



County of Yuba Community Development & Services Agency

Planning Department

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DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

MEETING DATE: February 06, 2020

TO: Development Review Committee

FROM: Vanessa Franken, Planner I

RE: Conditional Use Permit Amendment (CUP) 2019-0008;
Four Brothers International Inc.

REQUEST: The applicant is requesting to amend the Conditions of Approval for Conditional Use Permit (CUP) 2017-0004 to extend the project expiration to August 10, 2021. The project site is identified as Assessor's Parcel Number 013-232-018.

RECOMMENDATION: Staff recommends that the Development Review Committee (DRC) make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3) and approve the condition of approval amendments to CUP2017-0004.

BACKGROUND/DISCUSSION: The DRC originally approved CUP2017-0004, which consisted of 12-unit mobile home park and associated accessory structures, on August 10, 2017. The project is located at 4727 Ardmore Avenue (APN: 013-232-018) on a 2.31 acre parcel which is located in the community of Olivehurst. The property is zoned Medium Density Residential (RM) and is designated on the General Plan Land Use Diagram as Valley Neighborhood.

The project applicant has submitted an application for an amendment to the CUP, seeking to revise COA #5 and extend the expiration of the project by two years. As the applicant has moved forward with start of project construction, the applicant has experienced financial restraints that have hindered the continuation of its development (Attachment 1) and needs two additional years to complete the project. The project was scheduled to expire on August 10, 2019; however, with the submission of CUP amendment application the applicant received an expiration continuance until the DRC could review the request. If the DRC grants the requested amendment to COA #5, the CUP expiration will be extended to August 10, 2021.

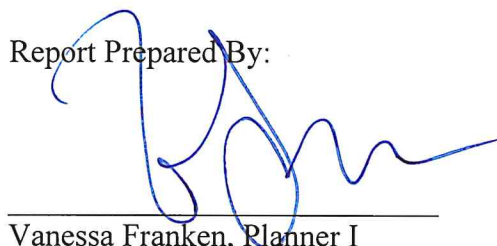
Section 11.32.190 (B)(11) of the Yuba County Development Code discusses that the hearing body, in this case the DRC, for Planned Mobile Home Parks has the authority to set fencing conditions for the project. Fencing requirements were overlooked by staff in the project's original 2017 approval and at this time staff recommends that the DRC approve fencing requirements for the project that will require the applicant to fence the north, east and southern boundary of the project with a high quality wood fencing material approved by the Planning Department.

ENVIRONMENTAL REVIEW: Staff has determined that the Conditional Use Permit amendment is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(3), General Rule, which exempts projects from further environmental review when a public agency has determined that the project will have no effect on the environment.

COMMENTS: The Planning Department circulated the project internally and to outside agencies and received the following comment letters:

FINDINGS: The necessary environmental review and Conditional Use Permit findings are contained in (Attachments 3) this report.

Report Prepared By:

A handwritten signature in blue ink, appearing to read 'Vanessa Franken', is written over a horizontal line.

Vanessa Franken, Planner I

ATTACHMENTS

1. Justification Letter
2. Original Site Plan
3. Original Conditions of Approval
4. Revised Conditions of Approval

Planning Department
Yuba County, California

Dated : 10/17/2019

Dear Sir/Madam:

I, Moin Shaikh, manager of Pirzada Trading LLC, request you to kindly grant us the two years extension in our permit (CUP2017-0004) expiring on Nov. 10, 2019. The reasons for requesting the extension are as follows:

1. When we started working on this project our designer had some family problem for which he had to go back home to Phillipine and when he came back he decided not to work any more and returned our Cadd file half way done.
2. We had to go and find another designer but this designer was already inundated with other project but finally he completed the project which later on approved by your department.

All these issues effected our financial situation and our account depleted gradually. Now we are planning to sell some of our properties in order handle this issue for which we need some time to complete this project.

