



# County of Yuba Community Development & Services Agency

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## Planning Department

915 8<sup>TH</sup> Street, Suite 123, Marysville, CA 95901

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### PLANNING COMMISSION STAFF REPORT

**Hearing Date:** September 18, 2019

**Case Number:** Conditional Use Permit CUP 2019-0003 (Speedy Tires and Repair)

**Request:** A request to permit a minor vehicle service and tire repair shop.

**Location:** The project is located at 5678 Lindhurst Avenue (APN: 021-313-013), approximately 0.4 miles north of the intersection of Erle Road and Lindhurst Avenue in the Linda community.

**Applicant:** Speedy Tires and Repair (Mohammad Raees), 5678 Lindhurst Ave., Marysville, CA 95901

**Recommendation:** Adopt the attached resolution approving Conditional Use Permit 2019-0003 (Speedy Tires and Repair)

**Background:** The applicant is requesting approval of a conditional use permit that would allow the development of a minor vehicle service and tire repair shop that will include an office building, three service bays, bathroom building, and parking lot on a 0.33 acre parcel. The project site is located at 5678 Lindhurst Avenue, approximately 0.4 miles north of the intersection of Erle Road and Lindhurst Avenue in the Linda community. The project site is identified Assessor's Parcel Numbers 021-313-013. The property is zoned Neighborhood Mixed Use (NMX) and is designated on the General Plan Land Use Diagram as Valley Neighborhood.

The project consists of a Conditional Use Permit (CUP) that would allow the development of a minor vehicle service and tire repair shop. The project site is located in the unincorporated portion of Yuba County off of Lindhurst Avenue in the community of Linda (Attachment 1).

The site is currently vacant, with residential uses to the north, south, east and west. The site will feature an office building, three service bays, bathroom building, parking lot, and an enclosed fenced in and gaveled area to store excess tires screened from public view. Per the County Development Code Section 11.24.030, the applicant is required to screen the northern and western fencing that front residential uses and the eastern area fronting Lindhurst Avenue.

The applicants are proposing to operate Monday through Saturday from 8 am to 5 pm. All work will be conducted within the 1,800 square foot enclosed building except the pumping of motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly. The site will be enclosed with a fence and gate fronting on Lindhurst Ave. and the rear portion of the property behind the building and parking lot. Moreover, the applicants will not be repairing trucks, trailers over 15,000 GVW, and heavy equipment.

**General Plan/Zoning:** The project site is designated as Valley Neighborhood on the 2030 General Plan Land Use Map. The Valley Neighborhood land use classification is a mixed land use designation that allows a variety of residential, commercial, industrial, open space and other land uses. The intent of the General Plan designation is to provide for the full range of housing types, commercial and public services, retail offices, and other components of a complete neighborhood in valley portions of the County. The proposed tire shop is in close proximity to commercial and residential uses.

The project site is zoned as Neighborhood Mixed Use. This zoning district is intended for uses that will provide a mixture of residential uses and neighborhood services in the immediate surrounding area. The tire shop will perform all work inside the metal shop and will not store or tow vehicles on-site. The traffic from the tire shop will be limited on the adjacent residences as the traffic will utilize Lindhurst Ave. There will be no need to go through the residential neighborhood. Moreover, landscaping will be installed to screen and reduce noise.

**Surrounding Uses:**

|       | GENERAL PLAN<br>LAND USE DESIGNATION | ZONING  | EXISTING<br>LAND USE                    |
|-------|--------------------------------------|---------|---|
| North | Valley Neighborhood                  | NMX     | Apartments                              |
| East  | Valley Neighborhood                  | PF & RS | Railroad & Single Family<br>Residential |
| South | Valley Neighborhood                  | NMX     | Single Family Residential               |
| West  | Valley Neighborhood                  | NMX     | Vacant & Single Family<br>Residential   |

The surrounding area is mostly zoned for neighborhood mixed with localized residential, retail, eateries, office, and service businesses. Further to the north is the Walmart Supercenter and FoodMaxx. The residential uses to the north and west will be screened from the proposed tire shop with the installation of landscaping. The property to the east is zoned Public Facility (PF) and Single Family Residential (RS) with single family homes however, the railroad tracks are elevated and create a physical barrier from this parcel to the nearby residences.

**Discussion:** Section 11.57.060 of the Yuba County Development Code requires that eight findings are made in order to approve or conditionally approve a Conditional Use Permit. The eight findings are listed below in *italics* and are followed by an evaluation of the request in relation to each finding.

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

The Yuba County Development Code allows for minor vehicle services and repairs on neighborhood mixed use zoned parcels with the approval of a major conditional use permit. Approval of the proposed project would make the project consistent with the Yuba County Code.

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

The Yuba County General Plan land use designation is Valley Neighborhood which allows for a variety of residential, commercial, industrial and other land uses. This use allows a transition between the residences in close proximity to the west and east and the commercial uses to the north.

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

The proposed use at this particular site is desirable as the property is currently vacant. This property is located along Lindhurst Avenue which serves Walmart Supercenter and FoodMaxx. A thriving business on a parcel that would otherwise be vacant and underutilized is desirable.

