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## GRASS VALLEY

### Development Review Committee Meeting

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Tuesday, February 25, 2025 at 9:00 AM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

Telephone: (530) 274-4310 - Fax: (530) 274-4399

E-Mail: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com)

Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)

## AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

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## MEETING NOTICE

Development Review Committee welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 9:00 a.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com). Comments will be reviewed and distributed before the meeting if received by 9 am. Comments received after that will be addressed during the item and/or at the end of the meeting. The committee will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com). Materials related to an item on this agenda submitted to the Committee after distribution of the agenda packet will be made available on the City of Grass Valley website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com), subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

**Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.**

## CALL TO ORDER

## ROLL CALL

### ANNOUNCEMENTS, AGENDA REVIEW AND CHANGES

**PUBLIC COMMENT** - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com). There is a time limitation of three minutes per person. For items not on the agenda and within the jurisdiction or interest of the City, please address the Development Review Committee at this time. For items on the agenda please address the Development Review Committee when the number and subject matter are announced. Comments will be reviewed and distributed before the meeting if received by 9AM. Comments received after that will be addressed during the item and/or at the end of the meeting. The Development Review Committee will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.*

### GENERAL APPLICATION FOR REVIEW

1. Plan Revision for Maria's Patio (25PLN-03) Location/APNs: 226 E Main St / APN 008-350-030

**CEQA:** Categorical Exemption

**Recommendation:** 1. That the Development Review Committee approve the plan revisions for the patio at Maria's Mexican Restaurant as presented or as modified by the Development Review Committee, which includes the following actions:

- Determine the project Categorical Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the Staff Report;
- Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and,
- Approve the Development Review Permit in accordance with the Conditions of Approval, as presented in this Staff Report.

## ADJOURN

### POSTING NOTICE

This is to certify that the above notice of a meeting of a Development Review Committee Meeting, scheduled for Tuesday, February 25, 2024, at 9:00 a.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, February 21, 2024.

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Taylor Whittingslow, City Clerk



**DEVELOPMENT REVIEW  
COMMITTEE  
STAFF REPORT  
February 25, 2025**

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**Prepared by:** Lucy Rollins, Senior Planner

**DATA SUMMARY**

**Application Number:** 25PLN-03  
**Subject:** Plan Revision for Maria's Patio  
**Location/APNs:** 226 E Main St / APN 008-350-030  
**Applicant:** Maria Byers Ramos, Owner  
**Zoning/General Plan:** Town Core (TC) / Commercial (C)  
**Entitlement:** Plan Revision to Minor Development Review  
**Environmental Status:** Categorical Exemption

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**RECOMMENDATION:**

1. That the Development Review Committee approve the plan revisions for the patio at Maria's Mexican Restaurant as presented, or as modified by the Development Review Committee, which includes the following actions:
  - a. Determine the project Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the Staff Report;
  - b. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and,
  - c. Approve the Development Review Permit in accordance with the Conditions of Approval, as presented in this Staff Report.

**BACKGROUND:**

In 1993, Maria's Restaurant replaced the Humpty Dumpty Restaurant at 226 East Main Street. In 1999, the City approved a 1,017 square foot expansion to the restaurant. This expansion required the payment of the City's in-lieu parking fee to address the parking shortage from the expansion. In 2008, the City approved a 1,593square foot expansion and a 858 square foot patio. Additional parking spaces were provided as part of that expansion. In 2014, the City approved a 24-space parking lot on the adjacent parcel for Maria's Restaurant. The parking lot expansion resulted in 61 total parking spaces for the business. In 2020 and 2021, in response to the COVID 19 pandemic, the City allowed restaurants to convert portions of their parking lots into temporary outdoor seating areas. The applicant installed the patio cover and dining area in the parking lot at that time. In 2023, the applicant applied for a Development Review permit to convert the temporary outdoor patio cover and

seating area into a permanent structure within the restaurant parking lot. The Development Review Committee approved the structure at that time.

### **PROJECT PROPOSAL:**

The applicant seeks to revise the plans approved by the Development Review Committee in 2023 to have corrugated metal siding on the walls of the patio area and mount two cupolas and three metal chickens on the roof. Attachment 4 includes images of the proposed design changes.

The existing patio is approximately 11'7" at its peak. The cupolas will be mounted onto black steel box framing that would then mount to the pitch of the roof. Once mounted, the maximum height of the cupolas will be 15'1" from finished grade. The chickens will be mounted to the roof using U-bolts and stainless steel plates.

### **GENERAL PLAN AND ZONING:**

**General Plan:** The project area has a land use designation of Commercial according to the City of Grass Valley 2020 General Plan. The Commercial designation is a broad category intended to encompass all types of retail commercial and commercial service establishments.

**Zoning:** The property is within the Town Core (TC) Zone District. The TC Zone strengthens the mixed-use pedestrian-oriented nature of the existing historic downtown. This zone specifically allows restaurants.

