



AGENDA

WEDNESDAY, DECEMBER 13, 2017

REGULAR MEETING PLANNING COMMISSION CITY OF YUBA CITY

6:00 PM – REGULAR MEETING: COUNCIL CHAMBERS

CHAIRPERSON	• Daria Ali
VICE CHAIRPERSON	• Michele Blake
COMMISSIONER	• Jana Shannon
COMMISSIONER	• John Sanbrook
COMMISSIONER	• Dale Eyeler
COMMISSIONER	• John Shaffer
COMMISSIONER	• Jackie Sillman (Sutter Co. Rep)

1201 Civic Center Blvd
Yuba City CA 95993

Wheelchair Accessible
♿

*If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4817 at least 72 hours in advance so such aids or services can be arranged. **City Hall TTY: 530-822-4732***

**AGENDA - AMENDED
REGULAR MEETING
PLANNING COMMISSION
CITY OF YUBA CITY
December 13, 2017
6:00 P.M. – REGULAR MEETING**

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at City Hall at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net, subject to staff's availability to post the documents before the meeting.

Call to Order

Roll Call: _____ Daria Ali (Chairperson)
 _____ Michele Blake (Vice Chairperson)
 _____ Jana Shannon
 _____ John Sanbrook
 _____ Dale Eyeler
 _____ John Shaffer
 _____ Jackie Sillman (Sutter County Representative)

Pledge of Allegiance to the Flag

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

1. Written Requests

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted five minutes to speak.

2. Appearance of Interested Citizens

Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to three minutes.

Introduction

3. Commissioner John Schaffer Introduction

Approval of Minutes

4. Minutes of August 23, 2017

Minutes of October 11, 2017

General Items (Do not require a public hearing)

5. Commission consideration for a two-year extension for Use Permit 07-13, for the construction of a religious institution, school, and related uses at the southeast corner of State Route 20 and El Margarita Road. The use permit was originally approved November 18, 2008. This is the fourth request for an extension for Use Permit 07-13. Applicant: Pastor Michael A. Ciociola; Owner: Calvary Christian Center

Public Hearings

After the staff report for each agenized item, members of the public shall be allowed to address the Planning Commission regarding the item being considered. Any person wishing to testify should first state their name and address.

All interested parties are invited to attend the hearing and express their opinions on this project. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

6. Consideration of Tentative Parcel Map No. TM 17-03 and Environmental Assessment No. EA17-11 filed by Carriage Square, LP.

Tentative Parcel Map to create 3 commercial lots ranging in size from 0.45 to 0.70 acres, with a 2 acre remainder. The property is located on the southeast corner of State Route 99 and Bridge Street (1240 Bridge St., Assessor's Parcel Number 51-130-044). The General Plan classifies the site as Community Commercial and it is zoned C-3 (General Commercial District). City staff has determined that the project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15315 Minor Land Divisions

- Recommendation:
- A. Conduct a public hearing.
 - B. Make a determination that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Section 15315 Minor Land Divisions.
 - B. Approve the Tentative Parcel Map TM 17-03 subject to compliance with the Conditions of Approval.

Development Service Director Reports

Report of Actions of the Planning Commission

Adjournment

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$712, 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 Planning Commission action becomes final. The exception to this is rezone requests. Please check with the Planning Division, 1201 Civic Center Boulevard, Yuba City, CA 95993 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.

AGENDA ITEM

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AGENDA ITEM

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Minutes August 23, 2017



City of Yuba City

Council Chambers

August 23, 2017

6:00 p.m.

The meeting was called to order at 6:01 P.M.

Roll Call:

Present: Commission Members Jana Shannon, John Sanbrook, Dale Eyeler, and Chair Daria Ali.

Absent: Commissioner Michele Blake and Commissioner Jackie Sillman.

Also present were Arnolando Rodriguez, Development Services Director/Recording Secretary and Edwin Palmeri, Senior Planner.

Pledge of Allegiance to the Flag:

Led by Commissioner Jana Shannon

Public Communication:

No comments made during this time.

Presentation:

Item #3. Recognition of Paul Basi's service as Sutter County liaison to the Planning Commission

On behalf of Mayor Cleveland, Chair Ali presented Paul Basi with a proclamation in recognition for his service on the Yuba City Planning Commission.

Approval of Minutes:

Planning Commission minutes for June 28, 2017 was continued to the next meeting.

Public Hearing:

Item #5. Consideration of Use Permit No. UP 17-03 and Environmental Assessment No. EA 17-03: Orlando Sanchez

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project requesting approval of a use permit to allow the operation of a Jiu Jitsu training center (dojo) at 990 Klamath Lane, Suite D, Yuba City. The site is developed with an office/commercial complex and is located in the C-M (Heavy Commercial/Light Industrial District) zoning district. The applicant will provide Jiu Jitsu training (e.g. martial arts), in a dojo setting by an instructor versed in the Brazilian martial art. A group of up to 10 persons will work with a training coach

in one-hour settings. There will be a maximum of three groups per day. Class times will be between 4:00 p.m. and 10:00 p.m., Monday through Saturday.

There are 21 parking spaces provided on the site, and access to an additional 60 available parking sites on adjacent properties. Palmeri noted the staff is recommending the Planning Commission make a determination that the project is categorically exempt pursuant to California Environmental Quality Act Section 15301 Existing Facilities.

Commissioner Sanbrook inquired as to why Condition Number 8 requiring compliance with Building Code was included in the conditions of approval. Commissioner Sanbrook also noted that he liked Condition Number 15, the indemnification clause. Planner Palmeri responded that Condition Number 8 alerted the applicant to the fact that tenant improvements would need to comply with 2016 Building Code requirements.

Commissioner Eyeler thanked staff for addressing parking. Planner Palmeri explained there is parking in front of the training center and most businesses, with exception of Cambridge Junior College, are closed when the training center is operating. Palmeri noted there was adequate parking to operate the existing businesses and the training center.

Chair Ali asked if there was lighting in the parking area that would be on at night when the training center is operating. Palmeri noted there is lighting in the parking area but indicated the applicant may be able to address what lighting and location there is on the site.

Commissioner Eyeler inquired why the training center required a use permit. Development Services Director Rodriguez indicated a use permit insures that a use permit allows for the adoption of conditions of approval that ensures compatibility with other uses in the area.

Chair Ali opened the public hearing and requested persons in favor or opposition to speak.

The training center operator, Tyson Scholl, P.O. Box 321, Yuba City, CA 95992, briefly explained the operation and it is for all ages but most students are under 15 years old. He indicated not being able to operate the business for three months was challenging and he thanked staff for processing his use permit quickly.

No one spoke in opposition the project.

Chair Ali closed the public hearing and called for the question.

Commissioner Sanbrook moved to determine the project was categorically exempt and approve the project with conditions of approval.

Commissioner Eyeler seconded the motion. The Commission voted to approve the project by a vote of 4 yes and 0 no.

Item #6. Consideration of General Plan Amendment GP 17-01, Rezone RZ 17-04, Tentative Parcel Map TM 17-01, and Environmental Assessment No. EA 17-03: Mike Singh.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project indicating that the applicant is requesting approval of a General Plan amendment, rezone, tentative parcel map, and environmental assessment to allow future industrial development in an eight lot subdivision with a cul-de-sac. The undeveloped 9.52 acre site is located at 3142 Colusa Frontage Road, Yuba City. Palmeri reviewed planned land use and zoning for the site and existing development in the area. He noted that the demand for retail centers has changed and there is sufficient commercial acreage to the west that will have direct access to SR 20 with the future extension of Western Parkway. Planner Palmeri briefly discussed the public improvements and requirement for a wall and landscaping along Colusa Frontage Road. More specifically, Palmeri indicated that the project included the follow entitlements:

1. *General Plan Amendment (GPA) 17-01*: To redesignate 9.52 acres from the Regional Commercial designation to the Business, Technology & Light Industry designation;
2. *Rezoning (RZ) 17-04*: To rezone 9.52 acres from the C-3 (General Commercial District) zone district to the M-1 (Light Industrial District) zone district;
3. *Tentative Parcel Map (TM) 17-01*: Tentative map map to create 8 lots for industrial development; and
4. *Environmental Assessment (EA) 17-03*: Environmental assessment of the proposed project.

Palmeri indicated that an environmental assessment (EA 17-03) that included an initial study and mitigated negative declaration was prepared for the project and circulated to the State Clearinghouse for review by state agencies and circulated for Native American tribal consultation. He noted that staff is recommending adoption of the mitigated negative declaration and mitigation monitoring plan.

Commissioner Sanbrook indicated he had visited the site and adjacent uses. He also noted there was already a sign on the site indicating the land was for sale and zoned for industrial use. Commissioner Sanbrook stated there is sufficient land for manufacturing and industrial use and was not a need for additional industrial land. He pointed out the General Plan Figure 3-1 identifies eight areas for light industrial use and added that 433 acres, or 6% of the City, is designated for manufacturing use and 521 acres for industrial use within the urban boundary.

Commissioner Shannon noted that the City Council would make the decision as to if the project should be approved. Commissioner Shannon pointed out the request is not "spot zoning" and is not an island of industrial zoning. She indicated this is a good opportunity for industrial development.

Commissioner Sanbrook stated that he could not make the necessary finding of "public interest" to approve a General Plan amendment.

Commissioner Eyeler stated that industrial lots are difficult to locate and this project is next to a highway. Commissioner Eyeler noted that industrial jobs are better paying than many service related jobs and that rents received for industrial space was generally less than commercial space.

Chair Ali discussed the development pattern in the area and indicated the site lends itself well to industrial development. Chair Ali noted that industry creates more jobs. Chair Ali inquired if there was an access easement on the property to the south to allow future extension of the proposed subdivision street.

Senior Planner Palmeri briefly discussed the industrial area to the south and the need to provide for potential future extension of the subdivision street to the south in order to provide some traffic relief for North George Washington Boulevard.

Chair Ali opened the public hearing and requested persons in favor or opposition to speak.

Project Engineer George Musallam, North Valley Engineering and Surveying, 1547 Starr Drive Suite J, Yuba City, indicated they concurred with the conditions of approval. He noted the applicant/property owner Mike Singh thought the property is zoned for industrial use and put the sale up several years ago. Mr. Musallam state that since adoption of the General Plan there has not been enough industrial sites and many of the industrial sites are difficult to develop. Mr. Musallam went on to say that, industrial and manufacturing uses create job opportunities.

Commissioner Sanbrook responded that the staff report indicated the applicant would develop the site. Commissioner Sanbrook pointed out the General Plan set aside 944 acres as Light Industry and Industry planned use and questioned why more land that is industrial was needed.

Mr. Musallam stated that from a technical perspective the site is more feasible for quick industrial development.

Commissioner Eyeler commented that people are looking at industrial lots and this is encouraging in that there are very few industrial lots available.

No one spoke in opposition to the project.

Chair Ali closed the public hearing and called for the question.

Commissioner Eyeler moved to recommend City Council adopt General Plan Amendment GP 17-01, Rezone RZ 17-04, Tentative Parcel Map TM 17-01, and Environmental Assessment EA 17-03.

Commissioner Shannon seconded the motion. The Commission voted to approve the recommendation by a vote of 3 yes and 1 no.

