



County of Yuba

Community Development & Services Agency

Planning Department

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PLANNING COMMISSION STAFF REPORT

Hearing Date: November 17, 2021

Case Number: Conditional Use Permit CUP 2021-0001 (Neel Event Center)

Request: The applicant is requesting approval of a Conditional Use Permit that would allow the operation of an event venue at 5816 Marysville Road (APN: 005-420-018).

Location: The project is located at 5816 Marysville Road (APN: 005-420-018), roughly 0.5-miles north of Highway 20 and located within the community of Browns Valley.

Applicant: Heather Neel, 5816 Marysville Road, Browns Valley, CA 95918

Recommendation: Adopt the attached Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Resolution approving Conditional Use Permit 2021-0001 (Neel Event Center).

Background: The project site is located in the community of Browns Valley, in the Rural Residential (RR-5) district, & located outside of the Valley Growth Boundary (VGB). According to section 11.32.300(I)(3), a Minor Conditional Use Permit is required to establish an event center on a property located outside of the County's Valley Growth Boundary (VGB) and holding over 12 events in a year. The property address is 5816 Marysville Road (APN: 005-420-018), a 5.51 acre parcel that is currently developed with a single family residence, a barn & a man-made pond. The residence is occupied by the project applicants & the proposed acreage of the parcel to be used for the event center is 2.5 acres.

Access to the property is off Marysville Road, which provides over 100 ± feet of visible line of sight both north bound & west bound for traffic entering & exiting the property. The site plan (Attachment 2) provided with the application indicates the existing barn would be utilized for for venue storage, walkways for guests to navigate through to event areas, & varying areas improved with gravel for ample parking (over 60 stalls) towards the southern portion of the property. The event center is proposing to accommodate a maximum of 150 guests. The applicant is proposing

1-2 events per week and the event season primarily consists of the months of April through October.

The property falls within a State Responsibility Area (SRA), requiring all new development to be setback 30 feet away from all property lines. This setback will be maintained for all new proposed structures. Sole employees of the venue will be the project applicants. Operational times for the project will be from 10am-8pm on weekdays & from 10am-11pm on weekends to allow for set up & tear down procedures. The venue is expected to adhere to applicable sections of Chapter 8.20 Noise of the Yuba County ordinance code. The event venue will be subject to the County Noise Ordinance, Section 8.20.430; requiring amplified noise to cease at 9:00pm each day with a maximum ambient noise decibel of 60dB. No food & beverage will be provided from the event venue operators, food & beverage will be upon the event venue guest to provide. Similarly, any alcohol service shall be upon the guest to provide, if desired. The venue will require, and review, bartending service to be valid through Alcoholic Beverage Control (ABC) & to have Responsible Service of Alcohol cards (RSOA). Should a security team be needed, this will be a responsibility of the event guests as well. Restrooms will be provided as conditioned by the Environmental Health Department, requiring one restroom & handwashing station per every fifty (50) guests. The venue intends to continue providing portable restrooms for events & guests.

Planning staff has mailed a public hearing notice to property owners, within a 1,000 foot radius of the subject site, informing owners of the public hearing date & as a request for comments on the project. In response to public comments received, staff has conditioned the project to limit the number of events per month to a maximum of three events and for the total events per year not to exceed 30 events. Additionally, staff has conditioned the project, if approved, to have a re-evaluation with the Planning Commission at the end of the first year of operation. This re-evaluation with the Planning Commission will allow staff to monitor any neighbor noise complaints, any traffic/parking issues and other project related concerns for the first operation period so the Planning Commission has the ability to re-condition and evaluate the project based on its operational record.

Surrounding Uses:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Subject Property	Rural Community	RR-5	Rural Residential
North	Rural Community	RR-5	Rural Residential
East	Rural Community	RR-5	Rural Residential
South	Rural Community	RR-5	Rural Residential
West	Rural Community	RR-5	Rural Residential

Surrounding properties range in size from five (5) to twenty (20) acres in size. The surrounding properties are similar in lot format, where there is a residence and a sizeable amount of land

behind existing residences. The immediate surrounding parcels are all zoned Rural Residential (RR-5) and are designated on the 2030 General Plan Land Use Diagram as Rural Community (RC). As noted above, there are existing residences surrounding the subject site; estimated Google Earth measurements indicate some 600± feet between the main ceremonial site & the residence directly north. Measurement estimates indicate some 650± feet between the main ceremonial site & the residence directly south. Measurement estimates indicate some 580± feet between the main ceremonial site & the residence directly west across Marysville Road. The shortest distance between the main ceremonial site is some 160± feet of distance to the residence directly east at 10179 Larkspur Way.

General Plan/Zoning: The property is zoned as Rural Residential with a 5 acre minimum parcel size (RR-5). Pursuant to Chapter 11.06, Rural Community Districts, the purpose of the rural district is to promote low density development while upholding standards to preserve the character of existing rural residential areas. The project site is designated as “Rural Community” on the 2030 General Plan land use map. The “Rural Community” General Plan Land Use classification is intended to facilitate supportive services and tourism oriented uses. Per Community Development Table-1, allowable uses within this designation include uses such as natural resource tourism, community halls, public & quasi-public land uses. The General Plan continues to provide for rural development to be consistent with rural areas, with focus on preserving & enhancing rural character.

The project complies with the following General Plan Policies:

1. *Per policy CD9.1, Foothill and mountain development projects shall be designed to preserve the existing rural character.*

The subject project is not proposing to construct any structures at this time. Any proposed structures will be required to obtain building permits & be subject to applicable requirements of Chapter 11.06 *Rural Community Districts* of the County’s Development Code. If structures are to be proposed, structures will be similar to that of a residential use on the same property. An existing barn is proposed to be used as venue storage, a small bar is proposed, and areas of parking are graded & covered with gravel. Proposed structures will not stray from the typical appeal of similar structures in the area. Applicants intend to keep as much of the existing landscape (natural grasses & existing trees) & property features untouched as much as possible to retain natural features of the property. The site is desired to become an event location to showcase the natural ambient beauty this particular foothill property has that is often sought for event backdrops & photos.

2. *Per policy CD9.3, Development in Rural Communities can have a different set of construction standards than used for valley areas for streets, sidewalks, drainage, and other improvements consistent with the rural character.*

The proposed project intends to preserve the physical features of the property as much as possible. As mentioned above, proposed structures will not deviate in visual appearance from typical structures in the area. The subject site falls outside of the Valley Growth Boundary (VGB), according to the Yuba County Development Code, parking may be gravel versus the paved asphalt requirement that is mandated for development within the Valley. Gravel parking offers a more rural feel compared to the manicured urban look of paved asphalt.

3. *Per policy CD9.6, Rural Communities provide the opportunity for agriculture, agricultural tourism, ecological tourism, recreational and other economic activities.*

The subject event venue offers a location for guests and residents of the County to gather, celebrate, and commemorate in an area that offers an introduction to the foothills of Yuba County. With population growth, and the lack of events occurring over the last nearly 24 months, due to the COVID pandemic, an event venue is sought to facilitate gatherings of individuals with safety features addressed.

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

- A. 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;**

Per land use table 11.06.020, of Chapter 11.06 (Rural Community Districts), special events proposed in the Rural Residential zone are referred to section 11.32.300 (Temporary Uses & Special Events). The aforementioned section states a Minor Conditional Use Permit is required when thresholds for events, such as number of guests/number of events anticipated annually, exceed what is permitted by zoning right. The new commercial use will be subject to applicable development standards of the Yuba County Development Code & relevant ordinances. Approval of this use permit will establish a regulated event center that is in conformance with County standards.

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

The project site does not fall within a specific plan. The project site is designated as Rural Community on the 2030 General Plan Land Use Map. The "Rural Community" General Plan Land Use classification is intended to facilitate supportive services and tourism oriented uses. As outlined in subsection "General Plan/Zoning" of this staff

report, a variety of policies presented in the General Plan are supported with the development of an event venue in the rural community of Browns Valley.

C. 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 of the event venue is both necessary & desirable to offer event hosting services to the ever growing population of Yuba County residents. For nearly 24 months, due to the COVID pandemic, events, matrimonies & gatherings of people have halted to respect health orders & safety concerns. The result presents a need for a local event center to host gatherings for County residents that often are unable to reserve an event in a timely, or often times financially affordable, manner due to the backlog of events across the State.

The facility may contribute to the well-being of the surrounding area by presenting the great lifestyle & physical features the foothill community has to offer through the experience of special events while promoting County tourism; a general plan policy intended for properties with a general plan designation of Rural Community. On an economic level, jobs are offered to the applicants on the same property as their residence; an ideal vision for owner-operators & small business owners of the two Yuba County residents. Similarly, the property will be subject to sales & tax rates of the unincorporated area of Yuba County.

D. 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;

Potential adverse effects on the community may include components such as traffic or noise, potential adverse effects are addressed to be mitigated. Both traffic & noise have requirements that are enforced by the Yuba County Development Code & through the conditions of approval drafted with this staff report. The project applicants will be required to provide adequate signage to facilitate awareness & visibility of event entrance within a reasonable distance from the venue entrance & exit point. Amplified noise & noise associated with the venue will be regulate by noise ordinance requirements. The maximum ambient noise level permitted, without a noise permit, is 60dB. Planning staff has conditioned the project to have a review of the project with the Planning Commission at the end of the first year of operation to re-evaluate the use permit along with any complaints received. Noise exceeding ordinance thresholds, or without noise exemption permits, may provide basis for permit revocation.

E. 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 site does not fall within an area where design review is required, however, typical development standards are required as part of a new commercial development. All development shall be in compliance with the Yuba County Development Code related to permits for structures, setbacks, height restrictions and access. Development standards will be required & reviewed for compliance at time of building permit review.

