



CITY OF YUBA CITY  
PLANNING COMMISSION  
STAFF REPORT

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**Meeting Date:** July 24, 2019

**To:** Planning Commission

**From:** Development Services Department

**Presentation By:** Vicrim Chima, MA, Planning Manage

**Application No & Applicant:** UP 19-01, Fur and Feathers Luxury Pet Resorts, LLC.

**Project Location:** The project will be developed on a vacant half-acre parcel located on the north side of Poole Boulevard, between Stabler Lane and Tharp Avenue (APN: 59-131-017, Attachment A)

**Project Description:** The construction of a new 4,800 square foot building and the improvement of the site to operate an animal boarding facility with gated outdoor areas and perimeter block wall. (UP19-01)

**Environmental Determination:** The project is Categorically Exempt from the preparation of environmental documents pursuant to Article 19, Section 15332 of the California Environmental Quality Act (CEQA), In-Fill Development Projects. Projects which meet specific criteria have been determined not to have a significant effect on the environment and are therefore, exempt from the provisions of CEQA.

**Recommendation:** Conduct a public hearing, find the project Categorically Exempt from CEQA and approve UP 19.01 based upon the findings and conditions of approval attached to the staff report.

**Property Description:**

The subject site is a 0.51-acre parcel and is currently vacant. Improved with curb, gutter and sidewalk along its southern border, the lot is one of the few remaining undeveloped sites along this block of Poole Boulevard between Tharp Avenue and Stabler Lane. Surrounding adjacent properties to the north, west, and east have all erected chain link fences around their sites. All City services, including water, sewer, and storm water drainage are available to the site.

**Project Description:**

Staff considered the operation, capacity and nature of the business as described in a statement from the owner (see Attachment B). The proposed 4,800 square foot metal building (80' x 60') would include approximately 45 climate-controlled suites for daytime and overnight sheltering a combination of dog, cats, and birds. At peak operation 6 employees would care for up to 50-60 dogs. The floor plan depicts a

reception/office area for animal intake, areas for large, medium, and small dogs, separate areas for cats and birds, four indoor play areas, and a kitchen for food preparation and clean up. Animals will be take onto the outdoor play areas in groups as large as ten, but under normal circumstances, each outdoor area will not be used to capacity and not areas will be employed at the same time. No groups of animals will be allowed in the outdoor areas before 7 a.m. and after 6 pm.

The site plan (see Attachment C) depicts the building footprint situated behind a surface parking lot providing driveway access from the street to 10 surface parking spaces. The site plan also depicts the construction of a new trash enclosure to the west of the main building and five outdoor gated play areas. These outdoor areas would be separated by concrete block walls and accessed by staff through ornamental steel gates. Along with the main building, the interior concrete block walls and gates, trash enclosure, and landscaping, the applicants propose to erect a perimeter block wall along the northern, western, and eastern edges of the property. The perimeter six-foot-tall block wall is meant to be a barrier insulating adjacent properties from operational impacts. The building would be 0.54 FAR well under the FAR maximum, and as it's combination of industrial and office parking uses, it also meets parking requirements.

**Neighborhood Context:**

The surrounding land use context is urban, with commercial, institutional, and light industrial uses surrounding the subject property. Situated between a major collector (Tharp Avenue) and a minor arterial (Stabler Lane), the site is readily accessible and centrally located with transportation and pedestrian access, as well as city services to support the operation of the proposed pet boarding and grooming services. No residential uses are in close proximity to the project site.

The following table provides the General Plan Land Use designations and Zoning for the project site and adjacent properties, as well as existing land uses:

<i>Table 1: Project and Neighborhood Context</i>			
	General Plan Land Use Classification	Zoning	Existing Land Use
<i>Project Site</i>	Business, Technology, & Light Industry	C-M	Vacant
<i>North</i>	Community Commercial	C-2	Bel-Air Shopping Center
<i>East</i>	Business, Technology, & Light Industry	C-M	Commercial Office and Warehouse
<i>West</i>	Business, Technology, & Light Industry	C-M	Commercial Office and Warehouse
<i>South</i>	Business, Technology, & Light Industry	C-M	Commercial Office and Warehouse

**Existing General Plan Land Use Designation:**

The Business, Technology, and Light Industry designation provides for freestanding sites and campus/complex development accommodating flexible uses of space. Identified land uses for this designation include research and development activities, light industrial uses, office uses, high-tech uses, and small-scale distribution uses. The maximum permitted FAR is 0.75.

