



County of Yuba

Community Development & Services Agency

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

Planning Department

Phone: (530) 749-5470

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

DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

MEETING DATE: June 2, 2022

TO: DEVELOPMENT REVIEW COMMITTEE

FROM: Ciara Fisher, Planner III

RE: TENTATIVE PARCEL MAP TPM 2021-0014 (ARO Developments)

REQUEST: The applicant is requesting approval of a Tentative Parcel Map to subdivide a 20.16 acre parcel into five industrial parcels, for a property located at 4529 Arboga Road in the community of Olivehurst (APN: 013-310-007).

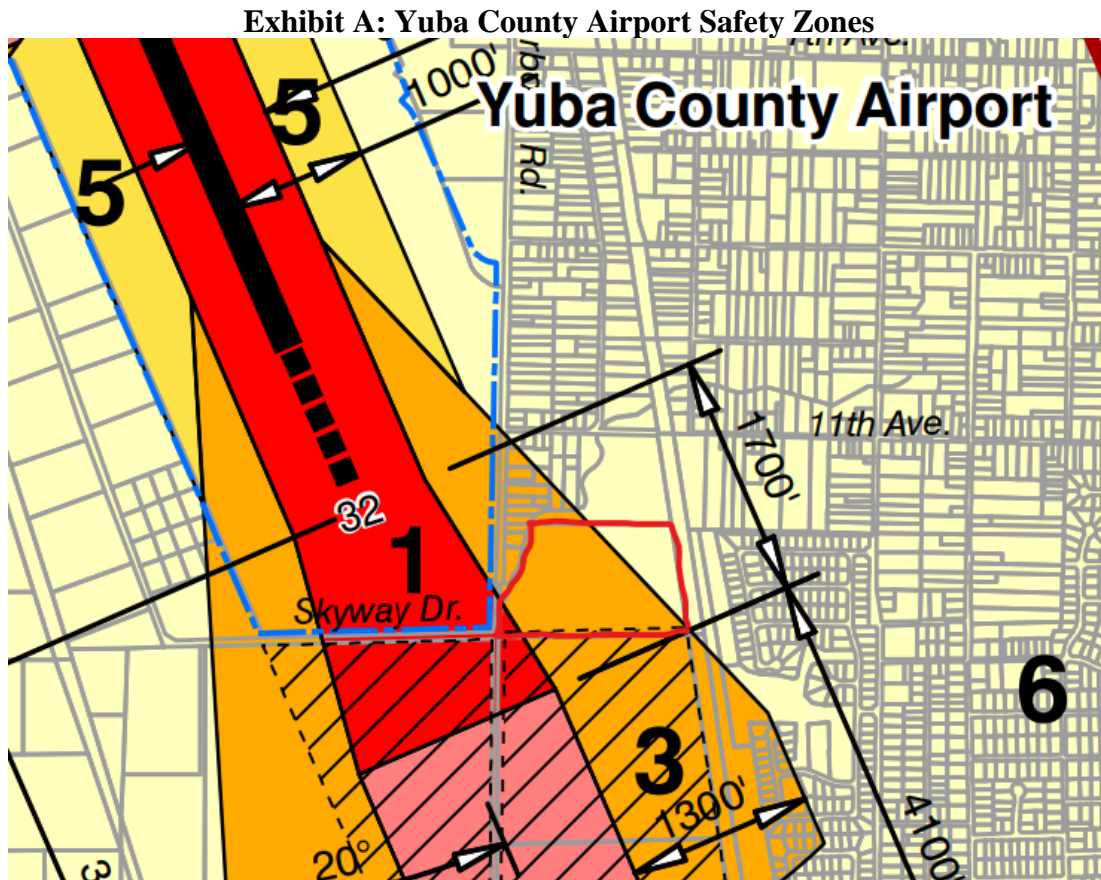
RECOMMENDATION: Staff recommends that the Development Review Committee (DRC) make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15315 (Minor Land Division) and approve Tentative Parcel Map TPM 2021-0014 subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

BACKGROUND/DISCUSSION: The 2030 General Plan designates the subject site land use as Valley Neighborhood and the zoning as Light Industrial "IL". The project site is located at 4529 Arboga Road, approximately 0.50 miles north of McGowan Pkwy, in the community of Olivehurst, identified as Assessor's Parcel Number 013-310-007-000. Applicant requests to subdivide a vacant 20.16 acre parcel into five parcels. Pursuant to Subdivision Map Act Section 66426(c), Necessity of Tentative and Final Maps, five or more parcels of land zoned Industrial shall be processed as a Tentative Parcel Map. Parcels 1 and 3 are proposed to be 3.5± acres in size, Parcels 2 and 4 are proposed to be 3.66± acres in size, and Parcel 5 is proposed to be ±5.5 acres in size. (Attachment 1). All five parcels meet the minimum width and lot size requirements for the "IL" zoning district.

All five parcels will have access to Arboga Road via a 60 foot wide access easement. Please note that access to Parcel 5 shall be limited to the 60 foot wide access easement; no access shall be allowed directly to or from Arboga Road. Moreover, Arboga Road will be widened to accommodate a left turn lane for southbound truck traffic to safely enter the property. The proposed 60 foot access road complies with Yuba County Public Work's Department standards for an urban residential intersection (Drawing No. 105), modified to include sufficient space to accommodate the turning radius of commercial trucks into and out of the proposed entrance road from all directions.

In addition, Parcel 5 is located mainly within Flood Zone A, which has a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage, and is directly adjacent to Lateral 17/Clark Sough. For this reason, Reclamation District No. 784 has provided comments and conditions of approval to safely build on the proposed industrial parcels in a floodway. Examples of these conditions include drainage improvements that may include a detention pond/water quality basin, building pads to be at least one foot above the 100-year base flood elevation, and storm water quality control measures.