Item #7. Consideration of General Plan Amendment GP 17-03, Specific Plan Amendment SPA 17-01, Rezone RZ 17-02, Tentative Parcel Map TM 17-02, and Environmental Assessment No. EA 17-07: Ryan Dusa.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project indicating that the applicant is requesting approval of a General Plan amendment, specific plan amendment, rezone, tentative parcel map, and environmental assessment to allow creation of four lots for development with single-family residences. Palmeri reviewed previous actions on the site, noting that the Buttes Vista Neighborhood Plan had anticipated a small neighborhood commercial development for the site. He pointed out that although the neighborhood

commercial center is a good concept market conditions have changed and there has been no commercial development proposed for the site. Palmeri discussed the orientation of the lots, shared access for Lots 3 and 4. He indicated that the units would be single story and had incorporated design features into the homes that are compatible with the surrounding single story residences. More specifically, Palmeri indicated that the project included the follow entitlements:

1. *General Plan Amendment (GP) 17-03*: To redesignate 1.21 acres from the Neighborhood Commercial designation to the Low Density Residential designation;
2. *Specific Plan Amendment (SPA) 17-01*: To amend 1.21 acres of the Buttes Vista Neighborhood Plan from Commercial to Single Family;
3. *Rezoning (RZ) 17-02*: To rezone 1.21 acres from the C-1/SP (Neighborhood Commercial/Specific Plan District) zone district to the R-1/SP/X (One-Family Residence/Specific Plan/Combining District) zone district;
4. *Tentative Parcel Map (TM) 17-02*: Tentative map to create 4 lots for single-family residential development; and
5. *Environmental Assessment (EA) 17-07*: Environmental assessment of the proposed project.

Palmeri indicated that an environmental assessment (EA 17-07) that included an initial study and mitigated negative declaration was prepared for the project and circulated to the State Clearinghouse for review by state agencies and circulated for Native American tribal consultation. He noted that staff is recommending adoption of the mitigated negative declaration and mitigation monitoring plan.

Commissioner Sanbrook asked about the access for Lot 3. Planner Palmeri responded that a shared driveway with access easement would be used since no driveways would be allowed on Stabler Lane. He pointed out there was landscaping adjacent to the driveway and a six foot decorative wall running the length of the driveway adjacent to the property immediately east of the driveway.

Director Rodriguez pointed out that although there was no direct vehicle access from the lots onto Stabler Lane there was pedestrian access through a fence located along Stabler Lane.

Chair Ali inquired as to the height of the fence proposed along Stabler Lane. Palmeri responded that the fence would be three feet in height.

Commissioner Eyeler noted the 1.21 acres was small for commercial use and asked what the concept was behind the commercial property. Planner Palmeri noted it was anticipated that the site would be developed with small boutique shops such as a Star Bucks.

Chair Ali opened the public hearing and requested persons in favor or opposition to speak.

The project applicant, Ryan Dusa, 784 Long Horn Trail, Plumas Lake, CA 95961, discussed the project history indicating the original intent to develop the site with commercial uses and then several efforts to change the site General Plan designation and zoning to allow development of single-family residential units at a higher density than the proposed four units.

Chair Ali expressed a concern about traffic backing onto Stabler Lane and indicated she liked the proposed design, including Lots 3 and 4 shared driveway that exits onto Butte Vista Lane.

Commissioner Shannon expressed that she was very pleased that Mr. Dusa listened to Commission and neighbors and modified the project to respond to concerns about compatibility with the neighborhood.

Commissioner Eyeler indicated that he would have preferred that the site remain commercial however it did not look like commercial use of the site was feasible.

Commissioner Sanbrook congratulated Mr. Dusa for not giving up with the project and coming back with a new plan that was acceptable.

Brenda Hayward, 1592 Mehar Court, Yuba City, thanked Mr. Dusa for listening to the neighborhood concerns. She expressed that she was happy with the new project. Ms. Hayward stated she did not like the commercial that proposed in 2001.

No one spoke in opposition to the project.

Chair Ali closed the public hearing and called for the motion.

Commissioner Shannon moved to recommend City Council adopt General Plan Amendment GP 17-03, Specific Plan Amendment SPA 17-01, Rezone RZ 17-02, Tentative Parcel Map TM 17-02, and Environmental Assessment EA 17-07.

Commissioner Sanbrook seconded the motion. The Commission voted to approve the recommendation by a vote of 4 yes and 0 no.

Development Service Director Reports

Director Rodriguez informed the Commission about progress on several projects and that Ulta make-up was about to open.

Report of Actions of the Planning Commission

Chair Ali, serving as City representative on the Sutter County Planning Commission, briefly discussed the Sutter County Planning Commission action to deny a rezone on farm land located near Live Oak, CA that would have allowed development of the site with a residential use.

Adjournment:

There being no further business, the meeting was adjourned at 8:02 p.m. to the next regular meeting by Chair Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION

AGENDA ITEM

4

Minutes October 11, 2017



City of Yuba City

Council Chambers

October 11, 2017

6:00 p.m.

The meeting was called to order at 6:00 P.M.

Roll Call:

Present: Commission Members Jana Shannon, John Sanbrook, Dale Eyeler, Michele Blake, Jackie Sillman, and Chair Daria Ali.

Also present was Arnolando Rodriguez, Development Services Director/Recording Secretary.

Pledge of Allegiance to the Flag:

Led by Commissioner Jana Shannon

Public Communication:

No comments made during this time.

Approval of Minutes

Commissioner Sillman motioned to approve the minutes from the June 28, 2017 meeting. Commissioner Shannon seconded the motion. Commissioners voted unanimously 5-0 in favor. Commissioner Eyeler abstained.

Public Hearing:

Item #4. Consideration of General Plan Amendment No. GP 17-02, Rezone No. RZ 17-03, Development Plan No. DP 17-03 and Environmental Assessment No. EA 17-08: Dr. Jerry Toller

Presented by Director Rodriguez

Director Rodriguez reviewed the project requesting approval of a General Plan Amendment, Rezone, and Development Permit to allow development 41 unit apartment complex on 4.99 acres. Director Rodriguez noted the site is located on the east side of Tharp Road approximately 580 feet south of Butte House Road immediately south of single-family structure and the New Earth Market parking area. More specifically, Rodriguez indicated that the project included the follow entitlements:

1. *General Plan Amendment (GPA) 17-02:* To redesignate 4.99 acres from the Community Commercial designation to the Medium/Low Residential designation;
2. *Rezoning (RZ) 17-03:* To rezone 4.99 acres from the C-2 (Community Commercial District) zone district to the R-2 (Two-Family Residence District) zone district;
3. *Development Plan (DP) 17-03:* Development Plan for a 41 unit apartment complex; and

4. *Environmental Assessment (EA) 17-08*: Environmental assessment of the proposed project.

Rodriguez indicated that an environmental assessment (EA 17-08) that included an initial study and mitigated negative declaration was prepared for the project and circulated to the State Clearinghouse for review by state agencies and circulated for Native American tribal consultation. He noted that staff is recommending adoption of the mitigated negative declaration and mitigation monitoring plan.

Director Rodriguez reviewed the property history noting that the site was rezoned from the R-3 (Multiple-Family Residence District) zoning district to the C-2 zoning district in February 2008. Rodriguez noted that a Development Plan for a 74,000 square foot health club and 4,500 square foot office complex was approved by the Planning Commission in December 2007.

Director Rodriguez reviewed the existing improvements in place and indicated some required upgrades are included in the conditions of approval. Director Rodriguez stated that all public services are available to the site and then reviewed the adjacent uses.

Director Rodriguez reviewed the site plan including complex circulation, building locations, and amenities. He noted there are three proposed access points to the site that include gated vehicle and pedestrian entrances on Tharp Road, to the north into the New Earth Market parking lot, and a pedestrian entrance on the east side into the Feather Down shopping center. Rodriguez noted that in addition to the existing masonry wall along the easterly side of the project the applicant is required to install a decorative masonry wall is required along the south, west, and north project boundary. Rodriguez noted that a five-foot landscaped buffer is required along the proposed northerly wall.

Director Rodriguez reviewed the single and two-story building elevations. He noted that the elevations show a variety of materials and colors. Rodriguez also noted that ground mounted HVAC equipment would be shielded from view by landscaping. Rodriguez briefly reviewed the previous La Bella Viata project and the location of the previously approved health club and office building. He also noted that the project will require improvements to the property to the north given that it will alter the parking lot, and will require the installation of a wall, landscaping, vehicle turn-around area.

Rodriguez indicated staff is recommending the conditions of approval include a covenant for "Right to Farm" and notification of adjacent industrial area and retail/commercial uses be recorded. It was also noted that the residential project participate in Community Facilities District No. 2017-1. Rodriguez briefly discussed and environmental assessment and staff recommendations.

Chair Ali opened the public hearing and requested persons in favor or opposition to speak.

Project Engineer Garry Laughlin, Laughlin and Spence Civil Engineers, indicated they concurred with staffs report and the conditions of approval.

Commissioner Sanbrook inquired as to what the rents would be for the units. Laughlin deferred to the project applicant Dr. Jerry Toller who responded that the rents would be approximately \$1,600 dollars per month.

Commissioner Eyeler asked Laughlin if the applicant had spoken with the neighbors, including the single-family residence and New Earth Market. Laughlin responded that they had met with New Earth Market and modified the project because of the solar/shade covers in the parking area. He noted there have been discussions regarding modify the plan for truck access.

Commissioner Sanbrook inquired if the project required a lot line adjustment with the New Earth Market property. Laughlin replied that the project did require a lot line adjustment.

No one spoke in opposition the project.

Chair Ali closed the public hearing and called for the question.

Commissioner Sillman stated that people are excited about the project in that it is next to a shopping center and it is a "great fit" for the area.

Chair Ali noted the projects walkability, access to shopping is a great benefit, and the project will be a benefit to the community.

Commissioner Sanbrook stated that he is confident the project will be first class and he is supportive of the project.

Commissioner Blake said that after reading the staff report she felt it was a great fit.

Commissioner Shannon moved to recommend City Council adopt General Plan Amendment 17-03, Rezone 17-03, Development Plan 17-03, and Environmental Assessment 17-08.

Commissioner Blake seconded the motion. The Commission voted to unanimously approve the project by a vote of 6 yes.

Development Service Director Reports

Director Rodriguez reminded the Commission of the Yuba City Board and Commission Appreciation Dinner on October 19, 2017. Rodriguez reviewed upcoming October 25, 2017 Commission Agenda that includes a Substance Abuse Treatment Facility Use Permit, the Cannabis Ordinance, and possibly the Bars & Nightclubs Ordinance.

Report of Actions of the Planning Commission

There were no reports.

Adjournment:

There being no further business, the meeting was adjourned at 6:58 p.m. to the next regular meeting by Chair Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION

AGENDA ITEM

5



CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT

Meeting Date: December 13, 2017

To: Chair and Planning Commission members

From: Development Services Department

Presentation By: Ed Palmeri, Senior Planner

Public Hearing: Commission consideration for a two-year extension for Use Permit 07-13, for the construction of a religious institution, school, and related uses at the southeast corner of State Route 20 and El Margarita Road. Applicant: Pastor Michael A. Ciociola; Owner: Calvary Christian Center

Location: Southeast corner of State Route 20 and El Margarita Road

Recommendation: 1. Consider applicants request for an extension of time.
2. Approve the requested 2 year extension of time.

Project Information:

The subject item is a request for a two-year extension for a previously approved project. The project, originally approved on November 18, 2009, pertains to approximately 23 acres located on the southeast corner of State Route 20 and El Margarita Road. It is anticipated that the project, which consists of a religious institution and a school, will be constructed in phases. These phases include:

Table 1: Project Phases

<i>Phase I:</i>	80,000 sf, 2,084-seat sanctuary building with staff offices
<i>Phase II:</i>	16,380 sf elementary school capable of accommodating over 300 students
<i>Phase III:</i>	Playground facilities, baseball diamond, and soccer fields
<i>On an as-needed basis:</i>	612 parking spaces

Section 8-5.7105 of the Yuba City Municipal Code states that approved Use Permits shall expire if construction has not substantially commenced within two years of the date of the approval. Section 8-5.7106 of the Code continues by stating that the body that originally considered the application may grant a two-year extension of time if the applicant has made a written request for an extension and if it is determined that conditions have not changed to the extent that would warrant denial of the extension. No public hearing is required to grant an extension of time.

It should be noted that this project was originally approved by the Planning Commission on November 18, 2009, with an expiration date of November 18, 2011. Since its original approval, the Commission has granted three extensions. This is the fourth extension request. Table 2 highlights the project timeline, including extension requests and expiration dates.