**General Plan Policies:**

The General Plan provides the following Guiding and Implementing Policies relating to commercial office areas and pertinent to this project:

**Table 2: Applicable City Policies**

<i>Guiding Principles</i>	
3.4-G-1	Maintain a well-defined compact urban form, with a defined urban growth boundary and urban development intensities on land designated for urban uses.
3.4-G-2	Promote a balanced land use program that increases the ability of people to live and work in the city.
<i>Implementing Policies</i>	
3.4-I-7	Promote infill development that maintains the scale and character of established neighborhoods.

**Zoning District Classification:**

**Existing Zoning:** The site is zoned Heavy Commercial/Light Industrial (C-M). The C-M zoning district is intended to provide a transition between commercial and industrial areas. The District provides for selected sales and services that are often considered inappropriate in primary retail areas due to size or operating characteristics, as well as various light industrial types of uses. This District is consistent with the Community Commercial, Regional Commercial, and Light Industrial General Plan Designations.

**Staff Comments/Zoning Consistency:**

The operation of a pet boarding and grooming facility is not specifically addressed in the Zoning Code. However, the C-M Zone permits the establishment of a veterinary use with no outdoor boarding. The list of intended uses within each district is not comprehensive. Where a proposed land use is not specifically listed by a district, the zoning code allows the Planning Director to determine if the use is a permitted use, or the use is permitted given a Use Permit is secured. City staff finds that the operation of an indoor animal boarding and grooming facility, though not identical to a veterinary clinic, similar to such a facility in that their primary function is the health and care of the animals, though the animal boarding use should be the subject of Use Permit review. The Planning Commission will make a determination on the proposed Use Permit for the animal boarding facility. As part of the Use Permit review, the Commission should further discuss the proposed outdoor plays area for the animals to determine if the applicants proposed hours for use of the outdoor area appropriate.

**City-wide Design Guidelines**

Fur and Feathers Luxury Pet Resorts, LLC, operate other boarding and grooming facilities in California and they propose to mimic the exterior design and interior program of those facilities as depicted in the submitted photographs (Attachment E) and elevations (Attachment F). Although the corrugated metal building is simple in material, design, and finish, it is not unlike other development that currently exists along this segment of Poole Boulevard. The majority of buildings along the street are designed with horizontally oriented, low scale office buildings, fronting larger, taller corrugated metal warehouses

behind them. The applicant has included some architectural elements to reduce the visual impact of the large blank space on the south facing elevation of the plan set. But there are examples of freestanding metal structures without these low scale office components in front of them, and there are metal buildings accented with the architectural elements proposed for the new structure. The building is consistent with applicable design guidelines. The applicant provided generalized landscape plans and detailed plans will be required at the submission of building permit.

**Previous Commission Action:**

None

**Municipal Service Status:**

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

**Required Findings:**

Staff has analyzed the project to ensure consistency with General Plan goals and policies, Citywide Design Guidelines, and applicable Zoning Code standards. These goals, guidelines, policies and standards ensure the projects compatibility with surrounding uses, and that the project scope does not to have a significant impact on the environment.

**Environmental Determination:** The project is Categorically Exempt pursuant to Section 15332 In-Fill Development Projects.

**Staff Analysis:**

All of the criteria provided in Section 15332 will be met by this project including:

- (1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (2) The proposed development is occurring within the city limits on a project site of no more than five acres.
- (3) The project site has no value as habitat for endangered, rare, or threatened species.
- (4) Project approval will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (5) The site can be adequately served by all required utilities and public services.

Additionally, none of the exceptions to the Categorical Exemption set forth in CEQA Guidelines Section 15300.2 apply to this project.

**1. Use Permit: 19-01**

Based upon analysis of the Use Permit application and subject to the applicant's compliance with the conditions of approval, the following required findings of Section 8-5.7003 (d) of the Municipal Code can be made:

*a. The proposal is consistent with the General Plan:*

The proposed animal boarding and grooming facility is consistent with the types of use that the Business, Light Industry, and Technology designation was developed to accommodate. It is a transitional use, with both commercial and light industrial aspects. It combines elements

of retail, service, and light industry. The 4,800 square foot building on the site would constitute a FAR of 0.54, in compliance with the General Plan maximum FAR of 0.75.

