Meeting Date: August 28, 2019

To: Planning Commission

From: Development Services Department

Presentation By: Vicrim Chima, Planning Manager

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 to house the operation of an animal boarding facility with gated outdoor areas and perimeter block wall.

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, review the amended conditions of approval, the revised plans, and the additional operating information provided by the applicant, find the project Categorically Exempt from CEQA and approve UP 19-01 based upon the findings and revised conditions of approval attached to this staff report.

Previous Commission Action:

This project was presented to the Planning Commission on July 24, 2019. The Commission expressed concern with the design of the proposed 4,800 square-foot corrugated, rectangular, metal structure and that the building may not meet Citywide Design Guidelines for commercial buildings. Specifically, the Commission indicated that the building lacked a basic level of visual interest and materiality that could be found on a number of the existing, surrounding buildings. After reviewing the project and recommending a number of revisions to the conditions (see Attachment F), the Planning Commission choose to continue the project, allowing the applicant to produce architectural drawings, redesign the building, and submit additional operational information.

The applicant has responded with elaborated operations statements (see Attachment B), and architect/designer drafted site plan, floor plan, and elevations (see Attachment C-E).
City-wide Design Guidelines

The applicant has responded to Commission comments by incorporating a low-scaled, one-story component fronting the street. The introduction of this component serves to break up the mass of the previously proposed metal structure. Further, the proposed design of the one-story component incorporates additional materials into the new building, including an exterior cladding material of vertical siding in board and batten and the introduction of wood framed windows with sills to match. The windows and siding mimic some residential styles. The hipped roof form on the entry interacts well with the low sloping roof of the metal structure behind. The vertical siding and windows will be treated with a finish or paint of neutral color, such as an earth tone. The building will be roofed with asphalt shingles.

The applicant has also provided preliminary landscape plan information for the site, indicating the construction of planters and the installation of new trees. The applicant will plant trees consistent with the City’s approved tree list. A lighting plan was also requested by the Planning Commission; however, the applicant was unable to produce the document. Planning staff recommends conditioning the Use Permit and allowing approval of these lighting plans by the Development Services Director before building permit issuance.

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 series of statements from the owner (see Attachment B). The proposed building would house approximately 45 climate-controlled suites for the daytime and overnight sheltering of 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 taken into 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 7 p.m.

The site plan (see Attachment C) depicts the building footprint situated behind a surface parking lot providing driveway access from the street to nine surface parking spaces and one handicapped space. There is no defined parking ratio for this use, but there is for personal services, like the grooming service offered at the use. One space will be required for the grooming service, the remaining boarding area would be parked at the ratio of 1 space per 500 square feet for a proposed total of nine off-street parking spaces for the animal boarding use. Additionally, two on-street parking spaces would be available along the north side of Poole Boulevard.
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 original proposal called for a perimeter six-foot-tall block wall, meant to be a barrier insulating adjacent properties from operational impacts. Concerned that six feet would not secure the animals, and since the Use Permit process provides for exceptions to that standard, the Planning Commission indicated support for the applicant building a six-foot masonry block wall, with a wrought iron cap that would add an additional foot in height, for an overall height from finished grade of seven feet. Finally, a 4,800 square foot building on the 0.51 acre lot would result in a site FAR of 0.54, well under the FAR maximum for the Business, Technology, and Light Industry General Plan designation.

**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:

<table>
<thead>
<tr>
<th>Table 1: Project and Neighborhood Context</th>
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<tr>
<td><strong>General Plan Land Use Classification</strong></td>
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<tr>
<td>Project Site Business, Technology, &amp; Light Industry</td>
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<td>North Community Commercial</td>
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<td>East Business, Technology, &amp; Light Industry</td>
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<td>West Business, Technology, &amp; Light Industry</td>
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<td>South Business, Technology, &amp; Light Industry</td>
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**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

<table>
<thead>
<tr>
<th>Guiding Principles</th>
<th>3.4-G-1</th>
<th>Maintain a well-defined compact urban form, with a defined urban growth boundary and urban development intensities on land designated for urban uses.</th>
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<td>3.4-G-2</td>
<td>Promote a balanced land use program that increases the ability of people to live and work in the city.</td>
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| Implementing Policies  | 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 decide on the proposed Use Permit for the animal boarding facility. The proposed building complies with the C-M zoning district’s maximum allowable height and setback standards.

