AGENDA

AUGUST 16, 2022

REGULAR MEETING CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY CITY COUNCIL CITY OF YUBA CITY

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

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

MAYOR	• Dave Shaw
VICE MAYOR	• Wade Kirchner
COUNCILMEMBER	• Marc Boomgaarden
COUNCILMEMBER	• Grace Espindola
COUNCILMEMBER	• Shon Harris
CITY MANAGER	• Diana Langley
CITY ATTORNEY	• Shannon L. Chaffin

1201 Civic Center Blvd
Yuba City CA 95993

Wheelchair Accessible

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 assist you. Please contact City offices at (530) 822-4817 at least 72 hours in advance so such aids or services can be arranged. ***City Hall TTY: 530-822-4732***

AGENDA
REGULAR MEETING CITY COUNCIL AND
THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
CITY COUNCIL - CITY OF YUBA CITY
AUGUST 16, 2022
5:00 P.M. CLOSED SESSION
SUTTER ROOM/VIRTUAL

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

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

The Council Chambers will be open for public attendance and participation. The meeting will also be live streamed for public viewing, but not participation, at the following link: https://us06web.zoom.us/webinar/register/WN_dwR4OZlGQUat8NUVq5Xs2g. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council prior to the meeting. Please identify the Agenda item(s) addressed by the comments.

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

Closed Session

A. Conference with real property negotiator (Govt. Code § 54956.8)
Properties:

APN: 51-62-026, 1.58 acres generally located on Providence Court, west of Clark Avenue and south of Kensington Way, Yuba City, CA 95991

APN: 51-660-084, 0.19 acres generally located on Providence Court, west of Clark Avenue and south of Kensington Way, Yuba City, CA 95991

APN: 57-150-001, 0.47 acres located at 217 S Walton Avenue, Yuba City, CA 95991

APN: 57-150-050, 1.0 acres located at 211 S Walton Avenue, Yuba City, CA 95991

APN: 57-220-065, 0.11 acres generally located on S Walton Avenue between 211 and 217 S Walton Avenue, Yuba City CA 95991

Negotiator: Diana Langley, City Manager
Negotiating parties: Habitat for Humanity
Under negotiation: Price and terms of payment

Regular Meeting and the Successor Agency to the Redevelopment Agency

Call to Order

Roll Call

__ Mayor Shaw
__ Vice Mayor Kirchner
__ Councilmember Boomgaarden
__ Councilmember Espindola
__ Councilmember Harris

Invocation/Inspiration

Pledge of Allegiance to the Flag

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

Agenda Modifications/Approval of Agenda

Ceremonial Presentations

1. Cindy Rosser Cowgirl Hall of Fame Proclamation

2. The Chinese Garden Proclamation

3. Farmers Market Proclamation

Public Communication

4. 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.

5. Minutes of the July 19, 2022 meeting

Recommendation: Approve the July 19, 2022 minutes

6. Approve Regional Appointments to the Feather River Air Quality Management District (FRAQMD) Board of Directors for 2022

Recommendation: Approve the Appointment of Councilman Stuart Gilchrist to serve as the City of Marysville Representative on the FRAQMD Board of Directors

7. Creation of City Clean-Up Fund

Recommendation: Adopt a Resolution authorizing the Finance Director to create a Capital Improvement Program Account for City Clean-Up and approve a supplemental appropriation of $50,000 from unallocated General Fund to the City Clean-Up account

8. Consideration of Inclusion of Delinquent Charges and Penalties for Water and Wastewater Services on Secured Tax Roll

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

B. Adopt a Resolution for the inclusion of delinquent charges and penalties for water and wastewater services on the secured tax roll in the same manner as the general taxes and directing that a lien also be placed on the subject properties

9. 200-Year Urban Level of Flood Protection Finding

Recommendation: Adopt a Resolution acting as the land-use agency for the City of Yuba City accepting evidence in support of a Finding of 200-year flood protection

10. Heng's Cafe - Department of Alcoholic Beverage Control Application

Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the issuance of a Type 41 restaurant (beer and wine) Alcoholic Beverage Control (ABC) License at 1270 Stabler Ln. Suite 320 (Heng's Café)

11. Homes2Families - Agreement Update

Recommendation: Adopt a Resolution to approve the updated Homes2Families Agreement with Regional Housing Authority (RHA)

12. Henson Ranch Estates – Phase 1 (Annexation #3 of property in CFD 2021-1)

Recommendation: Adopt a Resolution annexing a certain area, Henson Ranch Estates – Phase 1, within the City Limits into an existing Community Facilities District (CFD No. 2021-1) to fund municipal services, and filing said Resolution, along with the Third Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter

13. Signatory Authority - Restricted Grant Agreement: Plumas Street Historic District and Water Tower Improvements

Recommendation: Adopt a Resolution authorizing the City Manager to execute Restricted Grant Agreements, Amendments, and Related Documents with the State of California Department of Transportation for the City of Yuba City Plumas Street Historic and Water Tower Park Improvements Project

14. Wastewater Treatment Facility Temporary Discharge Point 003 (Plans & Specifications)

Recommendation: Adopt a Resolution approving the plans and specifications for the Wastewater Treatment Facility Temporary Discharge Point

003 Project (22-12) and authorizing advertisement for bids on the project

15. Extension of time for Development Plan 20-03, Richland Village Affordable Housing Development, and the associated funding commitment

Recommendation: Approve a two-year extension of time for Development Plan 20-03 and the associated funding commitment, pursuant to City Municipal Code Section 8-5.7106, resulting in a new expiration date of January 19, 2025

Business Items

16. Consideration to approve Development Plan 22-01: Yuba City Self-Storage

Recommendation: A. Conduct a Public Hearing; and

B. Adopt a Resolution to approve Environmental Assessment 22-03 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres, located along the south side of Colusa Highway Frontage Road approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard (Assessor's Parcel Number 63-020-140)

17. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23 within Yuba City Residential Street Light Maintenance District No. 1 (Tierra Buena) and Residential Street Light Maintenance District No. 1 (Walton Area)

18. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23, pursuant to the Landscaping and Lighting Act of 1972

19. Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, & 5 (Town Center and 69 subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 5 (Commercial District) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23 for the Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, & 6 (Town Center, 69 subdivisions throughout Yuba City including the Palisades Subdivisions and Butte Vista neighborhood, and

commercial district)

20. Declaration of Surplus Land – Successor Agency to the Yuba City Redevelopment Agency Properties

Recommendation: Adopt a Resolution declaring certain Successor Agency-owned properties to be surplus land and directing the City Manager to follow the procedures set forth in the Surplus Land Act for the sale of such properties

Future Agenda Items

21. Future Agenda Items

- Councilmember Boomgaarden
- Councilmember Espindola
- Councilmember Harris
- Vice Mayor Kirchner
- 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

22. City Manager's Report

23. City Council Reports

- Councilmember Boomgaarden
- Councilmember Harris
- Councilmember Espindola
- Vice Mayor Kirchner
- Mayor Shaw

Adjournment

Proclamation

of the City Council

Cindy Rosser

ProRodeo Hall of Fame - 2022

WHEREAS, Marysville native and all-around Cowgirl Cindy Rosser was inducted into the 2022 ProRodeo Hall of Fame on July 16, 2022, in Colorado Springs, Co; and

WHEREAS, Cindy was born and raised in Marysville, daughter of legendary cowboy Cotton and Linda Rosser. She grew up riding and training horses and the rodeos runs deep in her veins, it is her life work; and

WHEREAS, she joined the Girls Rodeo Association/Women's Professional Rodeo Association (WPRA) in 1969 and served 20 plus years on the Board of Directors; and

WHEREAS, Cindy's life and career has been heavily involved in everything rodeo. Cindy has been awarded:

- 1986 Professional Rodeo Cowboy Association Secretary of the Year
- 1998 National Finals Rodeo Secretary
- 2012 RAM National Circuit Finals Rodeo Secretary
- Presented the American Flag in countless opening rodeo ceremonies
- Trained numerous horses on specialty tricks such as, to jump through paper, stand in a Liberty Bell, a birthday cake, a ring of fire and more
- Produced and designed openings and sponsor flags at the National Final Rodeo for 10 years

WHEREAS, in 1995 Cindy was named the Coca-Cola WPRA Woman of the Year, in 2015 she received the Lenora Reimer Heritage Award through the WPRA and in 2019 was honored with the Tad Lucas Award from the National Cowboy Museum; and

WHEREAS, 2020 she was chosen as the recipient of PRCA's Donita Barnes Contract Personnel Lifetime Award. Cindy is also a member of American Bucking Bull, Inc. and has sat on the Board of Directors for more than six years; and

WHEREAS, Cindy Rosser has been a loyal supporter of the Women's Professional Rodeo Association for decades and has worked, lived, breathed every facet of the rodeo industry.

NOW, THEREFORE, BE IT RESOLVED, I, Dave Shaw, Mayor of the City of Yuba City and on behalf of the entire City Council, do hereby recognize and honor **Cindy Rosser** for being inducted to the 2022 ProRodeo Hall of Fame. We urge all residents of the City of Yuba City to join me in celebrating Cindy Rosser's success and induction to the 2022 ProRodeo Hall of Fame!

Done on this 16th day of August 2022 in the City of Yuba City, County of Sutter, State of California.

Proclamation

of the City Council

The Chinese Garden

WHEREAS, the City of Yuba City would like to celebrate and recognize the Yip family, owners of The Chinese Garden for 35 years in business; and

WHEREAS, on July 15, 1987, The Chinese Garden was established and opened its doors at 812 Gray Avenue after relocating from Marysville California, where it operated as The Bamboo Garden for ten years; and

WHEREAS, the Chinese Garden has become an icon in the community and is known as "*THE Chinese Restaurant"*; and

WHEREAS, they actively donate back to the community in the form of donations and sponsorships over the years to countless organizations and charities; and

WHEREAS, the name Yip has become synonymous with the annual Bok Kai Parade and the Hop Sing Organization; and

WHEREAS, the Chinese Garden became a business to imitate in the midst of a global pandemic and its ability to adapt to a hugely successful take out method; and

WHEREAS, the Chinese Garden employs several employees and between MiMi (mom), Anna and Peter have a combined 135 years in the business.

NOW, THEREFORE BE IT RESOLVED, that I, Dave Shaw, Mayor of the City of Yuba City and on behalf of our entire City Council, do hereby applaud and congratulate the **Yip Family** the owners of The Chinese Garden on the 35th Anniversary of their model business and look forward to many more years to come.

Done on this 16th day of August 2022 in the City of Yuba City, County of Sutter, State of California.

Proclamation

of the City Council

Farmers Market

August 7–13, 2023, as National Farmers Market Week

WHEREAS, Farmers Markets serve as significant outlets for small-to-medium, new and beginning, agricultural producers to market a variety of products, in turn generating revenue that supports the sustainability of family farms and the revitalization of rural communities nationwide; and

WHEREAS, the market is a place where food is sold directly from the farmer to the consumer, farmers and ranchers provide our community with access to healthy foods produced locally and regionally through farmers markets, which are expanding and evolving to accommodate the demand for a diverse array of agricultural products; and

WHEREAS, Farmers Markets offer low-income women, infants, children, and seniors participating in the WIC and Senior Farmers' Market Nutrition Programs, respectively, the opportunity to redeem their benefits for fresh produce; and

WHEREAS, the Farmers Market is a gathering place to bring your children, your family, listen to some local music, meet up with friends or just get a taste of small-town life in downtown Yuba City; and

WHEREAS, the Silva family, and Desiree Silva, were the market founders, and for many years, have been the Yuba City Certified Farmers Market managers, who oversee market events every week, and represent and promote the market in the community, and have supported for over 25 years the WIC and Senior Farmers Market Nutrition Programs.

NOW, THEREFORE, BE IT RESOLVED, I, Dave Shaw, Mayor of the City of Yuba City and on behalf of the entire City Council, do hereby proclaim the week of August 7–13, 2022, as National Farmers Market Week. We call upon the people of Yuba City and our local area to celebrate Farmers Markets, the market managers' and farmers' who provide wholesome produce for all.

Done on this 16th day of August 2022 in the City of Yuba City, County of Sutter, State of California.

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:

Jackie Sillman, City Clerk
cityclerk@yubacity.net

Agenda Item **5**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Minutes of the July 19, 2022 meeting
Recommendation: Approve the July 19, 2022 minutes
Fiscal Impact: None

Attachments:

1. 07-19-2022 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk Administrator

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

MINUTES (DRAFT)
CITY COUNCIL – CITY OF YUBA CITY
REGULAR MEETING – JULY 19, 2022
6:00 P.M. COUNCIL CHAMBERS/VIRTUAL

Call to Order

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

Roll Call

Present: Councilmembers Boomgaarden, Espindola, Harris, Kirchner and Mayor Shaw

Absent: None

Invocation/Inspiration

Mayor Shaw

Pledge of Allegiance to the Flag

Councilmember Boomgaarden

Agenda Modifications/Approval of Agenda

- Consent items 11 & 12 (Lighting and Landscape Maintenance Districts) were voted on separately.
- Staff provided Engineering Reports for items Consent items 11 & 12 (LLMD 1 & LLMD 2-6). The website was updated hard copies were made available in the foyer.

Public Communication

1. Appearance of Interested Citizens

The following spoke:

- Piara Johl
- Dale Whitmore
- Frank Schattner
- Frank Coats

Consent Calendar

Note: Items 11 & 12 were voted on separately, due to council recusal

No public comments received for Consent Calendar items 2-10

Councilmember Espindola moved and Councilmember Harris seconded the motion for consent Items 2 - 10:

2. Minutes from July 5, 2022 meeting
Approved the minutes from July 5, 2022 meeting

3. Purchase of an AP 300 Sprayground for Gauche Aquatic Park (GAP)
Adopted **Resolution No. 22-105** adopting a CEQA Class 1 Categorical Exemption; and

approving the sole-source purchase of lifefloor tiles and the manufacturing of an AP 300 Sprayground to WhiteWater West Industries Ltd. of Richmond, British Columbia in the amount of $326,333, with the finding that it is in the best interest of the City; and authorizing the City Manager to execute an agreement with WhiteWater West Industries Ltd. of Richmond, British Columbia

4. **Faith Court Subdivision (Subdivision Agreement and Final Map Approval)**

   Adopted **Resolution No 22-106** approving the execution of a Subdivision Agreement with Faith, LLC, a California Limited Liability Company providing for public improvements associated with the Faith Court Subdivision Map, approving the Faith Court Subdivision Final Map, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision is located south of Monroe Road and approximately 800 feet east of Royo Ranchero Drive)

5. **Small Wireless Telecommunications Facilities within the City's Right-of-Way**

   Adopted **Ordinance No. 009-22** of the City Council of the City of Yuba City adding Chapter 8 Wireless Telecommunications Facilities in the Public Right of Way to Title 6 of the Yuba City Municipal Code by title only and waive the second reading

6. **California Senate Bill 1205 Compliance Report for State-Mandated Annual Fire Inspections**

   Adopted **Resolution No. 22-107** acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4

7. **Sam Brannan Restroom Replacement Project Award**

   Adopted **Resolution No. 22-108** adopting a CEQA Class 1 Categorical Exemption; awarding a construction contract to Public Restroom Company in the amount of $234,096 through Sourcewell Contract No. 081721-PRM, with the finding that it is in the best interest of the City; and authorizing the City Manager to execute an agreement for the Sam Brannan Restroom Replacement project

8. **Fire Local 3793 Side Letter**

   Adopted **Resolution No. 22-109** approving a Side Letter with Fire Local 3793, effective January 29, 2022, regarding sick leave and overtime calculations through December 31, 2022

9. **Designation of Voting Delegates for the League of California Cities Annual Conference in September 2022**

   Designated Mayor Dave Shaw to serve as the Voting Delegate for the 2022 League of California Cities Annual Conference in September 2022, and designate Vice Mayor Kirchner and Councilmember Harris to serve as first and second alternates, respectively

10. **Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Resolution of Intent**

    A. Adopted **Resolution No. 22-110** Approving Engineer's Reports and Declaring Intention to Levy for Yuba City Residential Street Light Maintenance Districts, to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982

B. Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for Fiscal Year (FY) 2022-23

The motion was passed with a unanimous vote

11. Yuba City Landscape Maintenance District No.1 (Stabler Lane/Garden Highway Area) Resolution of Intent

Mayor Boomgaarden recused himself for Item 11

No public comments received

Councilmember Espindola moved and Councilmember Harris seconded the motion to:

A. Adopted the following Resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:

- **Resolution No. 22-111** Approving the Engineer's Report, Yuba City Landscape Maintenance District No. 1
- **Resolution No. 22-112** of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1

B. Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for FY 22/23

The motion was passed with 4 votes; 1 recusal (Boomgaarden)

12. Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and 69 Subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Resolution of Intent

Councilmember Harris and Mayor Shaw recused themselves for Item 12

No public comments received

Councilmember Boomgaarden moved and Councilmember Espindola seconded the motion to:

A. Adopted the following Resolutions to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972:

- **Resolution No. 22-113** Approving Engineer's Reports, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
- **Resolution No. 22-114** of Intention to Order Improvements and Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for Fiscal Year (FY) 2022-23 , Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6

The motion was passed with 3 votes; 2 recusals (Harris & Shaw)

Business Items

13. Community Sponsorship Requests

Councilmember Espindola recused herself from Item 13

No public comments received

Councilmember Boomgaarden moved and Vice Mayor Kirchner seconded the motion to item A:

Consider the Sponsorship Requests from the Alliance for Hispanic Advancement and Yuba Sutter Arts & Culture, and if approved:

A. Adopted **Resolution No. 22-115** to approve a monetary Sponsorship request from the Alliance for Hispanic Advancement (AHA) of up to $3,750.00 to advance Hispanic heritage in our local communities through community action, educational enhancement, and economic development

The motion was passed with 4 votes; 1 recusal (Espindola)

No public comments received

Councilmember Espindola moved and Councilmember Boomgaarden seconded the motion to item B:

B. Adopted **Resolution No. 22-116** to approve a monetary Sponsorship request from the Yuba Sutter Arts & Culture of up to $2,500.00 for the support of a Mural Marathon and Utility Box Mini Mural event in Yuba City

The motion was passed with a unanimous vote

14. Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project – Final Design Amendment

No public comments received

Councilmember Espindola moved and Vice Mayor Kirchner seconded the motion to:

Adopted **Resolution No. 22-117** to award Amendment No. 5 to the Professional Services Agreement with CH2M Hill Engineers, Inc. to complete Final Design activities for the Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project, including new scope of work tasks identified from the design, permitting, and easement acquisition activities, and authorize the City Manager to execute the amendment following approval as to form by the City Attorney, with the finding that it is in the best interest of the City

The motion was passed with a unanimous vote

15. 2022 Community Development Block Grant Annual Action Plan and 2021 Action Plan Amendment

Conducted Public Hearing, no public comments received
Councilmember Espindola moved and Vice Mayor Kirchner seconded the motion to:

Adopted **Resolution No. 22-118** approving the proposed CDBG 2022 Annual Action Plan and 2021 Action Plan Substantial Amendment and authorize staff to submit the required

documents to the Department of Housing and Urban Development (HUD) for processing

The motion was passed with a unanimous vote

Future Agenda Items

16. Future Agenda Items

No suggestions

Reports and Communications

17. City Manager's Report

18. City Council Reports

- Councilmember Espindola
- Councilmember Harris
- Councilmember Boomgaarden
- Vice Mayor Kirchner
- Mayor Shaw

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council at 7:36 PM

_____

Dave Shaw, Mayor

ATTEST:

_____

Ciara Wakefield, Deputy City Clerk

/js

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Administration Department

Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Approve Regional Appointments to the Feather River Air Quality Management District (FRAQMD) Board of Directors for 2022

Recommendation: Approve the Appointment of Councilman Stuart Gilchrist to serve as the City of Marysville Representative on the FRAQMD Board of Directors

Fiscal Impact: None

Purpose:

Approve changes of the member jurisdiction appointments to the Feather River Air Quality Management District Board of Directors.

Background:

The governing body of the Feather River Air Quality Management District is the nine member Board of Directors that includes five members from the two counties and four members from the four incorporated cities. Whenever a jurisdiction changes a member of the FRAQMD Board, the remaining jurisdictions must approve the new appointees.

Analysis:

A request for approval of the recommended members to the Board of Directors has been received from FRAQMD for the City of Marysville representative. This recommendation has been deemed to be compliant with the 2004 Amended and Restated Agreement.

Fiscal Impact:
None

Alternatives:
Do not approve.

Recommendation:

Approve the Appointment of Councilman Stuart Gilchrist to serve as the City of Marysville

Representative on the FRAQMD Board of Directors.

Attachments:

1. City of Yuba City approval of City of Marysville appointment - Stuart Gilchrist 2022

Prepared By:	Submitted By:
Ciara Wakefield	Diana Langley
City Clerk Administrator	City Manager

541 Washington Avenue
Yuba City, CA 95991
(530) **634-7659**
FAX (530) **634-7660**
www.fraqmd.org

Christopher D. Brown, AICP
Air Pollution Control Officer

Serving Sutter and Yuba Counties

To: City of Yuba City Council Members

From: Christopher D. Brown, AICP, Air Pollution Control Officer

Subject: **Approval of appointment to the Board of Directors of the Feather River AQMD**

Date: August 16, 2022

Recommendation:

Approve the new appointment to the Feather River Air Quality Management District Board of Directors for 2022.

Background and Discussion:

In accordance with the Agreement for Composition of the Feather River AQMD Board of Directors, the following new appointment listed below has been made. This action requires the approval of the City of Yuba City Council Members.

Director:

Councilman Stuart Gilchrist – Director (City of Marysville)

Fiscal Impact:

None

Committee Action:

None required.

Agenda Item **7**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Administration Department

Presentation By: Diana Langley, City Manager

Summary

Subject: Creation of City Clean-Up Fund

Recommendation: Adopt a Resolution authorizing the Finance Director to create a Capital Improvement Program Account for City Clean-Up and approve a supplemental appropriation of $50,000 from unallocated General Fund to the City Clean-Up account

Fiscal Impact: Total Clean-Up Account Fund - $95,000, broken down as follows:

- $50,000 - General Fund
- $45,000 - CDBG Funds

Purpose:

To address illegal refuse, vandalism, and other damage to properties throughout the City.

Council's Strategic Goal:

This item addresses Council's goals of Public Safety and Business Friendly, and supports the overarching goal to improve the Quality of Life for Yuba City residents.

Background:

City staff and Councilmembers consistently hear from business and property owners throughout the City about out-of-pocket expenses incurred to address debris, vandalism, clean-up of landscaping, addition of security lighting and cameras, and installation of locking mechanisms on faucets and electrical outlets to deter unauthorized use.

On July 19, 2022, as part of the 2022 Community Development Block Grant (CDBG) Annual Action Plan, City Council authorized the programming of $45,000 for City clean-up for the "abatement of illegal refuse, vandalism, and damage to eliminate blight in low/mod census tracts." Per CDBG requirements, the funding can only be used within low/mod census tract areas within the City.

Analysis:

In order to provide funding for areas that don't qualify for utilization of the CDBG funding, staff recommends that City Council authorize a supplemental appropriation of $50,000 from unallocated General Fund to a new Capital Improvement Program Account for City Clean-Up. If the funding is approved, staff will work with the City's Homeless Liaison Officers and CDBG Analyst to develop a program for utilization of the funds. Options include:

- Perform work with City forces and deduct the cost from the project account.
- City hire contractors for on-call services to support requests from property/business owners.
- Property/business owners submit an application to utilize the funds either using their own staff or a contractor.
- Combination of all of the above.

In addition, the funds may be used to sponsor City clean-up days.

Fiscal Impact:

$45,000 of CDBG funds have already been approved through the 2022 CDBG Annual Action Plan. Staff is requesting authorization for a supplemental appropriation of $50,000 from unallocated General Fund, which will provide a total of $95,000 in the City Clean-Up project account.

Alternatives:

1. Do not authorize the allocation of $50,000 from the General Fund and limit the utilization of the funding to areas within low/mod census tracts, per CDBG requirements.
2. Modify the allocation from the General Fund.

Recommendation:

Adopt a Resolution authorizing the Finance Director to create a Capital Improvement Program Account for City Clean-Up and approve a supplemental appropriation of $50,000 from unallocated General Fund to the City Clean-Up account.

Attachments:

1. Attachment 1 - Reso - Clean-Up Fund

Prepared By:	Submitted By:
Diana Langley	Diana Langley
City Manager	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING THE FINANCE DIRECTOR TO CREATE A CAPITAL IMPROVEMENT PROGRAM ACCOUNT FOR CITY CLEAN-UP AND APPROVE A SUPPLEMENTAL APPROPRIATION OF $50,000 FROM UNALLOCATED GENERAL FUND TO THE CITY CLEAN-UP ACCOUNT

WHEREAS, City staff and Councilmembers consistently hear from business and property owners throughout the City about out-of-pocket expenses incurred to address debris, vandalism, clean-up of landscaping, addition of security lighting and cameras, and installation of locking mechanisms on faucets and electrical outlets to deter unauthorized use; and,

WHEREAS, on July 19, 2022, as part of the 2022 Community Development Block Grant (CDBG) Annual Action Plan, City Council authorized the programming of $45,000 for City clean-up for the "abatement of illegal refuse, vandalism, and damage to eliminate blight in low/mod census tracts"; and

WHEREAS, in order to provide funding for areas that don't qualify for utilization of CDBG funding, staff recommends that City Council authorize a supplemental appropriation of $50,000 from unallocated General Fund to a new Capital Improvement Program Account for City Clean-Up; and

WHEREAS, a City Clean-Up fund addresses the City Council's goals of Public Safety and Business Friendly, and supports the overarching goal to improve the Quality of Life for Yuba City residents.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Yuba City does hereby authorize the Finance Director to create a Capital Improvement Program Account for City Clean-Up and approve a supplemental appropriation of $50,000 from unallocated General Fund to the City Clean-Up account.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:
NOES:
ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Finance/IT Department

Presentation By: Katrina Woods, Customer Service Manager

Summary

Subject: Consideration of Inclusion of Delinquent Charges and Penalties for Water and Wastewater Services on Secured Tax Roll

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

B. Adopt a Resolution for the inclusion of delinquent charges and penalties for water and wastewater services on the secured tax roll in the same manner as the general taxes and directing that a lien also be placed on the subject properties

Fiscal Impact: $125,977.17 and 309 accounts in utility revenues will be collected through the County property tax roll

---

Purpose:

To recover delinquent water and wastewater charges through the placement of a lien on the secured property tax roll of subject properties.

Council Strategic Goal:

Fiscal Responsibility

Background:

The Finance Department actively manages utility receivables and pursues delinquent service charges within the limits allowed by State law, and is consistently researching new tools for successful collections. Closed accounts with a remaining balance are attempted to be collected through various efforts. Some tools used for collection include the following:

- Billing notices – Updating billing addresses to ensure bills are being delivered to the correct locations. Upon closing of a tenant occupied property, a dual notice is mailed to the property owner on file as well. Property owners are also made aware of debt on tenant accounts through the requirement set in Municipal Code Sec. 6-6.10, which states that no new account can be established for service at a property with a delinquent balance. At such time, a property owner is contacted and is required to establish services in their name until the debt is resolved.
- Transfers – If a customer listed on the utility bill resides at a Yuba City property receiving a utility

bill, unpaid balances can be transferred to the current residence.

- Demand letters – Unpaid accounts receive up to three demand letters notifying the customer of unpaid balances and repercussions if bill is not paid in full, or a payment plan is not established during an allotted amount of time. After the initial billing period for the final bill, a balance reminder is mailed to the customer, giving a two-week timeline for response. Upon conclusion of this time frame, a collections notice is sent to the customer, allowing for a ten-day window for response. After ten days, phone calls are made to each customer with a balance due to attempt to resolve the balance before progressing to external collection agency efforts. A dual collections notification is also sent to the property owner on file at this time.
- Collections agency – Staff can utilize the assistance of a collections agency that can report the debt to the credit reporting agencies, at the cost of a 40% collection rate.
- Tax Intercept – Unpaid accounts are reported to the Franchise Tax Board annually for tax interception.

On June 21, 2016, Council adopted a municipal code update that allows for unpaid accounts to be included on the property tax bill. The option of inclusion on the property tax bill and the placement of a lien on the properties is another tool that staff can utilize for collection efforts.

Analysis:

In May, a list of accounts was prepared with unpaid service charges on final (closed) accounts, as well as active accounts with exceptionally high balances. Notices were mailed to each property owner with a delinquent account, encouraging them to pay, announcing an administrative hearing held on July 28, 2022 on the delinquent accounts, and the Public Hearing before the City Council on August 16, 2022. A public notice was also posted for two consecutive weeks prior to the August 16th hearing date.

No customers appeared at the July 28, 2022 administrative hearing. However, one customer did come into the office on August 1, 2022. The account was discussed and a plan for communication with tenant and owner, on an ongoing basis, was made. Resolution on the account is expected before final submission to the County.

Payments are recorded daily. The report listing the delinquent accounts is attached as Exhibit B and lists delinquencies as of August 3, 2022. Some accounts may be paid before a final delinquent list is prepared and transferred to Sutter County.

Fiscal Impact:

Every year a number of accounts go uncollected for various reasons. The Finance Department exhausts all collections efforts, both internally and through external agencies. By including the delinquent water and wastewater charges on the secured property tax roll and placing a lien on subject properties, staff ensures that all attempts have been made to collect monies that are owed to the City. If accounts are not collected, other utility customers will absorb the cost through rates in order to fill the void of revenue. This becomes an issue of fair and reasonable treatment of customers. The attached list of properties is recommended to have liens placed on the tax bills for 309 accounts totaling $125,977.17 in unpaid utility revenues.

Alternatives:

The Council may modify the report listing the delinquent accounts attached as Exhibit B or provide staff with alternative direction based on testimony received at the public hearing or based on any other information.

Recommendation:

Adopt a Resolution for the inclusion of delinquent charges and penalties for water and wastewater services on the secured tax roll in the same manner as the general taxes and direct that a lien also be placed on the subject properties.

Attachments:

1. Resolution
2. List of Delinquent Accounts
3. Sample Delinquency Letter

Prepared By:	Submitted By:
Katrina Woods	Diana Langley
Customer Service Manager	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING COLLECTION OF DELINQUENT WATER AND/OR WASTEWATER CHARGES ON THE TAX ROLL WITH GENERAL TAXES

WHEREAS**,** Section 5473 of the Health and Safety Code of the State of California and the Yuba City Municipal Code Sections 6-5.706 and 6-6.10 authorize the City to make an election to collect delinquent water and wastewater charges on the tax roll along with general taxes; and

WHEREAS, the City has exhausted other methods of collection of delinquent water and wastewater charges; and

WHEREAS, the City of Yuba City's Municipal Code, Sections 6-5.706 and 6-6.10 assign the payment responsibility as the property owners, stating, *Notwithstanding any provisions of this chapter, the property owner shall be additionally responsible for payment of all unpaid water/sewer bills and other fees owed to the City. Any agreement between landlords and tenants to the contrary will not relieve the landlord or record owner of the property of the responsibility for payment of the water and/or sewer service charges to the City*; and

WHEREAS, the City provided citizens an opportunity to review and protest the amount of delinquent charges scheduled for collections through the property tax roll. Notices were publicly posted two weeks prior to the hearing, and individual notices were mailed to each customer with a delinquent account, encouraging them to pay and announcing the public hearing, which was held on August 16, 2022.

WHEREAS, the report listing the delinquent water and sewer charges is attached as Exhibit "B" ("Report") and a notice of the report's filing and hearing schedule was published once a week for two successive weeks prior to the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY RESOLVE AS FOLLOWS: The City elects to collect delinquent water and wastewater charges on the tax roll. The Report listing the delinquent charges attached as Exhibit "B" is approved and adopted. The City Clerk is authorized to file the approved Report with the Finance Director for submittal to Sutter County to include the delinquent charges on the tax roll against the properties described in the attached report. The delinquent charges shall constitute a lien against each of the properties.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

Exhibit 2 - City of Yuba City Delinquent Utility Accounts		
Account #	**Balance Due**	**APN**
605289-14	$ 257.50	052461017000
562592-07	$ 388.80	052193007000
561229-03	$ 103.20	052142012000
680918-08	$ 734.60	052520047000
922956-05	$ 81.50	054050005000
100390-05	$ 310.80	057213019000
801029-14	$ 4,029.00	053232010000
103330-08	$ 1,086.50	056080046000
641081-06	$ 101.30	052082013000
721123-07	$ 863.80	053140029000
000418-01	$ 173.90	058170010000
001141-09	$ 1,205.10	058190002000
361873-10	$ 74.00	051316007000
200496-12	$ 97.70	051210027000
002350-06	$ 156.50	062320039000
051070-10	$ 248.80	056292015000
720976-11	$ 123.30	053151005000
928314-06	$ 1,210.30	055030003000
562941-02	$ 871.70	052191008000
929028−4	$ 2,446.00	054060053000
240423−4	$ 1,557.60	051175012000
723055−6	$ 1,062.40	053213047000
090510−4	$ 1,359.70	062200015000
102150−2	$ 782.40	056090056000
031270−5	$ 355.90	057183007000
102312−4	$ 752.60	056240067000
013875-4-5	$ 1,421.10	022241011000
031845−4	$ 606.30	026161009000
033100−2	$ 614.40	057202014000
360697−10	$ 666.20	051091016000
604739−0	$ 981.20	052461030000
012105−3	$ 551.40	022342005000
103658−1	$ 683.10	056140077000
001955−2	$ 664.00	055200019000
000388−1	$ 631.60	057260042000
604763−3	$ 1,192.20	052461041000
014170−0	$ 511.40	022252009000
103722−3	$ 607.60	056130043000
601147−2	$ 900.10	052075002000
030920−1	$ 153.60	057191005000
101090−7	$ 589.50	056250051000
801013−5	$ 546.60	053232004000

362972−4	$	488.40	051111009000
754660−4	$	494.30	057130026000
281006−15	$	446.80	051470029000
031860−2	$	549.40	026161012000
755365−2	$	502.30	057220014000
010150−8	$	423.00	022183010000
100954−2	$	465.70	056220010000
755221−2	$	559.80	057220043000
775175−5	$	575.90	056080063000
102842−9	$	517.40	056140023000
014070−3	$	581.10	022251018000
051340−6	$	400.30	056293004000
755828−1	$	508.00	057250030000
004069−4	$	359.00	063110048000
000562−9	$	492.50	057260004000
000182−9	$	498.70	058180055000
101320−1	$	535.80	056240034000
800313−12	$	515.00	053452009000
361198−0	$	457.40	051424016000
012785−5	$	363.90	022312005000
033390−11	$	363.60	057022021000
102968−3	$	486.80	057120043000
051255−1	$	358.40	056294011000
010495−9	$	369.00	022161007000
031210−2	$	351.00	057183019000
929052−1	$	436.20	054060026000
560935−6	$	430.40	052172014000
800788−2	$	438.80	053421002000
012830−8	$	336.80	022364001000
868157−4	$	518.00	058110094000
800794−2	$	745.40	053441002000
800651−6	$	742.50	053431008000
361069−4	$	415.40	051423009000
762333−3	$	415.40	053312014000
775045−6	$	457.90	056080090000
014190−0	$	323.90	022253005000
032370−0	$	323.90	057172021000
100776−4	$	438.30	056190023000
102958−0	$	438.30	056120029000
102934−3	$	446.30	056130019000
800130−3	$	407.90	053213008000
101316−9	$	433.60	056240032000
011240−3	$	321.60	022392003000
103806−8	$	429.20	056240075000
004412−1	$	415.00	059610026000
013000−4	$	310.30	022363007000
094680−2	$	310.30	023350010000

755140–4	$	461.30	057220059000
241990–4	$	407.40	051244026000
003515–0	$	304.30	026142009000
722182–0	$	391.50	053181012000
774960–3	$	428.60	056070001000
100650–2	$	416.10	056173006000
869718–1	$	361.60	058140038000
440829–3	$	529.50	059380005000
723037–11	$	329.60	053264003000
800412–2	$	385.50	053442005000
640834–2	$	397.90	052121007000
400384–10	$	407.20	059261001000
921852–3	$	441.90	054100027000
011680–2	$	297.50	022171025000
562105–9	$	412.20	052183005000
002243–2	$	445.80	055200029000
428336–8	$	382.50	059400022000
927199–4	$	385.90	055040021000
051065–0	$	294.70	056292014000
868054–10	$	422.40	058110044000
010005–2	$	294.00	022080060000
802551–6	$	350.70	053419011000
000953–4	$	379.30	053419028000
360916–3	$	224.20	051422022000
480684–14	$	379.30	059191001000
561674–5	$	379.30	052181008000
800641–10	$	379.30	053423001000
982608–3	$	379.30	055100033000
201877–6	$	379.10	051185015000
002460–9	$	355.60	057380042000
603418–2	$	381.30	052270038000
001438–5	$	377.80	055180062000
602754–13	$	377.80	052221016000
643069–6	$	377.80	052353005000
602715–3	$	367.80	052216006000
928992–6	$	375.80	054060078000
724630–7	$	261.00	053390028000
361880–2	$	373.30	051317005000
800736–7	$	363.70	053421020000
001208–1	$	371.10	055190071000
602499–1	$	369.30	052213005000
000177–1	$	415.20	058180017000
001134–10	$	418.70	055160059000
946117–3	$	395.80	055050004000
000788–4	$	363.90	055140002000
361748–7	$	362.90	051315022000
091235–0	$	250.70	062220005000

800564−12	$	361.40	053441005000
641697−5	$	304.90	052292011000
100195−3	$	387.70	057212009000
000810−6	$	303.20	055140053000
003134−8	$	302.90	051650111000
001229−16	$	302.60	057330080000
002712−6	$	302.60	052342045000
240597−7	$	302.60	051163006000
361742−8	$	302.60	051315020000
428126−9	$	302.60	059370030000
428378−3	$	302.60	059400036000
441646−1	$	302.60	059500019000
561739−14	$	302.60	052182030000
642475−6	$	302.60	052362017000
762350−3	$	302.60	053312007000
802457−7	$	302.60	053414012000
802526−18	$	302.60	053416001000
928352−3	$	305.70	055020050000
428027−4	$	302.60	059370063000
921426−3	$	302.60	054140016000
000955−2	$	328.00	057330016000
800455−4	$	319.00	053433008000
003234−2	$	328.20	062400014000
800890−6	$	522.10	053233001000
360943−10	$	303.80	051422003000
102750−5	$	382.70	056140021000
800791−2	$	645.80	053421035000
361282−1	$	345.10	051425030000
000969−7	$	344.90	056310049000
721777−16	$	343.50	053161005000
774905−0	$	370.40	056070072000
774880−1	$	370.40	056070075000
775430−0	$	370.40	056210075000
928514−1	$	344.50	054070020000
561061−8	$	469.80	052145007000
605310−1	$	340.80	052461018000
002555−11	$	340.20	057380003000
800724−11	$	340.20	053422007000
003948−2	$	343.50	059600037000
440755−9	$	383.10	059320053000
362951−0	$	338.10	051111005000
101194−3	$	360.50	056150014000
600857−7	$	333.60	052052005000
680599−2	$	1,025.40	052501021000
030185−9	$	245.30	057052005000
680552−7	$	330.10	052514004000
000784−2	$	347.20	059550006000

562084−3	$	441.00	052156009000
927027−5	$	410.80	055020007000
641021−4	$	373.80	052087007000
102430−7	$	365.20	056080020000
070025−0	$	225.30	051511002000
361196−1	$	321.80	051424015000
000080−2	$	361.60	055150005000
070140−5	$	227.90	051514010000
643329−4	$	329.00	052363012000
000553−6	$	440.40	055130024000
010525−2	$	230.30	022161013000
000332−9	$	366.50	051280054000
004614−0	$	315.10	053433020000
441682−4	$	373.50	059500037000
428318−10	$	349.00	059400016000
562328−12	$	326.10	052161007000
742086−3	$	323.00	053050038000
362855−2	$	310.50	051121014000
800592−3	$	310.40	053424001000
803458−6	$	331.80	053482003000
841544−10	$	304.50	058091013000
003004−5	$	374.60	051640023000
802851−1	$	304.40	053418001000
762062−6	$	324.10	053314026000
802857−3	$	303.90	053418003000
802242−1	$	334.10	053470050000
361258−6	$	316.80	051425026000
681969−4	$	188.30	052580006000
001187−6	$	318.90	055190019000
360682−7	$	302.60	051093011000
922657−1	$	302.60	054030007000
441488−9	$	546.77	059101002000
640432−4	$	394.90	052130011000
720927−5	$	302.60	053021005000
722119−8	$	302.60	053191008000
762500−1	$	320.40	053311036000
801898−11	$	309.00	053500015000
000406−5	$	302.60	055150053000
000759−2	$	305.50	057330066000
000796−8	$	302.60	055140026000
001127−2	$	304.00	055160066000
001283−9	$	302.60	055180110000
001368−2	$	302.60	057330037000
001982−12	$	302.60	054270068000
002178−3	$	302.60	057370084000
002593−12	$	302.60	058200006000
002658−1	$	302.60	057380047000

004459−2	$	304.90	056310059000
242270−11	$	302.60	051073026000
242500−2	$	302.60	051075022000
320609−3	$	302.60	051405008000
321275−6	$	302.60	051351019000
321279−22	$	302.60	051351004000
360700−3	$	302.60	051091017000
360985−0	$	302.60	051432003000
361021−12	$	308.40	051423021000
361873−11	$	302.60	051316007000
400142−4	$	302.60	059065014000
400197−0	$	302.60	059062009000
561978−0	$	302.60	052183028000
600414−12	$	308.90	052051002000
601073−11	$	302.60	052075012000
601156−4	$	302.60	052075005000
602614−4	$	302.60	052194013000
602736−5	$	302.60	052222001000
603180−5	$	302.60	052226003000
603204−4	$	302.60	052227001000
641497−1	$	302.60	052282001000
641935−9	$	302.60	052294004000
642319−22	$	302.60	052302004000
643210−9	$	302.60	052374010000
721729−29	$	302.60	053152014000
721798−13	$	302.60	053161013000
722845−1	$	302.60	053282004000
723073−11	$	302.60	053213028000
724414−0	$	302.60	053293008000
761475−5	$	302.60	053341005000
762020−7	$	302.60	053353004000
800744−6	$	302.60	053421024000
800863−6	$	302.60	053233024000
801058−0	$	302.60	053231010000
802520−16	$	302.60	053419002000
802538−12	$	302.60	053419006000
802554−6	$	302.60	053414001000
928496−1	$	302.60	054070029000
982636−3	$	302.60	055120015000
983955−3	$	302.60	055070064000
000950−3	$	303.80	056310010000
070210−0	$	188.20	051516006000
070345−9	$	188.20	051516012000
090050−1	$	215.30	062093004000
091800−0	$	188.20	062180036000
091975−0	$	188.20	062150031000
480363−0	$	188.20	059173006000

561730−10	$	302.60	052182028000
680398−9	$	188.20	052501007000
722587−6	$	188.20	053212010000
723031−3	$	302.60	053264006000
803072−0	$	302.60	053417009000
242243−1	$	327.80	051071017000
362870−6	$	309.50	051121007000
640258−7	$	304.50	052112006000
800898−2	$	323.40	053233036000
001149−8	$	414.20	058170117000
242294−2	$	305.30	051073034000
321004−3	$	304.50	051461001000
604505−1	$	464.90	052242016000
640264−0	$	371.50	052112005000
720697−0	$	269.30	020092005000
847141−13	$	327.20	057162001000
562050−1	$	312.20	052156003000
721771−0	$	570.70	053161002000
001146−10	$	303.20	058170087000
100390−6	$	325.20	057213019000
100972−13	$	325.20	056220018000
103650−3	$	325.20	056140070000
775265−3	$	325.20	056210042000
800529−4	$	321.00	053441010000
010800−2	$	207.20	020243020000
001971−14	$	293.10	054270043000
441452−4	$	292.50	059102011000
755440−5	$	205.20	059150078000
800189−10	$	292.30	053451008000
032145−0	$	204.80	057312010000
031110−9	$	204.30	057181014000
480648−11	$	290.40	059192007000
TOTAL REPORT	**$ 125,977.17**		**309 ACCOUNTS**

ATTACHMENT 3

Finance

July 7, 2022

Property Owner

Dear Property Owner:

Our records show that there are outstanding bills for utility services provided to your property. **You are strongly encouraged to pay your account in full immediately in order to avoid any further action, including a property tax lien placed on the property.**

If you have recently paid off your account, please disregard this notice.

According to our delinquent list, your account status is as follows:

$333.57 is unpaid and delinquent for billing and service through May 2022. The total balance due on the account is **$333.57** at the following address:

Service Address: XXX
Acct #: XXX

The City of Yuba City Municipal Code provides a hearing process for customers to dispute their delinquent utility service account(s). The City is scheduled to hold this hearing on July 28, 2022. This meeting will start at 10 A.M. and will be held at City Hall in the Sutter Room, located at 1201 Civic Center Blvd., Yuba City. This will be your opportunity to appeal the delinquent balance; otherwise, the delinquent balance due, including related administrative fees, will be placed on an assessment list and presented to City Council for approval on August 16, 2022. Upon approval, the balance due will be placed on your property tax bill for collection.

You are encouraged to voice any concerns by writing to the City at the following address or by calling the number listed below:

City of Yuba City - Finance Department
1201 Civic Center Blvd.
Yuba City, CA 95993

If you have any questions or comments, please feel free to contact us at (530) 822-4618.

Sincerely,
City of Yuba City - Finance Department

Nuestros registros muestran que existen facturas pendientes de pago por servicios públicos prestados a su propiedad. **Se le recomienda insistentemente que pague la totalidad de su cuenta de inmediato para evitar cualquier otra acción, como el embargo de impuestos sobre la propiedad.**

En caso de que haya liquidado recientemente su cuenta, haga caso omiso de este aviso.

Según nuestra lista de morosos, el estado de su cuenta es el siguiente:

$333.57 no ha sido pagado y se encuentra en mora por facturación y servicio hasta Mayo de 2022. El saldo total adeudado en la cuenta es **$333.57** en la siguiente dirección:

Dirección del servicio: XXX
Cuenta #: XXX

El código municipal de la Ciudad de Yuba City proporciona un proceso de audiencia para que los clientes puedan disputar su(s) cuenta(s) de servicio público en mora. La ciudad tiene previsto celebrar esta audiencia el 28 de Julio de 2022. Esta reunión tendrá lugar a partir de las 10 de la mañana y se celebrará en el Ayuntamiento, en la sala Sutter, situada en el 1201 Civic Center Blvd., Yuba City. Esta será su oportunidad para apelar el saldo en mora; de lo contrario, este saldo, incluidas las tasas administrativas correspondientes, se incluirá en una lista de evaluación y se presentará al Concejo Municipal para su aprobación el 16 de Augosto de 2022. Una vez aprobado, el saldo adeudado se incluirá en la factura del impuesto sobre la propiedad para su cobro.

Lo invitamos a que presente sus inquietudes por escrito a la Ciudad en la siguiente dirección o llamando al número que se indica a continuación:

Ciudad de Yuba City - Departamento de Finanzas
1201 Civic Center Blvd.
Yuba City, CA 95993

Si tiene alguna pregunta o comentario, no dude en comunicarse con nosotros llamando al (530) 822-4618.

ਸਾਡੇ ਰਿਕਾਰਡ ਦਰਸਾਉਂਦੇ ਹਨ ਕਿ ਤੁਹਾਡੀ ਜਾਇਦਾਦ ਨੂੰ ਪ੍ਰਦਾਨ ਕੀਤੀਆਂ ਸਹੂਲਤਾਂ ਸੇਵਾਵਾਂ ਦੇ ਕੁਝ ਬਕਾਇਆ ਬਿਲ ਹਨ। **ਜਾਇਦਾਦ 'ਤੇ ਲਗਾਏ ਗਏ ਜਾਇਦਾਦ ਟੈਕਸ ਲੀਅਨ ਸਮੇਤ, ਕਿਸੇ ਵੀ ਅਗਲੀ ਕਾਰਵਾਈ ਤੋਂ ਬਚਣ ਲਈ ਤੁਹਾਨੂੰ ਪੁਰਜ਼ੋਰ ਅਪੀਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਤੁਸੀਂ ਆਪਣੇ ਖਾਤੇ ਦਾ ਪੂਰਾ ਭੁਗਤਾਨ ਕਰੋ।**

ਜੇ ਤੁਸੀਂ ਹਾਲ ਹੀ ਵਿੱਚ ਆਪਣੇ ਖਾਤੇ ਦਾ ਭੁਗਤਾਨ ਕੀਤਾ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੋਟਿਸ ਦੀ ਅਣਦੇਖੀ ਕਰੋ।

ਸਾਡੀ ਬਦਲੇ ਹੋਏ ਬਕਾਇਆ ਦੀ ਸੂਚੀ ਦੇ ਅਨੁਸਾਰ, ਤੁਹਾਡੇ ਖਾਤੇ ਦੀ ਸਥਿਤੀ ਹੇਠਾਂ ਦਿੱਤੀ ਹੈ:

ਮਈ 2022 ਤੱਕ ਬਿਲਿੰਗ ਅਤੇ ਸੇਵਾ ਲਈ **$333.57** ਰੁਪਏ ਦਾ ਭੁਗਤਾਨ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਹੈ ਅਤੇ ਕਸੂਰਵਾਰ ਹੈ। ਹੇਠ ਦਿੱਤੇ ਪਤੇ 'ਤੇ ਖਾਤੇ 'ਤੇ ਬਕਾਇਆ ਕੁੱਲ ਰਕਮ **$333.57** ਹੈ:

ਸੇਵਾ ਦਾ ਪਤਾ: XXX
ਖਾਤਾ #: XXX

ਸਿਟੀ ਆਫ ਯੂਬਾ ਦਾ ਸਿਟੀ ਮਿਊਂਸੀਪਲ ਕੋਡ ਗਾਹਕਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੇ ਬਦਲੇ ਹੋਏ ਸਹੂਲਤ ਸੇਵਾ ਖਾਤੇ (ਖਾਤਿਆਂ) ਸੰਬੰਧੀ ਵਿਵਾਦ ਕਰਨ ਲਈ ਸੁਣਵਾਈ ਦੀ ਇੱਕ ਪ੍ਰਕਿਰਿਆ ਪ੍ਰਦਾਨ ਕਰਦਾ ਹੈ। ਸਿਟੀ ਦੀ ਇਹ ਸੁਣਵਾਈ 28 ਜੁਲਾਈ 2022 ਨੂੰ ਹੋਣੀ ਹੈ। ਇਹ ਮੀਟਿੰਗ ਸਵੇਰੇ 10 ਵਜੇ ਸ਼ੁਰੂ ਹੋਵੇਗੀ ਅਤੇ ਇਹ 1201 ਸਿਵਿਕ ਸੈਂਟਰ ਬੁਲੇਵਾਰਡ, ਯੂਬਾ ਸਿਟੀ ਵਿਖੇ ਸਥਿਤ ਸਟਰ ਰੂਮ ਦੇ ਸਿਟੀ ਹਾਲ ਵਿਖੇ ਹੋਵੇਗੀ। ਇਹ ਤੁਹਾਡੇ ਲਈ ਬਦਲੇ ਹੋਏ ਬਕਾਇਆ ਦੀ ਅਪੀਲ ਕਰਨ ਦਾ ਮੌਕਾ ਹੋਵੇਗਾ; ਨਹੀਂ ਤਾਂ, ਸਬੰਧਤ ਪ੍ਰਬੰਧਕੀ ਫੀਸਾਂ ਸਮੇਤ, ਬਦਲੇ ਹੋਏ ਬਕਾਇਆ ਨੂੰ ਮੁਲਾਂਕਣ ਸੂਚੀ ਵਿਚ ਰੱਖਿਆ ਜਾਵੇਗਾ ਅਤੇ 16 ਅਗਸਤ 2022 ਨੂੰ ਮਨਜ਼ੂਰੀ ਲਈ ਸਿਟੀ ਕੌਂਸਲ ਨੂੰ ਪੇਸ਼ ਕੀਤਾ ਜਾਵੇਗਾ। ਮਨਜ਼ੂਰੀ ਮਿਲਣ 'ਤੇ, ਬਕਾਇਆ ਰਕਮ ਨੂੰ ਇਕੱਤਰ ਕਰਨ ਲਈ ਤੁਹਾਡੇ ਜਾਇਦਾਦ ਟੈਕਸ ਬਿੱਲ ਵਿੱਚ ਜੋੜਿਆ ਜਾਵੇਗਾ।

ਤੁਹਾਨੂੰ ਅਪੀਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਹੇਠ ਲਿਖੇ ਪਤੇ 'ਤੇ ਸ਼ਹਿਰ ਨੂੰ ਲਿਖ ਕੇ ਜਾਂ ਹੇਠਾਂ ਦਿੱਤੇ ਨੰਬਰ 'ਤੇ ਕਾਲ ਕਰਕੇ ਆਪਣੀਆਂ ਚਿੰਤਾਵਾਂ ਦੱਸੋ:

ਸਿਟੀ ਆਫ ਯੂਬਾ ਸਿਟੀ - ਵਿੱਤ ਵਿਭਾਗ
1201 ਸਿਵਿਕ ਸੈਂਟਰ ਬੁਲੇਵਾਰਡ
ਯੂਬਾ ਸਿਟੀ, CA 95993

ਜੇ ਤੁਹਾਡੇ ਕੋਈ ਪ੍ਰਸ਼ਨ ਜਾਂ ਟਿਪਣੀਆਂ ਹਨ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ (530) 822-4618 'ਤੇ ਸੰਪਰਕ ਕਰਨ ਵਿੱਚ ਨਾ ਝਿਜਕੋ।

Agenda Item **9**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Development Services Department

Presentation By: Doug Libby, Deputy Director of Development Services

---

Summary

Subject: 200-Year Urban Level of Flood Protection Finding

Recommendation: Adopt a Resolution acting as the land-use agency for the City of Yuba City accepting evidence in support of a Finding of 200-year flood protection

Fiscal Impact: None.

Purpose:

To adopt a Resolution accepting the substantial evidence provided by the Sutter Butte Flood Control Agency (SBFCA) establishing there exists a 200-year Urban Level of Flood Protection for the City as it pertains to approving future development projects.

Council's Strategic Goal:

Public Safety

Background:

California Senate Bill 5 (SB5), passed in 2007 and later amended by subsequent legislative actions, required the State to develop and adopt a comprehensive Central Valley Flood Protection Plan (CVFPP), which was approved by the Central Valley Flood Protection Board (CVFPB) in June 2012.

SB5 required all cities and counties in the Central Valley to incorporate the CVFPP into their General Plans and Zoning Ordinances, which the City of Yuba City did on September 6, 2016 (Ordinance No. 009-16).

SB5 restricted development unless a jurisdiction could make one of the following Findings:

(1) There exists a 200-year Urban Level of Flood Protection (ULOP) (Type I ULOP Finding)

(2) conditions are imposed on a development project to achieve 200-year protection (Type II Finding).

(3) Adequate progress is being made toward 200-year protection by 2025 (Type III Finding)

These Findings correspond with Yuba City Municipal Code Sections 6-9.601 through 6-9.603.

Analysis:

Due to the work SBFCA has completed as part of the Feather River West Levee Project, substantial evidence now exists to allow the City to make a Type 1 Finding in its land-use decisions, that there now exists a 200-year Urban Level of Flood Protection for the City. This is supported by SBFCA's Engineer's Report which is available at the SBFCA office located at 1445 Butte House Road, Suite B, Yuba City CA 95993 or on the SBFCA website at: www.sutterbutteflood.org/projects/feather-river-west-levee-project.

This is a significant accomplishment that supports enhanced public safety, economic development, and lower insurance costs for residents going into the future.

Fiscal Impact:

Existing budgeted monies have paid for preparation of this staff report and draft Resolution.

Alternatives:

Although not recommended, the Council could choose to not adopt the Resolution as presented.

Recommendation:

Adopt a Resolution accepting the substantial evidence provided by SBFCA in support of a Type 1 Urban Level of Flood Protection Finding that the facilities of the State Plan of Flood Control as rehabilitated by SBFCA through the Feather River West Levee Project provide an urban level of flood protection as defined by the State's Urban Levee Design Criteria.

Attachments:

1. Attachment 1 - SBFCA resolution of Type 1 Finding of 200-year flood protection

Prepared By:	Submitted By:
Doug Libby	Diana Langley
Deputy Director of Development Services	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY ACTING AS THE LAND USE AGENCY, ACCEPTING EVIDENCE IN SUPPORT OF A FINDING OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION

WHEREAS, California Senate Bill 5 (SB5), passed in 2007 and later amended by subsequent legislative actions, requires the State to develop and adopt a comprehensive Central Valley Flood Protection Plan (CVFPP), which was approved by the Central Valley Flood Protection Board (CVFPB) in June 2012; and

WHEREAS, SB5 required all cities and counties in the Central Valley to incorporate the CVFPP into their General Plans and Zoning Ordinances; and

WHEREAS, on September 6, 2016, the City Council adopted Resolution No. 16-058 to incorporate State flood legislation into the Yuba City General Plan (General Plan Amendment No. 16-03); and

WHEREAS, on September 6, 2016, the City Council adopted Ordinance No. 009-16 incorporating State flood legislation into the City Municipal Code as required by State law; and

WHEREAS, SB5 restricted development beyond July 2, 2016, unless a land use agency makes one of the following three types of findings: (1) there exists a 200-year Urban Level of Flood Protection (ULOP) (Type I ULOP Finding), (2) conditions are imposed on a develop project to achieve 200-year protection (Type II Finding), or (3) adequate progress is being made toward 200-year protection by 2025 (Type III Finding) and these correspond with Municipal Code Sections 6-9.601 through 6-9.603; and

WHEREAS, in October 2021 the Sutter Butte Flood Control Agency (SBFCA), as the local flood management agency responsible for implementing the Feather River West Levee Project, approved and posted substantial evidence in the record in support of Urban Levee Design Criteria (ULDC) compliance for the Project and accordingly in support of a Type I ULOP Finding which corresponds with Municipal Code Section 6-9.601(a), Section 6-9.602(a) and Section 6-9.603(a); and

WHEREAS, SBFCA's substantial evidence of ULDC compliance for the Project will support a Type I ULOP Finding made by the City, when required as part of approval of discretionary or ministerial permits which corresponds with Municipal Code Section 6-9.601(a), Section 6-9.602(a) and Section 6-9.603(a); and

WHEREAS, the substantial evidence developed by SBFCA in support of a Type I ULOP Finding is described in a certified Engineer's Report by SBFCA which is available at the SBFCA office located at 1445 Butte House Road, Suite B, Yuba City CA 95993 or on

the SBFCA website at: www.sutterbutteflood.org/projects/feather-river-west-levee-project; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City, acting as the Land Use Agency as defined by State law, hereby accepts the substantial evidence provided by SBFCA in support of a Type I ULOP Finding that the facilities of the State Plan of Flood Control as rehabilitated by SBFCA through the Feather River West Levee Project provide an urban level of flood protection as defined by the State of California's Urban Levee Design Criteria.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Agenda Item **10**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Development Services Department

Presentation By: Doug Libby, Deputy Director of Development Services

---

Summary

Subject: Heng's Cafe - Department of Alcoholic Beverage Control Application

Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the issuance of a Type 41 restaurant (beer and wine) Alcoholic Beverage Control (ABC) License at 1270 Stabler Ln. Suite 320 (Heng's Café)

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

---

Purpose:

Consideration to make a finding of public convenience or necessity for the issuance of a Type 41 (restaurant beer and wine) Alcoholic Beverage Control License at 1270 Stabler Ln., Suite 320 (Heng's Café).

Council's Strategic Goal:

Business Friendly.

Background:

The City has received an application from Patrick Fong, who is the owner of Heng's Café, an Asian cuisine restaurant located in the Feather Down (Bel Air) Shopping Center, requesting a Type 41 restaurant (beer and wine) license with the Department of Alcoholic Beverage Control. The applicant states the previous business owner did have a beer and wine license at this location. When ABC receives an application for a location where a high concentration of licenses exists, and/or a crime rate exceeding 25% of the average, the local government must then approve the application, prior to ABC approving it. In this instance, Heng's Café is located at 1270 Stabler Lane, Suite 320 and the census tract in which it is located, currently has five (5) active ABC Type 41 licenses. This location is in Yuba City Police Beat No. 2 but this location is not in a higher crime area.

Analysis:

Heng's Cafe is an Asian Cuisine restaurant with business hours of 11am to 9pm and the owner would like to provide beer and wine as part of their restaurant operation. The ABC and State Business and Professions Code, Section 23958, states the governing body must determine that the approval of this

license would provide public convenience or necessity, in order for the license application to be approved by ABC in this location due to the number of existing licenses that exist within the Census block.

Development Services staff and Police Chief Baker have reviewed the application and letter and believe this restaurant, including the sale of beer and wine beverages, is standard in this type of business and that a public convenience is provided through the sale of beer and wine at this business location.

Fiscal Impact:

No direct fiscal impact will result from making a finding of public convenience and necessity for the issuance of a Type 41 restaurant (beer and wine) Alcoholic Beverage Control License at 1270 Stabler Lane, Suite 320 (Heng's Café).

Alternatives:

Do not making a finding of public convenience and necessity for the issuance of a type 41 restaurant beer and wine Alcoholic Beverage Control License at 1270 Stabler Lane, Suite 320 (Heng's Café).

Recommendation:

Adopt a Resolution making a finding of public convenience and necessity for the issuance of a Type 41 restaurant (beer and wine) Alcoholic Beverage Control (ABC) License at 1270 Stabler Lane, Suite 320 (Heng's Café).

Attachments:

1. Attachment 1 - Proposed Resolution Finding of Convenience and Necessity
2. Attachment 2 Heng's Cafe ABC License Application
3. Attachment 3 Heng's Cafe ABC Applicant letter of Support

Prepared By:	Submitted By:
Doug Libby	Diana Langley
Deputy Director of Development Services	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY MAKING A FINDING OF PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF A TYPE 41 (RESTAURANT BEER AND WINE) ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE AT 1270 STABLER LN., SUITE 320 (HENG'S CAFÉ)

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

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

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

WHEREAS, the City of Yuba City has received an application for a Public Convenience and Necessity determination that was filed by Patrick Fong, the ("Applicant") who is the owner of Heng's Café located at 1270 Stabler Lane, Suite 320 in Yuba City, requesting a letter of Public Convenience and Necessity to allow a Type 41 restaurant (beer and wine) License in a census tract that has surpassed the number of allotted licenses and is located in Police Beat 2 which is not have a higher-than-average crime rate; and

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

WHEREAS, the City Council has considered this matter, and desires to find that the public convenience and necessity would be served by granting an additional Type 41 restaurant (beer and wine) Sale License for the location at 1270 Stabler Lane, Suite 320 in Yuba City.

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

1. The recitals and findings set forth above are true and correct and incorporated herein by this reference.

2. The City Council finds that this matter is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it is merely a determination whether the public convenience and necessity would be served by the issuance of a Type 41 restaurant (beer and wine) Sale License (Beer) for the location at 1270 Stabler Lane, Suite 320 (Heng's

Café). It does not have a potential for resulting in a reasonably foreseeable physical change to the existing environment.

3. The City Council finds and determines the public convenience and necessity is met in the present circumstances for reasons including the following:

   a. The alcohol sales for on-site consumption would be a limited, part of the overall restaurant service with limited hours from 11:00 am to 9:00 pm, and subject to supervision as specified in the applicants letter which is incorporated by reference.

   b. The request to permit beer and wine sales for on-premises consumption in conjunction with a restaurant operation will not adversely affect the surrounding land uses and the growth and development of the area because the use is compatible with the nearby developments, and consumption is limited to on-site.

   c. The determination of Public Convenience or Necessity, under the conditions imposed, will not be detrimental to the health and safety of the citizens of the City of Yuba City.

4. This resolution shall take effect immediately.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, City Clerk Administrator

APPROVED AS TO FORM:

_____
Shannon L. Chaffin, City Attorney

ATTACHMENT 2

Department of Alcoholic Beverage Control

State of California
Gavin Newsom, Governor

INFORMATION AND INSTRUCTIONS - SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

GEO CODE :5102

1. APPLICANT'S NAME

PATRICK RUIHUA FONG - 638753

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

1270 STABLER LN, STE 320, YUBA CITY, CA 95993-2626

3. LICENSE TYPE

41

4. TYPE OF BUSINESS

X Full Service Restaurant	Hofbrau/Cafeteria	Cocktail Lounge	Private Club
Deli or Specialty Restaurant	Comedy Club	Night Club	Veterans Club
Cafe/Coffee Shop	Brew Pub	Tavern: Beer	Fraternal Club
Bed & Breakfast:	Theater	Tavern: Beer & Wine	Wine Tasting Room
Wine only All			
Supermarket	Membership Store	Service Station	Swap Meet/Flea Market
Liquor Store	Department Store	Convenience Market	Drive-in Dairy
Drug/Variety Store	Florist/Gift Shop	Convenience Market w/Gasoline	
Other - describe:			

5. COUNTY POPULATION	6. TOTAL NUMBER OF LICENSES IN COUNTY	7. RATIO OF LICENSES TO POPULATION IN COUNTY
101289	N/A On-Sale Off-Sale	1-913 X On-Sale Off-Sale

8. CENSUS TRACT NUMBER	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT	10. NO. OF LICENSES EXISTING IN CENSUS TRACT
506.03	5 X On-Sale Off-Sale	5 X On-Sale Off-Sale

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

X Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

X Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER	14. TOTAL NUMBER OF REPORTING DISTRICTS	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
BEAT 2	5	5786

16. AVERAGE NO. OF OFFENSES PER DISTRICT	17. 120% OF AVERAGE NUMBER OF OFFENSES	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
1157	1389	1034

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

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

X No, the total number of offenses in the reporting district is lower than the total number in item #17

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

a. If "*No*" is checked in both item #11 *and* item #19, *Section 23958.4 B&P does not apply* to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

X b. If "*Yes*" is checked in either item #11 *or* item #19, *and* the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjuction with a beer manufacturer's license, or winegrower's license, advise the *applicant to complete Section 2* and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "*Yes*" is checked in either item #11 *or* item #19, *and* the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the *applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3*. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: Please mail PCN to: Yuba City Planning Dep 1201 Civic Center Blvd Yuba City, CA 95993

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Tiffany Alfaro

ABC-245 (rev. 01-11)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

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

SEE ATTACHED PCN LETTER

22. APPLICANT SIGNATURE: Patricia Rinehart Fenz

23. DATE SIGNED: 7/11/22

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.
Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

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

☐ Yes ☐ No ☐ See Attached (i.e., letter, resolution, etc.)

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

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

ATTACHMENT 3

Letter Regarding Public Convenience Or Necessity

To Sacramento County
Yuba Planning Department

RE: Applicant: Patrick Ruihua Fong
Address: 1270 Stabler Lane, Yuba City, CA 95993

To the Department:

I am the Applicant, applying for a new On-Sale Beer and Wine – Eating Place license for the above-referenced address. My business is basically a Chinese restaurant, with a modestly priced menu. There are no other such businesses located within 1,000.00 feet of our location, and our business operation hours will be from 11:00 am to 9:00 pm.

My business is situated in a shopping center in a highly commercialized area, with a parking lot. Our customers come from the other owners and operators within the shopping center and from a wide range of the surrounding areas since our business is the only Chinese cuisine restaurant in the vicinity. I bought this business in December, 2019. For many years, the previous owner of the business had an On-Sale Beer and Wine – Eating Place license in the operation of his business. Many of the same customers have been asking for alcoholic drinks to go with their meals. Some time, they would leave if they find that alcoholic drinks are not served in my restaurant.

There are residences located in the vicinity of our business; however, disturbances due to the sales of alcohol at our business would not be a problem since these residents are separated from the shopping center by a busy street, and are fenced off by high walls so that they are isolated sufficiently from the shopping center. I believe that an alcohol license will enhance the success of my business, helping other businesses in the entire area to recover from the Covid19 pandemic. There is no entertainment of any kind in our operation, just serving good foods.

I am determined to train our staff on the laws relating to the sales of alcohol to the public and to ensure that there would not be undue loitering or noises around my premises or any problem related to the sales of alcoholic beverages in our restaurant. If need to, I shall be employing security to insure that there are no problems relating to the serving of alcohol in our restaurant, making sure that there shall be no unduly gathering or disturbances in and around our restaurant.

I believe that the issuance of the alcohol license at my restaurant is a win-win situation for all the stake holders, my business, my clients and the City of Yuba.

July 11, 2022

Patrick Ruihui Fong

Agenda Item **11**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Development Services Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Homes2Families - Agreement Update

Recommendation: Adopt a Resolution to approve the updated Homes2Families Agreement with Regional Housing Authority (RHA)

Fiscal Impact: An increase of approximately 15% for management fees, and approximately 30% for maintenance calls, with a reduction of $80 per unit per month in groundskeeping fees, over the next 1 ½ years

---

Purpose:

To approve the updated Homes2Families Agreement with Regional Housing Authority (RHA)

Council's Strategic Goal:

This project does not directly address Council's goals and priorities; however, it continues providing the increasingly important option of affordable housing within the City.

Background:

Regional Housing Authority has been managing the City's Homes2Families (H2F) properties since 2008. H2F properties are owned by the City and are used for low- to moderate- income housing options. The rents are set based on the U.S. Department of Housing and Urban Development (HUD) Fair Market Rent (FMR) values.

The last update to the H2F Agreement occurred in 2017, and management rates have remained unchanged since then. The current Agreement term extension will expire in April 2023, and Regional Housing Authority and City staff are recommending approval and adoption of the updated Agreement.

Analysis:

There are currently nine (9) H2F properties within the City. These properties provide an affordable housing option to families through the Fair Market Rent guidelines set by HUD. The current FMR value for a 2-bedroom unit in Sutter County is $1,173.

Regional Housing Authority provides the management for these properties to include; accounts payable

and receivable, rent collection, audit reports, etc. and maintenance to include; service and emergency service calls, exterior and interior upkeep, “turnover” services between tenants, minor plumbing and electrical repairs, etc. RHA has been providing and performing these services for the City for approximately 14 years and has done so effectively and within required guidelines.

To maintain this working relationship and ensure the fees cover the costs of management, the proposed update to the Homes2Families Agreement, in short, increases the monthly management fee per unit from $200 to $225, the normal business hour service call fee from $50 to $65, and eliminates the $80 per month per unit groundskeeping fee. These proposed fees are to be effective until March 2023. Beginning April 2023, the management fee will increase to $235, while the service call fee will increase to $70.

RHA staff estimates that these increases will allow the increased costs of management and maintenance for the H2F properties to be covered, as was previously the case.

Additionally, City staff and RHA are looking into potentially selling four (4) of the H2F properties. Should these properties be sold, the referenced fee modification request and Agreement update will not change.

Fiscal Impact:

The current H2F account reserves total $357,154. There are also operating funds in the amount of $42,298. An increase of approximately 15% for management fees, and approximately 30% for maintenance calls, with a reduction of $80 per unit per month in groundskeeping fees, over the next 1 ½ years. The full proposed fee schedule can be found in Exhibit C of the updated Agreement.

Alternatives:

Do not approve the proposed updated H2F Agreement and provide modifications to the proposed update.

Recommendation:

Adopt a Resolution to approve the updated Homes2Families Agreement between the city of Yuba City and Regional Housing Authority

Attachments:

1. Attachment 1 - Resolution Approving the Updated Homes2 Families Agreement
2. Attachment 2 - Homes2Families Updated agreement (2022)
3. Attachment 3 - Current Homes2Families Agreement (2017)

Prepared By:	Submitted By:
Shannon Jones	Diana Langley
Administrative Analyst	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING THE UPDATED HOMES2FAMILIES AGREEMENT BETWEEN THE CITY OF YUBA CITY AND REGIONAL HOUSING AUTHORITY

WHEREAS, the City of Yuba City owns nine (9) properties, designated for low- to moderate-income housing options following the U.S. Department of Housing and Urban Development Fair Market Rent values; and

WHEREAS, Regional Housing Authority has been the property management organization for these properties since September 2008; and

WHEREAS, Regional Housing Authority has provided management and maintenance for these properties in a satisfactory manner, following City, State, and Federal guidelines; and

WHEREAS, the last update to the Homes2Families Agreement was in 2017, and fees are no longer covering the costs of management; and

WHEREAS, Regional Housing Authority and City Staff have discussed proposed updated to the Agreement to maintain the working relationship between parties for the continued management of the Homes2Families properties and recommend approval to the updated agreement.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City that the updated Homes2Families Agreement between the City of Yuba City and Regional Housing Authority be approved and that City Manager is authorized to execute the Agreement.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on August 16, 2022, by the following vote:

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

_____
Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

Homes2Familes Agreement

THIS AGREEMENT is entered into on this ____ day of _____2022, by and between the City of Yuba City, California, a public body, corporate and politic (hereinafter referred to as "Agency") and the Regional Housing authority (hereinafter referred to as "Housing Authority") and supersedes any and all Agreements, (including the Homes2Families Agreement dated September 1, 2017), Exhibits, and attachments for the operations of the Homes2Families portfolio.

Pursuant to Section 33334.2 of the California Health and Safety Code, the Agency has set aside 20% of tax increment revenues allocated to improve and increase the supply of affordable housing within the City of Yuba City. Pursuant to which, the Agency, among other things, has purchased existing housing units in the City of Yuba City, as more particularly described in Recital A below, with housing set aside funds, and desires to make such properties available to the eligible very low, low-, and moderate-income persons and families (collectively, the "properties", individually, a "property").

RECITALS

A. Agency holds title to the following described real property listed in Exhibit A. This Real property constitutes "Properties" for the purposes of the Agreement and may be amended periodically as property is purchased.
B. The Housing Authority is experienced in the business of operating and managing properties for very low, low-, and moderate-income housing.
C. The Agency desires to engage the services of the Housing Authority to manage and operate the Property, and Housing Authority desires to provide such services on the following terms and conditions.

AGREEMENT

Scope of Services – See Attached (Exhibit B)

In consideration of the mutual covenants contained herein, the parties agree:

1. Term

A. The term of this Agreement shall be for a period of three (3) years, commencing on the date of this Agreement., with the option for three (3) one-year extensions. This Agreement, if not extended in writing by the Agency and Regional Housing Authority prior to the termination date shall thereafter be deemed a month-to-month Agreement terminable by either party upon 30 days written notice.
B. Either party may terminate this Agreement prior to the termination date by sending a written notice of an intention to so terminate. The termination shall be effective 90 days after receipt of the early termination notice.
C. Agency shall have the right to terminate this Agreement upon ten days written notice in the event that the Housing Authority fails to perform the services and fulfill the responsibilities required of it hereunder and if the failure remains uncorrected for 20 days after the Agency's

written notice thereof specifying the nature of the alleged default to Housing Authority. However, if the nature of the Housing Authority's default cannot be reasonably corrected within said 20 days, then the Housing Authority shall not be in default if it promptly commences the correction of the alleged default within said 20 days and thereafter completes the correction of the alleged default as soon as reasonably possible.

D. Upon termination of this Agreement, the Agency may require the Housing Authority to surrender and forward to Agency, all funds, accounts, books, and tenant and property records with respect to the Properties and shall take such action as Agency may require to effectuate an orderly and systematic transition of the Housing Authority's duties and activities under this Agreement to a new manager.

2. Services to be Performed by Housing Authority – See Scope of Services (Exhibit B)

The Housing Authority will provide safe, decent housing that conforms to the regulatory requirements imposed on the properties by the Agency. The Housing authority shall lease, operate, maintain, manage, and repair the properties and perform all usual and customary management functions to facilitate the efficient operation of the properties for the purposes described in this Agreement. The Housing Authority shall perform these duties with due diligence. Without limiting the generality of the foregoing, the Housing Authority shall do all of the following:

A. Management Plan. The Housing Authority will follow established guidelines for the rental of the Properties to eligible very-low, low- and moderate-income families/tenants in accordance with all applicable requirements of the California Community Redevelopment Law (Health and Safety Code §§33000 et seq.). The Housing Authority will conduct annual recertifications of income and eligibility for purposes of ensuring that only eligible families are housed.

B. Maintenance and Repair. The Housing Authority shall maintain the properties in good condition and repair at all times. The Housing Authority shall quickly repair or cause to be repaired any item brought to its attention by the Agency or tenant or that is observed by the Housing Authority. The Housing Authority shall perform annual site inspections or as needed to ascertain the condition of the properties. For this purpose, and as limited in this paragraph, the Housing Authority is authorized to make of cause to be made and supervise repairs, alterations, and landscaping on the properties. The Housing Authority may enter into service contracts with unaffiliated third parties for the performance of services hereunder, provide each contract shall be terminable upon 30-days written notice.

C. Capital Expenditures. Capital expenditures or any major maintenance expenses exceeding $50,000 shall have prior written approval by the Agency. Agency's prior consent shall not be necessary with respect to monthly or recurring charges and emergency repairs that are necessary, in the opinion of the Housing Authority, to protect the properties from damage, to prevent bodily harm or property damage, to avoid the suspension of services, to avoid penalties for fines and to maintain the services required under the lease to be provided to the tenant provided that the Agency shall receive written notification of all emergency expenditures and the

justification for such expenditure. The Housing Authority will solicit bids in accordance to its HUD approved Procurement policy.

D. Compliance with Labor Laws. The Housing Authority shall comply with all applicable State labor laws in conducting any maintenance and repair work on the Properties, including but not limited to State prevailing wage requirements set forth at Labor Code section 1720 *et seq.,* and public contracting requirements as set for in 20688.1through 20688.4, except where the Housing Authority uses its own employees with the prior written consent of the Agency. Failure to comply with these and all other applicable labor laws in connection with any repair or maintenance work conducted on the Properties shall constitute a default by the Housing Authority under this Agreement.

E. Vacancies. The Housing Authority shall work diligently to complete all repairs in a timely manner and in particular when a property is vacant so the property can be promptly leased to another tenant. Except under unusual circumstances, the properties should be vacant no more than 30 days. The Housing Authority shall notify the Agency, in writing, whenever a property will be vacant more than 30 days. Upon the vacancy of a property following the termination of a tenancy, the Housing Authority shall promptly inspect the property and determine a course of action to perform all necessary repairs and improvements. The Housing Authority shall notify the Agency, in writing, of the course of action and unless the Agency objects, in writing, within 10 days from receipt of the Housing Authority's notice, the Housing authority may proceed with their action plan. At the direction of the Agency, inspections, repairs, and improvements may be performed by employees of the City of Yuba City.