### **STAFF ANALYSIS:**

The existing patio has a metal roof and was approved with approximately 4-foot-tall brown siding, with no additional decorative features. The proposed siding is 59-inch (4.9 feet) corrugated metal. While the main building does not have any corrugated metal, this material is found throughout the downtown area and is compatible with the metal roof of the patio. The City of Grass Valley Community Design Guidelines encourage architectural elements and finishes to be generally compatible with the surrounding buildings and neighborhood but does not specifically address decorative features such as the cupolas and metal chickens. It is the responsibility of DRC to determine whether the proposed wall finish and decorative features are compatible with existing development.

### **SITE DESCRIPTION AND ENVIRONMENTAL SETTING:**

The property is fully developed with a restaurant and parking lot. Adjacent uses include commercial to the south and west, an apartment complex to the north, and residential homes to the east.

### **ENVIRONMENTAL DETERMINATION:**

The proposed project qualifies for a Categorical Exemption pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and Guidelines. A Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the

time of the lead agency's determination. The proposed cupolas and metal chickens on the roof of the patio are decorative in nature and will not result in expansion of use of the commercial property.

### **FINDINGS:**

1. The City received a complete application for Plan Revision Application 25PLN-03.
2. The Grass Valley Development Review Committee reviewed Plan Revision Application 25PLN-03 at their regular meeting on February 11, 2025.
3. The Development Review Committee reviewed the project in compliance with the California Environmental Quality Act and concluded that the project qualifies for a Class 1, Categorical Exemption in accordance with the California Environmental Quality Act and CEQA Guidelines.
4. This project is not inconsistent with the City's General Plan and any specific plan.
5. The project is consistent with the applicable sections and development standards in the Development Code.
6. The project, as conditioned, is not inconsistent with the City of Grass Valley Community Design Guidelines.
7. The design, location, size, and operating characteristics of the proposed decorative features are compatible with the existing and future land uses in the vicinity.

### **B. RECOMMENDED CONDITIONS:**

1. The approval date for this Development Review Committee review is February 11, 2025 with an effective date of Thursday, February 27, 2025, pursuant to Section 17.74.020 GVMC.
2. The final design shall be consistent with Minor Development Review plan revision application and plans provided by the applicant and approved by the Development Review Committee (25PLN-03). The project is approved subject to plans on file with the Community Development Department. The Community Development Director may approve minor changes as determined appropriate.
3. Prior to any work occurring, a building permit shall be obtained from the Community Development Department, Building Division.
4. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval.

### **ATTACHMENTS:**

1. Vicinity Map
2. Aerial Map

- 3. Universal Application
- 4. Proposed Plan Revisions

## **ATTACHMENTS**

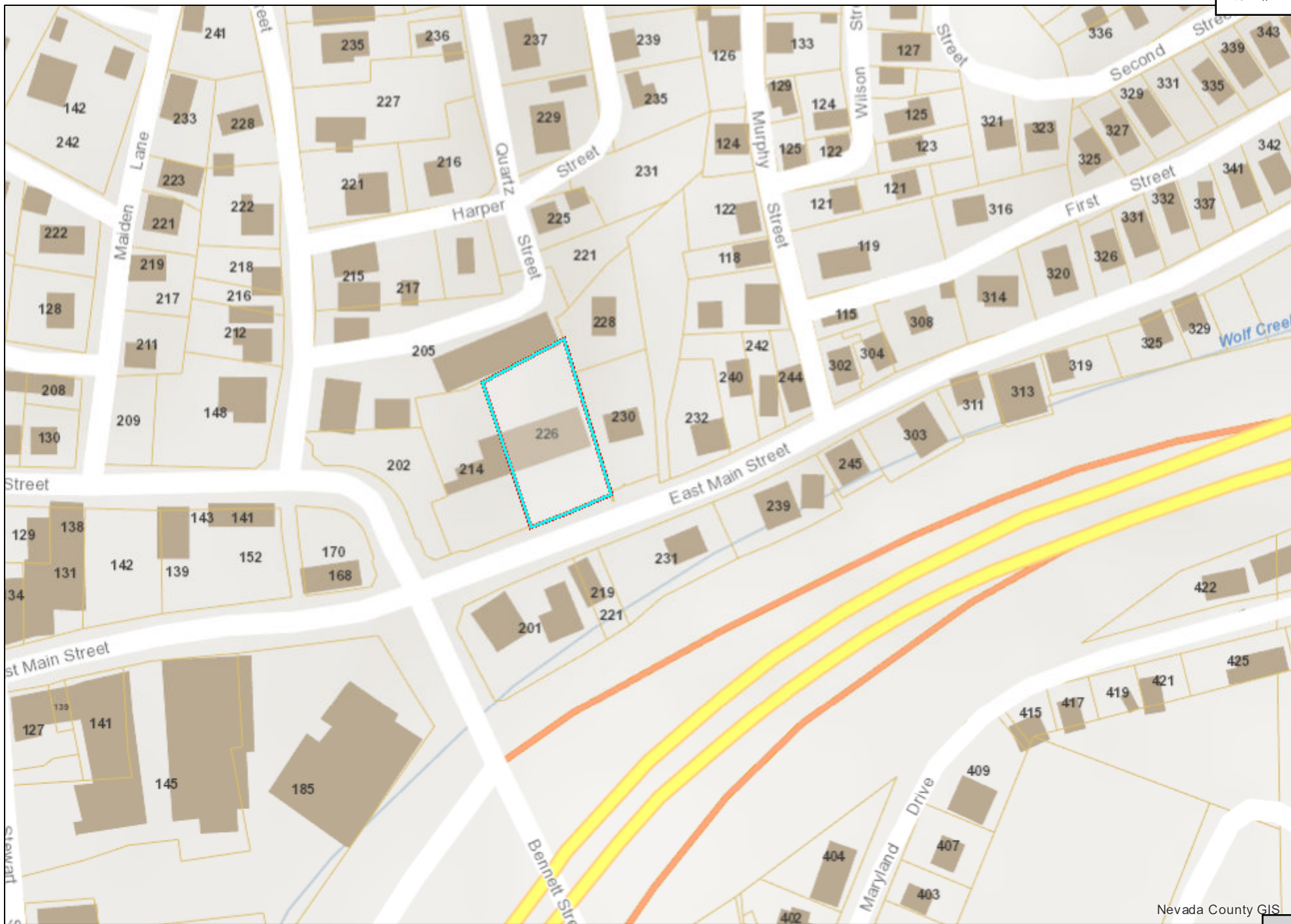
### **Maria's Patio Decorative Features**

