



**MINUTES  
PLANNING COMMISSION  
CITY OF YUBA CITY  
August 22, 2018  
6:00 P.M. – REGULAR MEETING**

Materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection at City Hall 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](http://www.yubacity.net), subject to staff's availability to post the documents before the meeting.

Call to Order

Chairperson Ali called the meeting to order.

Roll Call:

Commissioners in Attendance:

Daria Ali (Chairperson)

Dale Eyeler (Vice Chairperson)

Jana Shannon

John Sanbrook

Jackie Sillman (Sutter County Representative)

Commissioners Absent:

Michele Blake

John Shaffer

Vice Chairperson Eyeler led all those in attendance in the Pledge of Allegiance.

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

**1. Written Requests**

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted five minutes to speak.

## 2. Appearance of Interested Citizens

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

### Public Hearings

After the staff report for each agenized item, members of the public shall be allowed to address the Planning Commission regarding the item being considered. Any person wishing to testify should first state their name and address.

All interested parties are invited to attend the hearing and express their opinions on this project. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

### **3. Consideration of the El Margarita Master Plan and related Mitigated Negative Declaration.**

The approximately 650-acre Master Plan area is located in western Yuba City along the north side of Franklin Road between Harding Road on the east side and proposed Western Parkway on its west side (mid-way between Township Road and George Washington Boulevard). The north boundary varies as it is as far north as State Route 20 but as far south as River Valley High School.

**Recommendation:** Conduct a public hearing and recommend to the City Council adoption of:

1. *Environmental Assessment 16-11*: Determines that with the proposed mitigation measures, development of the proposed El Margarita Master Plan will not create any significant adverse environmental impacts; and
2. *Specific Plan 16-03*: El Margarita Master Plan.

Arnoldo Rodriguez, Development Service Department Director presented the item to the Planning Commission. He briefly discussed the purpose of the General Plan, Master Plan and Specific Plan. He indicated the proposal was a Master Plan, as dictated by State Law. He explained the reason the City was hoping to implement a Master Plan. He displayed a map and described the location of the proposed Master Plan. He discussed the zoning and the proposed usage, which included approximately 900 single-family homes, 275 new dwelling units in the medium density area and 342 units in the medium-high density area.

Mr. Rodriguez described the changes they had made in the previous year since the last Planning Commission and City Council workshop where the proposal had been discussed. They updated some analysis', based on some of the feedback they had received, including the Southern Water Retention Basin. The amendments to the basin also affected the location, size and cost of the pipes. He displayed an additional map and discussed the future roadways. He mentioned the timing of construction of the park would be dependent upon availability of funding. He identified some lot size and drainage system interface issues between the new and old development and discussed some of the ideas to mitigate those issues.

Mr. Rodriguez reviewed the feedback he had received from community members and spoke to each of the issues that had been raised. He commented regarding appendix A in the staff report. He added the recommendation was for the Planning Commission to recommend to the City Council the adoption of the environmental assessment and to approval the El Margarita Master Plan, as written. The project would be considered by the City Council, based on the recommendation of the Planning Commission.

Chairperson Ali thanked Mr. Rodriguez for his presentation and asked if the Commissioners had any additional questions.

Commissioner Sanbrook stated he was under the impression that Master Plan and Specific plan were interchangeable terms.

Mr. Rodriguez responded many communities did use them interchangeably. However, legally, they were two different things. He briefly discussed the differences between the two terms.

Commissioner Sanbrook questioned how much of the plan area was currently outside of the City limits.

Mr. Rodriguez displayed a map and described the areas outside of the City limits.

Commissioner Eyeler further questioned the effects of the areas outside of the City limits.

Mr. Rodriguez mentioned the City would not service areas that developed outside of the limits with sewer or water. Those property owners would be responsible for their own septic systems and to drill a well.

Commissioner Eyeler questioned if there were areas within the plan that may be more difficult to service with water or sewer.

Mr. Rodriguez replied city water was quite easy to access in all the areas. He noted the sewer system was more challenging. The sewer would have to come from Harding. The developments to the east would have less of a challenge. He believed the properties to the east would develop before the west. The developers would be responsible for the cost to get the sewer system to their properties. He explained as the areas between developed, the initial developer could be reimbursed for some of that cost. He added the City was not currently in a position to finance those projects, but they were exploring alternative funding and financing plans that could be beneficial.

