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TO ADDRESS THE COMMISSION  
PLEASE STEP TO THE ROSTRUM &  
STATE YOUR NAME & ADDRESS  
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Regular Meeting  
May 14, 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 April 9, 2008

Appearance of Interested Citizens\*

Correspondence: - None

Public Hearing:

1. Use Permit #UP 08-01. Use Permit to provide 6 on-site parking spaces and waive the requirement to provide 8+ additional spaces on-site; located at 601 Plumas Street, northeast corner of Plumas and Bridge Streets; APN 52-231-012; Property Owner/ Applicant, Baljit Gill.
2. Use Permit #UP 08-03. Use Permit to allow the placement of a commercial coach for a temporary sales office for car sales; located at 955 Harter Parkway; APN 63-010-099, 100; Property Owner/ Applicant, Yuba City Toyota.

Commission Consideration:

1. Request for a second and final 18-month extension of time for filing the final map for Subdivision Map #SM 04-10 of Vista Estates; Applicant, Roger W. Borrell.

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council

Over

## Adjournment

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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

May 14, 2008

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DATE: May 9, 2008  
TO: Yuba City Planning Commission  
FROM: Community Development Department  
SUBJECT: Agenda Report – Meeting of May 14, 2008

**PUBLIC HEARING:**

- 1. USE PERMIT UP 08-01 FOR WAIVER OF A PORTION OF THE ONSITE PARKING REQUIREMENTS TO ACCOMMODATE A 4,558 SQUARE FOOT RETAIL BUILDING AT 601 PLUMAS STREET; ASSESSOR'S PARCEL NUMBER 52-231-012; APPLICANT/OWNER: BALJIT GILL**

**Project Description:**

The applicant is requesting a use permit to provide six onsite parking spaces and waive the requirement to provide 8 additional spaces associated with a new building proposed at the northeast corner of Plumas Street and Bridge Street.

**Property Description:**

The project site is located at the northeast corner of Plumas Street and Bridge Street. Street improvements (curb, gutter, and sidewalk) exist along both frontages. A new bus turn-out exists along the Plumas Street frontage. The site is currently occupied by a single building and a used car sales business, which will be removed as part of this project. (See Attachment 1, "Aerial Photo")

**General Plan Designation:**

Community Commercial

**Specific Plan Designation:**

Storefront Commercial

**Zoning Classification:**

C-2 SP, Community Commercial, Central City Specific Plan

**Surrounding Land Use:**

Retail and restaurant uses are located to the north, a privately-owned alley and a restaurant are located to the east, Bridge Street and various commercial uses are located to the south, and Plumas Street, a City-owned parking lot, and various commercial uses are located to the west of the project site.

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

While there have been no prior approvals on the subject property, the Planning Commission has previously approved the following use permits for parking waivers in the Downtown area:

UP 04-04, 440 Center Street: Approved 12-8-04; waiver of three parking spaces.

UP 04-03, 800 Plumas Street: Approved 5-26-04; waiver of three parking spaces.

UP 98-01, 430 Center Street: Approved 5-27-98; waiver of eleven parking spaces.

UP 97-06, 714, 716, 720, 722 Plumas Street: Approved 11-12-97; waiver of fourteen parking spaces.

UP 94-08, 669 Plumas Street: Approved 9-14-94; waiver of four to six parking spaces.

**Environmental:**

The proposed project is Categorically Exempt from the California Environmental Quality Act in accordance with Section 15303 of the CEQA Guidelines, pertaining to new construction.

**Staff Comments:**

The proposed project consists of an attractive building with high-quality architecture on all visible sides. The building is built to the property lines in compliance with the requirements of the Central City Specific Plan. As proposed the building will complement the buildings recently constructed along Plumas Boulevard, and will provide an attractive gateway to complement the public improvements to Plumas Street. 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 C-2, Community Commercial District, which is consistent with the existing General Plan designation of Community Commercial. The C-2 District allows the proposed building and the planned uses, and requires the issuance of a use permit to waive the onsite parking requirements.