#### **25PLN-03**

1. Vicinity Map
2. Aerial Map
3. Universal Application
4. Proposed Plan Revisions
  - a. Cupolas
  - b. Chickens
  - c. Siding

# Vicinity Map - 226 E Main St

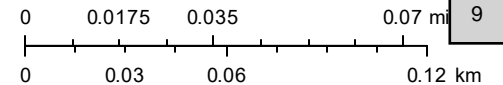
Item # 1.





# Aerial Map - 226 E Main St

Item # 1.



# UNIVERSAL PLANNING APPLICATION



Item # 1.

**Application Types**

**Administrative**

- Limited Term Permit \$757.00
- Zoning Interpretation \$243.00

**Development Review**

- Minor Development Review – under 10,000 sq. ft. \$1,966.00
- Major Development Review – over 10,000 sq. ft. \$3,571.00
- Conceptual Review - Minor \$497.00
- Conceptual Review – Major \$847.00
- Plan Revisions – Staff Review \$342.00
- Plan Revisions – DRC / PC Review \$901.00
- Extensions of Time – Staff Review \$306.00
- Extensions of Time – DRC / PC Review \$658.00

**Entitlements**

- Annexation \$8,505.00 (deposit) + \$20.00 per acre
- Condominium Conversion \$5,339.00 (deposit) + \$25 / unit or \$25 / 1,000 sf com.
- Development Agreement – New \$20,023.00 (deposit) + cost of staff time & consultant minimum \$300
- Development Agreement – Revision \$7,486.00 + cost of staff time & consultant minimum \$300
- General Plan Amendment \$8,000.00
- Planned Unit Development \$8,839.00 + \$100.00 /unit and / or \$100 / 1,000 sf floor area
- Specific Plan Review - New Actual costs - \$18,399.00 (deposit) (+ consultant min. \$300)
- Specific Plan Review - Amendments / Revisions Actual costs - \$7,576.00 (deposit) (+ consultant min. \$300)
- Zoning Text Amendment \$3,364.00
- Zoning Map Amendment \$5,501.00
- Easements (covenants & releases) \$1,794.00

**Environmental**

- Environmental Review – Initial Study \$1,858.00
- Environmental Review – EIR Preparation Actual costs - \$34,274.00 (deposit)
- Environmental Review - Notice of Determination \$162.00 (+ Dept. of Fish and Game Fees)

- Environmental Review - Notice of Exemption \$162.00 (+ County Filing Fee)

**Sign Reviews**

- Minor – DRC, Historic District, Monument Signs or other districts having specific design criteria \$330.00
- Major – Master Sign Programs \$1,407.00
- Exception to Sign Ordinance \$1,046.00

**Subdivisions**

- Tentative Map (4 or fewer lots) \$3,788.00
- Tentative Map (5 to 10 lots) \$5,267.00
- Tentative Map (11 to 25 lots) \$7,053.00
- Tentative Map (26 to 50 lots) \$9,668.00
- Tentative Map (51 lots or more) \$14,151.00
- Minor Amendment to Approved Map (staff) \$1,208.00
- Major Amendment to Approved Map (Public Hearing) \$2,642.00
- Reversion to Acreage \$829.00
- Tentative Map Extensions \$1,136.00
- Tentative Map - Lot Line Adjustments / Merger \$1,325.00

**Use Permits**

- Minor Use Permit - Staff Review \$562.00
- Major Use Permit - Planning Commission Review \$3,292.00

**Variances**

- Minor Variance - Staff Review \$562.00
- Major Variance - Planning Commission Review \$2,200.00

Application	Fee
Plan Revisions	
DRC / PC review	901.00
<b>Total:</b>	<b>\$ 901.00</b>

Below is the Universal Planning Application form and instructions for submitting a complete planning application. In addition to the Universal Planning Application form, a project specific checklist shall be submitted. All forms and submittal requirements must be completely filled out and submitted with any necessary supporting information.