F. Taxes and Assessments. Taxes and assessments shall be paid directly by the Agency and not by the Housing Authority. The Housing Authority shall promptly deliver to the Agency any notice relating to taxes and assessments received by the Housing Authority.

G. Employees. The Housing Authority shall hire, discharge and supervise all employees required for the operation, maintenance and repair of the properties. All employees performing work (other than the City employees specifically designated by the Agency to perform inspection and repair work) shall be employees of the Housing Authority and not the Agency. The Housing Authority shall comply with all applicable laws and regulations concerning worker's compensation, social security, unemployment insurance, hours of labor, wages, working conditions and all other rules and regulations governing employees.

3. Rental Receipts

The Housing Authority shall collect all rents and any other monies payable by the tenants.

A. Maintenance Reserve Account.

A consolidated Maintenance Reserve account shall be established as part of the Agreement to fund expenditures in excess of $5,000 for the properties. The Maintenance reserve target amount is $10,000 per property (9 properties * $10,000 = $90,000 target as of 06/01/2022). Each quarter, operating cash in excess of $1,000 per property ($9,000 as of 06/01/2022) will be

transferred to the Maintenance Reserves Account. If the operating cash is below the $1,000 per property target, then a transfer of Maintenance reserves to the operating cash account will occur. This account will earn interest based upon the monthly rates established by the Housing Authority bank. The Maintenance Reserve Account activity shall be subject to Agency review upon request.

4. Compensation

The Housing Authority will be compensated for services provided as set forth in Exhibit B to this Agreement ("Scope of Services")

5. Reports

A. Monthly – Within 45 days of the end of each month and upon request, the Housing Authority will provide a report of the activity of the Maintenance Reserve Account.
B. Quarterly – Within 45 days and upon request, the Housing Authority will provide an accounting for each Property showing the revenues and expenditures on a year-to-date basis.
C. Annually – Within 9 months after the end of each fiscal year (March 31), the Housing Authority shall provide the Agency with the following reports:
    a. Final report of the actual revenues and expenditures for each Property.
    b. Detailed report of all activity in the Capital Savings Account and the Maintenance Reserve account.
    c. Reports on results of on-site inspections.
    d. Verification of property rental to eligible very-low, low- and moderate-income families/tenants in accordance with all applicable requirements of the California Community Redevelopment Law (Health and Safety Code §§33000 et seq.)
    e. No later than December 31st of each year, the Housing Authority shall deliver to the Agency a financial audit of its property records through the March 31 fiscal year.

6. Indemnity

A. The Housing Authority shall hold the Agency harmless from and against any and all claims, costs, expenses, attorneys' fees and damages arising out of (i) any default by Housing Authority under this agreement; (ii) any gross negligence or willful misconduct of the Housing Authority or any of its officers, directors, agents, or employees during the course of their employment; (iii) any claims for bodily injury to employees during the course of their employment; and (iv) all employment relations between the Housing Authority and its employees. This provision shall survive the termination of the Agreement.
B. The Agency shall indemnify and hold the Housing Authority harmless from and against any and all costs, expenses, attorneys' fees and damages arising out of any action taken by the Housing Authority within the scope of this Agreement. If the inspections, repairs and/or improvements are made to the Properties by employees of the City of Yuba City, then the Agency shall also

indemnify and hold the Housing Authority harmless from and against any and all claims, costs, expenses, attorneys' fees and damages arising out of the actions of said City of Yuba City employees. The Agency shall not indemnify the Housing Authority for (i) any default by Housing Authority under this Agreement; (ii) any gross negligence or willful misconduct of Housing Authority or any of its officers, directors, agents or employees in connection with this Agreement; (iii) any claims for bodily injury to employees during the course of their employment; and (iv) all employee relations between the Housing Authority and its employees. This provision shall survive the termination of the Agreement.

7. Insurance

A. The Agency shall insure the Properties with all risk property coverage pursuant to the Agency's self-insurance program and a commercial general liability insurance policy. The liability policy shall insure the Housing Authority while acting within the scope of its authority as Owner's property manager hereunder.

B. The Housing Authority shall maintain during the term of this Agreement, and any extensions or renewals thereof, insurance according to Exhibit D attached.

8. Conflict of Interest

No Housing Authority employee or any member of the employee's immediate family, or the employee's partner, may enter into any contract, subcontract, or arrangement in connection with the Homes2Families program for the purpose of residing in a unit or obtaining a financial interest or benefit from this program by performing work that is outside the purview of the Housing Authority.

9. Miscellaneous

A. This Agreement is personal to the Housing Authority and the Housing Authority shall have no right, power or authority to assign any interest in this Agreement or any moneys due or to become due hereunder. Subject to the foregoing, this Agreement shall be binding upon and contribute to the benefit of the Agency and Housing Authority and their respective successors and assigns.

B. This Agreement contains the entire Agreement between the parties with respect to the Properties and no amendment shall be valid unless in writing signed by both parties.

C. Any notice required or permitted to be given under this Agreement shall be written, and may be given by personal delivery or by registered or certified mail, first class prepaid, return receipt requested. Notice shall be deemed given upon actual receipt in the case of personal delivery, or upon mailing. Mailed notices shall be addressed as follows, but each party may change their address by written notice in accordance with this paragraph:

Homes2Familes Agreement

Agency Benjamin Moody
Public Works & Development Services Director
1201Civic Center Boulevard
Yuba City, CA 95993

Housing Authority Gustavo Becerra
Executive Director
1455 Butte House Road
Yuba City, CA 95993

D. If either party brings any legal action regarding any provision of the Agreement or seeks damages, the prevailing party in the litigation shall be entitled to recover reasonable attorneys' fees from other party, in addition to any other relief that may be granted.

Date:_____

City of Yuba City

By:_____
Diana Langley, City Manager

Date:_____

Regional Housing Authority

By:_____
Gustavo Becerra, Executive Director

Exhibit A

	Address	APN
1.	545 Laurel Ave.	53-282-018
2.	590 Washinton Blvd.	51-435-033
3.	732 Winslow Dr.	51-073-010
4.	764 Regent Loop	51-095-048
5.	825 Jones St.	52-411-016
6.	847 Chestnut St.	52-161-036
7.	1035 Oakwood Dr.	51-264-004
8.	1082 McCollum Ave.	52-122-002
9.	1483 Gray Ave.	51-095-020

Exhibit B

This proposal is subject to the Housing Authority's Legal Counsel review and Board of Commissioner's approval. The Amendment will take effect 30 days after approval and will amend all current and future contracts to manage the program. Terms are not retroactive and will take effect going forward from the date of signature and approval from both parties. Costs are reflective of current charges and may be adjusted on an annual basis by mutual consent of both Agencies.

1. Scope of Work

Scope of work for Homes2Families (H2F) Homes purchased by the City of Yuba City (Agency) and managed by the Regional Housing Authority (Housing Authority).
Management of typically single-family homes to lower income households in compliance with City of Yuba City Law on income levels and rent schedules.

Management Fee: A basic management fee of $200 per month per unit. Other costs and services are detailed below. On an annual basis, these fees and services related to each unit will be reviewed jointly by the Housing Authority and the Agency for fair and appropriate coverage of the assigned special services provided by the Housing Authority. Listed below is a detailed list of the types of assigned special services provided by the Housing Authority to and for the H2F units and tenants.

2. Eligibility/Occupancy

The following is a list of duties that are performed for vacant H2F units. At times individual families may need additional assistance or resources during the lease-up process that are not included in this list.

The monthly Management Fee covers collection of rents, management of tenant files, financial reports and other finance activities as described under the Finance Section below.

3. Vacancy Turnovers

Turnaround or Rent Up on vacant units will be charged at of the current monthly rent and include, but are not limited to, the following:

1. Upon notification that unit is ready, advertise vacancy.
2. Collect applications, review for income requirements and other eligibility criteria
3. Submit credit, background and rental history requests
4. Punch unit for approval of turnaround and ready-to-lease status.
5. Schedule appointment with applicant to collect income/assets, family member identification etc.

6. Upon completion of verification process, contact successful applicant to schedule appointment to view unit.
7. If applicant accepts unit, complete move-in paperwork and inspection.
8. Conduct exterior inspection of unit and front yard, weekly.
9. Schedule special inspections, as needed.
10. Schedule annual inspection and reexamination paperwork.
11. Serve any notices.
12. Review work orders called in for unit for completion of work and file in tenant file.
13. Collect 30-day notice of vacate, when tenant states they will be moving.
14. Schedule move out inspection.
15. Conduct move out inspection.
16. Process and submit file to finance for move out charges/credits.
17. Submit work order for move in ready status.

4. Landscaping

Groundskeeping will be provided weekly for front yards only and includes mowing, trimming, light brush and tree trimming, and removal of all debris. Both weekly groundskeeping and other landscaping work (tree removal, sod, or bark replacement, etc.) will be performed by a third-party contractor and direct billed to the units.

5. Maintenance

Normal business hour calls are Monday-Thursday 8 a.m. to 5 p.m. with rates are established on Exhibit C.

Calls outside of normal business hours above are considered After-hours emergency calls with rates established on Exhibit C. After hour emergency calls are to be charged at a 2-hour minimum rate, plus a service fee, trip charge, and material costs. Calls that are not an emergency and can be performed during normal business hours will be scheduled for service during normal business hours.

Generally, Maintenance Department duties include, but are not limited to, troubleshooting minor repairs, responding 24/7 to emergency calls and resolving problems to ensure efficient, decent, safe and sanitary housing. Maintenance provides all tools necessary to complete the job.

The Maintenance Department will provide the following services:

A. Schedule, coordinate, and perform routine and comprehensive maintenance of assigned units/facilities.
B. Vacuum, shampoo and spot clean carpets/flooring and wash windows on the turnaround of the unit to a new tenant.
C. Perform general interior or exterior painting, as needed.
D. Report and respond to emergency calls for service assistance.
E. Respond to service requests, coordinate resources and implement the set up and take down of equipment for a wide variety of service repairs.
F. Perform various maintenance and custodial duties, such as installation and repair to fixtures.
G. Troubleshoot and repair minor plumbing and electrical problems, provide offsite maintenance and ground keeping duties as required.
H. Maintain inventory and submit written requests for supplies.
I. Perform preventative maintenance in and around facilities.
J. Provide experience in the methods for maintaining, cleaning and preserving a variety of surfaces, proper use of a wide range of chemicals according to state and federal regulations, handle and dispose of hazardous materials and blood borne pathogens.
K. Track all service calls and time and materials for each unit.

Service specific to the Tenant:

A. Service calls- Staff and Management available during regular business hours.
B. On-call-- Staff and Answering Service available after hours, weekends and holidays.
C. Routine inspections-- interior and exterior preventive maintenance.

6. Annual Inspections

Annual Housing Quality Service (HQS) inspections to ensure safe and sanitary housing will be charged at rates established by Exhibit C. Other inspections as needed by the Agency or tenant will be charged at the same rate. Note: move in and out inspections are covered in the turnaround/rent up charge.

7. **Finance**

Services included in the base management fee:

A. Accounts payable, rent collection, detailed accounting and tracking of expenses, bill payment.
B. Monthly Income Statements to Management Team.
C. Quarterly Income Statements to the City of Yuba, upon request.
D. Annual audit and other reports, as required.

Exhibit C

This proposal amends the monthly costs for Regional Housing Authority to manage and maintain the Homes2Families (H2F) units. Unless specifically amended below, current contract language is unchanged.

Landscaping/Groundskeeping

Groundskeeping will be provided weekly for front yards only and includes mowing, trimming, light brush and tree trimming, and removal of all debris. Both weekly groundskeeping and other landscaping work (tree removal, sod, or bark replacement, etc.) will be performed by a third-party contractor and will be direct billed to the units.

Management and Maintenance: April 1, 2022, to March 31, 2023

Management Fee..... $225 per unit
Trip (visit) fee..... $144 per visit
Normal businesses hours (rolled to nearest hour)..... $65 per hour
After hour emergency calls (2-hour minimum)..... $65 per hour
After hour emergency calls (service fee)..... $50 per visit
Annual inspections ($100 maximum per unit) ..... $50 per hour
Turn-over ..... ½ current rent for unit

Management and Maintenance: April 1, 2023, to March 31, 2024

Management Fee..... $235 per unit
Trip (visit) fee..... $154 per visit
Normal businesses hours (rolled to nearest hour)..... $70 per hour
After Hour emergency calls (2-hour minimum) ..... $70 per hour
After hour emergency calls (service fee)..... $55 per visit
Annual inspections ($110 maximum per unit) ..... $55 per hour
Turn-over ..... ½ current rent for unit

Exhibit D

Professional Services Agreement-- Insurance Requirements

Workers' Compensation Coverage. Consultant shall maintain Workers' Compensation Insurance for his/her employees in accordance with the laws of the State of California and Employers Liability Insurance in an amount not less than one million dollars ($1,000,000) per accident for bodily injury and/or disease. In addition, Consultant shall require each subcontractor to similarly maintain Workers' Compensation Insurance in accordance with the laws of the State of California and Employers Liability Insurance in an amount not less than one million dollars ($1,000,000) per accident for bodily injury and/or disease. for all of the subcontractor's employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the City at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against City, its officers, agents, employees and volunteers for losses arising from work performed by Consultant for City. This provision shall not apply if Consultant has no employees performing work under this Agreement. If the Consultant has no employees for the purposes of this Agreement, Consultant shall sign the "Certificate of Exemption from Workers' Compensation Insurance" which is attached hereto as Exhibit C.

General Liability Coverage. Consultant shall maintain commercial general liability insurance in an amount not less than one million dollars ($1,000,000) per occurrence for bodily injury, personal injury and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.

Automobile Liability Coverage. Consultant shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired and non-owned vehicles, in an amount of not less than one million dollars ($1,000,000) combined single limit for each occurrence.

Professional Liability Coverage. Consultant shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors or omissions which may arise from Consultant's operations under this Agreement, whether such operations are by the Consultant or by its employees, subcontractors, or sub-consultants. The amount of this insurance shall not be less than one million dollars ($1,000,000) on a claims-made annual aggregate basis, or a combined single-limit per occurrence basis.

Endorsements. Each general liability and automobile liability insurance policy shall be with insurers possessing a current A.M. Best's rating of no less than A:VII and shall be endorsed with the following specific language or equivalent:

A. The City, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insured with respect to liability arising out of work performed by or on behalf of the Consultant, including materials, parts or equipment furnished in connection with such work or operations. Conforms to ISO CG 2009 and CG 2037 10 01. Both are required.
B. This policy shall be considered primary insurance as respects to the City, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by the City, including any self-insured retention the City may have, shall be considered excess insurance only and shall not contribute with it.
C. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
D. The insurer waives all rights of subrogation against the City, its elected or appointed officers, officials, employees or agents.
E. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents or volunteers.
F. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage except after thirty (30) days written notice has been received by the City.

Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the City's option, Consultant shall demonstrate financial capability for payment of such deductibles or self-insured retentions.

Certificates of Insurance. Consultant shall provide certificates of insurance with original endorsements to City, as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the City on or before commencement of performance of this agreement. Current certification of insurance shall be kept on file with the City at all times during the term of this Agreement.

ATTACHMENT 3

Homes2Familes
Agreement

THIS AGREEMENT is entered into on this 1st day of Sept. 2017, by and between the City of Yuba City, California, a public body, corporate and politic (hereinafter referred to as "Agency") and the Regional Housing Authority (hereinafter referred to as "Housing Authority") and supersedes any and all Agreements, Exhibits and attachments for the operations of the Homes2Families portfolio.

Pursuant to Section 33334.2 of the California Health and Safety Code, the Agency has set aside 20% of tax increment revenues allocated to improve and increase the supply of affordable housing within the City of Yuba City. Pursuant to which, the Agency, among other things, has purchased existing housing units in the City of Yuba City, as more particularly described in Recital A below, with housing set aside funds, and desires to make such properties available to the eligible very low, low and moderate income persons and families (collectively, the "Properties," individually, a "Property").

RECITALS

A. Agency holds title to the following described real property listed in ***Exhibit A***. This real property constitutes the "Properties" for purposes of the Agreement and may be amended periodically as property is purchased.
B. The Housing Authority is experienced in the business of operating and managing property for very low, low and moderate income housing.
C. The Agency desires to engage the services of the Housing Authority to manage and operate the Property, and Housing Authority desires to provide such services on the following terms and conditions.

AGREEMENT

Scope of Services – See Attached Scope of Services (Exhibit B)

In consideration of the mutual covenants contained herein, the parties agree:

1. Term

A. The term of this Agreement shall be for a period of three years commencing on the date of this Agreement, with the option to renew for three one-year extensions. This Agreement, if not extended in writing by the Agency and Housing Authority prior to the termination date, shall thereafter be deemed a month to month Agreement terminable by either party upon 30 days written notice.
B. Either party may terminate this Agreement prior to the termination date by sending a written notice of an intention to so terminate. The termination shall be effective 90 days after receipt of the early termination notice.
C. Agency shall have the right to terminate this Agreement upon ten days written notice in the event the Housing Authority fails to perform the services and fulfill the responsibilities required of it hereunder and if the failure remains uncorrected for 20 days after Agency's written notice thereof specifying the nature of the alleged default to Housing Authority. However, if the nature of the Housing Authority's default cannot be reasonably corrected within said 20 day time period, then Housing Authority shall not be in default if it promptly commences the correction of the alleged default within said 20 day period and thereafter completes the correction of the alleged default as soon as reasonably possible.
D. Upon termination of this Agreement, the Agency may require the Housing Authority to surrender and forward to Agency all funds, accounts, books and tenant and property records with respect to the Properties and shall take such action as Agency may require to effectuate an orderly and systematic transition of Housing Authority's duties and activities under this Agreement to a new manager.

2. Services to be Performed by Housing Authority -- See Scope of Services (Exhibit B)

The Housing Authority will provide safe, decent housing that conforms to the regulatory requirements imposed on the properties by the Agency. The Housing Authority shall lease, operate, maintain, manage and repair the properties and perform all usual and customary management functions to facilitate the efficient operation of the properties for the purposes described in this Agreement. The Housing Authority shall perform these duties with due diligence. Without limiting the generality of the foregoing, the Housing Authority shall do all of the following:

A. *Management Plan.* The Housing Authority will follow established guidelines for the rental of the Properties to eligible very-low, low and moderate income families/tenants in accordance with all applicable requirements of the California Community Redevelopment Law (Health and Safety Code §§33000 *et seq.*). The Housing Authority will conduct annual recertifications of income and eligibility for purposes of ensuring that only eligible families are housed.

B. *Maintenance and Repair.* The Housing Authority shall maintain the properties in good condition and repair at all times. The Housing Authority shall quickly repair or cause to be repaired any item brought to its attention by the Agency or a tenant or that is observed by the Housing Authority. The Housing Authority shall perform annual site inspections or as needed to ascertain the condition of the properties. For this purpose, and as limited in this paragraph, the Housing Authority is authorized to make or cause to be made and supervise repairs, alterations, and landscaping on the properties. The Housing Authority may enter into service contracts with unaffiliated third parties for the performance of services hereunder, provided each contract shall be terminable upon 30-days written notice.

C. *Capital Expenditures.* Capital expenditures or any major maintenance expenses exceeding $3,000 shall have prior written approval by the Agency. Agency's prior consent shall not be necessary with respect to monthly or recurring charges and emergency repairs that are necessary, in the opinion of the Housing Authority, to protect the properties from damage, to prevent bodily harm or property damage, to avoid the suspension of services, to avoid penalties or fines and to maintain the services required under the lease to be provided to the tenant provided that the Agency shall receive written notification of all emergency expenditures and the justification for such expenditure. The Housing Authority shall obtain three bids for any work which exceeds $5,000 and shall submit the bids to the Agency for written approval, unless the Housing Authority elects, with the Agency's prior written consent, to use its own employees to perform any work which exceeds $5,000.

D. *Compliance with Labor Laws*. The Housing Authority shall comply with all applicable State labor laws in conducting any maintenance and repair work on the Properties, including but not limited to State prevailing wage requirements set forth at Labor Code section 1720 *et seq.*, and public contracting requirements as set for in 20688.1 through 20688.4, except where the Housing Authority uses its own employees with the prior written consent of the Agency. Failure to comply with these and all other applicable labor laws in connection with any repair or maintenance work conducted on the Properties shall constitute a default by the Housing Authority under this Agreement.

E. *Vacancies.* The Housing Authority shall work diligently to complete all repairs in a timely manner and in particular when a property is vacant so the property can be promptly leased to another tenant. Except under unusual circumstances, the properties should be vacant no more than 30 days. The Housing Authority shall notify the Agency, in writing, whenever a property will be vacant more than 30 days. Upon the vacancy of a property following the termination of a tenancy, the Housing Authority shall promptly inspect the property and determine a course of action to perform all necessary repairs and improvements. The Housing Authority shall notify the Agency, in writing, of the course of action and unless the Agency objects, in writing, within 10 days from the receipt of the Housing Authority's notice,

the Housing Authority may proceed to perform the repairs and improvements. At the direction of the Agency, inspections, repairs and improvements may be performed by employees of the City of Yuba City.

F. *Taxes and Assessments.* Taxes and assessments shall be paid directly by the Agency and not by the Housing Authority. The Housing Authority shall promptly deliver to the Agency any notice relating to taxes and assessments received by the Housing Authority.

G. *Employees.* The Housing Authority shall hire, discharge and supervise all employees required for the operation, maintenance and repair of the properties. All employees performing work (other than the City employees specifically designated by the Agency to perform inspection and repair work) shall be employees of the Housing Authority and not the Agency. The Housing Authority shall comply with all applicable laws and regulations concerning worker's compensation, social security, unemployment insurance, hours of labor, wages, working conditions and all other rules and regulations governing employees.

3. Rental Receipts

The Housing Authority shall collect all rents and any other moneys payable by the tenants. The Housing Authority shall maintain two separate accounts for the Properties: (A) Capital Savings Account (B) Maintenance Reserve Account:

A. *Capital Savings Account.* A consolidated Capital Savings Account shall be established from all Properties to accumulate funds to purchase additional homes for the Homes2Families Program. The source of funds for this Account is the rents received from tenants minus Housing Authority Compensation as outlined in Exhibit B and the Maintenance Reserve allocation. This account will earn interest based upon the monthly rates established by the Housing Authority bank and allocated quarterly. Withdrawals from the Capital Savings Account can occur only with written concurrence from the Agency.

B. *Maintenance Reserve Account.* A consolidated Maintenance Reserve Account shall be established as part of the Agreement to fund Capital expenditures for the Properties. A monthly allocation of $100 from each Property will be transferred to the Maintenance Reserve Account from rents received. The Reserve Budget shall be subject to review and approval by the Agency in its reasonable discretion. Periodically, the Agency and Housing Authority may evaluate the Reserve Budget and transfer funds from/to the Capital Savings Account to ensure sufficient funds are available for Capital repairs. Exhibit C to this Agreement contains an example of rent receipts and distribution.

4. Compensation

The Housing Authority will be compensated for services provided as set forth in Exhibit B to this Agreement ("Scope of Services").

5. Reports

A. *Monthly* -- Within 45 days of the end of each month and upon request, the Housing Authority will provide a report of the activity of the Maintenance Reserve Account.

B. *Quarterly* -- Within 45 days of the end of the Quarter and upon request, the Housing Authority will provide an accounting for each Property showing the revenues and expenditures on a year-to-date basis.

C. *Annually* -- Within 9 months after the end of each fiscal year (March 31) and upon request, the Housing Authority shall provide the Agency with the following reports:
   a) Final report of the actual revenues and expenditures for each Property.
   b) Detailed report of all activity in the Capital Savings Account and the Maintenance Reserve Account.
   c) Report on results of on-site inspections.
   d) Verification of property rental to eligible very-low, low and moderate income families/tenants in accordance with all applicable requirements of the California Community Redevelopment Law (Health and Safety Code §§33000 *et seq.*).
   e) No later than December 31 of each year, the Housing Authority shall deliver to the Agency a financial audit of its property records through the March 31 fiscal year.

6. Indemnity

A. The Housing Authority shall hold the Agency harmless from and against any and all claims, costs, expenses, attorneys' fees and damages arising out of (i) any default by Housing Authority under this Agreement; (ii) any gross negligence or willful misconduct of the Housing Authority or any of its officers, directors, agents or employees during the course of their employment; (iii) any claims for bodily injury to employees during the course of their employment; and (iv) all employment relations between the Housing Authority and its employees. This provision shall survive the termination of the Agreement.

B. The Agency shall indemnify and hold the Housing Authority harmless from and against any and all costs, expenses, attorneys' fees and damages arising out of any action taken by the Housing Authority within the scope of this Agreement. If the inspections, repairs and/or improvements are made to the Properties by employees of the City of Yuba City, then the Agency shall also indemnify and hold the Housing Authority harmless from and against any and all claims, costs, expenses, attorneys' fees and damages arising out of the actions of said City of Yuba City employees. The Agency shall not indemnify the Housing Authority for (i) any default by Housing Authority under this Agreement; (ii) any gross negligence or willful misconduct of Housing Authority or any of its officers, directors, agents or employees in connection with this Agreement; (iii) any claims for bodily injury to employees during the course of their employment; and (iv) all employee relations between the Housing Authority and its employees. This provision shall survive the termination of the Agreement.

7. Insurance

A. The Agency shall insure the Properties with all risk property coverage pursuant to the Agency's self-insurance program and a commercial general liability insurance policy. The liability policy shall insure the Housing Authority while acting within the scope of its authority as Owner's property manager hereunder.

B. The Housing Authority shall maintain during the term of this Agreement, and any extensions or renewals thereof, insurance according to Exhibit D attached.

8. Conflict of Interest

No Housing Authority employee or any member of the employee's immediate family, or the employee's partner, may enter into any contract, subcontract, or arrangement in connection with the Homes2Families program for the purpose of residing in a unit or obtaining a financial interest or benefit from this program by performing work that is outside the purview of the Housing Authority.

9. Miscellaneous

A. This Agreement is personal to the Housing Authority and the Housing Authority shall have no right, power or authority to assign any interest in this Agreement or any moneys due or to become due hereunder. Subject to the foregoing, this Agreement shall be binding upon and contribute to the benefit of the Agency and Housing Authority and their respective successors and assigns.

B. This Agreement contains the entire Agreement between the parties with respect to the Properties and no amendment shall be valid unless in writing signed by both parties.

C. Any notice required or permitted to be given under this Agreement shall be written, and may be given by personal delivery or by registered or certified mail, first class prepaid, return receipt requested. Notice shall be deemed given upon actual receipt in the case of personal delivery, or upon mailing. Mailed notices shall be addressed as follows, but each party may change their address by written notice in accordance with this paragraph:

Agency
Arnoldo Rodriguez
AICP Development Services Director
1201 Civic Center Boulevard
Yuba City, CA 95993

Housing Authority
Gustavo Becerra
Executive Director
1455 Butte House Road
Yuba City, CA 95993

D. If either party brings any legal action regarding any provision of the Agreement, or seeks damages, the prevailing party in the litigation shall be entitled to recover reasonable attorneys' fees from other party, in addition to any other relief that may be granted.

Date: 4-30-18

City of Yuba City

By: _____
Steven C. Kroeger, City Manager

Date: 4-30-18

Regional Housing Authority

By: _____
Gustavo Becerra, Executive Director

Homes2Families
Exhibit A
(as of August 17, 2017)

	Address	APN
1	545 Laurel Ave	53-282-018
2	590 Washington Avenue	51-435-033
3	716 Winslow Avenue	51-073-012
4	732 Winslow Drive	51-073-010
5	764 Regent Loop	51-095-048
6	815 Bridge Street	52-413-006
7	817 Bridge Street	52-413-006
8	825 Jones Street	52-411-016
9	829 Bridge Street	52-413-007
10	847 Chestnut	52-161-036
11	899 Bridge Street	52-077-011
12	925 Bridge Street	52-077-015
13	1035 Oakwood Drive	51-264-004
14	1082 McCollum	52-122-002
15	1483 Gray Ave	51-095-020

No Longer In Program

1	529 Main Street	53-282-026
2	614 Clark	52-077-009
3	625 Clark	52-412-013
4	833 Bridge	52-403-013

Homes2Familes
Exhibit B

This proposal is subject to the Housing Authority's Legal Counsel review and Board of Commissioner's approval. The Amendment will take effect 30 days after approval and will amend all current and future contracts to manage the program. Terms are not retroactive and will take effect going forward from the date of signature and approval from both parties. Costs are reflective of current charges and may be adjusted on an annual basis by mutual consent of both Agencies.

1. **Scope of Work**

Scope of work for Homes2Families (H2F) – Homes purchased by the City of Yuba City (Agency) and managed by the Regional Housing Authority (Housing Authority).
Management of typically single family homes to lower income households in compliance with City of Yuba City Law on income levels and rent schedules.

Management Fee: A basic management fee of $200 per month per unit. Other costs and services are detailed below. On an annual basis, these fees and services related to each unit will be reviewed jointly by the Housing Authority and the Agency for fair and appropriate coverage of the assigned special services provided by the Housing Authority. Listed below is a detailed list of the types of assigned special services provided by the Housing Authority to and for the H2F units and tenants.

2. **Eligibility/Occupancy**

The following is a list of duties that are performed for vacant H2F units. At times individual families may need additional assistance or resources during the lease-up process that are not included in this list.

The monthly Management Fee covers collection of rents, management of tenant files, financial reports and other finance activities as described under the Finance Section below.

3. **Vacancy Turnovers**

Turnaround or Rent Up on vacant units will be charged at ½ of the current monthly rent and include, but are not limited to, the following:

A. Upon notification that unit is ready, advertise vacancy.
B. Collect applications, review for income requirements and other eligibility criteria.
C. Submit credit, background and rental history requests.

D. Punch unit for approval of turnaround and ready- to- lease status.
E. Schedule appointment with applicant to collect income/assets, family member identification etc.
F. Upon completion of verification process, contact successful applicant to schedule appointment to view unit.
G. If applicant accepts unit, complete move-in paperwork and inspection.
H. Conduct exterior inspection of unit and front yard, weekly.
I. Schedule special inspections, as needed.
J. Schedule annual inspection and reexamination paperwork.
K. Serve any notices.
L. Review work orders called in for unit for completion of work and file in tenant file.
M. Collect 30-day notice of vacate, when tenant states they will be moving.
N. Schedule move out inspection.
O. Conduct move out inspection.
P. Process and submit file to finance for move out charges/credits.
Q. Submit work order for move in ready status.

4. Landscaping

Landscaping will be provided for front yards only and includes mowing, trimming, brush and tree trimming and removal of all debris. Cost is calculated at $80.00 per unit per unit.

5. Maintenance

Business calls (8 a.m. to 5 p.m.) are to be charged at $50 per hour (roll-up rate) per job, plus materials.

Emergency calls (5 p.m. to 8 a.m.) are to be charged at a 2-hour minimum rate, plus a $40 service charge per visit, plus material costs. Calls that are not an emergency and can be performed during normal business hours will be scheduled for service during normal business hours.

Generally, Maintenance Department duties include, but are not limited to, troubleshooting minor repairs, responding 24/7 to emergency calls and resolving problems to ensure efficient, decent, safe and sanitary housing. Maintenance provides all tools necessary to complete the job.

The Maintenance Department will provide the following services:

A. Schedule, coordinate, and perform routine and comprehensive maintenance of assigned units/facilities.
B. Vacuum, shampoo and spot clean carpets/flooring and wash windows on the turnaround of the unit to a new tenant.

C. Perform general interior or exterior painting, as needed.
D. Report and respond to emergency calls for service assistance.
E. Respond to service requests, coordinate resources and implement the set up and take down of equipment for a wide variety of service repairs.
F. Perform various maintenance and custodial duties, such as installation and repair to fixtures.
G. Troubleshoot and repair minor plumbing and electrical problems, provide offsite maintenance and ground keeping duties as required.
H. Maintain inventory and submit written requests for supplies.
I. Perform preventative maintenance in and around facilities.
J. Provide experience in the methods for maintaining, cleaning and preserving a variety of surfaces, proper use of a wide range of chemicals according to state and federal regulations, handle and dispose of hazardous materials and blood borne pathogens.
K. Track all service calls and time and materials for each unit.

Service specific to the Tenant:

A. Service calls - Staff and Management available during regular business hours.
B. On-call -- Staff and Answering Service available after hours, weekends and holidays.
C. Routine inspections -- interior and exterior preventive maintenance.

6. <u>Annual Inspections</u>

Annual Housing Quality Service (HQS) inspections to ensure safe and sanitary housing will be charged at $40 an hour with a maximum of $100 per inspection. Other inspections as needed by the Agency or tenant will be charged at the same rate. Note: move in and out inspections are covered in the turnaround/rent up charge.

7. **<u>Finance</u>**

Services included in the base management fee:

A. Accounts payable, rent collection, detailed accounting and tracking of expenses, bill payment.
B. Monthly Income Statements to Management Team.
C. Quarterly Income Statements to the City of Yuba, upon request.
D. Annual audit and other reports, as required.

Homes2Familes
Exhibit B

Cost summary associated with management and maintenance of H2F units per month:

Management:

Management Fee ..... $200 per unit
Grounds Fee ..... $ 80 per unit
$280 per unit

Maintenance:

Normal business hours (rolled to nearest hour) ..... $50 per hour
After hour emergency calls (2-hour minimum) ..... $50 per hour
After hour emergency calls (service fee) ..... $40 per visit
Annual inspections ($100 maximum per unit) ..... $40 per hour
Turn-over ..... ½ current rent for unit

Homes2Families
Exhibit C

Example Property Account

Monthly Rent	$	1,000.00
Basic Management Fee	$	(150.00)
Landscape Maintenance	$	(50.00)
Routine Repairs/Maintenance	$	(100.00)
Transfer to Maintenance Reserve	$	(100.00)
Transfer to Capital Savings Account	**$**	**600.00**

Example Maintenance Reserve Account

Beginning Balance	**$**	**12,000.00**
Month 1 Allocation (12 Homes)	$	1,200.00
Month 2 Allocation (12 Homes)	$	1,200.00
Month 3 Allocation (12 Homes)	$	1,200.00
Repair HVAC - 1 Property	$	(3,000.00)
Enging Balance	**$**	**12,600.00**

Example Capital Savings Account

Beginning Balance	**$**	**-**
Month 1 Transfer (12 Homes)	$	7,200.00
Month 2 Transfer (12 Homes)	$	7,200.00
Month 3 Transfer (12 Homes)	$	7,200.00
Quarterly Interest Allocation	$	200.00
Turn Over Charge - 1 Property	$	(500.00)
Ending Balance	**$**	**21,300.00**

Homes2Familes
Exhibit D

Professional Services Agreement -- Insurance Requirements

Workers' Compensation Coverage. Consultant shall maintain Workers' Compensation Insurance for his/her employees in accordance with the laws of the State of California and Employers Liability Insurance in an amount not less than one million dollars ($1,000,000) per accident for bodily injury and/or disease. In addition, Consultant shall require each subcontractor to similarly maintain Workers' Compensation Insurance in accordance with the laws of the State of California and Employers Liability Insurance in an amount not less than one million dollars ($1,000,000) per accident for bodily injury and/or disease. for all of the subcontractor's employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the City at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against City, its officers, agents, employees and volunteers for losses arising from work performed by Consultant for City. This provision shall not apply if Consultant has no employees performing work under this Agreement. If the Consultant has no employees for the purposes of this Agreement, Consultant shall sign the "Certificate of Exemption from Workers' Compensation Insurance" which is attached hereto as Exhibit C.

General Liability Coverage. Consultant shall maintain commercial general liability insurance in an amount not less than one million dollars ($1,000,000) per occurrence for bodily injury, personal injury and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.

Automobile Liability Coverage. Consultant shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired and non-owned vehicles, in an amount of not less than one million dollars ($1,000,000) combined single limit for each occurrence.

Professional Liability Coverage. Consultant shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors or omissions which may arise from Consultant's operations under this Agreement, whether such operations are by the Consultant or by its employees, subcontractors, or sub-consultants. The amount of this insurance shall not be less than one million dollars ($1,000,000) on a claims-made annual aggregate basis, or a combined single-limit per occurrence basis.

Endorsements. Each general liability and automobile liability insurance policy shall be with insurers possessing a current A.M. Best's rating of no less than A:VII and shall be endorsed with the following specific language or equivalent:

A. The City, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insured with respect to liability arising out of work performed

by or on behalf of the Consultant, including materials, parts or equipment furnished in connection with such work or operations. Conforms to ISO CG 2009 and CG 2037 10 01. Both are required.

B. This policy shall be considered primary insurance as respects to the City, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by the City, including any self-insured retention the City may have, shall be considered excess insurance only and shall not contribute with it.

C. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.

D. The insurer waives all rights of subrogation against the City, its elected or appointed officers, officials, employees or agents.

E. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents or volunteers.

F. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage except after thirty (30) days written notice has been received by the City.

Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the City's option, Consultant shall demonstrate financial capability for payment of such deductibles or self-insured retention's.

Certificates of Insurance. Consultant shall provide certificates of insurance with original endorsements to City, as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the City on or before commencement of performance of this agreement. Current certification of insurance shall be kept on file with the City at all times during the term of this Agreement.

Agenda Item **12**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Henson Ranch Estates – Phase 1 (Annexation #3 of property in CFD 2021-1)

Recommendation: Adopt a Resolution annexing a certain area, Henson Ranch Estates – Phase 1, within the City Limits into an existing Community Facilities District (CFD No. 2021-1) to fund municipal services, and filing said Resolution, along with the Third Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter

Fiscal Impact: This CFD annexation will provide $505.23 per single family unit annually, with provisions for inflation

---

Purpose:

To include new residential development in a Community Facilities District (CFD) to pay for impacts to City Services.

Council's Strategic Goals:

This item addresses the City Council's Stragegic Goal of operating government in a fiscally responsible and responsive manner.

Background:

The City's adopted policy and Project Conditions of Approval for new residential development include a requirement that the development pay for its share of operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs. On November 10, 2021, the Planning Commission approved Tentative Map SM 21-01, Henson Ranch Estates – Phase 1, to subdivide a 17.98-acre parcel into 96 single family residential parcels North of North Colusa Frontage Road, east of Hooper Road, and west of El Margarita Road. Planning Commission Condition of Approval No. 45 contains the requirement to pay for operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs.

The Mello-Roos Community Facilities Act of 1982 (Act) provides a mechanism for cities to form CFDs in order to finance the provision of certain municipal services. The types of services that may be provided by a CFD are as follows:

1. Police
2. Fire
3. Recreation and Library
4. Maintenance of parks, parkways and open space
5. Maintenance of Roadways
6. Flood and storm protection services
7. Hazardous substance removal or remediation

On May 18, 2021, Council adopted Resolution 21-047 establishing policies related to CFDs for services. At this same meeting, Council adopted Resolution 21-048 stating its intention to establish City of Yuba City Community Facilities District 2021-1 (Municipal Services) (CFD 2021-1), authorize the levy of a special tax within the district, and authorize the annexation of future territory into the future annexation area by unanimous written approval

On July 6, 2021, Council voted the Initial Property (Dunn Ranch Estates – Unit 1 Subdivision at the southeast corner of Royo Ranchero Drive and Monroe Drive) to be part of CFD 2021-1 and subject to the special taxes therein. Council also voted to include a Future Annexation Area. The Future Annexation Area consists of several undeveloped, residential zoned properties generally in the western and southern Yuba City Urbanized Area. The Future Annexation Area allows new property owners to annex to the district by unanimous written consent, which streamlines the CFD annexation process.

Analysis:

The Developer of Henson Ranch Estates – Phase 1 has executed an Unanimous Approval of Annexation to a Community Facilities District (CFD 2021-1) to satisfy this condition. Henson Ranch Estates – Phase 1 will be the third property to annex to CFD 2021-1 (Annexation No. 3), and will be subject to the special taxes therein.

In Resolution 21-048, Council directed the preparation of the Report for CFD 2021-1 to show the services to be provided in CFD 2021-1. The Hearing Report for CFD 2021-1 follows the same methodology used in the formation of CFD 2017-1, which initially established a maximum levy of $425 annually per single family residential unit with an escalation factor equal to the percentage escalation of the City's combined Police and Fire Department budgets, up to a maximum escalation of 4 percent. The current levy in fiscal year 2022/23 is $505.23 annually per single family residential unit and $368.52 annually per multi-family residential unit, which will be subject to future escalation in accordance with the rate and method of apportionment of the special tax.

A Notice of Special Tax Lein is to be recorded concurrently with the boundary map (Annexation No .3 – Henson Ranch Estates – Phase 1) in the Office of the County Recorder for the County of Sutter, State of California. The lien of the Special Tax is a continuing lien which shall secure each annual levy of the Special Tax within the area of Annexation No. 3 (Henson Ranch Estates – Phase 1).

Fiscal Impact:

A total of 96 residential parcels are contained in Henson Ranch Estates – Phase 1 resulting in a total current annual levy of $48,502.08, based on fiscal year 2022/23 rates.

The developer is responsible for covering the costs of annexing to the CFD.

Alternatives:

Do not adopt a Resolution annexing Henson Ranch Estates – Phase 1 into CFD No. 2021-1 to fund

Municipal Services, and direct staff on other acceptable means of assuring this development contributes its fair share of impacts to services.

Recommendation:

Adopt a Resolution annexing a certain area, Henson Ranch Estates – Phase 1, within the City Limits into an existing Community Facilities District (CFD No. 2021-1) to fund municipal services, and filing said Resolution, along with the Third Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter.

Attachments:

1. Resolution approving Annexation No. 3 (Henson Ranch Estates – Phase 1) to CFD 2021-1 with Exhibits
2. Third Amendment to Notice of Special Tax Lien with Exhibits

Prepared By:	Submitted By:
Kevin Bradford	Diana Langley
Deputy Public Works Director – Engineering	City Manager

ATTACHMENT 1

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF YUBA CITY COMMUNITY FACILITIES DISTRICT NO. 2021-1 (MUNICIPAL SERVICES) APPROVING ANNEXATION NO. 3 (HENSON RANCH ESTATES – PHASE 1) TO SAID DISTRICT RELATING TO THE PROPERTY LOCATED NORTH OF NORTH COLUSA FRONTAGE ROAD, EAST OF HOOPER ROAD, AND WEST OF EL MARGARITA ROAD WITHIN THE FUTURE ANNEXATION AREA

WHEREAS, on May 18, 2021, this City Council adopted a resolution entitled "A Resolution Of The City Council Of The City Of Yuba City Declaring Its Intention To Establish Yuba City Community Facilities District No. 2021-1 (Municipal Services), To Authorize The Levy Of A Special Tax Therein To Finance Certain Services And To Authorize The Annexation Of Future Territory In The Future Annexation Area To The District By Unanimous Written Approval" (the "Resolution of Intention"), stating its intention to form Yuba City Community Facilities District No. 2021-1 (Municipal Services) (the "CFD"), pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act") and a future annexation area to the CFD ("Future Annexation Area");

WHEREAS, the Resolution of Intention, setting forth a description of the proposed boundaries of the CFD and Future Annexation Area, services to be financed by the CFD ("Services") and Future Annexation Area, including incidental expenses, and the rate and method of apportionment (the "Rate and Method") of the special tax (the "Special Tax") to be levied within the CFD to pay for the Services, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein;

WHEREAS, the Resolution of Intention set July 6, 2021, as the date for the joint public hearing on the establishment of the CFD, the extent of the CFD, the Future Annexation Area, the furnishing of the Services within the CFD, and the proposed Rate and Method;

WHEREAS, a notice of the public hearing to be held on July 6, 2021 was published in accordance with the Act;

WHEREAS, on July 6, 2021, this Council held noticed joint public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD and the Future Annexation Area;

WHEREAS, at the hearing all interested persons desiring to be heard for or against the establishment of the CFD, the extent of the CFD, the furnishing of the Services and the Rate and Method and the Future Annexation Area were heard and a full and fair hearing was held;

WHEREAS, at the hearing evidence was presented to this Council on such matters before it, including a special report (the "Hearing Report") as to the Services to be provided through the CFD and the costs;

WHEREAS, following the close of the hearing, written protests with respect to the formation of the CFD, the furnishing of specified types of services and the Rate and Method had not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing

within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the proposed special taxes; and

WHEREAS, following the close of the hearing, written protests with respect to the Future Annexation Area, the furnishing of specified types of services and the Rate and Method had not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or Future Annexation Area or property owners of one-half (1/2) or more of the area of land within the CFD or Future Annexation Area and not exempt from the proposed special taxes; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-094, which is on file with the City Clerk and incorporated herein by this reference, that ordered the formation of the CFD and Future Annexation Area, defined the public services (the "Services") to be provided by the CFD, authorized the levy of a special tax on property within the CFD, preliminarily established an appropriations limit for the CFD, and approved future qualifying projects the ability to voluntarily annex into the Future Annexation Area by unanimous approval of the property owners, all pursuant to the Act; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-095 that called a special election for July 6, 2021, at which the questions of levying a special tax and establishing an appropriations limit with respect to the CFD were submitted to the qualified electors within the CFD; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-096, that declared the results of the special election and finding that more than two-thirds (2/3) of all votes cast at the special election were in favor of the issue presented, and such measure passed; and

WHEREAS, on July 12, 2021 a notice of special tax lien was recorded with the Office of the County Recorder of the County of Sutter, as Document No. 2021-0012518 the "Notice of Special Tax Lien"), thereby giving notice that the lien to secure payment of the special tax was imposed on the land in the CFD; and

WHEREAS, the owner (the "Property Owner") of the parcels listed in Exhibit A hereto and incorporated herein by this reference, located within the Future Annexation Area (the "Property") has agreed to mitigate certain impacts of the proposed development of the Property by paying for the Services financed by the CFD; and

WHEREAS, pursuant to the Act, the Property Owner has executed a unanimous approval, attached hereto as Exhibit B and incorporated herein by this reference (the "Unanimous Approval"), constituting the Property Owner's unanimous approval and unanimous vote in favor of the annexation of the Property to the CFD and the levy of special taxes on the Property; and

WHEREAS, the City Council now wishes to approve this Annexation No. 3 of the Property pursuant to the simplified process for annexations under Sections 53328.1, 53339.7 and/or 53339.8 of the Act and add Annexation No. 3 (Henson Ranch Estates – Phase 1) as part of the CFD.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY, ACTING AS LEGISLATIVE BODY OF THE CITY OF YUBA CITY COMMUNITY FACILITIES DISTRICT NO. 2021-1 (MUNICIPAL SERVICES) DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The City Council finds and determines that all the foregoing recitals are true and correct and incorporated herein.

2. Unanimous Approval. The City Council hereby receives and files the Unanimous Approval as Annexation No. 3 (Henson Ranch Estates – Phase 1) to the CFD, and hereby further authorizes and directs the officers of the City to do any and all things to execute and delivery all documents they may deem necessary or advisable in order to consummate the transaction described herein and to effectuate the purpose of this Resolution.

3. **Approval of Annexation**. The City Council hereby determines that the Property is added to and part of the CFD with full effect and the City Council approves and confirms the Rate and Method of Apportionment of the Special Tax attached to the Unanimous Approval this reference incorporated herein. The City Council hereby finds that the Property Owner's unanimous written approval is equivalent to an election pursuant to Government Code Section 53339.7(a) of the Act. The Property is added to and part of the existing CFD with full legal effect, and the City Council shall levy any special tax within the annexed territory as specified in the Ordinance No. 005-021 adopted with respect to the CFD pursuant to Government Code Section 53340, any resolution related thereto and, as specified in the Resolution of Intention, and as specified in any other Ordinance, if any, adopted pursuant to Government Code Section 53340.

4. Consolidation of Annexed Map. The City Council hereby determines that the territory described in Exhibit C hereto, and further defined in the map entitled "Annexation Map No. 3 (Henson Ranch Estates – Phase 1) of City of Yuba City Community Facilities District No. 2021-1 (Municipal Services), City of Yuba City, County of Sutter, State of California" which is on file with the City Clerk, is added to and part of the CFD with full effect. The City Clerk is hereby authorized and directed to endorse the certificates set forth on the map and to record the map in accordance with the provisions of Sections 3111, 3113 and 3113.5 of the Streets and Highways Code of the State of California.

5. Validity of Procedures. The City Council hereby finds and determines that all prior proceedings and actions taken by the City Council pursuant to the Act in connection with the formation, voluntary annexation area and annexation of territory to the CFD, including this Annexation No. 3 (Henson Ranch Estates – Phase 1), were and are valid and in conformity with the Act.

6. Amendment to Notice of Special Tax Lien. The City Clerk, or designee, is hereby directed to complete, execute and cause to be recorded in the office of County Recorder of the County of Sutter, an amendment to the Notice of Special Tax Lien, in accordance with the provisions of Sections 3114.5 and 3117.5 of California Streets and Highways Code of the State of California within fifteen (15) days of the adoption of this Resolution, evidencing that the Property is added to the CFD.

7. Effective Date. The City Clerk shall certify the adoption of this Resolution. This Resolution shall take effect upon its adoption.

[SIGNATURES ON FOLLOWING PAGE]

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the ____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

_____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibits:

A. Assessor parcel Numbers and Owners of Land
B. Unanimous Approval
    a) Exhibit A – Description of Services
    b) Exhibit B – Annexation No. 3, Rate and Method of Apportionment
    c) Exhibit C – Annexation Map No. 3 of Henson Ranch Estates – Phase 1

EXHIBIT A

CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)

ANNEXATION NO. 3 (HENSON RANCH ESTATES – PHASE 1)

ASSESSOR'S PARCEL NUMBERS AND OWNERS OF LAND

Assessor Parcel No(s)	**Name of Property Owner**
62-082-018**	YC Hooper Ventures, LLC, A California Limited Liability Company

That will become 96 lots with assessor parcel numbers

62-082-TBD	YC Hooper Ventures, LLC, A California Limited Liability Company

**The subject parcel was formerly all of 62-082-011, and a portion of assessor parcel numbers 62-082-009, 62-082-014, and 62-082-015.

EXHIBIT B

CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)

ANNEXATION NO. 3 (HENSON RANCH ESTATES – PHASE 1)

UNANIMOUS APPROVAL

[attached]

UNANIMOUS APPROVAL
of Annexation to a Community Facilities District and Related Matters

City of Yuba City

Community Facilities District No. 2021-1
(Municipal Services)

Annexation No. 3 (Henson Ranch Estates – Phase 1)

To the Honorable City Council
City of Yuba City, as legislative body of
Community Facilities District No. 2021-1
(Municipal Services)
1201 Civic Center Boulevard,
Yuba City, California 95993

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of YC Hooper Ventures, LLC, A California Limited Liability Company, the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Sections 53328.1 and/or 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), to the annexation of the Property to the "City of Yuba City Community Facilities District No. 2021-1 (Municipal Services)" (the "CFD") and approval of the special taxes to be levied against the Property, and the undersigned hereby states, certifies, agrees and declares under penalty of perjury, as follows:

1. Property Owner. This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property. No parties are residing on the Property and therefore there are no registered voters on the Property.

2. Approval of Annexation. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services, which are incorporated herein by this reference (the "Services") described in Exhibit A hereto and made a part hereof. In such connection Property Owner has reviewed the list of the Services and hereby agrees, consents and approves to the Services and the Annexation of the Property to the CFD for the benefit of the City and the CFD.

3. Approval of Special Tax and the Services. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the Services. The Special Taxes will be levied according to the Rate and Method of Apportionment of Special Taxes for the CFD attached hereto as Exhibit B and made a part hereof (the "Rate and Method"). In such connection property owner consents and approves of the Rate and Method and understands that such taxes shall be levied against the Property.

4. Approval of the Appropriations Limit. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the appropriations limit

established for the CFD. The Property Owner hereby approves, consents and agrees to the appropriations limit for the CFD of $1,700,000, pursuant to Article XIIIB of the California Constitution, as adjusted for changes in the cost of living and changes in the population.

5. Waivers and Vote. Resolution No. 21-048 adopted by the City Council on May 18, 2021 and Resolution No. 21-094 adopted by the City Council on July 6, 2021 and Sections 53328.1 and 53339.3 of the Act provide an alternate and independent procedure for annexation to a community facilities district that simplifies the annexation process. Under such process, the Property Owner acknowledges and agrees that by executing this Unanimous Approval, the Property Owner is voluntarily waiving any and all right to an election held in accordance with Sections 53326, 53327, 53327.5, 53328, 53339.7, 53339.8 and other relevant provisions of the Act. The Property Owner hereby confirms that this Unanimous Approval constitutes its unanimous approval and unanimous vote as described herein and as contemplated by Section 53339.3 *et seq*. of the Act and for purposes of the California Constitution Article XIII A and XIII C. In lieu of an approval by public hearing, ballot and election, if any, the Property Owner intends for this Unanimous Approval to constitute its ballot and election and waiver of a public hearing. Further, the Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property in accordance with the rate and method of apportionment and the other matters covered in this Unanimous Approval.

6. Recordation of Amendment to Notice of Special Tax Lien. The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of Sutter, State of California on July 12, 2021, as Document No. 2021-0012518.

The Property Owner hereby understands and agrees, consents and approves to the City Clerk, or City designee, to execute and cause to be recorded in the office of the County Recorder of the County of Sutter an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

7. Authority Warranted. The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions for the annexation of the Property to the CFD and the levy of special taxes within the area of the Property shall do not constitute events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property.

8. Due Diligence and Disclosures. The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City and/or the Act about the Special Taxes to purchasers of the Property or any part of it.

9. Agreements. The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City's costs in annexing the Property to the CFD.

10. The Property. The Property is identified below, and such Property Owner approves, consents and agrees that Property will be subject to the CFD upon recordation of the amendment to the

Notice of Special Tax Lien. The Property is located in the Future Annexation Area of the CFD and the map is attached hereto as Exhibit C.

Assessor's Parcel Number(s):

APN	Acreage	Anticipated Units	Property Owner
62-082-018	17.98	96	YC Hooper Ventures, LLC, A California Limited Liability Company

Acres: _17.98_

By executing this Unanimous Approval, the Property Owner agrees, consents, declares and certifies to all of the above.

Annexation No. 3 (Henson Ranch Estates – Phase 1)_

Property Owner

By: YC Hooper Ventures, LLC, A California Limited Liability Company

By: _____

Name: Manjit Mike Singh
Also known as Manjit Singh Pabla,
Manjit Singh, and Mike Singh

Title: _____

Notice Address

YC Hooper Ventures, LLC, A California Limited Liability Company

4624 Duckhorn Drive

Sacramento, California 95834

EXHIBIT A

Yuba City
Community Facilities District No. 2021-1
(Municipal Services)

DESCRIPTION OF SERVICES

The Services to be funded by the CFD include the following services and all incidental expenses related to such services, all of which are authorized by the Act:

PUBLIC SERVICES

(a) Police protection services;
(b) Fire protection and suppression services, ambulance and paramedic services;
(c) maintenance of parks, parkways, streets, roads, and open space;
(d) flood and storm protection services, including but not limited to the maintenance of storm drainage systems and sandstorm protection systems,
(e) Services with respect to the removal or remedial action for the cleanup of any hazardous substance released or threatened to be released into the environment, subject to the limitations contained in Section 53313 of the Act;
(f) Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency pursuant to an agreement entered into under Section 53316.2; and
(g) costs incurred by the City and or County in formation of the district, annexation and annual contract administration.

In accordance with Section 53313 of the Act, the additional services may not supplant services available within the territory when the district was created or annexed.

The same types of services which are authorized to be financed by CFD No. 2021-1 are the types of services to be provided in the Future Annexation Area, as properties are annexed.

The services include operational and maintenance costs associated with providing such services.

EXHIBIT B

City of Yuba City

Community Facilities District No. 2021-1
(Municipal Services)

RATE AND METHOD OF APPORTIONMENT

The Special Tax shall be levied in Annexation No. 3 (Henson Ranch Estates – Phase 1) in accordance with the Rate and Method of Apportionment of Special Tax for City of Yuba City Community Facilities District No. 2021-1 (Municipal Services) pursuant to the rate set forth in the attachment hereto.

CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2021-1 (Municipal Services) [herein "CFD No. 2021-1"] shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2021-1, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2021-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acreage" or **"Acre"** means the land area making up an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the County Recorder's Office.

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Tax, including salaries of City employees and fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the CFD No. 2021-1 as determined by the Finance Director.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Rate and Method of Apportionment of Special Tax.

"Annual Tax Escalation Factor" means an annual increase in the Maximum Special Tax following the Base Year in an amount not to exceed four percent (4%). The Annual Tax Escalation Factor shall be based on the budgeted escalation of the City of Yuba City's combined Police and Fire Departments from the previous fiscal year.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel number.

"Authorized Services" means the public services authorized to be funded by CFD No. 2021-1 as set forth in the documents adopted by the City Council when the CFD No. 2021-1 was formed.

"Base Year" means Fiscal Year 2020-2021.

"City" means the City of Yuba City.

"City Council" means the City Council of the City of Yuba City, acting as the legislative body of CFD No. 2021-1.

"County" means Sutter County, California.

"Developed Residential Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential structure was issued prior to June 30 of the preceding Fiscal Year.

"Finance Director" means the Finance Director for the City or his or her designee or successor.

"Fiscal Year" means the period starting on July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C below that can be levied on Taxable Property in any Fiscal Year.

"Multi-Family Property" means, in any Fiscal Year, all units in CFD No. 2021-1 for which a building permit was issued or may be issued for construction of a residential structure with multiple units that share common walls, all of which are offered for rent to the general public.

"Public Property" means any property within the boundaries of CFD No. 2021-1 that is owned by the federal government, State of California, County, City, or other public agency.

"Residential Unit(s)" means an individual lot of land for which a building permit could be issued to construct one or more residential dwelling units.

"Residential Property" means all Assessor's Parcels of Taxable Property for which a map has been recorded designating individual Residential Units.

"Non-Residential Property" means all Assessor's Parcels of Taxable Property within the boundaries of CFD No. 2021-1 for which a map has been recorded designating the Assessor's Parcel as a lot for which a building permit could be issued and the Assessor's Parcel cannot be classified as a Residential Property.

"Special Tax" means any tax levied to pay for Authorized Services and Administrative Expenses.

"Single Family Property" means buildings containing one dwelling unit located on a single lot that are individually owned, including attached or detached residences (i.e., townhome unit and/or condominium units).

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2021-1 designated as Developed Residential Property.

"Undeveloped Residential Property" means all Parcels of Residential Property within the boundaries of CFD No. 2021-1 that are not Developed Residential Property, as determined by the Administrator.

"Unit" means an individual single family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure.

CATEGORIZING PARCELS FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels within CFD No. 2021-1, and each parcel shall be classified as Developed Residential Property, Non-Residential Property, Public Property, or Undeveloped Residential Property, and shall be subject to the levy of annual Special Taxes determined pursuant to Sections C and D below.

B. MAXIMUM SPECIAL TAX RATE

All Taxable Property within the CFD No. 2021-1 shall be subject to a Maximum Special Tax that will be levied each Fiscal Year to pay for Authorized Services. As discussed above, the Administrator shall rely first on the Land Use Designation for a Parcel to determine the appropriate Maximum Special Tax in **Table 1**, below, but, in the absence of an assigned Land Use Designation, the Administrator shall refer to the Zoning Designation and land use to be built on the Parcel. The following Maximum Special Tax rates apply to all Parcels of Developed Property within CFD No. 2021-1:

Each Residential Unit is subject to the Maximum Special Tax shown in **Table 1**, below.

Non- Residential Property, Undeveloped Property, and Public Property is not subject to the Maximum Special Tax.

Table 1

Property Land Use	**Fiscal Year 2020/21 Maximum Special Tax Amount ***
Single Family Property	$467.10 per Single Family Residential Unit
Multi-Family Property	$340.70 per Multi-Family Residential Unit
Undeveloped Residential Property	$0 per Assessor's Parcel

* Beginning July 1, 2021 and each July 1 thereafter, all of the Maximum Special Taxes shown in **Table 1** above shall be adjusted by applying the Annual Tax Escalation Factor.

C. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

Each Fiscal Year, the Administrator shall levy the Maximum Special Tax on each Parcel of Developed Property in CFD No. 2021-1. The Special Tax for CFD No. 2021-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes provided, however, that CFD No. 2021-1 may (under the authority of Government Code Section 53340) in any particular case bill the taxes directly to the property owner off the County tax roll, and the Special Tax will be equally subject to foreclosure if delinquent.

D. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property, Non-Residential Property, or Undeveloped Residential Property.

E. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2021-1 from time to time. The property to be annexed will be assigned to the appropriate Maximum Special Tax rate for the Tract or Tracts when annexed, as pursuant to California Government Code section 53339 et seq.

In certain cases, it may be determined that a potential property to be annexed may require a higher cost to provide City services than other areas of the City (e.g., if it possesses a large quantity of City- owned infrastructure that requires maintenance). As each annexation is proposed, the City may elect to prepare an analysis to determine the annual cost for providing Services, and may incorporate unique zones with varying Maximum Special Tax rates. Such zones may be referred to by reference to a letter or number on the boundary map, and adjust the rates in Table 1 of such annexation to reflect the applicable rates.

The City may adopt a future annexation area in the future and allow for annexation by unanimous written consent.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

G. TERM

The Special Tax shall be collected in perpetuity.

H. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

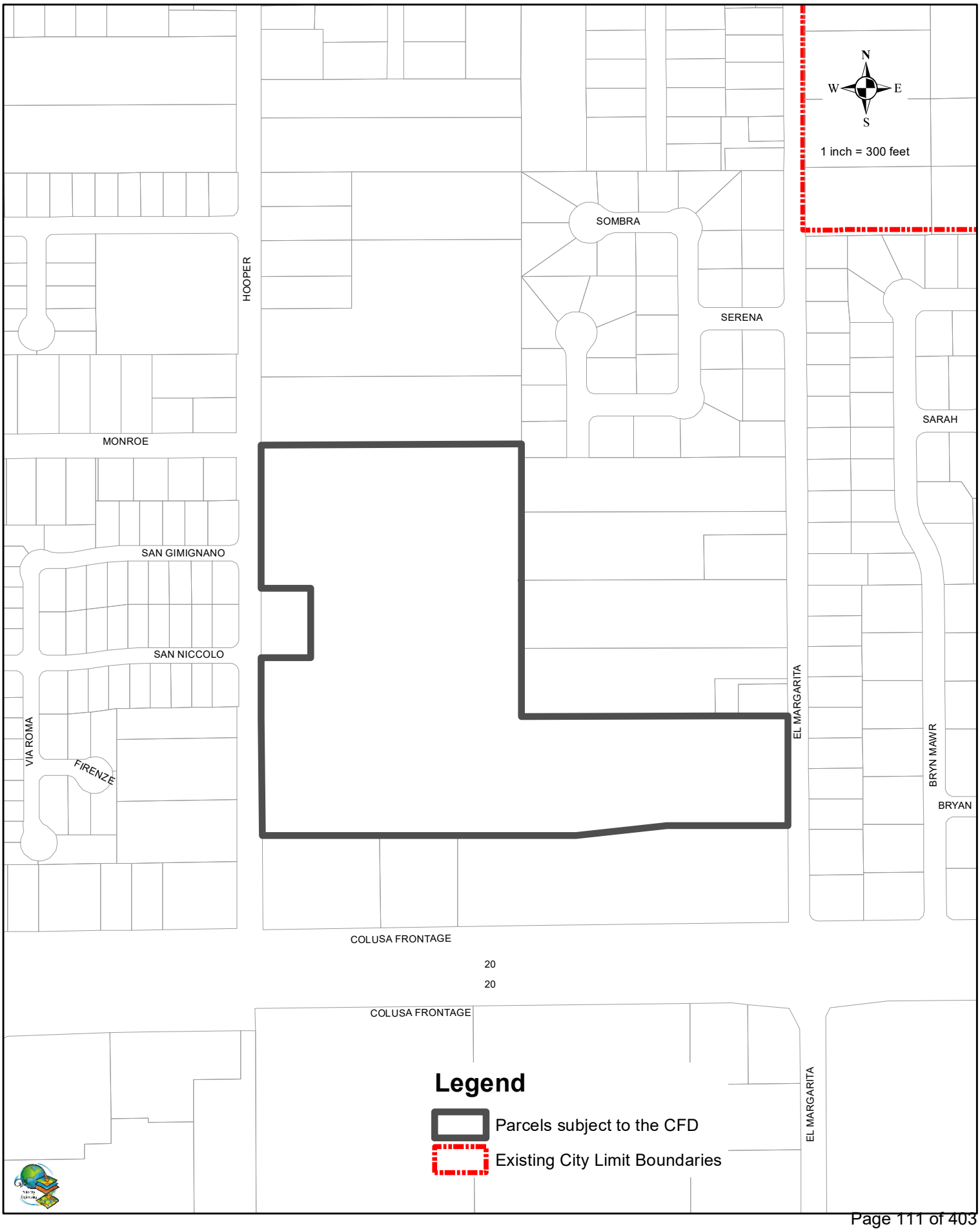
EXHIBIT C

CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)

ANNEXATION MAP NO. 3 OF YUBA CITY COMMUNITY FACILITIES DISTRICT NO. 2021-1
HENSON RANCH ESTATES – PHASE 1

[attached]

Proposed Boundary Map of CFD No. 2021-1 Annexation No. 3
Henson Ranch Estates - Phase 1
City of Yuba City, Sutter County, California



ATTACHMENT 2

RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:

City of Yuba City
Attn: City Clerk
1201 Civic Center Boulevard
Yuba City, California 95993

THIRD AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

City of Yuba City
Community Facilities District No. 2021-1
(Municipal Services)
Annexation No. 3 (Henson Ranch Estates – Phase 1)

Pursuant to the requirements of Sections 3114.5 and 3117.5 of the Streets and Highways Code and Government Code Section 53311, et seq., the undersigned City Clerk of the City of Yuba City, acting on behalf of City of Yuba City Community Facilities District No. 2021-1 (Municipal Services) (the "CFD"), HEREBY GIVES NOTICE that a lien is hereby imposed on taxable property within the property described herein Annexation No. 3 (Henson Ranch Estates – Phase 1), which has been annexed to the CFD to secure payment of a special tax ("Special Tax") which the City Council of the City of Yuba City (the "City"), County of Sutter (the "County"), State of California, is authorized to annually levy for the following purpose of financing the following services:

(a) Police protection services;
(b) Fire protection and suppression services, ambulance and paramedic services;
(c) maintenance of parks, parkways, streets, roads, and open space;
(d) flood and storm protection services, including but not limited to the maintenance of storm drainage systems and sandstorm protection systems,
(e) Services with respect to the removal or remedial action for the cleanup of any hazardous substance released or threatened to be released into the environment, subject to the limitations contained in Section 53313 of the Act;
(f) Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency pursuant to an agreement entered into under Section 53316.2; and

(g) costs incurred by the City and or County in formation of the district, annexation and annual contract administration.

The services include operational and maintenance costs associated with providing such services.

The Special Tax is authorized to be levied within the CFD that has now been officially formed and includes Annexation No. 3 (Henson Ranch Estates – Phase 1) and the lien of the Special Tax is a continuing lien which shall secure each annual levy of the Special Tax and which shall continue in force and effect until the special tax obligation is prepaid, if applicable, permanently satisfied, and canceled in accordance with law or until the Special Tax ceases to be levied and a notice of cessation of Special Tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is as follows: The rate and method of apportionment of the authorized Special Tax is as shown in the Rate and Method of Apportionment set forth on Exhibit A attached hereto and incorporated herein by this reference (the "Rate and Method"). The Special Tax shall be collected in the same manner as ordinary ad valorem property taxes and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, the CFD may utilize a direct billing procedure for any Special Taxes that cannot be collected on the County tax roll or may elect to collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are as follows: The Special Tax is levied perpetually as provided in the Rate and Method and there are no conditions upon which it may be prepaid.

Notice is further given that upon the recording of this notice in the Office of the County Recorder of Sutter County, the obligation to pay the Special Tax levy shall become a lien upon all non-exempt real property within the area of Annexation No. 3 (Henson Ranch Estates – Phase 1) in accordance with Sections 3114.5, 3115.5 and 3117.5 of the Streets and Highways Code.

The (a) names of the owner(s) of the real property included within the annexed property to the CFD as they appear on the last secured assessment roll as of the date of recording of this Notice and (b) the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within Annexation No. 3 (Henson Ranch Estates – Phase 1) to the CFD and not exempt from the special tax, are as set forth on the attached, referenced and incorporated Exhibit B.

Reference is made to the boundary map of the Annexation No. 3 (Henson Ranch Estates – Phase 1) to the CFD recorded concurrently herewith in the Book of Maps of Assessment and Community Facilities Districts in the Office of the County

Recorder for the County of Sutter, State of California, which map is now the final boundary map of Annexation No. 3 (Henson Ranch Estates – Phase 1) to the CFD. The Boundary Map of the original district is Recorded as Document No. 2021-0012517 in Book 3 of Assessment and Community Facilities Districts at Pages 93 through 96, in the Office of the County Recorder of the County of Sutter, State of California.

Reference hereby is made to the Amendment to Notice of Special Tax Lien to the CFD recorded as Document No. 2021-0012518 in the Records of the County Recorder of the County of Sutter.

For further information concerning the current and estimated tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the City of Yuba City, City Hall, Finance Director, 1201 Civic Center Boulevard Yuba City, California 95993, telephone number 530/822-4618

Dated: As of _____, 2022

By: _____
Jackie Sillman, City Clerk
City of Yuba City

EXHIBIT A

See Rate and Method of Apportionment Attached

(Insert RMA)

CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2021-1 (Municipal Services) [herein "CFD No. 2021-1"] shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2021-1, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2021-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acreage" or **"Acre"** means the land area making up an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the County Recorder's Office.

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Tax, including salaries of City employees and fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the CFD No. 2021-1 as determined by the Finance Director.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Rate and Method of Apportionment of Special Tax.

"Annual Tax Escalation Factor" means an annual increase in the Maximum Special Tax following the Base Year in an amount not to exceed four percent (4%). The Annual Tax Escalation Factor shall be based on the budgeted escalation of the City of Yuba City's combined Police and Fire Departments from the previous fiscal year.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel number.

"Authorized Services" means the public services authorized to be funded by CFD No. 2021-1 as set forth in the documents adopted by the City Council when the CFD No. 2021-1 was formed.

"Base Year" means Fiscal Year 2020-2021.

"City" means the City of Yuba City.

"City Council" means the City Council of the City of Yuba City, acting as the legislative body of CFD No. 2021-1.

"County" means Sutter County, California.

"Developed Residential Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential structure was issued prior to June 30 of the preceding Fiscal Year.

"Finance Director" means the Finance Director for the City or his or her designee or successor.

"Fiscal Year" means the period starting on July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C below that can be levied on Taxable Property in any Fiscal Year.

"Multi-Family Property" means, in any Fiscal Year, all units in CFD No. 2021-1 for which a building permit was issued or may be issued for construction of a residential structure with multiple units that share common walls, all of which are offered for rent to the general public.

"Public Property" means any property within the boundaries of CFD No. 2021-1 that is owned by the federal government, State of California, County, City, or other public agency.

"Residential Unit(s)" means an individual lot of land for which a building permit could be issued to construct one or more residential dwelling units.

"Residential Property" means all Assessor's Parcels of Taxable Property for which a map has been recorded designating individual Residential Units.

"Non-Residential Property" means all Assessor's Parcels of Taxable Property within the boundaries of CFD No. 2021-1 for which a map has been recorded designating the Assessor's Parcel as a lot for which a building permit could be issued and the Assessor's Parcel cannot be classified as a Residential Property.

"Special Tax" means any tax levied to pay for Authorized Services and Administrative Expenses.

"Single Family Property" means buildings containing one dwelling unit located on a single lot that are individually owned, including attached or detached residences (i.e., townhome unit and/or condominium units).

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2021-1 designated as Developed Residential Property.

"Undeveloped Residential Property" means all Parcels of Residential Property within the boundaries of CFD No. 2021-1 that are not Developed Residential Property, as determined by the Administrator.

"Unit" means an individual single family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure.

CATEGORIZING PARCELS FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels within CFD No. 2021-1, and each parcel shall be classified as Developed Residential Property, Non-Residential Property, Public Property, or Undeveloped Residential Property, and shall be subject to the levy of annual Special Taxes determined pursuant to Sections C and D below.

B. MAXIMUM SPECIAL TAX RATE

All Taxable Property within the CFD No. 2021-1 shall be subject to a Maximum Special Tax that will be levied each Fiscal Year to pay for Authorized Services. As discussed above, the Administrator shall rely first on the Land Use Designation for a Parcel to determine the appropriate Maximum Special Tax in **Table 1**, below, but, in the absence of an assigned Land Use Designation, the Administrator shall refer to the Zoning Designation and land use to be built on the Parcel. The following Maximum Special Tax rates apply to all Parcels of Developed Property within CFD No. 2021-1:

Each Residential Unit is subject to the Maximum Special Tax shown in **Table 1**, below.

Non- Residential Property, Undeveloped Property, and Public Property is not subject to the Maximum Special Tax.

Table 1

Property Land Use	**Fiscal Year 2020/21 Maximum Special Tax Amount ***
Single Family Property	$467.10 per Single Family Residential Unit
Multi-Family Property	$340.70 per Multi-Family Residential Unit
Undeveloped Residential Property	$0 per Assessor's Parcel

* Beginning July 1, 2021 and each July 1 thereafter, all of the Maximum Special Taxes shown in **Table 1** above shall be adjusted by applying the Annual Tax Escalation Factor.

C. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

Each Fiscal Year, the Administrator shall levy the Maximum Special Tax on each Parcel of Developed Property in CFD No. 2021-1. The Special Tax for CFD No. 2021-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes provided, however, that CFD No. 2021-1 may (under the authority of Government Code Section 53340) in any particular case bill the taxes directly to the property owner off the County tax roll, and the Special Tax will be equally subject to foreclosure if delinquent.

D. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property, Non-Residential Property, or Undeveloped Residential Property.

E. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2021-1 from time to time. The property to be annexed will be assigned to the appropriate Maximum Special Tax rate for the Tract or Tracts when annexed, as pursuant to California Government Code section 53339 et seq.

In certain cases, it may be determined that a potential property to be annexed may require a higher cost to provide City services than other areas of the City (e.g., if it possesses a large quantity of City- owned infrastructure that requires maintenance). As each annexation is proposed, the City may elect to prepare an analysis to determine the annual cost for providing Services, and may incorporate unique zones with varying Maximum Special Tax rates. Such zones may be referred to by reference to a letter or number on the boundary map, and adjust the rates in Table 1 of such annexation to reflect the applicable rates.

The City may adopt a future annexation area in the future and allow for annexation by unanimous written consent.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

G. TERM

The Special Tax shall be collected in perpetuity.

H. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

EXHIBIT B

APN	OWNER
62-082-018	YC Hooper Ventures, LLC, A California Limited Liability Company

Agenda Item **13**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Signatory Authority - Restricted Grant Agreement: Plumas Street Historic District and Water Tower Improvements

Recommendation: Adopt a Resolution authorizing the City Manager to execute Restricted Grant Agreements, Amendments, and Related Documents with the State of California Department of Transportation for the City of Yuba City Plumas Street Historic and Water Tower Park Improvements Project

Fiscal Impact: $2,235,628 Grant with City Match of $90,260.

Purpose:

To improve the quality of life in the Plumas Street Downtown area through beautification, and a cleanup campaign.

Council Strategic Goal:

Allowing the City Manager to have authority to execute the Restricted Grant Agreements, amendments, and other related documents with the State of California, Department of Transportation (Caltrans) for the Plumas Street Historic and Water Tower Park Improvements Project addresses the City Council's Strategic Goal of maintaining infrastructure, as the receipt of the grant funds will allow the City to improve park and lighting infrastructure, while beautifying and cleaning the Plumas Street corridor and other areas of the City.

Background:

In February of 2022, the Public Works Department applied for a Caltrans Clean California Grant (Grant) to secure funding for a beautification and cleanup project in the Plumas Street Downtown Area. The project scope included the following:

- Lead paint abatement, new logo painting, and new lighting installation on the Plumas Street water tower
- Installation of digital event sign, landscaping improvements, and splash pad at the Plumas Street Water Tower Park
- Installation of gateway arches on Plumas Street
- Installation of festoon-style lighting along Center Street

- Implementation of a cleanup campaign for Plumas Street, and the City as a whole

In March of 2022, the City was notified that it was awarded $2,235,628 for the grant, with a local match of $90,260.

Analysis:

As part of the Clean California Local Grant Program Guidelines, the City is required to submit a resolution to Caltrans, authorizing signatory authority for the Restricted Grant Agreement and other related documents. Executing such a resolution will allow City staff to move the project forward, and begin preparing contract documents.

To ensure that the City secures the grant funds , City staff recommends Council adopt a Resolution delegating signatory authority for the Yuba City Plumas Street Historic and Water Tower Park Improvements Project Restricted Grant Agreement to the City Manager.

Fiscal Impact:

Minimal staff costs associated with executing grant documents. The City has received $2,235,628 in grant funding, with a local match of $90,260. Detailed fiscal impacts and any necessary fiscal appropriations will be presented to Council at the time of awarding various design and construction contracts for this project.

Alternatives:

Do not authorize the City Manager to execute Restricted Grant Agreements, Amendments, and Related Documents with Caltrans for the City of Yuba City Plumas Street Historic and Water Tower Park Improvements Project. This may compromise grant funding eligibility and slow the project's projected schedule for construction.

Attachments:

1. Attachment 1 - Resolution RGA CM Authority

Prepared By:	Submitted By:
Josh Wolffe	Diana Langley
Associate Civil Engineer	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING THE CITY MANAGER TO EXECUTE RESTRICTED GRANT AGREEMENTS, AMENDMENTS, AND RELATED DOCUMENTS WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE CITY OF YUBA CITY PLUMAS STREET HISTORIC AND WATER TOWER PARK IMPROVEMENTS PROJECT

WHEREAS, the City of Yuba City is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and,

WHEREAS, for certain funding programs, Restricted Grant Agreements are required to be executed with the California Department of Transportation before such funds can be claimed through said programs; and,

WHEREAS, the City of Yuba City wishes to delegate authorization to execute Restricted Grant Agreements, Amendments, and related Documents with the State of California Department of Transportation

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

Section 1. The City Council of the City of Yuba City does hereby authorize the City Manager, or designee, to execute Restricted Grant Agreements, Amendments, and related documents with the State of California Department of Transportation.