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

The proposed project is conditioned to meet all requirements in the Yuba County Code of Ordinances. Furthermore, the project site is located in a mixed-use corridor and will not have a detrimental effect on the surrounding businesses or residences in close proximity. The tire shop will perform all work inside the metal shop and will not store or tow vehicles on-site. The traffic from the tire shop will be limited on the adjacent residences as the traffic will utilize Lindhurst Ave. There will be no need to go through the residential neighborhood. Moreover, landscaping will be installed to screen and reduce noise.

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

The project has been conditioned to meet Yuba County Development Code Section 11.32.050, Automobile/Vehicle Service and Repair, Major and Minor. The applicants will be installing landscaping along the front and side property lines and will be required to be maintained as a condition of approval. The applicants are conditioned to screen any outdoor storage of tires. Furthermore, 11.32.050 requires the decision-making authority to make the following findings in regards to design and development:

- i. *The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.*

The project site is currently undeveloped with residential uses to the north and west of the site. The massing and scale of the proposed building will be harmonious with

the surrounding uses. Moreover, it will be a single story metal building which is consistent with auto service station designs.

- ii. *The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.*

The project site will have one paved driveway, approximately 30 feet wide on the southeast corner of the property. This driveway is sufficient in size to allow for auto and truck traffic to circulate on the site and onto Lindhurst Avenue.

- iii. *Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.*

There are three service bay openings on the proposed building. The openings will be located on the side elevations and do not front the street elevation. The applicants will install landscaping to the rear of the metal building to reduce visual and noise impacts to the adjacent residence.

- iv. *Lighting is designed to be low-profile, indirect or diffused and to avoid adverse impacts on surrounding uses.*

The applicant is installing new lighting on the metal building that will shed light on the proposed parking lot. The lighting will be required to comply with Yuba County Development Code Section 11.19.060.

- v. *The washing facility will not have an adverse impact on water supply and quality.*

The minor service station will have an approximate maximum capacity of 3 vehicles based on the site plan provided. It is not anticipated that a service station of this size will have an adverse impact on water supply and quality.

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

The location, size and operating characteristics of the proposed project are compatible with the existing and reasonably foreseeable land uses in the vicinity. As mentioned above, the NMX zone allows for a variety of residential and commercial uses. The type of work will exclude the repair of trucks, trailers over 15,000 GVW, and heavy equipment. All work shall be conducted within an enclosed building except: pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly. Repair of vehicles will typically occur within the same day and vehicles are not commonly stored overnight.

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

The site is physically suitable for the development of a minor auto service station. The site is currently undeveloped, but is large enough to accommodate all of the needs of the applicants and meet all County development standards. The site is also flat and will not require substantial grading for any of the proposed uses.

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

Staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(c) (New Construction).

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

- County Staff – The Public Works Department, Environmental Health Department, and Building Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.
- Yuba County Agricultural Weights & Measures – No comment or concerns.
- Linda Fire Protection District – No comment or concerns.

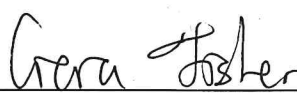
**Environmental Review & Determination:** Staff has determined that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15303(c) (New Construction).

The applicants are proposing a tire and minor auto repair shop that does not involve the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. The metal shop building is 1,800 square feet and the detached bathroom is 100 square feet, for a total of 1,900 square feet in floor area. The tire and minor auto repair shop is proposing to store tires on-site, pump motor vehicle fluids, and check and supplement various vehicle fluids. The Environmental Health Department would not consider scrap tire piles and various vehicle fluids as a hazardous waste if they comply with the thresholds and regulations of the Certified Unified Program Agency (CUPA) as well as other hazardous storage regulations. For this reason, Staff does not consider the request to have a significant effect on the environment and to be exempt from the provisions of CEQA.

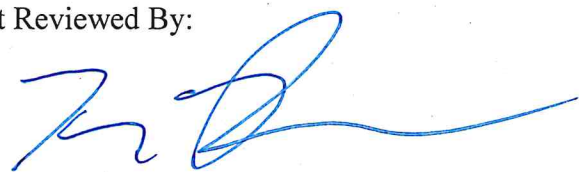
**Attachments:**

1. Resolution
2. Project Site Exhibits
3. Conditions of Approval
4. Comment Letters

Report Prepared By:

  
\_\_\_\_\_  
Ciara Fisher  
Planner II

Report Reviewed By:

  
\_\_\_\_\_  
Kevin Perkins,  
Principal Planner

**BEFORE THE COUNTY OF YUBA  
PLANNING COMMISSION**

**RESOLUTION FINDING THE PROJECT )  
EXEMPT FROM ENVIRONMENTAL )  
REVIEW AND APPROVING CUP 2019-0003; ) RESOLUTION NO.: \_\_\_\_\_  
SUBJECT TO THE ATTACHED )  
CONDITIONS OF APPROVAL )**

**WHEREAS**, Speedy Tires and Repair, filed an application for a Conditional Use Permit CUP 2019-0003 to develop a minor vehicle service and tire repair shop that will include an office building, three service bays, bathroom building, and parking lot on a 0.33 acre parcel. The project site is located at 5678 Lindhurst Avenue, approximately 0.4 miles north of the intersection of Erle Road and Lindhurst Avenue in the Linda community. The project site is identified Assessor's Parcel Numbers 021-313-013. The property is zoned Neighborhood Mixed Use (NMX) and is designated on the General Plan Land Use Diagram as Valley Neighborhood.; and

**WHEREAS**, the Community Development & Services Agency, Planning Department of the County of Yuba has conducted a review of the proposed project and concluded that the project is consistent with both the 2030 General Plan and Development Code and is exempt from further environmental review pursuant to Section 15303(c) of the California Environmental Quality Act; and

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

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed project is consistent with the Land Use Element and other applicable elements of the Yuba County 2030 General Plan as well as with the Yuba County Zoning Map and Development Code.
3. The Planning Commission finds that the project site is physically suitable for the proposed type of development and the proposed density of development.

