

November 27, 2002

To: Sutter County Planning Commission

Re: Agenda Item #6: Public hearing on Rezoning #02-03 to rezone a portion of the subject parcel from the C-2 (General Commercial) District to the C-M (Commercial-Industrial) District; and

Agenda Item #7: Public hearing on Design Review #02-01 for a proposed 5,400 square foot contractor's warehouse and yard area; C-2 (General Commercial) District; located at the southwest corner of Butte House Road and Tierra Buena Road, Yuba City; A. P. #17-133-015; applicant - Tiffco Electric/property owner - Long Family Trust (Location: District 3 - Commissioner Barringer)

Current Proposal

A. Project Description:

The applicant is requesting a rezone of an approximate .33 acre portion of the subject .82 acre parcel from the C-2 (General Commercial) District to the C-M (Commercial-Industrial) District in order to accommodate a proposed 5,400 square foot contractor's warehouse and yard area. The Sutter County Zoning Code requires design review for proposed buildings within the commercial or industrial zone districts.

B. Environmental Consideration:

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act and the Guidelines. The study revealed that the project, as proposed, would not have a significant impact on the environment. Staff therefore recommends the Commission adopt the attached Negative Declaration.

Background

A. Property Description:

The subject site is .82 acres in size and is currently vacant.

B. Surrounding Land Use, Zoning District and General Plan Designation:

| | Use | Zoning | General Plan |
|-------------------------|-----------------------------------|---------------|---------------------|
| Subject Property | Vacant | C-2 | COM |
| North | Vacant | C-2, C-2 PD | COM |
| East | Vacant, residences | C-2, R-1-A. | COM, LDR |
| South | Church, residences | R-1, R-1-A | LDR |
| West | Gas station/mini mart, residences | C-2, R-2 | COM, LDR |

C. Previous Commission Action/Policies

In 1972, the Planning Commission approved Tentative Parcel Map #12 which created the subject parcel.

Staff Comments

A. Environmental Health (EH):

The Environmental Health Division has recommended the following condition for the project:

Prior to Environmental Health approval, a design sewage disposal system as indicated in the letter dated October 26, 2001, or a design system which will comply with current standards shall be submitted for review. Said system layout must show both initial and the required replacement field located on the subject parcel. Both replacement and initial soil treatment areas shall not be located under pavement or in an area subject to vehicle traffic.

B. Building Inspection (BI):

No comments.

C. Public Works Department (PW):

The Public Works Department recommends the following conditions for the project:

1. The Department of Public Works requires that street paving, curbs and gutters, and sidewalk improvements be made to the property frontage along Butte House Road and Tierra Buena Road.

Improvement plans and construction of the items above that become the maintenance responsibility of the County, shall be approved by the Director of Public Works.

2. A 10-foot Public Utility Easement (P.U.E.) shall be deeded to Sutter County along the property frontage of Butte House Road and Tierra Buena Road.
3. Encroachment permits are to be obtained from the Public Works Department for any new driveway or road connections to be made to existing County roads. Construct new driveway(s) to current County standards.
4. Building pads shall be at elevations in conformance with Section 1300-022(F) of the Sutter County Ordinance Code, as defined by Resolution No. 92-124.

D. Office of the Sheriff/Coroner (S/C):

The Sheriff/Coroner responded there is no anticipated impact to services provided by their department as a result of the project.

E. Pacific Gas and Electric Company (PG&E):

PG&E recommends the following condition:

Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developer's/applicant's expense. There shall be no building of structures allowed under or over any PG&E facilities or inside any PG&E easements that may exist within the subject project site.

F. Yuba City Planning Department (YC):

See attached Exhibit F.

G. Planning (P):

Rezoning

The proposed rezoning is consistent with the property's Commercial General Plan Land Use Designation (Table 3, General Plan Policy Document). The General Plan states that the Commercial designation "is intended to encompass the existing community and regional commercial areas where general commercial and retail sales facilities are necessary for public service and convenience." According to the General Plan, typical land uses include service stations, restaurants, motels, retail nursery sales, banks, business offices, food, drug, and clothing stores, music and dancing studios, and art and antique shops. The Commercial designation also accommodates commercial industrial uses such as repair garages, automobile sales and service, warehouses and wholesale distribution, garden supply and pre-cut retail lumber sales within buildings and storage within fenced yards.

With regard to industrial uses, Policy 1.E-3 of the General Plan states the following:

“The County encourages industrial uses to be developed in contiguous or generally consolidated areas to reduce the potential for conflicts with surrounding uses.”

