist at the project site. Conditions #24 and #27 ensure that drainage from the site does not cause an environmental hazard.

4. *The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.*

Condition #27 requires that easements be reserved in deeds for ingress, egress, utilities, and landscaping across all parcels involved in the subdivision. As such, the design of the subdivision will not create problems related to site accessibility.

Recommended Action:

The Planning Division recommends that the Planning Commission take the following actions:

A. Adopt the following findings:

1. TM 07-03, in accord with Section 15315 of the California Environmental Quality Act, is exempt from further environmental review since it consists of the division of property in an urbanized area and is in conformance with local General Plan and Zoning requirements.
2. The proposed TM 07-03 is consistent with the Yuba City General Plan, and the design or improvement of the proposed TM 07-03 is consistent with the Yuba City General Plan as well as the Yuba City Zoning Regulations.
3. The site of the proposed TM 07-03 is physically suited for the type and proposed density of development.
4. The design of TM 07-03 and the proposed improvements are not likely to cause substantial environmental damage and the types of improvements are not likely to cause serious public health problems.
5. The design of TM 07-03 and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision..

B. Approve Tentative Map TM 07-03 subject to the following 33 conditions of approval:

General

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

Planning Division

2. TM 07-03 tentative map is approved as shown in Exhibit "A".
3. This tentative map approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on 7/11/09. Prior to said expiration date, the

applicant may apply for an extension of time, not to exceed eighteen months from 7/11/09.

4. 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.

Engineering Division

5. If lane closures are required on Lassen Boulevard, 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.
6. 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.
7. 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. Contractor to provide the specifications to the City Inspector.
8. 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.
9. Temporary silt fencing shall be erected during construction so that transport of construction debris can be retained on-site.
10. To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved street from unpaved areas. 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.
11. 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.

12. 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.
13. 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.
14. 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 signed storm water pollution prevention plan.
15. 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.
16. Sidewalks within and adjacent to the construction area shall be kept clean and remain accessible for American Disability Act compliance.
17. Storage of construction material is not allowed in the travel way.

Prior to issuance of Grading Permit

Engineering Division

18. 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, as 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, as 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.

Prior to approval of Improvement Plans

Engineering Division

- 19. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
- 20. 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 a California licensed structural engineer to the Public Works Department.
- 21. Improvement plans shall be approved by the Yuba City Fire Department.
- 22. All service laterals (water, sewer, irrigation, fire suppression), along with required meters, are to be shown on the civil improvement plans. Connection fees shall apply.
- 23. The fire suppression system(s) that will be servicing the property shall tie-in directly to the City water main. Hot tap fees may apply.
- 24. All domestic, landscape, and fire service lines shall have reduced pressure backflow preventers.
- 25. All 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.
- 26. 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.

27. 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. "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 Final Map Recordation

Engineering Division

28. Show locations of all existing public utility easements.
29. Cross easements over all property not occupied by buildings shall be reserved in deeds for all underground utilities, ingress and egress, parking, drainage, landscaping, and the maintenance thereof to the benefit of all parcels involved in the division.
30. The Developer shall be required to pay any applicable Sutter County Water Agency drainage fees. The Developer shall provide the City with a copy, prior to the recordation of the final map, of the receipt indicating that the fees have been paid.

Prior to Certificate of Occupancy

Engineering Division

31. Prior to the issuance of any certificate of occupancy the curb, gutter, and sidewalk, shall be inspected and approved by the City. Any curb, gutter and sidewalk which is damaged 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.

32. Prior to the issuance of a certificate of occupancy, a backflow preventer certification must be performed by an AWWA licensed tester and submitted to the Public Works Department.
33. The City reserves the right to direct the Developer to hydroflush all storm drain mains and all sewer mains.

3. PUBLIC HEARING: SUBDIVISION MAP SM 06-10 TO SUBDIVIDE ONE PARCEL INTO SEVEN PARCELS; 2182 BLEVIN ROAD; ASSESSOR'S PARCEL NUMBER: 59-530-010; APPLICANT/OWNER: DOUG GIBBS.

Project Description:

Doug Gibbs has submitted a tentative map application for a 7-lot subdivision, located at 2182 Blevin Road. (See Attachment 1, "Aerial Photo".)