Attachment 1

4. The Planning Commission finds that the proposed project and the conditions under which it would be developed or maintained will promote, protect and secure the public health, safety and general welfare and will result in an orderly and beneficial development of the County.
5. The Planning Commission finds that the project, as conditioned, meets the County design and improvement standards set forth in the Yuba County Development Code.
6. The Planning Commission finds that the project, as conditioned, is in compliance with the Yuba County Development Code.
7. The project will not cause substantial environmental damage to fish and/or wildlife and their habitats, nor have the potential for adverse effect(s) on wildlife resources or the habitat upon which wildlife depends. A Notice of Exemption will be recorded with the County Recorder.

The Planning Commission hereby finds the project exempt from further environmental review pursuant to Section 15303(c) of the California Environmental Quality Act adopts, incorporated herein by reference, and approves CUP 2019-0003; subject to the Exemption from Environmental Review and Conditions of Approval incorporated by reference.

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

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
**Yuba County Planning Commission**

**ATTEST:**  
**Planning Commission Secretary**

**APPROVED AS TO FORM:**  
**County Counsel**

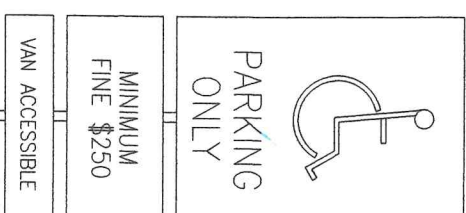
**BY:** \_\_\_\_\_

**BY:**  \_\_\_\_\_



BUILDING USE: PARKING, STORAGE, MINOR REPAIR (N  
FIRE SPRINKLER: NO  
FIRE ALARM SYSTEM: NO  
CONSTRUCTION TYPE: VB (STEEL BUILDING)  
OCCUPANCY CLASS: U GARAGE/SHOP, B OFFICE  
TOTAL LOT 13,781.43 SQ. FT.  
PAVING COVER 8,185.12 SQ. FT.  
BUILDING COVER 1,900 SQ. FT.  
ALLOWABLE AREA: 9000 SF.  
MIXED USE: M/A  
MIN. ACTURAL DIST. TO PROP. LINE: SEE SITE PLAN  
MAX BUILDING HEIGHT: 16'-8" RIDGE, 14' EAVES  
FIRE RESISTANCE OF BUILD: II-B USE V-B  
OPENINGS: 3-10'X10' ROLLUP DOORS & 3068 MAN DOOR  
OCCUPANT LOAD: N/A OWNERS ONLY  
EXITS: 1 MAN DOOR  
EXIT LIGHTS: ONE @ MAN DOOR  
ADA: N/A