There are no areas in the vicinity of the project site that are currently zoned C-M. Surrounding zoning includes C-2, C-2 PD, R-1, R-1-A, and R-2. Except for the gas station/mini mart located west of the subject property at the intersection of Butte House Road and Villa Avenue, there are no existing commercial or industrial businesses in the immediate vicinity of the project site. The site is bordered by vacant property to the north, residences to the east and west, and a church to the south.

The Sutter County Zoning Code states the following with regard to the purpose of the C-2 zone district:

“This district is established to provide for a full range of retail sales and personal services to meet the needs of the residents of the entire county and provide for the general welfare. The facilities may range from a single building to a neighborhood center with a supermarket as the primary tenant to a community center that may have several major tenants and should be located along major thoroughfares and arterials.”

Regarding the C-M zone district, the Zoning code states the following:

“This district is established to provide opportunities to combine commercial and industrial uses. The district provides for selected sales and services that are often considered inappropriate in primary retail areas due to size or operating characteristics or because products are manufactured on-site, as well as, various light industrial type uses. This district is not intended to provide typical retail sales normally found in the retail districts.”

The subject property is located at a highly visible location at the southwest corner of the intersection of Butte House Road and Tierra Buena Road. Butte House Road is classified as an urban arterial. Vacant properties located at both the northwest and northeast corners of the intersection are also zoned C-2. In the future, properties on three corners of the intersection could potentially be developed with various retail commercial uses. These businesses would serve the residents within the Tierra Buena area.

Staff has reviewed the County zoning map for the Yuba City Urban Area. In general, it appears that areas zoned C-M are not located in close proximity to residential neighborhoods. Most areas zoned C-M are located next to Highway 20 or Highway 99 and are typically surrounded by properties zoned for agricultural or industrial use. Except for a few parcels located at Bogue Road and Highway 99, staff was unable to locate examples of C-M zoned properties that are mostly surrounded by R-1 and C-2 zoning, similar to the subject property.

Since the subject property is located within the Yuba City Sphere of Influence, the project was routed to the City Planning Department for review and comment. In their response, the City indicated that they believe the current C-2 zoning is correctly applied and should remain the same. The City further commented that “An industrial use of this nature, with vehicles of the 10 employees arriving at 6:30 in the morning, loading supplies and departing is not a compatible activity and will not have an appearance that fits in with the neighborhood. The placement of an industrial use in this location is shortsighted and would be a detriment to the future development of surrounding properties.” The City also expressed concern that that the proposed rezoning and building on the .32 acre portion of the property would greatly reduce the available commercial area on the property. (See Exhibit F).

Based on the above information contained in the General Plan and Zoning Code, the existing zoning pattern in the Yuba City Urban Area, and the concerns expressed by the Yuba City Planning Department that are shared by County staff regarding the proposal, it is recommended that the Commission forward a recommendation to the Board of Supervisors for denial of the rezoning.

Design Review

The proposed metal building is rectangular in shape, has a slightly pitched roof, and is white with green trim. The building will be 18.5’ in height and will have two large “drivedoors” on the east side and one on the north side, near the rear of the building. Green colored awnings are proposed over these “drivedoors” and over the regular entrance doors. There will be no doors located on both the south and west sides of the building. With regard to the design of the building, the Yuba City Planning Department commented, “The placement of a metal warehouse is also not conducive to the existing or future development in the area.”

Staff has reviewed the proposed project for consistency with the Sutter County Design Guidelines. With regard to site design, the Commercial & Industrial Design Standards and Guidelines state the following:

3.1.1 **Standard:** Buildings should be located to the front of the site and work areas to the rear. Where the work areas remain visible to a public right-of-way, they shall be screened using walls, fencing, landscaping, berms or a combination thereof. Trash and recycling collection facilities shall be located in the work areas and appropriately screened from view from the public right-of-way.

Guideline: Good project design dictates that all the active work areas, storage yards and materials storage areas should be located to the sides or rear of the project whenever possible. This allows the fronts of industrial and commercial projects to be designed in an attractive manner and to remain relatively uncluttered.

3.1.5 **Standard:** Parking areas shall generally be located to the rear or side of the property rather than along street frontages in order to minimize visual impacts. Where it is not feasible to locate parking areas to the sides or rear, the parking areas should be screened from view as in Standard 3.1.6.

3.1.6 Standard: Landscape features such as hedges, berms or other screening shall be incorporated into the project's design to reduce the visual impact or parking areas from rights-of-way.

Guideline: Where parking areas, material storage areas, delivery areas and other utility areas of a project may be visible to the street frontages or other areas within the project, such as the entry, use screen plantings or landscaping, walls or fences, earth berms or other screens to conceal these areas.

