AGENDA
NOVEMBER 4, 2025

REGULAR MEETING
CITY COUNCIL
CITY OF YUBA CITY

5:30 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. 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.*

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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_OiZ5mCM-T5q6yas6qu3MxA. 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, if any, 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. Liability Claim:
Claimant: Benjamin Garcia, Claim 25-29
Agency Claimed Against: City of Yuba City

B. Liability Claim:
Claimant: Jonathan Soto, Claim 25-33
Agency Claimed Against: City of Yuba City

C. Liability Claim:
Claimant: Gurvir Singh, Claim 25-34
Agency Claimed Against: City of Yuba City

D. Liability Claim:
Claimant: Harjinder Singh Gill, Claim 25-35
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

Public Communication

1. 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.

2. Minutes of the October 21, 2025 Regular Meeting of the City Council

Recommendation: Approve the Minutes of the October 21, 2025 Regular Meeting of the City Council

3. 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: Adopt 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 8-5.8004, 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, and waive the second reading

4. Ratification of Recruitment for the Accounting Manager position

Recommendation: Approve the ratification of the decision to authorize recruitment for the Accounting Manager position in the Finance Department

5. The Ridge Estates Subdivision: Rezone (RZ) 25-01

Recommendation: Adopt 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 second reading

6. 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: Adopt 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 Tentative Subidivision Map 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 second reading

Business Items

7. Finance Department Recruitment Request – Customer Services Representative I/II

Recommendation: Authorize the Finance Department to conduct an open recruitment for a full-time permanent Customer Services Representative I/II to fill a vacancy in the Finance Department

8. Building Regulations Ordinance and the adoption of the 2025 edition of the California Building Standards Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing Chapters 1 Through Chapter 14 of Title 7 of the Yuba City Municipal Code and Re-Enacting Chapters 1 Through Chapter 14 of Title 7 Adopting by Reference the 2025 California Building Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Energy Code, 2025 California Historical Code, 2025 California Existing Building Code, 2025 California Referenced Standards Code, 2025 California Residential Building Code, 2025 California Green Building Standards (CALgreen) Code, 2024 Uniform Swimming Pool Spa & Hot Tub Code, Etc., With Certain Amendments, Additions and Deletions Thereto, by title only and waive the first reading

9. Fire Prevention Ordinance and the adoption of the 2025 California Fire Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing and Re-Enacting Chapter 5 of Title 4 Regarding Fire Prevention and the 2024 International Fire Code by title only, and waive the first reading

Future Agenda Items

10. 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

11. City Manager's Report

12. City Council Reports

Adjournment

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: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Minutes of the October 21, 2025 Regular Meeting of the City Council
Recommendation: Approve the Minutes of the October 21, 2025 Regular Meeting of the City Council
Fiscal Impact: None

Attachments:
1. 10-21-25 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

MINUTES (DRAFT)
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

Closed Session

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Shaw at 5:02 PM

Roll Call:

Present: Mayor Shaw and Councilmembers Cole, Kirchner, and Pasquale
[Vice-Mayor Boomgaarden joined Closed Session at 5:04 PM]

Absent: None

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

No public comment received

Regular Meeting

Call to Order

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:00 PM

Roll Call:

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

Absent: None

Invocation/Inspiration

Pastor Bob Fischetti

Pledge of Allegiance to the Flag

Councilmember Wade Kirchner

City Attorney's Report on Closed Session Items

Shannon Chaffin, City Attorney:

Item B – Van Doom (Claim 25-31): Notice of Rejection due to Non-Jurisdiction

Item C – Carothers (Claim 25-32): Notice of Insufficiency

Agenda Modifications

No changes were made

Presentations

1. Background & Status Update: Roundabout at Sanborn Rd & McCune Ave

Josh Wolffe, Public Works Director gave a presentation

2. 2025 Sikh Parade Update

Police Sergeant Krause gave a presentation

Public Communication

3. Appearance of Interested Citizens

John Fulmer spoke
Richard Dickson spoke
Ken Bates spoke
Lynda Stresser spoke
Axel Karlshobj spoke
Zac Repka spoke
Tony Kurlan spoke
Ed Leon spoke
Mike Smith spoke
Manny Cardoza spoke

Consent Calendar

Councilmember Pasquale moved and Vice-Mayor Boomgaarden seconded the motion to approve Consent Calendar items 4-9:

4. Minutes of the October 7, 2025, Regular Meeting of the City Council

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

Adopt **Resolution 25-121** 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

Adopt **Resolution 25-122** 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

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

8. Amended/Restated Regional Housing Authority JPA - Adding Lake County

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

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

The motion was passed unanimously

Business Items

10. 2025/2026 Office of Traffic Safety Traffic Enforcement Grant

Mayor Shaw opened a Public Hearing

No public comment

Mayor Shaw closed the Public Hearing

Councilmember Kirchner moved and Councilmember Pasquale seconded the motion to:

B. Adopt **Resolution 25-123** 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

The motion was passed unanimously

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)

Mayor Shaw opened a Public Hearing

Mike Smith spoke
Jason Smith spoke
Virginia Smith spoke
Rick Blue spoke
Linda Essex spoke
John McKenzie spoke
Mike Johnson spoke
Shawn Minard spoke

Mayor Shaw closed the Public Hearing

Councilmember Pasquale moved and Councilmember Kirchner seconded the motion to:

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

The motion was passed unanimously

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

Mayor Shaw opened a Public Hearing

Debbie Jones spoke
Shawn Minard spoke

Mayor Shaw closed the Public Hearing

Councilmember Cole moved and Councilmember Kirchner seconded the motion to:

B. Adopt **Resolution 25-124** 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

The motion was passed unanimously

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

Mayor Shaw opened a Public Hearing

No public comment

Mayor Shaw closed the Public Hearing

Vice-Mayor Boomgaarden moved and Councilmember Pasquale seconded the motion to:

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

The motion was passed unanimously

Future Agenda Items

14. Future Agenda Items

Councilmember Pasquale requested an update on the Merriment Village project

Reports and Communications

15. City Manager's Report

16. City Council Reports

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

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council in memory of Bill Simmons, Former City of Marysville Councilmember and Yuba County Supervisor at 8:57 PM

_____

Dave Shaw, Mayor

ATTEST:

_____

Ciara Wakefield, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: November 4, 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: Adopt 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 8-5.8004, 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, and waive the second reading

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

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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:

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.

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

On October 21, 2025, the City Council conducted a public hearing and introduced 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 8-5.8004, 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, and waived the first reading.

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 8-5.8004 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 8-5.8004, 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:

Adopt 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 8-5.8004, 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, and waive the second reading.

Attachments:

1. City Council Ordinance

Prepared By:
Doug Libby, AICP
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 on November 4, 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
STAFF REPORT

Date: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Finance/IT Department
Presentation By: Kaylayshia Byrd, Administrative Analyst II

Summary

Subject: Ratification of Recruitment for the Accounting Manager position

Recommendation: Approve the ratification of the decision to authorize recruitment for the Accounting Manager position in the Finance Department

Fiscal Impact: The funding for this item is allocated through the Cost Allocation Plan. Expenditures are supported through a combination of Non General Fund and General Fund resources. The funding is approximately 65% Non General Fund and approximately 35% General Fund. Sufficient funding allocated in Account No.1510-61210. No additional fiscal impact is associated with this action.

Purpose:

To seek City Council ratification of the decision to initiate recruitment for the Accounting Manager position. While approved through administrative channels, the item did not go to Council as required. Recruitment proceeded due to the position's critical role in the City's ERP implementation and the need to maintain continuity in financial operations.

Council's Strategic Goal:

This request supports the City Council's strategic goal of *Fiscal Stability* by ensuring the City maintains efficient financial operations.

Background:

The Finance Department plays a vital role in maintaining the City's fiscal health by performing professional accounting work to ensure regulatory compliance with governmental accounting standards.

The Accounting Manager serves as a mid-management classification that manages accounting, finance, purchasing and contracts administration activities, while providing highly complex and responsible support to the Finance Director in areas of expertise, with an hourly rate ranging from $57.93 to $70.42.

Analysis:

The Accounting Manager submitted a notice of resignation on September 16, 2025 effective November

7, 2025. Given the essential responsibilities of this position, particularly in supporting the implementation of the City's new ERP system, it was necessary to begin recruitment promptly to avoid disruption to financial operations and project timelines.

The Finance Director submitted a recruitment request on September 17, 2025, which was approved by Human Resources on September 19, 2025. Final approval was granted by the Human Resources Director and City Manager on September 22, 2025, and recruitment efforts commenced immediately thereafter.

Although City policy requires City Council approval prior to initiating recruitment, recruitment began early in this case due to the operational importance and time sensitivity of the position. This report seeks formal City Council ratification to acknowledge and support the action taken.

Fiscal Impact:

The funding for this item is allocated through the Cost Allocation Plan. Expenditure are supported through a combination of Non General Fund and General Fund resources. The funding is approximately 65% Non General Fund and approximately 35% General Fund. Sufficient funds are allocated in Account No. 1510-61210. No additional fiscal impact is associated with this action.

Alternatives:

The following alternatives are available to the City Council:

1. Do not ratify the actions taken by the City Manager on opening a recruitment for full-time permanent Accounting Manager position to fill a vacancy in the Finance Department;
2. Provide the Finance Department with other direction.

Recommendation:

Ratify the City Manager's prior authorization to fill the Accounting Manager position in the Finance Department.

Attachments:
None

Prepared By:
Kaylayshia Byrd
Administrative Analyst II

Submitted By:
Robert Bendorf
Interim City Manager

CITY OF YUBA CITY
STAFF REPORT

Date: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Development Services Director

Summary

Subject: The Ridge Estates Subdivision: Rezone (RZ) 25-01

Recommendation: Adopt 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 second reading

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

Purpose:

Adoption of 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:

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 X_{24} 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) X_{24}, to High Density Residential (R-3) X_{24} and Office Commercial (C-O) X_{24}. The X_{24} 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 EA 25-01, 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.

On October 21, 2025, the City Council conducted a public hearing for EA 25-01, GPA 25-01, and RZ 25-01. One member of the public spoke in opposition to the project. After closing the public hearing, the City Council unanimously:

1. Adopted 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
2. Introduced 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

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.

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 PD_{21} 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.

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 Rezone 25-01 upon making certain Findings, or may provide staff with alternate direction.

Recommendations:

Adopt 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 second reading

Attachments:

1. City Council Ordinance approving RZ 25-01
2. Exhibit A: Planned Development 21 Development Standards
3. Exhibit B: Rezone Map
4. X24 Zone

Prepared By:
Andrew Darrell
Assistant Planner

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

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) X_{24} and Office Commercial (C-O) X_{24} 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.