- b. *The site for the proposed use is adequate in size and shape to accommodate said use, public and loading yards, landscaping and other features required by the Chapter including access, parking and loading:*

The 0.51-acre site provides area to accommodate site development and operational requirements for Planning, Building, Public Works, fire and police. Connection to all City services are available. The business is located on a wide improved street with ample off and on street parking.

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

The site is also located between a major collector (Tharp Avenue) and a Minor Arterial (Stabler Lane). These streets provide access to the site, and the proposed site design provides for parking, pick-up and drop off. The General Plan characterizes the segment of roadway along Stabler Lane from Butte House Road to Poole Boulevard as operating at a Level of Service B. Given the width and improvements of Poole Boulevard, this Level of Service indicates good circulation and would be adequate to carry the quantity of traffic generated by the proposed use.

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

The building employs materials, finishes, architectural details that are evident on all the surrounding structures. Unlike a majority of other buildings on the street, the metal building features minimal architectural detailing. The primary elevation does boast a storefront system with awning and there are several proposed window openings framed in dark anodized aluminum. These elements soften the effect of the industrial material and simple feel of the building. There are also a minority of examples on the street who employ the same proposed by the applicant, accenting metal warehouses will minimal architectural detailing.

- e. *The establishment or operation of the use of building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare or person 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.*

The reason for directing the applicant through the Use Permit process was to gain a clear understanding of the scope of the operation. With measures in place to screen the animals from the street, the erection of a perimeter masonry block wall to attenuate noise and visual impacts as well conditions limiting the times that the animals would be able to recreate outside there will be few negative impacts to the city.

- f. *That finding in Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied. Finding Section 6-9.501 (2)*