The property is located mainly in Safety Zone 3 and a small portion of Safety Zone 1 and 6 of the Yuba County Airport Land Use Compatibility Plan (YCALUCP). Exhibit A indicates the three safety zones on the property. Safety Zone 3 allows for a variety of Industrial Land Uses; such as food products preparation, electronic equipment, machine shops, wood products, auto repair, indoor and outdoor storage, parking, and etc. Parcel 2 is mainly located within Safety Zone 6 and is therefore allowed a wider variety of uses. The project was routed to Yuba County Airport and Staff incorporated their comments into the Conditions of Approval (see Attachment 2, COA 52). Specifically, conditions were added regarding passage of aircraft on the properties airspace, height limitations of 113 feet for structures or vegetation, and restrictions to prevent aircraft interference.



Furthermore, all of the proposed parcels have been conditioned by the Environmental Health Department to be required to connect to Olivehurst Public Utility District (OPUD) for both their water and wastewater needs. The property is not currently within the jurisdiction of OPUD and

will therefore be required to be annexed into their water district prior to Final Map recordation. The annexation process will be processed by the Yuba LAFCo. Therefore, OPUD is satisfied with the project's proposal at this stage in the development process.

SURROUNDING USES:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Subject Property	Valley Neighborhood	Light Industrial	Vacant
North	Valley Neighborhood	Single & Medium Density Residential	Single Family Residential & Vacant
East	Valley Neighborhood	Public Facilities	Union Pacific Railroad Company & County Owned Land
South	Valley Neighborhood	Light Industrial	Orchard
West	Valley Neighborhood	Public Facilities	Yuba County Airport

Surrounding properties range from less than an acre to 46 acres in size. The properties to the north are zoned Single Family Residential "RS" and Medium Density Residential "RM". The properties to the west and east are zoned Public Facilities "PF". Due to the flight path of the Yuba County Airport, industrial uses are a compatible use in the area. Moreover, the "IL" zoning district is a compatible land use in areas of close proximity to residential areas and less intense commercial areas. The General Plan Land Use Diagram has a General Plan designation of Valley Neighborhood for the subject property as well as surrounding parcels.

GENERAL PLAN/ZONING: The project site is designated Valley Neighborhood as shown on the 2030 General Plan Land Use Map. The Valley Neighborhood land use classification is a mixed land use designation that allows for a variety of residential, commercial, and other land uses. The intent of the General Plan designation is to provide for the full range of housing types, commercial and public services, retail offices, and other components of a complete neighborhood in valley portions of the County. Section 11.09.010(D)(2) of the Yuba County Development Code states that the purpose of "IL" is to allow for light industrial and service commercial uses with limited potential to create noise, odor, vibration, or other similar impacts to adjacent uses and surrounding areas. Uses may include ancillary retail areas for the sale of products manufactured on-site. The proposed project is consistent with land use designations, as the map will create parcels that may be utilized for high residential purposes. The project complies with the following General Plan Policies:

- 1. Policy CD2.7 The County will actively promote vacant industrial sites in the Linda and Olivehurst areas for employment development.*

The project property is located within the community of Olivehurst and has the capacity to construct/develop five new industrial/commercial uses. Therefore, it will provide additional industrial and commercial opportunities for the area.

2. *Policy CD10.1 The County will encourage development that improves the balance between local jobs and housing, including new commercial, industrial, home-based businesses, business incubators, and other development that generates net revenues for the County and produces local jobs.*

The proposed industrial project will introduce 5 new industrial/commercial uses that will generate new jobs in the Olivehurst community. New industrial projects will also generate net revenues for the County via property and customer sales tax.

3. *Policy CD11.7 The County will encourage ongoing airport operations, as well as industrial development near the Yuba County Airport.*

As discussed in the Background/Discussion section, the property is located mainly within Safety Zone 3 and a small portion of Safety Zone 1 and 6 of the YCALUCP. The Yuba County Airport has provided conditions of approval to ensure any new industrial development is compatible with the airport.

4. *Policy CD12.14: Solid waste service, including recycling, is required for urban land uses developed within the Valley Growth Boundary.*

The project will be annexed into the Olivehurst Public Utility District (OPUD) and will then be required to connect to their district for public water and sewer. The County Environmental Health Department has also added conditions of approval to ensure connections to OPUD.

Recyclable solid waste collected by OPUD is taken to a materials recovery facility on State Route 20, outside of the City of Marysville, and all other waste is taken to a landfill on Ostrom Road. The Ostrom Road landfill has a capacity of 41,822,300 cubic yards, and has adequate capacity to serve the project site.

5. *Policy HS10.11 Lands within the 65 CNEL noise contour of Beale Air Force Base, Yuba County Airport, and Brownsville Airport shall be maintained in agricultural, open space, commercial, industrial, or other uses permitted by the subject airport's adopted Comprehensive Land Use Plan (CLUP) and consistent with the recommendations of the Beale Joint Land Use Study, including noise contours associated with future hypothetical missions, as appropriate.*

This property is located outside of the 65 CNEL noise contour of the YCLUCP. Nevertheless, the proposed property is required to construct industrial uses due to the "IL" zoning designation.

ENVIRONMENTAL REVIEW: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15315 (Minor Land Divisions).

Section 15315 (Minor Land Divisions) exempts land divisions of four or fewer parcels when the division of property is in an urbanized area zoned industrial in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previously two years, and the parcel does not have an average slope greater than 20 percent.

The proposed project meets all the requirements of Sections 15315. The project is the creation of three parcels and is located in an urbanized area; it is consistent with both the General Plan and zoning; access exists to the site via Arboga Road; OPUD will provide water and wastewater services upon annexation; PG&E will provide gas and electrical services; the project has not been subdivided in the last 2 years; no variances or exceptions to County standards are required; and the project does not have an average slope over 20 percent. The 20 acre project site is relatively flat and contains no habitat for protected biological resources. Parcel 5 of the proposed project is mainly located within Flood zone A and has been conditioned by RD-784 and the Yuba County Public Works Department to safely build on the proposed industrial parcels. For this reason, any potential impacts for drainage will be addressed at time of development.