F. 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 immediate surrounding properties are zoned as Rural Residential (RR-5) with existing residential uses established on each. The location of the venue at the subject property is desirable in that the sheer size of the site allows for guests, vehicle parking, & event gatherings to be accommodated with plenty of space. Road accessibility is from Marysville Road & is a brief minutes' drive from State Highway 20. The design of the venue operations is satisfactory in that the main ceremonial events are to be located in the center of the property site, leaving more than 150 to 650± feet between nearby residential homes & the focus center of festivities.

G. 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 project site is 5.51 acres in size and is physically capable of accommodating the proposed density of individuals & number of events. The site has ample room for parking and area for guests to gather, away from property frontage. Line of sight for oncoming traffic, or traffic exiting the venue, is an estimate of some 200± feet northbound & 500± feet southbound on Marysville Road. To ensure well & septic are not negatively impacted, proposed restrooms are to be portable restroom facilities that will be removed after event use. The site currently has electricity connection & the site is free of physical constraints that would otherwise pose as an obstacle or safety concern to venue operation.

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

After review and consideration, staff has prepared an initial study for the project and subsequent Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to California Environmental Quality Act (CEQA) Section 15070 (b)(1) (DECISION TO PREPARE A NEGATIVE DECLARATION) A Mitigated Negative Declaration was prepared and noticed pursuant to all CEQA guidelines as part of the project processing. Notice of availability of the Mitigated Negative Declaration was sent to all neighbors within 1,000 feet of the project site and to all local and State agencies that may have interest in commenting on the project's environmental document.

Per Section 11.32.300(l)(3)(d), & in addition to the findings above, the following findings are required to be made:

I. The proposed use does not detract from or diminish the on-site crop production use.

The proposed use does not detract nor diminish from on-site production, as there is no on-site crop production existing at this time.

II. There is no adverse effect on agricultural production or public health and safety on surrounding properties.

There will be no adverse effect on agricultural production, as there as there is no on-site crop production existing at this time. The possible effects of what is proposed, such as potential noise, will not affect agricultural production on surrounding properties. From Google Earth aerial view, there are no existing agricultural operations visible on parcels immediately adjacent to subject site. Property owners within a 1,000 radius of the subject site have also been routed a public hearing notice, no comments or concerns for agricultural impact have been received at this time.

Potential effects to public safety are addressed in finding “D”. Public health concerns will be addressed primarily through the Environmental Health Department; at this time, there are no proposals for food to be served from the venue, the serving of alcoholic beverages is also not proposed, & adequate restroom facilities will be required per Environmental Health standards. If proposals for food & drink change, it will be the responsibility of venue operators to obtain the necessary permits to do so.

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 (Attachment 7):

- 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.
- UAIC – Tribal Cultural Resources; declined site visit.

Comments Received From Public: The project public hearing notice was mailed to property owners within a 1,000 foot radius. The following is a summary of comments staff has received (Attachment 7).

- Roland & Roberta D’arcy– Letter of support (Notated as “Public Support Page 1” within Attachment 7).
- Bradley Van Bibber– Letter stating concerns about the number of events held on property prior to receiving use permit approval, the volume of amplified noise, amplified noise

ending time stated in ordinance & potential traffic hazards (Notated as “Public Opposition Page 1 & Public Opposition Page 2 within Attachment 7).

Staff has the following response to the letter of concern received by Bradley Van Bibber on November 03, 2021:

1. *Number of events held on property prior to receiving use permit approval:*

Per Development Code section 11.32.300 (Temporary Use & Special Events), special events outside of the valley growth boundary are permitted to have 5 events or less per year with no more than 100 persons per event by right. Property owner has stated no more than 5 events have been held on site & the site has remained in conformance with this code section.

2. *Volume of amplified noise:*

The event center is subject to section 8.20.430, *Amplified Sound Regulations*, of the County’s noise ordinance. This section states that the amplified music decibel shall not exceed 15 decibels above ambient base noise stated in section 8.20.140; 60dB is the decibel volume notated in this section. The event center is permitted to reach a maximum of 60dB, per section 8.20.430, with approval of a use permit. If the project is approved, staff will continually be monitoring any noise complaints received by the Sheriff’s Department and CDSA and bring those complaint numbers back to the Planning Commission when we complete our one year review period.

3. *Ending time of amplified noise by ordinance*

The event center is subject to section 8.20.430, *Amplified Sound Regulations*, of the County’s noise ordinance; which states amplified music in the subject zone is permitted until 9pm & that both the ambient noise & amplified music decibel will not surpass 60dB, as quoted in section 8.20.140. The project has been conditioned for amplified noise to end at 9pm.

4. *Potential traffic hazard:*

According to CalTrans *Transportation Impact Study Guide* standard number 4, less than 110 vehicle trips a day may be assumed to cause a less-than significant transportation impact. With a limit of 150 guests per event, & the understanding that most guests will be carpooling & ride-sharing, the belief staff has is that traffic poses a less than significant effect. Line of sight traveling both north bound & south bound on Marysville Road is over 150 feet & offers a sizeable distance for drivers entering & exiting the property to utilize the distance to make safe driving decisions. Yuba County Public Works Department is not concerned about line of sight issues with the project or the number of project related vehicles on Marysville Road. CalTrans has been routed for Early Consultation at time of project application, CalTrans has also been routed the Initial Study/Mitigated Negative Declaration (IS/MND) & has no comments.

Environmental Review & Determination: Staff has prepared a Mitigated Negative Declaration and Mitigation Monitoring Plan (Attachments 5 and 6) pursuant to the California Environmental Quality Act (CEQA) Section 15070 (b) (1).

During the initial study of the project, no potential impacts to the environment were identified that could not be reduced through mitigation measures to a level that is less than significant and therefore a Mitigated Negative Declaration (MND) was prepared. The MND discusses the following project impacts and their respective Mitigation Measures:

- Aesthetics: No light spillage.
- Air Quality: FRAQMD standards and fugitive dust control plan.
- Cultural Resources: Inadvertent discovery of cultural remains and cultural material.
- Tribal Cultural Resources: Inadvertent Discoveries Of TCRs.

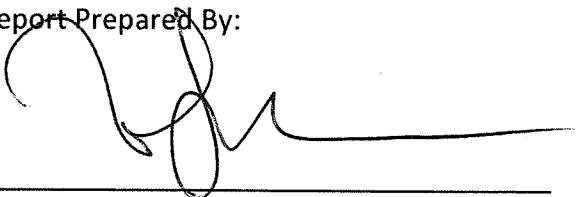
The environmental document was circulated for the required 20-day review period and comments received to date are listed in the Department and Agency Review section of this staff report.

- FRAQMD – Air Quality Impact at 125,000 square feet & Indirect Source Fees for Improvements.
- PG&E – No Comment

Attachments:

1. Resolution
2. Site Plan
3. Conditions of Approval
4. Initial Study/Mitigated Negative Declaration
5. Mitigation Monitoring Plan
6. Comment Letters

Report Prepared By:



Vanessa Franken
Planner I

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

**RESOLUTION ADOPTING THE MITIGATED)
NEGATIVE DECLARATION AND)
MITIGATION MONITORING PLAN AND) RESOLUTION NO.: _____
APPROVING CUP 2021-0001; SUBJECT TO)
THE ATTACHED CONDITIONS OF)
APPROVAL)**

WHEREAS, The applicant, Heather Neel, filed an application for a Conditional Use Permit (CUP 2021-0001), that would allow an event center for special occasions for a property located at 5816 Marysville Rd, Browns Valley (APN: 005-420-018) on a 5.51 acre parcel, that is roughly a mile away from State Highway 20 in Yuba County. The 2030 General Plan designates the land use as Rural Community and the zoning of the property is Rural Residential, with a 5 acre minimum (RR-5); and

WHEREAS, the Community Development and Services Agency of the County of Yuba has conducted an Initial Study for the proposed project and concluded that the project would not result in any significant adverse environmental impacts provided the mitigation measures that are incorporated into the Mitigation Monitoring Plan and Conditions of Approval are implemented; and

WHEREAS, the Community Development and Services Agency 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 recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan for the proposed project in accordance with the California Environmental Quality Act; and

WHEREAS, a public hearing was held before the Yuba County Planning Commission on November 17, 2021, to allow the public and interested parties to testify and submit evidence in favor of, or against, the adoption of the mitigated negative declaration and mitigation monitoring plan and the approval of the conditional use permit.;

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 General Plan, as well as with the Yuba County Development Code and Zoning Map.

as well as with the Yuba County Development Code and Zoning Map.

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 Planning Commission finds, on the basis of the whole record, no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.
8. The Planning Commission finds that the proposed use of the project, as conditioned, does not detract from or diminish any on-site crop production uses.
9. The Planning Commission finds that there is no adverse effect on agricultural production or public health and safety on surrounding properties.

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10. 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 may be recorded with the County Recorder and Fish and Game Filing Fees will be paid to the County Recorder.

The Planning Commission hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Plan, incorporated herein by reference, and approves Conditional Use Permit 2021-0001, subject to the Mitigation Measures contained within the Mitigation Monitoring Plan and Conditions of Approval.

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:
MICHAEL J. CICCOTZI
COUNTY COUNSEL

BY: _____

BY:  _____

Figure 2.

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

Applicant: Heather Neel
Owner: Heather Neel
APN: 005-420-018-000

Case Number: CUP 2021-0001
PC Hearing Date: November 17, 2021

ACTIONS FOR CONSIDERATION: Staff recommends the Planning Commission take the following actions:

- I. After review and consideration, staff has prepared an initial study for the project and subsequent Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to California Environmental Quality Act (CEQA) Section 15070 (b)(1) (DECISION TO PREPARE A NEGATIVE DECLARATION).
- II. Approve Conditional Use Permit CUP 2021-0001 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 11.57.060.