Section 2. This Resolution shall take effect immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Agenda Item **14**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Wastewater Treatment Facility Temporary Discharge Point 003 (Plans & Specifications)

Recommendation: Adopt a Resolution approving the plans and specifications for the Wastewater Treatment Facility Temporary Discharge Point 003 Project (22-12) and authorizing advertisement for bids on the project

Fiscal Impact: Engineer's Estimate: $275,000.00 – Account No. 1156 (New Outfall and River Levee Crossing Replacement)

Purpose:

To maintain the City's Wastewater Treatment Facility (WWTF) operational effectiveness through proactive rehabilitation and major maintenance.

Council's Strategic Goal:

This project addresses City Council's Strategic Goal of improving the City's Infrastructure.

Background:

The City owns and operates the WWTF that provides secondary treatment and disinfection prior to discharging into the Feather River. Discharges from the WWTF are regulated by Waste Discharge Requirements (WDRs) issued by the Central Valley Regional Water Quality Control Bard (Central Valley Water Board), under the National Pollutant Discharge Elimination System (NPDES). The City, as a "Discharger", must comply with requirements set forth in the Waste Discharge Requirements and renew the NPDES permit every 5 years to continue discharge operations. The City must renew its NPDES permit in 2023.

The WWTF discharges into the Feather River through an existing 24-inch diameter outfall pipeline and river diffuser (Discharge Point 001) near Shanghai Falls. The WWTF also has a 36-inch diameter pipeline parallel to the existing diffuser and under the river bed to convey treated effluent to the percolation ponds (Discharge Point 002) on the eastern shore of the Feather River. Discharge Point 002 was designed and installed because erosion of Shanghai Falls in October 2011 altered the river flow path and water depth over Discharge Point 001.

In 2016-2017, excessive rainfall and the Oroville Spillway Incident led to protracted high flows in the Feather River which further eroded the crest of Shanghai Falls. These changes in the Feather River channel at the Discharge Point 001 led to reductions in the depth of flow over the outfall diffuser, which limits dilutions when river flows are less than 10,000 cubic feet per second (cfs), constrains the WWTF discharge flows to the river, creates a public safety issue for river users under low river flows, and violates the City's NPDES permit.

In order to not remain in violation with the terms of the current NPDES permit, and until the permanent discharge point is constructed, the Central Valley Waterboard is requiring the City to provide a new temporary point of discharge (Temporary Discharge Point 003) for the WWTF effluent in the Feather River by constructing a short pipeline to serve as a new discharge point in the interim. Temporary Discharge Point 003 is one component of the WWTF Outfall and Diffuser Project which will permanently reroute the outfall pipeline and relocate the diffuser at a more stable location downstream. Temporary Discharge Point 003 would remain in place until the new permanent diffuser is operational, which is anticipated to be in 2025. Once the permanent outfall pipeline and diffuser is operational, Temporary Discharge Point 003 would be removed from the site.

The major project element of Temporary Discharge Point 003 will consist of approximately 300 feet of 24-inch diameter HDPE pipe that will be installed on the ground surface from an existing 24-inch flanged riser adjacent to the percolation ponds, to a discharge point in the Feather River upstream of Shanghai Falls.

Analysis:

Public Works has prepared the project plans, specifications, and cost estimate for the Wastewater Treatment Facility Temporary Discharge Point 003 Project. With Council's approval of the plans and specifications and authorization to advertise for bids, and upon approval of permits, staff proposes the following schedule:

Advertise for bid:	September 2022
Open bids:	September 2022
Award contract:	October 2022
Start of construction:	November 2022
Complete construction:	November 2022

The plans and specifications for the project are on file in the Public Works Department at City Hall and at www.yubacity.net/publicworksplans for review. The City's Public Works Department will perform construction management and inspection.

Since construction takes place on the bank of the Feather River, and various Federal, State, and Local agencies have jurisdictional authority, the City contracted with Jacobs Engineering Group, Inc. in February 2022 to provide environmental and permitting consultant. On May 2, 2022, Jacobs submitted the following permit applications on behalf of the City for Temporary Discharge Point 003 construction:

- California Department of Fish and Wildlife Lake and Streambed Alteration (LSA) Notification (Section 1600)
- Central Valley Regional Water Quality Control Board application for Clean Water Act Section 401 Water Quality Certification
- U.S. Army Corps of Engineers Pre-Construction Notification for Nationwide Permit (NWP) 7

The City anticipates these permits will be approved by their respective jurisdictions by the end of August 2022. Staff will not advertise for bids until the permits are issued.

Fiscal Impact:

The estimated total project cost is approximately $275,000. This estimate includes 15% contingency and system start up and testing. Account No. 1156 (New Outfall and River Levee Crossing Replacement) has sufficient funding programmed. Detailed fiscal impacts will be presented to Council at the time of award based on actual bid amounts.

Alternatives:

1. Do not approve the plans and specifications and delay the project.
2. Modify the proposed plans and specifications.

Delaying the project will prolong the City's NPDES permit violation and may impact the City's next renewal cycle.

Recommendation:

Adopt a Resolution approving the plans and specifications for the Wastewater Treatment Facility Temporary Discharge Point 003 Project (22-12) and authorizing advertisement for bids on the project.

Attachments:

1. Resolution - Wastewater Treatment Facility Temporary Discharge Point 003 (Plans & Specifications)
2. Location Map - Wastewater Treatment Facility Temporary Discharge Point 003 (Plans & Specifications)

Prepared By:	Submitted By:
Nick Menezes	Diana Langley
Assistant Engineer	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT FACILITY TEMPORARY DISCHARGE POINT 003 PROJECT (22-12) AND AUTHORIZING ADVERTISEMENT FOR BIDS ON THE PROJECT

WHEREAS, the Public Works Department intends to solicit bids for construction of the Wastewater Treatment Facility Temporary Discharge Point 003 Project (22-12) (Project).

NOW, THEREFORE, be it resolved and ordered by the City Council of the City of Yuba City as follows:

1. The plans and specifications for the Project.

2. The Public Works Department is hereby authorized and directed to advertise for bids for the Project.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

_____
Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

VICINITY MAP

Pipeline

N

0 50 100
Feet

WWTF Outfall and Diffuser Project, Temporary Outfall
City of Yuba City, California

Agenda Item **15**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Development Services Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Extension of time for Development Plan 20-03, Richland Village Affordable Housing Development, and the associated funding commitment

Recommendation: Approve a two-year extension of time for Development Plan 20-03 and the associated funding commitment, pursuant to City Municipal Code Section 8-5.7106, resulting in a new expiration date of January 19, 2025

Fiscal Impact: $1,000,000 in financial assistance for the development as approved on May 18, 2021.

Purpose:

To assist in the production of additional affordable housing in Yuba City.

Council's Strategic Goal:

This project addresses the City Council's goal of quality of life.

Background:

In October 2020, the City received a development plan application for the entitlement of a multiphase 176-unit apartment complex from the Regional Housing Authority (RHA) located in the Richland Housing area, adjacent to the airport. The development titled “Richland Village” proposes to construct a 176-unit affordable apartment complex community on a 4.9-acre site at 470 Bernard Drive (APN 53-470-091) in Yuba City. The community will consist of one, two, and three-bedroom units in eight residential buildings, with a 2,795 square foot community center, and outdoor amenity spaces.

On January 19, 2021, the City Council approved Development Plan 22-03 and an initial funding request was presented before the Council. Following that meeting, an Ad Hoc committee was established to further discuss the request. On May 18, 2021, City Council approved a funding commitment of $1,000,000 towards the Richland Village development, the proceeds of which are from the City’s Low-Mod Housing Asset Fund.

The Developer, Sutter County Affordable Homes (SCAH), is an affiliate 501(c)(3) Public Non-Profit entity of the RHA. The project was recently awarded $30 million in funding through the California Department of Housing and Community Development’s (HCD), Affordable Housing and Sustainable

Communities (AHSC) program. Of the awarded amount, $8.5 million is designated for Yuba-Sutter Transit to construct a new transit related facility.

Analysis:

City staff have determined that the conditions for approval of the project remain valid, and there is no apparent reason for the denial of the requested time extension. Additionally, the applicant submitted a written request for the extension in compliance with the conditions placed on the project at the time of approval.

The applicant's time extension request states that they are requesting the extension due to the timing of applying for additional funding and awaiting awards. Based on the applicant's request and the above analysis, staff finds that no circumstances have occurred to necessitate any changes to the originally approved project Findings or Conditions of Approval. Approval of the current extension request is at the discretion of the City Council.

Fiscal Impact:

The fiscal impact on the City will be the continuation of the approved commitment of $1,000,000 towards the project if the extension request is approved.

The project cost for 176 units is estimated in the amount of approximately $73.2 million when budgeting for the entire project, including relocation costs, financing terms/requirements, design, construction, fees, etc. Placing the cost at approximately $409,000/unit. The Regional Housing Authority is actively working to finalize funding needs through a tax-credit and tax-exempt bond application, with awards being scheduled to be announced on November 30, 2022. The current application for tax-exempt debt and tax-credit equity is for approximately $51 million.

In regard to construction timelines, if the project is awarded tax-credit financing on November 30, 2022, then construction is anticipated to start in June 2023. If the tax-credit financing is not awarded, then the Regional Housing Authority will re-apply for funding in March 2023 with construction anticipated to start in November 2023.

The RHA has worked with City staff to provide a project design that tries to find a balance between the lowest cost options and meeting federal and City design standards to produce a product that is attractive, durable, yet reasonably value engineered.

Alternatives:

1. Do not approve the request at this time.
2. Provide staff with further direction.

Recommendation:

Approve a two-year extension of time for Development Plan 22-03 and the associated funding commitment, pursuant to City Municipal Code Section 8-5.7106, resulting in a new expiration date of January 19, 2025.

Attachments:

1. City Council Resolution
2. Extension Request Letter, dated March 17, 2022

3. Funding Commitment Letter, dated May 24, 2021
4. Project Location / Site Plan
5. Approved Development Plan Elevations

Prepared By:	Submitted By:
Ben Moody	Diana Langley
Public Works and Development Services Director	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY TO APPROVE A TWO-YEAR EXTENSION OF TIME FOR DEVELOPMENT PLAN (DP) 20-03, RICHLAND VILLAGE AFFORDABLE HOUSING DEVELOPMENT, AND THE ASSOCIATED FUNDING COMMITTMENT BETWEEN THE CITY OF YUBA CITY, THE REGIONAL HOUSING AUTHORITY, AND SUTTER COUNTY AFFORDABLE HOMES FOR RICHLAND VILLAGE AFFORDABLE HOUSING (APN 53-470-091)

WHEREAS, the City received development plan application for the entitlement of a multiphase 176-unit apartment complex from the Regional Housing Authority (RHA) located in the Richland Housing area; and

WHEREAS, the development titled "Richland Village" proposes to construct a 176-unit affordable apartment home community on a 4.9-acre site at 470 Bernard Drive (APN 53-470-091) in Yuba City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on December 17, 2020, and considered all of the project and environmental information presented by staff, public testimony and all of the background information.

WHEREAS, following the close of the public hearing on the matter the Planning Commission unanimously voted to approve Development Plan 20-03, Richland Village; and

WHEREAS, on January 19, 2021, the City Council held a duly noted public hearing on Development Plan 20-03, Richland Village and an initial funding request was presented; and

WHEREAS, a public hearing was held, and the opportunity for public comment was provided; and

WHEREAS, following the close of the public hearing on the matter the City Council unanimously voted to approve Development Plan 20-03 Richland Village and following the public hearing an Ad Hoc committee was established to further discuss the funding request; and

WHEREAS, On May 18, 2021 City Council approved a funding commitment of $1,000,000 towards the Richland Village development; and

WHEREAS, the Developer, Sutter County Affordable Homes ("SCAH") is an affiliate 501(c)(3) public non-profit entity of RHA, and desires to construct "Richland Village." SCAH plans to create a limited partnership to construct, own and operate the Housing Project; and

WHEREAS, the project was recently awarded $30 million in funding through the California Department of Housing and Community Development's (HCD), Affordable Housing and Sustainable Communities (AHSC) program; and

WHEREAS, the applicant submitted a written request for the extension in compliance with the conditions placed on the project at the time of approval; and

WHEREAS, the applicant's time extension request states that they are requesting the extension due to the timing of applying for additional funding and awaiting awards. Based on the

applicant's request and the above analysis, staff finds that no circumstances have occurred to necessitate any changes to the originally-approved Findings or Conditions of Approval.

WHEREAS, the City Council desire that a two-year extension of time be approved for Development Plan 20-03, and the associated funding commitment between the City of Yuba City, the Regional Housing Authority, and Sutter County Affordable Homes for Richland Village Affordable Housing.

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

Section 1. Recitals. The City Council finds that all of the facts set forth in the recitals above of this Resolution are true and correct and incorporated herein.

Section 2. CEQA Findings. The City Council finds that the project was previously analyzed environmentally pursuant to California Environment Quality Act (CEQA) and was determined to be Categorically Exempt pursuant to CEQA Section 15332, Infill Development Projects, and no further action is required under CEQA.

Section 3. Extension of Time. The City Council approves the two-year extension of time for approved Development Plan 20-03, and the associated funding commitment between the City of Yuba City, the Regional Housing Authority, and Sutter County Affordable Homes for Richland Village Affordable Housing

Section 4. Effective Date. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on August 16, 2022 by the following vote:

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, City Clerk Administrator

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

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

1455 Butte House Road • Yuba City, CA 95993
Phone: (530) 671-0220 • Toll Free: (888) 671-0220 • TTY: (866) 735-2929 • Fax: (530) 673-0775
www.RegionalHA.org

March 17, 2022

Diana Langley, City Manager
City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

Re: Richland Village
470 Bernard Drive
Yuba City, CA 95991

Dear Ms. Langley,

We are excited to inform the City Council and City staff of Richland Village's progress. The project was recently awarded $30 million by the State Department of Housing and Community Development and the State Strategic Growth Council, in addition to other local government commitments for the development of the planned 176-unit new construction project. This only covers partial financing of the project, and the next step in the financing process is applying for low-income housing tax-credit financing in March 2022.

In January 2021, the City Council approved our development plan and a $1 million-dollar financial commitment towards the project, with an expiration date of January 2023. Due to the timing of applying for additional funding and awaiting awards, we are seeking a one-year extension for both the entitlements and the financial commitment. We are hoping it is not needed; however, we would like to ensure that we have the time available if there is a delay in approval of our tax credit application, or we have to apply again in future rounds.

I would be happy to meet and discuss. If you should need any additional information, I can be reached at (530) 671-0220, extension 113, or at g.becerra@regionalha.org.

Sincerely,

Gustavo Becerra
Executive Director

Cc: Ben Moody, Development Services Director/Public Works Director

ATTACHMENT 3

City Manager

May 24, 2021

Gustavo Becerra
Regional Housing Authority
1455 Butte House Road
Yuba City, CA 95993

Re: Request for Financial Assistance (Capital Funds Grant)
Richland Village (176-units of new construction multi-family affordable housing)
470 Bernard Drive
Yuba City, CA 95991

Dear Mr. Becerra:

We are pleased to inform you that the City of Yuba City has approved your request for $1,000,000.00 in financial assistance, as a construction source of financing, through a capital funds grant. The proceeds of which are from the City's Low-Mod Housing Asset Fund for the new construction of a 176-unit multi-family affordable housing project at the above referenced address.

Please be advised that this grant commitment is expressly conditioned upon your successful application for State HCD-AHSC funding, and Low-Income Housing Tax Credits. The City will require proof of award from the State Department of Housing and Community Development, and from the California Tax Credit Allocation Committee prior to any further processing of your grant.

We wish you the best as you attempt to obtain the balance of your required financing. If you have any questions concerning this commitment of funds, please do not hesitate to call me.

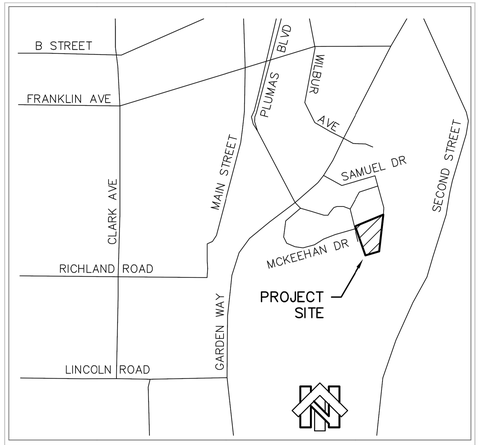
Sincerely,

Dave Vaughn
City Manager

ATTACHMENT 4

RICHLAND VILLAGE

470 BERNARD DRIVE
YUBA CITY, CALIFORNIA



VICINITY MAP
NOT TO SCALE

PROJECT SUMMARY

PROJECT	**RICHLAND VILLAGE**
LOCATION	**470 BERNARD DRIVE YUBA CITY, CA.**
JURISDICTION	**YUBA CITY**
APN	**53-470-091**
SITE AREA	**4.92 ACRES**

DWELLING UNITS		
1 BEDROOM UNITS	**88**	**50%**
2 BEDROOM UNITS	**44**	**25%**
3 BEDROOM UNITS	**44**	**25%**
TOTAL DWELLING UNITS	**176**	**UNITS**

PARKING SUMMARY

PARKING REQUIRED
1.1 SPACE PER UNIT

TOTAL PARKING REQUIRED = 194

PARKING PROVIDED

FULL SIZE SPACES	124
COMPACT PARKING SPACES	52
ACCESSIBLE SPACES	8
TOTAL PARKING PROVIDED:	184 SPACES
PARKING RATION	1.1 SPACES PER UNIT

PROJECT DIRECTORY

DEVELOPER
SUTTER COMMUNITY AFFORDABLE HOUSING
ATTENTION: GUS BECERRA
1455 BUTTE HOUSE ROAD
YUBA CITY, CA 95993
(530) 671-0220 ext. 113
EMAIL: g.becerra@regionalha.org

DEVELOPER
SAGE HOUSING GROUP LLC
ATTENTION: LUKE WATKINS
2745 PORTAGE BAY EAST
DAVIS, CA 95616
(530) 400-2927
EMAIL: lukewatkins@sbcglobal.net

ARCHITECT
KUCHMAN ARCHITECTS PC
ATTENTION: PHIL HARVEY
2203 13TH STREET
SACRAMENTO, CA 95818
PHONE: (916) 447-3436
FAX: (916) 447-3466
EMAIL: phil@kuchman.com

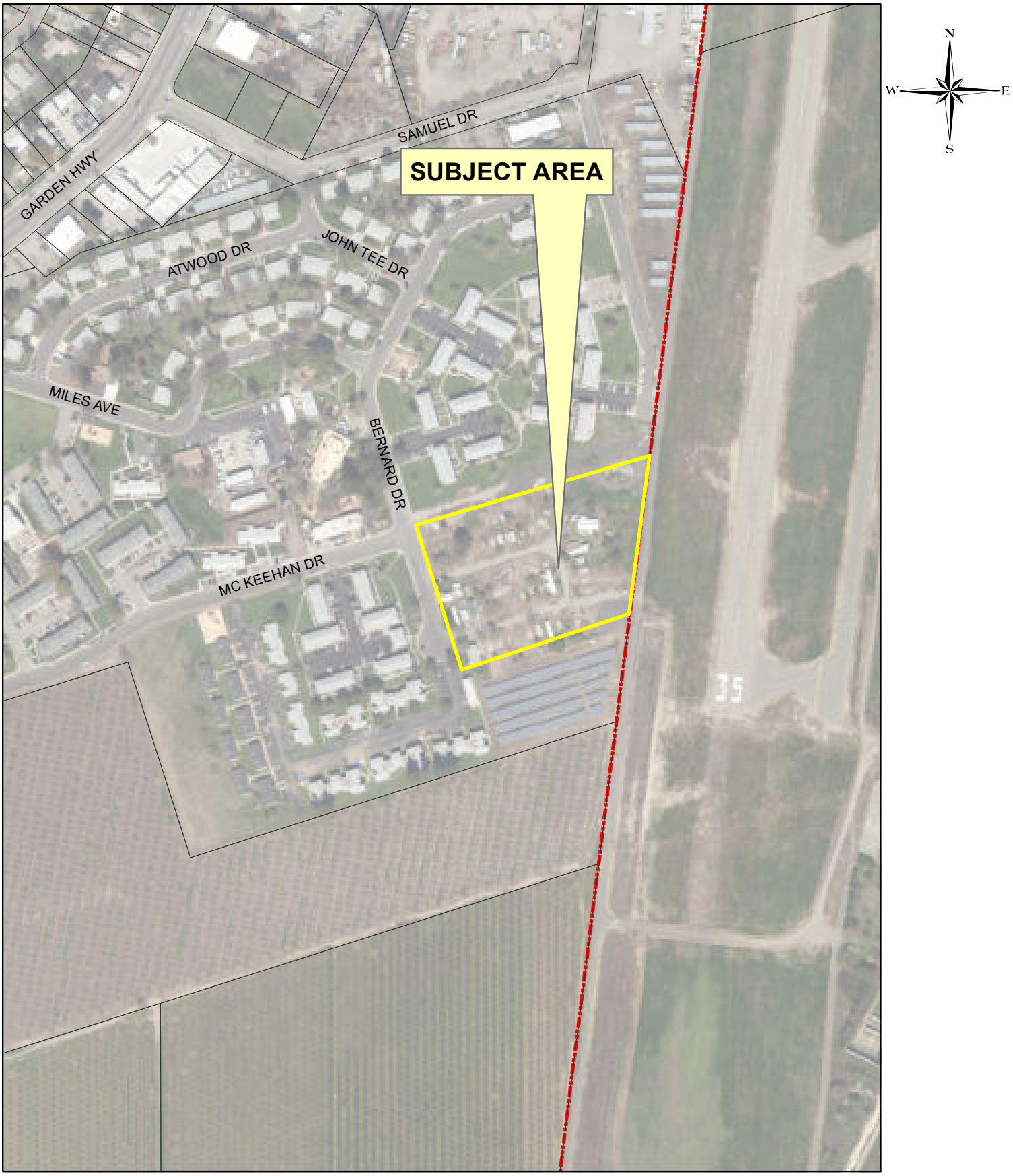
LANDSCAPE ARCHITECT
TOM SMITH ASSOCIATES
ATTENTION: TOM SMITH
6921 ROSEVILLE ROAD
SACRAMENTO, CA 95842
PHONE: (916) 349-7376
EMAIL: tsassocla@yahoo.com

SHEET INDEX

A0	COVER SHEET
A1.1	DEMO SITE PLAN
A1.2	SITE PLAN
A2.1	TYPE 1 - BUILDINGS 1, 3 & 5
A2.2	TYPE 2 - BUILDING 7
A2.3	TYPE 3 - BUILDING 8
A2.4	TYPE 4 - BUILDING 2 & 4
A2.5	TYPE 5 - BUILDING 6
A2.6	UNIT PLANS A & B
A2.7	UNIT PLAN C
A2.8	COMMUNITY CENTER AND LAUNDRY
A3.1	EXTERIOR ELEVATIONS - TYPE 1 - BUILDINGS 1, 3 & 5
A3.2	EXTERIOR ELEVATIONS - TYPE 2 - BUILDING 7
A3.3	EXTERIOR ELEVATIONS - TYPE 3 - BUILDING 8
A3.4	EXTERIOR ELEVATIONS - TYPE 4 - BUILDING 2 & 4
A3.5	EXTERIOR ELEVATIONS - TYPE 5 - BUILDING 6
A3.6	EXTERIOR ELEVATIONS - COMMUNITY CENTER
A3.7	TYPE 1 - COLORED BUILDING RENDERINGS
A3.8	TYPE 2 - COLORED BUILDING RENDERINGS
A3.9	TYPE 3 - COLORED BUILDING RENDERINGS
A3.10	TYPE 4 - COLORED BUILDING RENDERINGS
A3.11	TYPE 5 - COLORED BUILDING RENDERINGS
A3.12	COMMUNITY CENTER - COLORED BUILDING RENDERINGS
L1	PRELIMINARY LANDSCAPE PLAN
L2	LEGENDS, NOTES, DETAILS, SHADING CALCS

BUILDING AREA SUMMARY

	UNIT TYPES A-AC, A 1 BD/1BA	B-AC, B 2 BD/1BA	C-AC, C 3 BD/2BA	TOTAL UNITS PER BLDG	TOTAL UNIT / BLDG SQ. FT.	TOTAL COVERED WALKWAY	TOTAL INTERIOR AND COVERED WALKWAY
LIVING SQ. FT	**512**	**687**	**920**				
STORAGE SQ. FT.	**20**	**20**	**28**				
WH/CLOSET SQ. FT.	**-**	**-**	**-**				
PATIO SQ. FT (COVERED)	**65**	**98**	**142**				
BUILDING & TYPE							
BUILDING 1 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 2 - TYPE 4	**12**	**6**	**6**	**24**	**18,873**	**630**	**19,503**
BUILDING 3 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 4 - TYPE 4	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 5 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 6 - TYPE 5	**10**	**5**	**5**	**20**	**18,873**	**630**	**19,503**
BUILDING 7 - TYPE 2	**10**	**5**	**5**	**20**	**15,728**	**630**	**16,358**
BUILDING 8 - TYPE 3	**8**	**4**	**4**	**16**	**12,583**	**420**	**13,003**
TOTAL	**88**	**44**	**44**	**176**	**141,849**	**5,670**	**147,519**
RATIO	**50%**	**25%**	**25%**	**100%**			
COMMUNITY CENTER				**1**	**2,795**	**1,245**	**4,040**
LAUNDRY/MAINTENANCE/ STORAGE				**1**	**572**		**572**
BIKE SHELTERS				**2**	**792**		**1584**



Development Plan 20-03: Richland Village Apartments

BUILDING LEGEND

2-STORY COMPONENT

1-STORY COMPONENT

TRANSFORMER

SITE INFORMATION

PARCEL: 214,632.230 square ft.
= 4.92 ACRES

BUILDING FOOTPRINT: 56,452 S.F.

OVERALL BUILDING SQUARE FOOTAGE: 147,519 S.F.

SCALE: 1" = 20'-0"

0 5 10 20 40

DECEMBER 4, 2020

Richland Village

470 Bernard Drive
Yuba City, California

SITE PLAN

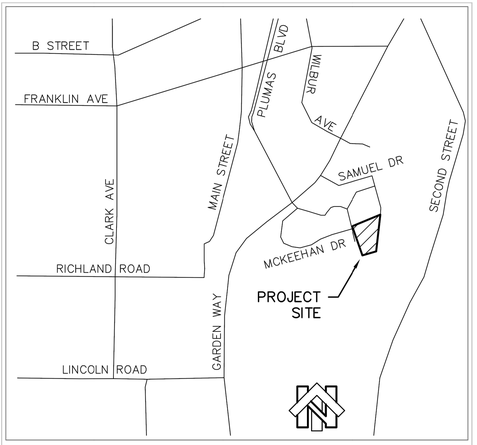
kuchman
ARCHITECTS PC

A1.2

ATTACHMENT 5

RICHLAND VILLAGE

470 BERNARD DRIVE
YUBA CITY, CALIFORNIA



VICINITY MAP
NOT TO SCALE

PROJECT SUMMARY

PROJECT	**RICHLAND VILLAGE**
LOCATION	**470 BERNARD DRIVE YUBA CITY, CA.**
JURISDICTION	**YUBA CITY**
APN	**53-470-091**
SITE AREA	**4.92 ACRES**

DWELLING UNITS		
1 BEDROOM UNITS	**88**	**50%**
2 BEDROOM UNITS	**44**	**25%**
3 BEDROOM UNITS	**44**	**25%**
TOTAL DWELLING UNITS	**176**	**UNITS**

PARKING SUMMARY

PARKING REQUIRED
1.1 SPACE PER UNIT

TOTAL PARKING REQUIRED = 194

PARKING PROVIDED

FULL SIZE SPACES	124
COMPACT PARKING SPACES	52
ACCESSIBLE SPACES	8
TOTAL PARKING PROVIDED:	184 SPACES
PARKING RATION	1.1 SPACES PER UNIT

PROJECT DIRECTORY

DEVELOPER
SUTTER COMMUNITY AFFORDABLE HOUSING
ATTENTION: GUS BECERRA
1455 BUTTE HOUSE ROAD
YUBA CITY, CA 95993
(530) 671-0220 ext. 113
EMAIL: g.becerra@regionalha.org

DEVELOPER
SAGE HOUSING GROUP LLC
ATTENTION: LUKE WATKINS
2745 PORTAGE BAY EAST
DAVIS, CA 95616
(530) 400-2927
EMAIL: lukewatkins@sbcglobal.net

ARCHITECT
KUCHMAN ARCHITECTS PC
ATTENTION: PHIL HARVEY
2203 13TH STREET
SACRAMENTO, CA 95818
PHONE: (916) 447-3436
FAX: (916) 447-3466
EMAIL: phil@kuchman.com

LANDSCAPE ARCHITECT
TOM SMITH ASSOCIATES
ATTENTION: TOM SMITH
6921 ROSEVILLE ROAD
SACRAMENTO, CA 95842
PHONE: (916) 349-7376
EMAIL: tsassocla@yahoo.com

SHEET INDEX

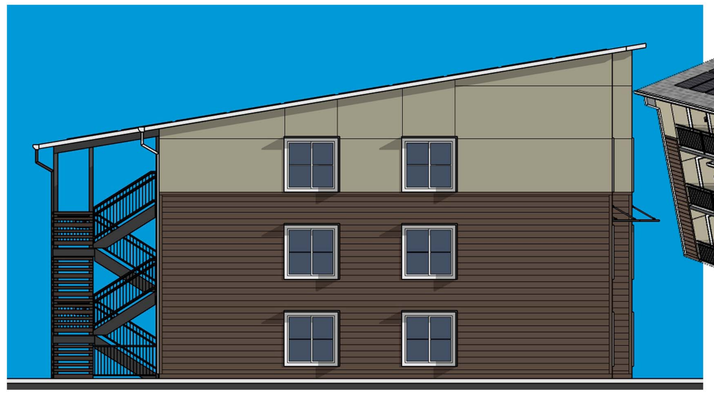
A0	COVER SHEET
A1.1	DEMO SITE PLAN
A1.2	SITE PLAN
A2.1	TYPE 1 - BUILDINGS 1, 3 & 5
A2.2	TYPE 2 - BUILDING 7
A2.3	TYPE 3 - BUILDING 8
A2.4	TYPE 4 - BUILDING 2 & 4
A2.5	TYPE 5 - BUILDING 6
A2.6	UNIT PLANS A & B
A2.7	UNIT PLAN C
A2.8	COMMUNITY CENTER AND LAUNDRY
A3.1	EXTERIOR ELEVATIONS - TYPE 1 - BUILDINGS 1, 3 & 5
A3.2	EXTERIOR ELEVATIONS - TYPE 2 - BUILDING 7
A3.3	EXTERIOR ELEVATIONS - TYPE 3 - BUILDING 8
A3.4	EXTERIOR ELEVATIONS - TYPE 4 - BUILDING 2 & 4
A3.5	EXTERIOR ELEVATIONS - TYPE 5 - BUILDING 6
A3.6	EXTERIOR ELEVATIONS - COMMUNITY CENTER
A3.7	TYPE 1 - COLORED BUILDING RENDERINGS
A3.8	TYPE 2 - COLORED BUILDING RENDERINGS
A3.9	TYPE 3 - COLORED BUILDING RENDERINGS
A3.10	TYPE 4 - COLORED BUILDING RENDERINGS
A3.11	TYPE 5 - COLORED BUILDING RENDERINGS
A3.12	COMMUNITY CENTER - COLORED BUILDING RENDERINGS
L1	PRELIMINARY LANDSCAPE PLAN
L2	LEGENDS, NOTES, DETAILS, SHADING CALCS

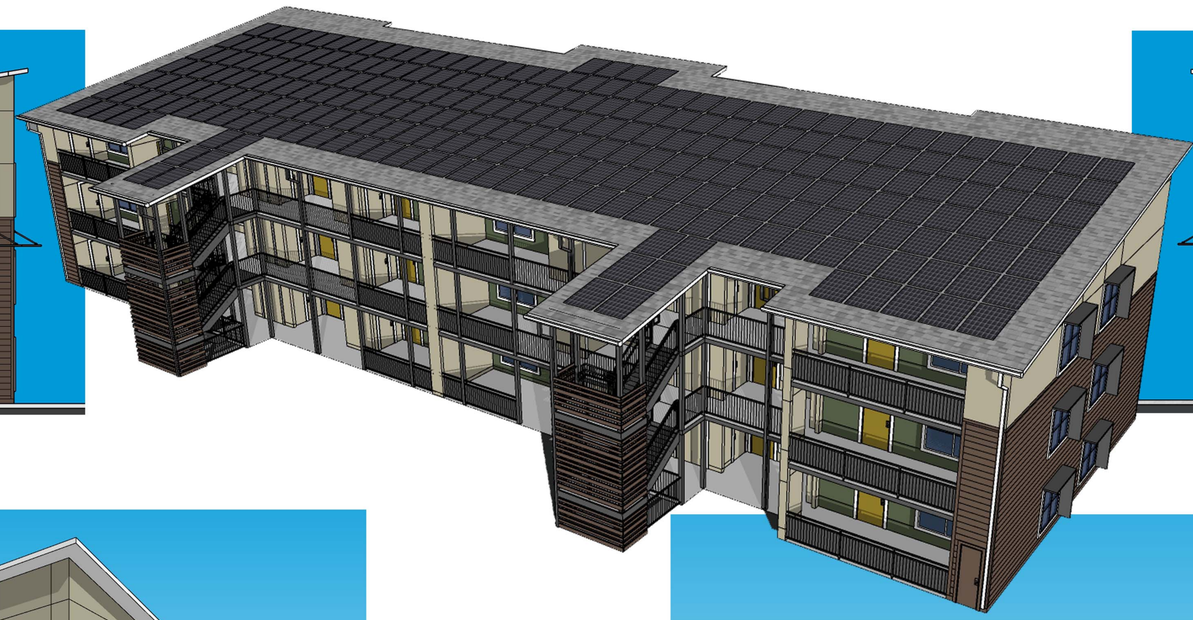
BUILDING AREA SUMMARY

	UNIT TYPES A-AC, A 1 BD/1BA	B-AC, B 2 BD/1BA	C-AC, C 3 BD/2BA	TOTAL UNITS PER BLDG	TOTAL UNIT / BLDG SQ. FT.	TOTAL COVERED WALKWAY	TOTAL INTERIOR AND COVERED WALKWAY
LIVING SQ. FT	**512**	**687**	**920**				
STORAGE SQ. FT.	**20**	**20**	**28**				
WH/CLOSET SQ. FT.	**-**	**-**	**-**				
PATIO SQ. FT (COVERED)	**65**	**98**	**142**				
BUILDING & TYPE							
BUILDING 1 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 2 - TYPE 4	**12**	**6**	**6**	**24**	**18,873**	**630**	**19,503**
BUILDING 3 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 4 - TYPE 4	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 5 - TYPE 1	**12**	**6**	**6**	**24**	**18,873**	**840**	**19,713**
BUILDING 6 - TYPE 5	**10**	**5**	**5**	**20**	**18,873**	**630**	**19,503**
BUILDING 7 - TYPE 2	**10**	**5**	**5**	**20**	**15,728**	**630**	**16,358**
BUILDING 8 - TYPE 3	**8**	**4**	**4**	**16**	**12,583**	**420**	**13,003**
TOTAL	**88**	**44**	**44**	**176**	**141,849**	**5,670**	**147,519**
RATIO	**50%**	**25%**	**25%**	**100%**			
COMMUNITY CENTER				**1**	**2,795**	**1,245**	**4,040**
LAUNDRY/MAINTENANCE/ STORAGE				**1**	**572**		**572**
BIKE SHELTERS				**2**	**792**		**1584**

South Elevation

East Elevation





West Elevation

Northwest Perspective

Southeast Perspective

DECEMBER 4, 2020

Richland Village

470 Bernard Drive
Yuba City, California

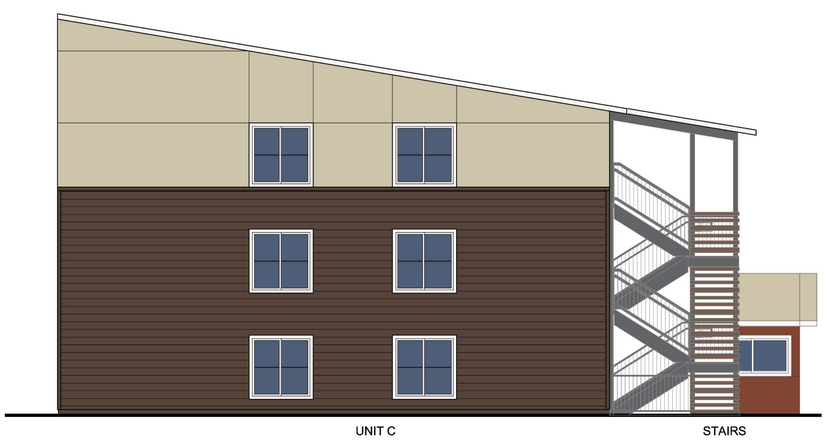
TYPE 1 - COLORED BUILDING RENDERINGS

kuchman ARCHITECTS PC

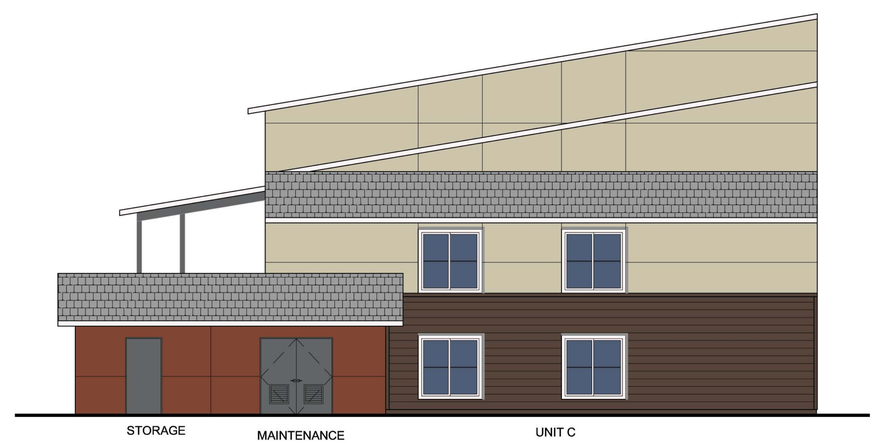
A3.7

BUILDING 7 - TYPE 2 - NORTH ELEVATION

BUILDING 7 - TYPE 2 - SOUTH ELEVATION



BUILDING 7 - TYPE 2 -WEST ELEVATION



BUILDING 7 - TYPE 2 - EAST ELEVATION

DECEMBER 4, 2020

Richland Village

470 Bernard Drive
Yuba City, California

BUILDING 7 - TYPE 2 EXTERIOR ELEVATIONS

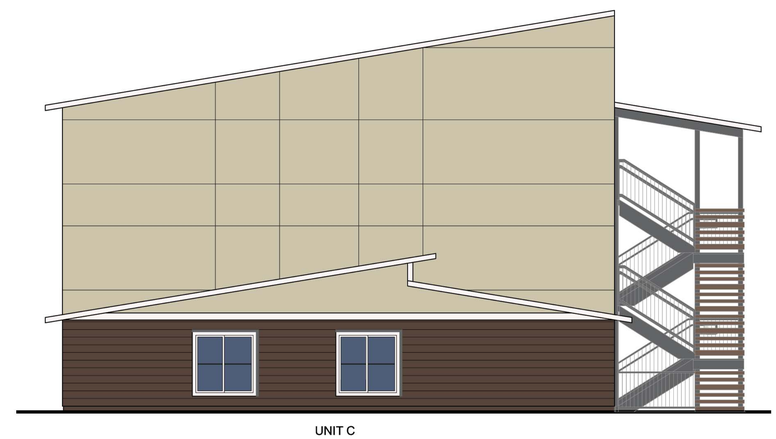
kuchman ARCHITECTS PC

A3.8

BUILDING 8 - TYPE 3 - NORTH ELEVATION

BUILDING 8 - TYPE 3 - SOUTH ELEVATION

BUILDING 8 - TYPE 3 -WEST ELEVATION



BUILDING 8 - TYPE 3 - EAST ELEVATION

DECEMBER 4, 2020

Richland Village

470 Bernard Drive
Yuba City, California

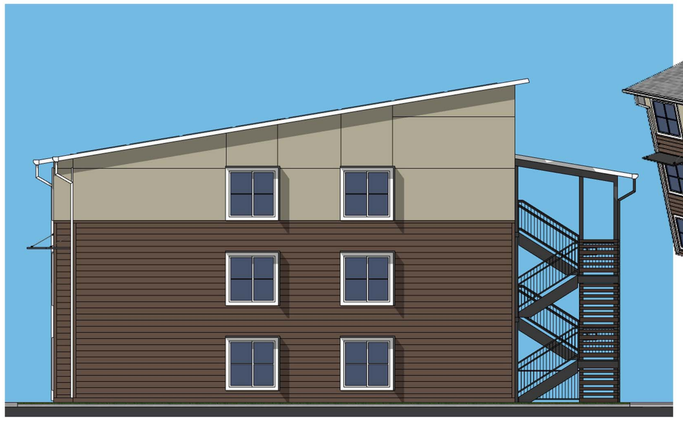
BUILDING 8 - TYPE 3 EXTERIOR ELEVATIONS

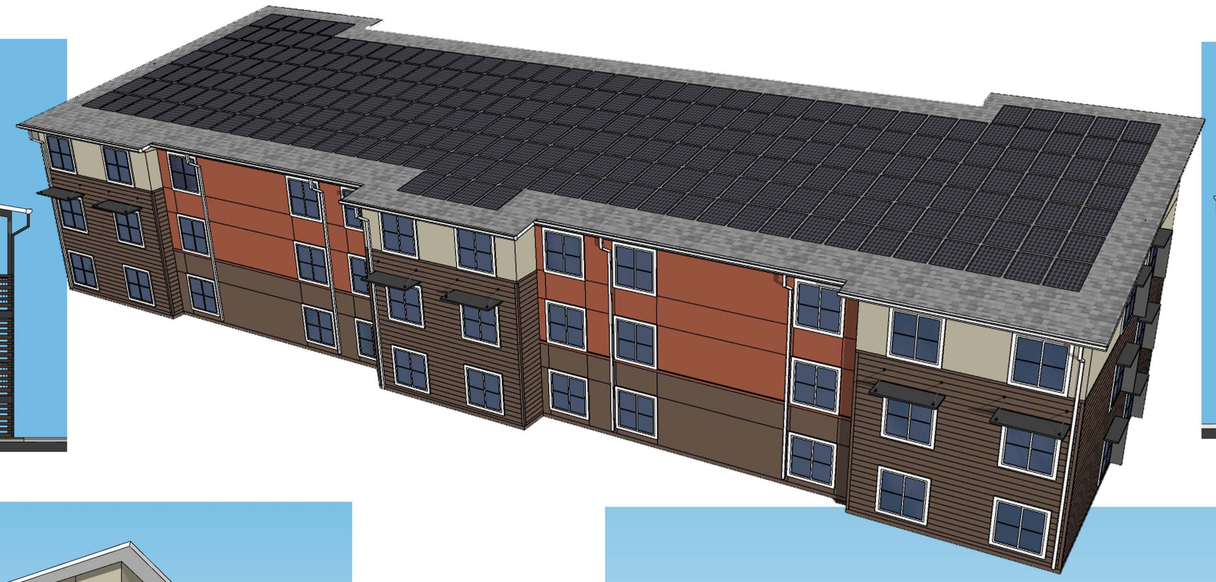
kuchman ARCHITECTS PC

A3.9

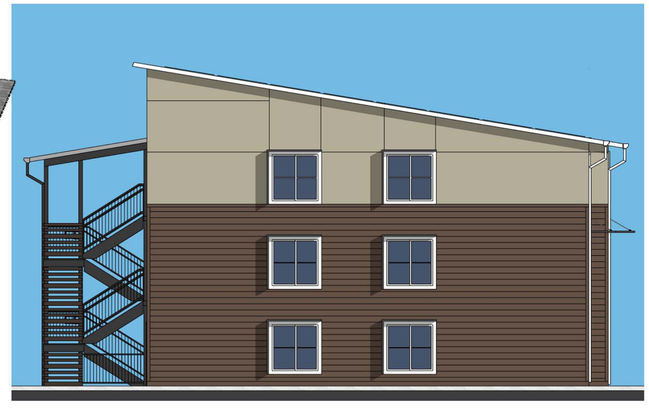
North Elevation

East Elevation





West Elevation



Northwest Perspective

Southeast Perspective

DECEMBER 4, 2020

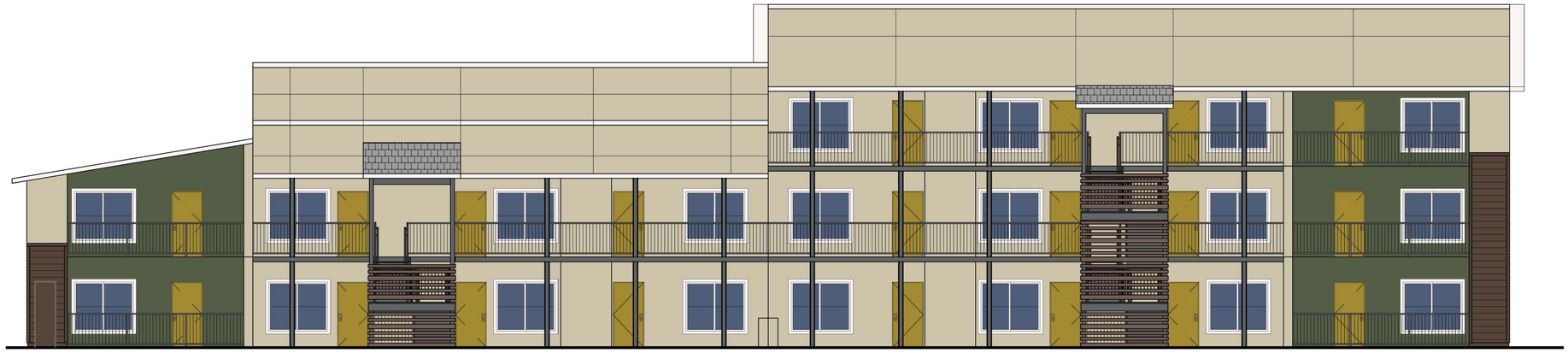
Richland Village

470 Bernard Drive
Yuba City, California

TYPE 4 - COLORED BUILDING RENDERINGS

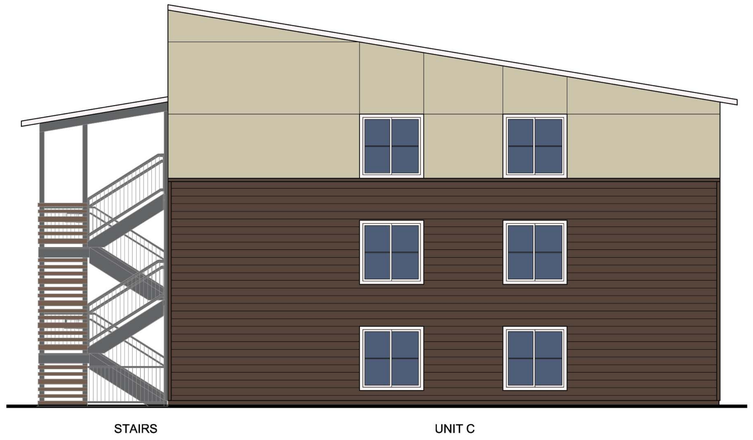
kuchman ARCHITECTS PC

A3.10

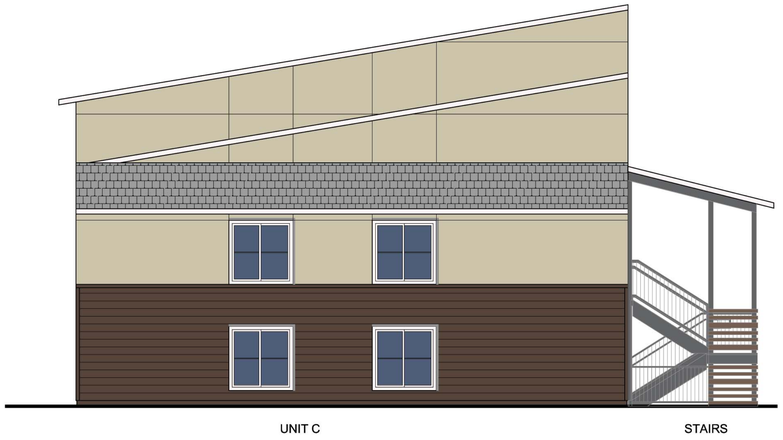


BUILDING 6 - TYPE 5 - NORTH ELEVATION

BUILDING 6 - TYPE 5 - SOUTH ELEVATION



BUILDING 6 - TYPE 5 -WEST ELEVATION



BUILDING 6 - TYPE 5 - EAST ELEVATION

DECEMBER 4, 2020

Richland Village

470 Bernard Drive
Yuba City, California

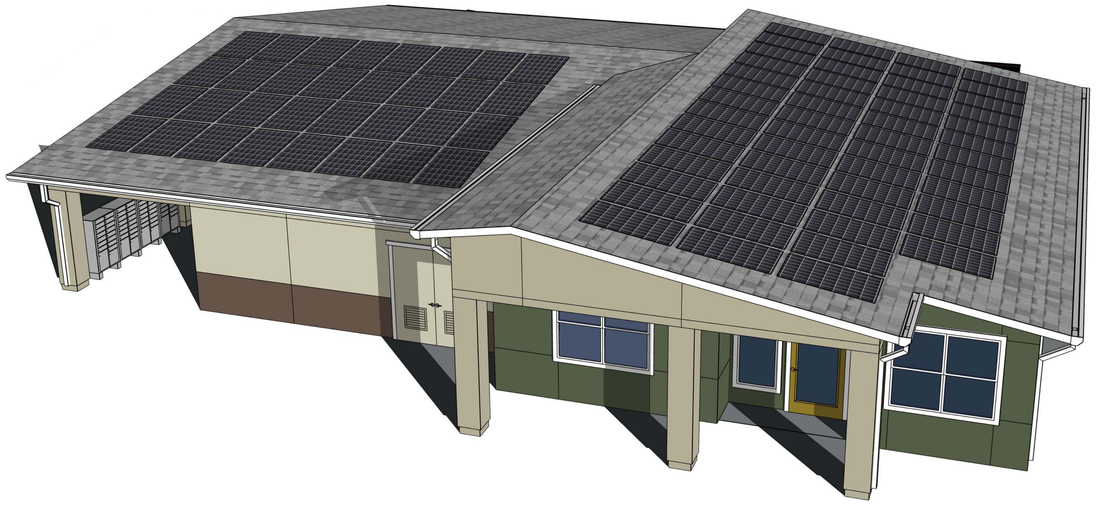
BUILDING 6 - TYPE 5 EXTERIOR ELEVATIONS

kuchman ARCHITECTS PC

A3.11

South Elevation

North Elevation



Southeast Perspective

Northwest Perspective

Richland Village

470 Bernard Drive
Yuba City, California

COMMUNITY CENTER - COLORED BUILDING RENDERINGS

DECEMBER 4, 2020

kuchman ARCHITECTS PC

A3.12

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Development Services Department

Presentation By: Ben Moody, Public Works & Development Services Director

---

Summary

Subject: Consideration to approve Development Plan 22-01: Yuba City Self-Storage

Recommendation: A. Conduct a Public Hearing; and

B. Adopt a Resolution to approve Environmental Assessment 22-03 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres, located along the south side of Colusa Highway Frontage Road approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard (Assessor's Parcel Number 63-020-140)

Fiscal Impact: The costs for processing the land use entitlements is funded by the project applicants. The development of the project will be subject to the payment of development impact fees as well as building permit fees that will cover future costs incurred by the City.

Council's Strategic Goals:

This item meets the City Council's strategic goal of: business friendly.

Purpose:

Consideration to approve Development Pan (DP) 22-01, allowing for the development of Yuba City Self-Storage. This proposal will establish a self-storage facility in two phases on 9.52 acres. Phase 1 consists of nine self-storage unit buildings and a graveled outdoor storage area for 192 vehicles. Phase 2 is the conversion of the outdoor vehicle storage area to nine additional self-storage buildings.

As this staff report is a summary of the items being considered, a copy of the staff report to the Planning Commission is attached.

Background:

The applicant has filed a Development Plan application to construct an approximately 200,000 square foot self-storage facility once both phases are complete. Due to the size of the development, the application must be recommended by the Planning Commission for City Council approval.

Planning Commission Action on July 27, 2022:

On July 27, 2022, the Planning Commission considered the proposed Development Plan, with the supporting documents. At the meeting, the Commission opened the item for a Public Hearing and there were no comments from the public or comments from the Planning Commission.

By a vote of 4-to-0, the Planning Commission recommended that the City Council certify the Environmental Assessment 22-03 prepared and adopt a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres.

General Plan Designation:

The site is designated in the General Plan as Business, Technology & Light Industrial (B, T, & LI). Self-storage units are consistent with that designation.

Zoning Classification:

The property is within a Light Industrial Zone District together with an X27 Combining District (M-1 X27). The M-1 Zone District allows self-storage units by-right; the X27 Combining District provides for specific criteria that development of the property must meet (a copy of the X27 Zone District is attached). In particular to this project, the location is near the gateway to the City and the X27 Combining District requires a high-quality design.

Bordering Information:

The project is located in west Yuba City surrounded by light industrial uses, including another self-storage facility on the west and south. There are no nearby residences or other types of uses that would be sensitive to being near a self-storage and outdoor vehicle parking facility. As such, it is not expected that there will be any compatibility issues with neighboring uses. Adjacent land uses include:

TABLE 1: BORDERING LAND USES	
North:	Frontage road and State Route 20.
South:	Outdoor vehicle parking portion of a neighboring self-storage facility to the west.
East:	Various light industrial uses.
West:	Self-storage facility

Environmental Determination:

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 self-storage project. The findings of the mitigated negative declaration is that, with the proposed mitigations for geology/soils, greenhouse gas emissions, and Tribal cultural resources, the self-storage facility will not create any significant environmental impacts. As a result, the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA. The proposed mitigations are included in

the project conditions of approval.

California Environmental Quality Act Findings:

1. The Planning Commission recommends that the City Council find that an environmental assessment/ initial study 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. 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 Planning Commission recommends the City Council find that feasible mitigation measures or alternatives have been incorporated into the project in order to avoid the effects or mitigate 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.

ii. Adoption of MND and Mitigation Monitoring and Reporting Program. Based on the foregoing, the Planning Commission recommends the City Council adopt the Mitigated Negative Declaration prepared for the project, included the associated Mitigation Monitoring and Reporting Program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed. The Yuba City Development Services Department is located at 1201 Civic Center Blvd., Yuba City, CA 95993, and is recommended to be designated as the custodian of the documents and other materials that constitute the record of proceedings upon which the decision is based. The Planning Commission further recommends 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.

Development Plan 22-01 Findings

Based upon analysis of the Development Plan application and subject to the applicant's compliance with the conditions of approval noted, the Planning Commission recommends the following required findings of Section 8-5.7001(d) of the Zoning Regulations can be made (*the required findings are in italics).*

(i) The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking, landscaping, and other features required by this chapter.

The proposed approximately 200,000 square feet of self-storage facility will fit within the 9.52-acre site and meet all City standards. This includes off-street parking, lighting, landscaping, and other City adopted standards. All City services are available to the site, and adequate public access is provided by Colusa Frontage Road.

(ii) The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

The site is served by Colusa Frontage Road. Both the City Public Works Department and Caltrans determined that the street would adequately serve the site. With the proposed condition that prohibits

commercial truck parking on this project site, the nearest intersection at Colusa Frontage Road and George Washington Boulevard will not be impacted.

(iii) The site design, design of the buildings, and the scale of the project will complement neighboring facilities.

Based on the analysis provided in the staff report, the design of the project combined with the condition added for further review of the two-story portion of the project, adequately addresses the City's desire for a high-quality building design. The project's design and enhanced street frontage landscaping, both being modified by the recommended conditions of approval, will complement the neighboring properties.

(iv) The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the "Local Flood Management Agency" for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 645007 (a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board. As such this site has adequate flood protection. Additionally, the City has imposed conditions on the Development Plan that will protect property within the area to the urban level in urban areas and urbanizing areas.

Staff Comments:

Traffic and Circulation:

Self-storage facilities are very low traffic generators. There was an initial concern that commercial truck parking in the vehicle storage area could impact the nearby Colusa Frontage Road intersection with George Washington Boulevard. Although commercial truck parking was not proposed by the applicant, a condition has been added that prohibits commercial truck parking. As a result, traffic generated by this project is believed to be insignificant and not trigger development thresholds.

While limited amount of new traffic from this project is not a cause for concern at the SR 20/George Washington Boulevard intersection, Caltrans did raise a longer-term concern that "with existing congestion issues at SR 20/N. George Washington Blvd. intersection and Colusa (Frontage) Road intersection being close to SR 20 this may cause future operational and safety issues. As further development occurs in the area, the City should look at a mechanism for collecting proportional share contributions to improve access or look at alternative access points to Colusa Road." As a result, Public Works and Engineering with traffic modeling and operations will partner with Caltrans regarding responsibility and future cost burdens.

Availability of City services:

All City services, including water, sewer, and storm-water drainage (a combination of City and Sutter County Water Agency) are available to this site. However, due to the low intensity use of the site, the proposal is to utilize an individual onsite septic system rather than the City wastewater collection system.

Recommended Action:

A. Conduct a Public Hearing; and

B. Adopt a Resolution to approve Environmental Assessment 22-03 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres, located along the south side of Colusa Highway Frontage Road approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard (Assessor's Parcel Number 63-020-140).

Alternatives:

1. Deny the application for DP 22-01.
2. Amend the Conditions of Approval.
3. Amend the Mitigation Measures.
4. Provide staff with further direction.

Attachments:

1. Resolution
2. Exhibit A DP 22-01 Plans
3. Exhibit B Conditions of Approval
4. Planning Commission Staff Report, July 27, 2022

Prepared By:	Submitted By:
Jaspreet Kaur	Diana Langley
Associate Planner	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING DEVELOPMENT PLAN 22-01, YUBA CITY SELF-STORAGE, ON 9.52 ACRES, LOCATED ALONG THE SOUTH SIDE OF COLUSA HIGHWAY FRONTAGE ROAD APPROXIMATELY 720 FEET WEST OF THE INTERSECTION OF COLUSA FRONTAGE ROAD AND GEORGE WASHINGTON BOULEVARD (ASSESSOR'S PARCEL NUMBER 63-020-140); INCLUDING THE MITIGATED NEGATIVE DECLARATION PREPARED AS DETAILED IN THE ENVIRONMENTAL ASSESSMENT 22-03, SUBJECT TO THE CONDITIONS OF APPROVAL AND MITIGATION MEASURES.

WHEREAS, the City received an application for Development Plan 22-01 ("DP 22-01") to construct in two phases a self-storage facility and outdoor vehicle storage area. Any new development that would result from this action will be provided full City services; and

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

WHEREAS, a review of the General Plan and Zoning Regulations determined that the proposed subdivision was consistent with the other elements of the General Plan and Zoning Regulations; and

WHEREAS, the Planning Commission reviewed related Environmental Assessment 22-03 considering a Mitigated Negative Declaration (MND) prepared for the project, which provided mitigations that reduce potential significant impacts to less than significant; and

WHEREAS, the City on July 6, 2022, published a legal notice and a public hearing notice was mailed to each property owner within at least 300 feet of the project site in compliance with State law concerning the Planning Commission's consideration on July 27, 2022; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 27, 2022 and considered all of the project and environmental information presented by staff, public testimony and all of the background information; and

WHEREAS, the Planning Commission took action to recommend approval of the Development Plan and Environmental Assessment 22-03 by a vote of 4 to 0, with three Commissioners absent; and

WHEREAS, the City Council of the City of Yuba City considered said recommendations of the Commission on the matter of a Development Plan for said property and conducted a public hearing on the matter on August 16, 2022; and

WHEREAS, the City Council now desires to approve Development Plan 22-01 and Environmental Assessment 22-03, and adopt a MND for the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City 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 finds and determines that there is no substantial evidence in the record that DP 22-01 may have a significant effect on the environment as identified by the MND prepared EA 22-03. The City Council 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, and reflects the Council's independent judgement and analysis. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of Environmental Assessment 22-03 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 or mitigate the effects to a point where no significant effect on the environment will occur, and there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are potentially significant and adverse. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The project-specific mitigation measures included in the project to avoid potentially significant effects are set forth in the 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. As such, the City Council also finds and determines that in light of the entire administrative record and the substantial evidence before it, the project has been adequately environmentally assessed as required by CEQA per EA 17-10.

3. Adoption of MND and Mitigation Monitoring and Reporting Program. Based on the foregoing, the City Council approves Environmental Assessment 22-03 and adopts a Mitigated Negative Declaration for the project, included the associated Mitigation Monitoring and Reporting Program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed. The Yuba City Development Services Department located at 1201 Civic Center Blvd., Yuba City, CA 95993, is designated as the custodian of the documents and other materials that constitute the record of proceedings upon which the decision is based. The City Council authorizes the Director, or designee, to execute and file with the Sutter County Clerk, as appropriate, a Notice of Determination for approval of the project.

4. Development Plan Findings. The City Council finds and determines that there is substantial evidence in the entire administrative record that DP 22-01, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to DP 22-01. The City Council further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

i. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.

Basis for Finding: The proposed approximately 200,000 square feet of self-storage facility will fit within the 9.52-acre site and meet all City standards. This includes off-street parking, lighting, landscaping, and other City adopted standards. All City services are available to the site, and adequate public access is provided by Colusa Frontage Road.

ii. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

Basis for Finding: The site is served by Colusa Frontage Road. Both the City Public Works Department and Caltrans determined that the street would adequately serve the site. With the proposed condition that prohibits commercial truck parking on this project site, the nearest intersection at Colusa Frontage Road and George Washington Boulevard will not be impacted.

iii. The site design, design of the buildings, and the scale of the project will complement neighboring facilities.

Basis for Finding: Based on the analysis provided in the staff report, the design of the project combined with the condition added for further review of the two-story portion of the project, adequately addresses the City's desire for a high-quality building design. The project's design and enhanced street frontage landscaping, both being modified by the recommended conditions of approval, will complement the neighboring properties.

iv. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Basis for Finding: This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the "Local Flood Management Agency" for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 645007 (a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board. As such this site has adequate flood protection. Additionally, the City has imposed conditions on the Development Plan that will protect property within the area to the urban level in urban areas and urbanizing areas.

5. Development Plan Approved. For all the foregoing reasons, and each of them, the City Council approves Development Plan 22-01, as shown in Exhibit A, and as modified by the conditions of approval provided in Exhibit B.

6. Effective Date. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:

NOES:

ABSENT:

_____

Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachments:

Exhibit A: Development Plan 22-01
Exhibit B: Conditions of Approval and Mitigation Measures

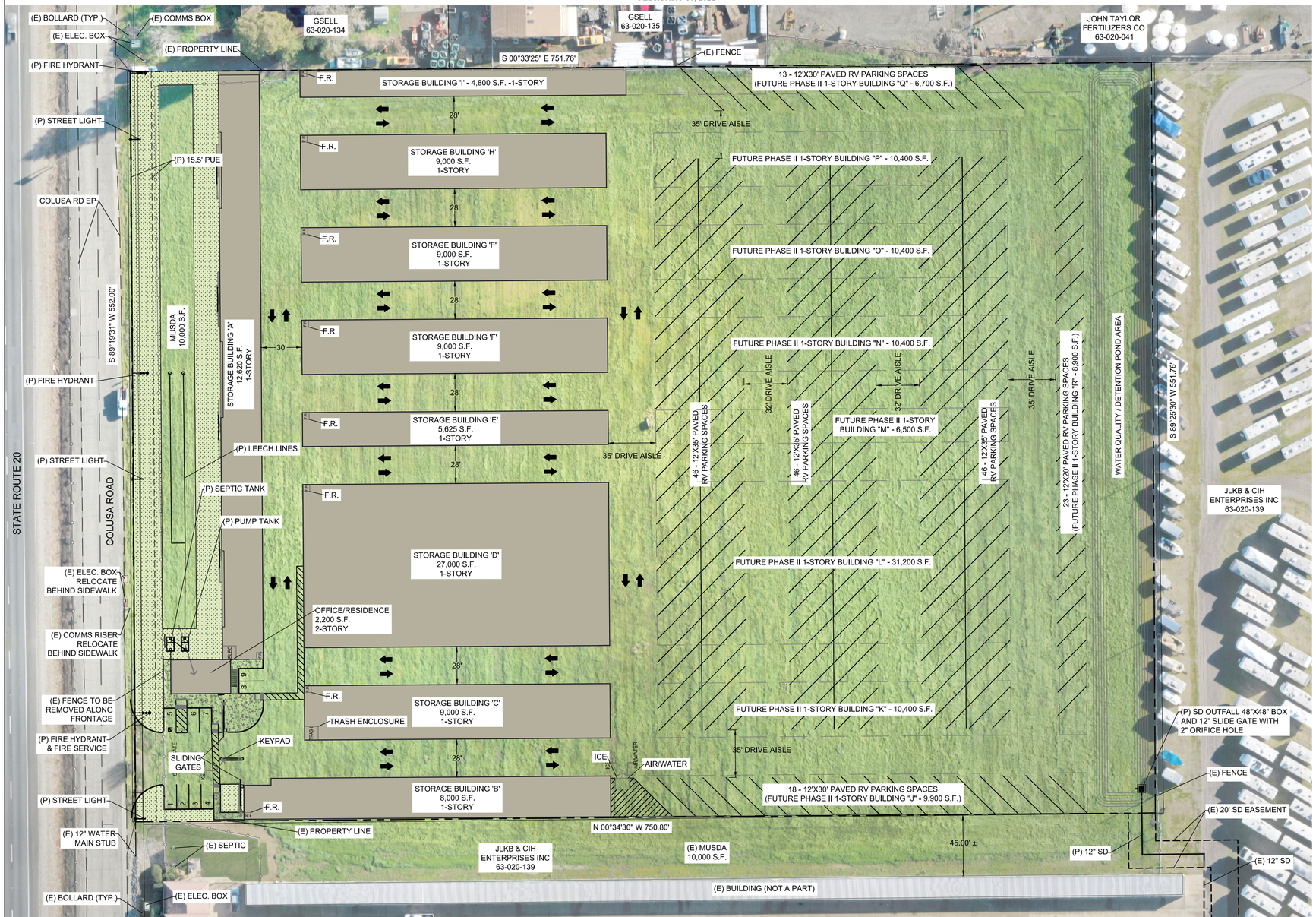
EXHIBIT A

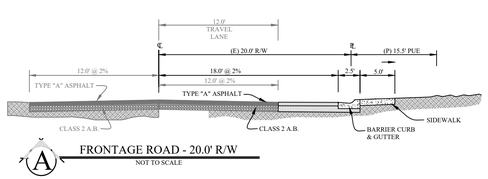
DEVELOPMENT PLAN REVIEW

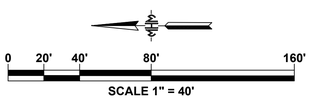
HIGHWAY 20 SELF STORAGE

YUBA CITY, CALIFORNIA

FEBRUARY 01, 2022







SITE DATA		
DESCRIPTION	REQUIRED	PROPOSED
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
FLOOR AREA RATIO	N/A	0.233 (96,615 SQ. FT.)
LANDSCAPE	TBD	20,004 SQ. FT.
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 6 ADA - 1 RV - 192
MAXIMUM LOT COVERAGE	N/A	23%
MAXIMUM BUILDING HEIGHT	45'	1 STORY

SETBACK REQUIREMENTS		
DESCRIPTION	REQUIRED	PROPOSED
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	50'

PROJECT NOTES

OWNER
HWY 20 COMMERCIAL INDUSTRIAL, LLC
4624 DUCKHORN DRIVE
SACRAMENTO, CA 95834
CONTACT: MIKE SINGH
PHONE: (530) 682-6686

APPLICANT
WESTMARK PARTNERS, L.P.
4624 DUCKHORN DRIVE
SACRAMENTO, CA 95834
CONTACT: MIKE SINGH
PHONE: (530) 682-6686

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

ASSESSOR'S PARCEL NO.
APN 63-020-140

PARCEL AREA
9.52 ACRE

EXISTING USE
VACANT

EXISTING GENERAL PLAN DESIGNATION
REGIONAL COMMERCIAL

PROPOSED GENERAL PLAN DESIGNATION
REGIONAL COMMERCIAL

EXISTING ZONING
M-1

PROPOSED ZONING
M-1

LEVEE PROTECTION
LEVEE DISTRICT NO. 9 OF SUTTER COUNTY

ELEMENTARTY SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

HIGH SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

IRRIGATION DISTRICT
NONE

FIRE PROTECTION
CITY OF YUBA CITY FIRE DEPARTMENT

LAW ENFORCEMENT
CITY OF YUBA CITY POLICE

SANITARY SEWER
CITY OF YUBA CITY PUBLIC WORKS

DOMESTIC WATER
CITY OF YUBA CITY PUBLIC WORKS

STORM DRAINAGE
CITY OF YUBA CITY PUBLIC WORKS AND SUTTER WATER AGENCY

ELECTRICITY
PACIFIC GAS AND ELECTRIC

NATURAL GAS (OPTIONAL)
PACIFIC GAS AND ELECTRIC

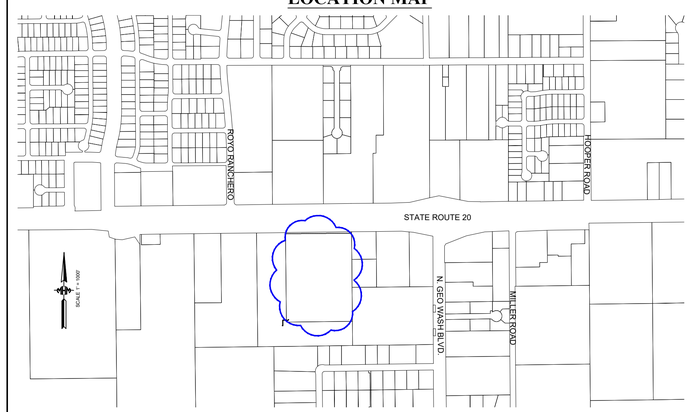
COMMUNICATION
AT&T AND COMCAST

CABLE (OPTIONAL)
COMCAST

GENERAL NOTES:

1. THE APPLICANT RESERVES THE RIGHT TO PHASE CONSTRUCTION OF PROPOSED STRUCTURES.
2. THIS EXHIBIT IS FOR DEVELOPMENT PLAN REVIEW ONLY, ACTUAL DIMENSIONS AND ACREAGE ARE TO BE VERIFIED PRIOR TO ACCEPTANCE OF PLANS.
3. THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT.
4. OWNERS, APPLICANT, ATTORNEY, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT.

LOCATION MAP



LEGAL DESCRIPTION:

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

BEING PARCEL C-2 OF LOT LINE ADJUSTMENT NO. 06-13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF YUBA CITY, COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 19, T15N, R3E, M.D.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL 1 OF PARCEL MAP NO. 524, AS FILED IN BOOK 3 OF PARCEL MAPS, AT PAGE 74, SUTTER COUNTY RECORDS, SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF CALIFORNIA STATE HIGHWAY 20; THENCE EASTERLY ALONG SAID HIGHWAY RIGHT OF WAY, NORTH 89° 19' 31" EAST, 108.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EASTERLY ALONG SAID HIGHWAY RIGHT OF WAY BOUNDARY, NORTH 89° 19' 31 " EAST, 552.00 FEET, MORE OR LESS , TO A POINT ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 199814471, SUTTER COUNTY RECORDS, TO JAMES ORLANDO SMITH AND MARY COLLEN BARDELU, AS CO-EXECUTORS OF THE ESTATE OF GEORGE SMITH; THENCE SOUTHERLY ALONG SAID EAST LINE OF SMITH PARCEL, SOUTH 00° 33' 25" EAST, 751.76 FEET; THENCE LEAVING SAID EAST LINE OF SMITH PARCEL, SOUTH 89° 25' 30" WEST, 551.76 FEET; THENCE NORTH 00° 34' 30" WEST, PARALLEL WITH THE EAST LINE OF NOTED PARCEL 1, A DISTANCE OF 750.80 FEET TO THE SAID SOUTH LINE OF HIGHWAY 20, SAID POINT BEING THE TRUE POINT OF BEGINNING.

APN: 63-020-140

SURVEYORS STATEMENT:
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY PLACER TITLE COMPANY ORDER NUMBER P-380785 DATED JANUARY 27, 2020.

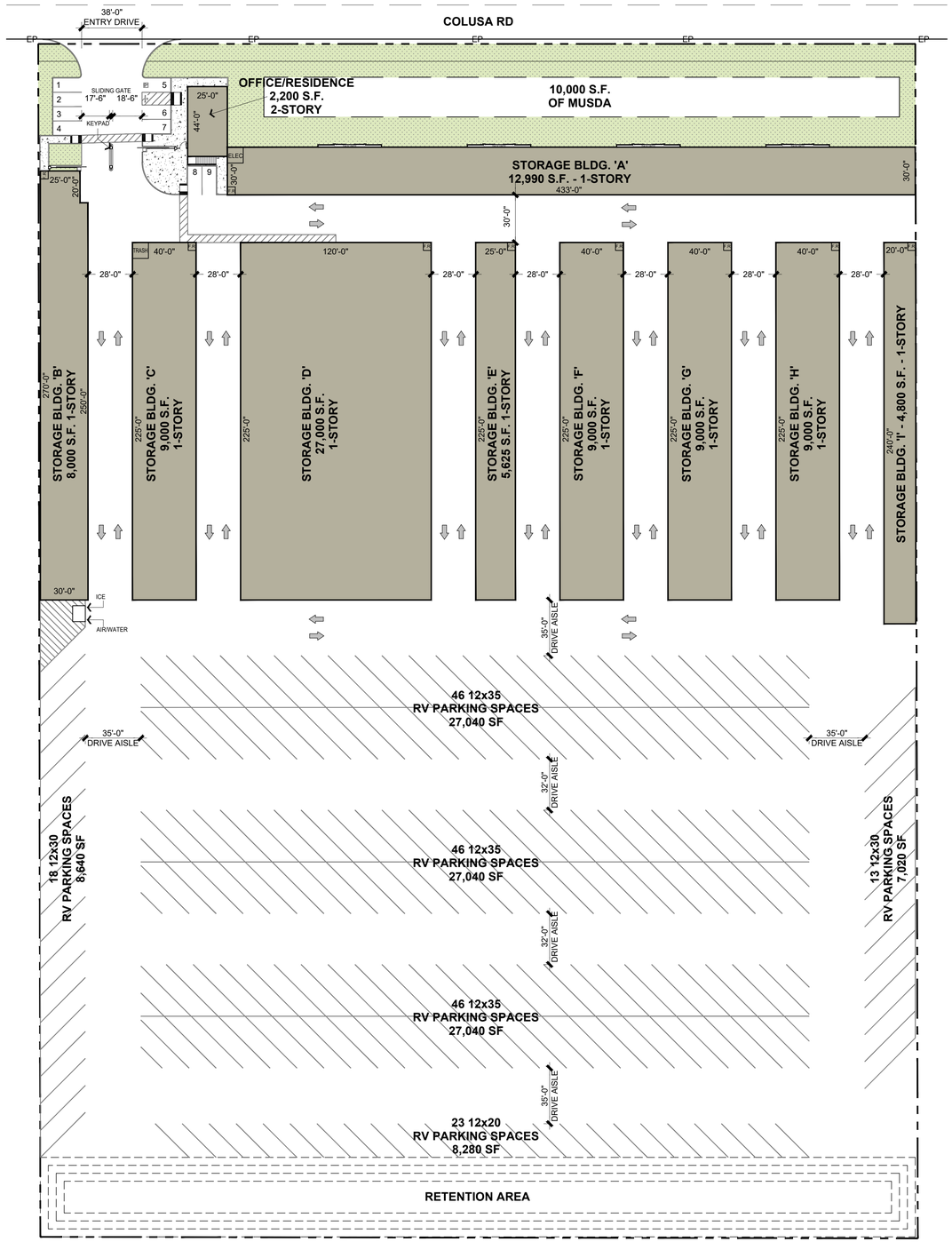
DATE:_____

_____
JOHN S. MALLEN
PLS 8457

JOHN MALLEN, P.E. 62315, P.L.S. 8457

PROFESSIONAL LAND SURVEYOR JOHN S. MALLEN NO. LS 8457 STATE OF CALIFORNIA

M·H·M
ENGINEERS & SURVEYORS SINCE 1892
1204 E STREET, P.O. BOX B
MARYSVILLE, CA 95901
TEL: 530.742.6485
FAX: 530.742.5639



SITE DATA

DESCRIPTION	REQUIRED	PROPOSED
ZONING DESIGNATION	M-1	M-1
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
SITE AREA	414,691 SQ. FT. (9.52 ACRES)	
FLOOR AREA RATIO	N/A	0.233 (96,615 SQ. FT.)
LANDSCAPE	TBD	4.8% (20,004 SQ. FT.)
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 8 ADA - 1
RV PARKING	N/A	RV SPACES - 192 105,060 SQ. FT.
MAXIMUM LOT COVERAGE	N/A	23% (95,515 SQ. FT.)
MAXIMUM BUILDING HEIGHT	45'	1 STORY
MINIMUM SETBACKS		
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	0'

BUILDING AREA TABULATION (Square Feet)

BUILDING	SELF-STORAGE	OFFICE / RESIDENCE	GROSS BUILDING AREA
OFFICE / RESIDENCE		2200	2,200
BUILDING A	12,990		12,990
BUILDING B	8,000		8,000
BUILDING C	9,000		9,000
BUILDING D	27,000		27,000
BUILDING E	5,625		5,625
BUILDING F	9,000		9,000
BUILDING G	9,000		9,000
BUILDING H	9,000		9,000
BUILDING I	4,800		4,800
SELF STORAGE GROSS SQ. FT.			
TOTAL	94,415		96,615

ESTIMATED NET RENTABLE @ 95% = 89,694 SQ. FT.