Upon receipt of the **completed forms, site plan/maps, and filing fees**, the Community Development Department will determine the completeness of the application. This review will be completed as soon as possible, but within thirty (30) days of the submittal of the application. If the application is determined to be complete, the City will begin environmental review, circulate the project for review by agencies and staff, and then schedule the application for a hearing before the Planning Commission.

If sufficient information **has not** been submitted to adequately process your application, you will receive a notice that your application is incomplete along with instructions on how to complete the application. Once the City receives the additional information or revised application, the thirty (30) day review period will begin again.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate information. Please review and respond to each question. If a response is not applicable, N/A should be used in the space provided. Failure to provide adequate information could delay the processing of your application.

Additional information may be obtained at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com) regarding the 2020 General Plan and Zoning. You may also contact the Community Development Department for assistance.

### **ADVISORY RE: FISH AND GAME FEE REQUIREMENT**

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code a fee of **\$3,445.25** for an Environmental Impact Report and **\$2,480.25** for a Negative Declaration\* shall be paid to the County Recorder at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after January 1, 1991. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building, public works and other development permits cannot be approved until this fee is paid. These fees are accurate at the time of printing, but **increase the subsequent January 1<sup>st</sup>** of each year.

This fee is **not** a Grass Valley fee; it is required to be collected by the County pursuant to State law for transmission to the Department of Fish and Game. This fee was enacted by the State Legislature in September 1990, to be effective January 1, 1991.

\*If the City finds that the project will not have an impact on wildlife resources, through a De Minimus Impact Finding, the City will issue certificate of fee exemption. Therefore, this fee will not be required to be paid at the time an applicant files the Notice of Determination with the County Recorder. The County's posting and filing fees will still be required.

<u>Applicant/Representative</u>	<u>Property Owner</u>
Name: <u>Mary Byers Ramos</u>	Name: <u>Mary Byers Ramos</u>
Address:	Address: <u>16154 American Hill Rd Nevada City Ca 95959</u>
Phone: <u>530 <del>5598786</del></u>	Phone: <u>530-5598786</u>
E-mail:	E-mail: <u>MaryBamosByers@Icloud.com</u>

<u>Architect</u>	<u>Engineer</u>
Name:	Name:
Address:	Address:
Phone: ( )	Phone: ( )
E-mail:	E-mail:

1. Project Information

- a. Project Name Marias patio
- b. Project Address 226 E Main st Grass Valley Ca 95945
- c. Assessor's Parcel No(s) APN 008-350-030  
(include APN page(s))
- d. Lot Size Large

2. Project Description Patio out side, This for

- 1. metal corrugated half walls
- 2. Two Dorners out side over roof (CUPOLA)
- 3. metal chickens and Roosters on Roof
- 4. old vintage signage on corrugate metal

3. General Plan Land Use: \_\_\_\_\_

4. Zoning District: \_\_\_\_\_

4. **Cortese List:** Is the proposed property located on a site which is included on the Hazardous Waste and Substances List (Cortese List)? Y  N

The Cortese List is available for review at the Community Development Department counter. If the property is on the List, please contact the Planning Division to determine appropriate notification procedures prior to submitting your application for processing (Government Code Section 65962.5).

5. **Indemnification:** The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney's fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this permit, or the activities conducted pursuant to this permit. Accordingly, to the fullest extent permitted by law, the applicant shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney's fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this permit, or the activities conducted pursuant to this permit. Applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

6. **Appeal:** Permits shall not be issued until such time as the appeal period has lapsed. A determination or final action shall become effective on the 16<sup>th</sup> day following the date by the appropriate review authority, where no appeal of the review authority's action has been filed in compliance with Chapter 17.91 of the City's Development Code.

The 15-day period (also known as the "appeal" period in compliance with Chapter 17.91) begins the first full day after the date of decision that the City Hall is open for business, and extends to the close of business (5:00 p.m.) on the 15<sup>th</sup> day, or the very next day that the City Hall is open for business.