I would really appreciate if you kindly allow us the extension for two years so that we can complete our project in a timely manner. Thanks

Sincerely,

A handwritten signature in black ink, appearing to read 'Moin', with a large, loopy flourish extending from the end.

Moin Shaikh – Manager
Pirzada Trading LLC
10353 Santo Court
Elk Grove, CA 95757
Ph: 916-667-2041



DESIGN CRITERIA:

WIND-35 M.P.H., EXPOSURE -B
SOL. PROFILE - S₃
REF. THE CALIFORNIA CODE OF REGULATIONS TITLE 24-2
REF. 2016 CALIFORNIA BUILDING CODE (CBC).
REF. 2016 CALIFORNIA ELECTRICAL CODE (CEC).
REF. 2016 CALIFORNIA MECHANICAL CODE (CMC).
REF. 2016 CALIFORNIA PLUMBING CODE (CPC).
REF. 2016 CALIFORNIA FIRE CODE (CFC).
REF. 2016 CALIFORNIA ENERGY CODE (AS AMENDED
BY STATE OF CALIFORNIA AND LOCAL JURISDICTION).

PROJECT ANALYSIS

IPN : 013-2320-180-00
LOADING - MR
OCCUPANCY - RESIDENTIAL.
CONSTRUCTION TYPE - W/TA, FRAMING
LOT SITE: 100,624 S.F. (2.31 ACRES)



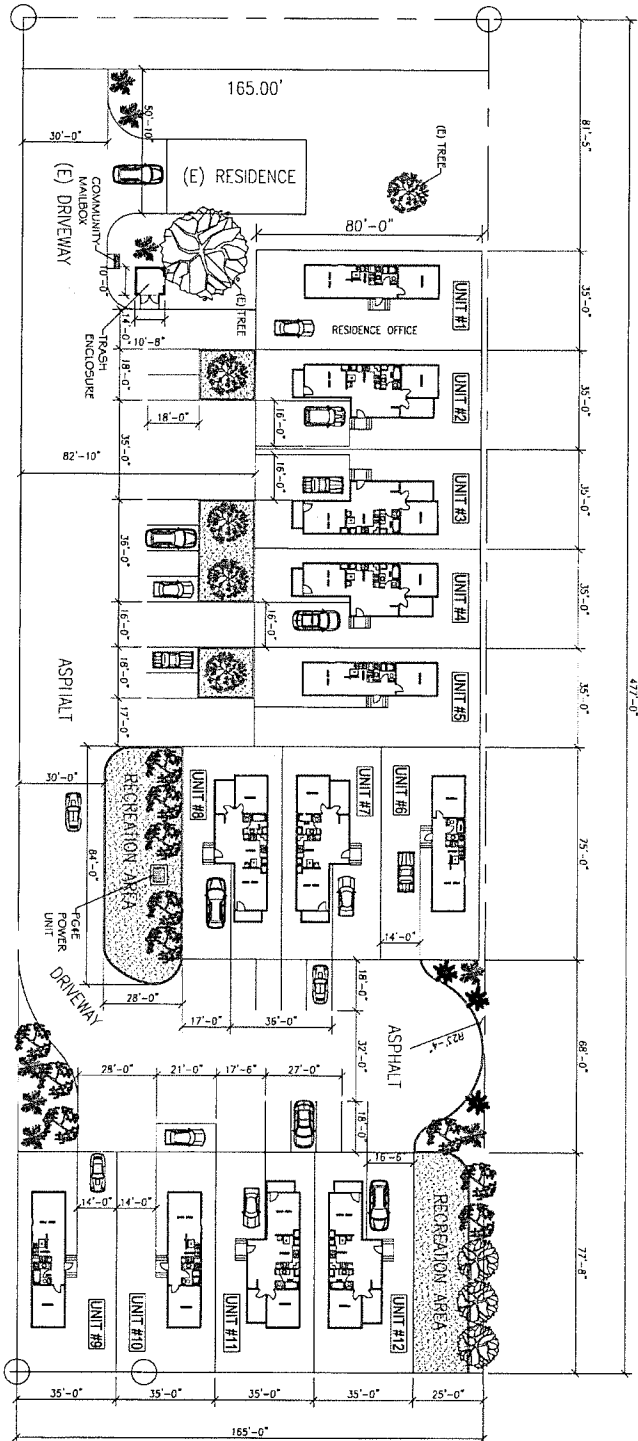
SITE PLAN 1" = 30'-0"