### 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 design has been revised to more closely match the arrangement and composition of other buildings along Poole Boulevard, and includes the incorporation of a one-story element placed in front of the larger scale metal structure. The new element will incorporate a variety of materials including vertical wood siding, wood windows, and asphalt shingle roofing. The redesigned building displays a number of design elements that are found along the street.

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.

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 as conditions limiting the times that the animals would be able to play outside, the project will have no significant impact on public health, safety and general welfare.

f. That finding in Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied.

This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the “Local Flood Management Agency” for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 65007(a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board.

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. Applicant’s Operational Statements
C. Site Plan
D. Floor Plan
E. Building Elevations
F. Revised Conditions of Approval
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.
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<th>Sunday</th>
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<td>Clean fridge</td>
<td>Wipe down fronts of suite doors</td>
<td>Clean Sm &amp; Med HW walls/baseboards</td>
<td>Clean cubbies</td>
<td>Break down boxes &amp; throw into recycling can</td>
<td>Clean kitchen</td>
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<td>Clean laundry basket</td>
<td>Lobby hallway walls and baseboards (by white boards)</td>
<td>*Left Large playroom walls</td>
<td>*small</td>
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<td>washer/dryer</td>
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<td>Clean Front Bathroom</td>
<td>*D/C Large PY walls</td>
<td>_baseboards</td>
<td>_by #31 &amp; #35</td>
<td>_D/C cubbies</td>
<td>Clean hallway gates</td>
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<td>Bleach all NTC rooms</td>
<td>_doors/windows</td>
<td>_tops of walls</td>
<td>_patio</td>
<td>Clean large hallway walls/baseboards</td>
<td>Clean mop bucket, mop sink, &amp; mop handle</td>
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<td>Check L&amp;F (Boarding or D/C)</td>
<td>_wrought iron</td>
<td>_grout lines</td>
<td>_Check L&amp;F (Boarding or D/C)</td>
<td>*Right Large playroom walls</td>
<td>Check L&amp;F (Boarding or D/C)</td>
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<td>Deep Clean Roscoe's Room</td>
<td>_grout lines</td>
<td>*Put Recycling out EO week (the non-payday wks)</td>
<td>Take dumpster out</td>
<td>_wrought iron</td>
<td>Dust bird room</td>
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<td>_Fill holes</td>
<td>Bring in Recycle can (on non-payday wks)</td>
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*Last Revised 10/21/2013- EN*
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| 9am  | AM KX  
Scoop yards  
Start laundry & check dishwasher  
Sweep and mop hallways + D/C Hallways + Lobby HW  
Sweep and mop playrooms + DC PY'S  
Clean cat room + HW  
Clean bird room + HW  
Check PY waters | |
| Afternoon | Put first groups out after breakfast |
| 10am | Put last groups & subyards out after breakfast |
| 11am | Check waters  
To-Do lists for the day  
Clean NTC rooms & Cat rooms & bird cages  
Report cards for dogs & cats checking out the next day  
Check laundry & Dishwasher  
Get check-ins ready for following day  
**Put pocs out (follow pool protocols)** |
| 10-12 | Pet check & TLC time  
Check cats/birds: do they need lunch, water, TLC?  
Lunches (includes D/C dogs)  
Scoop yards  
Sweep and mop playrooms/clean doggie doors + Patios  
Clean Turf EOD  
Check PY waters  
Clean doggy doors in Play yards | |
| Dinner Time |  |
| 2pm  | Put first groups out  
Print Run cards  
Re-Fill Bottles (256, Bleach, etc)  
Restock DC bldg. bowls and buckets | |
| 3pm  | Put last groups & subyards out  
Check PY waters  
Scoop yards  
**Set up rooms that were Occupied (check ins tomorrow)**  
Sweep and Mop Hallways (Including D/C Building) | |
| 4pm  | Set Dinners  
PM cats and birds | |
| Closing |  |
| 5pm  | Put first groups out (earliest they can go up is 6pm!)  
Check Waters and Give Treats  
Empty trash cans (lobby, restrooms and DC bldg. too)  
Scoop yards + empty poop can + Clean tub + **put up pools** | |
| 6pm  | Put last groups & subyards out  
Clean all 5 play yards and change H20 buckets  
Change mop water  
Clean brooms and dust pans  
PM KX | |
| 7pm  | Last checks, re-write group lists, Latch all doors  
Check AC's, Clean out washer  
Print worksheet: worksheet for next day | |
**MEDICATION SLIP IS TO BE POSTED ON THE FRONT OF THE CAGE CARDS AT ALL TIMES.**

