



County of Yuba

Community Development & Services Agency

915 8th Street, Suite 123, Marysville, CA 95901

Planning Department

Phone: (530) 749-5470

Fax: (530) 749-5434

Web: <http://www.co.yuba.ca.us>

MINUTES OF THE YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE (DRC) ZONING ADMINISTRATOR (ZA)

Thursday, September 1, 2022

9:00 a.m. Board Chambers

915 8th Street

Marysville, California

Members of the Development Review Committee and members of the public will participate in the meeting in person in the County Board Chambers.

COMMITTEE PRESENT: Acting Committee Chairman Jeremy Strang and Committee Member Clark Pickell

COMMITTEE ABSENT: Committee Chairman Dan Peterson

STAFF PRESENT: Sam Bunton, Assistant Director of Public Works; Ian Scott, Project Manager of Broadband; Ciara Fisher; Planner III; Vanessa Franken, Planner II; and Jacob Edwards, Planner I.

APPROVAL OF MINUTES:

Motion by Clark Pickell and seconded by Jeremy Strang for the approval of the Development Review Committee minutes of August 4, 2022.

Ayes: Clark Pickell and Jeremy Strang
Noes: None
Abstain: None
Absent: Dan Peterson

CONSENT ITEMS:

- None

PUBLIC HEARINGS AND ACTION ITEMS:

If you challenge in court the action or decision of the Yuba County Staff Development Committee regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone raised at such public hearing, or in written correspondence delivered to the Development Review Committee at, or prior to, such public hearing.

1. Tentative Parcel Map TPM 2022-0008 (River Oaks): The applicant is requesting approval of a Tentative Parcel Map to subdivide a 9.04 acre parcel into three residential parcels, for a property located at the northeast corner of Algodon Road and River Oaks Boulevard in the community of Plumas Lake (APN: 016-040-105). The 2030 General Plan designates the subject site land use as Valley Neighborhood and the zoning as Plumas Lake Specific Plan (PLSP), with an underlying zone of High Density Residential "HDR".

This item was presented by Ciara Fisher. Committee member questions were answered by Ciara Fisher.

Staff Discussion:

- None

Public Hearing:

- None

Motion: Motion to make a determination that the project is exempt from environmental review pursuant to CEQA Section 15315 and approve Tentative Parcel Map TPM 2022-0008 subject to making the necessary findings and the conditions of approval.

Moved: Clark Pickell

Second: Jeremy Strang

Ayes: Jeremy Strang, and Clark Pickell

Noes: None

Abstain: None

2. Tentative Parcel Map TPM 2022-0001 (Fedorchuk): The applicant is requesting approval of a Tentative Parcel Map to subdivide a 0.64 acre parcel located at 1640 Ninth Avenue (APN: 013-212-002) into four (4) residential parcels. Parcel 1 will be 0.18 acres. Parcel 2 will be 0.15 acres. Parcel 3 will be 0.11 acres. Parcel 4 will be 0.20 acres. The 2030 General Plan designates the subject site land use as Valley Neighborhood and the zoning as Single Family Residential “RS”. The project site is located at 1640 Ninth Avenue in the community of Olivehurst, identified as Assessor’s Parcel Number 013-212-002.

This item was presented by Jacob Edwards. Committee member questions were answered by Jacob Edwards.

Staff Discussion:

- Jeremy Strang asked about the potential capacity on the parcels for future accessory dwelling units (ADUs). Jacob Edwards stated that any future ADUs would need to meet the standards of the Development Code, would require a 4 foot setback, 320 square feet minimum habitable area, and that Parcels 3-4 appear more suited than Parcels 1-2 for this purpose.
- Jeremy Strang stated that there may be a structure encroaching on the road easement. Jacob Edwards stated he is unaware of this. Jeremy Strang requested the Planning Department accommodate a site visit at the project site to confirm.
- Jeremy Strang stated that there is a Public Works condition that speaks to the applicant dedicating 24 feet off of the centerline of the road and an additional other 10 foot easement for public utility purposes. He asked Sam Bunton, Assistant Director of Public Works to speak to how the project site would accommodate these requirements. Sam Bunton stated that these easements are intended to accommodate future roadway and sidewalk infrastructure, further that these conditions are typically resolved during the processing of the final map phase of the project.
- Jeremy Strang expressed concerns related to building permit and code violations on the property, and that the motion resulting will reflect the need to cure these deficiencies.

Public Hearing:

- None

Motion: Motion to make a determination that the project is exempt from environmental review pursuant to CEQA Section 15315 and approve Tentative Parcel Map TPM 2022-0001 subject to making the necessary findings and the conditions of approval, further adding the following conditions: 1)

requiring that all building permits receive final approval prior to final the map; 2) that all code violations be resolved prior to recording of the final map; and 3) that the 20 foot easement that accesses Parcels 2-3 have No Parking Signs installed prior to recording the final map.