The site plan shows that a storage yard area is proposed along the north side of the building while the parking area is located in front of the building along the Tierra Buena Road frontage. These features appear to be in conflict with the above standards. Due to the relatively small site area, it may be difficult for the applicant to significantly change the location of the building on the site. By eliminating the parking area in front and moving the building closer to Tierra Buena Road, additional area along the rear of the building may be available for parking and the storage yard area. This may, however, create a greater conflict with neighboring residences located immediately west of the project site caused by vehicle noise and from work activity in closer proximity to the rear property line. When it is not feasible to relocate storage yards or parking areas, the standards allow landscaping as an alternative to provide screening.

With regard to specific building design, the Standards and Guidelines state the following:

3.2 Building - All buildings should generally be designed to enhance their surroundings and be compatible with neighboring development. Factors to consider in terms of achieving compatibility include building style, size, setback, form, color and material considerations. An exception to this Standard is for accessory or utility buildings which are not visible from the public right-of-way or from adjacent properties. The County can consider a "relaxation" of the building design standards in these situations.

3.2.1 Standard: Architecture - All non-residential buildings should employ architectural treatments to break up uninterrupted expanses of wall. A building's architecture may be enhanced by offsetting or varying building setbacks, providing covered porches, balconies and entries, and combining single story and two story construction in a single building with the single story nearest property lines.

Based on these standards, staff has concerns with regard to the applicant's proposed building design. Staff believes a metal warehouse would not be compatible with neighboring development. Wood and stucco are materials that are more commonly found on other buildings located in the area (i.e. residences, church, commercial building). Except for the awnings above the doorways, the rectangular building does not contain any significant architectural treatments. Staff believes the overall design is not consistent with the surrounding area or with the County Design Guidelines.

If the Commission believes that the proposed rezoning is appropriate for the subject property, staff recommends denial of the building design proposed by this design review application. Staff also recommends that this project be continued to the next Planning Commission meeting to

allow staff to prepare appropriate conditions of approval and allow the applicant to revise the site and building design by incorporating the following recommended modifications:

1. Use of additional materials (i.e. stucco, wood, etc.) other than metal incorporated into the building's design.
2. Provide a roof having a greater slope.
3. Instead of a simple rectangular shape, provide for some offsetting setbacks for portions of the building.
4. Provide for extensive landscaping along all sides of the proposed building to enhance the appearance of the building and provide screening of the parking area and storage yard from the street and from surrounding properties.
5. In addition to landscape screening, the Guidelines state that "commercial and industrial sites that abut residential sites should provide a minimum six foot high masonry wall along the residential boundary, except as pedestrian access points if any are needed." Since the subject property is bordered by residentially zoned properties to the south and west, it is recommended that a six foot high masonry wall be provided along the south and west property lines.
6. Also for consistency with the Guidelines, require that any new outdoor lighting associated with the project be installed so as not to shine on adjacent properties. If needed, shields will be required to be added to direct the light downward.

Recommended Findings

Based on the information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. In accordance with the California Environmental Quality Act and the Guidelines, an Initial Study was prepared to analyze the potential impacts of the proposed project. The Study revealed that the project, as proposed, would not create an impact on the environment. There have been no comments provided demonstrating the project will have a significant effect on the environment. Therefore, the proposed Negative Declaration attached to this staff report is appropriate.
- B. The Planning Commission has independently reviewed, analyzed, and considered the Initial Study and Negative Declaration prior to making its decision on the project and finds that the Negative Declaration reflects the independent judgement of the County of Sutter.
- C. Due to the location of the subject property immediately adjacent to residential and commercial zoned properties, information contained in the Sutter County General Plan and Zoning Code, the existing zoning pattern in the Yuba City Urban Area, and concerns expressed by the Yuba City Planning Department, staff believes the proposed rezoning from the C-2 (General Commercial) to the C-M (Commercial Industrial) District is not appropriate.

- D. The building proposed by Design Review #02-01 is not consistent with the surrounding area or with the Sutter County Design Guidelines.

Recommended Action

- A. Make the Findings above as recommended by staff.
B. Deny Rezone #02-03 and Design Review #02-01.

Sincerely,

THOMAS A. LAST
PLANNING DIVISION CHIEF

Steve Geiger
Associate Planner

Attachments: Exhibit A - Study Sketch
Exhibit B - Map showing existing and proposed zoning
Exhibit C - Site Plan and elevations
Exhibit D - Description of proposed use
Exhibit E - Landscape Plan proposed by applicant
Exhibit F - Comments received from Yuba City Planning Dept.
Exhibit G - Proposed Negative Declaration and Initial Study

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