RECEIVED  
JUL 22 2019  
COMMUNITY DEVELOPMENT  
& SERVICES AGENCY

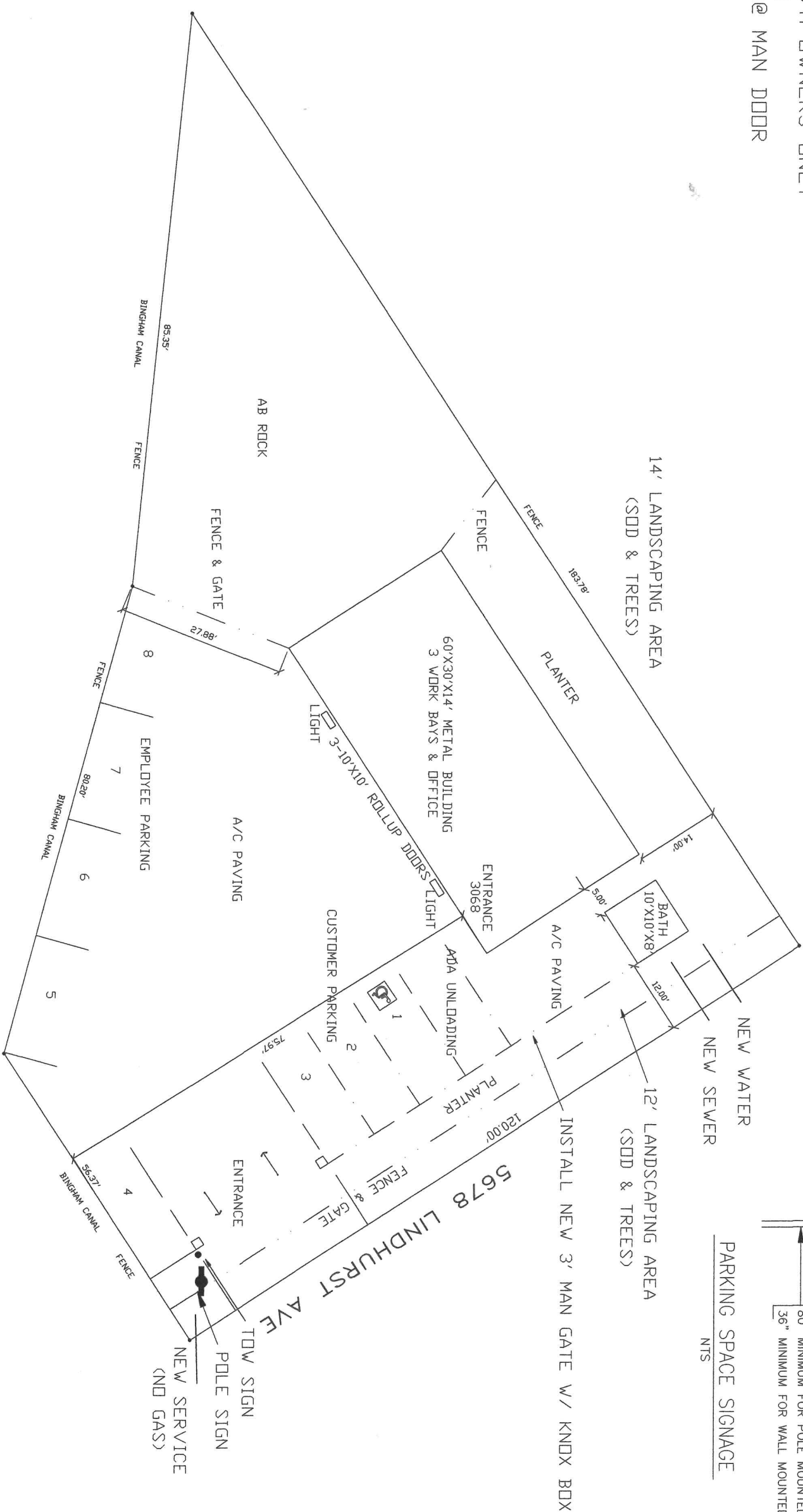


AREA OF SIGN TO BE A  
MINIMUM 70 SQUARE INCHES

NOTE: THE SIGN SHALL BE CENTERED AT THE INTERIOR END OF PARKING SPACE. TEXT AND SYMBOL SHALL BE WHITE, AND THE BACKGROUND SHALL BE BLUE. REFLECTORIZED SIGN CONSTRUCTED OF PORCELAIN STEEL WITH BEADED TEXT OR EQUAL.

PARKING SPACE SIGNAGE  
NTS

CLEARANCE:  
80" MINIMUM FOR POLE MOUNTED SIGN  
36" MINIMUM FOR WALL MOUNTED SIGN



# SITE PLAN

$$\overline{1''=10'}$$

SPEEDY TIRE & REPAIR  
MONDAY - SATURDAY  
8:00AM TO 5:00PM

APN 21-313-013 RS 4-20  
DAD\_PP

DAD\_PP

## SITE PLAN FOR:

SPEEDY TIRE & REPAIR  
RAEES MOHAMMAD  
5787 MONTCLAIR AVE  
MARYSVILLE, CA. 95901  
CONTACT: JESTER 530-844-8018  
APN 21-313-013

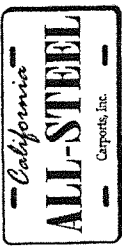
**SROKA'S**  
Design & Drafting  
MICHAEL F. SROKA  
4140 Dan Ave. Olivehurst, CA. 95961  
PHONE (530) 742-6148  
E-MAIL SROKA@SYIX.COM

[illegible]

DRAWN  
MIKE  
CHECKED  
DATE  
7/2019  
SCALE  
1"=10'



MANUFACTURED BY:



P.O. Box 6137  
Fresno, CA 93703  
Tel: 1-844-800-5413  
Fax: 1-559-354-6721

ENGINEERED BY:



**A-A ENGINEERING**  
CIVIL, STRUCTURAL & MECHANICAL  
3911 Broadway, Suite 200, Fresno, CA 93703  
Tel: 559-252-1993 • Fax: 559-252-9025  
www.a-a-engineering.com

## DRAWING INFORMATION

PROJECT: 30'-0" WIDE BUILDINGS  
LOCATION: STATE OF OREGON  
PROJECT NO: 130-16-0463  
SHEET TITLE:

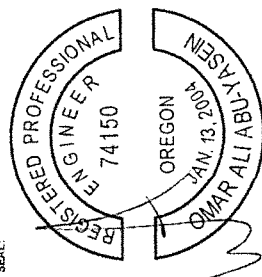
## FRAME SECTIONS & DETAILS

SHEET NO: 3 / 11  
DRAWN BY: LAK DATE: 5/3/16  
CHECKED BY: CAA DATE: 5/3/16

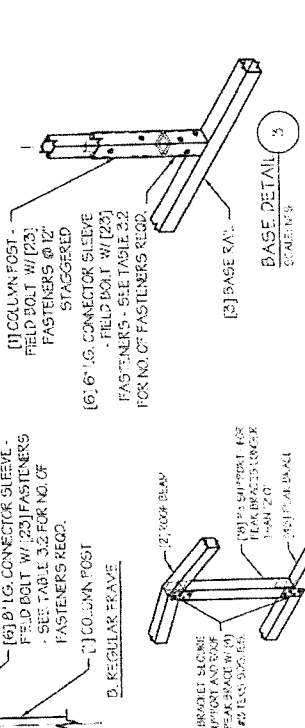
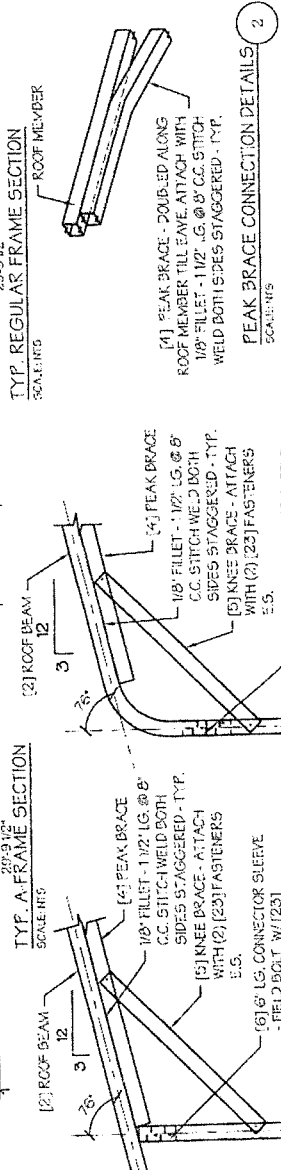
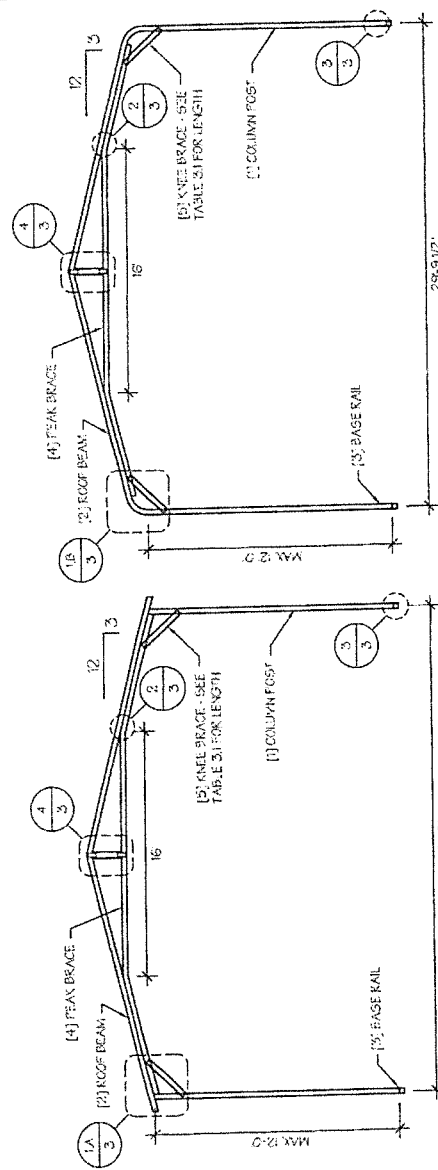
## LEGAL INFORMATION

\*ANY INDICATION OF THIS DRAWING BEING FOR A SPECIFIC PROJECT OR FOR A SPECIFIC CLIENT SHALL BE PROSECUTED UNDER THE PENALTY OF PERJURY.  
DRAWINGS VALID 30' TO 1" FROM DATE OF ISSUE.

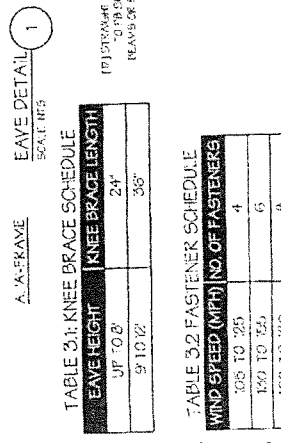
SEAL:



DATE EXPIRES: 12/31/2017  
DATE SIGNED: MAY 3 2016



NOTE: COLUMN POST MAY BE ADJUSTED UP FOR LEVELING. MANUFACTURER IS NOT RESPONSIBLE FOR LEVELING OF GROUND AND/OR CONCRETE SURFACE PROVIDED BY OTHERS.



**TABLE 3.1: KNEE BRACE SCHEDULE**

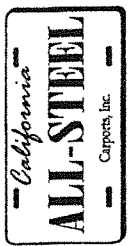
| EAVE HEIGHT | KNEE BRACE LENGTH |
|-------------|-------------------|
| UP TO 8'    | 24"               |
| 9' TO 12'   | 36"               |

**TABLE 3.2: FASTENER SCHEDULE**

| WIND SPEED (MPH) | NO. OF FASTENERS |
|------------------|------------------|
| 105 TO 125       | 4                |
| 130 TO 150       | 6                |
| 160 TO 180       | 8                |



MANUFACTURED BY:



P.O. Box 6137  
Fresno, CA 93703  
Tel: 1-844-800-5413  
Fax: 1-559-354-6721

ENGINEERED BY:



**A&A ENGINEERING**  
CIVIL STRUCTURAL  
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Tel: 410-272-1984 • Fax: 410-272-4055  
www.aandengineering.com

