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TO ADDRESS THE COMMISSION  
PLEASE STEP TO THE ROSTRUM &  
STATE YOUR NAME & ADDRESS  
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Regular Meeting  
April 9, 2008 - 7 p.m.  
City Hall Council Chambers  
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION  
AGENDA

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Commissioner Craig Starkey (Chairman)  
Commissioner Preet Didbal (Vice Chair)      Commissioner John Sanbrook  
Commissioner Satwant Takhar                      Commissioner Mike Tomlinson  
Commissioner John Dukes                              Commissioner Jana Shannon  
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Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on March 26, 2008

Appearance of Interested Citizens\*

Correspondence: - None

Continued Public Hearing:

1. Specific Plan Amendment #SP 08-01. Specific Plan Amendment to include Flexible Zone and Sidewalk Outdoor Dining Standards for the concrete-paved areas on Plumas Street from Colusa Avenue to Bridge Street in the Central City Specific Plan; Applicant/Property Owner, City of Yuba City.

Commission Consideration:

1. Request for a two-year extension of time on use permit #UP 06-01 for the placement of two temporary structures for computer maintenance, repair and storage, in the R-1 District; located at 3105 Colusa Avenue. Applicant/Property Owner, Faith Christian Schools, Inc.

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.



City of Yuba City  
Planning Division Agenda Report  
Planning Commission Meeting

April 9, 2008

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DATE: April 4, 2008  
TO: Yuba City Planning Commission  
FROM: Community Development Department  
SUBJECT: Agenda Report – Meeting of April 9, 2008

**CONTINUED PUBLIC HEARING:**

- SPECIFIC PLAN AMENDMENT SP 08-01, TO INCLUDE FLEXIBLE ZONE AND SIDEWALK OUTDOOR DINING STANDARDS FOR THE CONCRETE-PAVED AREAS ON PLUMAS STREET FROM COLUSA AVENUE TO BRIDGE STREET IN THE CENTRAL CITY SPECIFIC PLAN; APPLICANT/PROPERTY OWNER: CITY OF YUBA CITY.**

**Background:**

This item was continued from the February 26, 2008 Planning Commission meeting so that staff could obtain answers to questions and issues raised by the Commission and the public during the public hearing. The original Staff Report and Attachments are included for Commission review.

**Discussion:**

Provided below are the questions/issues that were raised during the last Commission meeting and the information Staff was requested to gather for Commission consideration.

- How many parking spaces can be used as a flex zone by a business?

The allocation of the flex zone for outdoor dining use is based on the frontage between the extended property lines of the building in which the associated fronting ground floor storefront restaurant is an occupant. In other words, if the building frontage is 30 feet the restaurant business could utilize 3 parking spaces, or, if it was 45 feet the business could use 5 spaces. To address the Commission's concern about how much of a street block could be converted to flex space in the event of multiple restaurants staff would recommend that no more than 25 percent of any block be used for flex zone use at any one time during the year.

2. Will the decorative street planters remain in place all year round?

Staff foresees the encroachment permit for the flex zones being issued yearly from January 1<sup>st</sup> through December 31<sup>st</sup>, however, the active life of the flex zones would only be for an 8 month period from March 15<sup>th</sup> through November 15<sup>th</sup>. This will allow for street parking to be completely open during the winter months and Christmas season. During the off season the City will remove and store the planters.

3. What are the insurance requirements for a business utilizing a flex zone?

As part of the Encroachment Permit process the applicant will be required to have a minimum of \$1,000,000 of liability insurance per incident/accident in effect during the duration of the permit to cover bodily injury, personal injury and property damage.

4. How will ADA requirements for outdoor dining be met?

As shown on the second page of Attachment 3 the wheelchair-accessible outdoor seating is to be provided on the sidewalk portion of the seating area. There are no plans to retrofit the newly installed streetscape and cut out ADA ramps from the sidewalk through the two steps to the parking area for individual businesses wishing to utilize a flex zone.

5. Who will enforce the flex zone standards for outdoor dining?

As discussed at the previous meeting Staff foresees enforcement of the flex standards for outdoor dining being three fold. The first measure that would be in place is the adopted outdoor dining standards that must be followed as part of the permit issuance. Secondly, staff would look to the DBA to assist with the policing of the areas to ensure that restaurant businesses are in compliance. Lastly, the City's Code Enforcement Officer would be used on a complaint basis.

6. Why isn't there any handicapped parking on Plumas Street?

There are no plans to include handicap parking spaces in the new streetscape plans since the street design would require a disabled person to maneuver in the line of traffic. For this reason most public streets do not include handicap parking spaces. However, there are two spaces provided in the City's parking lot located off of Walnut Street, two more spaces provided in the middle of the Center Street parking area and one space that will be provided as part of the restriping of the cul-de-sac just south of the Water Tower. The Building Code requires that on-site parking lots of five or less must provide one space but it does not need to be marked. Any on-site parking lot larger than five spaces must provide a marked van accessible space with additional handicap spaces required on a percentage basis depending on the total number of spaces provided. As noted above, the public parking lots comply with this requirement and therefore there is no need for additional on-street handicapped parking spaces.

