

The County of Yuba

Community Development and Services Agency



PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 21, 2023

TO: Planning Commission

From: Vanessa Franken, Planner II

Re: Major Conditional Use Permit CUP
"LUSE-23-0027" (College View Storage)

REQUEST: The applicant is requesting approval of the subject use permit to create a new personal storage facility. The project site is located across three unaddressed parcels (APN: 021-540-038, -039, & -040), 375± feet north of Yuba College Nursing Center on the north side of North Beale Road, located within the community of east Linda.

RECOMMENDATION: Adopt the attached Resolution finding the project exempt from environmental review pursuant to section 15061(b)(2), Review for Exemption, and approve Major Conditional Use Permit "LUSE-23-0027", subject to making the necessary findings and the conditions of approval contained herein (Attachment 3).

BACKGROUND/DISCUSSION: The 2030 General Plan indicates the subject site land use designation as Valley Neighborhood and a zoning designation of Neighborhood Mixed Use (NMX). The project site is located on the north side of North Beale Road, located between Sutter Street and Alberta Avenue; with Sutter Street directly adjacent to the west side of the site and Alberta Avenue falling some 1,280 feet to the east of the site (APNs: 021-540-038, -039, & -040). The site is located directly across from the Yuba College Nursing Center, in the community of east Linda. Parcel 1 (APN: 021-540-038) is 1.27 acres in size, Parcel 2 (APN: 021-540-039) is 3.57 acres in size, and Parcel 3 (APN: 021-540-040) is 1.33 acres in size. In accumulation, the three parcels involved equate to some 6.17 acres in size. The entire facility will consist of 562 units in total that will be built out in two phases. The storage unit sizes will range from twenty-five square feet and up to four-hundred square feet, including units for handicapped individuals as well.

All three parcels are currently undeveloped and vacant. The three parcels are fronted by Sutter Street, North Beale Road, and College View Drive, and does not currently have an existing legal access into the site. A driveway into the facility is proposed to be located on the west side of College View Drive. The owner will improve this road to meet proper road standards and will obtain applicable permits from the Yuba County Public Works (PW) Department to do so. A seven foot in height wrought iron fence is proposed along the perimeter of the project site. The perimeter fencing will consist of a controlled access gate at the main driveway entrance, having

two swinging gates sixteen-feet in width, with key pin access and a Knox Box for emergency services if needed. Please note that the Planning Department staff has routed the project to the local Linda Fire Protection District for review, but no comments have been received. Nonetheless, the proposed project has been conditioned to make arrangements with the Linda Fire Protection District to obtain the appropriate request form for the proposed knox-box and access for emergency services.

The second point of access is proposed along the westerly portion of the facility, this secondary driveway is to be reserved for emergency access. This driveway is to be thirty-feet in width, with a gravel road leading to the wrought iron gate. A gravel road allows the site to be developed further in the future. This second swinging gate is conditioned by the PW Department to have a key pin access code and Knox Box with appropriate keys inside. A secondary gravel driveway will allow the undeveloped exterior portion of the property to be developed in the future and offer a clear path for emergency vehicles into the site, as interior vehicles exit through the main entrance. Access roads throughout the facility, aisle ways between storage buildings, will have a width of twenty-feet. Turning corners will accommodate a thirty-feet in width aisle to properly accommodate the required fire truck turning radius. Roads within the facility are required to be paved asphalt.

Access into the project site is limited to storage customers or employees maintaining the project area. Proposed employees for the project are to be one to two employees that will be working remotely and will, therefore, not be physically present at the project location often time. The main entrance will include customer parking, bike parking, and sidewalks. A conceptual landscape plan has been provided, indicating landscape improvements along all road frontage of the project site. Landscape is a standard requirement for new land uses as both an aesthetic and screening improvement for new uses, the standard has been incorporated into the conditions of this report and will be reviewed at time of building permit submittal. Proposed operation hours for the facility are 6:00am through 9:00pm.

Phase 1 of the proposed project area is to be facilitated on 2.95 acres of the subject site and is located along the southerly half of the property. Phase 1 is to consist of three storage buildings and a manager's office for the function of customer leasing. The three storage buildings are named buildings "A" through "C". Building A is proposed to be 15,000 square feet in size, building B is to be 8,350 square feet in size, and building C is to be 8,675 square feet in size. Building A is to house the proposed manager's office, equating to 600 square feet in size. A total of 32,025 square feet of storage building is proposed in Phase 1. Storage unit sizes will range from twenty-five square feet and up to four-hundred square feet, including units for handicapped individuals as well.

Phase 2 will complete the remainder of the facility along the northerly portion of the site. The last phase will include buildings "D" through "F", total of the three buildings equate to 29,215 square feet. Personal storage units will be drive-up accessible and housed within single-story pre-fabricated buildings. Phase 2 is also planned to be situated along the northerly portion of the site. Adjacent to the shared northern property line is an existing single-family residential neighborhood. The pre-fabricated buildings in this area, as well as all other storage buildings on site, are required to have built in firewalls to extend time of burn from reaching opposite building

wall. A proposed three-hour firewall is to be throughout the shared walls of units the storage building adjacent to the residential district.

There will also be a fifteen-foot setback from the rear of the storage building wall up to the shared existing wooden fence that is typical of residential production homes. Within the fifteen-foot setback will be filled with landscape. Landscape proposed within this area is consistent with the aforementioned perimeter landscaping and is intended to serve as a buffer between the existing residential uses and the proposed commercial uses. A conscious decision was made to have trees within this buffer area to be spaced every thirty-feet (versus the planned forty-feet spacing along road frontages) as well as to include a mix of shrubs between the planned trees. Landscape improvements aim to enhance the aesthetic appeal of the facility while also providing screening from residential views in the north and the roadway to the south.

At this point in time, a lighting plan has not been provided. A lighting plan is not required until time of building permit application. Lighting proposed with the project is to be directed away from nearby properties and will meet section 11.19.060 *Lighting & Illumination*. Light fixtures are to be directed downwards to ensure light trespass will not affect the neighboring residential district. Moreover, no malodorous chemicals are to be stored on site, voiding the potential for hazardous or odor concerns. There is no hazardous waste or discharge created from the project. There are no natural scenic views from the project area that may be impacted.

During the construction phase, activities will consist of leveling and grading. The workforce may have between one to four workers on site at any time; parking for workers is to be contained entirely on the property and not to obstruct any roads or traffic. Construction work is to be limited to day light hours and will be subject to applicable sections of the County noise ordinance. Traffic generated from the project will be minimal, in that traffic generated will be vehicle trips occurring predominantly during the construction phase. Due to the large size of the property, all of the project construction work will be contained on site. The location of the project property, having road access from three public roads, prohibits construction traffic from potentially affecting normal pedestrian traffic flow on roadways. Following construction, facility operators or employees will be on-site as needed. The project also has conditions to regulate fugitive dust per Feather River Air Quality District (FRAQMD) standards.

The outward appearance of the facility buildings themselves will be comparable to standard personal storage facilities. The pre-fabricated buildings are proposed to be coated in a cement plaster (stucco) over foam board and the color of the buildings are to be painted a cement grey. An architectural trim is to frame the perimeter of the buildings walls as well. The trim is also to be cement plaster over foam board and will be of brown color for contrast and neutrality. Long walls will be articulated with recessed portions of the building to provide visual interest and varying shapes of building perimeter.