COMMENTS: Planning staff has received the following comment letters (Attachment 3):

- County Staff – The Public Works Department, Environmental Health Department, Building Department, and Code Enforcement Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.
- OPUD – Visited Site to scope out property, existing utilities, and requirements.
- RD 784 – Provided conditions regarding drainage and stormwater control.
- CALTRANS – No Comments.
- PG&E – No Comments.

FINDINGS: Projects are evaluated for consistency with the County’s General Plan, conformance with the County’s Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area surrounding the project. In the case of addressing project impacts to health, safety, and welfare, specific findings need to be met for each entitlement. Below are the findings for each project entitlement needed for project approval.

Tentative Parcel Map:

1. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, this Code, and other applicable provisions of the County Code. A proposed subdivision shall be considered consistent with the General Plan or a specific plan only when the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan;*

The project site is designated as Valley Neighborhood on the 2030 General Plan Land Use diagram and is within the “IL” Zoning Designation. The proposed project is consistent with the character of the General Plan and Zoning Designation (See General Plan/Zoning Section above for consistency).

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2. *The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accordance with Section 66473.1 of the Subdivision Map Act; and*

The orientation and size of the proposed lots will allow opportunity to align industrial buildings to have a southern exposure and shade/prevailing breezes.

3. *Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with Section 66473.7 of the Subdivision Map Act.*

The proposed development will create five industrial parcels and therefore does not propose more than 500 dwelling units.

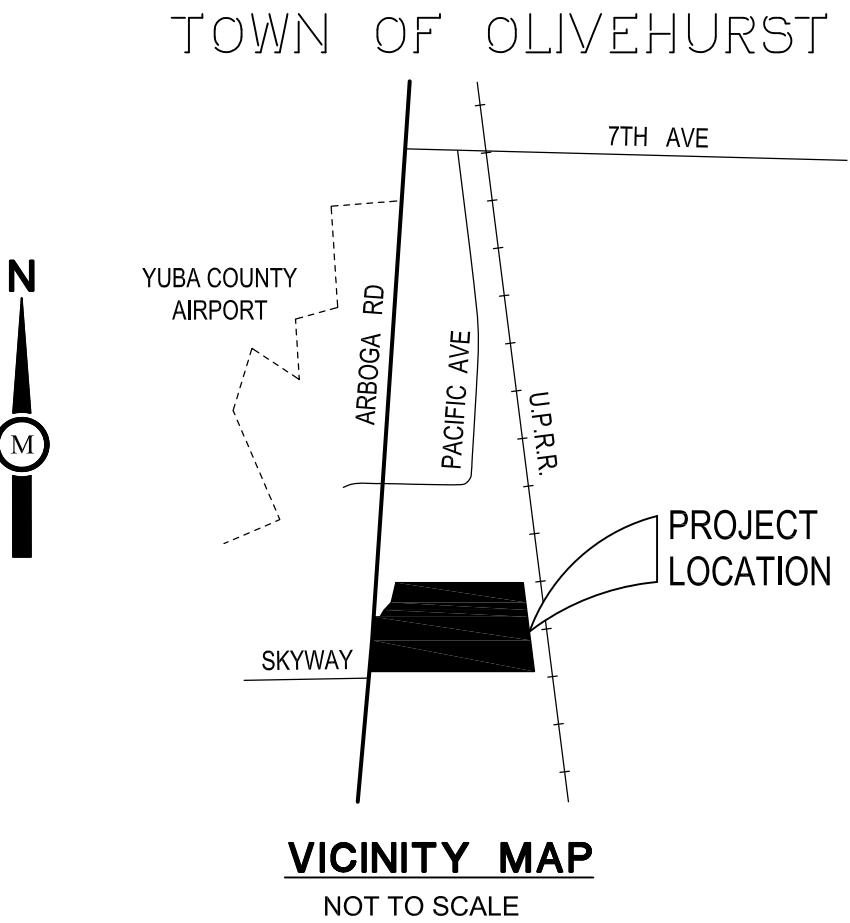
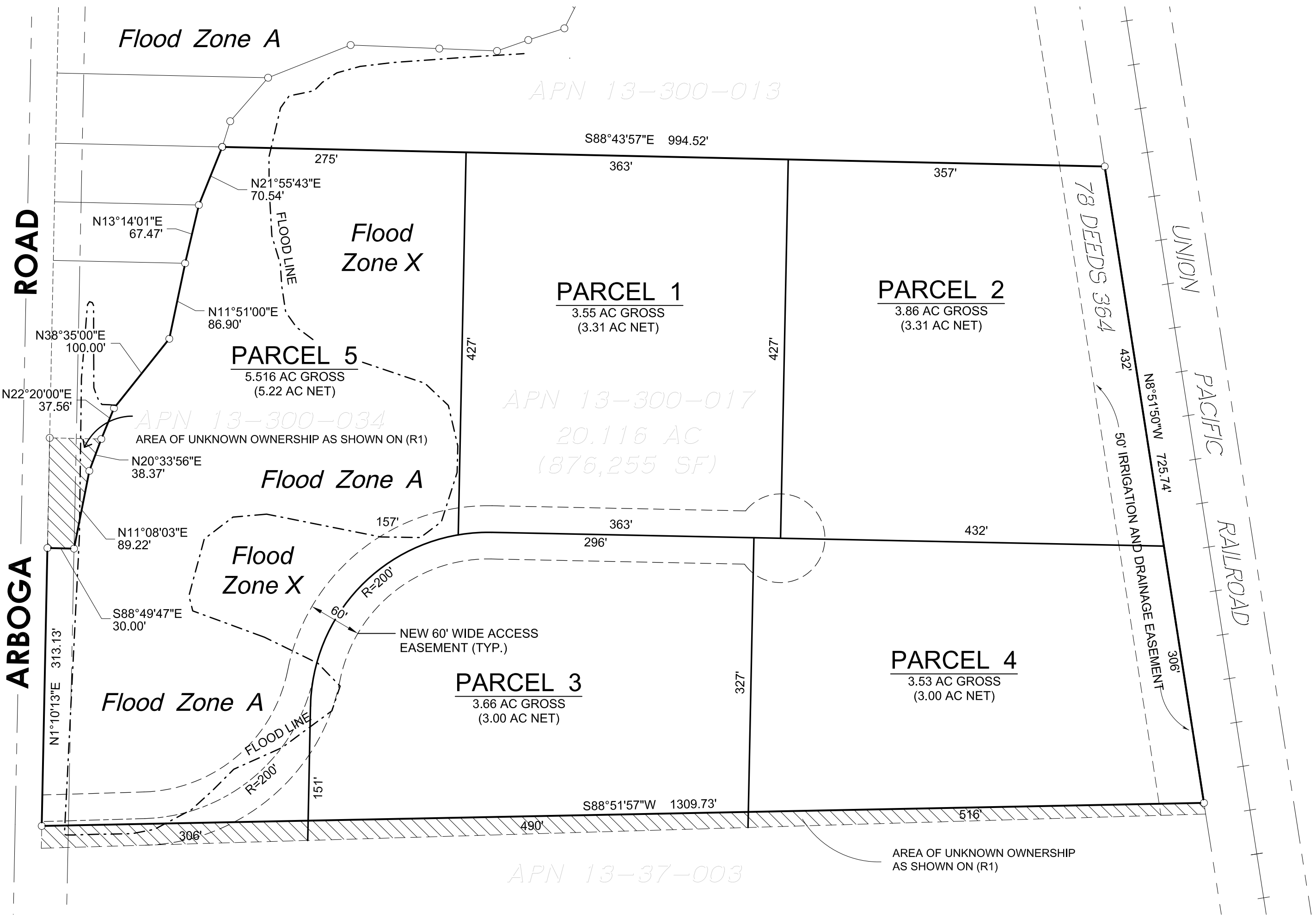
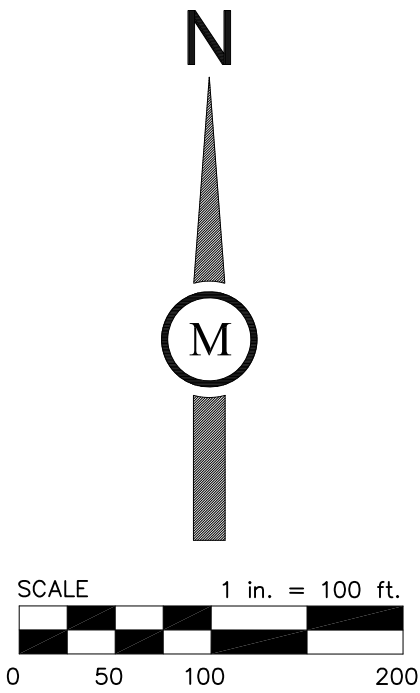
Report Prepared By:



Ciara Fisher
Planner III

ATTACHMENTS

1. Tentative Parcel Map
2. Conditions of Approval
3. Comment Letters



Project Information

APN:	013-300-017-000 AND A PORTION OF 013-37-003
PROJECT LOCATION:	4529 ARBOGA ROAD OLIVEHURST, CA 95961
TOTAL ACREAGE:	20.116 ACRES
EXISTING LOTS:	1 PARCEL
PROPOSED LOTS:	5 PARCELS
OWNER/APPLICANT:	ARO DEVELOPMENT LLC 990 KLAMATH LANE, STE. 5, YUBA CITY, CA 95993 530-443-3009
DOMESTIC WATER:	YUBA COUNTY
SEWAGE:	ON-SITE PRIVATE SEPTIC SYSTEM
DRAINAGE:	SURFACE VIA EXISTING TOPOGRAPHY
EXISTING ZONING:	IL - LIGHT INDUSTRIAL
PROPOSED ZONING:	SAME
EXISTING USE:	VACANT - UNDEVELOPED
PROPOSED USE:	APPROVED INDUSTRIAL USES

LEGAL DESCRIPTION

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL OF LOT 41, MAP OF SUBDIVISION OF OLIVEHURST TRACT AS SHOWN ON MAP OF SAME ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF YUBA COUNTY, STATE OF CALIFORNIA IN MAP BOOK 2 AT PAGE 5.

THE ABOVE PROPERTY IN THE LAND LYING EASTERLY FROM THE MAIN DRAINAGE CANAL ACROSS THESE SAID LOTS. EXCEPTING ALL PROPERTY WESTERLY FROM THE ABOVE MENTIONED DRAINAGE CANAL IN THE ABOVE-DESCRIBED LOT.

TOGETHER WITH ALL THAT PORTION OF SECTION 5 LYING SOUTHERLY OF THE SOUTH LINE OF LOT 41 OF THE OLIVEHURST TRACT, AS FILED IN BOOK 2 OF MAPS, PAGE 5, YUBA COUNTY RECORDS.

APN: 013-300-017-000 AND PORTION OF APN: 013-37-003

GENERAL NOTES

- NO WELL OR SEPTIC SYSTEM EXISTS ON-SITE.
- ACCESS SERVING PARCELS 1 THROUGH 4 IS FROM ARBOGA ROAD VIA A PRIVATE ACCESS ROAD EASEMENT.

