



County of Yuba

Community Development & Services Agency

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

Planning Department

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PLANNING COMMISSION STAFF REPORT

Hearing Date: October 20, 2021

Case Number: Tentative Subdivision Tract Map TSTM 2021-0007 (Garden Subdivision)

Request: A request to subdivide 0.77-acre property into six residential lots in the RM (Medium Density Residential) Zoning District.

Location: The property is located at 5841 Garden Avenue, approximately 350 feet northwest of the intersection of Feather River Boulevard and Garden Avenue, in the Linda Community (APN: 020-510-001-000).

Applicant: Nan Lin, 2033 Union Group Inc., PO Box 161751, Sacramento, Ca, 95816

Engineer: Rick Engineering Co., Suite 150, San Luis Obispo, Ca, 93401

Recommendation: Adopt the attached resolution and approve the Tentative Subdivision Map TSTM 2021-0007

Background: The subject application proposes to create six residential lots on a 0.77 acre property located at 5841 Garden Avenue in the Linda Community at Assessor's Parcel Number: 020-510-001 (see ATT 2). Lot 1 will be 7,468 square feet, Lots 2-4 will be 4,320 square feet, Lot 5 will be 4,320 square feet, and Lot 6 will be 6,479 square feet. The 2030 General Plan designates the land use as Valley Neighborhood and the zoning is "RM" Medium Density Residential. The "RM" zoning allows 6-17 residential units per acre for detached single-unit dwellings and the applicants are proposing six units on 0.77 acres. Therefore, they are within the allowed number of units for the "RM" Zoning District. The project will have access via a 33 foot private access easement off of Garden Avenue.

The project site is currently developed with an existing mobile home park permit from the California Department of Housing and Community Development (HCD) for four residential units. On July 12, 2018, the Development Review Committee (DRC) approved a Conditional Use Permit (CUP2018-0003 – Olivehurst Cottage) to expand the existing mobile home park from four residential units to six residential units and associated accessory structures. The Use Permit was never effectuated and will no longer be operational because each lot created with this project will be sold for individual ownership. For this reason, the applicants are conditioned to provide documentation from HCD that the property is no longer a mobile home park.

The applicants have provided a Site Plan (see ATT 3), indicating that each lot can meet the development regulations of the “RM” zoning district that are listed in Development Code Section 11.07.030. Each lot meets the minimum lot size and width requirement, all of the minimum setback standards, and will provide two parking spaces for each unit. The project also proposes a common trash enclosure located towards the rear of the property that will be concealed from the street and will be easily accessible to the home sites on the property.

All proposed parcels will be required to connect to Linda County Water District (LCWD) for water and sewer services and Linda Fire Protection District will provide fire protection services.

General Plan/Zoning: As previously stated, the site is shown on the General Plan Land Use diagram as Valley Neighborhood and is located in a “RM” Medium Density Residential Use zoning district. The Valley Neighborhood land use classification is intended to allow a wide variety of residential, commercial, and public and quasi-public uses. As the Valley Neighborhood designation pertains to housing, it is intended to provide for a full range of housing types such as single-family apartments, condominiums, and other types of housing in single-use and mixed-use homes. The project complies with the following General Plan Policies:

1. *Policy CD2.1: The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.*

The property is currently developed with four residential units in the “RM” zoning district. The proposed six lot subdivision will allow the property to meet the density requirements of the “RM” zoning district. Therefore, this project is developing an underutilized property,

2. *Policy CD5.3: Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.*

The project site has the ability to accommodate single-family residences. The subdivision will allow for additional residences to be developed on newly created parcels.

The “RM” Density Residential zoning district would allow for a mixture of housing types in a medium density setting (6 to 17 units per acre) setting where public water and sewage facilities are available. It also provides a space for community facilities and neighborhood services needed to complement residential areas and for institutions which require a residential environment.

The project is located in the Valley Neighborhood land use designation of the 2030 General Plan. The Valley Neighborhood land use designation allows for both detached and attached single-family residences, small-lot single-family homes, second dwelling units, apartments, condominiums, and other types of housing in single-unit and mixed-use format. The project provides residential development at a density of six dwelling units per acre, thereby, staying consistent with medium density residential (6 to 17 dwelling units per acre) called out in the Development Code for the “RM” zoning district.

The proposed project is consistent with the Valley Neighborhood land use designation and 2030 General Plan policies related to low density single-family residential housing and new innovated housing products. The project is, also, consistent with all the development standards contained in the Development Code.

Surrounding Uses:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Subject Site	Valley Neighborhood	RM	Mobile Home Park
North	Valley Neighborhood	RM	Residential
East	Valley Neighborhood	RM	Railroad/Hwy 70
South	Valley Neighborhood	RM	Residential
West	Valley Neighborhood	RM	Residential

Discussion: 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 Subdivision Tract 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 “RM” 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).

- 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 the residence 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 does not include more than 500 dwelling units.

Environmental Review: Staff has determined this project exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3), Review For Exemption, which exempts projects from further environmental review when a public agency has determined that the project will have no effect on the environment, and Section 15301, Existing Facility. The project site was evaluated for Environmental Impacts as a part of the Yuba County 2030 General Plan Environmental Impact Report (EIR).

The project site currently operates as a four-unit mobile home park and the project seeks to expand the use of the property with two additional units, for a total of six units, which is consistent with the density and multi-unit residential land use of the “RM” zoning regulations. Furthermore, the site is relatively flat with native grasses and there are no native oak trees or any other sensitive biological and/or cultural resources known on the project site. The 2030 General Plan EIR analyzed increase traffic in the project area and traffic impacts for the six additional home sites in that document. LCWD has availability for water and sewer so there are no impacts to water and sewer availability. Linda Fire Protection District and the Yuba County Sheriff’s Department have reviewed project plans and have determined that there will not be any impacts to emergency services.