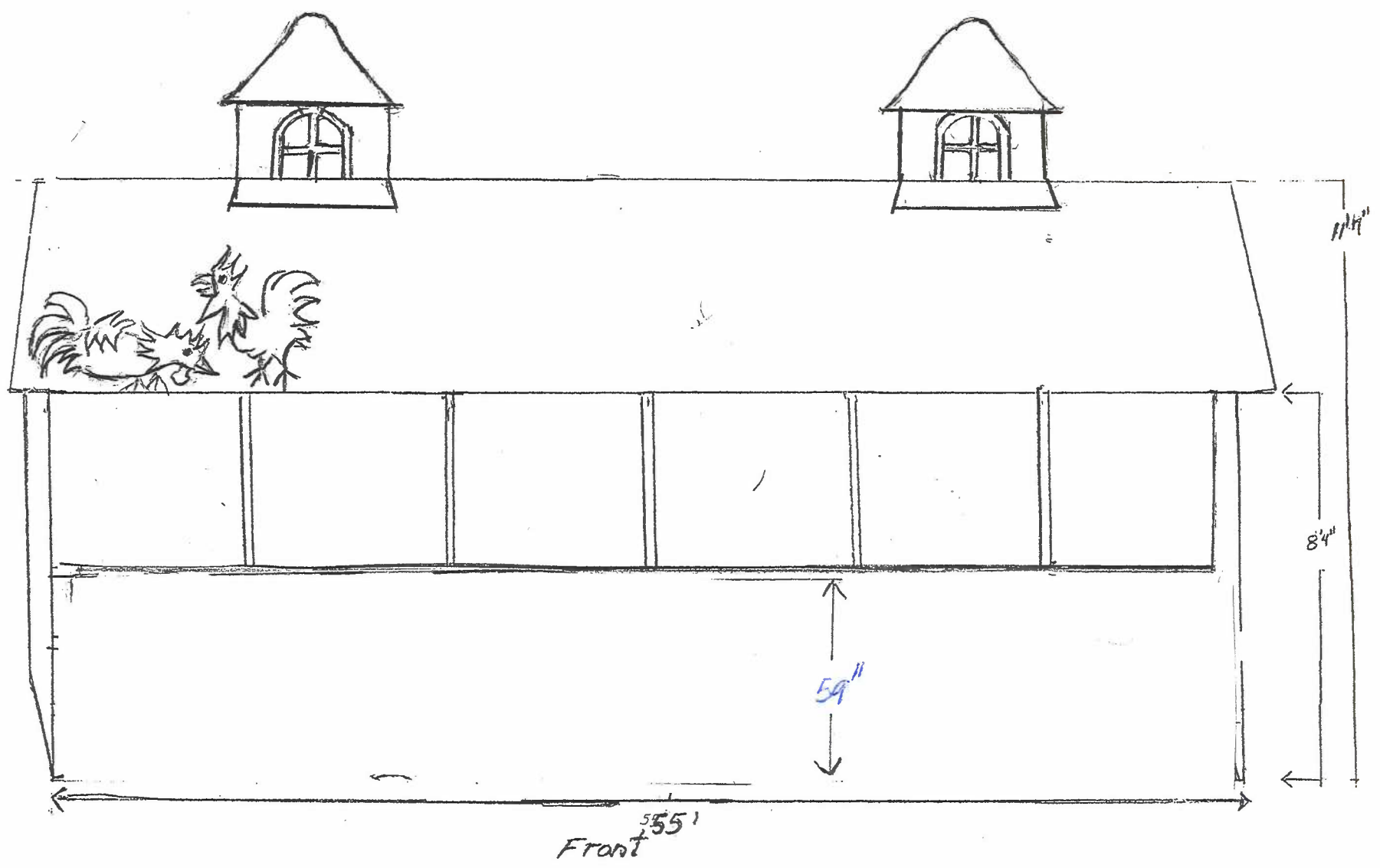
I hereby certify, to the best of my knowledge, that the above statements are correct.