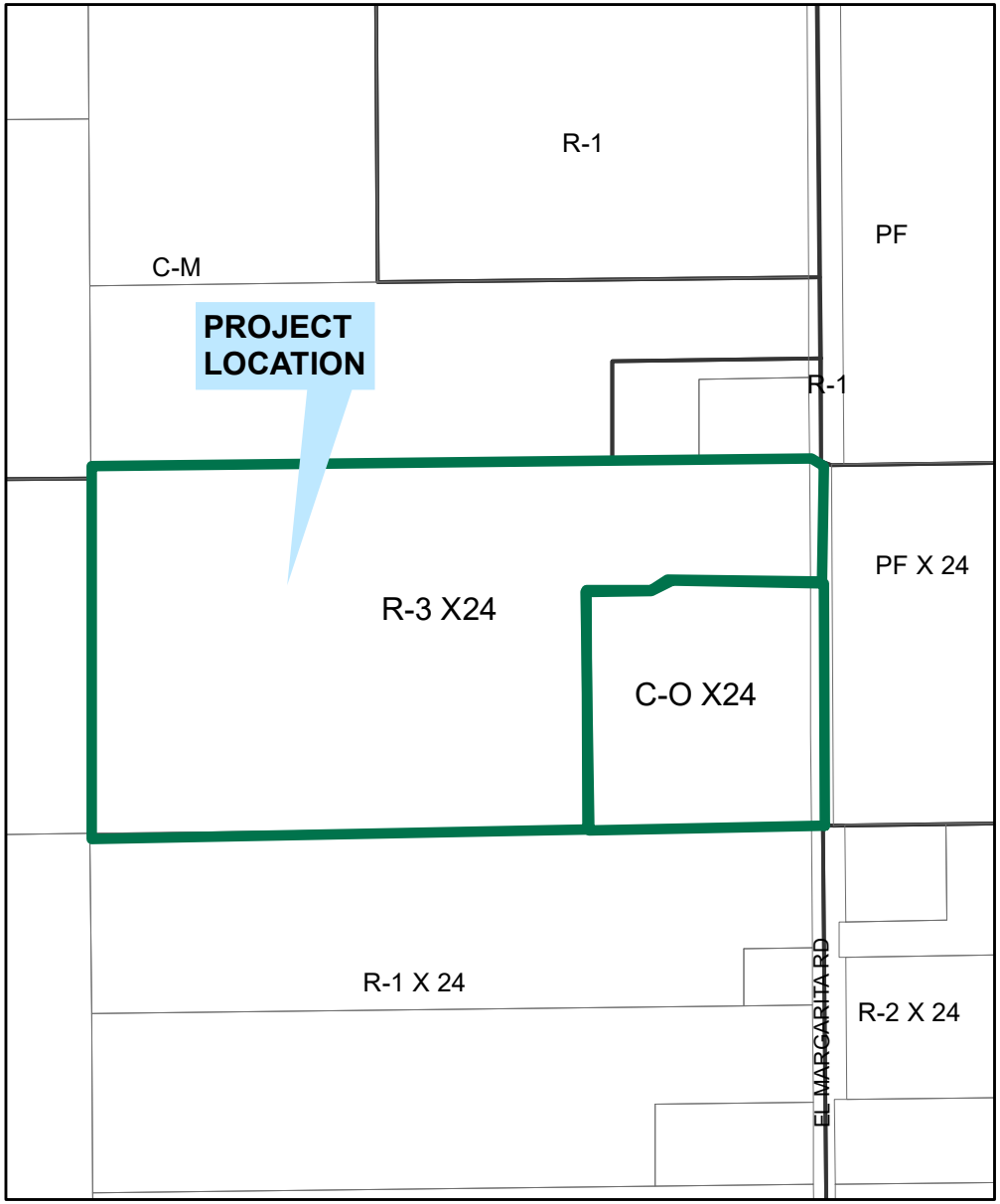
Minimum Lot Size:	Interior lots - 4,300 square feet. Corner lots – 5,000 square feet.
Minimum Lot Width*:	Interior lots - 45 feet. Corner lots- 50 feet. (*Lot width measured at the front property line except for corner lots where lot widths are measured at the front setback)
Minimum Lot Depth:	75 feet.
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.

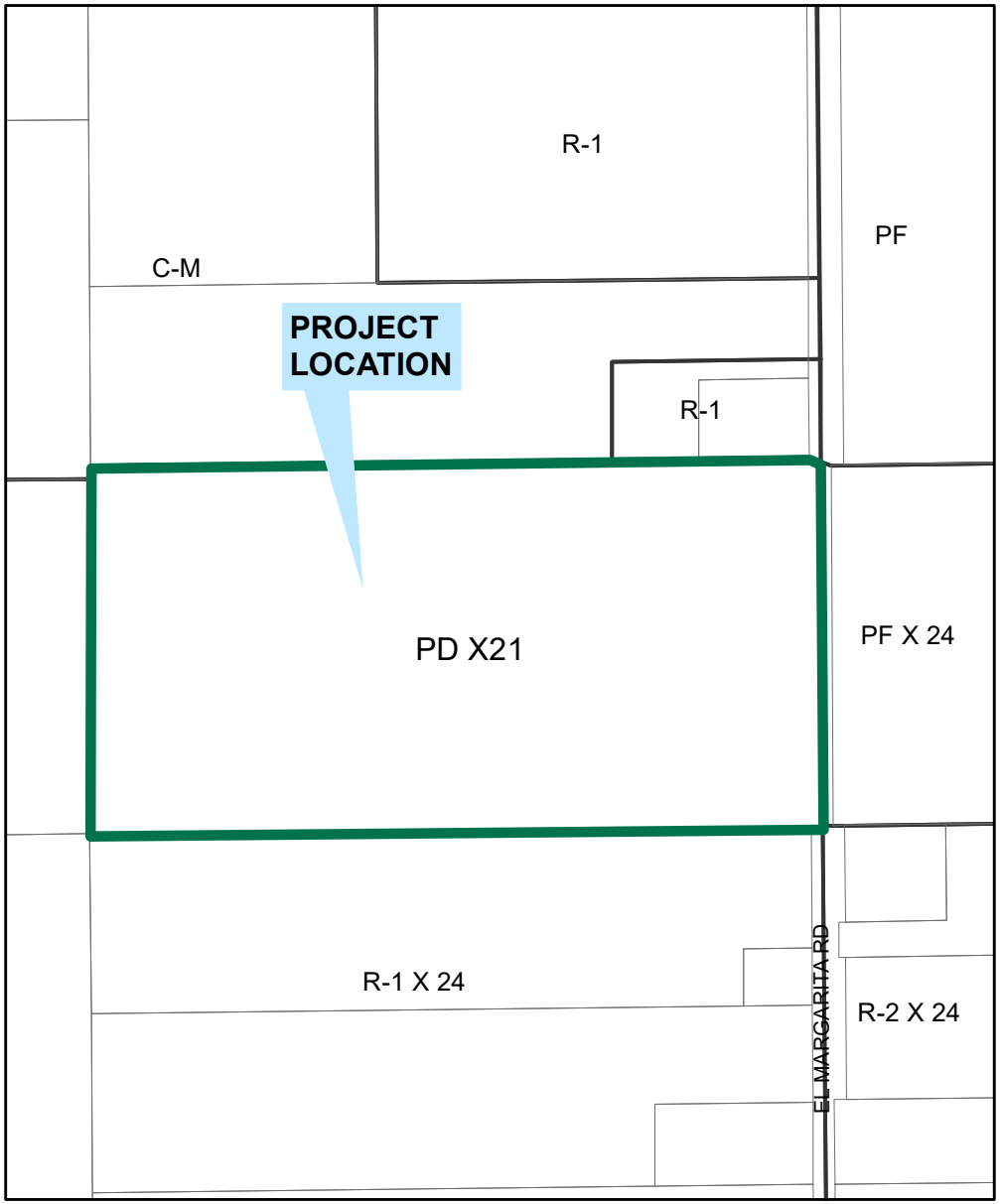
EXHIBIT B

THE RIDGE ESTATES REZONE, ZONING MAP

EXISTING



PROPOSED



City of Yuba City

Parcels

Zoning

Project Site

City Limits

N

REZONE 25-01

ATTACHMENT 2

~~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 4-1 of the Yuba City General Plan.~~

X$_{24}$ Area: Area encompassed by LAFCo Reorginization 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.

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 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.

~~**X$_{25}$** 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 SP1. 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: November 4, 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: Adopt 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 Tentative Subidivision Map 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 second reading

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

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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

The Ordinance was introduced to City Council at it's regular meeting on October 21, 2025 and was approved by a vote of 5-0.

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 X_{20} Combining District from this property. The X_{20} 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*, 11th 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).

TABLE 10
EXISTING PLUS PROJECT
PEAK HOUR INTERSECTION LEVELS OF SERVICE

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:

Adopt 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 Tentative Subdivision Map 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 second reading.

Attachments:

1. Ordinance
2. Exhibit A - X20 Overlay District
3. Exhibit B - Zoning Map
4. Exhibit C - Criteria of Development

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 X_{20} 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

X_{20} 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 as 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.

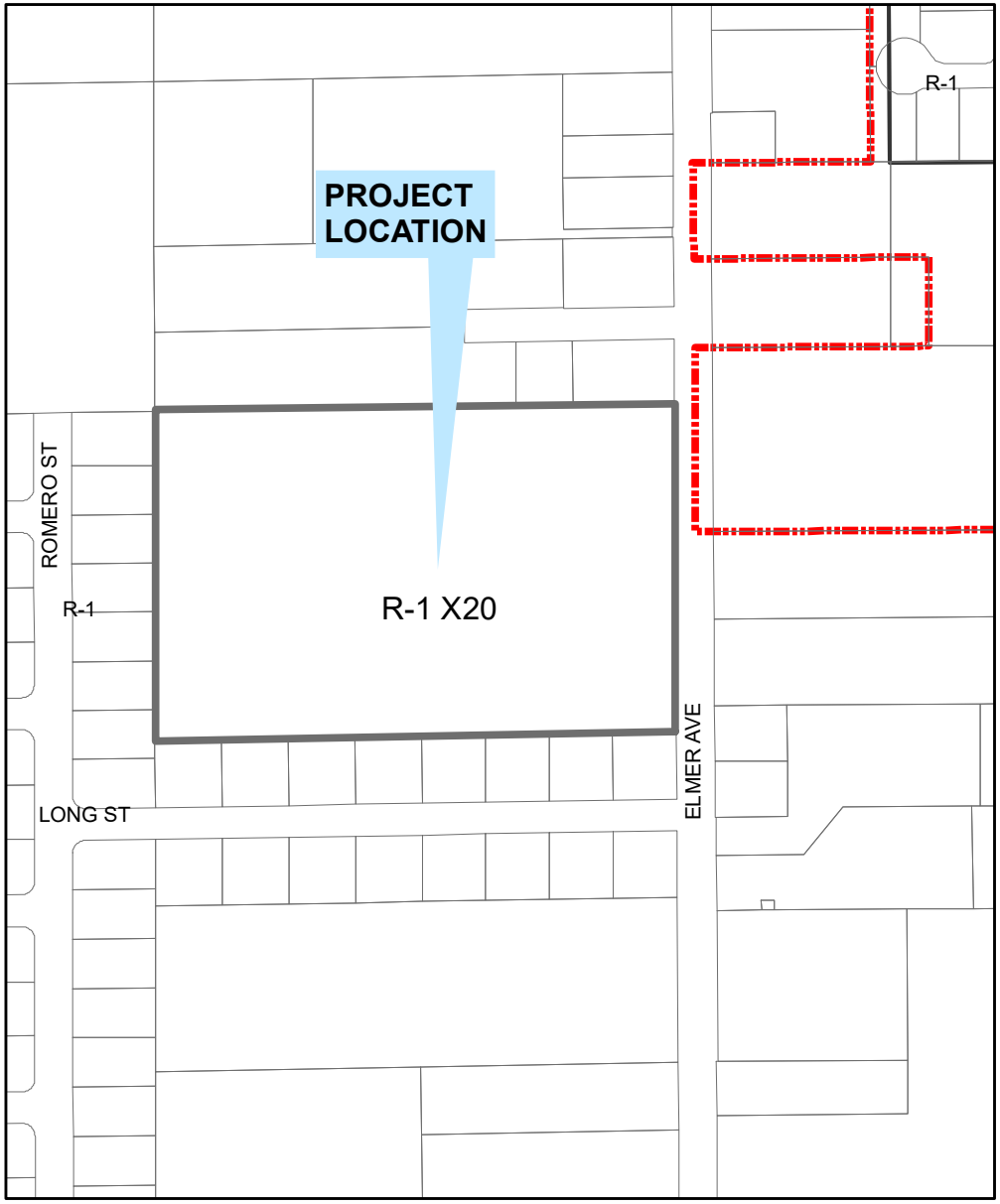
11. Any development within the Property shall address the community design policies in the General Plan including walkable, livable concepts and address the village concept as provided for in the General Plan.