SURROUNDING USES

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Project Site	Valley Neighborhood	Neighborhood Mixed Use (NMX)	Vacant
North	Valley Neighborhood	Single Family Residential (RS)	Residential Neighborhood
East	Valley Neighborhood	Single Family Residential (RS)/ Neighborhood Mixed Use (NMX)	Vacant
South	Valley Neighborhood	Public Facility (PF)	Yuba College Nursing
West	Valley Neighborhood	High Density Residential (RH)	Apartments

The subject property has a zoning of Neighborhood Mixed Use (NMX), the immediate surrounding properties all have varying zones; ranging from Single Family Residential, High Density Residential, and Public Facility. Per proposed plans, the existing residential neighborhood directly north, will have a fifteen-foot setback from the proposed facility. As mentioned, the project will be subject to FRAQMD requirements for fugitive dust during the construction phase to mitigate for any dust that may occur. The property to the east is vacant land with a split zoning of Neighborhood Mixed Use and Single Family Residential. The General Plan Land Use Diagram has a General Plan designation of Valley Neighborhood for the subject property as well as surrounding parcels. Properties range in size from 4,500 square feet to 67± acres in size.

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. Allowable uses include light industrial, medical services, and commercial retail and services. The location of the project site is situated within the valley floor of the County, the most developed part of the County, where most residents and businesses consider the area home. The property has a zoning designation of Neighborhood Mixed Use (NMX). The intention of the NMX zone is to allow for both residential & neighborhood services uses. The proposed land use of a personal storage facility may be considered similar in nature to a compatible neighborhood service related use. Approval of the proposed project would make the project consistent with the zoning ordinance and ensure compliance with all provisions of the Yuba County Development Code.

In the General Plan *Visions* section, it is a stated vision to promote and encourage new industrial and commercial development to balance the recent residential development, incentivize revenue generation, and create local jobs and services for residents. The immediate project site area portrays infill development being primarily residential use. Much of the immediate area is a mix of residential, agricultural lands, and vacant land zoned to facilitate commercial use. The

development of a personal storage facility will align with outlined intentions, stated within the General Plan.

Action CD3.1, as stated within the *Land Use Compatibility* section, outlines the need for project compatibility review; the County will continue to review projects against General Plan policies and other relevant issues. Standards for noise, light, glare, and other potential issues of compatibility will be reviewed for adequacy without impeding properties with varying uses. 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 project site is located on roughly six-acres of property, spanning across three parcels; the property sits vacant and unused. It is within a portion of this undeveloped property that the project site will facilitate the personal storage facility. Establishment of a business onsite will utilize the property beneficially to the existing land use on site. The parcels involved are also undergoing a lot line adjustment application to modify property boundaries. Results of the application will produce a secular Neighborhood Mixed Use property to readily facilitate another commercial service oriented use in the future.

- 2. Policy CD3.1: Commercial and industrial developments shall be located, buffered, or otherwise designed to avoid significant noise and air quality impacts.*

The project will include screening and buffering as required by applicable standards listed in the Yuba County Development Code. The duality of proposed landscape not only provides an aesthetic appearance but also a screening and noise attenuating aspect as well. The location of the project is off North Beale Road and nestled in an area of the Linda community, where an established residential neighborhood is located immediately north of the project site. The County has incorporated standard FRAQMD regulations into the conditions of approval for the project to further mitigate air quality impact to surrounding areas during construction. Typical tree planting standards require a forty-foot spacing between trees, tree spacing proposed along the shared northern property line that abuts the residential district poses trees at a spacing of thirty-feet to provide additional landscape to aid in screening, buffering, and noise attenuation.

- 3. Policy CD2.4: The County will maintain flexible development standards, infrastructure standards, and impact fees that promote infill development and promote lot consolidation for redevelopment, where necessary.*

The County is requiring landscape for screening, noise, and visual buffering of the commercial operation. Typical curb, gutter, and sidewalks will be produced as a result of the business moving into the space. Impact fees assigned to the development will be based on a square foot or unit basis, with respect to varying individual district fee ordinances. Non-Community Development and Services Agency fees will include: South Yuba Transportation Improvement Authority (SYTIA), South Yuba Drainage

fees, Three Rivers Levee Improvement Authority (TRLIA), applicable school fees, and fire district fees.

4. *Policy HS7.1: The County will assess risks associated with public investments and other County- initiated actions, and new private developments shall assess and mitigate hazardous materials risks and ensure safe handling, storage, and movement in compliance with local, state, and federal safety standards.*

The project site is not within a flood plain or other potential hazardous areas that some portions of the County fall within, the County acknowledges that private property with varying financial amounts may be stored within the facility. The project has been conditioned to deny storage of any hazardous, chemical or noxious materials.

ENVIRONMENTAL REVIEW: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(2) (Review for Exemption). Section 15061(b)(2) (Review for Exemption) exempts the activity, seeing that the common sense exemption applies to the project. Where a project may have the potential to cause a significant effect on the environment, the application of the categorical exemption may be used when it is ensured that there is no possibility that the activity in question may have a significant effect on the environment. If the activity falls under these pretenses, the activity is not subject to CEQA. The operation does not involve the use of significant amounts of hazardous substances, all necessary public services/facilities are available, and the surrounding area is not environmentally sensitive. Per State database resources, the subject site does not fall within an area for environmental or biological sensitivity. There are no present sensitive biological habitats, wetlands, or riparian areas on site. There will be no tree removal activity on site. No hazardous materials are proposed with the project. Therefore, the construction is exempt from CEQA.

COMMENTS: Planning staff has received the following comment letters.

- 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.
- Linda Fire Authority – The project was routed to Linda Fire Authority, no comment/response has been received. Standard fire conditions for knox-box and access have been conditioned into the report.
- FRAQMD – The Feather River Air Quality Management District has been routed, reviewed, and has provided the attached comment letter sharing typical standards for fugitive dust control.
- PG&E– PG&E has been routed, reviewed, and has provided the attached comment letter sharing typical requests to be consulted with for

FINDINGS: The County evaluates projects 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, the project needs to meet specific findings for each entitlement. Below are the findings for each project entitlement needed for project approval.

Conditional Use Permit:

1. *The proposed use is allowed within the applicable zoning district or overlay district and complies with all other applicable provisions of this Code and all other titles of the Yuba County Code;*

The property has a zoning designation of Neighborhood Mixed Use (NMX) and falls within the County's Valley growth Boundary (VGB). The intention of the NMX zone is to allow for both residential & neighborhood services uses. The proposed land use of a personal storage facility may be considered similar in nature to a compatible neighborhood service related use. Approval of the proposed project would make the project consistent with the zoning ordinance and ensure compliance with all provisions of the Yuba County Development Code.

2. *The proposed use is consistent with the General Plan, and any applicable adopted community plan or specific plan;*

The proposed storage facility is consistent with the character of the General Plan and zoning designation. The property is designated as Valley Neighborhood as shown on the 2030 General Plan Land Use diagram. 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. Allowable uses include light industrial, medical services, and commercial retail and services. The location of the project site is situated within the valley floor of the County, the most developed part of the County. The property has a zoning designation of Neighborhood Mixed Use (NMX). Per land use table 11.08.020, *Commercial and Mixed Use Districts*, of the Yuba County Development Code, land uses such as personal storage facilities, require approval of a Major Conditional Use Permit to operate in the NMX zone. Approval of the proposed project would make the project consistent with the zoning ordinance and overarching General Plan.

3. *The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the surrounding area;*

The proposed use is desirable as the project offers convenient storage options in an underserved market with an ever growing residential demand. A market analysis of the Marysville, Linda, Olivehurst, and Plumas Lake community areas indicate the region is underserved by over 100,000 square feet of self-storage.