FLOOD ZONE CLASSIFICATION

THIS PROPERTY LIES WITHIN TWO FLOOD ZONES, "A" AND "X" PER FIRM MAP 06115C0410D, DATED FEBRUARY 18, 2011.

REFERENCES

(R1) RECORD OF SURVEY NO. 92-10 (58 Maps 48)

BASIS OF BEARINGS

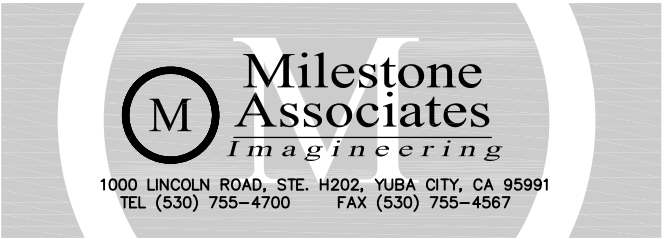
(R1) RECORD OF SURVEY No. 92-10 (58 Maps 48)

TENTATIVE PARCEL MAP

for **ARO DEVELOPMENT LLC**

Being a portion of Lot 41 of the Olivehurst Tract as filed in Book 2 of Maps, Page 5, Official Records of Yuba County, California, being also a portion of Section 8, T.14N., R.4E., MDM

County of YUBA State of CALIFORNIA
NOVEMBER 2021 Sheet 1 of 1



PREPARED BY OR UNDER THE SUPERVISION
OF ANDREW KLINSTIVER, III, L.S. 7182

**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE**

Applicant: Milestone Associates
Owner: ARO Developments
APN: 013-300-017

Case Number: TPM2021-0014
DRC Hearing Date: June 2, 2022

ACTIONS FOR CONSIDERATION: Staff recommends the Development Review Committee take the following actions:

- I. After review and consideration, make a determination the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15315 (Minor Land Division).
- II. Approve Tentative Parcel Map TPM 2021-0014 subject to the conditions below, or as may be modified at the public hearing, making the findings made in the Staff Report, pursuant to County of Yuba Title XI Sections 11.40.040 and 11.57.060.

GENERAL CONDITIONS

- 1) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 2) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, including the requirements provided by Chapter 11 of the Yuba County Development Code.
- 3) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County prior to filing of the Final Map.
- 4) This tentative parcel map may be effectuated at the end of the ten (10) appeal period which is June 13, 2022. Tentative Parcel Map TPM 2021-0014 shall be designed in substantial conformance with the approved tentative map (Attachment 1) filed with the Community Development & Services Agency and as conditioned or modified below. Minor modifications to final configuration of the Final Map may be approved by the Community Development & Services Agency Director; however, the number of parcels shall not exceed that shown on the approved tentative map.
- 5) This tentative parcel map shall expire 36 months from the date of approval June 2, 2025 unless extended pursuant to Chapter 11.40.050 of the Yuba County Development Code.
- 6) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.

PUBLIC WORKS DEPARTMENT:

- 7) The Public Works Director may reasonably modify any of the Public Works conditions contained herein. The required street widths as stated herein shall take precedence over those as shown on the tentative map.

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- 8) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 34-foot strip of land adjoining the centerline of Arboga Road, classed as an Urban Collector Road, lying within the bounds of this property.
 - 9) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services along the street frontages of this property measured from the County's right of way.
 - 10) Owner shall provide a non-exclusive easement to be reserved in deeds, for road and public utility purposes, 60 feet in width connecting all parcels to Arboga Road.
 - 11) Owner shall provide proof of quiet title action if they intend to use the land shown as "owner unknown" on the tentative parcel map, or show proof of ownership to demonstrate that they have the legal right to use the land in question.
 - 12) Prior to map recordation, road construction along Arboga Road fronting this property shall meet the half-width requirements for an Urban Collector Road in conformance with the Yuba County Standard (Drawing No. 102) or as modified by the Public Works Director. Such standard includes a 25-foot wide paved section, curbs, and gutters, with an attached sidewalk.
 - 13) The required road construction along Arboga Road fronting this property is hereby deferred by the Public Works Director under Section 11.46.060 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land, to defer the above frontage improvements and split the cost equally between Parcels 1 through 5 until such time as a building permit or other grant of development for each parcel is issued by the County or until such time the County determines that the extent of development along the street, the volume of traffic, or other factors such as the necessity to provide drainage, pedestrian walkways or bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary, or in conjunction with a County funded improvement project.
 - 14) Proposed road encroachment onto Arboga Road shall conform to the current Yuba County Standards for an urban residential intersection (Drawing No. 105) under permit issued by the Department of Public Works.
 - 15) The access to Parcel 5 shall be limited to the 60' wide access easement; no access shall be allowed directly to or from Arboga Road.
 - 16) If the Deferred Improvement Agreement option is not chosen, then improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), construction staking, and monumentation. Such approvals shall include the alignment and grades of roads and drainage facilities.
 - 17) Prior to map recordation, Arboga Road shall be widened to accommodate a left turn lane for southbound truck traffic to safely enter the property, under permit issued by the Department

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of Public Works. These improvements may not be deferred.