Departmental and Agency Review: The project was circulated to various agencies and County departments for review and comment during the early consultation phase and the environmental review stages of the project. The following is a summary of comments:

- County Staff – The Public Works Department, Environmental Health Department, and Building Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.

Attachments:

1. Resolution
2. Subdivision Map
3. Site Plan
4. Conditions of Approval
5. Comment Letters

Report Prepared By:



Ciara Fisher
Planner II

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

**RESOLUTION FINDING PROJECT EXEMPT)
FROM ENVIRONMENTAL REVIEW AND)
APPROVING TSTM 2021-0007 SUBJECT TO) RESOLUTION NO.: _____
THE ATTACHED CONDITIONS OF)
APPROVAL)
)**

WHEREAS, 2033 Union Group Inc., filed an application for a Tentative Subdivision Tract Map to create six residential lots on a 0.77 acre property located at 5841 Garden Avenue in the Linda Community at Assessor's Parcel Number: 020-510-001.; and

WHEREAS, the Community Development & Services Agency, Planning Department of the County of Yuba has conducted a review of the proposed project and concluded that the project is consistent with both the 2030 General Plan and Development Code and is exempt from further environmental review pursuant to Sections 15061(b)(3), Review For Exemption, and 15301, Existing Facilities, of the California Environmental Quality Act; and

WHEREAS, the Community Development & Services Agency, Planning Department of the County of Yuba has provided due notice of a public hearing before the Planning Commission of the County of Yuba and the intent to find the proposed project exempt from further environmental review in accordance with the California Environmental Quality Act, as amended;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed project is consistent with the Land Use Element and other applicable elements of the Yuba County 2030 General Plan as well as with the Yuba County Zoning Map and Development Code.
3. The Planning Commission finds that the project site is physically suitable for the proposed type of development and the proposed density of development.
4. The Planning Commission finds that the proposed project and the conditions under which it would be developed or maintained will promote, protect and secure the public health, safety and general welfare and will result in an orderly and beneficial development of the County.
5. The Planning Commission finds that the project, as conditioned, meets the County design and improvement standards set forth in the Yuba County Development Code.

6. The Planning Commission finds that the project, as conditioned, is in compliance with the Yuba County Development Code.
7. The project will not cause substantial environmental damage to fish and/or wildlife and their habitats, nor have the potential for adverse effect(s) on wildlife resources or the habitat upon which wildlife depends. A Notice of Exemption will be recorded with the County Recorder.

The Planning Commission hereby finds the project exempt from further environmental review pursuant to Sections 15061(b)(3), Review For Exemption, and 15301, Existing Facilities, of the California Environmental Quality Act adopts, incorporated herein by reference, and approves Tentative Subdivision Tract Map TSTM 2021-0007; subject to the Exemption from Environmental Review and Conditions of Approval incorporated by reference.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the _____, by the following vote.

AYES:
NOES:
ABSENT:
ABSTAIN:

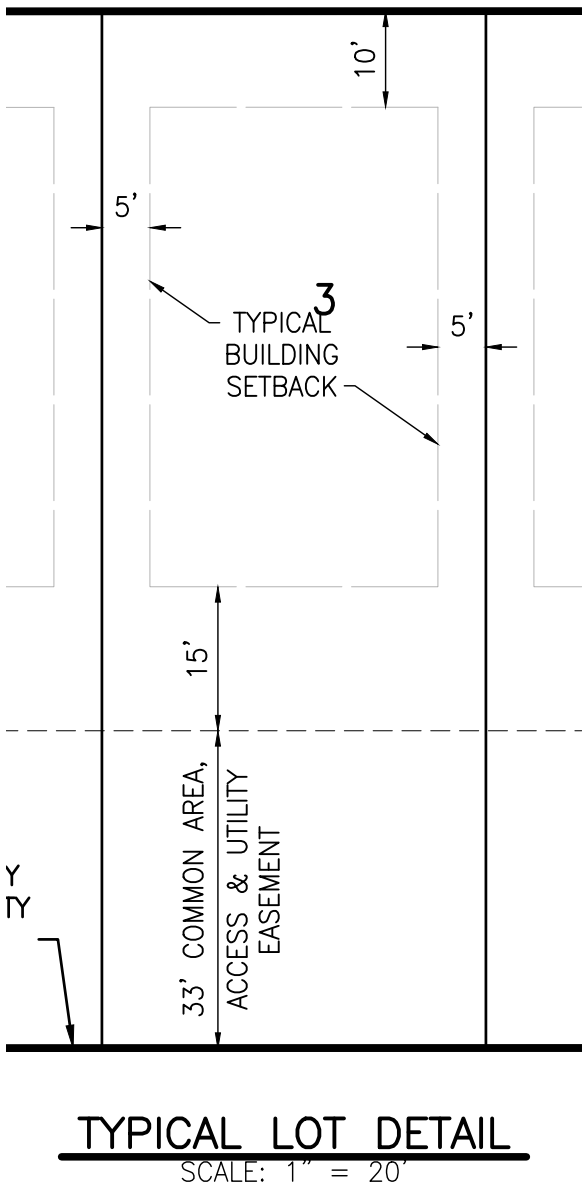
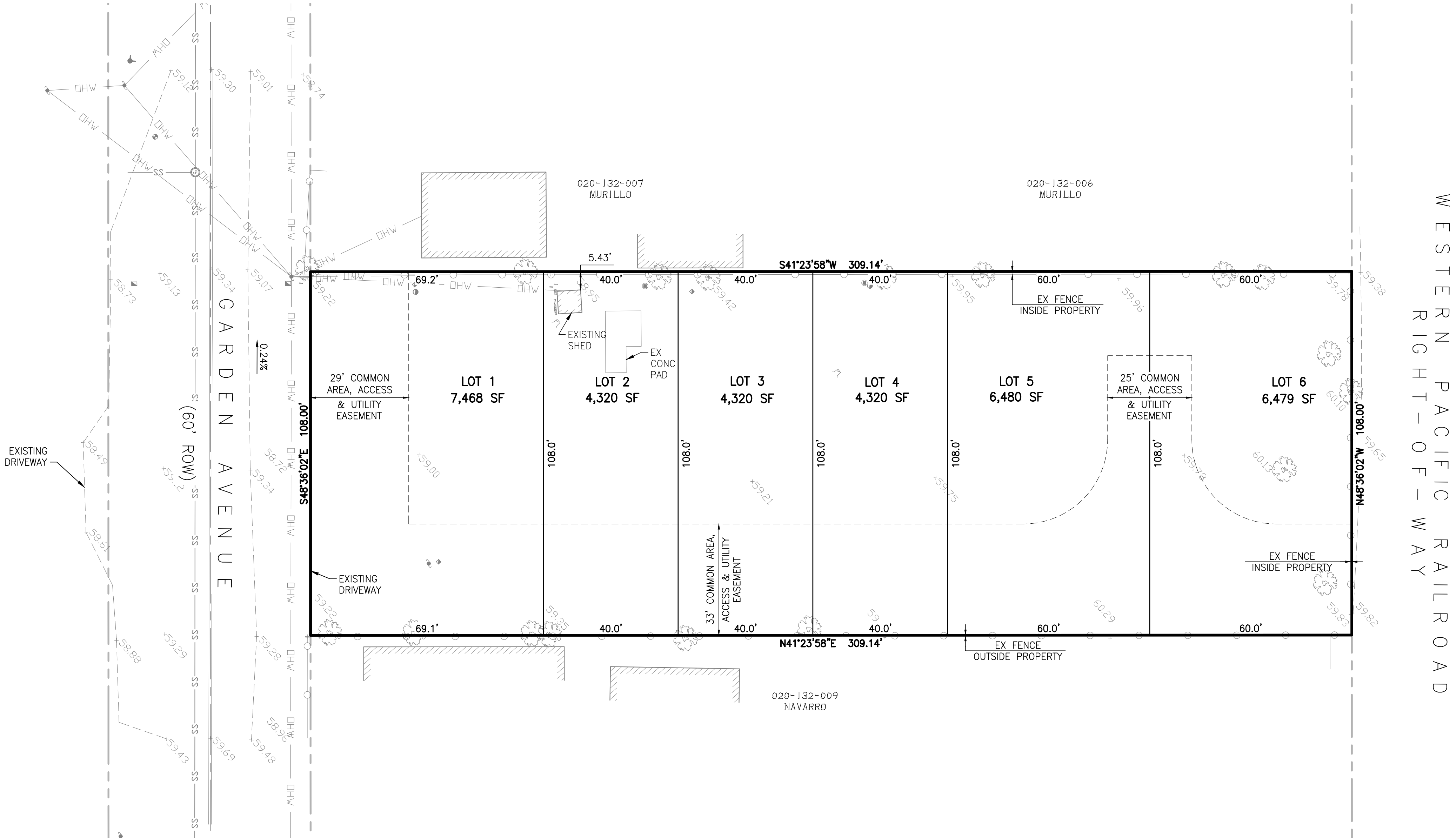
**Yuba County Planning Commission
Chairman**

ATTEST:
Planning Commission Secretary

APPROVED AS TO FORM:
County Counsel

BY: _____

BY:  _____



GENERAL NOTES

OWNER:	2033 UNION GROUP INC
DEVELOPER:	KAIZEN CAPITAL, LLC 3000 T STREET SACRAMENTO, CA 95816
CIVIL ENGINEER:	RICK ENGINEERING 2525 EAST BIDWELL STREET FOLSOM, CA 95630 (916) 638-8200
PARCEL NO:	020-510-001-000
PARCEL AREA:	0.77 ACRES
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL
WATER:	OLIVEHURST PUBLIC UTILITY DEPARTMENT
SEWER:	OLIVEHURST PUBLIC UTILITY DEPARTMENT
EXISTING ZONING:	RM MEDIUM DENSITY RESIDENTIAL
PROPOSED ZONING:	MEDIUM DENSITY RESIDENTIAL

NOTES:

- THE TOPOGRAPHY USED ON THIS DRAWING WAS COMPILED FROM A FIELD TOPOGRAPHIC SURVEY BY MORROW SURVEYING IN APRIL 2021.
- BOUNDARY INFORMATION SHOWN IS CALCULATED FROM TITLE REPORT LEGAL DESCRIPTION AND CONSTRAINED BY THE RAILROAD RIGHT-OF-WAY TO THE NORTHEAST.
- THIS PROPERTY IS IN AN AREA WITH REDUCED FLOOD RISK DUE TO LEVEE, ZONE X, AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY - MAP NUMBER 006115C0405D EFFECTIVE 02/18/2011.
- THIS MAP SHOWS ALL CONTIGUOUS PROPERTY OF THE OWNERS.
- ALL EXISTING STRUCTURES ON THE SUBJECT PARCEL ARE SHOWN ON THE MAP.
- ALL EXISTING AND PROPOSED EASEMENTS ARE SHOWN ON THE MAP. A 20' WIDE TELECOMMUNICATIONS EASEMENT EXISTS ON THE PROPERTY, HOWEVER THE LOCATION IS BASED ON THE LOCATION OF EXISTING FACILITIES.
- THERE ARE NO KNOWN WELLS AND/ OR SEPTIC TANKS ON RECORD WITH THE YUBA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT WITHIN THE SUBJECT PROPERTY.
- ALL EXISTING UTILITY POLES WITH OVERHEAD WIRING ARE SHOWN ON THIS MAP.
- THERE IS NO PHASING PLANNED FOR THIS PROJECT.
- THERE IS NO PARK AND NO OTHER RECREATIONAL SITES OR PUBLIC TRAILS PROPOSED FOR THIS PROJECT.

LEGEND

	EXISTING	PROPOSED
RIGHT-OF-WAY	---	---
FENCE	○---○	---
SANITARY SEWER	SS---SS	---
OVERHEAD WIRE	---OHW---	---
EDGE OF PAVEMENT	---	---
CENTERLINE	---	---
PARCEL LINE	---	---
EASEMENT LINE	---	---
LOT LINE	---	---
BUILDING SETBACK LINE	---	---
FIRE HYDRANT	⦿	⦿
WATER STRUCTURE	⦿	⦿
GAS METER	⦿	⦿
GAS STRUCTURE	⦿	⦿
SANITARY SEWER STRUCTURE	⦿	⦿
POWER POLE	⦿	⦿
TREE	⦿	⦿

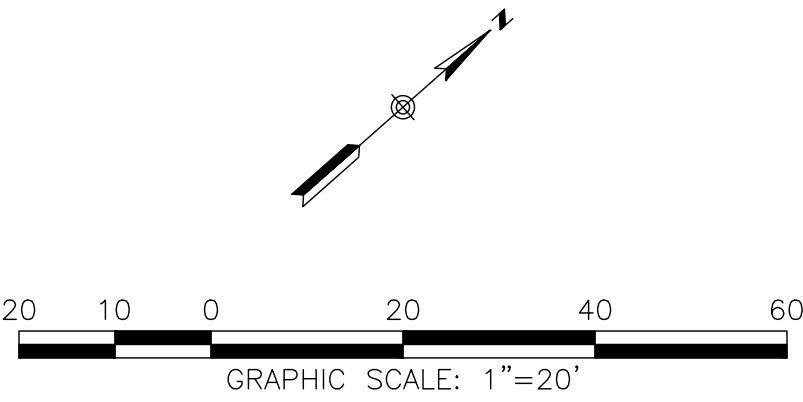
ABBREVIATIONS

OHW	OVERHEAD WIRE
ROW	RIGHT OF WAY
SF	SQUARE FEET
SS	SANITARY SEWER

LEGAL DESCRIPTION:

PORTION OF LOT 5, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT NUMBER 8 OF YUBA GARDENS", FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, IN BOOK 3 OF MAPS, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 5, SAID POINT BEING NORTH 48° 35' WEST, A DISTANCE OF 24 FEET FROM THE MOST SOUTHERLY CORNER OF LOT 5 SAID POINT ALSO BEING THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN DEED TO JOE C. REED, ET UX., RECORDED JANUARY 2, 1948, IN BOOK 155 OF OFFICIAL RECORDS, PAGE 446; THENCE FROM SAID POINT OF BEGINNING NORTH 41° 25' EAST ALONG THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN THE ABOVE REFERRED TO DEED, A DISTANCE OF 310 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE WESTERN PACIFIC RAILROAD; THENCE NORTH 48° 35' WEST ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY, A DISTANCE OF 108 FEET; THENCE SOUTH 41° 25' WEST AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 5, A DISTANCE OF 310 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 5; THENCE SOUTH 48° 35' EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 5, A DISTANCE OF 108 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM ANY MOBILE HOME ON SAID PROPERTY.



RICK

ENGINEERING COMPANY

San Luis Obispo

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SAN LUIS OBISPO, CA 93401

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San Diego - Denver - Riverside - Orange - Sacramento - Phoenix - Tucson

811

Know what's below.
Call before you dig.

NO.	REVISION DESCRIPTION	REVISED BY	ACCEPT. BY	DATE

TENTATIVE MAP FOR

5841 GARDEN AVENUE

YUBA COUNTY, CALIFORNIA

SCALE: 1"=20'