Moved: Clark Pickell
Second: Jeremy Strang
Ayes: Jeremy Strang, and Clark Pickell
Noes: None
Abstain: None

3. Administrative Use Permit AP 2021-0018 (Pham): The applicant is requesting approval of an Administrative Use Permit to legally permit an affordable single-room occupancy housing facility that has been constructed within a converted church building. The proposed SRO is to be contained within a converted church building located at 5638 North Gledhill Avenue (APN: 020-293-007) in the community of Olivehurst.

This item was presented by Vanessa Franken. Committee member questions were answered by Vanessa Franken.

Staff Discussion:

- Jeremy Strang asked about the Recology storage area on the site plan, whether or not this area would be required to be enclosed. Vanessa Franken confirmed this is the case, per landscaping requirements for the project which require a masonry wall with planted vines. Jeremy Strang asked about whether the kitchen is required to be a commercial kitchen. Clark Pickell stated that a commercial kitchen is not required by the Environmental Health Department.

Public Hearing:

- Sam Bunton stated that parking on Grand Avenue may need to be restricted for this project due to a lack of existing right of way. Public Works recommends that a condition is added such that if project parking becomes an issue, No Parking signs must be placed along Grand Avenue with costs borne by the project applicant.
- Misty Alvarez, a neighbor of the project site, spoke to negative instances of interaction with single room occupants who inhabit the site, including an invasion of her home. She expressed an interest in ensuring that inspections and/or reviews of the project site to ensure the conditions of approval are being complied with. Vanessa Franken stated that post-approval, the conditions of approval for the Administrative Use Permit are inspected at the point of Building Permit review. Vanessa Franken stated that if any code complaints are received post-approval, the Planning Department and CDSA more generally can follow up on code complaints.
- Clark Pickell stated that the Operation Plan for the project site does address and mitigate some of the concerns, but also expressed an interest in potentially conditioning the project for revocation of the Administrative Use Permit if certain compliant thresholds are exceeded. Vanessa Franken stated that there is precedent for revocation of an entitlement due to complaints in the context of Special Events.
- Gabe Alvarez, a neighbor of the project site, spoke to nuisances produced by single room occupants at the project site such as being yelled at, public disturbances, and drug paraphernalia being littered on his property, ostensibly generated by activity at the project site. Jeremy Strang stated that violations of the County ordinance codes can be addressed through established County-led processes, whereas civil matters can be solved through civil remedies.
- Clark Pickell asked if extra landscaping or buffering could be placed between the project site and neighboring properties. Vanessa Franken stated that she can speak to the applicant about the recommendations for extra landscaping. Jeremy Strang questioned the ability of single room occupants to walk the project site, with the intent to limit the areas where neighbors could be exposed to interaction with single room occupants.
- Jeremy Strang asked Linda Fire Battalion Chief Kyle Heggstrom to approach to podium for questioning. Chief Heggstrom stated that if the proposed landscaping barriers are well-maintained and watered they

will not present a fire hazard. Clark Pickell stated that the area behind the section could be accessible to owner only and not accessible to the residents behind the existing area around the shed could be a sufficient buffer. Jeremy Strang concurred with Clark Pickell's recommendation that the western and northern portion of the exterior of the project area be made accessible to authorized personnel only, with windows and gates affixed with emergency panic hardware.

- The project applicant confirmed their interest in complying with the existing and proposed conditions of approval, further stating that they are willing to share their personal contact information to facilitate neighborhood complaints.

Motion: Motion to approve Administrative Use Permit AP 2021-0018 (Pham), modifying the conditions of approval as follows: 1) unless specifically provided otherwise herein or by law each condition of these conditions of approval shall be completed to the satisfaction of the County and shall be completed within 24 months of the date of the conditional approval, or prior to the final approval of building permit B22-009 authorizing the work to convert the existing church to a single room occupancy, whichever occurs first; 2) if the County verifies that hazards exist due to roadside parking on Grand Avenue, that traffic signs prohibiting parking on the roadway must be erected, which may be by ordinance, and the cost must be borne by the applicant; 3) an Operational Plan must be in place at all times during the course of the Administrative Use Permit and single room occupancy; 4) any condition that is broken may result in a revocation hearing of the permit or entitlement, that will be appropriately noticed, following the guidelines found within the Development Code; 5) the westerly property line and the northerly property line be secured from entry from unauthorized personnel, and must contain panic and safety hardware in the event of the need for emergency egress from the project site, and make a determination that the project is exempt from environmental review pursuant to CEQA Section 15301(a) and is subject to the conditions and findings contained within the staff report, and otherwise included in this motion as general conditions.

Moved: Jeremy Strang
Second: Clark Pickell
Ayes: Jeremy Strang, and Clark Pickell
Noes: None
Abstain: None

DEPARTMENT ITEMS: None

CORRESPONDENCE: None

COMMITTEE COMMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:12 am.

Dan Peterson, Committee Chairman
Development Review Committee