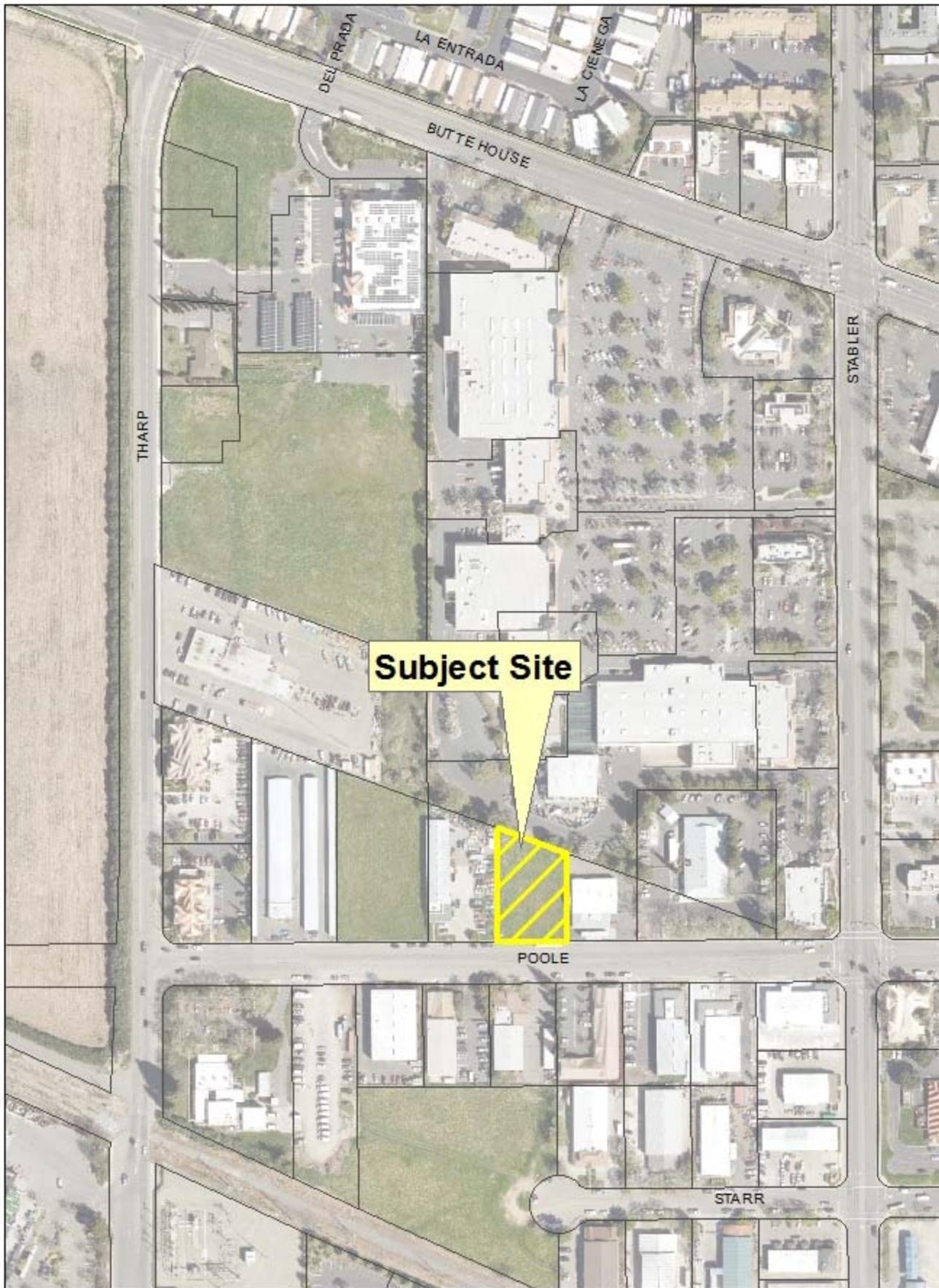
**Planning Commission Action:**

Staff recommends that the Planning Commission:

1. Determine the project is Categorically Exempt from CEQA pursuant to California Environmental Quality Act Section 15332, In-Fill Development Projects.
2. Find that Use Permit (19-01) meets the six findings as stated in Section 8-5.7003 in the Yuba City Zoning Code and grant the Use Permit subject to compliance with conditions of approval.

**Attachments:**

- A. Aerial photo/Location Map
- B. Operational Statement
- C. Site Plan
- D. Floor Plan
- E. Photographs of other Boarding Buildings
- F. Building Elevations
- G. Conditions of Approval



Attachment A

**Subject Site**

**Fur and Feathers**  
**59-131-007**

Use Permit UP 19-01

1 inch = 300 feet

Fur and Feathers Pet Resort is a luxury boarding facility for dogs, cats, and birds. We have 45 climate controlled indoor suites for the dogs to stay in. The suites are like their bedrooms. They eat, sleep and take naps periodically throughout the day in their own suite. Multiple dogs from the same family can stay together in the suite. We have 4 indoor play areas with French doors that open out to large fenced in grassy yards. The boarding dogs are grouped together based on their age, temperament and size and the groups go into separate play areas for play time and socialization. We only allow up to 10 dogs per group. The dogs are in the play areas for about an hour to an hour and a half and then they go back to their suites for a nap and another group of dogs comes out. They are rotated in and out of the play areas all day. All dogs must be spayed or neutered by 1 year of age. We require Rabies vaccine, Distemper/Parvo vaccine, Bordetella vaccine every 6 months as well as an annual K-9 Influenza vaccine.

A typical day: 3 employees open and start work at 7am. When they arrive they get the first groups of dogs out in the play areas. Their suites are cleaned and they breakfast is set. Once that is done, those dogs go back in their suites for breakfast and the next groups are brought out to the play areas. We go through the same cleaning, feeding process until all dogs have been out and are back in their suites to eat. Once that is finished the employees then sweep and mop all play areas as well as hallways and kitchen. They start laundry and dishes. The dogs stay in their suites for roughly an hour after they eat and then the employees start the rotation process over to let the dogs have play time in the play areas. Closing staff start their shifts at either 11am, 1pm or 1:30pm depending on how busy we are. When they arrive they are given rounds by the opening staff. Rounds consist of an opening staff member going over all pertinent information about each pet that is boarding. This way closing staff are aware of any issues, special feeding instructions, medications, or any other information that needs to be conveyed regarding the pets that are with us. Each boarding dog has a cage card that hangs by their suite. The cage card describes the pet, feeding instructions, personal belongings, medication instructions if any, as well as areas for us to record when the pet went out, in and ate. Dinners start at 3:30pm. All dogs are generally in and eating by 4:30pm-5:00pm. After dinners are done, all groups get rotated back out to the play areas for the last time. We start putting dogs up for bed at 6pm, with all dogs being up by 7pm. Then employees sweep

and mop play areas again, put out clean water buckets for the next day, finish laundry and dishes. The outdoor yard is scooped 4 times per day or more often if needed. Dog poop is double bagged and put in the dumpster.