**DRAWING INFORMATION**

PROJECT: 30'-0" WIDE BUILDINGS  
LOCATION: STATE OF OREGON  
PROJECT NO.: 130-16-0463  
SHEET TITLE:

**SIDE WALL FRAMING  
& OPENINGS**

SHEET NO.: 7-A / 11

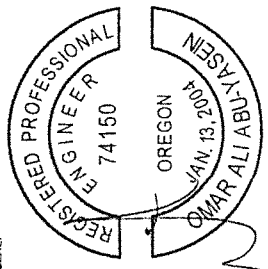
DRAWN BY: LAK DATE: 5/3/16

CHECKED BY: OAA DATE: 5/3/16

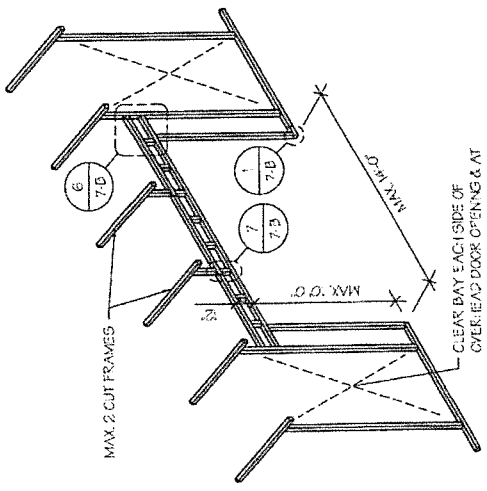
**LEGAL INFORMATION**

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BE PROSECUTED UNDER THE FULL EXTENT OF THE LAW."  
- DRAWINGS VALID UP TO 1 YEAR FROM DATE OF ISSUE.

SEAL:



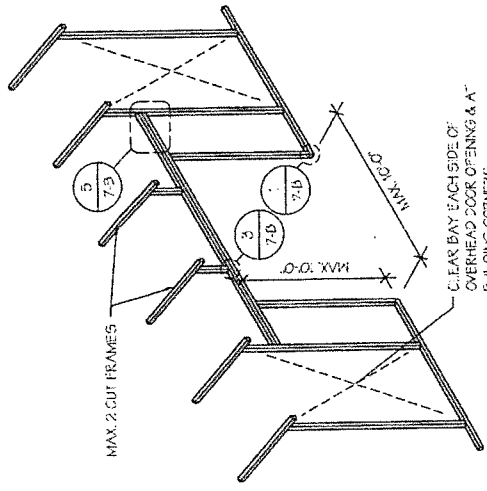
DATE EXPIRES: 12/31/2017  
DATE SIGNED: MAY 3 2016



CLEAR BAY EACH SIDE OF  
OVERHEAD DOOR OPENING & AT  
BUILDING CORNERS

**SIDE WALL OVER HEAD DOOR OPENINGS  
WITH TRUSS STYLE HEADER**

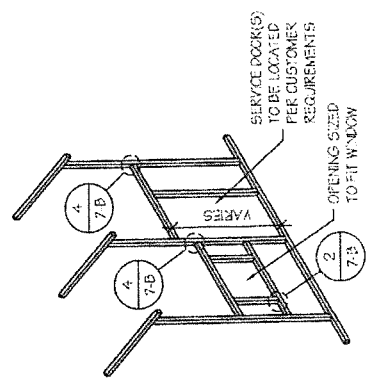
SCALE: 1/8" = 1'-0"



CLEAR BAY EACH SIDE OF  
OVERHEAD DOOR OPENING & AT  
BUILDING CORNERS

**SIDE WALL OVER HEAD DOOR OPENINGS**

SCALE: 1/8" = 1'-0"



SERVICE DOOR(S)  
TO BE LOCATED  
PER CUSTOMER  
REQUIREMENTS

OPENING SIZED  
TO FIT WINDOW

**SIDE WALL SERVICE DOOR / WINDOW OPENINGS**

SCALE: 1/8" = 1'-0"

**SIDE WALL FRAMING NOTES:**

1. DESIGNS AND DETAILS SHOWN HERE ARE APPLICABLE TO BOTH REGULAR AND A-FRAME STYLE BUILDINGS.
2. MAX. HEIGHT OF SIDE WALL DOOR OPENINGS DEPENDS ON POST LENGTH NEEDED TO ACCOMMODATE KNEE BRACES.
3. OVERHEAD DOOR OPENINGS CANNOT CUT THROUGH MORE THAN 2 FULL FRAMES.
4. MIN. 1 CLEAR BAY MUST BE MAINTAINED BETWEEN ANY 2 OVERHEAD DOOR OPENINGS. A CLEAR BAY IS A SPACE BETWEEN TWO FRAMES THAT HAS NO OVERHEAD DOOR OPENINGS.
5. MIN. 1 CLEAR BAY MUST ALSO BE MAINTAINED FROM THE BUILDING CORNERS.
6. SERVICE DOORS AND WINDOWS CAN BE PLACED IN CLEAR BAYS OR ANY WHERE ELSE AS NEEDED.