Property Description:

The 3-acre parcel contains a single-family home and small accessory structures. The property is located directly across Blevin Road from Butte Vista Elementary School.

General Plan Designation:

Low Density Residential (2-8 units per acre)

Zoning Classification:

R-1, One-Family Residence District

Surrounding Land Use:

Single-family housing is located north and south, Butte Vista Elementary School is located east, and the future Tuly Road right-of-way is located west of the project site.

Previous Actions and/or Policies:

On January 8, 2003, the Planning Commission approved SM 02-14, known as Summerhill Estates, and SM 02-16, known as Signature Estates, which created the single-family lots located to the north and south of the subject property.

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:

Section 8-2.609 of the Yuba City Municipal Code and the Subdivision Map Act require that findings be made in order to approve a tentative map. The required findings are listed below in bold italics and are followed by an evaluation of the tentative map in relation to each finding.

5. ***The proposed tentative map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the General Plan.***

The proposed tentative map conforms to the General Plan and the Yuba City Zoning Regulations in all respects. Specifically, the proposed density of 2.33 units per acre is within the allowable density of 2-8 units per acre for the Low Density Residential General Plan designation. Additionally, all proposed lots exceed the minimum lot size of 5,000 square feet.

6. ***The site is physically suited for the type and proposed density of development.***

The proposed tentative map creates lots that will be suitable for development that will meet the standards contained in the Yuba City Zoning Regulations pertaining to coverage, setbacks, parking, etc.

7. ***The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage and the type of improvements are not likely to cause serious public health problems.***

The project site is presently developed with a single-family residence and has been used for agricultural and equestrian operations. As such, there is limited opportunity for environmental damage pertaining to historical or cultural resources. The mitigated negative declaration and conditions of approval contain measures to mitigate potential environmental impacts associated with the eventual construction of the homes to a less than significant level. The Yuba City Fire Department reviewed the plans and is satisfied with the access provided to the site. Additionally, condition #6 requires fire sprinkler systems to be installed in each of the houses.

8. ***The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.***

The proposed private driveway is sufficient in width to allow two cars to cross while driving in opposite directions. As stated above, the Yuba City Fire Department reviewed the plans and is satisfied with the access provided to the site.

Recommended Actions:

Staff recommends that the Planning Commission take the following 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 SM 06-10 is consistent with the Yuba City General Plan, and the design or improvement of the proposed SM 06-10 is consistent with the Yuba City General Plan as well as the Yuba City Zoning Regulations.
 3. The site of the proposed SM 06-10 is physically suited for the type and proposed density of development.
 4. The design of SM 06-10 and the proposed improvements are not likely to cause substantial environmental damage, and the types of improvements are not likely to cause serious public health problems.
 5. The design of SM 06-10 and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- B. Adopt the Mitigated Negative Declaration.
- C. Approve Subdivision Map SM 06-10 subject to the following 73 conditions of approval:

General Requirements

1. To ensure compatibility with surrounding development, any proposed structures shall be limited to single-story construction.
2. The Developer shall prepare and submit improvement plans for the construction of all improvements including water, sanitary sewer, storm sewer facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips, signing, striping and streetlights.
3. A Subdivision Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to recordation of map.
4. 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 (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. 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.

6. Improvement plans shall be approved by the Yuba City Fire Department, including plans for the installation of fire sprinkler systems in the homes.
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's fee 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. The developer agrees to pay reimbursement fees for work already constructed in the City right-of-way. They are as follows:
 - a. Summerhill Estates Reimbursement Agreement (Resolution 03-240; expires November 4, 2018)
 - a. water - \$4,370.95
 - b. sewer- \$4,485.98
 - b. Signature Estates Reimbursement Agreement (Resolution 03-228; expires November 4, 2018)
 - a. water - \$4,370.95
 - b. sewer- \$4,485.98
9. The developer agrees to pay the project's fair share of the sanitary sewer lift station located on Blevin Road north of Butte House Road at a cost of \$1,263.98/acre for a total of \$3,791.94 and the project's fair share of the drainage improvements that were constructed in Blevin Road, Butte House Road, and Harter Road to serve the subject area at a cost of \$2,899.48/acre for a total of \$8,698.44. The drainage fee is in addition to any other drainage fees applicable to the project.
10. 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. "Where an excavation for a trench and/or a structure is five feet or more, the contractor shall conform to O.S.H.A. requirements and shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by a licensed structural engineer, to the Public Works Department."