NORTH

SCHEME B

YUBA CITY SELF STORAGE

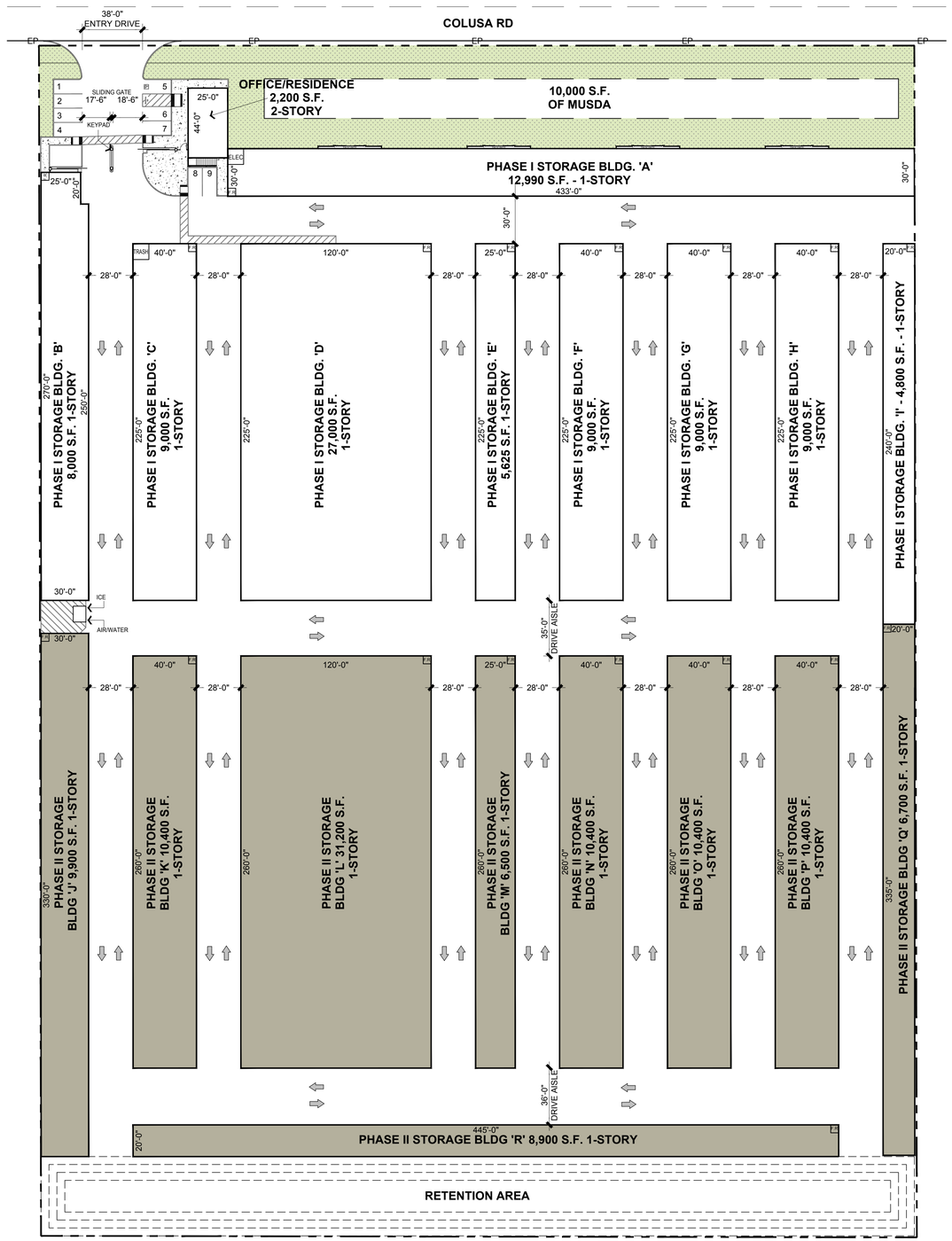
SITE PLAN - PHASE I

YUBA CITY, CA

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 40'
DATE: 05/10/2022

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



SITE DATA

DESCRIPTION	REQUIRED	PROPOSED
ZONING DESIGNATION	M-1	M-1
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
SITE AREA	414,691 SQ. FT. (9.52 ACRES)	
FLOOR AREA RATIO	N/A	0.486 (201,415 SQ. FT.)
LANDSCAPE	TBD	4.8% (20,004 SQ. FT.)
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 8 ADA - 1
MAXIMUM LOT COVERAGE	N/A	48.3% (200,315 SQ. FT.)
MAXIMUM BUILDING HEIGHT	45'	1 STORY
MINIMUM SETBACKS		
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	0'

BUILDING AREA TABULATION (Square Feet)

BUILDING	SELF-STORAGE	OFFICE / RESIDENCE	GROSS BUILDING AREA
PHASE I TOTAL	94415	2200	96,615
BUILDING J	9,900		9,900
BUILDING K	10,400		10,400
BUILDING L	31,200		31,200
BUILDING M	6,500		6,500
BUILDING N	10,400		10,400
BUILDING O	10,400		10,400
BUILDING P	10,400		10,400
BUILDING Q	6,700		6,700
BUILDING R	8,900		8,900
SELF STORAGE GROSS SQ. FT.			
PHASE I TOTAL	94,415		96,615
PHASE II TOTAL	104,800		104,800
PROJECT TOTAL	199,215		201,415

ESTIMATED NET RENTABLE @ 95% = 189,254 SQ. FT.

NORTH

YUBA CITY SELF STORAGE

YUBA CITY, CA

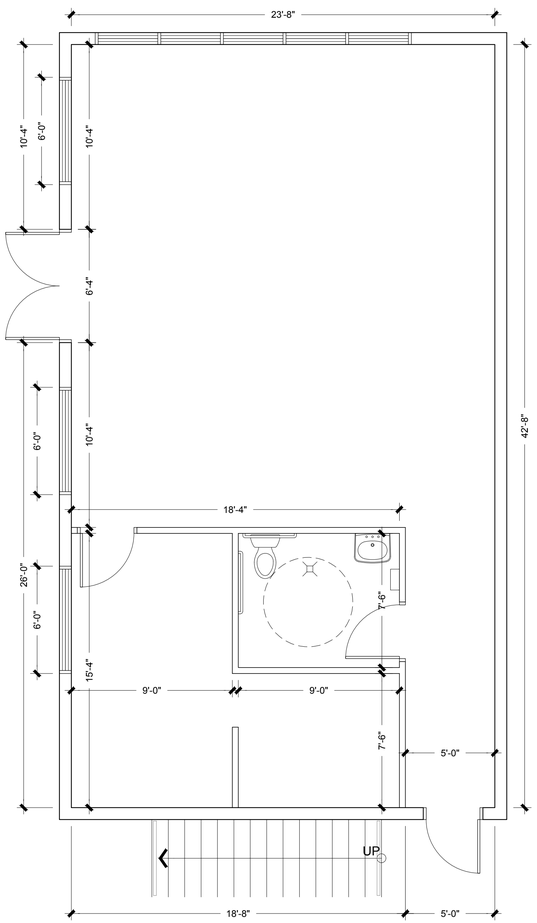
SCHEME B

SITE PLAN - PHASE II

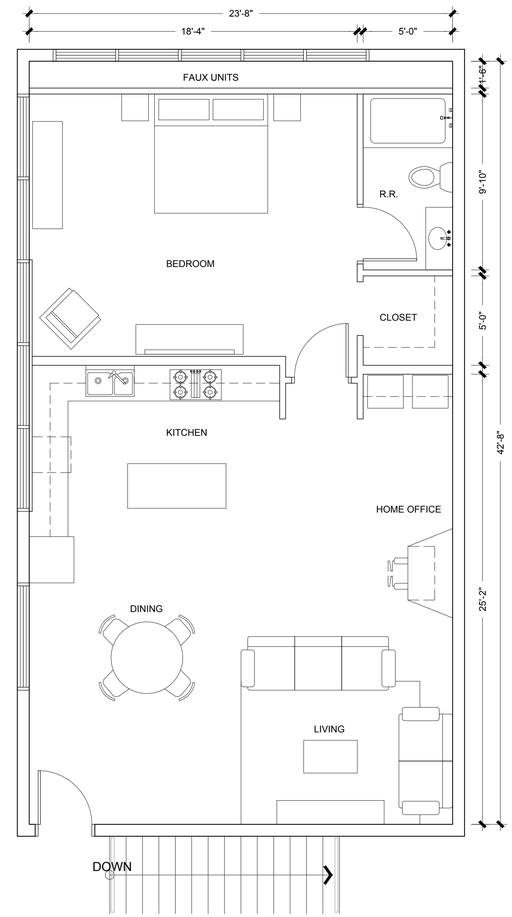
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 40'
DATE: 05/09/2022

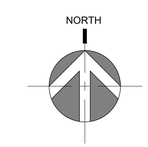
JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



FIRST FLOOR 1
1/4"=1'



SECOND FLOOR 2
1/4"=1'



YUBA CITY SELF STORAGE

YUBA CITY, CA

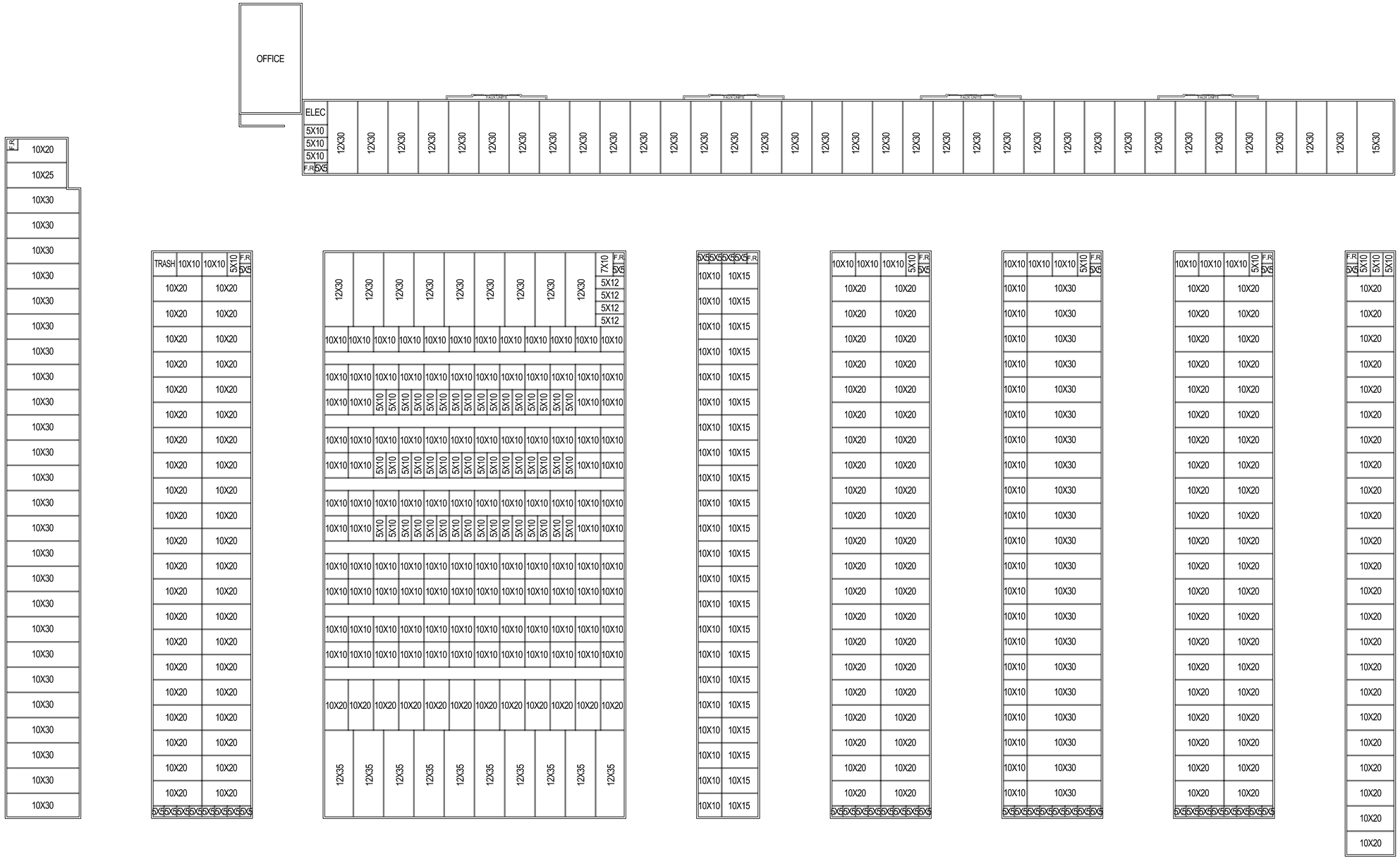
SCHEME B

OFFICE FLOORPLAN

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/4" = 1'
DATE: 05/09/2022



NORTH

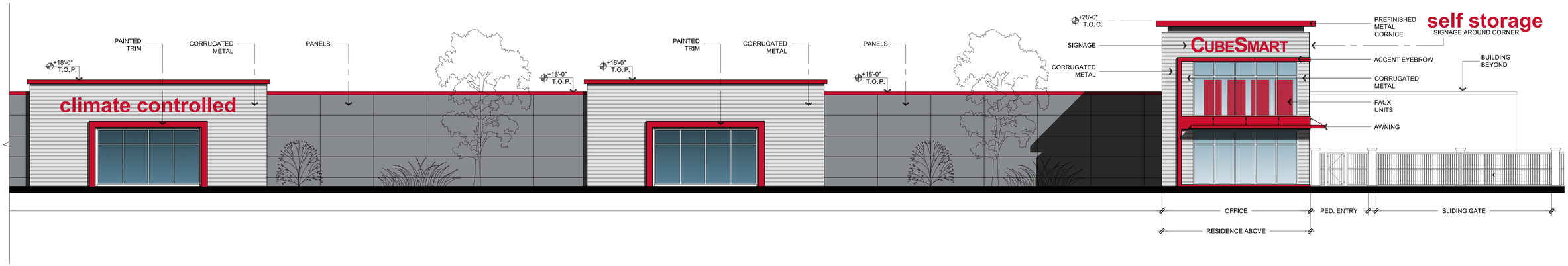
SCHEME B
UNIT MIX

YUBA CITY SELF STORAGE
YUBA CITY, CA

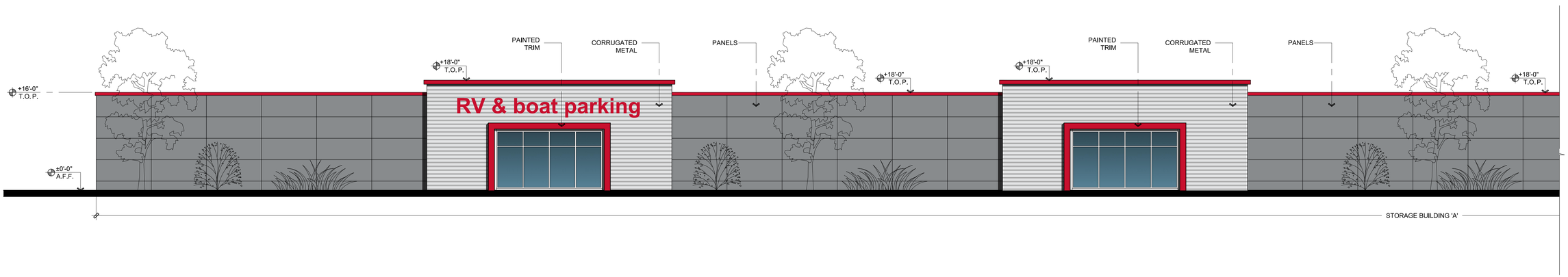
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 20'
DATE: 05/09/2022

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

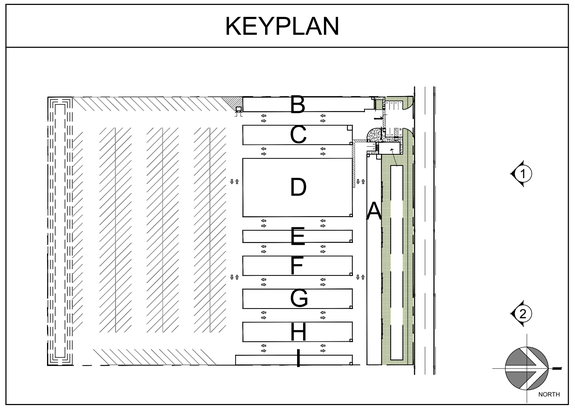


NORTH ELEVATION 1
1/8"=1'-0"



NORTH ELEVATION 2
1/8"=1'-0"

KEYPLAN



NOTE:
panels, or stucco, or corrugated metal & stucco.

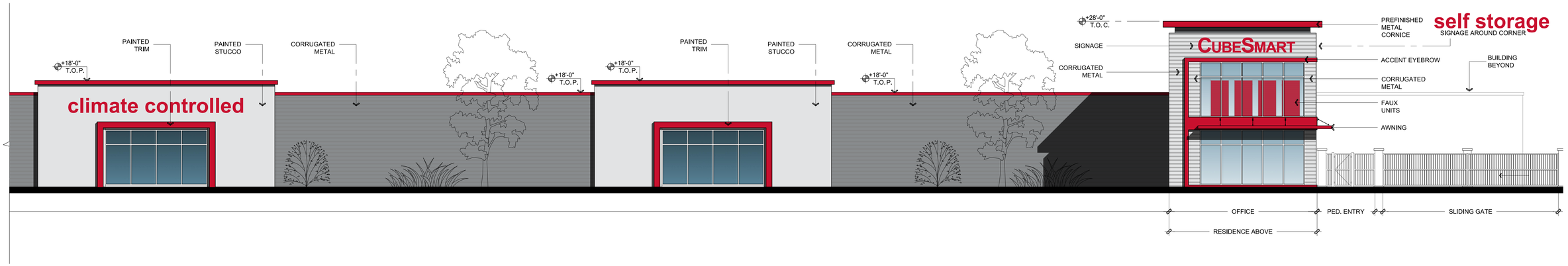
YUBA CITY SELF STORAGE
YUBA CITY, CA

SCHEME B
ELEVATIONS

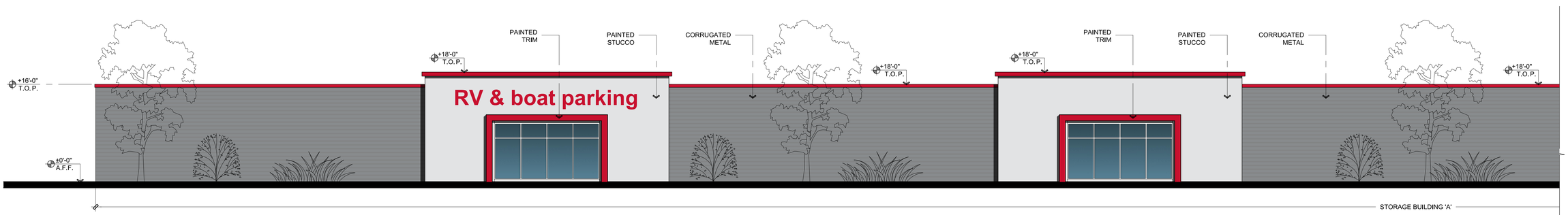
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/8" = 1'-0"
DATE: 05/09/2022

JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

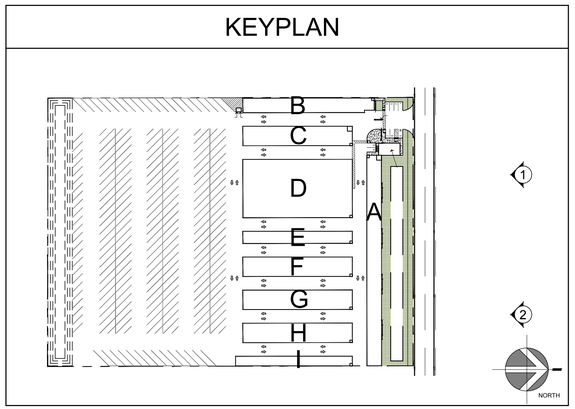


NORTH ELEVATION 1
1/8"=1'-0"



NORTH ELEVATION 2
1/8"=1'-0"

KEYPLAN



NOTE:
panels, or stucco, or corrugated metal & stucco.

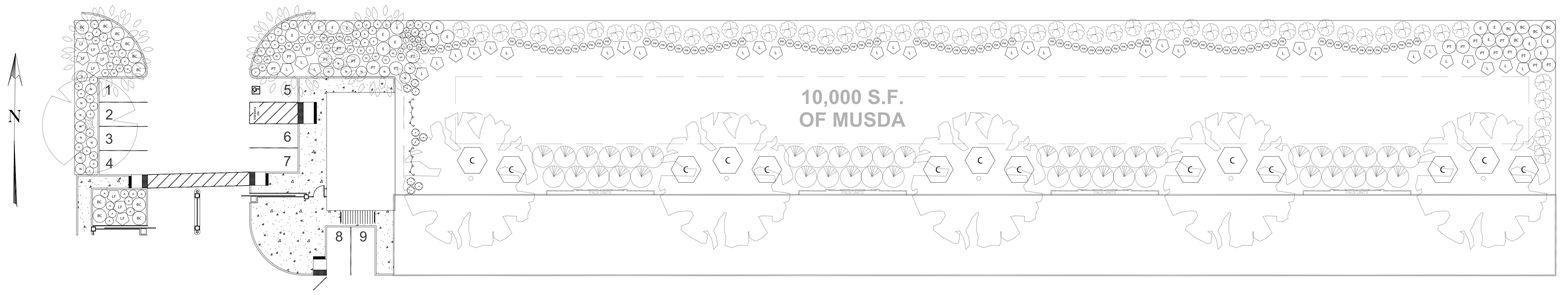
YUBA CITY SELF STORAGE
YUBA CITY, CA

SCHEME B - OPTION 2
ELEVATIONS

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/8" = 1'-0"
DATE: 05/13/2022

JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



PLANTING LEGEND

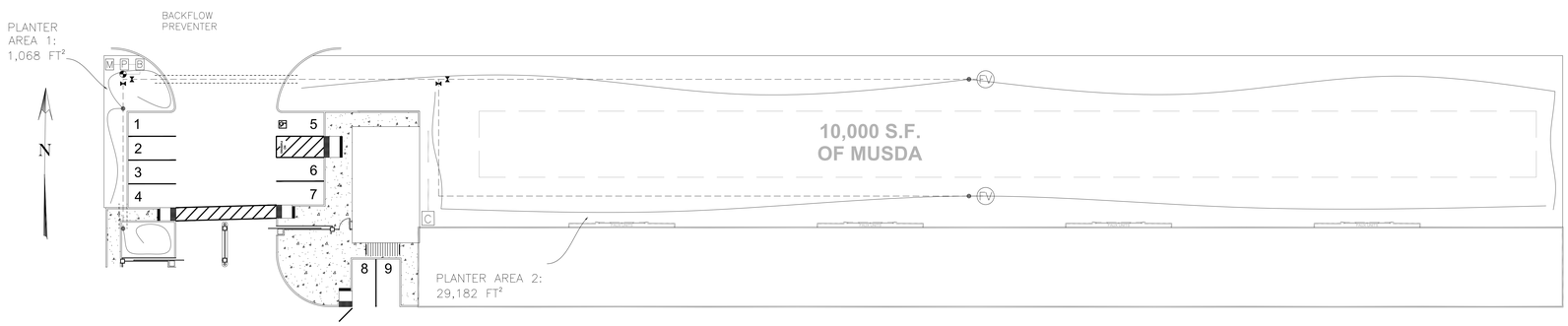
SYM. (NTS)	QTY.	SIZE	DESCRIPTION	COMMON NAME
			TREES	
	3	15 GAL	ARBUTUS MARINA STANDARD	STRAWBERRY TREE
	9	5 GAL	ILEX CRENATA 'SKY PENCIL'	JAPANESE HOLLY
	1	15 GAL	PISTACIA CHINENSIS 'KEITH DAVEY'	CHINESE PISTACE
	8	15 GAL	RHUS LANCEA	AFRICAN SUMAC
			SHRUBS	
C	14	5 GAL	CEANOTHUS 'DARK STAR'	CALIFORNIA LILAC
Lf	8	5 GAL	LEUCOPHYLLUM FRUTESCENS 'COMPACTA'	TEXAS SAGE
L	7	5 GAL	LOROPETALUM 'MAJESTIC PURPLE'	CHINESE FRINGE FLOWER
N	16	5 GAL	NANDINA DOMESTICA	HEAVENLY BAMBOO
			PERENNIALS + GROUNDCOVERS	
A	36	1 GAL	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY/KINNIKINNICK
	44	5 GAL	BACCHARIS PILULARIS 'TWIN PEAKS'	COYOTE BRUSH
E	18	1 GAL	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY
BC	15	5 GAL	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	CREEPING JUNIPER
L	12	1 GAL	LAVANDULA AUGUSTIFOLIA 'HIDCOTE'	LAVENDER
PM	98	1 GAL	MUHLENBERGIA CAPILLARIS 'PINK MUHLY'	PINK MUHLY GRASS
	58	1 GAL	MYOPORUM PARVIFOLIUM	CREEPING BOOBIALLA
P	10	1 GAL	PHLOX SUBULATA 'RED WINGS'	CREEPING PHLOX
PT	18	5 GAL	PHORMIUM TENAX 'MAORI QUEEN'	NEW ZEALAND FLAX
	6	5 GAL	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE
V	11	1 GAL	VERBENA 'HOMESTEAD RED'	VERBENA
W	28	1 GAL	WESTRINGIA FRUTICOSA 'MORNING LIGHT'	COAST ROSEMARY

0 20' 40'

IRRIGATION LEGEND

SYMBOL (NTS)	MFG. & MODEL	DESCRIPTION	REMARKS
M		WATER METER	NOT SHOWN; VERIFY SIZE AND LOCATION IN FIELD
B		BACKFLOW PREVENTER	*
		GATE VALVE	SIZE PER MAINLINE
P		POINT OF CONNECTION	VERIFY LOCATION WITH OWNER
	RAINBIRD XCZ-100-PRB-COM	DRIP CONTROL VALVE ASSEMBLY	SIZE PER VALVE ID TAG & INSTALL WITH BALL VALVE
	RAINBIRD XBS	DRIP SUPPLY LINE	3/4" POLYETHYLENE TUBING & EMITTERS
		PVC TO DRIP TRANSITION	
FV		DRIP FLUSH VALVE	
C		WALL MOUNTED CONTROLLER	
		SCHEDULE 40 LATERAL PIPE	1"
		SCHEDULE 40 MAINLINE	1.5"
		SCHEDULE 40 SLEEVE	3" (2X ø OF PIPE TO BE SLEEVED)

ABBREVIATIONS:
NTS = NOT TO SCALE
ø = DIAMETER



BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P.O. BOX 1114 YUBA CITY, CA 95991
LICENSE No. 409125 DIR No. 1000000139
P: (530) 671-1229
F: (530) 671-3346
E: info@botanica.net

REVISIONS

1	5/20/2022
2	
3	
4	

PLANTING & IRRIGATION PLANS
SCALE: 1" = 20'

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063-020-140

DRAWN BY: C. TOMEI
DATE: 4/6/2022
APPROVED:
COMMERCIAL
LICENSE: 409125

L1

1 OF SHEET 3

IRRIGATION NOTES

1. THE IRRIGATION SYSTEM SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES. THE LANDSCAPE CONTRACTOR SHALL OBTAIN ALL PERMITS FOR THE WORK AS REQUIRED BY THE CITY AND/OR COUNTY.

2. THIS DESIGN IS DIAGRAMATIC. ALL PIPING, VALVES AND OTHER EQUIPMENT SHOWN IS FOR DESIGN CLARITY AND SHALL BE INSTALLED IN PLANTER OR LAWN AREAS WHENEVER POSSIBLE. INSTALLATION TO CONFORM WITH CONSTRUCTION DETAILS.

3. VERIFY EXISTING WATER PRESSURE AND FIELD DIMENSIONS. DISCREPANCIES SHALL BE REPORTED TO THE OWNER OR APPROPRIATE REPRESENTATIVE IN WRITING PRIOR TO ANY COMMENCEMENT OF WORK. IF NOTIFICATION IS NOT MADE, THE LANDSCAPE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY AND COST FOR NECESSARY REQUIRED REVISION TO WORK.

4. USE COMMON TRENCHES WHENEVER POSSIBLE. INSTALL PRESSURIZED MAINLINES WITH A MINIMUM OF 18" COVER. INSTALL LATERAL PIPES WITH A MINIMUM 12" COVER. ALL PIPES UNDER PAVING TO HAVE MINIMUM 24" COVER.

5. ALL MATERIAL IS SPECIFIC TO THIS DESIGN. THE IRRIGATION SYSTEM HAS BEEN DESIGNED ACCORDING TO THE OPERATIONAL CHARACTERISTICS OF THE SPECIFIED EQUIPMENT. IF ANY CHANGES OR SUBSTITUTIONS ARE MADE WITHOUT APPROVED WRITTEN CALCULATIONS, THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY AND COSTS FOR THE RESULT OF THOSE CHANGES.

6. THE CONTRACTOR SHALL WARRANT THE SYSTEM FREE FROM DEFECTS IN WORKMANSHIP FOR A PERIOD OF ONE YEAR COMMENCING UPON FINAL ACCEPTANCE OF THE WORK. ALL REPAIRS NECESSARY DURING THAT PERIOD AS A RESULT OF POOR WORKMANSHIP SHALL BE MADE AT NO COST TO THE OWNER. PROVIDE TO OWNER TWO WRITTEN, WET SIGNED COPIES OF GUARANTEE ON COMPANY LETTERHEAD.

WATER CALCULATIONS TABLE

HYDROZONE #/PLANTING DESCRIPTION	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	LANDSCAPE AREA (sq.ft.)	ETAF x AREA	ESTIMATED TOTAL WATER USE (ETWU) IN GALLONS PER YEAR
HZ #1	0.30	DRIP	0.81	0.37	29,182	10,797	312,616
HZ#2	0.30	DRIP	0.81	0.37	1,068	395	12,274
TOTALS					29,983	2,096	324,890
MAWA							324,890

PLANTING NOTES

1. THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE PRIOR TO BIDDING IN ORDER TO DETERMINE EXISTING CONDITIONS. ADDITIONAL COMPENSATION FROM ALLEGED IGNORANCE OF EXISTING CONDITIONS AND THEIR EFFECT UPON THE COST OF CONSTRUCTION WILL NOT BE SUBSEQUENTLY APPROVED.

2. PRIOR TO SHRUB PLANTING, SPRAY ALL WEEDS WITH SYSTEMIC HERBICIDE 'ROUND UP' OR EQUAL. FOLLOW MANUFACTURER'S INSTRUCTIONS. REMOVE ALL DEAD WEEDS FROM SITE IF NECESSARY. PERFORM SOIL ANALYSIS PRIOR TO AMENDING SOIL – SOIL ANALYSIS AMENDMENT RECOMMENDATIONS SUPERCEDE RATES OF APPLICATION GIVEN HERE. FOR BIDDING PURPOSES, ASSUME ALL TURF AND PLANTING AREAS TO BE AMENDED AS FOLLOWS PER 1000 SQUARE FEET: (3) CY NITROGEN STABILIZED ORGANIC AMENDMENT OR COMPOST, AND 25 POUNDS BEST 6–24–24 COMMERCIAL FERTILIZER. ROTOTILL EVENLY TO A DEPTH OF 6" AND RAKE ALL AREAS BACK TO A SMOOTH EVEN SURFACE.

3. ALL PLANTS TO BE IN A HEALTHY, DISEASE FREE CONDITION. PLANTS THAT HAVE BROKEN BRANCHES, INJURED TRUNKS, OR THAT HAVE SUFFERED WILTING, WILL NOT BE ACCEPTED FOR INSTALLATION. PLANT TREES AND SHRUBS PER DETAILS. WATER ALL PLANTS IMMEDIATELY AFTER PLANTING. PRIOR TO MULCHING, APPLY PRE–EMERGENT HERBICIDE FOR WEED CONTROL, RONSTAR G OR EQUAL TO ALL PLANTERS THAT REQUIRE ROCK MULCH. TREES PLANTED 5' OR CLOSER TO WALKS, DRIVEWAYS, AC PAVEMENT OR OTHER HARD SURFACE AREAS TO HAVE ROOT BARRIER INSTALLED PER MANUFACTURER'S RECOMMENDATION – INSTALL 18" DEEP x 24" PANEL TYPE ROOT BARRIER BY NDS, ROOT SOLUTIONS OR EQUAL. SHEET MATERIAL WITH REINFORCING RIBS IS ACCEPTABLE FOR IRREGULAR SHAPED PLANTERS; INSTALL 10 LINEAR FEET OF ROOT BARRIER PER TREE, CENTERED ON TRUNK. ARBOR GUARD TRUNK PROTECTORS REQUIRED FOR TREES INSTALLED IN LAWN AREAS – SHOVEL CUT LAWN 12" AWAY FROM TRUNK AND INSTALL LAYER OF WALK–ON BARK MULCH ALSO.

4. ALL TREES AND SHRUBS SHALL BE GUARANTEED FOR A PERIOD OF (90) DAYS AND GROUND COVER AND PERENNIALS TO BE GUARANTEED FOR A PERIOD OF (30) DAYS UPON FINAL ACCEPTANCE OF THE WORK IN FULL. ALL PLANTS THAT ARE NOT IN HEALTHY, ACTIVELY GROWING CONDITION AT THE END OF THE GUARANTEE PERIOD SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.

5. PROVIDE A 3" LAYER OF "WALK ON" BARK MULCH AT PROPOSED SHRUB AND GROUNDCOVER PLANTING AREAS.

SHADE CALCULATIONS TABLE

VARIETY	FULL	3/4	HALF	1/4	TOTAL
PISTACIA CHINENSIS x1			1x800		800
TOTAL TREE SHADE:					800
TOTAL PARKING AREA					1290
PERCENT SHADE					62%

BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P: (530) 671–1029 P.O. BOX 1775, YUBA CITY, CA 95992
E: info@botanica.net LICENSE No. 409125 DIR No. 1000003139

REVISIONS

1	5/20/2022
2	
3	
4	

NOTES & CALCULATIONS

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063–020–140

DRAWN BY: C. TOMEI

DATE: 4/6/2022

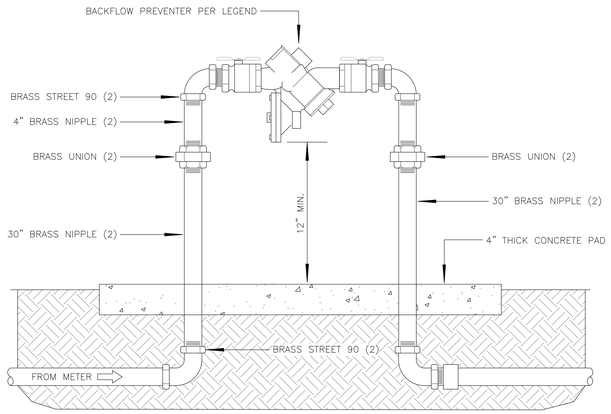
APPROVED:

COMMERCIAL

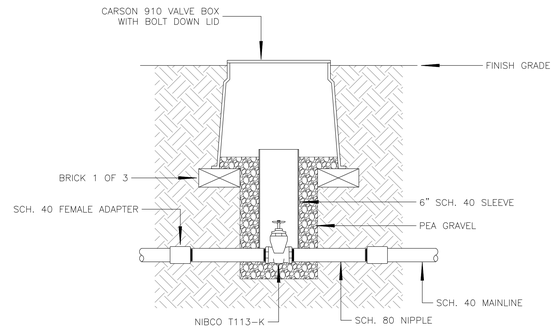
LICENSE: 409125

L2

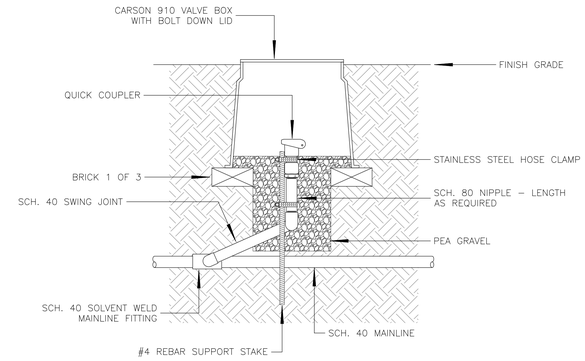
2 OF SHEET 3



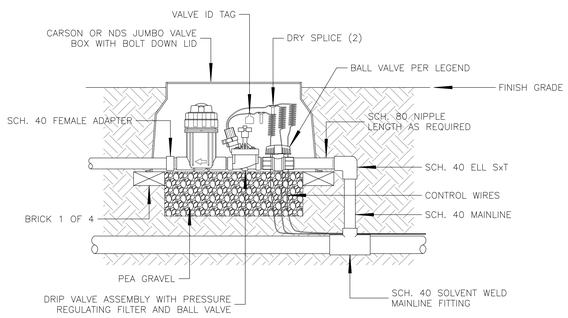
1 BACKFLOW PREVENTER DETAIL
N.T.S.



2 GATE VALVE DETAIL
N.T.S.

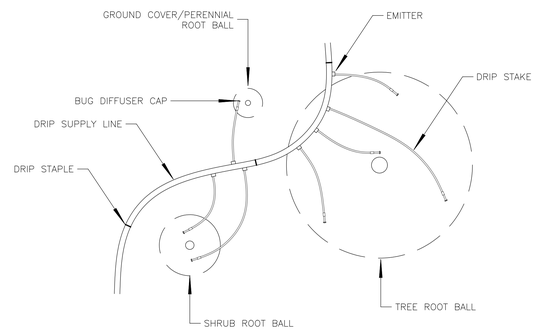


3 QUICK COUPLER DETAIL
N.T.S.



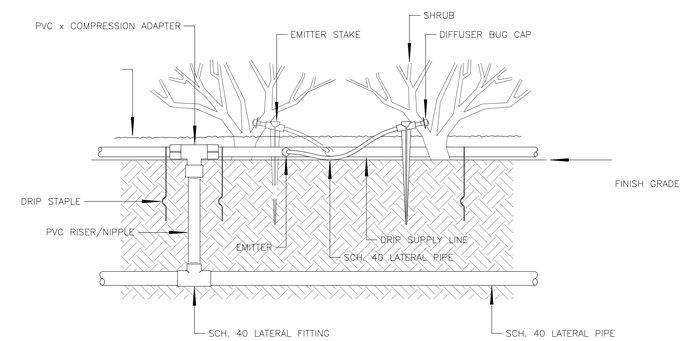
NOTE:
1. TOP OF VALVE BOX TO BE SET 1" BELOW F.G. IN TURF AREAS AND 2" BELOW IN PLANTERS.
2. MAINLINE TO HAVE MIN. 18" COVER.

4 DRIP VALVE DETAIL
N.T.S.

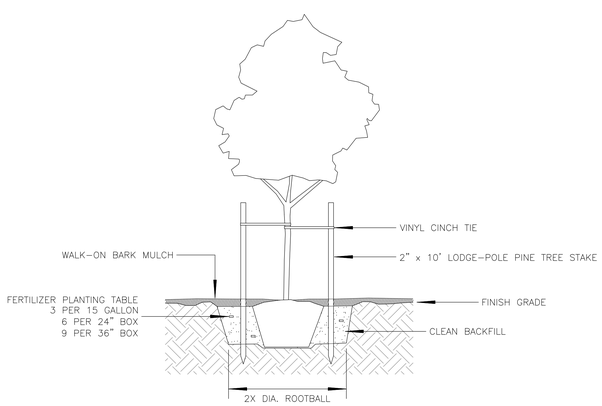


NOTES:
1. INSTALL ONE 1 GPH EMITTER PER ONE GALLON GROUND COVER/PERENNIAL.
2. INSTALL TWO 1 GPH EMITTERS PER FIVE GALLON SHRUB.
3. INSTALL FOUR 1 GPH EMITTERS PER 15 GALLON TREE.

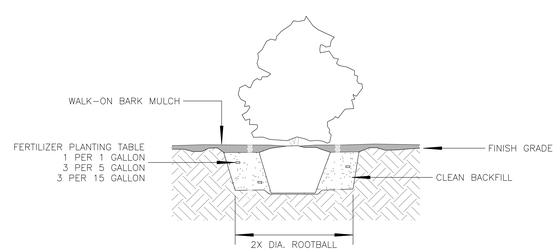
5 DRIP EMITTER LAYOUT DETAIL
N.T.S.



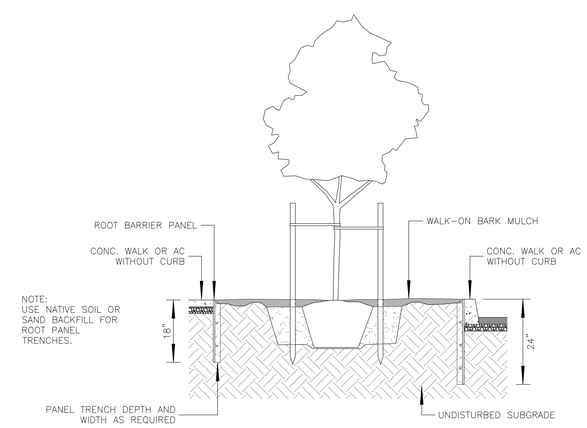
6 DRIP IRRIGATION DETAIL
N.T.S.



7 PLANTING DETAIL
N.T.S.



8 PLANTING DETAIL
N.T.S.



9 TREE PLANTING WITH ROOT BARRIER DETAIL
N.T.S.

BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P.O. BOX 2018 YUBA CITY, CA 95992
P: (530) 671-1029
F: (530) 671-3306
E: info@botanica.net
LICENSE No. 409125 DIR No. 1000003139

REVISIONS

1	5/20/2022
2	
3	
4	

DETAILS
NOT TO SCALE

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063-020-140

DRAWN BY:
C. TOMEI

DATE: 4/6/2022

APPROVED:

COMMERCIAL

LICENSE:
409125

L3

3 OF SHEET 3

EXHIBIT B

CITY OF YUBA CITY
CONDITIONS OF APPROVAL
DEVELOPMENT PLAN 22-01
August 16, 2022

YUBA CITY SELF STORAGE
APN: 63-020-140

NOTICE TO PROJECT APPLICANT

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

IMPORTANT: PLEASE READ CAREFULLY

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

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

Approval of this development plan shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this development plan may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this development plan, the zoning ordinance, and all City standards and specifications. This development plan is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this development plan. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised development plan is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the development plan or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the development plan review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this development plan or subsequent amendments or revisions. These

conditions are conditions imposed solely upon the development plan, and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

These conditions are applicable to any person or entity making use of this development plan, and references to “developer” or “applicant” herein also include any applicant, property owner, owner, leasee, operator, or any other person or entity making use of this development plan.

CONDITIONS OF APPROVAL

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

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

   The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of processing or defending any Third-Party Actions. The City shall provide applicant/property owner with an invoice detailing all reasonable costs incurred. Applicant/property owner shall tender to the City payment-in-full of all reasonable and necessary costs within thirty (30) days from the date upon the invoice. Applicant/property owner shall contact the City within a reasonable time to arrange any extension of the thirty (30) day time period for payment-in-full of the invoiced amount. Applicant/property owner further acknowledges and agrees, failure to timely tender payment-in-full to the City shall be considered a breach and non-

compliance with the conditions of approval for the project. Applicant/property owner shall also be required, upon request of the City, to deposit two month's estimated costs anticipated by the City to be incurred, which may be used by the City as a draw down account to maintain a positive balance pending tender of payment by Applicant/property owner as noted herein.

2. The development and operation of the project shall comply with all CEQA mitigation measures identified in Environmental Assessment 22-03 dated July 7, 2022.

3. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.

4. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.

5. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to assure compliance.

6. Storage of construction material is not allowed in the travel way.

7. An Improvement Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to approval of the Improvement Plans.

PRIOR TO ISSUANCE OF A GRADING PERMIT

8. The improvement plans for the development of the subject property shall include all measures required to ensure that no increased drainage runoff resulting from the development of the property flow onto the adjacent lands or that the development will not impede the drainage from those properties. The land of this development shall have the same finish grade elevation as the adjacent parcels or are within tolerances as approved by the Public Works Department. If retaining walls are required they shall be constructed of concrete or masonry block.

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

PRIOR TO APPROVAL OF THE IMPROVEMENT PLANS

10. Obtain all necessary approvals from City, State, and Federal agencies, utilities and other effected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of the Improvement Plans, the Developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.

11. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.

12. South Colusa Frontage Road shall be widened to a half-width (centerline to back of curb) of 15.5 feet. Right-of-way shall be dedicated to a width of 20.0 feet. A 12.0-foot-wide Public Utility Easement (PUE) shall be located adjacent to the curb, or as otherwise determined by the Public Works Director. Frontage improvements shall include street section, gutter, **barrier curb**, landscaping, street trees, and streetlights. Work scope is to include the necessary work items to install a 0.2' asphalt overlay over the existing roadway, adjacent to the property, and shall be feathered 3.0' north past the centerline of the road.

13. All service laterals (water, sewer, irrigation, fire suppression), along with required meters, are to be shown on the civil improvement plans.

14. The water main shall be extended to the east along the entire parcel frontage.

15. The septic system and replacement area shall be designed in accordance with, and comply with the Sutter County Development Services Environmental Health Division requirements. A set of septic improvement plans shall be submitted to the Department for approval. A copy of the County's approval letter and plans shall be submitted to City.

16. Drainage improvements shall be designed in accordance with current City and County design standards. The design is to take into consideration existing infrastructure and needed improvements to facilitate drainage to the Live Oak Canal.

17. The Developer shall comply with all City requirements related to drainage, including submittal of a drainage plan for any drainage improvements for the proposed development. A drainage analysis, along with calculations, shall be submitted to the City Engineer for approval. The analysis shall include, but is not limited to:

    a. Grading and drainage plan showing the proposed drainage conveyance and storage system.

    b. Supporting calculations demonstrating adequacy of conveyance capacity and storage volume. The calculation analysis shall meet the requirements of the Yuba City Basin Drainage Area.

    c. Storm Drain Collection Systems - For the design of all pipeline conveyance facilities, the Hydraulic Grade Line (HGL) shall be maintained a minimum of one foot below the gutter flow line of all drain inlets and at least one foot below all maintenance hole rims during a 10-year, 24-hour storm event. The storm drain minimum pipe size shall be 12 inches. The minimum velocity shall be 2 fps.

    d. Street Flow -The street system shall be designed to convey the 100-year, 24-hour runoff while maintaining a water surface at least 1 foot below the adjacent building pad elevations (or alternatively, the building pad elevations shall be at least 1 foot above the 100-year water level). The grading plan shall ensure that the 100-year, 24-hour runoff can be conveyed through the development and to the receiving drainage facility.

    e. Drainage systems (pipes and street systems) shall be designed to accommodate the runoff from the ultimate development of the entire upstream watershed.

    f. Water Quality – Water quality basin(s) shall meet State Water Resource Board requirements for water quality. The water quality basin can be

incorporated into a detention pond, designed as an individual pond, included in a water quality manhole system, or as approved by the Public Works Director.

g. Detention Basins - A 100-year, 4-day storm shall be used for sizing detention storage facilities. The detention basin release rate from a 100-year, 24-hour storm after development must be equal to or lower than the runoff rate from the detention basin's tributary area before development. The Developer can provide a drainage study addressing storm water mitigation through onsite storage (Phase 2 State Water Resources Control Plan – 80% of two-year storm), perforated pipes, and oversizing storm drainage pipes upon approval of the Public Works Director to eliminate need for a detention pond.

h. The Drainage Study shall be completed and stamped by a Professional Engineer and determined by the City Engineer and the Sutter County Water Agency Engineer to be comprehensive, accurate, and adequate.

18. The development shall comply with Yuba City's stormwater requirements and Post-Construction Standards Plan. The Post Construction information can be found here: https://www.yubacity.net/city_hall/departments/public_works/engineering/stormwater_management

19. The Developer shall comply with all Sutter County requirements related to drainage, including submittal of a drainage plan for any drainage improvements that utilize County facilities for approval by the Sutter County Development Services Director.

20. All development shall be designed to local, state, and federal flood standards.

21. The structural section of all road improvements shall be designed using the Caltrans empirical R-value method. A geotechnical investigation shall determine the R-value of the existing soil in accordance with the Caltrans Highway Design Manual. The structural section shall be designed to the following standards:

    a. Use 3" minimum for residential, 4" minimum for collectors and 5" minimum for arterials, of 'Type A' asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)

    b. Use a traffic index of 6 for residential streets

    c. Use a traffic index of 7 for collector streets

    d. Use a traffic index of 10 for arterial streets

    A copy of the geotechnical investigation, including R-value determination, test locations and structural section calculations, shall be submitted with the first improvement plan check.

22. Striping, pavement markings and traffic signage shall be provided on the Frontage Road as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department. All required speed limit signs shall be shown on the Improvement Plans.

23. The street lighting is a public improvement which shall meet the City Standard Details and be included in the Improvement Plans and Specifications for the subdivision when the improvement plans are submitted for the first improvement plan check. Placement of two street lights shall be approved by the Public Works Director.

24. Required Improvement Plan Notes:

    a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."

    b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible for all construction equipment to be equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."

    c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."

    d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the "California Manual of Uniform Traffic Control Devices, latest edition." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."

    e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

    f. "Where an excavation for a trench and/or structure is five (5) feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department, prior to beginning construction."

    g. "Should any field conditions, conflicts, errors, and/or omissions be overlooked during the design review process, or during construction of the development, then any additional work identified during construction shall be implemented by the Developer at the Developer's expense."

PRIOR TO ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

25. Prior to final paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.

26. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (Civil 3D version 2017 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.

27. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting and Maintenance District for the purpose of maintaining the street lights. The

Engineering Division shall be reimbursed actual costs associated with the formation of the district.

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

29. The Post Construction Statement of Responsibility shall be recorded at the Sutter County Recorders Office.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

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

31. The applicant shall be required to pay all applicable Sutter County Water Agency connection fees and maintenance and operation fees. Fees are payable at the Sutter County Development Services Counter located at 1130 Civic Center Blvd., Yuba City. Phone: (530) 822-7400.

32. The applicant shall provide a revised landscaping plan to the City and approved by the Development Services Director that provides a 20-foot-wide landscape strip along the Colusa Frontage Road, as required by Section 8-5.6003(b)(1) and City approved shade trees along the Colusa Frontage Road Frontage at an average of one tree per 30 linear feet of frontage, but spaced all along the frontage, as required by Section 8-5.6004(a)(3). The landscape strip shall be exclusive of minimum usable sewage disposal areas required by Sutter County.

33. The design of the two-story office/caretaker's residence shall be enhanced to meet the "high quality" design standard that is required by the X27 Zone District that is applied to the property, and shall include eliminating from public view all storage unit access doors. This condition shall be completed to the satisfaction of the Development Services Director.

34. The onsite private sewage shall comply with Yuba City Municipal Code Section 6-5.207 – Private Sewage Disposal Systems.

PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

35. The curb and gutter, and lot drainage shall be inspected and approved by the City. Any curb and gutter which is not in accord with City standards or is damaged before or during construction, shall be replaced. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

36. Prior to the issuance of a certificate of occupancy, all reduced pressure backflow preventers shall be tested and a backflow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.

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

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

39. The property shall be developed, used and maintained in accordance with the application, project description and development plan except as may be modified in the project conditions.

MITIGATION MEASURES

Impact	Mitigation Measure	Responsible Party	Timing
3.7 Geology and Soils	**Paleontological Mitigation Measure 1:** This Mitigation Measure shall be placed as a note on the Demolition and Grading Plans. If paleontological resources are found, the construction manager shall halt all activity and immediately contact the Development Services Department at 530-822-4700. Mitigation shall be conducted as follows: 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high; 2. Assess effects on identified sites; 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted; 4. Obtain comments from the researchers; 5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible. In considering any suggested mitigation proposed by the consulting paleontologist, the City's Community Development Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific or General Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may	Developer, Public Works Dept., Development Services Dept.	During construction phase

	proceed on other parts of the project site while mitigation for paleontological resources is carried out.		
3.8. Greenhouse Gases	**Greenhouse Gas Mitigation 1:** The site grading and construction of the self-storage facility shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.	Development Services Dept.	Prior to issuance of building permits.
3.18. Tribal Cultural Resources	**Tribal Cultural Resources Mitigation 1**: **Post Ground Disturbance** A minimum of seven days prior to beginning earthwork, clearing, and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of the project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure. If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and measures included in the **Unanticipated Discoveries Mitigation Measure 2** shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of paid Native American Monitor during ground disturbing activities.	Developer, Public Works Dept., Development Services Dept.	During construction phase

	Tribal Cultural Resources Mitigation 2: Unanticipated Discoveries: If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC 21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe. The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 523 has been satisfied.		

ATTACHMENT 2

CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT

Date: July 27, 2022

To: Chair and Members of the Planning Commission

From: Development Services Department

Presentation by: Jaspreet Kaur, Associate Planner

Subject: **Development Plan 22-01: consideration for the development of Yuba City Self-Storage on 9.52 acres located along the south side of Colusa Highway Frontage Road, approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard.**

Recommendation: A. Conduct a Public Hearing; and

B. Adopt a Resolution recommending the City Council of the City of Yuba City approve Environmental Assessment 22-03 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres, located along the south side of Colusa Highway Frontage Road approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard (Assessor's Parcel Number 63-020-140).

Applicant/Owner: **Applicant:** Highway 20 Commercial Industrial, LLC.
Owner: Westmark Partners, L.P.

Project Location: The property is located on the south side of State Route 20 and Colusa Frontage Road approximately 720 feet west of George Washington Blvd. Assessor's Parcel Number 63-020-140 (See Figure 1).

General Plan: The site is designated in the General Plan as Business, Technology & Light Industrial (B, T, & LI). Self storage units are consistent with that designation.

Specific Plan: None

Zoning: The property is within a Light Industrial Zone District together with an X27 Combining District (M-1 X27). The M-1 Zone District allows self-storage units by-right; the X27 Combining District provides for specific criteria that development of the property must meet (a copy of the X27 Zone District is attached). In particular to this project, the location is near the gateway to the City and the X27 Combining District requires a high-quality design.

Purpose:

Consideration of a Resolution to recommend approval to the City Council Development Pan (DP) 22-01, allowing for the development of Yuba City Self Storage. This proposal will establish a self-storage facility in two phases on 9.52 acres. Phase 1 consists of nine self-storage unit buildings and a graveled outdoor storage area for 192 vehicles. Phase 2 is the conversion of the outdoor vehicle storage area to nine additional self-storage buildings.

Project Description:

This proposal is a request to construct Yuba City Self-Storage on 9.52 acres consisting of two phases. Phase 1 consists of nine buildings totaling approximately 94,045 square feet, along with a 74,640 square foot graveled outdoor area for storage of 192 vehicles. Building "D" differs from the others as it will be a 27,000 square foot climate-controlled building for storage of items that may be temperature sensitive. Also included is a 2,200 square foot two-story building near the facility entrance for a first-floor office and second floor care-taker residence. Seven public parking spaces will be provided just outside the entrance gate. The outdoor vehicle storage area will be for RV parking only; no commercial semi-trucks will be stored onsite.

Phase 2 is the conversion of the outdoor RV storage area to add nine more self-storage buildings totaling approximately 104,800 additional square feet. The fully developed facility will consist of 199,215 square feet of self-storage units, a 2,200 square foot two-story building with an office on the first floor and a caretaker's residence on the second floor.

Due to the low amount of wastewater generated by the project, the facility is proposed to utilize an individual onsite septic system in lieu of the City wastewater collection system. At the back of the property, there will be a pond for detention and metering the flow from the site indirectly into Live Oak Canal.

This review considers both project phases so future construction of Phase 2 will not require further City discretionary review.

This level property is vacant with no history of being built on. Although self-storage facilities are a permitted use in the M-1 Zone District, due to its large size the Zoning Regulations Sec. 8-5.7001(d) requires Planning Commission review and recommendation to the City Council.

Analysis

Compatibility with neighboring uses:

The project is located in west Yuba City surrounded by light industrial uses, including another self-storage facility on the west and south. There are no nearby residences or other types of uses that would be sensitive to being near a self-storage and outdoor vehicle parking facility. As such, it is not expected that there will be any compatibility issues with neighboring uses. Adjacent land uses include:

TABLE 1: BORDERING LAND USES	
North:	Frontage road and State Route 20.
South:	Outdoor vehicle parking portion of a neighboring self-storage facility to the west.
East:	Various light industrial uses.
West:	Self-storage facility

Site and Building Design

There is special zoning previously applied to this property (X27) that provides specific development criteria. The X27 criteria states, in part:

> [1]Council expressed that since the project is on a gateway to the City there is a need to ensure that future development and façade renovations be of a high quality" … "be forwarded to the Planning Commission for architectural design review."

As such, this project has been reviewed by staff with "high quality" design as a standard.

The design of the south (publicly visible) side is a modern look consisting of metal paneling with articulated sections of corrugated metal and opaque glass. The corrugated sections are articulated above the roof line of the paneled sections and horizontally from the wall. This design provides some interest to the building, but not the high quality explicitly called for in the special zoning. This can be resolved by intensifying the elevations or by significantly enhancing the landscaping. To that end, the trees proposed along the frontage don't meet City standard of trees being planted on an average of 30 feet on-center along road frontages. A condition is provided requiring that shade trees be planted at an average of 30-feet on-center. The landscaping can be further enhanced with more well-placed drought resistant shrubbery. Given time to mature, enhanced landscaping as discussed above can result in a high-quality design.

Additionally, staff has added a condition to improve the design of the two-story portion of the highway side of the frontage building near the facility entrance. Although providing the second story emphasizes the entrance to the facility, the look of the storage unit doors facing the highway does not appear to represent a high quality design, as required by the X27 District. Staff recommends that this elevation is to be improved and the design shall be approved by the Development Services Director.

---

[1] *This criteria is based on General Plan polices that recognize that this property is along the view corridor that serves as the primary entrance to the City for eastbound travelers. As such, the intent is to provide a positive first look/impression of the City to those travelers.*

Traffic

Self-storage facilities are very low traffic generators. There was an initial concern that commercial truck parking in the vehicle storage area could impact the nearby Colusa Frontage Road intersection with George Washington Boulevard. Although commercial truck parking was not proposed by the applicant, a condition has been added that prohibits commercial truck parking. As a result, traffic generated by this project is believed to be insignificant and not trigger development thresholds.

While limited amount of new traffic from this project is not a cause for concern at the SR 20/George Washington Boulevard intersection, Caltrans did raise a longer-term concern that "with existing congestion issues at SR 20/N. George Washington Blvd. intersection and Colusa (Frontage) Road intersection being close to SR 20 this may cause future operational and safety issues. As further development occurs in the area, the City should look at a mechanism for collecting proportional share contributions to improve access or look at alternative access points to Colusa Road." As a result, Public Works and Engineering with traffic modeling and operations will partner with Caltrans regarding responsibility and future cost burdens.

Availability of City services:

All City services, including water, sewer, and storm-water drainage (a combination of City and Sutter County Water Agency) are available to this site. However, due to the low intensity use of the site, the proposal is to utilize an individual onsite septic system rather than the City wastewater collection system.

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 self-storage project. The findings of the mitigated negative declaration is that, with the proposed mitigations for geology/soils, greenhouse gas emissions, and Tribal cultural resources, the self-storage facility will not create any significant environmental impacts. As a result, the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA. The proposed mitigations are included in the project conditions of approval.

Recommended Action:

A. Following a public hearing, the Planning Commission makes the following findings:

California Environmental Quality Act Findings:

i. The Planning Commission recommends that the City Council find that an environmental assessment/ initial study 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. 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 Planning Commission recommends the City Council find that feasible mitigation measures or alternatives have been incorporated into the project in order to avoid the effects or mitigate 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.

ii. Adoption of MND and Mitigation Monitoring and Reporting Program. Based on the foregoing, the Planning Commission recommends the City Council adopt the Mitigated Negative Declaration prepared for the project, included the associated Mitigation Monitoring and Reporting Program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed. The Yuba City Development Services Department is located at 1201 Civic Center Blvd., Yuba City, CA 95993, and is recommended to be designated as the custodian of the documents and other materials that constitute the record of proceedings upon which the decision is based. The Planning Commission further recommends 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.

Development Plan 21-02 Findings

Based upon analysis of the Development Plan application and subject to the applicant's compliance with the conditions of approval noted, the Planning Commission recommends the following required findings of Section 8-5.7001(d) of the Zoning Regulations can be made (*the required findings are in italics).*

(i) The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking, landscaping, and other features required by this chapter.

The proposed approximately 200,000 square feet of self-storage facility will fit within the 9.52-acre site and meet all City standards. This includes off-street parking, lighting, landscaping, and other City adopted standards. All City services are available to the site, and adequate public access is provided by Colusa Frontage Road.

(ii) The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

The site is served by Colusa Frontage Road. Both the City Public Works Department and Caltrans determined that the street would adequately serve the site. With the proposed condition that prohibits commercial truck parking on this project site, the nearest intersection at Colusa Frontage Road and George Washington Boulevard will not be impacted.

(iii) The site design, design of the buildings, and the scale of the project will complement neighboring facilities.

Based on the analysis provided in the staff report, the design of the project combined with the condition added for further review of the two-story portion of the project, adequately addresses the City's desire for a high-quality building design. The project's design and enhanced street frontage landscaping, both being modified by the recommended conditions of approval, will complement the neighboring properties.

(iv) The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the "Local Flood Management Agency" for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 645007 (a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board. As such this site has adequate flood protection. Additionally, the City has imposed conditions on the Development Plan that will protect property within the area to the urban level in urban areas and urbanizing areas.

B. A. Conduct a Public Hearing; and

B. Adopt a Resolution recommending the City Council of the City of Yuba City approve Environmental Assessment 22-03 by adopting a Mitigated Negative Declaration, subject to the Conditions of Approval and Mitigation Measures, and approve Development Plan 22-01, Yuba City Self-Storage, on 9.52 acres, located along the south side of Colusa Highway Frontage Road approximately 720 feet west of the intersection of Colusa Frontage Road and George Washington Boulevard (Assessor's Parcel Number 63-020-140).

<u>Attachments</u>:

1. Planning Commission Resolution (DP 22-01)
   Exhibit A: Development Plan 22-01 Site Plan and Elevations
   Exhibit B: Conditions of Approval and Mitigation Measures
2. Location Map
3. X27 Zone District Conditions
4. Environmental Assessment 22-03 and Mitigation Monitoring Program

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. PC 22-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YUBA CITY (PLANNING COMMISSION) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN 22-01, YUBA CITY SELF-STORAGE, ON 9.52 ACRES, LOCATED ALONG THE SOUTH SIDE OF COLUSA HIGHWAY FRONTAGE ROAD APPROXIMATELY 720 FEET WEST OF THE INTERSECTION OF COLUSA FRONTAGE ROAD AND GEORGE WASHINGTON BOULEVARD (ASSESSOR'S PARCEL NUMBER 63-020-140); INCLUDING THE MITIGATED NEGATIVE DECLARATION PREPARED AS DETAILED IN THE ENVIRONMENTAL ASSESSMENT 22-03, SUBJECT TO THE CONDITIONS OF APPROVAL AND MITIGATION MEASURES.

WHEREAS, the City received an application for a development plan to construct in two phases a self-storage facility and outdoor vehicle storage area. Any new development that would result from this action will be provided full City services; and

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

WHEREAS, a review of the General Plan and Zoning Regulations determined that the proposed subdivision was consistent with the other elements of the General Plan and Zoning Regulations; and

WHEREAS, the Planning Commission reviewed related Environmental Assessment 22-03 considering a Mitigated Negative Declaration (MND) prepared for the project, which provided mitigations that reduce potential significant impacts to less than significant; and

WHEREAS, the City on July 6, 2022, published a legal notice and a public hearing notice was mailed to each property owner within at least 300 feet of the project site in compliance with State law concerning the Planning Commission's consideration on July 27, 2022; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 27, 2022 and considered all of the project and environmental information presented by staff, public testimony and all of the background information.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission of the City of Yuba City resolves and orders as follows:

Recommended California Environmental Quality Act Findings:

i. The Planning Commission recommends that the City Council find that an Environmental Assessment/Initial Study 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. 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 Planning Commission recommends the City Council find that feasible mitigation measures or alternatives have

been incorporated into the project in order to avoid the effects or mitigate 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.

ii. Adoption of MND and Mitigation Monitoring and Reporting Program. Based on the foregoing, the Planning Commission recommends the City Council adopt the Mitigated Negative Declaration prepared for the project, included the associated Mitigation Monitoring and Reporting Program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed. The Yuba City Development Services Department is located at 1201 Civic Center Blvd., Yuba City, CA 95993, and is recommended to be designated as the custodian of the documents and other materials that constitute the record of proceedings upon which the decision is based. The Planning Commission further recommends 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.

Recommended Development Plan Findings: The following are required findings of Section 8-5.7001(C) of the Municipal Code that must be made prior to approving the project:

i. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.
ii. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
iii. The site design, design of the buildings, and the scale of the project will complement neighboring facilities.
iv. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Evidence:

i. The proposed approximately 200,000 square feet of self-storage facility will fit within the 9.52-acre site and meet all City standards. This includes off-street parking, lighting, landscaping, and other City adopted standards. All City services are available to the site, and adequate public access is provided by Colusa Frontage Road.

ii. The site is served by Colusa Frontage Road. Both the City Public Works Department and Caltrans determined that the street would adequately serve the site. With the proposed condition that prohibits commercial truck parking on this project site, the nearest intersection at Colusa Frontage Road and George Washington Boulevard will not be impacted.

iii. Based on the analysis provided in the staff report, the design of the project combined with the condition added for further review of the two-story portion of the project, adequately addresses the City's desire for a high-quality building design. The project's

design and enhanced street frontage landscaping, both being modified by the recommended conditions of approval, will complement the neighboring properties.

iv. This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the "Local Flood Management Agency" for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 645007 (a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board. As such this site has adequate flood protection. Additionally, the City has imposed conditions on the Development Plan that will protect property within the area to the urban level in urban areas and urbanizing areas.

AND, BE IT FURTHER RESOLVED, that the Planning Commission, based on Environmental Assessment 22-03 and the list of identified mitigation measures, determines the project will not have a significant impact on the environment and recommends to the City Council adoption of a Mitigated Negative Declaration for the project as well as the associated Mitigation Monitoring Program, and further recommends to the City Council approval of DP 22-01, Yuba City Self-Storage, as shown in **Exhibit A**, and as modified by the conditions of approval provided in **Exhibit B**.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on July 27, 2022, by Commissioner _____ who moved its adoption, which motion was seconded by Commissioner _____ and carried by the following vote:

Ayes:

Noes:

Absent:

Recused:

By order of the Planning Commission of the City of Yuba City.

_____
Michele Blake, Planning Commission Chair

ATTEST:

_____
Benjamin Moody, Secretary to the Planning Commission

Attachments:

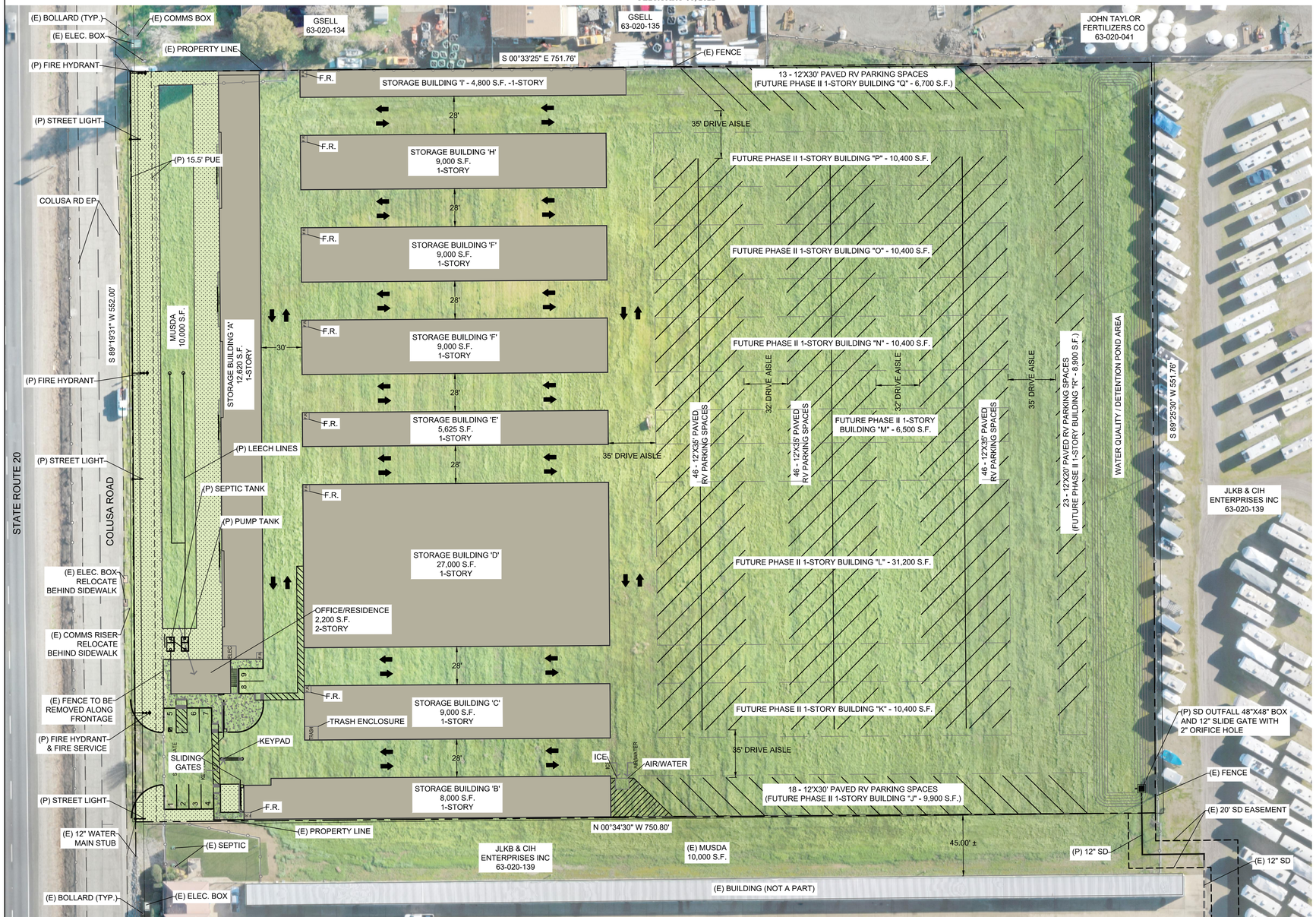
Exhibit A: Development Plan 22-01
Exhibit B: Conditions of Approval and Mitigation Measures

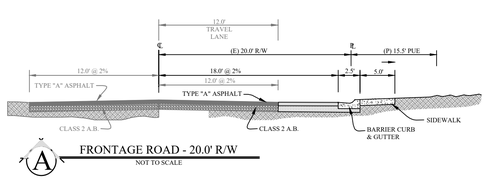
DEVELOPMENT PLAN REVIEW

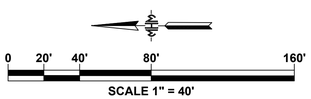
HIGHWAY 20 SELF STORAGE

YUBA CITY, CALIFORNIA

FEBRUARY 01, 2022







SITE DATA		
DESCRIPTION	REQUIRED	PROPOSED
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
FLOOR AREA RATIO	N/A	0.233 (96,615 SQ. FT.)
LANDSCAPE	TBD	20,004 SQ. FT.
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 6 ADA - 1 RV - 192
MAXIMUM LOT COVERAGE	N/A	23%
MAXIMUM BUILDING HEIGHT	45'	1 STORY

SETBACK REQUIREMENTS		
DESCRIPTION	REQUIRED	PROPOSED
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	50'

PROJECT NOTES

OWNER
HWY 20 COMMERCIAL INDUSTRIAL, LLC
4624 DUCKHORN DRIVE
SACRAMENTO, CA 95834
CONTACT: MIKE SINGH
PHONE: (530) 682-6686

APPLICANT
WESTMARK PARTNERS, L.P.
4624 DUCKHORN DRIVE
SACRAMENTO, CA 95834
CONTACT: MIKE SINGH
PHONE: (530) 682-6686

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

ASSESSOR'S PARCEL NO.
APN 63-020-140

PARCEL AREA
9.52 ACRE

EXISTING USE
VACANT

EXISTING GENERAL PLAN DESIGNATION
REGIONAL COMMERCIAL

PROPOSED GENERAL PLAN DESIGNATION
REGIONAL COMMERCIAL

EXISTING ZONING
M-1

PROPOSED ZONING
M-1

LEVEE PROTECTION
LEVEE DISTRICT NO. 9 OF SUTTER COUNTY

ELEMENTARTY SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

HIGH SCHOOL DISTRICT
YUBA CITY UNIFIED SCHOOL DISTRICT

IRRIGATION DISTRICT
NONE

FIRE PROTECTION
CITY OF YUBA CITY FIRE DEPARTMENT

LAW ENFORCEMENT
CITY OF YUBA CITY POLICE

SANITARY SEWER
CITY OF YUBA CITY PUBLIC WORKS

DOMESTIC WATER
CITY OF YUBA CITY PUBLIC WORKS

STORM DRAINAGE
CITY OF YUBA CITY PUBLIC WORKS AND SUTTER WATER AGENCY

ELECTRICITY
PACIFIC GAS AND ELECTRIC

NATURAL GAS (OPTIONAL)
PACIFIC GAS AND ELECTRIC

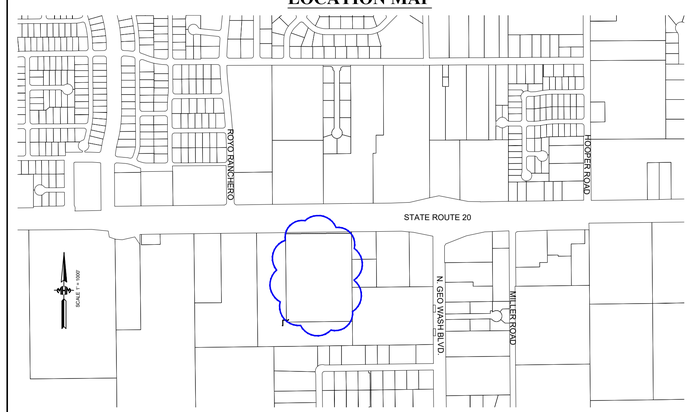
COMMUNICATION
AT&T AND COMCAST

CABLE (OPTIONAL)
COMCAST

GENERAL NOTES:

1. THE APPLICANT RESERVES THE RIGHT TO PHASE CONSTRUCTION OF PROPOSED STRUCTURES.
2. THIS EXHIBIT IS FOR DEVELOPMENT PLAN REVIEW ONLY, ACTUAL DIMENSIONS AND ACREAGE ARE TO BE VERIFIED PRIOR TO ACCEPTANCE OF PLANS.
3. THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT.
4. OWNERS, APPLICANT, ATTORNEY, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT.

LOCATION MAP



LEGAL DESCRIPTION:

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

BEING PARCEL C-2 OF LOT LINE ADJUSTMENT NO. 06-13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF YUBA CITY, COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 19, T15N, R3E, M.D.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL 1 OF PARCEL MAP NO. 524, AS FILED IN BOOK 3 OF PARCEL MAPS, AT PAGE 74, SUTTER COUNTY RECORDS, SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF CALIFORNIA STATE HIGHWAY 20; THENCE EASTERLY ALONG SAID HIGHWAY RIGHT OF WAY, NORTH 89° 19' 31" EAST, 108.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EASTERLY ALONG SAID HIGHWAY RIGHT OF WAY BOUNDARY, NORTH 89° 19' 31 " EAST, 552.00 FEET, MORE OR LESS , TO A POINT ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 199814471, SUTTER COUNTY RECORDS, TO JAMES ORLANDO SMITH AND MARY COLLEN BARDELU, AS CO-EXECUTORS OF THE ESTATE OF GEORGE SMITH; THENCE SOUTHERLY ALONG SAID EAST LINE OF SMITH PARCEL, SOUTH 00° 33' 25" EAST, 751.76 FEET; THENCE LEAVING SAID EAST LINE OF SMITH PARCEL, SOUTH 89° 25' 30" WEST, 551.76 FEET; THENCE NORTH 00° 34' 30" WEST, PARALLEL WITH THE EAST LINE OF NOTED PARCEL 1, A DISTANCE OF 750.80 FEET TO THE SAID SOUTH LINE OF HIGHWAY 20, SAID POINT BEING THE TRUE POINT OF BEGINNING.

APN: 63-020-140

SURVEYORS STATEMENT:
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY PLACER TITLE COMPANY ORDER NUMBER P-380785 DATED JANUARY 27, 2020.

