



AGENDA

OCTOBER 21, 2025

REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

**5:00 P.M. CLOSED SESSION
SUTTER ROOM/VIRTUAL**

**6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL**

MAYOR	• Dave Shaw
VICE MAYOR	• Marc Boomgaarden
COUNCILMEMBER	• Toni Cole
COUNCILMEMBER	• Michael Pasquale
COUNCILMEMBER	• Wade Kirchner
CITY MANAGER	• Robert Bendorf
CITY ATTORNEY	• Shannon L. Chaffin

**1201 Civic Center Blvd
Yuba City CA 95993**

Wheelchair Accessible

*The City has adopted a Reasonable Accommodations Policy that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. Please visit [yubacity.net ADA & Accessibility Resources page](http://yubacity.net/ADA&AccessibilityResources). If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to help. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation; 72 hours in advance is suggested. Please contact City offices at (530) 822-4817 or **(TTY: 530-822-4732)**, so such aids or services can be arranged. Requests may also be made by email at cityclerk@yubacity.net or citymanager@yubacity.net or mail City Clerk, 1201 Civic Center Blvd, Yuba City, CA 95993.*

AGENDA
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
OCTOBER 21, 2025
5:00 P.M. CLOSED SESSION
SUTTER ROOM/VIRTUAL

6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net, subject to staff's availability to post the documents before the meeting.

The Council Chambers will be open for public attendance and participation. The meeting will also be live streamed for public viewing, but not participation, at the following link: https://yubacity-net.zoom.us/webinar/register/WN_tvcylwAlQzuH7iER_EAxyw. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council prior to the meeting. Please identify the Agenda item(s) addressed by the comments.

Public Comment:

Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council in the Council Chamber prior to the City Council convening into closed session. Comments from the public will be limited to three minutes. No member of the public will be allowed to be present once the City Council convenes into closed session.

Closed Session

- A. Public Employee Discipline/Dismissal/Release (Government Code §§ 54954.5 and 54957(b)(1))
- B. Liability Claim:
Claimant: Daniel Van Doom, Claim 25-31
Agency Claimed Against: City of Yuba City
- C. Liability Claim:
Claimant: Mary Carothers, Claim 25-32
Agency Claimed Against: City of Yuba City
- D. Liability Claim:
Claimant: Jonathan Soto, Claim 25-33
Agency Claimed Against: City of Yuba City
- E. Liability Claim:
Claimant: Feyth Melchor, Claim 23-13
Agency Claimed Against: City of Yuba City

Regular Meeting

Call to Order

Roll Call

- ___ Mayor Shaw
- ___ Vice Mayor Boomgaarden
- ___ Councilmember Kirchner
- ___ Councilmember Pasquale
- ___ Councilmember Cole

Invocation/Inspiration

Pledge of Allegiance to the Flag

City Attorney's Report on Closed Session Items, City Attorney Shannon Chaffin

Agenda Modifications

Presentations

1. **Background & Status Update: Roundabout at Sanborn Rd & McCune Ave**
2. **2025 Sikh Parade Update**

Public Communication

3. **Appearance of Interested Citizens**

You are welcome and encouraged to participate in this meeting. Public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda will be considered at this time. Public comment is limited to three minutes per speaker. Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted five minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council request specific items to be discussed or removed from the Consent Calendar for individual action.

4. **Minutes of the October 7, 2025, Regular Meeting of the City Council**
Recommendation: Approve the Minutes of the October 7, 2025 Regular Meeting of the City Council
5. **Sutter Theater Center for the Arts Department of Alcoholic Beverage Control (ABC) Application located at 754 Plumas Street**
Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the issuance of a Type 64 (Special On-Sale General for Nonprofit Theater Company) Alcoholic Beverage Control License at 754 Plumas Street
6. **Fiscal Year 2026-2027 Waste Tire Enforcement Grant Application**
Recommendation: Adopt a Resolution authorizing Yuba County, as the Lead Agency of the Yuba-Sutter Local Enforcement Agency, to perform Waste Tire Enforcement activities on behalf of the City of

Yuba City and submit a Collaborative Application for the Waste Tire Enforcement Grant to CalRecycle for Fiscal Year 2026-27

7. **Adoption of an Ordinance updating the City's procedures for filing claims against the City**
Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City repealing and adding Section 3-3.04 of Chapter 3 of Title 3 of the Municipal Code regarding special claims procedures by title only and waive the second reading
8. **Amended/Restated Regional Housing Authority JPA - Adding Lake County**
Recommendation: Authorize the Mayor to sign the Amended/Restated Regional Housing Authority Joint Powers Agreement to include Lake County
9. **Yuba City Representation on Sutter County Planning Commission**
Recommendation: Confirm the appointment of Scott Blankenship, Yuba City Planning Commissioner, to the Sutter County Planning Commission and forward the recommendation to the Sutter County Board of Supervisors

Business Items

10. **2025/2026 Office of Traffic Safety Traffic Enforcement Grant**
Recommendation: A. Conduct a Public Hearing, and after consideration;

B. Adopt a Resolution authorizing the Chief of Police to accept \$100,000 in grant funding from the 2025/2026 Selective Traffic Enforcement Program and approve expenditure recommendations;

C. Authorize a supplemental appropriation in the amount of \$100,000 to Account No. 100-43418, 2165-61430, 2165-62801, and 2165-63801
11. **Rezone (RZ) 24-05 and Planned Development 20, Elmer West Subdivision (TSM 24-05) located on the west side of Elmer Avenue (APN 17-065-008)**
Recommendation: A. Conduct a public hearing; then

B. Introduce an Ordinance of the City Council of the City of Yuba City approving Environmental Assessment (EA) 24-12 by adopting a Mitigated Negative Declaration prepared for RZ 24-05, Planned Development 20, and TSM 24-05, and rezoning Assessor's Parcels 017-065-008 from R-1-X20 to PD 20, located on the west side of Elmer Avenue, by title only and waive the first reading
12. **The Ridge Estates Subdivision: General Plan Amendment (GPA) 25-01 and Rezone (RZ) 25-01**
Recommendation: A. Conduct a Public Hearing and make the necessary findings to:

B. Adopt a Resolution approving Environmental Assessment (EA) 25-01 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and

approve General Plan Amendment (GPA) 25-01, redesignating 4.21 acres from Office and Office Park (O) land use designation to Medium Density Residential (MDR); and

C. Introduce an ordinance of the City Council of the City of Yuba City approving Rezone (RZ) 25-01 and rezoning Assessor's Parcels 63-010-136 and 137 from R-3X24 and C-OX24 to PD 21, on 20.76 acres located on the west side of El Margarita Road approximately 1,850 feet south of State Route 20 by title only and waive the first reading

13. Zoning Code Amendment (ZC) 25-02; Revising the development standards for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) for consistency with State law

Recommendation: A. Conduct a Public Hearing; and

B. Introduce by title only and waive the first reading of an Ordinance of the City Council of the City of Yuba City finding that Zoning Code Amendment ZC 25-02 is not subject to environmental review pursuant to Public Resources Code Section 21080.17 and approving Zoning Code Amendment 25-02 amending Table 8-5.5004(A) and Subdivisions (C) and (F) of Section 8-5.5004, of Chapter 5 of Title 8 of the Yuba City Municipal Code relating to the development of accessory dwelling units and junior accessory dwelling units

Future Agenda Items

14. Future Agenda Items

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

15. City Manager's Report

16. City Council Reports

Adjournment



Sanford & McCune Background & Status Update

Presentation by:

Josh Wolffe
Public Works Director



2025 Sikh Parade Status Update

Presentation by:

Chief Jim Runyen
Yuba City Police Department

CITY OF YUBA CITY

Public Communication

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

You are welcome and encouraged to participate in this meeting. Complete a Speaker Card located in the lobby and give to the Clerk, public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda, will be considered at this time.

When a matter is announced, wait to be recognized by the Mayor to provide your comments to the Council. Comments should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

Request for additional time to address Council

Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted 5 minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Procedure

When requesting to comment, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:
Ciara Wakefield, City Clerk
cityclerk@yubacity.net

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Minutes of the October 7, 2025, Regular Meeting of the City Council
Recommendation: Approve the Minutes of the October 7, 2025 Regular Meeting of the City Council
Fiscal Impact: None

Attachments:

1. 10-07-2025 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

MINUTES (DRAFT)
**REGULAR MEETING OF THE SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND
CITY COUNCIL - CITY OF YUBA CITY**

OCTOBER 7, 2025

**4:30 P.M. CLOSED SESSION
SUTTER ROOM / VIRTUAL**

**6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL**

Closed Session

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Shaw at 5:01 PM

Roll Call:

Present: Mayor Shaw and Councilmembers Boomgaarden, Cole, Kirchner, and Pasquale

Absent: None

Closed Session

- A. Liability Claim:
Claimant: Justen Rossiter, Claim 25-26
Agency Claimed Against: City of Yuba City
- B. Liability Claim:
Claimant: Jordan McClelland, Claim 25-27
Agency Claimed Against: City of Yuba City
- C. Liability Claim:
Claimant: Robert A Diaz, Claim 25-28
Agency Claimed Against: City of Yuba City
- D. Liability Claim:
Claimant: Benjamin Garcia, Claim 25-29
Agency Claimed Against: City of Yuba City
- E. Liability Claim:
Claimant: Arun Cata Singh, Claim 25-30
Agency Claimed Against: City of Yuba City
- F. Conference with Legal Counsel – Anticipated Litigation Deciding whether to initiate litigation pursuant to Government Code Section 54956.9(d)4. Number of cases: One (1) Case
- G. Threats to Public Services or Facilities pursuant to Government Code Section 54957(a). Consultation with: City Attorney and/or City Manager

No public comment received

Regular Meeting

Call to Order

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:02 PM

Roll Call:

Present: Mayor Shaw and Councilmembers Boomgaarden, Cole, Kirchner, and Pasquale

Absent: None

Invocation/Inspiration

Jeff Poppinga, Worship Leader, Adventure Church

Pledge of Allegiance to the Flag

Marc Boomgaarden, Vice-Mayor

City Attorney's Report on Closed Session Items

Shannon Chaffin, City Attorney:

- Item A – Rossiter (Claim 25-26): Notice of Rejection
- Item B – McClelland (Claim 25-27): Notice of Rejection
- Item C – Diaz (Claim 25-28): Notice of Rejection (Non-jurisdictional)
- Item D – Garcia (Claim 25-29): Notice of Rejection
- Item E – Singh (Claim 25-30): Notice of Rejection (Non-jurisdictional) / Notice of Insufficiency
- Item F – Authorized to seek a restraining order and any additional related action against
Stephen Sustrick

Agenda Modifications

- Item 4 – Due to the Federal Government shut-down, Lt. Col. Dom Foglia was unable to join us this evening. His visit and presentation will be rescheduled

Ceremonial Presentations

1. Proclamation — Faith Christian School, 50th Anniversary

Mayor Shaw presented a proclamation and a certificate to Faith Christian School representatives:

Bill Hannold, Superintendent, Elementary Principal
Derek Morrison, Asst Superintendent, HS Principal
Faith Christian School Board Members:

- Matt Davis
- Amy Briscoe
- Amy Smith
- Doreen Maher

2. Proclamation — Code Enforcement Officers Appreciation Week

Mayor Shaw presented a proclamation to Doug Libby, Development Services Director, and the Code Enforcement Team

3. We Are Yuba City Legacy Award — The Cookie Tree

Mayor Shaw presented the We Are Yuba City Award to Cookie Tree Owner, Sue Smith, and members of the Smith Family

~~4. Introduction of Lt. Col. Dom Foglia and Presentation of the 9th Intelligence Squadron mission at Beale Air Force Base~~

5. Active Transportation Plan - Update Presentation by Fehr and Peers

David Moore, Transportation Planner – Fehr & Peers gave a presentation

Public Communication

6. Appearance of Interested Citizens

Ray Lomeli spoke

Consent Calendar

Councilmember Pasquale moved and Vice-Mayor Boomgaarden seconded the motion to approve Consent Calendar items 7-12:

7. Minutes of the September 16, 2025 Regular Meeting of the Successor Agency to the Redevelopment Agency and City Council and the September 23, 2025 Special City Council Meeting Workshop

Approve the Minutes of the September 16, 2025 Regular Meeting of the Successor Agency to the Redevelopment Agency and City Council and the September 23, 2025 Special City Council Meeting Workshop

8. West Sanborn Unit 2 Subdivision – Subdivision Agreement and Final Map Approval

Adopt **Resolution 25-115** approving the execution of a Subdivision Agreement with FOR California Development LLC, a Delaware limited liability company providing for public improvements associated with the West Sanborn Unit 2 Subdivision Map, approving the West Sanborn Unit 2 Subdivision Final Map, accepting dedication of rights-of-way and easements shown thereon, and authorizing the filing of the map [Subdivision is located at the northwest corner of Sanborn Road and Bogue Road]

9. Aquifer Storage and Recovery Well – Phase 2 (Plans & Specifications)

Adopt **Resolution 25-116** approving the plans and specifications for the ASR Well – Phase 2 Project at the Water Treatment Plant and authorizing advertisement for bids on the project

10. Shasta Street and Alturas Street Bus Pad Improvements (Plans & Specifications)

Adopt **Resolution 25-117** adopting a CEQA Class 1 Categorical Exemption, approving the plans and specifications, and authorizing advertisement for bids for the Shasta Street and Alturas Street Bus Pad Improvements Project

11. Adoption of an Ordinance updating the City's procedures for filing claims against the City

Adopt **Ordinance 010-25** of the City Council of the City of Yuba City repealing and adding Section 3-3.04 of Chapter 3 of Title 3 of the Municipal Code regarding special claims procedures by title only and waive the second reading

12. Utilities Department Vacancy Staffing Request – Electrical Technician I/II

Authorize the Interim Human Resources Director to fill the vacancy for a full-time permanent Electrical Technician I/II in the Utilities Department

The motion was passed unanimously

Business Items

13. Community Sponsorships

Councilmember Kirchner moved and Councilmember Cole seconded the motion to:

- A. Adopt **Resolution 25-118** to approve a monetary sponsorship request from Yuba City High School Baseball Boosters in the amount of \$1,000.00
- B. Adopt **Resolution 25-119** to approve a monetary sponsorship request from the Community Memorial Museum Association in the amount of \$1,000.00 for sponsorship of the Annual Trees & Traditions fundraiser event
- C. Adopt **Resolution 25-120** to approve a monetary sponsorship request from The Yuba- Sutter Economic Development Corporation in the amount of \$1,000.00 for the Bounty of Sutter County event

The motion was passed unanimously

Future Agenda Items

14. Future Agenda Items

Councilmember Kirchner requested background information and an update on the roundabout at Sanborn & McCune

Reports and Communications

15. City Manager's Report

16. City Council Reports

- Councilmember Kirchner
- Councilmember Pasquale

- Councilmember Cole
- Vice-Mayor Boomgaarden
- Mayor Shaw

Adjournment

Mayor Shaw adjourned the Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council at 7:14 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Jaspreet Kaur, Senior Planner

Summary

Subject: Sutter Theater Center for the Arts Department of Alcoholic Beverage Control (ABC) Application located at 754 Plumas Street

Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the issuance of a Type 64 (Special On-Sale General for Nonprofit Theater Company) Alcoholic Beverage Control License at 754 Plumas Street

Fiscal Impact: No direct fiscal impact would result from recommending approval of the proposed Alcoholic Beverage Control application

Purpose:

Consideration to make a finding of public convenience or necessity for the issuance of a Type 64 (Special On-Sale General for Nonprofit Theater Company) Alcoholic Beverage Control License at 754 Plumas Street.

Council's Strategic Goal:

The item addresses Council's strategic goal of Business Friendly.

Background:

The City has received an application from the Yuba Sutter Regional Arts Council, requesting a Type 64, Special On-Sale General for Nonprofit Theater Company, license with the Department of Alcoholic Beverage Control. When ABC receives an application for a location where a high concentration of licenses exists, and/or a crime rate exceeding 25% of the average, the local government must then approve the application, prior to ABC approving it. In this instance, there are currently six (6) active licenses, with four (4) allowed in the census tract. This location is not in a high crime rate area of the City.

Analysis:

Type 64 license may be issued to certain nonprofit theater companies. The theater companies holding this license may sell and serve alcoholic beverages to ticketholders only during, and two hours prior and one hour after, a bona-fide theater performance of the company. Additionally, ABC and State Business and Professions Code, Section 23958, states the governing body must determine that the approval of this license would provide public convenience or necessity, in order for the license

application to be approved by ABC in this location due to the number of existing licenses that exist within the Census tract.

Fiscal Impact:

No direct fiscal impact will result from making a finding of public convenience and necessity for the issuance of a Type 64 Alcoholic Beverage Control License at 754 Plumas Street.

Alternatives:

Do not make a finding of public convenience and necessity for the issuance of a Type 64 Alcoholic Beverage Control License at 754 Plumas Street.

Recommendations:

Adopt a Resolution making a finding of public convenience and necessity for the issuance of a Type 64 Alcoholic Beverage Control License at 754 Plumas Street.

Attachments:

1. Resolution
2. ABC License Application

Prepared By:
Jaspreet Kaur
Senior Planner

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
MAKING A FINDING OF PUBLIC CONVENIENCE AND NECESSITY FOR
THE ISSUANCE OF A TYPE 64 (SPECIAL ON-SALE GENERAL FOR
NONPROFIT THEATER COMPANY) ALCOHOLIC BEVERAGE
CONTROL (ABC) LICENSE AT 754 PLUMAS STREET.**

WHEREAS, pursuant to applicable provisions of the Business and Professions Code, the Department of Alcoholic Beverage Control (hereinafter the “ABC”) is charged with the responsibility of reviewing applications and issuance of licenses for the sale and/or manufacture of alcoholic beverages in the State of California; and

WHEREAS, Section 23958 of the Business and Professions Code provides that the ABC shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4 of said Business and Professions Code; and

WHEREAS, Section 23958.4 of the Business and Professions Code provides that, notwithstanding the limitations of Section 23958, the ABC shall issue a license if the applicant shows that “public convenience or necessity” would be served by the issuance of such license; and

WHEREAS, the City of Yuba City has received an application for a Public Convenience and Necessity determination that was filed by Yuba County Sutter County Regional Arts Council, the (“Applicant”), located at 754 Plumas Street in Yuba City, requesting a letter of Public Convenience and Necessity to allow a Type 64 License in a census tract that has surpassed the number of allotted licenses and is located where there is a higher-than-average crime rate; and

WHEREAS, said Section 23958.4 further provides that the determination of “public convenience or necessity” shall be made by the local governing body of the area in which the applicant’s premises are located with regard to certain applications, including on-site sales of alcohol at family entertainment center; and

WHEREAS, the City Council has considered this matter, and desires to find that the public convenience and necessity would be served by granting a Type 64 ABC License for the location at 754 Plumas Street in Yuba City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yuba City as follows:

1. The recitals and findings set forth above are true and correct and incorporated herein by this reference.
2. The City Council finds that this matter is not a “project” for the purposes of the California Environmental Quality Act (CEQA) as it is merely a determination whether the public convenience and necessity would be served by the issuance of a Type 40 (on-sale beer) ABC License for the location at 673 Plumas Street. It does not have a potential for resulting in a reasonably foreseeable physical change to the existing environment.

3. The City Council finds and determines the public convenience and necessity is met in the present circumstances for reasons including the following:
 - a. The alcohol sales for on-site consumption would be limited to the business hours-of-operation and as required by State Law.
 - b. The request to permit alcohol for on-premises consumption will not adversely affect the surrounding land uses and the growth and development of the area because the use is compatible with the nearby developments, and consumption is limited to on-site.
 - c. The determination of Public Convenience or Necessity, under the conditions imposed, will not be detrimental to the health and safety of the citizens of the City of Yuba City.
4. This resolution shall take effect immediately.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 21st day of October, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions
- This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
 - Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

Yuba County Sutter County Regional Arts Council

2. PREMISES ADDRESS (Street number and name, city, zip code)

754 Plumas St. Yuba City, CA 95991-4431

3. LICENSE TYPE

64 - On-Sale

4. TYPE OF BUSINESS

- ☐ Full Service Restaurant ☐ Hofbrau/Cafeteria ☐ Cocktail Lounge ☐ Private Club
☐ Deli or Specialty Restaurant ☐ Comedy Club ☐ Night Club ☐ Veterans Club
☐ Cafe/Coffee Shop ☐ Brew Pub ☐ Tavern: Beer ☐ Fraternal Club
☐ Bed & Breakfast ☐ Theater ☐ Tavern: Beer & Wine ☐ Wine Tasting Room
☐ Wine only ☐ All

- ☐ Supermarket ☐ Membership Store ☐ Service Station ☐ Swap Meet/Flea Market
☐ Liquor Store ☐ Department Store ☐ Convenience Market ☐ Drive-in Dairy
☐ Drug/Variety Store ☐ Florist/Gift Shop ☐ Convenience Market w/Gasoline

☒ Other - describe: Performing Arts Venue

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

☐ On-Sale ☐ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

☐ On-Sale ☐ Off-Sale

8. CENSUS TRACT NUMBER

502.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

☒ On-Sale ☐ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

6

☒ On-Sale ☐ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- ☒ Yes, the number of existing licenses exceeds the number allowed
☐ No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- ☐ Yes (Go to Item #13) ☒ No (Go to Item #20)

Sutter County

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- ☐ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, an on-sale general (public premises) license, or an on-sale general music venue license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Yuba City Planning Dept -
1201 Civic Center Blvd
Yuba City, CA 95993

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Rh 8/29/25

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

☐ No

See Attached (i.e., letter, resolution, etc.)

25 ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26 CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Fiscal Year 2026-2027 Waste Tire Enforcement Grant Application
Recommendation: Adopt a Resolution authorizing Yuba County, as the Lead Agency of the Yuba-Sutter Local Enforcement Agency, to perform Waste Tire Enforcement activities on behalf of the City of Yuba City and submit a Collaborative Application for the Waste Tire Enforcement Grant to CalRecycle for Fiscal Year 2026-27
Fiscal Impact: None directly to the City. The Yuba-Sutter LEA estimates receiving funding of \$90,000-\$110,000 for enforcement activities

Purpose:

To ensure that generators of waste tires properly handle, store, transport and dispose of waste tires as required under regulations. This is accomplished by annual facility inspections and education and by conducting surveillance for illegally disposed tires.

Background:

In 1989, CalRecycle (formerly called the California Integrated Waste Management Board) certified all County Environmental Health Departments to be the Local Enforcement Agencies (LEA) to carry out solid waste permitting, inspection and enforcement activities. Sutter County and Yuba County opted to form a joint local enforcement agency with Yuba County Environmental Health Department being the lead agency. Enforcement activities include the cities of Yuba City, Live Oak, Marysville, and Wheatland, as well as Yuba and Sutter Counties.

CalRecycle receives revenue through fees generated from each new tire sold in California to fund the Waste Tire grants.

Analysis:

The Yuba-Sutter LEA, through Yuba County, has one inspector dedicated to Waste Tire Enforcement activities for the bi-county region. The inspector performs 30 – 40 inspections and responds to one or two complaints per month. Inspections are performed every two to three years on tire shops, auto repair shops, farmers, or any business that receives, sells, or stores tires. The businesses are required to keep disposal records for up to three years. The inspector verifies that the business is in compliance with state laws regarding their disposal process and how many waste and used tires are on hand.

Violators are given 30 days to become compliant; if in 30 days they are still in violation, the business is referred to CalRecycle for enforcement (see attached Flow Chart).

On behalf of the Yuba-Sutter Local Enforcement Agency, Yuba County is prepared to submit a collaborative application for the Waste Tire Enforcement Grant for FY 2026-27. The grant pays for the cost of the inspector and inspections at \$119 per hour, which includes personnel time, a truck and other equipment, mileage, administration and overhead costs, etc.

Fiscal Impact:

None directly to the City. Jurisdictions with populations equal or less than 900,000 are eligible to receive up to \$300,000. The Yuba-Sutter LEA usually budgets for \$90,000 to \$110,000 per grant cycle and at least 80% of this money is spent. The Yuba-Sutter LEA received a grant of \$102,540 for Waste Tire Enforcement activities for FY 2025-26.

Alternatives:

If the City Council elects not to participate in the collaborative application with the Yuba-Sutter Local Enforcement Agency, it may result in a loss of waste tire enforcement activities within the City boundaries.

Recommendation:

Adopt a Resolution authorizing Yuba County, as the Lead Agency of the Yuba-Sutter Local Enforcement Agency, to perform Waste Tire Enforcement activities on behalf of the City of Yuba City and submit a Collaborative Application for the Waste Tire Enforcement Grant to CalRecycle for Fiscal Year 2026-27.

Attachments:

1. Resolution - 2026-2027 Waste Tire Program

Prepared By:

Ciara Wakefield
City Clerk

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE COUNTY OF YUBA TO PERFORM WASTE TIRE
ENFORCEMENT ACTIVITIES ON BEHALF OF THE CITY OF YUBA CITY AND
SUBMIT A COLLABORATIVE APPLICATION FOR THE WASTE TIRE
ENFORCEMENT GRANT, FISCAL YEAR 2026-27**

WHEREAS, Public Resources Code sections 4000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs (Grant) in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State, thereby preserving landfill capacity and protecting public health, health and safety and the environment; and

WHEREAS, funds are allocated and available from the CalRecycle for Grants to cities, counties, and cities and counties with regulatory authority within the City and County government to perform enforcement/compliance and surveillance activities of entities and/or individuals involved with the waste tire industry; and

WHEREAS, CalRecycle has been delegated the responsibility for the administration of the Program within the State; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and CalRecycle require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to CalRecycle; and

WHEREAS, the County of Yuba has agreed to perform waste tire activities on behalf of the City of Yuba City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City hereby authorizes the County of Yuba to submit to the CalRecycle a Collaborative Application for the Waste Tire Enforcement Grant, Fiscal Year 2026-27 on its behalf.

BE IT FURTHER RESOLVED that the County of Yuba is hereby authorized and empowered to execute all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposed specified in the Grant Application.

BE IT FURTHER RESOLVED that the County of Yuba is hereby authorized to conduct waste tire enforcement activities within the jurisdictional boundaries of the City of Yuba City during the term of Fiscal Year 2026-27 Local Government Waste Tire Enforcement Grant.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 21st day of October 2025.

###

AYES:

NOES:

ABSENT:

ATTEST:

Dave Shaw, Mayor

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Robert Bendorf, City Manager, Interim City Manager

Summary

Subject: Adoption of an Ordinance updating the City's procedures for filing claims against the City

Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City repealing and adding Section 3-3.04 of Chapter 3 of Title 3 of the Municipal Code regarding special claims procedures by title only and waive the second reading

Fiscal Impact: None

Purpose:

To amend the special claims procedures to implement a more uniform and efficient process for filing claims against the City.

Background:

In California, public agencies such as the City are generally immune from liability for injuries to persons or property under the doctrine of sovereign immunity, subject to certain exceptions established by statute or constitutional law. However, the State has enacted the Government Claims Act (Government Code §§ 810 et seq.) (the "Act"), which sets forth the procedures for presenting liability claims against public agencies for consideration and possible resolution. These claims may arise from tort, contract, or other legal theories.

Under the Act, anyone seeking monetary damages or other relief from the City must first file an administrative claim within either a six-month or one-year statute of limitations, depending on the nature of the claim. This requirement gives the City an opportunity to investigate the matter in a timely manner, potentially resolve the issue without litigation, and limit liability by barring late or meritless claims.

The Act identifies certain types of claims that are exempt from the administrative claim requirement. These include claims brought by the State or other public entities, claims by public employees, and claims related to taxes, special assessments, or bonds. If a claim falls under one of these exemptions, the claimant may proceed directly to court without presenting a claim to the City first.

However, the Act also provides a mechanism to allow the City to require the otherwise exempt claims to be filed with the City. This allows the City to limit potential liability against claims that are untimely and to reduce litigation expenses and potential judgments.

Analysis:

Here, the City's claims presentation ordinance under Section 3-3.04 of the Yuba City Municipal Code, but would benefit from being updated to be more specific regarding exempt claims, procedures, process, and settlement authority.

The proposed ordinance would address a specific presentation protocol for claims against the City. Section 3-3.04 will require all public entities, and others exempted under Section 905, with claims for money or damages against the City to file an administrative claim with the City prior to commencing litigation, and will prevent claims from being filed on behalf of a class of persons unless verified by each member of that class.

Procedurally, Section 3-3.04 will require all claims to be delivered to the City Clerk's office. The Risk Manager will assess each claim. If appropriate, the ordinance provides for delegation of authority to the Risk Manager to deny, approve, or compromise any claim up to \$10,000 with the concurrence of the Controller. Claims up to \$25,000 may be denied, approved, or compromised by the City Manager with the concurrence of the City Attorney. Any claim in excess of \$25,000 would be approved by the City Council.

This item was introduced at the Regular City Council Meeting on September 16, 2025. Staff is recommending that the City Council adopt the proposed ordinance to repeal and add Section 3-3.04 of the Yuba City Municipal Code relating to the establishment of a presentation protocol for claims against the City. To allow for implementation coordination, the ordinance is proposed to go into effect January 1, 2026.

Fiscal Impact:

No additional fiscal impact is anticipated; there may be cost savings from the streamlining of the process.

Alternatives:

1. Provide direction to staff as to the changes which should be incorporated into the Ordinance
2. Take no action on the Ordinance

Recommendation:

Adopt an Ordinance of the City Council of the City of Yuba City repealing and adding Section 3-3.04 of Chapter 3 of Title 3 of the Municipal Code regarding special claims procedures by title only and waive the second reading.

Attachments:

1. Ordinance - Filing Claims Against the City

Prepared By:
Vrunda Shah
Deputy City Attorney

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY REPEALING AND
ADDING SECTION 3-3.04 OF CHAPTER 3 OF TITLE 3, OF THE MUNICIPAL CODE
REGARDING THE SPECIAL CLAIMS PROCEDURES**

WHEREAS, the doctrine of sovereign immunity generally protects public agencies from liability for injuries to persons or property, except as otherwise provided by statute or constitutional law; and

WHEREAS, Government Tort Claims Act (Government Code §§ 810 *et seq.*) (the “Act”) establishes the statutory framework for presenting liability claims against public agencies, including claims arising in tort, contract, or other legal theories; and

WHEREAS, the Act sets forth procedural requirements that enable public agencies to investigate claims in a timely manner, minimize litigation costs, and limit liability by barring untimely or noncompliant claims; and

WHEREAS, Section 905 of the Act exempts certain claims from the standard administrative claim presentation requirements, including, but not limited to, claims filed by the State or other local public entities; and

WHEREAS, Section 935 of the Act authorizes public agencies to adopt, by charter, ordinance, or regulation, local procedures requiring the presentation of administrative claims for those types of claims exempt under Section 905 and not otherwise governed by specific statutes or regulations; and

WHEREAS, Sections 3-3.04 of Chapter 3, Title 3 of the Yuba City Municipal Code provides limited procedures for the filing of claims against the City, which may be supplemented with standard provisions to establish a more complete and consistent claims process; and

WHEREAS, the City Council of the City of Yuba desires to amend the special claims procedures to implement a more uniform and efficient process for filing claims against the City, thereby reducing administrative burden, limiting liability exposure, and ensuring compliance with applicable law.

NOW THEREFORE, the City Council of the City of Yuba City does ordain as follows:

SECTION 1. Recitals. The above recitals are incorporated by reference.

SECTION 2. CEQA. The City Council finds and determines that the adoption of an ordinance regarding Planning Commission membership and terms of office is not a “project” for the purposes of the California Environmental Quality Act (CEQA) as the membership of the Planning Commission is an organizational or administrative activity of the City that will not result in direct or indirect physical changes to the environment as contemplated by CEQA Guidelines section 15378. As such, this activity is not subject to CEQA.

SECTION 3. Amendment. Section 3-3.04 of Chapter 3, Title 3 of the Yuba City Municipal Code is repealed in its entirety.

SECTION 4. Amendment. Section 3-3.04 of Chapter 3, Title 3 of the Yuba City Municipal Code is added to read in its entirety as follows:

Section 3-3.04. – Special claims procedures.

- (a) Claims against the city shall be in writing, verified by the claimant or his or her guardian, conservator, executor or administrator and filed with the City Clerk of the city. All claims shall be filed within one year after the accrual of the cause of action, unless a shorter period is provided by applicable law. The Risk Manager, in consultation with the City Attorney, shall evaluate the sufficiency and form of all such claims and give notices relative to any deficiency thereof to the claimant. No claim may be filed on behalf of a class of persons unless verified by every class member. All claims shall contain the information required by California Government Code section 910. The Risk Manager shall have all such claims investigated, and shall prepare an investigative report and a recommendation relating to each such claim, in consultation and cooperation with the City Attorney. Claims against the city for money or damages which are excepted by Section 905 from Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the Government Code, and which are not governed by any other statutes or regulations expressly relating thereto, shall be governed by the claims procedure prescribed in this Article. All claims against the city, including claims under the Revenue and Taxation Code or their statute prescribing procedures for the refund, rebate, exemption, cancellation, amendment, modification or adjustment of a tax, assessment, fee or charge or any portion thereof, or any penalties, costs or charges related thereto; and claims by the State or by a State Department or agency or by another public entity shall be presented and acted upon in accordance with this Article as a prerequisite to suit thereon.
- (b) All claims excepted by Government Code Section 905 shall be presented within the time, and in the manner prescribed by Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the Government Code for the claims to which that part applies, as those provisions now exist or are amended and as provided by this Article.
- (c) The Risk Manager may deny any claim including a claim in litigation amounting to ten thousand dollars (\$10,000.00) or less, or may, with the concurrence of the Controller or designee, approve for payment any claim or pending litigation amounting to ten thousand dollars (\$10,000.00) or less, or compromise for ten thousand dollars (\$10,000.00) or less any claim. "Pending litigation," for purposes of this section 3-3.04, shall mean any action, proceeding, or cause pending in any court of record or before anybody, official, or agency, including (without limitation), any administrative proceeding or special proceeding, provided that pending litigation shall not include a criminal proceeding.
- (d) The Risk Manager shall forward any claim not disposed of pursuant to subsection (c) of this section to the City Manager, and shall include therewith an investigative report and recommendation. The City Manager may, with the concurrence of the City Attorney, deny any claim amounting to twenty-five thousand dollars (\$25,000.00) or less, approve for payment any claim or payment of pending litigation amounting to twenty-five thousand dollars (\$25,000.00) or less, or compromise any claim or settlement of pending litigation amounting to twenty-five

thousand dollars (\$25,000.00) or less. The City Manager shall return any claim which has been approved, or compromised or denied by him, together with his and the City Attorney's decisions relative thereto, to the Risk Manager who shall be responsible for immediately notifying the claimant of such decision and expediting the payment of any claim which has been approved or compromised.