12. The minimum lot size for the lots shown as R-1-X_{20a} shall be one acre as shown on Exhibit A.

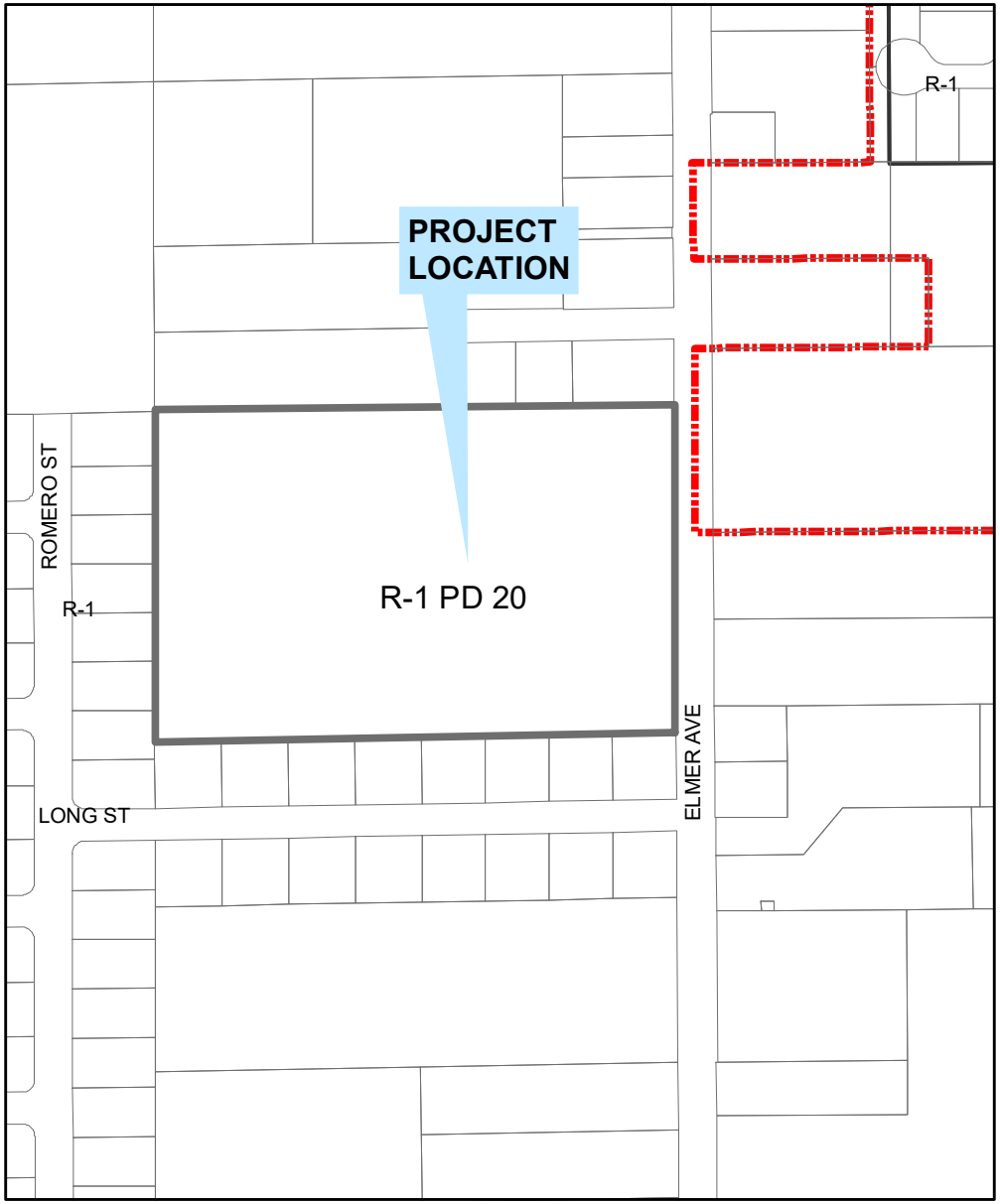
EXHIBIT B

ELMER WEST REZONE, ZONING MAP

EXISTING



PROPOSED



City of Yuba City

Parcels
Zoning
Project Site
City Limits

N

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.

CITY OF YUBA CITY
STAFF REPORT

Date: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Finance/IT Department
Presentation By: Samantha Benzel, Customer Service Manager

Summary

Subject: Finance Department Recruitment Request – Customer Services Representative I/II

Recommendation: Authorize the Finance Department to conduct an open recruitment for a full-time permanent Customer Services Representative I/II to fill a vacancy in the Finance Department

Fiscal Impact: The funding for this item is allocated through the Cost Allocation Plan. Expenditures are supported through a combination of General Fund and Utility Fund resources. The funding is approximately 85% of Non General Fund and approximately 15% of Utility Fund. Sufficient funding allocated in Account No.1510-61210.

Purpose:

To seek authorization to recruit for a vacant Customer Services Representative I/II position within the Finance Department.

Council's Strategic Goal:

This request supports the City Council's strategic goal of *Fiscal Stability* and *Business Friendly* by ensuring the City maintains efficient revenue collection, accurate billing, and strong customer relations.

Background:

The Finance Department plays a vital role in maintaining the City's fiscal health by managing utility billing, business licensing, accounts receivable, and other revenue-generating functions. The Customer Service team serves as the primary point of contact for residents and businesses, handling inquiries, processing payments, and ensuring accurate and timely revenue collection.

The Customer Services Representative I is an entry-level position focused on developing skills under close supervision, with an hourly rate ranging from $20.22 to $24.58.The Customer Services Representative II is a journey-level position responsible for performing complex customer service and financial record-keeping duties independently, with an hourly rate ranging from $22.15 to $26.93.

Analysis:

The Customer Services Representative I/II position has been vacant since May 2025, creating an increased workload for existing staff and requiring the Customer Service Manager to perform routine tasks, including meter readings, utility billing, business licensing, and parking citation processing.

Filling this position is essential to maintain Finance Department operations, ensure uninterrupted customer service, and allow the Manager to focus on team leadership and process improvements rather than day-to-day duties. With business license renewals scheduled for January 2026, promptly filling this vacancy will help prevent overtime, reduce strain on current staff, and avoid reliance on temporary employees, which previously required significant training and offered limited continuity.

The City Manager approved this request on October 10, 2025, making it eligible for City Council consideration.

Fiscal Impact:

The funding for this item is allocated through the Cost Allocation Plan. Expenditures are supported through a combination of General Fund and Utility Fund resources. The funding is approximately 85% of Non General Fund and approximately 15% of Utility Fund. Sufficient funding allocated in Account No. 1510-61210.

Alternatives:

The following alternatives are available to the City Council:

1. Do not authorize the Finance Department to conduct an open recruitment for a full-time permanent Customer Services Representative I/II to fill a vacancy in the Finance Department; or

2. Provide the Finance Department with other direction.

Recommendation:

Authorize the Finance Director to coordinate with Human Resources to fill the Customer Services Representative I/II position within the Finance Department.

Attachments:
None

Prepared By:
Kaylayshia Byrd
Administrative Analyst II

Submitted By:
Robert Bendorf
Interim City Manager

CITY OF YUBA CITY
STAFF REPORT

Date: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Development Services Director

Summary

Subject: Building Regulations Ordinance and the adoption of the 2025 edition of the California Building Standards Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing Chapters 1 Through Chapter 14 of Title 7 of the Yuba City Municipal Code and Re-Enacting Chapters 1 Through Chapter 14 of Title 7 Adopting by Reference the 2025 California Building Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Energy Code, 2025 California Historical Code, 2025 California Existing Building Code, 2025 California Referenced Standards Code, 2025 California Residential Building Code, 2025 California Green Building Standards (CALgreen) Code, 2024 Uniform Swimming Pool Spa & Hot Tub Code, Etc., With Certain Amendments, Additions and Deletions Thereto, by title only and waive the first reading

Fiscal Impact: Building permits will continue to be subject to the City's existing adopted permit fees. Adoption of this building code update does not modify existing building or development fees

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Purpose:

Adoption of the State mandated 2025 edition of the California Building Standards Code.

Council's Strategic Goal:

This item implements the Council's goals of Public Safety and Business Friendly.

Background:

The model and State building codes are updated every three years to include provisions of the most recent version. This update allows for codes to improve and adjust to the newest materials, methods of construction, and technological advances in the industry. The State of California Building Standards Commission adopts new State standards, which cities and counties are then mandated to adopt. The updated codes are required to be adopted by January 1, 2026.

Analysis:

Health and Safety Code Section 18941.5 mandates that the Building Standards contained in the California Building Code, the California Residential Building Code, the California Green Building Standards Code (CALGreen Code), the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, the California Historical Code, the California Existing Building Code and the California Referenced Standards Code shall be effective 180 days after publication in the California Building Standards Code (Title 24) by the California Building Standards Commission. It is noted that should the City not act to adopt the updated building codes, they become effective by default under State law.

Adopting the code by ordinance allows the City to amend the administrative portions of the code that are specific to Yuba City. The publication date of the California Building Standards Code (Title 24) was July 1, 2025; therefore, local jurisdictions have until January 1, 2026, to adopt these Codes with any local amendments. No new local amendments are proposed at this time, and findings which were previously adopted by the City for the Code update are carried forward with this current update.

A few of the of the most noteworthy changes are summarized below:

- The 2025 code significantly updates the requirements for Electric Vehicle (EV) charging for new commercial uses. The existing code requires a certain percentage of parking spaces be "EV Capable" (i.e., running conduit for future use) whereas the new code mandates that 240V Level 2 EV chargers and receptacle outlets be installed.

- The updated energy code will require electric heat pump technology be implemented for both space and water heating in new single-family homes.

- A new California Wildland-Urban Interface Code (CWUIC) is being established as Title 24, Part 7. This new, standalone code consolidates and clarifies existing WUI provisions from the California Building Code (Chapter 7A), California Residential Code (R337), and California Fire Code (Chapter 49) into a single, more accessible document for improved clarity, consistency, and user-friendliness.

- For commercial projects, the 2025 Energy Code (Title 24, Part 6) introduces new “electric-ready” requirements for commercial kitchens. New projects must now include electrical infrastructure to allow for a future transition to electricity even if they intend to initially use gas appliances.

- For commercial projects, battery energy storage systems are now required to be included as part of installing solar panels.

To ensure the Building Division is prepared for the new code adoption, training has and will continue to occur in the form of classes and seminars through the various code organizations such as the Sacramento Valley Association of Building Officials (SVABO).

With Assembly Bill (AB) 130 being signed into law by the Governor on June 30, 2025, there will not be

another code cycle update until 2031. Among other changes, AB 130 freezes further amendments to the State Building Codes with the exception for:

- Local residential standards related to home hardening (wildfire mitigation).
- Times of declared emergency.

Fiscal Impact:

No direct fiscal impact will result from adoption of 2025 edition of the California Building Standards Code

Alternatives:

By not adopting the attached ordinance, the City will forego the opportunity of amending the administrative portions of the code that is specific to the City of Yuba City. The 2025 edition of the California Building Standards Code will become effective throughout the State of California on January 1, 2026.

Recommendations:

Introduce an Ordinance of the City Council of the City of Yuba City Repealing Chapters 1 Through Chapter 14 of Title 7 of the Yuba City Municipal Code and Re-Enacting Chapters 1 Through Chapter 14 of Title 7 Adopting by Reference the 2025 California Building Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Energy Code, 2025 California Historical Code, 2025 California Existing Building Code, 2025 California Referenced Standards Code, 2025 California Residential Building Code, 2025 California Green Building Standards (CALgreen) Code, 2024 Uniform Swimming Pool Spa & Hot Tub Code, Etc., With Certain Amendments, Additions and Deletions Thereto, by title only and waive the first reading.

Attachments:

1. City Council Ordinance

Prepared By:
Doug Libby, AICP
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 REPEALING CHAPTERS 1 THROUGH CHAPTER 14 OF TITLE 7 OF THE YUBA CITY MUNICIPAL CODE AND RE-ENACTING CHAPTERS 1 THROUGH CHAPTER 14 OF TITLE 7 ADOPTING BY REFERENCE THE 2025 CALIFORNIA BUILDING CODE, 2025 CALIFORNIA ELECTRICAL CODE, 2025 CALIFORNIA MECHANICAL CODE, 2025 CALIFORNIA PLUMBING CODE, 2025 CALIFORNIA ENERGY CODE, 2025 CALIFORNIA HISTORICAL CODE, 2025 CALIFORNIA EXISTING BUILDING CODE, 2025 CALIFORNIA REFERENCED STANDARDS CODE, 2025 CALIFORNIA RESIDENTIAL BUILDING CODE, 2025 CALIFORNIA GREEN BUILDING STANDARDS (CALGREEN) CODE, 2024 UNIFORM SWIMMING POOL SPA & HOT TUB CODE, ETC., WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

WHEREAS, California law requires that on January 1, 2026, all portions of the 2025 California Code of Regulations Title 24 will be effective within the City; and

WHEREAS, the City may amend the provisions of the California Code of Regulations Title 24 provided express findings for each amendment, addition or deletion is made based upon climatic, topographical or geological conditions; and

WHEREAS, the City shall file the amendments, additions, or deletions with California Building Standards Commission; and

WHEREAS, the City's Building Official has recommended modifying certain parts of California Code of Regulations Title 24 due to local conditions in the City of Yuba City.