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 of 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. The Conditional Use Permit may be effectuated at the end of the ten day (10) appeal period which is November 27, 2021. Conditional Use Permit CUP 2021-0001 shall be designed and operated in substantial conformance with the approved conditional use permit as outlined in the approved site plan and project description (Attachment 1) 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.
4. This Conditional Use Permit approval shall be effectuated within a period of twenty-four (24) months from this date and if not effectuated shall expire on November 17, 2023. 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 a total of twelve (12) months.

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

Applicant: Heather Neel
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5. 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 Title XII of the Yuba County Ordinance Code.

BUILDING DEPARTMENT

6. All proposed construction elements for this project shall be prepared by a licensed engineer, shall provide construction documents, shall obtain all required permits, shall follow all state, local ordinances and federal codes and shall be fully compliant with all accessible requirements as required by the California Building codes as well as ADA.
7. All existing structures on site shall be utilized as obtained occupancy permits state.

PUBLIC WORKS DEPARTMENT

8. All existing or proposed driveway encroachments onto Jamestown Court shall conform to the current Yuba County Standards for a Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works.
9. 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. Applicant'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. Applicant shall pay all fees for inspection to the Public Works Department prior to any construction.
10. Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Storm Water Regulations for Construction Activities Procedures for details. According to state law it is the

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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-storm water and material management measures, and post-construction storm water management measures for this project shall be in substantial compliance with the SWPPP.

11. Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
12. 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.

ENVIRONMENTAL HEALTH DEPARTMENT

13. Events to be limited to the areas designated by the applicant.
14. No driving on or over the leach field and repair area, unrepairable damage may be done.
15. No food to be prepared onsite, outside catering/food preparation only.
16. No less than 1 toilet and handwashing station per 50 guests

PLANNING DEPARTMENT

17. Minor modifications to the final site configuration may be approved by the Community Development and Services Director.
18. The proposed project shall be designed and operated in substantial conformance with the approved conditional use permit as described in the project description and the proposed site plan filed with the Community Development and Services Agency. No other expansion of uses are authorized or permitted by this use permit.
19. All events shall be subject to the Yuba County General Plan 2030 noise regulations and the County Noise Ordinance. Per Section 8.20.430 of the County Noise Ordinance, the operation of amplified sound equipment shall only occur between the hours of 8:00 a.m. and 9:00 p.m. each day. Sound emanating from sound amplifying equipment shall not exceed 15 decibels above the ambient base noise level set forth in Section 8.20.140.
20. Exemption of the regulations found within Section 8.20 of the County Noise Ordinance can only be done on a case-by-case basis through the award of an Exemption Permit, per Section 8.20.710. An Exemption Permit must be applied for no later than forty-five (45) days prior to the event; Yuba County may impose reasonable limitations on the conduct of

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the special event, including limitations on the date and times during which the special event may take place and limitations on the level of noise produced at this special event.

21. 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.
22. All sources of amplified sound shall be installed, maintained, and otherwise directed to project sound in a direction away from neighboring residences.
23. Applicant or event operator will provide temporary signage, to be removed at the ending of each event, indicating Laken Oaks event being held at time of event hosting. Signage will be subject to Chapter 11.27 of the Yuba County Development Code & discretion of the Planning Director.
24. Proposed structures will be similar in visual appearance to existing structures or comparable to the characteristics of the surrounding area. Planning Director may provide discretion at time of building permit review.
25. All parking associated with the event center shall be contained on site, no parking is permitted along Marysville Road or driveway access into property.
26. Subject event center will have a limit of no more than thirty (30) individual events annually & cannot exceed a maximum of three (3) events per month.
27. This permit shall be valid for a period of three (1) year. At the end of this time, the Conditional Use Permit CUP 2021-0001 shall be re-considered by the Planning Commission for a three (3) year renewal period. This process shall reoccur each three (3) years. During each renewal hearing before the Planning Commission, the committee shall utilize all available information, including any noise complaints, in considering renewal of the use permit for another three (3) year period.
28. Applicant, or event operator, shall be responsible for paying a public hearing notice fee and for three hours of staff time when submitting an application for the one-year re-evaluation with the Planning Commission as stated in COA# 27.



**INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION
CUP2021-0001 (Neel)**

Project Title: Conditional Use Permit 2021-0001 (Neel Event Center)

Lead Agency Name and Address: County of Yuba
Planning Department
915 8th Street, Suite 123
Marysville, CA 95901

Project Location: Assessor's Parcel Number: 005-420-018

Applicant/Owner: Heather Neel
5816 Marysville Rd
Browns Valley, CA 95918

General Plan Designation(s): Rural Community

Zoning: "RR-5" Rural Residential (5 acre minimum)

Contact Person: Vanessa Franken, Planner I

Phone Number: (530) 749-5470

Date Prepared October, 2021

Project Description

The applicant, Heather Neel, is requesting approval of a Conditional Use Permit to develop an event center for special occasions at the subject address. The project site is located at 5816 Marysville Rd, Browns Valley (APN: 005-420-018) on a 5.51 acre parcel, that is roughly a mile away from State Highway 20 in Yuba County (Figure 1) The property is currently developed with a residence that is occupied by the project applicants and 2.5 acres of the subject site is proposed to be utilized for the event center. The Yuba County General Plan identifies this area as within the Rural Community land use designation. The current zoning of the site is "RR-5" Rural Residential – 5 acre minimum parcel size. The "RR-5" zoning district permits event centers to operate with the approval of a Conditional Use Permit. The proposed project is consistent with both the General Plan designation and the zoning district.

The applicant is seeking to offer event services to an area backlogged with the need for event reservations due to the prolonged effects of COVID. The proposed location is feasible for an event center not only because of property size to accommodate vehicles and guests, but also because of access off of Marysville Road and also the country ambiance the property offers. Access to the property is off Marysville Road, which provides visible line of sight north bound & west bound for traffic turning in and leaving the property. The site plan (Figure 2) provided with the application indicates a proposed barn for venue storage use, walkways for guests to navigate to event areas, and varying areas for ample parking (over 60 stalls) towards the southern portion

of the property. It is proposed to accommodate a maximum of 150 guests. Operational times for the project will be from 10am-8pm on weekdays & from 10am-11pm on weekends to allow for set up & tear down procedures. The facility would provide an extremely valuable service to those who live and do business in the area that have the need to celebrate special events & occasions.

Amplified music would be played at the events, but all music associated with weddings and events would end no later than 9pm each day. Amplified noise will be required to be no louder than 60dB & to remain consistent with all County Noise Regulations. No food would be prepared onsite for any of the activities covered under this project; all food is catered by outside catering companies or brought onto the property by individuals utilizing the project site's amenities. Additionally, no onsite well water is planned to be served to any of the guests for any of the activities covered under the project. If in the future the applicant desires to serve food prepared onsite or well water to any of the guests, the applicant would need to obtain the necessary food and public water systems permits from the Yuba County Environmental Health Department.

Mobile restrooms are provided for all onsite bathroom facilities. These facilities have fully operational sinks and one ADA accessible portable toilet is provided onsite for all events. All wastewater needs for the mobile restrooms are pumped and taken offsite by a California licensed hauler. None of the existing septic systems are utilized for wastewater needs. Although the existing wells on the property are not utilized for any project associated drinking water, the wells are utilized for the water used in the sinks of the toilets and for any site cleaning needs.

The project site is 5.51 acres in size and is currently developed with a single family residence & a man-made pond; the residence is occupied by the project applicants. The terrain contains minimal tree coverage and is comprised of mainly native grasses, the development intends to keep existing trees. The site plan (Figure 2) for the conditional use permit contains development intentions of constructing a barn, several parking areas to accommodate up to sixty stalls, and guest pathways for ceremonies and gathering areas.

Environmental Setting

The project area consists of 5.51-acres of land located immediately adjacent to the east side of Marysville Road, and bisected by Little Dry Creek, approximately two miles north of State Route 20, within the community of Browns Valley, Yuba County, California. Lands affected are located within a portion of the southeast quarter of Section 10 of Township 16 North, Range 5 East, as shown on the USGS Loma Rica, California, 7.5' Series quadrangle. Vegetation within the project area generally consists of grasses, oaks, and limited riparian varieties along Little Dry Creek, which bisects the property.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

- Yuba County Building Department (building, electrical and plumbing permits)
- Yuba County Public Works Department (roadways and other public improvements)
- Yuba County Environmental Health Department (well and septic improvements)

- Feather River Air Quality Management District (fugitive dust control plan)

