PLANNING COMMISSION
STAFF REPORT

Hearing Date: May 20, 2020

Case Number: Tentative Subdivision Tract Map TSTM 2019-0003 and Conditional Use Permit CUP 2019-0004 (Yuba Heritage Estates)

Request: A request to subdivide 10.17-acre property into 92 residential parcels and a Conditional Use Permit to reduce the minimum lot size and width requirements in the RM (Medium Density Residential) Zoning District.

Location: 1886 Beale Road, approximately 0.35 miles east of Hammonton-Smartsville Road and N. Beale Road, in the Linda Community. (APN: 021-150-051-000)

Applicant: North Beale LLC, 2250 Douglas Blvd., Suite 200, Roseville, CA 95661

Engineer: MHM, 1204 E Street, P.O. Box B, Marysville, CA 95901

Recommendation: Adopt the attached resolution and approve the Tentative Subdivision Map TSTM 2019-0003 and Conditional Use Permit CUP 2019-0004

Background: The subject application proposes to create 92 residential lots on a 10.17 acre property located at 1886 Beale Road, approximately 0.35 miles east of Hammonton-Smartsville Road and N. Beale Road, in the Linda Community, APN: 021-150-051-000 (see attached Vicinity Map). According to the County Zoning Code, the site is located within the “RM” Medium Density Residential Zoning District which allows 6-17 residential units per acre for detached single-unit dwellings. The applicants are proposing 92 units, which is 9 dwelling units per acre (92 units /10.17 acres=9 units/acre). Therefore, they are within the allowed number of units for the “RM” Zoning District.

The application is also requesting a Conditional Use Permit to reduce the minimum lot width and lot area. The “RM” Zoning District requires a minimum lot width of 60 feet and a lot size of 6,000 square feet for interior lots and 7,365 square feet for corner lots. The applicants are proposing to create lots with a minimum lot width of 45 feet and a lot size of 3,150 square feet for interior lots and 4,200 square feet for corner lots.
The project proposes ingress/egress points from North Beale Road. There will be four new public roads (Yuba Heritage Way, Lake Way, Englebright Drive, Bullards Drive, and Colgate Drive). All new roads will be paved and built to County road standards. The project site is currently undeveloped with vegetation consisting of native grasses and weeds. The project site is located on flat land in the valley area of Yuba County. Surrounding properties include commercial uses, single-family residential, and multi-family residential.

All proposed parcels will be required to connect to Linda County Water District for water and sewer services and Linda County Fire Protection District would provide fire protection services.

**General Plan/Zoning:** As previously stated, the site is shown on the General Plan Land Use diagram as Valley Neighborhood and is located in a “RM” Medium Density Residential Use zoning district. The Valley Neighborhood land use classification is intended to allow a wide variety of residential, commercial, and public and quasi-public uses. As the Valley Neighborhood designation pertains to housing, it is intended to provide for a full range of housing types such as single-family apartments, condominiums, and other types of housing in single-use and mixed-use homes.

The “RM” Single-Family Residential zoning district would allow for a mixture of housing types in a low density (up to 17 units per acre) setting where public water and sewage facilities are available. The predominant housing type in the “RM” zoning district consists of single-family residential. The zoning district allows for a diversity of housing types in a medium density setting where public water and sewage facilities are available and provides a space for community facilities and neighborhood services needed to complement residential areas and for institutions which require a residential environment.

The project is located in the Valley Neighborhood land use designation of the 2030 General Plan. The Valley Neighborhood land use designation allows for both detached and attached single-family residences, small-lot single-family homes, second dwelling units, apartments, condominiums, and other types of housing in single-unit and mixed-use format. The project provides residential development at a density of 9 dwelling units per acre, thereby, staying consistent with medium density residential (up to 17 dwelling units per acre) called out in the Development Code for the “RM” zoning district.