- 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 proposed use is adequate to accommodate the proposed building and required features with the exception of parking. Based on information provided by the applicant, the proposed project includes six of the required fourteen parking spaces. The applicant requests waiving the requirement to provide the additional eight parking spaces, given the existing constraints associated with the property. It should be noted that due to the existing constraints on the site, there is no feasible opportunity to increase the number of parking spaces on-site by reducing the size of the building. Furthermore, staff believes that the proposed design of the building (fronting both Plumas Street and Bridge Street) creates a better gateway entrance into the Plumas Streetscape and is more consistent with the long-range vision of the Central City Specific Plan.

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

Staff analysis: The section of Plumas Street adjacent to the project was recently reconstructed. According to the Public Works Department, Bridge Street adjacent to the project will be reconstructed during fiscal year 2008-2009. The reconstruction project will include new curb, gutter, planter strips, and sidewalk, as well as lowering the profile of Bridge Street. The streets serving the site are currently, and will be adequate to carry the quantity of traffic generated by the proposed use.

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

Staff analysis: As previously noted, the building design meets the requirements of the Central City Specific Plan as well as the requirements of the Yuba City Commercial Design Guidelines. The proposed building will be an attractive “gateway” building on the southern end of Plumas Street, and it 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 proposed reduction in the number of required on-site parking spaces from 14 to 6 spaces will not be detrimental to the health and safety of people in the area or to property improvements in the neighborhood. While the proposed project does not provide the full number of required parking spaces on-site, there are other opportunities within the vicinity of the site that can be used, if needed. The most likely parking spaces that would be used, if needed, would be the 22 spaces located immediately across the street on Reeves Avenue, just south of the water tower.

As previously noted, this is not the first request for a reduction in required parking spaces in the Downtown area. There have been five requests since the adoption of the Central City Specific

Plan. Such requests are not uncommon for downtown areas where parking may be limited or located in a different location other than in front of the business. Staff recognizes that there are existing parking challenges within the Downtown area that would be better addressed on the global level versus on a case-by-case basis. To that end, City staff has initiated discussions with the Plumas Street Downtown Business Association (DBA) to begin reviewing this issue within the next month or two.

Attachment 2 is a letter from the DBA in which it expresses its support of the proposed waiver of parking requirements.

**Recommended Action:**

Staff recommends that the Planning Commission take the following actions:

- A. Adopt the following findings:
  - 1. Use Permit UP 08-01 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 temporary commercial coach and vehicle sales lot.
  - 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 to property and improvements in the neighborhood or to the general welfare of the City.
- B. Approve the requested use permit to waive the requirement to provide an additional 8 parking spaces on site, subject to the following 8 conditions of approval:

**General**

- 1. Approval of Use Permit UP 08-01 shall be null and void without further action if utilization of Use Permit UP 08-01 has not been substantially commenced within 2 years of the date of its approval, or on May 14, 2010.
- 2. The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.

3. Use Permit UP 08-01 is approved as shown in Exhibit A and as conditioned herein.
4. Pursuant to Section 8-5.6007 of the Yuba City Zoning Regulations, all landscaping shall be maintained in good growing condition.
5. Prior to issuance of a building permit, the applicant shall provide the City with a copy of a recorded cross-access easement between the subject parcel and the adjacent parcel to the east.
6. If construction of the proposed project commences prior to completion of the City's planned reconstruction of Bridge Street, the applicant shall be responsible for the construction of Bridge Street in accordance with the City's plans, which includes an 8' parkway strip, a 7' sidewalk, and undergrounding of all utilities.
7. Once the improvements on Bridge Street are completed, cutting of the asphalt shall not be permitted for 5 years after paving. The project proponent shall make arrangements to have water and fire services off of Bridge Street prior to completion of the Bridge Street reconstruction.
8. The project proponent shall agree to participate in a Downtown parking district in the event one is formed in the future.