4. *The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;*

The proposed use will not be adverse to public health, will not pose exaggerated safety concerns and will not negatively impact the general welfare of the community to a degree that would have significant impact. The approval of this entitlement ensures regulations of the operation, and site development, will ensure proper features of the site will be developed to meet current development standards. Current development standards include new and improved site access and landscape screening for noise and visual attenuation. The location of the project is to be situated on a portion of a some 6.17 acreage of three parcels. The parcel itself is considered a road frontage property, as it is directly adjacent to an arterial collector road. Existing County maintained roads are available, ensuring safe and proper roads and access will be constructed to current regulations and will be reviewed and inspected with permit processing. Points of gated access for customers will also be recessed to the extent needed to ensure vehicles pulling in to the storage facility will not obstruct College View Road. In regard to overall welfare, the activities of the facility operation itself will be minimal following construction activities. Activities on site will consist of vehicle trips driving in the site to either formalize a storage agreement or put away items into storage. Noise ordinance regulations will apply at time of construction activities through typical operational procedures when the facility is open. Maximum ambient noise levels permitted is 60-decibel units from 7:00am through 10:00pm. The project has been conditioned to meet all Yuba County Code requirements and will go through additional plan check reviews at time of building permit application.

5. *The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Code;*

The project has been conditioned to meet the screening and landscaping standards in Chapter 11.24 Landscape of the Yuba County Development Code. All other applicable development standards for lighting, signage, trash, parking, will be reviewed for conformance at time of building permit application. There is no requirement for design review in this area. The proposed use complies with both design/development standards applicable to the zoning district.

6. *The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and reasonably foreseeable future land uses in the vicinity;*

The proposed project design, location, size and operating characteristics, as conditioned with the projects conditions of approval, will be compatible with all future development in the vicinity of the project. A majority of surrounding parcels nearby are currently developed with established residential neighborhoods or auxiliary extensions of an established higher education facility. The design of the facility ensures accessible use in case of emergency services, the location of the facility offers both ample room and safe access to County maintained roads, and operating characteristics, such as vehicular trips, of the facility may be

considered may be seemed comparable to that of a mixed-use district. The location of the property involves multiple zones: single-family residential, high-density residential, commercial mixed-use, and public facility. A portion of the subject commercial mixed-use property will remain undeveloped and will be available for development to house future land use options entailed in Chapter 11.08 *Commercial and Mixed-Use Districts*. The proposed use is compatible in design, location, size and operational characteristics with reasonably foreseeable land uses in the future.

7. *The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and*

The proposed project has access to utilities that are existing in the area including but not limited to electricity, well and septic. The project location has direct access from Rosser Road for vehicles and customers. The project site is designed to accommodate access for emergency vehicles if needed. There are no physical constraints present on the project site that would obstruct development or safety standards.

8. *An environmental determination has been prepared in accordance with the California Environmental Quality Act.*

Staff has determined the project is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(2) (Review for Exemption). Section 15061(b)(2) (Review for Exemption) exempts the activity, seeing that the common sense exemption applies to the project. Where a project may have the potential to cause a significant effect on the environment, the application of the categorical exemption may be used when it is ensured that there is no possibility that the activity in question may have a significant effect on the environment. If the activity falls under these pretenses, the activity is not subject to CEQA. The operation does not involve the use of significant amounts of hazardous substances, all necessary public services/facilities are available, and the surrounding area is not environmentally sensitive. Per State database resources, the subject site does not fall within an area for environmental or biological sensitivity. There are no present sensitive biological habitats, wetlands, or riparian areas on site. There will be no tree removal activity on site. No hazardous materials are proposed with the project. The property has all necessary public services and facilities in place. The project is in effect a commercial operation. The subject property proposed to host the personal storage facility is zoned for such use and is permitted with use permit approval. The property site is void of apparent environmentally sensitive components. Therefore, the construction is exempt from CEQA.

Report Prepared By:

Vanessa Franken

Vanessa Franken
Planner II

ATTACHMENTS

1. Resolution
2. Development Plans
3. Project Description
4. Comment Letters
5. Conditions of Approval

cc: Sam Bunton/Chris Benedict

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

**RESOLUTION FINDING PROJECT EXEMPT)
FROM ENVIRONMENTAL REVIEW AND)
APPROVING MAJOR CONDITIONAL USE) RESOLUTION NO.: _____
PERMIT (LUSE-23-0027) SUBJECT TO THE)
ATTACHED CONDITIONS OF APPROVAL)**

WHEREAS, John Belza filed an application for a Major Conditional Use Permit to create a personal storage facility on a portion of a six-acre property zoned Neighborhood Mixed Use “NMX”, with a General Plan designation of Valley Neighborhood “VN”. The property is unaddressed and located on the north side of North Beale Road, 500 feet east of Sutter Street, and 500 feet west of College View Drive, in the Linda Community (Assessor’s Parcel Number 021-540-039); and

WHEREAS, the Community Development and Services Agency of the County of Yuba (“CDSA”) 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 Section 15061(b)(2) 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, and recommends the proposed project be found 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 Determination will be recorded with the County Recorder and Fish and Game Filing Fees will be paid to the County Recorder.

The Planning Commission hereby finds the project exempt from further environmental review pursuant to Section 15061(b)(2) of the California Environmental Quality Act, incorporated herein by reference, and approves Major Conditional Use Permit, Project Number: "LUSE-23-0027", subject to the Conditions of Approval attached hereto and made a part hereof.

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:

ATTEST:
Planning Commission Secretary

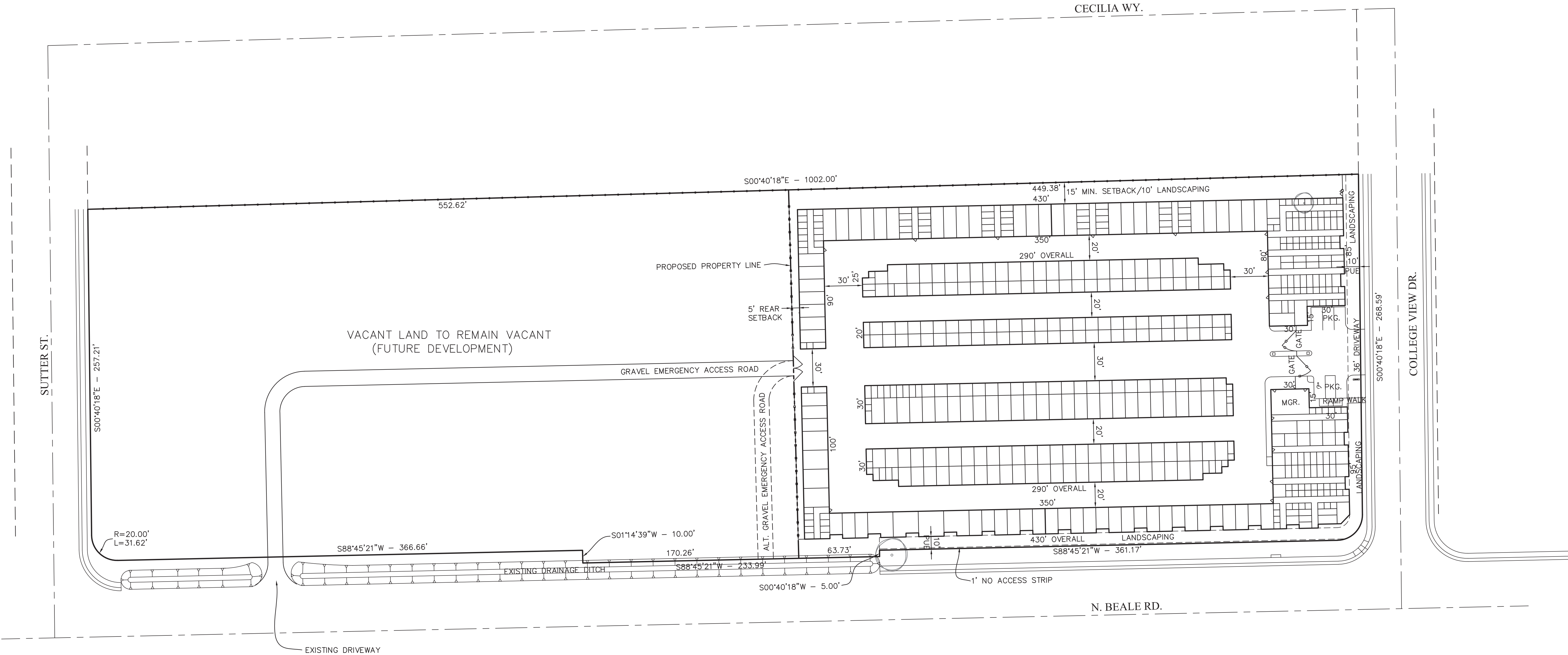
BY: _____

**Yuba County Planning Commission
Chairman**

APPROVED AS TO FORM:
MICHAEL J. CICCOTZI
COUNTY COUNSEL

BY: 
Deputy County Counsel

Attachment 2



THIS IS NOT AN ENGINEERED SITE SURVEY. PROPERTY BOUNDARIES ARE BASED ON PREVIOUS RECORD INFORMATION. STRUCTURE LOCATIONS SHOWN ON THIS DRAWING HAVE NOT BEEN SURVEYED IN RELATION TO PROPERTY LINES.