4727 ARDMORE AVE.
OILVEHURST CA 95961

DATE	3/22/20
SCALE	NOTE
DRAWN	HOWARD
JOB NO.	217-0
SHEET NO.	



H M DESIGN & DRAF
5104 HOMELAND C
ANTELOPE, CA 95
(916) 718-8125
howardm2@aol.co
CBN : 32011-5010



PROPOSED DRIVEWAY & PARKING 1" = 20'-0"



PROPOSE A MOBILE HOME PARK FOR:

4727 ARDMORE AVE.
OLIVEHURST, CA 95961

REVISIONS DATE



H.M. DESIGN & DRAFTING
1515 SHAW BLVD.
ANTIOCH, CA 95613
(916) 716-8125
hmdesignanddrafting.com

DATE 3/22/2017
SCALE NOTED
DRAWN HOWARD M.
JOB NO. 217-031E
SHEET NO.

2 OF SHEETS

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

Applicant: Four Brothers International, Inc.
Owner: Four Brothers International, Inc.
APN: 013-232-018

Case Number: CUP 2017-0004
DRC Hearing Date: August 10, 2017

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 15061(b)(3) (Review for Exemption).
- II. Approve Conditional Use Permit CUP2017-0004 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.

The Yuba County Development Code allows for a planned mobile home park with approval of a minor conditional use permit. Approval of the proposed project would make the project consistent and ensure compliance with all provisions of the Development Code and all other Yuba County Codes.

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

The project site is designated Valley Neighborhood on the Yuba County 2030 General Plan Land Use diagram. The Valley Neighborhood designation is intended to provide a mixed-use land use designation that provides for a range of both residential and non-residential uses. Allowing the operation of a mobile home park is consistent with the Valley Neighborhood land use designation which allows for residential uses.

- 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 mobile home park would help provide additional housing opportunities in an area that lacks a variety of residential housing. The community of Olivehurst has a lack of multi-family housing and the proposed project would contribute to the general well-being of the surrounding area.

- 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.

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The project site is located in a residential area of the community of Olivehurst and would not adversely impact the community or surrounding properties. The project has been conditioned to meet all Yuba County Code requirements and the requirements set forth by the California Department of Housing and Community Development.

- 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 mobile home park has been conditioned to meet all Planned Mobile Home Park requirements of the Yuba County Development Code and will meet all Medium Density Residential zoning designation development standards.

- 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 residential zoning designation which would be compatible with the proposed project.

- 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 is at a density of 6 unit/acre and is far less than the allowed maximum density of 39 units on the 2.31 acre parcel. Access is located off Ardmore Avenue an existing County maintained roadway. The proposed project has access to utilities that are existing in the area including but not limited to electricity, water and sewer. There are no physical constraints at the site and the project site is suitable for the proposed project.

- 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) Section 15061(b)(3) (Review for Exemption).

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STANDARD CONDITIONS:

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) The Conditional Use Permit may be effectuated at the end of the ten (10) day appeal period which is August 21, 2017. Conditional Use Permit CUP 2017-0004 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 August 10, 2019. 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 August 10, 2019.
- 6) Minor modifications to final configuration of the conditional use permit may be approved by the Community Development and Services Agency Director.