- c. "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 manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
- d. "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."
- e. "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)."
- f. "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."
- g. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

Permits Required

- 11. 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.
- 12. The contractor shall obtain an Encroachment Permit from the City and/or County prior to performing any work within public rights of way.

Roadway Improvements

- 13. Blevin Road shall be widened to a half-width (centerline to back of curb) of 24.5 feet. Right-of-way shall be dedicated to a width of 40.5 feet including a 10.0 foot Public Utility Easement (PUE) behind the detached sidewalk. Construction shall include from the center line: 25.0 foot road, 2.5 foot curb and gutter, 6.0 foot landscape parkway strip, 5.0 foot detached sidewalk, 10.0 foot PUE, street trees, and street lights except as otherwise shown on the tentative map and approved by the Development Services Department.

14. Prior to the filing of the final map, sufficient security shall be posted to cover the cost to construct the east half of Tuly Road along the west property line of the project. The security shall be based upon an estimate prepared by a civil engineer and shall include street and landscaping improvements.
15. 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 improvement plan check.

Utilities

16. All service laterals (water, sewer, irrigation, fire suppression), along with required meters are to be shown on the civil improvement plans. All applicable fees shall apply.
17. Prior to paving, the Developer shall vacuum test all sewer and storm sewer manholes to ensure no leakage will occur.
18. Prior to paving, the Developer shall hydroflush all sewer mains. In addition, prior to the City’s acceptance of the subdivision improvements, the sewer mains shall be re-hydroflushed.
19. The Design Engineer shall provide technical reports to substantiate the sizing of pipes. The reports shall include:
 - a. hydrology/hydraulic calculations
 - b. sewer calculations
20. 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 first building permit for each phase of construction.

Lighting and Landscaping

21. The property shall petition for formation of a Zone of Benefit of the Yuba City Landscaping and Lighting District for the purpose of maintaining street trees which are to be planted along Blevin Road and Tuly Road, maintaining street lights on the public streets, and maintaining the masonry wall on Tuly Road.
22. 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 approval of the improvement plans.

23. All street lighting shall be energized prior to the issuance of any building permits.
24. The street landscape planters and the street trees 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 plan.
25. All landscaping in the City right-of-way shall be irrigated.
26. 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.
27. 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.
28. Each lot shall be landscaped between the residence and the curb prior to occupancy. Between October 15th and April 15th, 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

29. 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 or agricultural lands or impede the drainage from those properties. If retaining walls are required they shall be constructed of concrete or masonry block.
30. Existing and proposed grade elevations at the perimeter of the proposed land development shall be shown on the tentative map. 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.
31. The Developer shall be required to pay any applicable Sutter County Water Agency drainage fees. The Developer shall provide the City with a copy, prior to the recordation of the final map, of the receipt indicating that the fees have been paid.
32. 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.

Grading

33. A master grading plan of the subdivision shall be submitted to the Public Works Department as part of the improvement plans.
34. The applicant shall submit, 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.
35. 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. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of settlement and seismic activity.
36. The rear yards and/or side yards of the lots that are created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department.
37. 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.
38. 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.
39. Two grading certificates for each lot shall be provided to the City. *The first certificate(s) shall be prior to the issuance of a building permit:* A building pad certificate from a licensed engineer as well as a lot grading certificate from a licensed surveyor shall be provided to the City. *The second certificate shall be prior to the issuance of a Certificate of Occupancy:* A lot grading certificate from a licensed surveyor shall be provided to the City. This certification shall be performed after the placement of landscaping (unless a landscaping bond is in place).

Driveways

40. The only hard surface (concrete or pavers) that can be placed in the street planter area on Blevin Road other than the standard driveway serving the residence is 18” wide strips to accommodate the wheel path of vehicles.

Storm Water Pollution and Prevention Plan

41. 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.
42. 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.
43. 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.
44. 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 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.*
45. The following minimum Best Management Practices (BMPs) shall be required during construction:
 - i. Construction crews shall be instructed in preventing and minimizing pollution on the job.
 - ii. 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.