Commissioner Eyeler questioned how often the City needed to update the General Plan.

Mr. Rodriguez responded there was a State guideline that was a recommendation only. It suggested General Plans be examined every ten years.

Commissioner Shannon questioned how long it would take to complete the plan.

Mr. Rodriguez explained Yuba City was currently only constructing approximately 50 new single-family homes per year. However; during 2006, they constructed 800 homes. There was a large range. The plan could take 20 years, or it could be a lot shorter, dependent upon the status of the economy.

Commissioner Shannon questioned if the traffic impacts and improvements would be market driven.

Mr. Rodriguez replied they would be 100% market driven.

Chairperson Ali noted recommendation number two and page eight of the Staff Report, item C, both identified El Margarita as a Specific Plan, rather than a Master Plan. She requested clarification.

Mr. Rodriguez replied they would amend the Specific Plan wording to Master Plan on all applicable documents.

Chairperson Ali indicated they would take a five-minute recess and begin Public Comment when the meeting resumed.

#### FIVE MINUTE RECESS

Chairperson Ali called the meeting back to order and opened Public Comment.

#### **Public Comment**

Ric Morrison, 504 Gabriel Avenue, requested the drawing be amended to avoid the road extension going through Hope Point Nazarene Church.

Tom Tucker, 1321 Harter Parkway, spoke regarding the traffic study and read a portion of his letter he had previously submitted. He voiced concern that the traffic study had been completed nearly five years prior. He believed the studies to be outdated. He referenced page 15 and noted the Plan did not take into account the build out at Harter.

Kurt Hilburs, 1555 Atkinson Court, believed the Master Plan needed to be put into place ten years previously. He noted Yuba County was currently at 250 permits and they would likely exceed 300 for the year. He believed with the economy; it could be built out in five to eight years.

Reverend Dan Hastings, 2588 Maple Street, stated he was the associate pastor of Hope Point Nazarene Church. He also requested the amendment of the drawing to remove the road that appeared to be going through their church. The church had been in Yuba City for 95 years and had built that location in 1995.

Andrea Moterazo, stated she was an Attorney with Pioneer Law Group, 1122 S. Street, Sacramento. She indicated she represented Harter Packing Company. She voiced concern regarding the CEQA approach. She agreed the traffic study was very outdated. She mentioned she would submit additional comments in writing, but discussed conversion of agricultural land, air quality analysis, green house gas emissions, traffic impacts and enforceable mitigation. She added there was no factual basis to conclude the plans impacts would be fully mitigated through application of the City's Resource Efficiency Plan, particularly in relation to the 2050 targets. There was no air quality analysis, which indicated the air quality impacts were speculative, which CEQA required to be quantified, disclosed and mitigated.

Kevin Perkins, 633 North Township Road, indicated he was in attendance on behalf of the Beyer Family Trust. He thanked Mr. Rodriguez for reaching out the family trust to start a dialogue to attempt to come to a resolution. He explained the members of the family trust did see the benefit of the plan and moving forward with the recommendation.

Chairperson Ali questioned if Mr. Rodriguez would like to respond to any of the comments.

Mr. Rodriguez requested Diana Langley, Director of Public Works, address some of the traffic concerns.

Diana Langley, Director of Public Works, noted the traffic study had been prepared in 2015. The traffic counts had been taken prior to that time. The traffic engineer that had prepared the traffic study went back and analyzed how much the traffic counts could have changed based upon development that had occurred and the population increases. They identified traffic had not changed much since 2014, as there had not been significant development within the City. She added Caltrans had reviewed the traffic study and did not voice any concern regarding the ability to alter the traffic signal length at Halter.

Commissioner Sillman questioned if the City could receive financing for the infrastructure or if it was totally the developer's responsibility.

Mr. Rodriguez reiterated the City was currently exploring different potential financing options as well as developing a housing strategy plan.

Commissioner Sillman requested clarification regarding the 2050 air quality targets.

Mr. Rodriguez responded the City had prepared a Climate Action Plan in October 2016 which had complied with all state statutes.

Commissioner Eyeler mentioned the street passing through the church property. He questioned if it was cost prohibitive to amend the drawings.

Mr. Rodriguez stated on page 24 of the El Margarita Master Plan, there was a circulation map which read the roads shown were illustrative only and did not depict their final, exact location. He also referenced page 29. He mentioned they could shift the location of the road on the map, but he recommended they identify it with text, at that point. They were acknowledging the road was not going to go through the middle of the church.