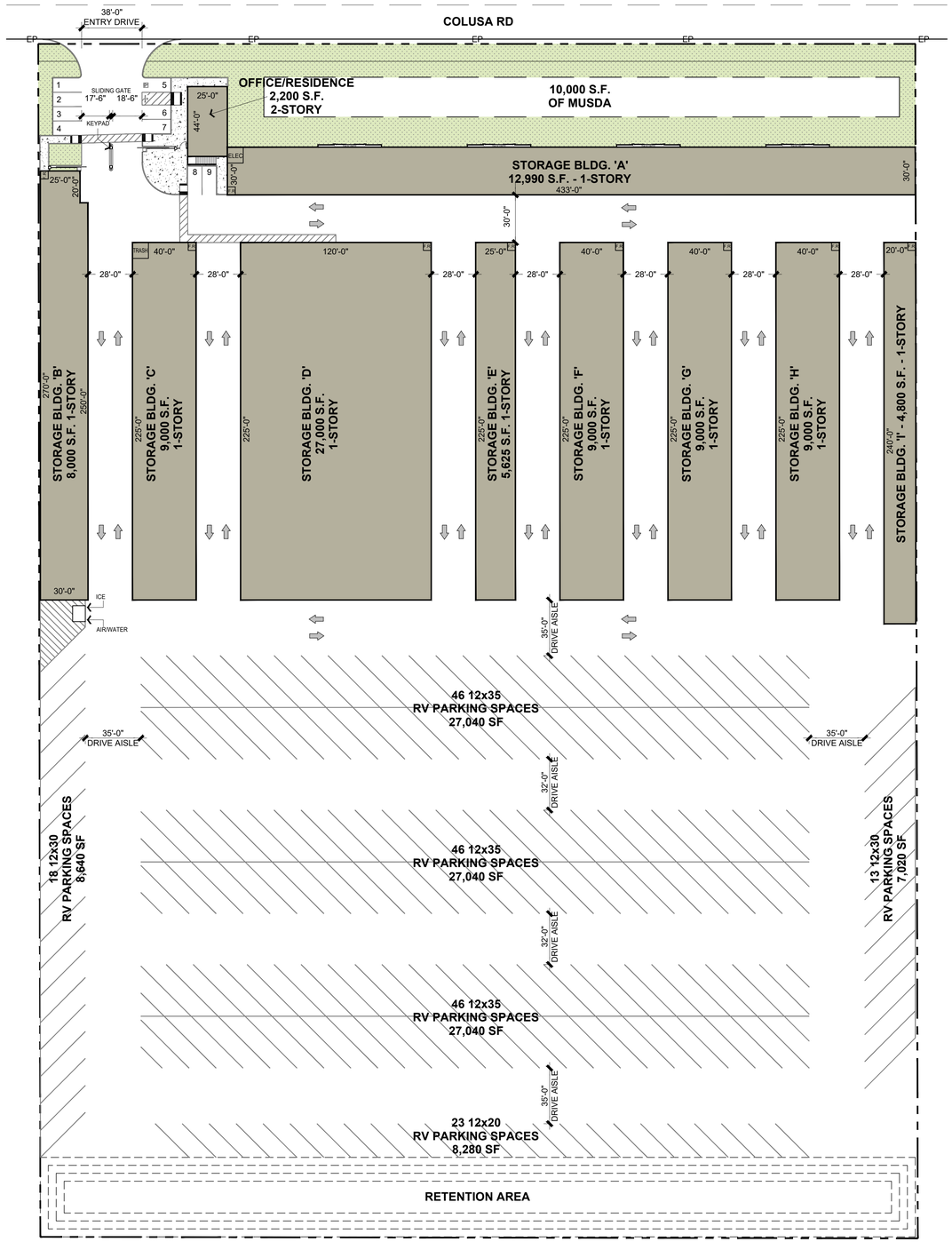
DATE:_____

_____
JOHN S. MALLEN
PLS 8457

JOHN MALLEN, P.E. 62315, P.L.S. 8457

PROFESSIONAL LAND SURVEYOR JOHN S. MALLEN NO. LS 8457 STATE OF CALIFORNIA

M·H·M
ENGINEERS & SURVEYORS SINCE 1892
1204 E STREET, P.O. BOX B
MARYSVILLE, CA 95901
TEL: 530.742.6485
FAX: 530.742.5639



SITE DATA

DESCRIPTION	REQUIRED	PROPOSED
ZONING DESIGNATION	M-1	M-1
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
SITE AREA	414,691 SQ. FT. (9.52 ACRES)	
FLOOR AREA RATIO	N/A	0.233 (96,615 SQ. FT.)
LANDSCAPE	TBD	4.8% (20,004 SQ. FT.)
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 8 ADA - 1
RV PARKING	N/A	RV SPACES - 192 105,060 SQ. FT.
MAXIMUM LOT COVERAGE	N/A	23% (95,515 SQ. FT.)
MAXIMUM BUILDING HEIGHT	45'	1 STORY
MINIMUM SETBACKS		
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	0'

BUILDING AREA TABULATION (Square Feet)

BUILDING	SELF-STORAGE	OFFICE / RESIDENCE	GROSS BUILDING AREA
OFFICE / RESIDENCE		2200	2,200
BUILDING A	12,990		12,990
BUILDING B	8,000		8,000
BUILDING C	9,000		9,000
BUILDING D	27,000		27,000
BUILDING E	5,625		5,625
BUILDING F	9,000		9,000
BUILDING G	9,000		9,000
BUILDING H	9,000		9,000
BUILDING I	4,800		4,800
SELF STORAGE GROSS SQ. FT.			
TOTAL	94,415		96,615

ESTIMATED NET RENTABLE @ 95% = 89,694 SQ. FT.

NORTH

SCHEME B

YUBA CITY SELF STORAGE

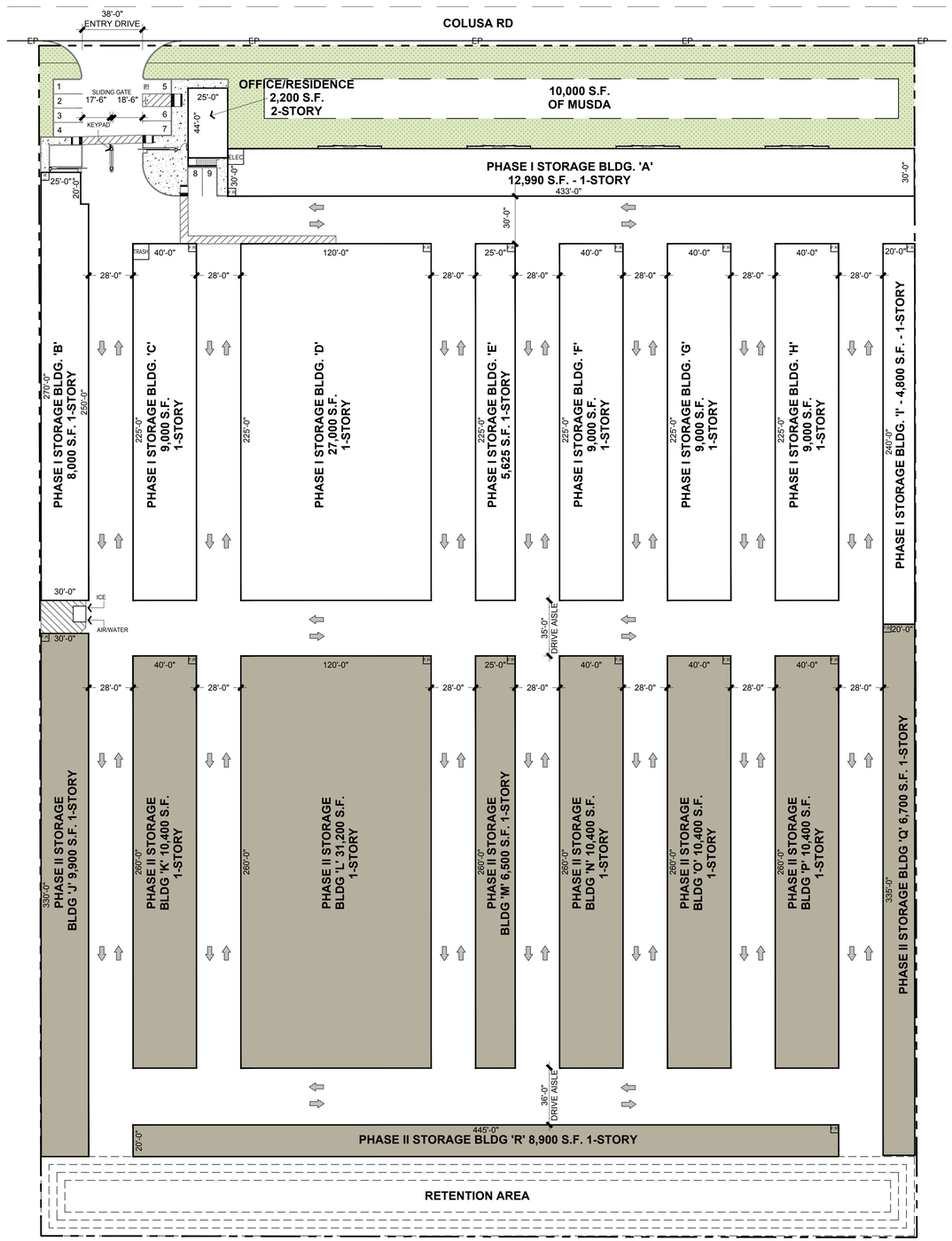
SITE PLAN - PHASE I

YUBA CITY, CA

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 40'
DATE: 05/10/2022

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



SITE DATA

DESCRIPTION	REQUIRED	PROPOSED
ZONING DESIGNATION	M-1	M-1
PRIMARY LAND USE	BUSINESS / LIGHT INDUSTRIAL	SELF-STORAGE
SITE AREA	414,691 SQ. FT. (9.52 ACRES)	
FLOOR AREA RATIO	N/A	0.486 (201,415 SQ. FT.)
LANDSCAPE	TBD	4.8% (20,004 SQ. FT.)
PARKING REQUIRED	1 SPACE / 300 SF OFFICE 4 FOR CUSTOMERS	REGULAR - 8 ADA - 1
MAXIMUM LOT COVERAGE	N/A	48.3% (200,315 SQ. FT.)
MAXIMUM BUILDING HEIGHT	45'	1 STORY
MINIMUM SETBACKS		
FRONT	10'	27'
SIDE	0'	0'
REAR	0'	0'

BUILDING AREA TABULATION (Square Feet)

BUILDING	SELF-STORAGE	OFFICE / RESIDENCE	GROSS BUILDING AREA
PHASE I TOTAL	94415	2200	96,615
BUILDING J	9,900		9,900
BUILDING K	10,400		10,400
BUILDING L	31,200		31,200
BUILDING M	6,500		6,500
BUILDING N	10,400		10,400
BUILDING O	10,400		10,400
BUILDING P	10,400		10,400
BUILDING Q	6,700		6,700
BUILDING R	8,900		8,900
SELF STORAGE GROSS SQ. FT.			
PHASE I TOTAL	94,415		96,615
PHASE II TOTAL	104,800		104,800
PROJECT TOTAL	199,215		201,415

ESTIMATED NET RENTABLE @ 95% = 189,254 SQ. FT.

NORTH

YUBA CITY SELF STORAGE

YUBA CITY, CA

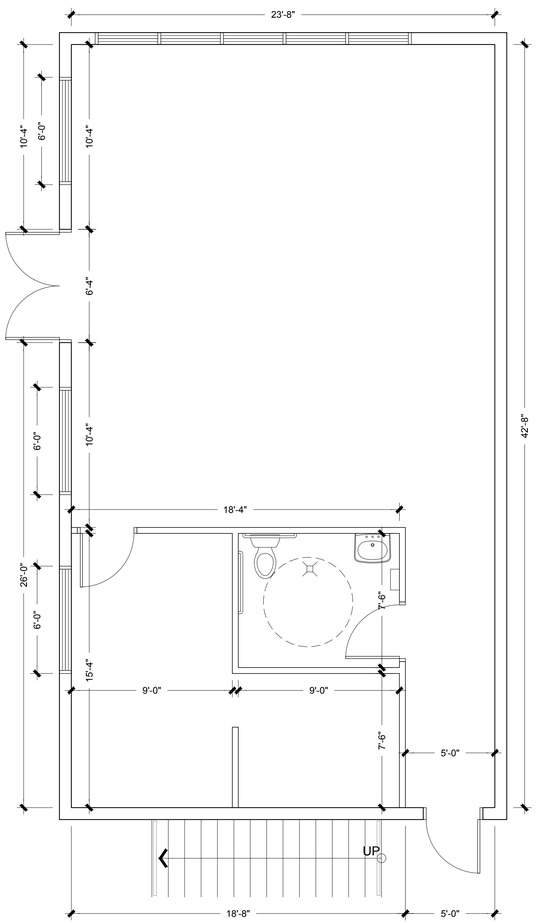
SCHEME B

SITE PLAN - PHASE II

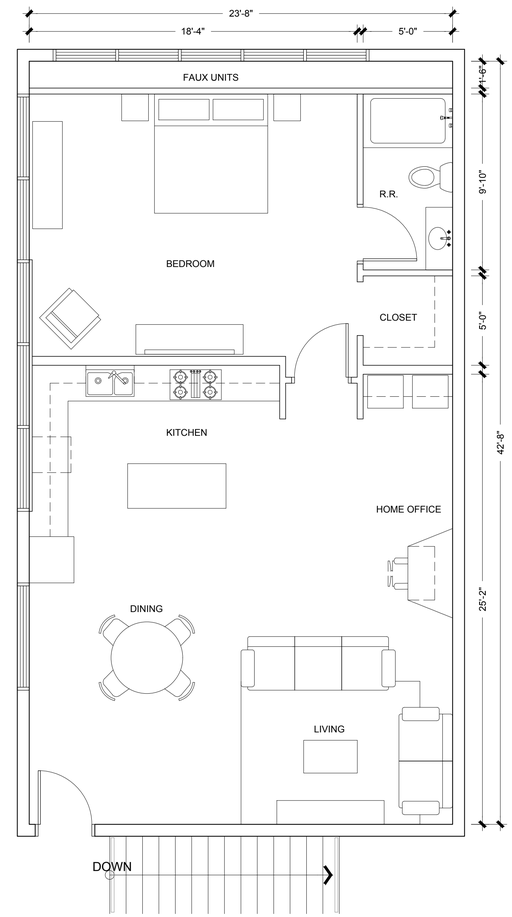
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 40'
DATE: 05/09/2022

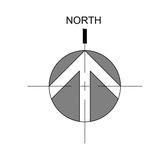
JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



FIRST FLOOR 1
1/4"=1'



SECOND FLOOR 2
1/4"=1'



YUBA CITY SELF STORAGE

YUBA CITY, CA

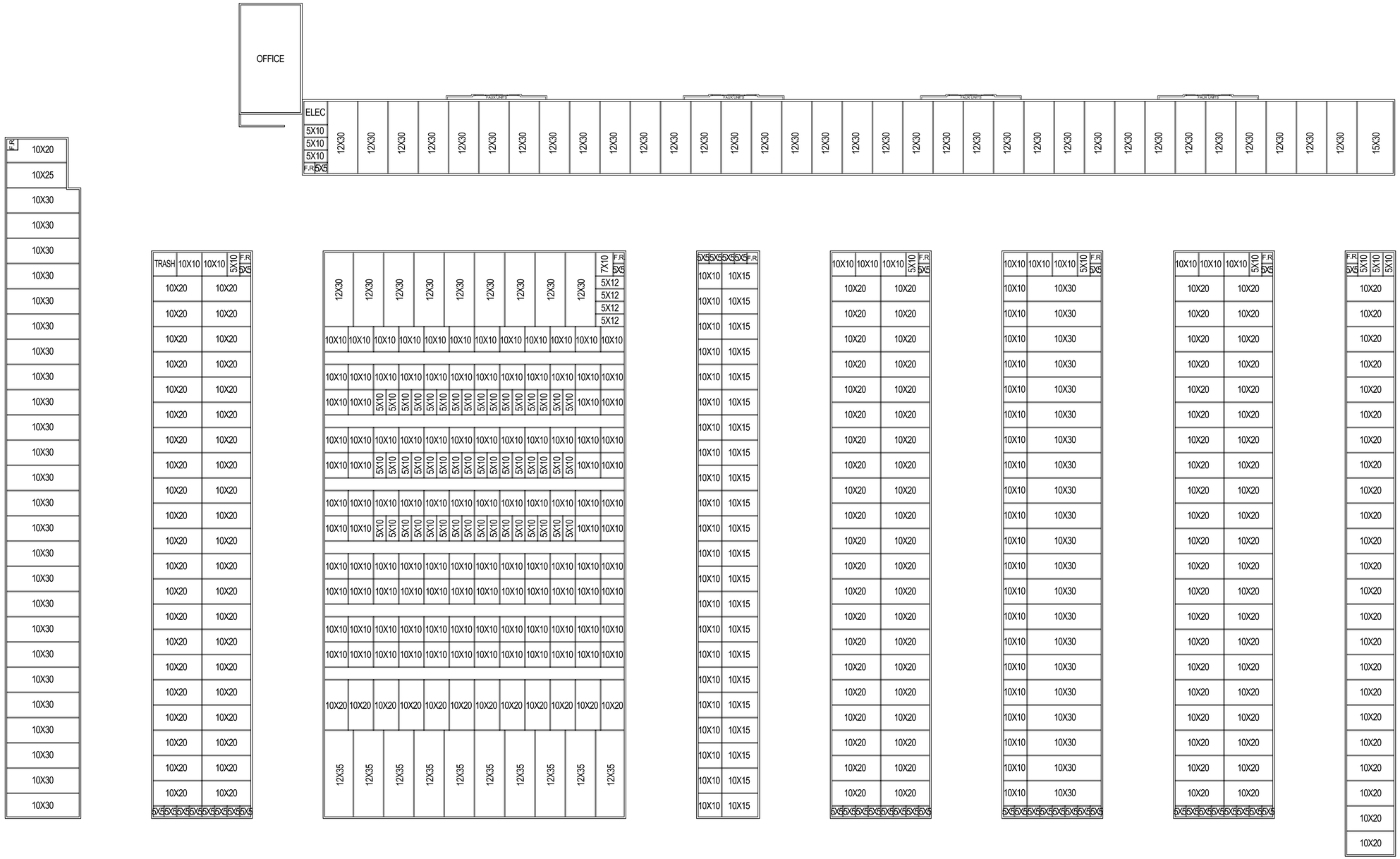
SCHEME B

OFFICE FLOORPLAN

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/4" = 1'
DATE: 05/09/2022



NORTH

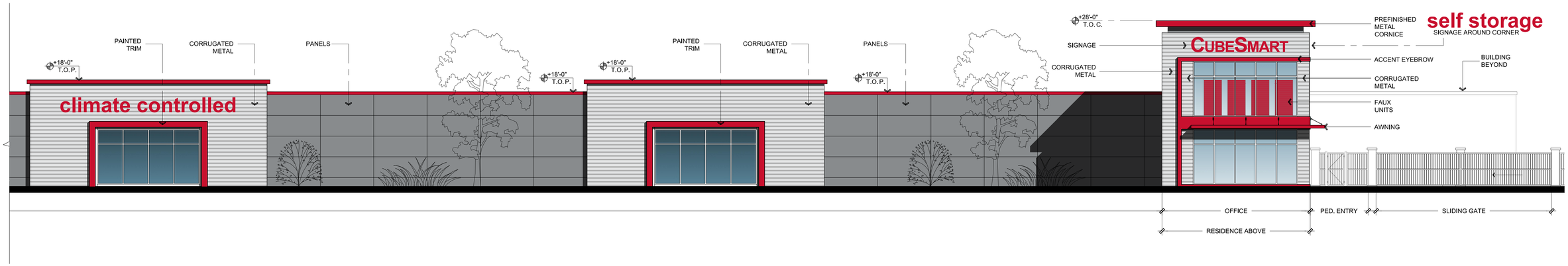
SCHEME B
UNIT MIX

YUBA CITY SELF STORAGE
YUBA CITY, CA

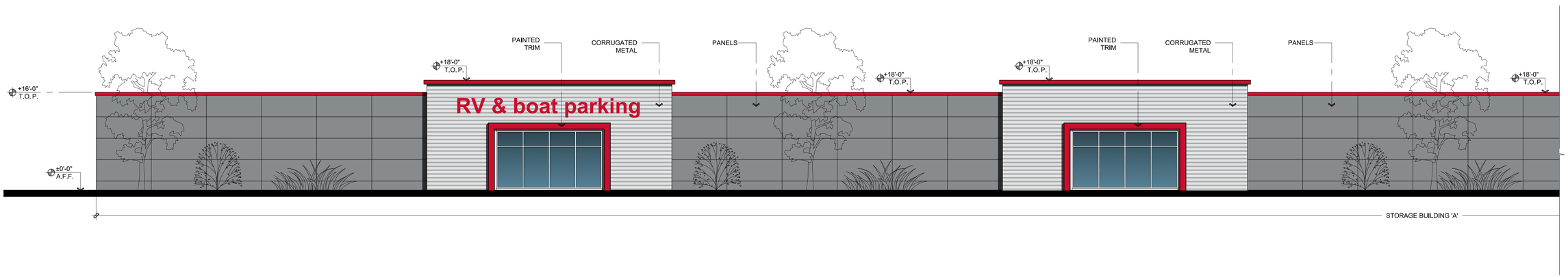
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1" = 20'
DATE: 05/09/2022

JORDAN
ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

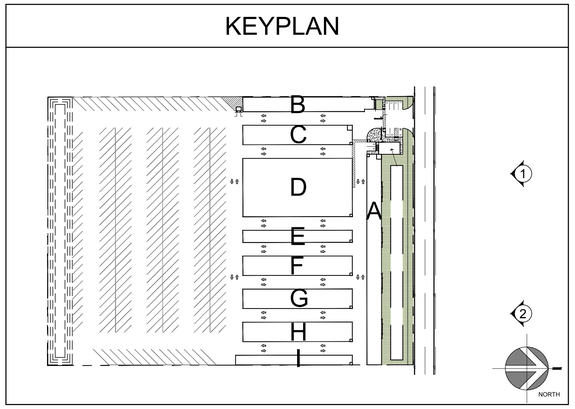


NORTH ELEVATION 1
1/8"=1'-0"



NORTH ELEVATION 2
1/8"=1'-0"

KEYPLAN



NOTE:
panels, or stucco, or corrugated metal & stucco.

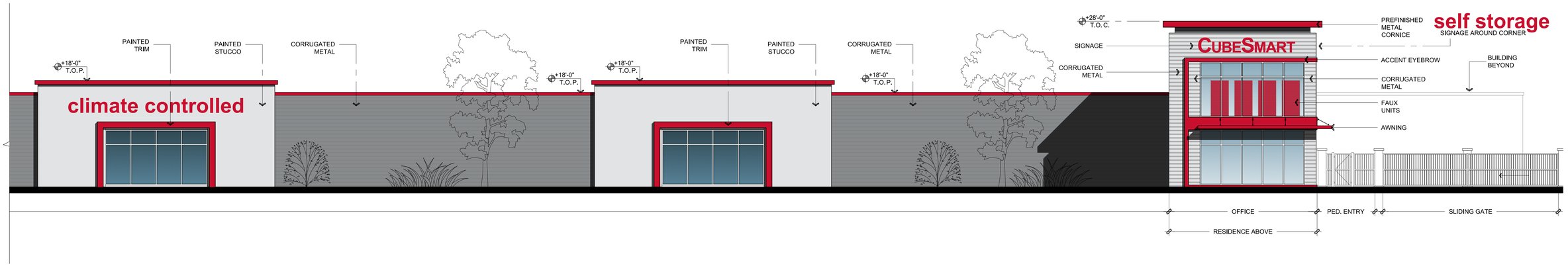
YUBA CITY SELF STORAGE
YUBA CITY, CA

SCHEME B
ELEVATIONS

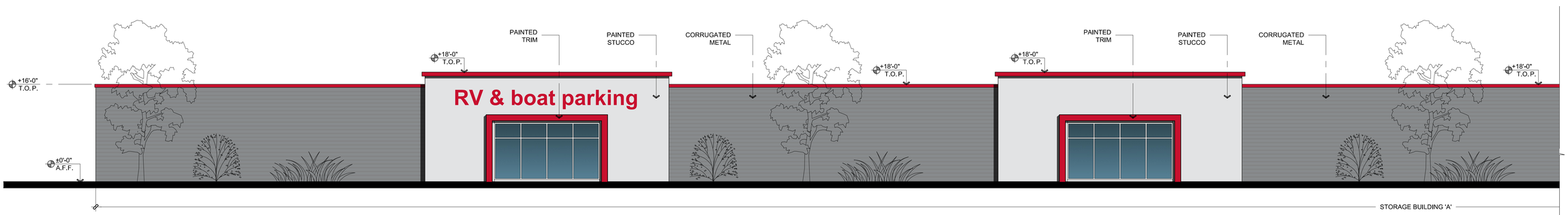
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/8" = 1'-0"
DATE: 05/09/2022

JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

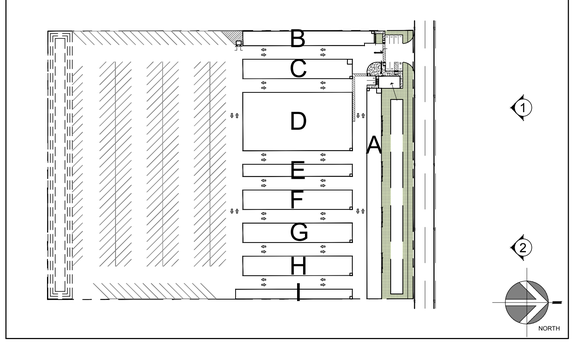


NORTH ELEVATION 1
1/8"=1'-0"



NORTH ELEVATION 2
1/8"=1'-0"

KEYPLAN



NOTE:
panels, or stucco, or corrugated metal & stucco.

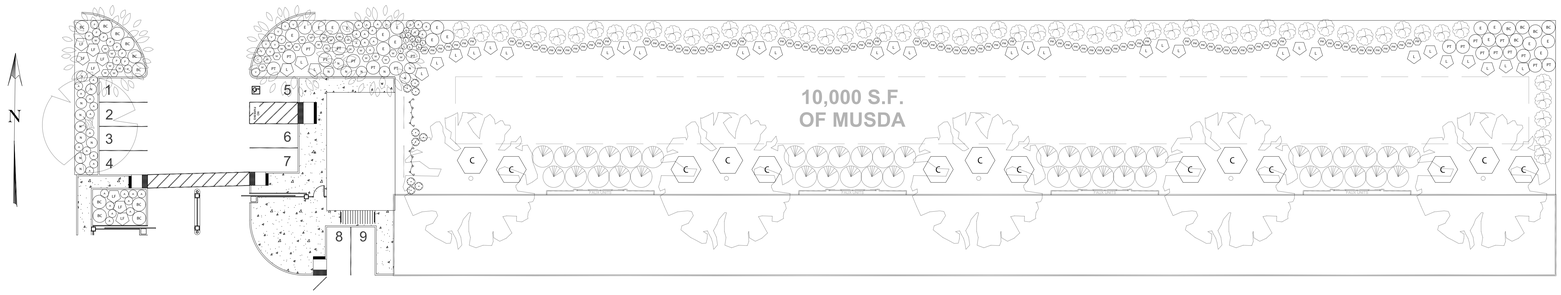
YUBA CITY SELF STORAGE
YUBA CITY, CA

SCHEME B - OPTION 2
ELEVATIONS

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REUSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" YEAR OF FIRST PUBLICATION 2020 JORDAN ARCHITECTS, INC.

JOB NUMBER: 21-706
SCALE: 1/8" = 1'-0"
DATE: 05/13/2022

JORDAN ARCHITECTS
131 CALLE IGLESIA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090



PLANTING LEGEND

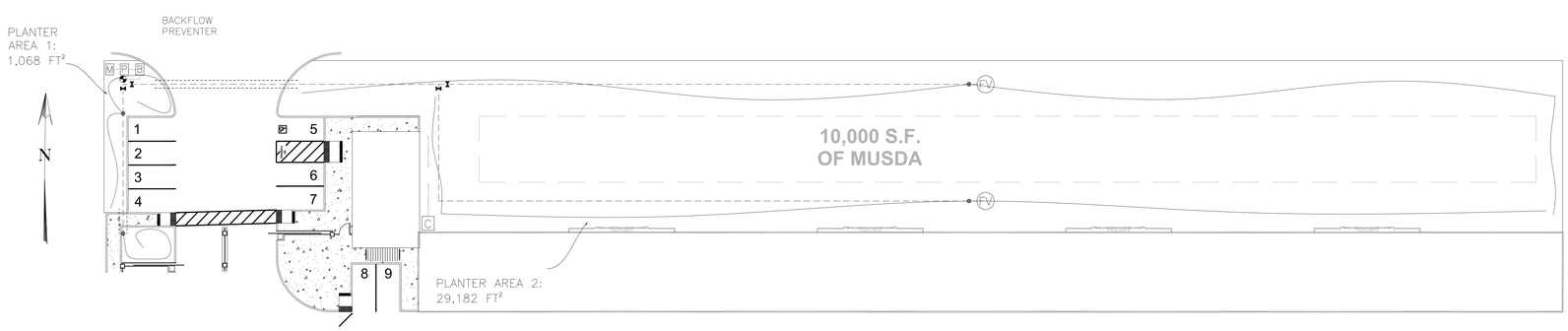
SYM. (NTS)	QTY.	SIZE	DESCRIPTION	COMMON NAME
			TREES	
	3	15 GAL	ARBUTUS MARINA STANDARD	STRAWBERRY TREE
	9	5 GAL	ILEX CRENATA 'SKY PENCIL'	JAPANESE HOLLY
	1	15 GAL	PISTACIA CHINENSIS 'KEITH DAVEY'	CHINESE PISTACE
	8	15 GAL	RHUS LANCEA	AFRICAN SUMAC
			SHRUBS	
C	14	5 GAL	CEANOTHUS 'DARK STAR'	CALIFORNIA LILAC
Lf	8	5 GAL	LEUCOPHYLLUM FRUTESCENS 'COMPACTA'	TEXAS SAGE
L	7	5 GAL	LOROPETALUM 'MAJESTIC PURPLE'	CHINESE FRINGE FLOWER
N	16	5 GAL	NANDINA DOMESTICA	HEAVENLY BAMBOO
			PERENNIALS + GROUNDCOVERS	
A	36	1 GAL	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY/KINNIKINNICK
	44	5 GAL	BACCHARIS PILULARIS 'TWIN PEAKS'	COYOTE BRUSH
E	18	1 GAL	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY
BC	15	5 GAL	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	CREEPING JUNIPER
L	12	1 GAL	LAVANDULA AUGUSTIFOLIA 'HIDCOTE'	LAVENDER
PM	98	1 GAL	MUHLENBERGIA CAPILLARIS 'PINK MUHLY'	PINK MUHLY GRASS
	58	1 GAL	MYOPORUM PARVIFOLIUM	CREEPING BOOBIALLA
P	10	1 GAL	PHLOX SUBULATA 'RED WINGS'	CREEPING PHLOX
PT	18	5 GAL	PHORMIUM TENAX 'MAORI QUEEN'	NEW ZEALAND FLAX
	6	5 GAL	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE
V	11	1 GAL	VERBENA 'HOMESTEAD RED'	VERBENA
W	28	1 GAL	WESTRINGIA FRUTICOSA 'MORNING LIGHT'	COAST ROSEMARY

0 20' 40'

IRRIGATION LEGEND

SYMBOL (NTS)	MFG. & MODEL	DESCRIPTION	REMARKS
M		WATER METER	NOT SHOWN; VERIFY SIZE AND LOCATION IN FIELD
B		BACKFLOW PREVENTER	*
		GATE VALVE	SIZE PER MAINLINE
P		POINT OF CONNECTION	VERIFY LOCATION WITH OWNER
	RAINBIRD XCZ-100-PRB-COM	DRIP CONTROL VALVE ASSEMBLY	SIZE PER VALVE ID TAG & INSTALL WITH BALL VALVE
	RAINBIRD XBS	DRIP SUPPLY LINE	3/4" POLYETHYLENE TUBING & EMITTERS
		PVC TO DRIP TRANSITION	
FV		DRIP FLUSH VALVE	
C		WALL MOUNTED CONTROLLER	
		SCHEDULE 40 LATERAL PIPE	1"
		SCHEDULE 40 MAINLINE	1.5"
		SCHEDULE 40 SLEEVE	3" (2X ø OF PIPE TO BE SLEEVED)

ABBREVIATIONS:
NTS = NOT TO SCALE
ø = DIAMETER



BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P.O. BOX 1114 • YUBA CITY, CA 95991
LICENSE No. 409125 DIR No. 1000000139
P: (530) 671-1229
F: (530) 671-3346
E: info@botanica.net

REVISIONS

1	5/20/2022
2	
3	
4	

PLANTING & IRRIGATION PLANS
SCALE: 1" = 20'

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063-020-140

DRAWN BY:
C. TOMEI

DATE: 4/6/2022

APPROVED:

COMMERCIAL

LICENSE:
409125

L1

1 OF SHEET 3

IRRIGATION NOTES

1. THE IRRIGATION SYSTEM SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES. THE LANDSCAPE CONTRACTOR SHALL OBTAIN ALL PERMITS FOR THE WORK AS REQUIRED BY THE CITY AND/OR COUNTY.

2. THIS DESIGN IS DIAGRAMATIC. ALL PIPING, VALVES AND OTHER EQUIPMENT SHOWN IS FOR DESIGN CLARITY AND SHALL BE INSTALLED IN PLANTER OR LAWN AREAS WHENEVER POSSIBLE. INSTALLATION TO CONFORM WITH CONSTRUCTION DETAILS.

3. VERIFY EXISTING WATER PRESSURE AND FIELD DIMENSIONS. DISCREPANCIES SHALL BE REPORTED TO THE OWNER OR APPROPRIATE REPRESENTATIVE IN WRITING PRIOR TO ANY COMMENCEMENT OF WORK. IF NOTIFICATION IS NOT MADE, THE LANDSCAPE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY AND COST FOR NECESSARY REQUIRED REVISION TO WORK.

4. USE COMMON TRENCHES WHENEVER POSSIBLE. INSTALL PRESSURIZED MAINLINES WITH A MINIMUM OF 18" COVER. INSTALL LATERAL PIPES WITH A MINIMUM 12" COVER. ALL PIPES UNDER PAVING TO HAVE MINIMUM 24" COVER.

5. ALL MATERIAL IS SPECIFIC TO THIS DESIGN. THE IRRIGATION SYSTEM HAS BEEN DESIGNED ACCORDING TO THE OPERATIONAL CHARACTERISTICS OF THE SPECIFIED EQUIPMENT. IF ANY CHANGES OR SUBSTITUTIONS ARE MADE WITHOUT APPROVED WRITTEN CALCULATIONS, THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY AND COSTS FOR THE RESULT OF THOSE CHANGES.

6. THE CONTRACTOR SHALL WARRANT THE SYSTEM FREE FROM DEFECTS IN WORKMANSHIP FOR A PERIOD OF ONE YEAR COMMENCING UPON FINAL ACCEPTANCE OF THE WORK. ALL REPAIRS NECESSARY DURING THAT PERIOD AS A RESULT OF POOR WORKMANSHIP SHALL BE MADE AT NO COST TO THE OWNER. PROVIDE TO OWNER TWO WRITTEN, WET SIGNED COPIES OF GUARANTEE ON COMPANY LETTERHEAD.

WATER CALCULATIONS TABLE

HYDROZONE #/PLANTING DESCRIPTION	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	LANDSCAPE AREA (sq.ft.)	ETAF x AREA	ESTIMATED TOTAL WATER USE (ETWU) IN GALLONS PER YEAR
HZ #1	0.30	DRIP	0.81	0.37	29,182	10,797	312,616
HZ#2	0.30	DRIP	0.81	0.37	1,068	395	12,274
TOTALS					29,983	2,096	324,890
MAWA							324,890

PLANTING NOTES

1. THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE PRIOR TO BIDDING IN ORDER TO DETERMINE EXISTING CONDITIONS. ADDITIONAL COMPENSATION FROM ALLEGED IGNORANCE OF EXISTING CONDITIONS AND THEIR EFFECT UPON THE COST OF CONSTRUCTION WILL NOT BE SUBSEQUENTLY APPROVED.

2. PRIOR TO SHRUB PLANTING, SPRAY ALL WEEDS WITH SYSTEMIC HERBICIDE 'ROUND UP' OR EQUAL. FOLLOW MANUFACTURER'S INSTRUCTIONS. REMOVE ALL DEAD WEEDS FROM SITE IF NECESSARY. PERFORM SOIL ANALYSIS PRIOR TO AMENDING SOIL – SOIL ANALYSIS AMENDMENT RECOMMENDATIONS SUPERCEDE RATES OF APPLICATION GIVEN HERE. FOR BIDDING PURPOSES, ASSUME ALL TURF AND PLANTING AREAS TO BE AMENDED AS FOLLOWS PER 1000 SQUARE FEET: (3) CY NITROGEN STABILIZED ORGANIC AMENDMENT OR COMPOST, AND 25 POUNDS BEST 6–24–24 COMMERCIAL FERTILIZER. ROTOTILL EVENLY TO A DEPTH OF 6" AND RAKE ALL AREAS BACK TO A SMOOTH EVEN SURFACE.

3. ALL PLANTS TO BE IN A HEALTHY, DISEASE FREE CONDITION. PLANTS THAT HAVE BROKEN BRANCHES, INJURED TRUNKS, OR THAT HAVE SUFFERED WILTING, WILL NOT BE ACCEPTED FOR INSTALLATION. PLANT TREES AND SHRUBS PER DETAILS. WATER ALL PLANTS IMMEDIATELY AFTER PLANTING. PRIOR TO MULCHING, APPLY PRE–EMERGENT HERBICIDE FOR WEED CONTROL, RONSTAR G OR EQUAL TO ALL PLANTERS THAT REQUIRE ROCK MULCH. TREES PLANTED 5' OR CLOSER TO WALKS, DRIVEWAYS, AC PAVEMENT OR OTHER HARD SURFACE AREAS TO HAVE ROOT BARRIER INSTALLED PER MANUFACTURER'S RECOMMENDATION – INSTALL 18" DEEP x 24" PANEL TYPE ROOT BARRIER BY NDS, ROOT SOLUTIONS OR EQUAL. SHEET MATERIAL WITH REINFORCING RIBS IS ACCEPTABLE FOR IRREGULAR SHAPED PLANTERS; INSTALL 10 LINEAR FEET OF ROOT BARRIER PER TREE, CENTERED ON TRUNK. ARBOR GUARD TRUNK PROTECTORS REQUIRED FOR TREES INSTALLED IN LAWN AREAS – SHOVEL CUT LAWN 12" AWAY FROM TRUNK AND INSTALL LAYER OF WALK–ON BARK MULCH ALSO.

4. ALL TREES AND SHRUBS SHALL BE GUARANTEED FOR A PERIOD OF (90) DAYS AND GROUND COVER AND PERENNIALS TO BE GUARANTEED FOR A PERIOD OF (30) DAYS UPON FINAL ACCEPTANCE OF THE WORK IN FULL. ALL PLANTS THAT ARE NOT IN HEALTHY, ACTIVELY GROWING CONDITION AT THE END OF THE GUARANTEE PERIOD SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.

5. PROVIDE A 3" LAYER OF "WALK ON" BARK MULCH AT PROPOSED SHRUB AND GROUNDCOVER PLANTING AREAS.

SHADE CALCULATIONS TABLE

VARIETY	FULL	3/4	HALF	1/4	TOTAL
PISTACIA CHINENSIS x1			1x800		800
TOTAL TREE SHADE:					800
TOTAL PARKING AREA					1290
PERCENT SHADE					62%

BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P: (530) 671–1029 P.O. BOX 1775, YUBA CITY, CA 95992
E: info@botanica.net LICENSE No. 409125 DIR No. 1000003139

REVISIONS

1	5/20/2022
2	
3	
4	

NOTES & CALCULATIONS

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063–020–140

DRAWN BY: C. TOMEI

DATE: 4/6/2022

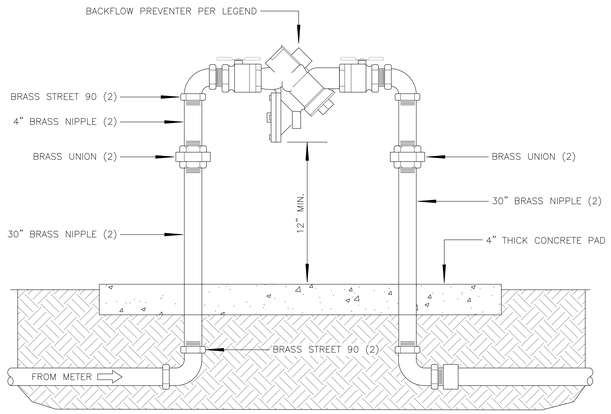
APPROVED:

COMMERCIAL

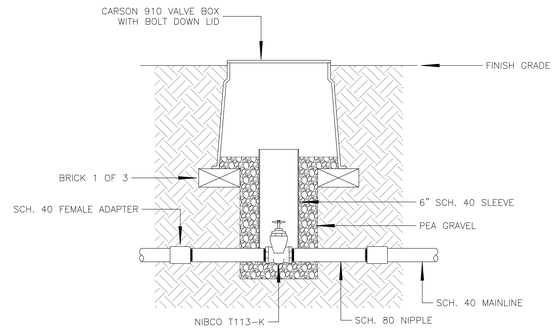
LICENSE: 409125

L2

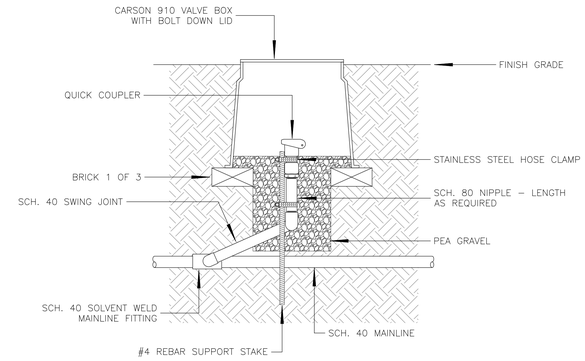
2 OF SHEET 3



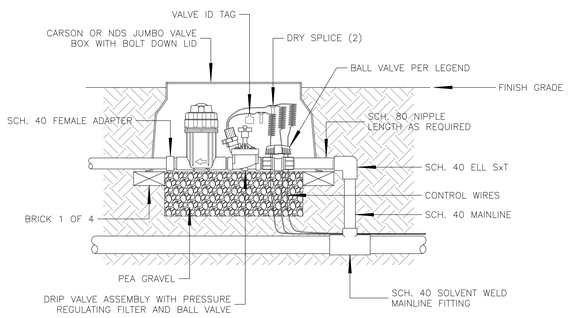
1 BACKFLOW PREVENTER DETAIL
N.T.S.



2 GATE VALVE DETAIL
N.T.S.

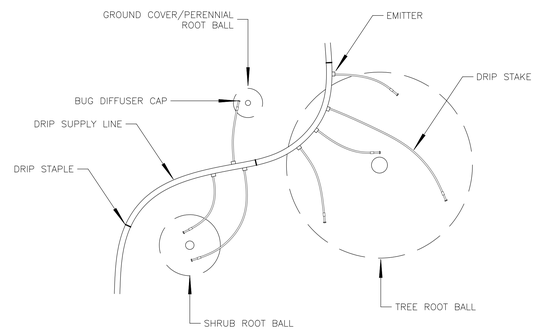


3 QUICK COUPLER DETAIL
N.T.S.



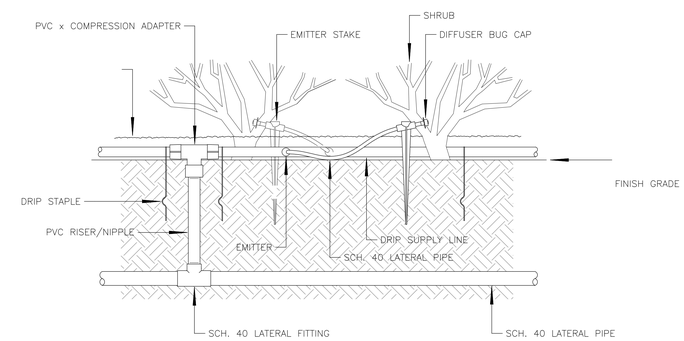
NOTE:
1. TOP OF VALVE BOX TO BE SET 1" BELOW F.G. IN TURF AREAS AND 2" BELOW IN PLANTERS.
2. MAINLINE TO HAVE MIN. 18" COVER.

4 DRIP VALVE DETAIL
N.T.S.

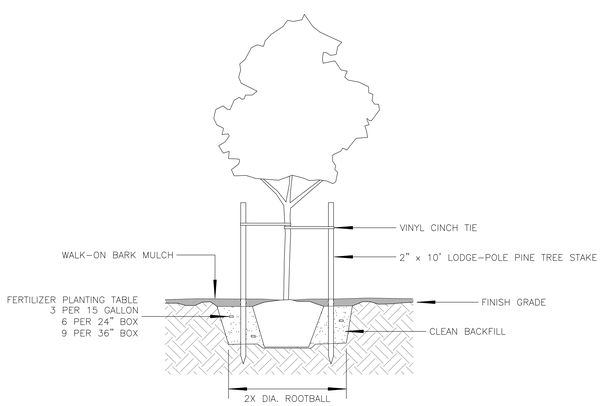


NOTES:
1. INSTALL ONE 1 GPH EMITTER PER ONE GALLON GROUND COVER/PERENNIAL.
2. INSTALL TWO 1 GPH EMITTERS PER FIVE GALLON SHRUB.
3. INSTALL FOUR 1 GPH EMITTERS PER 15 GALLON TREE.

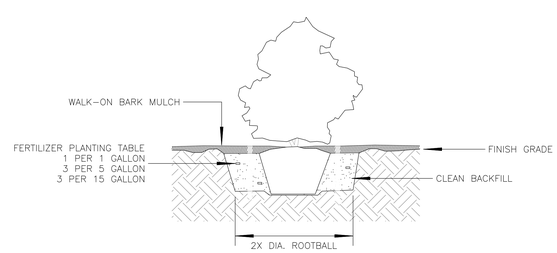
5 DRIP EMITTER LAYOUT DETAIL
N.T.S.



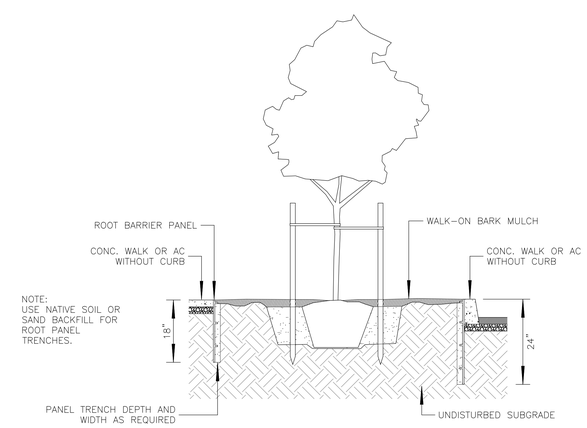
6 DRIP IRRIGATION DETAIL
N.T.S.



7 PLANTING DETAIL
N.T.S.



8 PLANTING DETAIL
N.T.S.



9 TREE PLANTING WITH ROOT BARRIER DETAIL
N.T.S.

BOTANICA LANDSCAPES
CONSTRUCTION • MAINTENANCE • DESIGN
P.O. BOX 2018 MARYSVILLE, CA 95901
P: (530) 671-1029
E: info@botanica.net
LICENSE No. 409125 DIR No. 1000003139

REVISIONS

1	5/20/2022
2	
3	
4	

DETAILS
NOT TO SCALE

HIGHWAY 20 SELF STORAGE
3142 COLUSA HIGHWAY
YUBA CITY, CA 95993
APN: 063-020-140

DRAWN BY:
C. TOMEI

DATE: 4/6/2022

APPROVED:

COMMERCIAL

LICENSE:
409125

L3

3 OF SHEET 3

CITY OF YUBA CITY
CONDITIONS OF APPROVAL
DEVELOPMENT PLAN 22-01
July 27, 2022

YUBA CITY SELF STORAGE
APN: 63-020-140

NOTICE TO PROJECT APPLICANT

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

IMPORTANT: PLEASE READ CAREFULLY

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

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

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

Approval of this development plan shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this development plan may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this development plan, the zoning ordinance, and all City standards and specifications. This development plan is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this development plan. Unless the conditions of approval

specifically require operation inconsistent with the application, a new or revised development plan is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the development plan or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the development plan review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this development plan or subsequent amendments or revisions. These conditions are conditions imposed solely upon the development plan, and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

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

CONDITIONS OF APPROVAL

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

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

   The City may, at any time, require the applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City

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

2. The development and operation of the project shall comply with all CEQA mitigation measures identified in Environmental Assessment 22-03 dated July 7, 2022.

3. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.

4. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.

5. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to assure compliance.

6. Storage of construction material is not allowed in the travel way.

7. An Improvement Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to approval of the Improvement Plans.

PRIOR TO ISSUANCE OF A GRADING PERMIT

8. The improvement plans for the development of the subject property shall include all measures required to ensure that no increased drainage runoff resulting from the development of the property flow onto the adjacent lands or that the development will not impede the drainage from those properties. The land of this development shall have the same finish grade elevation as the adjacent parcels or are within tolerances as approved by the Public Works Department. If retaining walls are required they shall be constructed of concrete or masonry block.

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

PRIOR TO APPROVAL OF THE IMPROVEMENT PLANS

10. Obtain all necessary approvals from City, State, and Federal agencies, utilities and other effected parties that are required for the project including, but not limited to, the

preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of the Improvement Plans, the Developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.

11. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.

12. South Colusa Frontage Road shall be widened to a half-width (centerline to back of curb) of 15.5 feet. Right-of-way shall be dedicated to a width of 20.0 feet. A 12.0-foot-wide Public Utility Easement (PUE) shall be located adjacent to the curb, or as otherwise determined by the Public Works Director. Frontage improvements shall include street section, gutter, **barrier curb**, landscaping, street trees, and streetlights. Work scope is to include the necessary work items to install a 0.2' asphalt overlay over the existing roadway, adjacent to the property, and shall be feathered 3.0' north past the centerline of the road.

13. All service laterals (water, sewer, irrigation, fire suppression), along with required meters, are to be shown on the civil improvement plans.

14. The water main shall be extended to the east along the entire parcel frontage.

15. The septic system and replacement area shall be designed in accordance with, and comply with the Sutter County Development Services Environmental Health Division requirements. A set of septic improvement plans shall be submitted to the Department for approval. A copy of the County's approval letter and plans shall be submitted to City.

16. Drainage improvements shall be designed in accordance with current City and County design standards. The design is to take into consideration existing infrastructure and needed improvements to facilitate drainage to the Live Oak Canal.

17. The Developer shall comply with all City requirements related to drainage, including submittal of a drainage plan for any drainage improvements for the proposed development. A drainage analysis, along with calculations, shall be submitted to the City Engineer for approval. The analysis shall include, but is not limited to:

    a. Grading and drainage plan showing the proposed drainage conveyance and storage system.

    b. Supporting calculations demonstrating adequacy of conveyance capacity and storage volume. The calculation analysis shall meet the requirements of the Yuba City Basin Drainage Area.

    c. Storm Drain Collection Systems - For the design of all pipeline conveyance facilities, the Hydraulic Grade Line (HGL) shall be maintained a minimum of one foot below the gutter flow line of all drain inlets and at least one foot below all maintenance hole rims during a 10-year, 24-hour storm event. The storm drain minimum pipe size shall be 12 inches. The minimum velocity shall be 2 fps.

    d. Street Flow -The street system shall be designed to convey the 100-year, 24-hour runoff while maintaining a water surface at least 1 foot below the adjacent building pad elevations (or alternatively, the building pad elevations shall be at least 1 foot above the 100-year water level). The grading plan

shall ensure that the 100-year, 24-hour runoff can be conveyed through the development and to the receiving drainage facility.

e. Drainage systems (pipes and street systems) shall be designed to accommodate the runoff from the ultimate development of the entire upstream watershed.

f. Water Quality – Water quality basin(s) shall meet State Water Resource Board requirements for water quality. The water quality basin can be incorporated into a detention pond, designed as an individual pond, included in a water quality manhole system, or as approved by the Public Works Director.

g. Detention Basins - A 100-year, 4-day storm shall be used for sizing detention storage facilities. The detention basin release rate from a 100-year, 24-hour storm after development must be equal to or lower than the runoff rate from the detention basin's tributary area before development. The Developer can provide a drainage study addressing storm water mitigation through onsite storage (Phase 2 State Water Resources Control Plan – 80% of two-year storm), perforated pipes, and oversizing storm drainage pipes upon approval of the Public Works Director to eliminate need for a detention pond.

h. The Drainage Study shall be completed and stamped by a Professional Engineer and determined by the City Engineer and the Sutter County Water Agency Engineer to be comprehensive, accurate, and adequate.

18. The development shall comply with Yuba City's stormwater requirements and Post-Construction Standards Plan. The Post Construction information can be found here: https://www.yubacity.net/city_hall/departments/public_works/engineering/stormwater_management

19. The Developer shall comply with all Sutter County requirements related to drainage, including submittal of a drainage plan for any drainage improvements that utilize County facilities for approval by the Sutter County Development Services Director.

20. All development shall be designed to local, state, and federal flood standards.

21. The structural section of all road improvements shall be designed using the Caltrans empirical R-value method. A geotechnical investigation shall determine the R-value of the existing soil in accordance with the Caltrans Highway Design Manual. The structural section shall be designed to the following standards:

    a. Use 3" minimum for residential, 4" minimum for collectors and 5" minimum for arterials, of 'Type A' asphaltic concrete over Class 2 aggregate base (the thickness of the base shall be designed to the R-value of the soil)

    b. Use a traffic index of 6 for residential streets

    c. Use a traffic index of 7 for collector streets

    d. Use a traffic index of 10 for arterial streets

    A copy of the geotechnical investigation, including R-value determination, test locations and structural section calculations, shall be submitted with the first improvement plan check.

22. Striping, pavement markings and traffic signage shall be provided on the Frontage Road as necessary and as required by the Public Works Department. Signage

restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs shall be installed at locations determined by the Public Works Department. All required speed limit signs shall be shown on the Improvement Plans.

23. The street lighting is a public improvement which shall meet the City Standard Details and be included in the Improvement Plans and Specifications for the subdivision when the improvement plans are submitted for the first improvement plan check. Placement of two street lights shall be approved by the Public Works Director.

24. Required Improvement Plan Notes:

    a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."

    b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible for all construction equipment to be equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."

    c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."

    d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the "California Manual of Uniform Traffic Control Devices, latest edition." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."

    e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

    f. "Where an excavation for a trench and/or structure is five (5) feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department, prior to beginning construction."

    g. "Should any field conditions, conflicts, errors, and/or omissions be overlooked during the design review process, or during construction of the development, then any additional work identified during construction shall be implemented by the Developer at the Developer's expense."

PRIOR TO ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

25. Prior to final paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.

26. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update

the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (Civil 3D version 2017 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.

27. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting and Maintenance District for the purpose of maintaining the street lights. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.

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

29. The Post Construction Statement of Responsibility shall be recorded at the Sutter County Recorders Office.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

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

31. The applicant shall be required to pay all applicable Sutter County Water Agency connection fees and maintenance and operation fees. Fees are payable at the Sutter County Development Services Counter located at 1130 Civic Center Blvd., Yuba City. Phone: (530) 822-7400.

32. The applicant shall provide a revised landscaping plan to the City and approved by the Development Services Director that provides a 20-foot-wide landscape strip along the Colusa Frontage Road, as required by Section 8-5.6003(b)(1) and City approved shade trees along the Colusa Frontage Road Frontage at an average of one tree per 30 linear feet of frontage, but spaced all along the frontage, as required by Section 8-5.6004(a)(3). The landscape strip shall be exclusive of minimum usable sewage disposal areas required by Sutter County.

33. The design of the two-story office/caretaker's residence shall be enhanced to meet the "high quality" design standard that is required by the X27 Zone District that is applied to the property, and shall include eliminating from public view all storage unit access doors. This condition shall be completed to the satisfaction of the Development Services Director.

PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

34. The curb and gutter, and lot drainage shall be inspected and approved by the City. Any curb and gutter which is not in accord with City standards or is damaged before or during construction, shall be replaced. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

35. Prior to the issuance of a certificate of occupancy, all reduced pressure backflow preventers shall be tested and a backflow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.

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

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

38. The property shall be developed, used and maintained in accordance with the application, project description and development plan except as may be modified in the project conditions.

MITIGATION MEASURES

Impact	Mitigation Measure	Responsible Party	Timing
3.7 Geology and Soils	**Paleontological Mitigation Measure 1:** This Mitigation Measure shall be placed as a note on the Demolition and Grading Plans. If paleontological resources are found, the construction manager shall halt all activity and immediately contact the Development Services Department at 530-822-4700. Mitigation shall be conducted as follows: 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high; 2. Assess effects on identified sites; 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted; 4. Obtain comments from the researchers; 5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible. In considering any suggested mitigation proposed by the consulting paleontologist, the City's Community Development Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific or General Plan policies and land use	Developer, Public Works Dept., Development Services Dept.	During construction phase

	assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.		
3.8. Greenhouse Gases	**Greenhouse Gas Mitigation 1:** The site grading and construction of the self-storage facility shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.	Development Services Dept.	Prior to issuance of building permits.
3.18. Tribal Cultural Resources	**Tribal Cultural Resources Mitigation 1**: **Post Ground Disturbance** A minimum of seven days prior to beginning earthwork, clearing, and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of the project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure. If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and measures included in the **Unanticipated Discoveries Mitigation Measure 2** shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant	Developer, Public Works Dept., Development Services Dept.	During construction phase

	effects to the resources, including the use of paid Native American Monitor during ground disturbing activities. **Tribal Cultural Resources Mitigation 2: Unanticipated Discoveries:** If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC 21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe. The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the		

	requirements of CEQA, including AB 523 has been satisfied.		

ATTACHMENT 2

Development Plan (DP) 22-01

Location Map - 3142 Colusa Hwy

ATTACHMENT 3

X District Areas & the reasons for applying the combining district to the area:

X_{27} Area: The 9.5-acre project is located at 3142 South Colusa Frontage Road approximately 720 feet west of the North George Washington Blvd. The site is identified as Assessor's parcel number 63-020-140.

At its September 19, 2017 Council expressed that since the project is on a gateway into the City there is a need to ensure that future development and façade renovations be of a high quality and added the X Combining District. The X Combining District requires that new structures and façade renovations on Lots 1 and 2, the two northernmost parcels adjacent to Colusa Highway, be forwarded to the Planning Commission for architectural design review. This condition is captured as part of the X Combining District.

Criteria for Development

1. Tentative Map TM-17-01 shall comply with the Conditions of Approval including adopted environmental assessment mitigation measures.

8. The applicant/property owner agrees to defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, damages, liability or actions arising out of or connected with this Agreement, except to the extent such liabilities are caused by actions of the City.

9. Tentative Map TM-17-01 is approved as shown in Attachment 3 of the report to the Planning Commission.

10. The lot design on the Parcel Map shall be designed in conformance with the approved Tentative Map as filed with Development Services Department.

11. Prior to a Building Permit the developer shall submit to Development Services Department for review and approval a site plan, landscape and maintenance plan, and elevations.

12. Prior to a Building Permit on all lots with connected sidewalk the developer shall submit a landscape plan with on-site tree wells every 30 feet to include trees with a minimum 15 gallon in size and a one-inch dbh (diameter at breast height) to be located along the street frontage. The landscape plan, tree well location(s), and tree species shall be reviewed and approved by the Development Services Director.

13. Developer shall comply with all adopted environmental mitigation measures as identified in the Mitigation Measuring and Monitoring Plan incorporated herein by reference as Attachment 7.

14. Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.

15. Relinquish vehicular access rights to the streets and/or easements along the following property:

    a. Northern property lines of parcels 1 & 2.
    b. The northern 75 feet of the east property line of parcel 1.
    c. The northern 75 feet of the west property line of parcel 2.

ATTACHMENT 4

Environmental Assessment 22-03
For Yuba City Self Storage
Initial Study and Mitigated Negative Declaration for Development Plan 22-01

Prepared for:

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

Prepared By:
Denis Cook
Land Use Planning Consultant

and

City of Yuba City
Development Services Department
Planning Division

July 7, 2022

This page intentionally left blank.

Table of Contents

Table of Contents 2
1. Introduction 4
1.1. Introduction 4
1.2. Regulatory Information 4
1.3. Document Format 5
1.4. Purpose of Document 5
1.5. Intended Uses of this Document 6
2. Project Description 7
2.1. Project Title 7
2.2. Lead Agency Name and Address 7
2.3. Contact Person and Phone Number 7
2.4. Project Location 7
2.5. Project Applicant 7
2.6. Property Owner 7
2.7. General Plan Designation 7
2.8. Zoning 7
2.9. Project Description 9
2.10. Surrounding Land Uses and Setting 11
2.11. Other Public Agencies Whose Approval May be Required 11
2.12. Environmental Factors Potentially Affected: 11
2.13. Evaluation of Environmental Impacts: 12
3. Environmental Checklist and Impact Evaluation 14
3.1. Aesthetics 14
3.2. Agricultural and Forestry Resources 17
3.3. Air Quality 21
3.4. Biological Resources 28
3.5. Cultural Resources 32
3.6 Energy 34
3.7 Geology and Soils 36
3.8 Greenhouse Gas Emissions 42
3.9 Hazards and Hazardous Materials 45
3.10 Hydrology and Water Quality 50
3.11 Land Use and Planning 54
3.12 Mineral Resources 55

3.13 Noise 57
3.14 Population and Housing 62
3.15 Public Services 64
3.16 Recreation 66
3.17 Transportation/Traffic 67
3.18 Tribal Cultural Resources 70
3.19 Utilities and Service Systems 75
3.20 Wildfire 78
3.21 Mandatory Findings of Significance 81
4. Section References and/or Incorporated by Reference 83

1. Introduction

1.1. Introduction

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to identify any potential environmental impacts in the City of Yuba City, California (City) from the proposed Yuba City Self Storage facility. This is a proposal on 9.52 acres to construct a self-storage facility consisting of two phases. **Phase 1** consists of nine buildings totaling approximately 94,045 square feet, and a 74,640 square foot graveled outdoor area for storage of 192 vehicles. Building "D" differs from the others as it will be a 27,000 square foot climate-controlled building for storage of items that may be temperature sensitive. Also included in Phase 1 is a 2,200 square foot two-story building near the entrance for a first-floor office and second floor caretaker's residence. Seven public parking spaces will be provided just outside the entrance gate. No commercial semi-trucks will be allowed in the outdoor vehicle storage area. **Phase 2** is the conversion of the outdoor vehicle storage area to approximately 104,800 additional square feet of self-storage units consisting of nine more single story buildings.

The resulting fully developed 201,415 square foot Project will consist of 199,215 square feet of self-storage units and a 2,200 square foot two-story building with an office on the first floor and a caretaker's residence on the second floor.

This review considers both phases of the project so future construction of Phase 2 needs no further environmental review.

The property, identified as Assessor's Parcel Number 63-020-140, is located on the south side of State Route 20 and Colusa Frontage Road approximately 720 feet west of George Washington Blvd.

This development plan is considered a project under the California Environmental Quality Act (CEQA), as the City has discretionary authority over the project. The project requires discretionary review by the City of Yuba City Planning Commission.

This IS/MND has been prepared in conformance with CEQA Guidelines Section 15070. The purpose of the IS/MND is to determine the potential significant impacts associated with the tentative subdivision map and provide an environmental assessment for consideration by the Planning Commission. In addition, this document is intended to provide the basis for input from public agencies, organizations, and interested members of the public.

1.2. Regulatory Information

An Initial Study (IS) is an environmental assessment document prepared by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the California Code of Regulations Title 14 (Chapter 3, §15000 et seq.), commonly referred to as the CEQA Guidelines - Section 15064(a)(1) states an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the

environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant. A negative declaration may be prepared instead; if the lead agency finds that there is no substantial evidence, in light of the whole record that the project may have a significant effect on the environment. A negative declaration is a written statement describing the reasons why a proposed project, not exempt from CEQA pursuant to §15300 et seq. of Article 19 of the Guidelines, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

A. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

B. The IS identified potentially significant effects, but:

    a. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and

    b. There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the proposed project in accordance with the CEQA Guidelines Section 15070(b), a Mitigated Negative Declaration (MND) is prepared.

1.3. Document Format

This IS/MND contains four chapters, and one technical appendix. Chapter 1, Introduction, provides an overview of the proposed Project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of proposed Project objectives and components. Chapter 3, Impact Analysis, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

1.4. Purpose of Document

The proposed self-storage facility will undergo a public review process by the Planning Commission that, if approved, Phase 1 will consist of 94,045 square feet of self-storage units and a 192-space outdoor vehicle storage area and Phase 2 will consist of replacing the outdoor vehicle storage area with 104,800 square feet of self-storage units. The completed project will consist of approximately 200,000 square feet within 18 self-storage buildings. The Planning Commission's review is needed to assure that the project will be compatible with existing or expected neighboring uses and that adequate public facilities are available to serve the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Pub. Res. Code, Section 21000 et seq.) and the State CEQA Guidelines (Title 14 CCR §15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The initial study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a negative declaration shall be prepared. If in the course of the analysis, it is recognized that the project may have a significant impact on the environment, but that with specific recommended mitigation measures incorporated into the project, these impacts shall be reduced to less than significant, a mitigated negative declaration shall be prepared.

In reviewing all of the available information for the above referenced project, the City of Yuba City Planning Division has analyzed the potential environmental impacts created by this project and a mitigated negative declaration has been prepared for this project.

1.5. Intended Uses of this Document

In accordance with CEQA, a good-faith effort has been made during preparation of this IS/MND to contact affected public agencies, organizations, and persons who may have an interest in the proposed project. In reviewing the Draft IS/MND, affected and interested parties should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the effects of the proposed project would be avoided or mitigated.

The Draft IS/MND and associated appendices will be available for review on the City of Yuba City website at www.yubacity.net/environmental. The Draft IS/MND and associated appendixes also will be available for review during regular business hours at the City of Yuba City Development Services Department (1201 Civic Center Boulevard, Yuba City, California 95993). The 20-day review period will commence on July 6, 2022 and end on July 27, 2022 at the conclusion of the Planning Commission hearing.

Written comments on the Draft IS/MND should be sent to the following address:

City of Yuba City
Attn: Doug Libby, Deputy Director of Development Services
Development Services Department
1201 Civic Center Boulevard
Yuba City, CA 95991

e-mail: developmentservices@yubacity.net
Phone: (530) 822-3231

2. Project Description

2.1. Project Title

Development Plan (DP) 22-01: Yuba City Self-Storage

2.2. Lead Agency Name and Address

City of Yuba City
Development Services Department, Planning Division
1201 Civic Center Blvd.
Yuba City, CA 95993

2.3. Contact Person and Phone Number

Doug Libby
(530) 822-3231
developmentservices@yubacity.net

2.4. Project Location

The property is located on the south side of State Route 20 and Colusa Road approximately 720 feet west of George Washington Blvd. The property is identified as Assessor's Parcel Number 63-020-140.

2.5. Project Applicant

Highway 20 Commercial Industrial, LLC
4624 Duckhorn Drive
Sacramento, CA 95834
Contact: Mike Singh

2.6. Property Owner

Westmark Partners, L.P.
4624 Duckhorn Drive
Sacramento, CA 95834
Contact: Mike Singh

2.7. General Plan Designation

The site is designated in the General Plan as Business, Technology & Light Industrial (B,T, & LI). Self-storage units are consistent with that designation.

2.8. Zoning

The site is within the Light Industrial (LI) Zone District combined with an X Zone District (M-1 X27). The M-1 Zone District allows self-storage units; the X27 combining Zone District provides for specific criteria that development of the property must meet (a copy of this X District is attached).

Figure 1: Location Map
Development Plan 22-01: Yuba City Self-Storage

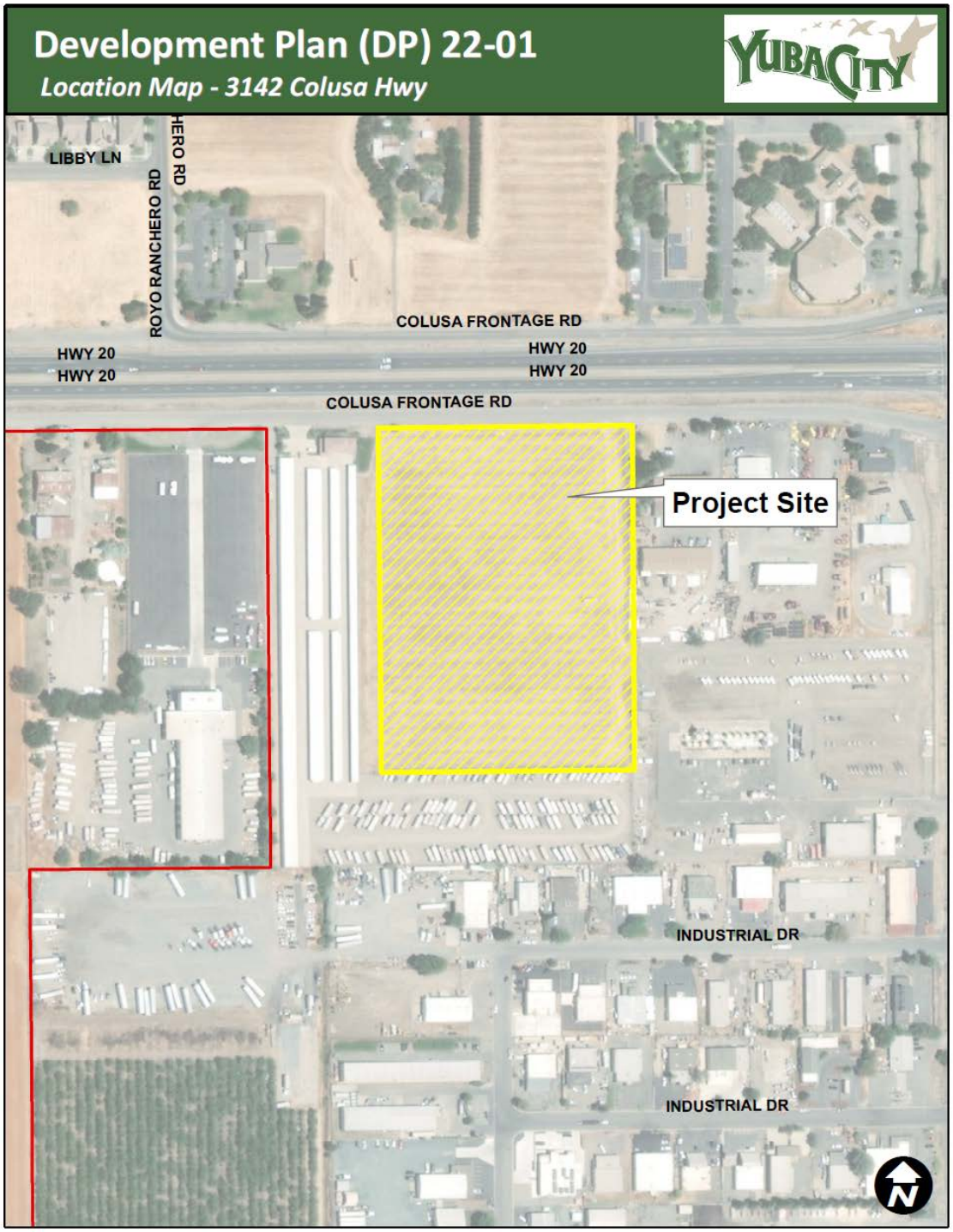


Figure 2: Site Plan
Development Plan 22-01: Yuba City Self-Storage Phase 1

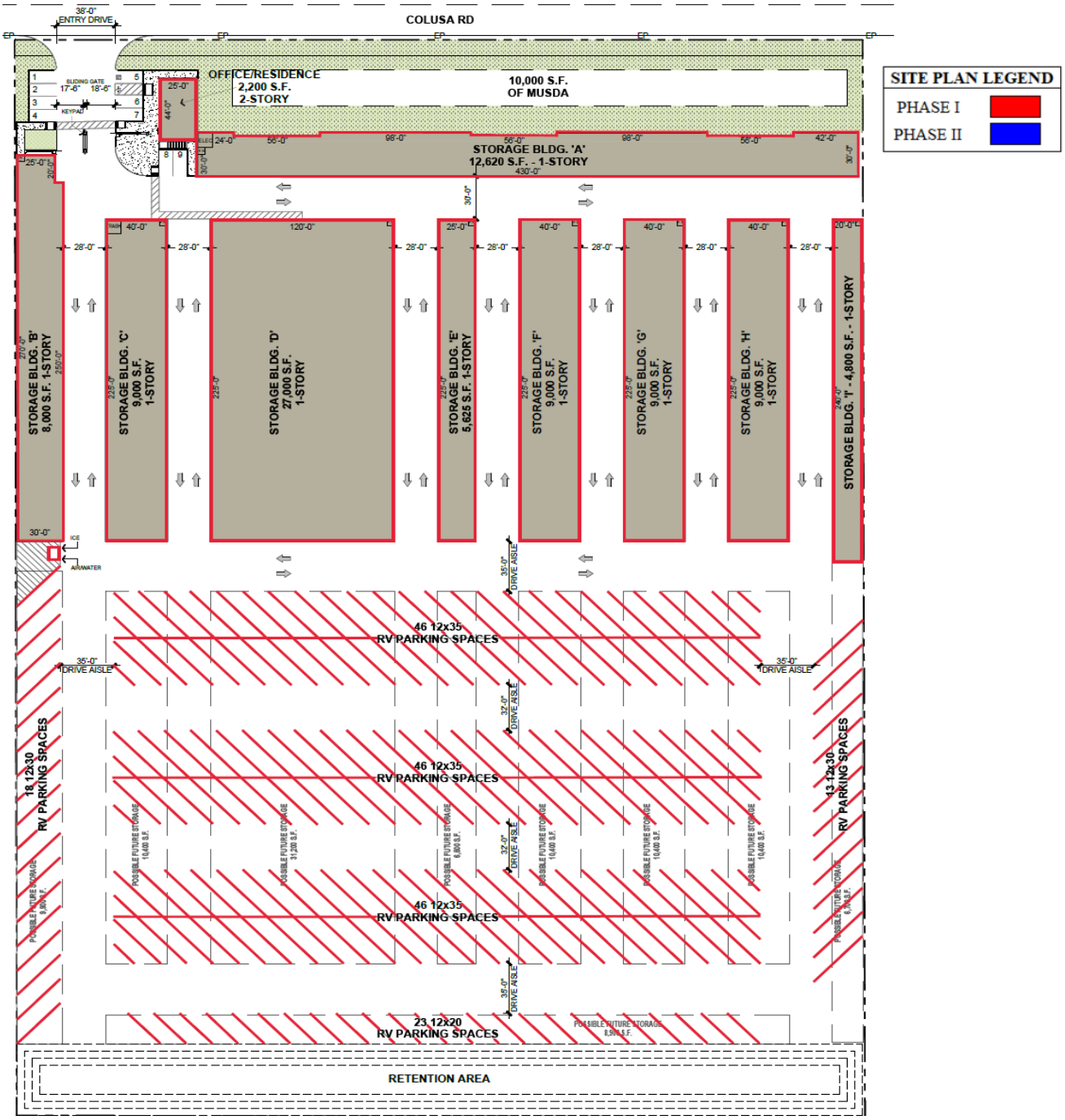
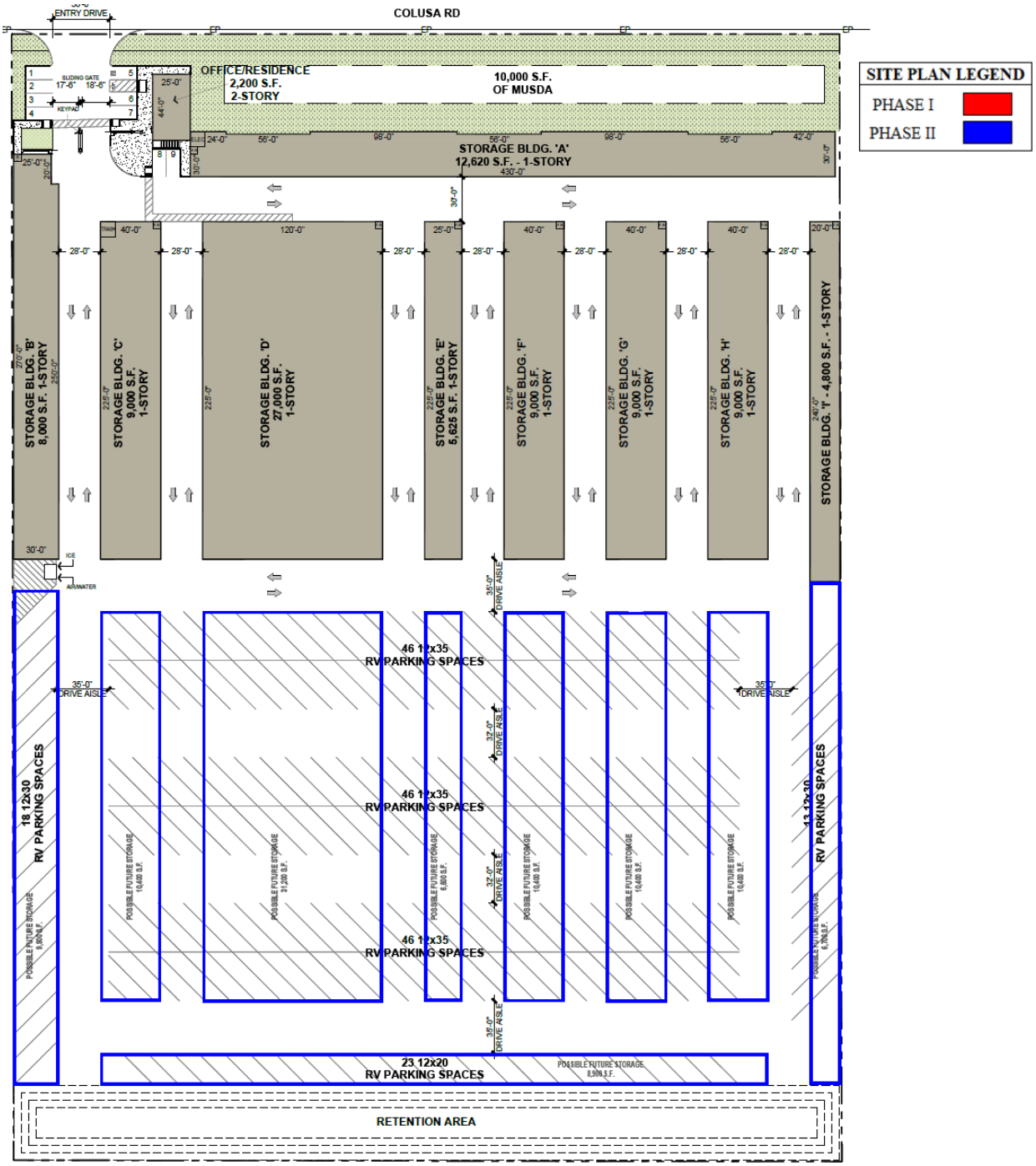


Figure 3: Development Plan Phase 2



2.9 Project Description

This is a request to construct on 9.52 acres a self-storage facility consisting of two phases. **Phase 1** consists of nine self-storage buildings totaling approximately 94,045 square feet, and a 74,640 square foot graveled outdoor area for storage of 192 vehicles. Building "D" differs from the others as it will be a 27,000 square foot climate-controlled building for storage of items that may be temperature sensitive.

Also included is a 2,200 square foot two-story building near the entrance for a first-floor office and second floor caretaker's residence. Seven public parking spaces will be provided just outside the entrance gate. N commercial semi-trucks will be parked in the vehicle storage area. **Phase 2** is the conversion of the outdoor vehicle storage area to approximately 104,800 additional square feet of self-storage units consisting of nine more single story buildings.

The resulting fully developed 201,415 square project will consist of 199,215 square feet of self-storage units and a 2,200 square foot two-story building with an office on the first floor and a caretaker's residence on the second floor.

This review considers both phases of the project so future construction of Phase 2 needs no further environmental review.

2.9. Surrounding Land Uses and Setting

Setting: The project is located in west Yuba City in a primarily light industrial area.

Table 1: Bordering Uses	
North:	State Route (SR) 20.
South:	Outdoor vehicle storage portion of a neighboring self-storage facility.
East:	Light Industrial uses.
West:	Self-storage units of a neighboring self-storage facility.