- (e) For all claims not disposed of pursuant to subsection (c) or (d) of this section, the City Attorney shall prepare and submit, as soon as possible, a report to the Council either in open session or in closed session, at the City Attorney's election, together with a recommendation that such claim be approved, compromised, or denied. The City Attorney shall, following the decision of Council, return the claim file to the Risk Manager attaching thereto a memorandum indicating the Council's decision in the matter. The Risk Manager shall thereupon notify the claimant, in writing, of the decision and expedite payment of any claim which has been approved or compromised.
- (f) Notwithstanding the above, the Risk Manager shall notify and send copies of all claims which are determined to be covered by insurance to the insurance carrier which provides coverage to the city, and shall be the city's liaison with such carriers for the purpose of any claim involvement.
- (g) The City Manager and Controller may delegate their respective responsibilities set forth in Section 3-3.04 to any staff member of their respective offices or to the Risk Manager. The City Attorney may delegate the responsibilities set forth in this article to an attorney in the City Attorney's Office.
- (h) The procedure prescribed and the regulations and rules established by or under this Article do not require a shorter time for the presentation of any claim than the time provided in Government Code Section 911.2. The procedure prescribed under this Article or any rules promulgated thereunder do not require a longer time for the taking of action upon any claim than the time provided in Government Code Section 912.4.
- (i) It is the intent of the Council in adopting this ordinance to extend as broadly as possible under the law the requirement that a claim be presented to the city as a pre-requisite to the bringing of any action against the city, including, but not limited to, actions arising out of or relating to contracts. As authorized under California Government Code Section 935, it is the intent of the Council that all claims for money or damages which are otherwise excepted by Section 905 of the California Government Code be filed with the city's City Clerk prior to the bringing of any suit.
- (j) The City Manager may adopt any and all regulations (and prescribe the form of any required claims and notices, to the extent allowed by the Government Claims Act) necessary or desirable to implement the provisions of this section.
- (k) The procedures called for by this section or any enabling regulations shall apply retroactively to previously accrued claims.

SECTION 5. Severability. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application,

and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 6. Conflicting Provisions. If provisions of this Ordinance are in conflict with each other, other provisions of the City's Code, regulations or policies, any other resolution or ordinance of the City, or any state law or regulation, the more restrictive provisions shall apply.

SECTION 6. Effective Date. This Ordinance shall be effective January 1, 2026.

This Ordinance was introduced on September 16, 2025, and duly adopted by the City Council of the City of Yuba City at its duly noticed regular meeting October 21, 2025, by the following vote:

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor
City of Yuba City

ATTEST:

Ciara Wakefield, City Clerk
City of Yuba City

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Amended/Restated Regional Housing Authority JPA - Adding Lake County
Recommendation: Authorize the Mayor to sign the Amended/Restated Regional Housing Authority Joint Powers Agreement to include Lake County
Fiscal Impact: None

Purpose:

Consider the Regional Housing Authority's request to add Lake County to the Joint Exercise of Powers Agreement between Sutter, Nevada, Yuba, Colusa Counties, and the Cities of Live Oak, Yuba City and Colusa.

Council's Strategic Goal:

This request improves the overall quality of life of residents in our region by expanding opportunities for housing to new areas.

Background:

The Regional Housing Authority (RHA) provides rental assistance through the Housing Choice Voucher program for clients in several jurisdictions as per the Amended and Restated Joint Exercise of Powers Agreement approved in July 2016. Lake County Housing Authority has expressed a desire to consolidate its management and operations of its entire Housing Choice Voucher, Emergency Housing Vouchers (EHV) and Veterans Affairs Supportive Housing (VASH) assistance programs with a larger entity to create an area housing authority.

Analysis:

At the April 16, 2025, meeting of the Regional Housing Authority (RHA) Board of Commissioners it was approved to consolidate with Lake County to administer their Housing Choice Voucher (Section 8), EHV and VASH assistance programs and its associated Annual Contributions Contract. As per the U.S. Department of Housing and Urban Development (HUD), approval from the respective jurisdictions is required before the consolidation with Lake County can be finalized.

The Regional Housing Authority requests the City of Yuba City City Council approve the attached

Amended and Restated Joint Exercise of Powers Agreement between Sutter, Nevada, Yuba, Colusa and Lake Counties, and the Cities of Live Oak, Yuba City and Colusa, for the purpose of creating a Regional Housing Authority.

Fiscal Impact:

None

Alternatives:

Do not sign the Amended Restated JPA, excluding Lake County

Recommendation:

Authorize the Mayor to sign the Amended/Restated Regional Housing Authority Joint Powers Agreement to include Lake County.

Attachments:

1. Letter to Approve Amended JPA - City of Yuba City
2. Amended Restated JPA of RHA Admitting Lake Co - Redline
3. Amended Restated JPA of RHA Admitting Lake Co - Clean Copy

Prepared By:

Ciara Wakefield
City Clerk

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1



REGIONAL HOUSING AUTHORITY

Serving the Cities of Live Oak, Yuba City and Colusa • Counties of Sutter, Nevada, Colusa and Yuba

1455 Butte House Road • Yuba City, CA 95993

Phone: (530) 671-0220 • Toll Free: (888) 671-0220 • TTY: (866) 735-2929 • Fax: (530) 673-0775

www.RegionalHA.org

October 2, 2025

City Council
City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

RE: Consolidation with Lake County

The Regional Housing Authority (RHA) provides rental assistance through the Housing Choice Voucher program for clients in several jurisdictions as per the Amended and Restated Joint Exercise of Powers Agreement approved in July 2016. Lake County Housing Authority has expressed a desire to consolidate its management and operations of its entire Housing Choice Voucher, Emergency Housing Vouchers (EHV) and Veterans Affairs Supportive Housing (VASH) assistance programs with a larger entity to create an area housing authority.

At the April 16, 2025, meeting of the Regional Housing Authority (RHA) Board of Commissioners it was approved to consolidate with Lake County to administer their Housing Choice Voucher (Section 8), EHV and VASH assistance programs and its associated Annual Contributions Contract. As per the U.S. Department of Housing and Urban Development (HUD), approval from the respective jurisdictions is required before the consolidation with Lake County can be finalized.

The Regional Housing Authority requests the City of Yuba City City Council approve the attached Amended and Restated Joint Exercise of Powers Agreement between Sutter, Nevada, Yuba, Colusa and Lake Counties, and the Cities of Live Oak, Yuba City and Colusa, for the purpose of creating a Regional Housing Authority.

Sincerely,



Gustavo Becerra
Executive Director

ATTACHMENT 2

AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN SUTTER, NEVADA, YUBA, ~~AND~~ COLUSA ~~AND LAKE~~ COUNTIES,
AND THE CITIES OF LIVE OAK, YUBA CITY AND COLUSA, FOR THE PURPOSE
OF CREATING A REGIONAL HOUSING AUTHORITY

THIS AMENDED AND RESTATED AGREEMENT ("Agreement") is made and entered into ~~this effective November 1, 6th day of July, 2025~~¹⁶, by and between the counties of Sutter, Nevada, Yuba, ~~and~~ Colusa ~~and Lake~~ (collectively "Counties") and the cities of Yuba City, Live Oak and Colusa (collectively "Cities"). Counties and Cities are collectively referred to as "Members" or "Member Agencies." This Agreement supersedes and repeals the "Agreement Creating the Regional Housing Authority of Sutter & Nevada Counties" approved as of April 20, 2011 ("Original Agreement") and the Amended and Restated Agreement ("Agreement") approved as of July 6, 2016.

WITNESSETH

WHEREAS, each Member is empowered by law to establish a housing authority within its respective geographical territory, pursuant to Health & Safety Code sections 34340, et seq (the "Housing Authority Law") and to participate in federal housing programs; and

WHEREAS, Government Code Section 6500, et seq, (the "JPA Law") authorizes public agencies to enter into an agreement related to the joint exercise of power common to the parties to the Agreement, and the exercise of such additional powers as granted under the JPA Law; and

WHEREAS, Health & Safety Code Section 34324 allows two or more authorities to join or co-operate with one another in the joint exercise of any or all of their powers, including the ability to form a Regional Housing Authority; and

WHEREAS, each Member has determined by resolution that it has a need for a Housing Authority to function within its jurisdiction, that a housing authority exists within its jurisdiction (except in the case of the County of Colusa and City of Colusa) and that said housing authority is duly authorized by law to participate in a Regional Housing Authority as contemplated by this Agreement; and

WHEREAS, in 1946 the County of Sutter established a County Housing Authority, which duly operated as such until 1994 under the applicable provisions of the Housing Authority Law; and

WHEREAS, the cities of Live Oak and Yuba City declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243; and

WHEREAS, in 1992 the County of Sutter and the cities of Live Oak and Yuba City formed a consolidated housing authority known as the Consolidated Area Housing Authority of Sutter County, which duly operated as such until 2011; and

WHEREAS, in 1992 the County of Nevada established a County Housing Authority, which duly operated as such until 2011; and

WHEREAS, in April 2011 the Consolidated Area Housing Authority of Sutter County and the Nevada County Housing Authority entered into a Joint Exercise of Powers Agreement to create the Regional Housing Authority of Sutter & Nevada County, which has duly operated as a regional housing authority since that time; and

WHEREAS, in 1980, the County of Yuba established a County Housing Authority, which has duly operated as such since then; and

WHEREAS, in 2016, the County of Colusa declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, in 2016, the City of Colusa declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, in 2025, the County of Lake declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, the Member Agencies deemed it necessary and appropriate to create a separate public entity under a joint exercise of powers agreement, to form, participate in and operate a Regional Housing Authority encompassing the geographical territories of the Member Agencies to address regional and area-wide housing problems, combine their respective resources and direct their respective efforts in a more concentrated manner toward the alleviation of such problems. The Members further recognize that the creation of a Regional Housing Authority will permit unified long-term approaches to addressing housing issues within expanded yet cohesive areas of operation; and,

WHEREAS, upon the adoption of this Agreement and the appointment of all additional Commissioners hereto, title to all properties owned or held by or in trust for the housing authorities operated by the County of Lake~~counties of Yuba or Colusa and/or City of Colusa~~, together with all debts, demands, liabilities or other obligations existing in favor of or against such housing authorities shall become those of the Regional Housing Authority.

NOW THEREFORE, the Boards of Supervisors of the Counties of Sutter, Nevada, Yuba, ~~and Colusa~~ and Lake and the City Councils of Live Oak, Yuba City and Colusa for and in consideration of the mutual promises and agreements herein contained do agree as follows:

1. Formation of Agency. The Regional Housing Authority of Sutter and Nevada Counties ("Authority") was established in 2011 as an authority and a public entity separate and distinct from its Members, and which may sue and be sued. The Authority is hereby amended to add the County of Lake ~~counties of Yuba and Colusa, and the City of Colusa~~ as a Member Agency~~ies~~ and, is hereby renamed as the Regional Housing Authority, serving the communities of Sutter, Nevada,

Yuba, ~~and~~ Colusa and Lake Counties. A county or city may become a Member of the Authority upon (1) its governing body expressly ratifying and adopting this Agreement, and (2) amendment of this Agreement pursuant to Paragraph 14, below.

2. Purpose. The purpose of this Agreement is to create a separate public entity to provide for the joint participation by Members, as Members of the Authority, to:
 - (a) Address regional and area wide housing problems;
 - (b) Provide for unified long-term approaches to addressing housing needs within the scope of the Authority's jurisdiction;
 - (c) Prevent unnecessary duplication of effort on behalf of Members;
 - (d) Assume any additional purposes, duties and functions as may be determined by all parties to this Agreement.
3. Powers. The Authority shall have any and all common powers of the individual housing authorities organized and operated by the parties to this Agreement, and the powers separately conferred by law upon the Authority. All such powers, whether common to the parties or separately conferred by law upon the Authority, are specified as powers of the Authority except any such powers that are specifically prohibited to the Authority by applicable law. The Authority's exercise of its powers is subject to the restrictions upon the manner of exercising the powers of any of its respective Member Agencies.
4. Governing Board. The governing board of the Authority shall be referred to as the "Board of Commissioners" and shall be composed of the following ~~directors~~Commissioners:
 - (a) Member Representatives. Two (2) persons appointed by the governing bodies of each Member Agency.
 - (b) Tenant Representative. As required by Health & Safety Code Section 34246.5, one Tenant Commissioner to be recommended by the Board of Commissioners and jointly appointed by the governing bodies of all Member Agencies. The Tenant Commissioner shall be a tenant of the Authority as of the date of his or her appointment to the Board.
 - (c) Vacancies. Vacancies shall be filled in the same manner as the initial Commissioners are selected.
 - (d) Notification of Appointments. Member Agencies shall notify the Secretary of the Housing Authority, in writing, of all appointments to the Authority Board.
 - ~~(e)~~ Elected Member Representative Terms. Elected Member Representatives shall be appointed to ~~a four (4)~~ a four (4) year term commencing on January 31 of each year; provided, however, that no such Commissioner shall continue to be a Commissioner if the appointing board or council ceases to be a Member Agency.
 - ~~(e)(f)~~ Non-Elected Member Representative Terms. Non-Elected Member Representatives shall be appointed to a four (4) year term commencing on January 31 of the year of their appointment; provided, however, that no such Commissioner shall continue to be a Commissioner if the appointing board or council ceases to be a Member Agency.
 - ~~(f)(g)~~ New Member Representatives. New Members Agencies shall designate ~~one of their initial~~ Member Representatives to serve for a ~~a term of either an initial one (1) year term~~

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~~commencing on January 31 of the year of their appointment if they are an Elected Member Representative of three (3) years and/or one a Non-Elected Member Representative to serve for an initial~~ term of four (4) years ~~commencing on January 31 of the year they are appointed~~. All successor appointees to the Board shall be appointed ~~to either a one year term or a~~ for four (4) year terms, except that all mid-term vacancies shall be filled only for the unexpired portion of the term.

~~(g)~~(h) Tenant Representative Terms. The term of office of the Tenant Representative shall be two (2) years ~~commencing on January 31 of the year of their appointment~~; provided, however, that no such Representative shall continue to be a Commissioner if the Representative ceases to be a tenant of the Authority. All successor Tenant Representatives shall be appointed to two (2) year terms, except that all mid-term vacancies shall be filled only for the unexpired portion of the term.

~~(h)~~(i) Removal of Commissioners. Pursuant to Health & Safety Code section 34282, Commissioners may be removed for inefficiency, neglect of duty or misconduct in office by the governing body of the Member Agency that appointed him or her or, in the case of a Tenant Representative, by the Board of Commissioners.

~~(i)~~(j) Quorums; Majority Vote Required. ~~Three-fifths (3/5ths)~~A simple majority of the Commissioners of the Authority shall constitute a quorum for the purpose of conducting business, exercising the powers of the Authority, and for all other purposes. A majority of the directors present shall be required to vote affirmatively for any action in order for said action to be valid and effective.

~~(j)~~(k) Chair; Vice Chair. The Board of Commissioners shall select from its membership a chair and a vice-chair, each of whom shall serve for a term of one year.

~~(k)~~(l) Attendance. Member Agencies understand and agree that, in order for the Authority to function effectively, it is imperative to have an active, engaged and full Board. To that end, Member Agencies will use all due diligence and reasonable efforts to appoint Commissioners who have the time, expertise and interest to participate in the governance of the Authority.

~~(l)~~(m) Board Authority. Upon appointment of all required Commissioners has hereinabove provided, the Authority shall (i) be authorized to exercise all of the powers and transact all of the business which a housing authority is authorized to conduct pursuant to the Housing Authority Law; (ii) be vested with the powers and duties of all housing authorities previously created by Member Agencies and, upon the vesting of such powers and duties, be authorized to exercise all such powers and duties; (iii) be vested with all title, right and interest in any properties or housing projects owned or operated by all housing authorities previously created by Member Agencies and shall immediately transfer to and accept title in the Authority's name of any property owned or held in trust by said housing authorities; (iv) accept and assume any and all debts, demands, liabilities or obligations existing in favor of or against all housing authorities previously created by Member Agencies, and any proceedings of such housing authorities shall become those of the Authority. All such powers and duties, all right, title, and interest to property and all assumptions of debts, demands, liabilities, obligations and proceedings shall be deemed

to have the same validity, force and effect as if acquired, incurred, accrued or taken by the Authority.

5. Duties of Governing Board. The Board shall have the following duties and powers:
- (a) To act as the policy making body of the Authority;
 - (b) To act as the executive body of the Authority, which power said Board may delegate to staff to the extent the Authority deems appropriate and is otherwise in accordance with law;
 - (c) To enter into contracts and to accept and expend funds from federal, state, Member Agencies, and other sources for the purposes specified herein;
 - (d) To prepare, review and update a strategic or other long-term plan for the District, establish priorities for projects and funding applications, make progress reports to applicable federal, state and local agencies related to Authority business, and make such other reports as may be required or appropriate;
 - (e) To assist and work with Member Agencies in providing housing programs or meeting federal, state or local housing requirements or complying with local community desires;
 - (f) To buy, sell and manage property and housing projects, and to hold all right, title and interest in said properties and projects, within the Authority's geographical areas of operation, or by contract as authorized by applicable Health & Safety Code provisions. Pursuant to Health & Safety Code section 34327, the Authority's areas of operation shall be the combined areas of operation for each of its Member Agencies, to wit the Counties and Cities in accordance with Health & Safety Code sections 34208 and 34209.
 - (g) To manage Section 8 housing voucher programs and provide other housing-related services consistent with the authority granted to the Board under the Housing Authorities Law;
 - (h) To exercise the powers and duties of the respective Housing Authorities that were previously established by Member Agencies.
 - (i) To appoint or hire such staff or contract with such entities or individuals as the Board deems necessary to carry out the Authority's functions and purposes.
 - (j) To receive appropriate training and travel reimbursements incurred in the discharge of their duties, in compliance with state law. Commissioners shall not receive any compensation for attending Board meetings other the meeting per diem authorized by Health & Safety Code section 34274.
6. Budget. An annual budget for the operation of the Authority and fiscal year shall be adopted by the Board.
7. Fiscal Year. For purposes of this Agreement, the Authority shall have a fiscal year from April 1 to and including the following March 31.
8. Custody of funds; reporting. All receipt and payments of public funds shall be paid to and disbursed by Authority which shall be strictly accountable for all funds and responsible for reporting to the Members hereof as requested or otherwise required by law. The Board shall

establish reporting requirements and direct staff to maintain such reports, including, but not limited to, funds and accounts as may be required by good accounting practice or by law. All books and records of the Authority shall be open to inspection at all reasonable times by any party to this agreement or its representatives. Annual audits of the Authority's accounts and records shall be made by an independent CPA firm, and reports shall be filed in the manner provided in Section 6505 of the California Government Code. The Authority shall maintain all such audit report and any management letters arising from said reports for a period of five (5) fiscal years after the report has been issued, and copies of said documents or other public records shall be promptly provided to Member Agencies upon their request.

9. Limitations on Expenditures. The Board and every official or employee of the Authority shall be limited in the making of expenditures or the incurring of liabilities to the amount of appropriations allowed by the budget as adopted by the Board or thereafter revised by the Board. No expenditure of any kind or contract entered into on behalf of Authority without approval by the Board, except as otherwise provided by law, warrants issued, expenditures made or liabilities incurred in excess of any budget appropriation are not a liability of the Authority or a liability of any party to this Agreement.
10. Member Not Liable for Debts of Authority. Pursuant to Section 6508.1 of the California Government Code, the debts, liabilities, and obligations of the Authority shall be those of the Authority and shall not, under any circumstances, constitute debts, liabilities or obligations incurred by any party to this Agreement. Should any debt, liability or obligation of the Authority not be waived or allowed payable through assets of the Authority, none of the members shall be liable.
11. Insurance. During the term of this Agreement, the Authority shall maintain general liability insurance coverage, as well as errors and omissions coverage, in a sum not less than \$2 million per occurrence. The insurance shall contain a written endorsement to such policy or policies which names each of the Member Agencies as additional insureds.
12. Legal Services. The Authority may call upon the Office of the County Counsel for the County of Sutter for legal services, or may employ its own separate legal counsel.
13. Duration of Agreement. Any Member may withdraw from the Authority at any time by providing at least sixty (60) days written notice to the Secretary to the Board. This Agreement shall continue in effect until terminated by agreement or withdrawal of all but one of the County or City Members. Withdrawal by any Member shall relieve said Member from any further rights or obligations to the Authority as of the effective date of the notice of termination.
14. Termination of the Authority. In the event the Authority is terminated by agreement, the property and monies on hand at the time of termination, after all debts and liabilities are paid, shall be distributed among the parties to the then Members of the Authority in accordance with

their proportionate contributions thereto. Consistent with applicable laws and restrictions on transfer of properties under the Authority's ownership or control, the Authority may sell such property as may be necessary to pay any outstanding debts, liabilities or obligations of the Authority upon termination. Any Member who withdraws from the Authority prior to termination of the Authority shall forfeit all of its right, title and interest to all such property and monies; except that any property or housing projects which require ongoing management services or oversight and which cannot be otherwise sold or transferred at the time of dissolution shall become the sole responsibility of the Member Agency in whose jurisdiction the project lies, and shall not be a debt, obligation or other burden on any other Member Agency.

The Authority shall continue to exercise the powers herein conferred upon it until termination of this Agreement, and thereafter shall continue to exercise only such powers as to enable it to pay and discharge all costs, expenses, and charges legally incurred hereunder, and to dispose of, divide and distribute any property required as a result of the joint exercise of such powers.

15. New Members. With the approval of all Member Agencies, any qualified public agency (as defined by Government Code Sections 6500 and the Housing Authority Law) may become a party to this Agreement. A party to this Agreement may be a voting member. A public agency requesting membership may apply by presenting to the Authority a certified resolution of the public agency approving this Agreement. The date and terms upon which the applying public agency will become a member will be determined by the Member Agencies, based on a recommendation from the Board of Commissioners.
16. Agency Designation: Pursuant to Government Code section 6509, the Authority's exercise of power is subject to the restrictions upon the manner of exercising the powers of its Member Agencies.
17. Severability. Should any part, term or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.
18. Entire Agreement; Amendment. This Agreement contains the entire agreement between the parties and supersedes all prior understandings between them with respect to the subject matter of this Agreement. There are no promises, terms, conditions or obligations, oral or written, between or among the parties relating to the subject matter of this Agreement that are not fully expressed in this Agreement. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligation under this Agreement be waived, except by written instrument mutually agreed upon and signed by all Member Agencies.
19. Counterparts; Effective Date. This Agreement may be executed in counterpart and when so executed by each and every party hereto shall be deemed to be executed by all parties as if it

were a single document. Said executed counterparts shall be retained by Authority and the Authority shall distribute to all other parties copies of said original counterparts promptly after execution, or upon request of a Member. The effective date of this Agreement shall be the date on which the last Member Agency executes this Agreement.

[Signatures on following pages]

ATTACHMENT 3

AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN SUTTER, NEVADA, YUBA, COLUSA AND LAKE COUNTIES, AND
THE CITIES OF LIVE OAK, YUBA CITY AND COLUSA, FOR THE PURPOSE OF
CREATING A REGIONAL HOUSING AUTHORITY

THIS AMENDED AND RESTATED AGREEMENT (“Agreement”) is made and entered into effective November 1, 2025, by and between the counties of Sutter, Nevada, Yuba, Colusa and Lake (collectively “Counties”) and the cities of Yuba City, Live Oak and Colusa (collectively “Cities”). Counties and Cities are collectively referred to as “Members” or “Member Agencies.” This Agreement supersedes and repeals the “Agreement Creating the Regional Housing Authority of Sutter & Nevada Counties” approved as of April 20, 2011 (“Original Agreement”) and the Amended and Restated Agreement (“Agreement”) approved as of July 6, 2016.

WITNESSETH

WHEREAS, each Member is empowered by law to establish a housing authority within its respective geographical territory, pursuant to Health & Safety Code sections 34340, et seq (the “Housing Authority Law”) and to participate in federal housing programs; and

WHEREAS, Government Code Section 6500, et seq, (the “JPA Law”) authorizes public agencies to enter into an agreement related to the joint exercise of power common to the parties to the Agreement, and the exercise of such additional powers as granted under the JPA Law; and

WHEREAS, Health & Safety Code Section 34324 allows two or more authorities to join or co-operate with one another in the joint exercise of any or all of their powers, including the ability to form a Regional Housing Authority; and

WHEREAS, each Member has determined by resolution that it has a need for a Housing Authority to function within its jurisdiction, that a housing authority exists within its jurisdiction (except in the case of the County of Colusa and City of Colusa) and that said housing authority is duly authorized by law to participate in a Regional Housing Authority as contemplated by this Agreement; and

WHEREAS, in 1946 the County of Sutter established a County Housing Authority, which duly operated as such until 1994 under the applicable provisions of the Housing Authority Law; and

WHEREAS, the cities of Live Oak and Yuba City declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243; and

WHEREAS, in 1992 the County of Sutter and the cities of Live Oak and Yuba City formed a consolidated housing authority known as the Consolidated Area Housing Authority of Sutter County, which duly operated as such until 2011; and

WHEREAS, in 1992 the County of Nevada established a County Housing Authority, which duly operated as such until 2011; and

WHEREAS, in April 2011 the Consolidated Area Housing Authority of Sutter County and the Nevada County Housing Authority entered into a Joint Exercise of Powers Agreement to create the Regional Housing Authority of Sutter & Nevada County, which has duly operated as a regional housing authority since that time; and

WHEREAS, in 1980, the County of Yuba established a County Housing Authority, which has duly operated as such since then; and

WHEREAS, in 2016, the County of Colusa declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, in 2016, the City of Colusa declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, in 2025, the County of Lake declared a need for a housing authority within their respective jurisdictions and made the statutory findings to support said need, as required by Health & Safety Code sections 34242 and 34243;

WHEREAS, the Member Agencies deemed it necessary and appropriate to create a separate public entity under a joint exercise of powers agreement, to form, participate in and operate a Regional Housing Authority encompassing the geographical territories of the Member Agencies to address regional and area-wide housing problems, combine their respective resources and direct their respective efforts in a more concentrated manner toward the alleviation of such problems. The Members further recognize that the creation of a Regional Housing Authority will permit unified long-term approaches to addressing housing issues within expanded yet cohesive areas of operation; and,

WHEREAS, upon the adoption of this Agreement and the appointment of all additional Commissioners hereto, title to all properties owned or held by or in trust for the housing authorities operated by the County of Lake, together with all debts, demands, liabilities or other obligations existing in favor of or against such housing authorities shall become those of the Regional Housing Authority.

NOW THEREFORE, the Boards of Supervisors of the Counties of Sutter, Nevada, Yuba, Colusa and Lake and the City Councils of Live Oak, Yuba City and Colusa for and in consideration of the mutual promises and agreements herein contained do agree as follows:

1. Formation of Agency. The Regional Housing Authority of Sutter and Nevada Counties (“Authority”) was established in 2011 as an authority and a public entity separate and distinct from its Members, and which may sue and be sued. The Authority is hereby amended to add the County of Lake as a Member Agency and, is hereby renamed as the Regional Housing Authority, serving the communities of Sutter, Nevada, Yuba, Colusa and Lake Counties. A county or city may become a Member of the Authority upon (1) its governing body expressly ratifying and adopting this Agreement, and (2) amendment of this Agreement pursuant to Paragraph 14, below.

2. Purpose. The purpose of this Agreement is to create a separate public entity to provide for the joint participation by Members, as Members of the Authority, to:
 - (a) Address regional and area wide housing problems;
 - (b) Provide for unified long-term approaches to addressing housing needs within the scope of the Authority's jurisdiction;
 - (c) Prevent unnecessary duplication of effort on behalf of Members;
 - (d) Assume any additional purposes, duties and functions as may be determined by all parties to this Agreement.
3. Powers. The Authority shall have any and all common powers of the individual housing authorities organized and operated by the parties to this Agreement, and the powers separately conferred by law upon the Authority. All such powers, whether common to the parties or separately conferred by law upon the Authority, are specified as powers of the Authority except any such powers that are specifically prohibited to the Authority by applicable law. The Authority's exercise of its powers is subject to the restrictions upon the manner of exercising the powers of any of its respective Member Agencies.
4. Governing Board. The governing board of the Authority shall be referred to as the "Board of Commissioners" and shall be composed of the following Commissioners:
 - (a) Member Representatives. Two (2) persons appointed by the governing bodies of each Member Agency.
 - (b) Tenant Representative. As required by Health & Safety Code Section 34246.5, one Tenant Commissioner to be recommended by the Board of Commissioners and jointly appointed by the governing bodies of all Member Agencies. The Tenant Commissioner shall be a tenant of the Authority as of the date of his or her appointment to the Board.
 - (c) Vacancies. Vacancies shall be filled in the same manner as the initial Commissioners are selected.
 - (d) Notification of Appointments. Member Agencies shall notify the Secretary of the Housing Authority, in writing, of all appointments to the Authority Board.
 - (e) Elected Member Representative Terms. Elected Member Representatives shall be appointed to a one (1) year term commencing on January 31 of each year; provided, however, that no such Commissioner shall continue to be a Commissioner if the appointing board or council ceases to be a Member Agency.
 - (f) Non-Elected Member Representative Terms. Non-Elected Member Representatives shall be appointed to a four (4) year term commencing on January 31 of the year of their appointment; provided, however, that no such Commissioner shall continue to be a Commissioner if the appointing board or council ceases to be a Member Agency.
 - (g) New Member Representatives. New Member Agencies shall designate a Member Representative to serve for a term of either one (1) year commencing on January 31 of the year of their appointment if the are an Elected Member Representative or a Non-Elected Member Representative to serve a term of four (4) years commencing on January 31 of the year they are appointed. All successor appointees to the Board shall be appointed to either a one-year term or a four (4) year term, except that all mid-term vacancies shall be filled only for the unexpired portion of the term.

- (h) Tenant Representative Terms. The term of office of the Tenant Representative shall be two (2) years commencing on January 31 of the year of their appointment; provided, however, that no such Representative shall continue to be a Commissioner if the Representative ceases to be a tenant of the Authority. All successor Tenant Representatives shall be appointed to two (2) year terms, except that all mid-term vacancies shall be filled only for the unexpired portion of the term.
 - (i) Removal of Commissioners. Pursuant to Health & Safety Code section 34282, Commissioners may be removed for inefficiency, neglect of duty or misconduct in office by the governing body of the Member Agency that appointed him or her or, in the case of a Tenant Representative, by the Board of Commissioners.
 - (j) Quorums: Majority Vote Required. A simple majority of the Commissioners of the Authority shall constitute a quorum for the purpose of conducting business, exercising the powers of the Authority, and for all other purposes. A majority of the directors present shall be required to vote affirmatively for any action in order for said action to be valid and effective.
 - (k) Chair; Vice Chair. The Board of Commissioners shall select from its membership a chair and a vice-chair, each of whom shall serve for a term of one year.
 - (l) Attendance. Member Agencies understand and agree that, in order for the Authority to function effectively, it is imperative to have an active, engaged and full Board. To that end, Member Agencies will use all due diligence and reasonable efforts to appoint Commissioners who have the time, expertise and interest to participate in the governance of the Authority.
 - (m) Board Authority. Upon appointment of all required Commissioners has hereinabove provided, the Authority shall (i) be authorized to exercise all of the powers and transact all of the business which a housing authority is authorized to conduct pursuant to the Housing Authority Law; (ii) be vested with the powers and duties of all housing authorities previously created by Member Agencies and, upon the vesting of such powers and duties, be authorized to exercise all such powers and duties; (iii) be vested with all title, right and interest in any properties or housing projects owned or operated by all housing authorities previously created by Member Agencies and shall immediately transfer to and accept title in the Authority's name of any property owned or held in trust by said housing authorities; (iv) accept and assume any and all debts, demands, liabilities or obligations existing in favor of or against all housing authorities previously created by Member Agencies, and any proceedings of such housing authorities shall become those of the Authority. All such powers and duties, all right, title, and interest to property and all assumptions of debts, demands, liabilities, obligations and proceedings shall be deemed to have the same validity, force and effect as if acquired, incurred, accrued or taken by the Authority.
5. Duties of Governing Board. The Board shall have the following duties and powers:
- (a) To act as the policy making body of the Authority;
 - (b) To act as the executive body of the Authority, which power said Board may delegate to staff to the extent the Authority deems appropriate and is otherwise in accordance with law;

- (c) To enter into contracts and to accept and expend funds from federal, state, Member Agencies, and other sources for the purposes specified herein;
 - (d) To prepare, review and update a strategic or other long-term plan for the District, establish priorities for projects and funding applications, make progress reports to applicable federal, state and local agencies related to Authority business, and make such other reports as may be required or appropriate;
 - (e) To assist and work with Member Agencies in providing housing programs or meeting federal, state or local housing requirements or complying with local community desires;
 - (f) To buy, sell and manage property and housing projects, and to hold all right, title and interest in said properties and projects, within the Authority's geographical areas of operation, or by contract as authorized by applicable Health & Safety Code provisions. Pursuant to Health & Safety Code section 34327, the Authority's areas of operation shall be the combined areas of operation for each of its Member Agencies, to wit the Counties and Cities in accordance with Health & Safety Code sections 34208 and 34209.
 - (g) To manage Section 8 housing voucher programs and provide other housing-related services consistent with the authority granted to the Board under the Housing Authorities Law;
 - (h) To exercise the powers and duties of the respective Housing Authorities that were previously established by Member Agencies.
 - (i) To appoint or hire such staff or contract with such entities or individuals as the Board deems necessary to carry out the Authority's functions and purposes.
 - (j) To receive appropriate training and travel reimbursements incurred in the discharge of their duties, in compliance with state law. Commissioners shall not receive any compensation for attending Board meetings other the meeting per diem authorized by Health & Safety Code section 34274.
6. Budget. An annual budget for the operation of the Authority and fiscal year shall be adopted by the Board.
7. Fiscal Year. For purposes of this Agreement, the Authority shall have a fiscal year from April 1 to and including the following March 31.
8. Custody of funds; reporting. All receipt and payments of public funds shall be paid to and disbursed by Authority which shall be strictly accountable for all funds and responsible for reporting to the Members hereof as requested or otherwise required by law. The Board shall establish reporting requirements and direct staff to maintain such reports, including, but not limited to, funds and accounts as may be required by good accounting practice or by law. All books and records of the Authority shall be open to inspection at all reasonable times by any party to this agreement or its representatives. Annual audits of the Authority's accounts and records shall be made by an independent CPA firm, and reports shall be filed in the manner provided in Section 6505 of the California Government Code. The Authority shall maintain all such audit report and any management letters arising from said reports for a period of five (5) fiscal years

after the report has been issued, and copies of said documents or other public records shall be promptly provided to Member Agencies upon their request.