7. Can the implementation of the flex zone space be phased in while Plumas Street is under construction?

Concern was expressed about implementing the flex zone program, thereby “losing” parking spaces, while the streetscape project was under construction. Specifically, since construction of the streetscape project has effectively eliminated a number of on-street parking spaces, the use of the flex zone in other parking spaces would further reduce available parking. In response to this concern, it was suggested that the flex zone only be allowed on the sidewalk area until such time as the streetscape project is completed. Staff supports this concept and therefore has recommended that the implementation of this feature begin in 2009 when the streetscape project has been completed.

Another option to consider in this matter is making it mandatory for a restaurant business to utilize the outdoor sidewalk area first as the primary outdoor dining area. Only if a restaurant did not have sufficient area to accommodate on outdoor (dining area on the) sidewalk, could the business seek approval for flex zone dining in the (on-street) parking spaces.

**Environmental:**

This project is statutorily exempt from the California Environmental quality Act (CEQA) under the “General Rule” that CEQA applies only to projects that have the potential of causing no significant environmental effects, as specified in Section 15061 (b) (3) of the State CEQA guidelines.

**Recommended Action:**

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

- A. Recommend that the City Council adopt the following findings:
  - 1. The inclusion of the Flexible Zone and Sidewalk Outdoor Dining Standards is an improvement to and consistent with the Central City Specific Plan.
  - 2. The proposed Flexible Zone and Sidewalk Outdoor Dining Standards are consistent with the Central City Specific Plan which in turn is consistent with the General Plan.
- B. Recommend that the City Council approve the amendment to the Central City Specific Plan to include the Flexible Zone and Sidewalk Outdoor Dining Standards subject to the standards being held in abeyance for the Flexible Zone (on street area) until 2009 and limit outdoor dining to sidewalks only subject to the Plumas Street – Flexible Zone and Sidewalk Outdoor Dining Standards.

**COMMISSION CONSIDERATION:**

- 1. **REQUEST FOR EXTENSION ON USE PERMIT #UP 06-01 FOR PLACEMENT OF TWO TEMPORARY STRUCTURES FOR COMPUTER MAINTENANCE, REPAIR AND STORAGE IN THE R-1 DISTRICT; LOCATED AT 3105 COLUSA AVENUE – APPLICANT/PROPERTY OWNER, FAITH CHRISTIAN SCHOOLS, INC.**

**Project Description:**

The applicant wishes to continue to temporarily place, behind the gymnasium at Faith Christian School, a modular building measuring 720 square feet and a cargo container measuring 640 square feet. Only electricity will be supplied to the two structures for lighting; there will be no water or sewer connections. The modular building will be distanced approximately 10 feet from the gymnasium building, with just two feet between the structures. Each structure will measure no taller than 12 feet.

**Property Description:**

The property is located on the north side of the Colusa Avenue Frontage Road, just north of Colusa Avenue (SR 20) and west of the Live Oak Canal. Of the overall 13 acres of property, 6.5 acres is developed with a Christian school, including football field, gymnasium, parking lot, music room, administration building, library, and classrooms. The remaining 6.5 acres are vacant.

**General Plan Designation:**

Low Density Residential

**Zoning Classification:**

One Family Residence (R-1) District

**Surrounding Land Use:**

Single family homes to the north across Monroe Avenue, First United Methodist Church and baseball fields to the east, Colusa Avenue Frontage Road and State Route 20 to the south, and vacant farmland to the west

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

At their meeting of April 12, 2006, the Planning Commission approved Use Permit #UP 06-01 for the period of two years, expiring on April 12, 2008. Per Section 8-5.7106, Extensions of Time, of the Zoning Regulations, a two-year extension of time may be obtained.

**Environmental:**

Categorically exempt per CEQA Section 15301, Existing Facilities

**Staff Comments:**

Faith Christian Schools would like to continue to temporarily place a modular building and cargo container directly east and outside of the gymnasium located in the center of the school property. The modular building, measuring 60 feet long by 12 feet wide (720 square feet) would be located 9.5 feet east of the gymnasium. The cargo container, measuring 40 feet long by 16 feet wide (640 square feet) would be located two feet east of the modular building. Both storage units are

currently used for computer repair and maintenance, and storage of files, books, and records, and measure no more than 12 feet in height. Only electricity is supplied to the storage containers to allow for inside lighting.

Neither structure is visible from the Colusa Avenue Frontage Road as the buildings are set back 470 feet from the road, have parking, landscaping, and a music room between them and the public right-of-way. The structures may be visible from the homes located north of the school, but these homes are more than 700 feet from the structures. Directly east of the proposed storage unit location is vacant farmland.

**Recommended Action:**

A. Adopt the following findings:

1. The placement of two modular structures is consistent with the Low Density Residential designation of the General Plan.
2. The site is of adequate size and shape to accommodate the proposed two modular structures, public access, parking and loading, yards, landscaping and other features required by the Zoning regulation.
3. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
4. The site design and the size and design of the structures will complement neighboring facilities.
5. Approval of the use permit extension of time for the two modular structures 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.
6. The proposal meets the criteria established in Section 8-5.5003(B) pertaining to locational criteria for churches.
7. The project was reviewed per CEQA requirements and found to be categorically exempt per CEQA Section 15301, Existing Facilities.

B. Approve the 2-year extension of time for Use Permit #UP 06-01 for the placement of two temporary modular structures in the R-1 District subject to the following conditions of approval:

1. The use permit shall be valid for a two-year period expiring on April 12, 2010. A two-year extension of time for this use permit may be obtained per the requirements of Section 8-5.7106, Extensions of Time, of the Zoning Regulations.