PUBLIC WORKS DEPARTMENT:

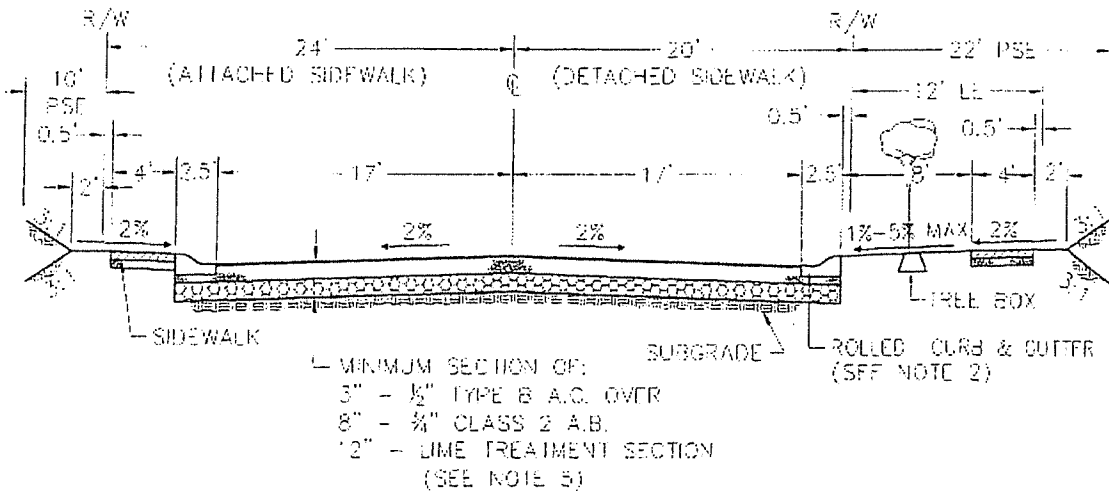
- 7) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 30 foot easement adjoining the centerline of Fleming Way, classed as an Urban Residential Road, lying within the bounds of this property.
- 8) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services (PSE) along the Ardmore Avenue and Fleming Way frontage of this property measured from the County's right of way line.

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- 9) Road construction along Ardmore Avenue and Fleming Way fronting this property shall meet the half-width requirements for a Urban Residential (Local) Road in conformance with the Yuba County Standard (Drawing No. 101) or as modified by the Public Works Director. Such standard includes curbs, gutters, with attached sidewalks.



(Refer to Drawing No. 101 for addition notes and requirements.)

- 10) The required road construction along Ardmore Avenue and Fleming Way fronting this property is hereby deferred by the Public Works Director under Section 11.46.060 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land, to defer the above frontage improvements, until such time as a building permit or other grant of development for each parcel 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.
- 11) Improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), and construction staking. Such approvals shall include the alignment and grades of roads and drainage facilities.

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- 12) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
 - 13) 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.
 - 14) If frontage improvements are not constructed, then all existing or proposed driveway encroachments onto Ardmere Avenue and Fleming Way shall conform to the current Yuba County Standards for a Rural Driveway (Drawing No. 127 and 128) or as approved by the Public Works Department under encroachment permits issued by the Department of Public Works.
 - 15) 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.
 - 16) Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.
 - 17) 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

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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.

- 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 Section 7.50 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.
- 19) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 20) 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.
- 21) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the parcels being created by this parcel map. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the parcel map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
- 22) 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.

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ENVIRONMENTAL HEALTH DEPARTMENT:

- 23) Owner shall submit to the Environmental Health Department a "Will Serve" letter from OPUD for water and sewer services and facilities for the project.
- 24) Owner shall connect trailer to OPUD for water and sewer services and facilities prior to building permit final inspection for occupancy.
- 25) Obtain and comply with State of California Housing and Community Development Mobile home park permit.