9. Limitations on Expenditures. The Board and every official or employee of the Authority shall be limited in the making of expenditures or the incurring of liabilities to the amount of appropriations allowed by the budget as adopted by the Board or thereafter revised by the Board. No expenditure of any kind or contract entered into on behalf of Authority without approval by the Board, except as otherwise provided by law, warrants issued, expenditures made or liabilities incurred in excess of any budget appropriation are not a liability of the Authority or a liability of any party to this Agreement.
10. Member Not Liable for Debts of Authority. Pursuant to Section 6508.1 of the California Government Code, the debts, liabilities, and obligations of the Authority shall be those of the Authority and shall not, under any circumstances, constitute debts, liabilities or obligations incurred by any party to this Agreement. Should any debt, liability or obligation of the Authority not be waived or allowed payable through assets of the Authority, none of the members shall be liable.
11. Insurance. During the term of this Agreement, the Authority shall maintain general liability insurance coverage, as well as errors and omissions coverage, in a sum not less than \$2 million per occurrence. The insurance shall contain a written endorsement to such policy or policies which names each of the Member Agencies as additional insureds.
12. Legal Services. The Authority may call upon the Office of the County Counsel for the County of Sutter for legal services, or may employ its own separate legal counsel.
13. Duration of Agreement. Any Member may withdraw from the Authority at any time by providing at least sixty (60) days written notice to the Secretary to the Board. This Agreement shall continue in effect until terminated by agreement or withdrawal of all but one of the County or City Members. Withdrawal by any Member shall relieve said Member from any further rights or obligations to the Authority as of the effective date of the notice of termination.
14. Termination of the Authority. In the event the Authority is terminated by agreement, the property and monies on hand at the time of termination, after all debts and liabilities are paid, shall be distributed among the parties to the then Members of the Authority in accordance with their proportionate contributions thereto. Consistent with applicable laws and restrictions on transfer of properties under the Authority's ownership or control, the Authority may sell such property as may be necessary to pay any outstanding debts, liabilities or obligations of the Authority upon termination. Any Member who withdraws from the Authority prior to termination of the Authority shall forfeit all of its right, title and interest to all such property and monies; except that any property or housing projects which require ongoing management services or oversight and which cannot be otherwise sold or transferred at the time of dissolution shall

become the sole responsibility of the Member Agency in whose jurisdiction the project lies, and shall not be a debt, obligation or other burden on any other Member Agency.

The Authority shall continue to exercise the powers herein conferred upon it until termination of this Agreement, and thereafter shall continue to exercise only such powers as to enable it to pay and discharge all costs, expenses, and charges legally incurred hereunder, and to dispose of, divide and distribute any property required as a result of the joint exercise of such powers.

15. New Members. With the approval of all Member Agencies, any qualified public agency (as defined by Government Code Sections 6500 and the Housing Authority Law) may become a party to this Agreement. A party to this Agreement may be a voting member. A public agency requesting membership may apply by presenting to the Authority a certified resolution of the public agency approving this Agreement. The date and terms upon which the applying public agency will become a member will be determined by the Member Agencies, based on a recommendation from the Board of Commissioners.
16. Agency Designation: Pursuant to Government Code section 6509, the Authority's exercise of power is subject to the restrictions upon the manner of exercising the powers of its Member Agencies.
17. Severability. Should any part, term or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.
18. Entire Agreement; Amendment. This Agreement contains the entire agreement between the parties and supersedes all prior understandings between them with respect to the subject matter of this Agreement. There are no promises, terms, conditions or obligations, oral or written, between or among the parties relating to the subject matter of this Agreement that are not fully expressed in this Agreement. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligation under this Agreement be waived, except by written instrument mutually agreed upon and signed by all Member Agencies.
19. Counterparts; Effective Date. This Agreement may be executed in counterpart and when so executed by each and every party hereto shall be deemed to be executed by all parties as if it were a single document. Said executed counterparts shall be retained by Authority and the Authority shall distribute to all other parties copies of said original counterparts promptly after execution, or upon request of a Member. The effective date of this Agreement shall be the date on which the last Member Agency executes this Agreement.

[Signatures on following pages]

IN WITNESS WHEREOF the parties have hereunto set their hands the day and year first above written.

CITY OF YUBA CITY

By:

Title:

CITY OF LIVE OAK

By:

Title:

COUNTY OF SUTTER

By:

Title:

COUNTY OF NEVADA

By:

Title:

COUNTY OF YUBA

By:

Title:

COUNTY OF COLUSA

By:

Title:

CITY OF COLUSA

By:

Title:

COUNTY OF LAKE

By:

Title:

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Development Services Director

Summary

Subject: Yuba City Representation on Sutter County Planning Commission
Recommendation: Confirm the appointment of Scott Blankenship, Yuba City Planning Commissioner, to the Sutter County Planning Commission and forward the recommendation to the Sutter County Board of Supervisors
Fiscal Impact: None

Purpose:

Sutter County and Yuba City have an agreement to have representation on each other's Planning Commissions to foster dialogue and create an awareness of development in both jurisdictions.

Council's Strategic Goal:

This item does not directly meet one of Council's strategic goals but is necessary to comply with Planning Commission Bylaws and continuance of business.

Background:

It is beneficial for the community when the City and County governmental bodies cooperate on various projects that impact both jurisdictions. Having a member of the Yuba City Planning Commission serving as a representative and a member of the Sutter County Planning Commission ensures the City interests, perspectives and priorities are voiced and considered, thus resulting in more informed decision making. Projects may include regional environmental analysis, the expansion of infrastructure, the conversion of agricultural land to urban uses, and the distribution of natural resources.

Through the Election of Officers proceedings established in the Planning Commission Bylaws, the Mayor is to annually make a recommended appointment of an active Yuba City Planning Commissioner, for the Sutter County Planning Commission. Due to the transition of the City Planning Commission to a five-member district-based Commission in 2025, this annual process was delayed.

Scott Blankenship was recently appointed as a Yuba City Planning Commissioner (District 3). Mayor Shaw has recommended his appointment as the Yuba City Planning Commission representative to the Sutter County Planning Commission. Blankenship has been a resident and business owner in Yuba City for many years. His experience within the community will bring a well-rounded perspective to the

Sutter County Planning Commission. His assignment will commence immediately and extend through February 2026, at which time Council may choose to reappoint or select a new representative.

Analysis:

The Municipal Code and the City of Yuba City Planning Commission by-laws require that the Planning Commission's recommendation be transmitted to the City Council who, in turn, shall forward that recommendation to the Board of Supervisors for consideration. Term limits for the appointment end February 28th of each year.

Fiscal Impact:

None

Alternatives:

1. Consider other Yuba City Planning Commissioners for the appointment
2. Do not appoint a Yuba City Planning Commissioner to the Sutter County Planning Commission

Recommendation:

Confirm the appointment of Scott Blankenship, Yuba City Planning Commissioner, to the Sutter County Planning Commission and forward the recommendation to the Sutter County Board of Supervisors.

Attachments:

None

Prepared By:
Ciara Wakefield
City Clerk

Submitted By:
Robert Bendorf
Interim City Manager

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Police Department
Presentation By: David Krause, Police Sergeant - Traffic

Summary

Subject: 2025/2026 Office of Traffic Safety Traffic Enforcement Grant

Recommendation: A. Conduct a Public Hearing, and after consideration;

B. Adopt a Resolution authorizing the Chief of Police to accept \$100,000 in grant funding from the 2025/2026 Selective Traffic Enforcement Program and approve expenditure recommendations;

C. Authorize a supplemental appropriation in the amount of \$100,000 to Account No. 100-43418, 2165-61430, 2165-62801, and 2165-63801

Fiscal Impact: \$100,000 to Account No. 100-43418 (OTS Selective Traffic Enforcement Grant)-
No City match required

Purpose:

Reduce the number of persons killed and injured in traffic collisions.

Council's Strategic Goal:

This meets the Council's goal of Public Safety

Background:

In January 2025, the Yuba City Police Department submitted a grant application to the Selective Traffic Enforcement Program Grant offered by the California Office of Traffic Safety. In June 2025 the Department received award notification for the grant with authorization to receive funds in the amount of \$100,000. No matching funds are required by the City of Yuba City to accept the grant. This grant runs in accordance with the Federal Fiscal year 10/01/25-09/30/26.

Analysis:

The Yuba City Police Department has had a positive working relationship with the California Office of Traffic Safety for many years. This year we were selected for funding to maintain an aggressive stance towards those individuals who continue to operate a motor vehicle in our community while under the influence of alcohol and/or drugs. This grant will allow the department to continue to combat impaired

drivers in our community. While having an impaired driving component, this grant also allows for other directed enforcement operations. These operations deploy officers within the City with a primary goal of reducing injury collisions through targeting primary collision factors, such as speed and red-light enforcement, in areas with a high frequency of collisions.

The goal of the grant is to reduce the number of persons killed and injured in traffic collisions. "Best practice" strategies will be conducted on an overtime basis. The funded strategies include DUI checkpoints, DUI saturation patrols, general traffic enforcement, bicycle and pedestrian safety enforcement, distracted driver enforcement, and street racing/side show operations. These strategies are designed to earn media attention thus enhancing the overall deterrent effect. The California Office of Traffic Safety has designed these operations and the funding for them to be done in addition to our daily duties, thus making an additional impact on traffic safety.

In addition, the grant will fund the purchase of DUI Checkpoint Supplies such as traffic safety cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests, traffic counters, generators, gas for generators, lighting, reflective banners, electronic flairs, PAS device calibration supplies, heaters and propane for the heaters, anti-fatigue mats, and canopies.

Fiscal Impact:

The City will be reimbursed \$100,000 from the California Office of Traffic Safety. No matching funds are required for this grant. Funds will be drawn down through Account No. 2165-61430 (\$96,074) for personnel overtime costs, No. 2165-62801 (\$2,002) for travel and training, 2165-63801 (\$1,924) for direct costs associated with the grant.

Alternatives:

Do not accept the grant and / or direct staff to research alternatives.

Recommendation:

- A. Conduct a Public Hearing, and after consideration;
- B. Adopt a Resolution authorizing the Chief of Police to accept \$100,000 in grant funding from the 2025/2026 Selective Traffic Enforcement Program and approve expenditure recommendations;
- C. Authorize a supplemental appropriation in the amount of \$100,000 to Account No. 100-43418, 2165-61430, 2165-62801, and 2165-63801.

Attachments:

- 1. Traffic Safety Grant - Resolution 2025-2026
- 2. Tentative Draft Grant Agreement - PT26164 Yuba City PD

Prepared By:
David Krause
Police Sergeant

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING RECEIPT, ALLOCATION AND EXPENDITURE, OF THE FY
2024-2025 CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT “SELECTIVE
TRAFFIC ENFORCEMENT PROGRAM”**

WHEREAS, the Yuba City Police Department submitted for the Selective Traffic Enforcement Program Grant offered by the California Office of Traffic Safety, and received an award notification for the grant with authorization to receive funds in the amount of \$115,000.

WHEREAS, the goal of the grant is to reduce the number of persons killed and injured in traffic collisions, and will be used to cover the cost of new dash mounted RADAR equipment, educational materials, and DUI checkpoint supplies.

WHEREAS, the grant will also fund training and certification for two officers to become a Drug Recognition Expert (DRE) and one officer to become a certified Standardized Field Sobriety Test instructor.

WHEREAS, the Yuba City Council desires to undertake the projects designated as the Selective Traffic Enforcement Program to be funded in part from funds made available through the California Office of Traffic Safety (OTS).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

1. The Chief of Police of the City of Yuba City is authorized, on its behalf, to execute a contract, including any extensions or amendments thereof and any subsequent contract with the State and the OTS in relation thereto, to effectuate acceptance of the grant for the Selective Traffic Enforcement Program, subject to approval as to legal form by the City Attorney.
2. The City agrees that any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OTS disclaim responsibility for any such liability.
3. Grant funds received hereunder shall not be used to supplant expenditures controlled by this body.
4. This award is not subject to local hiring freezes.

I hereby certify that the foregoing is a true copy of the resolution adopted by the Yuba City Council of Yuba City in a meeting thereof held on October 21, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dave Shaw, Mayor
City of Yuba City

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

1. GRANT TITLE Selective Traffic Enforcement Program (STEP)	
2. NAME OF AGENCY Yuba City	3. Grant Period From: 10/01/2025 To: 09/30/2026
4. AGENCY UNIT TO ADMINISTER GRANT Yuba City Police Department	
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$100,000.00 Allocation is contingent upon availability of federal funds.	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: - Schedule A – Problem Statement, Goals and Objectives and Method of Procedure - Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) - Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) - Exhibit A – Certifications and Assurances - Exhibit B* – OTS Grant Program Manual - Exhibit C – Grant Electronic Management System (GEMS) Access *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov. We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.	
8. Approval Signatures	
A. GRANT DIRECTOR NAME: David Krause TITLE: Traffic Sergeant EMAIL: dkrause@yubacity.net PHONE: (530)822-6235 ADDRESS: 1545 Poole Boulevard Yuba City, CA 95993 <i>(Signature)</i> <i>(Date)</i> C. FISCAL OFFICIAL NAME: Diona Pope TITLE: Finance Director EMAIL: dpope@yubacity.net PHONE: (530) 822-4803 ADDRESS: 1545 Poole Boulevard Yuba City, CA 95993 <i>(Signature)</i> <i>(Date)</i>	B. AUTHORIZING OFFICIAL NAME: Brian Baker TITLE: Chief of Police EMAIL: bbaker@yubacity.net PHONE: (530) 822-4787 ADDRESS: 1545 Poole Boulevard Yuba City, CA 95993 <i>(Signature)</i> <i>(Date)</i> D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Stephanie Dougherty TITLE: Director EMAIL: stephanie.dougherty@ots.ca.gov PHONE: (916) 509-3030 ADDRESS: 2208 Kausen Drive Suite 300 Sacramento, CA 95758 <i>(Signature)</i> <i>(Date)</i>

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. SAM INFORMATION SAM #: PBUJLH2KP9T9 REGISTERED ADDRESS: 1201 Civic Center Boulevard CITY: Yuba City ZIP+4: 95993-2615
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				AGREEMENT TOTAL		\$100,000.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT		
				\$100,000.00		
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		
				\$ 0.00		
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				\$100,000.00		

1. PROBLEM STATEMENT

Describe the city, county, or jurisdiction this grant will impact.

The City of Yuba City has a population of approximately 70,000 and covers approximately 15 square miles. The metropolitan area for the City of Yuba City has a population of approximately 164,000 which makes it the economic and recreational hub for the Yuba-Sutter area. Motorists, pedestrians, and bicyclists are drawn to the City of Yuba City for its economic and recreational opportunities. There are two major State Highways that run through the middle of Yuba City, State Route 20 and State Route 99. Our neighboring city, the City of Marysville, also has State Route 70 running through it. State Route 70 is only approximately one mile from Yuba City's jurisdiction. The Feather River divides Yuba City from the neighboring City of Marysville. The Feather River also divides Sutter County from Yuba County. Yuba City has two bridges that cross the Feather River joining Yuba City and Marysville and also joining Yuba County to Sutter County. Because of the geographical location, the major State Highways that come together here, and the bridges that enable traffic to cross the Feather River, Yuba City is a central hub for vehicular transportation. Given the quantity of traffic that travels through Yuba City, maintaining directed enforcement efforts are needed to reduce the number of people injured and/or killed in traffic crashes in Yuba City.

Describe the problem(s) to be addressed, supported by current and relevant crash data. (most recent calendar year data/stats).

According to the 2022 OTS rankings, Yuba City ranked 19th among the 104 cities in its size category for total fatal and injury crashes. This was an improvement in rankings compared to the 2021 ranking of 14th. With the assistance of OTS funding for directed enforcement and traffic safety education programs, in 2022 we saw a decrease of 17% in total fatal and injury crashes when compared to 2021. While improvements have been made, continuing efforts are needed to reduce the number of people injured and killed in traffic crashes in Yuba City.

In 2023 we had 2 fatalities. That number increased to 5 in 2024. Speed continues to be the leading contributor to injury crashes in Yuba City. Speed as a primary crash factor (PCF) accounted for 25.09% of injury crashes in 2024. This is a slight increase from 24.0% in 2023. Yuba City is positioned at the intersection of two State Route Highways, State Route 99 and State Route 20. Both highways bring a large volume of commuter traffic through the city. Both State Routes are multi-lane highways where radar enforcement is a challenge. Speed is the leading PCF for crashes on both state routes. State Route 20 has consistently remained the roadway with the most injury crashes per year. Additionally, speeding vehicles is a common call for service to the police department in neighborhoods creating a quality-of-life issue in our community. State Route 20 and State Route 99 are #1 and #2 out of the top 5 injury crash locations in Yuba City. In 2024, the top PCF for all injury crashes on State Route 20 was speed at 6.32% and all injury crashes on State Route 99 at 5.95%.

Turning movement violations continue to be a safety hazard on our thoroughfares. Turning movement violations are a product of distracted driving and a driver's inattention to their surroundings. To efficiently enforce these violations on busy roadways, the Traffic Enforcement and Education Unit uses police motorcycles. Motorcycles allow movement between congested lanes of traffic, enabling enforcement and decreasing response times to crash scenes.

The traffic unit is responsible for handling injury and non-injury crashes during their regular duties in addition to all major and fatal injury crashes that occur during non-duty hours. Due to current staffing issues, the traffic unit is assigned three motor officers. To effectively enforce these violations, most often the enforcement occurs on overtime when motor officers are not assigned normal duties. Turning movement violations accounted for 12.18% of all injury crashes in 2024 (down from 13.33% in 2023) and are the second leading PCF in Yuba City.

Driving Under the Influence (DUI) continues to be a societal issue as well as a contributing factor for crashes in the City of Yuba City. In 2024, there were a total of 295 injury crashes and 24 of them involved alcohol or drugs. We had two fatalities from alcohol related crashes, up from 0 in 2023, and 37 total injuries (includes passengers). The number of alcohol related crash injuries increased slightly from 2023 when we had 35. The Yuba City Police Department has trained over 2/3rds of its personnel in Standardized Field Sobriety (SFST) testing and over half of its personnel in Advanced Roadside Impaired Driving Enforcement (ARIDE). Additional trainings are scheduled in fiscal year 2025. The department is focusing on training in house personnel to be instructors in both areas to increase the availability and accessibility of training for new officers in an effort to make a positive impact on this continued issue. Ongoing efforts are needed to continue to reduce the number of alcohol and drug related crashes and associated injuries and deaths. Training and education of officers on DUI investigations can have a significant impact on the amount of DUI arrests. There is still work to do at the Yuba City Police Department (YCPD). In 2022 OTS rankings, YCPD ranked 104/104 for DUI arrests indicating we had the most DUI arrests of agencies in our population group. Despite our ranking, we can, and need, to do more if we are to decrease the number of people injured and killed on our roadways in alcohol related crashes. Overtime DUI Saturation patrol have been effective in our jurisdiction. Educational campaigns and DUI Checkpoints have also been effective in raising awareness and community support for this problem. Alcohol related DUI crashes accounted for 7.47% of the total crashes in 2024 and is the third leading PCF in our city.

Red lights are a concern because studies have shown about 39% of crashes involving red light violations result in an injury. A large percentage of the injury red light crashes in Yuba City occur on the State Routes that contain the highest volume of traffic. Red light enforcement requires significant staffing due to traffic volume, roadway design on the State Routes and the difficulty for an officer to witness the color of the light and the positioning of the violator vehicle when the light changed. To overcome these challenges, red light enforcement tends to require more than one officer to safely work a red-light operation. Reducing red light violations is imperative toward reducing injury crashes in Yuba City. Red light violations were the third most prevalent PCF for all crashes in Yuba City in 2024 and accounted for 10.32% of all crashes.

Pedestrian and Bicycle crashes are a continuing problem in Yuba City. 2022 OTS rankings placed Yuba City 41st out of 104 for bicyclist victims killed and injured, and 34th for bicyclist victims under fifteen injured and or killed. Overall, Yuba City ranked 29th out of 104 for pedestrians killed and injured and 5th out of 104 for pedestrians under 15 years old injured or killed. Crashes involving pedestrians are a major concern in Yuba City. Of the 5 fatal crashes in Yuba City in 2024, 2 involved pedestrians.

Since 2013, pedestrian injury crashes remained consistent at 33 for 2013 and 2014. 2015 saw a reduction to 23 pedestrian crashes but 2016 we were back up to 33 injuries and 2017 mirrored 2016 at 29. There were 3 pedestrian fatalities in each year 2013, 2014 and 2017. During 2017 pedestrians were found at fault in two fatal pedestrian crashes. Two of the pedestrian fatalities involved a pedestrian crossing the road during darkness outside of a crosswalk on or adjacent to a state highway. In 2019 pedestrian injury crashes were up from previous years at 24 and 2020 saw a decrease in pedestrian crashes of 19, two of which were fatalities. In 2022, there were a total of 32 pedestrians injured in crashes, three of which were fatalities. The number of injuries rose slightly in 2023 to 34 with one fatality. In 2024, we had two pedestrians killed in crashes with 38 injured. The Police Department began educational and directed enforcement efforts to address the issue of bicycle and pedestrian crashes in the city and continued efforts are needed.

Motorcycle crashes have been a traffic safety problem in Yuba City. In 2018 we had 16 injury related motorcycle crashes, which remains consistent with previous years. In 2019 we saw that number decrease to only 10 and in 2020 we saw a slight increase to 12 motorcycle injury crashes. In 2021, Yuba City ranked 18th for motorcycle victims killed and injured. In 2022 Yuba City is ranked 18th out of 104 for motorcycle injury crashes. Efforts to curtail motorcycle injuries need to continue with not only enforcement details, but also with education outreach to the community. Motorcycle safety classes and presentations could help increase motorcycle safety in the community while also bettering the department's relationship with our community and increasing our community's investment in motorcycle safety.

Recent reports from the California Highway Patrol (CHP) and the California Office of Traffic Safety (OTS), approximately 30% of all traffic crashes in California involve some form of distracted driving. This includes distractions such as texting, talking on the phone, eating, or using in-car technologies. Among those, texting while driving has been identified as one of the most dangerous forms of distraction, significantly contributing

to crashes and fatalities. Obtaining accurate local crash statistics for crashes that involve distracted driving is difficult because we rely on involved party statements to determine such things. Drivers are reluctant to admit they were distracted on a communication device at the scene of a crash. In 2024 Yuba City Police Officers issues 4798 traffic related citations and 840 of them were for distracted driving. That means that distracted driving is such a prevalent violation occurring in Yuba City that it comprises about 18% of the cited offences witnessed by officers. Distracted driving campaigns, social media messaging, and enforcement campaigns are needed to address this issue. If distracted driving is involved in almost one third of the crashes on our roadways as CHP and OTS are reporting, then efforts to address this issue could have a profound impact on the safety of our roadways.

Street racing and sideshow activity has become a major quality of life and safety issue for local residents beginning in 2021. Hundreds of cars have descended upon the city and gathered in empty parking lots such as the Yuba City Mall, Kohl's, and the Yuba College Community Parking lot. Fortunately, no deaths have occurred to date as a result of sideshow activity or crashes, but we have had two serious injuries related to a pursuit that initiated at the scene of a sideshow. We also had a patrol car, with an officer inside, vandalized by sideshow participants. Due to the increased lawlessness of sideshow activities, 2023 saw a concerted effort between city stakeholders and local jurisdictions to address the threat to the community. A new municipal ordinance was approved by the City of Yuba City Council to complement existing law to assist in addressing the rising trend, in addition to collaborative enforcement activities between local agencies. With the assistance of OTS, the City of Yuba City can continue to partner with local law enforcement agencies to combat illegal sideshow activity in an effort to make the roadways safer for everyone and reduce the number of citizens killed and/or injured on our roadways. These efforts have been effective, and Yuba City now has a reputation as a poor place to conduct these side show events due to the increased enforcement. This information has come back to the police department by way of social media and through school resource officers who communicate frequently individuals involved with sideshow events, and the people who organize them. Sideshow events still occur in neighboring agencies and surrounding areas. Collaborative enforcement efforts in and around Yuba City are essential to keep these events at bay and away from our citizens.

Define the target population the grant intends to serve and how they are affected by the problem(s).

The target population of Yuba City, California, this grant will serve primarily includes residents, commuters, and visitors within the city and its surrounding areas. Yuba City is located in Sutter County, with a population of approximately 70,000 people as of recent estimates. The target population encompasses a mix of individuals from various age groups, socioeconomic backgrounds, and occupations. Yuba City and the surrounding areas have people many professional occupations including the agricultural and manufacturing industries, students, teachers and medical professionals. Aside from bus services with limited hours of operation, Yuba City does not have a public transportation system. The individuals that live in and around Yuba City on roadway transportation for work, schooling, and accessing services.

Effects of Traffic Crashes and Fatalities on the Population:

1. **Residents:** Traffic crashes and fatalities impact the residents of Yuba City directly through loss of life, injury, and trauma. Families and communities are affected by the emotional and financial consequences of traffic-related crashes. The residents incur the costs to repair roadways and structures that are damaged from crashes by way of sales and property taxes that could be used for other purposes to enhance the quality of life within the city.
2. **Commuters:** Many people travel to and from Yuba City for work, school, or other activities, meaning traffic congestion and crashes can cause delays, increase stress, and make commuting unsafe. These delays, as well as the loss of incentive to use Yuba City roadways as a means of transportation, cost the community money in lost economic production and commerce.
3. **Visitors and Tourists:** Tourists who visit Yuba City for recreation or business, as well as travelers utilizing area as a transportation hub can also be affected by the region's traffic issues. Unsafe roadways in Yuba City, considering the bridges that connect two Cities, two counties, and three major state highways, disincentivize visitors and travelers to use our roadways. This costs Yuba City and its population money in both lost revenue and in decreased commerce and economic opportunity.
4. **Vulnerable Populations:** Groups like children, elderly individuals, or those with disabilities may be disproportionately affected by traffic crashes, either as pedestrians, passengers, or drivers. They are

more vulnerable to serious injuries or fatalities in the event of a crash, and may face additional challenges in navigating areas with high traffic congestion.

5. **Local Economy:** Traffic crashes and fatalities can also strain the local healthcare system, first responders, and insurance providers. The costs of emergency services, hospital care, and long-term rehabilitation can burden local resources and impact community budgets. Moreover, traffic disruptions may hurt local businesses by causing delays and reducing customer traffic.

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:

Target Number

1. Issue a news release announcing the kick-off of the grant by December 31st. The kick-off news releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 7 days prior to the issuance date of the release.
2. Participate and report data (as required) in the following campaigns; Quarter 1: National Pedestrian Safety Month, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization; Quarter 3: National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization; Quarter 4: National Speed Prevention Campaigns, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.
3. Develop (by December 31) and/or maintain a "DUI BOLO" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated DUI BOLOs should be distributed to patrol and traffic officers monthly.
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.
6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training (classroom and field training must be completed).
7. Send law enforcement personnel to the DRE Recertification training.
8. Send law enforcement personnel to SFST Instructor training.
9. Send law enforcement personnel to DRE Instructor training.
10. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for

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each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	
11. Conduct DUI Saturation Patrol operation(s).	26
12. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	9
13. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	16
14. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or crashes resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary crash factor violations by motorcyclists and other drivers.	2
15. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety.	12
16. Participate in highly visible collaborative DUI Enforcement operations.	4
17. Participate in highly visible collaborative Traffic Enforcement operations.	2
18. Send law enforcement personnel to DUI Checkpoint Planning and Management training.	2
19. Conduct specialized enforcement operations focusing specifically on street racing and sideshow activities.	2
3. METHOD OF PROCEDURE A. <u>Phase 1 – Program Preparation (1st Quarter of Grant Year)</u> - The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section. - Conduct all training needed to implement the program, in the first quarter. - Purchase all grant related supplies and materials to implement the program, in the first quarter. - Items with a unit cost of \$5,000 more (including tax and shipping) must comply with Buy America. - In order to develop/maintain the “DUI BOLOs,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The DUI BOLO may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. DUI BOLOs should be updated and distributed to traffic and patrol officers at least monthly. - Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations. <u>Media Requirements</u> Issue a news release approved by the OTS PIO announcing the kick-off of the grant by December 31 and after the grant is signed and executed, but no sooner than October 1, the start of the grant year. The kick-off release must be approved by the OTS PIO. If you are unable to meet the December 31 deadline to issue a kick-off press release, communicate reasons to your OTS grant coordinator and OTS PIO.	
B. <u>Phase 2 – Program Operations (Throughout Grant Year)</u> <u>Media Requirements</u> The following requirements are for all grant-related activities: Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.	

- Send all PowerPoint presentations, online presentations and trainings for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Certified training courses are EXEMPT from the approval process.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the OTS grant coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, news releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator when any material is distributed to the media and public, such as a news release, educational material, or link to social media post.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator.
- News releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are EXEMPT from the OTS PIO approval process. The OTS PIO and your OTS grant coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are EXEMPT from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator with the embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult the OTS PIO and copy your OTS grant coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any news releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received OTS PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- For additional guidance, refer to the [OTS Grants Materials Approval Process Guidelines](#) and [OTS Grants Media Approval Process FAQs](#) on the OTS website.
- Contact the OTS PIO or your OTS grant coordinator for consultation when changes from any of the above requirements might be warranted.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
 - Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
164AL-26	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$57,000.00
402PT-26	20.600	State and Community Highway Safety	\$25,000.00
405e DDL-26	20.616	Distracted Driving Laws	\$18,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				
DUI/DL Checkpoints	164AL-26	\$4,272.00	5	\$21,360.00
DUI Saturation Patrols	164AL-26	\$1,048.00	26	\$27,248.00
Collaborative DUI Enforcement	164AL-26	\$1,048.00	4	\$4,192.00
Benefits for 164AL OT @ 4.31%	164AL-26	\$52,800.00	1	\$2,276.00
Traffic Enforcement	402PT-26	\$1,000.00	9	\$9,000.00
Motorcycle Safety Enforcement	402PT-26	\$1,000.00	2	\$2,000.00
Street Racing and Sideshow Enforcement Operations	402PT-26	\$2,000.00	2	\$4,000.00
Traffic Safety Educational Presentations	402PT-26	\$500.00	12	\$6,000.00
Collaborative Traffic Enforcement	402PT-26	\$524.00	2	\$1,048.00
Benefits for 402PT OT @ 4.31%	402PT-26	\$22,048.00	1	\$950.00
Distracted Driving Enforcement	405e DDL-26	\$1,078.51	16	\$17,256.00
Benefits 405e OT @ 4.31%	405e DDL-26	\$17,256.00	1	\$744.00
Category Sub-Total				\$96,074.00
B. TRAVEL EXPENSES				
In State Travel	402PT-26	\$2,002.00	1	\$2,002.00
				\$0.00
Category Sub-Total				\$2,002.00
C. CONTRACTUAL SERVICES				
				\$0.00
Category Sub-Total				\$0.00
D. EQUIPMENT				
				\$0.00
Category Sub-Total				\$0.00
E. OTHER DIRECT COSTS				
DUI Checkpoint Supplies	164AL-26	\$1,924.00	1	\$1,924.00
Category Sub-Total				\$1,924.00
F. INDIRECT COSTS				
				\$0.00

Category Sub-Total				\$0.00
GRANT TOTAL				\$100,000.00

BUDGET NARRATIVE

PERSONNEL COSTS

DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Collaborative DUI Enforcement - Overtime for grant funded Collaborative DUI Enforcement operations conducted by appropriate department personnel

Benefits for 164AL OT @ 4.31% - Worker's comp - 2.86%
 Medicare - 1.45%

Claimed amounts must reflect actual benefit costs for overtime hours charged to the grant.

Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Motorcycle Safety Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Street Racing and Sideshow Enforcement Operations - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Traffic Safety Educational Presentations - Overtime for grant funded traffic safety educational presentations conducted by appropriate department personnel.

Collaborative Traffic Enforcement - Overtime for grant funded Collaborative Traffic Enforcement operations conducted by appropriate department personnel

Benefits for 402PT OT @ 4.31% - Worker's comp - 2.86%
 Medicare - 1.45%

Claimed amounts must reflect actual benefit costs for overtime hours charged to the grant.

Distracted Driving Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Benefits 405e OT @ 4.31% - Worker's comp - 2.86%
 Medicare - 1.45%

Claimed amounts must reflect actual benefit costs for overtime hours charged to the grant.

TRAVEL EXPENSES

In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the OTS Traffic Safety Law Enforcement Forum. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.

CONTRACTUAL SERVICES

-

EQUIPMENT

-

OTHER DIRECT COSTS

DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS Device Supplies, PAS Calibration Supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.

INDIRECT COSTS

-

STATEMENTS/DISCLAIMERS

here will be no program income generated from this grant.

Nothing in this “agreement” shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.

The OTS grant funded activities must be separate from the CHP Cannabis Tax Fund Grant Program activities and maintained under separate accounting/tracking/other codes (example: the same DUI checkpoint may not be funded by both the CHP and the OTS).

Benefits for personnel costs can only be applied to straight time or overtime hours charged to the grant.

The Certifications and Assurances are being finalized by the National Highway Traffic Safety Administration, once they are available, they will be added to the grant agreement.

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Jaspreet Kaur, Senior Planner

Summary

Subject: Rezone (RZ) 24-05 and Planned Development 20, Elmer West Subdivision (TSM 24-05) located on the west side of Elmer Avenue (APN 17-065-008)

Recommendation: A. Conduct a public hearing; then

B. Introduce an Ordinance of the City Council of the City of Yuba City approving Environmental Assessment (EA) 24-12 by adopting a Mitigated Negative Declaration prepared for RZ 24-05, Planned Development 20, and TSM 24-05, and rezoning Assessor's Parcels 017-065-008 from R-1-X20 to PD 20, located on the west side of Elmer Avenue, by title only and waive the first reading

Fiscal Impact: The cost for processing land use entitlements is funded by the project applicant through the payment of application fees

Purpose:

To rezone 10.13 acres removing the X20 Overlay District, establishing a Planned Development 20 for the Elmer West Subdivision (TSM 24-05) that was contingently approved by the Planning Commission.

Council's Strategic Goal:

This item meets the City Council's strategic goal of business friendly. Establishing appropriate pre-annexation zoning for this subdivision will facilitate its build-out going forward.