Daycare dogs come just for the day to play. We offer a ½ day daycare which is anything up to 6 hours or a full day which is anything over 6 hours. The daycare dogs are grouped together and are generally in the play areas for the duration of the time they are there.

Cats have a separate room of their own. We have 3 story cat condos for them to stay in. Multiple cats from the same family can stay together in 1 condo. The condos are cleaned top to bottom every morning. The cats are given a new litter box, fresh water and food as directed by their owner. We do a noon time check and then a pm check on all cats.

Birds also have a separate room. We provide different sized cages, perches, toys, treats. The bird room and cages are cleaned every morning and the birds get clean newspaper on the bottom of their cage, fresh water and fed according to the owner's directions. They also get a noon and pm check.

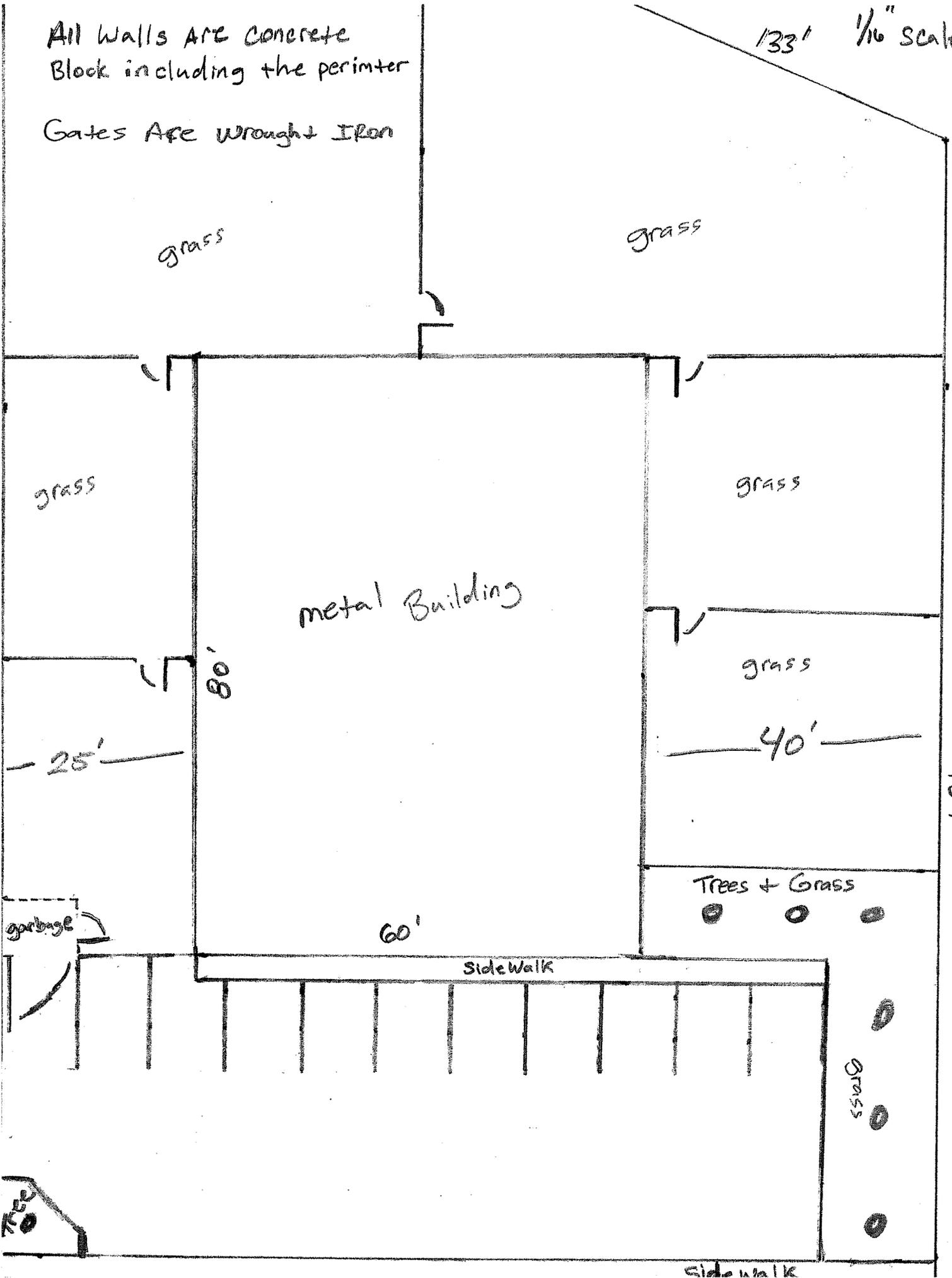
All staff are generally done by 7:30. The building is fire and burglar alarm and monitored. No staff stay overnight.