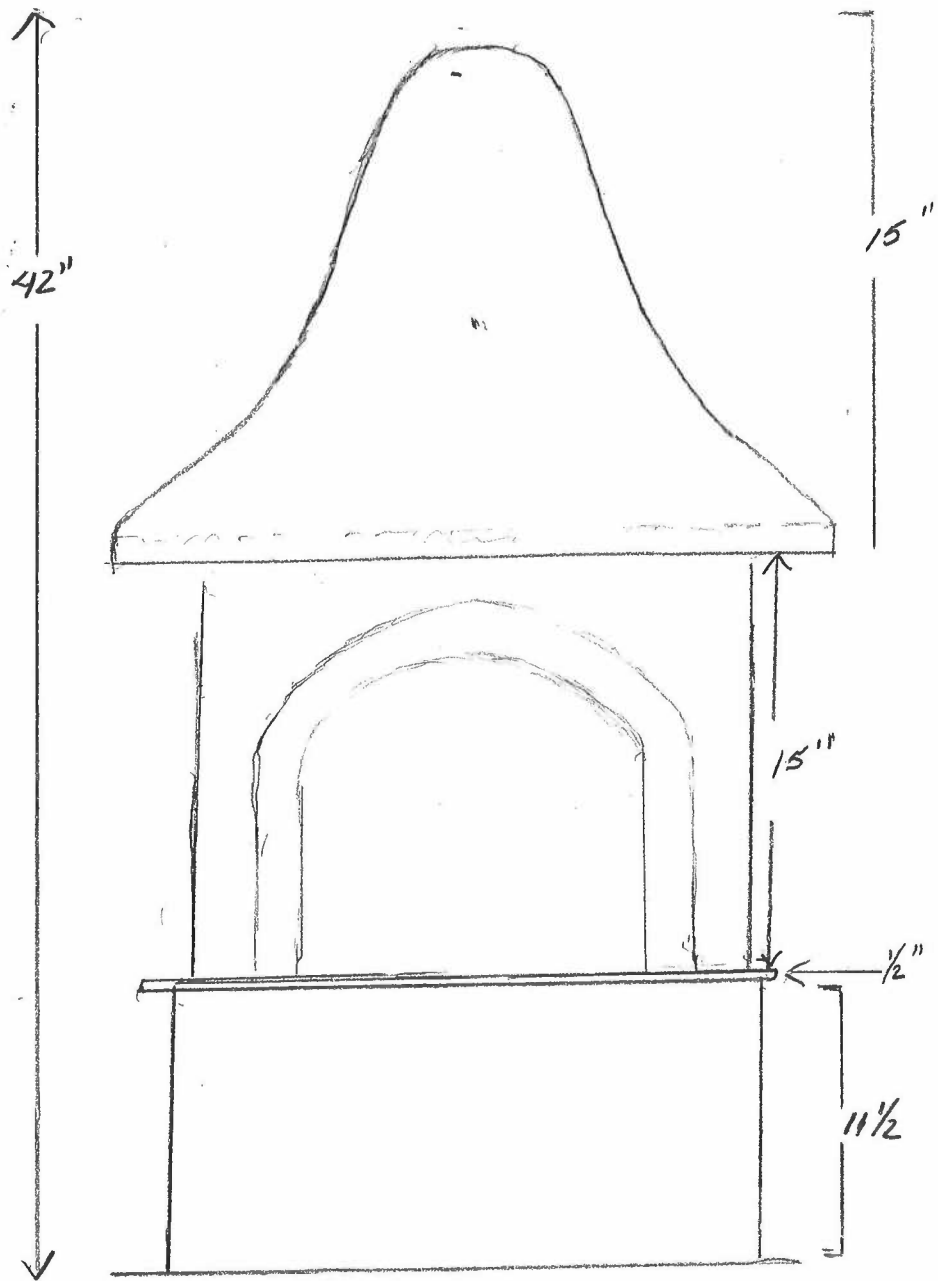
Property Owner/\*Representative Signature: Mary Byers Ramos

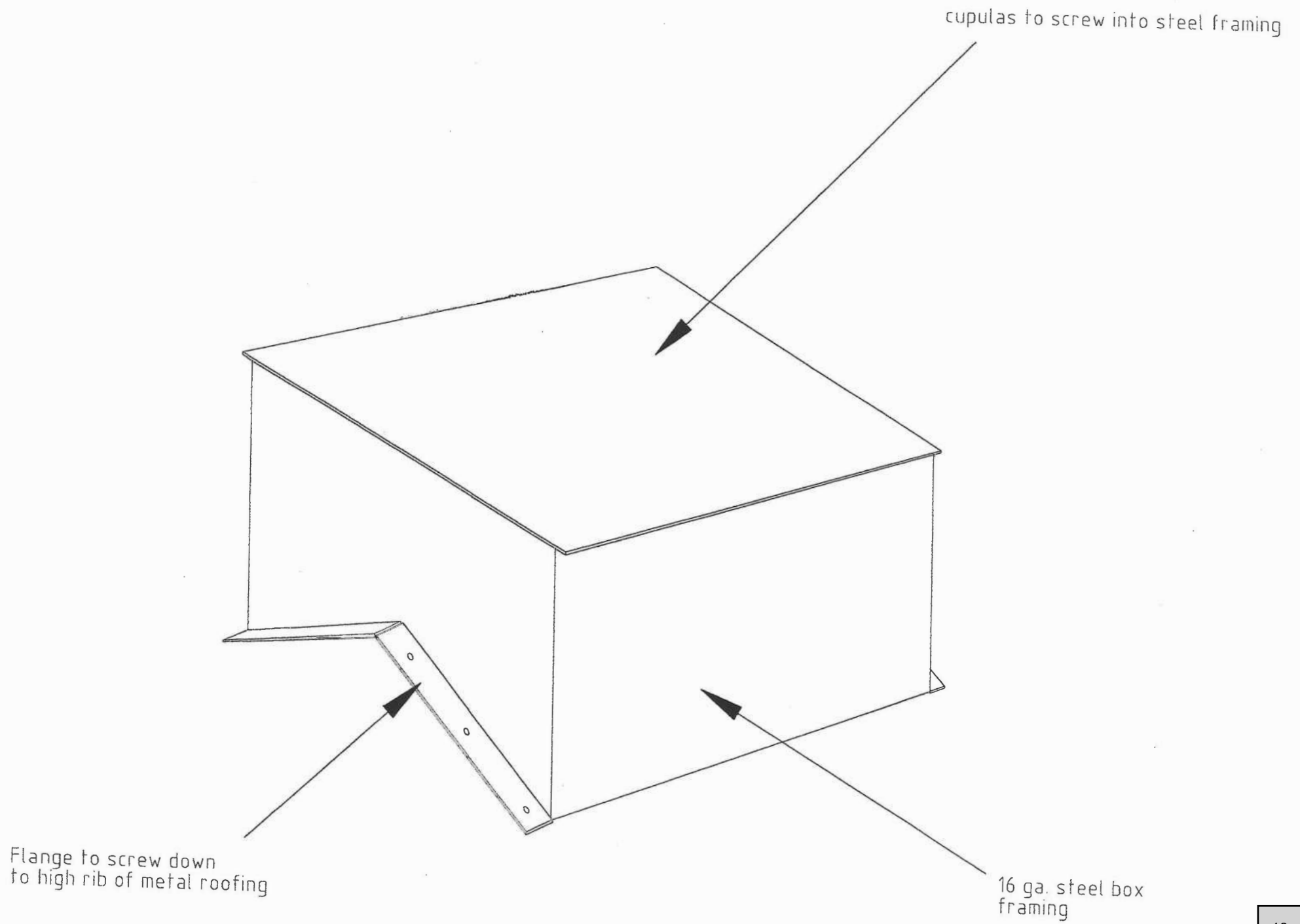
*\*Property owner must provide a consent letter allowing representative to sign on their behalf.*

