



County of Yuba

Community Development & Services Agency

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

Thursday, May 5, 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: Kevin Perkins, Assistant CDSA Director; Nick Johnston, Senior Civil Engineer; Ian Scott, Project Manager of Broadband; Ciara Fisher; Planner III and Vanessa Franken, Planner II.

APPROVAL OF MINUTES:

Motion by Clark Pickell and seconded by Jeremy Strang for the approval of the Development Review Committee minutes of April 7, 2022.

Ayes: Clark Pickell and Jeremy Strang
Noes: None
Abstain: None

CONSENT ITEMS:

1. Conditional Certificate of Compliance CC2022-0001 (O'Brien): The application is a request for the issuance of a certificate of compliance for a 20.38 acre parcel identified as Assessor's Parcel Number 006-250-040. The parcel is located in the community of Smartsville, along the southern side of State Highway 20. The property is zoned Rural Residential with a 5 acre minimum parcel size (RR-5) & has a general plan designation of Rural Community.

Motion: Motion to approve consent agenda.
Moved: Clark Pickell
Second: Jeremy Strang
Ayes: Jeremy Strang and Clark Pickell
Noes: None
Abstain: 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 TPM2021-0006 (Vanderford): The applicant is requesting approval of a Tentative Parcel Map to subdivide 50.5 acres into two parcels for a property located at 11145 Loma Rica Road, approximately 0.4 acres south of Loma Rica Road, in the community of Loma Rica (APN: 040-260-017). The 2030 General Plan designates the land use as Rural Community and the zoning is “RR-5” Rural Residential-5 acre minimum lot size.

This item was revisited by the Development Review Committee after originally being continued at the 1-6-22 DRC meeting. The applicant has modified the project in an arrangement mutually agreeable by the applicant and the County. Parcel 1 is now proposed to be 15± acres, with Parcel 2 proposed to be 35± acres.

Staff Discussion:

- The applicant was asked if they were satisfied with the conditions of approval as revised since the 1-6-22 DRC meeting, and the applicant confirmed that they were.

Public Hearing:

- None

Motion: Motion to adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to California Environmental Quality Act (CEQA), modify Condition of Approval #36 to include a repair area for Parcel 2, and approve Tentative Parcel Map TPM 2021-0006 subject to making the necessary findings and conditions of approval.

Moved: Clark Pickell

Second: Jeremy Strang

Ayes: Jeremy Strang and Clark Pickell

Noes: None

Abstain: None

2. Tentative Parcel Map TPM2021-0010 (Sanchez): The applicant is requesting approval of a Tentative Parcel Map to subdivide 16.96 acres into three parcels for a property located at 8298 Hallwood Boulevard, in the community of Hallwood (APN: 006-120-038). The 2030 General Plan designates the land use as Rural Community and the zoning is “RR-5” Rural Residential-5 acre minimum lot size.

Ciara Fisher presented the staff report recommending that the Development Review Committee adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to CEQA, and approve Tentative Parcel Map 2021-0010 subject to making the necessary findings and conditions of approval.

Staff Discussion:

- Jeremy Strang expressed an interest in ensuring that prior to submitting any County grading, encroachment, wells, sewage disposal systems, and/or building permits that the applicant must receive approval through an encroachment permit from the Central Valley Protection Board. Ciara Fisher indicated that it would be appropriate to modify the approval of TPM 2021-0010 to include this as a condition of approval.

Public Hearing:

- None

Motion: Motion to adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to CEQA, add a Condition of Approval (#53) to ensure that prior to submitting any County grading, encroachment, wells, sewage disposal systems, and/or building permits that the applicant must receive approval through an encroachment permit from the Central Valley Protection Board, and approve Tentative Parcel Map 2021-0010 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

3. Tentative Parcel Map TPM2021-0009 (Maan 11th Ave): The applicant is requesting approval of a Tentative Parcel Map to subdivide a 3 acre parcel into three parcels, for a property located at 1704 Eleventh Avenue in the Olivehurst Community (APN: 013-310-007). The 2030 General Plan designates the subject site land use as Valley Neighborhood and the zoning as High Density Residential (RH).

Ciara Fisher presented the staff report recommending that the Development Review Committee adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to CEQA, and approve Tentative Parcel Map 2021-0009 subject to making the necessary findings and conditions of approval.

Staff Discussion:

- Staff recommended that Condition of Approval #13 be modified to require that all existing or proposed driveway encroachments onto 11th Avenue shall conform to the current Yuba County Standards for a standard residential driveway (Drawing No. 200) under permit issued by the Department of Public Works.