Figure 1: Assessor Map

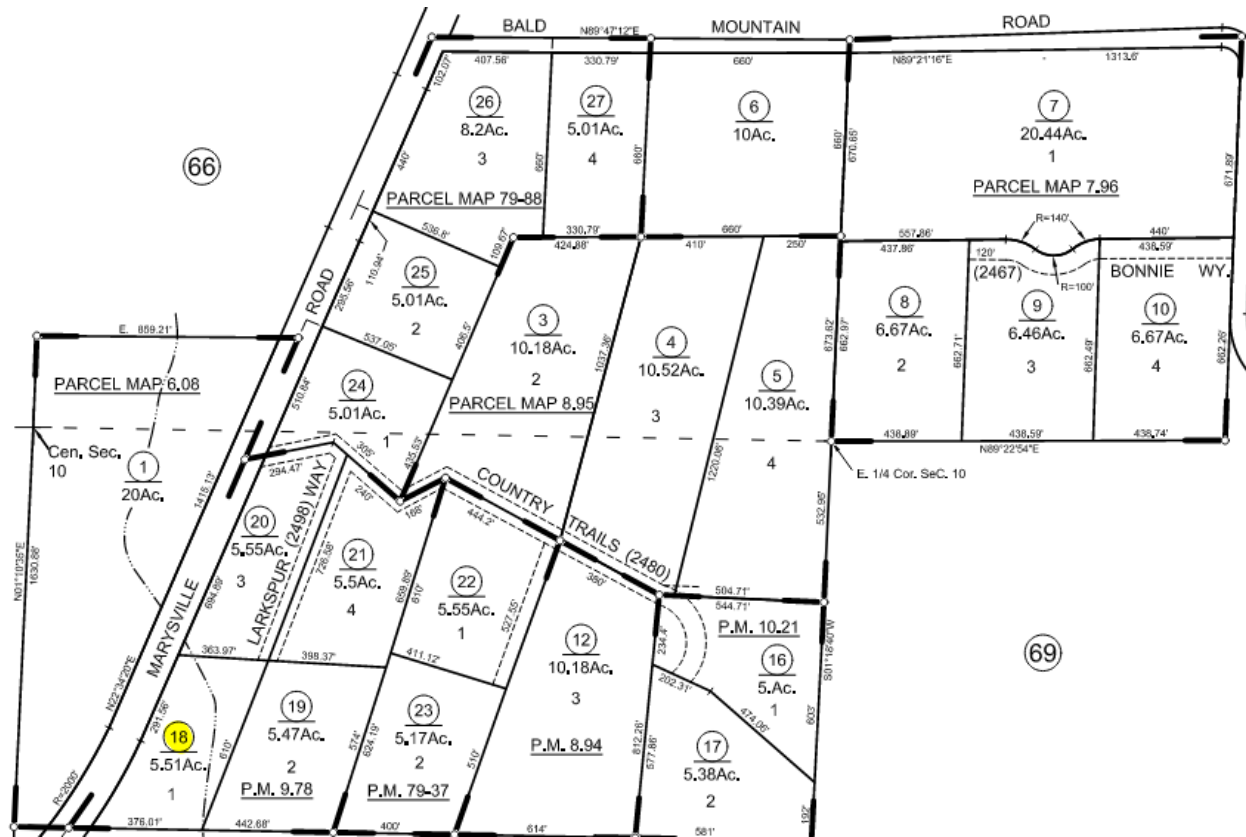
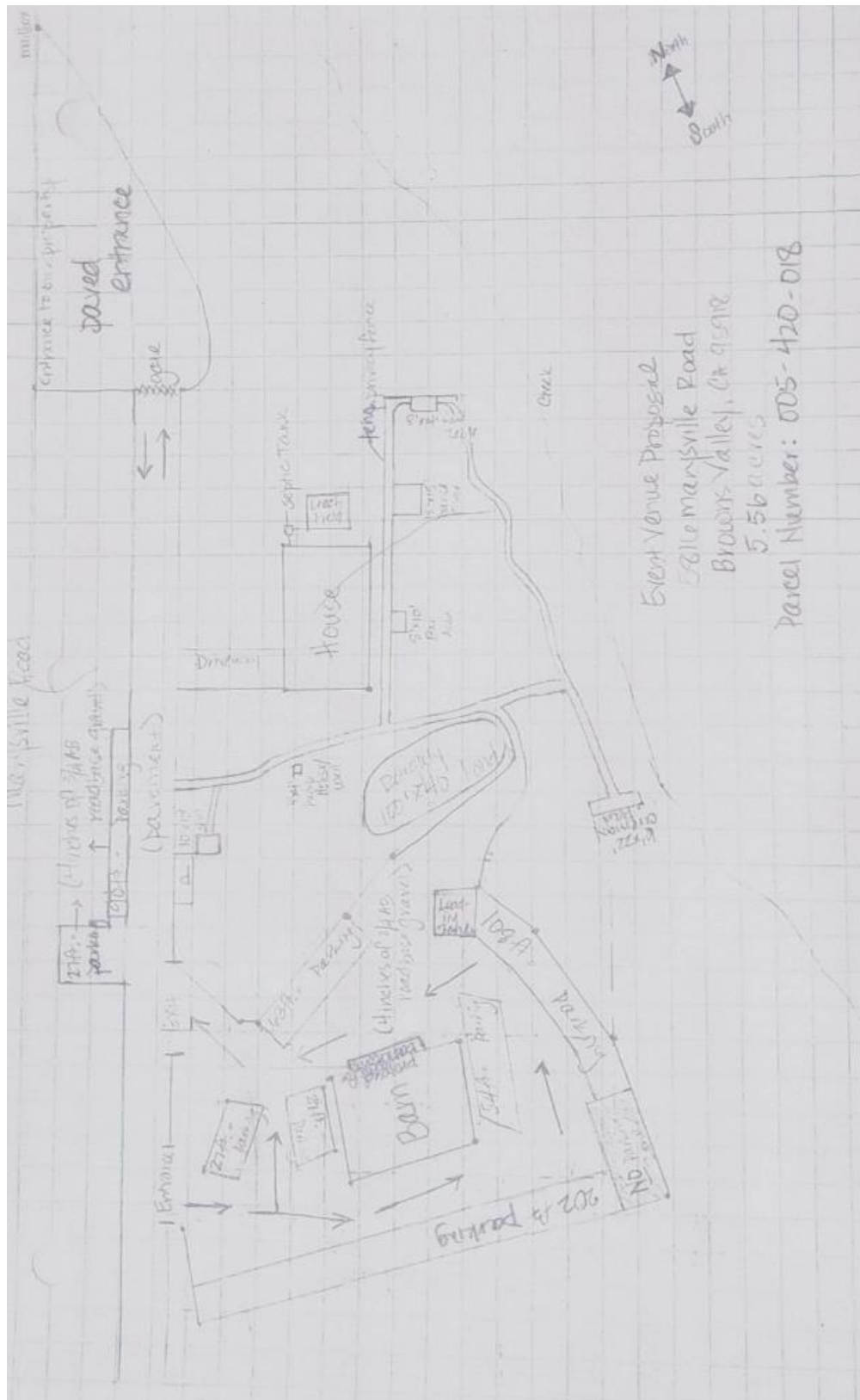


Figure 2: Site Plan



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

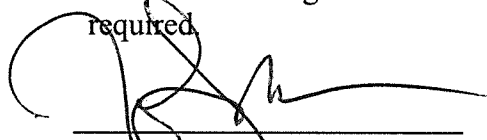
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

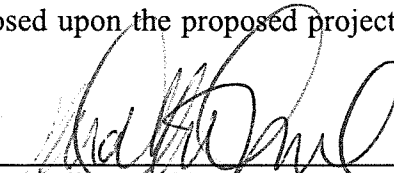
☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Planner's Signature
 Vanessa Franken, Planner I

10/27/2021
 Date


 Applicant's Signature
 Heather Neel

10/27/2021
 Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Conditional Use Permit CUP 2021-0001 (Neel Event Center), as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were

incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, development code). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) Scenic vistas in the project vicinity generally consist of foothill and valley views. The project proposes to legally permit an existing wedding and event center located on a 5.56 acre property. The project site provides no prominent views to or from adjacent residences, public roadways, or officially recognized scenic vistas. View sheds are primarily within the boundaries of the project; impacts to scenic resources and vistas would not be affected resulting in ***less than significant impact***.

c) It is acknowledged that aesthetic impacts are subjective and may be perceived differently by various affected individuals. Nonetheless, given the rural environment in which the project is proposed, it is concluded that the project would not substantially degrade the visual character or quality of the project site or vicinity. A ***less than significant impact*** will result.

d) The applicant is not proposing to have lighting associated with the project and will not create a new source of substantial light or glare. However, if in the future any lighting should be required, all light and glare would be required to be designed to minimize light and glare spillage onto neighboring properties through application of several measures, including but limited to, careful siting of illumination on a parcel, screening or shielding of light at the source, use of vegetative screening, use of low intensity lighting, lighting controlled by timing devices or motion-activated lighting. The below mitigation measures would reduce the lighting impacts of the project to ***less than significant with mitigation incorporated***.

Mitigation Measure 1.1 Exterior Lighting

If lighting is required for any project activity, all exterior lighting shall be directed downwards and away from adjacent properties and rights of way. Lighting shall be shielded such that the element is not directly visible (no drop down lenses), and lighting shall not spill across property line.

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) The Yuba County Important Farmland Map from 2016, prepared by the Department of Conservation's Farmland Mapping and Monitoring Program, classifies the project site as "Grazing Land" which is defined as land on which the existing vegetation is suited to the grazing of livestock. Moreover, there will be no conversion of any protected agricultural lands such as Prime Farmland or Statewide Importance. Therefore, ***no impact*** to agricultural lands is anticipated.

- b) The proposed project is consistent with the General Plan and zoning. In addition, there is no Williamson Act contract for the subject property. The project would result in ***no impact*** to Williamson Act contracts or existing agricultural uses.
- c) The property is not zoned for or used as forestry land. The project would result in ***no impact***.
- e) The project will not involve any changes to the existing environment which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use as the property is not zoned for agricultural or forest land. The project would result in ***no impact***.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **Discussion/Conclusion/Mitigation:** In 2018, an update to the 2010 Air Quality Attainment Plan was prepared for the Northern Sacramento Valley Air Basin (NSVAB), which includes Yuba County. The plan proposes rules and regulations that would limit the amount of ozone emissions, in accordance with the 1994 State Implementation Plan (SIP) for ozone. The 2018 update summarizes the feasible control measure adoption status of each air district in the NSVAB, including the Feather River Air Quality Management District (FRAQMD). The 2018 update was adopted by the FRAQMD, and development proposed by the project would be required to comply with its provisions. The 2018 Plan is available here: <https://www.fraqmd.org/california-air-quality-plans>.