2.10. Other Public Agencies Whose Approval May be Required

- Feather River Air Quality Management District, Dust Control Plan, Indirect Source Review.
- Central Valley Regional Water Quality Control Board.

2.11. Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

	Aesthetics		Agriculture & Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
X	Geology/Soils	X	Greenhouse Gas Emissions		Hazard & Hazardous Materials
	Hydrology/Water Quality		Land Use Planning		Mineral Resources
	Noise		Population/Housing		Public Services
	Recreation		Transportation	X	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

Determination: On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Benjamin Moody	July 7, 2022
Signature	Date

Benjamin Moody, Development Services Director

Printed Name/Position

2.12. Evaluation of Environmental Impacts:

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that

an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described below, may be cross referenced). A Mitigated Negative Declaration also requires preparation and adoption of a Mitigation Monitoring and Reporting Program (MMRP)

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. In this case, a brief discussion should identify the following:

Earlier Analysis Used. Identify and state where they are available for review.

Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.

Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts. Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

3. Environmental Checklist and Impact Evaluation

The following section presents the initial study checklist recommended by the California Environmental Quality Act (CEQA; Appendix G) to determine potential impacts of a project. Explanations of all answers are provided following each question, as necessary.

3.1. Aesthetics

Table 3-1: Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

3.1.1. Environmental Setting/Affected Environment

Background views are generally considered to be long-range views in excess of 3 to 5 miles from a vantage point. Background views surrounding the project site are limited due to the flat nature of the site and the surrounding urban landscape. Overall, the vast majority of Sutter County is relatively flat, with the Sutter Buttes being the exception. The Sutter Buttes, located several miles northwest of the project site, and are not visibly prominent from this location. The Sutter Buttes comprise the long-range views to the northwest and are visible from the much of the City, except in areas where trees or intervening structures block views of the mountain range.

The City's General Plan, more specifically the Community Design Element "establishes policies to ensure the creation of public and private improvements that will maintain and enhance the image, livability, and aesthetics of Yuba City in the years to come."

The following principles and policies are applicable:

- Maintain the identity of Yuba City as a small-town community, commercial hub, and residential community, surrounded by agricultural land and convey, through land uses and design amenities, Yuba City's character and place in the Sacramento Valley.

- Recognizing the livability and beauty of peer communities with highly designed visual landscapes, commit to a focus on the visual landscape of Yuba City.
- Maintain, develop, and enhance connections between existing and planned neighborhoods.
- Create and build upon a structured open space and parks network, centered on two large urban parks and the Feather River Corridor.
- Strive for lush, landscaped public areas marked by extensive tree plantings.
- Design commercial and industrial centers to be visually appealing, to serve both pedestrians and automobiles, and to integrate into the adjacent urban fabric.

In addition to the City's General Plan, the City provides Design Guidelines. The goal of the City's design guidelines is to ensure the highest quality of building design: designs that are aesthetically pleasing; designs that are compatible with the surroundings in terms of scale, mass, detailing, and building patterns; designs that accommodate the pedestrian, automobile, bicycle, and transit circulation; and designs that consider public safety, public interaction, and historic resources. In this case, however, the Design Guidelines do not currently apply to light industrial uses. But the City does have special Zoning (X27 Combining Zone District) that applies to this property. It requires that, because the property is located at a gateway to the City, new building facades must be of "high quality."

3.1.2. Federal Regulatory Setting

Federal regulations relating to aesthetics include: Organic Administration Act (1897), Multiple Use – Sustained Yield Act (1960), Wilderness Act (1964), Federal Lands Policy and Management Act (1976), Wild and Scenic Rivers Act. The proposed Project is not subject to these regulations since there are no federally designated lands or rivers in the vicinity.

3.1.3. State Regulatory Setting

The California State Scenic Highway Program was created by the California Legislature in 1963 to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. These highways are identified in Section 263 of the Streets and Highways Code.

A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. A scenic corridor is the land generally adjacent to and visible from the highway. A scenic corridor is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. The corridor protection program does not preclude development but seeks to encourage quality development that does not degrade the scenic value of the corridor. Jurisdictional boundaries of the nominating agency are also considered. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances make up the scenic corridor protection program. County roads can also become part of the Scenic Highway System. To receive official designation, the county must follow the same process required for official designation of state scenic highways. There are no designated state scenic highways in the view shed of the project site.

California Building Code Title 24 Outdoor Lighting Standards: The requirements vary according to which "Lighting Zone" the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50 percent of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government. The proposed Project is located in an urban area; thereby, it is in Lighting Zone 3.

3.1.4. Impact Assessment/Environmental Consequences:

a) Have a substantial adverse effect on a scenic vista?

There are no officially designated scenic vistas in Yuba City; the project would therefore have no adverse effect on an official scenic vista. The front of the project, located on the south side of SR 20, will be visible to travelers along that highway. Most of the other three sides will not be visible to the public as the project is surrounded on those three sides by light industrial uses. The project will not interfere with views of the Sutter Buttes from SR 20 travelers, as the project is located on the south side of the highway and the Buttes are to the north.

Of note is the specific zoning previously applied to this property (X27 Combining Zone District). That zoning is due to the property being located at a gateway to the City. The special zoning requires that new building facades must be of a "high quality." To accomplish this the applicant has revised the original façade design to improve the building aesthetics, except for the two-story entrance office building near the entrance. A condition has been added, however, that this building's design, including the corner two-story portion, be improved to a higher quality, and the proposed landscaping be enhanced, to the satisfaction of the Development Services Director prior to issuance of a building permit. With that condition in place, the scenic impact will be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The site is unremarkable in that it is flat with no topographic features, rock outcroppings, large heritage type trees or buildings more than fifty years old.

c) In non-urbanized areas, substantially degrade the existing visual character of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project is within an urbanized area. However, as stated in the response to question a) above, the portion of the building façade visible from SR 20 is required by the special zoning to be enhanced with

improved façade design and landscaping. With a condition applied to the project requiring enhanced facades, the Project will meet the City's design criteria. Therefore, the design of the project is not expected to have the potential to adversely impact views of the area.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

The project is within a light industrial area so the impact from this facility's lighting is not expected to impact any neighboring facilities. Further as the self-storage facility will be open only during extended daytime hours, night lighting will be limited primarily to security lighting that will not be visible or only minimally visible from SR 20.

3.2. Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared (1997) by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Table 3-2: Agricultural and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

3.2.1. Environmental Setting/Affected Environment

Sutter County is located within the northern portion of California's Central Valley in the area known as the Sacramento Valley. It contains some of the richest soils in the State. These soils, combined with

abundant surface and subsurface water supplies and a long, warm growing season, make Sutter County's agricultural resources very productive. Sutter County is one of California's leading agricultural counties, with 83 percent of the County's total land acreage currently being used for agricultural purposes. However, while Sutter County provides rich agricultural opportunities, the subject site is within an urban area and has been designated for urban uses for many years.

3.2.2. Federal Regulatory Setting

Farmland Protection Policy Act: The Natural Resources Conservation Service (NRCS), a federal agency within the U.S. Department of Agriculture (USDA), is the agency primarily responsible for implementation of the Farmland Protection Policy Act (FPPA). The FPPA was enacted after the 1981 Congressional report, Compact Cities: Energy-Saving Strategies for the Eighties indicated that a great deal of urban sprawl was the result of programs funded by the federal government. The purpose of the FPPA is to minimize federal programs' contribution to the conversion of farmland to non-agricultural uses by ensuring that federal programs are administered in a manner that is compatible with state, local, and private programs designed to protect farmland. Federal agencies are required to develop and review their policies and procures to implement the FPPA every two years (USDA-NRCS, 2011).

2014 Farm Bill: The Agricultural Act of 2014 (the Act), also known as the 2014 Farm Bill, was signed by President Obama on Feb. 7, 2014. The Act repeals certain programs, continues some programs with modifications, and authorizes several new programs administered by the Farm Service Agency (FSA). Most of these programs are authorized and funded through 2018.

The Farm Bill builds on historic economic gains in rural America over the past five years, while achieving meaningful reform and billions of dollars in savings for the taxpayer. It allows USDA to continue record accomplishments on behalf of the American people, while providing new opportunity and creating jobs across rural America. Additionally, it enables the USDA to further expand markets for agricultural products at home and abroad, strengthen conservation efforts, create new opportunities for local and regional food systems and grow the bio-based economy. It provides a dependable safety net for America's farmers, ranchers and growers and maintains important agricultural research, and ensure access to safe and nutritious food for all Americans.

Forestry Resources: Federal regulations regarding forestry resources are not relevant to the proposed Project because no forestry resources exist on the project site or in the vicinity.

3.2.3. State Regulatory Setting

California Environmental Quality Act (CEQA) Definition of Agricultural Lands: Public Resources Code Section 21060.1 defines "agricultural land" for the purposes of assessing environmental impacts using the Farmland Mapping & Monitoring Program (FMMP). The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use changes throughout California.

California Department of Conservation, Division of Land Resource Protection: The California Department of Conservation (DOC) applies the NRCS soil classifications to identify agricultural lands, and these agricultural designations are used in planning for the present and future of California's agricultural land resources. Pursuant to the DOC's FMMP, these designated agricultural lands are included in the Important Farmland Maps (IFM) used in planning for the present and future of California's agricultural land resources. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use

changes throughout California. The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The list below provides a comprehensive description of all the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland is referred to as Farmland.

- *Prime Farmland.* Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- *Farmland of Statewide Importance.* Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- *Unique Farmland.* Farmland of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- *Farmland of Local Importance.* Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- *Grazing Land.* Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- *Urban and Built-up Land.* Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- *Other Land.* Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

California Land Conservation Act (Williamson Act): The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is promulgated in California Government Code Section 51200-51297.4, and therefore is applicable only to specific land parcels within the State of California. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses in return for reduced property tax assessments. Private land within locally designated agricultural preserve areas is eligible for enrollment under Williamson Act contracts. However, an agricultural preserve must consist of no less than 100 acres. In order to meet this requirement two or more parcels may be combined if they are contiguous, or if they are in common ownership.

The Williamson Act program is administered by the Department of Conservation (DOC), in conjunction with local governments, which administer the individual contract arrangements with landowners. The landowner commits the parcel to a 10-year period, or a 20-year period for property restricted by a Farmland Security Zone Contract, wherein no conversion out of agricultural use is permitted. Each year the contract automatically renews unless a notice of non-renewal or cancellation is filed. In return, the land is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. An application for immediate cancellation can also be requested by the landowner, provided that the proposed immediate cancellation application is consistent with the cancellation criteria stated in the California Land Conservation Act and those adopted by the affected county or city. Non-renewal or immediate cancellation does not change the zoning of the property. Participation in the Williamson Act program is dependent on county adoption and implementation of the program and is voluntary for landowners.

Farmland Security Zone Act: The Farmland Security Zone Act is similar to the Williamson Act and was passed by the California State Legislature in 1999 to ensure that long-term farmland preservation is part of public policy. Farmland Security Zone Act contracts are sometimes referred to as "Super Williamson Act Contracts." Under the provisions of this act, a landowner already under a Williamson Act contract can apply for Farmland Security Zone status by entering into a contract with the county. Farmland Security Zone classification automatically renews each year for an additional 20 years. In return for a further 35% reduction in the taxable value of land and growing improvements (in addition to Williamson Act tax benefits), the owner of the property promises not to develop the property into nonagricultural uses.

Forestry Resources: State regulations regarding forestry resources are not relevant to the proposed Project because no forestry resources exist on the project site or in the vicinity.

3.2.4. Impact Assessment/Environmental Consequences:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The 2018 Department of Conservation Important Farmland Map identifies the project site as "Grazing Land" which is a lesser quality soil that does not meet the requirements of a Prime Farmland, Unique Farmland or Farmland of Statewide Importance criteria. The property is located on land that has a soil quality that could support agricultural uses. However, the site is well within the boundaries of the Yuba City urban area and is surrounded by non-agricultural uses. Because the property is small (9.52-acres) and it is surrounded on three sides by urban uses that are considered to be incompatible with agricultural uses, it is unlikely that the property can be economically farmed. Further, the City and Sutter County General Plans identify this area for urban development, as compared to the vast majority of Sutter County for which agricultural land is protected from urban growth (this was identified in the EIR's for both the Yuba City and Sutter County General Plans). Therefore, this self-storage facility will not create a significant impact regarding the loss of agricultural land because the onsite soils are not considered Prime Farmland, Unique Farmland or Farmland of Statewide Importance.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The property is currently zoned for non-agricultural uses and it is not under a Williamson Act contract. As this is an urban infill project, there are no agricultural lands near this property. Therefore, this project will not result in the conversion of other agricultural properties to non-agricultural uses. See discussion above under item 3.2.4.a.

c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4256), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

The proposed Project is located in the Sacramento Valley in a relatively flat area that likely was previously utilized for agriculture but designated years ago for urban use. There are no forests or timberland located on the project site or within the vicinity of the project. There will be no impact on existing zoning of forestland and the proposed Project will not cause the rezoning of any forestlands.

d) Result in the loss of forestland or conversion of forest land to non-forest use?

There is no forested land on the Project site or within the vicinity of the Project; therefore, there will be no impact on forest land.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The proposed Project is within an area already served by City services and developed with light industrial uses. There are no neighboring properties used for agriculture. Therefore, there are no nearby agricultural uses that would be incentivized to develop due to this project. There are also no forestlands on the project site or in the vicinity. No properties within the area are within the Williamson Act. Therefore, the impacts on agricultural lands from this proposal will be less than significant.

3.3. Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Table 3-3: Air Quality

Would the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

3.3.1. Environmental Setting/Affected Environment

Yuba City is located within the Sacramento Valley Air Basin (SVAB), which consists of the northern half of the Central Valley and approximates the drainage basin for the Sacramento River and its tributaries. The SVAB is bounded on the west by the Coast Range, on the north by the Cascade Range, on the east by the Sierra Nevada, and on the south by the San Joaquin Valley Air Basin. The intervening terrain is flat, and approximately 70 feet above sea level. The SVAB consists of the counties of Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo, and Yuba and portions of Placer and Solano Counties.

Hot dry summers and mild rainy winters characterize the Mediterranean climate of the Sacramento Valley. The climate of the SVAB is dominated by the strength and position of the semi-permanent high-pressure cell over the Pacific Ocean north of Hawaii. In summer, when the high-pressure cell is strongest and farthest north, temperatures are high and humidity is low, although the incursion of the sea breeze into the Central Valley helps moderate the summer heat. In winter, when the high-pressure cell is weakest and farthest south, conditions are characterized by occasional rainstorms interspersed with stagnant and sometimes foggy weather. Throughout the year, daily temperatures may range from summer highs often exceeding 100 degrees Fahrenheit and winter lows occasionally below freezing. Average annual rainfall is about 20 inches with snowfall being very rare. The prevailing winds are moderate in strength and vary from moist clean breezes from the south to dry land flows from the north.

In addition to prevailing wind patterns that control the rate of dispersion of local pollutant emissions, the region experiences two types of inversions that affect the vertical depth of the atmosphere through which pollutants can be mixed. In the warmer months in the SVAB (May through October), sinking air forms a "lid" over the region. These subsidence inversions contribute to summer photochemical smog problems by confining pollution to a shallow layer near the ground. These warmer months are characterized by stagnant morning air or light winds with the delta sea breeze arriving in the afternoon out of the southwest. Usually, the evening breeze transports the airborne pollutants to the north and out of the SVAB. During about half of the day from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating federal or State standards. The Schultz Eddy normally dissipates around noon when the Delta sea breeze begins. In the second type of inversion, the mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The air near the ground cools by radiative processes, while the air aloft remains warm. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. These inversions typically occur during winter nights and can cause localized air pollution "hot spots" near emission sources because of poor dispersion. The surface concentrations of pollutants are highest when these conditions are combined with smoke from agricultural burning or when temperature inversions trap cool air and pollutants near the ground. Although these subsidence and radiative inversions are present throughout much of the year, they are much less dominant during spring and fall, and the air quality during these seasons is generally good.”

Local Climate: The climate of Sutter County is subject to hot dry summers and mild rainy winters, which characterize the Mediterranean climate of the SVAB. Summer temperatures average approximately 90 degrees Fahrenheit during the day and 50 degrees Fahrenheit at night. Winter daytime temperatures average in the low 50s and nighttime temperatures are mainly in the upper 30s. During summer, prevailing winds are from the south. This is primarily because of the north- south orientation of the valley and the location of the Carquinez Straits, a sea-level gap in the coast range that is southwest of Sutter County.

Criteria Air Pollutants: Criteria air pollutants are a group of pollutants for which federal or State regulatory agencies have adopted ambient air quality standards. Criteria air pollutants are classified in each air basin, county, or in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with State and federal standards. If a pollutant concentration is lower than the standard, the area is classified as "attainment" for that pollutant. If an area exceeds the standard, the area is classified as "non-attainment" for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated "unclassified."

Ambient Air Quality Standards: Both the federal and State government have established ambient air quality standards for outdoor concentrations of various pollutants in order to protect public health. The federal and State ambient air quality standards have been set at levels whose concentrations could be generally harmful to human health and welfare and to protect the most sensitive persons from experiencing health impacts with a margin of safety. Applicable ambient air quality standards are identified later in this section. The air pollutants for which federal and State standards have been promulgated and which are most relevant to air quality planning and regulation in the air basins include ozone, carbon monoxide, nitrogen oxides, suspended particulate matter, sulfur dioxide, and lead. In addition, toxic air contaminants are of concern in Sutter County. Each of these pollutants is briefly described below.

Ozone (O3): is a gas that is formed when reactive organic gases (ROGs) and nitrogen oxides (NOX), both byproducts of internal combustion engine exhaust and other processes undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.

Carbon Monoxide (CO): is a colorless, odorless gas produced by the incomplete combustion of fuels. CO concentrations tend to be the highest during the winter morning, with little to no wind, when surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are the primary source of CO in the SVAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.

Nitrogen Oxides (NOX): is the generic term for a group of highly reactive gases, all of which contain nitrogen and oxygen in varying amounts. Many of the nitrogen oxides are colorless and odorless. However, one common pollutant, nitrogen dioxide (NO2) along with particles in the air can often be seen as a reddish-brown layer over many urban areas. Nitrogen oxides form when fuel is burned at high temperatures, as in a combustion process. The primary manmade sources of NOX are motor vehicles, electric utilities, and other industrial, commercial, and residential sources that burn fuels.

Nitrogen oxides can also be formed naturally.

Respirable Particulate Matter (PM10) and Fine Particulate Matter (PM2.5): consist of extremely small, suspended particles or droplets 10 microns and 2.5 microns or smaller in diameter. Some sources of suspended particulate matter, like pollen and windstorms, occur naturally. However, in populated areas, most fine suspended particulate matter is caused by road dust, diesel soot, and combustion products, abrasion of tires and brakes, and construction activities.

Sulfur Dioxide (SO2): is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of the burning of high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries.

Lead: occurs in the atmosphere as particulate matter. The combustion of leaded gasoline is the primary source of airborne lead. Since the use of leaded gasoline is no longer permitted for on-road motor vehicles, lead is not a pollutant of concern in the SVAB.

Toxic Air Contaminants (TACs): are known to be highly hazardous to health, even in small quantities. TACs are airborne substances capable of causing short-term (acute) and/or long-term (chronic or carcinogenic) adverse human health effects (i.e., injury or illness). TACs can be emitted from a variety of common sources, including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations.

TAC impacts are assessed using a maximum individual cancer risk (MICR) that estimates the probability of a potential maximally exposed individual (MEI) contracting cancer as a result of sustained exposure to toxic air contaminants over a constant period of 24 hours per day for 70 years for residential receptor locations. The CARB and local air districts have determined that any stationary source posing an incremental cancer risk to the general population (above background risk levels) equal to or greater than 10 people out of 1 million to be excessive. For stationary sources, if the incremental risk of exposure to project-related TAC emissions meets or exceeds the threshold of 10 excess cancer cases per 1 million people, the CARB and local air district require the installation of best available control technology (BACT) or maximum available control technology (MACT) to reduce the risk threshold. To assess risk from ambient air concentrations, the CARB has conducted studies to determine the total cancer inhalation risk to individuals due to outdoor toxic pollutant levels. The CARB has conducted studies to determine the total cancer inhalation risk to individuals due to outdoor toxic pollutant levels. According to the map prepared by the CARB showing the estimated inhalation cancer risk for TACs in the State of California, Sutter County has an existing estimated risk that is between 50 and 500 cancer cases per 1 million people. A significant portion of Sutter County is within the 100 to 250 cancer cases per 1 million people range. There is a higher risk around Yuba City where the cancer risk is as high as 500 cases per 1 million people. There are only very small portions of the County where the cancer risk is between 50 and 100 cases. This represents the lifetime risk that between 50 and 500 people in 1 million may contract cancer from inhalation of toxic compounds at current ambient concentrations under an MEI scenario.

3.3.2. Federal Regulatory Setting

Clean Air Act: The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), ozone (O3), particulate matter (PM10 and PM2.5), and lead (Pb).

3.3.3. State Regulatory Setting

California Air Resources Board: The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen sulfide (H2S), and vinyl chloride. The proposed Project is located within the Sacramento Valley Air Basin, which includes Butte, Colusa, Glenn, Tehama, Shasta, Yolo, Sacramento, Yuba Sutter and portions of Placer, El Dorado and Solano counties. Air basins are classified as attainment, nonattainment, or unclassified. The FRAQMD is comprised Sutter and Yuba Counties. Attainment is achieved when monitored ambient air quality data is in compliance with

the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

California Clean Air Act: The CCAA requires that all air districts in the state endeavor to achieve and maintain CAAQS for Ozone, CO, SO2, and NO2 by the earliest practical date. The CCAA specifies that districts focus particular attention on reducing the emissions from transportation and area-wide emission sources, and the act provides districts with authority to regulate indirect sources. Each district plan is required to either (1) achieve a five percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each non-attainment pollutant or its precursors, or (2) to provide for implementation of all feasible measures to reduce emissions. Any planning effort for air quality attainment would thus need to consider both state and federal planning requirements.

CARB Portable Equipment Registration Program: This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program: The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off- road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act: Established in 2006, Assembly Bill 32 (AB 32) requires that California's GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions level.

3.3.4. Regional Regulatory Setting

Feather River Air Quality Management District (FRAQMD): The FRAQMD is a bi-county district formed in 1991 to administer local, state, and federal air quality management programs for Yuba and Sutter Counties within the Sacramento Valley Air Basin. The goal of the FRAQMD is to improve air quality in the region through monitoring, evaluation, education and implementing control measures to reduce emissions from stationary sources, permitting and inspection of pollution sources, enforcement of air quality regulations and by supporting and implementing measures to reduce emissions from motor vehicles.

The FRAQMD adopted its Indirect Source Review guidelines document for assessment and mitigation of air quality impacts under CEQA in 1998. The guide contains criteria and thresholds for determining whether a project may have a significant adverse impact on air quality, and methods available to mitigate impacts on air quality. FRAQMD updated its Indirect Source Review Guidelines to reflect the most recent methods recommended to evaluate air quality impacts and mitigation measures for land use development projects in June 2010. This analysis uses guidance and thresholds of significance from the 2010 FRAQMD Indirect Source Review Guidelines to evaluate the proposed project's air quality impacts.

According to FRAQMD's 2010 Indirect Source Review Guidelines, a project would be considered to have a significant impact on air quality if it would:

- Generate daily construction or operational emissions that would exceed 25 pounds per day for reactive organic gases (ROG), 25 pounds per day for oxides of nitrogen (NOX), or 80 pounds per day for PM10; or generate annual construction or operational emissions of ROG or NOX that exceed 4.5 tons per year.

Northern Sacramento Valley Planning Area 2015 Air Quality Attainment Plan: As specified in the California Clean Air Act of 1988 (CCAA), Chapters 1568-1588, it is the responsibility of each air district in California to attain and maintain the state's ambient air quality standards. The CCAA requires that an Attainment Plan be developed by all nonattainment districts for O3, CO, SOx, and NOx that are either receptors or contributors of transported air pollutants. The purpose of the Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan (TAQAP) is to comply with the requirements of the CCAA as implemented through the California Health and Safety Code. Districts in the NSVPA are required to update the Plan every three years. The TAQAP is formatted to reflect the 1990 baseline emissions year with a planning horizon of 2020. The Health and Safety Code, sections 40910 and 40913, require the Districts to achieve state standards by the earliest practicable date to protect the public health, particularly that of children, the elderly, and people with respiratory illness.

Health and Safety Code Section 41503(b): Requires that control measures for the same emission sources are uniform throughout the planning area to the extent that is feasible. To meet this requirement, the NSVPA has coordinated the development of an Attainment Plan and has set up a specific rule adoption protocol. The protocol was established by the Technical Advisory Committee of the Sacramento Valley Basin-wide Air Pollution Control Council and the Sacramento Valley Air Quality Engineering and Enforcement Professionals, which allow the Districts in the Basin to act and work as a united group with the CARB as well as with industry in the rule adoption process. Section 40912 of the Health and Safety Code states that each District responsible for, or affected by, air pollutant transport shall provide for attainment and maintenance of the state and federal standards in both upwind and downwind Districts. This section also states that each downwind District's Plan shall contain sufficient measures to reduce emissions originating in each District to below levels which violate state ambient air quality standards, assuming the absence of transport contribution

Construction Generated Emissions of Criteria Air Pollutants: The District recommends the following best management practices:

- Implement the Fugitive Dust Control Plan.
- Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0,
- Visible Emissions limitations (40 percent opacity or Ringelmann 2.0).
- The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
- Limiting idling time to 5 minutes – saves fuel and reduces emissions.
- Utilize existing power sources or clean fuel generators rather than temporary power generators.
- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board

(ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.

3.3.5. Impact Assessment/Environmental Consequences:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Site grading will briefly create equipment exhaust and fugitive dust. The new interior driveway system that will serve the individual self-storage units will also be paved which will generate some air pollutants. Ongoing air quality impacts will be from exhaust generated by vehicle traffic from customers driving to and from the facility. The outdoor vehicle storage area in Phase 1 will be graveled. Ongoing usage would generate some dust but the vehicle trips are so infrequent that the additional dust generated is not considered significant. Standards set by FRQAMD, CARB, and Federal agencies relating to the proposed Project will apply to this Project. Prior to the initiation of construction, a Fugitive Dust Control Plan will be submitted to FRAQMD as a part of standard measures required by the District. An Indirect Source Review (ISR) application will be filed with the Air District to address emissions from construction.

Since the developer must prepare an air quality analysis and incorporate all of the resulting conditions into the project and that a fugitive dust control plan be submitted prior to beginning work on the apartments, any potential significant environmental impacts should be reduced to less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The Project would result in limited generation of criteria pollutants during project construction and on an ongoing basis from vehicle traffic generated by customers driving to and from the facility. However, the proposed self-storage units are not a large traffic generator and FRAQMD did not comment that the standards would be exceeded by this project to the extent of being cumulatively significant. Therefore, the cumulative impacts are considered to be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

The FRAQMD defines sensitive receptors as: facilities that house or attract children, the elderly, and people with illnesses, or others who are especially sensitive to the effects of air pollutants. FRAQMD states that if a project is located within 1,000 feet of a sensitive receptor location, the impact of diesel particulate matter shall be evaluated. According to the FRAQMD's Indirect Source Review Guidelines, "Construction activity can result in emissions of particulate matter from the diesel exhaust (diesel PM) of construction equipment.

There are no sensitive receptors within 1,000 feet of the project. However, the Best Management Practices (BMPs) that will be used to reduce the impact from off-road diesel equipment include:

- Install diesel particulate filters or implement other ARB-verifies diesel emission control strategies on all construction equipment to further reduce diesel PM emissions beyond the 45% reduction required by the Districts Best Available Mitigation Measure for Construction Phase;
- Use equipment during times when receptors are not present (e.g., when school is not in session or during non-school hours; or when office buildings are unoccupied);

- Establish staging areas for the construction equipment that are as distant as possible from off-site receptors;
- Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible;
- Use haul trucks with on-road engines instead of off-road engines even for on-site hauling;
- Equip nearby buildings with High Efficiency Particle Arresting (HEPA) filter systems at all mechanical air intake points to the building to reduce the levels of diesel PM that enter the buildings; and/or,
- Temporarily relocate receptors during construction.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction of the storage units and the ongoing storage of household items typically does not generate objectionable odors. As such, the impact of the Project creating local offensive odors would be less than significant.

3.4. Biological Resources

Table 3.4: Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

3.4.1. Environmental Setting/Affected Environment

The 9.52-acre level property is within the Yuba City urbanized area. The site has been previously graded with no native habitat remaining. The site is surrounded by light industrial type uses. There are no known on-site or nearby riparian or critical habitat areas.

3.4.2. Federal & State Regulatory Setting

Threatened and Endangered Species: State and federal "endangered species" legislation has provided California Department of Fish & Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal endangered species acts, candidate species for such listing, state species of special concern, and some plants listed as endangered by the California Native Plant Society are collectively referred to as "species of special status." Permits may be required from both the CDFW and USFWS if activities associated with a proposed project will result in the "take" of a listed species. "Take" is defined by the state of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). "Take" is more broadly defined by the federal Endangered Species Act to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). Furthermore, the CDFW and the USFWS are responding agencies under CEQA. Both agencies review CEQA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

Migratory Birds: State and federal laws also protect most birds. The Federal Migratory Bird Treaty Act (16U.S.C., scc. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Birds of Prey: Birds of prey are also protected in California under provisions of the California Fish and Game Code, Section 3503.5, which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFW.

Wetlands and Other Jurisdictional Waters: Natural drainage channels and adjacent wetlands may be considered "Waters of the United States" subject to the jurisdiction of the USACE. The extent of jurisdiction has been defined in the Code of Federal Regulations but has also been subject to interpretation of the federal courts.

Waters of the U.S. generally include:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters, which are subject to the ebb and flow of the tide.
- All interstate waters including interstate wetlands.
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce.
- All impoundments of waters otherwise defined as waters of the United States under the definition.
- Tributaries of waters identified in the bulleted items above.

As determined by the United States Supreme Court in its 2001 Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (SWANCC) decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated Carabell/Rapanos decision, the U.S. Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable, and therefore, jurisdictional water.

The USACE regulates the filling or grading of Waters of the U.S. under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high-water marks" on opposing channel banks. All activities that involve the discharge of dredge or fill material into Waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values. No permit can be issued until the Regional Water Quality Control Board (RWQCB) issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet state water quality standards.

CEQA Guidelines Section 15380: Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specific criteria that define "endangered" and "rare" as specified in CEQA Guidelines section 15380(b).

3.4.3. Local Regulatory Setting

The General Plan provides the following policies for the protection of biological resources within the project area:

8.4-G-1 Protect special status species, in accordance with State regulatory requirements.
8.4-G-2 Protect and enhance the natural habitat features of the Feather River and new open space corridors within and around the urban growth area.
8.4-G-3 Preserve and enhance heritage oaks in the Planning Area.
8.4-G-4 Where appropriate, incorporate natural wildlife habitat features into public landscapes, parks, and other public facilities
8.4-I-1 Require protection of sensitive habitat area and special status species in new development site designs in the following order: 1) avoidance; 2) onsite mitigation; 3) offsite mitigation. Require assessments of biological resources prior to approval of any development within 300 feet of any creeks, sensitive habitat areas, or areas of potential sensitive status species.

8.4-I-2 Require preservation of oak trees and other native trees that are of a significant size, by requiring site designs to incorporate these trees to the maximum extent feasible.

8.4-I-3 Require to the extent feasible, use of drought tolerant plants in landscaping for new development, including private and public projects.

3.4.4. Impact Assessment/Environmental Consequences:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

There have been no special status species identified on the Project site or within the vicinity of the site. According to the Yuba City General Plan EIR, the only designated special status vegetation species within Yuba City and its Sphere of Influence is the Golden Sunburst, a flowering plant that occurs primarily in the non-native grasslands and is threatened mostly by the conversion of habitat to urban uses. The habitat area for this species occurs at the extreme eastern boundary of the Planning Area at the confluence of the Feather and Yuba Rivers. This property does not fall within this area, and no adverse impacts to special status species are anticipated to occur because of this project.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands or federal jurisdictional waters of the U.S. are present within the proposed Project area or general vicinity. There would be no impact on any wetland areas or waterways.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The proposed Project would not disturb any waterways, as the nearest waterway is the Feather River, being several miles to the east. Therefore, migratory fish would not be affected. Nor are there any significant native trees proposed to be removed that could be potential nesting habitat for raptors and migratory birds that may choose to nest in the vicinity of the Project. As such there would be no significant impacts on fish or wildlife habitat.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No native trees or other biological resources that would be protected by local policies or ordinances remain on the proposed Project site. Therefore, there would be no significant impacts on biological resources caused by the Project.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or any other approved local, regional, or state habitat conservation plans in the vicinity of this Project.

3.5. Cultural Resources

Table 3.5: Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.			X	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

3.5.1. Federal Regulatory Setting

National Historic Preservation Act of 1966 (as amended), Section 106: The significance of cultural resources is evaluated under the criteria for inclusion in the National Register of Historic Places (NRHP), authorized under the National Historic Preservation Act of 1966, as amended. The criteria defined in 36 CFR 60.4 are as follows:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important to prehistory or history.

Sites listed or eligible for listing on the NRHP are considered to be historic properties. Sites younger than 50 years, unless of exceptional importance, are not eligible for listing in the NRHP.

3.5.2. State Regulatory Setting

CEQA requires consideration of project impacts on archaeological or historical sites deemed to be "historical resources." Under CEQA, a substantial adverse change in the significant qualities of a historical resource is considered a significant effect on the environment. For the purposes of CEQA, a "historical resource" is a resource listed in, or determined to be eligible for listing in, the California Register of

Historical Resources (Title 14 CCR §15064.5[a][1]-[3]). Historical resources may include, but are not limited to, "any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (PRC §5020.1[j]).

The eligibility criteria for the California Register are the definitive criteria for assessing the significance of historical resources for the purposes of CEQA (Office of Historic Preservation). Generally, a resource is considered "historically significant" if it meets one or more of the following criteria for listing on the California Register:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history. (PRC §5024.1[c])

In addition, the resource must retain integrity. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association (CCR Title 14, § 4852(c)).

Historical resources may include, but are not limited to, "any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (PRC §5020.1[j]).

California Health and Safety Code Section 7050.5: Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

3.5.3. Native American Consultation

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the PRC regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts on "tribal cultural resources" separately from archaeological resources (PRC § 21074; 21083.09). AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC § 21080.3.1, 21080.3.2, 21082.3).

3.5.4. Impact Assessment/Environmental Consequences:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.

There are no existing structures on the property. Therefore, the potential significant impacts on any historical resources, directly or indirectly, is less than significant.

b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.

c) Disturb any human remains, including those interred outside of formal cemeteries?

The 9.52-acre property that will be developed is vacant. No formal cemeteries or other places of human internment are known to exist on the proposed Project site. However, there still remains the potential for previously unknown sub-surface resources to be present. In order to avoid potential impacts to unknown remains, mitigation measures provided in Section 3.18 are provided to ensure impacts are less than significant.

3.6 Energy

Table 3-6: Energy

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

3.6.1 State Regulatory Setting

California has implemented numerous energy efficiency and conservation programs that have resulted in substantial energy savings. The State has adopted comprehensive energy efficiency standards as part of its Building Standards Code, California Codes of Regulations, Title 24. In 2009, the California Building Standards Commission adopted a voluntary Green Building Standards Code, also known as CALGreen, which became mandatory in 2011. Both Title 24 and CALGreen are implemented by the City of Yuba City in conjunction with its processing of building permits.

CALGreen sets forth mandatory measures, applicable to new residential and nonresidential structures as well as additions and alterations, on water efficiency and conservation, building material conservation, interior environmental quality, and energy efficiency. California has adopted a Renewables Portfolio Standard, which requires electricity retailers in the state to generate 33% of electricity they sell from renewable energy sources (i.e., solar, wind, geothermal, hydroelectric from small generators, etc.) by the end of 2020. In 2018, SB 100 was signed into law, which increases the electricity generation requirement from renewable sources to 60% by 2030 and requires all the state's electricity to come from carbon-free resources by 2045.

3.6.2. Impact Assessment/Environmental Consequences

a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

Project construction would involve fuel consumption and use of other non-renewable resources. Construction equipment used for such improvements typically runs on diesel fuel or gasoline. The same fuels typically are used for vehicles that transport equipment and workers to and from a construction site. However, construction-related fuel consumption would be finite, short-term and consistent with construction activities of a similar character. This energy use would not be considered wasteful, inefficient or unnecessary.

Electricity may be used for equipment operation during construction activities. It is expected that more electrical construction equipment would be used in the future, as it would generate fewer air pollutant and GHG emissions. This electrical consumption would be consistent with other construction activities of a similar character; therefore, the use of electricity in construction activities would not be considered wasteful, inefficient or unnecessary, especially since fossil fuel consumption would be reduced. Moreover, under California's Renewables Portfolio Standard, a greater share of electricity would be provided from renewable energy sources over time, so less fossil fuel consumption to generate electricity would occur.

The Project would be required to comply with CALGreen and with the building energy efficiency standards of California Code of Regulations Title 24, Part 6 in effect at the time of Project approval. Compliance with these standards would reduce energy consumption associated with project operations, although reductions from compliance cannot be readily quantified. Overall, Project construction would typically not consume energy resources in a manner considered wasteful, inefficient, or unnecessary.

Following construction of the self-storage units, the main sources of energy consumption would be ongoing operations and vehicle usage. However, self-storage facilities are a low user of energy and the vehicle usage is also low compared to most uses and is therefore not a large enough impact on air quality to be considered significant.

As such, the Project's impacts related to energy consumption are considered less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The Project would be consistent with applicable state and local plans to increase energy efficiency. Thus, the Project's impacts would be less than significant.

3.7 Geology and Soils

Table 3.7: Geology and Soils				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resources or site or unique geologic feature?		X		

3.7.1 Environmental Setting/Affected Environment

Topography and Geology: According to the Sutter County General Plan, Sutter County is located in the flat surface of the Great Valley geomorphic province of California. The Great Valley is an alluvial plain approximately 50 miles wide and 400 miles long in the central portion of California. The Great Valley's northern portion is the Sacramento Valley, drained by the Sacramento River, and its southern portion is the San Joaquin Valley, drained by the San Joaquin River. The geology of the Great Valley is typified by thick sequences of alluvial sediments derived primarily from erosion of the mountains of the Sierra Nevada to the east, and to a lesser extent, erosion of the Klamath Mountains and Cascade Range to the north. These sediments were transported downstream and subsequently laid down as a river channel, floodplain deposits, and alluvial fans.

Seismic Hazards: Earthquakes are due to a sudden slip of plates along a fault. Seismic shaking is typically the greatest cause of losses to structures during earthquakes. Earthquakes can cause structural damage, injury and loss of life, as well as damage to infrastructure networks such as water, power, gas, communication, and transportation lines. Other damage-causing effects of earthquakes include surface rupture, fissuring, settlement, and permanent horizontal and vertical shifting of the ground. Secondary impacts can include landslides, seiches, liquefaction, and dam failure.

Seismicity: Although all of California is typically regarded as seismically active, the Central Valley region does not commonly experience strong ground shaking resulting from earthquakes along known and previously unknown active faults. Though no active earthquake faults are known to exist in Yuba City, active faults in the region could generate ground motion felt within the County. Numerous earthquakes of magnitude 5.0 or greater on the Richter scale have occurred on regional faults, primarily those within the San Andreas Fault System in the region. There are several potentially active faults underlying the Sutter Buttes, which are associated with deep-seated volcanism.

The faults identified in Sutter County include the Quaternary Faults, located in the northern section of the County within the Sutter Buttes, and the Pre-Quaternary Fault, located in the southeast of the City, just east of where Highway 70 enters into the County. Both Faults are listed as non-active faults but have the potential for seismic activity.

Ground Shaking: As stated in the Sutter County Multi-Hazard Mitigation Plan, although the County has felt ground shaking from earthquakes with epicenters located elsewhere, no major earthquakes or earthquake related damage has been recorded within the County. Based on historic data and known active or potentially active faults in the region, parts of Sutter County have the potential to experience low to moderate ground shaking. The intensity of ground shaking at any specific site depends on the characteristics of the earthquake, the distance from the earthquake fault, and on the local geologic and soils conditions. Fault zone maps are used to identify where such hazards are more likely to occur based on analyses of faults, soils, topography, groundwater, and the potential for earthquake shaking sufficiently strong to trigger landslide and liquefaction.

Liquefaction: Liquefaction, which can occur in earthquakes with strong ground shaking, is mostly found in areas with sandy soil or fill and a high-water table located 50 feet or less below the ground surface. Liquefaction can cause damage to property with the ground below structures liquefying making the structure unstable causing sinking or other major structural damage. Evidence of liquefaction may be observed in "sand boils," which are expulsions of sand and water from below the surface due to increased pressure below the surface.

Liquefaction during an earthquake requires strong shaking and is not likely to occur in the city due to the relatively low occurrence of seismic activity in the area; however, the clean sandy layers paralleling the Sacramento River, Feather River, and Bear River have lower soil densities and high overall water table are potentially a higher risk area if major seismic activity were to occur. Areas of bedrock, including the Sutter Buttes have high density compacted soils and contain no liquefaction potential, although localized areas of valley fill alluvium can have moderate to high liquefaction potential.

Landslides: Landslides are downward and outward movements of slope forming materials which may be rock, soil, artificial fill, or combinations of such materials. The size of landslides varies from those containing less than a cubic yard of material to massive ones containing millions of cubic yards. Large landslides may move down slope for hundreds of yards or even several miles. A landslide may move rapidly or so slow that a change of position can be noted only over a period of weeks or years. A similar, but much slower movement is called creep. The susceptibility of a given area to landslides depends on a great many variables. With the exception of the Sutter Buttes, Yuba City is located in a landslide-free zone

due to the flat topography. The Sutter Buttes are considered to be in a low landslide hazard zone as shown in Bulletin 198 by the California Division of Mines and Geology.

Soil Erosion: Erosion is a two-step process by which soils and rocks are broken down or fragmented and then transported. The breakdown processes include mechanical abrasion, dissolution, and weathering. Erosion occurs naturally in most systems but is often accelerated by human activities that disturb soil and vegetation. The rate at which erosion occurs is largely a function of climate, soil cover, slope conditions, and inherent soil properties such as texture and structure. Water is the dominant agent of erosion and is responsible for most of the breakdown processes as well as most of the transport processes that result in erosion. Wind may also be an important erosion agent. The rate of erosion depends on many variables including the soil or rock texture and composition, soil permeability, slope, extent of vegetative cover, and precipitation amounts and patterns. Erosion increases with increasing slope, increasing precipitation, and decreasing vegetative cover. Erosion can be extremely high in areas where vegetation has been removed by fire, construction, or cultivation. High rates of erosion may have several negative impacts including degradation and loss of agricultural land, degradation of streams and other water habitats, and rapid silting of reservoirs.

Subsidence: Subsidence is the sinking of a large area of ground surface in which the material is displaced vertically downward, with little or no horizontal movement. Subsidence is usually a direct result of groundwater, oil, or gas withdrawal. These activities are common in several areas of California, including parts of the Sacramento Valley and in large areas of the San Joaquin Valley. Subsidence is a greater hazard in areas where subsurface geology includes compressible layers of silt and clay. Subsidence due to groundwater withdrawal generally affects larger areas and presents a more serious hazard than does subsidence due to oil and gas withdrawal. In portions of the San Joaquin Valley, subsidence has exceeded 20 feet over the past 50 years. In the Sacramento Valley, preliminary studies suggest that much smaller levels of subsidence, up to two feet may have occurred. In most of the valley, elevation data are inadequate to determine positively if subsidence has occurred. However, groundwater withdrawal in the Sacramento Valley has been increasing and groundwater levels have declined in some areas. The amount of subsidence caused by groundwater withdrawal depends on several factors, including: (1) the extent of water level decline, (2) the thickness and depth of the water bearing strata tapped, (3) the thickness and compressibility of silt-clay layers within the vertical sections where groundwater withdrawal is occurring, (4) the duration of maintained groundwater level decline, (5) the number and magnitude of water withdrawals in a given area, and (6) the general geology and geologic structure of the groundwater basin. The damaging effects of subsidence include gradient changes in roads, streams, canals, drains, sewers, and dikes. Many such systems are constructed with slight gradients and may be significantly damaged by even small elevation changes. Other effects include damage to water wells resulting from sediment compaction and increased likelihood of flooding of low-lying areas.

Expansive Soils: Expansive soils are prone to change in volume due to the presence of moisture. Soft clay soils have the tendency to increase in volume when moisture is present and shrink when it is dry (shrink/swell). Swelling soils contain high percentages of certain kinds of clay particles that are capable of absorbing large quantities of water, expanding up to 10 percent or more as the clay becomes wet. The force of expansion is capable of exerting pressure on foundations, slabs, and other confining structures.

Soils: The Natural Resources Conservation Service (NRCS, formerly the Soil Conservation Service) has mapped over 40 individual soil units in the county. The predominant soil series in the county are the Capay, Clear Lake, Conejo, Oswald, and Olashes soils, which account for over 60 percent of the total land area. The remaining soil units each account for smaller percentages the total land area. The Capay and Clear Lake soils are generally present in the western and southern parts of the county. The Conejo soils occur in the eastern part closer to the incorporated areas of the county. Oswald and Olashes soils are

located in the central portion of the county extending north to south, with scattered areas along the southeastern edge of the county. Soil descriptions for the principal soil units in the county are provided below. These descriptions, which were developed by the NRCS, are for native, undisturbed soils and are primarily associated with agricultural suitability. Soil characteristics may vary considerably from the mapped locations and descriptions due to development and other uses. Geotechnical studies are required to identify actual engineering properties of soils at specific locations to determine whether there are specific soil characteristics that could affect foundations, drainage, infrastructure, or other structural features.

3.7.2 Federal Regulatory Setting

Historic Sites Act of 1935: This Act became law on August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467) and has been amended eight times. This Act establishes as a national policy to preserve for public use historic sites, buildings and objects, including geologic formations.

National Earthquake Hazards Reduction Program: The National Earthquake Hazards Reduction Program (NEHRP), which was first authorized by Congress in 1977, coordinates the earthquake-related activities of the Federal Government. The goal of NEHRP is to mitigate earthquake losses in the United States through basic and directed research and implementation activities in the fields of earthquake science and engineering. Under NEHRP, FEMA is responsible for developing effective earthquake risk reduction tools and promoting their implementation, as well as supporting the development of disaster-resistant building codes and standards. FEMA's NEHRP activities are led by the FEMA Headquarters (HQ), Federal Insurance and Mitigation Administration, Risk Reduction Division, Building Science Branch, in strong partnership with other FEMA HQ Directorates, and in coordination with the FEMA Regions, the States, the earthquake consortia, and other public and private partners.

3.7.3 State Regulatory Setting

California Alquist-Priolo Earthquake Fault Zoning Act: The Alquist-Priolo Earthquake Fault Zoning Act (originally enacted in 1972 and renamed in 1994) is intended to reduce the risk to life and property from surface fault rupture during earthquakes. The statute prohibits the location of mot types of structures intended for human occupancy across the traces of active faults and regulates construction in the corridors along active faults.

California Seismic Hazards Mapping Act: The Seismic Hazards Mapping Act is intended to reduce damage resulting from earthquakes. While the Alquist-Priolo Earthquake Fault Zoning Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including ground shaking, liquefaction, and seismically induced landslides. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other hazards, and cities and counties are required to regulate development within mapped Seismic Hazard Zones.

Uniform Building Code: The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

Paleontological Resources: Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant

nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources. CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) Section 15126.4 (a)(1)). California Public Resources Code Section 5097.5 (see above) also applies to paleontological resources.

3.7.4 Impact Assessment/Environmental Consequences:

a. Directly or indirectly expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?

According to the Yuba City General Plan, no active earthquake faults are known to exist in Sutter County, although active faults in the region could produce ground motion in Yuba City (Dyett & Bhatia, 2004). The closest known fault zone is the Bear Mountain Fault Zone, located approximately 20 miles northeast of Yuba City (California Geological Survey [CGS], 2015). Potentially active faults do exist in the Sutter Buttes, but those faults are considered small and have not exhibited activity in recent history. Because the distance from the City to the closest known active fault zone is large, the potential for exposure of people or structures to substantial adverse effects from fault rupture is low. Considering that the Building Code incorporates construction standards for minimizing earthquake damage to buildings, and the low potential for a significant earthquake activity in the vicinity, the potential for adverse impacts from an earthquake is less than significant.

ii. Strong seismic ground shaking?

In the event of a major regional earthquake, fault rupture or seismic ground shaking could potentially injure people and cause collapse or structural damage to existing and proposed structures. Ground shaking could potentially expose people and property to seismic-related hazards, including localized liquefaction and ground failure. However, all new structures are required to adhere to current California Building Code standards. These standards require adequate design, construction and maintenance of structures to prevent exposure of people and structures to major geologic hazards. General Plan Implementing Policies 9.2-I-1 through 9.2-I-8 and the building codes reduce the potential impacts to less than significant.

iii. Seismic-related ground failure, including liquefaction?

The proposed Project is not located within a liquefaction zone according to the California Department of Conservation's California Geologic Survey regulatory maps. Regardless, all new structures are required to adhere to current California Building Code standards. These standards require adequate design, construction and maintenance of structures to prevent exposure of people and structures to major geologic hazards. Therefore, the potential impact from ground failure is less than significant.

iv. Landslides?

According to the Environmental Impact Report prepared for the General Plan, due to the flat topography, erosion, landslides, and mudflows are not a risk in the City limits or within the City's Sphere of Influence.

b) Result in substantial soil erosion or the loss of topsoil?

The majority of the 9.52 acres would be disturbed during site grading. Even though the area is relatively flat, during site grading a large storm could result in the loss of topsoil into the City/Sutter County Water Agency drainage system. However, as part of the grading and construction of the self-storage buildings, the applicant will be required to follow Best Management Practices (BMP's) and provide erosion control measures to minimize soil runoff during the construction process. Therefore, impacts from soil erosion are less than significant.

c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

The extreme southwest corner of the Yuba City Sphere of Influence is the only known area with expansive soils. The Project area is not located within that area and therefore will not be impacted by the presence of expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Because a self-storage facility is such a low intensity use with few daily visitors, the Project is proposed to be on an individual septic tank system. The new system will have to be designed to meet all state and locally adopted standards and must be approved by the Sutter County Environmental Health Department prior to its utilization. As such, there is not a potential for significant environmental impacts caused by the individual septic system.

f) Directly or indirectly destroy a unique paleontological resources or site or unique geologic feature?

Due to prior ground disturbances for agricultural uses it is unlikely that any paleontological resources exist on the site. However, the following mitigation measure shall apply if any paleontological resources are discovered:

3.7.5 Paleontological Mitigation Measures

Paleontological Mitigation Measure 1: This Mitigation Measure shall be placed as a note on the Demolition and Grading Plans. If paleontological resources are found, the construction manager shall halt all activity and immediately contact the Development Services Department at 530-822-4700.

Mitigation shall be conducted as follows:

1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high;
2. Assess effects on identified sites;

3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted;
4. Obtain comments from the researchers;
5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible.

In considering any suggested mitigation proposed by the consulting paleontologist, the City's Community Development Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific or General Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

3.8 Greenhouse Gas Emissions

Table 3.8: Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X		
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X		

3.8.1 Federal Regulatory Setting

The United States Environmental Protection Agency (USEPA) Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO2-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the Clean Air Act (CAA) permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in Massachusetts v. EPA (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of greenhouse gases (GHG) under the CAA. On April 17, 2009, the USEPA found that CO2, CH4, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not propose regulations based on this finding.

3.8.2 State & Local Regulatory Setting

The City's Resource Efficiency Plan as designed under the premise that the City, and the community it represents, is uniquely capable of addressing emissions associated with sources under the City's jurisdiction and that the City's emission reduction efforts should coordinate with the state strategies of

reducing emissions in order to accomplish these reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Local Control: The Yuba City Efficiency Plan allows the City to identify strategies to reduce resource consumption, costs, and GHG emissions in all economic sectors in a way that maintains local control over the issues and fits the character of the community. It also may position the City for funding to implement programs tied to climate goals.
- Energy and Resource Efficiency: The Efficiency Plan identifies opportunities for the City to increase energy efficiency and lower GHG emissions in a manner that is most feasible within the community. Reducing energy consumption through increasing the efficiency of energy technologies, reducing energy use, and using renewable sources of energy are effective ways to reduce GHG emissions. Energy efficiency also provides opportunities for cost-savings.
- Improved Public Health: Many of the GHG reduction strategies identified in the Efficiency Plan also have local public health benefits. Benefits include local air quality improvements; creating a more active community through implementing resource-efficient living practices; and reducing health risks, such as heat stroke, that would be otherwise elevated by climate change impacts such as increased extreme heat days.

Demonstrating Consistency with State GHG Reduction Goals—A GHG reduction plan may be used as GHG mitigation in a General Plan to demonstrate that the City is aligned with State goals for reducing GHG emissions to a level considered less than cumulatively considerable.

3.8.3 Impact Assessment/Environmental Consequences:

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, similar to a greenhouse. The accumulation of GHGs has been implicated as a driving force for Global Climate Change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere. Both natural processes and human activities emit GHGs. Global Climate Change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased emission of GHGs and long-term global temperature. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. GHG impacts are considered to be exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA).

The proposed construction of these self-storage facilities will create GHG emissions due to the use of motorized construction equipment. The emissions will be from construction equipment during the

construction of the apartments. Once completed, vehicle traffic generated by auto use to and from the facility will contribute GHG gases. The small amount of traffic generated by the project it is not expected to create significant greenhouse gas emissions. However, on a cumulative scale, possible reasonable reductions could be applied to the project in order to further minimize those impacts. Specifically addressing this proposal, the City's Resource Efficiency Plan addresses greenhouse gas concerns and provides a description of greenhouse gas reduction measures. A mitigation measure is included that requires the project incorporate the relevant greenhouse gas reduction measures. With this mitigation the impacts from greenhouse gases will be less than significant.

3.8.4 Greenhouse Mitigation Measure

Greenhouse Gas Mitigation Measure 1: The site grading process shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.

3.9 Hazards and Hazardous Materials

Table 3.9: Hazards and Hazardous Materials				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.			X	

3.9.1 Federal Regulatory Setting

U.S. Environmental Protection Agency (USEPA): The USEPA was established in 1970 to consolidate in one agency a variety of federal research, monitoring, standard setting and enforcement activities to ensure environmental protection. USEPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress, is responsible for researching and setting national standards for a variety of environmental programs, and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. Where national standards are not met, USEPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality.

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act: The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the USEPA for the regulation of the generation,

transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List (NPL). CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

Clean Water Act/SPCC Rule: The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. As part of the Clean Water Act, the U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112) which is often referred to as the "SPCC rule" because the regulations describe the requirements for facilities to prepare, amend and implement Spill Prevention, Control, and

Countermeasure (SPCC) Plans: A facility is subject to SPCC regulations if a single oil storage tank has a capacity greater than 660 gallons, or the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the "Navigable Waters" of the United States. Other federal regulations overseen by the U.S. EPA relevant to hazardous materials and environmental contamination include Title 40, CFR, Chapter 1, Subchapter D – Water Programs and Subchapter I – Solid

Wastes. Title 40, CFR, Chapter 1, Subchapter D, Parts 116 and 117 designate hazardous substances under the Federal Water Pollution Control Act: Title 40, CFR, Part 116 sets forth a determination of the reportable quantity for each substance that is designated as hazardous. Title 40, CFR, Part 117 applies to quantities of designated substances equal to or greater than the reportable quantities that may be discharged into waters of the United States.

The NFPA 70®: National Electrical Code® is adopted in all 50 states. Any electrical work associated with the Proposed Project is required to comply with the standards set forth in this code. Several federal regulations govern hazards as they are related to transportation issues. They include:

Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.

49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.

49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

3.9.2 State Regulatory Setting

California Environmental Protection Agency (CalEPA): The California Environmental Protection Agency (CalEPA) was created in 1991 by Governor's Executive Order. The six boards, departments, and office were placed under the CalEPA umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources. The mission of CalEPA is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality under Title 22 of the California Code of Regulations (CCR).

Department of Toxic Substances Control (DTSC): DTSC is a department of Cal/EPA and is the primary agency in California that regulates hazardous waste, cleans-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC listed hazardous waste facilities and sites, DHS lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and which have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Unified Program: The Unified Program (codified CCR Title 27, Division 1, Subdivision 4, Chapter 1, Sections 15100- 15620) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following six environmental and emergency response programs:

- Hazardous Waste Generator (HWG) program and Hazardous Waste On-site Treatment activities;
- Aboveground Storage Tank (AST) program Spill Prevention Control and Countermeasure Plan requirements;
- Underground Storage Tank (UST) program;
- Hazardous Materials Release Response Plans and Inventory (HMRRP) program;
- California Accidental Release Prevention (CalARP) program;
- Hazardous Materials Management Plans and Hazardous Materials Inventory Statement (HMMP/HMIS) requirements.

The Secretary of CalEPA is directly responsible for coordinating the administration of the Unified Program. The Unified Program requires all counties to apply to the CalEPA Secretary for the certification of a local unified program agency. Qualified cities are also permitted to apply for certification. The local Certified Unified Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements in the county. Most CUPAs have been established as a function of a local environmental health or fire department.

Hazardous Waste Management Program: The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement, and Unified Program activities in accordance with California Health and Safety Code Section 25135 et seq. The main focus of HWMP is to ensure the safe storage, treatment, transportation, and disposal of hazardous wastes.

State Water Resources Control Board (SWRCB): The State Water Resources Control Board (SWRCB) was created by the California legislature in 1967. The mission of SWRCB is to ensure the highest reasonable

quality for waters of the State, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables SWRCB to provide comprehensive protection for California's waters.

California Department of Industrial Relations – Division of Occupational Safety and Health (Cal OSHA): In California, every employer has a legal obligation to provide and maintain a safe and healthful workplace for employees, according to the California Occupational Safety and Health Act of 1973 (per Title 8 of the CCR). The Division of Occupational Safety and Health (Cal/OSHA) program is responsible for enforcing California laws and regulations pertaining to workplace safety and health and for providing assistance to employers and workers about workplace safety and health issues. Cal/OSHA regulations are administered through Title 8 of the CCR. The regulations require all manufacturers or importers to assess the hazards of substances that they produce or import and all employers to provide information to their employees about the hazardous substances to which they may be exposed.

California Fire Code: The California Fire Code is Part 9 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The California Fire Code incorporates the Uniform Fire Code with necessary California amendments. This Code prescribes regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises and provisions to assist emergency response personnel.

3.9.3 Local Regulatory Setting

Sutter County Airport Comprehensive Land Use Plan: The SCACLUP was adopted in April 1994 by the Sacramento Area Council of Governments (SACOG). SACOG is the designated Airport Land Use Commission (ALUC) for Sacramento, Sutter, Yolo and Yuba Counties under the provisions of the California Public Utilities Code, Chapter 4, Article 3.5, Section 21670.1 Airport Land Use Commission Law. The purpose of the ALUC law is to (1) protect public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise, and (2) Prevent the encroachment of incompatible land uses around public-use airports, thereby preserving the utilities of these airports into the future.

3.9.4 Impact Assessment/Environmental Consequences:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The only hazardous materials associated with the construction of this self-storage complex will be those materials associated with grading and construction equipment. This typically includes solvents, oil and fuel. Provided that these materials are legally and properly used and stored, the proposed project will not create a significant hazard to the public or the environment. On an ongoing basis the only anticipated hazardous waste generated by the occasional users of the facility that throw away unwanted items. It is possible an unwanted item could contain a hazardous material. However, assuming proper and legal disposal of those wastes there should not be a significant impact from hazardous materials.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There is not a school within one-quarter mile of the project. Further, assuming proper use of the fuels, solvents, and oil for the grading and paving equipment, there should not be any potential significant impacts. Therefore, assuming proper and legal use and disposal there will be no significant impacts from the waste generated by the self-storage units.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section and, as a result, would create a significant hazard to the public or the environment?

The property is not on any listings of sites that are contaminated by hazardous wastes. Therefore, there is not a potential for significant impacts from a known hazardous materials site. Historically the neighboring agricultural supply business contaminated the groundwater which has since gone through a remediation program. This project, however, will be on the City's water system and will not use groundwater.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The project is not located within the Sutter County Airport or the Yuba County Airport Land Use Plans, nor is it within two miles of a public airport.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Yuba City Fire Department and Police Department serve this area. Neither agency has expressed concern over impacts the Project may have on any emergency response plans. Accordingly, there will be no significant impacts that would adversely impact an emergency response or evacuation plan.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The Project site is located within the Yuba City urban area and the urban area is surrounded by irrigated agricultural lands. There are no wildlands on the site or in the immediate vicinity. Accordingly, there will be no significant impacts from potential wildland fires.

3.10 Hydrology and Water Quality

Table 3.10: Hydrology and Water Quality				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
i) result in substantial erosion or siltation on- or off-site?			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

3.10.1 Federal Regulatory Setting

Clean Water Act: The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Federal Emergency Management Agency (FEMA) Flood Zones: The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed

Flood Insurance Rate Maps (FIRM) that can be used for planning purposes. Flood hazard areas identified on the Flood

Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

3.10.2 State Regulatory Setting

State Water Resources Control Board: The State Water Resources Control Board (SWRCB) is the agency with jurisdiction over water quality issues in the State of California. The WRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter- Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project site is located within the Central Valley Regional Water Quality Control board.

Central Valley Regional Water Quality Control Board (CVRWQCB): administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). Additionally, CVRWQCB is responsible for issuing Waste Discharge Requirements Orders under California Water Code Section 13260, Article 4, Waste Discharge Requirements.

State Department of Water Resources: California Water Code (Sections 10004 et seq.) requires that the State Department of Water Resources update the State Water Plan every five years. The 2013 update is the most current review and included (but is not limited to) the following conclusions:

- The total number of wells completed in California between 1977 and 2010 is approximately 432,469 and ranges from a high of 108,346 wells for the Sacramento River Hydrologic Region to a low of 4,069 wells for the North Lahontan Hydrologic Region.
- Based on the June 2014 California Statewide Groundwater Elevation Monitoring (CASGEM) basin prioritization for California's 515 groundwater basins, 43 basins are identified as high priority, 84 basins as medium priority, 27 basins as low priority, and the remaining 361 basins as very low priority.
- The 127 basins designated as high or medium priority account for 96 percent of the average annual statewide groundwater use and 88 percent of the 2010 population overlying the groundwater basin area.
- Depth-to-groundwater contours were developed for the unconfined aquifer system in the Central Valley. In the Sacramento Valley, the spring 2010 groundwater depths range from less than 10 feet below ground surface (bgs) to approximately 50 feet bgs, with local areas showing maximum depths of as much as 160 feet bgs.

- The most prevalent groundwater contaminants affecting California's community drinking water wells are arsenic, nitrate, gross alpha activity, and perchlorate.

California Government Code 65302 (d): The General Plan must contain a Conservation Element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, river and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any County-wide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the County or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or County. The conservation element may also cover:

- The reclamation of land and waters.
- Prevention and control of the pollution of streams and other waters.
- Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- Prevention, control, and correction of the erosion of soils, beaches, and shores.
- Protection of watersheds.
- The location, quantity and quality of the rock, sand and gravel resources.
- Flood control.

Sustainable Groundwater Management Act: On September 16, 2014 Governor Edmund G. Brown Jr. signed historic legislation to strengthen local management and monitoring of groundwater basins most critical to the state's water needs. The three bills, SB 1168 (Pavley) SB 1319 (Pavley) and AB 1739 (Dickinson) together makeup the Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act comprehensively reforms groundwater management in California. The intent of the Act is to place management at the local level, although the state may intervene to manage basins when local agencies fail to take appropriate responsibility. The Act provides authority for local agency management of groundwater and requires creation of groundwater sustainability agencies and implementation of plans to achieve groundwater sustainability within basins of high and medium priority.

3.10.3 Impact Assessment/Environmental Consequences:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Most of the City's public water supply comes from the Feather River. The water is pumped from the river to the Water Treatment Plant located in northern Yuba City. Due to occasional drought conditions the plant also sometimes utilizes a groundwater well in addition to its surface water supplies due to recent drought conditions. Since the self-storage facility will only receive water through the City system, and that the on-site sewage disposal system must meet all Sutter County Environmental Health standards, it is unlikely that the Project could adversely impact surface or groundwater quality.

All of the wastewater generated by the self-storage facility will flow into a Sutter County Environmental Health Department approved on-site wastewater disposal system. The wastewater disposal system will be in compliance with all state water discharge standards. The wastewater from the self-storage facility

is not expected to generate any unique type of waste that would cause the system to become out of compliance with state standards.

All storm water runoff associated with the Project will ultimately drain into the Feather River. The water quality of the stormwater runoff is addressed through General Plan Implementing Policies 8.5-I-1 through 8.5-I-10 which require a wide range of developer and City actions involving coordination with the State Regional Water Quality Control Board, protecting waterways, and following Yuba City's adopted Best Management Practices for new construction.

With the level of oversight on the City's water supply, and enforcement of Best Management Practices at construction sites, there will not be significant impacts on the City's water and waste-water systems or storm water drainage system.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?

Even though the Project will be connected to the City's water system, self-storage facilities are typically not significant water users. While consumption of City water will increase with the project, very little, if any, groundwater will be utilized, as the City primarily utilizes surface water supplies. Therefore, the impacts on groundwater resources will be minimal and will not have the potential to create any significant impacts.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:

i) result in substantial erosion or siltation on- or off-site?

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

iii) create or contribute runoff water which would exceed the capacity of existing or planned m stormwater drainage systems or provide substantial additional sources of polluted runoff?

There will be an increased amount of stormwater drainage caused by new impermeable surfaces created by this development, which will ultimately drain into the Feather River. The project will be required to construct the local collection facilities and pay the appropriate fees to Sutter County for its fair share of improvements and expansion to the existing drainage system that will be connected too. Also, as noted above, all new construction must involve use of Best Management Practices. Assuming all required standards are met there is not expected to be any significant impacts from additional storm water drainage from the site.

iv) impede or redirect flood flows?

According to the Federal Emergency Management Agency this portion of the City is outside of the 100-year flood plain. This is due to the existing levee system that contains seasonally high-water flows from the nearby Feather River from flooding areas outside of the levee system. Additional construction within the City that is outside of the levee system does not impact the levee system and therefore does not increase, impede, or otherwise have any effect on the highwater flows within the levee system. Therefore, there is no significant impact on the high-water flows within the Feather River levee system.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

This portion of the City is outside of the 100-year flood plain. The City is not close to the ocean or any large lakes so a seiche is unlikely to happen in or near the City. The City is located inland from the Pacific Ocean, so people or structures in the City would not be exposed to inundation by tsunami. Mudflows and landslides are unlikely to happen due to the relatively flat topography within the project area. Thus, it is unlikely that the project site would be subject to inundation by a seiche, tsunami, mudflow or landslide. Therefore, there is no potential for significant impacts from any of these types of events.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As noted above, all new construction is required to utilize Best Management Practices. Assuming all required standards are met, water quality of runoff water from the project will not create any significant impacts. The City primarily utilizes surface water for its water source so there will be no significant impacts on groundwater.

3.11 Land Use and Planning

Table 3:11: Land Use and Planning

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?				X
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

3.11.1 Environmental Setting/Affected Environment

The project will be on an undeveloped 9.52-acre property that is abutted on three sides by existing light industrial uses and on the fourth side by State Route 20. There are no nearby residences or other sensitive users.

3.11.2 Federal Regulatory Setting

There are no federal or state regulations pertaining to land use and planning relevant to the proposed Project.

3.11.3 Local Regulatory Setting

Yuba City General Plan, Land Use Element: The Land Use Element of the General Plan establishes guidance for the ultimate pattern of growth in the City's Sphere of Influence. It provides direction regarding how lands are to be used, where growth will occur, the density/intensity and physical form of that growth, and key design considerations.

3.11.4 Impact Assessment/Environmental Consequences:

a) Physically divide an established community?

This self-storage project will not physically divide an established community as it is an infill type project within an existing light industrial area. There are no nearby residences. Therefore, there is not a potential to divide an existing community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Per the Zoning Regulations the Project is a permitted use, but is undergoing this discretionary review due to its larger size. Since it is a permitted use, it is not in conflict with any land use policies which and as such will not create any significant environmental impacts.

3.12 Mineral Resources

Table 3-12:: Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

3.12.1 Federal Regulatory Setting

There are no federal regulations pertaining to mineral resources relevant to the proposed Project.

3.12.2 State Regulatory Setting

California Surface Mining and Reclamation Act of 1975: Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., insures a continuing supply of mineral resources for the State. The act also creates surface mining and reclamation policy to assure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

Areas in the State (city or county) that do not have their own regulations for mining and reclamation activities rely on the Department of Conservation, Division of Mines and Geology, Office of Mine Reclamation to enforce this law. SMARA contains provisions for the inventory of mineral lands in the State of California.

The State Geologist, in accordance with the State Board's Guidelines for Classification and Designation of Mineral Lands, must classify Mineral Resource Zones (MRZ) as designated below:

- MRZ-1. Areas where available geologic information indicates that there is minimal likelihood of significant resources.
- MRZ-2. Areas underlain by mineral deposits where geologic data indicate that significant mineral deposits are located or likely to be located.
- MRZ-3. Areas where mineral deposits are found but the significance of the deposits cannot be evaluated without further exploration.
- MRZ-4. Areas where there is not enough information to assess the zone. These are areas that have unknown mineral resource significance.

SMARA only covers mining activities that impact or disturb the surface of the land. Deep mining (tunnel) or petroleum and gas production is not covered by SMARA.

3.12.3 Impact Assessment/Environmental Consequences:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The Yuba City General Plan does not recognize any mineral resource zone within the City limits, and no mineral extraction facilities currently exist within the City. Because of this, the property contains no known mineral resources and there is little opportunity for mineral resource extraction. As such the Project will not have an impact on mineral resources.

3.13 Noise

Table 3.13: Noise				
Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive ground borne vibration or ground borne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

3.13.1 Environmental Setting/Affected Environment for Noise

Noise can be generally defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) which is measured in decibels (dB), with 0 dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude (sound power). The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the frequency/sound power level spectrum.

The typical human ear is not equally sensitive to all frequencies of the audible sound spectrum. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to low and extremely high frequencies instead of the frequency mid-range. This method of frequency weighting is referred to as A-weighting and is expressed in units of A-weighted decibels (dBA). Frequency A-weighting follows an international standard methodology of frequency de-emphasis and is typically applied to community noise measurements.

Noise exposure is a measure of noise over a period of time. Noise level is a measure of noise at a given instant in time. Community noise varies continuously over a period of time with respect to the contributing sound sources of the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources such as traffic and atmospheric conditions. What makes community noise constantly variable throughout a day, besides the slowly changing background noise, is the addition of short duration single event noise

sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual receptor. These successive additions of sound to the community noise environment vary the community noise level from instant to instant, requiring the measurement of noise exposure over a period of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts.

3.13.2 Environmental Setting/Affected Environment for Groundbourne Vibration

Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings.

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The typical background vibration velocity level in residential areas is approximately 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day.

3.13.3 Federal Regulatory Setting

Federal Vibration Policies: The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 90 VdB without experiencing structural damage.97 The FTA has identified the human annoyance response to vibration levels as 75 VdB.

3.13.4 State Regulatory Setting

California Noise Control Act: The California Noise Control Act was enacted in 1973 (Health and Safety Code §46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff would work with the Department of Resources Office of Planning and Research (OPR) to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

Title 24 – Sound Transmission Control: Title 24 of the California Code of Regulations (CCR) codifies Sound Transmission Control requirements, which establishes uniform minimum noise insulation performance standards for new hotels, motels, dormitories, apartment houses, and dwellings other than detached single-family dwellings. Specifically, Title 24 states that interior noise levels attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room of new dwellings Title 24, Part 2 requires an acoustical report that demonstrates the achievements of the required 45 dBA CNEL. Dwellings are

designed so that interior noise levels will meet this standard for at least ten years from the time of building permit application.

3.13.5 Local Regulatory Setting

The **City of Yuba City General Plan** presents the vision for the future of Yuba City, and outlines several guiding policies and policies relevant to noise.

The following goals and policies from the City of Yuba City General Plan[1] are relevant to noise.

Guiding Policies

- 9.1-G-1 Strive to achieve an acceptable noise environment for the present and future residences of Yuba City.
- 9.1-G-2 Incorporate noise considerations into land use planning decisions and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses.
- Implementing Policies
- 9.1-I-1 Require a noise study and mitigation for all projects that have noise exposure greater than “normally acceptable” levels. Noise mitigation measures include, but are not limited to, the following actions:
- Screen and control noise sources, such as parking and loading facilities, outdoor activities and mechanical equipment,
- Increase setbacks for noise sources from adjacent dwellings,
- Retain fences, walls, and landscaping that serve as noise buffers,
- Use soundproofing materials and double-glazed windows, and
- Control hours of operation, including deliveries and trash pickup, to minimize noise impacts.
- 9.1-I-3 In making a determination of impact under the California Environmental Quality Act (CEQA), consider an increase of four or more dBA to be "significant" if the resulting noise level would exceed that described as normally acceptable for the affected land use in Figure 5.
- 9.1-I-4 Protect especially sensitive uses, including schools, hospitals, and senior care facilities, from excessive noise, by enforcing “normally acceptable” noise level standards for these uses.
- 9.1-I-5 Discourage the use of sound walls. As a last resort, construct sound walls along highways and arterials when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility.
- 9.1-I-6 Require new noise sources to use best available control technology (BACT) to minimize noise from all sources.
- 9.1-I-7 Minimize vehicular and stationary noise sources and noise emanating from temporary activities, such as construction.

[1] City of Yuba, 2004. *City of Yuba General Plan.* April 8, 2004.

Table 1: Noise Exposure

LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE - Ldn or CNEL (dBA)													
	50		55		60		65		70		75		80	
Residential – Low Density Single Family, Duplex, Mobile Home														
Residential – Multi-Family														
Transient Lodging – Motel/Hotel														
Schools, Libraries, Churches, Hospitals, Nursing Homes														
Auditorium, Concert Hall, Amphitheaters														
Sports Arena, Outdoor Spectator Sports														
Playgrounds, Neighborhood Parks														
Golf Courses, Riding Stables, Water Recreation, Cemeteries														
Office Buildings, Business, Commercial and Professional														
Industrial, Manufacturing, Utilities, Agriculture														

	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
	Normally Unacceptable: New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.
	Clearly Unacceptable: New construction or development generally should not be undertaken.

Source: State of California, Governor's Office of Planning and Research, 2003. General Plan Guidelines.

City of Yuba City Municipal Code: Title 4, Chapter 17, Section 4-17.10(e) of the Yuba City Municipal Code prohibits the operation of noise-generating construction equipment before 6:00 a.m. or after 9:00 p.m. daily, except Sunday and State or federal holidays when the prohibited time is before 8:00 a.m. and after 9:00 p.m.

3.13.6 Impact Assessment/Environmental Consequences:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies established in the local general plan or noise ordinance, or applicable standards of other agencies?

A temporary increase in noise will occur during construction of the Phase 1 self-storage facility, then again when Phase 2 is constructed. Construction will primarily occur during daylight hours, Monday through Saturday. Noise from construction activities would contribute to the noise environment in the immediate project vicinity. Activities involved in construction could generate maximum noise levels, as indicated in Table 2, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control. However, due to the limited duration of the construction activities, that the construction will occur during the less sensitive daylight hours and considering there are no nearby sensitive receptors, including any residences, the noise effects from this activity are expected to be less than significant.

Table 2: Noise Levels of Typical Construction

Type of Equipment [1]	dBA at 50 ft.	
	Without Feasible Noise Control [2]	With Feasible Noise Control
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

[1] US Environmental Protection Agency. "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances." Figure IV.H-4. 1971.
[2] Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications

Short-term noise impacts (and possibly some ground borne vibrations if site compaction is required prior to construction) can be expected resulting from site grading and construction activities. Construction-related noise impacts will be less than significant because adherence to City construction standards is required. These standards limit the hours of operation for construction and use of heavy machinery to daytime hours. Further the construction noise is of limited duration, further limiting any adverse impacts.

Once constructed the proposed self-storage facility will not be a significant noise generator.

b) Generation of excessive ground borne vibration or ground borne noise levels?

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through

the ground and diminish in strength with distance. Table 3 describes the typical construction equipment vibration levels.

Table 3: Typical Construction Levels	
Equipment [(1)]	VdB at 25 ft2
Small Bulldozer	58
Vibratory Roller	94
Jackhammer	79
Loaded Trucks	86
[(1)] *US Environmental Protection Agency. "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances." Figure IV.H-4. 1971.*	

Vibration levels of construction equipment in Table 3 are at a distance of 25 feet from the equipment. As noted above, construction activities are limited to daylight hours. Infrequent construction-related vibrations would be short-term and temporary, and operation of heavy-duty construction equipment would be intermittent throughout the day during construction. Therefore, with the short duration of grading activities associated with the project, the approximate reduction of 6 VdB for every doubling of distance from the source, the temporary impact to any uses in the vicinity of the project would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project is not located within two miles of the Sutter County Airport, the Yuba County Airport or any publicly used airport.

3.14 Population and Housing

Table 4-14: Population and Housing				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

3.14.1 Environmental Setting/Affected Environment

The property is abutted on three sides by other light industrial uses and SR 20 borders the north side.

3.14.2 Federal Regulatory Setting

There are no federal regulations, plans, programs or guidelines associated with population or housing that are applicable to the proposed Project.

3.14.3 State Regulatory Setting

California law (Government Code Section 65580, et seq.) requires cities and counties to include a housing element as a part of their general plan to address housing conditions and needs in the community. Housing elements are prepared approximately every eight years, following timetables set forth in the law. The housing element must identify and analyze existing and projected housing needs and "make adequate provision for the existing and projected needs of all economic segments of the community," among other requirements. The City recently adopted its current Housing Element.

3.14.4 Regional Regulatory Setting

State law mandates that all cities and counties offer a portion of housing to accommodate the increasing needs of regional population growth. The statewide housing demand is determined by the California Department of Housing and Community Development (HCD), while local governments and councils of governments decide and manage their specific regional and jurisdictional housing needs and develop a regional housing needs assessment (RHNA).