Applicant Signature: Mary Byers Ramos

-OFFICE USE ONLY-	
Application No.:	Date Filed:
Fees Paid by:	Amount Paid:
Other Related Application(s):	



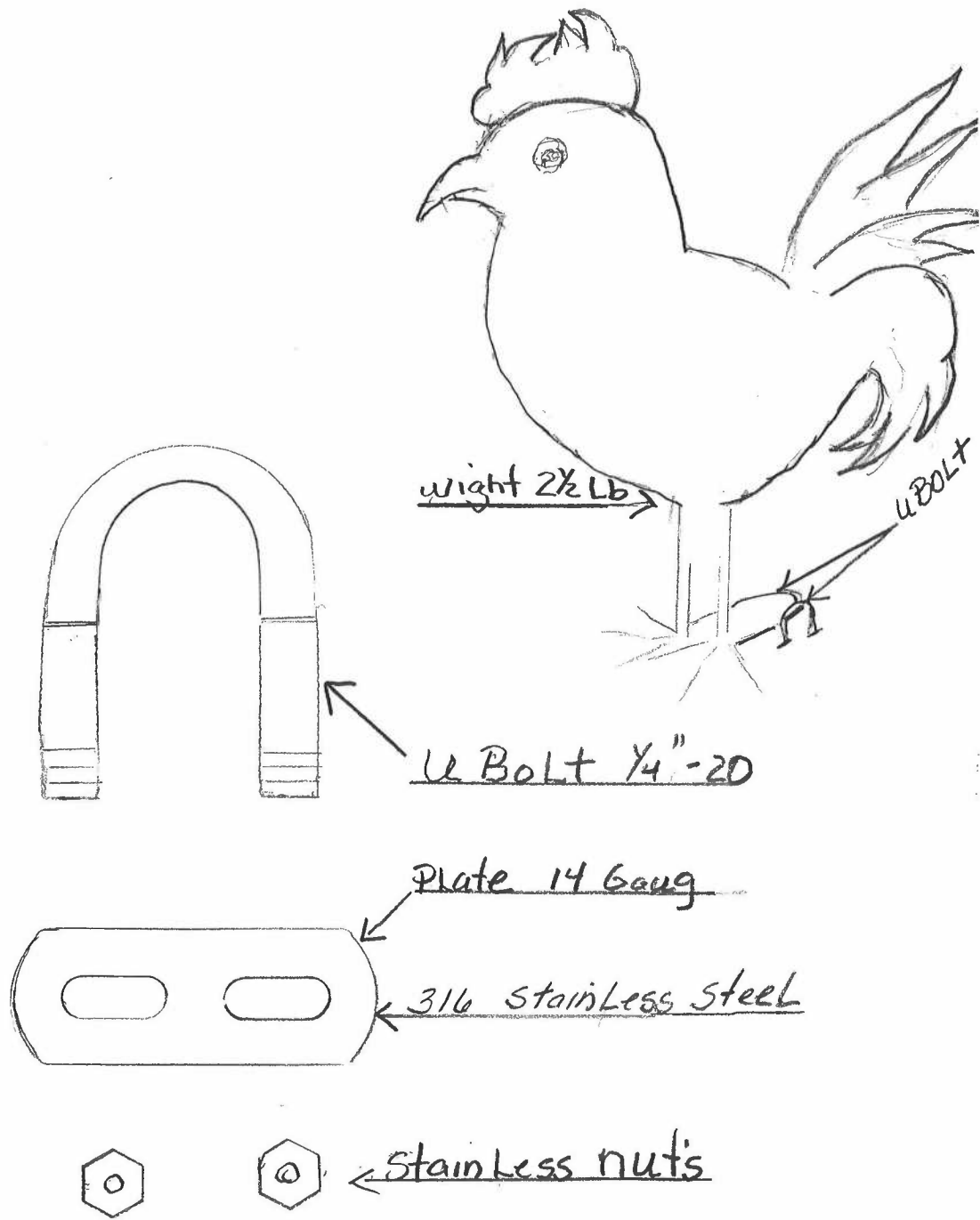






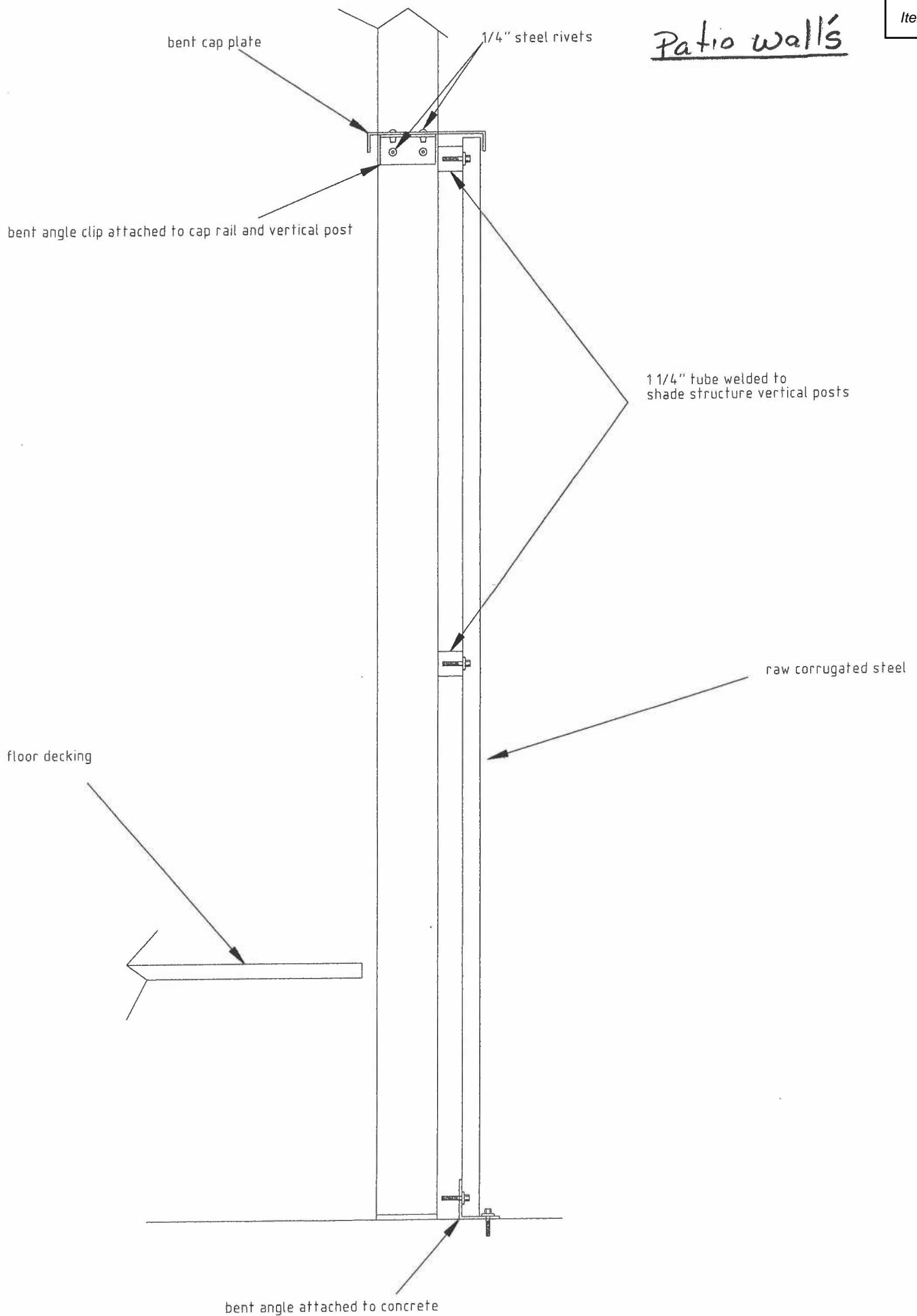
Item # 1.







# Patio walls



Item # 1.