DATE: 07/15/2021

DRAWN BY: KW

CHECKED BY: FA

JOB NO: 19335

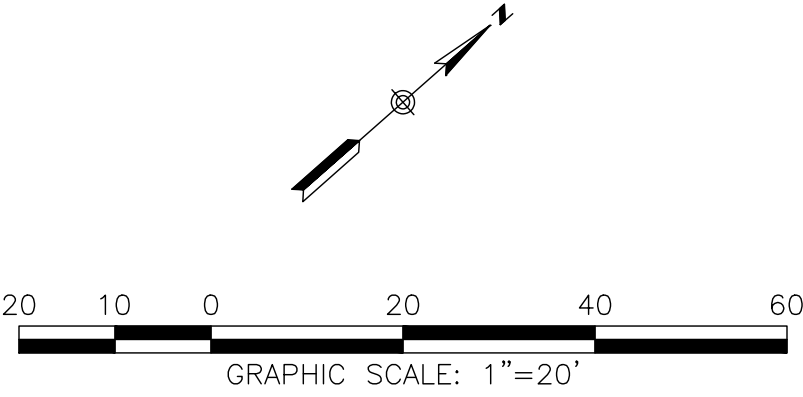
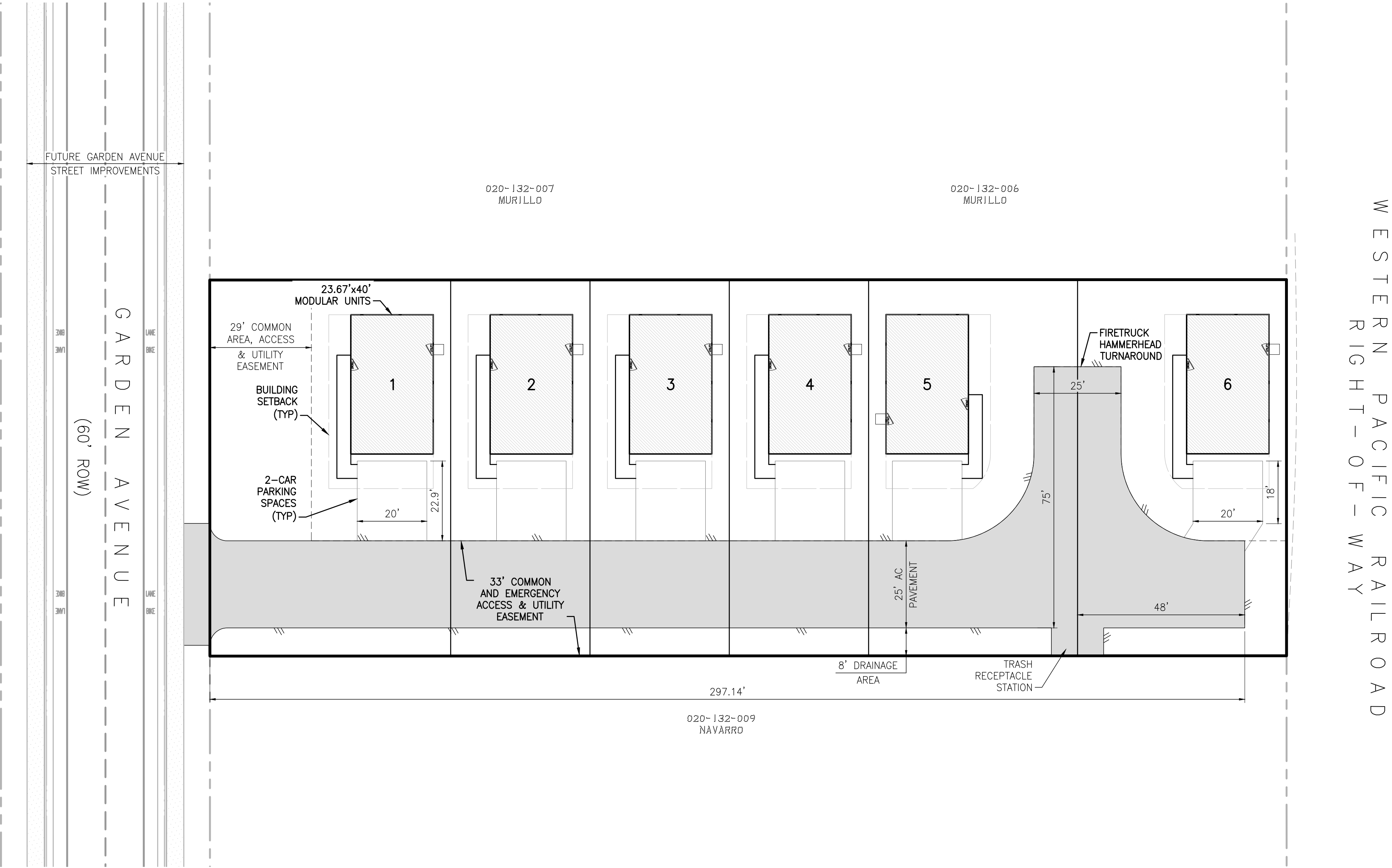
SHEET NO. 1

OF 1 SHEETS

DRAWING NO.

CITY ENGINEER

DATE



NO.	REVISION DESCRIPTION	REVISED BY	ACCEPT. BY	DATE

SITE PLAN EXHIBIT FOR 5841 GARDEN AVENUE YUBA COUNTY, CALIFORNIA			
SCALE: 1"=20'	DATE	SHEET NO. 1	
DATE: 07/15/2021		OF 1 SHEETS	
DRAWN BY: KW		DRAWING NO.	
CHECKED BY: FA		DATE	
JOB NO: 19335	DATE	CITY ENGINEER	

Attachment 4
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

Case Number: TSTM 2021-0007
Public Hearing Date: October 20, 2021

ACTIONS FOR CONSIDERATION: Staff recommends the Planning Commission 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) Sections 15061(b)(3), Review for Exemption, and 15301, Existing Facilities.
- II. Approve Tentative Subdivision Tract Map TSTM 2021-0007 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 Section 11.40.040.