REVISIONS		
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VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE(S) ACCORDINGLY

PROPOSED SITE DEVELOPMENT FOR:
WESTERN COMMUNITY BUILDERS INC.
NORTH BEALE ROAD, YUBA COUNTY
021-540-038, 039, 040

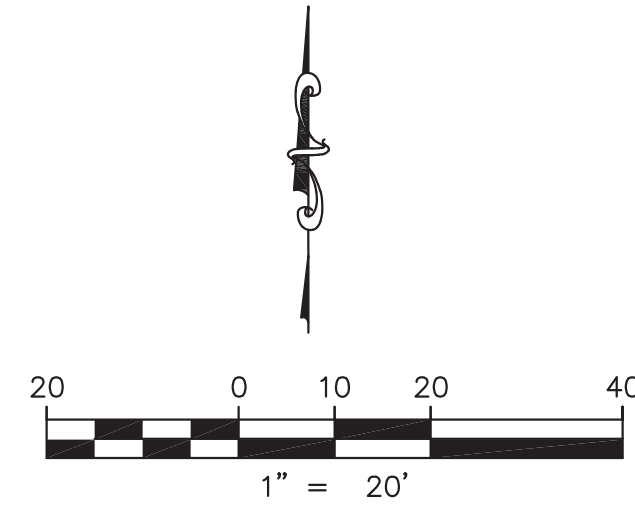
LAUGHLIN and SPENCE
CIVIL ENGINEERS & SURVEYORS
1008 Live Oak Boulevard
Yuba City, California 95991
(530) 671 1008
fax (530) 671 0822



THESE PLANS ARE CONSIDERED "PRELIMINARY" OR "FOR REVIEW" UNLESS WET SIGNED AND SEALED BY THE ENGINEER. THEY SHALL NOT BE USED FOR CONSTRUCTION UNLESS STAMPED APPROVED BY THE LOCAL AGENCY.

Date 1/12/23
Scale 1"=40'
Drawn RLH
Job 223474
Sheet

C1



THIS IS NOT AN ENGINEERED SITE SURVEY. PROPERTY BOUNDARIES ARE BASED ON PREVIOUS RECORD INFORMATION. STRUCTURE LOCATIONS SHOWN ON THIS DRAWING HAVE NOT BEEN SURVEYED IN RELATION TO PROPERTY LINES.

ACCESSIBLE UNIT ANALYSIS:

SUMMARY: CODE REQUIRES ACCESSIBLE UNITS @ 5% OF TOTAL FOR THE FIRST 200 UNITS THEN 2% ABOVE 200 UNITS. ACCESSIBLE UNITS FOR ALL PHASES TO BE ADDRESSED IN PHASE 1.

ALL PHASES:

555 UNITS TOTAL

$(200 \times 5\%) + (325 \times 2\%) = 16.5$ UNITS REQUIRED

PROPORTION OVERALL UNITS INTO THREE CLASSES BASED ON THE UNIT MIX.

CLASS 1: (247 UNITS/555 UNITS OVERALL) $\times 16.5$ REQD = 7.3 REQD < 8 ACCESSIBLE UNITS PROVIDED
CLASS 2: (274 UNITS/555 UNITS OVERALL) $\times 16.5$ REQD = 8.1 REQD < 9 ACCESSIBLE UNITS PROVIDED
CLASS 3: (34 UNITS/555 UNITS OVERALL) $\times 16.5$ REQD = 1.0 REQD = 1 ACCESSIBLE UNIT PROPOSED

TOTAL ACCESSIBLE UNITS PROPOSED: **18 UNITS PROPOSED > 16.5 UNITS REQD**

NOTES:

1. NO VALLEY OAK TREES EXIST ON WITHIN THE PROPOSED DEVELOPMENT AREA.
2. ALL DRIVES, PARKING AREAS AND WALKWAYS TO BE PAVED WITH ASPHALT OR CONCRETE UNLESS NOTED OTHERWISE.

SITE AREA: 128,561 S.F./2.95 ACRES

ZONING: NMX (NEIGHBORHOOD MIXED USE)

PROPOSED BUILDING ANALYSIS

BUILDING 'A': 15,000 S.F. (PHASE I) [INCLUDES 600 S.F. MANAGER'S UNIT]
BUILDING 'B': 8,350 S.F. (PHASE I)
BUILDING 'C': 8,675 S.F. (PHASE I)
BUILDING 'D': 5,800 S.F. (FUTURE PHASE)
BUILDING 'E': 6,975 S.F. (FUTURE PHASE)
BUILDING 'F': 16,440 S.F. (FUTURE PHASE)
PHASE I PROPOSED: 32,025 S.F.
FUTURE PHASE(S): 29,215 S.F.
TOTAL PROPOSED: 61,240 S.F.
PROPOSED FLOOR AREA RATIO: 0.48 (48%)
PROPOSED PAVING/HARDSCAPE AREA: 50,532 S.F. (39%)
PROPOSED LANDSCAPE AREA: 16,789 S.F. (13%)

REVISIONS		
A	.	.
B	.	.
C	.	.
D	.	.
E	.	.

