



CITY OF YUBA CITY
STAFF REPORT

City of Yuba City
Planning Division Agenda Report
Planning Commission Meeting

May 6, 2010

DATE: May 6, 2010
TO: Yuba City Planning Commission
FROM: Community Development Department
SUBJECT: Agenda Report – Meeting of May 12, 2010

Public Hearing:

Summary

Subject: Lincoln East Specific Plan

Recommendation: Recommend that the City Council take the following actions:

- 1) Adopt a resolution certifying the Final Environmental Impact Report for the proposed Lincoln East Specific Plan, adopting findings of fact, adopting mitigation measures and a mitigation monitoring plan, rejecting alternatives, and adopting a Statement of Overriding Considerations;
- 2) Adopt a resolution to amend the General Plan Land Use and Circulation Elements to match the proposed land uses and circulation policies contained in the proposed Lincoln East Specific Plan;
- 3) Adopt an ordinance approving the Lincoln East Specific Plan and assigning pre-annexation zoning to the parcels within the Lincoln East Specific Plan area; and
- 4) Adopt a resolution to approve the Lincoln East Specific Plan Public Facilities Financing Plan.

Background:

In October 2004, Granite Bay Development submitted an application for a Specific Plan to develop portions of land bound by Franklin Road, Sanborn Road, Bogue Road, and George Washington Boulevard. The City was in the process of developing growth policies as a follow-up to its General Plan. In early 2005, the City Council adopted Resolution 05-049 establishing boundaries for the development of Specific Plans and Master Plans and instituting twelve “Growth Policies” which govern the development of property within the City’s Sphere of Influence. In March, 2005, the City entered into a contract with RRM Design Group for the preparation of the Lincoln East Specific Plan (LESP) and Environmental Impact Report (EIR).

Preparation of the Specific Plan proceeded in accordance with Planning and Zoning Law of the State of California (Government Code Sections 65450-65457), while preparation of the EIR proceeded in accordance with the California Environmental Quality Act (CEQA). In addition to the minimum outreach required by CEQA, RRM Design Group and City staff conducted a significant amount of public outreach consisting of mailings, workshops, and public hearings. Below is a list of the meetings that were conducted throughout the development of the LESP.

January 12, 2006:	City Council/Planning Commission Study Session
September 6, 2006:	EIR Scoping Meeting and Public Workshop
April 15, 2009:	Review of Draft LESP with Property Owners
April 15, 2009:	Review of Draft LESP with Parks and Recreation Commission
April 22, 2009:	Review of Draft LESP with Planning Commission
May 13, 2009:	Response to comments from the Planning Commission
April 20, 2010:	Review of Public Facilities Financing Plan with Property Owners

In late 2006, the applicant that originally submitted the Specific Plan proposal acknowledged that the housing market was in decline and was poised to forego the completion of the LESP and EIR because of the inability to continue to fund the project. A considerable amount of work had already been completed on both documents, and the LESP represented the City's first comprehensive Specific Plan project since the adoption of the growth policies. The City Council recognized that the successful design and implementation of the LESP is critical to the City's long-range development, and rather than allowing the significant investment of time and money to go to waste, the City Council entered into a reimbursement agreement with the applicant to complete the project. The City Council's investment in the LESP ensures that when growth begins to occur again, Yuba City will be prepared to manage that growth in accordance with a well-designed, comprehensive planning document.

Project Description:

In order for the Lincoln East Specific Plan to be approved, the Planning Commission and City Council will need to review and approve the documents and entitlements listed below.

Environmental Impact Report: In compliance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared. (SCH# 2006082094) The purpose of the EIR is to provide decision makers, public agencies, and the general public with an objective and informational document that fully discloses the potential environmental effects of the LESP. The EIR process is designed to describe and evaluate the potentially significant direct, indirect, and cumulative environmental impacts of the proposed project, to identify alternatives that reduce or eliminate the project's significant effects, and to identify feasible measures that mitigate any potential significant environmental effects of the project. Additionally, future development that is in conformance with the LESP will be able to tier its environmental review off the LESP EIR. The list below contains a timeline for the development of the EIR:

Notice of Preparation released:	August 18, 2006
Public Scoping meeting:	September 6, 2006
Preparation of technical studies:	August 18, 2006 – April 6, 2009
Notice of Completion released:	April 6, 2009
Draft EIR reviewed by PC:	April 22, 2009
Public comment period ended:	May 20, 2009

Final EIR¹ completed:

November 12, 2009

The EIR identifies 13 project-specific and 13 cumulative significant and unavoidable impacts on the environment. Chapter 3 of the Draft EIR contains a summary of impacts and mitigation measures. This staff report will list each impact under the applicable section. In order to certify the EIR and approve the LESP, the City Council will need to adopt Findings of Fact and a Statement of Overriding Considerations, which are included in Exhibit B.

General Plan Amendment: Government Code Section 65454 states that no Specific Plan may be adopted unless it is consistent with the General Plan. To ensure consistency between the General Plan and the LESP, the Land Use Element and the Transportation Element will need to be amended. Each amendment is discussed in greater detail below:

Land Use Element amendment: The land use diagram of the Lincoln East Specific Plan differs somewhat from the land use diagram of the General Plan. (See Attachments 1 and 2.) The differences include the location of park property to better serve the neighborhoods, the alignment of medium-density housing along both sides of Harter Parkway, instead of being clustered at the north end of the project site, and the addition of another land use classification to provide for a larger minimum lot size. Differences such as these are to be expected as part of the Specific Plan process as the land uses are further refined to serve the needs of the developer, land owners, and the residents of the Plan Area.

Transportation Element amendment: The Transportation Element of the General Plan is intended to provide guidance to ensure the safe and efficient operation of Yuba City's circulation system. The General Plan acknowledges that the Land Use and Transportation Elements are closely linked. The circulation system proposed to serve the LESP differs slightly from the circulation system shown in the General Plan. The discrepancies are a result of the higher level of analysis and precision required during the specific planning process. The proposed change to the Transportation Element includes the reclassification of Harding Road from a "Residential Street" to a "Collector", which will allow it to carry a higher volume of traffic. Additionally, the alignment of Harter Parkway will need to be modified to match what is proposed in the LESP.

Lincoln East Specific Plan: The LESP provides for the development of 1,160 acres into a planned development with a mix of residential and commercial uses, park and recreational sites, and public facilities (including two public school sites). The LESP guides the development within the Plan Area by providing detailed goals, policies, development standards, and design guidelines that ensure all projects within its boundaries are consistent with the overarching vision of the LESP. The LESP covers the following topics, which will be analyzed in the next section of this staff report:

- History & Existing Conditions;
- Land Use;
- Affordable Housing;
- Circulation;
- Parks and Recreation;
- Resource Management;
- Public Facilities and Services;

¹ Pursuant to the requirements of CEQA, the Final EIR contains a list of changes to the Draft EIR, a list of the persons and agencies that submitted comments on the Draft EIR, copies of the comments received, responses to the comments received, and the mitigation monitoring program. See Exhibit A for the Final EIR.

- Implementation; and,
- Design Guidelines and Standards

Pre-annexation Zoning: In order to ensure property inside the boundaries of the LESP is ready for annexation, it is necessary for the City Council to adopt an ordinance establishing the pre-annexation zoning in conformance with the land use designations outlined in the LESP. The proposed zoning implements the objectives of the LESP and is consistent with the General Plan land use designations. Additional discussion regarding the proposed zoning district descriptions, standards, and regulations is provided in the *Land Use* and *Design Guidelines* sections of this staff report.

Analysis:

The LESP will be the governing document for all growth occurring within its boundaries. It is the first Specific Plan since Yuba City adopted its General Plan in 2004 and since the City Council adopted the City's twelve growth policies in 2005. The LESP establishes the land use designations, the maximum number of dwelling units and commercial square footage, and it describes in detail the infrastructure needed to serve the planned growth. The purpose of the LESP is to facilitate a well-organized development that is consistent with the General Plan. As required by State law, the LESP is consistent with the General Plan.

The EIR identifies the particular environmental impacts that are anticipated to occur as a result of the build-out of the Specific Plan. Environmental impacts are defined in terms of "project-specific impacts" and "cumulative impacts". Project-specific impacts are those impacts directly attributable to the project, such as the conversion of farmland to a non-agricultural use. Cumulative impacts are those impacts caused in part by the project and in part by the development of other projects in Yuba City and the surrounding vicinity. An example of a cumulative impact is increased traffic at an intersection outside of the Plan area.