We also offer a full service grooming salon for all-breed dogs and cats.

All Walls ARE Concrete  
Block including the perimeter

Gates ARE Wrought Iron

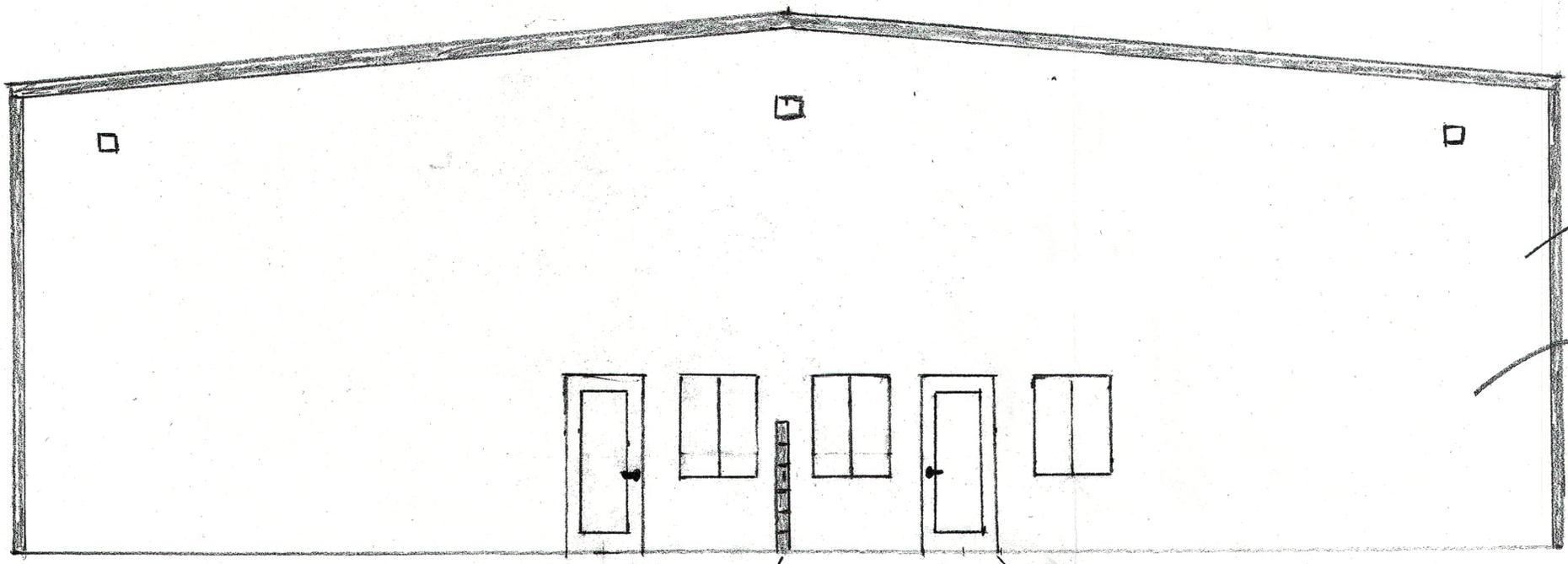
133' 1/16" scale







Back of the Building



This Elevation is typical for the sides of the building

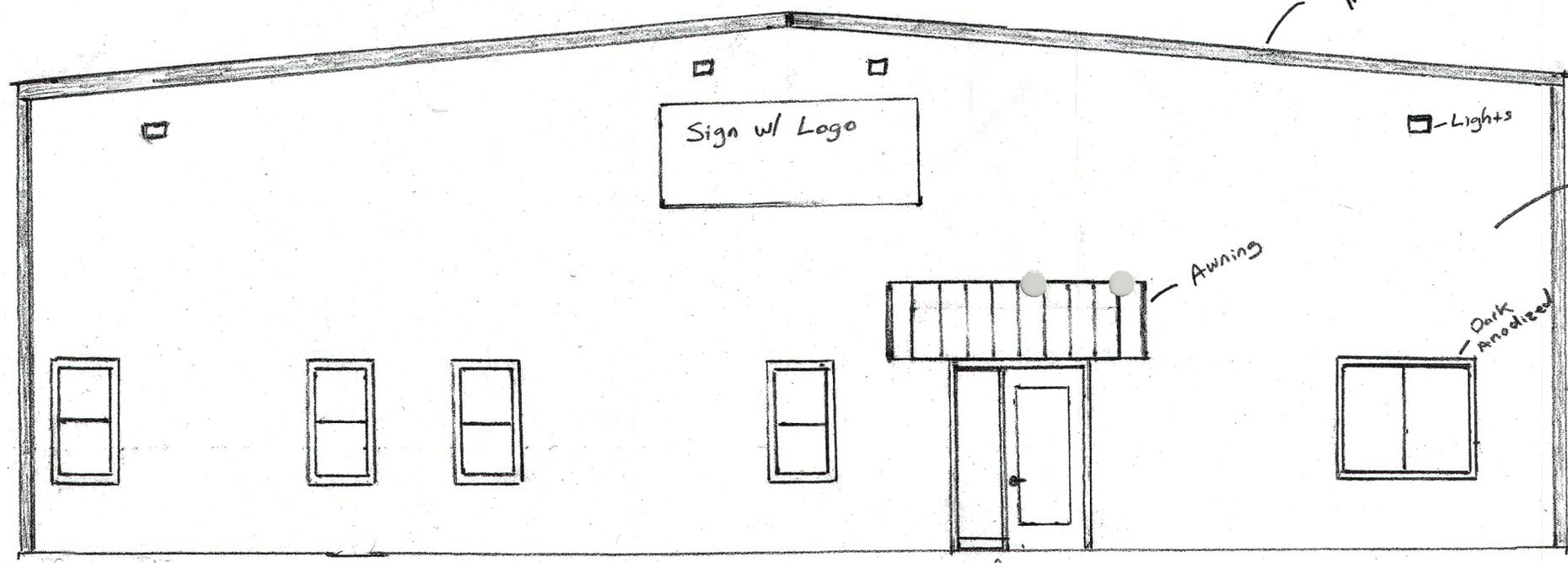
Corrugated metal

Black Wall

Hollow metal frames

There will be no A.C. on the roof

Corrugated metal Roof



Corrugated metal off white

Lights

Awning

Dark Anodized

Trim

store front

SCALE: 1/4"	APPROVED BY:	DRAWN BY
DATE:		REVISED
		DRAWING NUMBER

**UP 19-01**  
**Fur and Feathers**  
**Conditions of Approval**

**Categorical Exemption**

1. A determination has been made that the project is categorically exempt pursuant to the Guidelines for California Environmental Quality Act § 15000 – 15332 California Code of Regulations Title 14, Chapter 3 State of California Article 19. Categorical Exemptions § 15332. In-Fill Development.

**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 special permit, 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 Use Permit No. UP 19-01 (UP 19-01) 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 UP 19-01 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.

**Public Works**

6. To help contain fugitive dust, construction site shall be watered down during the construction phase of the project or as directed by the Public Works Department.

7. 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.
8. 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.
9. Storage of construction material is not allowed in the travel way.
10. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flow onto the adjacent residential or agricultural lands or impede the drainage from those properties. The rear yards and/or side yards of the lots that are created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department. If retaining walls are required they shall be constructed of concrete or masonry block.
11. Existing and proposed grade elevations at perimeter of the proposed land development shall be shown on grading plans. The Engineer of Record shall designate on the plans as to where any retaining walls are required and provide details of all proposed retaining walls. A retaining wall is required where grade differences between the proposed development and the surrounding land is greater than 6" (inches). The use of any type of wood as the retaining wall is not permitted.
12. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
13. Prior to the approval of the Improvement Plans, the Developer shall submit to Sutter County a drainage plan for any drainage improvements that utilize County facilities for approval by Sutter County Public Works Director.
14. 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 for all construction equipment to be 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.”

15. The Developer’s Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of first building permit for each phase of construction.