Shift Leader is to distribute ALL medications in kennel, ONE employee is to follow shift leader and double check that they are giving medications to the correct dog, correct medications, and correct dosage. BOTH employees are to initial that medications have been done.

---

**Pet’s Name:** ________________________________

**Medication Name + what it is for (to be obtained by owner at time of check in):**

________________________________________________________

**Dosage:** _____________________________________________

**Special Instructions:** __________________________________

---

**Schedule (circle one):**

<table>
<thead>
<tr>
<th>SID</th>
<th>BID</th>
<th>TID</th>
<th>QID</th>
<th>PRN</th>
</tr>
</thead>
</table>

**Date & Initials:** _____  _____  Added to acct.  

**Total # of pills @ check in:** _____

---

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

**Date:** _____  Circle one: AM / NOON / PM  Shift Leader initial _____  Second employee initial _____

---

**Remember the 5 Rights:**

1. **Right Pet**
2. **Right Medication**
3. **Right Dose / Amount**
4. **Right Route (by mouth, ear, eye, injection, etc.)**
5. **Right time / Schedule**
BUILDING ONE MONTHLY LIST

____ Clean dry-erase boards
____ Take dust mop and wipe hair off crown molding
____ Take all beds outside and scrub!
____ Clean & organize storage closets
   ____ Radio closet
   ____ Kitchen closet
____ Replace bed covers PRN
____ Clean & organize trash area
____ Replace Hose & Hose accessories PRN
____ Wash all play-yard dog toys
____ Flea spray yards
____ Thoroughly clean bird room
____ Thoroughly clean cat room
____ Clean all thresh holds
____ Clean fly poop off walls
____ Tighten bed screws
____ Pick up trash in parking lot
____ Scrub PY door ways
____ Sm _____R _____Lg _____Lg ____Dc Lg _____Dc Sm
____ Clean Abby’s cage

Additional To Do:

___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________

BUILDING ONE MONTHLY LIST

____ Clean dry-erase boards
____ Take dust mop and wipe hair off crown molding
____ Take all beds outside and scrub!
____ Clean & organize storage closets
   ____ Radio closet
   ____ Kitchen closet
____ Replace bed covers PRN
____ Clean & organize trash area
____ Replace Hose & Hose accessories PRN
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____ Flea spray yards
____ Thoroughly clean bird room
____ Thoroughly clean cat room
____ Clean all thresh holds
____ Clean fly poop off walls
____ Tighten bed screws
____ Pick up trash in parking lot
____ Scrub PY door ways
____ Sm _____R _____Lg _____Lg ____Dc Lg _____Dc Sm
____ Clean Abby’s cage

Additional To Do:

___________________________________________________________________
___________________________________________________________________
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___________________________________________________________________
BUILDING ONE MONTHLY LIST

____ Clean dry-erase boards
____ Take dust mop and wipe hair off crown molding
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   ___ Radio closet
   ___ Kitchen closet
____ Replace bed covers PRN
____ Clean & organize trash area
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____ Thoroughly clean cat room
____ Clean all thresh holds
____ Clean fly poop off walls
____ Tighten bed screws
____ Pick up trash in parking lot
____ Scrub PY door ways
____ Sm ___ R LG ___ L LG ___ DC LG ___ DC Sm
____ Clean Abby’s cage

Additional To Do:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________
REPORT CARD

________________________ was mostly feeling....

Happy    Playful    Active    Excited
Relaxed   Curious   Sleepy    Silly    Shy
Reserved  Rowdy    Funny    Affectionate

Comments

________________________

________________________

________________________

REPORT CARD

________________________ was mostly feeling....

Happy    Playful    Active    Excited
Relaxed   Curious   Sleepy    Silly    Shy
Reserved  Rowdy    Funny    Affectionate

Comments

________________________

________________________

________________________
Date: __________ Building: __________ Initial: __________ Do not white out or black out names-cross out only!