**2. USE PERMIT UP 08-03 FOR USE OF A COMMERCIAL COACH FOR A TEMPORARY SALES TRAILER FOR VEHICLE SALES AT 955 HARTER PARKWAY; ASSESSOR'S PARCEL NUMBER: 63-010-100; APPLICANT: YUBA CITY TOYOTA; OWNER: SUTTER PARTNERS, LLC**

**Project Description:**

The applicant is requesting a Use Permit to temporarily place a commercial coach used as a sales trailer for vehicle sales at 955 Harter Parkway. The commercial coach would be used through the summer, until commencement of construction of the permanent facility (which was previously approved by the Planning Commission) or until September 7, 2008, whichever comes first. The applicant is working with staff and actively preparing construction plans for submittal in June. Sections 8-5.1402 and 8-5.1302 of the Yuba City Zoning Regulations require a Use Permit approved by the Planning Commission prior to installation of a temporary commercial coach in the C-3 zoning classification. Given the temporary nature of the proposal, the applicant proposes minimal improvements to the site, including installation of the commercial coach in accordance with the requirements of the Yuba City Building Division and installation of an all-weather surface for the parking area and accessible paths of travel. The remainder of the 2.08-acre portion of the larger site will be used for vehicle display.

**Property Description:**

The project site is located at the southeast corner of Harter Parkway and State Route 20. Street improvements (curb, gutter and sidewalk) exist along the Harter Parkway frontage. The site is currently vacant, but is graded and compacted with a material suitable for travel by emergency

vehicles. Public ingress and egress will be provided via an existing driveway on Harter Parkway. (See Attachment 1, “Aerial Photo”)

**General Plan Designation:**

Regional Commercial

**Zoning Classification:**

C-3, General Commercial, X-24, Special Standards Combining District

**Surrounding Land Use:**

State Route 20 and Yuba City Marketplace are located to the north; Harter Parkway and the site for the proposed John L. Sullivan auto dealership are located to the west; the future River Valley Court and vacant land are located to the south; and vacant and industrial land are located to the east along Klamath Lane. River Valley High School is located on the west side of Harter Parkway, south of the project site. (See Attachment 1, Aerial Photo)

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

GP 07-02, RZ 07-02, DP 07-04 Yuba City Toyota: On August 22, 2007, the Planning Commission recommended that the City Council approve the above-referenced General Plan Amendment, Rezoning, and Development Plan applications to construct up to a 66,000 square-foot facility for new and used vehicle sales. The City Council approved the above-referenced General Plan Amendment and Rezoning applications at its regular meeting on September 18, 2007.

**Environmental:**

The proposed project is Categorically Exempt from the California Environmental Quality Act in accordance with Section 15303 of the CEQA Guidelines, pertaining to new construction.

**Staff Comments:**

As previously noted, Sections 8-5.1402 and 8-5.1302 of the Yuba City Zoning Regulations require a Use Permit approved by the Planning Commission prior to installation of a temporary commercial coach in the C-3 zoning classification. 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 C-3, General Commercial District, which is consistent with the existing General Plan designation of Regional Commercial. The C-3 District allows the use of a commercial coach for an office on a temporary basis subject to the issuance of a Use Permit by the Planning Commission.

- 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 proposed use is adequate to accommodate the temporary commercial coach and vehicle sales area. The applicant proposes to use approximately one quarter of the area on which the permanent facility will be constructed. The applicant has proposed using an all-weather surface to ensure accessibility to and from the public right-of-way. The applicant is providing parking adequate to meet the provisions of the Zoning Regulations. Since the commercial coach is a temporary use, lasting just over three months, and since the Planning Commission has already approved the permanent facility, staff does not recommend requiring landscaping in conjunction with the commercial coach.