PLANNING DEPARTMENT:

- 26) The proposed mobile home park 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.
- 27) Major modifications shall require an amendment to the Conditional Use Permit.
- 28) 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 under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
- 29) All utility distribution facilities serving individual mobile home sites shall be placed underground. The owner of the property is responsible with complying with this requirement and shall make the necessary arrangements with each of the serving utilities for the installation of such facilities in compliance with Section 11.32.190 Planned Mobile Home Parks of the Yuba County Development Code.
- 30) 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.
- 31) Operator shall meet all requirements of the Feather River Air Quality Management District.
- 32) 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 revised landscape plan that includes the requirements located in Section 11.24.030(A)(1) and Section 11.32.190(B)(10)(a), which pertain to landscaping along Ardmore Avenue at the front of the mobile home park and landscaping in all open areas of the mobile home

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park except driveways, parking areas, walkways, utility areas, improved decks, patios, or porches.

- 33) Prior to occupancy the mobile home park shall provide individual washer and dryer units at each mobile home site or shall provide one or more laundry rooms for the mobile home park residents in compliance with Section 11.32.190(B)(16) of the Yuba County Development Code.
- 34) All mobile homes placed at the site shall include skirting or other County approved screening to screen the temporary foundation of each mobile home.
- 35) The proposed Mobile Home Park shall meet all requirements of Section 11.32.190 Planned Mobile Home Parks of the Yuba County Development Code.

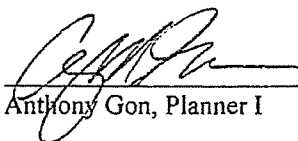
BUILDING DEPARTMENT:

- 36) Mobile homes placed at the mobile home park shall have the appropriate insignia issued by the Department of Housing and Community Development or Housing and Urban Development. Any mobile home shall obtain a permit from the Department of Housing and Community Development for placement of each mobile home.
- 37) Any structure not regulated by the Department of Housing and Community Development shall be required to obtain a permit from the Yuba County Building Department.

FIRE DEPARTMENT:

- 38) The proposed mobile home park shall meet the requirements of the California Fire Code Appendix C and Appendix D, pertaining to fire hydrant locations and fire apparatus access roads. Satisfaction of this condition shall be approved by Olivehurst Fire Department.

Kevin Perkins
Principal Planner



Anthony Gon, Planner I

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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 15061(b)(3) (Review for Exemption).
- II. Approve Conditional Use Permit CUP2019-0008 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 section 11.07.020, a mobile home park is allowed with the approval of a conditional use permit. A conditional use permit for the mobile home park was approved on August 11th, 2017. The applicant is requesting an amendment to the original conditional use permit to allow for an extended expiration date. Per section 11.53.110 (C), the Development Review Committee may approve up to a two (2) year extension from the Yuba County Development Code upon receipt of a written application with the required fee filed prior to the original expiration date of any permit or approval granted under the Yuba County Code. The approval of CUP2019-0008 would keep the project in compliance with applicable provisions of the Development Code and all other titles of the Yuba County Code.

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

The Yuba County Development Code allows for a planned mobile home park with approval of a minor conditional use permit, per section 11.07.020. Approval for CUP2017-0004 has previously been granted. The approval of CUP2019-0008, granting an extension to the expiration date, is in compliance with the provisions of the Development Code and all other titles of the Yuba County Code.

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

The project site is designated Valley Neighborhood on the Yuba County 2030 General Plan Land Use diagram. The Valley Neighborhood designation is intended to provide a mixed-use land use designation that provides for a range of both residential and non-residential uses. Allowing the operation of a mobile home park is consistent with the Valley Neighborhood land use designation which allows for residential uses.

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- d) 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 mobile home park would help provide additional housing opportunities in an area that lacks a variety of residential housing. The community of Olivehurst has a lack of multi-family housing and the proposed project would beneficially contribute to the general well-being of the surrounding area.

- e) 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 project site is located in a residential area of the community of Olivehurst and would not adversely impact the community or surrounding properties. The approved project has been conditioned to meet all Yuba County Code requirements and the requirements set forth by the California Department of Housing and Community Development. Extending the original expiration date will not adversely affect surrounding properties or community.