<i>Project</i>		
	<i>Approved</i>	<i>Expiration Date</i>
Original approval	November 18, 2009	November 18, 2011
Extension 1	January 11, 2011	November 18, 2013
Extension 2	October 9, 2013	November 18, 2015
Extension 3	December 9, 2015	December 9, 2017
Extension 4 ¹	TBD	TBD

Staff Analysis:

The applicant, Calvary Christian Center, submitted a timely letter requesting a two-year extension on Use Permit # UP 07-13. Conditions on the project have not changed therefore, staff supports the requested action. However, it should be noted that additional environmental review may be required in future due to changing traffic impacts in the area and California Environmental Quality Act requirements.

Recommended Action:

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

1. Grant an extension of its approval of Use Permit # UP 07-13 for two years with a new expiration date of November 18, 2019.

Commission Action

The Commission's action is final unless an appeal is filed pursuant to Section 8-5.7104(B) of the Yuba City Municipal Code.

Attachments:

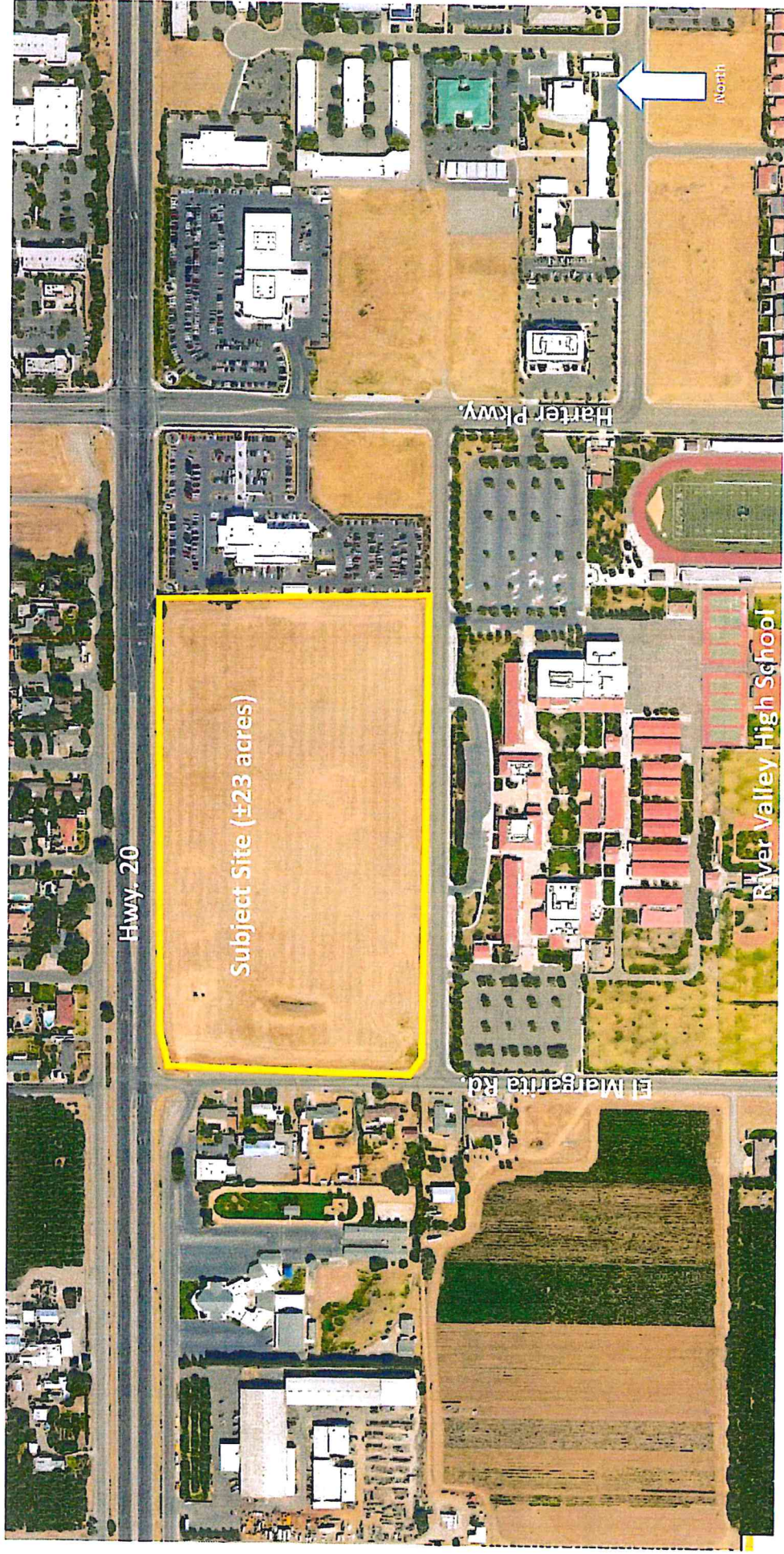
1. Exhibit A Aerial Photo
2. Exhibit B Letter from Pastor Ciociola dated November 1, 2017 requesting extension
3. Exhibit C Site Plan, including Building Elevations and Floor Plan

¹ Should the request be granted, the use permit would expire on November 18, 2019

Attachment:

1. Aerial photo/Location Map

Exhibit A: Aerial Photo



Attachment:

2. Letter from Pastor Ciociola



UP

RECEIVED
NOV - 1 2017

October 30, 2017

City of Yuba City
Development Services

Attn: Ed Palmeri
City of Yuba City
Planning Dept.
1201 Civic Center Boulevard
Yuba City, CA 95993

Dear Mr. Palmeri,

Thank you for the updated related to the new Fee. As mentioned to you by my Administrative Assistant, Angela Fairbanks, we sent you the previous check based on what you had posted on your website. I will anticipate the return of the previous check when you have received this one.

As to our project on our new property: we are nearing the point now where we have adequate funding to begin our project based on two things.

1. We have been putting funds back on a monthly basis so that when we begin the project, we will have adequate finances to continue the project. We are approaching our goal.
2. We have two very competitive and eager buyers for our current location, which consists of approximately 8 1/2 acres. We are debt free, both on our current property and our new property, which consists of approximately 24 acres. When we combine what we have put back for our new project on our new property, along with the anticipated revenue for the sale of our current property, we should be in a "green light, ready to go" mode.

Thank you for your consideration of our renewal.

Sincerely,

Michael A. Ciociola
Lead Pastor

Calvary Christian
Center
2620 Colusa Hwy.
Yuba City, CA 95993
530.673.6035
www.cccyc.net

Attachment:

3. Site Plan, Building Elevations and Floor Plan

Site Plan, Including Building Elevations, and Interior Floor Plans as
approved by the Commission on November 18, 2009

EXHIBIT B

DESIGN DOCUMENTS FOR

Calvary Christian Center

Pastor Michael Ciociola

SPIRIT WAY

YUBA CITY, CALIFORNIA

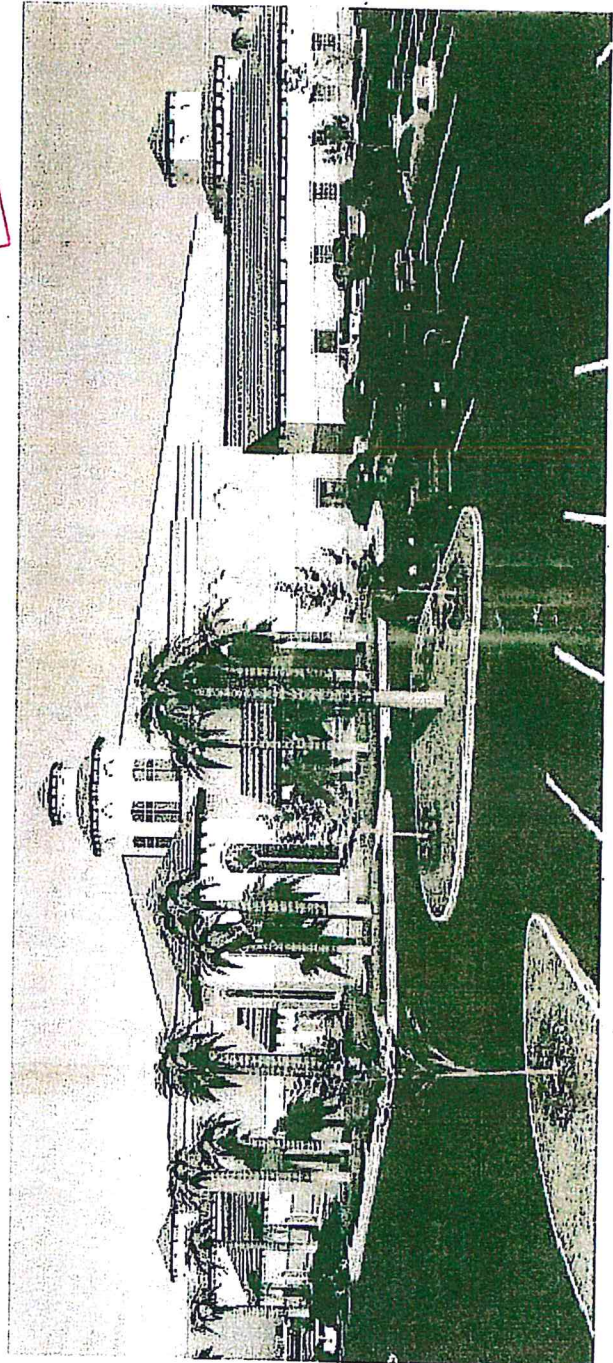


Milestone
Associates
INCORPORATED

2000 S. 10TH AVE. SUITE 200
YUBA CITY, CALIFORNIA 95903
TEL: (530) 661-1234 FAX: (530) 661-1235

APPROVED
DATE: 11/18/09
BY: Planning Commission
SIGNED: R. Kyle

R. MESSNER CONSTRUCTION
DON KIMBLE: ARCHITECT
302 NORTH CHAMBERLAIN BLVD SUITE 100
YUBA CITY, CALIFORNIA 95903
PH (530) 634-1333 FAX (530) 634-1418