The Air Quality Attainment Plan also deals with emissions from mobile sources, primarily motor vehicles with internal combustion engines. Data in the Plan, which was incorporated in the SIP, are based on the most currently available growth and control data. The project would be consistent with this data. As is stated in the guidelines of FRAQMD, projects are considered to have a significant impact on air quality if they reach emission levels of at least 25 pounds per day of reactive organic gases (ROG), 25 pounds per day of nitrogen oxides (NOx), and/or 80 pounds per day for PM10. FRAQMD has established a significance threshold of 130 single-family homes, which is the number estimated to generate emissions of 25 pounds per day of ROG and 25 pounds per day of NOx. It is expected that motor vehicle traffic, the main source of ozone precursor emissions, generated by this 117 lot residential development would not substantially

add to the ozone levels to the extent that attainment of the objectives of the Air Quality Attainment Plan would not be achieved. Therefore, impacts to air quality plans would be *less than significant*.

b) The California Air Resources Board provides information on the attainment status of counties regarding ambient air quality standards for certain pollutants, as established by the federal and/or state government. As of 2019, Yuba County was re-designated as non-attainment-transitional status for state and national (one and eight hour) air quality standards for ozone, and state standards for particulate matter less than 10 microns in diameter (PM10). The County is in attainment or unclassified status for all other pollutants for which standards have been established.

Under the guidelines of FRAQMD, projects are considered to have a significant impact on air quality if they reach emission levels of at least 25 pounds per day of reactive organic gases (ROG), 25 pounds per day of nitrogen oxides (NOx), and/or 80 pounds per day for PM10. ROG and NOx are ingredients for ozone. Also, FRAQMD has established a significance threshold 125,000 square feet for Places of Worship uses, which is the number estimated to generate emissions of 25 pounds per day of ROG and 25 pounds per day of NOx and significantly larger than would occur in a wedding and event center operating 50 times per year. However, FRAQMD and the Yuba County 2030 General Plan Policy HS 6.1 both recommend the following construction phase Standard Mitigation Measures for projects that do not exceed district operational standards:

Mitigation Measure 3.1 FRAQMD

- Implement FRAQMD Fugitive Dust Plan
- Implement FRAQMD standard construction phase mitigation measures.
(<https://www.fraqmd.org/ceqa-planning>)

These mitigation measures are to be incorporated as part of the project to reduce dust emissions associated with construction of the project and implementation of these mitigation measures would reduce project impacts on air quality standards would be *less than significant with mitigation*.

c) As previously noted, the project would not exceed the thresholds for ROG and NOx, which have been equated with the construction of 125,000 square feet of Places of Worship uses. The project also would not exceed the 80 pounds per day threshold for PM10. The project is not expected to generate a significant quantity of air pollutant emissions. Therefore, impacts on emissions would be *less than significant*.

d) There is no construction proposed with this project, however, any construction associated with future development is expected to generate a limited amount of PM10, mainly dust and possible burning of vegetation. Rule 3.16 of FRAQMD Regulations requires a person to take “every reasonable precaution” not to allow the emissions of dust from construction activities from being airborne beyond the property line. Reasonable precautions may include the use of water or chemicals for dust control, the application of specific materials on surfaces that can give rise to airborne dust (e.g., dirt roads, material stockpiles), or other means approved by

FRAQMD. FRAQMD Regulations Rule 2.0 regulates the burning of vegetation associated with land clearing for development of single-family residences. Enforcement of these rules would reduce the amount of PM10 that would be generated by residential development on the project site. Additionally with mitigation measure, **MM3.1**, prior to the issuance of any grading, improvement plan, or building permit a Fugitive Dust Permit will be required to be obtained from FRAQMD. Therefore, construction related impacts to the air would be *less than significant with mitigation*.

e) The proposed project is located in an area of rural residential development with a minimum parcel size of 5 acres. The project site is also 1.5 miles from the nearest school. The project is not expected to generate pollutant concentrations at a sufficient level to be noticed by any nearby rural residences nor affect any nearby schools. Therefore, impacts to sensitive receptors would be *less than significant*.

f) Development proposed by the project is not expected to create objectionable odors. The project does not propose activities that generate odors, such as an industrial plant or an agricultural operation. Therefore, there would be *no impact* related to odors.

IV. BIOLOGICAL RESOURCES			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant Impact				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Consistent with Yuba County 2030 General Plan Policies CD 15.1 and NR 5.15 which discuss that the development of facilities, such as an existing event center, should be designed to minimize adverse impacts to biological species, riparian and wetland habitat. The project site is developed and is an existing use, therefore the proposed project area does not contain any native oak or other tall trees that could be used for nesting sites and the site is void of all watercourses, drainages or wetland features. Currently the proposed area is void of any trees that could be used for bird nesting. Therefore, a *less than significant impact* is anticipated.

b) As discussed above in Section a), the project site does not contain any riparian habitat or sensitive natural communities. Therefore, the project would have a *less than significant impact*.

c) The project site does not contain any wetlands or vernal pools, so there will be *no impact* to these federally protected features as a result of the project.

d) Habitat and wildlife corridors are available for wildlife migration and the project will not impede the movement of any animal or fish species. Therefore, the project would have a *less than significant impact*.

e) There would be no conflicts with General Plan policies regarding conservation of biological resources. The County has no ordinances explicitly protecting biological resources. Therefore, the project would have *no impact* on biological resources.

f) The proposed project site is located in the Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) boundary. The Yuba-Sutter NCCP/HCP plans are in the process of being prepared, however, no conservation strategies have been proposed to date which would be in conflict with the project. Therefore, the project would have *no impact* to conservation plans.

V. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) The site is identified in the 2030 General Plan as an area of high concern for cultural or historical significance. A Cultural Resource Study was conducted for the project by Sean Michael Jensen, M.A. in January 2021. The study searched State and other databases at the North Central Information Center (NCIC) for historic site/survey records within 0.25 mile of the project site, the in-field cultural resources investigation was conducted to identify potential historic sites or cultural issues of concern. Existing records at the North Central Information Center document that none of the present area of potential effects (APE) had been subjected to previous archaeological investigation, and that one historic-era resource (P-58-000215) had been previously documented within the APE. As well, the present effort included an intensive-level pedestrian survey. The pedestrian survey failed to identify any prehistoric sites within the APE. The pedestrian survey confirmed the presence of site P-58-000215 within the APE. The site was evaluated for significance, and recommended not eligible for inclusion in the California Register of Historical Resources, under any of the relevant criteria.

Consultation was undertaken with the Native American Heritage Commission (NAHC) re. sacred land listings for the property. An information request letter was delivered to the NAHC on December 23, 2020. In addition to examining the archaeological site and survey records of Yuba County maintained at the North Central Information Center, the following sources were also included in the search conducted at the Information Center, or were evaluated separately:

- The National Register of Historic Places (1986, Supplements to 10/10 and 8/12).
- The California Register of Historical Resources (2010 and 2012).
- The California Inventory of Historic Resources (State of California 1976).
- The California Historical Landmarks (State of California 1996).
- The California Points of Historical Interest (May 1992 and updates).
- The Office of Historic Preservation's Historic Property Data File (2010 and 2012).
- The Office of Historic Preservation's Determination of Eligibility (2010 and 2012).
- GLO Plat T16N, R5E (1867).
- Official Map of Yuba County, State of California (1887).

- 1912 USGS 7.5' Loma Rica (Prairie Creek), CA quadrangle.
- 1947 USGS 7.5' Loma Rica, CA quadrangle.
- 1949 USGS 7.5' Loma Rica, CA quadrangle.
- NETR Aerials (1947, 1969, 1998, 2005, 2009, 2010, 2012, 2014, 2016).
- NETR USGS topographic maps (1912, 1922, 1944, 1949, 1956, 1958, 1971, 1978, 1995,
- 2012, 2015, 2018).
- The Native American Heritage Commission, for Sacred Land Listings.
- Published and unpublished documents relevant to environment, ethnography, prehistory and early historic developments in the vicinity, providing a cultural context for assessing site types and distribution patterns for the project area (summarized above).

The probability of encountering buried archaeological sites within the APE is low. This conclusion is derived in part from the observed soil matrices which comprise the exposed banks of Little Dry Creek, and to the degree of disturbance, associated with past ground disturbance throughout the remainder of the APE. Evidence of ground disturbance assisted in determining whether or not subsurface resources were present within the APE. Overall, the soil types present and contemporary disturbance would warrant a finding of low probability for encountering buried archaeological sites.

Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed. If cultural resources are uncovered during the course of any future project development and construction, the following mitigation measure shall be implemented:

Mitigation Measure 5.1 Consultation In The Event Of Inadvertent Discovery Of Human Remains

In the event that human remains are inadvertently encountered during any project-associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.

Mitigation Measure 5.2 Consultation In The Event Of Inadvertent Discovery Of Cultural Material

The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future repair activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities (e.g., flooding, orchard development, etc.) have partially obscured historic ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

Therefore, impacts would be *less than significant with mitigation incorporated*.

c) No paleontological resources have been identified on the project site and the area contains no unique geological features. **No impact** to paleontological resources is expected.

d) There are no known burial sites within the project area. If human remains are unearthed during future development, the provisions of California Health and Safety Code Section 7050.5 and **MM 5.1** and **MM 5.2** shall apply. Under this section, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. The impact would be *less than significant with mitigation incorporated*.

