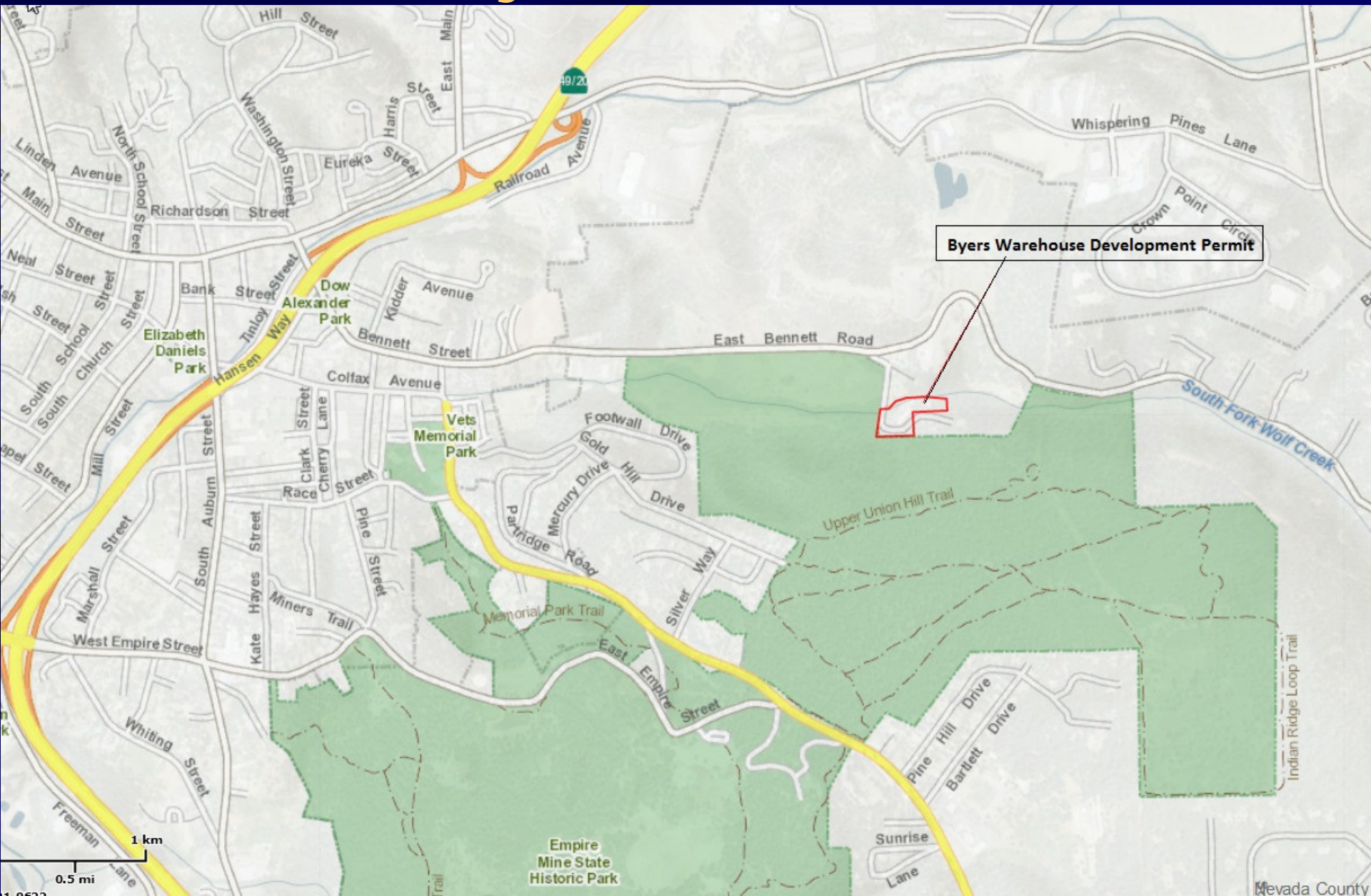




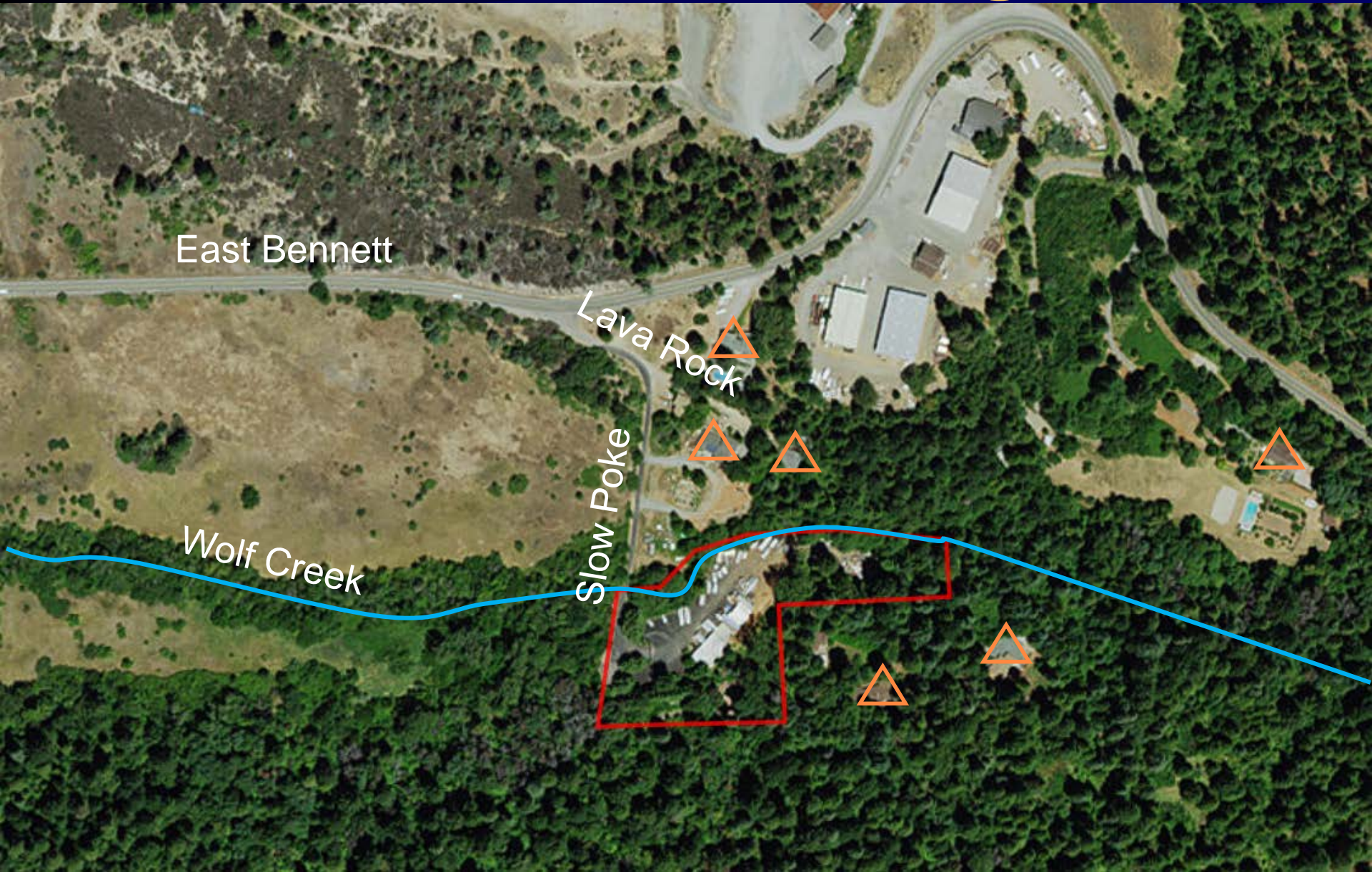
Byers Warehouse Rezone and Appeal

11773 Slow Poke Lane, Grass Valley