GENERAL CONDITIONS:

- 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 prior to filing of the Final Map.
- 2) 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.
- 3) 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 the Subdivision Map Act (Government Code Section 66410 and following) and Chapter 11.15 of the Yuba County Ordinance Code.
- 4) Unless specifically provided otherwise herein, all references to the Final Map, Final Maps, or to the Final Subdivision Map contained herein shall also mean a map or maps prepared for recordation of each phase of development if the project is to be phased.
- 5) Notwithstanding the provisions of any other of these Conditions of Approval, this map cannot be recorded until expiration of the 10-day appeal period which begins the day following the date of approval. The expiration date of the appeal period is November 1, 2021 at 5:00 p.m.
- 6) This tentative map shall expire 36 months from the effective date of approval unless extended pursuant to Chapter 11 of the Yuba County Ordinance Code.

Attachment 4
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

Case Number: TSTM 2021-0007
Public Hearing Date: October 20, 2021

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.
- 8) Improvements required by the herein stated conditions due to health, safety, and any required mitigating measure shall be completed prior to recording the Final Map.
- 9) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a 34-foot strip of land adjoining the centerline of Garden Avenue lying within the bounds of this property.
- 10) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services along Garden Avenue, measured from the County's right of way.
- 11) Per Yuba County Development Code section 11.44.100A, owner shall provide a non-exclusive easement for road and utility purposes having a width of not less than 30 feet to serve all parcels lying within the boundaries of this property. The provided access easement shall not be offered for dedication or deeded to the County.
- 12) Owner shall guarantee all improvements required by these Conditions of Approval for a period of 12 months from the time the improvements are accepted by the Public Works Department and a Notice of Completion is recorded
- 13) Owner shall provide a one-year warranty bond for all street and drainage improvements required by these conditions of approval. The warranty bond period will commence after the Notice of Completion is recorded.
- 14) Proposed design for the interior street as shown on the tentative map shall be approved by the Public Works Director prior to construction.
- 15) Street construction along Garden Avenue shall meet the half-width requirements for an Urban Collector Road in conformance with the Yuba County Standards (Drawing 102) or as modified by the Public Works Director. Such standard includes curbs, gutters, and attached sidewalk.
- 16) Owner shall provide a streetlight plan to be approved by the Public Works Department. Streetlights shall be LED type models and be maintained by Pacific Gas & Electric (PG&E). Owner shall maintain all streetlights until accepted by the Public Works Department. Prior to map recordation the Owner shall pay the County for two (2) years of service for the streetlights in accordance with rates (LS1-E) set by PG&E.
- 17) 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

Attachment 4
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

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Public Hearing Date: October 20, 2021

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), and construction staking. Such approvals shall include the alignment and grades of roads and drainage facilities.

- 18) 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.
- 19) Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the decision-making authority (section 11.40.040 (G) of Yuba County Ordinance Code).
- 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 shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.
- 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 Wildlife, and pre-construction surveys for special status species.
- 23) Owner shall submit an erosion and sediment control plan for the project, designed by a registered civil engineer, to the Department of Public Works for review and approval prior to each phase of construction and/or grading permit. Erosion and sediment control measures shall conform to Section 11 of the Yuba County Improvement Standards and all Yuba

Attachment 4
DRAFT CONDITIONS OF APPROVAL
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County Ordinance Codes. Owner shall implement such erosion and sediment control measures as per the approved plan prior to construction or grading.

- 24) Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail and shall be approved by the Public Works Department.
- 25) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.
- 26) Owner shall be responsible for giving 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 name the interior street in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.
- 28) Owner shall provide all necessary street signs and pavement markings, including, but not limited to, street name signs, stop signs, speed limit signs, stop legends, limit lines, and crosswalks, as required by the Public Works Department.
- 29) Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for streetlight location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Service Easement. Owner shall provide a letter from the Postal Service to the County Surveyor stating that the location of the centralized mail delivery unit or units comply with their requirements and that they have no objection to the filing of the final map.
- 30) 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 lots being created by this final 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 final map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
- 31) 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 Final Map.
- 32) Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works

Attachment 4
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

Case Number: TSTM 2021-0007
Public Hearing Date: October 20, 2021

for checking, approval and filing of the Final Map. An updated Subdivision Map Guarantee shall be provided 1 week prior to filing the final map with the Yuba County Recorder.

- 33) Owner shall petition to be assessed for County Service Area 70 (CSA 70) prior to filing the Final Map.
- 34) Owner shall petition to be assessed for an appropriate County Service Area (CSA), for the purpose of receiving extended services provided by the CSA, such as fire protection services, local park, recreation or parkway facilities and services, and miscellaneous extended services including street and highway sweeping, street and highway lighting, landscape maintenance, park and open space maintenance, drainage system maintenance, and emergency services; prior to filing the Final Map
- 35) Owner shall have the property surveyed and have corner monuments placed at all lot 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).
- 36) 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.
- 37) All easements of record that affect this property are to be shown on the Final Map.
- 38) Prior to submitting the final 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.
- 39) Prior to filing the Final Map, written approvals shall be submitted to the County Surveyor from all of the appropriate utility service providers that their requirements have been met and that financial arrangements have been made to insure their facilities will be installed and that they are satisfied with the public utility easements as shown on the Final Map.
- 40) Owner shall submit a copy of the final map for review by the Planning Department for conformance with the Department's conditions of approval, mitigation measures or other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the final 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.
- 41) Owner shall submit a copy of the final map for review by the Environmental Health Department for conformance with the Department's conditions of approval and other requirements. Before the final map can be filed with the Yuba County Recorder, a statement

Attachment 4
**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION**

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

Case Number: TSTM 2021-0007
Public Hearing Date: October 20, 2021

from the Environmental Health Department Director which states that the final 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.