The proposed project is consistent with the Valley Neighborhood land use designation and 2030 General Plan policies related to medium density single-family residential housing and new innovated housing products. The project is, also, consistent with all the development standards contained in the Development Code.
Surrounding Uses:

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<th>EXISTING LAND USE</th>
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<td>Commercial Services and Apartments</td>
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<td>Valley Neighborhood</td>
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Discussion: Projects are evaluated for consistency with the County’s General Plan, conformance with the County’s Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area surrounding the project. In the case of addressing project impacts to health, safety, and welfare, specific findings need to be met for each entitlement. Below are the findings for each project entitlement needed for project approval.

Tentative Subdivision Tract Map:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, this Code, and other applicable provisions of the County Code. A proposed subdivision shall be considered consistent with the General Plan or a specific plan only when the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan;

The project site is designated as Valley Neighborhood on the 2030 General Plan Land Use diagram and is within the “RM” Zoning Designation. The proposed project is consistent with the character of the General Plan and Zoning Designation (See General Plan/Zoning Section above for consistency).

2. The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accordance with Section 66473.1 of the Subdivision Map Act; and

The orientation and size of the proposed lots will allow opportunity to align the residence to have a southern exposure and shade/prevailing breezes.

3. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with Section 66473.7 of the Subdivision Map Act.

The proposed development does not include more than 500 dwelling units.
Conditional Use Permit:
1. *The lot size and project density are consistent with the General Plan and do not exceed the maximum density of the zone district;*

   The project provides residential development at a density of 9 dwelling units per acre, thereby, staying consistent with the lower density residential (up to 17 dwelling units per acre) called out in the Development Code for the “RM” zoning district.

2. *The lots and associated development would not adversely affect adjoining uses;*

   The adjoining uses to the north, south, east, and west are all single or multi-family residential in nature. The proposed use would complement the surrounding uses.

3. *Additional site and building design elements are in evidence; and*

   The applicant will have to submit unique elevations and floor plans for the proposed subdivision during the Master Plan Phase.

4. *The lot size is acceptable considering site topography, public-street access, availability of utilities, existing neighborhood characteristics, including the average density of surrounding development.*

   The residential portion of the project is 10.17 acres in size and physically capable for the proposed development. The proposed project site is currently vacant and relatively flat and without any physical or biological constraints that would limit full utilization of the site. The lot has public-street access via North Beale Road, has access to public water and utilities via the Linda County Water District, and is surrounded by commercial and single and multi-family residential uses.

Environmental Review: Staff has determined this project exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15061, (Review for Exemption). CEQA Section 15061 exempts projects from further environmental review when a public agency has determined that the project will have no effect on the environment. The project site was evaluated for Environmental Impacts as a part of the Yuba County 2030 General Plan Environmental Impact Report (EIR).

Furthermore, the site is relatively flat with native grasses and there are no native oak trees or any other sensitive biological and/or cultural resources known on the project site. The 2030 General Plan EIR analyzed increase traffic in the project area and traffic impacts from 92 additional home sites in that document. The Linda County Water District has availability for water and sewer so there are no impacts to water and sewer availability. Linda County Fire District and the Yuba County Sheriff’s Department have reviewed project plans and have determined that there will not be any impacts to emergency services.
**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.
- **Reclamation District 784** – Within boundaries, but outside internal drainage basins.
- **Linda Fire Protection District** – No opposition with all homes equipped with approved automatic sprinkler system.

**Attachments:**

1. Resolution
2. Subdivision Map
3. Conditions of Approval
4. Comment Letters

Report Prepared By:

[Signature]

Ciara Fisher
Planner II
BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION

RESOLUTION RECOMMENDING THE
BOARD OF SUPERVISORS FIND THE
PROJECT EXEMPT FROM
ENVIRONMENTAL REVIEW AND APPROVE
TSTM 2019-0003 AND CUP 2019-0004
SUBJECT TO THE ATTACHED
CONDITIONS OF APPROVAL

RESOLUTION NO.: ________

WHEREAS, North Beale LLC, filed an application for a Tentative Subdivision Tract Map to subdivide a 10.17-acre property into 92 residential parcels and a Conditional Use Permit to reduce the minimum lot size and width requirements. This project is located at 1886 Beale Road, approximately 0.35 miles east of Hammonton-Smartsville Road and N. Beale Road, in the Linda Community at Assessor’s Parcel Numbers: 021-150-051.; 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 15061 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.

