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TO ADDRESS THE COMMISSION  
PLEASE STEP TO THE ROSTRUM &  
STATE YOUR NAME & ADDRESS  
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Regular Meeting  
November 14, 2007 - 7 p.m.  
City Hall Council Chambers  
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION  
AGENDA

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Commissioner Satwant Takhar (Chair)

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

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Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on October 24, 2007

Appearance of Interested Citizens\*

Correspondence: - None

Public Hearings:

1. Public Hearing: Tentative Map #TM 07-06; Proposal to split one parcel into 3 parcels; zoned C-M Heavy Commercial/Light Industrial District; located at the northwest side of Klamath Lane cul-de-sac; APN 58-050-008; Property Owner/Applicant, David Lanza.
2. Public Hearing: Use Permit #UP 07-11; Request for a use permit to allow 10,000 sq. ft. of temporary office space (commercial coaches); zoned M1 Light Industrial District; located at 901 N. Walton Avenue; APN 58-050-002; Owner/Applicant, Sunsweet Growers, Inc.

Commission Consideration: - None

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council

Adjournment

Over

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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.



DATE: November 8, 2007  
TO: Yuba City Planning Commission  
FROM: Community Development Department  
SUBJECT: Agenda Report – Meeting of November 14, 2007

### **PUBLIC HEARINGS**

1. **PUBLIC HEARING: TENTATIVE MAP #TM 07-06 TO SUBDIVIDE ONE PARCEL INTO THREE PARCELS LOCATED AT THE NORTHWEST SIDE OF THE KLAMATH LANE CUL-DE-SAC; ASSESSOR'S PARCEL NUMBER: 58-050-008; PROPERTY OWNER: ROY AND SONDRALANZA; APPLICANT: DAVID LANZA**

#### **Project Description:**

The applicant proposes to subdivide a 3.12-acre parcel into three parcels of 0.58 acres, 0.89 acres, and 1.65 acres on the northwest side of the Klamath Lane cul-de-sac.

#### **Property Description:**

The 3.12-acre parcel is currently vacant. Curb, gutter, and sidewalk exist along the entirety of Klamath Lane, with the exception of the frontage of the subject parcel. (See Attachment 1, "Aerial Photo".)

#### **General Plan Designation:**

Business, Technology, Light Industry

#### **Zoning Classification:**

Heavy Commercial/Light Industrial (C-M) District

**Surrounding Land Use:**

State Route 20 is located to the north, a variety of light industrial, commercial, and office uses are located to the east and south, Klamath Lane is located to the east, and vacant land with entitlements for Yuba City Toyota is located to the west.

**Previous Actions and/or Policies:**

None.

**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.***

Staff Analysis: The proposed tentative map conforms to the General Plan and the Yuba City Zoning Regulations in all respects. Specifically, the proposed parcels all exceed 0.5 acres in size, which meets 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.***

Staff Analysis: The proposed tentative map will allow development that is permitted on the site. With parcels that are 0.58 acres, 0.89 acres, and 1.65 acres, the site will be large enough to accommodate buildings, required parking and landscaping, setbacks, and other improvements. Since the site is flat, there are no topographical features that would preclude development of any 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.***

Staff Analysis: At the time of any future development, the applicant will be required to install curb, gutter, and sidewalk per the City specifications that match the existing curb, gutter, and sidewalk on either side of the project frontage. The applicant will be required to follow mandatory best management practices and air quality regulations in order to ensure that the construction of future improvements will not cause health problems.

- 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.***

Staff Analysis: Condition #35 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 07-06, 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 07-06 is consistent with the Yuba City General Plan, and the design or improvement of the proposed TM 07-06 is consistent with the Yuba City General Plan as well as the Yuba City Zoning Regulations.
3. The site of the proposed TM 07-06 is physically suited for the type and proposed density of development.
4. The design of TM 07-06 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 07-06 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 07-06 subject to the following 41 conditions of approval:

**General**

1. **The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.**
2. Tentative Map #TM 07-06 is approved as shown in Exhibit A and as conditioned herein.

**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.

### **Engineering Division**

4. 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.
5. 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.
6. 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.
7. 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.
8. Temporary silt fencing shall be erected during construction so that transport of construction debris can be retained on-site.
9. 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.
10. 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.
11. 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.
12. 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, and signed storm water pollution prevention plan.

13. 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.
14. Sidewalks, within and adjacent to the construction area, shall be kept clean and remain accessible for American Disability Act compliance.
15. Storage of construction material is not allowed in the travel way.
16. 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.

### **Prior to issuance of Grading Permit**

#### **Engineering Division**

17. 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.
18. 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 lands or impede the drainage from those properties. If retaining walls are required they shall be constructed of concrete or masonry block.
19. Existing and proposed grade elevations at 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.
20. 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.
21. 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.

22. 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 gutters 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**

23. 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.
24. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
25. 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.
26. Improvement plans shall be approved by the Yuba City Fire Department.
27. All service laterals (water, sewer, irrigation, fire suppression), along with required meters, are to be shown on the civil improvement plans.
28. All domestic, landscape, and fire service lines shall have reduced pressure backflow preventers.
29. All water meters and backflow preventers for Parcels 1, 2, and 3 shall be set at the back of sidewalk at Klamath Lane.
30. 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 if the City has to provide any connections to the water main. Connections to existing stubs shall be done in accordance with Standard Detail 410.
31. Plans shall include the installation of one street light on Klamath Lane.
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.
33. 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. "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."
- c. "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)."
- 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**

- 34. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting District for the purpose of maintaining the street lights.
- 35. All street lighting shall be dedicated to the City of Yuba City.
- 36. 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.
- 37. 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**

- 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 and a backflow preventer certification must be performed by an AWWA licensed tester and submitted to the Public Works Department.