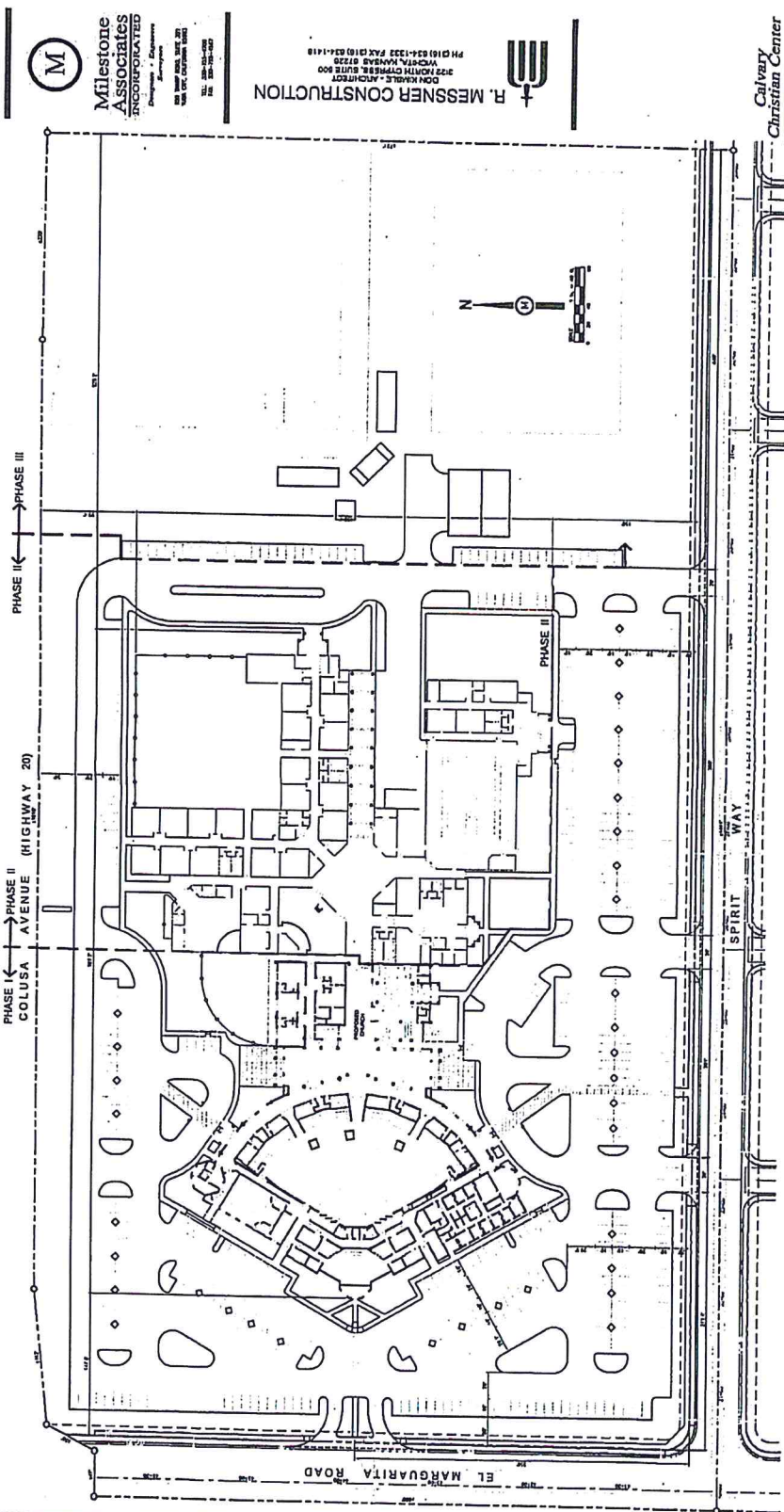


Calvary
Christian Center
Spirit Way
Yuba City, CA 95903
Pastor Michael Ciociola

APN
62-010-009

DD1

April 17, 2008
Job #07-620



CONCEPTUAL SITE PLAN

PROPERTY OWNER/ APPLICANT
 CALVARY CHRISTIAN CENTER
 530 THOMP ROAD, SUITE 301
 YUBA CITY, CA 95903
 PHONE: (530) 754-4700

PROJECT COORDINATOR
 MILESTONE ASSOCIATES, INC.
 830 THOMP ROAD, SUITE 301
 YUBA CITY, CA 95903
 PHONE: (530) 754-4700

UTILITIES
 WATER: CITY OF YUBA CITY
 SANITARY SEWERS: CITY OF YUBA CITY
 STORM DRAINAGE: CITY OF YUBA CITY
 FIRE: CITY OF YUBA CITY
 POLICE: CITY OF YUBA CITY
 GAS: PACIFIC GAS & ELECTRIC
 ELECTRIC: PACIFIC GAS & ELECTRIC
 TELEPHONE: SBC
 PARKS & RECREATION: CITY OF YUBA CITY
 SCHOOL: YUBA CITY UNITED SCHOOL DISTRICT

PARKING DATA
 REQUIRED: SANCTUARY BUILDING (60,000 SF) 2004 SEATERS / 4 SEATERS = 521 SPACES
 ELEMENTARY SCHOOL (15,000 SF) 20 STAFF / 1 STAFF = 20 SPACES
 200 STUDENTS / 10 STUDENTS = 20 SPACES
 BALL FIELDS: 48 SPACES
 TOTAL PARKING REQUIRED: 561 SPACES
 PROVIDED: 612 SPACES
 ACCESSIBLE (8' x 16') 12 SPACES
 TOTAL PARKING PROVIDED: 612 SPACES

SIGN DATA
 ALLOWABLE AREA: 13 SF LITERAL FOOT OF BLOOD FRONTAGE (1,100 SF) 1,033 SF
 PROPOSED AREA: 1,033 SF

LOT DATA
 APPLICABLE: 634,000
 ZONED: C-118 OFFICE COMMERCIAL DISTRICT
 EXISTING USE: UNDEVELOPED
 PROPOSED USE: CHURCH / SCHOOL
 LOT AREA: 1,100,000 SF (2.5 AC)



VICINITY MAP

Milestone Associates Incorporated
 222 TOWNHOMES DRIVE, SUITE 301
 YUBA CITY, CALIFORNIA 95903
 PHONE: (530) 754-4700
 FAX: (530) 754-4700

R. MESSNER CONSTRUCTION
 222 TOWNHOMES DRIVE, SUITE 301
 YUBA CITY, CALIFORNIA 95903
 PHONE: (530) 754-4700
 FAX: (530) 754-4700

Calvary Christian Center
 Spirit Way
 Yuba City, CA 95993
 Pastor Michael Cicciola

A.P.N.
 63-010-090

DD2
 April 17, 2008
 Job #07-620



Milestone Associates
INCORPORATED
Engineers & Architects
200 West 10th Ave, Suite 201
Yuba City, Texas 79605
Tel: 817-620-1000
Fax: 817-620-1001

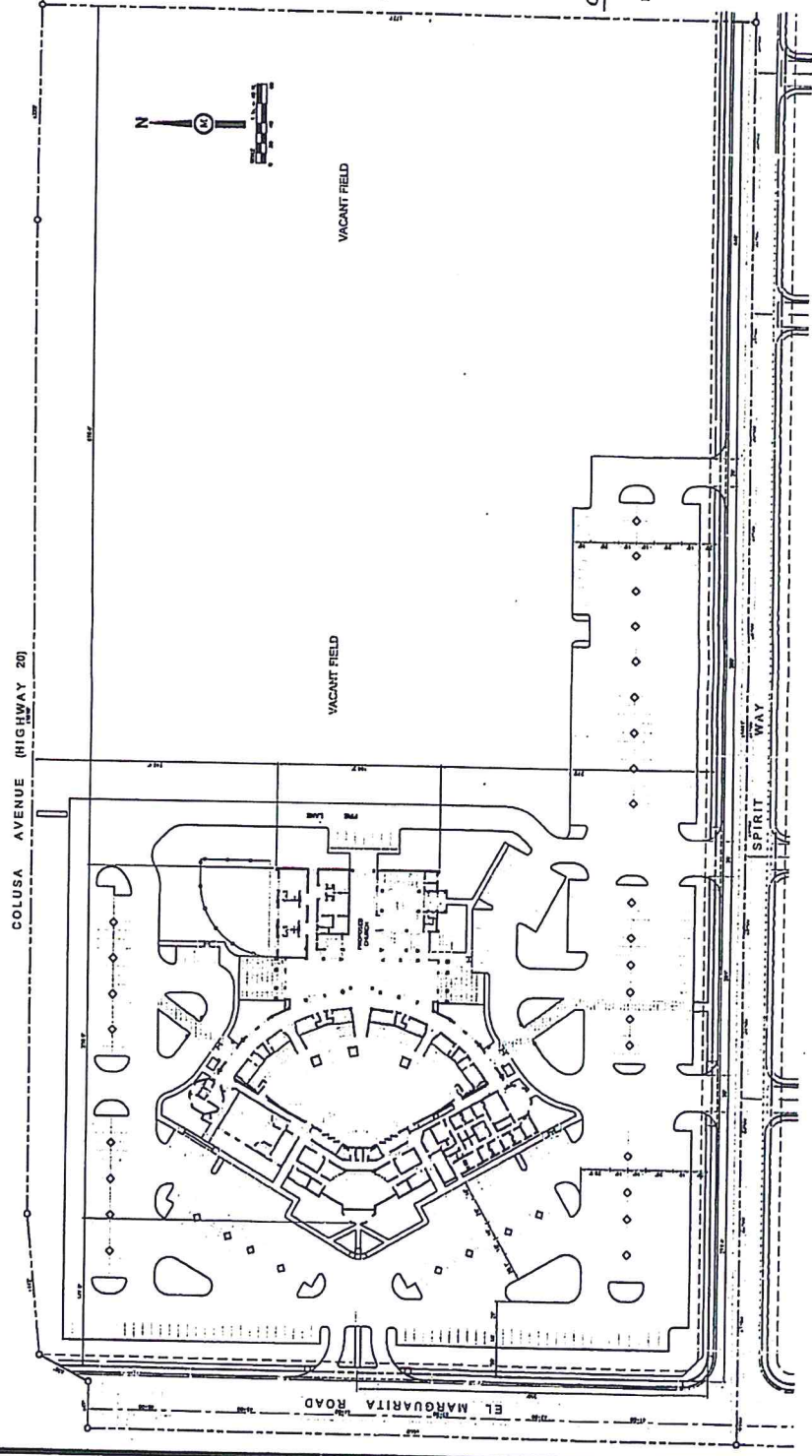
R. MESSNER CONSTRUCTION
3002 NORTH GYMNASIUM, SUITE 500
DOWNTOWN - AUSTIN, TEXAS 78705
PH: (512) 624-1233 FAX: (512) 624-1418

Calvary Christian Center
Spirit Way
Yuba City, TX 79699
Pastor Michael Cicciola
A.P.N. 63-010-090

DD2.1
April 17, 2008
Job 607-620

PARKING DATA	
REQUIRED:	
SANCTUARY (800 SQ FT)	521 SPACES
200+ SEATS / 4 SEATS *	521 SPACES
TOTAL PARKING REQUIRED:	
PROVIDED:	
STANDARD 10' x 18'	518 SPACES
COMPACT 8' x 12'	15 SPACES
TOTAL PARKING PROVIDED:	533 SPACES

PHASE I




CONCEPTUAL SITE PLAN




Milestone Associates Incorporated
 Architects • Engineers
 100 West 10th Street, Suite 200
 Yuba City, Texas 79601
 Tel: 806-938-2000
 Fax: 806-938-2001

PARKING DATA
 REQUIRED:
 SANCTUARY BUILDING (80,018 SF)
 204 SEATS / 4 SEATS *
 ELEMENTARY SCHOOL (16,300 SF)
 20 STAFF / 1 STAFF *
 200 STUDENTS / 10 STUDENTS *
 TOTAL PARKING REQUIRED:
 521 SPACES
 20 SPACES
 20 SPACES
 501 SPACES
 PROVIDED:
 STANDARD (8' x 18')
 ACCESSIBLE (8' x 18')
 TOTAL PARKING PROVIDED:
 552 SPACES
 17 SPACES
 564 SPACES



