



County of Yuba

Community Development & Services Agency

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STAFF DEVELOPMENT COMMITTEE STAFF REPORT

MEETING DATE: January 09, 2019

TO: DEVELOPMENT REVIEW COMMITTEE

FROM: Vanessa Franken, Planner I

RE: CONDITIONAL USE PERMIT (CUP) 2019-0006

REQUEST: The applicant is requesting approval of a Conditional Use Permit that would allow the operation of a personal storage facility and screened outdoor RV storage at 1370 Furneaux Road (APN: 013-410-117). According to Land Use Regulations Table 11.09.020, a Conditional Use Permit is required to establish a personal storage facility in a "General Industrial" zoned district.

RECOMMENDATION: Staff recommends that the Development Review Committee make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15301 (Existing Facilities) and approve and Conditional Use Permit CUP 2019-0006 subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

BACKGROUND/DISCUSSION: The project site is located in the community of Olivehurst, in the industrial district, within the Valley Growth Boundary (VGB). The property address is 1370 Furneaux Road (APN: 013-410-117), a developed piece of land with an existing 112,500 square foot facility on site. Access to the property is off of Furneaux Road. The existing warehouse on the property is proposed to be shared between two main partners; Sean Hogan of River Valley Storage and Len Lewis of LHL Construction. LHL Construction is to occupy 50,000 square feet of the southern portion of the warehouse, as well as the 5,000 square foot office located at the northern portion of the property. LHL Construction is a steel metal fabrication business; this use is permitted outright and requires no land use entitlements to operate. The applicant, Sean Hogan, proposes to utilize the northern half of the property for River Valley Storage share of operations. The development operations are as follows: 62,500 square feet of the existing warehouse is intended to house indoor personal storage units and developing two designated areas, 88,130 square feet total, of the northwestern portion of the property for outdoor storage of recreational vehicles, and a 144 square foot office that will remain unoccupied until a later phase of development.

The two areas of outdoor storage equate to a total of 88,130 square feet and are intended to park and store recreational vehicles, boats, and automobiles. The first stage of development, comprised of Phases 1 and 2, for River Valley Storage is to develop the outdoor storage parking lot for the largest of the two proposed outdoor storage areas. The largest parking area is located at the north-western portion of the property and equates to 68,000 square feet. Phase 1 is 30,000 square feet in size and is intended to have roughly 50 parking spaces for recreational vehicles. Phase 2 is also 30,000 square feet in size and is intended to have roughly 50 parking spaces for recreational vehicles, as well. The remaining 8,000 square feet is an estimate of space not used for parking, but as space to allow for path of travel for vehicles. The second designated area for outdoor storage, to be developed at Phase 7, is an area of 20,130 square feet and intended to have an additional 25 spaces for recreational vehicles. Both outdoor storage areas will be gravel lots surrounded by 6 foot in height chain link fencing, with slats for screening, and a sliding electric gate with keypad access. Section 11.32.180 (C), Screening, prohibits outdoor storage within the VGB unless screened; the project is conditioned to have all outdoor storage areas screened with appropriate fencing materials. The applicant is also proposing security cameras and lighting throughout the yard. Lighting will be required to meet all applicable standards of section 11.19.060, Lighting and Illumination. Outdoor Storage areas will be accessible to customers 7am-7pm, seven days a week.

The second phase of development, comprised of Phases 3-6, will be the construction of interior storage units in the northern portion of the shared existing warehouse. Construction of Phase 3 is set for the summer of 2020 and is to be 25,000 square feet in size; 15,000 square feet of this phase intended to have roughly 115 units. The remaining 10,000 square feet is to accommodate path of travel. Remaining Phases 4-6 are each intended to be 12,500 square feet in size, with 7,500 square feet developed to have 50 units each. The remaining 5,000 square feet is to accommodate path of travel. Construction of each phase will be based on increase of interior unit occupancy and as the market allows. In interim between phases, the applicant proposes businesses renting the empty facility space for their individual warehousing needs. According to land use table 11.09.020, Industrial Districts, indoor warehousing, wholesaling and distribution is a permitted use and requires no entitlements.

The proposed storage units range in size from between 25 square feet and 360 square feet. Customers coming into the interior storage facility will park outside of the warehouse and load their items on provided platform trucks and walk their items to their unit doors. The storage facility also has road access into the facility, where customers with heavier belongings may drive into the facility and park briefly outside their unit doors to unload. Each tenant will be assigned their own personal gate code to open the main door into the entrance during operable business hours. The interior storage facility will be accessible from 7am-7pm, seven days a week. Each unit will be individually alarmed and cameras will be installed throughout the building. No hazardous, toxic, or flammable matter, material, or objects that create offensive dust, odor, or fumes shall be stored, in conjunction with storage units or interim renters, according to section 11.32.180 (D), Personal Storage.