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 recommends that the Board of Supervisors finds the project exempt from further environmental review pursuant to Section 15061 of the California Environmental Quality Act adopts, incorporated herein by reference, and approves Tentative Subdivision Tract Map TSTM 2019-0003 and Conditional Use Permit CUP 2019-004; 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

BY: ____________________________

APPROVED AS TO FORM:  
County Counsel

BY: ____________________________

Page 2 of 2
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: North Beale, LLC  Case Number: TSTM 2019-0003 & CUP 2019-0004
APN: 021-150-051-000  Public Hearing Date: May 20, 2020

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 prior to filing of the Final Map.

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 including the requirements provided by the Subdivision Map Act (Government Code Section 66410 and following) and Chapter 11.15 of the Yuba County Ordinance Code.

4) Unless specifically provided otherwise herein, all references to the Final Map, Final Maps, or to the Final Subdivision Map contained herein shall also mean a map or maps prepared for recordation of each phase of development if the project is to be phased.

5) Notwithstanding the provisions of any other of these Conditions of Approval, this map cannot be recorded until expiration of the 10-day appeal period which begins the day following the date of approval. The expiration date of the appeal period is June 1, 2020 at 5:00 p.m.

6) This tentative map shall expire 36 months from the effective date of approval unless extended pursuant to Chapter 11 of the Yuba County Ordinance Code.

PUBLIC WORKS DEPARTMENT:

7) 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 tentative map.

8) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a fifty (50) foot strip of land adjoining the centerline of North Beale Road, classified as an Urban Minor Arterial, lying within the bounds of this property. The right-of-way shall be widened sufficiently to accommodate the proposed transit stop along the frontage of this property.

9) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple strips of land forty-four (44) feet in width including fifty-three (53)-foot knuckles for the internal access streets as shown on the Tentative Tract Map. There shall be sidewalk on one side of the roadway as shown on the tentative map. The right-of-way line shall be located 0.50 foot behind the back of sidewalk or 0.50 foot behind curb if no sidewalk. Such internal roads shall include two access connections to North Beale Road.
10) The following note shall be included in the Grant Deed to the County of Yuba: “Should the Board of Supervisors of the County of Yuba determine that the public purpose for which property was dedicated in fee simple no longer exists, or the property or any portion thereof is not needed for public utilities, the County of Yuba shall reconvey the above described property to the Grantor, whose address is 2250 Douglas Blvd, Suite 200, Roseville, CA. 95661 or to the successor(s) in interest pursuant to Government Code Section 66477.5.”

11) Owner shall dedicate to the County of Yuba ten (10)-foot easements as shown on the tentative map to direct drainage from the abandoned ditch or to the new pipeline located in the old ditch alignment. The ditch along the southern property boundary shall be abandoned and a pipeline installed or a pipeline installed in the roadway to handle relocated drainage, or as approved by the Public Works Director.

12) Owner shall dedicate to the County of Yuba sufficient easement along the southern property boundary measured to fifteen (15) feet north of the open drainage channel that runs along the southern boundary. This condition will not be required if the open ditch is piped. No easement shall be required if pipeline is located in roadway.

13) Owner shall dedicate to the County of Yuba sufficient drainage easements as may be necessary to convey runoff from the property and/or to comply with Post Construction storm water quality issues.

14) Owner shall provide and offer to dedicate to the County of Yuba a ten (10)-foot easement for public services, street signs, traffic safety signs, and streetlights along the interior street frontages of this property measured from the County’s right-of-way line.