Background:

The applicant, Interwest Homes Inc, filed entitlement applications including Rezone 24-05, Planned Development 20, and Tentative Subdivision Map 24-05, Elmer West.

On September 24, 2025 the Yuba City Planning Commission conducted a public hearing. Concerns expressed by the public included potential increased traffic on Elmer Avenue, drainage concerns, and impacts of two-story homes on existing adjacent development was discussed.

After closing the public hearing, the Planning Commission voted 4-1 to:

1. Adopt a Resolution recommending approval of RZ 24-05 and Planned Development 20 to the

- City Council together with Environmental Assessment 24-12; and
2. Adopted a Resolution contingently approving TSM 24-05

Analysis:

TSM 24-05 is a proposed 55 single-family residential lot subdivision located on approximately 10.13 acres. The gross density of the project is approximately 5.43 residences per acre. The subdivision will connect to Elmer Avenue on the east.

Pre-annexation Rezone 24-05 is a request to remove the X₂₀ Combining District from this property. The X₂₀ District provides specific development criteria to this and neighboring properties, and provides 12 development related criteria that must be met in order to develop the property (a copy of that criteria is attached to this staff report). Nine of the criteria have since been incorporated into ordinances, practices, or procedures rendering them unnecessary today. There are three criteria that are not incorporated into today's practices that would affect the viability of the project if left intact. These include:

- A requirement that a Development Agreement between the developer and the City be approved as part of any project;
- The project must provide an affordable housing component (to be negotiated as part of the Development Agreement); and
- The minimum lot size is one-acre (compared to 5,000 square feet for the R-1 District).

Additionally, the applicant is requesting a Planned Development to alter the requirements to single-family residential district found in the Municipal Code. The resulting zoning would be R-1 PD 20.

The property is currently in unincorporated Sutter County but is within the City's existing sphere of influence. If this project is approved, the project will not be able to develop until annexation is approved by the Sutter Local Agency Formation Commission (Sutter LAFCo). The applicant intends to apply to LAFCo following the City's application process.

Although the property has been utilized as an orchard, it has been designated for single-family residential development for many years. The Sutter County General Plan has designated the property in this area for single-family residential development (at up to 8 residences per acre) since at least 1996. The Yuba City General Plan has designated the property as Low Density Residential (2-8 residences per acre) since at least 2004. This proposal is consistent with both Sutter County and Yuba City General Plans, and it is consistent with the R-1 pre-annexation zoning that was previously applied to the property. There have been several other similar subdivisions in this area in previous years, as City services are available to this urbanizing area within Yuba City's existing sphere of influence.

Compatibility with neighboring uses:

The project is located on the western edge of the City. As growth in this part of the urban area has in recent years been moving west, there has been new residential development. As such, the area has been transitioning from agricultural uses (primarily small orchards) to single-family residential development. The interface between farming and residential development is often times difficult for both farming and the nearby residents. But as this transition in this area is temporary, requiring buffers, like distance and separation of use requirements, is not effective. Agricultural buffers are only effective for establishing more permanent boundaries. Better long-term planning is to separate the uses. That is, let this urbanizing area build-out, and protect agricultural lands in more rural locations.

This new subdivision will also be located next to existing single-family residential homes. Historically the City has been respectful of existing single-story homes by limiting neighboring new homes to a single story. As has been the standard with other developments with similar issues, a condition has been included for the proposed new homes that will abut existing single-story residences. They are limited to single-story construction, or some residences may have a second story with no overlooking windows. The condition limits Phase 1, Lots 1 and 27 and Phase 2, Lots 1 and 28, to single-story construction or any back-facing windowsills on the upper floor of a two-story residence are to be a minimum of 6.0 feet above the floor, or as otherwise approved by the Development Services Director.

Logical path of growth

Although this property has historically been developed as an orchard, and this development means the loss of that 10-acre orchard, this property is in a logical growth area for the City. As discussed above, the area has been planned by both Sutter County and Yuba City for this growth for at least 30 years. The agricultural use of this site, with increasing urban development around it, will become more and more difficult to conduct as this area grows.

Traffic

The project will create new internal roadways (Ameesha Loop) with access to Elmer Avenue. Per the proposed Conditions of Approval, the developer will dedicate appropriate right-of-way and construct and/or pay for their portions of Elmer Avenue as well as the internal streets. This includes curbs, gutters, sidewalks, and decorative masonry walls and landscaping, as appropriate.

To analyze the effects on the existing street system from this additional traffic, a traffic study was prepared by Flecker Associates. The Study estimates that the subdivision will generate approximately 519 new daily vehicle trips with 39 a.m. peak hour trips and 52 p.m. peak hour trips. The daily trips will close to double the existing traffic conditions; however, Elmer Avenue will continue to be a low volume roadway with 1,142 projected daily trips (Table 7, Traffic Study).

TABLE 7 AM / PM PEAK HOUR TRIP GENERATION RATES ELMER RANCH WEST PROPERTY								
Land Use	Quantity / Unit	Trip Per Unit ¹						
		Daily	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Single Family Residential (LU 210)	1 DU	9.43	0.70	26%	74%	0.94	63%	37%
Single Family Residential (LU 210)		519	39	10	29	52	33	19
Net New Trips		519	39	10	29	52	33	19
numbers may not equal due to rounding ¹ ITE Trip Generation, 11 th Edition								

The applicant recently annexed approximately eight acres on the east side of Elmer Avenue, known as Thiara Estates Subdivision, into the City. Thiara Estates proposed to construct 31 single family homes south of Nick Court between Elmer Avenue and Tuly Parkway. The direct connection between Elmer Avenue and Tuly Parkway is not expected to have significant cut-through traffic due to the circuitous route, however, it is expected that trips from Elmer West would use this route to travel to the nearby elementary school and city parks. Traffic along Elmer Avenue from the north are likely to use Ameera Drive to access Tuly Parkway, with completion expected that Elmer Avenue will be a secondary road as Tuly Parkway will provide a direct connection from Pease Road to south of SR 20.

The traffic study concludes the existing conditions plus Elmer West Subdivision will operate consistent

with the 2040 General Plan Policy CI 4-2 that strives to maintain a target Level of Service (LOS) of D or better for collector and/or arterial controlled intersections. Neither of the intersections meet the threshold (peak hour signal warrant and queues) along Elmer Avenue, Butte House Road and Pease Road to require signalization of those intersections (Table 10, traffic study).

Intersection	Control	Min LOS ¹	AM Peak Hour				PM Peak Hour				Meets Peak Hour Warrant
			Exist		Exist Plus Elmer Ranch West		Exist		Exist Plus Elmer Ranch West		
			Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	
1. Butte House Rd / Elmer Ave	SB Stop	D	21.3	C	23.5	C	24.1	C	27.2	D	No
2. Pease Rd / Elmer Ave	NB/SB Stop	D	11.6	B	12.2	B	10.2	B	10.3	B	No
3. Elmer Avenue / Ameesha Lp S	EB Stop	D	---	---	8.7	A	---	---	8.6	A	N/S
4. Elmer Avenue / Ameesha Lp N	EB Stop	D	---	---	8.7	A	---	---	8.6	A	N/S

¹ Minimum LOS established by the City of Yuba City
N/S – not studied due to adjacent intersections not meeting peak hour warrant

The recommendations as provided in the traffic study have been incorporated into the Conditions of Approval and/or map. Below is the list of some of the recommendations:

1. Project shall pay the City traffic development impact fees.
2. The project shall complete ½ street widening of Elmer Avenue along the project frontage. Condition of Approval 21 (g) requires the widening of Elmer Avenue to a minimum of 20' paved width between the project and Butte House Road.
3. Curb extensions are proposed along Elmer Avenue and Ameesha Loop to narrow the roadway.
4. A rectangular rapid flashing beacon shall be installed across Elmer avenue and Ameesha Loop to facilitate pedestrian and bicycle access between the Elmer West subdivision, Butte Vista Elementary School and Butte Vista Neighborhood.

Availability of City services:

City water, wastewater and stormwater drainage will be extended to the property.

Eliminating the X20 Combining District:

As discussed in the Background section above, the X20 Combining District was adopted in 2004 to implement the new General Plan. It contains 12 criteria that is to be required of new development. Since that time there have been other ordinances adopted and programs established that accomplish many of those items, making them duplicative today. That includes nine of the criteria to pay sewer, water, park, school, and other development impact fees, make proper drainage improvements, pay a fair share of upgraded or new collector and arterial streets, and levee improvements, and entry into a Community Facilities District to fund police/fire operations, and park maintenance.

Other criterion that seemed justified at that time, but is no longer needed, is that the project must participate in an affordable housing program that was anticipated to be implemented. Since that time, the City has developed other strategies for affordable housing, as most recently contained in the 2021-2029 Housing Element so this criterion has been superseded by the new Housing Element.

There is a criterion to enter into a Development Agreement between the property owner and the City. The stated need is to implement the City's Housing program. As stated above, the housing problem

has otherwise been addressed, negating the need for a development agreement.

A criterion requires a one-acre minimum lot size. One-acre minimum lot size would be inconsistent with the General Plan. The Low-Density Residential land use designation in which this property lies has an allowed density range of 2-8 residences/acre. The one-acre minimum translates to a density of 1 residence/acre – outside of the permitted density range. Also, if the one-acre minimum lot size is implemented for this subdivision the project would be reduced to ten lots instead of the 55 that are proposed. This raises a major concern. At this reduced density, to accommodate new growth, it would be an inefficient use of land, causing considerable sprawl, and a waste of much more agricultural land. Further, the cost of providing City services to those properties at this low density would be prohibitive to all but the wealthiest.

Planned Development 20

Planned Development 20 proposes development standards that apply to this subdivision that are different than what is required in the Municipal Code for R-1 Districts. Below is an overview of the changes requested with the proposed Planned Development.

Standard	Requirement
Maximum Density (R-1)	General Plan Designation: 8 units per acre
Minimum Density (R-1)	General Plan Designation: 2 dwelling units per acre
Minimum Lot Size	- < 5,000 sq. ft.: 4,400 sq. ft. (corner); 4,000 sq. ft. (interior, cul-de-sac, knuckle) - ≥ 5,000 sq. ft.: 5,500 sq. ft. (corner); 5,000 sq. ft. (interior, cul-de-sac, knuckle)
Minimum Lot Width	- < 5,000 sq. ft.: 40 ft. (interior); 44 ft. (corner) - ≥ 5,000 sq. ft.: 50 ft. (interior); 55 ft. (corner) *Lot width measured at front property line, except cul-de-sacs/knuckles (measured at front setback).*
Minimum Lot Depth	- < 5,000 sq. ft.: 80 ft. - ≥ 5,000 sq. ft.: 90 ft. *Average minimum depth; lot depth measured at front setback for cul-de-sacs/knuckles.*
Maximum Lot Coverage	- < 5,000 sq. ft.: 50% (2-story); 60% (1-story) - ≥ 5,000 sq. ft.: 45% (2-story); 55% (1-story)
Minimum Yards	**Front:** - < 5,000 sq. ft.: 12 ft. to back of sidewalk - ≥ 5,000 sq. ft.: 15 ft. to back of

	sidewalk **Garages:** - < 5,000 sq. ft.: 18 ft.; 10 ft. for side-loading if driveway ≥ 18 ft. - ≥ 5,000 sq. ft.: 20 ft.; 10 ft. for side-loading if driveway ≥ 20 ft. **Porch/Courtyard:** - < 5,000 sq. ft.: 10 ft. - ≥ 5,000 sq. ft.: 12 ft. **Street Side:** 10 ft. to back of sidewalk **Interior Side:** 5 ft. (3 ft. for fireplaces/media projections) **Rear:** - < 5,000 sq. ft.: 10 ft. - ≥ 5,000 sq. ft.: 15 ft.
Distance Between Buildings (Same Lot)	- < 5,000 sq. ft.: 3.5 ft. (1-story); 5 ft. (2-story) - ≥ 5,000 sq. ft.: 5 ft. (1-story); 10 ft. (2-story)
Maximum Building Height	2 stories; not to exceed 35 ft. (per Article 56, Yuba City Zoning Regulations)

Map Approval Prior to Annexation

Pursuant to Government Code Section 66454 (the State Subdivision Map Act), a city may process and approve a proposed subdivision of unincorporated territory adjacent to a city but must condition its approval that the subdivision cannot be built until annexation is approved. This requirement has been reflected as proposed Condition No. 6.

Environmental Considerations:

An environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Based upon the attached environmental assessment and the list of identified mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and recommends adoption of a mitigated negative declaration for this project. The finding of the mitigated negative declaration is that, with the proposed mitigations for Greenhouse Gases Geology and Soils, and Tribal Cultural Resources this 55 single-family residential lot subdivision will not create any significant environmental impacts. As a result, the adoption of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA. The proposed mitigation measures are included in the attached Mitigation Monitoring Program and expressly made conditions of approval for this Project.

Fiscal Impact:

The cost for processing land use entitlements is funded by the project applicant fees as adopted by the City Council.

Alternatives:

1. Deny the application to approve Environmental Assessment 24-12, Rezone 24-05, Planned Development 20 and the associated Tentative Subdivision Map 24-05.
2. Provide staff with alternate direction.

Recommendations:

1. Conduct a public hearing; then
2. Introduce an Ordinance of the City Council of the City of Yuba City approving Environmental Assessment (EA) 24-12 by adopting a Mitigated Negative Declaration prepared for RZ 24-05, Planned Development 20, and TSM 24-05, and rezoning Assessor's Parcels 017-065-008 from R-1-X20 to PD 20, located on the west side of Elmer Avenue, by title only and waive the first reading.

Attachments:

1. Ordinance
2. Exhibit A - X20 Overlay District
3. Exhibit B - Zoning Map
4. Exhibit C - Criteria of Development
5. Tentative Subdivision Map 24-05
6. Conditions of Approval
7. Environmental Assessment 24-12

Prepared By:
Jaspreet Kaur
Senior Planner

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING ENVIRONMENTAL ASSESSMENT (EA) 24-12 BY ADOPTING A MITIGATED NEGATIVE DECLARATION PREPARED FOR REZONE (RZ) 24-05, PLANNED DEVELOPMENT (PD) 20, AND TENTATIVE SUBDIVISION MAP 24-05 AND REZONING ASSESSORS PARCEL NUMBER 17-065-008 FROM R-1 X₂₀ TO PD 20, LOCATED ON THE WEST SIDE OF ELMER AVENUE.

WHEREAS, the City received an entitlement application to subdivide, rezone, and create a Planned Development for this property in September 2024 of the approximately 10.13-acre property into 55 single-family residential lots, a rezoning of the property (RZ 24-05) to delete the X20 Combining District from the existing R-1X20 zoning, and Planned Development 20 located on the west side of Elmer Avenue; and

WHEREAS, the following entitlements are being considered for approval by this ordinance:

- Rezone (RZ) 24-05: proposes to amend the zone district from a One Family Residence combined with the X20 Combining District (R-1X20) to a One Family Residence District (R-1)
- Planned Development (PD) 20: which proposes to modify certain development standards in the R-1 District
- Tentative Subdivision Map (TSM) 24-05: which proposes to subdivide 10.13 acres into 55 single-family residential lots
- Environmental Assessment (EA) 24-12: Mitigated Negative Declaration

(collectively “Project”); and

WHEREAS, the X20 Combining District was added to this and nearby properties in 2004 as part of a potential annexation into the City. At that time the new General Plan had been recently adopted and this zoning was added to ensure that the new policies and programs in the General Plan be implemented. Since that time many of the criteria in the X20 Combining District have been incorporated into standard practice; and

WHEREAS, a review of the X20 zoning concluded that its twelve criteria of development were no longer necessary due to more recent actions to implement these standards citywide or that they are no longer needed (Exhibit “A”); and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed Project and has prepared an Initial Study proposing a Mitigated Negative Declaration (EA 25-01) for the Project; and

WHEREAS, on September 24, 2025, the Planning Commission concurrently conducted a duly noticed public hearing on applications TSM 24-05, RZ 24-05 and PD 20, at which time it received input from City Staff, the applicant; the public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission, after which public testimony was closed; and

WHEREAS, the Planning Commission reviewed all associated documents prepared for the Project, including those related to application TSM 24-05, RZ 24-05 and PD 20, and all the evidence received by the Planning Commission; and

WHEREAS, after deliberation and consideration of all relevant items, the Planning Commission contingently approved the West Elmer Subdivision Map (TSM 24-05) and recommended the City Council of the City of Yuba City adopt an ordinance approving Rezone 24-05 and Planned Development 20, with a map included herein as Exhibit B and development standards reflected herein as Exhibit C; and

WHEREAS, on October 21, 2025, the Yuba City Council conducted a duly noticed public hearing on the project, at which time it received input from City Staff; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the City Council, after which public testimony was closed and this ordinance introduced; and

WHEREAS, the City Council of Yuba City considered said recommendations of the Planning Commission on the matter and after review and consideration of the Environmental Assessment, the City Council desires to approve RZ 24-05 and PD 20 as refined and the associated Environmental Assessment (EA) 24-12 adopting a Mitigated Negative Declaration for the project.

NOW, THEREFORE, the City Council of the City of Yuba City does ordain as follows:

1. Recitals. The City Council finds that the recitals are true and correct and incorporates the same herein as if set forth in full.
2. CEQA Findings: The City Council of the City of Yuba City finds that an Environmental Assessment/ Initial Study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. The process included the distribution of requests for comments from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies. While the proposed project could have a potentially significant effect on the environment, based on its independent judgement and analysis the City Council find that feasible mitigation measures or alternatives have been incorporated into the project in order to avoid the effects to a point where clearly no significant effect on the environment will occur. The project-specific mitigation measures included in the project to avoid potentially significant effects are set forth in the attached Initial Study/Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Program. With the project specific mitigations imposed, there is no substantial evidence in the record that this project may have significant direct, indirect, or cumulative effects on the environment.
3. Adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Based on the foregoing, the City Council of the City of Yuba City adopts the Mitigated Negative Declaration prepared for the project, including the associated Mitigation Monitoring and Reporting Program as updated, as the project will not result in any significant, adverse environmental impacts with the mitigations proposed. The Yuba City Development Services Department is located at 1201 Civic Center Boulevard, Yuba City, CA 95993, is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the decision is based. The City Council authorize the Director, or designee, to execute and file with the Sutter County Clerk, as appropriate, a Notice of Determination for approval of the project that complies with the CEQA Guidelines.

4. Findings of Rezone 24-05: The City Council finds that Rezone 24-05 is consistent with the General Plan as amended. The City Council further finds that Rezone 24-05 i) is consistent with the General Plan goals and policies as both are amended; ii) is consistent with the purpose of the zoning ordinance to promote and protect the public's health, safety, peace, comfort, convenience and general welfare; and iii) the Project would provide open space, light, air, privacy, convenience of access, aesthetic values, protection of environmental values, and protection of public and private improvements. iv) the project will allow for the creation of quality balanced neighborhoods that provide housing options for the City.
5. Planned Development Findings. Yuba City Municipal Code Section 8-5.2706 requires that the City make the following findings in order to approve a Planned Development (the required findings are in italics).

a. The proposal is consistent with the General Plan.

Evidence. The proposed subdivision creating 55 single-family residential lots is consistent with General Plan Policy 3.5-I-1, the lot sizes are consistent with the land use designation and provides for a density range of 2-8 units per acre. The proposed projects overall density of approximately 5.17 DU/AC is within the established density range. The proposed lot configuration and layout will integrate into the existing street network and surrounding land uses. The proposed subdivision will construct pedestrian facilities that will serve the neighborhood and facilitate a walkabout community.

b. The proposal is consistent with the planned surrounding land uses.

Evidence. The proposed lot configurations and layout will integrate into the existing street network and surrounding land uses. The proposed map will construct pedestrian facilities that will serve the neighborhood and facilitate a walkable community.

c. There are or will be adequate public facilities available to properly serve the development, including streets to adequately handle the anticipated traffic.

Evidence. The site is level and will be served by the full range of City services. City water and wastewater collection are available to the property. A stormwater drainage system is nearby that will be operated and maintained by the City and which connects with the greater system that is operated by the Sutter County Water Agency that drains into the Live Oak Canal.

d. The quality of the development is as good or better than would be accomplished through traditional zoning and design standards.

Evidence. As discussed in item a) above, this project is consistent with the City's General Plan goals and policies including the established density range for LDR designated land. The project is conditioned to meet all City development and improvement standards including water, wastewater, stormwater drainage systems, street cross-sections, streetscape landscaping, and park facilities or applicable in-lieu fees. The proposed project will be subject to compliance with the R-1 development standards as amended by the proposed PD 20 Zone District.

6. Approval of Rezone 24-05 and Planned Development 20. The City Council hereby approves

Rezone 24-05 and Planned Development 20 for the Elmer West Subdivision, rezoning approximately 10.13 acres located on the west side of Elmer Avenue, Assessor's Parcel Numbers 17-065-008, to the "PD 20" designation as set forth in Exhibit A, and subject to the development standards as set forth in Exhibit B.

7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.
8. Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it to be published, in accordance with Government Code, Section 36933, or as otherwise required by law.
9. Effective Date of Resolution. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 21st day of October 2025, and adopted the Ordinance after the second reading at a regular meeting held on the 4th day of November, by the following vote:

Ayes:

Noes:

Absent:

Recused:

CITY OF YUBA CITY

David Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibit A: X20 District Requirements
Exhibit B: Zoning Map
Exhibit C: Planned Development 20 Standards

I, _____, City Clerk of the City of Yuba City, California, DO
HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and
adopted by the City Council of the City of Yuba City on the date and by the vote indicated
herein.

EXHIBIT A



X₂₀ Area: West side of Elmer Road, south of the westerly extension of Lizanne Drive, and the area lying between Tuly Parkway right of way and the section of Tierra Buena which was annexed to the City in April of 2004 along with the area lying between Vine Avenue and the westerly extension of Lizanne Drive.

Conditions of Preannexation Zoning

The preannexation zoning of the Property is approved subject to the following conditions. These conditions shall only apply to divisions of land requiring a subdivision map or to any multi-family development of five residences or more.

1. Prior to the approval of any subdivision map for said Property, or prior to any multi-family development of five residences or more of said Property, a Development Agreement must be entered into with the City. At a minimum, the Development Agreement shall address conditions of development and the financing of roads, parks, public facilities, sewer, water, drainage, and surrounding infrastructure as established in the General Plan. The approval of said preannexation zoning in no way obligates the City to enter into a Development Agreement. The City shall have complete discretion whether to approve a Development Agreement and in approving the terms and conditions of the Development Agreement.
2. Prior to the City finalizing a Development Agreement, the developer of the Property shall provide written documentation from the affected school district that the developer has satisfied said school district's requirements for school infrastructure. This would generally apply to any developments over 4 residential units. The School District would expect, at a minimum, that all residential developments enter into a Mello Roos District and that depending on the size of development, land dedication and school development may be an alternative, subject to negotiation with the District.
3. Drainage plans shall be provided for all subdivisions of land within the Property and shall comply with the City and County's master drainage plans.
4. All residential subdivisions within the Property shall include an affordable housing component that meets the minimum production standard of affordable housing outlined in the regional compact with SACOG adopted by the City of Yuba City in November 2004. There are a variety of options of how best to meet the affordable housing requirement. These options would be subject to negotiations between the City and developer and shall be part of the Development Agreement.

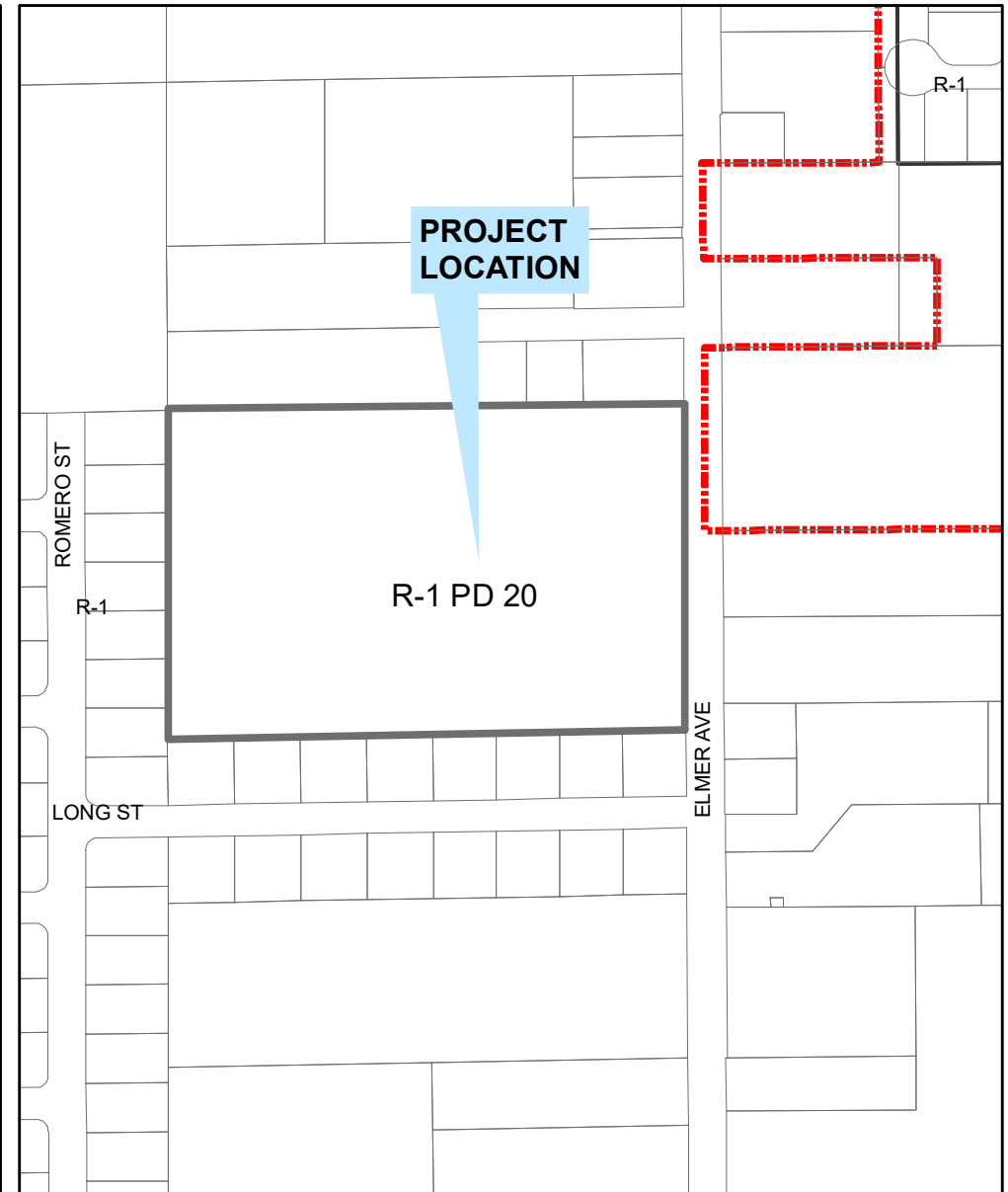
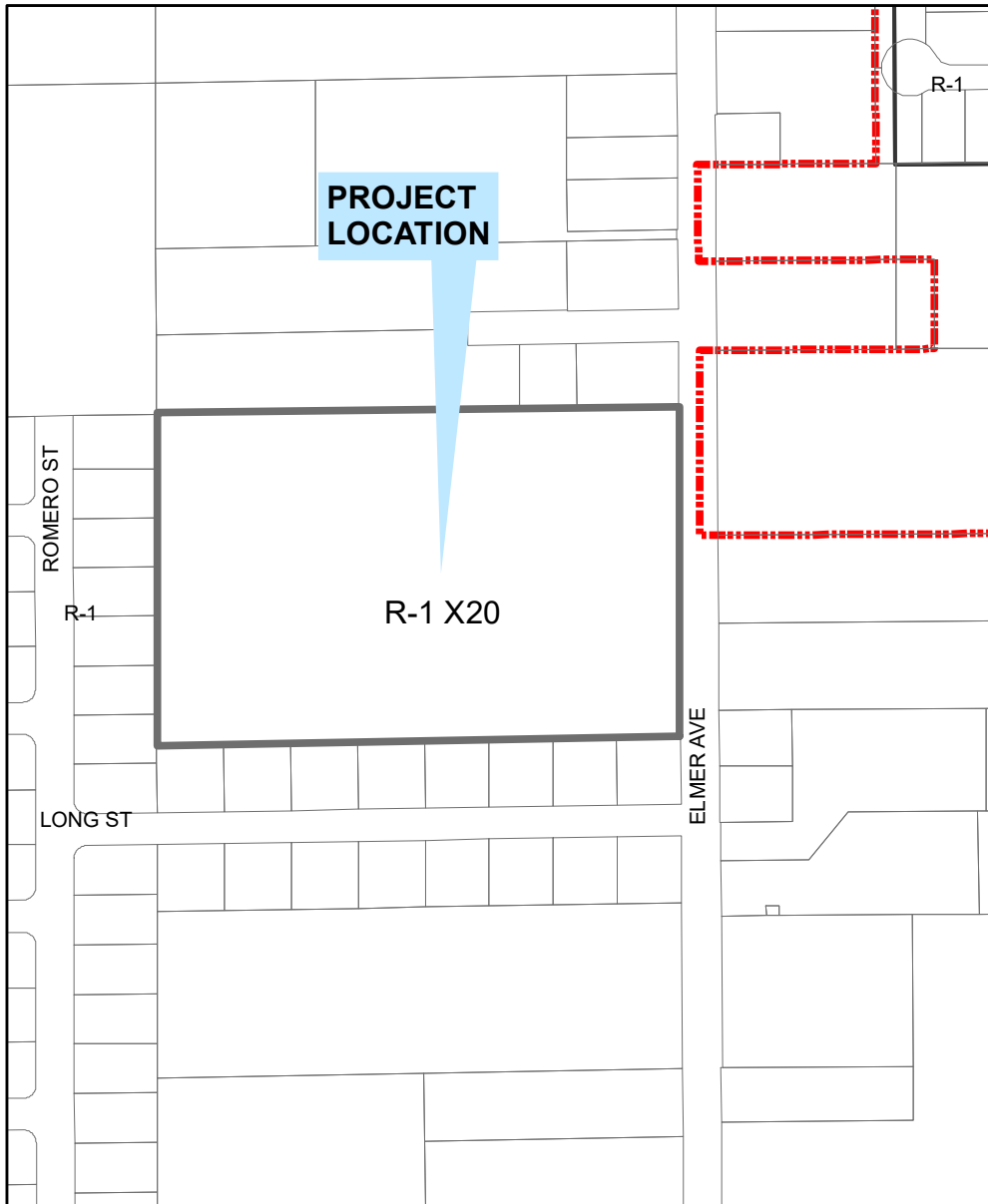
5. All residential subdivisions within the Property shall meet the minimum standards for residential design as established by the City Council.
6. Sewer and water fees, including connection fees and the installation of major trunk lines from both plants, shall be incorporated into the cost of development and shall be part of the Development Agreement.
7. Development within the Property shall be required to pay its fair share of major roadwork as part of the development and, may require construction of collector and arterial roads that will adequately address infrastructure concurrent with the proposed development. This will be negotiated as part of the Development Agreement.
8. Payment of impact fees, which incorporate the public improvements necessary to implement the General Plan, shall be required and will be part of the Development Agreement. These fees will be estimates and final payment will be based on a formally adopted impact fee study approved by the City Council. In addition to the park impact fee, the Quimby Act shall also apply.
9. Payment of a fee to address levee improvements and potential flood issues shall be required as part of the Development Agreement.
10. Any development within the Property shall require the Property entering into a Community Facilities District to assist in funding police, fire and park maintenance.
11. Any development within the Property shall address the community design policies in the General Plan including walkable, livable concepts and address the village concept as provided for in the General Plan.
12. The minimum lot size for the lots shown as R-I-X_{20a} shall be one acre as shown on Exhibit A.

EXHIBIT B

ELMER WEST REZONE, ZONING MAP

EXISTING

PROPOSED



City of Yuba City

- Parcels
- Zoning
- Project Site
- City Limits



REZONE 24-05



EXHIBIT C

The following criterion of development is proposed for Elmer Ranch West located on west side of Elmer Road directly across from Thiara Estates. We used the development criteria in the BSMP Low Density Residential Standard as shown on Table A-1 except for a few minor items. We understand this project is not located in BSMP but that was our starting point. We understand any item not changed would default to Yuba City Standards not the BSMP standards. The Development Standards for Elmer Ranch West are proposed as follows.:

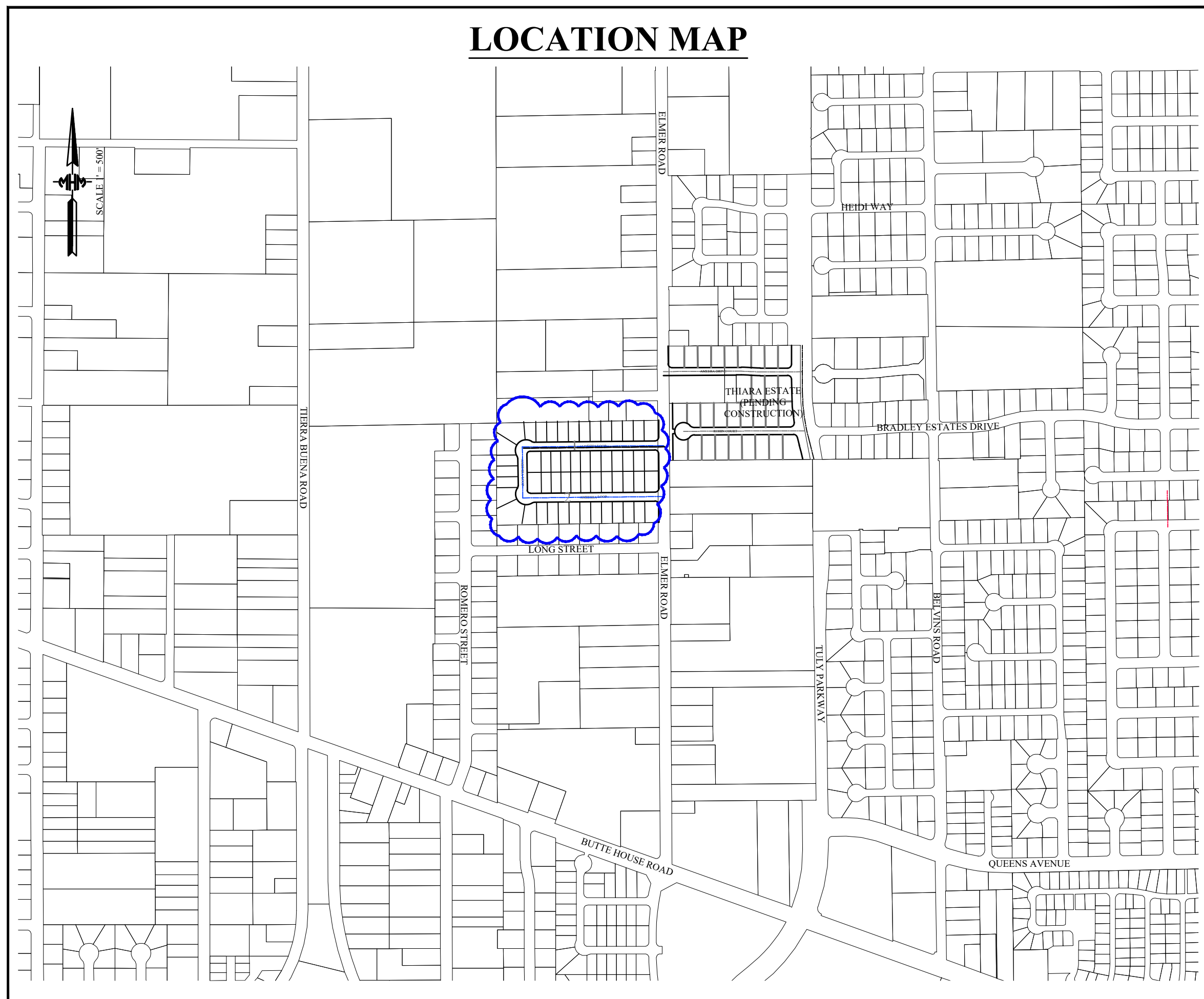
Development Standards.