The project site is accommodated with a 144 square foot office, located near the entrance into the personal storage facility. This office is not to be occupied until Phase 4 of the development, when River Valley Storage has enough customers to justify the expense. Until Phase 4, River

Valley Storage will be run remotely; with all transactions taking place through their website. When the office is occupied, two employees will keep the office open Monday-Saturday, 9am-5pm. Prior to the office being used employees on site at the personal storage facility will be for maintenance and landscaping services. As part of landscape section 11.24.020, Applicability, the change of use triggers landscaping improvements for the project site. Landscape improvements shall be required along the northern property line on Furneaux Road, landscaping shall also be required at all applicable parking, in accordance with Landscape Chapter 11.24. Section 11.24.010 (A), Purpose, states the purpose of landscaping to create an aesthetically pleasing boundary between residential, commercial and industrial uses and roadways. The project will have an improved appearance along Furneaux Road from required landscaping. Planning staff has waived the landscaping of the east and south property lines as surrounding properties are not residential or commercially zoned properties. Landscaping along abutting side and rear yards of industrial zoned properties are unnecessary, as landscaping in this area will not be seen by public or provide aesthetically pleasing screening. The project is proposing to utilize Olivehurst Public Utility District for water and wastewater needs. The project shall meet all the applicable requirements of the Yuba County Development Code; including Chapter 11.24 Landscape, Section 11.19.080 Screening, and Section 11.32.180 Personal Storage.

SURROUNDING USES

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
North	Employment	General Industrial	Hardware Store
East	Employment	General Industrial	Outdoor Storage
South	Employment	General Industrial	Industrial
West	Employment	General Industrial	Industrial

Surrounding properties range in size from less than four acres to 25.11 acres. Operating businesses in the surrounding area include an outdoor storage facility, a package distribution center, as well as fabrication manufacturing. The surrounding areas are zoned General Industrial (IG) and are designated on the 2030 General Plan Land Use Diagram as “Employment”.

GENERAL PLAN/ZONING: The project site is designated as “Employment” on the 2030 General Plan land use map. The “Employment” General Plan Land Use classification is intended to facilitate development of job producing land uses in designated areas of the County. The project would provide a commercial service to the surrounding community and supply adequate additional personal storage to the area. The property is zoned General Industrial (IG). Pursuant to Chapter 11.09, Industrial Districts, the purpose of the Industrial District is to provide for the development of varied industrial uses that would supply needed employment opportunities for the County. According to section 11.09.010 (C)(1), the intent of the “IG” zoning designation is to reserve areas for industrial plants, including operations that necessitate the storage of large volumes of hazardous or unsightly materials. The proposed personal storage facility is in a location that is naturally screened from public sight and is located near the surrounding residential developments of Edgewater (East Linda), Olivehurst, and Plumas Lake. The project is consistent with the 2030 General Plan Employment (EMP) land use designation

and the Yuba County Development Code General Industrial (IG) zoning designation. Additionally, the project shall meet the all applicable requirements of the Yuba County Development Code.

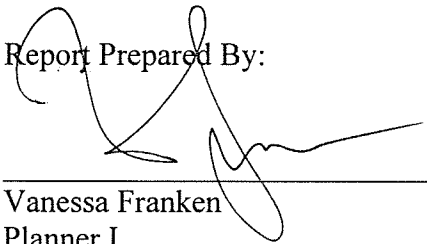
ENVIRONMENTAL REVIEW: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15301 (Existing Facilities). This exemption covers the operation, repair, maintenance, permitting, leasing, or minor alteration of existing structures provided that the addition will not result in the increase of more than 10,000 square feet. The project does not propose to expand the square footage of the existing building on site for their operation. The property has a General Industrial zoning designation that allows areas for industrial plants that are more intensive than the proposed self-storage facility. The project is not located in an environmentally sensitive area and is located within the Olivehurst Public Utility District. No cultural resources or special status species have been identified at the project site.

COMMENTS: 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.
- Olivehurst Fire Protection District – No opposition.

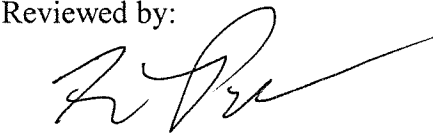
FINDINGS: The necessary environmental review and Conditional Use Permit findings are contained in (Attachments 2) this report.