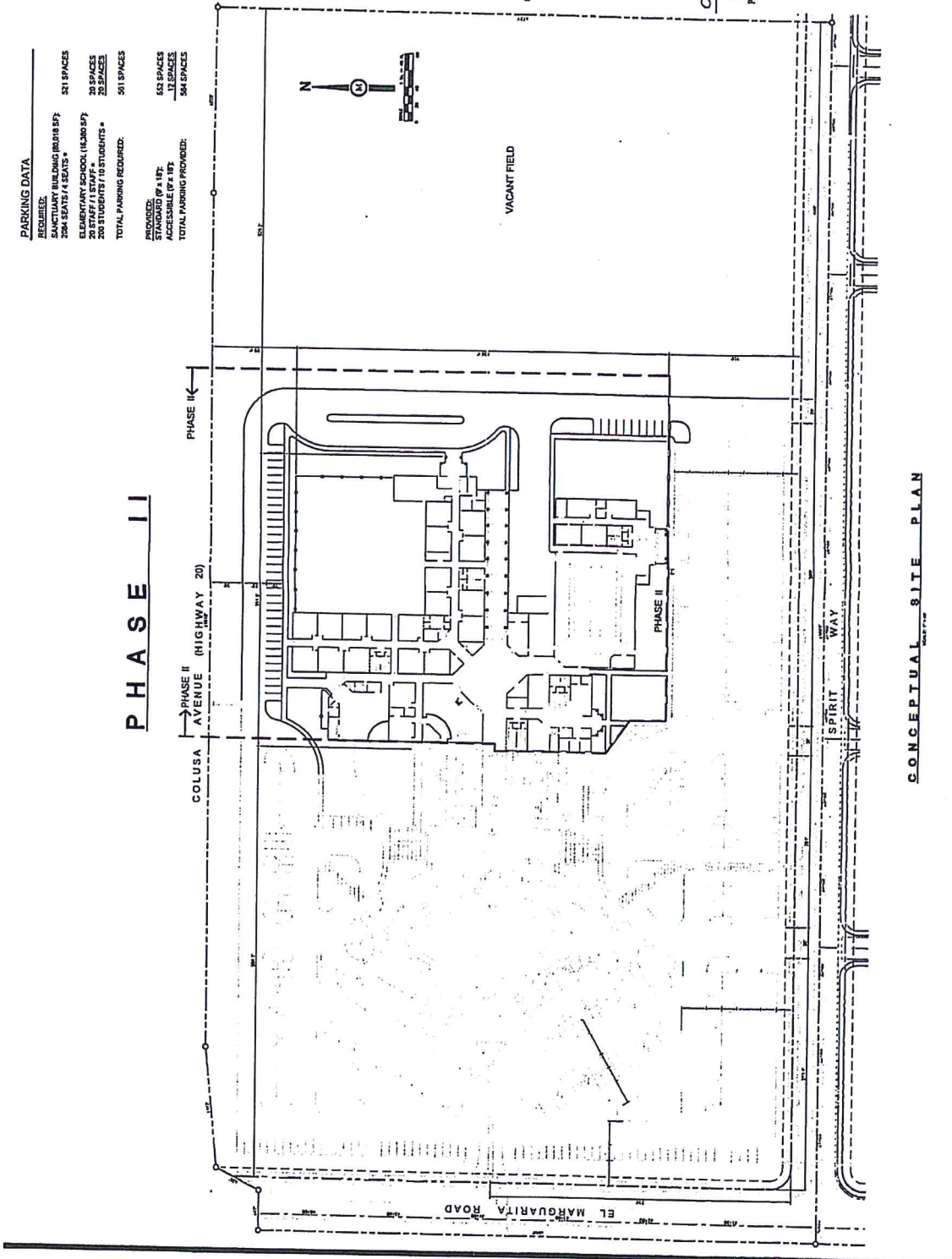
VACANT FIELD



R. MESSNER CONSTRUCTION
 302 NORTH CRYSTAL BLVD. SUITE 500
 WICHITA, KANSAS 67203
 PH (316) 634-1332 FAX (316) 634-1418

Calvary Christian Center
 Spirit Way
 Yuba City, CA 95993
 Pastor Michael Cicciola
 A.P.N. 63-010-090

DD2.2
 April 17, 2008
 Job #07-630



PHASE II

CONCEPTUAL SITE PLAN

PARKING DATA

REQUIRED:	PROVIDED:
SACTUARY BUILDING (8000 SF):	STANDARD (P & LF):
2004 SEATS / 4 SEATS *	ACCESSIBLE (P & LF):
ELMENTARY SCHOOL (10,300 SF):	TOTAL PARKING PROVIDED:
20 STAFF / 1 STAFF *	521 SPACES
200 STUDENTS / 10 STUDENTS *	20 SPACES
BALL FIELDS:	20 SPACES
48 SPACES	48 SPACES
TOTAL PARKING REQUIRED:	609 SPACES

PHASE III



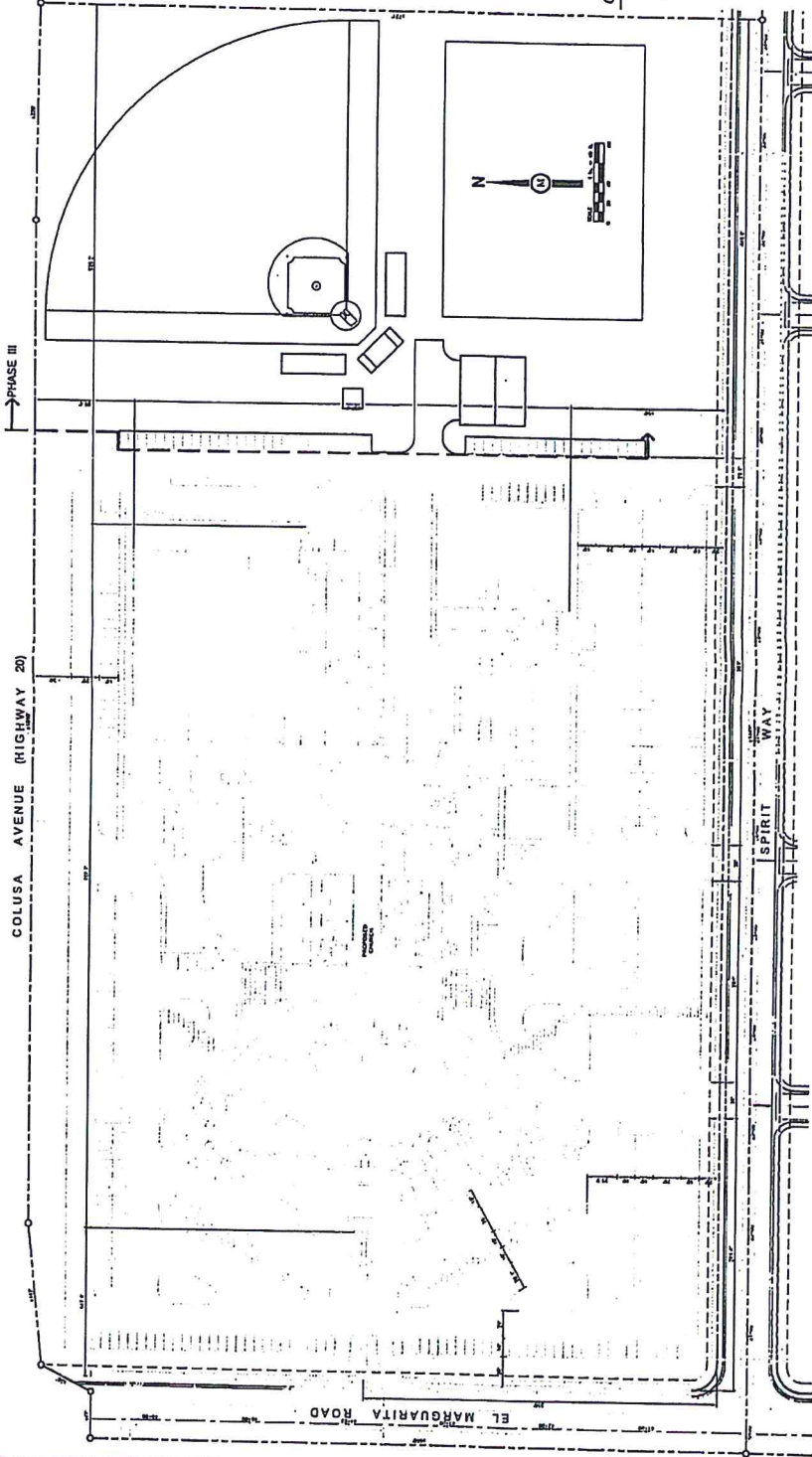
Milestone Associates Incorporated
Engineers • Planners
1000 W. 10th Street, Suite 100
Wichita, KS 67203
Tel: 316-261-1234
Fax: 316-261-1235

R. MESSNER CONSTRUCTION
DON KESSEL - ARCHITECT
208 NORTH CYPRESS, SUITE 200
WICHITA, KANSAS 67203
PH (316) 624-1232 FAX (316) 624-1410

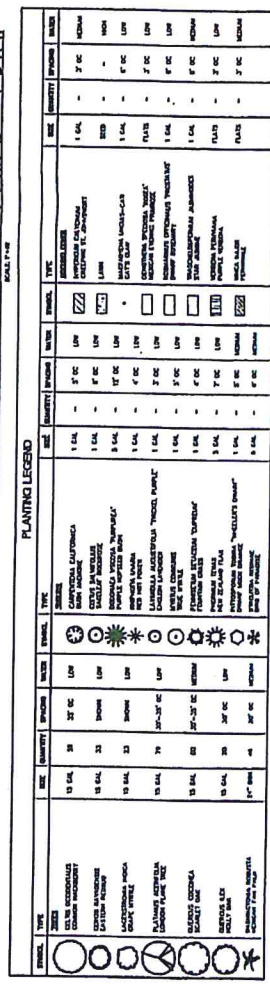
Calvary Christian Center
Spirit Way
Yuba City, TX 75993
Pastor Michael Cicciola

A.P.N.
63-010090

DD2.3
April 17, 2008
Job #07-020



CONCEPTUAL SITE PLAN





Milestone Associates
INCORPORATED
Architects • Engineers
1000 West 10th Street, Suite 200
San Francisco, CA 94118
Tel: 415-774-3000
Fax: 415-774-3001

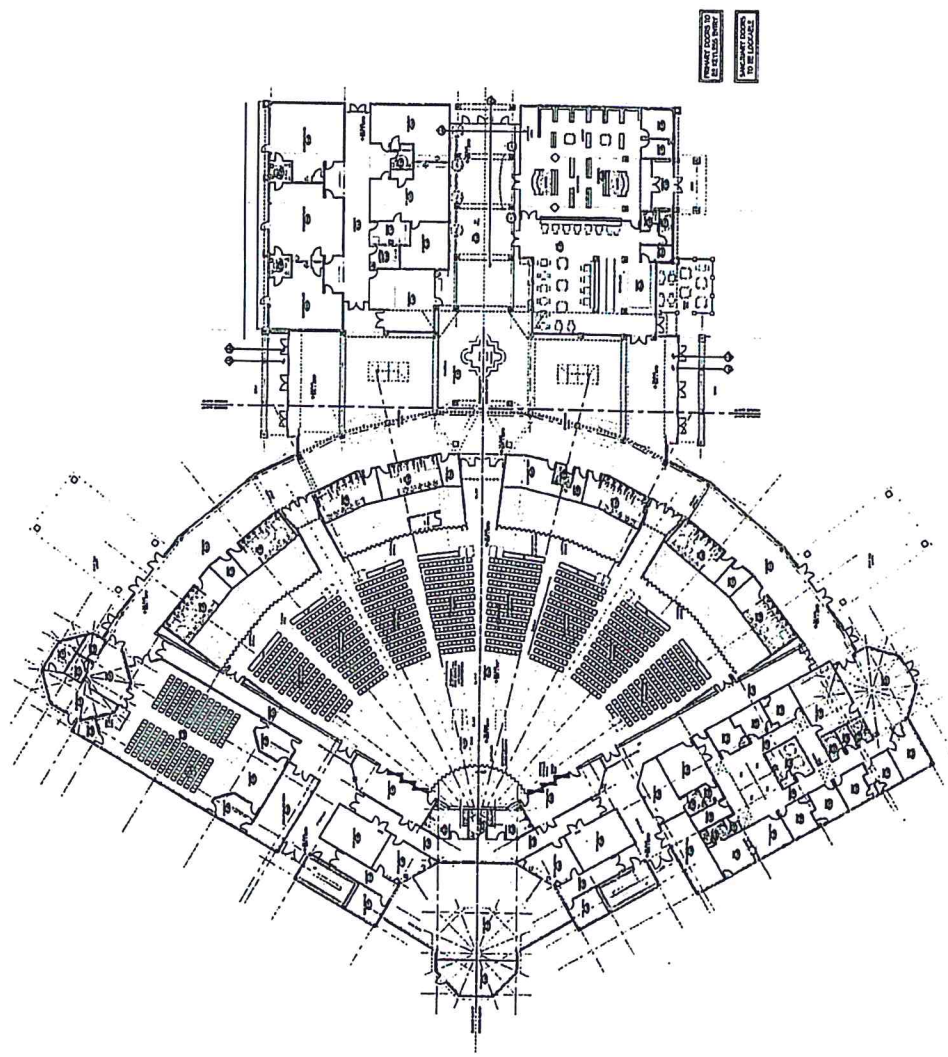
R. MESSNER CONSTRUCTION
DON HANSEN - VICE PRESIDENT
3002 NORTH OLYMPIA STREET
VANALISA, ILLINOIS 60155
PH: (312) 634-1332 FAX: (312) 634-1418