- iii. 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.
- iv. 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.
- v. Designate a concrete washout area, if needed, to avoid wash water from concrete tools or trucks from entering storm sewer systems. Maintain washout area and dispose of concrete waste on a regular basis.
- vi. 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.
- vii. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.
- viii. Be prepared for rain and have the necessary materials onsite before the rainy season.
- ix. 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.

Final Map & Easements

- 46. The private street shall be designated as Parcel A on the final map.
- 47. A public utility easement shall be provided covering Parcel A (private street) for the public water main. The sanitary sewer and storm drain shall be private.

Miscellaneous

- 48. Prior to the issuance of any certificate of occupancies, all underground utilities, public improvements, and site improvements, including rough grading, shall be completed.
- 49. 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.
- 50. Prior to the issuance of any certificate of occupancies, 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.
- 51. The improvement plans shall show provisions for the placement of centralized mail delivery units in the Public Utility Easement (P.U.E.). Developers 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.

52. Open burning is a source of fugitive gas and particulate emissions, which 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.
53. All existing well(s) and septic tank(s) shall be destroyed in accordance with the requirements of the Sutter County Environmental Health and Yuba City Building Departments, respectively. The Developer shall provide the City with a copy of the receipt indicating that the permit fees have been paid.
54. Traffic control signs shall be installed/erected per Yuba City Standards and Details, CalTrans Standards and Details, and the Manual on Uniform Traffic Control Devices. The signs shall be maintained throughout the project duration.
55. 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:
 - a. *Ongoing agricultural operations such as: burning; pesticide spraying; machinery operation; and other impacts associated with said activities are in the vicinity of the subdivision and have the right to continue such operations, and*
56. 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.
57. A solid 6-foot high masonry block wall shall be constructed along future Tuly Road. A detail of the wall shall be shown on the improvement plans with the first phase of development. Design of the wall shall be approved by the City prior to its construction.
58. 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.
59. 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.

60. 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.
61. 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 insure compliance.
62. 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, signed special provisions, signed storm water pollution prevention plan, and the approved project agreement conditions.
63. 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.
64. Sidewalks within and adjacent to the construction area shall be kept clean and remain accessible for American Disability Act compliance.
65. Storage of construction material is not allowed in the travel way.
66. 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.
67. The subdivider shall provide for the maintenance of Parcel A through the formation of a homeowner's association. The documents creating the homeowner's association shall meet the following requirements:
 - a. Assignment to the homeowner's association responsibility for the maintenance of the private street, the sanitary sewer system under the private street, landscaping, street trees, and outdoor lighting.
 - b. Assignment to the homeowner's association responsibility to monitor and report to the City of Yuba City on activities and violations of any of these conditions, easement restriction, or any other ordinance, rule or regulation of the City of Yuba City occurring within Parcel A.

- c. Statement that the City of Yuba City may, at its option, cause the maintenance of Parcel A to be performed and assess (lien) the cost to the homeowner's association in the event Parcel A is not maintained in accordance with the approved plans.

The document creating the homeowner's association shall be reviewed and approved by the City Attorney for compliance with the above noted provisions.

During Construction Operations

68. Prior to the issuance of a grading permit, the applicant shall obtain a demolition permit from the City for removal of any existing structures on the site shown to be demolished.
 69. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans, and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.
 70. Reduce traffic speed on all unpaved surfaces to 15 mph or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
 71. 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.
 72. 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's baffles. Failure to do so may result in the issuance of an order to stop work.
 73. The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.
4. **PUBLIC HEARING: DEVELOPMENT PLAN #DP 07-06 FOR A 35-UNIT SENIOR CONGREGATE CARE FACILITY LOCATED AT 1279 PLUMAS STREET; ASSESSOR'S PARCEL NUMBER: 51-540-039; APPLICANT: INPROSOL, INC.; PROPERTY OWNERS: RAN SINGH AND SURINDER KAUR.**

Project Description:

Inprosol, Inc. has submitted a development plan application for a 35-unit senior congregate care facility with an onsite manager known as "Abode @ Plumas", located at 1279 Plumas Street. (See Attachment 1, "Aerial Photo".) The proposed project consists of a three-story building and related site improvements.

Property Description:

The vacant project site is located south of Lynn Way on the east side of Plumas Street.