- 42) Owner shall submit a copy of the parcel map to Reclamation District 784 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 Reclamation District 784 is to be submitted to the County Surveyor which states that the District's requirements have been met and that any public service or drainage easements as may be shown on the parcel map are satisfactory and that there are no objections to filing the tract map.
- 43) Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.
- 44) Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the District's requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda Fire Protection District is to be submitted to the County Surveyor which states that the District's requirements have been met and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT:

- 45) Owner shall connect parcel(s) 1-6 to Linda County Water District for water and sewer services and facilities prior to building permit final inspection for occupancy.
- 46) Owner shall submit to Environmental Health a "Will Serve" letter from Linda County Water District for water and sewer services and facilities for parcel(s) 1-6.
- 47) All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
- 48) All existing trash and debris shall be removed from the subject site.
- 49) 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".

BUILDING DEPARTMENT:

- 50) All improvements to the parcels shall require permits from the appropriate agency and jurisdiction and shall be in compliance with all local and state regulations.

Attachment 4
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: 2033 Union Group Inc.
APN: 020-510-001-000

Case Number: TSTM 2021-0007
Public Hearing Date: October 20, 2021

LINDA FIRE PROTECTION DISTRICT:

- 51) The project proponent shall meet all hydrant requirements of the district.
- 52) The project proponent shall meet all fire apparatus access requirements of the current fire code.
- 53) Owner shall design and construct all fire suppression facilities in conformance with the requirements of the Linda Fire Protection District and the current California Fire Code.

PLANNING DEPARTMENT

- 54) Lot design on the Final Subdivision Map shall be in conformance with the approved Tentative Map as filed with the Community Development Department. The Community Development Director may approve minor modifications to the final configuration; however, the number of lots shall not exceed that shown on the approved tentative map.
- 55) Owner shall meet all requirements of the Feather River Air Quality Management District during any project related construction.
- 56) 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.
- 57) Prior to Final Map recordation, the applicant shall provide documentation from California Department of Housing and Community Development (HCD) that the property is no longer a mobile home park.
- 58) Prior to the issuance of any building final occupancy permits, the project shall comply with the Noise and Vibration Section from Yuba County General Plan Chapter 6, Public Health and Safety.
- 59) 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 CDSA



Ciara Fisher
Planner II

PROPOSED
DEPARTMENT OF PUBLIC WORKS
CONDITIONS OF APPROVAL

CASE: TSTM 2021-0007

5841 Garden Avenue

1. 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.
2. Improvements required by the herein stated conditions due to health, safety, and any required mitigating measure shall be completed prior to recording the Final Map.
3. Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a 34-foot strip of land adjoining the centerline of Garden Avenue lying within the bounds of this property.
4. Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services along Garden Avenue, measured from the County's right of way
5. Per Yuba County Development Code section 11.44.100A, owner shall provide a non-exclusive easement for road and utility purposes having a width of not less than 30 feet to serve all parcels lying within the boundaries of this property. The provided access easement shall not be offered for dedication or deeded to the County.
6. Owner shall guarantee all improvements required by these Conditions of Approval for a period of 12 months from the time the improvements are accepted by the Public Works Department and a Notice of Completion is recorded.
7. Owner shall provide a one-year warranty bond for all street and drainage improvements required by these conditions of approval. The warranty bond period will commence after the Notice of Completion is recorded.
8. Proposed design for the interior street as shown on the tentative map shall be approved by the Public Works Director prior to construction.
9. Street construction along Garden Avenue shall meet the half-width requirements for an Urban Collector Road in conformance with the Yuba County Standards (Drawing 102) or as modified by the Public Works Director. Such standard includes curbs, gutters, and attached sidewalk.
10. Owner shall provide a streetlight plan to be approved by the Public Works Department. Streetlights shall be LED type models and be maintained by Pacific Gas & Electric (PG&E). Owner shall

maintain all streetlights until accepted by the Public Works Department. Prior to map recordation the Owner shall pay the County for two (2) years of service for the streetlights in accordance with rates (LS1-E) set by PG&E.

11. 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), and construction staking. Such approvals shall include the alignment and grades of roads and drainage facilities.
12. 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.
13. Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the decision-making authority (section 11.40.040 (G) of Yuba County Ordinance Code).
14. 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.
15. Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.
16. 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 Wildlife, and pre-

construction surveys for special status species.

17. Owner shall submit an erosion and sediment control plan for the project, designed by a registered civil engineer, to the Department of Public Works for review and approval prior to each phase of construction and/or grading permit. Erosion and sediment control measures shall conform to Section 11 of the Yuba County Improvement Standards and all Yuba County Ordinance Codes. Owner shall implement such erosion and sediment control measures as per the approved plan prior to construction or grading.
18. Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail and shall be approved by the Public Works Department.
19. Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.
20. Owner shall be responsible for giving 60 days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
21. Owner shall name the interior street in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.
22. Owner shall provide all necessary street signs and pavement markings, including, but not limited to, street name signs, stop signs, speed limit signs, stop legends, limit lines, and crosswalks, as required by the Public Works Department.
23. Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for streetlight location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Service Easement. Owner shall provide a letter from the Postal Service to the County Surveyor stating that the location of the centralized mail delivery unit or units comply with their requirements and that they have no objection to the filing of the final map.
24. 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 lots being created by this final 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 final map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.