40. 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 all storm drain mains and all sewer mains.

**2. PUBLIC HEARING: PUBLIC HEARING: USE PERMIT #UP 07-11 FOR THE CONTINUED USE OF MODULAR ADMINISTRATIVE OFFICES AS A TEMPORARY USE AT 901 NORTH WALTON AVENUE – APPLICANT, SUNSWEET GROWERS, INC.**

**Project Description:**

The applicant is requesting to continue the utilization of 10,800 square feet of commercial coach office space on a temporary basis until a permanent administrative building can be constructed on-site. There is sufficient on-site parking available for the temporary office space.

**Property Description:**

The property is the 52.3-acre parcel located at the southeast corner of Colusa Avenue (SR 20) and North Walton Avenue. The site is developed with the company's main processing plant and grower's store. Street improvements (curb, gutter and sidewalk) already exist along North Walton Avenue. Access to the site will be through the main gate on North Walton Avenue.

**General Plan Designation:**

Manufacturing, Processing & Warehousing.

**Zoning Classification:**

Light Industrial (M-1) District.

**Surrounding Land Use:**

To the north across Colusa Avenue are City-owned properties and a mixture of commercial uses, to the east are heavy commercial and light industrial uses, to the south is vacant land owned by Sunsweet Growers and to the west across North Walton Avenue is Sam's Club. (see Attachment 1 "Aerial Photo")

**Previous Commission Actions and/or Policies:**

Use Permit #01-10 for use of the modular office space was approved on November 28, 2001. On February 11, 2004, UP #03-06 was approved for the continued use of the modular office space for a two-year term which expired on November 25, 2005. On November 9, 2005, UP #05-04 was approved for the continued use of the modular office space for a two-year term which expires on November 10, 2007.

**Environmental:**

Section 15303(C) Class 3 exempts projects similar to this when located in an urbanized area and the surrounding area is not environmentally sensitive.

**Staff Comments:**

Provided below is an evaluation of the findings required to approve the Use Permit. The required findings are in bold, italicized font.

***1. The proposal is consistent with the General Plan.***

Staff analysis: The property is zoned M-1, Light Industrial District, which is consistent with the existing General Plan designation of Manufacturing, Processing, and Warehousing. The M-1 District allows commercial coaches to be used on a temporary basis subject to the issuance of a use permit. Section 8-5.5101 of the Zoning Regulations requires several standards to be met in order to approve a use permit for a temporary use of a commercial coach. Subsection “G” states that the maximum term of a use permit issued for a commercial coach is two years. The applicant has again indicated that they intend to construct a permanent office and retail facility on-site. However, plans for such a project have not been fully developed. It is for this reason that the applicant has returned to the Planning Commission again to continue the use of the commercial coaches for offices. The coaches comply with all standards found in Section 8-5.5101 of the Zoning Regulations.

***2. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.***

Staff analysis: The site for the commercial coaches was adequate in size and shape to accommodate the coaches and all required features, including parking and landscaping when the Planning Commission approved the project in 2001. The applicant has made no changes to the commercial coaches or uses thereof. The site remains adequate for the placement of the commercial coaches.

***3. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.***

Staff analysis: The streets serving the site were adequate when the Planning Commission approved the project in 2001. The use of the coaches has not changed, and no new impacts are anticipated as a result of approval of an additional two-year permit. Therefore, the streets serving the site remain adequate to carry the quantity of traffic generated by the commercial coaches.

***4. The site design and size and design of the buildings will complement neighboring facilities.***

Staff analysis: The modular offices have been in existence since 2001, when the Planning Commission originally approved them. The units are internal to the Sunsweet “campus” and are set back a distance from Highway 20 and North Walton Avenue such that they blend in with the industrial surroundings. As such, the site design and size of the buildings will complement neighboring facilities.

- 5. The establishment or operation of the use or building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Staff analysis: The continuation of the use of the commercial coaches for office space will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the commercial coaches. The Fire Department has indicated that the offices are completely self-contained and would not present a hazard to the public at large.

**Recommended Action:**

- A. Adopt the following findings:
1. Use Permit UP 07-11 is consistent with the General Plan.
  2. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.
  3. The streets serving the site are adequate to carry the quantity of traffic generated by the use of a business office and showroom.
  4. The site design and size and design of the building will complement neighboring facilities.
  5. The establishment or operation of the use or building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious
- B. Approve the requested continued use of the commercial coaches for administrative offices in the M-1 District subject to the following conditions of approval:
1. The use permit shall be valid for a two-year period expiring on November 14, 2009.
  2. The site and the commercial coaches shall meet all applicable handicap access standards required by State and Federal law.
  3. Each commercial coach shall meet the standards established in Section 8-5.5101 of the Yuba City Zoning Regulations.

4. Use Permit UP 07-07 is approved as shown in Exhibit A and as conditioned herein.