- f) 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 mobile home park has been conditioned to meet all Planned Mobile Home Park requirements of the Yuba County Development Code and will meet all Medium Density Residential zoning designation development standards.

- g) 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 residential zoning designation which would be compatible with the proposed project. Extending the original expiration date will keep the project compatible

- h) 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 is at a density of 6 unit/acre and is far less than the allowed maximum density of 39 units on the 2.31 acre parcel. Access is located of Ardmore

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Avenue an existing County maintained roadway. The proposed project has access to utilities that are existing in the area including but not limited to electricity, water and sewer. There are no physical constraints at the site and the project site is suitable for the proposed project.

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

Staff has determined the project is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(3) (Review for Exemption).

STANDARD CONDITIONS:

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) This Conditional Use Permit may be effectuated at the end of the ten (10) day appeal period which is February 17th, 2020. Conditional Use Permit CUP2019-0008 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. The expiration date for the project is August 10th, 2021.
- 5) Minor modifications to final configuration of the conditional use permit may be approved by the Community Development and Services Agency Director.

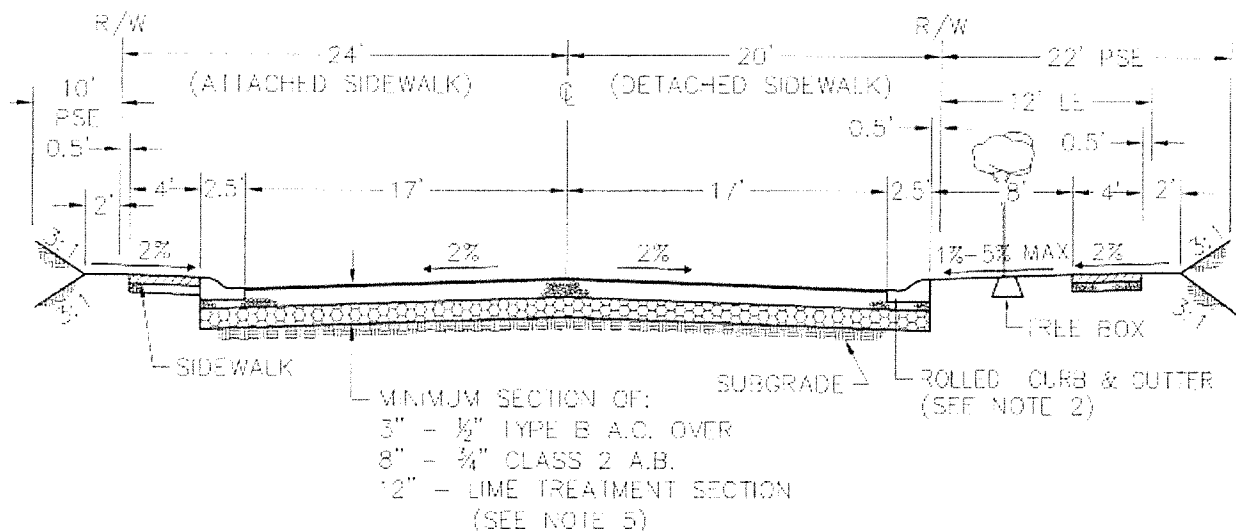
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PUBLIC WORKS DEPARTMENT:

- 6) Owner shall dedicate to the County of Yuba sufficient right-of-way easement to provide a 30 foot easement adjoining the centerline of Fleming Way, classed as an Urban Residential Road, lying within the bounds of this property.
- 7) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services (PSE) along the Ardmore Avenue and Fleming Way frontage of this property measured from the County's right of way line.
- 8) Road construction along Ardmore Avenue and Fleming Way fronting this property shall meet the half-width requirements for a Urban Residential (Local) Road in conformance with the Yuba County Standard (Drawing No. 101) or as modified by the Public Works Director. Such standard includes curbs, gutters, with attached sidewalks.