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

**Applicant: Speedy Tires and Repair**  
**Owner: Mohammad Raess**  
**APN: 021-313-013**

**Case Number: CUP 2019-0003**  
**Public Hearing Date: September 18, 2019**

**GENERAL CONDITIONS:**

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) The Conditional Use Permit may be effectuated at the end of the ten (10) day appeal period which is September 30, 2019. Conditional Use Permit CUP 2019-0003 shall be designed and operated in substantial conformance with the approved conditional use permit as outlined in the approved site plan filed with the Community Development & Services Agency and as conditioned or modified below. No other expansion of uses are authorized or permitted by this use permit.
- 5) This conditional use permit approval shall be effectuated within a period of twenty-four (24) months from this approval date and if not effectuated shall expire on September 18, 2021. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than ninety (90) days from September 18, 2021.
- 6) Minor modifications to final configuration of the conditional use permit may be approved by the Community Development and Services Agency Director.

**BUILDING DEPARTMENT:**

- 7) All buildings must have permits.
- 8) All development on this site must meet all current codes including accessibility and must meet any and all fire code as well as local fire authority requirements.

**PUBLIC WORKS DEPARTMENT:**

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

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

**Applicant: Speedy Tires and Repair**  
**Owner: Mohammad Raess**  
**APN: 021-313-013**

**Case Number: CUP 2019-0003**  
**Public Hearing Date: September 18, 2019**

- 10) Owner shall dedicate to the County of Yuba sufficient right-of-way to provide a 48-foot easement adjoining the centerline of Lindhurst Avenue, classed as an Urban Arterial Road, lying within the boundary of this property.
- 11) Road construction along Lindhurst Avenue fronting this property shall meet the half-width requirements for an Urban Arterial Road in conformance with the Yuba County Standard (Drawing No. 103) or as modified by the Public Works Director. Such standard includes curbs, gutters, storm drain, with an attached sidewalk. Owner shall not be responsible for the inside 12-foot lane as shown on Drawing No. 103.
- 12) The required road construction along Lindhurst Avenue fronting this property is hereby deferred by the Public Works Director under Section 11.28.020 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land. The deferment of the above frontage improvements is granted until such time as a building permit or other grant of development is issued by the County or until such time the County determines that the extent of development along the street, the volume of traffic, or other factors such as the necessity to provide drainage, pedestrian walkways or bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary, or in conjunction with a County funded project.
- 13) All existing or proposed driveway encroachments onto Lindhurst Avenue shall conform to the current Yuba County Standards for a paved Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works until curb, gutter and sidewalks are constructed. When curb, gutter and sidewalks are constructed, then all driveways shall conform to the current Yuba County Standard for an Urban Standard Driveway (Drawing No. 200) for commercial areas.
- 14) If frontage improvements are not deferred, then improvement plans for the frontage improvements and onsite improvements shall be prepared in compliance with Sections 3 and 7 of the Yuba County Standards and shall be submitted to the Public Works Department for review and approval prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements; for the onsite grading, drainage facilities, and hardscape areas (excluding the building footprint); construction staking; and erosion control measures. Such approvals shall include the alignment and grades of roads and drainage facilities.
- 15) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department prior to the commencement of work to discuss the various aspects of the project.
- 16) Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be



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

**Applicant: Speedy Tires and Repair**  
**Owner: Mohammad Raess**  
**APN: 021-313-013**

**Case Number: CUP 2019-0003**  
**Public Hearing Date: September 18, 2019**

submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.

- 17) Owner, heirs or assigns of this property, or portions thereof, shall remove and/or relocate any fence(s) located within dedication(s) or offer(s) of dedication or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Such fence removal or relocation is deferred until such time as the then owner is directed by the Public Works Department of Yuba County to remove or relocate the fence(s). Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication or existing County easements or right-of-ways.
- 18) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public utilities and street signage purposes, along the street frontage of this property measured from the right of way.
- 19) Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from the property to acceptable natural drainage courses.
- 20) Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits and approvals have been obtained, which may include: a 404 permit from Army Corps of Engineers; including Section 7 consultation with the U.S. Fish and Wildlife Service, 401 certification from the Regional Water Quality Control Board, 2081/1602 permit, as necessary, from the California Department of Fish and Game, and pre-construction surveys for special status species.
- 21) 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 prior to any grading activities. Coverage under the General Permit must be obtained prior to any construction. More information may be found at:  
<http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and

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

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**Case Number: CUP 2019-0003**  
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post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.

- 22) Owner shall submit a stormwater quality plan, including all temporary erosion and sediment control measures, site-design measures, source control measures, treatment measures, and baseline hydromodification management measures for the project, in accordance with Sections 7.50 and 11.23 of the Yuba County Ordinance Code and Section 11 of the Yuba County Improvement Standards to the Department of Public Works for review and approval prior to construction and/or grading permit. Owner shall construct such management measures as per the approved plan prior to construction.
- 23) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 24) Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail and shall be approved by the Public Works Department.
- 25) Owner shall be responsible for giving (60) days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
- 26) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to this property. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
- 27) Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.

**ENVIRONMENTAL HEALTH DEPARTMENT:**

- 28) Facility Business must obtain a state TPID number prior to opening for business. Facility will be subject to required inspections by Yuba County Department of Environmental Health for proper waste tire handling.
- 29) Prior to operation or upon storage of a hazardous material greater than 200 cubic feet of a gas, 55 gallons of a liquid or 500 pounds of a solid or generation of a hazardous waste the owner must apply for and receive a Certified Unified Program Agency (CUPA) Consolidated Permit.