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE(S) ACCORDINGLY

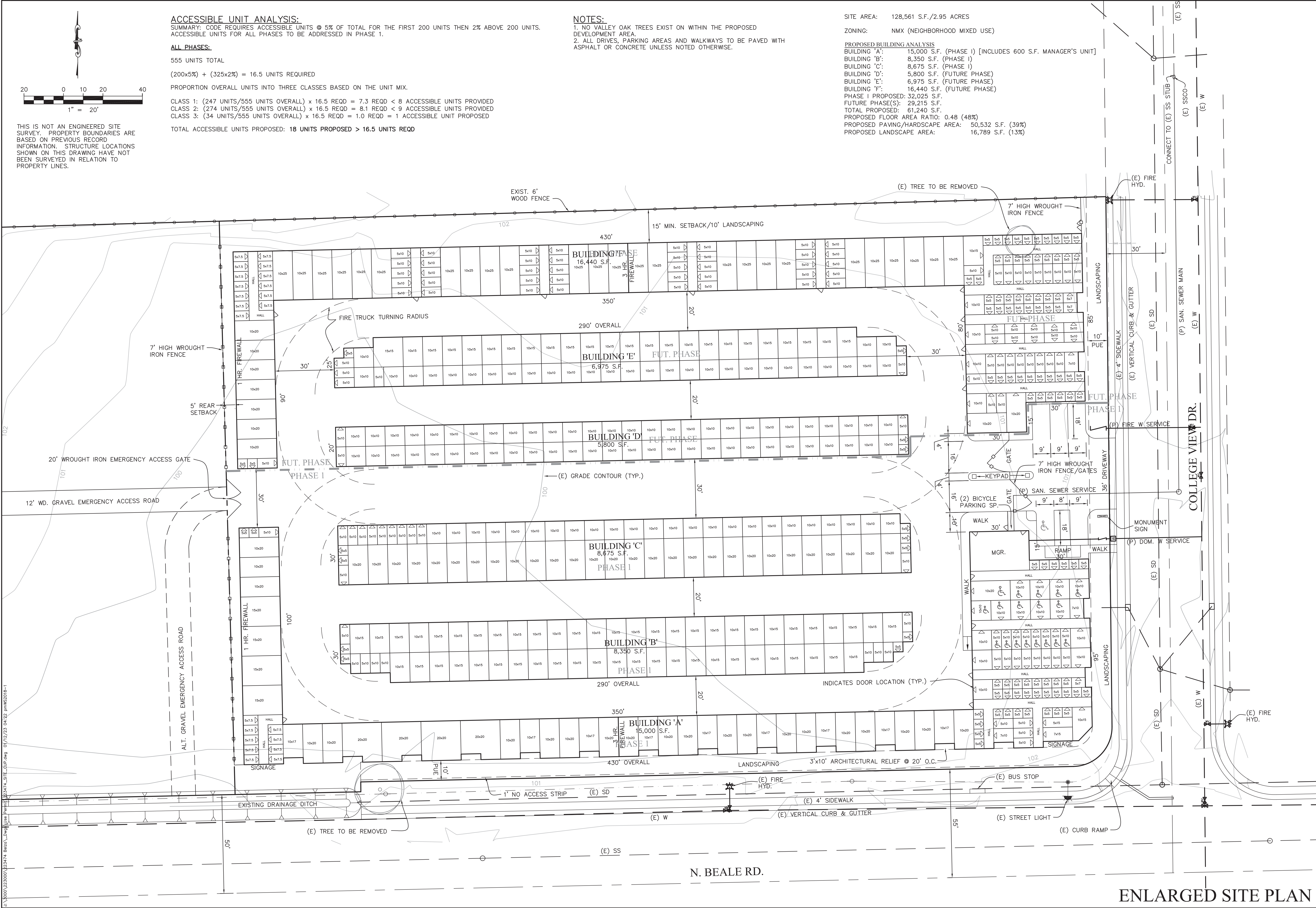
PROPOSED SITE DEVELOPMENT FOR:
WESTERN COMMUNITY BUILDERS INC.
NORTH BEALE ROAD, YUBA COUNTY
021-540-038, 039, 040

LAUGHLIN and SPENCE
CIVIL ENGINEERS & SURVEYORS
1008 Live Oak Boulevard
Yuba City, California 95991
(530) 671 1008
(530) 671 0822
fax (530) 671 0822

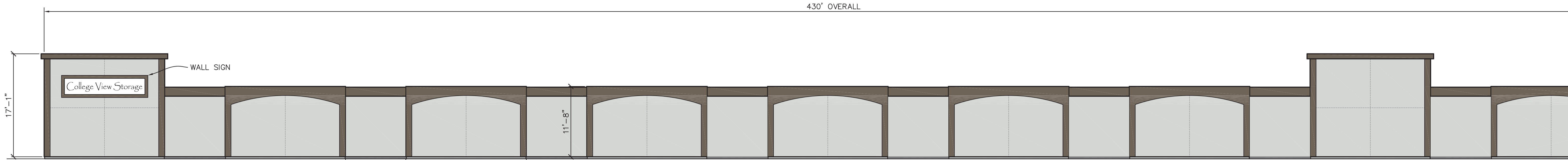


THESE PLANS ARE CONSIDERED "PRELIMINARY" OR "FOR REVIEW" UNLESS WET SIGNED AND SEALED BY THE ENGINEER. THEY SHALL NOT BE USED FOR CONSTRUCTION UNLESS STAMPED APPROVED BY THE LOCAL AGENCY.

Date: 1/12/23
Scale: 1"=20'
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Job: 223474
Sheet: **C2**
Page 3 OF 5



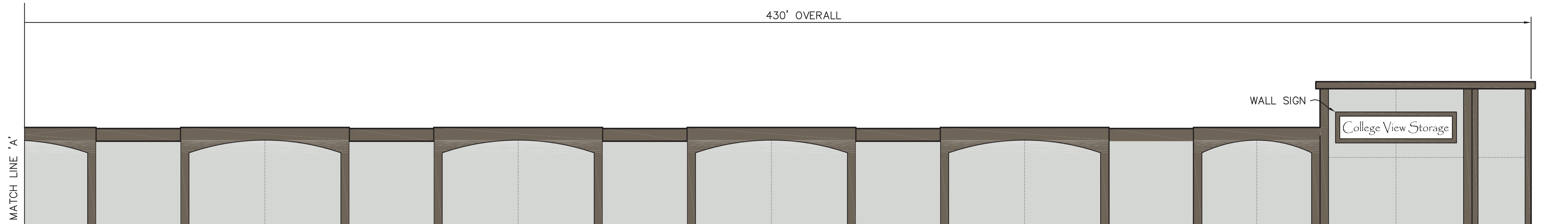
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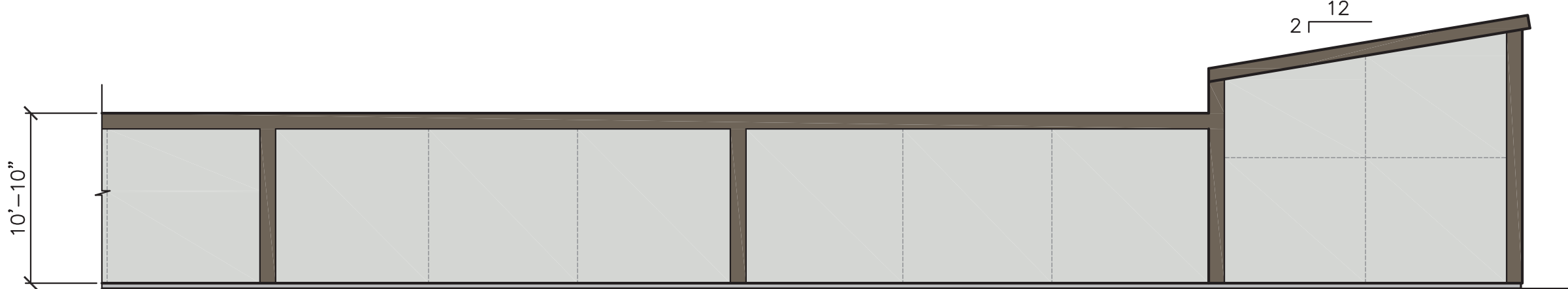
SOUTH ELEVATION (NORTH BEALE ROAD)

10'-0"
TYP.

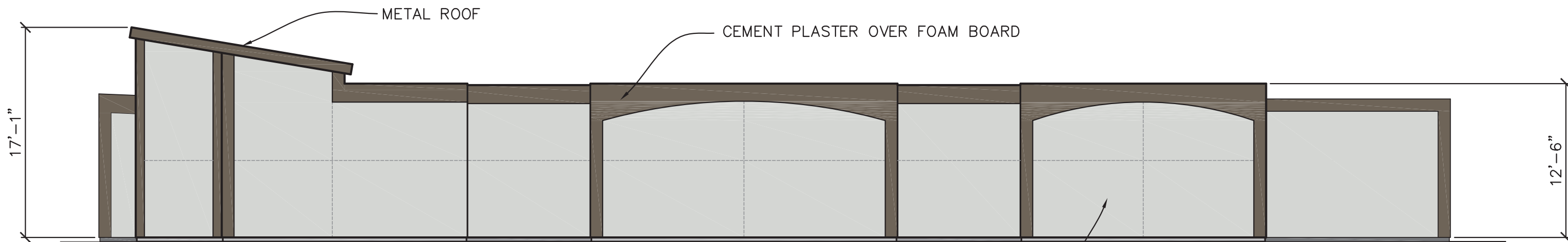
20'-0"
TYP.