16. The applicant shall be required to pay all applicable Sutter County Water Agency connection fees and maintenance and operation fees. Fees are payable at the Sutter County Development Services Counter located at 1130 Civic Center Blvd. Yuba City.

17. Prior to grading and building permit issuance, the Developer shall enter into an agreement with Sutter County providing the following:

Participation in a zone of benefit, drainage district, agency, service area or any other public entity for the financing of construction and maintenance of a drainage system. In addition to the special assessment district or public entity referred to immediately above, the agreement shall contemplate the imposition by the district or public entity of any legally available fee, assessment or other financing mechanism to facilitate the construction and maintenance of a drainage system.

18. Prior to Certificate of Occupancy, the curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not

in accord with City standards or is damaged before or during construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

19. 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.

### **Planning Conditions**

20. The building shall comply with all applicable City Design Guidelines and shall be constructed per the plans approved by the Planning Commission.
21. Prior to exterior painting, if any, colors shall be presented to the Development Services Department for review and approval.
22. Walkways should be designed to provide convenient access and connections both internally and externally. Walkways should be safe, accessible, well-lit, and landscaped.
23. A variety of plants shall be used on the planting palettes for front yards, courtyards and common open space areas to create an individual identity for each space.
24. Minimum 50 percent parking lot shading within 15 years shall be provided. Provide shade calculations on the landscape plan, including tree species and tree counts.
25. All landscaping per the approved plan shall be maintained and replanted if necessary.
26. Building lighting fixtures shall be decorative and be compatible with the design of the buildings. Wall packs shall not be permitted.
27. Lights shall be pedestrian in scale and be spaced appropriately for the fixture, type of illumination and pole height shall not exceed 18 feet. A lighting plan required by Article 58 of the Zoning Regulations shall be approved prior to the issuance of building permits.
28. A fiberglass valve enclosure cover shall be provided for the backflow preventers. The valve enclosure is to be reviewed and approved by the Development Services Director.

29. The entire site should be well lit, with special attention given to the principle entries, and parking areas.
30. Outdoor lighting used for security, landscaping, or building illumination should be shielded so as not to shine directly onto adjacent properties.
31. Utility and mechanical equipment (e.g. electric and gas meters, electrical panels, transformers and cable and telephone junction boxes, HVAC units) shall be screened from view with landscaping and/or construction that is compatible with the building design.
32. All mechanical equipment, whether mounted on the roof or the ground, should be screened from public view. Utility meters and equipment should be placed in locations that are not exposed to view from the street or should be suitably screened. All screening devices are to be compatible with the architecture and color of the adjacent structures.
33. The facility shall operate pursuant to the Project Description dated June 24, 2019, as approved by the Planning Commission.
34. The facility shall operate pursuant to the Project Description dated June 24, 2019, as approved by the Planning Commission.
35. The perimeter block wall shall be painted, plastered, or otherwise treated with a decorative pre-cast element to contribute to the visual quality of the site. Any of the interior block walls separating outdoor play areas visible from the Public Right of Way shall be similarly treated.
36. Prior to building permit issuance, provide details and specifications for the ornamental steel gates that will be used to allow internal site access between outdoor play areas.
37. Provide details for the trash enclosure which should be surrounded by landscaping and should employ a decorative finish in plaster or paint. Consider covering the trash enclosure with a metal shed roof. Trash enclosures can be screened by vines or shrubs on three sides.
38. Install a 10-foot landscape along the back of sidewalk and install mature trees according to the recommended tree list. The installation shall be completed prior to issuance of certificate of occupancy.
39. Hours of outdoor play area shall be limited from 7 am to 6 pm.
40. An on-site employee/attendant shall be any time animals are boarded overnight.

41. Indicate no veterinary services are included as part of the Use Permit approval.
42. Clarify the use is subject to compliance with City acceptable noise standards.

**Fire**

43. Provide three complete fire sprinkler plans, hydraulic calculations, and materials specifications for underground and overhead - no deferred submittals.
44. Provide complete fire alarm/fire sprinkler monitoring system plans, calculations, and materials specifications - no deferred submittals.
45. Provide Knox key box at main entrance to building.
46. Provide address on building visible from Street.
47. Provide fire extinguishers at appropriate locations, YCFD will direct.
48. All gates shall be installed per City standard.
49. All Backflow/RP devices shall be installed per City standard w-17.