WHEREAS, the findings supporting the necessity for the amendments to building standards herein are contained in in the ordinance in accordance with California Health and Safety Code Section 18941.5; and

WHEREAS, in accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the City of Yuba City Municipal Code, are exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, it is the intent of the City Council to amend certain Chapters of Title 7 of the Yuba City Municipal Code to adopt by reference all portions of the 2025 California Code of Regulations Title 24, with amendments, additions, or deletions to address climatic, topographical, or geological conditions. With regard to Section 7-10.03 "Compliance with CALGreen Building Standards recycling requirements" of Chapter 10, or Title 7, it is the Council's intent that there be no changes thereto, with said regulations continuing without interruption or change, and any repeal and re-enactment thereof by this Ordinance is solely due as an incidence to its particular location within the Municipal Code.

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

Section 1: The City Council finds that the update of the Yuba City Municipal Code is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) as there is not a reasonable possibility that the amendments may have a significant adverse impact on the environment as i) California law mandates that on January 1, 2026, all portions of the 2025 California

Code of Regulations Title 24 will be effective within the City regardless of whether the City takes any action, which regulations thereby serves as a baseline for the purposes of CEQA; ii) previously approved amendments to said regulations that are being carried forward without change also constitute the existing environmental baseline, and it will not add any additional significant adverse impact to the environment to continue to use said amendments; iii) to the extent that previously approved amendments are modified, said modifications are primarily related to the administration of said regulations, and such ministerial processes will not result in a significant, adverse impact to the environment; and iv) any remaining proposed amendments, additions, or deletions will not result in a significant, adverse impact to the environment given the environmental baseline. As such, no further analysis is required under CEQA.

Section 2: Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9. 10, 11, 12, 13, and 14 of Title 7 of the Yuba City Municipal Code are repealed in their entirety.

Section 3: The City Council amends Title 7 entitled "Building Regulations" of the Yuba City Municipal Code to add the following Chapters: Chapter 1 entitled "California Building Code"; Chapter 2 entitled "California Electrical Code"; Chapter 3 entitled "California Mechanical Code"; Chapter 4 entitled "California Plumbing Code;" Chapter 5 entitled "California Energy Code"; Chapter 6 entitled "California Historical Code"; Chapter 7 entitled "California Existing Building Code"; Chapter 8 entitled "California Referenced Standards Code"; Chapter 9 entitled "California Residential Building Code"; Chapter 10 entitled "California Green Building Standards Code (CALGreen Code)"; Chapter 11 entitled "Uniform Swimming Pool Spa & Hot Tub Code"; Chapter 12 entitled "Building Board of Appeals"; Chapter 13 entitled "Accessibility Board of Appeals"; and Chapter 14 entitled "Temporary Structures on Construction Sites"; all collectively as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 4: Purpose and Authority: The purpose of this Ordinance is to adopt by reference the 2025 edition of the California Building Standards Code, Title 24 of the California Code of Regulations, subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property and welfare of the City of Yuba City. This Ordinance is adopted under the authority of Government Code section 50022.2 and Health and Safety Code Section 18941.5.

Section 5: Application: The adopted provisions shall provide regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building or any portion thereof including any electrical, mechanical, gas, or plumbing installed on any property or used on or within any building.

Section 6: Conflicts with other laws, rules, etc.: In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

Section 7: Validity: The City Council of the City of Yuba City hereby declares that it would have adopted this ordinance, and each chapter, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or legally ineffective. Should any provision of this ordinance or any of the standards or any parts of this ordinance be held invalid by a court of proper jurisdiction, such provisions and/or standards and/or conditions shall be considered severable from the remaining provisions herein and such remaining provisions shall remain in full force and effect.

Section 8: This ordinance shall become effective January 1, 2026 after it is adopted, and after it is adopted, shall be published as provided by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 4th day of November 2025 and adopted at a regular meeting thereof held on the ____ day of November 2025.

Ayes:

Noes:

Absent:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon L. Chaffin, City Attorney

EXHIBIT "A"

Chapter 1 “California Building Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 1

CALIFORNIA BUILDING CODE

Sec. 7-1.01. - Adoption of the California Building Code.

Adoption of the California Building Code, 2025 Edition, based on the 2024 International Building Code including, among the Appendices, Appendix Chapter H (*Signs*), Appendix Chapter I; (*Patio Covers*), and Appendix Chapters J; (*Grading*), as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations and as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-1.02. - Amendment of Section 101.4.5 of Division II Scope And Administration.

Section 101.4.5 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Fire Prevention. The provisions of the California Fire Code and Chapter 5 of Title 4 of the Yuba City Municipal Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension repair, alteration or removal of fire suppression and alarm systems or fire hazards in structure or on the premises from occupancy or operation.

Sec. 7-1.03. - Amendment of Section 103.3 of Division II Scope And Administration.

Section 103.3 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees which may include the City Fire Chief and County Health Officer. Such employees shall have the powers as delegated by the building official. For the maintenance of existing properties, see the California Building Code.

Sec. 7-1.04. - Amendment of Section 105.2 of Division II Scope And Administration.

Section 105.2 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Work exempt from permit. In addition to the requirement to obtain permits for the types of construction listed in Section 105.2 of the California Building Code, permits are required for parking lot construction and any resurfacing or re-striping of a parking lot.

Sec. 7-1.05. - Amendment of Section 105.5 of Division II Scope And Administration.

Section 105.5 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within twelve (12) months from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of twelve (12) months. Before such work can be recommenced, a new permit shall be first obtained, and the fee thereof shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year.

Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may commence work under that permit, when the permittee is unable to commence work within the time required by this section and for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than twice. In order to renew action of the permit after expiration, the permittee shall pay a new full permit fee and the work shall comply with all the provisions for a completely new building.

When a permit expires by limitations and has become null and void, and the Building Inspection Division has not been notified in writing by the permittee that no work was done under the permit, the Building Official may file a “Notice of Non-compliance” with the Sutter County Recorder’s Office for failure of obtaining the required inspections.

Sec. 7-1.06. - Amendment of Section 109.2 of Division II Scope And Administration.

Section 109.2 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Chapter 8 of Title 3 of the Yuba City Municipal Code.

Sec. 7-1.07. - Amendment of Section 113 of Division II Scope And Administration.

Section 113 of Division II Scope And Administration, of the California Building Code 2025 Edition is hereby amended to read:

Board of Appeals. Whenever the term "Board of Appeals" is used in this code, such reference shall mean the "Building Board of Appeals" created by Chapter 12 of Title 7 of the Yuba City Municipal Code or the "Accessibility Board of Appeals" created by Chapter 13 of Title 7 of the Yuba City Municipal Code.

Sec. 7-1.08. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 2 “California Electrical Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 2

CALIFORNIA ELECTRICAL CODE

Sec. 7-2.01. - Adoption of the California Electrical Code.

Adoption of the California Electrical Code, 2025 Edition, based on the 2023 National Electrical Code, as published by the National Fire Protection Association, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations and as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-2.02. - Administrative Requirements.

The administrative provisions of the California Electrical Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-2.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 3 “California Mechanical Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 3

CALIFORNIA MECHANICAL CODE

Sec. 7-3.01. - Adoption of the California Mechanical Code.

Adoption of the California Mechanical Code, 2025 Edition, based on the 2024 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations and as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-3.02. - Administrative Requirements.

The administrative provisions of the California Mechanical Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec.7-3.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 4 “California Plumbing Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 4

CALIFORNIA PLUMBING CODE

Sec. 7-4.01. - Adoption of the California Plumbing Code.

Adoption of the California Plumbing Code, 2025 Edition, based on the 2024 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations and as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-4.02. - Administrative Requirements.

The administrative provisions of the California Plumbing Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-4.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 5 “California Energy Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 5

CALIFORNIA ENERGY CODE

Sec. 7-5.01. - Adoption of the California Energy Code.

Adoption of the California Energy Code, 2025 Edition, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-5.02. - Administrative Requirements.

The administrative provisions of the California Energy Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-5.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 6 “California Historical Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 6

CALIFORNIA HISTORICAL CODE

Sec. 7-6.01. - Adoption of the California Historical Code.

Adoption of the California Historical Code, 2025 Edition, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-6.02. - Administrative Requirements.

The administrative provisions of the California Historical Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-6.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 7 “California Existing Building Code” of Title 7 of the Yuba City Municipal Code is

adopted to read in its entirety as follows:

CHAPTER 7

CALIFORNIA EXISTING BUILDING CODE

Sec. 7-7.01. - Adoption of the California Existing Building Code.

Adoption of the California Existing Building Code, 2025 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-7.02. - Administrative Requirements.

The administrative provisions of the California Existing Building Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-7.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 8 “California Referenced Standards Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 8

CALIFORNIA REFERENCED STANDARDS CODE

Sec. 7-8.01. - Adoption of the California Referenced Standards Code.

Adoption of the California Referenced Standards Code, 2025 Edition, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-8.02. - Administrative Requirements.

The administrative provisions of the California Referenced Standards Code shall be as provided for in the California Building Code Division II Scope And Administration as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-8.03. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 9 “California Residential Building Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 9

California Residential Building Code

Sec. 7-9.01. - Adoption of the California Residential Building Code.

Adoption of the California Residential Building Code, 2025 Edition, based on the 2024 International Residential Code including, Chapter 1, Division II Administration as published by the International Code Council (ICC) as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-9.02. - Amendment of Section R103.3 of Chapter 1, Division II Administration.

Section R103.3 of Chapter 1, Division II Administration, of the California Residential Code 2022 Edition is hereby amended to read:

Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees which may include the City Fire Chief and County Health Officer. Such employees shall have the powers as delegated by the building official. For the maintenance of existing properties, see the California Building Code.

Section 7-9.03: Amendment of Section R105.5 of Chapter 1, Division II Administration.

Section R105.5 of Chapter 1, Division II Administration, of the California Residential Code 2022 Edition is hereby amended to read:

Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within twelve (12) months from the issue date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of twelve (12) months. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee thereof shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit, when he or she is unable to commence work within the time required by this section and for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the

control of the permittee have prevented action from being taken. No permit shall be extended more than twice. In order to renew action of the permit after expiration, the permittee shall pay a new full permit fee and the work shall comply with all the provisions for a completely new building.

When a permit expires by limitations and has become null and void, and the Building Inspection Division has not been notified in writing by the permittee that no work was done under the permit, the Building Official may file a “Notice of Non-compliance” with the Sutter County Recorder’s Office for failure of obtaining the required inspections.

Sec. 7-9.04. - Amendment of Section R108.2 of Chapter 1, Division II Administration.

Section R108.2 of Chapter 1, Division II Administration, of the California Residential Code 2022 Edition is hereby amended to read:

Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Chapter 8 of Title 3 of the Yuba City Municipal Code.

Sec. 7-9.05. - Amendment of Section R112 of Chapter 1, Division II Administration.

Section R112 of Chapter 1, Division II Administration, of the California Residential Code 2022 Edition is hereby amended to read:

Board of Appeals. Whenever the term "Board of Appeals" is used in this code, such reference shall mean the "Building Board of Appeals" created by Chapter 12 of Title 7 of the Yuba City Municipal Code or the "Accessibility Board of Appeals” created by Chapter 13 of Title 7 of the Yuba City Municipal Code.

Sec. 7-9.06. - Amendment of Section R313.2.1.1 of Chapter 3, Building Planning

Section R313.2.1 of Chapter 3, Building Planning, of the California Residential Code 2025 Edition is hereby amended to read:

Design And Installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section R313.3 or NFPA 13D. A listed and approved exterior combination horn/strobe device attached to the fire sprinkler system flow switch shall be provided on the front of the dwelling, or on the side within 4 feet of the front. The device shall be mounted between 96 inches and 120 inches from adjacent finished grade.