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

Staff analysis: This site has been analyzed for the anticipated traffic associated with build-out of the permanent facility. The proposed temporary vehicle sales lot and commercial coach will occupy less than one quarter of the entire site and will be a less intensive use than the permanent facility. The traffic generated by the proposed temporary use will be less than significant. Therefore, the streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

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

Staff analysis: The design of the site and commercial coach meets the requirements of Section 8-5.5101 of the Zoning Regulations pertaining to temporary use of a commercial coach, with one exception. The applicant has requested waiver of the requirement to pave the parking and display areas with asphalt or Portland cement. Staff considers this request reasonable because the applicant has already secured entitlements for a permanent building and sales area and is actually preparing plans to submit for a building permit. Additionally, the limited amount of time before the applicant will commence construction of the permanent facility on the same site (approximately three and one-half months) makes it somewhat unreasonable to require permanent paving in this instance. An existing all-weather surface has been put down that has been inspected and is accepted by the Public Works Department for use by emergency vehicles. Condition No. 3 requires the applicant to get plan approved by FRAQMD to ensure dust control. The pad on which the trailer will sit as well as the required employee and customer parking area and the accessible path of travel will be crushed granite or an acceptable substitute.

Finally, the applicant has agreed to Condition No. 1, which requires removal of the commercial coach and sales lot by commencement of construction of the permanent facility or by September 7, 2008, whichever occurs first. This ensures that should there be a delay in the construction of the permanent facility that the “temporary” trailer does not remain in the subject location for an extended period of time.

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 proposed temporary use of a commercial coach for a sales office will not be detrimental to the health, safety, or welfare of persons residing or working in the vicinity of the project. Condition Nos. 3 and 4 are included to ensure that the applicant complies with all regulations pertaining to air quality.

**Recommended Action:**

Staff recommends that the Planning Commission take the following actions:

- A. Adopt the following findings:
  1. Use Permit UP 08-03 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 temporary commercial coach and vehicle sales lot.
  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 to property and improvements in the neighborhood or to the general welfare of the City.
- B. Approve the requested Use Permit to place a commercial coach used as a temporary sales office for vehicle sales at 955 Harter Parkway only, subject to the following six conditions of approval:

**General**

1. Approval of Use Permit UP 08-03 shall be null and void without further action at the commencement of construction of the permanent facility or on September 7, 2008, whichever occurs first.
2. Use Permit UP 08-03 is approved as described and shown in Exhibits A and B and as conditioned herein.

3. The applicant shall comply with all dust and air quality mitigation measures recommended by the Feather River Air Quality Management District, including but not limited to regulations regarding soil stabilization, with an approved plan submitted prior to the issuance of a building permit.
4. All portable power generation equipment shall be PERP (Portable Equipment Registration Program) registered with the State of California. Proof of PERP registration shall be submitted prior to issuance of a building permit.
5. The applicant shall obtain a building permit for installation of the commercial coach.
6. Prior to issuance of certificate of occupancy for the temporary commercial coach, the applicant shall install the all-weather parking area and accessible path of travel, with appropriate striping and/or signage to the satisfaction of the City.
7. The applicant shall comply with all Sutter County Environmental Health regulations pertaining to the temporary restroom.
8. A Zoning Clearance shall be required for all temporary on-site signage.

**COMMISSION CONSIDERATION:**

**1. REQUEST FOR A SECOND AND FINAL EXTENSION OF TIME FOR FILING THE FINAL MAP FOR SUBDIVISION MAP #SM 04-10 OF VISTA ESTATES; APPLICANT, ROGER W. BORRELL.**

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

**Project Description:**

On November 10, 2004, the Planning Commission approved Subdivision Map #SM 04-10 of Vista Estates to subdivide a 5.12± acre parcel into 12 single family lots. The expiration date for the filing of the final map was November 10, 2006.

On October 25, 2006, the applicant was granted an extension of time for filing the final map for the period of 18-months to expire on May 10, 2008.

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

**Recommended Action:**

Grant the second and final 18-month extension of time which will extend the final filing date for Subdivision Map #SM 04-10 to November 10, 2009.