15) Street construction along North Beale Road shall meet the requirements for an Urban Arterial Road as modified for the North Beale Road Project as shown on the tentative map, including a solid wall along the frontage of North Beale Road, the installation of landscaping and irrigation system between the sidewalk and the solid wall, and modifying the center median at the easterly roadway connection to provide access through the median for the development as approved by the Public Works Director.
16) Street construction for the interior streets as shown on the tentative map shall meet the requirements for an Urban Residential (Local) Road in conformance with the Yuba County Standards (Drawing No. 101) with sidewalk located only on one side of the roadway or as modified by the Public Works Director. Such standard includes curbs, gutters, with an attached sidewalk on one side of the roadway.

URBAN RESIDENTIAL (LOCAL) ROAD

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

17) 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.

18) 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.

19) Owner shall concrete line the open drainage channel along the southern boundary of this property or pipe the channel per the requirements of the Public Works Department.

20) Owner shall submit a streetlight plan for approval along with the improvement plans. Streetlights shall be LED type models and be maintained by Pacific Gas and Electric (PG&E).

21) 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.

22) Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the decision-making authority (section 11.40.040 (G) of Yuba County Ordinance Code).

23) 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.

24) Frontage access rights for ingress and egress along the entire frontage of North Beale Road is restricted and are to be dedicated to Yuba County, except for the one street opening and one paseo opening into and out of the development.

25) Owner shall warranty all improvements required by these Conditions of Approval for a period of twelve (12) months from the time the improvements are accepted by the Public Works Department and a Notice of Completion is recorded.

26) Owner shall provide a twelve (12) month warranty bond for all street and drainage improvements required by these conditions of approval. The warranty bond period will commence after the Notice of Completion is recorded.

27) Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits required have been obtained, examples of those that might be required are: 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 Wildlife, and pre-construction surveys for special status species.

28) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, it is required to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS0000004, 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](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 (BMPs) 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.

29) Owner shall submit an erosion and sediment control plan for the project, designed by a registered civil engineer, to the Department of Public Works for review and approval prior to each phase of construction and/or grading permit. Erosion and sediment control measures shall conform to Section 11 of the Yuba County Improvement Standards and all Yuba County Ordinance Codes. Owner shall implement such erosion and sediment control measures as per the approved plan prior to construction or grading.

30) Owner shall comply with all the requirements set forth in the County’s Post-Construction Standards Plan. Owner shall also comply and be legally responsible for all post-construction requirements contained within the General Permit for Waste Discharge Requirements for storm water discharges from small municipal separate storm sewer systems (Order No. 2013-0001-DWQ). Prior to approval of any improvement plans, owner shall submit to the Public Works Department all pertinent information as required in the County’s Post-Construction Standards Plan, Section 5.6 for review and approval.

31) Prior to approval of any improvement plans, owner shall submit to the Public Works Department an Operation & Maintenance (O&M) Plan and a Statement of Responsibility committing to conduct regular inspections and maintenance of the installed storm water treatment control facilities. The Statement of Responsibility indicates the current property owner’s acceptance of responsibility for the on-going operation, inspection, and maintenance of the treatment control measures until the property and/or responsibility is legally transferred to another entity (such as the new property owner or a maintenance district).

32) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.

33) Owner shall be responsible for giving sixty (60) days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.

34) Owner shall name all roads in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.

35) Owner shall provide all necessary street signs and pavement markings, including, but not limited to, street name signs, stop signs, speed limit signs, stop legends, limit lines, and crosswalks, as required by the Public Works Department.

36) 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 required by this division or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication required by this division, existing County easements or right-of-ways. 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).

37) Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for street light location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Service Easement. Owner shall provide a letter from the Postal Service to the County Surveyor stating that the location of the centralized mail delivery unit or units comply with their requirements and that they have no objection to the filing of the final map.

38) Approximate centerlines of all perennial streams or ditches within this division shall be shown on the Tentative Map.