Maximum Density (R-1):	General Plan Designation (8 units per acre)
Minimum Density (R-1):	General Plan Designation (2 dwelling per acre)
Minimum Lot Size:	For lots less than 5,000 square feet lots shall be 4,400 square feet for corner; 4,000 square feet for interior lots, cul-de-sac, and knuckle lots. For lots equal to or greater than 5,000 square feet lots shall be 5,500 square feet for corner; 5,000 square feet for interior lots, cul-de-sac, and knuckle lots.
Minimum Lot Width:	For lots less than 5,000 square feet lots shall be 40 feet for interior lots and 44 feet for corner lots. For lots equal to or greater than 5,000 square feet lots shall be 50 feet for interior lots and 55 feet for corner lots. (*Lot width measured at the front property line except for lots on cul-de-sacs and knuckles where lot width is measured at the front setback)
Minimum Lot Depth:	For lots less than 5,000 square feet lots shall be 80 feet. For lots equal to or greater than 5,000 square feet lots shall be 90 feet. (*Lot width measured at the front property line except for lots on cul-de-sacs and knuckles where lot width is measured at the front setback). These refer to average minimum depth.
Maximum Percentage of Lot Coverage:	For lots less than 5,000 square feet lots shall be 50% for 2-story and 60% for 1-story. For lots equal to or greater than 5,000 square feet lots shall be 45% for 2-story and 55% for 1-story. (*Lot width measured at the front property line except for lots on cul-de-sacs and knuckles where lot width is measured at the front setback).
Minimum Yards:	Front - For lots less than 5,000 square feet lots shall be 12 feet to back of sidewalk. For lots equal to or greater than 5,000 square feet lots shall be 15 feet to back of sidewalk. Garages - For lots less than 5,000 square feet lots shall be 18.0 feet and side loading garages shall be 10 feet as long as the length of the driveway exceeds 18.0 from the back of sidewalk. For lots equal to or greater than 5,000 square feet lots shall be shall be 20.0 feet and side loading garages shall be 10 feet as long as the length of the driveway exceeds 20.0 from the back of sidewalk. Porch/Courtyard - For lots less than 5,000 square feet lots shall be 10 feet. For lots equal to or greater than 5,000 square feet lots shall be 12 feet. Street Side – 10 feet to back of sidewalk. Interior Side – 5 feet, except fire place and media protrusions shall not less than 3 feet. Rear – For lots less than 5,000 square feet lots shall be 10 feet. For lots equal to or greater than 5,000 square feet lots shall be 15 feet.

Distance Between Buildings on Same Lot:	For lots less than 5,000 square feet lots shall be 3.5 feet for single story and 5.0 feet for two-story. For lots equal to or greater than 5,000 square feet lots shall be 5.0 feet for single story and 10.0 feet for two-story.
Maximum Building Height:	2 stories not to exceed 35 feet, except as provided in Article 56 of the Yuba City Zoning Regulations.
Exterior Lighting	As provided in Article 58.
Fences, Walls, Hedges, and Intersection Visibility	As provided in Article 59.
Off-street Parking and Loading	As provided in Article 61.
Public Improvements	As provided in Article 62.
Signs:	As provided in Article 63.
Trash Enclosures	As provided in Article 64.

If item is not listed or modified, the criteria shall meet or exceed the Yuba City Development Standards and Guidelines for Low Density Residential Development Standards.

ATTACHMENT 2



LAND USE SUMMARY

LOT SUMMARY*				
VILLAGE NO. 1 =	27 LOTS	4.81 AC	5.61 DU/AC	
VILLAGE NO. 2 =	28 LOTS	5.02 AC	5.58 DU/AC	
SUBTOTAL = (RESIDENTIAL)	55 LOTS	9.83 AC	5.60 DU/AC	
ELMER ROAD		0.30 AC		
SUBTOTAL = (NON-RESIDENTIAL)		0.30 AC		
TOTAL =		10.13 AC	5.43 DU/AC	

*ALL ACREAGE AND DENSITIES EXCLUDE THE ELMER ROAD FRONTAGE ROAD RIGHT OF WAY.

LEGAL DESCRIPTION (EXISTING PARCELS):

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SUTTER, UNINCORPORATED AREA, DESCRIBED AS FOLLOWS:

PARCEL ONE (APN 017-065-008-000):

LOT 13, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SUBDIVISION NUMBER ONE OF THE ELMER TRACT", FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SUTTER, STATE OF CALIFORNIA, ON FEBRUARY 06, 1907, IN BOOK 1 OF SURVEYS, PAGE 53.

CITY OF YUBA CITY APPROVAL:

THE CITY OF YUBA CITY PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 24-0XX APPROVING TENTATIVE SUBDIVISION MAP NO. 2024-0XX AND DEVELOPMENT AGREEMENT DA-XX DURING THE PLANNING COMMISSION MEETING ON _____, 2025.

XXXX XX, 2025
DATE:

CITY OF YUBA CITY

SURVEYORS AND ENGINEERS STATEMENT:

I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY PLACER TITLE INSURANCE COMPANY ORDER NUMBER P-615195 DATED MAY 30, 2024.

SEAN MINARD, P.E. 52593, P.L.S. 8397

PROJECT NOTES

OWNER
SCOTT FAMILY 00 TRUST
950 THARP ROAD, SUITE 1402
YUBA CITY, CA 95993
CONTACT: JAMES R SCOTT
PHONE: (530) 671-4600

APPLICANT
INTERWEST HOMES CORP
950 THARP ROAD, SUITE 1402
YUBA CITY, CA 95993
CONTACT: JAMES R SCOTT
PHONE: (530) 671-4600

ENGINEER/SURVEYOR
MHM INCORPORATED
1204 E STREET, P.O. BOX B
MARYSVILLE, CA 95901
CONTACT: SEAN MINARD, P.E., P.L.S.
PHONE: (530) 742-6485

ASSESSOR'S PARCEL NO.
APN 017-065-008 (10.00 AC)

AREA OF TENTATIVE MAP
10.13 GROSS ACRES PER SURVEY

EXISTING USE
ORCHARD

EXIST GENERAL PLAN DESIGNATION
LOW DENSITY RESIDENTIAL

PROPOSED GENERAL PLAN DESIGNATION
LOW DENSITY RESIDENTIAL

EXISTING ZONING
R-1

PROPOSED ZONING
R-1 PD

LEVEE PROTECTION
LEVEE DISTRICT NO. 9 OF SUTTER COUNTY

ELEMENTARY SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

HIGH SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

IRRIGATION DISTRICT
NONE - INDIVIDUAL WATER WELLS

FIRE PROTECTION
SERVICE AREA G

LAW ENFORCEMENT
YUBA CITY POLICE

SANITARY SEWER
CITY OF YUBA CITY PUBLIC WORKS

DOMESTIC WATER
CITY OF YUBA CITY PUBLIC WORKS

STORM DRAINAGE
CITY OF YUBA CITY PUBLIC WORKS

ELECTRICITY
PACIFIC GAS AND ELECTRIC

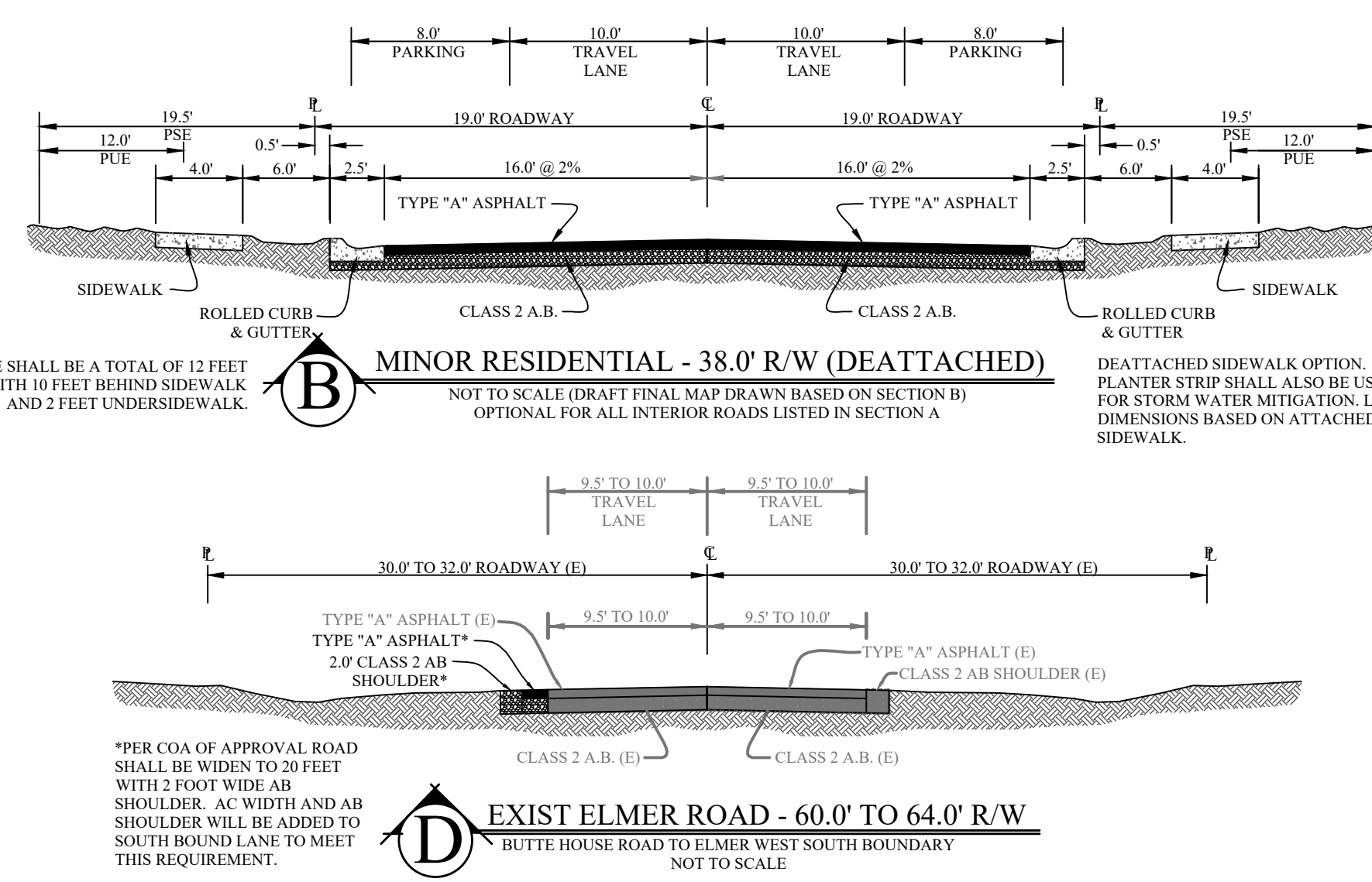
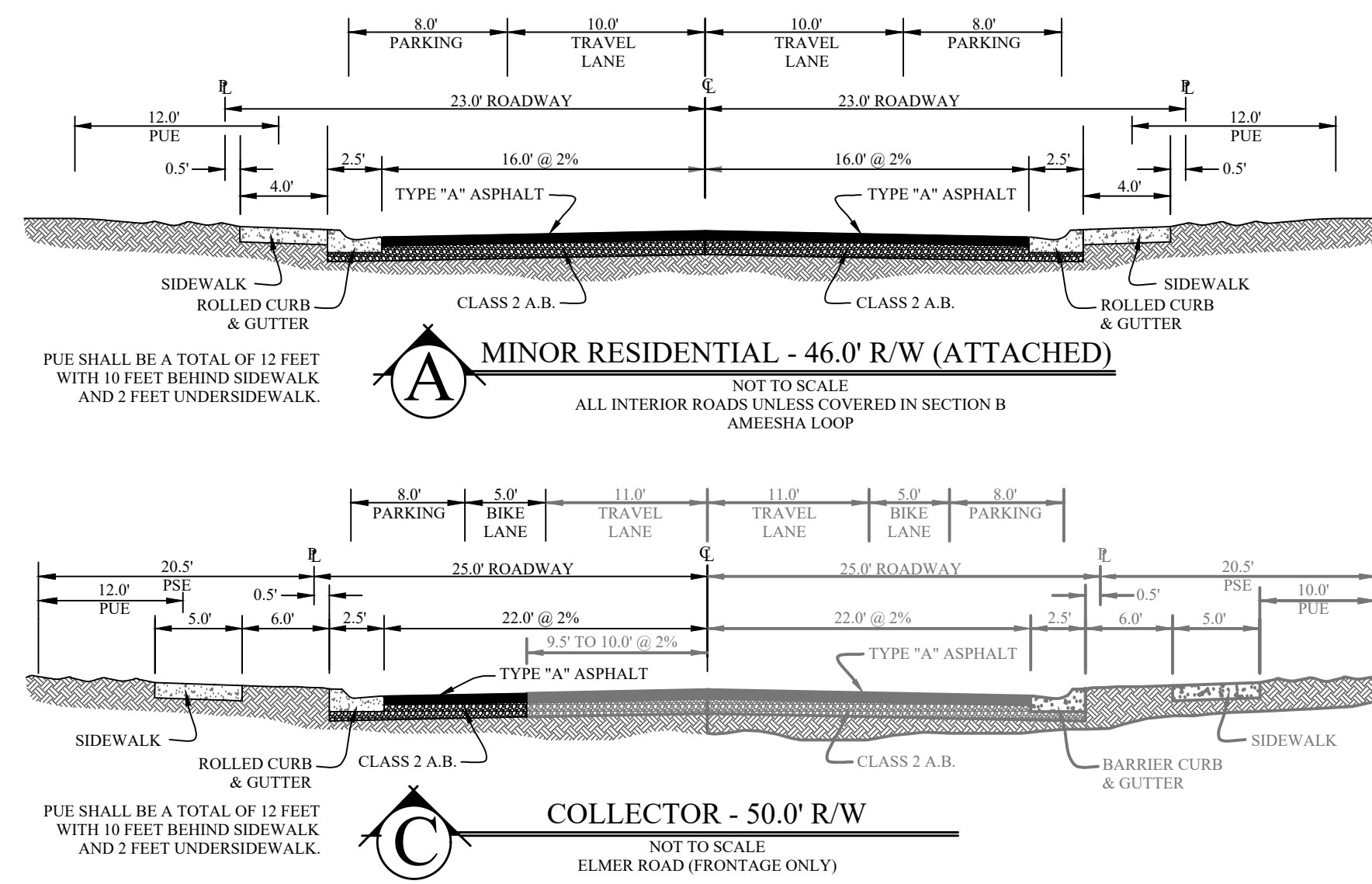
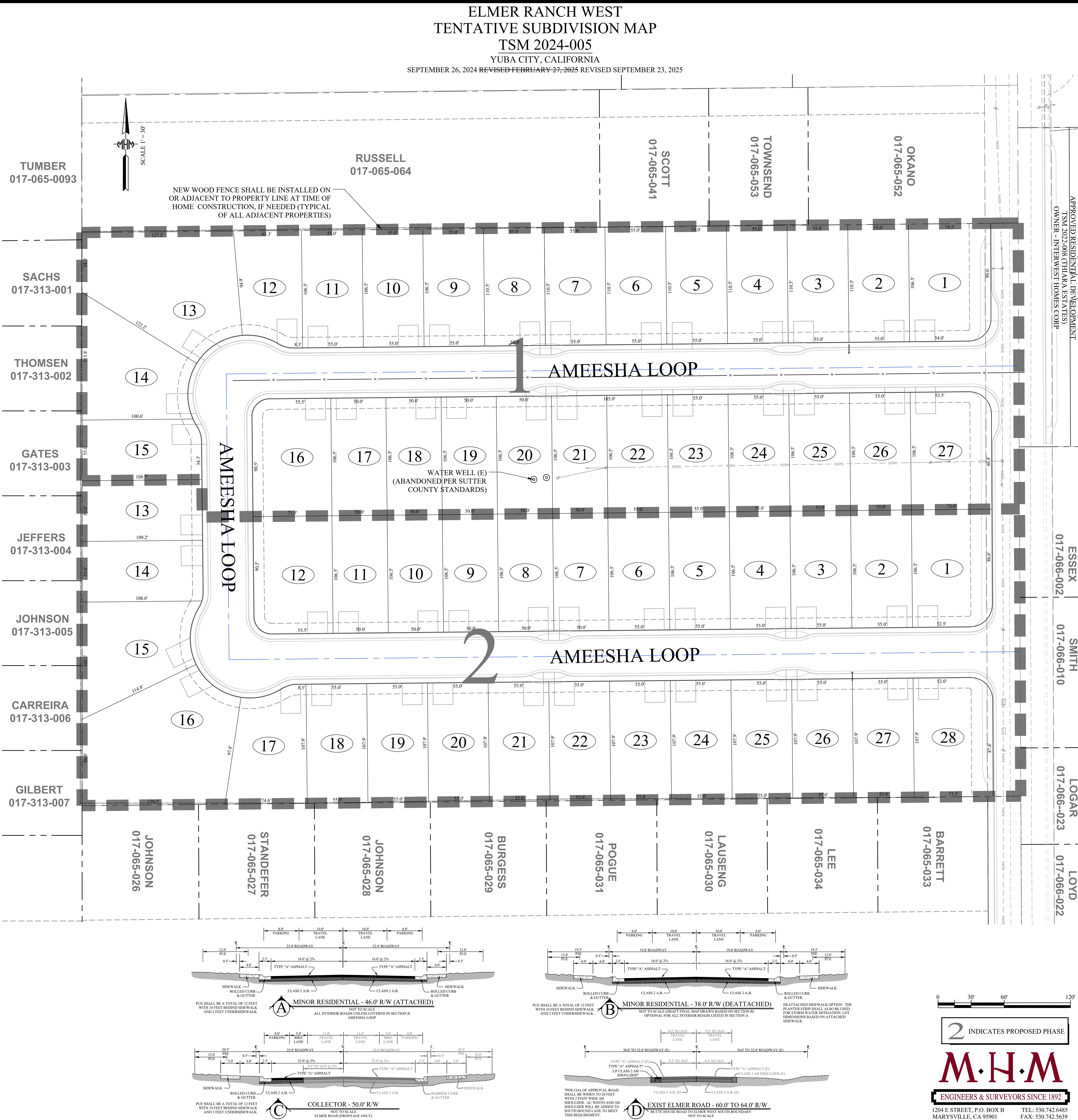
NATURAL GAS (OPTIONAL)
PACIFIC GAS AND ELECTRIC

COMMUNICATION
AT&T AND COMCAST

CABLE (OPTIONAL)
COMCAST

GENERAL NOTES:

- SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT. THIS PROJECT COULD BE 1 TO 3 PHASES.
- A 12.0 FOOT PUBLIC UTILITY EASEMENT SHALL BE LOCATED PROVIDED ON ALL STREETS WITH 10 FEET BEHIND SIDEWALK AND 2.0 FEET LOCATED UNDER SIDEWALK. ADJACENT TO CUL-DE-SAC BULBS THE PUBLIC UTILITY EASEMENT SHALL BE 10 FEET BEHIND SIDEWALK UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.
- THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY, ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.
- THIS IS AN APPLICATION FOR TENTATIVE SUBDIVISION MAP, PRE-ANNEXATION ZONING, PLANNED DEVELOPMENT, AND DEVELOPMENT AGREEMENT.
- VILLAGE NUMBERING IS FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT INDICATE PHASING ORDER OF DEVELOPMENT. ULTIMATE DEVELOPMENT PHASING WILL BE ORDERLY AND WILL BE DETERMINED AT FINAL MAP AND/OR IMPROVEMENT PLAN STAGE. TWO (2) POTENTIAL PHASES ARE SHOWN BUT DEVELOPER RESERVES RIGHT TO RECORD WITH MORE OR LESS.
- ALL EXISTING STRUCTURES, SEPTIC TANKS, ORCHARD, IRRIGATION, AND WELLS TO BE REMOVED OR DESTROYED PRIOR TO CONSTRUCTION.
- STREET TREES AND IRRIGATION SHALL BE PLANTED PURSUANT TO CITY OF YUBA CITY STANDARDS. ADDITIONAL DETAIL SHALL BE PROVIDED ON THE IMPROVEMENT PLANS.
- OWNERS, APPLICANT, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT. MHM INC, SEAN MINARD, IS THE ENGINEER AND SURVEYOR OF RECORD FOR THE TENTATIVE MAP.



0 30' 60' 120'

2 INDICATES PROPOSED PHASE

M.H.M.
ENGINEERS & SURVEYORS SINCE 1892

1204 E STREET, P.O. BOX B
MARYSVILLE, CA 95901

TEL: 530.742.6485
FAX: 530.742.5639

ATTACHMENT 3

**CITY OF YUBA CITY
CONDITIONS OF APPROVAL
TENTATIVE SUBDIVISION MAP 24-05
OCTOBER 21, 2025
ELMER RANCH WEST
APNs: 017-065-008**

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through tentative subdivision map review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed by the applicant to the City Council within 10 days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this tentative subdivision map, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, leasee, operator, or any other person or entity making use of this tentative subdivision map.

CONDITIONS OF APPROVAL

1. To the furthest extent allowed by law, applicant/property owner shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures,

damages and costs (including attorney's fees, litigation expenses and administrative record preparation costs) arising from, resulting from, or in connection with any Third-Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by (i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these Conditions of Approval or any approval associated with entitlements associated with the project (collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all Approvals. Applicant's/property owner's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this section shall survive any termination, revocation, overturn, or expiration of an approval.

Nothing in this section shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant/property owner shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Applicant/property owner shall submit all documents filed in the Third-Party Action for review and approval of the City Attorney prior to filing of said documents on behalf of the City.

The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of processing or defending any Third-Party Actions. The City shall provide applicant/property owner with an invoice detailing all reasonable costs incurred. Applicant/property owner shall tender to the City payment-in-full of all reasonable and necessary costs within thirty (30) days from the date upon the invoice. Applicant/property owner shall contact the City within a reasonable time to arrange any extension of the thirty (30) day time period for payment-in-full of the invoiced amount. Applicant/property owner further acknowledges and agrees, failure to timely tender payment-in-full to the City shall be considered a breach and non-compliance with the conditions of approval for the project. Applicant/property owner shall also be required, upon request of the City, to deposit two month's estimated costs anticipated by the City to be incurred, which may be used by the City as a draw down account to maintain a positive balance pending tender of payment by Applicant/property owner as noted herein.

2. The lot design on the subdivision maps shall be designed in substantial conformance with the TSM 24-05, as appropriate, and as approved by the Planning Commission.
3. The project development shall comply with all CEQA mitigation measures identified in Environmental Assessment 24-12 dated September 3, 2025.
4. Pursuant to Government Code Section 66454, prior to recording of a final map, annexation of the project site to the City of Yuba City is required through the Sutter Local Area Formation Commission (Sutter LAFCO).

5. Approval of TSM 24-05 shall be null and void without annexation of the affected lands into the City's jurisdictional boundary within the timeframe permitted by Yuba City Municipal Code Section 8-2.610.
6. To limit visibility, provide privacy and to minimize conflicting views of adjacent properties, the Tentative Map dated September 23, 2024, and Revised September 23, 2025, is restricted as follows:
 - Phase 1 – Lots 1 through 10, 14, and 15 and Phase 2 – Lots 13 through 28 are to be restricted to single story construction or any back-facing window sills on the upper floor of a two-story residence are to be a minimum of 6.0 feet above the floor, and additionally, shall not establish second floor balconies facing single-story homes, or as otherwise approved by the Development Services Director.
7. The development and operation of the project shall comply with all local, state, and federal codes (including Building and Fire codes) and local development standards.
8. The Developer or Representative shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
9. Storage of construction material is not allowed in the travel way.
10. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.
11. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
12. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to assure compliance.
13. A Subdivision/Improvement Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to recordation of map, or prior to approval of the Improvement Plans, whichever comes first.
14. The applicant shall be required to pay all applicable fees, including but not limited to, Sutter County, and/or Yuba City determined fees.

PRIOR TO ISSUANCE OF A GRADING PERMIT

15. The improvement plans for the development of the subject property shall include all measures required to ensure that no increased drainage runoff resulting from the development of the property flow onto the adjacent lands or that the development will not impede the drainage from those properties. The rear yards and/or side yards of the lots that are created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department. If retaining walls are

required, they shall be constructed of concrete or masonry block.

16. A master grading plan of the subdivision shall be submitted to the Public Works Department as part of the improvement plans.

PRIOR TO APPROVAL OF THE IMPROVEMENT PLANS

17. Fire hydrants shall be included throughout the project as approved by the Yuba City Fire Marshal.
18. Obtain all necessary approvals from City, State, and Federal agencies, utilities and other effected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports, permit applications, and payment of fees. The Developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.
19. The Developer shall dedicate right-of-way to the City as follows, or as approved by the Public Works Director:
 - Elmer Avenue: on the **west** side, shall have right-of-way dedicated to a half-width of 25.0 feet (centerline to back of curb) together with a 19.5-foot PSE behind the right-of-way. A 12.0-foot-wide PUE shall be dedicated along the sidewalk with 2.0- foot located underneath the sidewalk along each side of the roadway.
 - Interior residential streets (Ameesha Loop):
 - i. *Detached sidewalk option* -- Right-of-way shall be dedicated to a width of 38.0 feet together with a 19.5-foot PSE behind the right-of-way. A 12.0-foot-wide PUE shall be dedicated along the sidewalk with 2.0-foot located underneath the sidewalk along each side of the roadway.
 - ii. *Attached sidewalk option* -- Right-of-way shall be dedicated to a width of 46.0 feet. A 12.0-foot-wide PUE shall be dedicated adjacent to the right-of-way with 2.0-foot located underneath the sidewalk along each side of the roadway.
 - iii. *A combination of the attached and detached sidewalk options to provide street trees and meeting City design standards* A 12.0-foot-wide PUE shall be dedicated adjacent to the right-of-way with 2.0-foot located underneath the sidewalk. All necessary right-of-way and easements are to be dedicated with the recordation of the Final Map.
20. The Developer shall construct frontage improvements to City standards as follows, or as approved by the Public Works Director:
 - Elmer Avenue:
 - i. 22.0-foot-wide asphalt road section - centerline of Elmer Avenue to lip of gutter
 - ii. 2.5-foot-wide barrier curb and gutter
 - iii. 6.0-foot-wide landscaped parkway strip (measured from back of curb to face of sidewalk) with City approved street trees, landscaping, and irrigation
 - iv. 5.0-foot-wide detached sidewalk
 - v. 12.0-foot-wide public utility easement adjacent to the sidewalk with 10.0 feet behind the sidewalk and 2 feet under the sidewalk with landscaping and irrigation
 - vi. Streetlights
 - vii. Fire hydrants
 - viii. Storm drainage facilities

- ix. Barricades
 - x. Roadway striping
 - xi. Roadway signage
 - xii. The proposed waterline that is part of this subdivision shall loop through the subdivision and through Elmer Avenue with provisions for future north and south extensions in Elmer Avenue. The proposed main that is to be constructed in Elmer Avenue shall be a 12" main as outlined in the Water Treatment Plant and Distribution System Master Plan dated January 2019. If the water main required to be constructed to serve the Thiara Estates Subdivision (SM 22-08) has been constructed, this project can connect to and be served by this said water extension. Otherwise, the 12" water main in Elmer Avenue must be extended from the existing stub at Butte House Road.
 - xiii. An 18" sewer main as outlined in the Wastewater Treatment Facility and Collection System Master Plan, dated August 2020, shall be constructed in Elmer Avenue from Butte House Road to the north boundary of the proposed subdivision with provisions for future extension to the north. If the sewer main required to be constructed to serve the Thiara Estates Subdivision (SM 22-08) has been constructed, and the Thiara Estates Subdivision sewer is deep enough, the Public Works Director may allow this project to connect to and be served by the Thiara Estates Subdivision sewer in lieu of constructing the 18" sewer main in Elmer Avenue from Butte House Road (note that the 18" sewer main in Elmer Avenue shall be constructed across the entire frontage of this project regardless of whether the Thiara Estates Subdivision sewer is used or not).
 - xiv. All drainage facilities identified in the approved drainage plan.
 - xv. Curb extensions (bulb-outs) shall be constructed on the north and south sides of the intersection with Ameesha Loop north as shown on the TSM 2024-005 (revised September 23, 2025), including a high visibility cross walk and rectangular rapidly flashing beacon across Elmer Avenue if the Thiara Estates Subdivision (SM 22-08) has been constructed. If the Thiara Estates Subdivision has not been constructed, the Developer shall pay a fee equivalent to the estimated cost to construct the high visibility crosswalk and rectangular rapidly flashing beacon at such time Thiara Estates Subdivision is improved.
 - xvi. Elmer Avenue shall be widened to a minimum of 20 foot paved width, plus a minimum of 2 foot wide Class 2 aggregate base shoulder backing between the project and Butte House Road.
 - xvii. Road work on Elmer Avenue shall be constructed prior to the issuance of the first certificate of occupancy, or as otherwise determined by the Public Works Director.
- Interior residential streets (Ameesha Loop):
 - i. *Detached sidewalk* option -- Streets shall be designed/constructed to a width of 37.0-feet back of curb to back of curb with parking permitted on both sides. Frontage improvements shall include street section, curb, gutter, 6.0-foot-wide landscape parkway strip (measured from back of curb), 4.0-foot-wide sidewalk, street trees, and streetlights.
 - 1. The landscape plan for the front yard, including the area between the sidewalk and curb, shall be handled by each individual lot improvement. The irrigation system shall be designed to accommodate the street tree and shall meet the City's Model Water Efficient Landscape Ordinance.
 - 2. The landscaping in the parkway strip is to have a coordinated

theme referenced on the public improvement plans, or as approved by the Development Services Director.

3. The only hard surface (concrete or pavers) that can be placed in the street planter area other than the standard driveway serving the residence is 18" wide strips to accommodate the wheel path of vehicles unless authorized/approved by the Public Works Director.
 - ii. *Attached sidewalk option* -- Streets shall be designed/constructed to a width of 37.0 feet back of curb to back of curb with parking permitted on both sides. Frontage improvements shall include street section, curb, gutter, a 4.0-foot-wide attached sidewalk, and streetlights.
 1. Curb bulb-outs (a contained area for the street trees) shall be installed with the following characteristics, or as otherwise determined by the Public Works Director:
 - a. 8.0-feet long by the width of the parking lane
 - b. Spaced as shown on the tentative map revised September 23, 2025, or as approved by the Public Works Director.
 - c. Shall not be placed over any service laterals
 - d. Detached from the standard curb and gutter adjacent 6" barrier curb to the curb and gutter
 - e. Planted with City approved trees prior to the Certificate of Occupancy of the adjacent residence.
 2. The landscape plan for the front yard is required and shall be handled by each individual lot improvement.
 - iii. *A combination of the attached and detached sidewalk options to provide street trees and meet City design standards, or as approved by the Public Works Director.*
21. The Developer shall comply with all City requirements related to drainage, including design, construction, and payment of fees in accordance with the Northwest Drainage Study. Any modifications and/or required updates shall require a submittal of a drainage plan for any drainage improvements for the proposed development. A drainage analysis, along with calculations, shall be submitted to the City Engineer for approval. The analysis shall include, but is not limited to:
- a. Grading and drainage plan showing the proposed drainage conveyance and storage system.
 - b. Supporting calculations demonstrating adequacy of conveyance capacity and storage volume. The calculation analysis shall meet the requirements of the Yuba City Basin Drainage Study.
 - c. Storm Drain Collection Systems- For the design of all pipeline conveyance facilities, the Hydraulic Grade Line (HGL) shall be maintained a minimum of one foot below the gutter flow line of all drain inlets and at least one foot below all maintenance hole rims during a 10-year, 24-hour storm event. The storm drain minimum pipe size shall be 12 inches. The minimum velocity shall be 2 fps.
 - d. Street Flow-The street system shall be designed to convey the 100-year, 24-hour runoff while maintaining a water surface at least 1 foot below the adjacent building pad elevations (or alternatively, the building pad elevations shall be at least 1 foot above the 100-year water level). The grading plan shall ensure that the 100-year, 24-hour runoff can be conveyed through the development and to the receiving drainage facility.