**PLANNING DEPARTMENT**

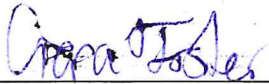
- 30) The proposed minor vehicle service and tire repair shop shall be designed and operated in substantial conformance with the approved conditional use permit as described in the project description and the proposed site plan filed with the Community Development and Services Agency. No other expansion of uses are authorized or permitted by this use permit.

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

**Applicant: Speedy Tires and Repair  
Owner: Mohammad Raess  
APN: 021-313-013**

**Case Number: CUP 2019-0003  
Public Hearing Date: September 18, 2019**

- 31) Major modifications shall require an amendment to the Conditional Use Permit.
- 32) 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.
- 33) Any fencing constructed on the Project site, including, but not limited to, perimeter fencing and storm water detention pond fencing, shall be barbless and shall have at least 12 inches between the top two wires.
- 34) The project shall comply with Development Code Section 11.32.050.E, Automobile/Vehicle Service and Repair, Major and Minor.
- 35) The project shall exclude disassembly, removal or replacement of major components such as engines, transmissions or axles; or major body work; or repair of trucks, trailers over 15,000 GVW, and heavy equipment, or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services.
- 36) The tire shop shall not store vehicles overnight.



Ciara Fisher  
Planner II

**PUBLIC WORKS  
PRELIMINARY CONDITIONS OF APPROVAL  
YUBA COUNTY**

**Applicant:** Mohammad Raess  
**Owner:** Same  
**APN:** 021-313-013

**Case Number:** CUP 2019-0003

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5. The Public Works Director may reasonably modify any of the Public Works conditions contained herein. The required street widths as stated herein shall take precedence over those as shown on the application.
  6. Owner shall dedicate to the County of Yuba sufficient right-of-way to provide a 48-foot easement adjoining the centerline of Lindhurst Avenue, classed as an Urban Arterial Road, lying within the boundary of this property.
  7. Road construction along Lindhurst Avenue fronting this property shall meet the half-width requirements for an Urban Arterial Road in conformance with the Yuba County Standard (Drawing No. 103) or as modified by the Public Works Director. Such standard includes curbs, gutters, storm drain, with an attached sidewalk. Owner shall not be responsible for the inside 12-foot lane as shown on Drawing No. 103.
  8. The required road construction along Lindhurst Avenue fronting this property is hereby deferred by the Public Works Director under Section 11.28.020 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land. The deferment of the above frontage improvements is granted until such time as a building permit or other grant of development is issued by the County or until such time the County determines that the extent of development along the street, the volume of traffic, or other factors such as the necessity to provide drainage, pedestrian walkways or bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary, or in conjunction with a County funded project.
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  11. All road and drainage construction required by these conditions of approval shall be inspected in

## Attachment 4

compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.

12. Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.
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## Attachment 4

According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.

18. Owner shall submit a stormwater quality plan, including all temporary erosion and sediment control measures, site-design measures, source control measures, treatment measures, and baseline hydromodification management measures for the project, in accordance with Sections 7.50 and 11.23 of the Yuba County Ordinance Code and Section 11 of the Yuba County Improvement Standards to the Department of Public Works for review and approval prior to construction and/or grading permit. Owner shall construct such management measures as per the approved plan prior to construction.
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23. Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.

## Attachment 4

### ENVIRONMENTAL HEALTH DIVISION CONDITIONS OF APPROVAL CUP2019-0003

1. Facility Business must obtain a state TPID number prior to opening for business. Facility will be subject to required inspections by Yuba County Department of Environmental Health for proper waste tire handling.
2. Prior to operation or upon storage of a hazardous material greater than 200 cubic feet of a gas, 55 gallons of a liquid or 500 pounds of a solid or generation of a hazardous waste the owner must apply for and receive a Certified Unified Program Agency (CUPA) Consolidated Permit.

**Fisher, Ciara**

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**From:** Godinez, Johnny  
**Sent:** Wednesday, July 10, 2019 1:46 PM  
**To:** planning  
**Cc:** Quist, Todd; Scheer, Stephen  
**Subject:** CUP 2019-0003

Our department reviewed case CUP 2019-003 on July 1st, 2019. No impacts to Agriculture were found. For this reason we have no preliminary comments or recommendations for you at this time.

Johnny Godinez  
County of Yuba  
Agricultural Weights & Measures Specialist  
Phone: (530) 749-5400  
Fax: (530) 749-5404

# *Linda Fire Protection District*

1286 Scales Avenue ☆ Marysville, California 95901

Telephone: (530) 743-1553

*Chief*

*Richard Webb*

*Directors*

*Jim Brannon  
Robert Shinn  
Glen Weldon*

July 5, 2019

County of Yuba  
Community Development & Services Agency  
Planning Department  
915 8th Street, Suite 123  
Marysville, CA 95901

**RE: Early Consultation - CUP 2019-0003 – (Raees)**

The Linda Fire Protection District has no opposition to the granting of Conditional Use Permit CUP 2019-0003 as requested for this project.

If I may be of assistance, please do not hesitate to contact me at 743-1553.

Sincerely,



Richard H. Webb  
Chief