SOUTH ELEVATION (NORTH BEALE ROAD)



PARTIAL WEST ELEVATION



PARTIAL EAST ELEVATION (COLLEGE VIEW DR.)

CEMENT PLASTER

REVISIONS		
A	.	.
B	.	.
C	.	.
D	.	.
E	.	.

VERIFY SCALE BAR
IS ONE INCH ON
ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALE(S)
ACCORDINGLY

CONDITIONAL USE PERMIT FOR:

WESTERN COMMUNITY BUILDERS, INC.

NORTH BEALE ROAD, YUBA COUNTY, CA
APN: 021-540-039 & 040

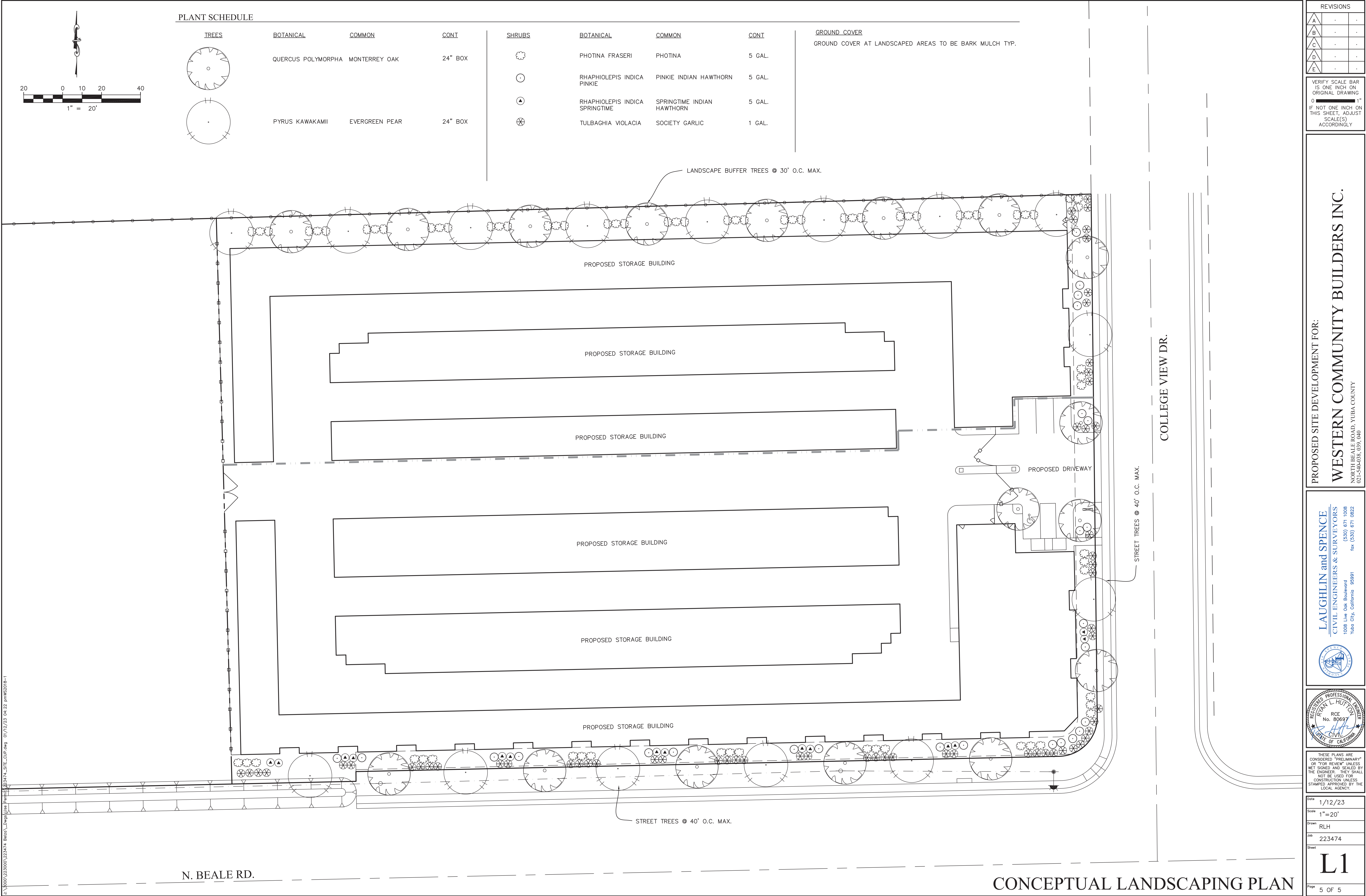
LAUGHLIN and SPENCE
CIVIL ENGINEERS & SURVEYORS
1008 Live Oak Boulevard
Yuba City, California 95991
(530) 671 1008
fax (530) 671 0822



THESE PLANS ARE
CONSIDERED "PRELIMINARY"
OR "FOR REVIEW" UNLESS
WET SIGNED AND SEALED BY
THE ENGINEER. THEY SHALL
NOT BE USED FOR
CONSTRUCTION UNLESS
STAMPED APPROVED BY THE
LOCAL AGENCY.

Date
1/12/23
Scale
1/8"=1'-0"
Drawn
RLH
Job
223474
Sheet

A1



Attachment 3

Yuba County
Community Development & Services Agency
915 8th Street, Ste 123
Marysville, CA 95901

December 29, 2022

Re: Proposed N. Beale Road Self-Storage

To Whom it May Concern:

Please see the below proposed business plan for the development of the property on North Beale Road in Yuba County, California consisting of APN numbers 021-540-038, 021-540-039, and 021-540-040.

PROJECT OVERVIEW:

The proposed project consists of a 61,240-sf self-storage facility occupying approximately 3.0 acres on the eastern portion of the property. The facility will consist of an estimated 562 units housed by single-story, drive up, prefabricated buildings. The units will range in size from 25-sf up to 400-sf with a range of unit sizes between. In addition to the storage units, the facility will provide a management office with restroom, site lighting, gated entrance, security video system and landscaping.

EXISTING PROPERTY AND PROPOSED DEVELOPMENT:

The existing property consists of approximately 6.17 acres located on North Beale Road between College View Drive and Sutter Street in Yuba County. The property is currently vacant with single residential housing to the north, multifamily housing to the east, North Beale Road followed by Yuba College to the south and vacant land to the west. The property is zoned NMX— Neighborhood Mixed Use District.



Development of the property will consist of two separate phases, the first being the proposed self-storage facility on the eastern 3.0 acres. Future development of the remaining western 3.0 acres is anticipated to consist of multi-family development with a potential commercial component. Development of the second phase will follow a proposed lot split creating at least two separate parcels

PROJECT PHASING:

The proposed self-storage facility is anticipated to be constructed in two separate phases, the first Phase A will consist of the frontage along North Beale Road as well as portions of the facility on College View Dr. and Sutter St. and will include approximately 32,075 square feet of building footprint. The second Phase B will complete the remainder of the facility along the northern property line and will consist of an estimated 29,265 square feet of building footprint.

PROPOSED OPERATION:

The drive-up self-storage facility will be managed remotely with no onsite dwelling unit. An onsite management office with restroom will be provided to facilitate customer leasing. Access to the facility will be through a secure gate system with punch pad operation. Anticipated hours of operation are 6:00 am to 9:00 pm.