- e. Drainage systems (pipes and street systems) shall be designed to accommodate the runoff from the ultimate development of the entire upstream watershed.
 - f. Detention Basins - A 100-year, 24-hour storm shall be used for sizing any detention basin(s) included in the approved drainage plan detention storage facilities. The detention basin release rate from any such detention basin(s) during a 100-year, 24-hour storm after development must be equal to or lower than the runoff rate from the detention basin's tributary area before development. The Developer can provide a drainage study addressing storm water mitigation through onsite storage (Phase 2 State Water Resources Control Plan – 80% of two-year storm), perforated pipes, and oversizing storm drainage pipes upon approval of the Public Works Director to eliminate need for a detention pond.
 - g. The Drainage Study shall be completed and stamped by a Professional Engineer and determined by the City Engineer and/or the Sutter County Water Agency Engineer to be comprehensive, accurate, and adequate.
22. Only one detention pond and/or water quality basin shall be utilized if required to meet stormwater requirements throughout the entire subdivision. Mechanical water quality devices and/or oversized pipes are preferred. Should a basin be necessary it is to include but not be limited to a vehicle pull out area, solid masonry wall adjacent to residential, decorative perimeter fencing with accessible sized gate, landscaping, and access to the inlet and outlet in the basin as approved by the Public Works Director. Maintenance costs associated with the basin and/or mechanical water quality device(s) are to be included in the applicable Lighting and Landscape Maintenance District.
23. The development shall comply with Yuba City's stormwater requirements and Post-Construction Standards Plan. The Post Construction information can be found here: https://www.yubacity.net/city_hall/departments/public_works/engineering/stormwater_management
24. All development shall be designed to local, state, and federal flood standards.
25. The structural section of all road improvements shall be designed using the Caltrans empirical R-value method. A geotechnical investigation shall determine the R-value of the existing soil in accordance with the Caltrans Highway Design Manual. The structural section shall be designed to the following standards:
- a. Use 3" minimum for residential, 4" minimum for collectors and 6" minimum for arterials, of 'Type A' asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)
 - b. Use a traffic index of 6 for residential streets
 - c. Use a traffic index of 7 for collector streets
 - d. Use a traffic index of 10 for arterial streets
- A copy of the geotechnical investigation, including R-value determination, test locations and structural section calculations, shall be submitted with the first improvement plan check.
26. Striping, pavement markings and traffic signage shall be provided on all streets as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department. All

required speed limit signs shall be shown on the Improvement Plans.

27. The street trees and street lighting are public improvements which shall meet the Parks Division Planting Standards and City Standard Details and be included in the Improvement Plans and Specifications for the subdivision when the improvement plans are submitted for the first improvement plan check.

28. The Improvement Plans shall show provisions for the placement of centralized mail delivery units in the PUE. Developer shall provide a concrete base for placement of the centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the Postal Service and the City Public Works Department, with due consideration for street light location, traffic safety, security and consumer convenience.

29. Required Improvement Plan Notes:

- a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
- b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible for all construction equipment to be equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
- c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
- d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the "California Manual of Uniform Traffic Control Devices, latest edition." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
- e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."
- f. "Where an excavation for a trench and/or structure is five (5) feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department, prior to beginning construction."
- g. "Should any field conditions, conflicts, errors, and/or omissions be overlooked during the design review process, or during construction of the development, then any additional work identified during construction shall be implemented by the Developer at the Developer's expense."

PRIOR TO ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

30. All existing structures, well(s), septic tank(s), and service lines shall be destroyed in

accordance with the requirements of the Sutter County Environmental Health and Yuba City Building Departments, respectively. Connections shall be made to public sewer and water. The Developer shall pay all applicable fees.

31. Prior to backfilling, the Developer shall vacuum test all manholes to ensure no leakage will occur.
32. Prior to final paving, the Developer shall hydroflush, and televise, all storm drain mains and all sewer mains. In addition, prior to the City's acceptance of the subdivision improvements, and at the Public Works Department's discretion, the storm sewer and sewer mains shall be re-hydroflushed.
33. Prior to final paving, the Developer shall televise all sewer laterals. If any debris, dirt, and/or material are found in the lateral, then the Developer shall clean it at his expense, to the satisfaction of the Public Works Director.
34. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (Civil 3D version 2017 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.
35. Public improvements shall be designed and constructed in accordance with City Standards, including current Water / Wastewater Master Plans and Specific Plan documents, or as approved by the Public Works Director. Costs are to be determined and reflected in the Subdivision Agreement.
36. The existing power poles along the property on Elmer Avenue shall be placed underground or addressed in accordance with the City's Overhead Utility Policy adopted March 17, 2020. The total lineal foot length of overhead lines along Elmer Avenue is determined to be 520 lineal feet or as otherwise determined by the Public Works Director.

PRIOR TO FINAL MAP RECORDATION

37. The development shall pay for operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs. This condition may be satisfied through participation in a Mello-Roos CFD, by payment of cash in an amount agreed to by the City, by another secure funding mechanism acceptable to the City, or by some combination of those mechanisms. The City shall be reimbursed actual costs associated with the formation of, or annexation to, the district. The property shall annex into an existing CFD.
38. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting and Landscaping Maintenance District for the purpose of maintaining; street trees which are to be planted along all streets, streetlights, fencing, block walls, barricades, and any detention / water quality basin(s) or devices. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.
39. The existing properties within the proposed subdivision are part of the Northwest Yuba City Drainage Area Master Drainage Plan and are subject to its proportional share of drainage improvement fees as outlined in said Plan. Current fees are

calculated per acre and indexed to a current value that is in effect at the time the Subdivision/Improvement Agreement is executed.

40. Should a detention pond or water quality basin be utilized, the basin parcel(s) shall be dedicated to the City of Yuba City as determined by the Public Works Director.

41. All public street lighting shall be dedicated to the City of Yuba City.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

42. The Developer's Superintendent/Representative shall submit three (3) sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of first building permit.

43. The West Yuba City Sewer Trunk Line fees, as stated in the City of Yuba City Fee Schedule, shall be paid. The fee value to be used is the value in effect at the time a building permit is issued for any particular parcel.

PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

44. The curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

45. All street lighting shall be constructed per the Improvement Plans and energized prior to the issuance of any certificate of occupancy or as approved by the Development Services Director.

46. Prior to issuance of any certificate of occupancy, all underground utilities, public improvements, and site improvements, including rough grading, shall be completed in accordance with City requirements.

ATTACHMENT 4

ENVIRONMENTAL ASSESSMENT 24-12
CAN BE FOUND ONLINE AT
WWW.YUBACITY.NET/ENVIRONMENTAL

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Andrew Darrell, Assistant Planner

Summary

Subject: The Ridge Estates Subdivision: General Plan Amendment (GPA) 25-01 and Rezone (RZ) 25-01

Recommendation: A. Conduct a Public Hearing and make the necessary findings to:

B. Adopt a Resolution approving Environmental Assessment (EA) 25-01 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve General Plan Amendment (GPA) 25-01, redesignating 4.21 acres from Office and Office Park (O) land use designation to Medium Density Residential (MDR); and

C. Introduce an ordinance of the City Council of the City of Yuba City approving Rezone (RZ) 25-01 and rezoning Assessor's Parcels 63-010-136 and 137 from R-3X24 and C-OX24 to PD 21, on 20.76 acres located on the west side of El Margarita Road approximately 1,850 feet south of State Route 20 by title only and waive the first reading

Fiscal Impact: The cost for processing land use entitlements is funded by the project applicant through the payment of application fees

Purpose:

Consideration of Environmental Assessment 25-01, GPA 25-01, and RZ 25-01, for the Ridge Estates subdivision.

Council's Strategic Goal:

This item meets the City Council's strategic goal of business friendliness. Establishing appropriate zoning for this subdivision will provide for conformance with the general plan designation and modified development standards, facilitating the development of the Ridge Estates subdivision and will facilitate the development of additional housing for the community.

Project Description:

The proposed Ridge Estates project includes the following planning entitlements:

- **GPA 25-01:** will redesignate 4.21 acres from an Office/Office Park (O) General Plan land use

designation to Medium Density Residential (MDR). The MDR designation provides for single-family residential development at a density range of 6 to 14 dwelling units per acre (DU/AC), and related uses.

- **RZ 25-01:** will rezone the 20.76 acres from R-3 and C-O to PD 21 to maintain consistency with the existing and proposed general plan designation and remove the existing X₂₄ Combining District. PD 21 identifies the development standards that will apply to this subdivision. The applicant proposes to amend certain development standards from what is found in the Yuba City Municipal Code as discussed below to facilitate project implementation.

Background:

In 2010, the 20.76-acre project site was rezoned from Low Density Residential (R-1) X₂₄, to High Density Residential (R-3) X₂₄ and Office Commercial (C-O) X₂₄. The X₂₄ Combining District was applied to the properties in this area as part of the area's original annexation into the City approximately 20 years ago to ensure improvements were made and funding for services would be ensured when the area developed. Since that time, the City has created policies, ordinances and programs for these improvements on a citywide basis, eliminating the need for this combining district. These changes were part of a larger project to establish an independent living facility with condominium units. However, following approval of the 2010 entitlements, the subdivision map and development plan were never finalized by the previous property owner.

On September 24, 2025, the Planning Commission conducted a public hearing for GPA 25-01, RZ 25-01, TSM 25-01 and PD 21. There was no opposition expressed by the public. After closing the public hearing, the Planning Commission unanimously:

1. Adopted Resolution PC 25-05 recommending approval of GPA 25-01, RZ 25-01, and PD 21 to the City Council together with Environmental Assessment 25-01; and
2. Adopted Resolution PC 25-06 contingently approving TSM 25-01 for 141 single-family residential lots.

Analysis

The 20.76-acre property is level. The site is zoned for multiple-family residences and for offices; however, the site has a current General Plan designation of medium density residential which is inconsistent with both zoning designations. State law requires that zoning is consistent with the General Plan designation applied to property. This General Plan Amendment will expand the existing Medium Density land use designation to the entire property and bring the zoning designation into alignment. A Development Agreement to extend the approval of the map to 10 years was originally proposed in exchange for an increased contribution of park fees, but has since been withdrawn by the applicant.

General Plan Consistency

An analysis set forth in the Environmental Assessment prepared for this project concludes that the project is consistent with the General Plan. This is reflected in the proposed Resolution prepared for the project.

Compatibility with neighboring uses:

TABLE 1: BORDERING LAND USES	
North:	Orchard with single-family residence
South:	Orchard with single-family residence

East:	Orchard
West:	Orchard with single-family residence

The project is consistent with the 2040 General Plan Medium Density land use designation (6-14 dwelling units/acre). Accordingly, this project is compatible and consistent with existing and future planned uses in this area.

Traffic

To analyze potential traffic impacts the proposed project may have, a traffic study was prepared by Flecker and Associates (August 29, 2025) which is included as an attachment to the environmental assessment prepared for this project.

The proposed project will be accessed from El Margarita Road, which is designated in the General Plan Circulation Element as a two-lane minor arterial. The Traffic Study assumes each residence will generate an average of 9.43 vehicle trips per day (a trip is considered a single direction). At build-out, the project will generate an estimated 1,311 vehicle trips per day onto El Margarita Road. The Traffic Study disaggregates those trips by assuming that 25% of new traffic will travel east, 40% for southbound trips, 20% will travel north, and 15% west.

As part of the proposal, the applicant will provide full improvements to its half of El Margarita Road, which includes a continuous center turn lane, a 12-foot travel lane, bike lane, curb and gutter, a six-foot-wide planter strip, a 6-foot-wide sidewalk, a 12-foot wide P.U.E./landscape strip, and a masonry wall.

The subdivision provides three new local streets that will connect to El Margarita Road. No individual driveways will be accessed onto El Margarita Road.

The 2040 General Plan Circulation Element Policy CI 4-2 notes the City should strive to maintain a target Level of Service (LOS) D or better for collector and / or arterial roadways at City controlled intersections. This policy was reviewed to determine whether the Project is consistent with that policy in that the Project will not degrade El Margrita Road or Harter Parkway to an LOS of E or F.

The Traffic Study concludes that under the “Existing Plus Project” scenario, build-out of the subdivision will adversely impact both the El Margarita Road/State Highway 20 (SR 20) intersection and the El Margarita Road/Spirit Way intersections during the a.m. peak hour by lowering the LOS to a level E or F. This would be inconsistent with the General Plan policy. The Traffic Study concludes that under “Existing Plus Project” scenario the queuing distances for several of the impacted intersection’s left turn lanes will be inadequate in length.

To address this condition, the developer will be required to pay a fair share cost for the intersection improvements needed (Proposed Condition 15) and those fees will be paid as part of the subdivision and will provide a long-term solution.

The Traffic Study identified the project’s traffic impacts do not become significant until over 80 new homes have been constructed. As a result, Mitigation Measure 1 was added, and agreed to by the applicant, that limits the construction of new homes to 80 units or equivalent types of development in the El Margarita corridor until adequate fees are collected, including fees from neighboring projects, and the intersection improvements are provided, or that the northbound traffic at the El Margarita Road/SR/20 intersection be restricted to right-turns only, thereby bringing the project consistent with General Plan Policy CI 4-2.

Planned Development 21

A Planned Development (PD) is proposed to provide for more efficient use of the site and to better allow the property to develop at a medium density level. Specific findings are required by Zoning Code Section 8-5.2706 and these are reflected in the proposed ordinance. Below is a summary of the existing and proposed development standards for this project.

Table 1: Proposed PD₂₁ Development Standards*		
Development Standard	Existing Two-family residential Standards	Proposed PD Zone District
Minimum Lot size: Interior lot: Corner lot:	3,500 sq. ft. 4,500 sq. ft.	4,300 sq. ft. 5,000 sq. ft.
Minimum Lot width: Interior lots: Corner lots:	60 ft. 50 ft.	45 ft. 50 ft.
Minimum lot depth	None	75 ft.
Maximum percent lot coverage: One-story: Two-story:	45% 45%	60% 50%
Yards: Front: Garage entrance setback: Rear Porch/Courtyard	15 feet 20 feet 25 ft. or 20% 15 feet	15 ft. 18 ft. 10 ft. 10 ft.
Maximum Building Height	3 stories not to exceed 35 ft., except as provided in Article 56.	2 stories not to exceed 40 feet, except as provided in Article 56 of the Yuba City Zoning Regulations. Accessory Buildings shall not exceed 15 feet.

*If an item is not listed above, the standards of the City of Yuba City Zoning Code for development in the Two-Family Residence (R-2) District shall apply.

Availability of City services:

City water and wastewater collection are available to the property. An existing storm drain is available at the north side of the property, and will be extended along with the sewer line southerly down the El Margarita Road frontage.

Environmental Determination:

Environmental Assessment 25-01 was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Based upon the attached environmental assessment and the list of identified mitigation measures, staff has determined that with the recommended mitigation measures, there is no evidence in the record that the project may have a significant effect on the environment and recommends adoption of a mitigated negative declaration for this project. The findings of the mitigated negative declaration are that, with the proposed mitigations for Geology/Soils, Greenhouse Gas Emissions, Air Quality, Transportation, and Tribal Cultural Resources, the proposed 141-single family residential lots will not create any significant impacts to the surrounding area. As a result, the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA.

On September 3, 2025, the City received comments from the Department of Toxic Substances Control. This letter called out the potential for Contaminants of Concern (COCs) to be present in the soil. A review of City/County air photos and Sutter County Agricultural Department pesticide use data shows this property has not been farmed since 2008 when it was developed substantially as a walnut orchard. The property has not been farmed since and has been designated as uncultivated agriculture for many years with no records of pesticide use. As a result of this review, no impacts are anticipated by the proposed project.

Fiscal Impact:

The cost for processing land use entitlements is funded by the project applicant fees as adopted by the City Council.

Alternatives:

The City Council may deny General Plan Amendment 25-01 and Rezone 25-01 upon making certain Findings, or may provide staff with alternate direction.

Recommendations:

A. Conduct a Public Hearing and make the necessary findings to:

B. Adopt a Resolution approving Environmental Assessment (EA) 25-01 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve General Plan Amendment (GPA) 25-01, redesignating 4.21 acres from Office and Office Park (O) land use designation to Medium Density Residential (MDR); and

C. Introduce an ordinance of the City Council of the City of Yuba City approving Rezone (RZ) 25-01 and rezoning Assessor's Parcels 63-010-136 and 137 from R-3X24 and C-OX24 to PD 21, on 20.76 acres located on the west side of El Margarita Road approximately 1,850 feet south of State Route 20 by title only and waive the first reading

Attachments:

1. City Council Resolution approving EA 25-01 and GPA 25-01
2. Exhibit A: General Plan Amendment Land Use Map
3. Exhibit B: Conditions of Approval and Mitigation Measures
4. City Council Ordinance approving RZ 25-01
5. Exhibit A: Planned Development 21 Development Standards
6. Exhibit B: Rezone Map
7. Tentative Subdivision Map 25-01, the Ridge Estates
8. Environmental Assessment 25-01
9. X24 Zone Standards

Prepared By:
Andrew Darrell
Assistant Planner

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING ENVIRONMENTAL ASSESSMENT (EA) 25-01, BY ADOPTING A MITIGATED NEGATIVE DECLARATION, SUBJECT TO THE CONDITIONS OF APPROVAL AND MITIGATION MEASURES, AND APPROVE GENERAL PLAN AMENDMENT (GPA) 25-01, ON 20.76 ACRES LOCATED ON THE WEST SIDE OF EL MARGARITA ROAD, APPROXIMATELY 1,850 FEET SOUTH OF STATE ROUTE 20 (ASSESSOR'S PARCEL NUMBERS 63-010-136 AND 137).

WHEREAS, the City received an application in January 2025 for General Plan Amendment (GPA) 25-01, Rezone (RZ) 25-01, and Tentative Subdivision Map (TSM) 25-01, to subdivide 20.76 acres into 141 single-family residential lots, located on the west side of El Margarita Road; and

WHEREAS, GPA 25-01 will redesignate 4.21 acres from an Office/Office Park (O) land use designation to Medium Density Residential (MDR). The MDR land use designation provides for single-family residential development at a density range of 6 to 14 dwelling units per acre (DU/AC), and related uses.

WHEREAS, this property is within Yuba City's city limits and the property owner wished to develop their property to urban levels; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project and has prepared an Initial Study proposing a Mitigated Negative Declaration (EA 25-01) for the project; and

WHEREAS, the Planning Commission reviewed related Environmental Assessment 25-01 considering a Mitigated Negative Declaration (MND) prepared for the project, which provided mitigations that reduce significant impacts to less than significant; and

WHEREAS, a review of the General Plan and Zoning Regulations determined that the proposed Tentative Subdivision Map is consistent with the General Plan and the Zoning Regulations with the approval of the project; and

WHEREAS, on September 24, 2025 the Planning Commission concurrently conducted a duly noticed public hearing on Environmental Assessment 25-01, General Plan Amendment 25-01, Rezone 25-01 (amending the zone district from Multiple-Family Residence (R-3) X₂₄ and Office Commercial (C-O) X₂₄ to Planned Development (PD) 21), Planned Development 21 (to modify certain development standards in an effort to improve developability of the lots), and Tentative Subdivision Map 25-01 (to subdivide 20.76 acres into 141 single-family residential lots at a density of 7.12 DU/AC), at which time it received input from City Staff, public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission, after which public testimony was closed; and

WHEREAS, the Planning Commission reviewed all associated documents prepared for the project, including those related to the application and all of the evidence received by the Planning Commission; and

WHEREAS, after deliberation and consideration of all relevant items, the Planning Commission unanimously recommended the City Council of the City of Yuba City adopt a Resolution approving Environmental Assessment, General Plan Amendment 25-01, and Rezone 25-01; and

WHEREAS, on October 21, 2025, the City Council conducted a Public Hearing to consider the GPA 25-01, RZ 25-01, and EA 25-01, and received both oral testimony and written information presented at the hearing regarding the same; and

WHEREAS, the City Council considered said recommendations of the Planning Commission on the matter and after review and consideration of the Environmental Assessment, the City Council now desires to approve the project; and

WHEREAS, State law limits the number of General Plan Amendments that can be adopted in a calendar year to four and GPA 25-01 is the second amendment to the General Plan in 2025 for the City of Yuba City; and

WHEREAS, the City Council now desires to adopt EA 25-01 and approve GPA 25-01, with RZ 25-01 to be adopted by separate ordinance.

NOW, THEREFORE, BE IT RESOLVED the City Council resolves and orders as follows:

1. Recitals: The City Council hereby specifically finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA Findings: The City Council finds and determines there is no substantial evidence in the record that General Plan Amendment 25-01 may have a significant effect on the environment as identified by the MND prepared in Environmental Assessment 25-01. Additionally, the City Council finds and determines as follows:
 - a. The Environmental Assessment / Initial Study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines and reflects the City Council's independent judgment and analysis. The process included the distribution of requests for comments from other responsible or affected agencies and interested organizations. Preparation of Environmental Assessment 25-01 necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies. While the proposed project could have a potentially significant effect on the environment, based on its independent judgement and analysis, the City Council finds that feasible mitigation measures or alternatives have been incorporated into the project in order to avoid the effects to a point where clearly no significant effect on the environment will occur, and there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are potentially significant or adverse. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The project-specific mitigation measures included in the project to avoid potentially significant effects are set forth in the attached Initial Study/Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Program and are imposed as conditions of approval on the Project. With the project specific mitigations imposed, there is no substantial evidence in the record that this project may have significant direct, indirect, or cumulative effects on the environment. As such, the City

Council also finds and determines that in light of the entire administrative record and the substantial evidence before it, the project has been adequately environmentally assessed as required by CEQA per Environmental Assessment 25-01.

3. Adoption of MND and Mitigation Monitoring and Reporting Program: Based on the foregoing, the City Council adopts the Mitigated Negative Declaration (EA 25-01) prepared for the project, including the associated Mitigation Monitoring and Reporting Program, with the proposed mitigations the project will not result in any significant, adverse environmental impacts. The Yuba City Development Services Department is located at 1201 Civic Center Boulevard, Yuba City, CA 95993, and is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the decision is based. The City Council further authorizes the Director, or designee, to execute and file with the Sutter County Clerk, as appropriate, a Notice of Determination for approval of the project that complies with the CEQA Guidelines.
4. General Plan 25-01 Findings: The City Council finds that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 25-01, including the following:
 - a. The proposed expansion of the MDR land use designation, when used in conjunction with the zoning, will be compatible with existing neighboring residential uses.
 - b. With the proposed mitigations, traffic generated by the project will maintain a target LOS of D or better for nearby General Plan streets, and any new residences that result from this Project will pay their fair share of traffic development impact fees, making the project consistent with the Circulation Element.
 - c. The environmental document prepared for the project (EA 25-01) found that the project will not create significant environmental impacts on water quality, air quality, biological resources, agricultural lands, open space, and archaeological resources, making the Project consistent with the Conservation & Open Space Element of the General Plan.
 - d. The project will connect to all City services including water, wastewater, and stormwater drainage, making it consistent with the Public Utilities Element, and the Police and Fire Departments determined that the project will not cause any safety or emergency response issues. As such the project will be consistent with the Safety Element.
 - e. Any new residences that will be constructed as a result of this Project will pay all applicable park fees, making it consistent with the Parks Element.
5. Approval of General Plan Amendment 25-01: Based on the information provided above, the City Council of Yuba City approves General Plan Amendment 25-01, amending the Yuba City General Plan land use designation for 4.21 acres of Assessor's Parcel Numbers 63-010-136 and 137 as reflected in Exhibit A, attached and made a part hereof by this reference.
6. Effective Date of Resolution: This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council at a regular meeting thereof held on October 21, 2025, by the following vote:

Ayes:

Noes:

Absent:

Recused:

By order of the City Council of the City of Yuba City.

David Shaw, Mayor

ATTEST:

Ciara Wakefield, Secretary to the City Council

Attachments:

Exhibit A: General Plan Amendment Land Use Map

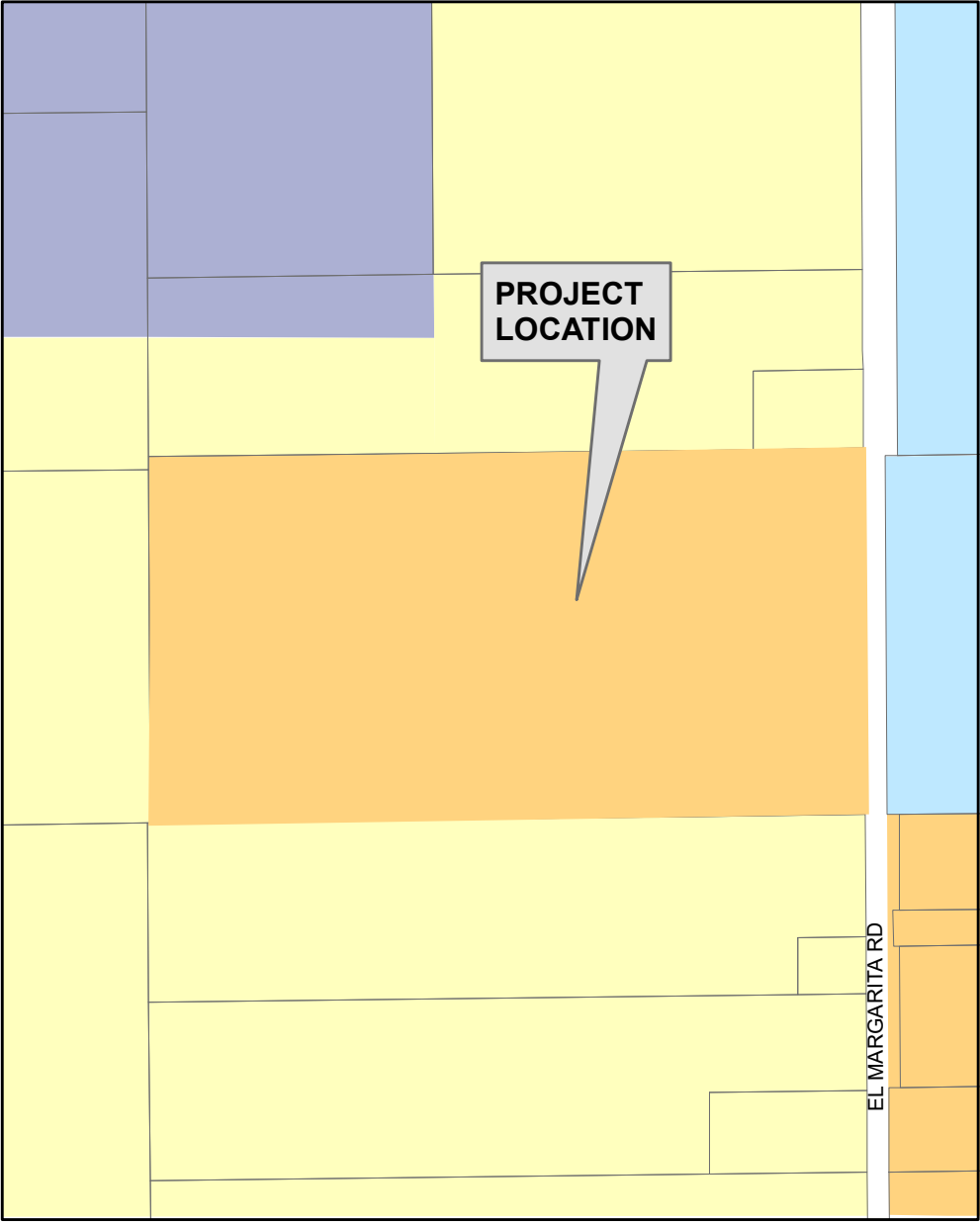
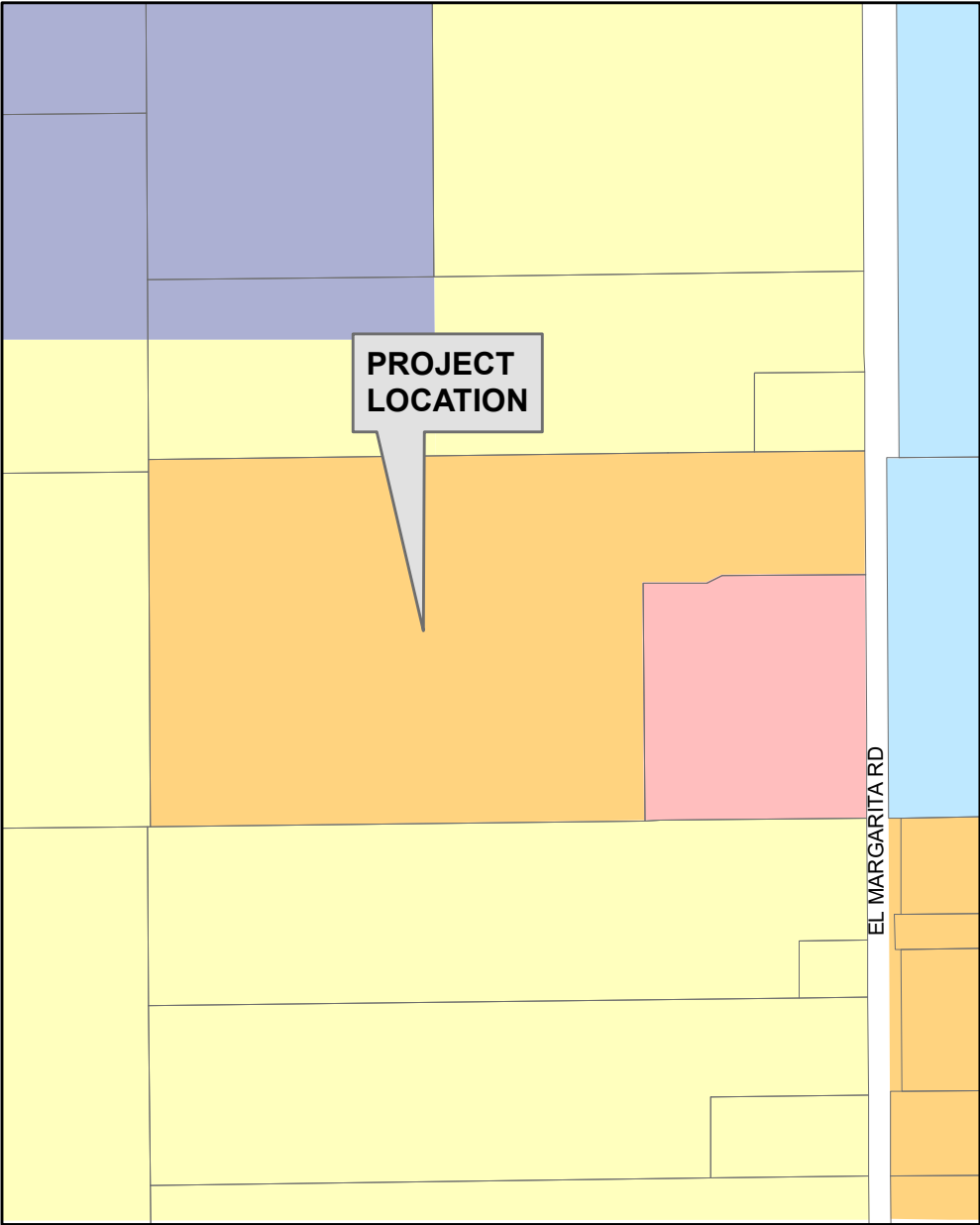
Exhibit B: Conditions of Approval and Mitigation Measures

EXHIBIT A

THE RIDGE ESTATES GENERAL PLAN AMENDMENT, LAND USE MAP

EXISTING

PROPOSED



City of Yuba City

General Plan

- Low Density Residential
- Medium Density Residential
- High Density Residential

- Parks, Recreation & Open Space
- Agricultural/Rural
- Public and Semi-Public
- Regional Commercial
- Community Commercial

- Neighborhood Commercial
- Office & Office Park
- Business, Technology & Light Industry
- Manufacturing, Processing & Warehousing

- Parcels
- Project Site



EXHIBIT B

**CITY OF YUBA CITY
CONDITIONS OF APPROVAL
TENTATIVE SUBDIVISION MAP 25-01
PLANNED DEVELOPMENT 21
SEPTEMBER 24, 2025**

**THE RIDGE ESTATES
APNs: 063-010-136 and 063-010-137**

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through tentative subdivision map review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this tentative subdivision map, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, leasee, operator, or any other person or entity making use of this tentative subdivision map.

CONDITIONS OF APPROVAL

1. To the furthest extent allowed by law, applicant/property owner shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, damages and costs (including attorney's fees, litigation expenses and administrative record preparation costs) arising from, resulting from, or in connection with any Third-Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by
(i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these Conditions of Approval or any approval associated with entitlements associated with the project (collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all Approvals. Applicant's/property owner's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this section shall survive any termination, revocation, overturn, or expiration of an approval.

Nothing in this section shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant/property owner shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Applicant/property owner shall submit all documents filed in the Third-Party Action for review and approval of the City Attorney prior to filing of said documents on behalf of the City.

The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of processing or defending any Third-Party Actions. The City shall provide applicant/property owner with an invoice detailing all reasonable costs incurred. Applicant/property owner shall tender to the City payment-in-full of all reasonable and necessary costs within thirty (30) days from the date upon the invoice. Applicant/property owner shall contact the City within a reasonable time to arrange any extension of the thirty (30) day time period for payment-in-full of the invoiced amount. Applicant/property owner further acknowledges and agrees, failure to timely tender payment-in-full to the City shall be considered a breach and non-compliance with the conditions of approval for the project. Applicant/property owner shall also be required, upon request of the City, to deposit two month's estimated costs anticipated by the City to be incurred, which may be used by the City as a draw down account to maintain a positive balance pending tender of payment by Applicant/property owner as noted herein.

2. The lot design on the subdivision maps shall be designed in conformance with the TSM 25-01, as appropriate with the attached Ridge Estates Development

Standards, and as approved by the Planning Commission.

3. The only hard surface (concrete or pavers) that can be placed in the street planter area other than the standard driveway serving a residence are two eighteen (18) inch wide strips to accommodate the wheel path of vehicles unless authorized/approved by the Public Works Director.
4. The development and operation of the project shall comply with all CEQA mitigation measures identified in Environmental Assessment 25-01 dated August 2025.
5. To limit visibility to provide privacy and to minimize conflicting views of adjacent properties, the Tentative Map dated August 20, 2025, is restricted as follows:
 - a. Phase 1 lots 11, 12 and Phase 3 lots 25, 26, and 27 are to be restricted to single-story construction or any back-facing windowsills on the upper floor of a two-story residence are to be a minimum of 6.0 feet above the floor, and additionally, shall not establish second floor balconies facing single-story homes, or as otherwise approved by the Development Services Director.
6. The improvement plans and specifications may not fully represent all necessary off-site work to meet City requirements and that any additional work identified by the City during construction shall be the responsibility of the Developer to pay for.
7. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.
8. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
9. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to assure compliance.
10. Storage of construction material is not allowed in the travel way.
11. A Subdivision Agreement outlining any costs (hot tap, connection fee, fair share contribution, fee credits, etc.) associated with the development shall be accepted by the City prior to recordation of map.
12. The boundary line between Phase 1 and 2 at Escalante Drive shall be at the west curb return.

PRIOR TO ISSUANCE OF A GRADING PERMIT

13. The improvement plans for the development of the subject property shall include all measures required to ensure that no increased drainage runoff resulting from the development of the property flow onto the adjacent lands or that the

development will not impede the drainage from those properties. The rear yards and/or side yards of the lots that are created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department. If retaining walls are required they shall be constructed of concrete or masonry block.