VI. ENERGY				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION/CONCLUSION/MITIGATION:

a) and b) The project will introduce 60 potential events with 150 guests at a time that can increase energy consumption. Potential energy use would include music and lighting equipment. However, compliance with Title 24, Green Building Code, will ensure that all project energy efficiency requirements are met resulting in less than significant impacts.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 to 1808.6 of the 2010 California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) (i-iii) According to the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, Division of Mines and Geology Special Publication 42, Yuba County is not one of the cities or counties affected by Earthquake Fault Zones, as of August 16, 2007. Therefore, strong seismic ground shaking and seismic-related ground failure, including liquefaction is not an anticipated side effect of development in the area. A ***less than significant impact*** from earthquakes is anticipated.

(iv) The Yuba County General Plan identifies the area as one that has a low risk for landslides, and states that grading ordinances, adopted by Yuba County and based on Appendix J of the 2013 California Building Code, serve as effective measures for dealing

with landslide exposure. Hazards associated with potential seismic and landslide result in a *less than significant impact*.

b) c) and d) According to Exhibit 4.6-4 Soil Erosion Hazard, of the 2030 General Plan EIR, the project site has a slight potential for soil erosion hazards. Exhibit 4.6-5 Shrink/Swell Potential indicates that the project site also contains expansive soils with a low shrink/swell potential. Should application be made for a building permit, Yuba County Building Department staff will determine appropriate building foundation systems for all proposed structures, in accordance with the requirements of the Uniform Building Code. The Building Official may require additional soils testing, if necessary; and will result in a *less than significant impact*.

e) The project does not propose the expansion of the existing septic systems for wastewater disposal, the project would result in *no impact* to wastewater.

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Significant Mitigation Incorporated	Than With	Less Than Significant Impact	No Impact
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Global Warming is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG).

In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, per fluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020.

In 2008, the California Air Resources Board (CARB) adopted the Scoping Plan for AB32. The Scoping Plan identifies specific measures to reduce GHG emissions to 1990 levels by 2020, and requires ARB and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. The Scoping Plan also recommends, but does not require, an emissions reduction goal for local governments of 15% below “current” emissions to be achieved by 2020 (per Scoping Plan current is a point in time between 2005 and 2008). The Scoping Plan also recognized that Senate Bill 375 Sustainable Communities and Climate Protection Act of 2008 (SB 375) is the main action required to obtain the necessary reductions from the land use and transportation sectors in order to achieve the 2020 emissions reduction goals of AB 32.

SB 375 complements AB 32 by reducing GHG emission reductions from the State’s transportation sector through land use planning strategies with the goal of more economic and environmentally sustainable (i.e., fewer vehicle miles travelled) communities. SB 375 requires that the ARB establish GHG emission reduction targets for 2020 and 2035 for each of the state’s 18 metropolitan planning organizations (MPO). Each MPO must then prepare a plan called a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its SB 375 GHG reduction target through integrated land use, housing, and transportation planning.

The Sacramento Area Council of Governments (SACOG), the MPO for Yuba County, adopted an SCS for the entire SACOG region as part of the 2035 Metropolitan Transportation Plan (MTP) on April 19, 2012. The GHG reduction target for the SACOG area is 7 percent per capita by 2020 and 16 percent per capita by 2035 using 2055 levels as the baseline. Further information regarding SACOG's MTP/SCS and climate change can be found at <http://www.sacog.org/2035/>.

While AB32 and SB375 target specific types of emissions from specific sectors, and ARBs Scoping Plan outlines a set of actions designed to reduce overall GHG emissions it does not provide a GHG significance threshold for individual projects. Air districts around the state have begun articulating region-specific emissions reduction targets to identify the level at which a project may have the potential to conflict with statewide efforts to reduce GHG emissions (establish thresholds). To date, the Feather River Air Quality Management District (FRAQMD) has not adopted a significance threshold for analyzing project generated emissions from plans or development projects or a methodology for analyzing impacts. Rather FRAQMD recommends that local agencies utilize information from the California Air Pollution Control Officers Association (CAPCOA), Attorney General's Office, Cool California, or the California Natural Resource Agency websites when developing GHG evaluations through CEQA.

GHGs are emitted as a result of activities in residential buildings when electricity and natural gas are used as energy sources. New California buildings must be designed to meet the building energy efficiency standards of Title 24, also known as the California Building Standards Code. Title 24 Part 6 regulates energy uses including space heating and cooling, hot water heating, ventilation, and hard-wired lighting that are intended to help reduce energy consumption and therefore GHG emissions.

Based on the project description, the project would generate a small amount of additional vehicle trips in conjunction the wedding and event center. Although the project will have an impact on greenhouse gas emissions, the impact would be negligible. The impact related to greenhouse gas emissions would result in *less than significant*.

b) The project is consistent with the Air Quality & Climate Change policies within the Public Health & Safety Section of the 2030 General Plan therefore, the project has *no impact* with any applicable plan, policy or regulation.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a), b) and c) There would be no routine transport, use, or disposal of hazardous materials or the release of hazardous materials into the environment related to this residential tract map. No school site exists within ¼ mile of the project site. There would be ***No Impact***.

d) The project site is not located on a site included on a list of hazardous materials sites compiled pursuant to [Government Code Section 65962.5](#). The site has historically been used for agricultural/ranching activities and is currently developed with the bed and breakfast and accessory buildings. Therefore, the project would not create a significant hazard to the public or the environment and there would be ***no impact*** to the environment from hazardous materials.

e) and f) The project site is not located within the scope of an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. The project would have ***No Impact***.

g) There is no roads proposed with the project. Access to the project will be from an existing driveway from Marysville Road. Since there would be no major physical interference to the existing road system, there would be ***a less than significant impact*** with an emergency response or evacuation plan.

h) The project is located in a “High” and “Very High” wildlife fire hazard severity zone as reported by the Cal Fire 2008 Fire Hazard Severity Zones map. The site is already developed and will continue to meet all applicable fire codes. The property is within the jurisdiction of the Loma Rica Browns Valley Fire Protection District, who will respond to fire emergencies within the project site. For this reason, the impact would be ***less than significant***.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) b) and c) The project will not result in ground disturbance equal to or greater than one acre in size is already developed with an existing wedding and event center. The project is not anticipated to consume water or interfere with ground water recharge. Furthermore the project has been designed no runoff will affect water bodies, seasonal or otherwise that are in the immediate area. The Yuba County Public Works Department will review and address any issues associated with grading activities as part of the building permit process associated with any future change of occupancy for the existing structures. Therefore, it is anticipated that impacts to water quality, drainage patterns, subsurface water and soil erosion are anticipated to create a ***less than significant impact***.

b) The property utilizes an existing septic system, which will not be used as a part of the project for wastewater needs. Mobile restrooms are provided for all onsite bathroom facilities. These facilities have fully operational sinks and two ADA accessible portable toilet is provided onsite for all events. All wastewater needs for the mobile restrooms are pumped and taken offsite by a California licensed hauler. Although the existing wells on the property are not utilized for any project associated drinking water, the wells are utilized for the water used in the sinks of the toilets and for any site cleaning needs. There would be a *less than significant impact*.

c) i) The project will not result in any new disturbances within the project area. Therefore, there would be a *less than significant impact*.

i-iv) While the project has introduced impervious surfaces, which have the potential to alter recharge patterns, the level of development is small and percolation and groundwater recharge activity would remain generally unchanged. There would be a *less than significant impact*.

d) The project is not located within a 100-year flood plain, it is located within a 500-year flood plain. Yuba County is an inland area not subject to seiche or tsunami. Mudflow is not an identified issue at this location; therefore, there would result in a *less than significant impact* from flooding, mudflow, seiche, or tsunami.

e) The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan because Yuba County has not adopted a water quality control plan or sustainable groundwater management plan. There would be a *less than significant impact*.

XI. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation

- a) The project site is currently developed with a residence, ongoing ranch activities, and the wedding and event center and is located in an area with existing rural residential. Due to the location and physical characteristics of the site, the project is not expected to physically divide an established community. Therefore, the development would result in ***no impact***.
- b) The project is consistent with the goals and policies of the Rural Residential (RR-5) zone and Rural Community general plan designation. Pursuant to Development Code Section 11.32.300(I), more than 12 special events outside the Valley Growth Boundary require a Minor Use Permit. With the Minor Use Permit, the project is consistent with the Development Code. Moreover, there is no habitat conservation plan or natural community conservation plan exists for or near the project site. Land use impacts are anticipated to have ***no impact*** on habitat or conservation plans.

XII. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) The project site is not known to contain any mineral resources that would be of value to the region or residents. Additionally, according to the Yuba County 2030 General Plan EIR, the project site is not delineated in an area identified to have surface mining activities or contain mineral resources. The project is expected to have ***no impact*** on mineral resources.

XIII. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) The Yuba County 2030 General Plan contains recommended ambient allowable noise level objectives. The plan recommends a maximum allowable ambient noise level of 60 dB in daytime. Noise associated with the operation of amplified music associated with the wedding and event center would need to meet all ambient noise levels of the General Plan and the Yuba County Noise Ordinance. The project description states that all amplified music will be required to shut off at 10pm, staff is requiring amplified noise to cease at 9pm. The nearest offsite residences are found 550± feet to the north and 200± feet to the east, and 400± feet to the south. Therefore, there will be a *less than significant impact* to noise.

c) The project site is not located within two miles of a public airport. *No impact* is anticipated to result from surrounding public airport uses.

XIV. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project does not include the construction of any permanent residences or any infrastructure that would be required to foster population growth near the project area; therefore, there would be no increase in population. Therefore, the impact would be ***less than significant***.

b) The project does not involve the removal of housing or the relocation of people who currently utilize the site and would cause ***no impact*** to individuals.