Calvary Christian Center
Spirit Way
Yuba City, CA 95993
Pastor Michael Cicciola

A.P.N.
61-010-090

DD4
April 17, 2008
Job: 207-620

PROPOSED BUILDING	
FIRST FLOOR	70,704
SECOND FLOOR	5,341
GALLERY MEZZANINE	3,973
TOTAL	80,018
SEATING SCHEDULE	
SANCTUARY	1075
TIERED SEATING	1044
CHORUS/CHORAL	100
CHAIR	14
TOTAL	2,233



PHASE I
OVERALL FLOOR PLAN



121 125-75-028
122 125-75-027
123 125-75-026

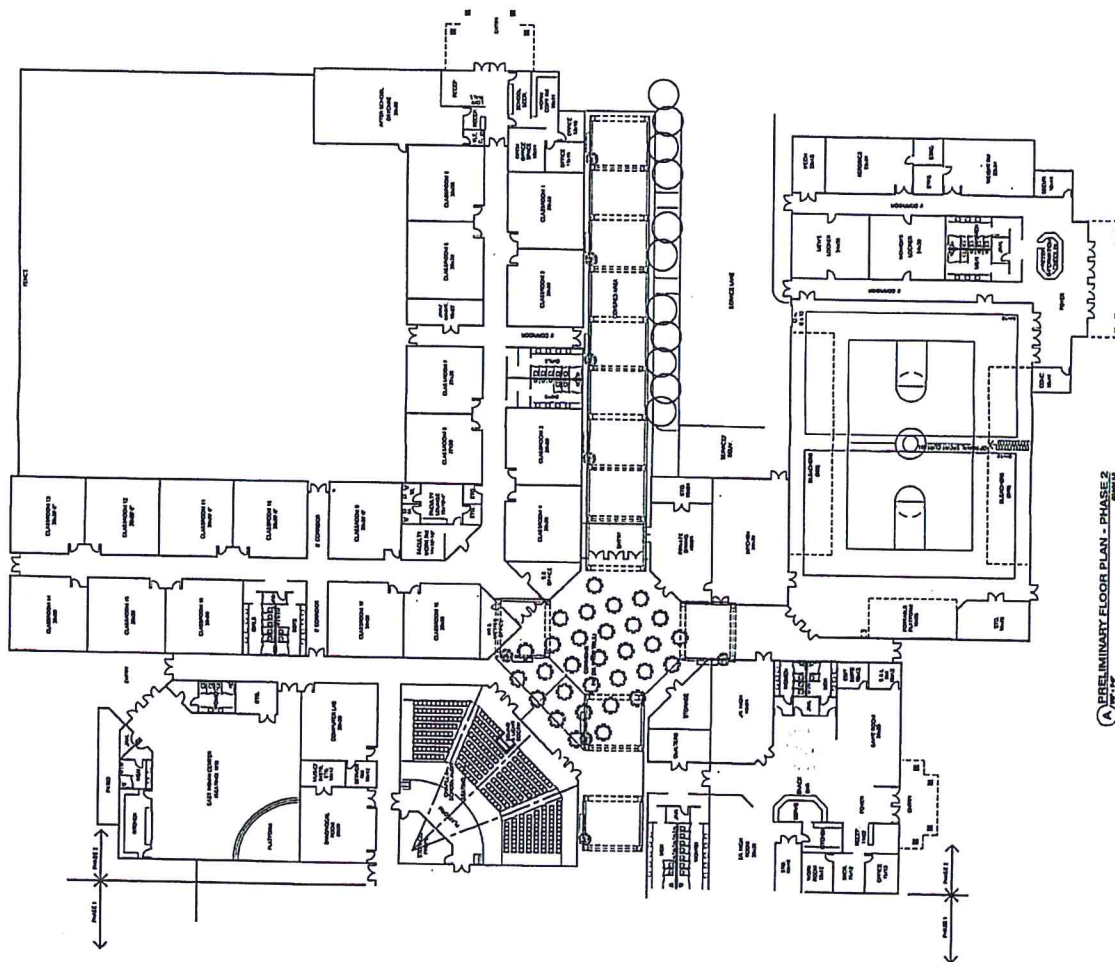
R. MESSNER CONSTRUCTION
DON KIMBLE • ARCHITECT
322 NORTH CYPRESS, SUITE 500
WICHITA, KAN 67208
PH (316) 624-1222 FAX (316) 624-1418



*Calvary
Christian Center*
Spirit Way
Yuba City, CA 95993
Pastor Michael Ciochiola

APN.
63-010-090

DD4.1
April 17, 2008
Job #07-620



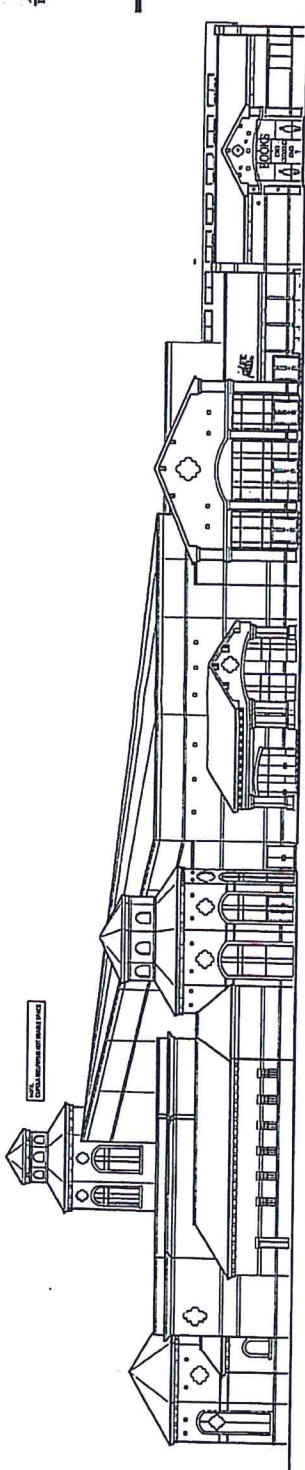
A PRELIMINARY FLOOR PLAN - PHASE 2
1/8" = 1'-0" 02/20/2018



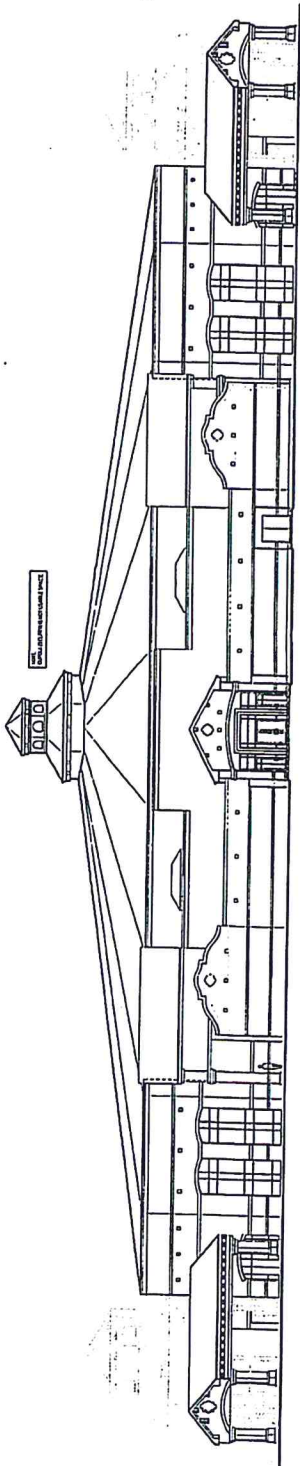
**Milestone
Associates
INCORPORATED**

222 NORTH OLYMPIA, SUITE 400
MONTANA, MONTANA 59101-1418
PH (406) 834-1122 FAX (406) 834-1418

R. MESSNER CONSTRUCTION



A SOUTH ELEVATION



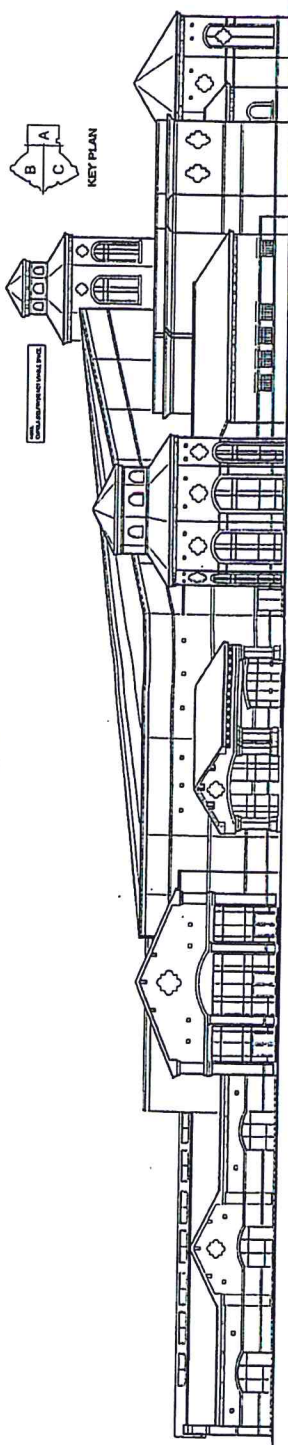
B EAST ELEVATION



KEY PLAN

**Calvary
Christian Center**
Spirit Way
Yuba City, TX 75593
Pastor Michael Cleoids

A.P.N.
63-010-090



C NORTH ELEVATION

DD5
April 17, 2008
Job: 207-520



**Milestone
Associates
INCORPORATED**

Architects • Engineers

100 WEST 9TH AVE. SUITE 200

YUBA CITY, CALIFORNIA 95901

TEL 916-782-0000

FAX 916-782-0000

R. MESSNER CONSTRUCTION



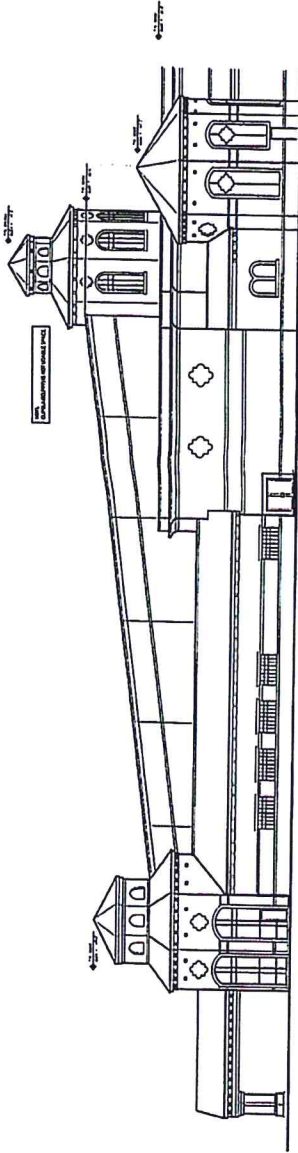
302 NORTH OLYMPIA BLVD. SUITE 500
WICHITA, KANSAS 67208
PH (316) 624-1322 FAX (316) 624-1418