Staff Planner: Jessica Hankins

Project Location

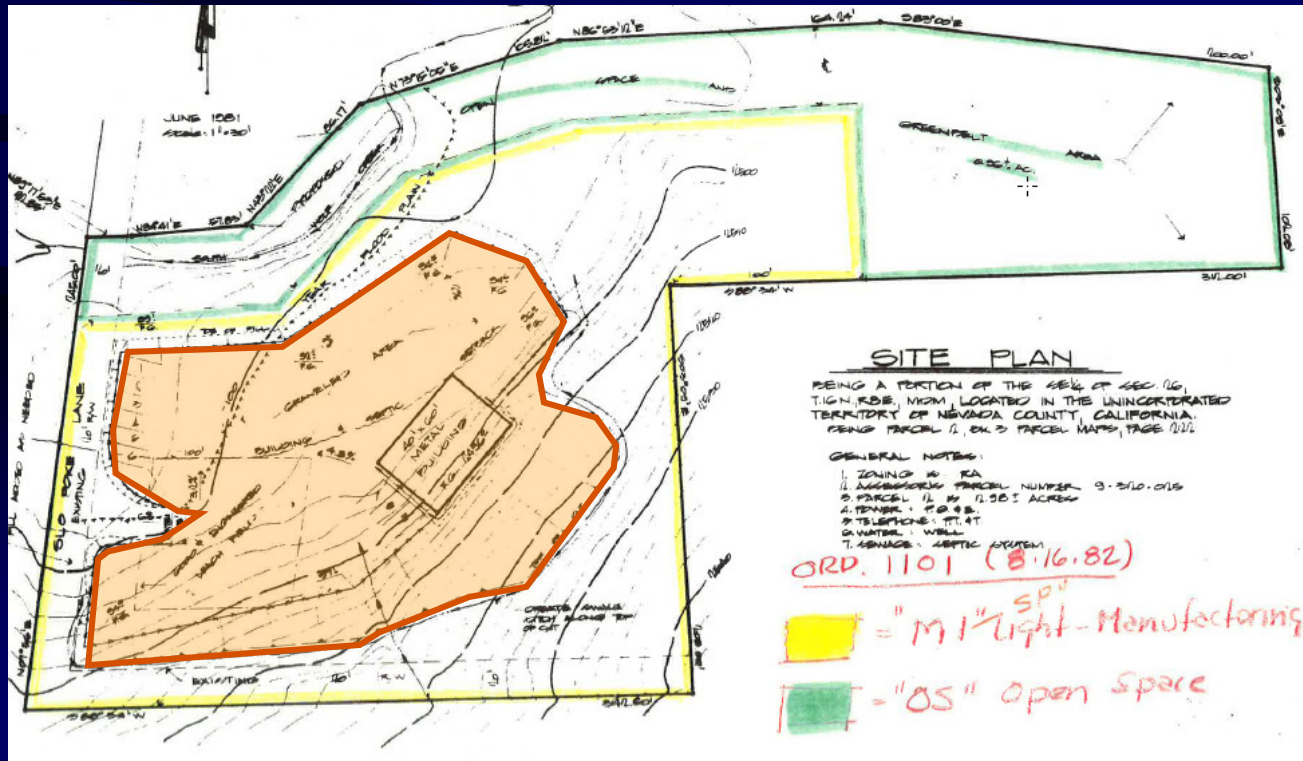


Access & Surrounding Uses

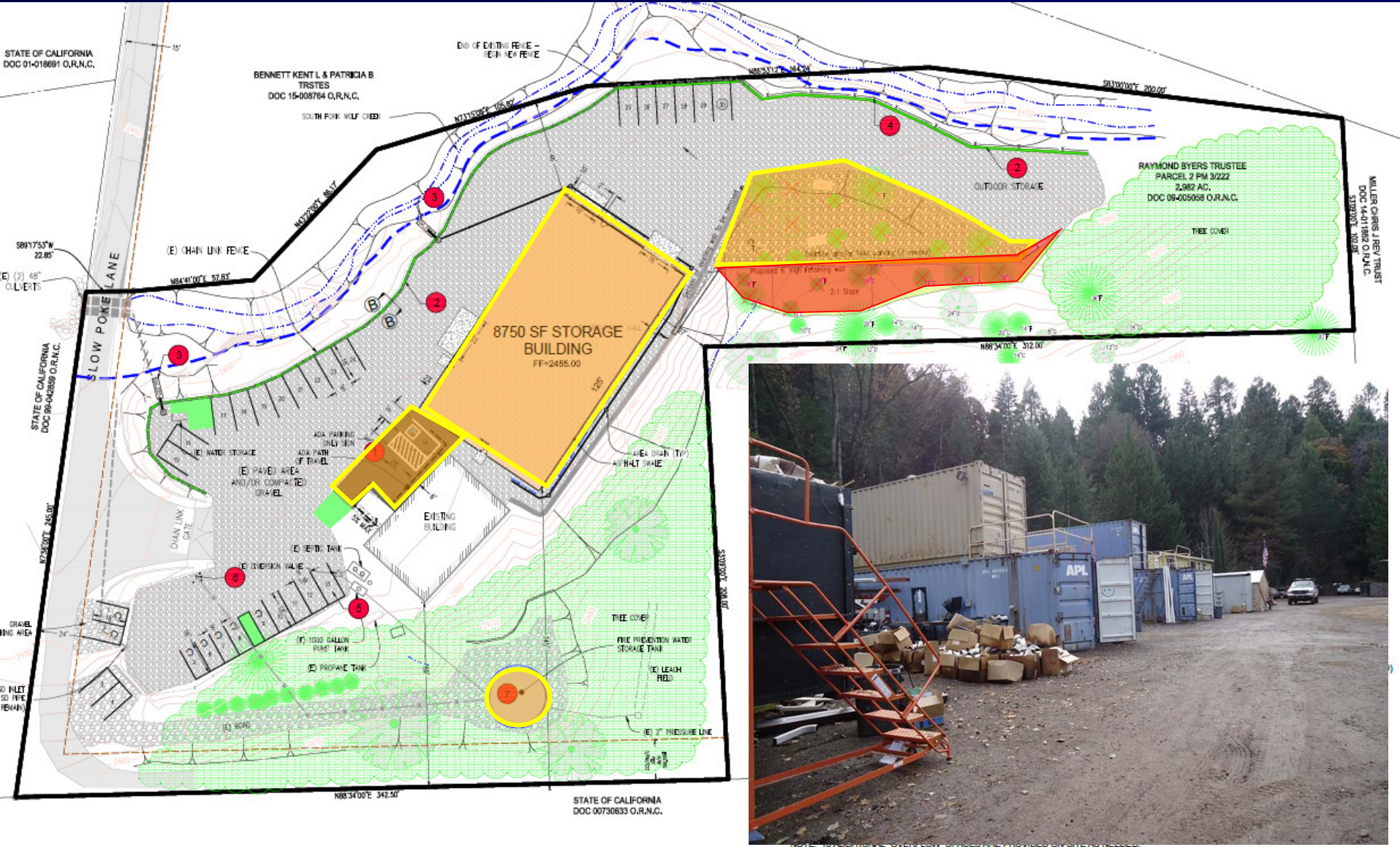


Background

- 1982: Contractor's maintenance and equipment storage yard approved. Rezone from RA to OS & M1-SP.
- 1984-1991: Used by construction & trucking companies
- 1991-present: Byers operates from site in 2-story office/warehouse.
- July 2016: Planning Commission approved new warehouse & associated improvements