XIV. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project is located within the Loma Rica Browns Valley Fire Protection District which provides fire protection service to the area. Staff has consulted with the Loma Rica Browns Valley Fire Protection District and will incorporate their standard conditions of approval, if any, in the projects staff report. With the incorporated conditions of approval and adherence to the requirements from the Yuba County Ordinance Code and Fire Codes, impacts to fire protection, impacts to fire protection would be *less than significant*.

b) The project area is located within unincorporated Yuba County and would be served by the Yuba County Sheriff's Department. Increased property tax revenue and annual police protections assessment Countywide would support additional civic services including law enforcement. Impacts related to police protection would be *less than significant*.

c) The proposed project does not include the construction of any housing and would not generate any students. The project would not increase the demand on school districts. Therefore, there would be *no impacts* related to schools.

d) The proposed project does not include the construction of housing and would not generate an increased demand for parks. There would be *no impact*.

e) Other public facilities that are typically affected by development projects include the Yuba County Library and County roads. However, since there is no development proposed by the project, there would be no increased demand for these service. There would be *no impact*.

XVI. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) and b) The proposed project does not include the construction of any housing and would not increase the demand for parks or recreational facilities. The project also does not include the construction of any new recreational facilities. Therefore, the project would have ***no impact*** to parks or recreational facilities.

XVII. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project is not located in an area where a plan, ordinance or policy measures the effectiveness for the performance of a circulation system. This includes evaluating all modes of transportation including mass transit and non-motorized travel. Therefore, the project will have ***no impact***.

b) Certain types of projects as identified in statute, the CEQA Guidelines, or in OPR's Technical Advisory are presumed to have a less than significant impact on VMT and therefore a less than significant impact on transportation. In any area of the state, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact. The proposed project is anticipated to have 150 guests, 60 times a year, therefore approximately 75 trips per event due to the maximum number of guests. Therefore, impacts to VMT are expected to be ***less than significant***.

c) Frenchtown Dobbins Road is an existing road that will provide access to the project site. The Public Works Department has determined that Marysville Road is capable of handling the traffic associated with 60 events per year. As a result of the incorporated condition of approval, any hazards impacts created by the proposed subdivision are expected to be ***less than significant impact***.

d) The project is continuing to provide access by way of Marysviole Road. Therefore, impacts to emergency access are anticipated to be less than significant. Therefore, the project will have ***no impact***.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) A search of State data bases, including all records and documents available at the North Central Information Center, and intensive pedestrian survey, have resulted in identifying no tribal cultural sites within the project property. Therefore, no additional treatment or mitigative action is recommended for any of the four sites and would create a ***less than significant impact***.

b) As discussed in the Cultural Resources section above, a Cultural Resources Report was prepared for the project. Moreover, the County was contacted by the United Auburn Indian Community (UAIC) on November 23, 2015 requesting formal notification and information on proposed projects for which the County will serve as the lead agency under the California Environmental Quality Act (CEQA) in accordance with Public Resources Code Section 21080.3.1 subd. (b), otherwise known as Assembly Bill 52 (AB 52). Consistent with the UAIC request, on May 3, 2021 formal notification was provided to the UAIC, including all project information documents which included a copy of the Cultural Resources Investigation. On May 4, 2022, the County received comments from Anna Cheng with the UAIC stating they have no further comments or concerns “because the project presents no ground disturbance. If, however, the project brings forth any unanticipated ground work or disturbance, we ask to be immediately notified”. Therefore, no additional consultation under AB 52 was warranted.

In addition to the **Mitigation Measures 5.1 & 5.2**, the following mitigation measure was requested by the UAIC on May 4, 2021 to address inadvertent discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project’s ground disturbing activities.

Mitigation Measure 18.1 Inadvertent Discoveries of TCRs

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

Therefore, in the event of the accidental discovery or recognition of tribal cultural resources in the project area the impact upon tribal cultural resources would be ***less than significant impact with mitigation incorporated.***

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project does not propose the construction of any new structures that would generate wastewater and will therefore create a *less than significant impact*.

b) and c) No significant impacts related to the adequacy of the water supply for the project were identified during the course of the project review because the project does not require the use of any new water or wastewater facilities. Since no major concerns have been expressed, any impact related to water supply is expected to be *less than significant*.

d) and e) The project is not anticipated to result in the generation of any solid waste that would be of a significant level. Recyclable solid waste collected is taken to a landfill on Ostrom Road. The Ostrom Road landfill has a capacity of 41,822,300 cubic yards, and has adequate capacity to serve the project site. The project will have a minimal effect on these facilities and the impact would be *less than significant*.

XX. WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION/CONCLUSION/MITIGATION:

a) Access to the project site will not be impacted by project activities. Therefore, project related impacts to the adopted emergency response plan and emergency evacuation plan would be *less than significant*.

b), c) & d) The project is located within a State Responsibility Area established by CalFire. No additional construction is requested and all activities are outside of the 30 foot setback area. Therefore, impacts by wildfire will be *less than significant*.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) As discussed in the Cultural Resources section, construction associated with the project could potentially have impacts on cultural resources. Proposed mitigation measures would lessen the impact this project would have on cultural resources. Therefore, impacts are anticipated to be ***Less Than Significant with Mitigation Measures***

b) There is no construction proposed with the project, however, the increased number of visitors and events on the property in combination with other proposed projects in the adjacent area, may contribute to air quality impacts that are cumulatively considerable. However, when compared with the thresholds in the Air Quality section, the project would not have a cumulatively significant impact on air quality.

The project is consistent with the Yuba County 2030 General Plan land use designation for the project site and the zoning for the project site. With the identified Mitigation Measures **MM 3.1** in place, cumulative impacts would be less than significant. No other cumulative impacts associated with this project have been identified. In this case, cumulative considerable impacts are anticipated to be ***Less Than Significant with Mitigation Measures***.

- c) Due to the nature and size of the proposed project, no substantial adverse effects on humans are expected. The project would not emit substantial amounts of air pollutants, including hazardous materials. The one potential human health effects identified as a result of the project implementation were minor construction related impacts, mainly dust that could affect the few scattered residences near the project site. These effects are temporary in nature and are subject to the Feather River Air Quality Management District's Standard Mitigation measures that would reduce these emissions to a level that would not be considered a significant impact. Therefore, the project would have a *less than significant impact with mitigation incorporated*.

REFERENCES

1. Yuba County 2030 General Plan Environmental Impact Report, AECOM.
2. Yuba County 2030 General Plan, AECOM.
3. Yuba County Development Code 2015.
4. Yuba County Important Farmland Map 2012. California Department of Conservation.
5. Cultural Resource Inventory Survey, Sean Michael Jensen, M.A., January 2021.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

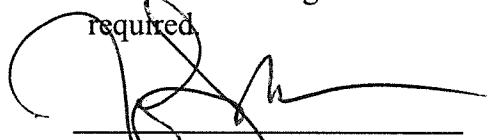
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

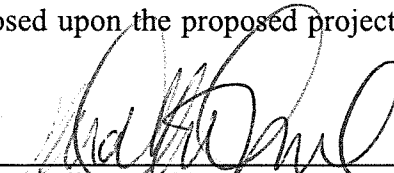
☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Planner's Signature
 Vanessa Franken, Planner I

10/27/2021
 Date


 Applicant's Signature
 Heather Neel

10/27/2021
 Date

**MITIGATION MONITORING PLAN
CUP 2021-0001 (NEEL EVENT CENTER)**

Page 1 of 5

MM 1.1 Exterior Lighting If lighting is required for any project activity, all exterior lighting shall be directed downwards and away from adjacent properties and rights of way. Lighting shall be shielded such that the element is not directly visible (no drop down lenses), and lighting shall not spill across property line.		
Timing/Implementation <i>Prior to approval of Site Improvement.</i>	Enforcement/Monitoring Yuba County Planning and Public Works Department	
Performance Criteria Building Permit Review	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
CUP 2021-0001 (NEEL EVENT CENTER)**

Page 2 of 5

MM 3.1 FRAQMD <ul style="list-style-type: none"> Implement FRAQMD Fugitive Dust Plan Implement FRAQMD standard construction phase mitigation measures. (https://www.fraqmd.org/ceqa-planning) 		
Timing/Implementation <i>Upon start of construction activities.</i>	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria Permit verification , or clearance documents, from FRAQMD	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
CUP 2021-0001 (NEEL EVENT CENTER)**

Page 3 of 5

MM 5.1 Inadvertent Discovery Of Human Remains

Consultation in the event of inadvertent discovery of human remains: In the event that human remains are inadvertently encountered during trenching or other ground- disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.

Timing/Implementation

Prior to the start of, and during, construction activities.

Enforcement/Monitoring

Yuba County Planning Department

Performance Criteria

N/A

Verification Cost

N/A

Date Complete (If applicable)

**MITIGATION MONITORING PLAN
CUP 2021-0001 (NEEL EVENT CENTER)**

Page 4 of 5

MM 5.2 Consultation In The Event Of Inadvertent Discovery Of Cultural Material

The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future repair activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities (e.g., flooding, orchard development, etc.) have partially obscured historic ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

Timing/Implementation <i>Prior to the start of, and during, construction activities.</i>	Enforcement/Monitoring Yuba County Planning Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
CUP 2021-0001 (NEEL EVENT CENTER)**

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MM 18.1 Inadvertent Discoveries Of TCRs

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

Timing/Implementation

Prior to the start of, and during, construction activities.

Enforcement/Monitoring

Yuba County Planning Department

Performance Criteria

N/A

Verification Cost

N/A

Date Complete (If applicable)

Attachment 7
Building & Code Enforcement Comment

From: [Burns, Danny](#)
To: [Franken, Vanessa](#)
Subject: RE: CUP2021-0001; Event Venue (5816 Marysville Road)
Date: Monday, May 17, 2021 8:00:49 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.gif](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Good morning.