- 18) Proposed road encroachment onto Arboga Road shall conform to the current Yuba County Standards for an urban residential intersection (Drawing No. 105), modified to include sufficient space to accommodate the turning radius of commercial trucks into and out of the proposed entrance road from all directions, under permit issued by the Department of Public Works. These improvements may not be deferred.
- 19) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
- 20) Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.
- 21) Owner, heirs or assigns of this property, or portions thereof, shall remove and/or relocate any fence(s) located within dedication(s) or offer(s) of dedication required by this division or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Such fence removal or relocation may be deferred until such time as the then owner is directed by the Public Works Department of Yuba County to remove or relocate the fence(s) at the owner's expense. Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication required by this division, or existing County easements or right-of-ways.
- 22) Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits and approvals have been obtained, which may include: a 404 permit from Army Corps of Engineers; including Section 7 consultation with the U.S. Fish and Wildlife Service, 401 certification from the Regional Water Quality Control Board, 2081/1602 permit, as necessary, from the California Department of Fish and Game, and pre-construction surveys for special status species.
- 23) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at:
<http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works

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- Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.
- 24) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
 - 25) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the parcel map.
 - 26) Owner shall be responsible for giving sixty (60) days' notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
 - 27) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the parcels being created by this parcel map. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the parcel map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
 - 28) Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to filing the parcel map.
 - 29) Owner shall submit a current Preliminary Title Report or Parcel Map Guarantee, in favor of Yuba County, two (2) check prints of the parcel map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the parcel map. An updated Parcel Map Guarantee shall be provided 1 week prior to filing the parcel map with the Yuba County Recorder.
 - 30) Owner shall have the property surveyed and have corner monuments placed at all parcel corners in conformance with requirements of the County Surveyor, chapter 11.41 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).
 - 31) Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.
 - 32) All easements of record that affect this property are to be shown on the parcel map.
 - 33) Prior to submitting the parcel map to the Recorder's Office for filing, all outstanding County fees due to the Community Development and Services Agency departments shall be paid in full.

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- 34) Owner shall submit a copy of the parcel map for review by the Planning Department for conformance with the Department's conditions of approval, mitigation measures or other requirements. Before the parcel map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the parcel map is found to be in conformity with the Department's conditions of approval, mitigation measures and requirements shall be received by the County Surveyor.
 - 35) Owner shall submit a copy of the parcel map for review by the Environmental Health Department for conformance with the Department's conditions of approval and other requirements. Before the parcel map can be filed with the Yuba County Recorder, a statement from the Environmental Health Department Director which states that the parcel map has been found to be in conformity with the Environmental Health Department conditions and requirements and that it is in conformance with the requirements of Chapter 7.07 of the Yuba County Ordinance Code shall be received by the County Surveyor.
 - 36) Owner shall submit a copy of the parcel map to the Olivehurst Public Utility District (OPUD) to review to determine conformance with the District's requirements. Before the parcel map can be filed with the Yuba County Recorder, a letter from the OPUD is to be submitted to the County Surveyor which states that the District's requirements have been met and that any public service easements as may be shown on the parcel map are satisfactory and that there are no objections to filing the parcel map.
 - 37) Owner shall submit a copy of the final map for review by Yuba County and the appropriate Fire Protection Authority to determine conformance with the conditions of approval, the Yuba County Fire Safe Ordinance and the Uniform Fire Code requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Fire Protection Authority shall be submitted to the County Surveyor which states that the Fire Safe requirements have been met and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT:

- 38) Prior to recording, owner shall annex into Olivehurst Public Utilities District (OPUD) and submit to Environmental Health a "Will Serve" letter for water and sewer services and facilities for parcel(s) 1 through 5.
- 39) Prior to building permit final, owner shall connect parcel(s) 1 through 5 to OPUD water and sewer services.
- 40) All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
- 41) All existing trash and debris shall be removed from the subject site.
- 42) All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81". Environmental Health Division-Conditions of Approval
- 43) All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Environmental Health Department.

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BUILDING DEPARTMENT:

- 44) All development on this site shall be completed under an issued permit and shall comply with all codes in effect at the time of permit application.
- 45) If any structures are to be built in the future, all building will require permits and shall follow all current building code in effect at the time of permit submittal.
- 46) Any improvements shall follow all federal laws, state laws and local ordinances as well as the local fire authority's requirements.

PLANNING DEPARTMENT:

- 47) Minor modifications to the final site configuration may be approved by the Community Development & Services Agency Director.
- 48) Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense or as agreed by PG&E. There shall be no building of structures under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
- 49) Operator shall meet all requirements of the Feather River Air Quality Management District.
- 50) Should any prehistoric or historic artifacts, including human remains be exposed during construction and excavation operations, work shall cease and the Community Development & Services Agency shall be immediately notified and will ensure adherence to CEQA Guideline Section 15064.5(e). If apparent human remains are exposed, the County Coroner shall be consulted to determine whether any such materials require special treatment prior to resuming construction.
- 51) Prior to the issuance of any building final occupancy permits, landscaping shall be installed in compliance with Chapter 11.24 Landscape of the Yuba County Development Code.

YUBA COUNTY AIRPORT:

- 52) The following notes shall be added to the map prior to filing:
 - a) A right of flight for the passage of aircraft in the airspace exists above the surface of the herein subdivided land, together with the right to cause in said airspace such noise as may ensue from the operation of aircraft, now known or hereafter used for navigation of or flight in the air.
 - b) Developer of herein subdivided land agrees that it will not erect nor permit the erection of any structure or object nor permit the growth of any tree on the described real property above a mean sea level elevation of 113 feet. In the event the aforesaid covenant is breached, the County reserves the right to enter on the described real property and to remove the offending structure or object and/or to cut the offending tree, all of which shall be at the expense of the Grantee.
 - c) Herein subdivided land may not be used in any manner which might interfere with the landing and taking off of aircraft from County of Yuba Airport or otherwise constitute an airport hazard. In the event of the aforesaid covenant is breached, the County reserves the right to enter on the said real property and cause the abatement of such interference at the expense of the Grantee

**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE**

Applicant: Milestone Associates
Owner: ARO Developments
APN: 013-300-017

Case Number: TPM2021-0014
DRC Hearing Date: June 2, 2022

When a parcel of the map is sold, the legal description will be "Parcel _ of Parcel Map 2021-0014, filed in book _ of maps at page ___, Yuba County Official Records". When a parcel is described that way, all notes, easements, etc. that are shown on the parcel map are legally bound to the property. The notes may be added to any property deed, but technically do not need to if the notes exist on the map.