(Refer to Drawing No. 101 for addition notes and requirements.)

- 9) The required road construction along Ardmore Avenue and Fleming Way fronting this property is hereby deferred by the Public Works Director under Section 11.46.060 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land, to defer the above frontage improvements, until such time as a building permit or other grant of development for each parcel 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

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bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary.

- 10) Improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), and construction staking. Such approvals shall include the alignment and grades of roads and drainage facilities.
- 11) 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.
- 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.
- 13) If frontage improvements are not constructed, then all existing or proposed driveway encroachments onto Ardmore Avenue and Fleming Way shall conform to the current Yuba County Standards for a Rural Driveway (Drawing No. 127 and 128) or as approved by the Public Works Department under encroachment permits issued by the Department of Public Works.
- 14) 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.
- 15) Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak

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discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.

- 16) 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 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.
- 17) 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 Section 7.50 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.
- 18) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 19) 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.
- 20) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the parcels being created by this parcel map. Such easements shall have a minimum

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width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the parcel map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.

- 21) 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:

- 22) Owner shall submit to the Environmental Health Department a "Will Serve" letter from OPUD for water and sewer services and facilities for the project.
- 23) Owner shall connect trailer to OPUD for water and sewer services and facilities prior to building permit final inspection for occupancy.
- 24) Obtain and comply with State of California Housing and Community Development Mobile home park permit.

PLANNING DEPARTMENT:

- 26) The proposed mobile home park 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.
- 27) Major modifications shall require an amendment to the Conditional Use Permit.
- 28) 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 under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
- 29) All utility distribution facilities serving individual mobile home sites shall be placed underground. The owner of the property is responsible with complying with this requirement and shall make the necessary arrangements with each of the serving utilities for the installation of such facilities in compliance with Section 11.32.190 Planned Mobile Home Parks of the Yuba County Development Code.
- 30) 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

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use permit. Failure to maintain said physical improvement(s) in said manner may be used as grounds for revocation of this use permit.

- 31) Operator shall meet all requirements of the Feather River Air Quality Management District.
- 32) 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 revised landscape plan that includes the requirements located in Section 11.24.030(A)(1) and Section 11.32.190(B)(10)(a), which pertain to landscaping along Ardmore Avenue at the front of the mobile home park and landscaping in all open areas of the mobile home park except driveways, parking areas, walkways, utility areas, improved decks, patios, or porches.
- 33) Prior to occupancy the mobile home park shall provide individual washer and dryer units at each mobile home site or shall provide one or more laundry rooms for the mobile home park residents in compliance with Section 11.32.190(B)(16) of the Yuba County Development Code.
- 34) All mobile homes placed at the site shall include skirting or other County approved screening to screen the temporary foundation of each mobile home.
- 35) Per Section 11.32.190(B) (11), the applicant shall provide high quality wood fencing, at least 6' in height, along the north, east and south property lines.
- 36) The proposed Mobile Home Park shall meet all requirements of Section 11.32.190 Planned Mobile Home Parks of the Yuba County Development Code.

BUILDING DEPARTMENT:

- 37) Mobile homes placed at the mobile home park shall have the appropriate insignia issued by the Department of Housing and Community Development or Housing and Urban Development. Any mobile home shall obtain a permit from the Department of Housing and Community Development for placement of each mobile home.
- 38) Any structure not regulated by the Department of Housing and Community Development shall be required to obtain a permit from the Yuba County Building Department.

FIRE DEPARTMENT:

- 39) The proposed mobile home park shall meet the requirements of the California Fire Code Appendix C and Appendix D, pertaining to fire hydrant locations and fire apparatus access roads. Satisfaction of this condition shall be approved by Olivehurst Fire Department.

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Kevin Perkins, Principal Planner

Vanessa Franken, Planner I