DON KRAUSE - ARCHITECT

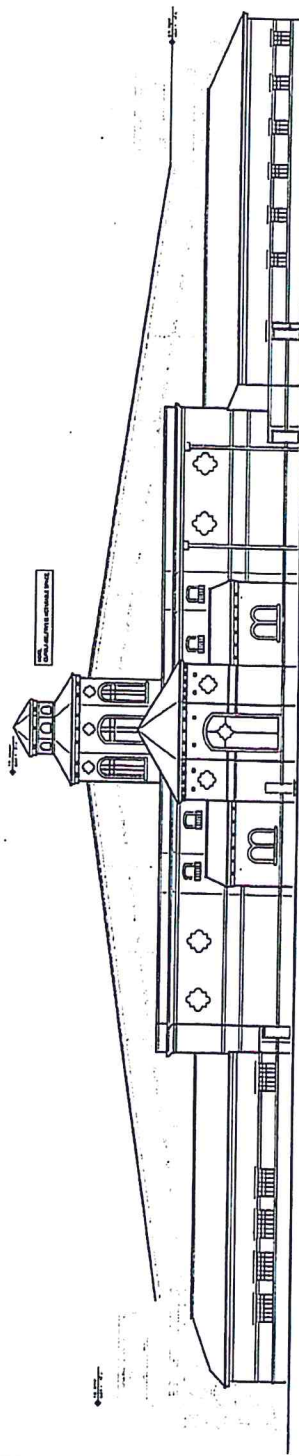
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WICHITA, KANSAS 67208

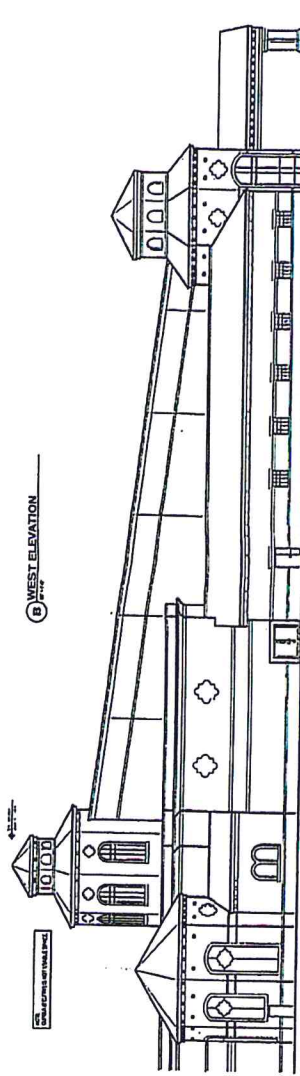
PH (316) 624-1322 FAX (316) 624-1418



A SOUTHWEST ELEVATION



B WEST ELEVATION



C NORTHWEST ELEVATION



DD5.1

April 17, 2008

Job: 207-630

**Calvary
Christian Center**

Spirit Way

Yuba City, CA 95993

Pastor Michael Cicciola

A.P.N.

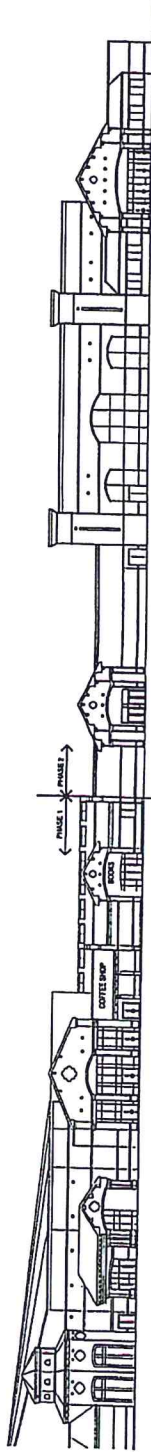
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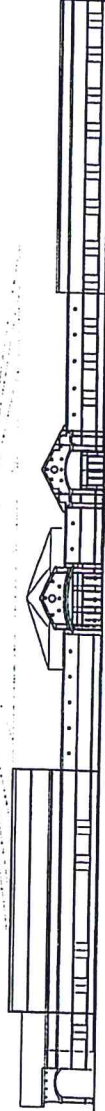
**Milestone
Associates
INCORPORATED**

Architects • Engineers
300 West 10th Street, Suite 200
Wichita, Kansas 67203
Tel: 316-261-1000
Fax: 316-261-1001
www.milestoneassoc.com

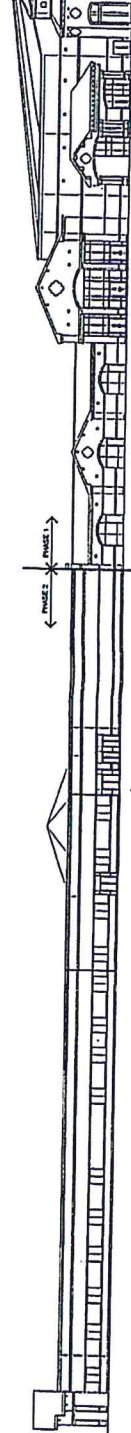
R. MESSNER CONSTRUCTION
DONOVAN - ARCHITECT
322 NORTH CYNTHIA, SUITE 600
WICHITA, KANSAS 67203
Tel: 316-261-1322 FAX: 316-261-1418



Ⓐ SOUTH ELEVATION - PHASE II



Ⓑ EAST ELEVATION - PHASE II



Ⓒ NORTH ELEVATION - PHASE II

**Calvary
Christian Center**
Spirit Way
Yuba City, CA 95993
Pastor Michael Cicciola

A.P.N.
63-010-090

DD5.2
April 17, 2008
Job #07-630

AGENDA ITEM

6



**CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT**

Date: December 13, 2017

To: Chairman and Members of the Planning Commission

From: Development Services Department

Presentation By: Ed Palmeri, Senior Planner

Public Hearing: Proposal to create three commercial lots ranging in area from 0.45 to 0.70 acres, and a 2 acre remainder on approximately 3.76 acres.

Project Location: The 3.76-acre project site is located at 1240 Bridge Street on the southeast corner of State Route 99 and Bridge Street. The site is identified as Assessor's parcel number 51-130-044 (Attachment 1).

Project Proposal:

The project consists of the following components:

1. *Tentative Parcel Map (TM) 17-03:* Tentative parcel map to create three commercial lots and a remainder parcel.
2. *Environmental Assessment (EA) 17-11:* An environmental assessment that the project is categorically exempt pursuant to California Environmental Quality Act (CEQA) §15315 Minor Land Divisions.

Background:

The proposed project consists of a Tentative Parcel Map creating three lots and a remainder parcel (Attachment 3). The three proposed parcels are 0.58 (Parcel 1), 0.70 (Parcel 2), and 0.45 acre (Parcel 3) in area. The proposed remainder parcel is 2.02 acres.

The 1.73 acre site previously housed several buildings. All of the structures and parking area have been removed in anticipation of new development.

Access and Public Improvements:

There is currently a drive approach located in the middle of the existing parcel that has been used by the public as a vehicle drive connection between North Palora Avenue and Bridge Street. After a thorough records search, it has been determined that the drive is not a recorded access easement or dedicated road allowing the public for through-use. There is however a 20 foot wide easement that contains an 84 inch diameter storm drainage pipe. The existing pipe will not be impacted as part of this development.

At the time of construction on the proposed three lots, necessary pedestrian access and parking will be provided on the individual parcels. The applicant has also indicated they intend to allow the public to continue to travel between Whyler Road and Bridge Street. Staff is recommending that a 60 foot wide cross access easement be incorporated in the project conditions of approval.

Although streetlights are not required at this time, staff is recommending a condition of approval that the site participate in the City's Lighting Maintenance District for purposes of maintaining streetlights. Given parcel configuration, it is anticipated that several streetlights will be required as part of future development.

An 8 inch water line will extend from Bridge Street to Whyler Road to serve the proposed 3 lots. The exact location of the water line will be determined with development plans for the three parcels. Staff is recommending that a 10-foot wide easement to accommodate the 8-inch water line be recorded with improvement plans for the three proposed lots.

Remainder Parcel

The Subdivision Map Act Government Code §66424.6 regulates "Remainder or Omitted Parcels." Remainder parcels are not counted for purposes of determining which map is required, as long as the parcel is designated as such and is not being subdivided for sale, lease or financing. Improvements or fees associated with improvements are deferred until a permit or other approval is issued for the development of the remainder parcel. Moreover, although the remainder parcel may be sold without any requirement of filing a parcel or final map, the City may require a conditional certificate of compliance.

Property Description:

The site is relatively flat with no unique topographic features and drains to the southwest. There are no rock outcroppings, heritage-type trees, or buildings on the site. The area will drain to a south where it will connect with existing storm water facilities.

Access to the site is from Bridge Street on the north side and Whyler Road on the south side. Both streets are fully improved streets with curb, gutter, and sidewalk.

Bordering Uses:

<i>Table 1: Bordering Information and Uses</i>			
	<i>General Plan Land Use Classification</i>	<i>Zoning</i>	<i>Existing Land Use</i>
<i>Project Site</i>	Community Commercial	C-3	Vacant land Remainder is Commercial, Office, Retail and Restaurant
<i>North</i>	Community Commercial	C-3	State Route 20
<i>East</i>	Low Density Residential	R-1 and R-2	Single Family Residential
<i>West</i>	State Route 99		Highway
<i>South</i>	Community Commercial and Low Density Residential	C-3 and R-1	Recreational Vehicle Storage

General Plan Land Use Classification:

Existing Land Use Classification: Community Commercial General Plan. This classification encourages development of a shopping center typically anchored by retail outlets with a regional draw, including “big box” retail establishments, department stores, and regional shopping malls. Examples are the Sam’s or Wal-Mart shopping centers. The classification also permits auto and visitor oriented commercial uses. Development intensity for buildout projections is assumed at a 0.25 Floor Area Ratio (FAR). The maximum FAR is 0.5, excluding housing.

Zoning:

Existing Zoning: The site is currently zoned C-3 (General Commercial District). The C-3 district is intended to provide for the entire range of commercial uses. It is consistent with the Community Commercial and Regional Commercial General Plan designations.

The property development standards as outlined in the Municipal Code Section set forth the property development standards, including minimum lot sizes, yards, setbacks, exterior lighting, fences, walls and hedges, landscaping, parking, and refuse collection all of which will be addressed at the time of development. Worth noting is that the Municipal Code establishes that new lots shall have a depth to width ratio not to exceed three times deeper than it is wide and a minimum 20,000 square foot (0.49 acre) lot area. The proposed parcels comply with all C-3 lot requirements.

Previous Commission/Council Actions:

No recent Planning Commission or City Council Action.

Staff Comments:

Compatibility with surrounding uses is a critical issue that must be considered for this project. The project is in an area that is developed with a variety of commercial, retail, and residential uses. Both the General Plan and zoning for the areas to the east are designated and classified for commercial and retail development.

It should be noted that the Subdivision Map Act (SMA) Section 66426 allows for the filing of a

parcel map to create five or fewer commercial lots when the parcels have access to a public street or highway, the land is zoned for commercial use, and access complies with City standards.

Improvements such as lighting, landscaping, pedestrian walkways, parking and parking lot landscaping, will be a part of the improvement plans. It should be noted that the chain-link fence along State Route 99 is on Caltrans property. The applicant will be required to replace the chain-link fence with wrought-iron fencing as part of the landscaping improvement plans.

Availability of City Services:

All City services, including water, sewer and storm-water drainage are available to serve this site.

Environmental Determination:

Pursuant to California Environmental Act (CEQA) Article 19. *Categorical Exemptions* After reviewing and considering the project in its entirety, a determination has been made that the Project is categorically exempt pursuant Section 15315 Minor Land Divisions Class 15 of CEQA Guidelines. Class 15 exemption consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

The proposed project involves the division of land into three parcels that comply with General Plan policies and zoning requirements. The project site has not been subject of a recent division of land and is relatively flat with an average slope that is not greater than 20 percent.

Recommended Action:

Findings:

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the General Plan, its compatibility with surrounding uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment.

Yuba City Municipal Code Section 8-2.609, and the California Subdivision Map Act require that findings be made in order to approve a tentative parcel map. Provided below is an evaluation of the findings required to approve the tentative map. The required findings are in italics.

1. Environmental:

After reviewing and considering the project in its entirety, a determination has been made that the Project is categorically exempt pursuant Section 15315 Minor Land Divisions Class 15 of CEQA Guidelines.

Staff Analysis: As noted above, a determination has been made that the project is categorically exempt in that the proposed project involves the division of land into three parcels and a remainder parcel that comply with General Plan policies and zoning requirements. The project site has not been subject of a recent division of land and is relatively flat with an average slope that is not greater than 20 percent.