Report Prepared By:



Vanessa Franken
Planner I

Reviewed by:



Kevin Perkins
Principal Planner

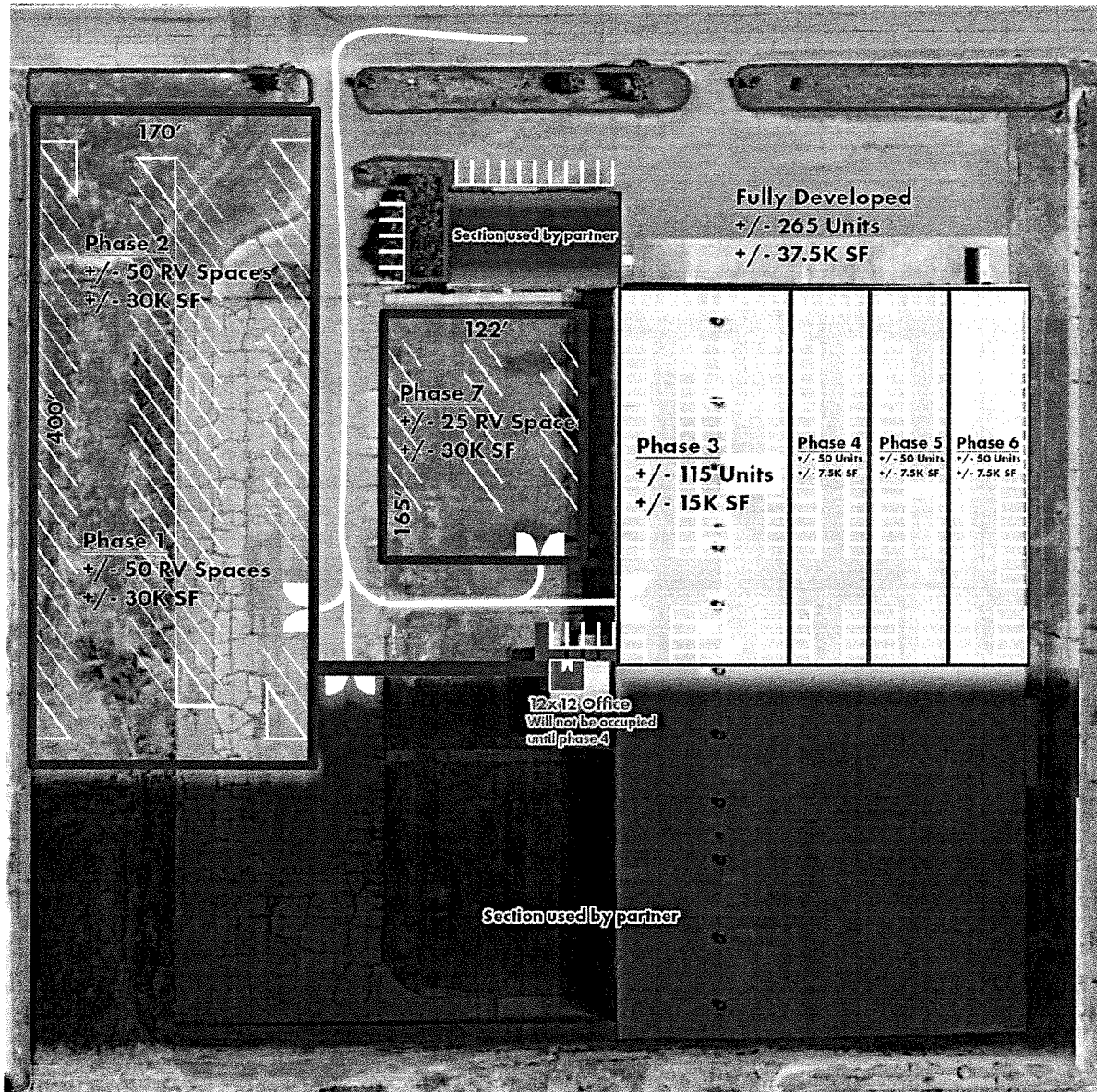
ATTACHMENTS

1. Site Map
2. Conditions of Approval

Each unit will be individually alarmed and we will have cameras throughout the building. Nothing perishable, hazardous, or flammable will be allowed.

When we have enough customers to justify the expense we will use a small room in the existing office as our workspace and hire two employees to keep the office open Mon-Sat from 9AM-5PM.

Simple Site Plan



**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY**

Applicant: Sean Hogan
Owner: Vitaly Yanchuk
APN: 013-410-117

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DRC Public Hearing Date: January 09, 2019

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

- I. After review and consideration, make a determination the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15301 (Existing Facilities).
- II. Approve Conditional Use Permit CUP2019-0006 subject to the conditions below, or as may be modified at the public hearing, making the following findings, pursuant to County of Yuba Title XI Section 11.57.060:

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

Per land use regulations table 11.09.020, the proposed personal storage facility requires approval of a minor conditional use permit to proceed.