**SMALL DOG GROUP LIST**

**GROUP 1 (Bigger Sm Dogs/Playful)**

<table>
<thead>
<tr>
<th>RM#</th>
<th>NAME</th>
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**GROUP 2 (Playful/med)**

<table>
<thead>
<tr>
<th>RM#</th>
<th>NAME</th>
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**GROUP 3 (med/calm)**

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<tr>
<th>RM#</th>
<th>NAME</th>
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**GROUP 4 (Calm)**

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<th>RM#</th>
<th>NAME</th>
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**GROUP 5 (additional dogs)**

<table>
<thead>
<tr>
<th>Group 1</th>
<th>Initial yard check</th>
<th>Group 2</th>
<th>Initial yard check</th>
<th>Group 3</th>
<th>Initial yard check</th>
<th>Group 4</th>
<th>Initial yard check</th>
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<tbody>
<tr>
<td>7-8</td>
<td>7-8</td>
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<td>10-11</td>
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<td>5-6</td>
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**NOTES:**

_________________________________________________________________________
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**SUBYARD**

<table>
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<tr>
<th>RM#</th>
<th>NAME (1)</th>
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Reason

**SUBYARD**

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<th>RM#</th>
<th>NAME (2)</th>
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Reason

**SUBYARD**

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<th>RM#</th>
<th>NAME (3)</th>
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Reason

**SUBYARD**

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<th>NAME (4)</th>
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Reason
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 Use 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: (1) the project has not been substantially commenced within two years of the approval date of UP 19-01; or (2) 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 dated August 28, 2019.

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 the front yard, courtyard and common open space areas to create an individual identity for each space. Landscape plan details shall be provided with building permit submittal.

24. A 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, prior to building permit issuance.

25. All landscaping per the approved plan shall be maintained and replanted if necessary.
26. Install a 10-foot landscape border along the back of sidewalk and install mature trees (minimum of 15-gallon) consistent with the recommended tree list. The installation shall be completed prior to issuance of certificate of occupancy.

27. Building lighting fixtures shall be decorative and be compatible with the design of the buildings. Wall packs shall not be permitted.

28. Lights shall spaced appropriately for the parking, driveway and walkway areas, and the illumination and pole height shall not exceed 18 feet. A lighting plan required by Article 58 of the Zoning Regulations shall be approved by the Director of Development Services prior to the issuance of building permits.

29. Outdoor lighting used for security, landscaping, or building illumination should be shielded so as not to shine directly onto adjacent properties.

30. 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.

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 screening that is compatible with the building design. All screening devices are to be compatible with the architecture and color of the adjacent structures.

32. The facility shall operate pursuant to the Project Description dated August 28, 2019, as approved by the Planning Commission.

33. The perimeter block wall may be painted, plastered, or otherwise treated with a decorative pre-cast element to contribute to the visual quality of the site.

34. Perimeter block wall may be built to a maximum overall height of seven feet to ensure the security of the animals.

35. Prior to building permit issuance, the applicant shall provide details and specifications for the ornamental steel gates that will be used to allow internal site access between outdoor play areas. These details will be subject to the review and approval of the Director of Development Services.
36. Prior to building permit issuance, the applicant shall provide details for the trash enclosure 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.

37. Use of the outdoor play area shall be limited from 7:00 am to 7:00 pm, seven days a week.

38. The project shall comply with the "normally acceptable" noise levels for new land uses as established in Figure 9-4 of the City of Yuba City General Plan.

**Fire**

39. Provide three complete fire sprinkler plans, hydraulic calculations, and materials specifications for underground and overhead as part of the building plan submittal.