14. A master grading plan for all phases of the subdivision shall be submitted to the Public Works Department as part of the improvement plans with the first subdivision phase.

PRIOR TO APPROVAL OF THE IMPROVEMENT PLANS

15. A fair share analysis shall be prepared by a traffic engineer. The analysis should determine fair share amounts related to mitigations in previous traffic studies as approved by the Director of the Public Works, with a focus primarily on the following intersections:

- Spirit Way and El Margarita Road
- Spirit Way and Harter Parkway
- Franklin Road and El Margarita Road

Developer is to construct and/or pay all determined proportional share amounts of required improvements and/or fees related to mitigating identified traffic impacts that are in addition to the City's impact fee program. This fair share contribution shall be made prior to the issuance of the first occupancy permit on site and to the satisfaction of the Director of Public Works. If the intersection is added to a future AB 1600 traffic impact fee then that would be considered payment of fair share.

16. Obtain all necessary approvals from City, State, and Federal agencies, utilities and other effected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of Improvement Plans the Developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.
17. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
18. The plans shall indicate the locations of all prior hull deposit pits, detention pond(s), all septic and leach field areas, and all wells. All pits and ponds are to be filled with engineered fill.
19. El Margarita Road south of State Route 20 shall be a minor arterial per the General Plan.
20. El Margarita Road shall be widened, centerline to back of curb, to a half-width of 26.5 feet.
21. The Developer shall dedicate right-of-way to the City as follows, or as approved by the Director of Public Works:
 - a. Minor Arterial (El Margarita Road):

- i. *Detached sidewalk* -- On the **west side**, right-of-way shall be dedicated to a half width of 49.5 feet (centerline to back of new 6-8-foot-high solid wall). A 12.0-foot wide PUE shall be dedicated adjacent to the sidewalk with 2.0 feet located underneath the sidewalk.
- b. Interior minor residential streets (Luis Way, Balkowitsch Drive, Escalante Drive, and Florencio Drive):
 - i. *Detached sidewalk option* -- Right-of-way shall be dedicated to a width of 38.0 feet together with a 19.5-foot PSE behind the roadway. A 12.0-footwide PUE shall be dedicated along the sidewalk with 2.0 feet located underneath the sidewalk along each side of the roadway.
 - ii. *Attached sidewalk option* -- Right-of-way shall be dedicated to a width of 46.0 feet. A 12.0-foot-wide PUE shall be dedicated adjacent to the right-of-way with 2.0-feet located underneath the sidewalk along each side of the roadway.
 - iii. *A combination of the attached and detached sidewalk options to provide street trees and meeting City design standards as shown on the Tentative Map dated August 20, 2025, shall be provided.*

22. The Developer shall construct frontage improvements to City standards as follows, or as approved by the Public Works Director:

(i) Minor Arterial (El Margarita Road) – The following shall be constructed along the **west side**:

- 24.0-foot-wide asphalt road section – centerline stripe of El Margarita Road to lip of gutter
- 2.5-foot wide barrier curb and gutter
- 6.0-foot wide landscaped parkway strip (measured from back of curb to face of sidewalk) with City approved street trees, landscaping, and irrigation
- 6.0-foot wide detached sidewalk
- landscaping and irrigation between the sidewalk and block wall
- 6.0 foot high solid wall (i.e. concrete, masonry, proto II, brick).
- streetlights
- fire hydrants
- storm drainage facilities
- roadway striping
- roadway signage

(ii) Interior minor residential streets (Luis Way, Balkowitsch Drive, Escalante Drive, and Florencio Drive):

- *Detached sidewalk option* -- Streets shall be designed/constructed to a width of 37.0 feet back of curb to back of curb with parking permitted on both sides. Frontage improvements shall include street section, curb, gutter, 6.0-foot-wide landscape parkway strip (measured from back of curb), 4.0-foot-wide sidewalk, street trees, and streetlights.
 - The landscape plan for the front yard, including the area between the sidewalk and curb, shall be handled by each individual lot improvement. The irrigation system shall be designed to accommodate the street tree and shall meet the City's Model Water Efficient Landscape Ordinance.
 - The landscaping in the parkway strip is to have a coordinated theme referenced on the public improvement plans, or as approved by the Development Services Director.

- The only hard surface (concrete or pavers) that can be placed in the street planter area other than the standard driveway serving the residence is 18" wide strips to accommodate the wheel path of vehicles unless authorized/approved by the Public Works Director.
 - *Attached sidewalk option* -- Streets shall be designed/constructed to a width of 37.0 feet back of curb to back of curb with parking permitted on both sides. Frontage improvements shall include street section, curb, gutter, a 4.0-foot-wide attached sidewalk, and streetlights.
 - Curb bulb-outs (a contained area for the street trees) shall be installed with the following characteristics, or as otherwise determined by the Director of Public Works:
 - 8.0-feet long by the width of the parking lane;
 - As shown on the Tentative Map dated August 20, 2025;
 - Shall not be placed over any service laterals;
 - Detached from the standard adjacent curb and gutter;
 - Planted with City approved trees prior to the Certificate of Occupancy of the adjacent residence.
 - *A combination of the attached and detached sidewalk options to provide street trees and meeting City design standards, or as approved by the Public Works Director as shown on the Tentative Map dated August 20, 2025, shall be provided.*
23. The Developer shall prevent left turns from Escalante Drive to El Margarita Road by designing/constructing a median curb in El Margarita Road between Balkowitsch Drive and Florencio Drive to the satisfaction of the Director of Public Works.
24. The Developer shall provide one pedestrian crossing at El Margarita Road and Balkowitsch Drive, including rectangular rapidly flashing beacons with median refugee island on north side of intersection and paved path to existing sidewalk at River Valley High School, or as approved by the Director of Public Works.
25. The Developer shall install stop signs and relabel pavement markings on El Margarita Road at Spirit Way to create an all-way stop controlled intersection or as approved by the Director of Public Works. The developer will be reimbursed for these improvements from other developers that benefit from these improvements.
26. Internal streets shall be phased. The Developer is to provide emergency vehicle access to the satisfaction of the Fire Department.
27. The Developer shall comply with all City requirements related to drainage, including submittal of a drainage plan for any drainage improvements for the proposed development. A drainage analysis, along with calculations, shall be submitted to the City Engineer for approval. The analysis shall include, but is not limited to:
- (i) Grading and drainage plan showing the proposed drainage conveyance and storage system.

- (ii) Supporting calculations demonstrating adequacy of conveyance capacity and storage volume. The calculation analysis shall meet the requirements of the Yuba City Basin Drainage Study.
 - (iii) Storm Drain Collection Systems- For the design of all pipeline conveyance facilities, the Hydraulic Grade Line (HGL) shall be maintained a minimum of one foot below the gutter flow line of all drain inlets and at least one foot below all maintenance hole rims during a 10-year, 24-hour storm event. The storm drain minimum pipe size shall be 12 inches. The minimum velocity shall be 2 fps.
 - (iv) Street Flow- The street system shall be designed to convey the 100-year, 24-hour runoff while maintaining a water surface at least 1 foot below the adjacent building pad elevations (or alternatively, the building pad elevations shall be at least 1 foot above the 100-year water level). The grading plan shall ensure that the 100-year, 24-hour runoff can be conveyed through the development and to the receiving drainage facility.
 - (v) Drainage systems (pipes and street systems) shall be designed to accommodate the runoff from the ultimate development of the entire upstream watershed.
 - (vi) Water Quality – Water quality basin(s) shall meet State Water Resource Board requirements for water quality. The water quality basin can be incorporated into a detention pond, designed as an individual pond, included in a water quality manhole system, or as approved by the Director of Public Works.
 - (vii) Detention Basins - A 100-year, 4-day storm shall be used for sizing detention storage facilities. The detention basin release rate from a 100-year, 24-hour storm after development must be equal to or lower than the runoff rate from the detention basin's tributary area before development.
 - (viii) The Drainage Study shall be completed and stamped by a Professional Engineer and determined by the City Engineer and the Sutter County Water Agency Engineer to be comprehensive, accurate, and adequate.
28. Development shall comply with Yuba City's stormwater requirements and Post-Construction Standards Plan. The Post Construction information can be found here:
https://www.yubacity.net/city_hall/departments/public_works/engineering/stormwater_management
29. The Developer shall comply with all Sutter County requirements related to drainage, including submittal of a drainage plan for any drainage improvements that utilize County facilities for approval by Sutter County Development Services Director.
30. All improvements shall be designed to local, state, and federal flood standards.
31. The structural section of all road improvements shall be designed using the Caltrans empirical R-value method. A geotechnical investigation shall determine the R-value of the existing soil in accordance with the Caltrans Highway Design Manual. The structural section shall be designed to the following standards:
- a. Use 3" minimum for residential, 4" minimum for collectors and 6" minimum for arterials, of 'Type A' asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)
 - b. Use a traffic index of 6 for residential streets

- c. Use a traffic index of 7 for collector streets
- d. Use a traffic index of 10 for arterial streets

A copy of the geotechnical investigation, including R-value determination, test locations and structural section calculations, shall be submitted with the first improvement plan check or City standard base sections per Standard Detail ST-1 shall be used.

- 32. Striping, pavement markings and traffic signage shall be provided on all streets as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department. All required speed limit signs shall be shown on the Improvement Plans.
- 33. The street trees and street lighting are public improvements which shall meet the Parks Division Planting Standards and City Standard Details and be included in the Improvement Plans and Specifications for the subdivision when the improvement plans are submitted for the first improvement plan check.
- 34. The Improvement Plans shall show provisions for the placement of centralized mail delivery units in the PUE. Developer shall provide a concrete base for placement of the centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the Postal Service and the City Public Works Department, with due consideration for street light location, traffic safety, security and consumer convenience.
- 35. Required Improvement Plan Notes:
 - a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
 - b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible for all construction equipment to be equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
 - c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
 - d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the "California Manual of Uniform Traffic Control Devices, latest edition." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
 - e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."
 - f. "Where an excavation for a trench and/or structure is five (5) feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall

provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department, prior to beginning construction.”

PRIOR TO ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

36. All existing well(s), septic tank(s), and service lines shall be destroyed in accordance with the requirements of the Sutter County Environmental Health and Yuba City Building Departments, respectively. Connections shall be made to public sewer and water. The Developer shall pay all applicable fees.
37. In addition to the street lights provided on the interior streets, street lights shall be installed along the east side of El Margarita Road, the length of the proposed development.
38. The agricultural well shall be destroyed under permit from the Environmental Health Division of the Sutter County Development Services Department.
39. Onsite utility poles, along with the overhead wiring, shall be removed.
40. Prior to final paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.
41. Prior to final paving, the Developer shall hydroflush, and televise, all storm drain mains and all sewer mains. In addition, prior to the City's acceptance of the subdivision improvements, and at the Public Works Department's discretion, the storm sewer and sewer mains shall be re-hydroflushed.
42. The Developer shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the Developer shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (Civil 3D version 2017 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.
43. The existing power poles along the property on El Margarita Road shall be placed underground, or addressed in accordance with the City's Overhead Utility Policy adopted March 17, 2020. The total lineal foot length of overhead lines along El Margarita Road is determined to be 693 lineal feet or as otherwise determined by the Director of Public Works.
44. All public street lighting shall be dedicated to the City of Yuba City.

PRIOR TO FINAL MAP RECORDATION

45. The residential portion of the development shall pay for operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs. This condition may be satisfied through participation in a Mello-Roos CFD, by payment of cash in an amount agreed to by the City, by another secure funding mechanism acceptable to the City, or by some combination of those mechanisms.

The City shall be reimbursed actual costs associated with the formation of, or annexation to, the district. The property shall annex into an existing CFD.

46. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting and Landscaping Maintenance District for the purpose of maintaining; street trees which are to be planted along all streets, streetlights, fencing, and any detention / water quality basin(s) or devices. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

47. The Developer's Superintendent/Representative shall submit three (3) sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of first building permit for each phase of construction.
48. The Developer shall pay all applicable Sutter County Water Agency connection fees and maintenance and operation fees, and entering into an agreement with Sutter County providing participation in a zone of benefit, drainage district, agency, service area or any other public entity for the financing of construction and maintenance of a drainage system, as determined applicable by Sutter County.

PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

49. The curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.
50. All street lighting shall be constructed per the Improvement Plans and energized prior to the issuance of any certificate of occupancy or as approved by the Development Services Director.
51. Prior to issuance of any certificate of occupancy, all underground utilities, public improvements, and site improvements, including rough grading, shall be completed in accordance with City requirements.

MITIGATION MEASURES

Impact	Mitigation Measure	Responsible Party	Timing
3.3 Air Quality	Air Quality Mitigation Measure 1: Apply the following air quality criteria: 1. Prepare and implement the Fugitive Dust Control Plan. 2. No wood burning stoves or fireplaces are permitted in any of the homes. 3. Water the grading and construction sites twice daily with a water truck. 4. Apply any other mitigation measures provided in the air quality analysis.	FRAQMD	During construction phase
3.7 Geology and Soils	Paleontological Mitigation Measure 1: This Mitigation Measure shall be placed as a note on the Demolition and Grading Plans. If paleontological resources are found, the construction manager shall halt all activity and immediately contact the Development Services Department at 530-822-4700. Mitigation shall be conducted as follows: 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high; 2. Assess effects on identified sites; 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted; 4. Obtain comments from the researchers; 5. Comply with researchers' recommendations to address any significant adverse	Developer, Public Works Dept., Development Services Dept.	During construction phase

	effects were determined by the City to be feasible. In considering any suggested mitigation proposed by the consulting paleontologist, the City's Community Development Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific or General Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.		
3.8. Greenhouse Gases	Greenhouse Gas Mitigation 1: The site grading and construction of the self-storage facility shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.	Development Services Dept.	Prior to issuance of building permits.
3.17 Transportation/Traffic	Traffic Mitigation Measure 1: As of August 29, 2025, the date of the TSM 25-01 Traffic Study, no more than 80 single-family residences, or an equivalent amount of other types of development, as approved by the Public Works Director, shall be allowed on a first come - first-serve basis along the El Margarita corridor between SR 20 and Franklin Road until such a time as the El Margarita Road/SR 20 intersection is signalized or until the northbound traffic at that intersection is limited to right-turns only or an updated traffic study is prepared after building permits for at least 70 single family residences or an equivalent amount of other types of development have been issued that determines there is more capacity beyond 80 single family residences, as approved by the Public Works Director, based on actual driving patterns and current traffic models.	Public Works Dept.	Prior to recording of final map

3.18. Tribal Cultural Resources	Tribal Cultural Resources Mitigation 1: Unanticipated Discoveries: If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC 21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe. The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and	Developer, Public Works Dept., Development Services Dept.	During construction phase

	reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 523 has been satisfied.		
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ATTACHMENT 2

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING REZONE (RZ) 25-01 AND REZONING ASSESSOR'S PARCELS 63-010-136 AND 137 FROM R-3X24 AND C-OX24 TO PD 21, ON 20.76 ACRES LOCATED ON THE WEST SIDE OF EL MARGARITA ROAD APPROXIMATELY 1,850 FEET SOUTH OF STATE ROUTE 20.

WHEREAS, the City received an application in January 2025 for General Plan Amendment (GPA) 25-01, Rezone (RZ) 25-01, and Tentative Subdivision Map (TSM) 25-01, to subdivide 20.76 acres into 141 single-family residential lots at a density of 7.12 units an acre; and;

WHEREAS, the following entitlements are being considered for approval by this ordinance:

- *Rezone (RZ) 25-01*: which proposes to amend the zone district from Multiple-Family Residence (R-3) X₂₄ and Office Commercial (C-O) X₂₄ to Planned Development (PD) 21, which proposes to modify certain development standards in an effort to improve developability of the lots

(collectively "Project"); and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed Project and has prepared an Initial Study proposing a Mitigated Negative Declaration (EA 25-01) for the Project; and

WHEREAS, on September 24, 2025, the Planning Commission concurrently conducted a duly noticed public hearing on applications TSM 25-01, RZ 25-01, and GPA 25-01, at which time it received input from City Staff, the applicant; the public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission, after which public testimony was closed; and

WHEREAS, the Planning Commission reviewed all associated documents prepared for the Project, including those related to application TSM 25-01, RZ 25-01, and GPA 25-01, and all the evidence received by the Planning Commission; and

WHEREAS, after deliberation and consideration of all relevant items, the Planning Commission contingently approved the Ridge Estates Subdivision Map (TSM 25-01) by adopting Resolution PC 25-05 and recommended the City Council of the City of Yuba City adopt a resolution approving Environmental Assessment 25-01 and General Plan Amendment 25-01, and adopt an ordinance approving Rezone 25-01, with a map included herein as Exhibit B and development standards reflected herein as Exhibit A, by adopting Resolution PC 25-06; and

WHEREAS, on October 21, 2025, the Yuba City Council conducted a duly noticed public hearing on the project, at which time it received input from City Staff; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the City Council, after which public testimony was closed and this ordinance introduced; and

WHEREAS, the City Council of Yuba City considered said recommendations of the

Planning Commission on the matter and after review and consideration of the Environmental Assessment, the City Council desires to approve RZ 25-01 as defined.

NOW, THEREFORE, the City Council of the City of Yuba City does ordain as follows:

1. Recitals. The City Council finds that the recitals are true and correct and incorporates the same herein as if set forth in full.
2. CEQA Findings: The City Council has concurrently adopted a Mitigated Negative Declaration for the Project by separate resolution at its last meeting. As such, the City Council finds RZ 25-01 and the associated entitlements for the entire Project area has already been fully assessed in accordance with CEQA, there have been no substantial changes in circumstances, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.
3. Approval of Rezone 25-01: The City Council finds that Rezone 25-01 is consistent with the General Plan as amended. The City Council further finds that Rezone 25-01 i) is consistent with the General Plan goals and policies as both are amended; ii) is consistent with the purpose of the zoning ordinance to promote and protect the public's health, safety, peace, comfort, convenience and general welfare; and iii) the Project would provide open space, light, air, privacy, convenience of access, aesthetic values, protection of environmental values, and protection of public and private improvements. iv) the project will allow for the creation of quality balanced neighborhoods that provide housing options for the City.
4. Planned Development Findings. Yuba City Municipal Code Section 8-5.2706 requires that the City make the following findings in order to approve a Planned Development (the required findings are in italics).

a. The proposal is consistent with the General Plan.

Evidence. The proposed subdivision creating 141 single-family residential lots is consistent with General Plan Policy LU 2-2, the lot sizes are consistent with the land use designation and provides for a density range of 6-14 units per acre. The proposed project's overall density of approximately 7.12 DU/AC is within the established density range. The proposed lot configuration and layout will integrate into the existing street network and surrounding land uses. The proposed subdivision will construct pedestrian facilities that will serve the neighborhood and facilitate a walkable community.

a. The proposal is consistent with the planned surrounding land uses.

Evidence. The proposed lot configurations and layout will integrate into the existing street network and surrounding land uses. The proposed map will construct pedestrian facilities that will serve the neighborhood and facilitate a walkable community.

b. There are or will be adequate public facilities available to properly serve the development, including streets to adequately handle the anticipated traffic.

Evidence. The site is level and will be served by the full range of City services. City water and wastewater collection are available to the property. An existing storm drain is available at the north side of the property, and will be extended along with the sewer line southerly down the El Margarita Road frontage. The project will also provide full improvements to its half of El Margarita Road, and establish a pedestrian connection to River Valley High

School.

- c. *The quality of the development is as good or better than would be accomplished through traditional zoning and design standards.*

Evidence. As discussed in item a) above, this project is consistent with the City's General Plan goals and policies including the established density range for MDR designated land. The project is conditioned to meet all City development and improvement standards including water, wastewater, stormwater drainage systems, street cross-sections, streetscape landscaping, and park facilities or applicable in-lieu fees. The proposed project will be subject to compliance with the R-2 development standards as amended by the proposed PD 21 Zone District.

5. Approval of Rezone 25-01. The City Council hereby approves Rezone 25-01 for the Ridge Estates Subdivision, rezoning approximately 20.76 acres located on the west side of El Margarita Road, Assessor's Parcel Numbers 63-010-136 and 137, to the "PD 21" designation as set forth in Exhibit B, and subject to the development standards as set forth in Exhibit A.
6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.
7. Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it to be published, in accordance with Government Code, Section 36933, or as otherwise required by law.
8. Effective Date of Resolution. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 21st day of October 2025, and adopted the Ordinance after the second reading at a regular meeting held on the 4th day of November, by the following vote:

Ayes:

Noes:

Absent:

Recused:

CITY OF YUBA CITY

David Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibit A: Planned Development 21 Development Standards
Exhibit B: Rezone Map

I, _____, City Clerk of the City of Yuba City, California, DO
HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and
adopted by the City Council of the City of Yuba City on the date and by the vote indicated
herein.

EXHIBIT A

Planned Development 21
Tentative Subdivision Map (TSM) 25-01
The Ridge Estates
Development Criteria

The development criteria for Planned Development 21, Tentative Subdivision Map 25-01, The Ridge Estates is as follows:

Development Standards.

Minimum Lot Size:	Interior lots - 4,300 square feet. Corner lots – 5,000 square feet.
Minimum Lot Width*:	Interior lots - 45 feet. Corner lots- 50 feet. (*Lot width measured at the front property line except for corner lots where lot widths are measured at the front setback)
Minimum Lot Depth:	75 feet.
Maximum Percentage of Lot Coverage:	Single Story Dwellings - 60 percent. Two Story Dwellings - 50 percent.
Minimum Setbacks:	Front – 15 feet from back of sidewalk. Garages – 18.0 feet. Side loading garages shall be 10 feet from back of sidewalk if the length of the driveway exceeds 20.0 feet from the back of sidewalk. Porch/Courtyard - 10 feet from back of sidewalk. Street Side – 10 feet from back of sidewalk. Interior Side – 5 feet, except fireplace and media protrusions shall not be less than 3 feet. Rear – 10 feet.
Maximum Building Height:	2 stories not to exceed 40 feet, except as provided in Article 56 of the Yuba City Zoning Regulations. Accessory Buildings shall not exceed 15 feet.

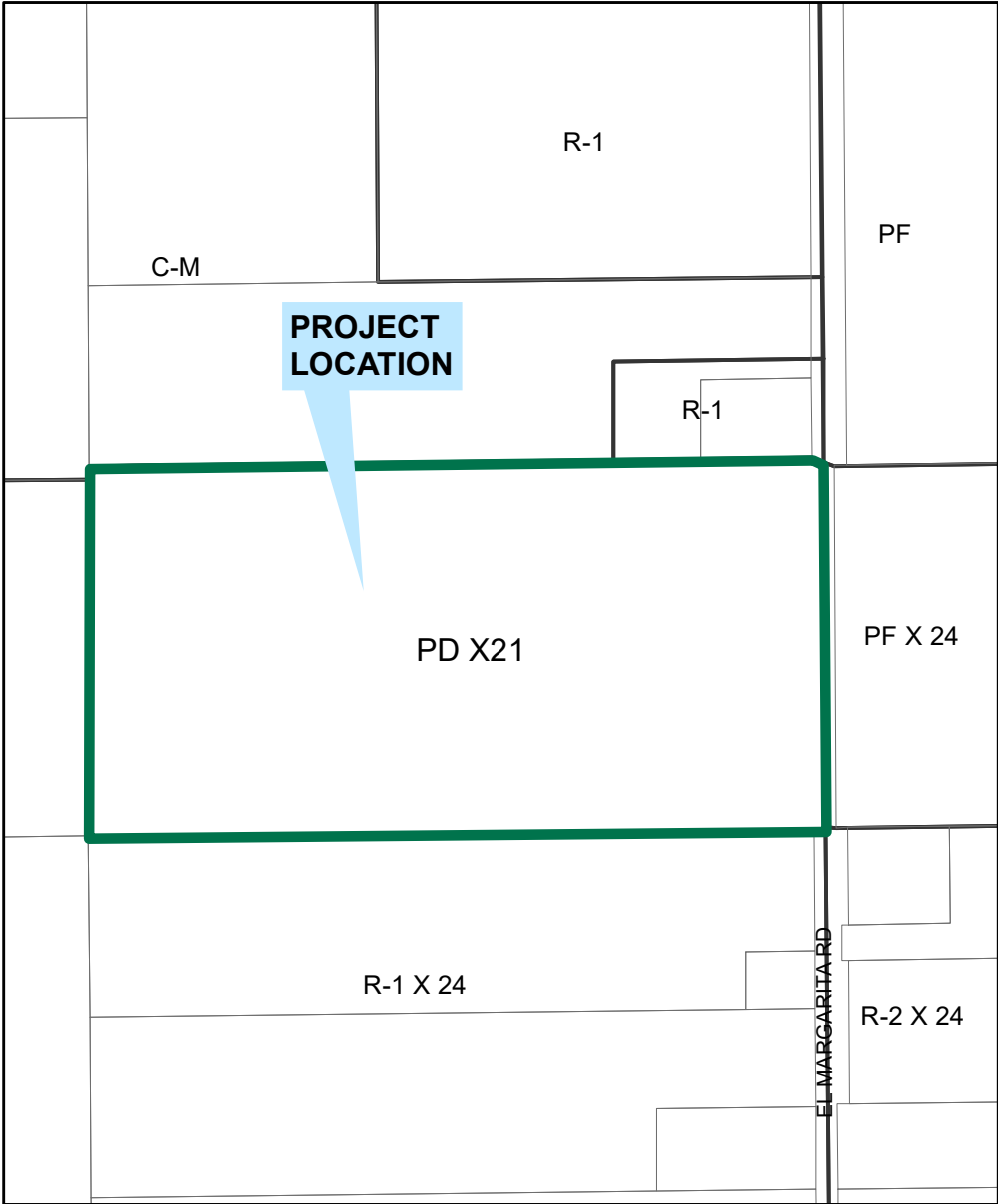
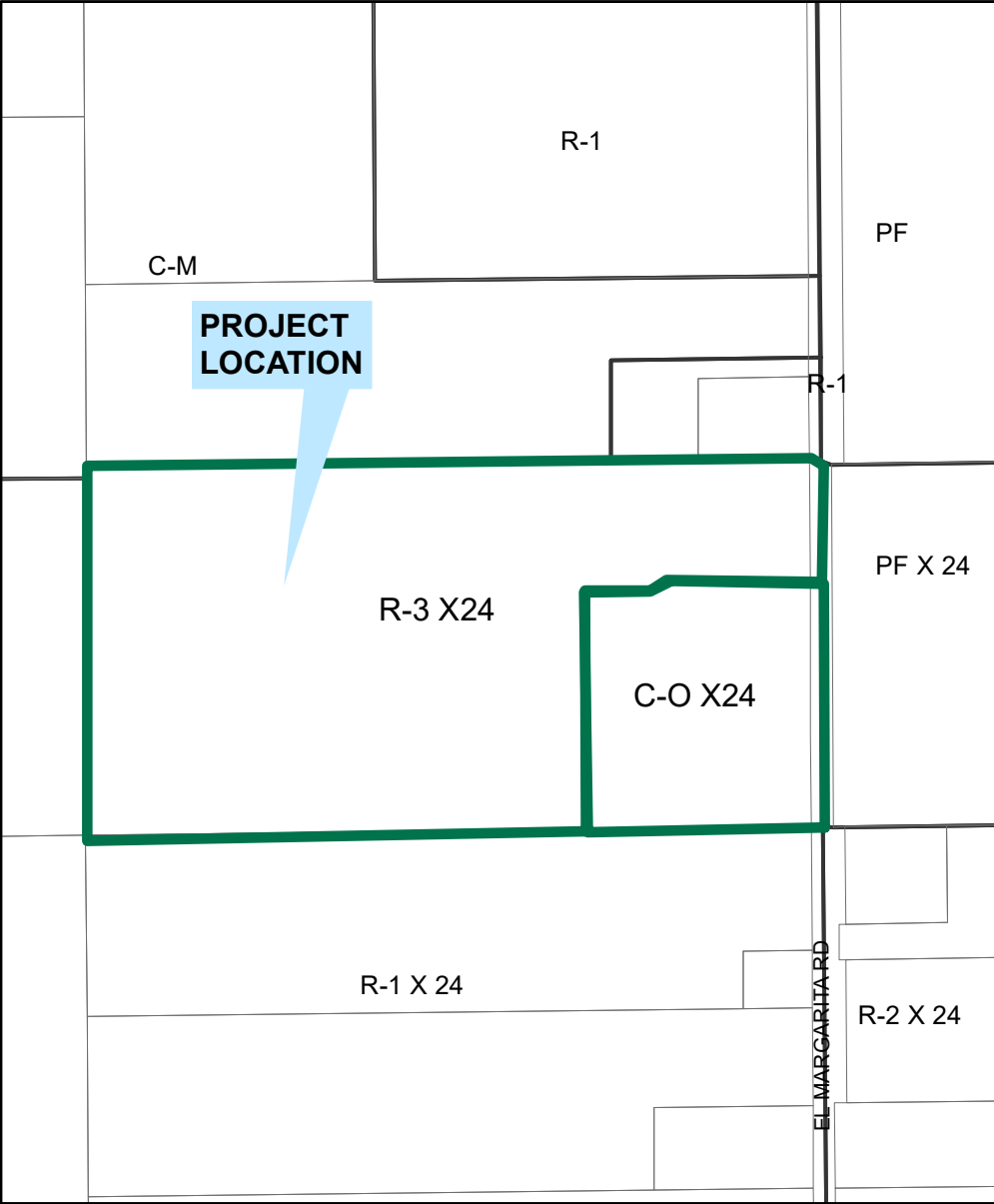
If an item is not listed above, the standards of the City of Yuba City Zoning Code for development in the Two-Family Residence (R-2) District shall apply.

EXHIBIT B

THE RIDGE ESTATES REZONE, ZONING MAP

EXISTING

PROPOSED



City of Yuba City

	Parcels		Project Site
	Zoning		City Limits



REZONE 25-01



ATTACHMENT 3

LAND USE SUMMARY				
LOT SUMMARY*				
VILLAGE NO. 1 =	45 LOTS	6.38 AC	7.05 DU/AC	
VILLAGE NO. 2 =	48 LOTS	6.72 AC	7.14 DU/AC	
VILLAGE NO. 3 =	48 LOTS	6.71 AC	7.15 DU/AC	
SUBTOTAL = (RESIDENTIAL)	141 LOTS	19.81 AC	7.12 DU/AC	
EL MARGARITA ROAD		0.95 AC		
SUBTOTAL = (NON-RESIDENTIAL)		0.95 AC		
TOTAL =		20.76 AC	6.79 DU/AC	
*ALL DENSITIES EXCLUDE MAJOR ROADWAYS EXCEPT TOTAL. EL MARGARIA IS CONSIDERED A MAJOR ROADWAY ON THIS PROJECT.				

LEGAL DESCRIPTION:

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SUTTER, CITY OF YUBA CITY, DESCRIBED AS FOLLOWS:

PARCEL 1: (APN 63-010-136)

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF YUBA CITY, COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING A PORTION OF LOTS 7 AND 8, OF "PLAT OF EL MARGUERITA COLONY", FILED IN BOOK 2 OF SURVEYS AT PAGE 40 AND 47, AND LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 8, OF "PLAT OF EL MARGUERITA COLONY"; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 8, SOUTH 89° 19' 19" WEST 410.01 FEET; THENCE LEAVING SAID SOUTH LINE OF LOT 8, NORTH 00° 19' 13" WEST, PARALLEL WITH THE EAST LINE OF SAID LOT 8, A DISTANCE OF 436.79 FEET; THENCE NORTH 89° 40' 47" EAST 117.50 FEET; THENCE NORTH 64° 46' 30" EAST 30.87 FEET; THENCE NORTH 89° 40' 47" EAST 264.50 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 20; THENCE SOUTH 00° 19' 13" EAST 447.23 FEET TO THE POINT OF BEGINNING.

THIS DESCRIPTION IS PURSUANT TO LOT LINE ADJUSTMENT NO. 2012-01.

PARCEL 2: (APN 63-010-137)

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF YUBA CITY, COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING A PORTION OF LOTS 7 AND 8, OF "PLAT OF EL MARGUERITA COLONY", FILED IN BOOK 2 OF SURVEYS AT PAGE 40 AND 47, AND LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8, OF "PLAT OF EL MARGUERITA COLONY"; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 8, SOUTH 89° 19' 19" WEST 410.01 FEET, TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE FROM THE TRUE POINT OF BEGINNING, CONTINUING ALONG SAID SOUTH LINE OF LOT 8, SOUTH 89° 19' 19" WEST 909.99 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 00° 19' 13" WEST ALONG THE WEST LINES OF LOT 8 AND LOT 7, A DISTANCE OF 673.69 FEET, TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE NORTH 89° 14' 25" EAST, ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 1320.06 FEET TO THE NORTHEAST CORNER OF SAID LOT 7, AND THE NORTH-SOUTH CENTERLINE OF SECTION 20; THENCE SOUTH 00° 19' 13" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SECTION 20, A DISTANCE OF 228.33 FEET; THENCE LEAVING SAID NORTH-SOUTH CENTERLINE OF SECTION 20, SOUTH 89° 40' 47" WEST 264.50 FEET; THENCE SOUTH 64° 46' 30" WEST 30.87 FEET; THENCE SOUTH 89° 40' 47" WEST 117.50 FEET; THENCE SOUTH 00° 19' 13" EAST 436.79 FEET TO THE POINT OF BEGINNING.

THIS DESCRIPTION IS PURSUANT TO LOT LINE ADJUSTMENT NO. 2012-01.