In the greater Sacramento region, which includes the City of Yuba City, SACOG has the responsibility of developing and approving an RHNA and a Regional Housing Needs Plan (RHNP) every eight years (Government Code, Section 65580 et seq.). This document has a central role of distributing the allocation of housing for every county and city in the SACOG region. Housing needs are assessed for very low income, low income, moderate income, and above moderate households.[2]

As described above, SACOG is the association of local governments that includes Yuba City, along with other jurisdictions comprising the six counties in the greater Sacramento region. In addition to preparing the Metropolitan Transportation Plan and Sustainable Communities Strategy for the region, SACOG approves the distribution of affordable housing in the region through its RHNP. SACOG also assists in planning for transit, bicycle networks, clean air and serves as the Airport Land Use Commission for the region.[3]

3.14.5 Impact Assessment/Environmental Consequences:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The completion of both phases of the proposed Project will result in approximately 200,000 square feet of self-storage units. This is on a property that is surrounded by other light industrial uses and the state highway on the north side. This is essentially an infill project. As such, City services and streets already serve this area. Further, the Project is consistent with the General Plan, which describes the larger overall land use pattern for the City and all of the basic infrastructure needs to support that growth. Therefore,

---

2 Sacramento Area Council of Governments. 2012. Regional Needs Housing Plan 2013-2021. Adopted September 20, 2012. Page 4. Table 1.

3 Sacramento Area Council of Governments. 2017. About SACOG. SACOG website. Available: http://www.sacog.org/about/. Accessed July 25, 2017.

unplanned growth resulting from this Project will not occur and as a result does not have the potential to generate any significant impacts.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed Project will not result in the demolition of any existing residences.

3.15 Public Services

Table 3.15: Public Services				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

3.15.1 Environmental Setting/Affected Environment

Law enforcement for the proposed Project will be provided by the Yuba City Police Department. Fire protection is provided by the Yuba City Fire Department. There is no new park to be constructed with this Project. Stormwater drainage will also be provided by Yuba City.

3.15.2 Federal Regulatory Setting

National Fire Protection Association: The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 such codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

3.15.3 State Regulatory Setting

California Fire Code and Building Code: The 2013 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.
California Health and Safety Code (HSC): State fire regulations are set forth in Sections 13000 et seq. of the California HSC, which includes regulations for building standards (as set forth in the CBC), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, childcare facility standards, and fire suppression training.

California Master Mutual Aid Agreement: The California Master Mutual Aid Agreement is a framework agreement between the State of California and local governments for aid and assistance by the interchange of services, facilities, and equipment, including but not limited to fire, police, medical and health, communication, and transportation services and facilities to cope with the problems of emergency rescue, relief, evacuation, rehabilitation, and reconstruction.

3.15.4 Impact Assessment/Environmental Consequences:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection: The Yuba City Fire Department provides fire protection services to the site. The Fire Department reviewed the proposal and did not express concerns. Since all new development pays development impact fees intended to offset the cost of additional fire facilities and equipment costs resulting from this growth, the impacts on fire services will be less than significant.

Police Protection: The Yuba City Police Department will provide police services to the site. The Police Department reviewed the proposal and did not express concerns. Since all new development pays impact fees that are intended to offset the cost of additional police facilities and equipment resulting from this growth the impacts on police services will be less than significant.

Schools: Although there are no new residences proposed, the Project will have to pay the Yuba City Unified School District adopted school impact fees that are intended for non-residential development. Therefore, the impact on schools will be less than significant.

Parks: There are no new residences proposed by this Project. As such, the impact on parks from this project will be less than significant.

Other Public Facilities: The project will be connected to the City water system. As such, the Project must pay connection fees that are utilized for expansion of the treatment plant. The City also collects impact fees for County services that are provided, such as the library system and justice system.

Accordingly, the project will have a less than significant impact regarding the provision of public services.

3.16 Recreation

Table 3-16: Recreation				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

3.16.1 Environmental Setting/Affected Environment

Yuba City has 22 City-owned parks and recreational areas, managed by the City's Parks and Recreation Department. This consists of four community parks, 15 neighborhood parks, and three passive or mini parks.

3.16.2 Federal Regulatory Setting

There are no federal regulations regarding parks and open space that are applicable to the proposed Project.

3.16.3 State Regulatory Setting

State Public Park Preservation Act: The primary instrument for protecting and preserving parkland is the Public Park Preservation Act of 1971. Under the PRC section 5400-5409, cities and counties may not acquire any real property that is in use as a public park for any non-park use unless compensation or land, or both, are provided to replace the parkland acquired. This provides no net loss of parkland and facilities.

Quimby Act: California Government Code Section 66477, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The required dedication and/or fee are based upon the residential density and housing type, land cost, and other factors. Land dedicated and fees collected pursuant to the Quimby Act may be used for developing new or rehabilitating existing park or recreational facilities.

3.16.4 Local Regulatory Setting

The Yuba City General Plan and the City's Parks Master Plan provide a goal of providing 5 acres of public parkland per 1,000 residents, while it also requires 1 acre of Neighborhood Park for every 1,000 residents.

The City's development impact fee program collects fees for new development which is allocated for the acquisition and development of open space in the City.

3.16.5 Impact Assessment/Environmental Consequences:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Since there is no residential development associated with the Project (other than an on-site caretaker residence), and also that self-storage facilities generate minimal new employment, the Project will not increase the use of the City's park system. Therefore, the impact on the City park system from this Project is less than significant.

3.17 Transportation/Traffic

Table 4-17: Transportation Recreation

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

3.17.1 Federal Regulatory Setting

Federal Highway Administration: FHWA is the agency of the U.S. Department of Transportation (DOT) responsible for the Federally funded roadway system, including the interstate highway network and portions of the primary State highway network. FHWA funding is provided through the Safe, Accountable, Flexible, Efficiency Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA- LU can be used to fund local transportation improvement projects, such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, and transit system upgrades.

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.

- Title 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
-

3.17.2. State Regulatory Setting

The measurement of the impacts of a project's traffic is set by the CEQA Guidelines. Section 15064.3 of the Guidelines states that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. VMT is a metric which refers to the amount of distance of automobile traffic that is generated by a project. Per the Guidelines "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact." "Projects that decrease vehicle miles traveled compared to existing conditions should be presumed to have a less than significant environmental impact."

The CEQA Guidelines also states that the lead agency (Yuba City) may "choose the most appropriate methodology to evaluate a project's vehicle miles traveled …". As this is a new form of calculating significant traffic events, the City has not yet determined its own methodology to calculate levels of significance for VMT. Until that methodology is determined, for purposes of this initial study the information provided by the Sacramento Council of Governments (SACOG) and the CA Office of Planning and Research is utilized. A review of these studies indicates several factors that may be utilized for determining levels of significance. One is that if the project will generate less than 110 vehicle trips per day, it is assumed that with the small size of the project, the impact is less than significant. A second criteria is that for a project, on a per capita or per employee basis, the VMT will be at least 15 percent below that of existing development is a reasonable threshold for determining significance.

As this is a new methodology, future projects may utilize different criterion as they become available.

3.17.3. Local Regulatory Setting

The Yuba City General Plan Transportation Element has policies regulating all mode of transportation and related activities. Specifically, there are Implementing Policies regarding Traffic Levels of Service that are relevant to project review process:

5.2-I-12 Develop and manage the roadway system to obtain LOS D or better for all major roadways and intersections in the City. This policy does not extend to residential streets (i.e., streets with direct driveway access to homes) or bridges across the Feather River nor does the policy apply to state highways and their intersections, where Caltrans policies apply. Exceptions to LOS policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits. Specific exceptions granted by the Council shall be added to the list of exceptions below:

- SR 20 (SR 99 to Feather River Bridge) – LOS F is acceptable;
- SR 20 (Feather River Bridge) – LOS F is acceptable;
- Bridge Street (Twin Bridges across the Feather River) – LOS F is acceptable;
- Lincoln Road (New bridge across the Feather River) - LOS F is acceptable.

No new development will be approved unless it can be shown that required level of service can be maintained on the affected roadways.

5.2-I-13 Develop and manage residential streets (i.e., streets with direct driveway access to homes) to limit average daily traffic volumes to 2,500 or less and 85th percentile speeds to 25 miles per hour or less.

5.2-I-14 Require traffic impact studies for all proposed new developments that will generate significant amounts of traffic.

Specific thresholds will be based on location and project type, and exceptions may be granted where traffic studies have been completed for adjacent development.

5.2-I-15 Improve intersections as needed to maintain LOS standards and safety on major arterials.

3.17.4. Impact Assessment/Environmental Consequences:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Self-storage facilities are very low generators of vehicle traffic due to having very few employees and that the users of the facility infrequently travel there. Therefore, development of this self-storage facility will generate little traffic and will not conflict with any programs, plans, or ordinances regarding transportation. There is a condition applied to the project prohibiting commercial truck parking so a potential from impacts on the nearby intersect from truck traffic is not an issue.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?

This CEQA section describes specific considerations for evaluating a project's transportation impacts in terms of Vehicle Miles Traveled (VMT). SACOG, in "Technical Advisory: On Evaluating Transportation Impacts in CEQA" provides two criteria for which if the project meets either of them, the traffic impacts are considered less than significant. One criterion is that the project generates less than 110 vehicle trips per day is considered to be less than a significant impact.

Following its initial opening when new tenants will be moving materials to the site, the project will not generate traffic levels in excess of 110 trips per day. Since the Project will not exceed this criterion, the impacts from VMT is not further considered in this review.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project will be accessed by Colusa Frontage Road. Since self-storage facilities are very low traffic generators, it is not expected to cause any traffic concerns on this street. However, the nearby intersection at Colusa Frontage Road and George Washington Boulevard could be impacted by this project if the vehicle storage area is utilized for commercial truck parking. Therefore, commercial trucking is not permitted in the RV parking area. Both the Yuba City Public Works Department and Caltrans have evaluated the proposal and concluded that with this condition, the Project did not significantly impact the intersection.

d) Result in inadequate emergency access?

The Fire Department and Police Departments have reviewed the project plans and they did not express

concerns about emergency access in the area.

3.18 Tribal Cultural Resources

Table 3-18: Tribal Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause of substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

3.18.1 Federal Regulatory Setting

This section describes the affected environment and regulatory setting for Tribal Cultural Resources (TCRs) in the Master Plan. The following analysis of the potential environmental impacts related to TCRs is derived primarily from the following sources:

- California Native American Heritage Commission Sacred Lands File Search, December 11, 2017
- Ethnographic overview of the Nisenan culture
- Environmental Impact Report for the City of Yuba City General Plan (2004)
- Consultation record with California Native American tribes under Assembly Bill 52 and Senate Bill 18

3.18.2 State Regulatory Setting

Assembly Bill 52: Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include TCRs, the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes

as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes.

Section 21074(a) of the Public Resource Code defines TCRs for the purpose of CEQA as:

1) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

    a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or

    b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

    c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a Historical Resource under CEQA, a TCR may also require additional consideration as a Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their TCRs and heritage, AB 52 requires that CEQA lead agencies initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures.

3.18.3 Cultural Setting

The Nisenan (also referred to as Southern Maidu) inhabited the General Plan area prior to large-scale European and Euroamerican settlement of the surrounding area. Nisenan territory comprised the drainages of the Yuba, Bear, and American Rivers, and the lower drainages of the Feather River. The Nisenan, together with the Maidu and Konkow, their northern neighbors, form the Maiduan language family of the Penutian linguistic stock (Shipley 1978:89). Kroeber (1976:392) noted three dialects: Northern Hill Nisenan, Southern Hill Nisenan, and Valley Nisenan. Although cultural descriptions of this group in the English language are known from as early as 1849, most of our current cultural knowledge comes from various anthropologists in the early part of the 20th century (Levy 1978:413; Wilson and Towne 1978:397).

The basic subsistence strategy of the Nisenan was seasonally mobile hunting and gathering. Acorns, the primary staple of the Nisenan diet, were gathered in the valley along with seeds, buckeye, salmon, insects, and a wide variety of other plants and animals. During the warmer months, people moved to mountainous areas to hunt and collect food resources, such as pine nuts. Bedrock and portable mortars and pestles were used to process acorns. Nisenan settlement patterns were oriented to major river drainages and tributaries. In the foothills and lower Sierra Nevada, Nisenan located their villages in large flats or ridges near major streams. These villages tended to be smaller than the villages in the valley. (Wilson and Towne

1978:389–390.)

Trade provided other valuable resources that were not normally available in the Nisenan environment. The Valley Nisenan received black acorns, pine nuts, manzanita berries, skins, bows, and bow wood from the Hill Nisenan to their east, in exchange for fish, roots, grasses, shells, beads, salt, and feathers (Wilson and Towne 1978). To obtain, process, and utilize these material resources, the Nisenan had an array of tools to assist them. Wooden digging sticks, poles for shaking acorns loose, and baskets of primarily willow and redbud were used to gather vegetal resources. Stone mortars and pestles were used to process many of the vegetal foods; baskets, heated stones, and wooden stirring sticks were used for cooking. Basalt and obsidian were primary stone materials used for making knives, arrow and spear points, clubs, arrow straighteners, and scrapers. (Wilson and Towne 1978.)

Nisenan settlement locations depended primarily on elevation, exposure, and proximity to water and other resources. Permanent villages were usually located on low rises along major watercourses. Village size ranged from three houses to 40 or 50 houses. Larger villages often had semi-subterranean dance houses that were covered in earth and tule or brush, and had a central smoke hole at the top and an entrance that faced east (Wilson and Towne 1978:388). Early Nisenan contact with Europeans appears to have been limited to the southern reaches of their territory. Spanish expeditions intruded into Nisenan territory in the early 1800s. In the two or three years following the gold discovery, Nisenan territory was overrun by immigrants from all over the world. Gold seekers and the settlements that sprang up to support them were nearly fatal to the native inhabitants. Survivors worked as wage laborers and domestic help and lived on the edges of foothill towns. Despite severe depredations, descendants of the Nisenan still live in their original land area and maintain and pass on their cultural identity.

3.18.4 Summary of Native American Consultation

The United Auburn Indian Community is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Tribal members who are traditionally and culturally affiliated with the project area. The Tribe has deep spiritual, cultural, and physical ties to their ancestry land are contemporary stewards of their culture and landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe's goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

UAIC conducted a records search for the identification of Tribal Cultural Resources for this Project which included a review of pertinent literature and historic maps, and records searching using UAIC's Tribal Historic Information system (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information system Center (CHRIS) as well as historic resources survey data.

3.18.5 Tribal Cultural Resources within Project Area

In the absence of specific information from California Native American Tribes, information about potential impacts to TCRs or Native American Cultural Places was drawn from the ethnographic context (summarized above) and the results of a search of the Sacred Lands File of the NAHC. The ethnographic information reviewed for the project, including ethnographic maps, does not identify any villages, occupational areas, or resource procurement locations in or around the current project area. Further, the

areas of highest sensitivity are closer to the Feather River. In addition, the Sacred Lands File failed to identify any sacred lands or tribal resources in or near the project area.

3.18.6 Thresholds of Significance

AB 52 established that a substantial adverse change to a TCR has a significant effect on the environment. The thresholds of significance for impacts to TCRs are as follows:

Would the Project cause a substantial adverse change to a TCR, defined in Section 21074 as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a Native American tribe that are:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources;
- Included in a local register of historical resources as defined in subdivision k of Section 5010.1; and/or
- Determined by the City to be significant, as supported by substantial evidence, including:
    - A cultural landscape with a geographically defined boundary;
    - A historical resource as described in Section 21084.1 (either eligible for or listed on the California Register of Historical Resources or listed on a local registry);
    - A unique archaeological resource as defined in Section 21083.2; and/or
    - A non-unique archaeological resource as defined in Section 21083.2.

In assessing substantial adverse change, the City must determine whether or not the project will adversely affect the qualities of the resource that convey its significance. The qualities are expressed through integrity. Integrity of a resource is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, Section 4852(c)]. Impacts are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired [CCR Title 14, Section 15064.5(a)]. Accordingly, impacts to a TCR would likely be significant if the project negatively affects the qualities of integrity that made it significant in the first place. In making this determination, the City need only address the aspects of integrity that are important to the TCR's significance.

3.18.7 Impact Assessment/Environmental Consequences:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

There are no significant buildings on the property that will be removed as part of this project. Therefore, there will be no potential significant impacts on any historical resources, directly or indirectly.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The UAIC provided that no known TCRs were identified (as defined in Section 21074) within the proposed project area. Given the level of previous disturbance within the Project area, it is not expected that any

TCRs would remain. However, during grading and excavation activities, there is a potential to encounter native soils, which may contain undiscovered TCRs. In the unlikely event resources are discovered during ground disturbing activities that are associated with Native American culture, compliance with the TCR Mitigation Measures provided below would reduce the potential impacts to a less than significant level.

3.18.8 Tribal Cultural Mitigation Measures

Tribal Cultural Resources Mitigation 1: **Post Ground Disturbance** A minimum of seven days prior to beginning earthwork, clearing, and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of the project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure.

If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and measures included in the **Unanticipated Discoveries Mitigation Measure 2** shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign.

The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of paid Native American Monitor during ground disturbing activities.

Tribal Cultural Resources Mitigation 2: Unanticipated Discoveries: If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC 21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 523 has been satisfied.

3.19 Utilities and Service Systems

Table 3-19: Utilities and Service Systems				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

3.19.1 Environmental Setting/Affected Environment

Wastewater:

Yuba City owns, operates, and maintains the wastewater collection, treatment, and disposal system that provides sewer service to approximately 60,000 residents and numerous businesses. The remainder of the residents and businesses in the Yuba City Sphere of Influence (SOI) are currently serviced by private septic systems. In the early 1970s, the City's original sewage treatment plant was abandoned and the current Wastewater Treatment Facility (WWTF) was constructed.

Water:

The water supply source for the City is surface water from the Feather River with use of a backup groundwater well. The City of Yuba City is a public water agency with approximately 18,045 connections. City policy only allows areas within the City limits to be served by the surface water system.

Reuse and Recycling:

Solid waste generated in Yuba City is collected by Recology Yuba-Sutter. Recology offers residential, commercial, industrial, electronic, and hazardous waste collection, processing, recycling and disposal, as well as construction and demolition waste processing, diversion, and transfer to a disposal facility. The City's municipal solid waste is delivered to the Ostrom Road Landfill; a State-permitted solid waste facility that provides a full range of transfer and diversion services. This landfill has a remaining capacity of 39,223,000 cubic yards (90 percent remaining capacity reported in 2007).[4]

3.19.2 Federal Regulatory Setting

National Pollutant Discharge Elimination System: Discharge of treated wastewater to surface water(s) of the U.S., including wetlands, requires an NPDES permit. In California, the RWQCB administers the issuance of these federal permits. Obtaining a NPDES permit requires preparation of detailed information, including characterization of wastewater sources, treatment processes, and effluent quality. Any future development that exceeds one acre in size would be required to comply with NPDES criteria, including preparation of a Stormwater Pollution Prevention Plan (SWPPP) and the inclusion of BMPs to control erosion and offsite transport of soils.

3.19.3 State Regulatory Setting

State Water Resources Control Board (SWRCB): Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non-Chapter 15 (Non15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to Section 20230 of Title 27. Several programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

Department of Resources Recycling and Recovery (CalRecycle): The Department of Resources Recycling and Recovery (CalRecycle) is the State agency designated to oversee, manage, and track the 76 million tons of waste generated each year in California. CalRecycle develops laws and regulations to control and manage waste, for which enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

The Integrated Waste Management Act of 1989 (PRC 40050 et seq. or Assembly Bill (AB 939, codified in PRC 40000), administered by CalRecycle, requires all local and county governments to adopt a Source Reduction and Recycling Element to identify means of reducing the amount of solid waste sent to landfills. This law set reduction targets at 25 percent by the year 1995 and 50 percent by the year 2000. To assist local jurisdictions in achieving these targets, the California Solid Waste Reuse and Recycling Access Act of 1991 requires all new developments to include adequate, accessible, and convenient areas for collecting and loading recyclable and green waste materials.

---

4 CalRecycle, 2017. Available: http://www.calrecycle.ca.gov/SWFacilities/Directory/58-AA-0011/Detail/. Accessed August 15, 2017.

Regional Water Quality Control Boards: The primary responsibility for the protection of water quality in California rests with the State Water Resources Control Board (State Board) and nine Regional Water Quality Control Boards. The State Board sets statewide policy for the implementation of state and federal laws and regulations. The Regional Boards adopt and implement Water Quality Control Plans (Basin Plans), which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities.

National Pollutant Discharge Elimination System (NPDES) Permit: As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into water of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits.

California Department of Water Resources: The California Department of Water Resources (DWR) is a department within the California Resources Agency. The DWR is responsible for the State of California's management and regulation of water usage.

3.19.4 Impact Assessment/Environmental Consequences:

a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Although this self-storage facilities will be a low water user, the Project will connect to the City's water system. The City's Water Treatment plant (WTP), for which its primary source of water is from the Feather River, also has adequate capacity to accommodate this project. The WTP uses two types of treatment systems, conventional and membrane treatment. The permitted capacity of the conventional WTP is 24 million gallons per day (mgd). The membrane treatment system has a permitted capacity of 12 mgd. Water produced from the conventional and the membrane treatment plants are blended for chlorine disinfection. Operating the conventional and membrane treatment facilities provides a total WTP capacity of 36 mgd. The City is permitted to draw 30 mgd from the Feather River. The current maximum day use is 26 mgd. The City also has an on-site water well at the water plant that supplements the surface water when needed.

The City has adopted a water master plan to expand the water treatment plant to the extent that it will accommodate the overall growth of the City.

The ongoing expansion of the plant to accommodate growth beyond this project is funded by the connection fees paid by each new connection. Therefore, the impact on the water treatment facilities will be less than significant.

The Project will not connect to the City's wastewater collection system. Since the Project is such a low water user, little wastewater will be generated. As such the Project will utilize an individual septic system. As the system must be pre-approved by the Sutter County Environmental Health Department, the impacts from on groundwater will not be significant.

Stormwater drainage in this area is provided by a combination of Yuba City drainage lines and the Sutter County Water District, which operates and maintains the Live Oak Canal. This project has been determined by the respective agencies to be able to accommodate the additional drainage generated by this project. Further, the project will be responsible to pay the fees to the drainage district that mitigates the project's impacts on the system. Thus, the impacts on the stormwater drainage system will be less than significant.

The connections to nearby electric power facilities, natural gas facilities and telecommunication facilities to this property are provided by private companies, none of which have voiced concerns over the extensions of their services to this project site. With these considerations the impact on these types of facilities are expected to be less than significant.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

An on-site septic tank will be utilized for the Project so the City wastewater collection and treatment facilities will not be utilized.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

e) Comply with federal, state, and local statutes and regulations related to solid waste?

Recology Yuba-Sutter provides solid waste disposal for the area as well as for all of Sutter and Yuba Counties. There is adequate collection and landfill capacity to accommodate the proposed development.

3.20 Wildfire

Table 3-20: Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

3.20.1 Environmental Setting/Affected Environment

Wildland fires are an annual hazard in Sutter County, particularly in the vicinity of the Sutter Buttes, and, to a lesser degree due to urbanized development, Yuba City. Wildland fires burn natural vegetation on undeveloped lands and include rangeland, brush, and grass fires. Long, hot, and dry summers with temperatures often exceeding 100°F add to the County's fire hazard. Human activities are the major causes of wildland fires, while lightning causes the remaining wildland fires. Irrigated agricultural areas, which tend to surround Yuba City, are considered a low hazard for wildland fires.

The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program identifies fire threat based on a combination of two factors: 1) fire frequency, or the likelihood of a given area burning, and 2) potential fire behavior (hazard). These two factors are combined in determining the following Fire Hazard Severity Zones: Moderate, High, Very High, Extreme. These zones apply to areas designated as State Responsibility Areas – areas in which the State has primary firefighting responsibility. The project site is not within a State Responsibility Area and therefore has not been placed in a Fire Hazard Severity Zone.

3.20.2 Impact Assessment/ Environmental Consequences

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

As discussed in Section 3.17 of this Initial Study, project construction is not expected to substantially obstruct emergency vehicles or any evacuations that may occur in the area. Project operations likewise would not obstruct any roadways. Therefore, the impacts of the project related to emergency response or evacuations would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The project site is in a level urban area that with little, if any, native vegetation remaining, and the greater urban area is surrounded by irrigated farmland. This type of environment is generally not subject to wildfires near the urban area. In light of this, the exposure of new residents to wildfire is less than significant.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

As discussed above, the site is not near any wildland areas and the project itself will not create any improvements that potentially could generate wildfire conditions. As such the project will not be constructing or maintaining wildfire related infrastructure such as fire breaks, emergency water sources, etc. Thus, the project will not create any potential significant impacts that could result from these types of improvements.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is in a topographically flat area. There are no streams or other channels that cross the site. As such, it is not expected that people or structures would be exposed to significant risks from changes resulting from fires in steeper areas, including downslope or downstream flooding or landslides. Impacts of the project related to these issues would be less than significant.

3.21 Mandatory Findings of Significance

Table 3.21: Mandatory Findings of Significance				
Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important example of the major periods of California history or prehistory?			X	
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)			X	
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

3.21.1 Impact Assessment/Environmental Consequences:

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important example of the major periods of California history or prehistory?

The land was stripped many years ago of native vegetation for agricultural uses and was farmed for many years. Therefore, the construction of this self-storage facility will not significantly degrade the quality of the natural environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate an important example of the major periods of California history or prehistory.

The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the proposed Project, with its mitigation measures, will have a less than significant effect on the local environment.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects.

This Project is consistent with the and policies of the General Plan. As such the traffic generated by the Project is within what was anticipated in the General Plan which considered anticipated future growth of the area. The City has adequate water and wastewater capacity and the project will be extending those services to the site. Stormwater drainage will also meet all City standards. The City has good development and design standards that will be applied to the project. The loss of agricultural land is cumulative but based on City and County agricultural protection program, the loss is limited to within the urban areas of the cities which is a minor portion of the entire County. The FRAQMD also did not comment that the project would create any significant cumulative impacts on air quality. Therefore, there are no significant impacts that will be individually limited but cumulatively considerable.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

The proposed Project in and of itself would not create a significant hazard to the public or the environment. Construction-related air quality, noise, and hazardous materials exposure impacts would occur for a very short period and only be a minor impact during that time period. Therefore, the proposed project would not have any direct or indirect significant adverse impacts on humans.

4. Section References and/or Incorporated by Reference

According to Section 15150 of the CEQA Guidelines, an ND may incorporate by reference all or portions of another document that is a matter of public record. The incorporated language will be considered to be set forth in full as part of the text of the ND. All documents incorporated by reference are available for review at, or can be obtained through, the City of Yuba City Development Services Department located at the address provided above. The following documents are incorporated by reference:

Fehr & Peers, Inc. September 2020. SB 743 Implementation Guidelines for City of Yuba City.

Governor's Office of Planning and Research, November 2017. Technical Advisory on Evaluating Transportation Impacts in CEQA.

Sacramento Area Council of Governments. Hex Maps. Work VMT-2020 MTP/SCS (Adopted).

California Department of Conservation, Division of Land Resource Protection (CDC DLRP). 2014. Farmland Mapping and Monitoring Program – Sutter County Important Farmland 2012. August 2014.

California Department of Conservation, Division of Land Resource Protection (CDC DLRP). 2013. Sutter County Williamson Act FY 2013/2014.

Carollo. 2011. City of Yuba City 2010 Urban Water Management Plan. June 2011.

Yuba City, City of. 2016. City of Yuba City Municipal Code.
https://www.municode.com/library/ca/yuba_city/codes/code_of_ordinances

Dyett & Bhatia. 2004. City of Yuba City General Plan. Adopted April 8, 2004.

Yuba City General Plan, 2004 Environmental Impact Report. (SCH #2001072105).

Fehr & Peers Associates, Inc. 1995. Yuba-Sutter Bikeway Master Plan. December 1995.

"Determination of 1-in-200 Year Floodplain for Yuba City Urban Level of Flood Protection Determination," prepared for Yuba City by MBK Engineers, November 2015.

Sutter County General Plan.

Feather River Air Quality Management District (FRAQMD) CEQA Significance Thresholds.

Yuba Sutter Transit Route Map.

California Department of Conservation, California Geological Survey. "Fault Zone Activity Map." Alquist-Priolo Earthquake Fault Zones.

California Department of Toxic Substances Control (DTSC). 2016. EnviroStor. Available at http://www.envirostor.dtsc.ca.gov/public/

California Department of Conservation, Division of Land Resource Protection Farmland Mapping and Monitoring Program – Sutter County Important Farmland Map.

Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps.

Carollo. 2011. City of Yuba City 2010 Urban Water Management Plan. June 2011.

City of Yuba City Wastewater Master Plan.

Sutter County Airport Comprehensive Land Use Plan, April, 1994.

Yuba County Airport Land Use Compatibility Plan, Sept., 2010.

California Department of Transportation (Caltrans). 2011. California Scenic Highway Mapping System website. Updated September 7, 2011. Available at http://dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

City of Yuba City

MITIGATION MEASURES AND MONITORING PLAN

Yuba City Self-Storage:

Initial Study and Mitigated Negative Declaration EA 22-03

For Development Plan 22-01

Impact	Mitigation Measure	Responsible Party	Timing
3.7 Geology and Soils	**Paleontological Mitigation Measure 1:** This Mitigation Measure shall be placed as a note on the Demolition and Grading Plans. If paleontological resources are found, the construction manager shall halt all activity and immediately contact the Development Services Department at 530-822-4700. Mitigation shall be conducted as follows: 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high; 2. Assess effects on identified sites; 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted; 4. Obtain comments from the researchers; 5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible. In considering any suggested mitigation proposed by the consulting paleontologist, the City's Community Development Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific or General Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.	Developer, Public Works Dept., Development Services Dept.	During construction phase
3.8. Greenhouse Gases	**Greenhouse Gas Mitigation 1:** The site grading and construction of the self-storage facility shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.	Development Services Dept.	Prior to issuance of building

			permits.
3.18. Tribal Cultural Resources	**Tribal Cultural Resources Mitigation 1**: **Post Ground Disturbance** A minimum of seven days prior to beginning earthwork, clearing, and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of the project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure. If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and measures included in the **Unanticipated Discoveries Mitigation Measure 2** shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of paid Native American Monitor during ground disturbing activities. **Tribal Cultural Resources Mitigation 2: Unanticipated Discoveries:** If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American Tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC 21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Preservation in place is the preferred alternative under CEQA and UAIC	Developer, Public Works Dept., Development Services Dept.	During construction phase

	protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe. The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 523 has been satisfied.		

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23 within Yuba City Residential Street Light Maintenance District No. 1 (Tierra Buena) and Residential Street Light Maintenance District No. 1 (Walton Area)

Fiscal Impact: Walton District – no change in assessments
Tierra Buena District – no change in assessments

Purpose:

To provide ongoing residential street lighting to assessed districts in the City, pursuant to the provisions of the Benefit Assessment Act of 1982 and Article XIIID of the California Constitution.

Council Strategic Goal:

Levying Yuba City Residential Street Light Maintenance Districts (RSLMDs) addresses the City Council's Strategic Goal of maintaining infrastructure, as the levy of the RSLMDs will ensure that street lighting remains operational.

Background:

The City annually levies and collects special assessments in order to maintain and service streetlights in the Walton Avenue Area and Tierra Buena Area (Attachment 1, Exhibit A). The Districts were formed while the areas were under the County's jurisdiction, and the City took over the administration of the Districts when they were annexed into the City. Prior to 2009, the Districts were historically charged the maximum levy which allowed the reserves to build up.

On July 5, 2022, Council adopted Resolutions directing the filing of the Annual Reports. On July 19, 2022, Council adopted Resolutions of Intention to order the improvements, and set a Public Hearing for August 16, 2022 to establish the assessments for Fiscal Year 2022-23.

Analysis:

The Engineer's Annual Reports have been prepared and are on file in the City Clerk's Office. They describe each District, the improvements therein, the method of assessment, and the proposed assessment for each parcel.

Fiscal Impact:

Annual levies will remain unchanged for both Districts. The proposed levy amounts for each District are shown in Attachment 2.

The projected revenue, expenditures, and cash balance for the Districts are as follows:

District	Revenue	Expenditures	Projected Reserve Fund Balance as of 7/1/22
Tierra Buena Area	$22,411	$26,956	$111,066
Walton Area	$81,677	$76,722	($26,944)

Operating costs for the Walton area have neared or exceeded the maximum levy for the district multiple times over the past ten years. Additionally, operating costs for Walton have increased while operating costs for Tierra Buena have decreased after FY 2015-16.

Alternatives:

1. Council may direct the modification of the assessment amounts which will affect future revenue and expenditure amounts in Fiscal Year 2022-23, or cancel the District and find alternative funding sources to operate the streetlights.
2. Council may direct City staff to follow legal procedures in order to modify the Residential Street Light Maintenance Districts to include Cost of Living Adjustment (COLA) provisions.

Attachments:

1. Attachment 1 - Resolution RSLMD Public Hearing
2. Exhibit A - District Maps
3. Attachment 2 - Proposed Assessments RSLMD Public Hearing

Prepared By:
Josh Wolffe
Associate Civil Engineer

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY CONFIRMING AND ORDERING THE ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2022-23 WITHIN YUBA CITY RESIDENTIAL STREET LIGHT MAINTENANCE DISTRICT (WALTON AREA) AND YUBA CITY RESIDENTIAL STREET LIGHT MAINTENANCE DISTRICT (TIERRA BUENA AREA) PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Yuba City previously formed Yuba City Residential Street Light Maintenance District (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) ("Districts"), pursuant to the provisions of the Benefit Assessment Act of 1982, California Government Code Division 2, Chapter 6.6, Section 54703 et seq. (hereafter referred to as the "Act"); and

WHEREAS, a Report (hereafter referred to as the "Formation Report") was prepared, filed and approved by the City Council in connection with each of the Districts and the levy of said assessments, pursuant to Section 54716 of said Act; and

WHEREAS, the City Council conducted property owner protest proceedings relating to the improvements and services described in the Formation Report and the levy and collection of annual assessments and an assessment range formula related thereto for each of the Districts in accordance with the provisions of the California Constitution Article XIIID and Proposition 218; and

WHEREAS, pursuant to the Act, after the first year's levy of assessments, the City Council may annually thereafter determine the cost of the services to be financed by the assessments and by ordinance or resolution determine and impose the assessments as approved by the property owners in conjunction with formation of the Districts; and

WHEREAS, the Council directed and authorized the City Engineer to assist with the calculation and establishment of the assessments and to prepare and file a budget report(s) (hereafter referred to as the "Engineer's Report") with the City Clerk, generally describing how the Districts were formed, the improvements and services within the Districts, the method of apportionment and dispensation of the benefits, and the budget containing the costs and proposed levy amounts for funding the benefits and the assessment roll; and

WHEREAS, the Engineer's Reports outlining the proposed expenses and annual assessments for the Districts have been prepared and presented to the City Council for review and filed with the City Clerk; and

WHEREAS, the City Council now desires to impose the annual assessment for each District at an amount not to exceed the maximum amount previously approved by the voters; and

WHEREAS, the City Council, after notice duly given as required by law, held a public hearing on August 16, 2022 at 6:00 p.m., in the City Hall council chambers to consider the proposed annual levy of assessments for each of the Districts; and,

WHEREAS, on August 16, 2022, all interested persons were afforded the opportunity to comment in protest or support of the assessments; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report, which serves as the budget report, as presented and is satisfied that the assessments have been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed within the Districts therein; and

WHEREAS, the City Council now desires to levy the annual assessment for Fiscal Year 2022-23 for the Districts.

NOW, THEREFORE**,** be it resolved by the City Council of Yuba City as follows:

1. The above recitals are true and correct, and are hereby incorporated herein by this reference.

2. The City Council hereby (1) finds that the public interest and convenience requires, and (2) declares its intention, to order the levy of and to collect assessments against the assessable lots and parcels of property within existing assessment districts designated Yuba City Residential Street Light Maintenance District (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) ("Districts"), pursuant to the provisions of the Act, for the fiscal year commencing July 1, 2022 and ending June 30, 2023, to pay for the costs and expenses of the improvements described below in Section 4 of this Resolution.

3. The boundaries of the Districts are generally located and depicted in "Exhibit A" attached hereto.

4. The proposed improvements are briefly described as follows: the operation of residential street lights.

5. The assessments to be levied and collected against the assessable lots and parcels of property within each District for Fiscal Year 2022-23 are proposed to remain the same as compared to the assessments levied and collected for Fiscal Year 2021-22.

6. The City Council has reviewed the Engineer's Report, which serves as the budget report, in connection with each of the Districts and the levy and collection of assessments proposed for Fiscal Year 2022-23. Based upon its review of the Budget Report, the City Council hereby finds and determines that:

    a. The territory of land within each of the Districts will receive special benefits from the operation, maintenance and servicing of the street light system and the appurtenant improvements and facilities related thereto within that District; and,

    b. The net amount to be assessed upon the lands within each of the Districts, in accordance with the proposed Engineer's Report (commencing July 1,

2022 and ending June 30, 2023) shall be apportioned by a formula and method which fairly distributes the net amount among the eligible parcels within that District in proportion to the special benefits to be received by each parcel from the improvements and services as defined in the original Engineer's Report first prepared and filed pursuant to Section 54716 of Act, and is satisfied that the assessments are levied without regard to property valuation.

7. The budget and assessments for each of the Districts for Fiscal Year 2022-23 as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

8. The Council finds that the hearing on said annual levy of assessment for the Districts was held in accordance with law and all persons desiring to speak were heard.

9. The Engineer's Report, the diagram for the assessment district and the assessment of the estimated costs of the improvements contained therewith and each and every part of said Report, is adopted and approved for each District, and that the assessment of the total amount of the costs and the individual assessments thereof upon the several subdivisions of lane expenses, respectively, from said improvements, and of the expenses incidental thereto, be and the same hereby is finally approved and confirmed as the assessment to pay the costs. The assessment for Fiscal Year 2022-23 is proposed to remain the same as the previous year as described in the Engineer's Report.

10. The Council hereby orders the levy of the assessments described in said Resolution of Intention and the Engineer's Report for each District. As the levies are consistent with the amounts approved with the formation of each District and remain the same, the assessment is exempted from the requirements of Article XIII Section D of the California Constitution (Proposition 218).

11. The City Council hereby orders the Districts improvements as indicated in the Engineer's Report, to be made and authorizes and directs the City Clerk or designee to file the levy with the County Auditor/Controller for Fiscal Year 2022-23.

12. The County Auditor/Controller of Sutter shall enter on the County Tax Roll opposite each identified parcel of land the amount of the levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

13. The adoption of this Resolution constitutes the levy of the annual assessment for the fiscal year commencing July 1, 2022 and ending June 30, 2023 for the Districts.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August, 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

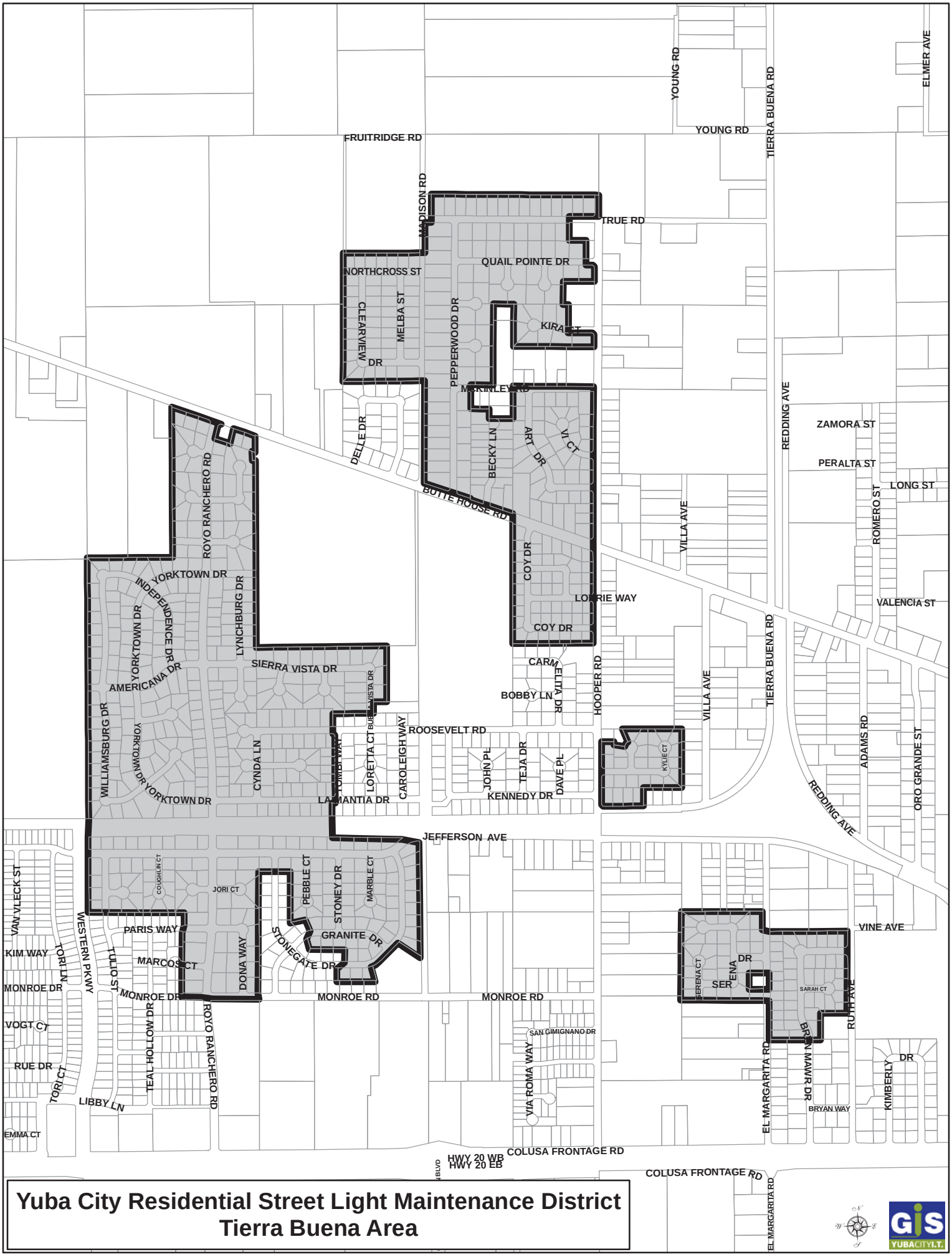
_____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):

Exhibit A – District Maps

EXHIBIT A

Yuba City Residential Street Light Maintenance District
Walton Area



Yuba City Residential Street Light Maintenance District
Tierra Buena Area

ATTACHMENT 2

PROPOSED ASSESSMENTS

WALTON RESIDENTIAL STREET LIGHT DISTRICT

Affected Subdivision	Proposed Assessment (per single unit - $)	Change From Previous Year ($)	Maximum Levy Allowed ($)
Bogue Ranch	$37.00	$0.00	$37.00
Bogue Ranch II	$59.40	$0.00	$59.40
Cypress	$41.74	$0.00	$41.74
Hampton Estates I	$45.58	$0.00	$45.58
Hampton Estates II	$41.80	$0.00	$41.80
Kushlia Village	$62.00	$0.00	$62.00
Lincoln Park II	$52.56	$0.00	$52.56
Lincoln Pointe	$51.48	$0.00	$51.48
Lincoln Village I	$61.44	$0.00	$61.44
Lincoln Village II	$50.78	$0.00	$50.78
Meadowood I	$73.12	$0.00	$73.12
Meadowood II	$111.88	$0.00	$111.88
Orchard II	$62.92	$0.00	$62.92
Orchard III	$34.60	$0.00	$34.60
Ravenwood I	$54.06	$0.00	$54.06
Ravenwood II	$67.28	$0.00	$67.28
Ravenwood III	$40.40	$0.00	$40.40
Sanborn Estates	$63.58	$0.00	$63.58
Sandpiper I, II, III	$46.32	$0.00	$46.32
Sun Valley II	$51.48	$0.00	$51.48
Sunrise Village	$58.56	$0.00	$58.56
W Ranch Meadowood	$67.06	$0.00	$67.06
Walton Park Estates	$38.00	$0.00	$38.00
Walton Ranch	$60.06	$0.00	$60.06
Woodside Village II	$67.56	$0.00	$67.56

TIERRA BUENA RESIDENTIAL STREET LIGHT DISTRICT

Affected Subdivision	Proposed Assessment (per single unit)	Change From Previous Year	Maximum Levy Allowed
Bryn Mawr Estates III	$25.38	$0.00	$61.22
Bryn Mawr Estates IV	$27.16	$0.00	$65.52
Buena Vista I	$14.94	$0.00	$36.04
Buena Vista II	$34.78	$0.00	$83.90
Butte Rancho	$27.93	$0.00	$67.38
Butte View Estates	$36.94	$0.00	$89.10
Country Aire	$32.22	$0.00	$77.72
Kira Estates	$33.20	$0.00	$80.08
Loma Vista	$34.14	$0.00	$82.36
Quail Pointe Estates	$37.10	$0.00	$89.50
Ranchero II & III	$45.15	$0.00	$108.90
Ranchero IV & VI	$20.13	$0.00	$48.54
Ranchero Estates I	$26.72	$0.00	$64.46
Ranchero Estates V	$24.90	$0.00	$60.06
Rancho De Royo I Ph I	$52.42	$0.00	$126.44
Rancho De Royo II Ph II	$27.18	$0.00	$65.56
Skyview Place	$33.95	$0.00	$81.90
Stonegate Village Unit I	$24.59	$0.00	$59.32
Stonegate Village Unit II	$21.52	$0.00	$51.90
Stonegate Village Unit III	$17.24	$0.00	$41.58
Suburban Acres	$20.31	$0.00	$49.00
Tara Estates	$21.09	$0.00	$50.86
Teja IV	$29.73	$0.00	$71.72
Walnut Acres	$21.69	$0.00	$52.32

Agenda Item **18**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23, pursuant to the Landscaping and Lighting Act of 1972

Fiscal Impact: Receipt of assessments and expenditures of funds for Landscape Maintenance District No. 1

Purpose:

To continue to provide Landscape Maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution.

Council Strategic Goal:

Levying Yuba City Landscape Maintenance District No. 1 (LLMD No. 1) addresses the City Council's Strategic Goal of maintaining infrastructure, as levying (LLMD No. 1) will ensure that landscaping and associated items are maintained and in operation.

Background:

The City annually levies and collects a special assessment in order to maintain and service landscaping that provides special benefit to the parcels identified in Landscape Maintenance District 1 (Attachment 1, Exhibit A). The assessments were approved by the property owners of record through a protest ballot proceeding at the time the District was formed.

District 1 includes the Stabler Lane area (A) and Garden Highway area (B, B_1, and B_2). Zones A and B do not have provisions for a cost of living adjustment (COLA) and have historically been charged the maximum levy allowed in order to cover the expenses. Zones B_1 and B_2 are recently formed zones of benefit and do have provisions for a COLA which is based on the Consumer Price Index from January to January.

In previous years, the expenditures in District No. 1 exceeded the revenue due to increasing costs and

the lack of COLA provisions, creating negative Reserve Fund Balances.

The City has addressed these negative fund balances with aggressive cost-cutting measures and transfers from the General Fund and Streets and Road Fund. The City has reduced professional services, water, and administration expenses, allowing the revenue to exceed the expenditures in District No. 1.

The City previously attempted to modify District No. 1 to include the COLA provisions, but residents within the District opposed the modification. Without the ability to increase rates, the cost to maintain the district has exceeded revenues received from the assessments. In order to restore maintenance levels, the City could again approach property owners about approving an assessment increase through a Proposition 218 process.

On July 5, 2022, Council adopted a Resolution describing improvements and directing the filing of the Annual Report. On July 19, 2022, Council adopted a Resolution approving the Engineer's Report, and a Resolution of Intention to order the improvements, setting a Public Hearing for August 16, 2022 to establish the assessments for Fiscal Year 2022-23.

Analysis:

The Engineer's Annual Report has been prepared and is on file in the City Clerk's office. The report describes the District, the improvements therein, the method of assessment, and the proposed assessment for each parcel.

Fiscal Impact:

The proposed assessments for Fiscal Year 2022-23 are shown in Attachment 2.

The projected revenue, expenditures, and cash balance, which include capital reserve, for the Districts are as follows:

District – Zone of Benefit	Revenue	Expenditures	Projected Reserve Fund Balance as of 7/1/23*
1 - A	$22,007	$19,674	$2,975
1 – B**	$66,250	$64,988	$29,778

*The Projected Reserve Fund Balance is the total of the Capital Replacement Reserve plus the Operating Reserve.
**Dollar amounts for both Zones of Benefit B, B_1, and B_2 are included within "1-B" row of table.

The reserve balance in Zone of Benefit B consists of General Fund transfers that were unspent from previous years. Staff recommends maintaining this reserve balance to cover unforeseen expenses that may come up throughout the year. Moving forward, the City may be required to reduce maintenance levels in District No. 1, or utilize General Fund Gateway Maintenance Transfer funds to maintain previous years' level of maintenance.

Alternatives:

1. Council may direct the modification of the assessment amounts which will affect future revenue and expenditure amounts in FY 22/23, or cancel the District and find alternative funding sources to maintain the landscaping.
2. Council may direct City staff to follow legal procedures in order to modify District No. 1 to include an adjustment to match current expenditures with COLA provisions to avoid revenue shortfalls in the future.

3. Council may direct other fund sources to supplement the District revenues based on previous Fiscal Year expenditures. In previous fiscal years, the average expenditure dollar amount in Zone of Benefit B was approximately $100,000 with revenues being approximately $65,000.

Attachments:

1. Attachment 1- Resolution LLMD No. 1 Public Hearing
2. Exhibit A - District Maps
3. Attachment 2 - Proposed Assessments D1 Public Hearing

Prepared By:	Submitted By:
Josh Wolffe	Diana Langley
Associate Civil Engineer	City Manager

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY CONFIRMING AND ORDERING THE ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2022-23 FOR THE YUBA CITY LANDSCAPE MAINTENANCE DISTRICT NO. 1 (ZONE OF BENEFIT "A" (STABLER LANE AREA) AND ZONES OF BENEFIT "B," "B_1," & "B_2" (GARDEN HIGHWAY AREA))

WHEREAS, on July 19, 2022, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (commencing with Section 22500) (the "Act"), the City Council of the City of Yuba City did declare its intention to review, levy and collect the annual assessment for Landscape Maintenance District No. 1 ("District") for Fiscal Year 2022-23; and

WHEREAS, assessments levied within the District provided revenue for the purpose of financing the installation, construction, and maintenance of certain public projects eligible under the Act, including without limitation the operation, maintenance, and servicing of improvements including turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, street lighting, masonry walls or other fencing, entryway monuments, and associated appurtenant facilities located within the streetscape (perimeter landscaping) surrounding the developments, as well as servicing improvements including electricity, water for irrigation of any landscaping, and the operation of fountains; and

WHEREAS, said Council did declare its intention to levy and collect the annual assessment for the maintenance and operation of the landscaping facilities in said District; and

WHEREAS, on July 5, 2022, pursuant to the provisions of the Act, the City Council initiated proceedings by Resolution No. 22-102 for the levy and collection of assessments against the assessable lots and parcels of land in the District for Fiscal Year 2022-23 and directed the Engineer of Work, Tyrone Peter of Willdan Financial Services, to prepare and file a written report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act; and

WHEREAS, in accordance with Article 4 of Chapter 1 of the Act, the Engineer of Work prepared and filed such report (the "Engineer's Report") with the City Clerk, and the City Clerk has presented the Engineer's Report to the City Council; and

WHEREAS, on July 19, 2022, the City Council adopted Resolution No. 22-111 approving the Engineer's Report, which calculated the annual assessments for the parcels in said District, as filed pursuant to Section 22623 of the Act, and

WHEREAS, the public notice of the Resolution of Intention and the Public Hearing scheduled for August 16, 2022, was duly published on August 5, 2022.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

1. The above recitals are true and correct, and are hereby incorporated herein by this reference.

2. The City Council hereby (1) finds that the public interest and convenience requires and (2) declares its intention to order the levy of and to collect assessments against

the assessable lots and parcels of property within an existing assessment district designated “Landscape Maintenance District No. 1” (the “District”) pursuant to the provisions of the Act, for the fiscal year commencing July 1, 2022 and ending June 30, 2023, to pay for the costs and expenses of the improvements described in the Engineer’s Report.

3. That the City Council hereby determines that the territory within the District, whose boundaries are set forth in the Engineer’s Report, on file with the City Clerk of the City of Yuba City, will be the territory benefited by the maintenance and servicing of the improvements described in said Report.

4. That the hearing on said annual levy of assessment was held in accordance with law and all persons desiring to speak were heard.

5. That the Engineer’s Report, the diagram for the assessment district and the assessment of the estimated costs of the improvements contained therewith and each and every part of said Report, is adopted and approved as to the District, and that the assessment of the total amount of the costs and the individual assessments thereof, respectively, from said improvements, and of the expenses incidental thereto, be and the same hereby are finally approved and confirmed as the assessments to pay the costs. The assessments for District No. 1, Zones of Benefit “A” and “B,” for Fiscal Year 2022-23 are proposed to remain the same as the previous year as described in the Engineer’s Report. The assessments for District No. 1, Zone of Benefit “B_1,” and “B_2” for Fiscal Year 2022-23 are proposed to increase from the previous year as described in the Engineer’s Report, but are still within or less than the amount approved for Zones of Benefit “B_1” and “B_2” at the time of the Districts’ formations.

6. The Council hereby orders the levy of the assessments described in said Resolution of Intention and the Engineer’s Report.

7. That the assessment diagram showing the assessment district referred to in said Resolution of Intention, and also the subdivision of land within the District, as contained in said Engineer’s Report, be and it is hereby finally approved and confirmed as the diagram of the properties to be assessed to pay the costs of the improvements.

8. The City Clerk shall file the diagram and assessment, as confirmed or certified copy thereof, with the Sutter County Auditor-Controller no later than August 19, 2022.

9. As the levies remain the same as prior years, the assessments for District No. 1 Zones of Benefit “A” and “B” are exempted from the requirements of Article XIII Section “D” of the California Constitution (Proposition 218). Likewise, although the levies have increased for District No. 1 Zones of Benefit “B_1” and “B_2” as compared to the prior year, the levy amounts are consistent with and less than the previously approved Cost of Living Adjustment adopted at the times of formation of the Districts pursuant to Proposition 218, and as such, the levies for District No. 1 Zones of Benefit “B_1” and “B_2” are likewise exempt from further compliance with Proposition 218.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August 2022.

AYES:

NOES:

ABSENT:

_____
Dave Shaw, Mayor

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

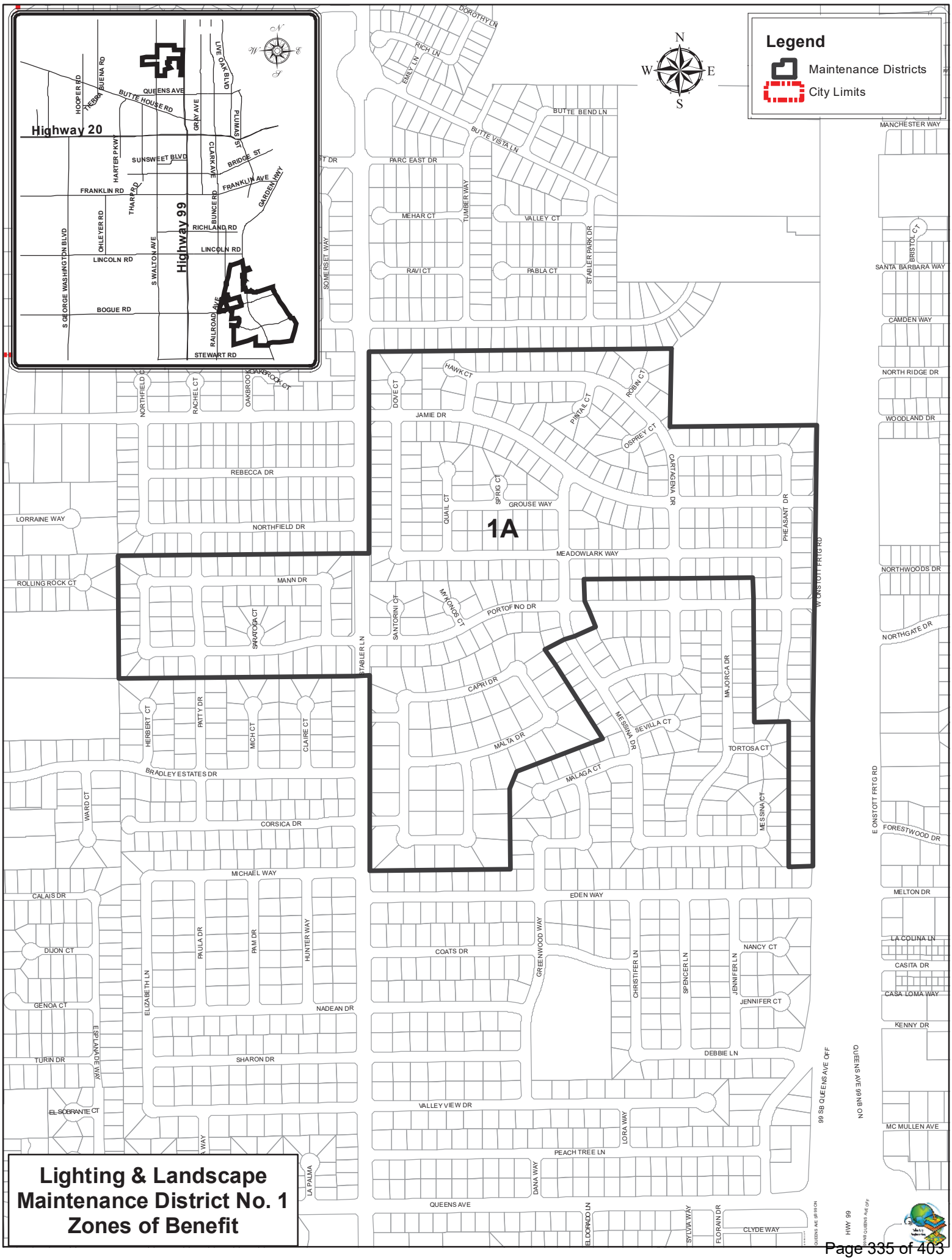
APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

_____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

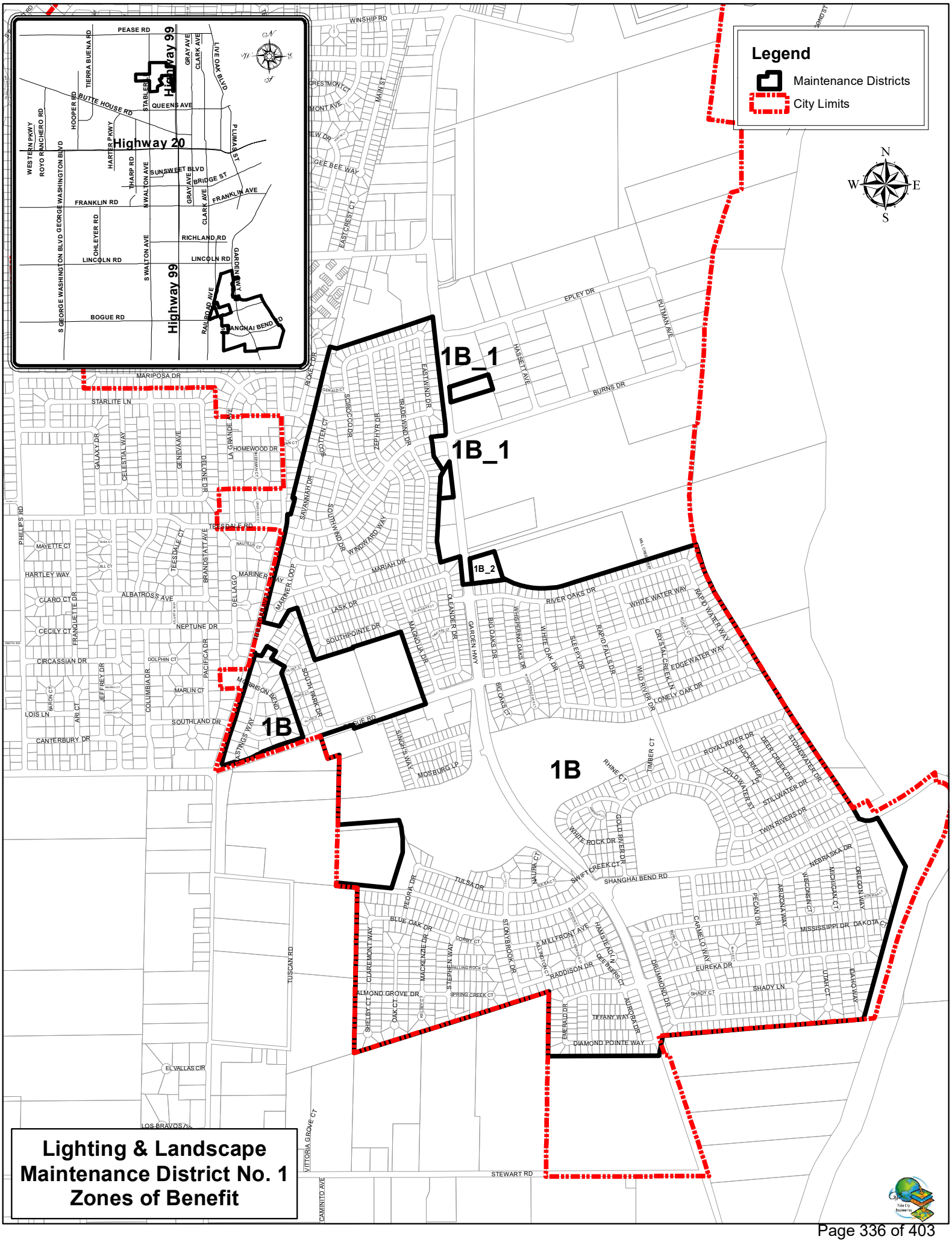
Attachment(s):

Exhibit A – District Map

EXHIBIT A



Lighting & Landscape Maintenance District No. 1 Zones of Benefit



Lighting & Landscape Maintenance District No. 1 Zones of Benefit

ATTACHMENT 2

DISTRICT 1 PROPOSED ASSESSMENTS

District	Zone of Benefit	FY 2022/23 Proposed Levy Rate ($)	Change From Previous Year ($)	Maximum Levy Rate Allowed ($)
1	A	$56.72	$0.00	$56.72
	B	$29.50	$0.00	$29.50
	B_1	$36.58	$2.54	$36.59
	B_2	$334.80	$23.29	$334.81

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;

From: Public Works Department

Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, & 5 (Town Center and 69 subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 5 (Commercial District) Levying Assessments

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2022-23 for the Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, & 6 (Town Center, 69 subdivisions throughout Yuba City including the Palisades Subdivisions and Butte Vista neighborhood, and commercial district)

Fiscal Impact: Receipt of assessments and expenditures of funds for lighting and landscape maintenance districts throughout the City.

Purpose:

To continue to provide Lighting and Landscape Maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution.

Council Strategic Goal:

Levying Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5, and Yuba City Lighting and Landscape Maintenance District No. 6 (LLMD Nos. 2-6) addresses the City Council's Strategic Goal of maintaining infrastructure, as levying (LLMD Nos. 2-6) will ensure that street lighting, landscaping and associated items, block walls, detention ponds, and street-end barricades are maintained and in operation.

Background:

The City annually levies and collects special assessments in order to maintain and service landscaping and lighting improvements that provide special benefit to the parcels identified in Lighting and Landscape Maintenance Districts 2-6 (Attachment 1, Exhibit A). The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the Districts were formed.

District Nos. 2 (Town Square Area); 3, 4, and 5 (69 subdivisions located throughout the City); and 6 (several commercial areas throughout the City) have provisions for a Cost of Living Adjustment (COLA), which is based on the Consumer Price Index from January to January. The COLA was determined to be a 7.48% change from last year.

On July 5, 2022, Council adopted Resolutions directing the filing of the Annual Reports. On July 19, 2022, Council adopted Resolutions of intention to order the improvements, and set a Public Hearing for August 16, 2022 to establish the assessments for Fiscal Year 2022-23.

Analysis:

The Engineer's Annual Reports have been prepared and are on file in the City Clerk's office. They describe each District, the improvements therein, the method of assessment, and the proposed assessment for each parcel.

District Nos. 3, 4, 6, and District 5 Zones of Benefit B-L will see increases in their annual levies, while District 2 Zone of Benefit A, and District 5 Zone of Benefit A will see decreases in their annual levies. The levies were raised in response to inflation, while District 2 Zone of Benefit A, and District 5 Zone of Benefit A levies were decreased due to sufficient reserves and revenues which exceeded expenditures.

Fiscal Impact:

The proposed assessments for FY 2022-23 are shown in Attachment 2.

The projected revenue, expenditures, and cash balance, which include capital reserve, for the Districts are as follows:

District	Revenue	Expenditures	Projected Reserve Fund Balance as of 7/1/23*
2	$83,372	$41,035	$111,665
3	$10,662	$8,676	$27,566
4	$153,205	$135,737	$144,411
5	$576,028	$577,970	$221,880
6	$29,125	$14,792	$141,897

*The Projected Reserve Fund Balance is the total of the Capital Replacement Reserve plus the Operating Reserve.

Alternatives:

1. Council may direct the modification of the assessment amounts which will affect future revenue and expenditure amounts in Fiscal Year 2022-23, or cancel the Districts and find alternative funding sources to maintain the lighting and landscaping.

Attachments:

1. Attachment 1 - Resolution LLMD Nos. 2-6 Public Hearing
2. Exhibit A - District 2-6 Maps
3. Attachment 2 - Proposed Assessments D 2-6 Public Hearing

Prepared By:
Josh Wolffe
Associate Civil Engineer

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY CONFIRMING AND ORDERING THE ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2022-23 FOR THE YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NOS. 2, 3, 4, 5, & 6 (TOWN CENTER, 69 SUBDIVISIONS THROUGHOUT YUBA CITY INCLUDING THE PALISADES SUBDIVISIONS AND BUTTE VISTA NEIGHBORHOOD, AND COMMERCIAL DISTRICT)

WHEREAS, on July 19, 2022, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (commencing with Section 22500) (the "Act"), the City Council of the City of Yuba City did declare its intention to review, levy and collect the annual assessment for Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6 ("Districts") for Fiscal Year 2022-23 more specifically as follows:

- Lighting and Landscape Maintenance District No. 2 – Zone of Benefit "A" (Town Center);
- Lighting and Landscape Maintenance District No. 3 – Zone of Benefit "A" (Palisades Subdivision);
- Lighting and Landscape Maintenance District No. 4 – Zones of Benefit "A," "B," "C," and "D" (Butte Vista Neighborhood);
- Lighting and Landscape Maintenance District No. 5 – Zones of Benefit "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," and "L";
- Lighting and Landscape Maintenance District No. 6 – Zones of Benefit "A_1," "A_2" and "A_3," Zones of Benefit "B_1," "B_2," "B_3," "B_4," "B_5," "B_6," "B_7," "B_8," "B_9," "B_10," "B_12," "B_13," "B_14," "B_15," and Zone of Benefit "C_1"; and

WHEREAS, assessments levied within the Districts provided revenue for the purpose of financing the installation, construction, and maintenance of certain public projects eligible under the Act, including without limitation the following:

- Lighting and Landscape Maintenance District No. 2: Ongoing maintenance and servicing of landscaping material, irrigation systems, and street lighting in the Town Center Area along the frontage of Plumas Street (including median), C Street, Percy Avenue, B Street and Franklin Avenue.
- Lighting and Landscape Maintenance District No. 3: Ongoing maintenance and servicing of a detention pond, street trees and a pond landscape strip, and twelve street lights, which benefit parcels in Phases 1 and 2.
- Lighting and Landscape Maintenance District No. 4: Ongoing maintenance and servicing of local street lighting, landscaping improvements, and detention pond, providing special benefit to the Butte Vista Neighborhood in the subdivisions in zones of benefit as shown on the Assessment Diagrams on file with the City Clerk.
- Lighting and Landscape Maintenance District No. 5: Street lights, walls, landscape strips and planters, street trees, and landscaped entrance varying by zones of benefit as shown on the Assessment Diagrams on file with the City Clerk.
- Lighting and Landscape Maintenance District No. 6: Ongoing maintenance and servicing of street lights, street trees and median landscaping; and

WHEREAS, said Council did declare its intention to levy and collect the annual assessment for the maintenance and operation of the lighting and landscaping facilities in said Districts; and

WHEREAS, on July 5, 2022, pursuant to the provisions of the Act, the City Council initiated proceedings by Resolution No. 22-103 for the levy and collection of assessments against the assessable lots and parcels of land in the Districts for Fiscal Year 2022-23 and directed the Engineer of Work, Tyrone Peter of Willdan Financial Services, to prepare and file a written report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act; and

WHEREAS, in accordance with Article 4 of Chapter 1 of the Act, the Engineer of Work prepared and filed such report for each Lighting and Landscape Maintenance District (the "Engineer's Reports") with the City Clerk, and the City Clerk has presented the Engineer's Reports to the City Council; and

WHEREAS, on July 19, 2022, the City Council adopted Resolution No. 22-113 approving the Engineer's Reports, which calculated the annual assessments for the parcels in said Districts, as filed pursuant to Section 22623 of the Act, and

WHEREAS, the public notice of the Resolution of Intention and the Public Hearing scheduled for August 16, 2022, was duly published on August 5, 2022.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

1. The above recitals are true and correct, and are hereby incorporated herein by this reference.

2. The City Council hereby (1) finds that the public interest and convenience requires and (2) declares its intention to order the levy of and to collect assessments against the assessable lots and parcels of property within existing assessment districts designated "Yuba City Lighting and Landscape Maintenance District No. 2", "Yuba City Lighting and Landscape Maintenance District No. 3", "Yuba City Lighting and Landscape Maintenance District No. 4", "Yuba City Lighting and Landscape Maintenance District No. 5", and "Yuba City Lighting and Landscape Maintenance District No. 6" (the "Districts") pursuant to the provisions of the Act, for the fiscal year commencing July 1, 2022 and ending June 30, 2023, to pay for the costs and expenses of the improvements described in the Engineer's Reports for each District.

3. That the City Council hereby determines that the territories within the Districts, whose boundaries are set forth in the Engineer's Reports, on file with the City Clerk of the City of Yuba City, will be the territories benefited by the maintenance and servicing of the improvements described in said Engineer's Reports.

4. That the hearing on said annual levy of assessment was held in accordance with law and all persons desiring to speak were heard.

5. That the Engineer's Report, the diagram for the assessment district and the assessment of the estimated costs of the improvements contained therewith and each and every part of said Report, is adopted and approved as to each District and all of them, and that the assessment of the total amount of the costs and the individual assessments thereof, respectively, from said improvements, and of the expenses incidental thereto, be and the same hereby are finally approved and confirmed as the assessments to pay the costs. The assessment for District No. 2 and District No. 5 Zone of Benefit "A," for Fiscal Year 2022-23 are proposed to be

reduced as compared to the previous year as described in the Engineer's Report. The assessments for District Nos. 3, 4, 5 (except Zone of Benefit "A"), and 6 for Fiscal Year 2022-23 are proposed to increase from the previous year as described in the Engineer's Report, but are still within or less than the amount approved for District Nos. 3, 4, 5 (except Zone of Benefit "A"), and 6 at the at the time of the formation of the respective Districts.

6. The Council hereby orders the levy of the assessments described in said Resolution of Intention and the Engineer's Reports.

7. That the assessment diagram showing the assessment districts referred to in said Resolution of Intention, and also the subdivision of land within the Districts, as contained in said Engineer's Reports, be and it is hereby finally approved and confirmed as the diagram of the properties to be assessed to pay the costs of the improvements.

8. The City Clerk shall file the diagram and assessment, as confirmed or certified copy thereof, with the Sutter County Auditor-Controller no later than August 19, 2022.

9. As the levies either remain the same, or are reduced as compared to prior years as to District No. 2 and District No. 5 Zone of Benefit "A," the assessments for District No. 2 and District No. 5 Zone of Benefit "A" are exempted from the requirements of Article XIII Section "D" of the California Constitution (Proposition 218). Likewise, although the levies have increased for District Nos. 3, 4, 5 (except Zone of Benefit "A"), and 6 as compared to the prior year, the levy amounts are consistent with and less than the previously approved COLA adopted at the time of formation of the District pursuant to Proposition 218, and as such, the levies for District Nos. 3, 4, 5 (except Zone of Benefit "A"), and 6 are likewise exempt from further compliance with Proposition 218.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16th day of August 2022.