RECLAMATION DISTRICT NO. 784:

- 53) The applicant shall submit a formal application and a plan check/review deposit of \$1,600.00 (Which includes a \$100.00 admin fee) prior to any development on the property and additional work being completed by RD 784 (i.e. site plan review, grading plan, improvement plans, drainage plan, impact fee agreement).
- 54) The project shall meet or exceed the requirements of the RD 784 Master Drainage Plan for Drainage Basin C and all future revisions to the Drainage Basin C Master Drainage Plan for portions within Drainage Basin C.
- 55) Developers shall pay operation and maintenance fees in CSA 66 for operation and maintenance of RD 784 facilities.
- 56) Developer shall pay all Drainage Basin C impact fees prior to recordation of the final parcel map or prior to any approvals which create additional impacts to the system for land within Drainage Basin C whichever occurs first. Grading (which includes compaction of the parking areas, roadways, and pads) of the property shall be considered an impact to the system.
- 57) The project shall incorporate storm water quality control measures to the onsite improvements. The control measures are intended to serve as best management practices (BMPs) implemented to meet the standard of "reducing pollutants in urban runoff to the maximum extent practicable" established by the Regional Board and the U.S. Environmental Protection Agency. RD 784 has accepted use of Sacramento and South Placer Region standards in the Storm water Quality Design Manual.
- 58) No building permits shall be issued until all required RD 784 drainage improvements have been completed and are operational to the satisfaction of the District.
- 59) All building pads shall be at least one foot above the 100-year base flood elevation in accordance with the best available information in the Reclamation District No. 784 Master Drainage Plan.
- 60) The 100-year base flood elevation shall be shown on the approved tentative map and all improvements plans.
- 61) Reclamation District No. 784 will only accept the right-of-way for Lateral 17 and the access roadways on either side of the Lateral. No recreational use shall be allowed within Reclamation District No. 784 right-of-way.
- 62) Lateral 17 within the project limits shall be constructed to the ultimate limits in accordance with the Reclamation District No. 784 Master Drainage Plan. The Master Plan requires detention throughout the drainage system. This project shall construct their fair share of any required detention. No modeling was provided with this submittal to determine if there is a need for storage or if there is some excess storage available from the upstream detention pond. Additional modeling will be required during the submittal of the improvement plans.

**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE**

Applicant: Milestone Associates
Owner: ARO Developments
APN: 013-300-017

Case Number: TPM2021-0014
DRC Hearing Date: June 2, 2022

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- 63) The Operation and Maintenance roadways shall be twenty (20) feet wide. A stable bank shall be considered a 2:1 side slope. RD 784 shall require the south bank to be an all-weather roadway. The roadway shall be constructed of a minimum of 8 inches of $\frac{3}{4}$ Inch Class 2 Aggregate Base over compacted subgrade. The actual thickness shall be determined using a TI of 5 and the actual R-value of the soil but in no case less than the stated 8 inches.
- 64) All industrial, residential properties, or open space with allowed recreational uses adjacent to Reclamation District No. 784 facilities/right-of-way shall have a six (6) chain link fence, metal picket fence, wrought iron, or solid wall (i.e. concrete, masonry block). There shall be a one (1) foot no access easement recorded in the deed along all common property lines with Reclamation District No. 784 lands.
- 65) The maintenance access off Arboga Road to the Lateral 17 all-weather access road shall meet or exceed County of Yuba Standards. There shall be a twenty (20) foot pipe gate set back no less than 30 feet from the roadway. The pipe gate shall be tied into the fencing required in condition 62. The access entrance shall be paved with a minimum roadway surface of twenty (20) feet with two (2) foot aggregate base shoulders. The access roadway shall be shown on the tentative map.

Yuba County CDSA



Ciara Fisher
Planner III



November 30, 2021

County of Yuba
Community Development & Services Agency
Planning Department
915 8th St.
Marysville, CA 95901

RE: CASE TPM 2021-0014

RD784 EARLY CONSULTATION COMMENTS

In response to the Application Routing dated November 15, 2021 for Case TPM 2021-0014, Reclamation District No. 784 (RD 784) provides the following comments and recommends that they be incorporated into the conditions of approval.

This project lies within Reclamation District No. 784 Drainage Basin C and is zoned IL-Light Industrial District. RD 784 recommends that the following conditions of approval be incorporated:

1. The project shall meet or exceed the requirements of the RD 784 Master Drainage Plan for Drainage Basin C and all future revisions to the Drainage Basin C Master Drainage Plan for portions within Drainage Basin C.
2. Developers shall pay operation and maintenance fees in CSA 66 for operation and maintenance of RD 784 facilities.
3. Developer shall pay all Drainage Basin C impact fees prior to recordation of the final parcel map or prior to any approvals which create additional impacts to the system for land within Drainage Basin C whichever occurs first. Grading (which includes compaction of the parking areas, roadways, and pads) of the property shall be considered an impact to the system.
4. The project shall incorporate storm water quality control measures to the onsite improvements. The control measures are intended to serve as best management practices (BMPs) implemented to meet the standard of "reducing pollutants in urban runoff to the maximum extent practicable" established by the Regional Board and the U.S. Environmental Protection Agency. RD 784 has accepted use of Sacramento and South Placer Region standards in the Storm water Quality Design Manual.