Sec. 7-9.07. - Add Section R313.3.1.2 of Chapter 3, Building Planning.

Section R313.3.1.2 of Chapter 3, Building Planning, of the California Residential Code 2025 Edition is hereby added to read:

Attic Spaces. An Intermediate Temperature sprinkler head shall be provided at the high-point of each attic space

Sec. 7-9.08. - Add Section R313.3.1.3 of Chapter 3, Building Planning.

Section R313.3.1.3 of Chapter 3, Building Planning, of the California Residential Code 2025

Edition is hereby added to read:

Attached Garages. Attached garages are to be provided with fire sprinkler protection at the same design density as the dwelling.

Sec. 7-9.09. - Amendment of Section R313.3.5.3 of Chapter 3, Building Planning.

Section R313.3.5.3 of Chapter 3, Building Planning, of the California Residential Code 2025 Edition is hereby amended to read:

Connections to automatic fire sprinkler systems. The potable water supply to automatic fire sprinkler systems shall be protected against backflow by using the “passive purge method”. The fire sprinkler contractor shall provide a “T” fitting in the fire sprinkler piping at the most hydraulically remote water closet (toilet). The plumber shall connect the water supply for the water closet to the “T”.

Section 7-9.10: Amendment of Section R313.3.8.2 of Chapter 3, Building Planning.

Section R313.3.8.2 of Chapter 3, Building Planning, of the California Residential Code 2025 Edition is hereby amended to read:

Final inspection. The following items shall be verified upon completion of the system:

1. Sprinkler are not painted, damaged or otherwise hindered from operation.

2. Where a pump is required to provide water to the system, the pump starts automatically upon system water demand.

3. Pressure-reducing valves, water softeners, water, filters or other impairments to water flow that were not part of the original design have not been installed.

4. The sign or valve tag required by Section R313.3.7 is installed and the owner's manual for the system is present.

5. The exterior combination horn/strobe device shall be tested for proper operation by opening the inspector test valve on the fire sprinkler system.

Sec. 7-9.11. Findings.

The City Council finds that the following regulations as contained in this Chapter are necessary to mitigate unique local climatic conditions and impose substantially the same requirements as are contained in the international model industry codes. The unique local conditions as found and determined are as follows:

Yuba City is located in the northern portion of the Central Valley. The area is bounded to the north by the Siskiyou Mountains, the west by the Coastal Mountains, the east by the Sierra Nevada Mountains, and the south by the Delta region. These geographical factors, and the area’s proximity to the Pacific Ocean, combine to determine weather and wind conditions that influence the area and can create a particularly hazardous fire situation.

Four (4) weather conditions routinely present themselves which can result in extremely dangerous fire situations that could result in widespread conflagration. The four (4) conditions are temperature, relative humidity, wind and fog.

Temperatures in the Yuba City area during the summer months are in the ninety (90) degree Fahrenheit range with high temperatures of one hundred (100) degrees being very common.

Low relative humidity is a very important weather condition that can intensify fire behavior. When relative humidities fall below thirty (30%) percent, the potential for fire spread is significantly increased. A recent review of data available from the National Oceanographic and Atmospheric Administration of a recent thirty-six (36) month period revealed that the Yuba City area experienced five hundred sixty-three (563) days when the relative humidity was recorded at or below thirty (30%) percent.

Wind velocity directly contributes to flame spread and the potential for conflagration. Winds, in combination with relative humidities below thirty (30%) percent, contribute to “drying out” fuels. The Yuba City area is subject to strong north winds which are usually very drying in nature. A review was made of the days with relative humidity at or below thirty (30%) percent and winds of ten (10) miles per hour or more using the same thirty-six (36) month period as was previously mentioned. Of the five hundred sixty-three (503) days of thirty (30%) percent or below relative humidity, three hundred ninety-three (393) days also had daily peak winds that equaled or exceeded ten (10) miles per hour.

The weather conditions described above have a direct influence on fire behavior. High temperatures, low humidities and wind, singularly and in combination, produce a potentially explosive fire situation.

In addition to the weather conditions described above, the Yuba City area also experiences very dense fog conditions in the wintertime. The presence of dense fog poses significant response problems to emergency response vehicles. Obviously, if dense fog is present, response speeds must be reduced. This reduction in response speed results in longer response times. The longer it takes the fire department to arrive, the larger the fire grows. Using the same thirty-eight (38) month period mentioned above, research was done to determine how many days of heavy fog the Yuba City area experienced. Heavy fog was defined as one-fourth (1/4) of a mile visibility or less. The data revealed that during the thirty-six (36) months reviewed, heavy fog occurred on two hundred two (202) days. Of those two hundred two (202) days, heavy freezing fog occurred over thirty-seven (37) days.

As a result of these findings of fact on local climatic conditions within the Yuba City area, the City Council finds that the residential building code provisions and the automatic sprinkler requirements herein established by this Chapter are considered "reasonable and necessary modifications" as provided for in California Health and Safety Code sections 18941.5(b) and 17958 et seq. Because of these serious concerns as reflected in the foregoing findings of fact, it is important that for the effective protection of the citizenry and property within the City limits of the City of Yuba City from the ravages of fire and the reduction of the potential for community-wide conflagration that this ordinance be enacted. Only with the enactment of these regulations can the reduction of the potential for community-wide conflagration and the protection of the citizenry and property within this jurisdiction be realized.

Sec. 7-9.12. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 10 “California Green Building Standards (CALGreen) Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 10
California Green Building Standards (CALGreen) Code

Sec. 7-10.01. - Adoption of the California Green Building Standards (CALGreen) Code.

Adoption of the California Green Building Standards, (CALGreen) Code 2025 Edition, as published by the California Building Standards Commission as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-10.02. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Sec. 7-10.03. Compliance with CALGreen Building Standards recycling requirements.

(a) Persons applying for a building permit from the City for new construction and building additions and alterations shall comply with the construction and demolition debris diversion requirements pursuant to Sections 4.408 and 5.408, as applicable, of the California Green Building Standards Code, Title 24 of the California Code of Regulations (CCR), Part 11, known as CALGreen, as may be amended, if its project is covered by the scope of CALGreen. For projects covered by the scope of CALGreen, project applicants shall also comply with all written and published City policies and/or administrative guidelines regarding the provision of a construction waste management plan; construction waste management plan acknowledgment by the project contractor and subcontractors; and construction waste management plan compliance documentation.

(b) Project applicants shall refer to Title 7 (Building Regulations) and Title 8 (Planning and Zoning) of this Code for complete CALGreen requirements.

(c) For projects covered by CALGreen, as may be amended, applicants must, as a condition of the City's permit approval, comply with the following:

(1) Where five or more multi-family dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and that are identified for the storage and collection of nonhazardous materials for recycling, including recyclable materials and organic waste materials collected in the City's solid waste collection program, in compliance with provision of adequate space for recycling for multi-family premises pursuant to Section 4.410.2 of the California Green Building Standards Code, 24 CCR, Part 11.

(2) New commercial (excluding multi-family premises) construction or additions resulting in an increase of 30% or more of the floor area shall provide readily accessible areas identified for the storage and collection of nonhazardous materials for recycling, including recyclable materials and organic waste materials collected in

the City's solid waste collection program, in compliance with provision of adequate space for recycling for commercial premises pursuant to Sections 5.410.1 and 5.410.1.2 of the California Green Building Standards Code, 24 CCR, Part 11, as may be amended, provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020. Section 5.410.1.2 of the California Green Building Standards Code, 24 CCR, Part 11 references the space allocation sample ordinance developed pursuant to Chapter 18, Part 3, Division 30 of the California Public Resources Code, known as the California Solid Waste Reuse and Recycling Access Act of 1991, which took effect in the City September 1, 1993 as the City did not adopt an alternate ordinance.

Chapter 11 “California Uniform Swimming Pool, Spa, and Hot Tube Code” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 11

UNIFORM SWIMMING POOL SPA AND HOT TUB CODE

Sec. 7-11.01. - Adoption of the Uniform Swimming Pool Spa and Hot Tub Code.

Adoption of the Uniform Swimming Pool Spa & Hot Tub Code, 2024 Edition, as published by the International Association of Plumbing and Mechanical Officials, and as amended by the City of Yuba City. One (1) copy is and shall, at all times be kept on file in the office of the City Clerk.

Sec. 7-11.02. - Administrative Requirements.

The administrative provisions of the Uniform Swimming Pool Spa and Hot Tube Code shall be as provided for in the California Building Code Appendix Chapter 1 as adopted pursuant to Section 7-1.01 of the Yuba City Municipal Code.

Sec. 7-11.03. - Swimming Pool Enclosures and Safety Devices.

Every person who owns or is in possession of any lot or premises on which there is situated a swimming pool, hot tub, spa, fish pond, wading pool, or any other outside body of water created by artificial means, designed or used for such purpose including any portable or temporary structure irrespective of the nature of materials used in the construction of and for the design thereof and further irrespective of the length of time of the use of such portable or temporary structure, any portion of which is one (1) foot or more in depth, shall keep and maintain on the lot or premises upon which the swimming pool, hot tub, spa, fish pond, wading pool, or any other artificial body of water is located, and completely surrounding the body of water, lot or premises an enclosure sufficient to make the body of water inaccessible to small children. The enclosure shall be as provided for in Chapter 1 of Title 7, Section 7-1.01, California Building Code Section 115922 of the Yuba City Municipal Code for private swimming pools and Chapter 1 of Title 7, Section 7-1.01, California Building Code Section 3101B of the Yuba City Municipal Code for public swimming pools. The enclosure shall not be constructed in such a manner that would make it easily climbable by small children.

Sec. 7-11.04. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Chapter 12 “Building Board of Appeals” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 12

BUILDING BOARD OF APPEALS

Sec. 7-12.01. - Board Created.

There is hereby created a Building Board of Appeals.

Sec, 7-12.02. - Purpose.

The Building Board of Appeals is created in order to consider and determine the suitability of alternate materials, type and method of construction and to provide for a reasonable interpretation of the provisions of all construction codes, which shall include but not necessarily be limited to, the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the International Property Maintenance Code, the Uniform Housing Code, and the Uniform Swimming Pool, Spa & Hot Tub Code.

Sec. 7-12.03. - Members.

The Building Board of Appeals shall contain five (5) members who are qualified by experience and training to pass on matters pertaining to all forms of building construction and related materials and equipment. In addition to the five (5) members, the Chief Building Official shall be an ex-officio member and shall act as secretary to the Board but shall have no vote in any decision of the Board. Membership on the Board shall consist of at least one qualified person from each of the building, electrical, plumbing, mechanical industries, and an engineer or architect. Members of the Board shall be appointed by the Mayor and shall be approved by and serve at the pleasure of the City Council upon adoption of the provisions of this chapter for a period of two (2) years following the effective day of appointment.

Sec, 7-12.04. - Chairman.

Annually, the Building Board of Appeals shall select one of the members to serve as Chairman for a one year period.

Sec. 7-12.05. - Meetings and Quorum.

Meetings of the Building Board of Appeals shall be called at the discretion of the Chairman or upon the request of at least three (3) members of the Board being made to the Secretary. Business of the Board shall only be conducted with a quorum present. A quorum shall consist of at least three (3) members.

Sec. 7-12.06. - Rules and Regulations.

The Building Board of Appeals shall adopt reasonable rules and regulations of conducting its investigations and render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant, and recommend to the Council such legislation as is consistent therewith.

Sec. 7-12.07. - Relief from Strict Application of Construction Codes.