SECURITY MEASURES:

The facility will have an upgraded security system in lieu of onsite management. Proposed security measures include a time stamp camera at the main ingress/egress gate which will snapshot a picture of vehicle license plates as they enter and will be cross referenced with the coinciding gate code use. Additionally, each unit is proposed to be individually alarmed, with unit alarms synced to the gate code. When the customer's gate code is entered it will deactivate the alarm to their specific unit. Upon use of the same gate code to exit the facility the unit alarm will be rearmed. Extensive aisle lighting will be installed to provide adequate illumination for video surveillance to clearly identify any trespassers or burglaries. A video surveillance system is proposed to be installed to monitor both the interior and exterior of the facility. The intent of the system is to link directly to the Yuba County Sheriff's Office. When an alarm is triggered YCSO will have direct access to the system in order to watch the incident in live feed, providing a much safer environment for deputies to respond and be aware of the situation. The intent is to additionally provide YCSO with access to the exterior system allowing YCSO to retrieve footage along North Beale Rd to assist in identifying incidents or vehicles beyond the scope of the storage facility. Please note, coordination with YCSO has not yet commenced.

FUTURE DEVELOPMENT:

Upon completion of the self-storage phase of the development, a lot split is anticipated creating a minimum of two separate parcels; one being the +/- 3.0 acre storage facility and the other consisting of primarily multifamily housing with a potential small commercial development.

FINDINGS FOR APPROVAL:

As required by Section 11.57.060 of the County Development Code, the following responses address the required findings for approval:

- Section 11.57.060-C: The proposed development provides a necessary service in the available self-storage market to meet the growing residential demand. Our market analysis of the Marysville, Linda, Olivehurst, Plumas Lake communities indicates the region is underserved by over 100,000 square feet of self-storage.
- Section 11.57.060-C: The proposed development enhances public safety and general welfare of the community by providing increased security measures applicable to the project as noted above.
- Section 11.57.060-C: The proposed development conforms with the current zoning and is consistent with other commercial development along the North Beale Corridor, in particular the Beale Storage and Guard Dog Self-Storage facilities.
- Section 11.57.060-C: The topography and location of the property facilitates convenient and safe access to the proposed development with minimal impact on surrounding properties and public services.

Thank you in advance for your consideration and approval of the proposed project.

Sincerely,



John Belza, President
Western Community Builders Inc.



Serving Sutter and Yuba Counties

541 Washington Avenue
Yuba City, CA 95991
(530) 634-7659
FAX (530) 634-7660
www.fraqmd.org

Christopher D. Brown, AICP
Air Pollution Control Officer

February 28, 2023

County of Yuba Planning Department
915 8th Street Suite 123
Marysville, CA 95901
Fax: 530-749-5434

Re: LUSE-23-0027 (College View Storage)

Dear Vanessa Franken,

The Feather River Air Quality Management District (District) appreciates the opportunity to review and comment in the project referenced above.

The District recommends that the project prepare a Fugitive Dust Control Plan for the constructional phase of development and submit it to the air district for review and approval. Further, the project will be responsible during construction phase to adhere to District Rule 3.16 which states that the developer or contractor are required to control dust emissions from earth moving activities, handling, or storage activity from leaving the project site. I have included FRAQMD recommended construction phase mitigation measures and a copy of the fugitive dust control plan form.

The District has attached a list of local and state regulations applicable to new development that each project must adhere to in addition to any mitigation measures proposed to reduce construction or operational air quality impacts. It should be noted that any materials and/or structures being removed from the proposed project site must be disposed of properly. Materials and/or structures being removed from the project site must not be burned.

All new development planned for the proposed project would be subject to FRAQMD's Indirect Source Fees. The proposed project would be subject to the Indirect Source fee of \$0.06 per square foot for commercial properties.

If you need any further assistance, please contact me at (530) 634-7659 x209. Air District staff will be available to assist the project proponent or lead agency as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Angelonides".

Peter Angelonides
Air Quality Planner

Enclosures: Rules and Regulations Statement, Fugitive Dust Control Plan, Construction Phase Mitigation Measures
File: Chron

FRAQMD Rules & Regulations Statement: New Development

The following statement is recommended as standard condition of approval or construction document language for **all** development projects within Feather River Air Quality Management District (FRAQMD). All projects are subject to FRAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.fraqmd.org or by calling 530-634-7659. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Regulation IV: Stationary Emission Sources Permit System and Registration. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from FRAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or internal combustion engine should contact the FRAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a FRAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to fumigation chambers, gasoline tanks and dispensing, spray booths, and operations that generate airborne particulate emissions.

Rule 3.0: Visible Emissions. A person shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminants for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringleman Chart.

Rule 3.15: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 3.16: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 3.17: Wood Burning Devices. This rule requires newly installed wood burning devices meet emission standards. Wood burning fireplaces are prohibited unless they meet emission standards.

Rule 3.23: Natural Gas-Fired Water Heaters, Small Boilers, and Process Heaters. This rule requires all newly purchased or installed units 75,000 Btu/hr up to 1 million Btu/hr meet emission limits.

Rule 7.10: Indirect Source Fee. An applicant for a building permit shall pay fees to the FRAQMD based on number of units (residential) or square footage of the building and associated parking (commercial and industrial).

Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

In addition, other State or Federal rules and regulations may be applicable to construction phases of development projects, including:

California Health and Safety Code (HSC) section 41700. Except as otherwise provided in Section 41705, no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

HSC section 41701. Except as otherwise provided in Section 41704, or Article 2 (commencing with Section 41800) of this chapter other than Section 41812, or Article 2 (commencing with Section 42350) of Chapter 4, no person shall discharge into the atmosphere from any source whatsoever any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than three minutes in any one hour which is: (a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or (b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a).

California Vehicle Code section 23114 regarding transportation of material on roads and highways.

California Code of Regulations Title 13 Chapter 10 section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. Limits idling time to 5 minutes for on-road heavy duty diesel trucks.

California Code of Regulations Title 13 Chapter 9 Article 4.8 section 2449: Regulation for In-Use Off-Road Diesel Vehicles. Limits idling time to 5 minutes.

California Code of Regulations Title 17 Division 3 Chapter 1 Subchapter 7.5 section 93105: Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.

California Code of Regulations Title 17 Division 3 Chapter 1 Subchapter 7.5 section 93106: Asbestos ATCM for Surfacing Applications.

Asbestos NESHAP. Prior to demolition of existing structures, an asbestos evaluation must be completed in accordance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations. Section 61.145 requires written notification of demolition operations. Asbestos NESHAP Demolition/Renovation Notification Form can be downloaded at <http://www.arb.ca.gov/enf/asbestos/asbestosform.pdf>. This notification should be typewritten and postmarked or delivered no later than ten (10) days prior to the beginning of the asbestos demolition or removal activity. Please submit the original form to USEPA and a copy each to California Air Resources Board (CARB) and the District at the addresses below:

U.S. EPA
Attn: Asbestos NESHAP Program
75 Hawthorne Street
San Francisco, CA 94105

CARB, Compliance Division
Attn: Asbestos NESHAP Program
P.O. Box 2815
Sacramento, CA 95814

FRAQMD
Attn: Karla Sanders
541 Washington Avenue
Yuba City, CA 95991

This plan, upon signature and submittal to the FRAQMD, will serve as an approved Fugitive Dust Control Plan to be implemented at the designated site. This plan must be submitted by the project proponent and received at the air district prior to start of work.

- Site Location: _____

- List of responsible persons:

Company: _____

Office (name, title, address, phone): _____

Field (name, title, phone): _____

- Project Proponent: _____
Printed Name Company/Phone

I further acknowledge that it is my responsibility to ensure that site employees are made formally aware of fugitive dust control laws, requirements, and available mitigation techniques, and that appropriate measures are to be implemented at the site as necessary to prevent fugitive dust violations.