Due to the size, complexity, and relationship between the LESP document and the EIR, this staff report has been organized to first highlight the common components of each document followed by a discussion of those components that are unique to each document. For easier reference, the staff report follows the order of the Specific Plan and identifies the applicable EIR sections associated with each Specific Plan section. The analysis below represents a summary of the key elements and features of the particular section. For additional information about a specific section, corresponding page numbers for each document are provided to assist the Commission with referencing the applicable section and document.

Land Use: (Specific Plan Chapter 3; EIR Section 4.8: Land Use and Planning, and Section 4.10: Population, Employment, and Housing.)

The LESP strives to create high-quality, traditional neighborhoods that incorporate a variety of densities and housing types for all socio-economic groups; encourages pedestrian circulation; provides neighborhood focal points such as parks and trails; reduces auto-dependency; and fosters interaction among neighbors. The Land Use chapter of the LESP establishes land use designations and provides development standards that convey a vision for the development of the LESP. The Land Use Goal is *to provide a comprehensive, pedestrian oriented land use*

plan that builds upon the existing uses and creates a sense of community through well-designed neighborhoods. To implement this goal, the Land Use chapter contains 7 objectives, 11 residential land use policies, 7 commercial land use policies, and 6 parks and public facilities policies.

The table below provides a summary of each Specific Plan Designation and its corresponding Zoning District.

Specific Plan Designation	Description	Corresponding Zoning Districts
LD-10K	Low Density Residential, 10,000 square foot minimum parcel size	RE-LESP
LD	Low Density Residential (2-8 units/acre)	R1-LESP
MD	Low-Medium Density Residential (6-14 units/acre)	R2-LESP
HD	Medium-High Density Residential (12-36 units/acre)	R3-LESP
CC	Community Commercial	C-2-LESP
P	Parks & Recreation	PF-LESP
PF	Public Facilities	PF-LESP
QP	Quasi-Public Facilities	QP-LESP

Attachment 2 is a revised map of the Specific Plan Land Use Designations. Table 3-1 (Attachment 3) summarizes the acreages of each Land Use Designation. Both are attached for Commission review, as the figures in the Draft LESP from March 2009 were modified slightly to accommodate comments received from the Yuba City Unified School District. Figure 3-2, which may be found on page 3-5 of the LESP is a map of the Zoning Districts².

An important component of the LESP is the concept of “Dwelling Unit Allocation Areas”. Dwelling Unit Allocation Areas have been established to ensure balanced and equitable residential growth. The Plan Area is divided into eight Dwelling Unit Allocation Areas, and each Dwelling Unit Allocation Area is allocated a maximum number of new dwelling units, based on area. Each Dwelling Unit Allocation Area may not exceed the number of new dwelling units listed in Table 3-3. (See Table 3-3 and Figure 3-3, on pages 3-8 and 3-9, respectively, of the LESP, for specific allocations.) The other purpose for this feature of the LESP is to ensure that the number of dwelling units constructed does not exceed the capacity of the infrastructure, such as water, wastewater, storm drainage, and roads, designed for the Plan Area.

The LESP is internally consistent, and once the General Plan is amended as previously-described, the LESP will be consistent with the Yuba City General Plan. For all properties within the Plan Area, the LESP will supersede the Yuba City Zoning Ordinance. Where the LESP is silent on a matter, the Zoning Ordinance will govern³.

Land Use and EIR Discussion:

2 The changes requested by the School District resulted in minor, but important, changes to the Land Use Diagram. These changes necessitate modifying every map in the LESP to accommodate the revised layout of Harter Parkway. Not every map has been attached for Commission review. Major modifications that have occurred since the release of the March 2009 Draft are attached to or described in detail in this staff report. Modifications to the LESP will be incorporated into the document following adoption of the LESP by the City Council.

3 Design Guidelines and Development Standards are contained in “Appendix A” of the LESP. They will be discussed in greater detail in the applicable section of this staff report.

Land Use Project-Specific Significant and Unavoidable Impacts⁴

4.10-1: The proposed project could directly or indirectly induce substantial population growth in the area.