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

The project site is designated as “Employment” on the 2030 General Plan land use map. The “Employment” General Plan Land Use classification is intended to facilitate development of job producing land uses in designated areas of the County. The proposed use is consistent with the “Employment” General Plan designation as the proposed facility, in conjunction with collaborating businesses, will provide employment through their commercial operation. The project is not located in any adopted area of a community or specific plan.

- 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 project site is located in the community of Olivehurst, in the industrial district. The surrounding area of the proposed project site includes the surrounding residential developments of Edgewater (East Linda), Olivehurst, and Plumas Lake. The proposed project will not only offer some employment

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opportunities that is consist with the 2030 General Plan but also offer convenient storage to citizens of the immediate vicinity.

- 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.

The proposed personal storage facility will not have any adverse effect to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties. The location of this project site is located within the industrial district away from residential properties that may be impacted by operations of a storage facility. In the industrial district where the project site is located in, operating businesses include a package distribution center, fabrication manufacturing, and outdoor storage facility for construction equipment. These operations are more intensive than a personal storage facility and will not be adversely impacted because of the proposed storage facility. The project has been conditioned to ensure no explosive, toxic and/or hazardous substances could be stored onsite. The project will be required to meet all Yuba County Code requirements prior to operation.

- 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 proposed personal storage facility is conditioned to meet all standards of the Yuba County Development Code and as required by the California Building Code.

- 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 proposed project design, location, size and operating characteristics, as conditioned with the projects conditions of approval, will be compatible with all existing and future development in the vicinity of the project. All the surrounding properties have a General Industrial zoning designation, which would be compatible with the proposed project. The proposed personal storage facility is to

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be operated out of the existing warehouse facility on the property. The existing warehouse is built to suit a manufacturing operation, having docking bays for trucks, an office space, and ample space to provide parking as needed.

- 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.

The proposed project site is physically suited for the type, density and intensity of the proposed use as the project site is 10 acres in size, with an existing warehouse facility, and is located in an area where much more intense uses are conducted. The project site is void of physical restraints and is developed with two access points at the northern side of the property. The proposed project has access to utilities that are existing in the area including but not limited to electricity, water and sewer.

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

Staff has determined the project is exempt from environmental review per the California Environmental Quality Act (CEQA) 15301 (Existing Facilities).

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, Staff Development Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly

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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 (10) appeal period which is January 20, 2020. Conditional Use Permit CUP 2019-0006 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 January 09, 2022. 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.
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.

PUBLIC WORKS DEPARTMENT:

6. 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.
7. All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
8. 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

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

9. 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 adjoining this property. Such fence removal or relocation may be deferred until such time as the then owner is directed by the Public Works Department of Yuba County to remove or relocate the fence(s). 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 and not within 15 feet from the top of the concrete lined drainage courses along the boundaries of this parcel.
10. Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.
11. 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.
12. 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

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any construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.

13. 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.
14. Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
15. 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.

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BUILDING DEPARTMENT:

16. New owner or occupant shall obtain all required permits for conversion to a storage and factory / manufacturing facility before any work is to be done on site.
17. Illegal occupants must be out of the structure or obtain all required permits, inspections and occupancy approval from all involved agencies and internal departments.

PLANNING DEPARTMENT:

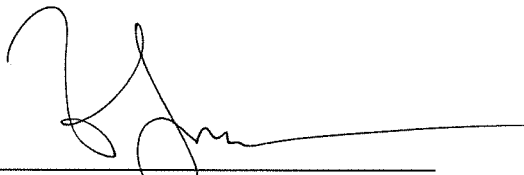
18. Minor modifications to the final site configuration may be approved by the Community Development and Services Director.
19. The proposed additions to the mini-storage facility shall be designed and operated in substantial conformance with the approved conditional use permit as described in the project 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
20. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense or as agreed by PG&E. There shall be no building of structures allowed under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
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 existing and future personal storage facilities shall be developed and operated in compliance with all requirements of Section 11.32.180 Personal Storage of the Yuba County Development Code.

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23. Landscaping shall be installed in compliance with Chapter 11.24 Landscape of the Yuba County Development Code. Prior to issuance of Building Permits applicant shall submit a landscape plan that shall be approved by the Planning Department. Screening shall be included in the proposed landscape plan in compliance with Section 11.19.080 Screening of the Yuba County Development Code.
24. All outdoor storage shall be in compliance with Section 11.19.070 Outdoor Storage of the Yuba County Development.
25. Moving vehicles and trailers shall not be parked or stored in the customer parking area.
26. All interim renters shall comply with Section 11.32.180 (D) and all applicable sections of the Yuba County Development Code.



Vanessa Franken, Planner I