PARCEL 3:

AN EASEMENT FOR PUBLIC UTILITIES AS SET FORTH IN THE DEED RECORDED MARCH 21, 2012 AS INSTRUMENT NO. 2012-4206 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

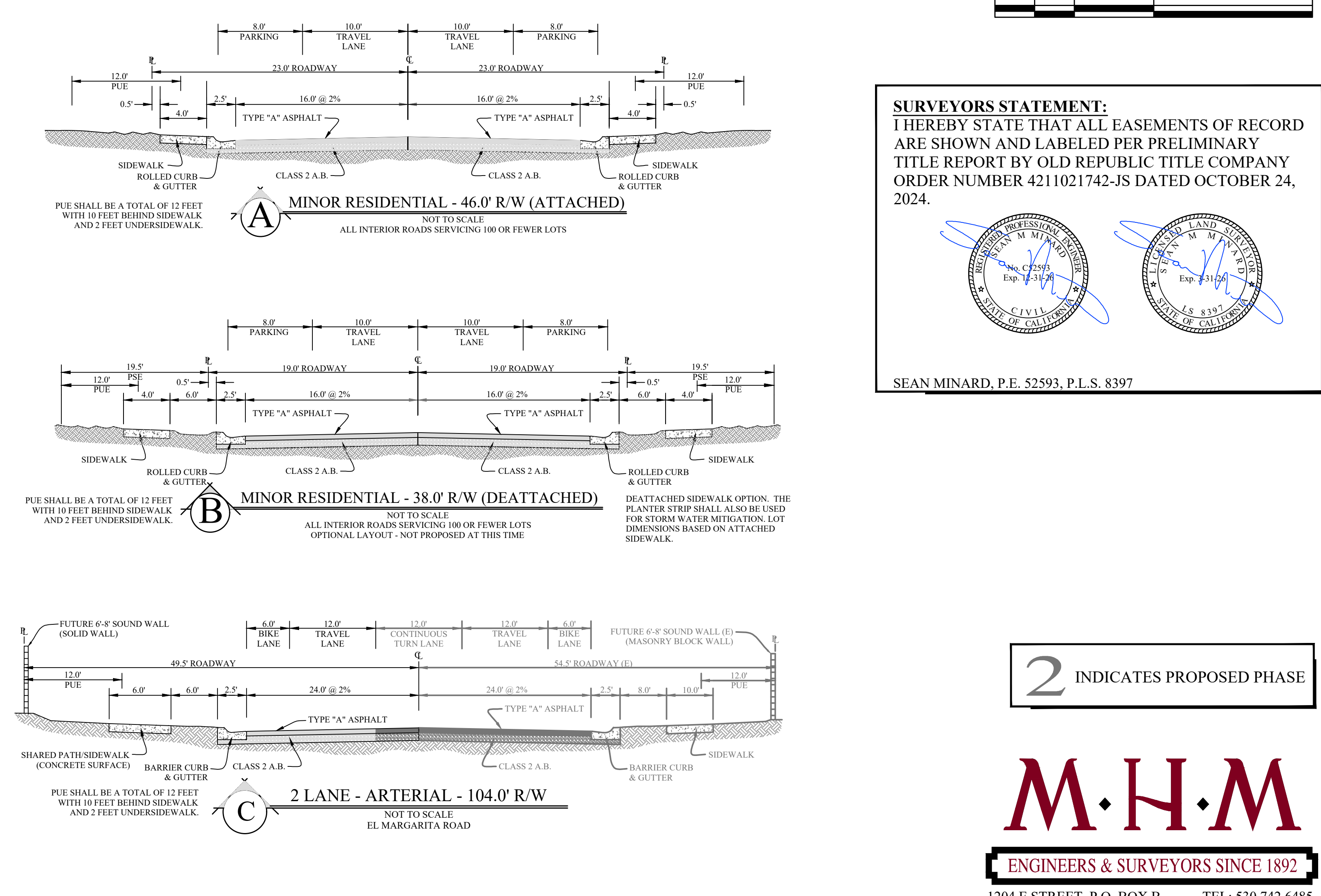
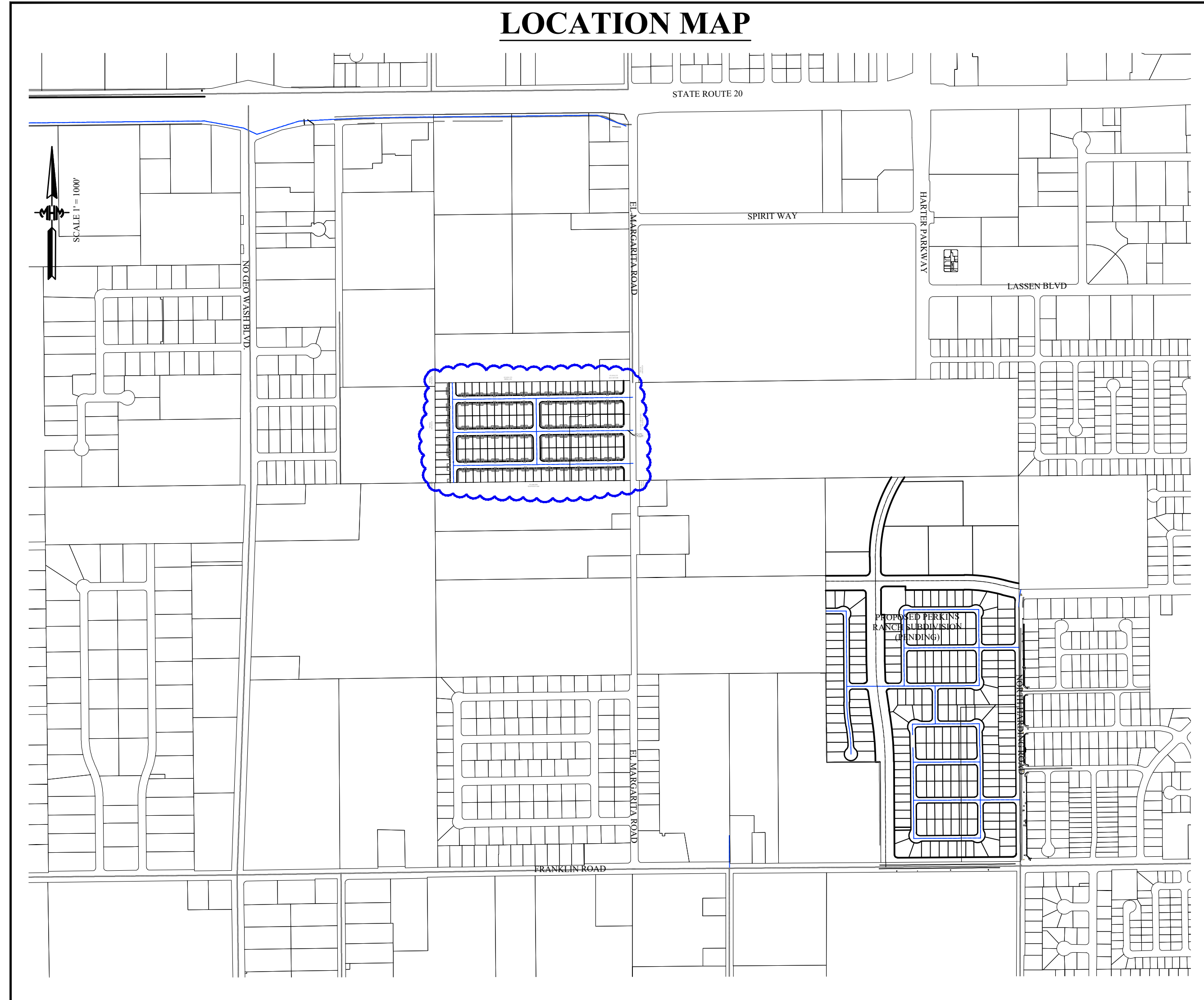
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 8, "PLAT OF EL MARGUERITA COLONY"; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 8, SOUTH 89° 19' 19" WEST 410.01 FEET; THENCE LEAVING SAID SOUTH LINE OF LOT 8, A DISTANCE OF 65.95 FEET; THENCE SOUTH 45° 17' 05" EAST 13.65 FEET; THENCE NORTH 89° 40' 47" EAST 400.35 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 20; THENCE SOUTH 00° 19' 13" EAST 53.73 FEET TO THE POINT OF BEGINNING.

CITY OF YUBA CITY APPROVAL:

THE CITY OF YUBA CITY PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 25-0XX APPROVING TENTATIVE SUBDIVISION MAP NO. 2021-001 DURING THE PLANNING COMMISSION MEETING ON _____, 2025.

CITY OF YUBA CITY DATE:

PROJECT NOTES		
OWNER UNITY HEALTH CARE, LLC 469 CENTURY PARK DRIVE YUBA CITY, CA 95991 CONTACT: JOHN OCHUPINTI PHONE: (530) 674-2370	EXISTING USE VACANT	FIRE PROTECTION CITY OF YUBA CITY FIRE DEPARTMENT
APPLICANT WESTMARK PARTNER, LP 4624 DUCKHORN DRIVE SACRAMENTO, CA 95834 CONTACT: MANDEEP PABLA PHONE: (530) 329-4356	EXISTING GENERAL PLAN DESIGNATION MEDIUM DENSITY RESIDENTIAL AND OFFICE & OFFICE PARK	LAW ENFORCEMENT CITY OF YUBA CITY POLICE
ENGINEER/SURVEYOR MHM INCORPORATED 1204 E STREET, P.O. BOX B MARYSVILLE, CA 95901 CONTACT: SEAN MINARD, P.E., P.L.S. PHONE: (530) 742-6485	PROPOSED GENERAL PLAN DESIGNATION MEDIUM DENSITY RESIDENTIAL	SANITARY SEWER CITY OF YUBA CITY PUBLIC WORKS
ASSESSOR'S PARCEL NO. APN 063-010-136 (16.26 AC) APN 063-010-137 (4.18 AC)	EXISTING ZONING R-3X24 AND C-0X24	DOMESTIC WATER CITY OF YUBA CITY PUBLIC WORKS
AREA OF TENTATIVE MAP 20.44 GROSS ACRE	PROPOSED ZONING PLANNED DEVELOPMENT	STORM DRAINAGE CITY OF YUBA CITY PUBLIC WORKS AND SUTTER WATER AGENCY
GENERAL NOTES:	LEVEE PROTECTION LEVEE DISTRICT NO. 1 OF SUTTER COUNTY	ELECTRICITY PACIFIC GAS AND ELECTRIC
1. SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT.	ELEMENTARY SCHOOL DISTRICT YUBA CITY UNIFIED SCHOOL DISTRICT	NATURAL GAS (OPTIONAL) PACIFIC GAS AND ELECTRIC
2. A 12.0 FOOT PUBLIC UTILITY EASEMENT SHALL BE LOCATED PROVIDED ON ALL STREETS WITH 10 FEET BEHIND SIDEWALK AND 2.0 FEET LOCATED UNDER SIDEWALK. ADJACENT TO CUL-DE-SAC BULBS THE PUBLIC UTILITY EASEMENT SHALL BE 10 FEET BEHIND SIDEWALK UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.	HIGH SCHOOL DISTRICT YUBA CITY UNIFIED SCHOOL DISTRICT	COMMUNICATION AT&T AND COMCAST
3. THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY. ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.	IRRIGATION DISTRICT NONE - INDIVIDUAL WATER WELLS	CABLE (OPTIONAL) COMCAST
4. THIS IS AN APPLICATION FOR A PLANNED DEVELOPMENT AND DEVELOPMENT AGREEMENT. THE PROJECT WILL INCLUDE SINGLE FAMILY RESIDENTIAL AND ACCESSORY USES ONLY. THE PD AND DA HAVE BEEN PROVIDED WITH APPLICATION.		
5. VILLAGE NUMBERING IS FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT INDICATE PHASING ORDER OF DEVELOPMENT. ULTIMATE DEVELOPMENT PHASING WILL BE ORDERLY AND WILL BE DETERMINED AT FINAL MAP AND/OR IMPROVEMENT PLAN STAGE.		
6. ALL EXISTING STRUCTURES, SEPTIC TANKS, AND WELLS TO BE REMOVED OR DESTROYED PRIOR TO CONSTRUCTION.		
7. STREET TREES SHALL BE PLANTED PURSUANT TO COUNTY OF YUBA CITY STANDARDS. ADDITIONAL DETAIL SHALL BE PROVIDED ON THE IMPROVEMENT PLANS.		
8. OWNERS, APPLICANT, ATTORNEY, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT.		



ATTACHMENT 4

The Environmental Assessment for the Ridge Estates Subdivision (EA 25-01) prepared for this project is a Mitigated Negative Declaration and is available online at www.yubacity.net/environmental.

ATTACHMENT 5

- ~~6. Sewer and water fees, including connection fees and the installation of major trunk lines from both plants, shall be incorporated into the cost of development and shall be part of the Development Agreement.~~
- ~~7. Development within the Property shall be required to pay its fair share of major roadwork as part of the development and, may require construction of collector and arterial roads that will adequately address infrastructure concurrent with the proposed development. This will be negotiated as part of the Development Agreement.~~
- ~~8. Payment of impact fees, which incorporate the public improvements necessary to implement the General Plan, shall be required and will be part of the Development Agreement. These fees will be estimates and final payment will be based on a formally adopted impact fee study approved by the City Council. In addition to the park impact fee, the Quimby Act shall also apply.~~
- ~~9. Payment of a fee to address levee improvements and potential flood issues shall be required as part of the Development Agreement.~~
- ~~10. Any development within the Property shall require the Property entering into a Community Facilities District to assist in funding police, fire and park maintenance.~~
- ~~11. Any development within the Property shall address the community design policies in the General Plan including walkable, livable concepts and address the village concept as provided for in the General Plan.~~
- ~~12. The design of the tentative subdivision map shall include connections to the bike/running path that are convenient and accessible to the public from a public right-of-way.~~
- ~~13. Development along Township Road shall comply with the Urban/Rural Edge design depicted in Figure 4-I of the Yuba City General Plan.~~

X₂₄ Area: Area encompassed by LAFCo Reorganization No. 332.

Conditions of Preannexation Zoning

The preannexation zoning of the Property is approved subject to the following conditions. These conditions shall only apply to divisions of land requiring a subdivision map or to any multi-family development of five residences or more.

- I. Prior to the approval of any subdivision map for said Property, or prior to any multi-family development of five residences or more of said Property, a Development Agreement must be entered into with the City. At a minimum, the Development Agreement shall address conditions of development and the financing of roads, parks, public facilities, sewer, water, drainage, and surrounding infrastructure as established in the General Plan. The approval of said preannexation zoning in no way obligates the City to enter into a

Development Agreement. The City shall have complete discretion whether to approve a Development Agreement and in approving the terms and conditions of the Development Agreement.

2. Prior to the City finalizing a Development Agreement, the developer of the Property shall provide written documentation from the affected school district that the developer has satisfied said school district's requirements for school infrastructure. This would generally apply to any developments over 4 residential units. The School District would expect, at a minimum, that all residential developments enter into a Mello Roos District and that depending on the size of development, land dedication and school development may be an alternative, subject to negotiation with the District.
3. Drainage plans shall be provided for all subdivisions of land within the Property and shall comply with the City and County's master drainage plans.
4. All residential subdivisions within the Property shall include an affordable housing component that meets the minimum production standard of affordable housing outlined in the regional compact with SACOG adopted by the City of Yuba City in November 2004. There are a variety of options of how best to meet the affordable housing requirement. These options would be subject to negotiations between the City and developer and shall be part of the Development Agreement.
5. All residential subdivisions within the Property shall meet the minimum standards for residential design as established by the City Council.
6. Sewer and water fees, including connection fees and the installation of major trunk lines from both plants, shall be incorporated into the cost of development and shall be part of the Development Agreement.
7. Development within the Property shall be required to pay its fair share of major roadwork as part of the development and, may require construction of collector and arterial roads that will adequately address infrastructure concurrent with the proposed development. This will be negotiated as part of the Development Agreement.
8. Payment of impact fees, which incorporate the public improvements necessary to implement the General Plan, shall be required and will be part of the Development Agreement. These fees will be estimates and final payment will be based on a formally adopted impact fee study approved by the City Council. In addition to the park impact fee, the Quimby Act shall also apply.
9. Payment of a fee to address levee improvements and potential flood issues shall be required as part of the Development Agreement.
10. Any development within the Property shall require the Property entering into a Community Facilities District to assist in funding police, fire and park maintenance.

11. Any development within the Property shall address the community design policies in the General Plan including walkable, livable concepts and address the village concept as provided for in the General Plan.
12. The design of the tentative subdivision map shall include connections to the bike/running path that are convenient and accessible to the public from a public right-of-way.

~~X₂₅ Area: Rezone of 8.7 acres of property located on the north side of Franklin Road approximately 575 feet west of State Route 99 (Yuba Crossings project).~~

~~Adopt an Ordinance rezoning the northern 5.9 acre portion of the subject site from the C-2 (Community Commercial) zone district to the R-1/X (One Family Residential District/Combining District) zone district and the southern 2.8 acres to the C-2/X (Community Commercial/Combining District) zone district.~~

Criteria of Development

- ~~1. Prior to final map approval, the owner of the subject property shall execute a covenant with the City of Yuba City regarding the future development of Oji Way connecting Franklin Road to Whyler Road. Said covenant is to run with the land and shall acknowledge and agree that the subject property is proximate to the future development of a through road and that the residents of said property should be prepared to accept the inconveniences and discomfort associated with normal construction and activities to the use of said road. The covenant shall be recorded prior to or concurrent with the recording of the Final Map of Tentative Subdivision Map. The covenant shall be recorded against each new parcel.~~
- ~~2. The project shall be constructed per the plans approved by the City Council.~~
- ~~3. A pedestrian path shall be provided in approximately the middle of lots 16—28 and 29—41. Said pathway shall be flanked by landscaping and pedestrian oriented lighting.~~
- ~~4. Relinquish access rights to the following:

 - a. East property line of Lot E.
 - b. West property line of Lot F.
 - c. East property line of Lot 15
 - d. West property lines of lots 16 and 41.
 - e. East property lines of lots 28 and 29.
 - f. East property line of lot 42.~~
- ~~9. Building setbacks

 - a. Lots shall provide building setbacks per Sheet SPI. No accessory structures and/or canopies, attached or detached shall be permitted within the building setbacks.~~
- ~~10. The mail facility shall incorporate design features, such as materials, colors, roof material, etc., that are consistent with the project's building style.~~

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Development Services Director

Summary

Subject: Zoning Code Amendment (ZC) 25-02; Revising the development standards for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) for consistency with State law

Recommendation: A. Conduct a Public Hearing; and

B. Introduce by title only and waive the first reading of an Ordinance of the City Council of the City of Yuba City finding that Zoning Code Amendment ZC 25-02 is not subject to environmental review pursuant to Public Resources Code Section 21080.17 and approving Zoning Code Amendment 25-02 amending Table 8-5.5004(A) and Subdivisions (C) and (F) of Section 8-5.5004, of Chapter 5 of Title 8 of the Yuba City Municipal Code relating to the development of accessory dwelling units and junior accessory dwelling units

Fiscal Impact: No direct fiscal impact will result from amending the Municipal Code to revise the standards discussed

Purpose:

To update the standards regulating the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) to bring the municipal code consistent with State law.

Council's Strategic Goal:

This Ordinance update does not directly meet one of the Council's strategic goals; however, it will help meet the City's Regional Housing Needs Allocation for more housing.

Background:

The Planning Commission considered this matter at a notice public hearing on September 24, 2025. There was no opposition expressed and the Planning Commission unanimously recommended approval of the proposed ordinance to the City Council.

Staff periodically brings forward recommended code revisions to incorporate statutory and miscellaneous changes for consideration to keep the Zoning Code contemporary for the City's needs and consistent with State law.

Over the last several years, the legislature has regularly amended the requirements governing the

development of Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (JADU’s”) statewide to make them easier to construct as an affordable housing option.

An ADU means an attached or a detached residential dwelling unit, up to 1,200 sq. ft. in size, that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

- (1) An efficiency unit as defined by the State Building Code.
- (2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

A JADU means a unit that is no more than 500 square feet in size, contained entirely within a single-family residence. A junior accessory dwelling unit is required to have its own cooking facilities but may include separate or shared sanitation facilities with the primary residence.

The City last revised its ADU/JADU requirements in late 2024. Proposed revisions are designed to bring the City Municipal Code into compliance with changes, approved by the legislature and signed into law by the Governor. The City’s ADU/JADU regulations are codified at Yuba City Municipal Code Section 8-5.5004.

Analysis:

Proposed revisions to the current ADU/JADU ordinance will bring the Municipal Code consistent with State law. A summary of the proposed changes is provided below.

- Covenant and Deed Restrictions. Jurisdictions are restricted from requiring ADU/JADU applicants to record a covenant or deed restriction except for:
 1. Restricting the sale of JADU units.
 2. Allowing for the sale of ADUs when in compliance with all the requirements specified at Government Code Section 66341 (copy attached).
- Maximum Size. Amend Table 8-5.5004(A) (ADU Development Standards) clarifying the size limitations of detached and attached ADUs.
- Utilities. Amend Table 8-5.5004(A) (ADU Development Standards) clarifying that it is not required to establish new utility connections (including sewer and water) as part of establishing an ADU. This allows a property owner to utilize existing utility connections, including sewer and water, to reduce the cost of development.
- Applicable standards. Clarify that only the objective design standards specified at Subsection (f) of Section 8-5.5004 shall be applied to new proposed ADU/JADUs that are permitted under Subsection (f).
- Make a technical cleanup at Subparagraph (2) of Subdivision (f) of Section 8-5.5004, that the City will ministerially approve ADU/JADUs, “or combination thereof....” And to remove superfluous text at the end of the section.

Environmental Considerations:

Updating the Municipal Code to revise the City’s ADU standards to bring them consistent with State law, implementing the provisions of the Government Code is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17.

Therefore, environmental review is not required.

Fiscal Impact:

No direct fiscal impact will result from updating the Municipal Code to revise the standards regulating the development of ADUs or JADUs. Existing budgeted monies are paying for staff's time to address this matter.

Alternatives:

None. To be consistent with legislative changes signed into law by the Governor regarding the development of ADUs and JADUs, an update to the Municipal Code is required.

Recommendations:

A. Conduct a Public Hearing; and

B. Introduce by title only and waive the first reading of an Ordinance of the City Council of the City of Yuba City finding that Zoning Code Amendment ZC 25-02 is not subject to environmental review pursuant to Public Resources Code Section 21080.17 and approving Zoning Code Amendment 25-02 amending Table 8-5.5004(A) and Subdivisions (C) and (F) of Section 8-5.5004, of Chapter 5 of Title 8 of the Yuba City Municipal Code relating to the development of accessory dwelling units and junior accessory dwelling units.

Attachments:

1. City Council Ordinance (with track-changes)

Prepared By:

Doug Libby
Director of Development Services

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY FINDING THAT ZONING CODE AMENDMENT ZC-02 IS NOT SUBJECT TO ENVIRONMENTAL REVIEW PURSUANCE TO PUBLIC RESOURCES CODE SECTION 21080.17 AND APPROVING ZONING CODE AMENDMENT 25-02 AMENDING TABLE 8-5004(A) AND SUBDIVISIONS (C) AND (F) OF SECTION 8-5.5004, OF CHAPTER 5 OF TITLE 8 OF THE YUBA CITY MUNICIPAL CODE RELATING TO THE DEVELOPMENT OF ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNITS

WHEREAS, on March 15, 2022, the City Council of the City of Yuba City adopted Ordinance No. 006-22, codifying regulations of accessory dwelling units and junior accessory dwelling units into Yuba City Municipal Code Section 8-5.5004, as required by then-Government Code Section 65852.2 and 65852.22; and

WHEREAS, State law was substantively amended subsequent to the adoption of Ordinance No. 006-22, and effective March 25, 2024, recodified as Chapter 13 (Accessory Dwelling Units) of Division 1 (Planning and Zoning) of Title 7 (Planning and Land Use) of the Government Code, beginning with Section 66310, with the exception of Government Code Section 65852.27. The changes in State law require updates to City Municipal Section 8-5.5004; and

WHEREAS, on November 5, 2024 the City Council of the City of Yuba City adopted Ordinance No. 010-24 to repeal, replace and rename Section 8-5.5004 to accessory dwelling units and junior accessory dwelling units, revise the regulations and development standards that apply to accessory dwelling units and junior accessory dwelling units and update the zoning code use tables in order to bring the City's regulation of accessory dwelling units and junior accessory dwelling units into conformance with state law as set forth in Government Code, section 66310 through 66342; and

WHEREAS, on July 18, 2025 the Department of Public Works and Development Services received an email from the California Department of Housing and Community Development's Housing Policy Development Division ("HCD") stating that it had reviewed Ordinance No. 010-24 stating that though it addressed many of the issues previously raised by HCD, four remaining issues required further amendments to the City's ordinance regulating accessory dwelling units and junior accessory dwelling units; and

WHEREAS, the City Council desires to further simplify the development of accessory dwelling units by making it optional for persons constructing accessory dwelling units to obtain separate connections for all utilities, including water and sewer service for the accessory dwelling units; and,

WHEREAS, the Planning Commission considered this ordinance pursuant to a noticed public hearing at its meeting on September 24, 2025, and made a recommendation to the City Council for adoption of the same; and

WHEREAS, after consideration of all information before it, the City Council now desires to adopt an updated ordinance for accessory dwelling units and junior accessible dwelling units.

NOW THEREFORE, the City Council of the City of Yuba City does ordain as follows:

SECTION 1. Recitals. The above recitals are incorporated by reference.

SECTION 2. CEQA. The City Council finds and determines that the adoption of an ordinance regarding accessory dwelling units and junior accessory dwelling units in a single-family or multifamily residential zone to implement the provisions of Government Code Section 66310 et seq. is exempt from CEQA review pursuant to Public Resources Code Section 21080.17. Therefore, the proposed ordinance does not require any environmental review under CEQA.

SECTION 3. Subparagraph (10) of Subsection (c) of Section 8-5.5004 is repealed in its entirety and replaced with a new Subparagraph (10) of Subsection (c) of Section 8-5.5004 to read as follows:

(10) Covenant and Deed Restrictions. An applicant for the issuance of building permits to construct accessory dwelling units and/or junior accessory dwelling units shall not be required as a condition for the issuance of a building permit, to record any covenant related to the accessory dwelling units or junior accessory dwelling units except under either of the following circumstances:

a. Prior to the issuance of a certificate of occupancy for an approved junior accessory dwelling unit, the applicant for the junior accessory dwelling unit shall file with the City and record with the County Recorder a covenant running with the land, acceptable to the City as to form and content, covenanting that:

(i) the junior accessory dwelling unit is prohibited from being sold separately from the sale of the single-family residence located on the lot containing the junior accessory dwelling unit, including a statement that the covenant may be enforced against future purchasers.

(ii) the junior accessory dwelling unit shall be limited to the size, development standards and attributes permitted under this section and applicable state law.

b. Prior to the issuance of a certificate of occupancy for an accessory dwelling unit meeting the requirements of Government Code, section 66341, as may be amended, shall file with the City and record with the County recorder a covenant or agreement, acceptable to the City as to form and content, containing all of the applicable restrictions set forth in Government Code, section 66341, as may be amended.

SECTION 4. Table 8-5.5004(A) of Subsection (d) of Section 8-5.5004 is amended to read as follows:

(d) *Accessory Dwelling Units.* Accessory dwelling units are subject to the development standards in Table 8-5.5004(A).

Table 8-5.5004(A): Development Standards For Accessory Dwelling Units (ADU)	
Feature	Standard
Permitted Zone Districts	R-1, R-2, R-3, C-O, C-1, C-2, C-3, C-M, M-1, M-2, and AH including any lot with an existing legal nonconforming dwelling.
Attached/Detached	An attached ADU shall be located within, a proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure. An accessory dwelling unit is considered solely within the existing or proposed space of another structure if it includes an expansion of not more than 150 square feet beyond the same physical dimensions of the existing structure, as long as that expansion beyond the physical dimensions of the existing structure is only for accommodating ingress and egress and does not exceed 16 feet in height; or A detached ADU shall be located on the same lot as the proposed or existing primary dwelling, including detached garages.
Maximum size	Detached Units. 1,200 square feet. Attached Units. An ADU may be attached to or within an existing primary dwelling and not a conversion ADU and shall be limited in size to 50 percent of the floor area of the existing primary dwelling structure ^[1] up to a maximum size of 1200 square feet.
Setback, Front Yard	As required by base zone district ^[2]
Setback, Interior Side and Rear Yard	4 feet ^{[2] [3]}

Setback, Street Side	As required by base zone district
Maximum Height ^[4]	-- Detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling: 16 feet -- Detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling, within ½ mile walking distance of a major transit stop or high quality transit corridor: 18 feet, with 2 additional feet to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling -- Detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling: 18 feet -- Attached accessory dwelling unit : 25 feet or height limitation applicable to primary dwelling, whichever is lower
Minimum Lot Size	As required by base zone district
Floor area ration	As required by base zone district
Passageway	None
Parking	No more than one parking space per accessory dwelling unit. Off-street parking shall be permitted in setback areas in locations determined by the City or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions. Parking spaces provided by a garage, carport, covered parking structure, or uncovered parking space that is converted to an accessory dwelling units shall not be required to be replaced.

	Parking spaces may be provided as tandem parking on a driveway. No parking spaces are required for an accessory dwelling unit if any of the following apply: 1. The accessory dwelling unit is located within one-half mile walking distance of a public transit stop; 2. The accessory dwelling unit is located within an architecturally and historically significant structure; 3. The accessory dwelling unit is part of the proposed or existing primary residence; 4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; 5. When there is a car share designated pick-up or drop-off location within one block of the accessory dwelling unit; 6. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any of the criteria in 1 through 5.
Multi-family dwellings	Allowed within the portions of the existing multiple-family residential structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. The space must be converted to a livable space and granted a certificate of occupancy.
Landscaping	New landscaping shall comply with the City's Water Efficient Landscaping Ordinance requirements. (Section 7-18.01)
Architectural standards	The architectural design and detailing, roof material, exterior color, and finish materials of an accessory dwelling unit shall be the same as those of the primary dwelling.
Utilities	The accessory dwelling unit may be located on a lot or parcel which is served by a public sanitary sewer system. An accessory dwelling unit proposed on a lot or parcel that is not served by a public sanitary sewer system shall

	require approval by the county department of public health, and any other applicable agencies, of a private sewage disposal system, prior to building and safety division permit issuance. The accessory dwelling units may, but shall not be required to, obtain separate connections for all utilities, including water and sewer service.
Fire sprinklers	Not required if fire sprinklers were not required for the primary residence. The construction of an accessory dwelling unit shall not trigger the requirement for sprinklers for the primary dwelling.
Roof decks	Not permitted.
Exterior Lighting	As required by Article 58 of the Zoning Code.

^[1] Including an attached garage, attached exterior storage space, or other structure that is attached to the primary dwelling, but not including the floor area of an accessory dwelling unit or junior accessory dwelling unit that is within or attached to the primary dwelling.

^[2] Notwithstanding the above, no setback is required for the conversion of an existing living area, garage, or accessory structure to an accessory dwelling unit or junior accessory dwelling unit; or for a new structure constructed in the same location as an existing structure where the conversion or new construction will have the same dimensions as the existing structure.

^[3] If an applicant wishes to convert an existing accessory structure to an accessory dwelling unit, and wishes to expand the physical dimensions of the existing accessory structure, the side and rear setback requirement for the expansion may be less than 4 ft. if the proposed setback would be sufficient to protect health and fire safety; provided, that the expansion shall not be more than 150 square feet beyond the physical dimensions of the existing accessory structure and the expansion shall be for the sole purpose of facilitating entrance to and exit from the accessory dwelling unit.

^[4] This maximum height requirement only applies to new construction. If an accessory dwelling unit will be located completely within an existing structure, then this requirement does not apply; provided, that the existing structure either is permitted or the owner can demonstrate to the reasonable satisfaction of the City that the existing structure was built prior to January 1, 1990.

SECTION 5. Subparagraph (1) of Subdivision (f) of Section 8-5.5004 is repealed in its entirety and replaced with a new Subparagraph (1) of Subsection (f) of Section 8-5.5004 to read as follows:

- (1) Only the objective development standards set forth in this Subsection (f) shall apply to the Accessory Dwelling Units and Junior Accessory Dwelling Units allowed under this Subsection (f).

SECTION 6. Subparagraph (2) of Subdivision (f) of Section 8-5.5004 is amended to read as follows:

- (2) Notwithstanding anything else to the contrary in the section, the City shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any accessory dwelling units or junior accessory dwelling units, or combination thereof that comply with the following [requirements and] standards (a “state exemption” accessory dwelling unit or junior accessory dwelling unit). The City’s standards relating to lot coverage, floor area ratio, open space, or minimum lot size will not preclude the construction of a state exemption accessory dwelling unit or junior accessory dwelling unit.

- a. One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:
 - (i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
 - (ii) The space has exterior access from the proposed or existing single-family dwelling.
 - (iii) The side and rear setbacks are sufficient for fire and safety.
 - (iv) The junior accessory dwelling unit complies with the requirements of subsection (e), above.
- b. One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be

combined with a junior accessory dwelling unit described in paragraph (1). A local agency may impose the following conditions on the accessory dwelling unit:

- (i) A total floor area limitation of not more than 800 square feet.
- (ii) A height limitation as provided in Tables 8-5.5004(A) and (B), as applicable.

c. Multifamily dwellings.

- (i) Multiple accessory dwelling units are allowed within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings
- (ii) Not more than 8 detached accessory dwelling units on a lot with an existing multifamily dwelling; however, the number of allowable accessory dwelling units shall not exceed the number of existing units on the lot, subject to the height limitations provided in Table 8-5.5004(A), and rear and side setbacks of at least four feet.
- (iii) Not more than two detached accessory dwelling units on a lot with a proposed multifamily dwelling, subject to a height limitation pursuant to Table 8-5.5004(A), as applicable, and rear yard and side setbacks of at least four feet.
- (iv) If the existing multifamily dwelling has a rear or side setback of less than four feet, modification of the existing multifamily dwelling shall not be a condition for approving the application to construct an accessory dwelling unit that satisfies the requirements of this subsection (c)

SECTION 7. The City enacted Ordinance No. 010-24 on November 19, 2024. References in Ordinance No. 010-24 to 8-5.8004 are hereby amended in their entirety to read 8-5.5004. The City Clerk is authorized to make any clerk notes or errata to effectuate the same.

SECTION 8. Severability. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 9. Submission to Department of Housing and Community Development. Pursuant to Government Code section 66326, a copy of this ordinance shall be submitted to the Department of Housing and Community Development within 60 days after adoption.

SECTION 10. Effective Date. This Ordinance shall be effective on the thirty-first day after its adoption.

This Ordinance was introduced on October 21, 2025, and duly adopted by the City Council of the City of Yuba City at its duly noticed regular meeting _____, 2025, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):

Dave Shaw, Mayor
City of Yuba City

Attest:

Ciara Wakefield, Deputy City Clerk
City of Yuba City

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY

Future Agenda Items

- Councilmember Cole
- Councilmember Kirchner
- Councilmember Pasquale
- Vice Mayor Boomgaarden
- Mayor Shaw

CITY OF YUBA CITY

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

City Manager's Report

CITY OF YUBA CITY

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

City Council Reports

- Councilmember Cole
- Councilmember Kirchner
- Councilmember Pasquale
- Vice Mayor Boomgaarden
- Mayor Shaw

Adjournment