Land Use Cumulative Significant and Unavoidable Impacts:

4.10-2: The proposed project, in combination with future build-out of the City of Yuba City, as well as the City's Sphere of Influence, could directly or indirectly induce substantial population growth in the area.

Affordable Housing: (Specific Plan Chapter 4; EIR Section 4.10: Population, Employment, and Housing)

Affordable housing is the relationship between total household income and total household expense. This relationship is expressed as a percentage of the total amount of household income that is obligated toward housing expense. The State Department of Housing and Community Development (HCD) states that housing is affordable if housing costs, including mortgage, rent, and utilities, do not exceed 30% of gross household annual income. The table below shows the affordable housing costs for a family of four by income category.

Income Category	% of Median Income	Maximum Annual Income	Maximum Monthly Housing Costs
Very Low Income	31% - 50%	\$27,900	\$698
Low Income	51% - 80%	\$44,650	\$1,116
Median Income	81% - 100%	\$55,800	\$1,395
Moderate Income	101% - 120%	\$66,950	\$1,674

In November, 2004, the City Council adopted a Resolution to support SACOG's regional compact that 10% of all new housing be developed as affordable housing⁵. The Affordable Housing Goal of the LESP is to *provide areas within the Plan Area for the inclusion of affordable housing for all household income groups*. The LESP contains 11 Affordable Housing Policies designed to guide the provision of affordable housing in accordance with the SACOG regional compact. Affordable Housing Policy #1 of the LESP sets a goal of allocating 10% of all housing units (or 486 units) to meet the affordability requirements. The remaining Affordable Housing policies outline the levels of affordability, the location, timing, and design of the affordable units. The LESP anticipates that the majority of the affordable units will be located in the High Density Residential Specific Plan Designation. (See Figure 4-1, on page 4-2 of the LESP.) Provision of the required affordable units will take place through the Development Agreement process, which is commenced when a developer files for certain land use entitlements, such as a tentative map. The LESP provides different options for achieving the 10% affordability goal, including

4 Each section of the staff report will contain a list of the project-specific and cumulative environmental impacts that are applicable to that particular section. The impacts are numbered based on the section of the EIR in which they may be found. A brief overview of each impact may be found in Chapter 3, "Summary of Impacts and Mitigation Measures", of the Draft EIR. A detailed analysis of each impact may be found in the applicable chapter of the Draft EIR. For example, Impact 4.10-1, which is listed above, may be found in Chapter 4, Section 10, Impact 1, of the Draft EIR.

5 When used by SACOG, the term "affordable housing" refers to housing units that are deed restricted to remain affordable at a specified income category for a specified period of time, ranging from 10 to 55 years.

construction of the units or payment of an in-lieu fee. The Development Agreement process will be discussed in greater detail under the *Implementation* section of this staff report.

Affordable Housing and EIR Discussion:

The Draft EIR identified no significant and unavoidable impacts related to affordable housing.

Circulation: (Specific Plan Chapter 5; EIR Section 4.12: Transportation and Circulation)

The Circulation Goal of the LESP is *to create a safe and efficient circulation system that promotes a variety of transportation modes including: automobile, bicycle, and pedestrian, with an emphasis on establishing an attractive, walkable community.* The LESP contains 7 Circulation Objectives and 22 Circulation Policies designed to help implement this goal. The LESP is designed to provide an open and interconnected circulation system for vehicles, bicyclists, and pedestrians that promotes connectivity and access to major focal points and public facilities. The Specific Plan may contain a mixture of an open-grid based and radial system of streets that connect the Plan Area to the surrounding neighborhoods. The backbone circulation system consists of a parkway, major and minor arterials, major and minor collectors, multi-use trails, Class II bicycle facilities, sidewalks, public transit, and traffic calming devices. Figure 5-1 on page 5-3 of the LESP shows the proposed road network. Figures 5-3 through 5-11 of the LESP provide sections of each type of street. Based on a recommendation received from the Planning Commission during its last review of the LESP, Figure 5-6 has been revised so that sidewalks are included in the alternative Lincoln Road Section⁶. (See Attachment 4.)