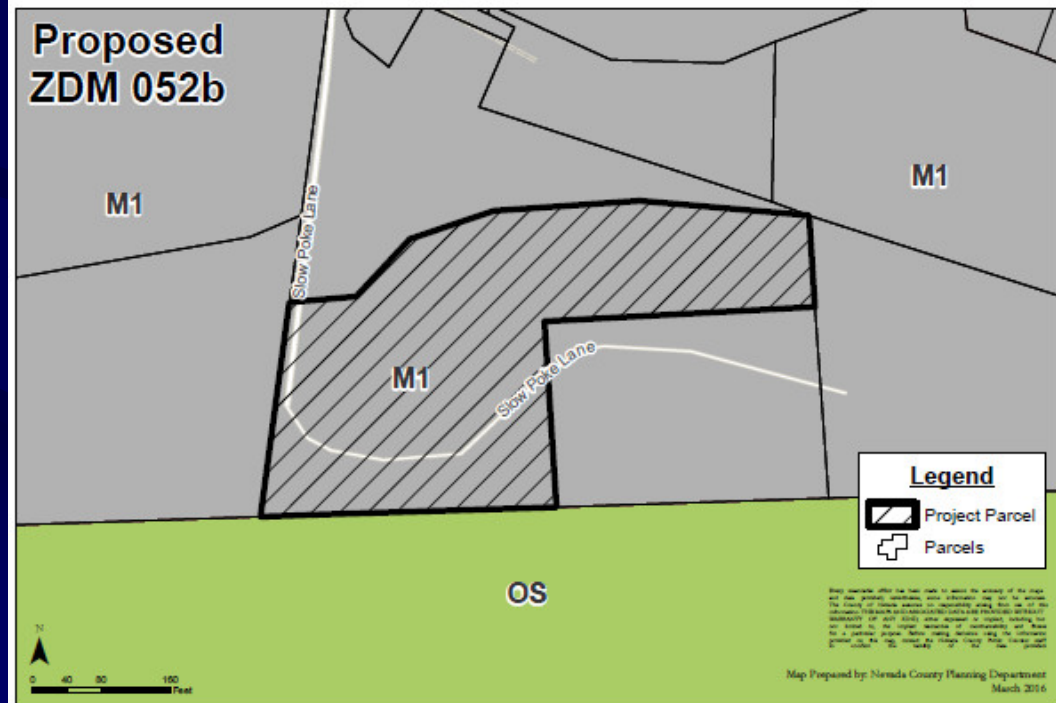
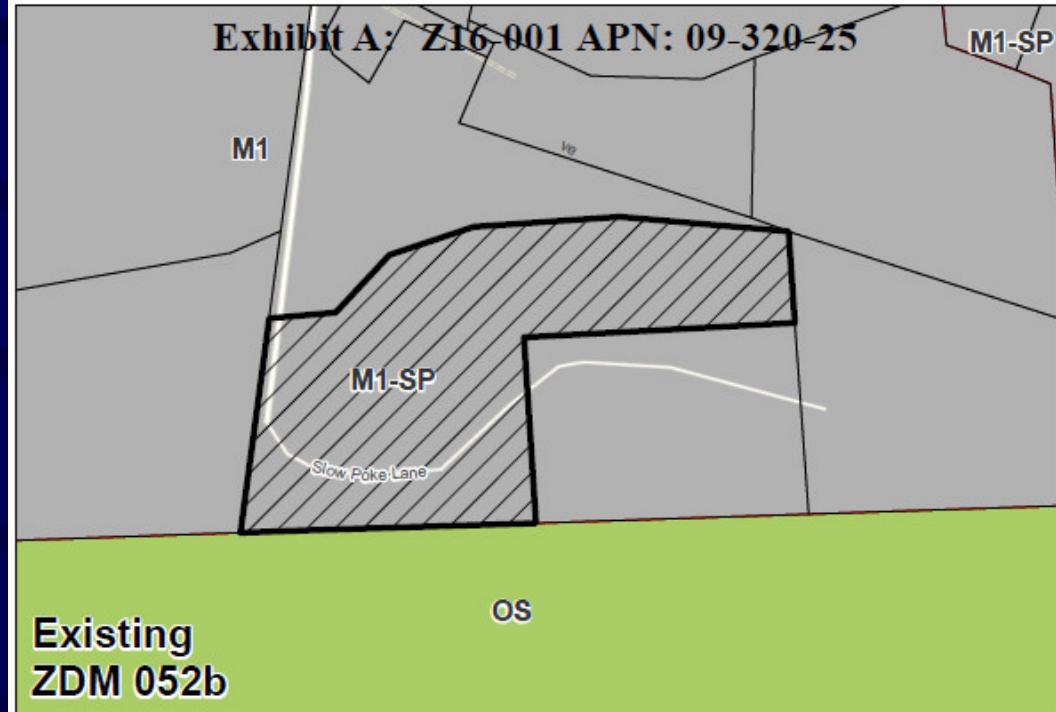


Site Plan for Development Permit



Zoning Map Amendment

- SP Note
 - 90' floodplain setback
 - Restriction on development until public water is connected
- Remove “SP” overlay to remove these requirements and finalize Planning Commission’s approvals



Project Analysis

Floodplain Setback

- Zoning Code allows floodplain setback encroachments with the approval of a Floodplain Management Plan:
 - Condition B.8 requires drainage report and no net increase in stormwater runoff
 - Condition B.9 requires infiltration trench in parking lot

Public water

- Mainline is near City limit over ½ mile away
- No additional domestic use with project
- Statewide fire protection regulations in place
- Condition D1 requires adequate fire protection water supply

Regulatory Consistency

- Site would retain M1 base district
- Proposed uses consistent with M1 zoning district and IND designation
- Meets site development stds
- Consistent with GP policies and Zoning Ordinance regulations

Environmental Review

- Initial Study circulated 30 days through State Clearinghouse
- No comments regarding rezoning
- No physical impacts from rezoning project
- All physical impacts from project development mitigated to less-than-significant level