General Plan Designation:

Medium Density Residential

Zoning Classification:

R-3, Multiple-Family Residence District

Surrounding Land Use:

Multi-family housing is located north, a Comcast broadcasting/satellite reception facility is located east, medical offices are located south, and Plumas Street and multi-family housing are located west of the project site.

Previous Actions and/or Policies:

None.

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:

Provided below is an evaluation of those items that warrant additional review and consideration by the Planning Commission.

Traffic and Vehicle Access

The proposed project is consistent with the land use assumptions of the General Plan and therefore, the anticipated traffic that will be generated by the project on the subject site is at an acceptable level. Furthermore, senior housing generates fewer vehicle trips than other multi-family uses that could be permitted on the property. Therefore, staff does not anticipate that traffic will increase significantly as a result of the proposed senior congregate care facility.

The Public Works Department and the Fire Department reviewed the proposed project and found that the site plan provides adequate access for emergency response vehicles to enter and maneuver around the site.

Parking

Section 8-5.6102(a) of the Zoning Regulations requires that senior citizen housing projects provide parking at a ratio of 0.6 spaces per dwelling unit. The project contains 35 units plus 1 manager's unit, for a total parking demand of 22 spaces. As shown on the project site plan (Exhibit "A"), the project provides 26 spaces, including the appropriate number of handicapped parking spaces.

Architecture and Landscaping

The proposed architectural design of the project is attractive and conforms to the Design Guidelines. The landscaping for the project conforms to Article 60 of the Yuba City Zoning Regulations.

Neighborhood Compatibility

A number of amenities are located near the project site, including medical offices, a Yuba-Sutter Transit bus stop, and a pharmacy. Fremont Hospital is located three blocks and Downtown Yuba City is located less than a mile from the project site. Due to its proximity to medical and personal services, the proposed project is at a location that is very suitable for senior housing.

Recommended Actions:

The Planning Division recommends that the Planning Commission takes the following 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 35-unit senior congregate care facility with an onsite manager is consistent with the designation Medium Density Residential as shown on the Land Use Map of the General Plan.
 3. The proposed 35-unit senior congregate care facility with an onsite manager is consistent with the requirements of the R-3, Multiple-Family Residence District.
 4. The project site is adequate in size and shape to accommodate the senior congregate care facility with respect to the standards in the Yuba City Zoning Regulations and the Yuba City Design Guidelines.
 5. The streets serving the project site are adequate to carry the quantity of traffic generated by the senior congregate care facility.
 6. The proposed design of the senior congregate care facility will complement neighboring facilities.

- B. Adopt the Mitigated Negative Declaration.
- C. Approve Development Plan DP 07-06 for a 35-unit senior congregate care facility with an onsite manager in the R-3, Multiple-Family Residence District located at 1279 Plumas Street 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.

Planning Division

- 2. This development plan approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on 7/11/09. Prior to said expiration date, the applicant may apply for an extension of time, not to exceed two years from 7/11/09.
- 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*)
- 4. The project is approved as shown in Exhibits A-D and as conditioned or modified below.

Engineering Division

- 5. The Developer shall prepare and submit improvement plans for the construction of all public improvements.
- 6. 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).
- 7. 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.
- 8. 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*)

9. 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)*
10. To help contain fugitive dust, construction sites shall be watered down during the construction of the project. *(Mitigating Measure)*
11. Temporary silt fencing shall be erected during construction so that transport of construction debris can be retained on-site. *(Mitigating Measure)*
12. 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. *(Mitigating Measure)*
13. 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)*
14. 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)*
15. 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. *(Mitigating Measure)*
16. 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.
17. 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.
18. Sidewalks, within and adjacent to the construction area, shall be kept clean and remain accessible for American Disability Act compliance.
19. Storage of construction material is not allowed in any travel ways.

Prior to issuance of Grading Permit

Engineering Division

20. Provide evidence that a fugitive dust control plan was submitted to the Feather River Air Quality Management District. (*Mitigating Measure*)
21. 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.
22. 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.
23. 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.
24. The following minimum Best Management Practices (BMPs) shall be required during construction:
 - i. Construction crews shall be instructed in preventing and minimizing pollution on the job.
 - ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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.
 - vi. 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.

- vii. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.
- viii. Be prepared for rain and have the necessary materials onsite before the rainy season.
- ix. 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.