39) Should a fire suppression system be required by the Fire Safe Planner for compliance with the Yuba County Fire Safe Standards and the Uniform Fire Code, which facilities may include a community water supply system, wells, water storage tanks, etc., Owner shall provide easements as necessary for such system for the benefit of each lot within the final map.

40) 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 lots being created by this final 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 final map. Any relocation or rearrangement of the public service provider’s facilities to accommodate this project shall be at the Owner’s expense.

41) Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to filing the Final Map.

42) Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the Final Map. An updated Subdivision Map Guarantee shall be provided 1 week prior to filing the final map with the Yuba County Recorder.

43) Prior to filing the Final Map, the owner shall annex into County Service Area 52C (provided by Government Code section 25210.1 and following) or other entity acceptable to County to provide for road, drainage, masonry wall, landscaping and irrigation maintenance, and other required services on terms and conditions acceptable to the County.

44) Owner shall petition to be assessed for County Service Area 70 (CSA 70) prior to filing the Final Map.

45) Owner shall have the property surveyed and have corner monuments placed at all lot corners in conformance with requirements of the County Surveyor, chapter 11.41 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).
46) 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.

47) All easements of record that affect this property are to be shown on the Final Map.

48) Prior to submitting the final map to the Recorder’s Office for filing, all outstanding County fees due to the Community Development and Services Agency departments shall be paid in full.

49) Owner shall submit a copy of the final map for review by the Planning Department for conformance with the Department’s conditions of approval, mitigation measures or other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the final map is found to be in conformity with the Department's conditions of approval, mitigation measures and requirements shall be received by the County Surveyor.

50) Owner shall submit a copy of the final map for review by the Environmental Health Department for conformance with the Department’s conditions of approval and other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Environmental Health Department Director which states that the final map has been found to be in conformity with the Environmental Health Department conditions and requirements and that it is in conformance with the requirements of Chapter 7.07 of the Yuba County Ordinance Code shall be received by the County Surveyor.

51) Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.

52) Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the District’s requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda Fire Protection District is to be submitted to the County Surveyor which states that the District’s requirements have been met and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT:

53) Owner shall connect parcel(s) 1-92 to Linda County Water District for water and sewer services and facilities prior to building permit final inspection for occupancy.

54) Owner shall submit to Environmental Health a "Will Serve" letter from Linda County Water District for water and sewer services and facilities for parcel(s) 1-92.

55) All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant/Owner: North Beale, LLC   Case Number: TSTM 2019-0003 & CUP 2019-0004
APN: 021-150-051-000   Public Hearing Date: May 20, 2020

56) All existing trash and debris shall be removed from the subject site.

57) All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81".

LINDA FIRE PROTECTION DISTRICT

58) The additional single-family residences proposed will require additional manpower and equipment to protect. Owner shall be required to participate in funding mechanisms established for services and facilities within the Tentative Subdivision Tract Map as determined by the Linda Fire Protection District. This requirement is currently anticipated to be met by annexation of the subject project into CSA 52.

59) All dwelling units shall be equipped with an approved automatic sprinkler system.

PLANNING DEPARTMENT

60) Lot design on the Final Subdivision Map shall be in conformance with the approved Tentative Map as filed with the Community Development Department. The Community Development Director may approve minor modifications to the final configuration; however, the number of lots shall not exceed that shown on the approved tentative map.

61) Any relocation or arrangement 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 easements that exist within the subject area.

62) A screening wall shall be installed along the following proposed lots: Village No. 1 Lots 1, 2, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36.

Ciara Fisher
Planner II
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 tentative map.

6) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a fifty (50) foot strip of land adjoining the centerline of North Beale Road, classified as an Urban Minor Arterial, lying within the bounds of this property. The right-of-way shall be widened sufficiently to accommodate the proposed transit stop along the frontage of this property.

7) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple strips of land forty-four (44) feet in width including fifty-three (53)-foot knuckles for the internal access streets as shown on the Tentative Tract Map. There shall be sidewalk on one side of the roadway as shown on the tentative map. The right-of-way line shall be located 0.50 foot behind the back of sidewalk or 0.50 foot behind curb if no sidewalk. Such internal roads shall include two access connections to North Beale Road.

8) The following note shall be included in the Grant Deed to the County of Yuba: “Should the Board of Supervisors of the County of Yuba determine that the public purpose for which property was dedicated in fee simple no longer exists, or the property or any portion thereof is not needed for public utilities, the County of Yuba shall reconvey the above described property to the Grantor, whose address is 2250 Douglas Blvd, Suite 200, Roseville, CA. 95661 or to the successor(s) in interest pursuant to Government Code Section 66477.5.”

9) Owner shall dedicate to the County of Yuba ten (10)-foot easements as shown on the tentative map to direct drainage from the abandoned ditch or to the new pipeline located in the old ditch alignment. The ditch along the southern property boundary shall be abandoned and a pipeline installed or a pipeline installed in the roadway to handle relocated drainage. or as approved by the Public Works Director.

10) Owner shall dedicate to the County of Yuba sufficient easement along the southern property boundary measured to fifteen (15) feet north of the open drainage channel that runs along the southern boundary. This condition will not be required if the open ditch is piped. No easement shall be required if pipeline is located in roadway.

11) Owner shall dedicate to the County of Yuba sufficient drainage easements as may be necessary to convey runoff from the property and/or to comply with Post Construction storm water quality issues.

12) Owner shall provide and offer to dedicate to the County of Yuba a ten (10)-foot easement for public services, street signs, traffic safety signs, and streetlights along the interior street frontages of this property measured from the County’s right-of-way line.

13) Street construction along North Beale Road shall meet the requirements for an Urban Arterial Road as modified for the North Beale Road Project as shown on the tentative map, including a solid wall along the frontage of North Beale Road, the installation of landscaping and irrigation system between the
sidewalk and the solid wall, and modifying the center median at the easterly roadway connection to provide access through the median for the development as approved by the Public Works Director.

14) Street construction for the interior streets as shown on the tentative map shall meet the requirements for an Urban Residential (Local) Road in conformance with the Yuba County Standards (Drawing No. 101) with sidewalk located only on one side of the roadway or as modified by the Public Works Director. Such standard includes curbs, gutters, with an attached sidewalk on one side of the roadway.

**URBAN RESIDENTIAL (LOCAL) ROAD**

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

15) 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.

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) Owner shall concrete line the open drainage channel along the southern boundary of this property or pipe the channel per the requirements of the Public Works Department.

18) Owner shall submit a streetlight plan for approval along with the improvement plans. Streetlights shall be LED type models and be maintained by Pacific Gas and Electric (PG&E).

19) 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.
20) Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the decision-making authority (section 11.40.040 (G) of Yuba County Ordinance Code).

21) 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.

22) Frontage access rights for ingress and egress along the entire frontage of North Beale Road is restricted and are to be dedicated to Yuba County, except for the one street opening and one paseo opening into and out of the development.

23) Owner shall warranty all improvements required by these Conditions of Approval for a period of twelve (12) months from the time the improvements are accepted by the Public Works Department and a Notice of Completion is recorded.

24) Owner shall provide a twelve (12) month warranty bond for all street and drainage improvements required by these conditions of approval. The warranty bond period will commence after the Notice of Completion is recorded.

25) Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits required have been obtained, examples of those that might be required are: 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 Wildlife, and pre-construction surveys for special status species.

26) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, it is required to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at http://www.swrcb.ca.gov/stormwtr/construction.html. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP’s) and must be reviewed by the Yuba County Public Works Department prior to the Department’s approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County’s Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.
27) Owner shall submit an erosion and sediment control plan for the project, designed by a registered civil engineer, to the Department of Public Works for review and approval prior to each phase of construction and/or grading permit. Erosion and sediment control measures shall conform to Section 11 of the Yuba County Improvement Standards and all Yuba County Ordinance Codes. Owner shall implement such erosion and sediment control measures as per the approved plan prior to construction or grading.