40. Provide complete fire alarm/fire sprinkler monitoring system plans, calculations, and materials specifications as part of the building plan submittal.

41. Applicant shall provide a Knox key box at main entrance to building.

42. Applicant shall provide addressing signage on the building visible from Street.

43. Applicant shall provide fire extinguishers at appropriate locations, based on Fire Department approvals.

44. All gates shall be installed per City standards.

45. All Backflow/RP devices shall be installed per City standard w-17.
Minutes of the Planning Commission

MINUTES
PLANNING COMMISSION
CITY OF YUBA CITY
September 26, 2018
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
Chairperson Ali called the meeting to order.

Roll Call:
Commissioners in Attendance:
Daria Ali (Chairperson)
Dale Eyeler (Vice Chairperson)
Jana Shannon
John Sanbrook
John Shaffer
Jackie Sillman (Sutter County Representative)

Commissioners Absent:
Michele Blake

Pledge of Allegiance to the Flag:
Led by a Commissioner.

Public Communication
The Planning Commission welcomed those in attendance and encouraged them to participate in the 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.

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.

3. Consideration of General Plan Amendment 18-01, Rezone 18-01, Development Plan 18-01, and Environmental Assessment 18-05.

Public Comment:

Joe Carwell, 2145 Colusa commented on concerns affecting his quality of life such as nearby promotional music, bright lighting and intercom calls. He requested that the promotional music be banned.

Commissioner John Sanbrook asked if there had been noise at 5:00 AM.

Mr. Carwell indicated that sound was audible three to four times a month.

Linda Baker, 1261 Kimberly, commented on lighting, vegetation and Sullivan Grove. She read an email to the Commission authored by Bill Ransaur.

Mal Montoya stated he is in favor of the topics discussed. He used to live in Yuba City. He commented that auto dealers will have bright lights. He mentioned that there are no new speakers. He discussed additional inventory (no new sales), and that the light would not be as intense.

Commissioner Jana Shannon asked why music is playing at 5:00 AM.

Mr. Montoya then let Mr. Sullivan speak.

Chair Ali clarified the expansion area.

Mr. Sullivan commented he is in favor. He expressed his confusion regarding music being played at 5:00 AM. No one was supposed to be at the business during this hour. He will ensure music is turned off in the future. He will minimize lighting, have fencing along the west property line. He quoted a timeline of 4-1/2 years. He commented on there being 116 employees and $23 million dollars in employee compensation and $18 million in sales tax. He spoke of a tree that was dying on the property. He had
an arborist inspect the tree and the roots had been rotting. The rotted branches had caused the tree to fall and destroy custom cars and the fence. He asked if he doesn’t remove the tree will the City cover his exposure. The answer was no so he had taken action. He asked about City requirements. He had mentioned he was an advocate for saving the environment. Someone commented that they did not recall any trees being torn down.

Mr. Sullivan stated that a tree died and rotted and had become a liability. He commented on the need for mitigation. He then agreed to plant 10 trees along Spirit Way. Then someone commented that they felt he wasn’t being treated fairly. Mr. Sanbrook asked if there are buildings being proposed. Mr. Sullivan answered no. Then, Vice Chair Eyeler commented the speakers are on all day long as well as lights. Mr. Sullivan commented on a shield being added. He will add trees to Spirit Way.

The Planning Commission requested that he plant an oak species. Mr. Sullivan agreed to this request. He had planned to plant them along the western property line.

Commissioner Jana Shannon asked what the landscaping on the western property line would accomplish. Then Mr. Sanbrook indicated that it will provide a screen for the church. Next, Commissioner John Shaffer asked if it were necessary to use the loud speaker. Mr. Sullivan obliged to turn the volume down. Ms. Shannon closed the public hearing.

Ms. Shannon stated there was no mitigation. There had been a drought and no timeline was stated. She commented she was married to an insurance agent and was exposed to property damage. She added that not all trees make sense and that Walmart generated light and noise too. She commented that she acted in good faith. Then Mr. Eyeler agreed with the mitigation. A comment was made by (not recorded) and there was encouragement to hear more about the tree. Then, clarification was provided regarding the three conditions.