Prior to approval of Improvement Plans

Engineering Division

25. 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.
26. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights-of-way.
27. 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 a California licensed structural engineer to the Public Works Department.
28. All service laterals (water, sewer, irrigation), along with required meters, are to be shown on the civil improvement plans. Connection fees shall apply.
29. 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.
30. All domestic, landscape, and fire service lines shall have reduced pressure backflow preventers.
31. Required Improvement Plan Notes:
 - a. "Any excess materials shall be considered the property of the contractor and/or owner 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

- 32. Any new curb, gutter, and sidewalk shall be inspected and approved by the City. Any existing curb, gutter and sidewalk 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.
- 33. All reduced pressure backflow preventers shall be tested by an AWWA licensed tester and a certification shall be submitted to the Public Works Department.
- 34. 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.
- 35. An additional 2 foot wide public utility easement shall be provided along Plumas Street adjacent to and east of the existing 8 foot wide easement for a total of a 10 foot easement.

COMMISSION CONSIDERATION:

- 1. REQUEST FOR 18 MONTH EXTENSION OF TIME FOR FILING OF FINAL MAP THAT WAS APPROVED BY THE PLANNING COMMISSION ON AUGUST 10, 2005, FOR TENTATIVE MAP #TM 05-10, LOCATED AT 1181 RAILROAD AVENUE. APPLICANT: JOGINDER S. BAINS.**

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 August 10, 2005, the Planning Commission approved TM 05-10, to subdivide a 1.18 acre site into three single family residential parcels with 9 conditions of approval.

The applicant has requested an extension of time for filing the final map for TM 05-10.

Recommended Action:

Grant an 18-month extension of time which will extend the final filing date to February 10, 2009.

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
July 11, 2007
City Hall Council Chambers

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

PRESENT

Chairman Satwant Takhar
Commissioner John Sanbrook
Commissioner Mike Tomlinson

Vice Chairman Craig Starkey
Commissioner Preet Didbal
Commissioner Jose Flores

ABSENT

Commissioner John Dukes (*Excused*)

Also present were Aaron Busch, Community Development Director; Katie Ertmer, Associate Planner; Paulla Hyatt-McIntire, Deputy City Attorney; and Roberta Kyle, Recording Secretary.

The Pledge of Allegiance was led by Commissioner Sanbrook.

The meeting minutes of June 13, 2007, were approved as written.

Appearance of Interested Citizens: - None

Correspondence: - None

Public Hearings:

- PUBLIC HEARING: TENTATIVE MAP #TM 07-04 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS LOCATED ON THE EAST SIDE OF LIVE OAK BOULEVARD, SOUTH OF LYNN WAY; ASSESSOR'S PARCEL NUMBER: 51-540-091; PROPERTY OWNER: ROGER GAITHER, TRUSTEE RUTH E. SMIKAHL TRUST; APPLICANT: ROGER GAITHER**

Katie Ertmer, Associate Planner, stated that staff recommends that the Planning Commission continue this item to its August 8, 2007, meeting.

Commissioner Starkey moved to continue the public hearing for #TM 07-04 to the Planning Commission meeting of August 8, 2007, was seconded by Commissioner Tomlinson, and the motion passed by a voice vote of 6-0-1 (Commissioner Dukes absent).

2. PUBLIC HEARING: TENTATIVE MAP #TM 07-03 TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS LOCATED ON THE SOUTH SIDE OF LASSEN BOULEVARD, EAST OF KLAMATH LANE; ASSESSOR'S PARCEL NUMBER: 58-050-057; PROPERTY OWNER: GURJIT AND AMARDEEP GOSAL; APPLICANT: MILESTONE ASSOCIATES

Ms. Ertmer presented a staff report.

Commissioner Sanbrook asked about access to parcel 2.

Ms. Ertmer stated that parcel 1 would provide an easement to parcel 2 on the west side.

Chairman Takhar opened the public hearing.

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

Commissioner Sanbrook moved to A. Adopt the 5 findings; and B. Approve Tentative Map #TM 07-03 subject to the 33 conditions of approval, and was seconded by Commissioner Didbal.

Due to a request from the public, Chairman Takhar reopened the public hearing.

Mike Gyorfi asked if the building would be a single story or a two story.