28) Owner shall comply with all the requirements set forth in the County’s Post-Construction Standards Plan. Owner shall also comply and be legally responsible for all post-construction requirements contained within the General Permit for Waste Discharge Requirements for storm water discharges from small municipal separate storm sewer systems (Order No. 2013-0001-DWQ). Prior to approval of any improvement plans, owner shall submit to the Public Works Department all pertinent information as required in the County’s Post-Construction Standards Plan, Section 5.6 for review and approval.

29) Prior to approval of any improvement plans, owner shall submit to the Public Works Department an Operation & Maintenance (O&M) Plan and a Statement of Responsibility committing to conduct regular inspections and maintenance of the installed storm water treatment control facilities. The Statement of Responsibility indicates the current property owner’s acceptance of responsibility for the on-going operation, inspection, and maintenance of the treatment control measures until the property and/or responsibility is legally transferred to another entity (such as the new property owner or a maintenance district).

30) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.

31) Owner shall be responsible for giving sixty (60) days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.

32) Owner shall name all roads in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.

33) Owner shall provide all necessary street signs and pavement markings, including, but not limited to, street name signs, stop signs, speed limit signs, stop legends, limit lines, and crosswalks, as required by the Public Works Department.

34) 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 required by this division or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication required by this division, existing County easements or right-of-ways. 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).

35) Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for street light location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Service Easement. Owner shall provide a letter from the Postal Service to the County Surveyor stating that the location of the centralized mail delivery unit or units comply with their requirements and that they have no objection to the filing of the final map.
36) Approximate centerlines of all perennial streams or ditches within this division shall be shown on the Tentative Map.

37) Should a fire suppression system be required by the Fire Safe Planner for compliance with the Yuba County Fire Safe Standards and the Uniform Fire Code, which facilities may include a community water supply system, wells, water storage tanks, etc., Owner shall provide easements as necessary for such system for the benefit of each lot within the final map.

38) 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 lots being created by this final 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 final map. Any relocation or rearrangement of the public service provider’s facilities to accommodate this project shall be at the Owner’s expense.

39) Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to filing the Final Map.

40) Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the Final Map. An updated Subdivision Map Guarantee shall be provided 1 week prior to filing the final map with the Yuba County Recorder.

41) Prior to filing the Final Map, the owner shall annex into County Service Area 52C (provided by Government Code section 25210.1 and following) or other entity acceptable to County to provide for road, drainage, masonry wall, landscaping and irrigation maintenance, and other required services on terms and conditions acceptable to the County.

42) Owner shall petition to be assessed for County Service Area 70 (CSA 70) prior to filing the Final Map.

43) Owner shall have the property surveyed and have corner monuments placed at all lot corners in conformance with requirements of the County Surveyor, chapter 11.41 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).

44) 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.

45) All easements of record that affect this property are to be shown on the Final Map.

46) Prior to submitting the final map to the Recorder’s Office for filing, all outstanding County fees due to the Community Development and Services Agency departments shall be paid in full.

47) Owner shall submit a copy of the final map for review by the Planning Department for conformance with the Department’s conditions of approval, mitigation measures or other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the final map is found to be in conformity with the Department’s conditions of approval, mitigation measures and requirements shall be received by the County Surveyor.

48) Owner shall submit a copy of the final map for review by the Environmental Health Department for conformance with the Department’s conditions of approval and other requirements. Before the final
map can be filed with the Yuba County Recorder, a statement from the Environmental Health Department Director which states that the final map has been found to be in conformity with the Environmental Health Department conditions and requirements and that it is in conformance with the requirements of Chapter 7.07 of the Yuba County Ordinance Code shall be received by the County Surveyor.

49) Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.

50) Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the District’s requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda Fire Protection District is to be submitted to the County Surveyor which states that the District’s requirements have been met and that there are no objections to filing the final map.
ENVIRONMENTAL HEALTH DIVISION
CONDITIONS OF APPROVAL
TSTM 2019-0003

1. Owner shall connect parcel(s) 1-91 to Linda County Water District for water and sewer services and facilities prior to building permit final inspection for occupancy.

2. Owner shall submit to Environmental Health a "Will Serve" letter from Linda County Water District for water and sewer services and facilities for parcel(s) 1-91.

3. All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.

4. All existing trash and debris shall be removed from the subject site.

5. All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81".
Code Enforcement does not have any comments about this project.

Thanks,

Melanie Marquez
Code Enforcement Supervisor
County of Yuba, CDSA
(530) 749-5430 – Main
(530) 749-5643 – Direct
(530) 749-5616 – Fax
mmarquez@co.yuba.ca.us

From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>
Sent: Friday, August 16, 2019 11:27 AM
To: Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Boeck, Van <vboeck@CO.YUBA.CA.US>; Marquez, Melanie <mmarquez@CO.YUBA.CA.US>
Cc: Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Burns, Danny <dburns@CO.YUBA.CA.US>; Peterson, Daniel <dpeterson@CO.YUBA.CA.US>; Lee, Mike G. (Public Works Dept) <mlee@co.yuba.ca.us>; Pickell, Clark <CPickell@CO.YUBA.CA.US>; Strang, Jeremy <JStrang@CO.YUBA.CA.US>; Kaiser, Pam <pkaiser@yubacounty.onmicrosoft.com>
Subject: TSTM 2019-0002 & CUP 2019-0004 - Yuba Heritage Estates

Hello All,

Please provide comments for Yuba Heritage Estates, a Tentative Subdivision Tract Map (TSTM2019-0003) and Major Conditional Use Permit (CUP2019-0004) located at 1886 Beale Road, approximately 0.35 miles east of Hammonton-Smartsville Road and N. Beale Road, in the Linda Community. All documents are on TrakIt. Please forward any comments you may have, as well as COA, by Tuesday September 10th.
Ciara Fisher- RD784 staff reviewed the application and determined the parcels are within the RD784 Boundary but outside internal drainage basins. These parcels are not subject to RD784 impact fees. The District has no opposition to the proposed development.

With Kindest Regards,

Steven L. Fordice, General Manager
Reclamation District 784
1594 Broadway
Arboga, CA 95961
530-742-0520

This electronic message contains information from Steven L. Fordice which is confidential or privileged information. The information is intended to be sent to the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying or distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at 530-742-0520.
August 27, 2019

Ms. Ciara Fisher, Planner II
County of Yuba Planning Department
915 8th Street
Marysville, CA 95901

Re: Request for Comments – Early Consultation, Tentative Subdivision Tract
    Map: TSTM 2019-0093 (Yuba Heritage Estates)

Dear Ms. Fisher:

In response to your request on the above referenced project, the District submits the following comments:

1. The Linda Fire Protection District is very concerned with the plan to add 91 lots with a single point of entry/exit into and out of the subdivision. A second point of access/exit should be included, preferably in the area currently shown as lot 25 on the map.

2. The additional single-family residences proposed will require additional manpower and equipment to protect. Owner shall be required to participate in funding mechanisms established for services and facilities within the Tentative Subdivision Track Map as determined by the Linda Fire Protection District. This requirement is currently anticipated to be met by annexation of the subject project into CSA 52.

Sincerely,

Richard H. Webb
Chief
Ms. Fisher:

In reference to the Linda Fire Protection District’s previous comments on the above referenced project:

The District indicated a second point of access/exit should be included, preferably in the area currently shown as lot 25 on the proposed map.

I am rescinding that comment, as upon further research of the California Fire Code, there is an exemption of the requirement for a second approved fire apparatus access road when all dwelling units are equipped throughout with an approved automatic sprinkler system.

Richard H. Webb
Fire Chief
Linda Fire Protection District
530-743-1553