25. 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 Final Map.
26. Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the Final Map. An updated Subdivision Map Guarantee shall be provided 1 week prior to filing the final map with the Yuba County Recorder.
27. Owner shall petition to be assessed for County Service Area 70 (CSA 70) prior to filing the Final Map.
28. Owner shall petition to be assessed for an appropriate County Service Area (CSA), for the purpose of receiving extended services provided by the CSA, such as fire protection services, local park, recreation or parkway facilities and services, and miscellaneous extended services including street and highway sweeping, street and highway lighting, landscape maintenance, park and open space maintenance, drainage system maintenance, and emergency services; prior to filing the Final Map
29. Owner shall have the property surveyed and have corner monuments placed at all lot 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).
30. 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.
31. All easements of record that affect this property are to be shown on the Final Map.
32. Prior to submitting the final 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.
33. Prior to filing the Final Map, written approvals shall be submitted to the County Surveyor from all of the appropriate utility service providers that their requirements have been met and that financial arrangements have been made to insure their facilities will be installed and that they are satisfied with the public utility easements as shown on the Final Map.
34. Owner shall submit a copy of the final map for review by the Planning Department for conformance with the Department's conditions of approval, mitigation measures or other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Planning Director

which states that the final 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 final map for review by the Environmental Health Department for conformance with the Department's conditions of approval and other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Environmental Health Department Director which states that the final 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 Reclamation District 784 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 Reclamation District 784 is to be submitted to the County Surveyor which states that the District's requirements have been met and that any public service or drainage easements as may be shown on the parcel map are satisfactory and that there are no objections to filing the tract map.
37. Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.
38. Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the District's requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda Fire Protection District is to be submitted to the County Surveyor which states that the District's requirements have been met and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT
CONDITIONS OF APPROVAL
TSTM 2021-0007

1. Owner shall connect parcel(s) 1-6 to Olivehurst Public Utility District for water and sewer services and facilities prior to building permit final inspection for occupancy.
2. Owner shall submit to Environmental Health a "Will Serve" letter from Olivehurst Public Utility District for water and sewer services and facilities for parcel(s) 1-6.
3. All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
4. All existing trash and debris shall be removed from the subject site.
5. 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".

Fisher, Ciara

From: Marquez, Melanie
Sent: Thursday, June 10, 2021 5:37 PM
To: Fisher, Ciara; Burns, Danny; Benedict, Christopher; Johnston, Nick
Cc: Perkins, Kevin; Hochstrasser, Margaret; Nix, Amanda; Franken, Vanessa; Crouse, Pam; Maddux, Dave; Olsen, Jeff (Public Works); PGE Plan Review
Subject: RE: TSTM2021-0007; Garden Subdivision

Hello Ciara,

Code Enforcement has a Notice of Noncompliance recorded on title, but I am in the process of having it removed. The cases that we had on this property have all been closed, and it is cleared of all violations. The project may move forward.

Thanks,

Melanie Marquez

Administrative Services Officer
County of Yuba, CDSA
(530) 749-5430 – Main
(530) 749-5643 – Direct
(530) 749-5616 – Fax
mmarquez@co.yuba.ca.us



This email message is a confidential communication from Yuba County Community Development and Services Agency and is intended only for the above-named recipient(s) and may contain information that is proprietary, confidential, financial, etc. If you have received this message in error or are not the named or intended recipient(s), please immediately notify the sender at (530)749-5430 and delete this email message and any attachments from your workstation or network mail system.

From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>
Sent: Tuesday, June 1, 2021 1:58 PM
To: Burns, Danny <dburns@CO.YUBA.CA.US>; Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Johnston, Nick <njohnston@CO.YUBA.CA.US>; Marquez, Melanie <mmarquez@CO.YUBA.CA.US>
Cc: Perkins, Kevin <kperkins@CO.YUBA.CA.US>; Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Nix, Amanda <anix@CO.YUBA.CA.US>; Franken, Vanessa <vfranken@CO.YUBA.CA.US>; Crouse, Pam

<pcrouse@CO.YUBA.CA.US>; Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Olsen, Jeff (Public Works)

<jolsen@CO.YUBA.CA.US>; PGE Plan Review <PGEPlanReview@pge.com>

Subject: TSTM2021-0007; Garden Subdivision

Good Afternoon,

Planning has received a Tentative Subdivision Tract Map application to create six residential lots on a 0.77 acre property. The property is located at 5841 Garden Avenue, approximately 350 feet northwest of the intersection of Feather River Boulevard and Garden Avenue, in the Linda Community (APN: 020-510-001-000). The proposed access is off of Garden Avenue via a shared access driveway. The applicants are planning to build the homes first – they recently submitted Master Plans – and then subdivide the lots after.

I've attached everything to this email and to TRAKiT. Please forward comments to me by **Tuesday, June 28th**.

Thank you,

Ciara Fisher

Planner II

County of Yuba

Office: 530-749-5463 | Cell: 530-812-6082



Please consider the environment before printing this email

Fisher, Ciara

From: Mckee, Deborah@DOT <deborah.mckee@dot.ca.gov>
Sent: Wednesday, June 16, 2021 12:12 PM
To: Fisher, Ciara
Subject: TSTM2021-0007-Garden Subdivision (IGR 03-YUB-2021-00113)

Good afternoon Ciara.

Thank you for submitting the TSTM2021-0007, Garden Subdivision project to our office for 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
Email: deborah.mckee@dot.ca.gov
www.dot.ca.gov/d3/

For real-time highway conditions: <http://quickmap.dot.ca.gov/>





June 2, 2021

Ciara Fisher
County of Yuba
915 8th St, Ste 123
Marysville, CA 95901

Ref: Gas and Electric Transmission and Distribution

Dear Ciara Fisher,

Thank you for submitting the 5841 Garden Ave plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.