Ms. Ertmer stated that she has not received any information on the building design, but said there would be a 15 foot setback, and that it is a permitted use.

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

Commissioner Tomlinson asked if a condition should be added stating that the building on parcel 2 be a single story.

Julio Tinajero, of Milestone Associates, stated that the buildings will be single story and approximately 5,000 square feet.

Commissioner Sanbrook amended his motion with the addition of condition #34 stating "*Building on Parcel 2 to be single story*", was seconded by Commissioner Didbal, and the motion passed by a vote of 6-0-1 (Commissioner Dukes absent).

3. PUBLIC HEARING: SUBDIVISION MAP #SM 06-10 TO SUBDIVIDE ONE PARCEL INTO SEVEN PARCELS; 2182 BLEVIN ROAD; ASSESSOR'S PARCEL NUMBER: 59-530-010; APPLICANT/OWNER: DOUG GIBBS.

Ms. Ertmer stated that the applicant was requesting a continuance to the Planning Commission meeting of August 8, 2007.

Chairman Takhar opened the public hearing.

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

Commissioner Starkey moved to continue #SM 06-10 to the Planning Commission meeting of August 8, 2007, was seconded by Commissioner Tomlinson, and the motion passed by a voice vote of 6-0-1 (Commissioner Dukes absent).

4. PUBLIC HEARING: DEVELOPMENT PLAN #DP 07-06 FOR A 35-UNIT SENIOR CONGREGATE CARE FACILITY LOCATED AT 1279 PLUMAS STREET; ASSESSOR'S PARCEL NUMBER: 51-540-039; APPLICANT: INPROSOL, INC.; PROPERTY OWNERS: RAN SINGH AND SURINDER KAUR.

Ms. Ertmer presented a staff report.

Commissioner Tomlinson asked if the use was changed to an apartment complex, would they have to come back before the Planning Commission for approval.

Ms. Ertmer stated that the project could not be changed into an apartment complex as it would not meet the parking requirements.

Commissioner Sanbrook inquired about condition #35 regarding the public utility easement, and asked if the easement was for the entire frontage of the property on Plumas Street.

Ms. Ertmer stated that it does run along the entire frontage of the property.

Commissioner Sanbrook asked if there is access at the north and south of the property.

Ms. Ertmer stated there are two points of access.

Commissioner Sanbrook asked if there was pedestrian access at the S/E corner of the property.

Ms. Ertmer stated there was.

Chairman Takhar opened the public hearing.

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

Commissioner Starkey moved to A. Adopt the 6 findings; B. Adopt the Mitigated Negative Declaration; and C. Approve #DP 07-06 subject to the 35 conditions of approval, was seconded by Commissioner Tomlinson, and the motion passed by a vote of 6-0-1 (Commissioner Dukes absent).

Commission Consideration:

1. COMMISSION CONSIDERATION: REQUEST FOR EXTENSION OF TIME FOR FILING THE FINAL MAP FOR TENTATIVE MAP #TM 05-10; LOCATED AT 1811 RAILROAD AVENUE; APPLICANT, JOGINDER S. BAINS.

Katie Ertmer, Associate Planner, presented a staff report.

Commissioner Sanbrook moved to grant an extension of 18 months for final map filing for TM 05-10, making the new expiration date February 10, 2009, was seconded by Commissioner Tomlinson, and the motion passed by a voice vote of 6-0-1 (Commissioner Dukes absent)

Commission Discussion: - None

Other Business:

Aaron Busch, Community Development Director, gave an update to the Planning Commission regarding the impact fee AD HOC meetings, and said they are nearing completion of their work on the impact fees, and that recommendations should be coming before the Planning Commission the first or second meeting in August.

Mr. Busch also stated that the Tuff Shed appeal originally scheduled for the July 17th City Council meeting, will now be going to the August 7, 2007 City Council meeting due to a request from the appellant due to time conflicts.

Report on Actions of the City Council:

Ms. Ertmer stated that the City Council adopted a resolution of support for the Plumas Family Apartments (DP 07-01), which allowed their tax credit application to be more competitive.

Adjournment: There being no further business, the meeting was adjourned at 7:23 p.m.

Respectfully submitted,

Roberta Kyle, Secretary
YUBA CITY PLANNING COMMISSION