Sutter County Representative Jackie Sillman commented that he (the applicant) seemed to be being punished for removing the tree. Mr. Sanbrook indicated they would like to be reasonable. He would cut the tree and there would be no penalty for this. He has paid a lot of money to remove the tree already.

He is concerned for the church and believes the plans are compatible with the general area and this is in the public’s best interest. Mr. Shaffer agreed with Mr. Sanbrook. He felt two acres will not make an impact.

**Motion:** Remove condition number 10 which stated “The applicant shall do one of the following, or a combination thereof: Provide funding for valley oak tree plantings in either the new City park that is proposed just north of this site, across the street from Wal-Mart, or to plant oak trees to complement the existing oak tree planting...”

**Moved by:** Commissioner Shannon

**Seconded by:** Representative Sillman

**Vote:** Daria Ali, aye, Dale Eyeler aye, Jana Shannon, aye, John Sanbrook, aye, Jackie Sillman aye, John Shaffer, aye
The vote passed 7:0

4. Development of Planning Commission Strategic Plan

No comments recorded.

Adjournment

Meeting was adjourned at 8:05 PM by a Commissioner.
Call to Order
Chairperson Ali called the meeting to order.

Roll Call:
Commissioners in Attendance:
Daria Ali (Chairperson)
Dale Eyeler (Vice Chairperson)
Jana Shannon
John Sanbrook
Michele Blake
John Shaffer

Commissioners Absent:
Jackie Sillman (Sutter County Representative)

Pledge of Allegiance led by a Commissioner Shannon. The meeting began at 6:02 PM

Public Communication
The Planning Commission welcomed those in attendance and encouraged them to participate in
the 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
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3. Consideration of Use Permit 17-05 and Environmental Assessment 17-10.

UP17-05, was a modification to existing UP12-01, to obtain permission to operate, in a modified fashion, a Large Volume Transfer/Processing Solid Waste Facility Permit (SWFP). The project has several components including expansion from three to four acres, increasing maximum throughput, abandoning some driveways and the relocation of an 1800 square foot building onsite.

John Sanbrook asked to amend Item three of the Land Use Entitlement.

Motion: To continue

Moved by: Commissioner Sanbrook

Seconded by: Commissioner Eyeler

Vote: Daria Ali, aye, Dale Eyeler aye, Jana Shannon, aye, John Sanbrook, aye, John Shaffer, aye

The vote passed 6:0

4. Highway 20 corridor from State Route 99 to the Feather River Bridge

Commissioner Dale Eyeler asked what the height of the airplane panel was in the mall. Melton commented that the panel was 12 feet. Commissioner John Sanbrook asked what the purpose was for the panels. Melton indicated the panels were to identify with the City’s culture, history and identity. Chairperson Ali commented that they needed to be more sensitive to the existing businesses. Commissioner Jana Shannon expressed her concerns regarding the water tower and maintenance.

Melton commented on finding monument signs. There were sections with narrow medians. Commissioner Dale Eyeler asked about the dangers of the Highway 20 corridor area. Ben Moody, Deputy Public Works Director – Engineering, stated that there was an accident report. Ms. Shannon commented on Highway Corridor 20 and State Route 99 signs. She asked if they can make them fancy. Greg [Surname unknown] suggested that the city make a proposal to Caltrans.
Michele Blake commented on making beautification and pedestrian safety a priority. She likes the water tower. Mr. Eyeler is not a fan of the water tower. He is in favor of walnut, peach and prune trees but does not want olive trees. Mr. Shaffer is in favor of the plan as a guide. He felt the tower was overkill.

Mr. Sanbrook expressed his support for the plan and believes that it is needed.

Chair Ali commented that the water tower should be smaller.

**Motion:** In favor [no clear notation for the record].

**Moved by:** Commissioner Sanbrook

**Seconded by:** Commissioner Sillman

**Vote:** Daria Ali, aye, Dale Eyeler aye, Jana Shannon, aye, John Sanbrook, aye, Jackie Sillman aye, John Shaffer, aye

Then tree options were discussed and noted.

**The vote passed 6:0**

**Adjournment**

Meeting was adjourned at 6:57 PM by a Commissioner.