Public Hearing:

- Jeremy Strang asked about the significance of Safety Zone 6 to the project. Ciara Fisher stated that Safety Zone 6 from the Airport Compatibility Land Use Plan does not have any relevant restrictions to residential development at the project site.
- Mary Jane Salvato expressed concerns related to drainage at the project site. She also expressed an interest in ensuring that the property lines of the project site remain clear of accessory structures and that fences should also be along the property lines. She further expressed skepticism regarding the High Density Residential zoning of the property, stating an interest in preserving the residential rural character of the area.
- The project applicant, Tej Mann, spoke to the merits of the project and that the proposed project site would be in line with the High Density Residential zoning of the project site.
- Clark Pickell invited Public Works staff to speak to the drainage concerns. Nick Johnston of Public Works discussed that an access easement is included on the plans for the project site, but that no road is proposed as of today. He also stated that based on the plans submitted for the project that there are numerous ways to accommodate the required drainage for the project site.
- Kevin Perkins stated that the current zoning of the project site is High Density Residential, and that the Planning Department would be willing to consider changes to this zoning designation.

Motion: Motion that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15315(c), modify Condition of Approval #13 as recommended by staff, and approve Tentative Parcel Map TPM 2021-0009 subject to making the necessary findings and conditions of approval.

Moved: Clark Pickell

Second: Jeremy Strang

Ayes: Jeremy Strang and Clark Pickell

Noes: None

Abstain: None

4. Tentative Parcel Map TPM2021-0007 (Velasco): The applicant is requesting approval of a tentative parcel map to create two parcels from a 20 acre property located at 4075 Monarch Trail Drive in the community of Camp Far West. Proposed parcels one & two will be 10 acres in size (Attachment 1). The project site is identified as Assessor's Parcel Number 015-800-008. The property is zoned as Rural Residential, with a ten acre minimum lot size (RR-10) and is designated on the General Plan Land Use Diagram as Rural Community.

Vanessa Franken presented the staff report recommending that the Development Review Committee adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to CEQA, and approve Tentative Parcel Map 2021-0007 subject to making the necessary findings and conditions of approval.

Staff Discussion:

- Jeremy Strang asked Vanessa Franken if the road is a private road. Nick Johnston of Public Works stated he believed it was. Jeremy Strang expressed concern that if the road is private, that lack of maintenance could result in ingress and egress issues at the project site. Nick Johnston agreed with this assessment.
- Jeremy Strang asked Vanessa Franken what the current agricultural use is on the property. Vanessa Franken stated that the primary agricultural use is for cattle grazing, and that the accessory structure on the project site is used for this purpose. Jeremy Strang asked if permits for all buildings at the project site have been applied for. Vanessa Franken stated that conditions could be added to require this. Kevin Perkins stated that an Administrative Use Permit allows the Planning Department to approve a building permit to establish an agricultural use at the project site, and that an Administrative Use Permit was applied for at the project site to do so; he also stated the Administrative Use Permit was approved. Jeremy Strang asked if, given that the Administrative Use Permit was approved, whether it was possible for the 5th wheel to remain at the project site. Kevin Perkins stated there is not a need for the 5th wheel to remain on the project site unless there is an establishment of an agriculture caretaker; furthermore that the 5th wheel would need to be removed.
- Jeremy Strang questioned what the setback is from the slough. Vanessa Franken stated that it would be appropriate to include this as a condition of approval, and that the setback is 150 feet. Kevin Perkins stated that the General Plan provides a setback standard of 150 feet from waterways, but that it also allows for a waiver to reduce this setback to 33 feet with a letter from a biologist to confirm that the reduced setback would not be environmentally damaging.
- Kevin Perkins stated that the Planning Department supports the waiver request to modify the length to width of the project site as proposed by the applicant, that doing so would be beneficial for public safety and that the lot sizes as proposed are already very close to meeting the minimum requirements.
- Nick Johnston confirmed that the road is accessible by the public but not maintained by the County. Jeremy Strang asked if the minimum fire safe standards contained in the Yuba County Development Code apply to this parcel, Vanessa Franken confirmed that they apply.

Public Hearing:

- None

Motion: Motion to adopt the Initial Study/Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA), approve the waiver to permit the adjustment to lot sizes, and approve Tentative Parcel Map TPM 2021-0007, including additional conditions to include the 150 foot setback from waterways with the ability to reduce the setback with the approval of a waiver, and add another condition to require the removal of the 5th wheel and the application of building permits for all structures prior to recordation of the map.

Moved: Clark Pickell

Second: Jeremy Strang

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 9:50 am.

Dan Peterson, Committee Chairman
Development Review Committee