Attachment 3

5. No building permits shall be issued until all required RD 784 drainage improvements have been completed and are operational to the satisfaction of the District.
6. All building pads shall be at least one foot above the 100-year base flood elevation in accordance with the best available information in the Reclamation District No. 784 Master Drainage Plan.
7. The 100-year base flood elevation shall be shown on the approved tentative map and all improvements plans.
8. Reclamation District No. 784 will only accept the right-of-way for Lateral 17 and the access roadways on either side of the Lateral. No recreational use shall be allowed within Reclamation District No. 784 right-of-way.
9. Lateral 17 within the project limits shall be constructed to the ultimate limits in accordance with the Reclamation District No. 784 Master Drainage Plan. The Master Plan requires detention throughout the drainage system. This project shall construct their fair share of any required detention. No modeling was provided with this submittal to determine if there is a need for storage or if there is some excess storage available from the upstream detention pond. Additional modeling will be required during the submittal of the improvement plans.
10. The Operation and Maintenance roadways shall be twenty (20) feet wide. A stable bank shall be considered a 2:1 side slope. RD 784 shall require the south bank to be an all-weather roadway. The roadway shall be constructed of a minimum of 8 inches of $\frac{3}{4}$ Inch Class 2 Aggregate Base over compacted subgrade. The actual thickness shall be determined using a TI of 5 and the actual R-value of the soil but in no case less than the stated 8 inches.
11. All industrial, residential properties, or open space with allowed recreational uses adjacent to Reclamation District No. 784 facilities/right-of-way shall have a six (6) chain link fence, metal picket fence, wrought iron, or solid wall (i.e. concrete, masonry block). There shall be a one (1) foot no access easement recorded in the deed along all common property lines with Reclamation District No. 784 lands.
12. The maintenance access off Arboga Road to the Lateral 17 all-weather access road shall meet or exceed County of Yuba Standards. There shall be a twenty (20) foot pipe gate set back no less than 30 feet from the roadway. The pipe gate shall be tied into the fencing required in condition 11. The access entrance shall be paved with a minimum roadway surface of twenty (20) feet with two (2) foot aggregate base shoulders. The access roadway shall be shown on the tentative map.

Storm water quality is a major issue within Drainage Basin C (along with the other Basins) and the storm water quality will be enforced. The water will directly flow into the Lateral 17/Clark Slough and will be pumped directly into the Bear River. The District understands that the O&M of these features may need to be included in the special zone of benefit for CSA 66 or included in some other type of assessment or fee.

Reclamation District No. 784 would like the RD 784 proposed right-of-way shown on the tentative map including a requirement to dedicate the ROW with full improvements as part of the map. These lands can be shown as Lot A or transferred by deed.

Attachment 3

It would seem the Flood Zone A area would be ideal for a detention pond/water quality basin. The detention pond or water quality basin is not shown on the detention map. Lateral 17 has limited capacity downstream. This property was previously submitted with full improvement plans as a residential project. Those improvement plans included downstream improvements on Lateral 17 adjacent to Skyway. Since this project is proposed as Industrial which has a higher runoff than the drainage master plan and the original project, there is a very high potential this project will need both a detention pond and downstream improvements. As stated, the submittal does not include a drainage study. The environmental document should at a minimum address the required downstream improvements and the potential detention pond requirement.

RD 784 has not received a formal application from the applicant. The applicant shall submit a formal application and a plan check/ review deposit of \$1,600.00 (Which includes a \$100.00 admin fee) prior to additional work being completed by RD 784 (i.e. site plan review, grading plan, improvement plans, impact fee agreement).

If you have any questions or require additional information, please contact RD 784.

Thank you,



Patrick Meagher
General Manager
Reclamation District 784

Cc: Sean Minard, MHM Inc.
1204 E St.
Marysville, CA 95901



December 20, 2021

Ciara Fisher
County of Yuba
915 8th Street
Marysville, CA 95901

Re: ARO Developments Parcel Map
4529 Arboga Road, Olivehurst, CA

Dear Ciara Fisher,

Thank you for providing PG&E the opportunity to review your proposed plans for ARO Developments Parcel Map dated November 15, 2021. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

Fisher, Ciara

From: Mckee, Deborah@DOT <deborah.mckee@dot.ca.gov>
Sent: Thursday, November 18, 2021 11:39 AM
To: Fisher, Ciara
Subject: ARO Developments Parcel Map - 03-YUB-2021-00132

Good morning Ciara.

Thank you for submitting the TPM2021-0014 Tinajero project to our office for our review. At this time, we do not have any comments.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to these parcels.

Thank you,
Deborah

Deborah McKee

Transportation Planning - North
California Department of Transportation, District 3
703 B Street | Marysville, CA 95901
Cell: (530) 821-8411
Monday-Thursday 7 AM – 4:30 PM, Friday 7 AM – 3:30 PM (Rotating day off)
Email: deborah.mckee@dot.ca.gov
www.dot.ca.gov/d3/
For real-time highway conditions: <http://quickmap.dot.ca.gov/>



From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>
Sent: Monday, November 15, 2021 10:43 AM
To: Burns, Danny <dburns@CO.YUBA.CA.US>; Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Strang, Jeremy <JStrang@CO.YUBA.CA.US>; PGEPlanReview@pge.com; Johnston, Nick <njohnston@CO.YUBA.CA.US>; Peterson, Daniel <dpeterson@CO.YUBA.CA.US>
Cc: Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Bird, Jodi <jbird@CO.YUBA.CA.US>; Perkins, Kevin <kperkins@CO.YUBA.CA.US>; Lee, Mike G. <mlee@co.yuba.ca.us>; Crouse, Pam <pcrouse@CO.YUBA.CA.US>; Franken, Vanessa <vfranken@CO.YUBA.CA.US>; Downs, Rachel <rdowns@CO.YUBA.CA.US>; Edwards, Jacob <jedwards@CO.YUBA.CA.US>; Olsen, Jeff (Public Works) <jolsen@CO.YUBA.CA.US>; Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>
Subject: TPM2021-0014 ARO Developments Parcel Map

EXTERNAL EMAIL. Links/attachments may not be safe.

Good morning everyone,

Planning has received a new Tentative Parcel Map application, a brief description is below & all pertinent docs are attached and in Trakit for review. Please submit comments by **December 13th**.