Commissioner Eyeler questioned how long it would take to come to conclusion on some of the financing options they were currently exploring.

Mr. Rodriguez responded the first phase was the housing strategic plan. They hoped to have a draft completed in 30-45 days. He noted there were other communities that were more affluent than Yuba City that had the means to absorb the costs on the front end, but Yuba City did not have that luxury. They were willing to discuss options and entertain solutions that did not put the City in any risk. He added any of the options would come through the Planning Commission and City Council.

Commissioner Eyeler briefly discussed impact fees.

Commissioner Shannon requested clarification regarding the ability to adjust a Master Plan, as long as it was within the general framework of the plan.

Mr. Rodriguez stated a General Plan was considered a fluid, living document, but any changes required a plan amendment. Some elements were very precise, but some were illustrative.

Chairperson Ali requested a motion.

**Motion:** To adopt the staff recommendation for the environmental assessment determining with the proposed mitigation measures, development of the proposed El Margarita Master Plan will not create any significant adverse environmental impacts; and adopt the El Margarita Master Plan.

**Moved by:** Commissioner Eyeler

**Seconded by:** Commissioner Sillman

**Vote:** A roll call vote was taken with all Commissioner voting aye; unanimously. Carried; 5-0.

### **3. Development of Planning Commission Strategic Plan**

Mr. Rodriguez reviewed the documents that had been provided to the Planning Commission members. He suggested the Commissioners review the documents and individually email their ideas to himself. He stated he would bring all the ideas back at a subsequent meeting and they could discuss the ideas and create a document to move forward to the City Council. He briefly discussed the Open Meeting Law and mentioned some scenarios that would comply.

Commissioner Eyeler believed there had been some ideas previously presented. He questioned where those were. He indicated they had previously discussed an entertainment ordinance.

Mr. Rodriguez noted they had previously discussed a mission statement, truck terminal ordinances, sidewalks, drive-thrus, bars and night clubs, housing and development, Roberts Rules of Order training, Impact Fee Study, alternative financing and code enforcement.

Commissioner Sillman suggested formulating a mission statement and include a list of the current focuses and goals for 2018.

Mr. Rodriguez explained they could hold a workshop to discuss the strategic plan, as long as they provided greater than 72 hours noticing.

Commissioner Eyeler requested Mr. Rodriguez provide a complete list of items that had been previously discussed.

Chairperson Ali stated they would each review the documents and separately email suggestions to Mr. Rodriguez.

It was discussed and decided that they would hold a workshop on September 5<sup>th</sup> at 6:00 pm.

### **Minutes**

#### A. Minutes of May 23, 2018

**Motion:** To approve the Planning Commission Minutes of May 23, 2018.

**Moved by:** Commissioner Eyeler

**Seconded by:** Commissioner Sillman

**Vote:** A roll call vote was taken with the following result:

Commissioner Eyeler, aye; Commissioner Sanbrook, aye; Chairperson Ali; aye, Commissioner Sillman, aye; Commissioner Shannon, abstain. Carried; 4-0, with one abstention.

### **Development Services Director Reports**

Commissioner Eyeler indicated the majority of the development that was occurring was a result of lots that had been approved prior to the recession.

Mr. Rodriguez noted the City currently had 618 approved single-family residential paper lots. There were also two subdivisions in process, Harter Estates North and Perkins. He mentioned Harter Estates had been put on hold and Perkins was included in the El Margarita Master Plan, which was 232 units. He believed that would be the next large residential project that would come before the Planning Commission. They had not yet had their first meeting and it was very early in the process.

Mr. Rodriguez added the Development Impact Fee Assessment was nearly complete. It was not to determine the raising or the lowering of fees, it was simply a comparable study. The assessment was going to be added into the Strategic Housing Plan.

**Report of Actions of the Planning Commission**

Nothing to report.

**Adjournment**

Chairperson Ali adjourned the meeting at 7:58 pm.

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Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$731, must be filed with the City Clerk, 1201 Civic Center Boulevard, Yuba City, CA 95993 within 10 days of such action. If no appeal is filed within this time limit, the Planning Commission action becomes final. The exception to this is rezone requests. Please check with the Planning Division, 1201 Civic Center Boulevard, Yuba City, CA 95993 for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.