When, because of the strict application of any of the provisions of any construction code, the final plans and specifications for any building or structure proposed to be erected or constructed in the City, or for the enlargement, alteration, repair, improvement, removal, or conversion of any structure in the City, are not approved by the Chief Building Official, or a building or other required permit is refused by him, or the Chief Building Official is requiring changes to previously approved plans and specifications or change to a structure under construction which is in compliance with approved plans and specifications, or refuses to issue a Certificate of Occupancy, or revokes a Certificate of Occupancy, the Building Board of Appeals may extend relief as provided in this section. Upon the written portion of the applicant, and after a full investigation and hearing on the matter, and when substantial evidence before the Board establishes that each of the following conditions exist in the particular case: (1) that there is a special circumstance or condition applicable to the land or building existing or proposed, or both, referred to in the application; and (2) that granting the appeal is necessary for the preservation and enjoyment of substantial property rights; and (3) that granting the appeal will not be detrimental to the safeguard of life or limb, health, property and public welfare; and (4) the proposal substantially complies with the intent of the Code, the Board may relieve the applicant from the strict application of any provisions of any construction code and prescribe such conditions and requirements for the applicant and require from the applicant such guarantee or guarantees for the faithful observance thereof as will, in the opinion of the Board, secure substantially the objective of the Code with due regard for the safeguarding of life, or limb, health, property and public welfare. Each such decision to so relieve the applicant shall be by a three-fifths (3/5ths) vote of the members of the Board, and by such decision may authorize the approval of such final plans and specifications, issuance of required permits or approval of completed work by the Chief Building Official. All such approvals or disapprovals shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

Chapter 13 “Accessibility Board of Appeals” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 13

ACCESSIBILITY BOARD OF APPEALS

Sec. 7-13.01. - Created.

There is hereby created the Accessibility Board of Appeals.

Sec. 7-13.02. - Purpose.

The Accessibility Board of Appeals is created in order to consider and determine alternate methods of providing accessibility and to provide for a reasonable interpretation of the accessibility provisions of Title 24, California Code of Regulations.

Sec. 7-13.03. - Members.

The Accessibility Board of Appeals shall contain five (5) members, two (2) of which shall be persons with disabilities, two (2) shall be qualified by experience and training to pass on matters pertaining to all forms of building construction and related building materials and equipment, and one (1) shall be from the general public. In addition to the five (5) members, the Chief Building Official shall be an ex-officio member and shall act as Secretary to the Board. Members of the Board shall be appointed by the Mayor and shall be approved by and serve at the pleasure of the City Council upon the adoption of the provisions of this chapter for a period of two (2) years following the effective day of appointment.

Sec. 7-13.04. - Chairman.

Annually, the Accessibility Board of Appeals shall select one of the members to serve as chairman for a one (1) year term.

Sec. 7-13.05. - Meetings and Quorum.

Meetings of the Accessibility Board of Appeals shall be called at the discretion of the Chairman or upon the request of at least three (3) members of the Board being made to the Secretary. Business of the Board shall only be conducted with a quorum present. A quorum shall consist of at least three (3) members with one from each group present.

Sec. 7-13.06. - Rules and Regulations.

The Accessibility Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Chief Building Official.

Sec. 7-13.07. - Relief from Strict Application of Accessibility Regulations.

When, because of the strict application of any provisions of the state accessibility Regulations, the final plans and specifications for any building or structure proposed to be erected or constructed in the City, or for the enlargement, alteration, repair, improvement, or conversion of any structure in the City are not approved by the Chief Building Official, or a building or other required permit is refused by him, or the Chief Building Official is requiring changes to previously approved plans and specifications, or change to a structure under construction which is in compliance with approved plans and specifications, or refuses to issue a Certificate of Occupancy or revokes a Certificate of Occupancy, the Accessibility Board of Appeals may extend relief as provided in this section. Upon the written petition of the applicant, and after a full investigation and hearing of the matter, and when substantial evidence before the Board establishes that each of the following conditions exists in the particular case: (1) that there is a special circumstance or condition applicable to the land or building existing or proposed, or both, referred to in the application; and (2) that granting the appeal is necessary for the preservation and enjoyment of substantial properly rights; and (3) that granting the appeal will not be detrimental to the safeguard of life or limb, health, property and public welfare; and (4) equivalent facilitation will be provided as defined in Title 24 of the California Administrative Code, or other facilitation as deemed by the Board as equivalent is being provided, or when there exists legal or physical constraints which would not allow compliance with Title 24 regulations or equivalent facilitation, the Board may relieve the application from the strict application of any provisions of accessibility regulations and prescribe such conditions and requirements for the applicant and require from the applicant such guarantee or guarantees for the faithful observance thereof as will, in the opinion of the Board, secure substantially the objectives of the Code with due regard for the safeguarding of life or limb, health, property and public welfare. Bach such decision to so relieve the applicant shall be by a three-fifths (3/5ths) vote of the members of the Board, and by such decision authorize the approval of such final plans and specifications, issuance of required permits or approval of completed work by the Chief Building Official. All such approval or disapprovals shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

Chapter 14 “Temporary Structures on Construction Sites” of Title 7 of the Yuba City Municipal Code is adopted to read in its entirety as follows:

CHAPTER 14

TEMPORARY STRUCTURES ON CONSTRUCTION SITES

Sec. 7-14.01. - Definitions.

For the purposes of this chapter, certain words and phrases used in this chapter are defined as follows:

(a) *Construction shack* shall mean a trailer coach or temporary structure used for the job office during the course of a building construction project.

b. *Watchman's quarters* shall mean a trailer coach, camper, or other temporary structure used for the purpose of having a person reside on the construction project to maintain security.

Sec. 7-14.02. - Approval Required.

It shall be unlawful for any person to install a construction shack or watchman's quarters without first obtaining approval from the Building Inspection Division.

Sec. 7-14.03. - Temporary Utilities.

All temporary utility connections for a construction shack or watchman's quarters shall be made in accordance with all Federal, State, and local codes.

Sect. 7-14.04. - Violations.

Violations to this chapter will be penalized under the provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

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CITY OF YUBA CITY
STAFF REPORT

Date: November 4, 2025
To: Honorable Mayor & Members of the City Council;
From: Fire Department
Presentation By: Kaley Bartlett

Summary

Subject: Fire Prevention Ordinance and the adoption of the 2025 California Fire Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing and Re-Enacting Chapter 5 of Title 4 Regarding Fire Prevention and the 2024 International Fire Code by title only, and waive the first reading

Fiscal Impact: No direct fiscal impact will result from adopting the 2025 edition of the California Fire Code (CFC)

Purpose:
Keep the local fire code edition consistent with the mandated State Fire Code.

Council's Strategic Goal:
Approving an ordinance to adopt the 2025 Fire Code addresses the City Council's Public Safety Strategic Goal of establishing community life safety standards.

Background:
Every three years, the State of California adopts a new California Fire Code (CFC) and mandates its use throughout the state. This code is based on the latest edition of the International Fire Code (IFC) and includes amendments from various state agencies. However, there are no major changes to this code. Local jurisdictions can modify this code based on local climatic, geological, or topographic conditions and adopt additional provisions of the IFC not adopted into the CFC.

Analysis:
During this triennial cycle, we are proposing no additional local amendments. We are only requesting that we move existing amendments forward from the current ordinance, as listed below:

- Installation of fire sprinkler systems is required in new commercial buildings greater than 3,599 square feet. It also includes installation provisions in buildings greater than 3,599 square feet when undergoing substantial renovation or increasing square footage beyond 3,599 square feet. This requirement has been a local amendment since 1992.
- A permit is required from the Fire Department for the sale of Safe and Sane Fireworks on the 4th of July. The entity selling fireworks is required to be a local, non-profit organization. It also limits the number of fireworks booths to 1/2000 population. This has been a local amendment since 2003.
- A permit is required from the Fire Department to install security gates across Fire Department

apparatus access roads. It also provides specific requirements for gate operation for emergency access. This amendment was added when we began seeing gated communities. This has been a local amendment since 2003.

There are no substantial changes to the state code. Most of the changes are editorial, clarification, and/or relocations into different sections.

Fiscal Impact:
No direct fiscal impact will result from adopting the 2025 edition of the California Fire Code (CFC).

Alternatives:
If we do nothing, we will have the current ordinance adopting the 2021 IFC and the new CFC, effective January 1, 2026. This will create conflict between the two documents.

Recommendation:
Introduce an Ordinance of the City Council of the City of Yuba City Repealing and Re-Enacting Chapter 5 of Title 4 Regarding Fire Prevention and the 2024 International Fire Code by title only, and waive the first reading

Attachments:
1. 2025 Fire Code Adoption Ordinance

Prepared By:
Kaley Bartlett
Fire Safety Inspector II

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY REPEALING AND RE-ENACTING CHAPTER 5 OF TITLE 4 REGARDING FIRE PREVENTION AND THE 2024 INTERNATIONAL FIRE CODE

WHEREAS, California law requires that on January 1, 2026, all portions of the International Fire Code, 2024 edition, will be effective within the City; and

WHEREAS, the City may amend the provisions of the same provided express findings for each amendment, addition or deletion is made based upon climatic, topographical or geological conditions; and

WHEREAS, the City's Fire Marshall has recommended modifying certain parts of the International Fire Code due to local conditions in the City of Yuba City.

WHEREAS, the findings supporting the necessity for the amendments to building standards herein are contained in this ordinance; and

WHEREAS, in accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the International Fire Code, and amending the City of Yuba City Municipal Code, are exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, it is the intent of the City Council to amend and replaced Chapter 5 of Title 4 of the Yuba City Municipal Code.

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

Section 1. The City Council finds that the update of the Yuba City Municipal Code is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) as there is not a reasonable possibility that the amendments may have a significant adverse impact on the environment as i) California law mandates that on January 1, 2026, all portions of the 2024 International Fire Code will be effective within the City regardless of whether the City takes any action, which regulations thereby serves as a baseline for the purposes of CEQA; ii) previously approved amendments to said regulations that are being carried forward without change also constitute the existing environmental baseline, and it will not add any additional significant adverse impact to the environment to continue to use said amendments; iii) to the extent that previously approved amendments are modified, said modifications are primarily related to the administration of said regulations, and such ministerial processes will not result in a significant, adverse impact to the environment; and iv) any remaining proposed amendments, additions, or deletions will not result in a significant, adverse impact to the environment given the environmental baseline. As such, no further analysis is required under CEQA.

Section 2. Chapter 5 of Title 4 of the Yuba City Municipal Code is hereby repealed.

Section 3. Chapter 5 of Title 4 of the Yuba City Municipal Code is re-enacted to read as follows:

Chapter 5
Fire Prevention

Section 4-5.01. Adoption of the International Fire Code.

That a certain document, copies of which are on file in the office of the City Clerk of the City of Yuba City, being marked and designated as the International Fire Code, 2024 edition, as approved by the California Building Standards Commission, with state amendments known as the 2025 California Fire Code, including Appendix Chapters B, C, D, E, F, and G, as published by the International Code Council, is hereby adopted as the Fire Code of the City of Yuba City, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Yuba City are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4-5.02 of this chapter.

Section 4-5.02. Revisions to the 2024 International Fire Code. The following sections of the International Fire Code and adopted appendices are hereby revised as follows:

Section 101. 101.6 Plan Review

> **101.6 Plan Review.** The Chief, Fire Marshal, or his duly certified representative, shall review all plans for construction of buildings or remodels, other than one- or two-family dwellings, for the purpose of ascertaining and causing to be corrected any condition liable to cause fire or endanger life from fire or panic or any violation of this Code, state laws and regulations, and any other local ordinances which may be under his jurisdiction.

Section 101. 101.7 Fees

> **101.7 Fees.** The Fire Chief may establish a schedule of fees, as approved by the City Council, to be charged and collected for plan checking, required inspection services, and for the issuance of permits pursuant to Section 105 of this Code. In addition, this schedule may include a fire service fee to be charged to any person, firm, corporation or business that through negligence, violation of the law, or as a result of carelessness, is responsible for the cause of any fire service response to the scene of such an incident. A copy of the fee schedules shall be kept in the office of the City Clerk and the Office of the Fire Marshal and shall be available for public inspection.

Section 108 2024 IFC. Fire Clearance Inspection

> **Fire Clearance Inspection.** It shall be unlawful for any person, firm or corporation to operate a business unless a fire clearance inspection has been made, and such businesses are in compliance with all Fire Department requirements.

Section 111 2024 IFC.