After a review of all proposed documents and a records review of the property the building department has the following comments.

All proposed construction elements for this project shall be prepared by a licensed engineer, shall provide construction documents, shall obtain all required permits, shall follow all state, local ordinances and federal codes and shall be fully compliant with all accessible requirements as required by the California Building codes as well as ADA.

Regards,

Dan



From: Marquez, Melanie <mmarquez@CO.YUBA.CA.US>
Sent: Friday, May 7, 2021 4:58 PM
To: Franken, Vanessa <vfranken@CO.YUBA.CA.US>; Burns, Danny <dburns@CO.YUBA.CA.US>; Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Johnston, Nick <njohnston@CO.YUBA.CA.US>
Cc: Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Nix, Amanda <anix@CO.YUBA.CA.US>
Subject: RE: CUP2021-0001; Event Venue (5816 Marysville Road)

Hi Vanessa,

Code Enforcement division does not have any comments regarding the subject project.

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: Franken, Vanessa <vfranken@CO.YUBA.CA.US>

Sent: Monday, April 26, 2021 8:55 AM

To: Burns, Danny <dburns@CO.YUBA.CA.US>; Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Marquez, Melanie <mmarquez@CO.YUBA.CA.US>; Johnston, Nick <njohnston@CO.YUBA.CA.US>

Cc: Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Nix, Amanda <anix@CO.YUBA.CA.US>

Subject: CUP2021-0001; Event Venue (5816 Marysville Road)

Good morning everyone,

The Planning Department has received a Conditional Use Permit application, the application is requested to allow the development of an event venue, specializing in weddings. Project location is 5816 Marysville Road, Browns Valley, CA 95918 (APN: 005-420-018). The parcel is currently developed with a primary residences with a majority of the 5 acre parcel undeveloped. I've attached some docs for reference, all relevant information is in the project file in Trakit.

Please have comments/conditions to me by Monday, May 17th. Thank you in advance for your assistance!

From: [Mckee, Deborah@DOT](mailto:Mckee,Deborah@DOT)
To: [Franken, Vanessa](#)
Subject: Response: Initial Study/MND for CUP2021-0001 - IGR 03-YUB-2021-00126
Date: Monday, October 18, 2021 2:11:31 PM
Attachments: [image005.png](#)
[image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Good afternoon Vanessa.

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

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

Thank you,
Deborah

Deborah McKee

Transportation Planning - North

California Department of Transportation, District 3

703 B Street | Marysville, CA 95901

Cell: (530) 821-8411

Monday-Thursday 7 AM – 4:30 PM, Friday 7 AM – 3:30 PM (Rotating day off)

Email: deborah.mckee@dot.ca.gov

www.dot.ca.gov/d3/

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



From: Franken, Vanessa <vfranken@CO.YUBA.CA.US>

Sent: Friday, October 15, 2021 2:47 PM

To: Johnston, Nick <njohnston@CO.YUBA.CA.US>; Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Marquez, Melanie <mmarquez@CO.YUBA.CA.US>; Burns, Danny <dburns@CO.YUBA.CA.US>; PGEPlanReview@pge.com; Peterson, Daniel <dpeterson@CO.YUBA.CA.US>

Cc: Lee, Mike G. <mlee@co.yuba.ca.us>; Bird, Jodi <jbird@CO.YUBA.CA.US>; Fisher, Ciara <cfisher@CO.YUBA.CA.US>

Subject: Initial Study/MND for CUP2021-0001 (Neel Event Center)

EXTERNAL EMAIL. Links/attachments may not be safe.

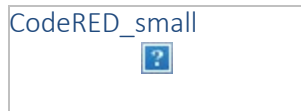
Hello & happy Friday,

Attached are the initial study & mitigated monitoring plan for the proposed Neel Event Center Conditional Use Permit (CUP2021-0001) project for your agency review. The project is scheduled for the November 17th Planning Commission meeting. Please let me know if you have any comments or recommendations for the environmental document by November 5th, 2021.

Thank you~

Kind Regards,
Vanessa Franken
Planner I
County of Yuba
Planning Department
(530)749-5470

Our agency office is closed to the public, with the exception of scheduled appointments. If you need an appointment, please email: CDSA@co.yuba.ca.us





Serving Sutter and Yuba Counties

FRAQMD Comment
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

November 4, 2021

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

Re: CUP2021-0001 Neel Event Center, 5.51 Acre property located at 5816 Marysville Road, Browns Valley, CA

Dear Vanessa Franken,

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

The District did not provide a screening threshold for wedding event centers in the Indirect Source Guidelines¹, however if the event center is used once per week then the screening threshold for "places of worship" may be appropriate. The size at which an air quality impact may occur is 125,000 square feet. If the proposed wedding event center is below this size it will not likely create an air quality impact. The District recommends establishing a maximum daily and annual event limit for the proposed event center.

All new improvements planned for the proposed operations may be subject to FRAQMD's Indirect Source Fees. The proposed barn, parking stalls, and guest pathways fit the District's definition of improvements and would be subject to the Indirect Source Fees at the commercial rate of \$0.06 per square foot.

If you need further information or 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 blue ink, appearing to read "Peter Angelonides".

Peter Angelonides
Air Quality Planner

File: Chron

¹Indirect Source Review Guidelines, June 7, 2010 <http://fracmd.org/CEQA%20Planning.html>



November 5, 2021

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

Re: 2021-0001 Neel Event Center
5816 Marysville Road, Browns Valley, CA 95918

Dear Vanessa:

Thank you for providing PG&E the opportunity to review your proposed plans for 2021-0001 Neel Event Center dated 10-15-2021. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

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

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

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

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

Sincerely,

PG&E Plan Review Team
Land Management

I am writing this in opposition to the Mitigated negative declaration and the possible use permit to be issued to the event center at Laken Oaks. My name is Bradley Van Bibber and I live at 5916 Country trail, a little over 1000 feet from the proposed event center.

I was a bit shocked to see they were applying for a use permit because they have been holding events all Summer. I started noting the dates right at the end of the season. Specifically they held events on October 2nd, 8th, and 16th, three weekends in a row. This leads me to believe when summer comes the frequency of their events will be nearly every weekend.

Each time they held an event they played amplified music so loud I could clearly hear every word spoken by the DJ and every lyric of every song they played. I see in the mitigated negative declaration that they are supposed to be limited to 60 decibels. I was unsure how loud 60 decibels was so I looked it up. Sixty decibels is as loud as a normal conversation between two people sitting at a distance of about one meter (3 ¼ feet), it is the average sound level of a restaurant or an office. In the approximately ten events they held this summer they did not adhere to that requirement one time. Their music is typically so loud that I can hear it inside my home with all the windows and doors shut. In the MND it states that they will shut off the amplified music at 10 pm, however in section 8.20.430 (2) of the yuba county ordinances it stated that all amplified music for commercial purposes shall be shut off at 9pm. Section 8.20.430 (5) states "In any event, the volume of the sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing, or a nuisance to reasonable persons of normal sensitiveness within the area of audibility". I spoke to some of the other neighbors that are being affected by Laken oaks. Some of them have lived here for most of their lives, and the owners of Laken Oaks just came to the neighborhood a year ago. The following people are also in opposition of Laken Oaks due to the noise pollution we have experienced.

William Kavlig 5858 Marysville Rd
Marilyn Alverson/Donna Myers 5864 Country trail
Michael Harvey 5948 Country trail

Not only is the volume of their music a problem, so is the content. I threw a birthday party for my two young children ages ten and eight. There were several other children of similar age present. They played song after song from the genre of gangster rap. The songs were full of profanity and sexually degrading to women. Not exactly great background music for a child's birthday party. Several neighbors including myself have complained to them directly with no change in behavior. Because they have shown no regard for the noise ordinance or their neighbors before obtaining a permit, I see no reason they would change their behavior afterward.

I believe they are also creating a traffic hazard. Their events have had dozens of vehicles parking in front of the event center. The guests are consuming alcohol and then leaving typically after dark. There is no street light, no turn lane, and the view of oncoming traffic from both directions is obstructed in one direction by a hill, and the other direction by a turn. When events end there are dozens of vehicles full of possible inebriated guests trying to pull out in the dark onto an unlit road with a speed limit of 55 mph. This presents a risk to the residents of the area

that use that road to get to and from their homes. There are no proposed mitigations in the MND to address the potential traffic hazard. The property in question, and all of the surrounding properties are zoned residential / agricultural, not commercial, so the safety infrastructure that is normally associated with a commercial business (street lights, turn lanes, ADA accommodations) are not present at Laken oaks. If someone were to get into an accident associated with activity from Lakin Oaks and receive injuries I would imagine there would be litigious consequences.

I personally believe that everyone has the right to do whatever they like with their property, so long as it doesn't negatively affect anyone else. Unfortunately Laken Oaks has already demonstrated that they have no intention of abiding by the noise ordinances, and in all honesty I don't believe anyone would want to have an event at their location that abided by the 60 decibels rule. That would basically preclude amplified music at the sound levels typical for an event of that type. The common sentiment in this neighborhood is we all moved up here for a little peace and quiet, not to live next to an event center. For that reason I don't believe Laken Oaks is a good fit for our community.

November 8, 2021

To: Community Development and Services Agency

From: Roland and Roberta D'Arcy
5786 Marysville Road
P.O. Box 60
Browns Valley, California 95918

Re: Minor Conditional Use Permit CUP 2021-0001 (Neel)

We support the event venue proposed for 5816 Marysville Road. We are the next door neighbors to this property and do not feel activities proposed there will be intrusive or bothersome to us. If any questions please call us. 530-743-8742.

Thank you.

Roland D'Arcy
Roberta D'Arcy

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& SERVICES AGENCY