Signature: _____ Name: _____

Title: _____ Date: _____

FRAQMD – Modified 2/23/2016

A- 1

FRAQMD Construction Phase Mitigation Measures

1. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
2. Utilize existing power sources (e.g., line power) or clean fuel generators rather than temporary power generators.
3. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
4. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
5. Work areas shall be watered or treated with Dust Suppressants as necessary to prevent fugitive dust violations.
6. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts. Travel time to water sources should be considered and additional trucks used if needed.
7. Onsite dirt piles or other stockpiled material should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.
8. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
9. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all-inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
10. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
11. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
12. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions.
13. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
14. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.

15. The proponent shall assemble a comprehensive inventory list (i.e. make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and apply the following mitigation measure:

The project shall provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 5 percent ROG reduction, 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. A Construction Mitigation Calculator (MS Excel) may be downloaded from the SMAQMD web site to perform the fleet average evaluation <http://www.airquality.org/ceqa/index.shtml> . Acceptable options for reducing emissions may include use of late model engines (Tier 4), CARB Approved low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary offsite mitigation projects, provide funds for air district offsite mitigation projects, and/or other options as they become available. The District should be contacted to discuss alternative measures.

The results of the Construction Mitigation Calculator shall be submitted and approved by the District PRIOR TO BEGINNING WORK. The project shall provide a monthly summary of heavy-duty off-road equipment usage to the District throughout the construction of the project.

16. The Lead Agency may also contribute to the FRAQMD's Off-Site Mitigation Program to reduce project emissions to less than significant. The lead agency should include contribution to the off-site mitigation program as a mitigation measure in its environmental analysis. The lead agency will need to compile a list of all emission sources and consult with the FRAQMD staff to implement this mitigation measure. The project will need to track emissions generated from equipment and vehicles throughout the project phase that is estimated to exceed the threshold (for example, if construction phase exceed the threshold, then track emissions from off-road, portable, and on-road equipment and vehicles). Please consult with the FRAQMD for more information on contributing to an Off-Site Mitigation Program.



Attachment 4

March 1, 2023

Vanessa Franken
County of Yuba
915 8th St
Marysville, CA 95901

Re: LUSE-23-0027
College View Storage

Dear Vanessa Franken,

Thank you for providing PG&E the opportunity to review the proposed plans for LUSE-23-0027 dated 2/7/2023. Our review indicates the 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 the design, we ask that you resubmit the plans to the email address listed below.

If the project requires 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 pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

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

Applicant/Owner: John Belza
APN: 021-540-039 & 021-540-040

Case Number: LUSE-23-0027
Hearing Date: June 21, 2023

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

- I. After review and consideration, staff has made a determination that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b), Review for Exemption.
- II. Approve Conditional Use Permit LUSE-23-0027 subject to the conditions below, or as may be modified at the public hearing, making the following findings, pursuant to County of Yuba Title XI Sections 11.57.060 and 11.29.290.

STANDARD 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. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 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, and the Yuba County Ordinance Code.
- 4) The Conditional Use Permit may be effectuated at the end of the ten (10) day appeal period which is July 03, 2023. Conditional Use Permit LUSE-23-0027 shall be designed and operated in substantial conformance with the approved conditional use permit as outlined in the approved site plan filed with the Community Development & Services Agency and as conditioned or modified below. No other expansion of uses are authorized or permitted by this use permit.
- 5) This conditional use permit approval shall be effectuated within a period of twenty-four (24) months from this approval date and if not effectuated shall expire on June 21, 2025. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than ninety (90) days from June 21, 2025.
- 6) Minor modifications to final configuration of the conditional use permit may be approved by the Community Development and Services Agency Director.

PUBLIC WORKS DEPARTMENT:

- 7) The Public Works Director may reasonably modify any of the Public Works conditions contained herein.
- 8) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 58-foot strip of land adjoining the centerline of North Beale Road, classed as an Urban Arterial Road, a 24-foot strip of land adjoining the center line of College View Drive, classed as an Urban Residential Road, and a 24-foot strip of land adjoining the center line of Sutter Street, classed as

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

**Applicant/Owner: John Belza
APN: 021-540-039 & 021-540-040**

**Case Number: LUSE-23-0027
Hearing Date: June 21, 2023**

- an Urban Residential Road lying within the bounds of these properties. The sidelines of the above strips of land shall be connected using a curve having a radius of 30 feet.
- 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 these properties measured from the County's right of way.
 - 10) The proposed gate and entrance to the storage lot from College View Drive must be of sufficient size for two vehicles with trailers to enter and exit simultaneously (or two separate gates/entrances), at a location that allows for the vehicles to stop within the property before entering, rather than on the public road right-of-way. The layout of the entrance shall also provide sufficient area for a vehicle to back out or turn around within the property limits in the event that the vehicle is unable to enter the proposed gated parking area.
 - 11) All existing or proposed driveway encroachments onto College View Drive, Sutter Street, and North Beale Road shall conform to the current Yuba County Standards for a Standard Driveway (Drawing No. 200) and be paved a minimum of 20' from the edge of travel way per Yuba County Standard (Drawing No. 128) under permit issued by the Department of Public Works.
 - 12) An assessment of the existing curb, gutter, sidewalk and culverts along College View Drive, Sutter Street, and North Beale Road shall be performed. Any necessary repairs must be completed prior to issuance of a building permit.
 - 13) Removal and spraying of weeds must be performed along all existing curb, gutter, and sidewalk.
 - 14) Prior to construction along North Beale Road fronting this property shall meet the half-width requirements for an Urban Arterial (Major) Road in conformance with the Yuba County Standard (Drawing No. 103) or as modified by the Public Works Director. Such standard includes curbs, gutters, with an attached sidewalk.
 - 15) The required road construction along College View Drive, Sutter Street, and North Beale Road of 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, 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.
 - 16) In-lieu of constructing the required improvements at this time, or signing a Deferred Improvement Agreement, the owner can contribute a fair share cost of the improvements of North Beale Road. Such fair share cost has been determined by the Public Works Department to be \$79,000.00.
 - 17) Unless exempt, grading activities shall be accomplished under a grading permit issued by the Public Works department.
 - 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

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

Applicant/Owner: John Belza
APN: 021-540-039 & 021-540-040

Case Number: LUSE-23-0027
Hearing Date: June 21, 2023

the project.

- 19) 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.
- 20) 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, it is required to obtain 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 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.
- 21) 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.
- 22) 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.
- 23) 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.

BUILDING DEPARTMENT:

- 24) Owner shall obtain all required state, federal and local permits and follow all state, federal and local codes and ordinances.
- 25) All new development must meet applicable requirements of most current adopted version of the California Code of Regulations, Title 24, and Yuba County Ordinance Code Title X, which includes, but is not limited to: building, accessibility and fire code requirements.
- 26) All new buildings and structures must obtain a building permit prior to construction.

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

**Applicant/Owner: John Belza
APN: 021-540-039 & 021-540-040**

**Case Number: LUSE-23-0027
Hearing Date: June 21, 2023**

PLANNING DEPARTMENT:

- 29) Any and all physical improvements associated with this Conditional Use Permit shall be maintained to the standards specified in these Conditions of Approval set forth for this use permit. Failure to maintain said physical improvement(s) in said manner may be used as grounds for revocation of this use permit.
- 30) Operator shall meet all requirements of the Feather River Air Quality Management District.
- 31) Owner or Applicant shall submit a landscape plan for the site with building permit application. Landscape plans are required to meet standards of Chapter 11.24 Landscape & all other applicable requirements as stated within the Yuba County Development Code for screening. Landscape is required around immediate project perimeter and frontage of property.
- 32) Owner or applicant shall provide a Knox Box with key or security pin for emergency service response. Owner shall coordinate this with the local Linda Fire Department.

Vanessa Franken

Vanessa Franken
Planner II
County of Yuba