> **Board of Appeals.** Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of said International Fire

Code do not apply or that the true intent and meaning of said code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Building Board of Appeals established by the provisions of Chapter 9 of Title 7 of this Code within thirty (30) days after the date of the decision appealed.

Section 112 2024 IFC.

Enforcement - Citation authority

1. The Fire Chief, Fire Marshal or his or her representative is authorized to issue field citations to any person whenever there is reasonable cause to believe that the person has committed a violation of:

    a. The California or International Fire Code as adopted by § 4-5.01, and the provisions of this chapter that concern issues of fire prevention or fire control;

    b. Provisions of the California Building Code that concern issues of fire prevention or fire control or life safety;

    c. Any state statute addressing fire prevention or fire control in his or her presence.

2. Designated officials are authorized to exercise the authority provided by California Penal Code.

Violation Penalties. Any person who shall violate any provision of this chapter or said International Fire Code, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement or specification or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by a court of competent jurisdiction, within the time fixed herein, shall separately for each and every such violation and noncompliance, respectively, be guilty of an infraction and shall be punishable as provided in Chapter 2 of Title 1 of this Code.

Exception:

Those sections of the International Fire Code, which have been adopted by the State of California (California Fire Code) shall be a misdemeanor and shall be punishable in accordance with Section 112.40.1 2024 IFC.

Section 112.4.01 2024 IFC is amended to add as follows:

Section 112.4.1.1 2024 IFC California Fire Code Violations.

Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the fire code official shall be guilty of a misdemeanor.

Section 112 2024 IFC. 112.4.1.1 2024 IFC as follows:

Abatement of Hazards. In situations where immediate abatement of a fire or life hazard or other potentially hazardous condition is required, the fire code official shall have the authority to abate such hazard immediately.

This may include, but is not limited to, confiscation of flammable liquids, fireworks, removing hazardous wiring and adapters, temporary closure of commercial occupancies, extinguishing illegal fires and any other similar hazards, determining no smoking, and ceasing operation of any type of apparatus that may be a danger to life or property. Costs of abatement shall become a lien upon the property affected. All affected persons shall be notified of action taken as soon as possible.

Section 113 2024 IFC Section 113.4 2024 IFC is deleted and replaced with the following:

Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as specified in section 112.

Section 202 the specific definitions identified below are amended as follows

Jurisdiction. Shall be held to mean the City of Yuba City.

Nuisance. Nuisance is an act, thing or condition involving combustible material in an unsafe manner that is not maintained in a reasonable manner to reduce flame-spread capabilities.

Temporary. Shall mean any use for a period of less than 90 days.

Section 503.4.1.

Traffic calming devices. Speed bumps, speed humps, dips or similar devices are prohibited in any public or private fire access road or parking area without written approval of the Fire Chief, Fire Marshal, Chief of Police and Director of Public Works.

Section 505.

In addition, any business conducted in a commercial occupancy, which affords vehicular access to the rear through any driveway, alleyway, or parking lot shall also display the same numbers/letters on the rear of the building. At the main entrance driveway to each multiple dwelling complex there shall be positioned, where responding emergency units can easily read it from the street, an illuminated diagrammatic representation of the complex, which lists the unit addresses thereof.

Section 903.2.

Requirements for approved automatic sprinkler systems.

The Fire Code as currently adopted and as hereinafter adopted is amended to require approved automatic fire sprinklers as set forth in the Fire Code and related Standards as adopted by the City based upon the classification of occupancy and hazard, which shall be in addition to the following:

(a) Other provisions of this Code or of any other Code of the City of Yuba City to the contrary notwithstanding, approved automatic fire sprinkler systems shall be installed and maintained in accordance with the following requirements.

(1) All buildings hereinafter constructed when the total floor area meets or exceeds three thousand six hundred (3600) square feet.

(2) All multi-family dwellings. For the purposes of this Chapter, multi-family dwellings shall be identified as three (3) or more dwelling units in the same building or structure.

(3) Buildings of three (3) or more stories, as defined by the California Building Code, regardless of height or square footage.

(4) Buildings that are thirty (30) feet or more in height regardless of square feet. Height assessment shall be determined as outlined by the Building Code.

(5) In any existing building or structure upon a change of use of occupancy which is more intense and/or increases the potential of a fire or life safety hazard as determined by both the Fire Chief, and Fire Marshal in which the total floor area meets or exceeds three thousand six hundred (3600) square feet.

(6) In any existing building or structure when additions thereto will increase the total floor area of three thousand six hundred (3600) square feet or more.

(7) In any existing building or structure to which additions are made where the total floor area of building currently meets or exceeds three thousand six hundred (3600) square feet.

(8) In any existing building or structure where the total floor area meets or exceeds three thousand six hundred (3600) square feet when repairs or alterations thereto within any twelve (12) month period exceed twenty-five (25%) percent of the value of the building or structure. For the purposes of this Chapter, the building or structure shall have its value determined by multiplying the total square footage of the building or structure by the Building Standards Square Foot Valuator (most current edition) as published by the International Code Council, or its equivalent as selected by the Fire Chief or Fire Marshal. Value shall be determined by the building official or his designee during the permit process.

(b) Exceptions:

The following shall be exempted from the requirements of this section:

(1) Buildings and structures for which permits have previously been obtained, but which have not yet been occupied, unless any approved automatic fire sprinkler system would otherwise be required by this or other City adopted Code.

(2) In buildings or structures when, in the opinion of the Fire Marshal and with the concurrence of the Fire Chief, the installation of any automatic fire sprinkler system would be detrimental to the health, welfare and safety of the public.

(3) Buildings which are constructed in accordance with the Building Code as Type I-A (fire resistive) and Type II-A (fire resistive) and have less than ten thousand (10,000) square feet of total floor area.

(4) In existing buildings where the total floor area exceeds three thousand six hundred (3600) square feet, a twenty-five (25%) percent addition up to a maximum total floor area of ten thousand (10,000) square feet will be permitted; but at least a five (5%) percent increase will be allowed. In either case, the addition shall be separated by a two-hour firewall as defined in the Building Code.

(5) Existing buildings, where the total floor area is ten thousand (10,000) square feet, or greater, may increase their floor area by five (5%) percent or one thousand (1,000) square feet, whichever is greater, when the area being added is separated by a two hour fire wall, as defined in the Building Code.

(6) If existing construction is to be altered, where the total floor area exceeds three thousand six hundred (3600) square feet and the alteration provides no greater threat to life or property by fire as determined by unanimous decision of the Fire Chief, Fire Marshal, and City Manager. The basis of the decision shall be made upon the change proposed meeting the intent of the current Building and Fire Codes in providing fire protection equivalent to a fire sprinkler system.

(c) Fire Walls:

For the purposes of this section, firewalls used to eliminate the requirement for automatic fire sprinklers as herein required shall be four (4) hour firewalls with no openings as defined in the Building Code as adopted by the City of Yuba City.

Section 903.4.2. The first sentence in Section 903.4.2 is modified to delete the word "*audible"* and replace it with *"combination horn/strobe"*.

Section 5602.

Fireworks - Prohibition.

Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode within the City any kind of fireworks as defined in Section 12511 of the Health and Safety Code, including, but not limited to, any rocket, firecracker, roman candle, squib, torpedo, torpedo cane, fire balloon, wire core sparkler, wooden core sparkler, black cartridge or other combustible device or explosive substance.

Fireworks - Exception.

It shall not be unlawful to sell within the City those fireworks as are defined and classified as "safe and sane fireworks" in the State Fireworks Law (Sections 12500 et seq. of the Health and Safety Code) during that time period as follows:

June 28: Beginning at 12:00 noon and ending at 11:00 p.m.

June 29 through July 4: Beginning at 8:00 a.m. and ending at 11:00 p.m.

Permit required.

It shall be unlawful for any person to sell “safe and sane fireworks” within the City without having first applied for and receiving a City permit.

Prerequisite for permit issuance.

(a) No permit to sell fireworks shall be issued to any person, except nonprofit organizations or corporations organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes.

(b) Each such organization shall have its principal and permanent meeting place within Sutter County limits and shall have been organized and established in an area which is presently within the limits for a minimum of one (1) year continuously preceding the filing of the application for the permit.

(c) No organization shall submit more than one (1) application for permit to sell fireworks within the City of Yuba City. Submittal of more than one (1) application shall be grounds for denial of all applications.

Fireworks permits.

The number of available permits which includes any permits issued pursuant will be limited to one (1) per two thousand (2,000) population based on the latest survey available to the City of Yuba City. If determined necessary by the city, a lottery system will be used to fill permit vacancies. Only one (1) permit to sell fireworks pursuant to this chapter shall be issued to an eligible applicant.

Permit application.

(a) All applications for permits to sell fireworks shall be in writing to the Fire Marshal. Applications may be filed beginning March 1 of each year up to and including March 31 of same year, at which time the filing period for that year will close. Applications shall set forth the proposed location of the fireworks stand being applied for, and other information as may be required by the Fire Marshal.

(b) Any person, firm, corporation, or organization applying for a permit to sell fireworks shall furnish to the Yuba City Fire Department a policy of public liability and property damage insurance. This policy shall have no deductible, with a limit of bodily injury of not less than one million ($1,000,000) dollars and a limit of property damage not less than one million ($1,000,000) dollars. The City of Yuba City and its agents and employees shall be named as additional insureds on the policy.

(c) Applicants for such permits shall be notified by April 15 of each calendar year by the Fire Marshal of the approval or disapproval of such applications for such permit. All organizations whose permits have been approved shall have up to and including July 1st of that year to pick up such permit.

(d) Every application for a permit shall be accompanied by the established permit fee for the sales of fireworks. The permit fee will be refunded if the application is not approved.

Fireworks stand.

All retail sales of “safe and sane” fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

(a) No fireworks stand shall be located within fifty (50') feet of any other building or within one hundred (100') feet of any gasoline pump or distribution point or within one hundred (100') feet of any other fireworks booth, unless separated by a roadway four (4) lanes wide or greater.

(b) Fireworks stands need not comply with the provisions of the Building Code of the City; provided, however, that all stands shall be erected under the supervision of the Fire Inspector, who shall require that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons; and provided further that any electrical installations shall comply with all applicable codes.

(c) Each stand shall be provided with two (2) two and one-half (2 1/2) gallon “water type” (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire.

(d) No stand shall have a floor area in excess of seven hundred fifty (750) square feet.

(e) Each stand shall have at least two (2) exits. Each stand in excess of forty (40') feet in length shall have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty-four (24') feet. Exit doors shall be not less than twenty-four (24") inches wide and six feet and two (6'2") inches in height and shall swing in the direction of exit travel.

Operation of stand.

(a) No person shall sell fireworks to any person under the age of eighteen (18).

(b) Sale of fireworks shall begin no earlier than 12:00 noon on June 28th and ending at 11:00 pm. June 29th through July 4th beginning at 8:00 am and ending at 11:00 pm and shall not continue after of the same year.

(c) No person other than the permittee organization shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

(d) No person other than the individuals who are members of the permittee organization or the wives, husbands, parents or adult children of such members shall sell or otherwise participate in the sale of fireworks at such stand.

(e) No person under the age of eighteen (18) shall sell or participate in the sale of fireworks.

(f) Each stand shall have an adult watchperson in attendance while the stand is being used for the sale, display or storage of fireworks. In lieu of a night watchperson, a Class IV magazine or equivalent, as approved by the Fire Marshal, may be used to store fireworks.

(g) All fireworks shall be retained at the approved location. In no event shall unsold fireworks be removed from the approved location to any other place without written approval of the Fire Marshal.

(h) Stands may not be located on public or residential property.

General requirements for permittees.

All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least twenty-five (25') feet surrounding the stand.

“NO SMOKING” signs shall be prominently displayed on and in the fireworks stand.

No fuel-powered generator or similar equipment shall be allowed within fifty (50’) feet of a fireworks stand.

Section 5604.

Limits for the storage of explosives and blasting agents.

(a) The manufacture of explosives shall be prohibited within the City limits.

(b) The storage of explosives and blasting agents is prohibited within the City limits.

Exception:

Small arms ammunition and primers, smokeless powder and black sporting powder when all the requirements of Title 19 C.C.R. have been met.

The Chief or Fire Marshal is authorized to limit the quantity of explosive material permitted at any location.