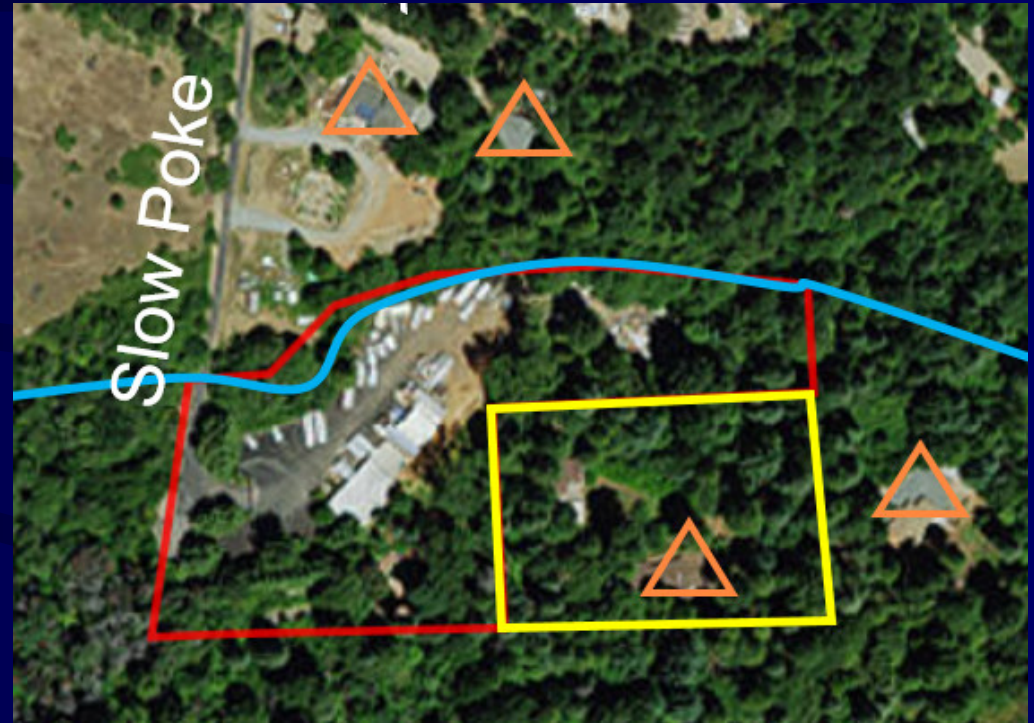
Planning Commission Actions

On July 28, 2016, the Planning Commission voted:

- 5-0 to recommend approval of Rezone to Board
- 4-1 to adopt Initial Study/MND
- 4-1 to approve Biological Management Plan
- 4-1 to approve Floodplain Management Plan
- 5-0 to approve Petition for Exception to Road Standards
- 5-0 to approve Map Amendment
- 5-0 to approve Development Permit

Appeal Filed

- Filed by James & Carol Fuller Powell, neighboring property owners
- Appeal hearing is de novo; within Board's purview to approve, deny, or modify the project and conditions of approval



Appeal Issues

1. Road Width

- Existing/approved 15-16' road width too narrow to allow regular and emergency traffic to pass;
- Traffic generated by project warrants widening road;
- Creek crossing should be widened to prevent debris build-up and flooding.

2. Offsite Parking

- Byers uses Empire Mine State Park land west of Slow Poke for employee vehicle parking. All parking should occur onsite.

Appeal: Road Width



05/21/2015

Appeal: Road Width

Additional easement width:

- Residential properties on Slow Poke already built out
- Neighbors would not agree to request for easements
- Applicant has improved Slow Poke to max extent possible within easement



Appeal: Road Width

Road widening:

- Warehouse project would not generate or accommodate substantial new growth
- Warehouse will house materials already stored onsite
- Petition is supported by road and fire agencies

Creek crossing widening

- Additional environmental impacts
- Maintenance of culvert is a civil issue that should be addressed by all easement holders

Appeal: Offsite Parking

Project entrance

Approx property line and
edge of easement

State Park
Byers

06/10/2015



Appeal: Offsite Parking

- County's role is to ensure standards are met
 - Site plan meets County parking standards (30) and provides additional overflow parking (15)
- Offsite parking more appropriately addressed by affected property owner (State Parks)
 - Since the appeal was filed, Mr. Byers has met with State Parks and resolved the parking issues to the State's satisfaction.
- Parking is not within easement

Staff Recommendations

1. Adopt Ordinance rezoning the property from M1-SP to M1 and repealing Ordinance 1101 which established the SP zone, based on the findings contained within the Ordinance, including the finding that a Mitigated Negative Declaration (EIS15-019) has been adopted by the Planning Commission for the project in compliance with the California Environmental Quality Act Guidelines and that there have been no new significant environmental effects since that time.
2. Adopt Resolution denying the appeal and upholding the Planning Commission's decision to adopt the MND and approve the Amended Map, Development Permit, Biological Mgmt Plan, Floodplain Mgmt Plan, and Petition for Exception.