2. Parcel Map:

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

Staff Analysis: The proposed tentative parcel map will create 3 commercial lots ranging in size from 0.45 to 0.70 acre and one 2.02 acre remainder lot. The proposed parcel map conforms to the General Plan and the Yuba City Zoning Regulations in all respects. Specifically, the proposed parcels comply with all zoning and development standards for the future development of the lots with commercial/retail uses.

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

Staff Analysis: The project site accommodates the proposed development and all required improvements including necessary easements for water, storm drainage, and drive aisles.

- C. *The design of the parcel map or the proposed improvements is not likely to cause substantial environmental damage and the types of improvements are not likely to cause serious public health problems.*

Staff Analysis: Division of the property into three parcels and a remainder parcel will not result in environmental damage or public health problems.

- D. *The design of the parcel map 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 parcel map.*

Staff Analysis: The project is designed to provide shared parking, access, maintenance, etc. The appropriateness of the proposed project has been examined with respect to its consistency with the General Plan and its compatibility with surrounding uses. These factors have been evaluated as described above and the environmental assessment. Staff has determined that the proposed lots are consistent with General Plan policies, Municipal Code requirements, and compatible with surrounding uses.

Commission Action:

Staff recommends that the Planning Commission:

1. Find the project is categorically exempt pursuant to California Environmental Quality Act Section 15315 Minor Land Divisions.
2. Approve Tentative Parcel Map 17-03, subject making the necessary finds and to the conditions provided in Conditions of Approval (Attachment 2).

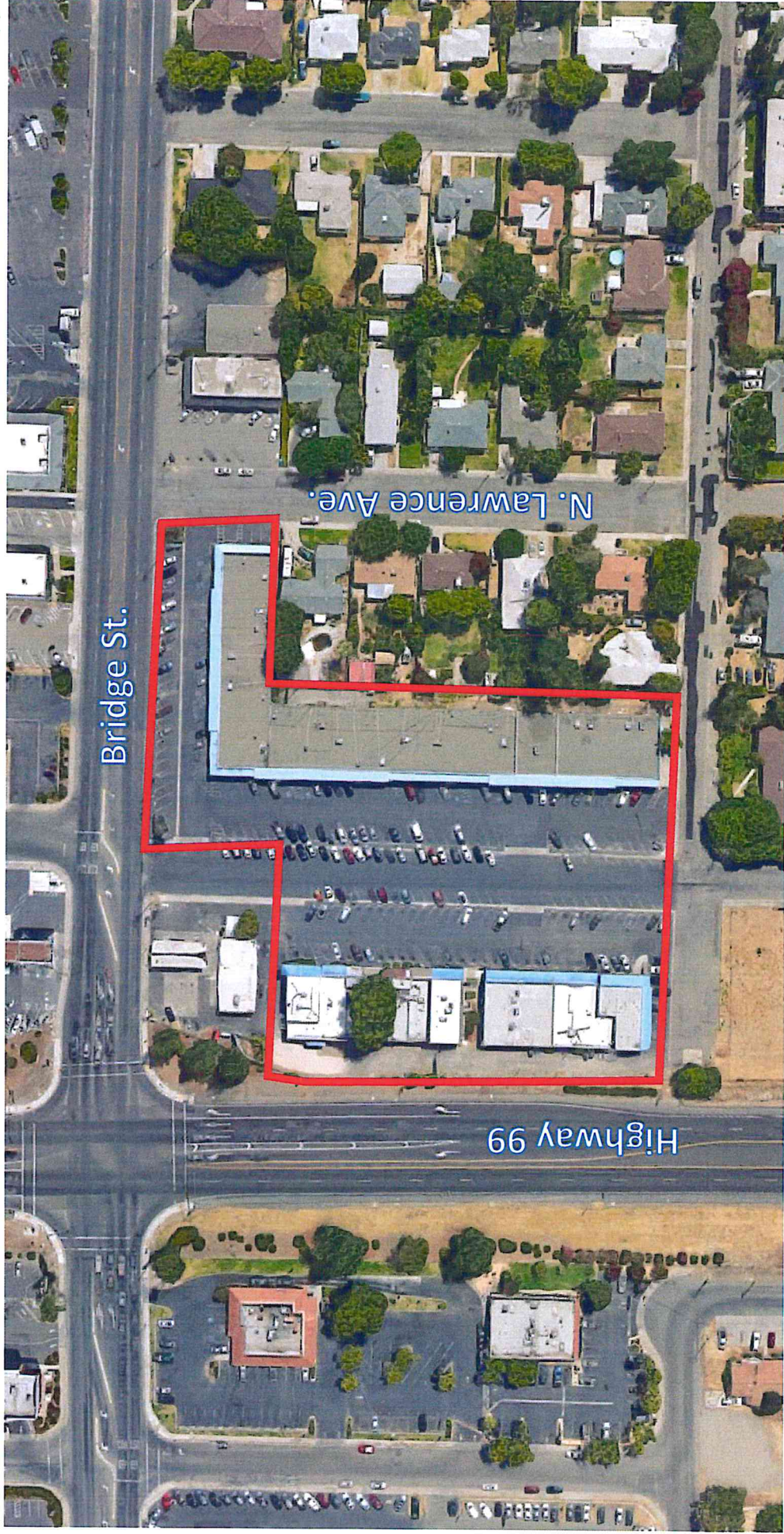
Attachments:

1. Aerial photo/Location Map
2. Conditions of Approval
3. Proposed Tentative Parcel Map

Attachment:

1. Aerial photo/Location Map

Attachment 1: Aerial Photo



Attachment:

2. Conditions of Approval

ATTACHMENT 2

**TENTATIVE PARCEL MAP 17-03
CARRIAGE SQUARE LP**

CONDITIONS OF PROJECT APPROVAL

Contents

Categorical Exemption 2

General 2

Expiration and Development Impact Fees 2

Planning Division 2

Public Works 4

Fire Department..... 6

CATEGORICAL EXEMPTION

1. A determination has been made that the project is categorically exempt pursuant to the Guidelines for California Environmental Quality Act § 15000 – 15387 California Code of Regulations Title 14, Chapter 3 State of California Article 19. Categorical Exemptions § 15315. Minor Land Divisions. Class 15.

GENERAL

2. Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this tentative parcel map, the Zoning Ordinance, 2016 Uniform Building Code, and all Public Works Standards and Specifications. The City shall not assume responsibility for any deletions or omissions resulting from the permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
3. The applicant/property owner agrees to defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, damages, liability or actions arising out of or connected with this Agreement, except to the extent such liabilities are caused by actions of the City.

EXPIRATION AND DEVELOPMENT IMPACT FEES

4. Approval of Tentative Parcel Map No. 17-03 (TM 17-03) shall be null and void without further action if either the project has not been substantially commenced within two years of the approval date of TM 17-03 or that a request for an extension of time, pursuant to Section 8-5.7106 of the Yuba City Municipal Code (YCMC) has been submitted to the City.
5. Development Impact Fees. Impact fees shall be paid pursuant to the YCMC.

PLANNING DIVISION

6. Tentative Map TM 17-03 shall comply with the Conditions of Approval.
7. Tentative Map TM 17-03 is approved as shown in Attachment 3.
8. Approval of Tentative Map TM 17-03 shall expire two years from the date of the project approval. The map shall expire on December 13, 2019.
9. The lot design on the Parcel Map shall be designed in conformance with the approved Tentative Parcel Map as filed with Development Services Department.
10. 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.

11. The approved tentative parcel map shall be constructed per the tentative map approved by the Planning Commission.
12. Property owner/developer shall enter into an agreement in the form of a covenant which shall be recorded against the property with the County of Sutter. Each of the covenants, conditions, and restrictions contained in this Statement shall run with the Subject Property and shall be binding on each successive owner of the Subject Property, his heirs, representatives, successors, and assigns. The covenant shall include:
 - a. *Landscape Maintenance:* For the installation and maintenance of landscaping facilities along the property frontage with State Route 99. The limits and details of the landscaping facilities shall be shown on the plans submitted for review and approval by the City prior to the issuance of building permits for Parcels 1, 2, and 3. The agreement shall run with the land and be binding on all future owners and their successors in interest their respective successors, assigns, and their past, present and future officers, employees and agents.
 - b. *Architectural Design:* The subject property shall be developed only with buildings which adhere and conform, in a uniform fashion, to the exterior architectural design of other structures located on the subject property and in a manner which is suitable, harmonious, and in keeping with the general appearance, character, and/or style of the subject property. Exceptions may only be made for buildings affiliated with a tenant wherein a "corporate" identity, image, or appearance is required to be maintained, in which case the architectural character and defining features of a building shall be compatible with and complementary to the other structures located on the subject property excepting only those design modifications required to maintain said "corporate" identity.
 - c. *Master Sign Program:* Each owner of the subject property, or portion of the subject property, and each successor shall participate in a master sign program for the planned, unified development of the subject property. The master sign program must be approved by the Development Services Director for the entire development before individual sign permits for the subject property will be issued. The master sign program shall consider the size, design, colors, character and location of the proposed signs, with exception of wall signs.
 - d. *Shared Use:* Whereas the owner shall prepare a covenant *for shared use of* parking areas, driveways, driveway approaches, landscaping, landscape irrigation, water for domestic and fire suppression systems, common sewer branches, gas, electric, tele-communication services, refuse container enclosures, emergency accesses, required walls/fences and other requirements in accordance with the approved Parcel Map and any amendments thereto, hereinafter referred to as "Special Permit."
13. Pedestrian walkways, pathways, and concrete improvements shall be treated consistently and uniformly for each property within the limits of the subject property.

14. Exterior and parking lot lighting installed on each property within the limits of the subject property shall be of a consistent fixture and uniform style and type, which is complementary to the architectural style of the structures on the subject property.
15. The existing pole signs shall be removed.

PUBLIC WORKS

General

16. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.
17. 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.
18. The Developer, at their expense, 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.
19. Storage of construction material is not allowed in the travel way.

Prior to approval of Improvement Plans

20. An encroachment permit from the State of California Department of Transportation will be required for all work to be done within any State Highway right-of-way. Encroachment Permit staff can be reached at (530) 741-4403. A copy of this permit must be supplied to the City prior to approval of the improvement plans.
21. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
22. 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.
23. 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, 4" minimum for collectors and 5" minimum for 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 streets

A copy of the geotechnical investigation, including R-value, test locations and structural section calculations, shall also be submitted with the first improvement plan check.

24. Striping, pavement markings and traffic signage shall be provided as required by the Public Works Department.
25. Prior to the approval of the Improvement Plans, the Developer shall submit to Gilsizer Drainage District a drainage plan for any drainage improvements that utilize the District's facilities for approval.
26. 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. "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. "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."
 - d. "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)."
 - e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."
27. The curb, gutter, and sidewalk within the City right-of-way 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, all sidewalks along the City right-of-way shall be free of any non-control joint cracking. Any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

Prior to Final Map Recordation

28. A public utility easement shall be provided along the City street frontages (Bridge Street and Whyler Road) extending 10 feet behind the back of the sidewalk.

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. A 10-foot wide waterline easement shall be centered along the proposed 8" waterline. The waterline shall be installed to connect existing City facilities in Bridge Street and Whyler Avenue. It shall be shown on the improvement plans and installed as part of this development.
31. Show location of existing 60.0 foot wide easement, or provide easement documentation to City for City's review for determination if easement is still needed.
32. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting Maintenance District for the purpose of maintaining the street lights. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.

Prior to Certificate of Occupancy

33. Prior to the issuance of a certificate of occupancy, all reduced pressure backflow preventers shall be tested and a back flow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.

FIRE DEPARTMENT

34. Carriage Square shall provide separate fire water supply and backflow device per City standard W-17 for each parcel.

Attachment:

3. Proposed Tentative Parcel Map

ATTACHMENT 3 TENTATIVE PARCEL MAP