Section 5704.2.9.6.1 and 5706.2.4.4

The limits referred to in Section 5704.2.9.6.1 and 5706.2.4.4 in which the storage of Class I and II liquids in above ground tanks outside of buildings is prohibited, as hereby established as the City limits.

Exception:

Above ground storage of Class I, Class II, and Class III flammable/combustible liquids in tanks outside of buildings in A, AH, M-1, M-2, C-3 and CM zones as defined in Title 8 of the Yuba City Municipal Code shall be allowed if they comply with all of the following criteria:

(1) Individual tank capacity shall not exceed fifteen thousand (15,000) gallons.

(2) Aggregate installation capacity per parcel shall not exceed fifteen thousand (15,000) gallons.

(3) Tanks and dispensing unit shall be protected against physical damage by installation of four (4) inch concrete filled pipes, spaced not more than four (4) feet between posts on center, set not less than three (3) feet deep in concrete footings of not less than a fifteen (15) inch diameter, with tops of the posts not less than four (4) feet above ground and posts located not more than twelve (12) inches from the tank.

(4) All above ground tanks shall be permanently anchored in a manner that will prevent floating in times of flooding.

Section 6104.2

The limits referred to in Section 6104.2 restricting the storage of over 2000 gallons of liquefied petroleum gas is hereby established as the City limits.

Exception:

Existing facilities having either single containers or multiple containers with aggregate capacity of over 2000 gallons of liquefied petroleum gas will be allowed to have their use contained until such time as the tank(s) are not used for a period of ninety (90) days.

Other than required modifications necessary to bring the facility into compliance with safety regulations, there shall be no expansion of any existing facility within the City limits.

Section D103.5.

Security Gates. The installation of security gates is prohibited without the written approval of the fire code official. All security gate installations shall comply with the following security gate installation standards.

(a) Scope. Where a new gate or barrier is installed on a fire access roadway, it shall be authorized by the fire code official and meet the minimum requirements of this section. Private driveways on lightly traveled streets, as determined by the Yuba City Fire Department, serving one single-family residence may be exempted from the scope of this section.

(b) Definitions. For the purposes of this section, certain terms are defined as follows:

1. Authority having jurisdiction is the Yuba City Fire Department.
2. Security Gates and Barriers shall mean a gate, crossbar, door or other obstructive device which is utilized for the purpose of restricting, controlling or obstructing entry or exit by motor vehicles or pedestrians to or from a private roadway and which is not manned on a twenty-four hour, seven day per week basis by a person capable of providing immediate access to a police or fire safety vehicle or person;
3. Private Street or Roadway shall mean any roadway (not dedicated as public right-of-way) that is owned and maintained by abutting property owners, or association of property owners that is utilized for the purpose of providing vehicular or pedestrian access to a subdivision, apartment complex, condominiums or other residential development or wildland, excluding off- street parking areas, driveways, and driveways to off-street parking areas.
4. Private Driveway - A private way for vehicular travel that provides access from an off-street parking area to a public or private drive.
5. Ultimate Edge of Right-of-Way is the line furthest from the centerline of the street that has been approved by the City and recorded on the parcel map for existing or future street improvements.

(c) Permit. A permit issued by the Yuba City Fire Department to design and install any secured access gate system shall be obtained and approved in writing prior to installation.

(d) Submittals. A minimum of three (3) complete sets of information shall be submitted to the Yuba City Fire Department and shall include the following:

1. Approved verification of 100% Concurrence of Property Owners. The applicant shall provide, with the gate application, verification that all existing property owners served by gate installation agree to its installation and operation.

2. A site plan of the property and a site detail of each gate location, drawn to scale (1"=10', 1"=20', or 1"=40'), indicating or showing:

   a. Plans for gates over 6 feet in height shall bear the stamp of a structural engineer and must be accompanied by a Yuba City Building Permit Number;

   b. Contractor's company name, address, phone number and a contact person;

   c. Exact locations of the entry to the property;

   d. Property lines;

   e. Fire Hydrants, fire department connections;

   f. Location of the "ultimate edge of right-of-way";

   g. Location of the existing edge of pavement or gutter line;

   h. Building footprints, including doors, walkways and fire control room doors; parking spaces and landscape affected;

   i. Proposed fence, pedestrian gates, and vehicle gates;

   j. Existing vehicular access;

   k. Proposed location of Knox key switch / Knox box (es); and

   l. Physical address.

3. Product specifications shall be provided that include:

   a. Method of operation;

   b. UL listing numbers of equipment used; and

   c. Manufacturers specification sheets for electrical gate controller.

4. Maintenance. Emergency access gates and barriers shall be maintained and may include:

   a. Batteries required for operation of the system during power failure;

   b. Lubrication of moving parts and hinges per manufacturers specifications; and

   c. Any subsequent attention required to maintain the original list of frequencies for emergency operation of the gate in the controller.

5. Plan review and inspection fees will be collected per approved fee schedule.

(e) Minimum Requirements.

1. Access.

a. All gates shall be UL 325 compliant.

b. Gates shall not be installed within a required turning radius of a fire access roadway.

c. Access for single direction traffic shall be unobstructed 21 feet wide and 13', 6" high.

d. Access for bi-directional traffic shall be unobstructed 21 feet wide and 13', 6" inches high.

e. Swinging gates for single direction traffic shall swing in the direction of vehicle travel.

f. Swinging gates for bi-directional traffic shall swing into the property being entered.

g. All gates shall be accessible from the driving lane nearest the edge of the street by turning radii of at least 38' inside and 58' outside

h. After passing through a gate, the nearest curb of any cross street shall be no less than 40 feet.

i. Private driveways serving one single-family residence on moderate and heavily traveled streets shall:

(1) Meet the setback requirements of this section. If existing conditions prevent gate installation with 40' of clearance to the face of the gate, a letter documenting an acceptable alternative that would facilitate emergency ingress without endangering emergency response personnel and apparatus will be required for review and approval by the Fire Chief;

(2) Meet the operational requirements of electrically operated gates.

2. Operation of Gates.

a. All gates shall be electrically operated for entry and exit by an approved fire department method.

b. Wiring for electrical gates shall be provided by AC current, underground installation. A miscellaneous electrical permit is required by the Yuba City Building Department.

c. Electrically operated gates shall fail to the open position when the power is off. They shall remain open until power is restored.

3. Manual gates or barriers may be approved on a case-by-case basis for nighttime security of business property.

a. They shall be constructed in a manner that reflects good construction practices acceptable to the Yuba City Fire Department.

b. They shall be accessible by means of an approved fire department padlock (Knox.) or by the installation of an approved key box (Knox.).

c. Approved manual gates or barriers across emergency access roadways shall be provided with an 18-gauge metal sign in the center of and on both sides of the gate that shall read, "'FIRE LANE-NO PARKING". Letters shall be red on a white background and be a minimum of 3 inches high with a half inch stroke.

d. Gates to close off a fire lane behind strip malls/stores in order to minimize dumping and vandalism shall be approved with (Knox) padlock access.

4. Prohibitions.

a. Direction-limiting devices, such as fixed tire spikes, are prohibited.

b. The total number of vehicle access control devices or systems, through which emergency vehicles must pass to reach any address shall not exceed one.

5. Pedestrian Gates. All vehicle gates obstructing pedestrian access to a public way (street) shall have an approved pedestrian gate installed within 10 feet of the vehicle gate.

a. Gates shall be handicap accessible and comply with exit door requirements of the Building Code.

b. An approved key box (Knox) shall be installed at least 48 inches above grade on the outside of the gate. It shall be provided with a key to open the pedestrian gate.

c. No pedestrian gate shall be located in the median between two vehicle gates.

Exception: Private driveways serving one single-family residence are exempt from this requirement.

(f) Installation Approval. The Yuba City Fire Department shall inspect all gates for proper installation and operation prior to activation or use.

(g) Additional Requirements. Because of the delays caused by vehicle access control devices or systems, additional fire protection requirements may be applied based on other access limitations, such as narrow or winding streets or dead-end streets without an approved turnaround available for fire apparatus.

Other than the obstruction and the reduced width controlled within this standard, no other requirement of the Yuba City Fire Department shall be adversely affected by the placement of any vehicle access control device or system in any required fire apparatus access road.

Fire department approval does not waive any requirement by other authorities having jurisdiction.

Section D103.6.2. The reference to “32 feet” is replaced with “less than 36 feet”.

Section 4-5.03. Findings

The City Council finds that the following regulations as contained in this Chapter are necessary to mitigate unique local climatic conditions and impose substantially the same requirements as are contained in the international model industry codes. The unique local conditions as found and determined are as follows:

Yuba City is located in the northern portion of the Central Valley. The area is bounded to the north by the Siskiyou Mountains, the west by the Coastal Mountains, the east by the Sierra Nevada Mountains, and the south by the Delta region. These geographical factors, and the area's proximity to the Pacific Ocean, combine to determine weather and wind conditions that influence the area and can create a particularly hazardous fire situation.

Four (4) weather conditions routinely present themselves, which can result in extremely dangerous fire situations that could result in widespread conflagration. The four (4) conditions are temperature, relative humidity, wind and fog.

Temperatures in the Yuba City area during the summer months are in the ninety (90) degree Fahrenheit range with high temperatures of one hundred (100) degrees being very common.

Low relative humidity is a very important weather condition that can intensify fire behavior. When relative humidities fall below thirty (30%) percent, the potential for fire spread is significantly increased. A recent review of data available from the National Oceanographic and Atmospheric Administration of a recent thirty-six (36) month period revealed that the Yuba City area experienced five hundred sixty-three (563) days when the relative humidity was recorded at or below thirty (30%) percent.

Wind velocity directly contributes to flame spread and the potential for conflagration. Winds, in combination with relative humidities below thirty (30%) percent, contribute to "drying out" fuels. The Yuba City area is subject to strong north winds which are usually very drying in nature. A review was made of the days with relative humidity at or below thirty (30%) percent and winds of ten (10) miles per hour or more using the same thirty-six (36) month period as was previously mentioned. Of the five hundred sixty-three (503) days of thirty (30%) percent or below relative humidity, three hundred ninety-three (393) days also had daily peak winds that equaled or exceeded ten (10) miles per hour.

The weather conditions described above have a direct influence on fire behavior, and the types of firefighting apparatus required. High temperatures, low humidity and wind, singularly and in combination, produce a potentially explosive fire situation, which in turn requires a wide variety of firefighting apparatus, which can affect streets and other access sizing.

In addition to the weather conditions described above, the Yuba City area also experiences very dense fog conditions in the wintertime. The presence of dense fog poses significant response problems to emergency response vehicles. Obviously, if dense fog is present, response speeds must be reduced. This reduction in response speed results in longer response times. The longer it takes the fire department to arrive, the larger the fire grows. Using the same thirty-eight (38) month period mentioned above, research was done to determine how many days of heavy fog the Yuba City area experienced. Heavy fog was defined as one-fourth (1/4) of a mile visibility or less. The data revealed that during the thirty-six (36) months reviewed, heavy fog occurred on two hundred

two (202) days. Of those two hundred two (202) days, heavy freezing fog occurred over thirty-seven (37) days.

As a result of these findings of fact on local climatic conditions within the Yuba City area, the City Council finds that the residential building code provisions and the automatic sprinkler requirements herein established by this Chapter are considered "reasonable and necessary modifications" as provided for in California Health and Safety Code sections 18941.5(b) and 17958 et seq. Because of these serious concerns as reflected in the foregoing findings of fact, it is important that for the effective protection of the citizenry and property within the City limits of the City of Yuba City from the ravages of fire and the reduction of the potential for community-wide conflagration that this ordinance be enacted. Only with the enactment of these regulations can the reduction of the potential for community-wide conflagration and the protection of the citizenry and property within this jurisdiction be realized.

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Yuba City hereby declares that it would have passed this ordinance, and each section, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. This ordinance shall become effective January 1, 2026 and shall be published as required by law.

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Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 4th day of November 2025 and passed and adopted at a regular meeting thereof of held on the 2nd day of December 2025.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon Chaffin, City Attorney
Aleshire & Wynder, LLC

Future Agenda Items

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

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

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