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

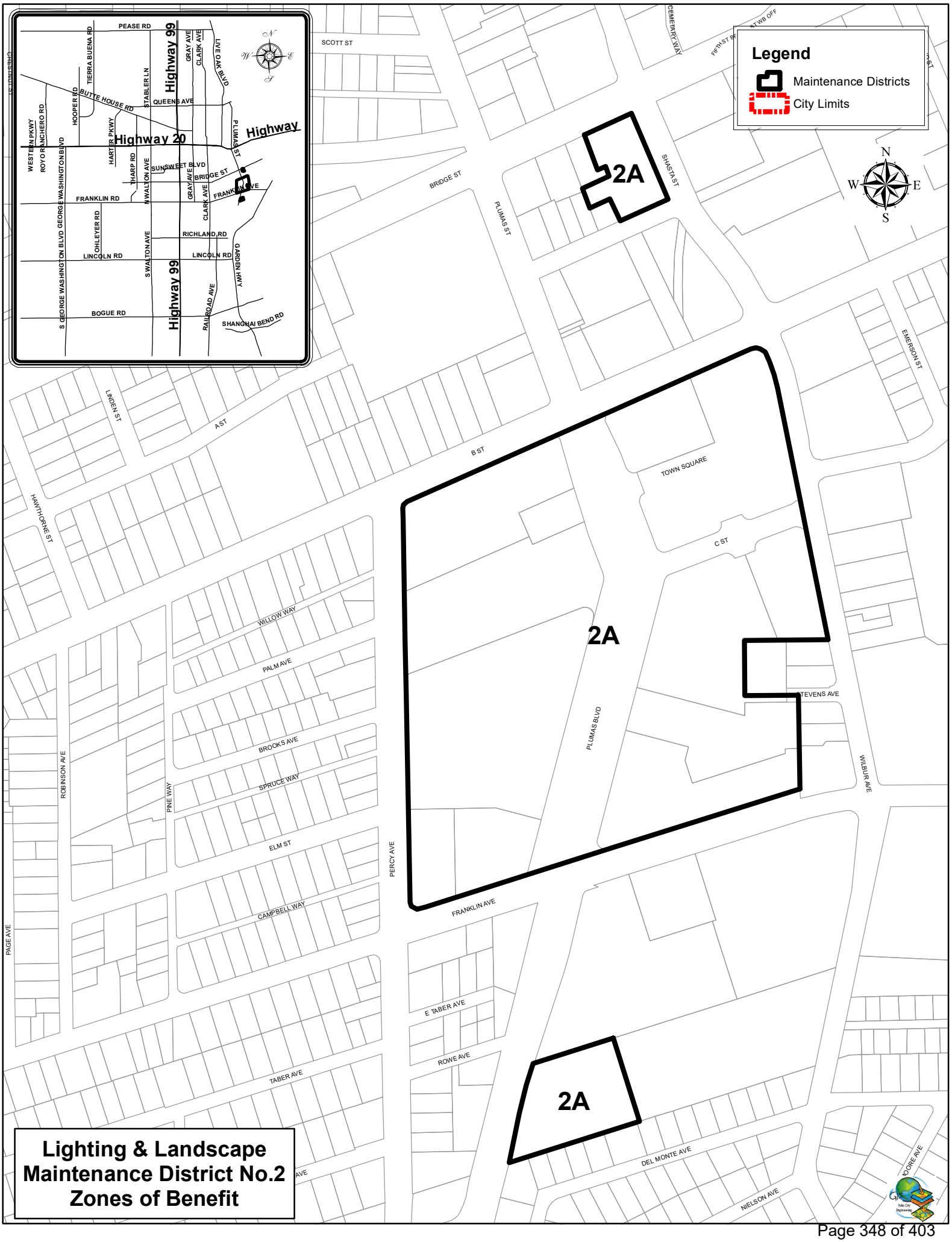
APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

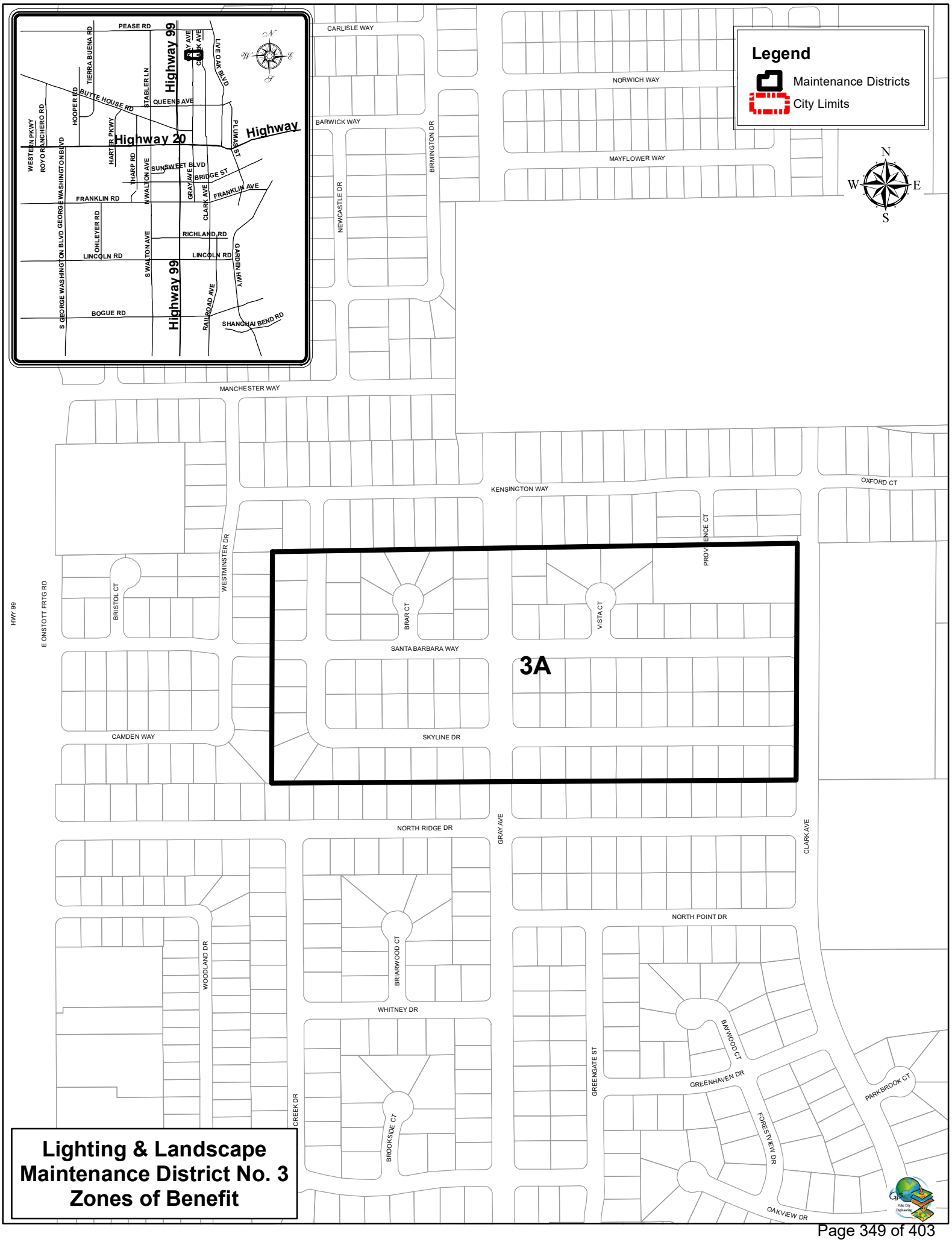
Attachment(s):

Exhibit A – District Maps

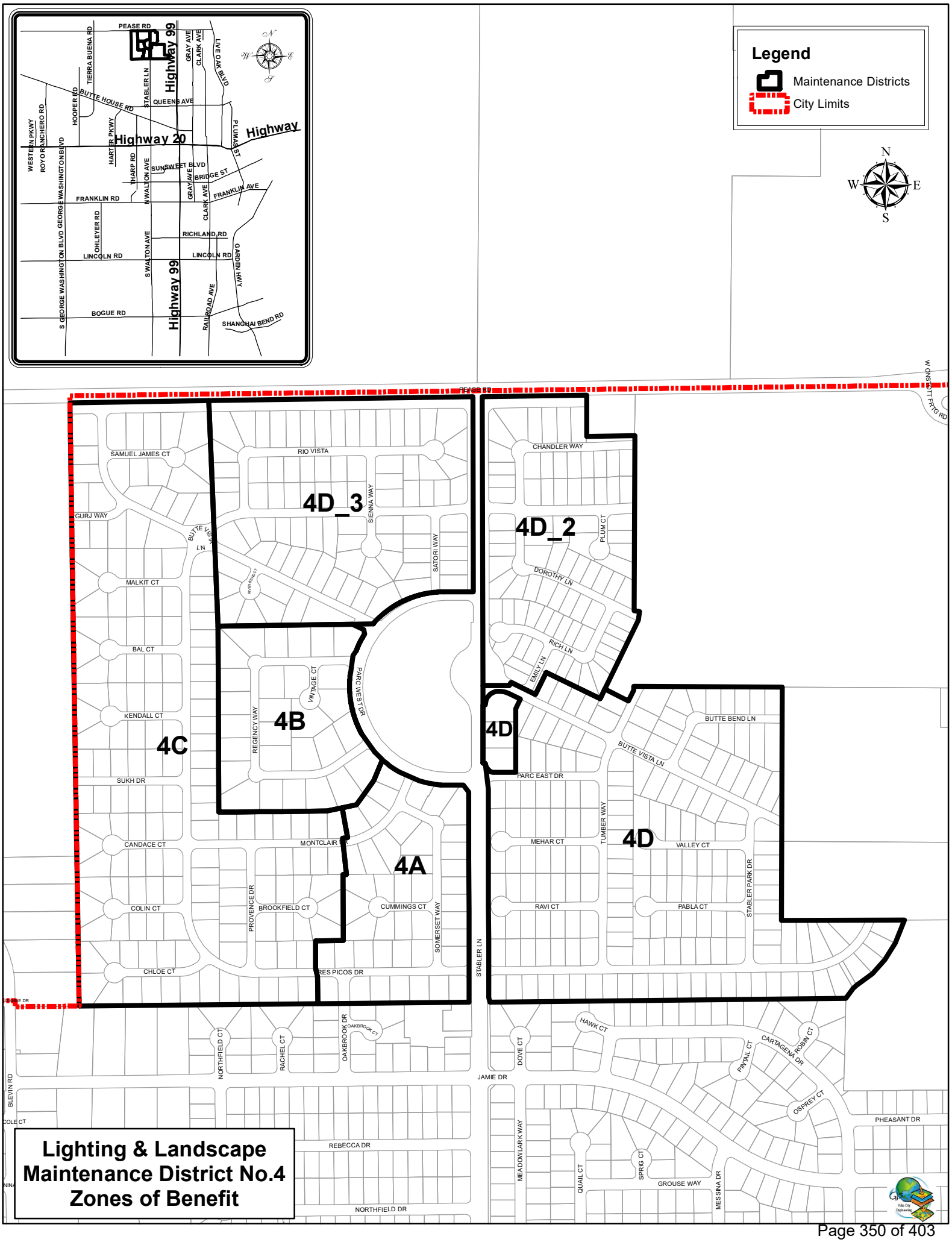
EXHIBIT A



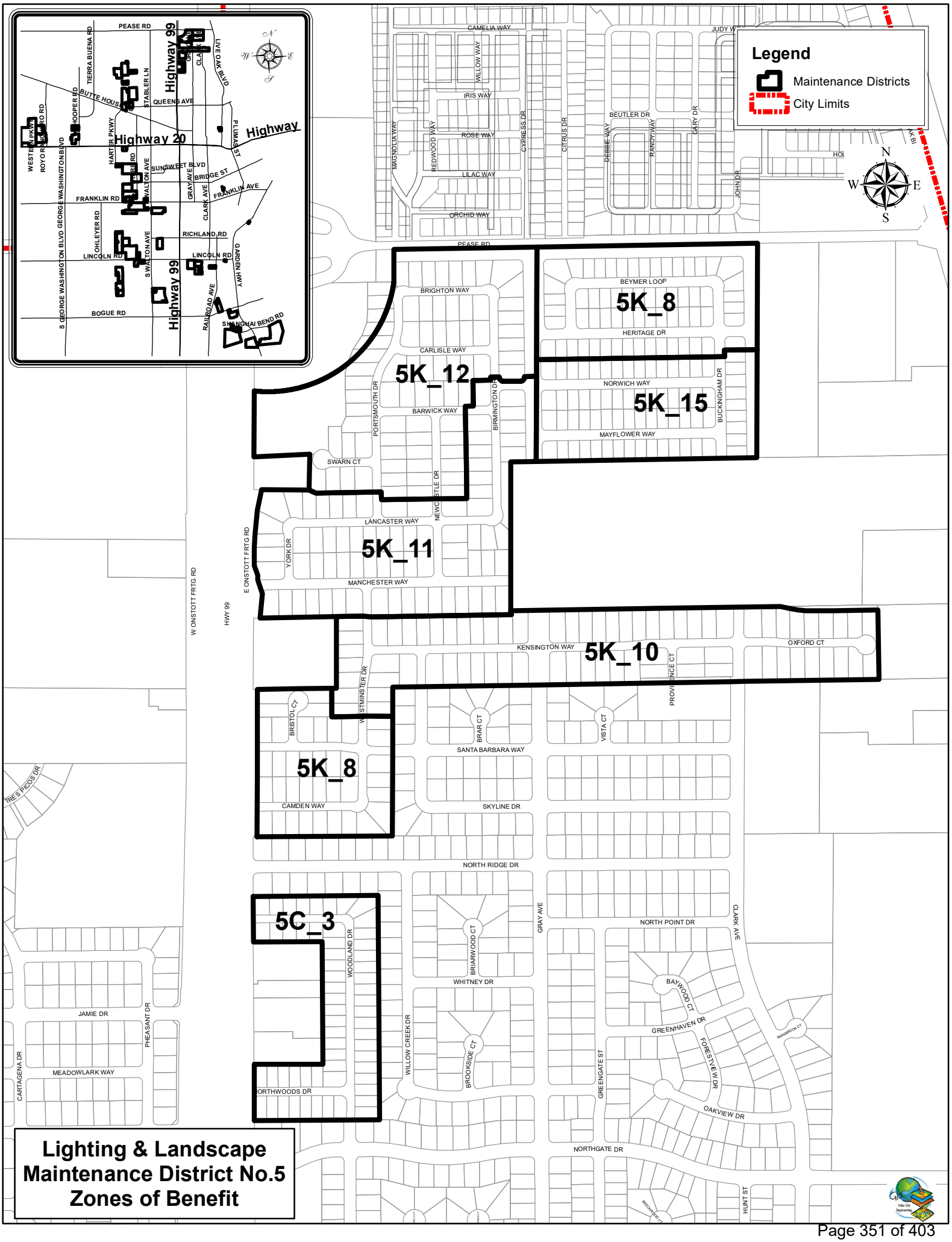
Lighting & Landscape Maintenance District No.2 Zones of Benefit



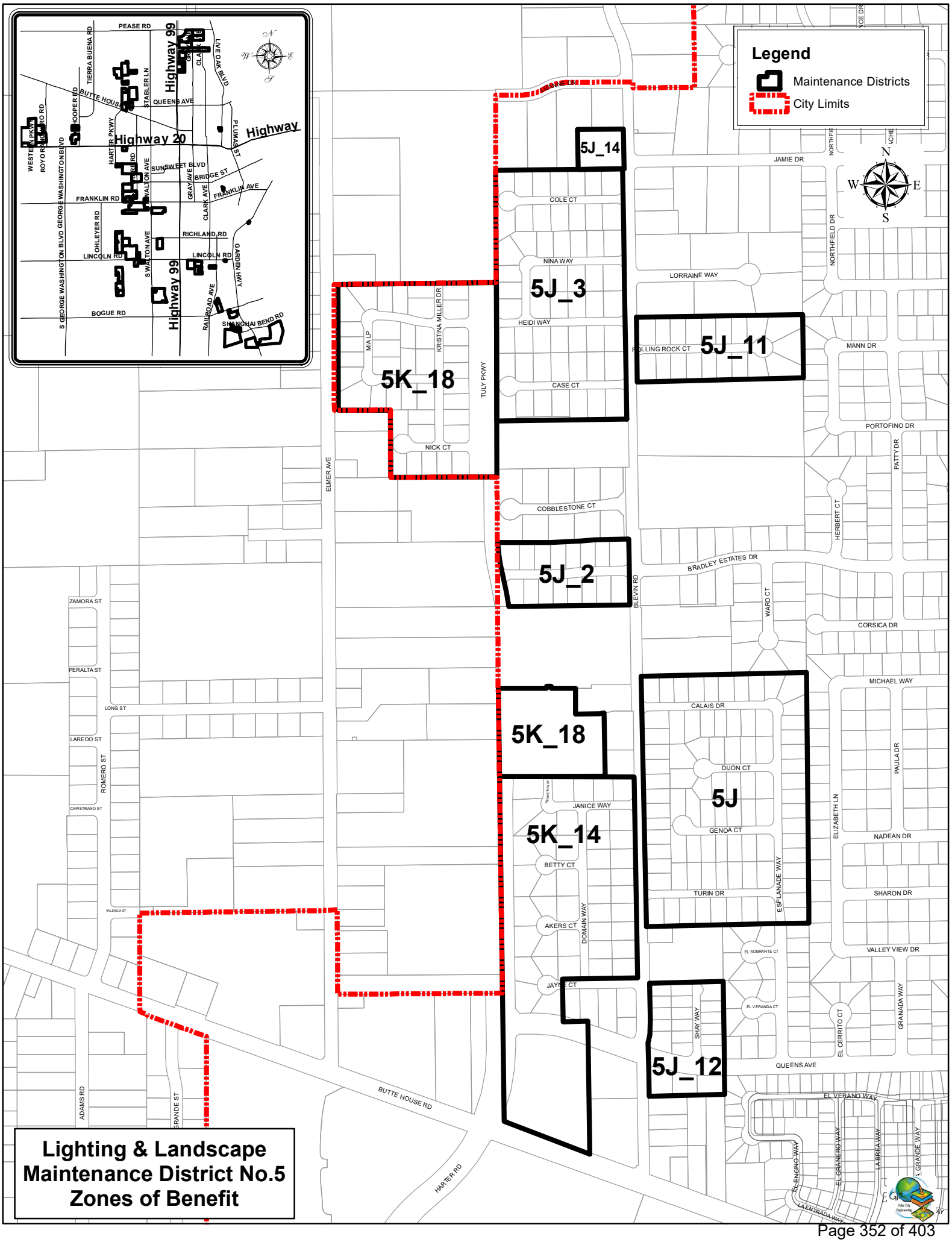
Lighting & Landscape Maintenance District No. 3 Zones of Benefit



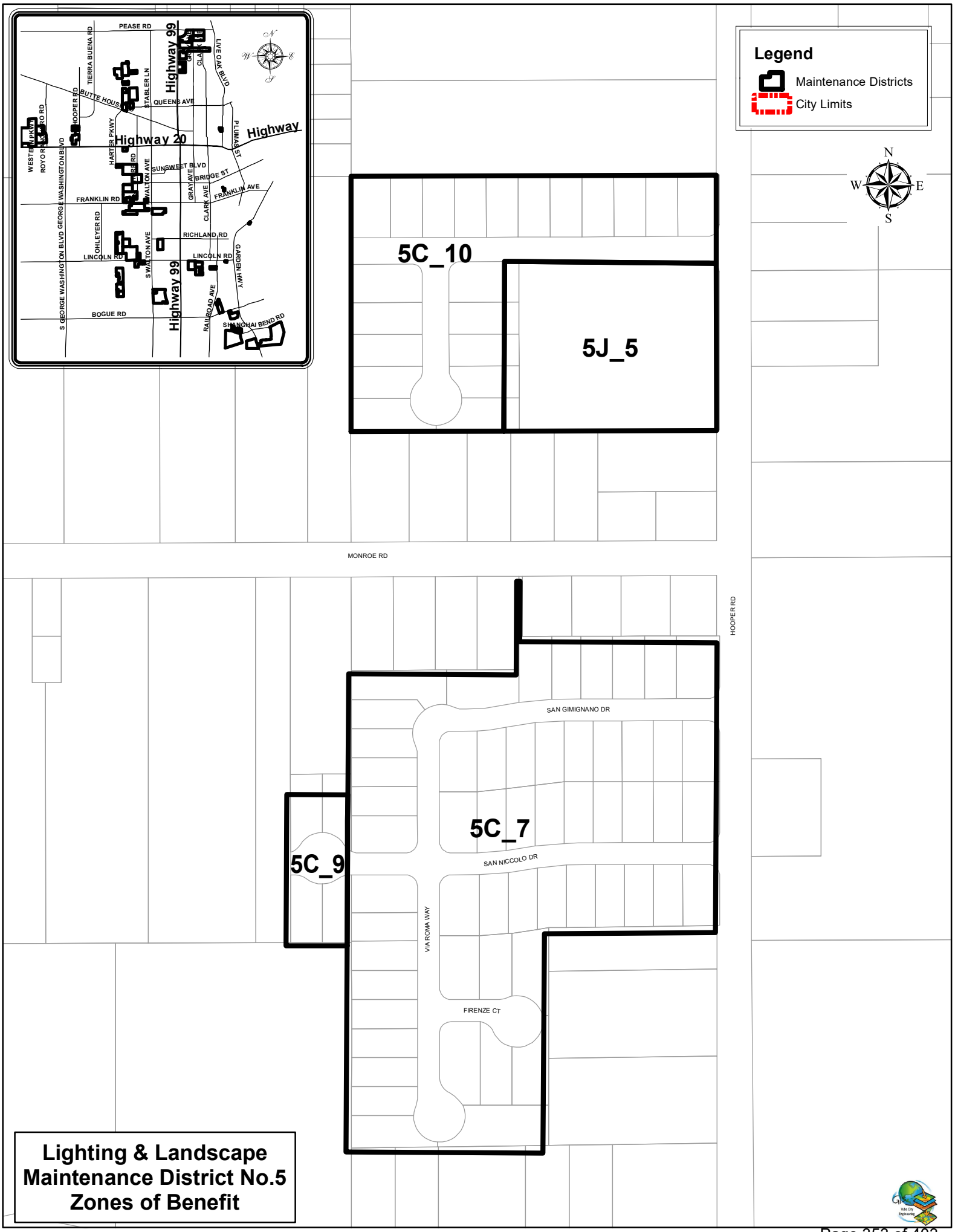
Lighting & Landscape Maintenance District No.4 Zones of Benefit



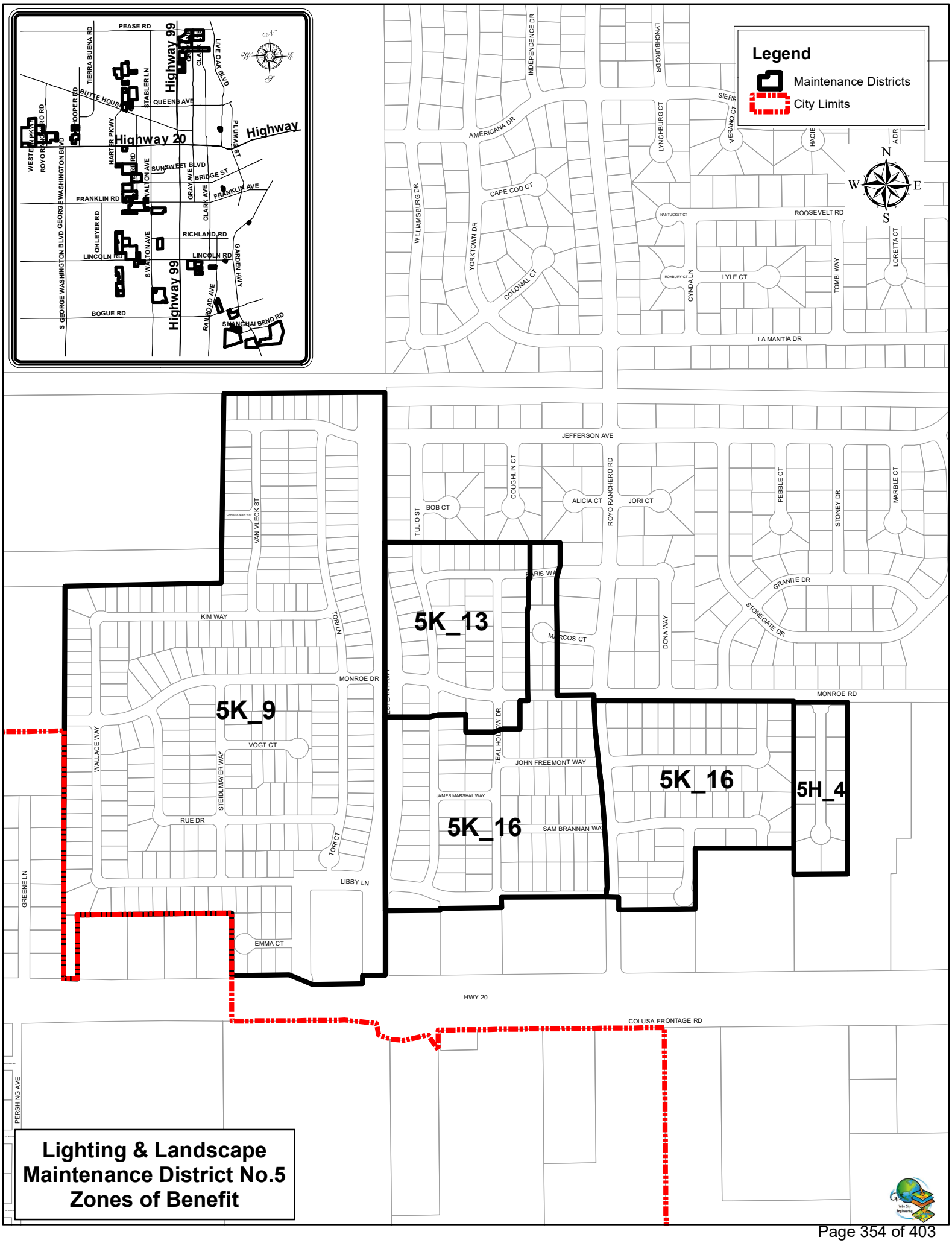
Lighting & Landscape Maintenance District No.5 Zones of Benefit

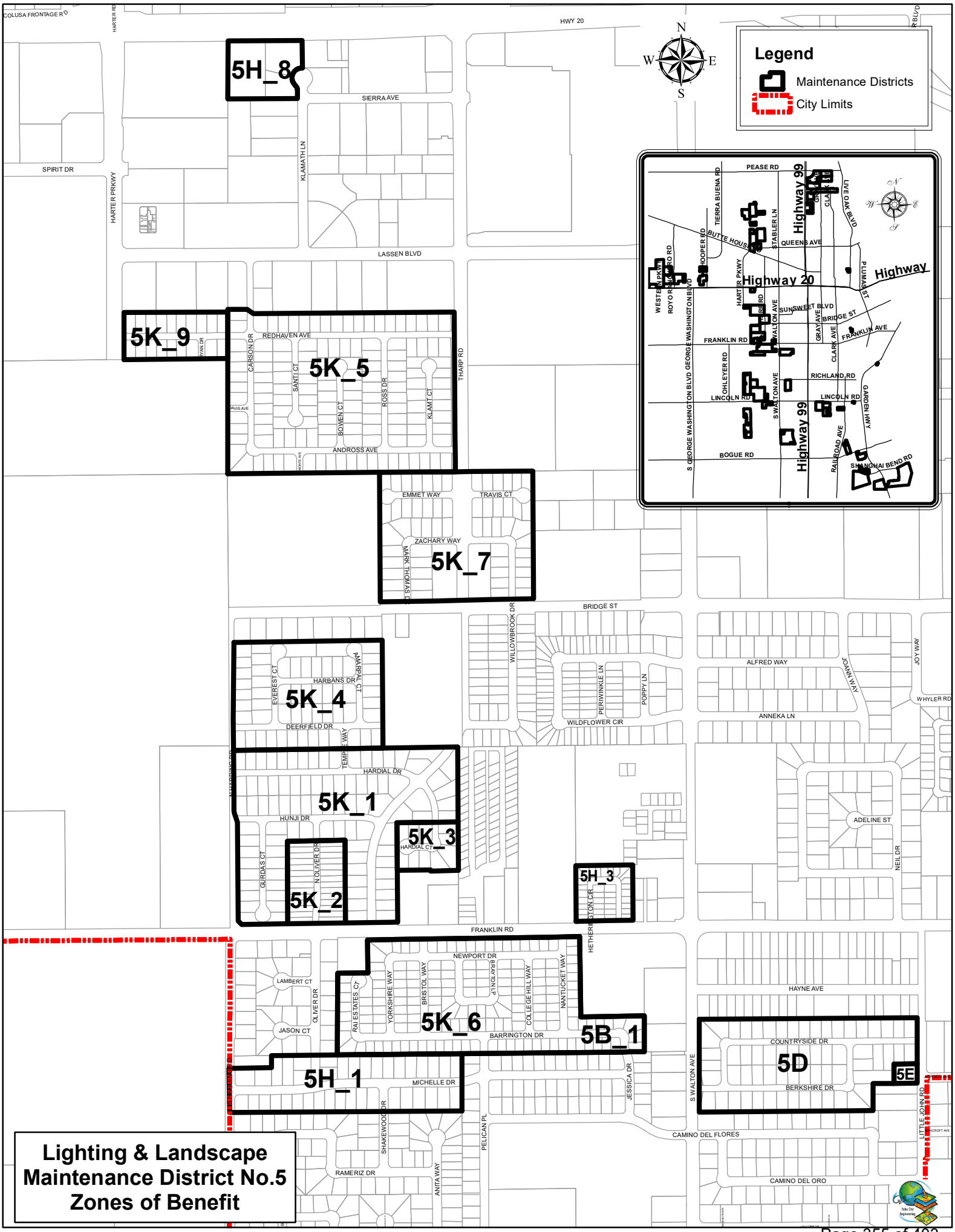


Lighting & Landscape Maintenance District No.5 Zones of Benefit

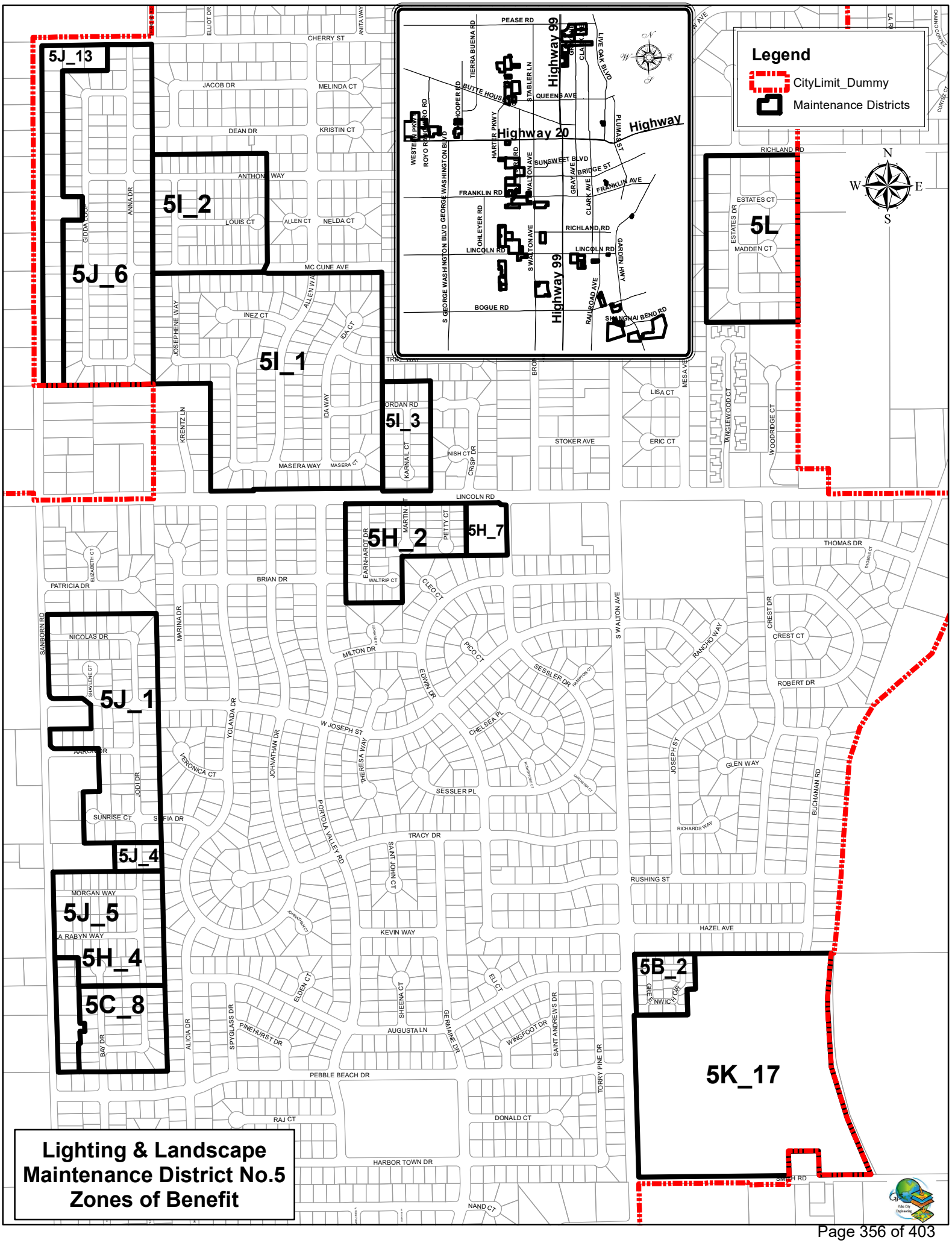


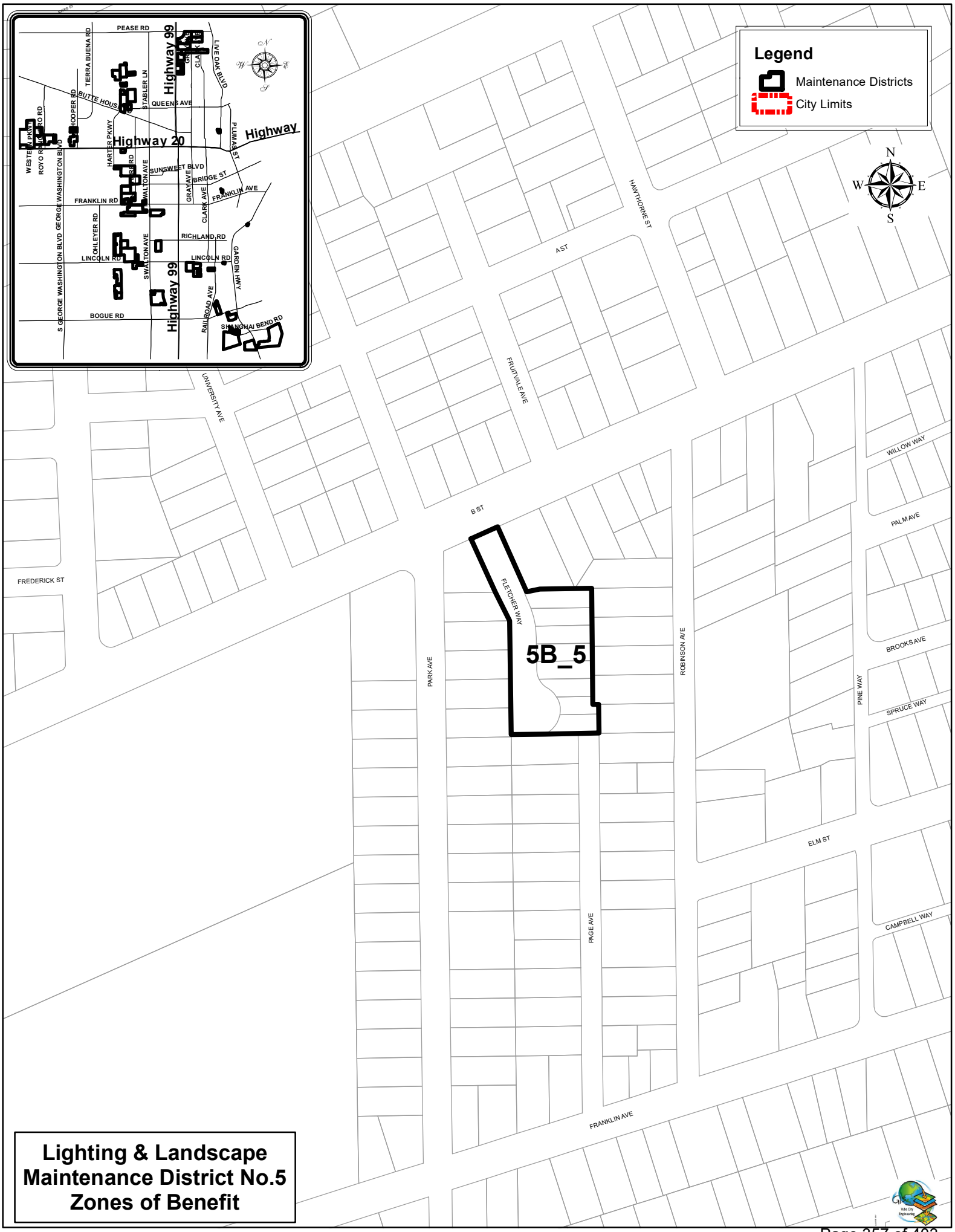
Lighting & Landscape Maintenance District No.5 Zones of Benefit


Legend
Maintenance Districts
City Limits
5K_13
5K_9
5K_16
5K_16
5H_4
Highway 99
Highway 20
Highway
PEASE RD
BUTTE HOUSE RD
QUEENS AVE
FRANKLIN RD
FRANKLIN AVE
RICHLAND RD
LINCOLN RD
BOGUE RD
SUNSWEET BLVD
BRIDGE ST
SHANGHAI BEND RD
AMERICANA DR
CAPE COD CT
ROOSEVELT RD
LA MANTIA DR
JEFFERSON AVE
MONROE RD
KIM WAY
MONROE DR
VOGT CT
RUE DR
LIBBY LN
EMMA CT
JOHN FREEMONT WAY
SAM BRANNAN WA
HWY 20
COLUSA FRONTAGE RD
PERSHING AVE
GRANITE DR
STONEGATE DR
Lighting & Landscape
Maintenance District No.5
Zones of Benefit



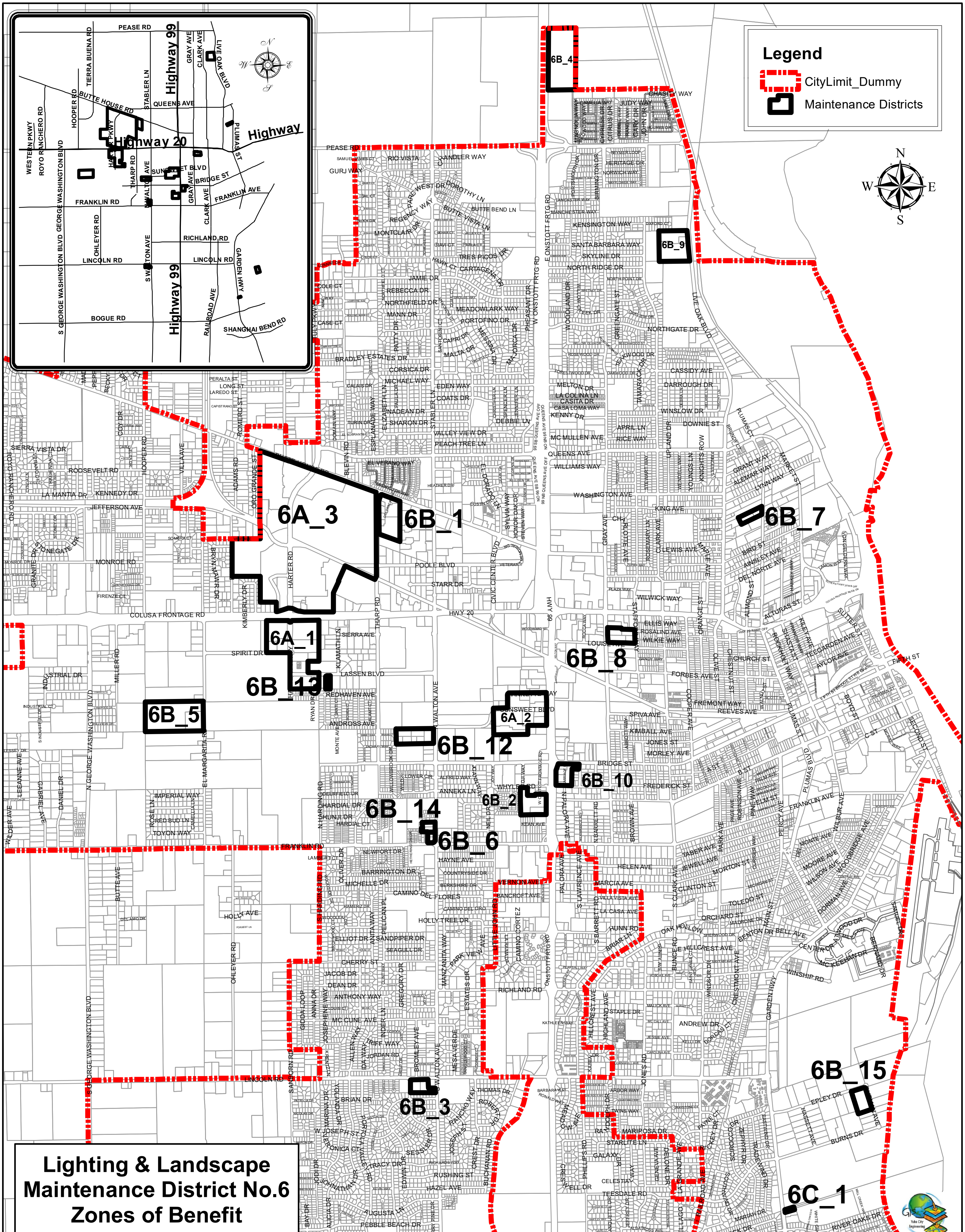
Lighting & Landscape Maintenance District No.5 Zones of Benefit


Legend
CityLimit_Dummy
Maintenance Districts
5J_13
5J_6
5I_2
5I_1
5I_3
5L
5H_2
5H_7
5J_1
5J_4
5J_5
5H_4
5C_8
5B_2
5K_17
Highway 99
Highway 20
Highway
PEASE RD
CHERRY ST
JACOB DR
MELINDA CT
DEAN DR
KRISTIN CT
ANTHONY WAY
LOUIS CT
ALLEN CT
NELDA CT
MC CUNE AVE
INEZ CT
JOSEPHENE WAY
KRENTZ LN
MASERA WAY
IDA WAY
IDA CT
JORDAN RD
KARWAL CT
NISH CT
CRISP DR
STOKER AVE
LISA CT
ERIC CT
MESA AVE
TANGLEWOOD CT
WOODRIDGE CT
RICHLAND RD
ESTATES CT
ESTATES DR
MADDEN CT
LINCOLN RD
EARNHARDT DR
MARTIN CT
PETTY CT
WALTRIP CT
CLEO CT
PATRICIA DR
BRIAN DR
ELIZABETH CT
SANBORN RD
NICOLAS DR
MARINA DR
MILTON DR
PICO CT
EDWIN DR
SESSLER DR
S WALTON AVE
RANCHO WAY
THOMAS DR
CREST DR
CREST CT
ROBERT DR
SHAYLENE CT
YOLANDA DR
JOHNATHAN DR
W JOSEPH ST
CHELSEA PL
THERESA WAY
VERONICA CT
AARON DR
JODI DR
SUNRISE CT
SOFIA DR
SESSLER PL
PORTOLA VALLEY RD
TRACY DR
SAINT JOHN CT
JOSEPH ST
GLEN WAY
BUCHANAN RD
RICHARDS WAY
RUSHING ST
HAZEL AVE
MORGAN WAY
LA RABYN WAY
KEVIN WAY
ELDEN CT
SHEENA CT
ELI CT
ALICIA DR
SPYGLASS DR
PINEHURST DR
AUGUSTA LN
GERMAINE DR
WINGFOOT DR
SAINT ANDREWS DR
TORRY PINE DR
BAY DR
PEBBLE BEACH DR
RAJ CT
DONALD CT
HARBOR TOWN DR
NAND CT
SMITH RD
Lighting & Landscape
Maintenance District No.5
Zones of Benefit



Lighting & Landscape Maintenance District No.5 Zones of Benefit

Legend
Maintenance Districts
City Limits
5H_9
5H_5
5C_1
5C_2
5B_3
5C
5B
5A
5B_4
5G
5F
5C_5
5C_6
5C_4
Highway 99
Highway 20
Highway
Lighting & Landscape
Maintenance District No.5
Zones of Benefit



Lighting & Landscape Maintenance District No.6 Zones of Benefit

ATTACHMENT 2

DISTRICT 2-6 PROPOSED ASSESSMENTS

District	Zone of Benefit	FY 2022-23 Proposed Levy Rate ($)	Change From Previous Year ($)	Maximum Levy Rate Allowed ($)
2	A	$597.86	($4.62)	$647.54
3	A	$121.16	$3.52	$184.13
4	A	$265.06	$0	$482.12
	B	$265.06	$0	$652.92
	C	$265.06	$0	$396.17
	D	$265.06	$0	$354.95
5	A	$156.26	($48.56)	$234.92
	B	$76.28	$2.92	$78.86
	C_1-9	$170.26	$40.02	$170.26
	C_10	$110.28	$7.66	$110.29
	D	$159.52	$38.56	$233.80
	E	$96.56	$6.72	$96.56
	F	$129.02	$11.62	$189.97
	G	$59.38	$4.12	$59.39
	H_1-8	$38.16	$2.66	$38.16
	H_9	$84.22	$5.87	$84.22
	I	$80.02	$5.56	$80.03
	J	$154.52	$37.36	$214.42
	K 1-17	$240.16	$11.44	$303.37
	K_18	$250.82	$22.10	$400.28
	L	$141.40	$9.84	$141.40
6	A_1	$305.15	$0.89	$327.02
	A_2	$305.15	$0.89	$327.02
	A_3	$305.15	$0.89	$327.02
	B_1	$525.80	$36.57	$525.81
	B_2	$483.12	$33.62	$483.13

District	Zone of Benefit	FY 2021-22 Proposed Levy Rate ($)	Change From Previous Year ($)	Maximum Levy Rate Allowed ($)
6	B_3	$332.36	$23.12	$332.36
	B_4	$1,754.12	$122.08	$1,754.12
	B_5	$0.00	$0.00	$501.18
	B_6	$96.64	$6.74	$96.94
	B_7	$96.64	$6.74	$96.64
	B_8	$220.96	$15.38	$220.96
	B_9	$437.44	$30.44	$437.45
	B_10	$144.64	$10.08	$144.64
	B_12	$166.70	$11.60	$166.70
	B_13	$151.38	$10.54	$151.39
	B_14	$171.04	$11.89	$171.04
	B_15	$57.00	$3.96	$57.01
	C_1	$535.66	$37.26	$535.67

Agenda Item **20**

CITY OF YUBA CITY
STAFF REPORT

Date: August 16, 2022

To: Honorable Mayor & Members of the City Council;Honorable Chairperson and Directors to the Successor Agency to the Yuba City Redevelopment Agency

From: Administration Department

Presentation By: Diana Langley, City Manager

Summary

Subject: Declaration of Surplus Land – Successor Agency to the Yuba City Redevelopment Agency Properties

Recommendation: Adopt a Resolution declaring certain Successor Agency-owned properties to be surplus land and directing the City Manager to follow the procedures set forth in the Surplus Land Act for the sale of such properties

Fiscal Impact: Proceeds from the sale of the property will go to the State. The City shall receive reimbursement for any costs incurred to sell the properties

---

Purpose:

Declare certain Successor Agency-owned properties as surplus land pursuant to the Surplus Land Act (Gov. Code §§ 54220-54232), and to offer such surplus land for sale, and initiate a sale process for such exempt surplus land.

Council's Strategic Goal:

This item supports Council's goal of fiscal responsibility as the disposition of the properties will allow them to be developed in the future, thereby increasing the property values and property tax collected from the properties.

Background:

Based on a 2011 California Supreme Court decision, all redevelopment agencies in California were dissolved as of February 1, 2012. As a result, all redevelopment agencies were required to dissolve and transfer any assets and liabilities to “Successor Agencies” that would bring to a close the redevelopment agencies’ business matters. On January 10, 2012, the City Council elected to become the Successor Agency to the Redevelopment Agency of the City of Yuba City. In addition, there is a seven-member Oversight Board that is responsible for the approval and implementation of the Recognized Obligation Payment Schedule (ROPS) and the Long Range Property Management Plan.

The Long Range Property Management Plan was prepared in 2015 by Fraser & Associates and identified eight (8) existing Successor Agency real property assets and set forth a strategy for the

appropriate transfer and disposition of such assets. Three (3) of the properties have since been sold, leaving five (5) remaining properties for disposal.

The Surplus Land Act (Act) governs the disposition of land owned by the Successor Agency that is determined to be no longer necessary for the Successor Agency's use. This definition includes land held in the Community Redevelopment Property Trust Fund and land that has been designated in the long-range property management plan as for sale or for future development. In 2019, Governor Newsom signed into law AB 1486, which significantly expanded the procedural requirements under the Act which a local agency must adhere to prior to selling or leasing properties it owns to a private party (and in some cases, another governmental agency). The legislation is intended to address California's shortage of affordable housing and impacts existing practices, adds new reporting requirements, and subjects agencies to penalties for non-compliance in certain circumstances. AB 1486 went into effect January 1, 2020.

The procedural requirements for disposal of Surplus Land under the Act pursuant to AB 1486 are as follows:

1. Surplus land is now defined to mean essentially all land owned by a city, successor agency, housing authority, joint powers authority, and other local agencies. Prior to any sale or lease of property, a local agency must formally declare land as either "surplus land" or "exempt surplus land" pursuant to a resolution and supported by written findings. The definition of "exempt surplus land" includes properties that are less than 5,000 sq. ft. in area, land that a local agency exchanges for another property necessary for the agency's use, land transferred to another local, state, or federal agency (for that agency's use), land that is subject to recorded covenants (not imposed by the agency) that would make housing a prohibited use, among other factors. If the land has been declared as exempt, the agency need not comply with the following procedural requirements, however, the agency must send the resolution to the Department of Housing and Community Development ("HCD") prior to disposition.
2. Prior to selling or leasing any surplus land or even entering into negotiations for the sale/lease of surplus land with a prospective transferee, a local agency must first offer the property for sale or lease to a "housing sponsor" for affordable housing development by issuing a notice of availability (NOA). The term "housing sponsor" generally means an affordable housing developer (who has registered with HCD).
3. In addition to sending a NOA to housing sponsors for surplus land, a local agency must also send a NOA to any park or recreation department or regional park authority with jurisdiction over the area, school districts (if the land is suitable for school facilities), and the State Resources Agency (SRA), for purposes of park, recreation, or school facility development.
4. Any responding entity to the NOA (i.e., a housing sponsor, park or recreational department, school district or SRA) (Responding Entity) must notify the agency of its interest in purchasing or leasing the land within 60 days following receipt of the NOA.
5. If the price and terms cannot be agreed upon between the local agency and a Responding Entity within 90 days, the agency may then go forward to sell or lease the surplus land to a third party. However, the agency will still have to provide the HCD a description of the NOA sent and negotiations conducted with any Responding Entity.
6. In negotiations with any housing sponsor, the local agency must negotiate in good faith and cannot include deal terms that would reduce or disallow residential use of the site, even if it is not zoned for residential use (i.e., the housing sponsor must be able to pursue entitlements of the site for residential use). However, the Act does not subvert a City Council's land use discretionary authority; ultimately, the City Council may deny a zone change or entitlement request in its discretion. In addition, the agency is not required to sell or lease the land for less than its fair market value.
7. Note that the housing sponsor need not propose a development of the surplus land for 100%

affordable units; the Act requires that they simply will agree to make available at least 25% of the total number of units developed on the property at an affordable housing cost or affordable rent.

8. If no housing sponsors respond to the NOA or if negotiations terminate and the land is later sold or leased to a market rate developer who builds more than 10 residential units, the Act requires that 15% must be sold or rented at an affordable cost or affordable rent to lower income individuals
9. The Act requires that the HCD must review the description submitted by the local agency pursuant to Section 5 and submit written findings to the agency within 30 days as to whether any process violations have occurred. If HCD does not respond within the 30-day time period, the local agency is not subject to any penalty under the Act. (These provisions take effect January 1, 2021 – so it is likely that the HCD will not provide such findings.)
10. Any violations of the Act are subject to harsh penalties; between 30 percent and 50 percent of the final sale price for the property. The HCD, Attorney General, and any beneficially interested entity may bring an action to enforce the Act.

A list and map of Successor Agency-owned surplus properties are provided as attachments.

Analysis:

Staff is requesting that the Successor Agency formally designate and declare certain Successor Agency-owned properties as "surplus land". As noted above, under the Act, surplus property is defined as land owned by the Successor Agency that is determined to be no longer necessary for the Successor Agency's use. Staff has reviewed the properties and determined that none qualify as exempt under the Act. The proposed process dispose or sell these properties is as follows:

- Select a real estate broker to assist the Successor Agency to manage the offering, negotiating, and potentially selling the surplus land, as staff does not typically manage such sales of property, however staff shall ensure it complies with the process for disposal of the properties as required by the Surplus Land Act.
- Issue a NOA and solicit proposals from housing sponsors and other interested parties for the purchase/lease of the land, and proceed with the process required under AB 1486 as outlined above. In connection therewith, staff shall obtain appraisals for the properties.
- Any proposals received following the NOA will be negotiated by staff and later presented to the Successor Agency and any resulting proposed contract for sale with a Responding Entity will require the approval of HCD as well as the Successor Agency and Oversight Board.
- If no proposals are received following the NOA, proposals for acquisition with private parties shall be negotiated by staff and later presented to the Successor Agency and any resulting contract for sale will require the approval of the Successor Agency and Oversight Board.

There is known environmental contamination at one of the properties (442 B Street), and the status of the other properties is unknown as the Successor Agency has not initiated any environmental assessments. The properties shall be sold/leased "as is", making no guarantees as to the ability to develop the particular site.

The Successor Agency's declaration that the properties are surplus land is in compliance with statutory requirements under the Act and is not part of a project that has been identified, designed or funded. No physical change in the environment would occur. The action is an administrative action that would not result in direct or indirect physical changes in the environment and is not a project as defined in CEQA. (CEQA Guidelines section 15378(b)(4); 15060(c)(3)).

Fiscal Impact:

Any proceeds from the sale of the surplus properties will be provided to the State taxing entities, but the City (acting as Successor Agency) shall request reimbursement for any costs associated with the disposal of the properties (such as escrow, title, legal, or administrative costs).

Alternatives:

Do not proceed with declaring any of the properties as surplus and explore other options for utilization of the properties.

Recommendation:

Adopt a Resolution declaring certain Successor Agency-owned properties to be surplus land and directing the City Manager to follow the procedures set forth in the Surplus Land Act for the sale of such properties.

Attachments:

1. Attachment 1 - Long Range Property Management Plan
2. Attachment 2 - Successor Agency Surplus Property List
3. Attachment 3 - Successor Agency Surplus Property Map
4. Attachment 4 - Resolution - Successor Agency Surplus Properties

Prepared By:	Submitted By:
Diana Langley	Diana Langley
City Manager	City Manager

ATTACHMENT 1

FA FRASER & ASSOCIATES

Redevelopment and Financial Consulting

225 Holmfirth Court
Roseville CA 95661

Phone: (916) 791-8958
FAX: (916) 791-9234

Long Range Property Management Plan

Successor Agency to the Yuba City Redevelopment Agency

Yuba City Redevelopment Project Area

June 2015

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

I. BACKGROUND

Pursuant to Health and Safety Code sections 34177(e) and 34181(a) a Successor Agency is required to dispose of all assets and properties of a former redevelopment agency that were funded by tax increment revenues of the subject dissolved redevelopment Agency. This document is intended to address Section 34191.4(a) and 34191.5 (a) of Assembly Bill 1484 (AB 1484) and related requirements for preparation of a Long Range Property Management Plan ("Plan") related to the real property assets of the former Redevelopment Agency of the City of Yuba City ("Former Agency"), which have been transferred to the Yuba City Successor Agency ("Agency or Successor Agency"). The Plan identifies existing Agency real property assets (e.g. land, buildings, etc.) and sets forth a strategy for the appropriate transfer and disposition of such assets in accordance with the provisions of AB 1484, including recommended actions to be undertaken by the Yuba City Oversight Board to position the subject assets for disposition in a logical and systematic manner so as to enhance the disposition value of the subject assets.

II. PROPOSED REAL PROPERTY ASSET TRANSFER AND DISPOSITION ACTIONS

This Plan sets forth a proposed strategy and plan for transfer and disposition of certain identified Agency-owned real property assets within the City of Yuba City, California. Health & Safety Code sections 34177(e) and 34181(a) require that the Successor Agency designate each of the former Agency-owned real property assets by one of the following categories:

1. Transfer for government use
2. Sale of the property
3. Transfer for future use
4. Use of Property to fulfill an enforceable obligation.

Included as Attachment A is a property data table describing the real property assets of the Successor Agency. For each of these subject properties the table includes, but is not limited to the following information:

1. Date of purchase, value of property (estimated) at time of purchase;
2. Purpose of the property acquisition;
3. Parcel data including address, size, zoning, General Plan designation;
4. Estimate of the current value or appraised value;
5. Estimate of revenue generated from use of property and contractual requirements (e.g. lease, etc.);
6. Any history of environmental contamination and / or remediation;
7. Development potential / planning objectives; and
8. Any previous development proposals, rental or lease agreements, other contracts

The above information is further described in this Plan. Attachment B includes a set of aerial maps for the properties owned by the Agency.

A. Transfer of Real Property for Government Use

The property listed in Table 1 below is proposed to be transferred to the City of Yuba City ("City").

Table 1 – Properties to be Transferred for Government Use

Property No.	APN	Address	Existing Use
7 A	52-380-019	442 B Street	Town square and related right of way

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Property 7A is a part of parcel 52-380-019. The City intends to sub-divide the parcel into two new parcels. Property 7A contains the portion of the parcel that is in public use and includes the Town Square, including the fountain, and related public right of way. After the parcel split, Property 7A will contain approximately 60,548 square feet.

B. Disposition (Sale) of Real Property

The Plan proposes that the properties listed below be positioned for disposition by the Successor Agency and Oversight Board. The proposed disposition plan objective is to sell the subject properties for private development consistent with the City General Plan and zoning ordinance land use designations. The sale proceeds net of sales costs from the disposition of these properties will be sent to the Sutter County Auditor-Controller for distribution to the taxing entities.

Table 2 – Properties Proposed for Disposition

Property No.	APN	Address	Existing Use
1	52-262-001	444 Colusa Street	Vacant Lot
2	52-324-023	400 Bridge Street	Former Feather River Mill Site; proposed to be sold to a private developer for mixed use development
3	52-502-008	510 Boyd Street	Site is adjacent to Property No. 2; Agency wants to pursue option of selling jointly with Property No. 2
4	52-380-017	Wilbur and C Street	Part of Town Center Development; Agency intends to sell to developer
5	52-401-014	454 Stevens Ave.	Part of Town Center; Agency wants to pursue option of selling jointly with Property No. 4
6	52-380-025	433 Plumas Blvd.	Vacant Parcel that is part of Town Center
7B	52-380-019	442 B Street	Vacant Parcel that is part of Town Center
8	53-194-013	Percy Ave	Vacant Parcel

Property No. 1- 444 Colusa Street

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Property No. 1 sits at the intersection of Plumas Street and Colusa Avenue. The parcel is directly adjacent to a frontage road from Colusa Avenue. It was originally acquired on May 16, 2001 in order to assist in the implementation of the Central City Specific Plan in regards to improved traffic circulation. The property is zoned C-2. The Agency has an offer to purchase Property No. 1 to the owner of the adjacent site at its fair market value as determined by an appraisal.

Property No. 2 – 400 Bridge Street

From the 1890's through 2003, this property had been occupied at one time or another by the River Mill store (a mill and feed store), a train station with railroad lines and spurs, the Diamond Match company, Sierra Lumber, a recycling center and various other uses. The Former Agency acquired the property for $1,981,000 on October 27, 2003 in order to redevelop the site. At the time, the Former Agency anticipated that the site would be redeveloped into a downtown movie theatre complex. The site is 285,753 square feet that sits at the intersection of Bridge Street and Shasta Street. In 2003, all of the structures on the property were demolished by the former Agency after it acquired the property. In August 2010, a Phase I Environment Site Assessment was prepared for the property. The Phase I Assessment indicted that there were nineteen recognized environmental conditions, including the presence of arsenic and lead in the surface soil. Before the property can be redeveloped, the site will need to be cleaned up. In January 2015, an appraisal was completed for this Property, along with Property No. 3. The appraisal concluded that given the toxic conditions on both Properties that the fair market value is $1.

The City entered into an agreement to negotiate exclusively with Noyan Properties (Developer) in September 2011. The result of the negotiation process was the preparation of a Memorandum of Understanding (MOU) between the City and the Developer that was approved in November 2013. The MOU calls for the City and the Developer to prepare a Disposition and Development Agreement (DDA) under which the terms and conditions of the sale of the site will be determined. Until this Plan is completed and approved, the Agency and City will not be able to complete the DDA and dispose of the property. The

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

intent of the City and the Developer is to see a mixed use development completed on the site. Currently the site is zoned for industrial uses.

Property No. 3 – 510 Boyd Street

This property adjoins Property No. 2 to the east. The Former Agency acquired the site for $145,000 on October 27, 2003 for purposes of redeveloping the site in conjunction with Property No. 2. The site contains 42,688 square feet that is currently zoned for commercial / office use. The Agency is proposing that the property be sold as part of the DDA process to the Developer for Property No. 2. The two properties can then be redeveloped together into a mixed use development site.

Property No. 4- Wilbur & C Street

This property was acquired in the October 1991 as part of the Former Agency's purchase of the abandoned Yuba City steel site, which consisted of 22 total acres. The Former Agency acquired the entire site for $2.1 million. This property contains 47,680 square feet, and the pro-rated purchase value is estimated at $97,334. The site was subsequently cleared and infrastructure installed. The entire area is referred to as the Town Center site. Over the past twenty- three years, portions of the site have been sold for private development. Property No. 4 represents one of three remaining Town Center parcels that are left to be sold.

In September 2011, the former Agency entered into an agreement to exclusively negotiate with Mr. Dave Newquist. Mr. Newquist intends to build a convention and event center on the site. The property would be sold at fair market value.

Property No. 5 – 454 Stevens Ave

This property was acquired by the Former Agency on November 18, 2008 for $121,173. The property, which is 8,712 square feet, is zoned residential. Given its location on the edge of the Town Center area, the Agency intends to rezone the property for commercial uses, and then sell the property to the developer of Property No. 4, who intends to use the

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

site for part of the event center development. The property would be sold at fair market value.

Property No. 6 – 433 Plumas Blvd.

This property was also acquired as part of the Town Center acquisition in 1991, with its pro-rated acquisition cost estimated at $334,868. The property has undergone extensive environmental clean-up, and was deemed by the Central Valley Regional Water Quality Control Board to require no further action. The property includes a total of 107,157 square feet that is zoned for commercial / office development. The property would be sold at fair market value.

Property No. 7B – 442 B Street

This property was acquired as part of the Town Center acquisition in 1991. Its pro-rated acquisition cost is estimated at $191,806 , based on the remaining portion of Property 7 that will be sold. In August 2010, a Phase I Environment Site Assessment was prepared for the property. The Phase I Assessment indicted that there were sixteen recognized environmental conditions, including pesticide spillage and the presence of arsenic and lead in the surface soil. Before the property can be redeveloped, the site will need to be cleaned up. *The cost for environmental cleanup will affect the potential sales price of the property and may require that the property be sold for a nominal amount. Although the estimated market value of the Property, as described later in this PMP, indicates a value of $566,062, this does not include any deductions for the cost of toxic cleanup. The cost to clean the site is not currently known, and so the Agency can only provide a ballpark sales price estimate of somewhere less than $566,062. The actual sales price could potentially be less than this.* The remaining property (after the public use portion for Property 7A is split off) contains 93,564 square feet and is zoned commercial / office.

Property No. 8 – Percy Avenue

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

This property was acquired on June 12, 2000 for $267,532. The parcel contains 17,424 square feet and is zoned Commercial / Office. The Agency intends to sell this parcel for fair market value.

III. ESTIMATED VALUE OF REAL PROPERTY ASSETS

As previously discussed, an appraisal was recently completed for Properties 2 and 3. That appraisal showed that the combined market value for both properties was $1.

Table 3 below presents an estimate of potential market value of the real property assets based on an appraisal that was prepared in 2010 for Property No. 3. The Agency has increased that value, which equaled $5.50 per square foot, by an additional 10 percent to take into account potentially changing market conditions since 2010. The information presented below is only intended to provide an "order-of-magnitude" estimate of potential value and is not intended to present actual appraised market value. The value estimate assumes no development impediments, which is clearly not the case for Properties 1 (due to site size and location), and 7B (due to toxic remediation). For Property 7B, the Agency will negotiate the best price that is obtainable and consistent with its approved Plans. Actual appraisals will also need to be prepared for each of the Properties that are to be sold. The proceeds generated from the disposition will be distributed to Sutter County for allocation to the applicable taxing entities in accordance with the provisions of AB 1484.

Table 3 – Estimated Current Market Value of Parcels

Property No.	APN	Square Feet	Estimated Value
1	52-262-001	4,791	$28,989
2	52-324-023	285,753	$1 *
3	52-502-008	42,688	$1*
4	52-380-017	47,480	$287,256
5	52-401-014	8,712	$52,708

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

6	52-380-016	107,157	$648,300
7A	52-380-019	60,548	$366,315
7B	52-380-019	93,564	$566,062
8	53-194-013	17,424	$105,415

*Combined value for both parcels per appraisal.

IV. APPROACH AND PROCESS FOR DISPOSITION OF PROPERTIES

Property 1 is proposed to be sold to the adjacent land owner. Properties 2, 3, 4, and 5 are proposed to be sold to the developers which are currently under and ENA with the City/ Former Agency. The Agency will negotiate the terms of the sales agreements through a disposition and development agreement.

The remaining real property assets shown on Table 3 (Properties 6, 7B and 8) above are planned to be offered for sale through a Request for Proposals and Offer (RFPO) process which is described below. The proposed predevelopment activities outlined below are intended to better position the properties for successful acquisition / development and enhance the potential value (proceeds) generated from the sale of such properties.

1. Predevelopment Activities

There are a number of predevelopment activities that the Successor Agency and Oversight Board may or may not to decide to undertake in order to appropriately position the subject real property assets for disposition and private development. These potential activities could include:

- Preparing preliminary title reports to determine existing title conditions in relation to potential development of the properties;
- Commissioning appraisal reports or broker price opinion to determine at potential market value of the properties;

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

- Developing information regarding the public infrastructure capacity (water, sewer, drainage, etc.).

The decision of the Successor Agency and Oversight Board to undertake such activities would be dependent in part on the availability of funding and whether these related disposition costs would be allowed by the State Department of Finance as enforceable obligations under the ROPS.

2. Request for Proposals and Offers (RFPO) Proposal

City staff, under the direction of the Successor Agency and the Oversight Board will prepare and implement a Request for Proposals and Offer (RFPO) process for selection of a private development team(s) to acquire and develop the remaining properties. All properties will be constructed consistent with City General Plan and related zoning ordinance designations. The intent of the RFPO process would be to select the most qualified business and development partner(s) related to disposition and development of the subject properties and respective business offers that provide the highest and most certain economic value and return from the disposition of the subject properties. The RFPO process would allow the prospective respondents to the RFPO to submit a master proposal for all of the properties or offer for individual parcels.

Subsequent to selection of a private developer(s) the Agency should work mutually with the selected private developer(s) to negotiate the terms and conditions for disposition of the subject properties. These provisions should be negotiated during an exclusive negotiation period, and would be embodied in a purchase and sale agreement between the Successor Agency and selected private developer(s) with the review and approval of the Oversight Board.

3. Marketing and Outreach

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

The goal of a proposed marketing effort is to attract high-quality development on the subject remaining real property assets consistent with the adopted City General Plan and City Zoning Ordinance. Written marketing information for the preliminary outreach effort should include a basic brochure that describes the characteristics of the site(s) and the City, general land use provisions, and any related information resulting from the predevelopment activities described above.

The primary focus of the Successor Agency's marketing efforts should be local and regional real estate development companies that have qualifications, experience and successful track records in development and operation of high-quality commercial and / or residential development. A preliminary outreach effort related to marketing of these sites should include: 1) meeting with various real estate trade and business organizations; 2) distributing the subject Request for Proposals and Offers (RFPO) to identified real estate development; companies, architects, engineers, other consultants; 2) posting the subject Request for Proposals and Offers (RFPO) information on the City web page; and 3) placing advertisements related to the subject Request for Proposal and Offers (RFPO) in the appropriate local and / or regional newspapers.

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Attachment A – Property Inventory Data

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Attachment A:
Yuba City Long Range Property Management Plan
Property Inventory Data

					HSC 34191.5 (c)(2)		HSC 34191.5 (c)		
No.	**APN**	**Existing Use**	**Address**	**Property Type**	**Permissible Use**	**Permissible Use Detail**	**Acquisition Date**	**Value at Time of Purchase Price**	**Estimated Current Value**
Properties to be Transferred for Government Use									
7A	52-380-019	Town square and ROW	442 B Street	Government use	Government Use	Government Use	10/1991	124,123	$366,315
Properties Proposed for Disposition									
1	52-262-001	Abandoned site	444 Colusa Avenue	Vacant Land	Sale of Property	Commercial	5/16/2001	101,615	$28,989
2	52-324-023	Vacant Parcel	400 Bridge Street	Vacant Land	Sale of Property	Industrial	10/27/2003	1,981,000	$ 1
3	52-502-008	Vacant Parcel	510 Boyd	Vacant Land	Sale of Property	Commercial / Office	10/27/2003	145,000	$ 1
4	52-380-017	Vacant Parcel	Wilbur and C Street	Vacant Land	Sale of Property	Commercial Office	10/1991	97,334	$ 287,256
5	52-401-014	Residential	454 Stevens Ave	Residential	Sale of Property	Residential	11/18/2008	121,173	$ 52,708
6	52-380-025	Vacant Parcel	433 Plumas Blvd.	Vacant Lot/Land	Sale of Property	Commercial Office	10/1991	334,868	$ 648,300
7B	52-380-019	Vacant Parcel	442 B Street	Vacant Lot/Land	Sale of Property	Commercial Office	10/1991	191,806	$ 566,062
8	53-194-013	Vacant Parcel	Percy Ave	Vacant Lot/Land	Sale of Property	Commercial Office	6/12/2000	267,532	$ 105,415

Attachment A:
Yuba City Long Range
Property Inventory Da

25

		1)(A)		SALE OF PROPERTY		HSC 34191.5 (c)(1)(B)			HSC 34191.5 (c)(1)(D)	HSC 34
No.	APN	Value Basis	Date of Estimated Current Value	Proposed Sale Value	Proposed Sale Date	Purpose for which property was acquired	Lot Size (SF)	Current Zoning	Estimate of Current Parcel Value	Estimate of Income/Revenue
Properties to be Transferred										
7A	52-380-019	Agency Estimate	2010	NA	NA	Public use	60,548	Commercial Office	366,315	NA
Properties Proposed for Dis										
1	52-262-001	Agency Estimate	2010	NA	NA	Implement Specific Plan	4,791	C-2	28,989	NA
2	52-324-023	Appraisal	1/2015	$1.00	TBD	Redevelopment of site	285,753	Industrial	1	NA
3	52-502-008	Appraisal	1/2015	$1.00	TBD	Redevelopment of site	42,688	Commercial Office	1	NA
4	52-380-017	Agency Estimate	2010	TBD	TBD	Redevelopment of site	47,680	Commercial Office	287,256	NA
5	52-401-014	Agency Estimate	2010	TBD	TBD	Redevelopment of site	8,712	Residential	52,708	NA
6	52-380-025	Agency Estimate	2010	TBD	TBD	Redevelopment of site	107,157	Commercial Office	648,300	NA
7B	52-380-019	Agency Estimate	2010	TBD	TBD	Redevelopment of site	93,564	Commercial Office	566,062	NA
8	53-194-013	Agency Estimate	2010	TBD	TBD	Redevelopment of site	17,424	Commercial Office	105,415	NA

Attachment A:
Yuba City Long Range
Property Inventory Da

		91.5 (c)(1)(E)	HSC 34191.5 (c)(1)(F)	HSC 34191.5 (c)(1)(G)		HSC 34191.5 (c)(1)H)
No.	APN	Contractual requirements for use of income/revenue	History of environmental contamination, studies, and/or remediation, and designation as a brownfield site	Description of property's potential for transit oriented development	Advancement of planning objectives of the successor agency	History of previous development proposals and activity
Properties to be Transferred						
7A	52-380-019	No	Yes	No	Yes	Yes
Properties Proposed for Dis						
1	52-262-001	No	No	No	No	Yes
2	52-324-023	No	Yes	No	Yes	Yes
3	52-502-008	No	No	No	No	Yes
4	52-380-017	No	No	No	No	Yes
5	52-401-014	No	No	No	No	Yes
6	52-380-025	No	No	No	No	Yes
7B	52-380-019	No	Yes	No	Yes	Yes
8	53-194-013	No	No	No	No	Yes

Attachment B – Aerial Maps

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**444 Colusa Ave**	**Date of Purchase:**	**5/16/2001**
APN:	**52-262-001**	**Parcel #**	**1**
Parcel Size:	**0.11 Acres**		

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**400 Bridge St**	**Date of Purchase:**	**10/27/2003**
APN:	**52-324-023**	**Parcel #**	**2**
Parcel Size:	**6.56 Acres**		

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**510 Boyd St**	**Date of Purchase:**	**10/27/2003**
APN:	**52-502-008**	**Parcel #**	**3**
Parcel Size:	**0.99 Acres**		

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**Wilbur and C Street**	**Date of Purchase:**	**10/1/1991**
APN:	**52-380-017**	**Parcel #**	**4**
Parcel Size:	**1.09 Acres**		

Site Address: 454 Stevens Ave

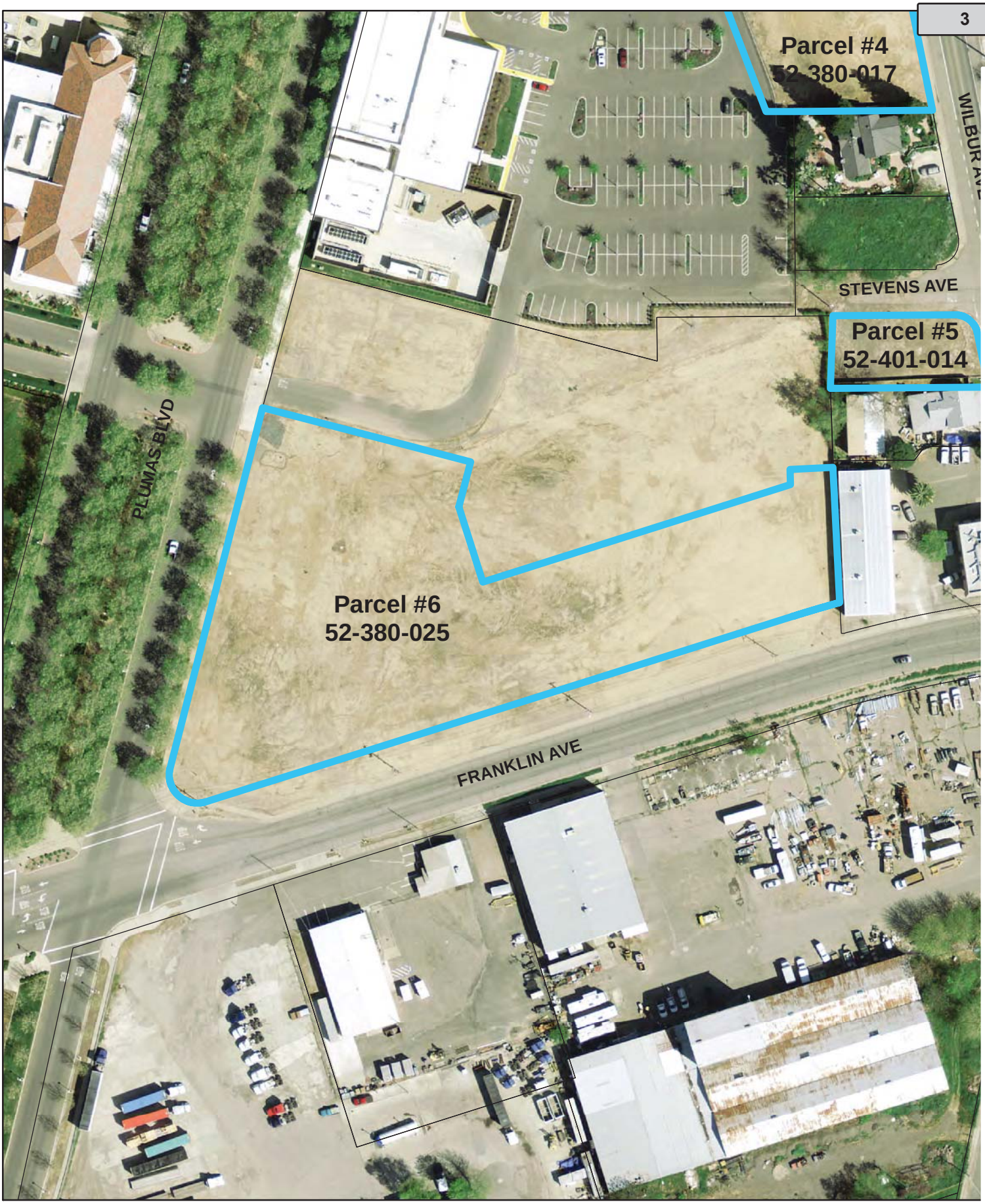
APN: 52-401-014

Parcel Size: 0.2 Acres

Date of Purchase: 11/18/2008

Parcel # 5

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of



Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**433 Plumas Blvd**	**Date of Purchase:**	**10/1/1991**
APN:	**52-380-025**	**Parcel #**	**6**
Parcel Size:	**2.32 Acres**		

Site Address:	**442 B Street**	**Date of Purchase:**	**10/1/1991**
APN:	**52-380-019**	**Parcel #**	**7**
Parcel Size:	**3.85 Acres**		

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Communication: Review of the Long-Range Property Management Plan from City of Yuba City and discussion on the next steps for disposal of

Site Address:	**265 Percy Ave**	**Date of Purchase:**	**6/12/2000**
APN:	**53-194-013**	**Parcel #**	**8**
Parcel Size:	**0.4 Acres**		

ATTACHMENT 2

Successor Agency-Owned Real Properties

APN	Location	Acreage	Zoning	GP Designation	Environmental Status	Current Owner
52-380-019	442 B St	2.15	C-O (SP)	Public & Semi-Public	Phase I ESA - 16 recognized environmental conditions identified (12 high priority)	Successor Agency
52-380-017	Wilbur Ave/C St	1.09	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency
52-401-014	454 Stevens Ave	0.2	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency
52-380-025	425 Franklin Ave	2.46	C-O (SP)	Office & Office Park	Clean Closure	Successor Agency
53-194-013	Percy Ave/Plumas Blvd	0.34	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency

ATTACHMENT 3

VICINITY MAP

ATTACHMENT 4

RESOLUTION NO. _____

RESOLUTION OF THE SUCCESSOR AGENCY TO THE YUBA CITY REDEVELOPMENT AGENCY DECLARING CERTAIN SUCCESSOR AGENCY-OWNED REAL PROPERTIES TO BE SURPLUS LAND AND DIRECTING THE CITY MANAGER TO FOLLOW THE PROCEDURES SET FORTH IN THE SURPLUS LAND ACT FOR THE SALE OF SUCH PROPERTIES

WHEREAS**,** under the Surplus Land Act, Government Code section 54220 *et seq*., as amended on January 1, 2020 (the "Act"), surplus land is defined as "land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use"; and

WHEREAS, under the Act, real property owned by a local agency, must be declared as "surplus land" or "exempt surplus land" as supported by written findings prior to the local agency taking any action to dispose of it; and

WHEREAS, the Act authorizes the local agency to sell surplus real properties in the manner proscribed therein; and

WHEREAS, the Successor Agency to the Yuba City Redevelopment Agency (the "Successor Agency") owns certain real properties identified in Exhibit A attached hereto, consisting of vacant and undeveloped land (the "Surplus Properties"); and

WHEREAS, there is no present or contemplated use for these properties and therefore, they are surplus to the needs of the Successor Agency as they are not intended to be used for any governmental purpose or operations; and

WHEREAS, the Successor Agency has determined it would be in the best interest of the Successor Agency to dispose of the Properties; and

WHEREAS, the Successor Agency now desires to declare the Surplus Properties as surplus land under the Act and to offer and initiate the sale of such properties in accordance with the procedures under the Act.

NOW, THEREFORE, THE SUCCESSOR AGENCY OF THE YUBA CITY REDEVELOPMENT AGENCY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Successor Agency finds the above recitals are true and correct and incorporated herein by this reference.

Section 2. The Successor Agency hereby finds and declares the Surplus Properties as surplus land under the Act, based on the written findings set forth below:

(a) The Surplus Properties have been determined to be no longer needed by the Successor Agency for any governmental purpose.

(b) The Successor Agency has no current or future plans to use the Surplus Properties for any agency work or operations or any other governmental purposes.

(c) Therefore, the Surplus Properties are not necessary for the agency's use and qualify as surplus land under the Act.

Section 3. The Successor Agency hereby authorizes and directs the City Manager or her designee to send written notices of availability ("NOA") and offer the Surplus Properties for sale to each of the public agencies and entities listed in Government Code section 54222, and to negotiate the terms of a proposed sale of the Surplus Properties with any such agency or entity that responds to the NOA, and to otherwise follow the procedures of the Act, as applicable to a proposed sale of the Surplus Properties.

Section 4. In the event that none of the public agencies or entities listed in Government Code section 54222 offer to purchase one or more of the Surplus Properties, or if the Successor Agency and a public agency or entity listed in Government Code section 54222 does not reach an agreement on the terms and conditions of purchase/sale, the Successor Agency intends to offer the Surplus Properties (or any of them) for sale to the general public in compliance with the requirements and procedures under the Act.

Section 5. Any proposed agreement(s) for the sale of the Surplus Properties shall ultimately be subject to the approval of the Successor Agency and Oversight Board.

Section 6. The disposal/sale/transfer of the Surplus Properties is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulation, Title 14, section 15312. However, if development is proposed on such properties by a subsequent buyer, then that development proposal would be reviewed and analyzed pursuant to the requirements under CEQA.

Section 7. This Resolution shall be effective on upon its adoption. The City Clerk shall certify the adoption of this Resolution.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the Successor Agency to the Yuba City Redevelopment Agency, at a regular meeting thereof held on the 16th day of August 2022.

AYES:

NOES:

ABSENT:

_____

Name: Dave Shaw
Title: Chair of Successor Agency

ATTEST:

_____
Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR SUCCESSOR AGENCY:

_____
Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):

- Exhibit A – Successor Agency-Owned Real Properties to be declared as Surplus

APN	Location	Acreage	Zoning	GP Designation	Environmental Status	Current Owner
52-380-019	442 B St	2.15	C-O (SP)	Public & Semi-Public	Phase I ESA - 16 recognized environmental conditions identified (12 high priority)	Successor Agency
52-380-017	Wilbur Ave/C St	1.09	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency
52-401-014	454 Stevens Ave	0.2	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency
52-380-025	425 Franklin Ave	2.46	C-O (SP)	Office & Office Park	Clean Closure	Successor Agency
53-194-013	Percy Ave/Plumas Blvd	0.34	C-O (SP)	Office & Office Park	Unknown - Nothing noted in Geotracker	Successor Agency

Future Agenda Items

- Councilmember Boomgaarden
- Councilmember Espindola
- Councilmember Harris
- Vice Mayor Kirchner
- 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 Espindola
- Councilmember Harris
- Councilmember Boomgaarden
- Vice Mayor Kirchner
- Mayor Shaw

Adjournment