The LESP incorporates several unique traffic calming features, such as bulb-outs and chokers to narrow portions of residential streets to slow traffic. Because Sanborn Road has the potential to become more of a thoroughfare for motorists seeking a short-cut, and because of the high number of existing single-family units fronting on Sanborn Road, a dual cul-de-sac is proposed for the segment of Sanborn Road just south of Cherry Street. (See Attachment 5 for the location of the dual cul-de-sacs.) The cul-de-sacs will have paved bicycle and pedestrian openings between them, will not be walled, and shall be designed with a 40-foot radius to ensure proper emergency vehicle access. This design will significantly reduce cut-through traffic while still providing safe pedestrian and bicycle connections.

The LESP emphasizes non-vehicular circulation to provide a safe and healthy transportation alternative for all residents. During its review of the LESP, the Yuba City Parks and Recreation Commission found the facilitation of non-vehicular transportation to be an important way that the City can promote the health of its residents. To achieve this, the LESP contains several policies and features designed to improve the comfort of people using non-vehicular transportation methods. For example, roads within the LESP have sidewalks or access to the multi-use trail system on both sides of the street, sidewalks range from 4 to 6 feet in width, and 6-foot wide Class II bicycle lanes are included on the parkway and all arterials and collectors. Additionally, within the neighborhood parks and the community park, paths that are completely separated from roadways will be provided for the exclusive use of cyclists and pedestrians. Finally, cul-de-sacs will be required to be “day-lighted”, or open at the end with a paved connection to the streets on the other side.

⁶ An alternative section for the portion of Lincoln Road running between Sanborn Road and Harter Parkway is included in the LESP to provide flexibility in the likely event that the properties fronting on this stretch of Lincoln Road do not develop any further than they already have. The alternative section will prevent future developers from having to acquire right-of-way from property owners who may never develop their properties.

The circulation system within the LESP will also be designed to accommodate public transportation services. Transit stops and park and ride lots are to be provided at convenient points throughout the Plan Area, and all future transit stops will be required to comply with Yuba-Sutter Transit's standards. At a minimum, the transit stops will be required to include shelter structures, lighting, seating areas, and adequate right-of-way to provide access to the circulation system. As part of the future subdivision map process, the City will cooperate with Yuba Sutter Transit to determine the location of bus turn-outs.

The LESP generally matches the Transportation Element of the General Plan. As previously mentioned, because Harding Road will be required to carry a higher quantity of traffic than was anticipated when the General Plan was adopted in 2004, it will be necessary to amend the General Plan to reclassify Harding Road as a minor collector, which is the next street up from a "local road" in the hierarchy of street types.

Circulation and EIR Discussion: Implementation of the LESP would cause the level of service (LOS) for several study intersections to deteriorate from acceptable (LOS D or better) to unacceptable during at least one peak hour. Some of the impacted intersections include Franklin Road/Harding Road; Bogue Road/Sanborn Road; Franklin Road/Walton Avenue; Lincoln Road/Walton Avenue; and Bogue Road/Walton Avenue⁷. The improvements identified under Mitigation Measure 4.12-1 would improve the impacted locations to a less-than-significant level under Existing Plus Project conditions. However, most of the proposed improvements would require acquisition of right-of-way. Since it is unknown if the necessary right-of-way can be acquired, there is no assurance that the improvements would be constructed. Future project applicants shall be required to either pay the fair-share for the construction of the required roadway and intersection improvements, or the City could consider the potential for reimbursement through the updated traffic impact fee program to the project applicant(s) for constructing the recommended improvements. If the recommended improvements are not made, the intersections would operate at an unacceptable level, and this impact would remain significant and unavoidable.

Circulation Project-Specific Significant and Unavoidable Impacts:

4.12-1: Under Existing Plus Project conditions, the project could increase traffic volumes at study intersections in the City of Yuba City.

4.12-2: Under Existing Plus Project conditions, the project could increase traffic volumes on residential streets in Yuba City.

4.12-3: Under Existing Plus Project conditions, the project could increase traffic volumes at study intersections in Sutter County.

4.12.4: Under Existing Plus Project conditions, the project could increase traffic volumes at study intersections under Caltrans's jurisdiction.

⁷ A complete list of the impacted intersections and streets may be found in Chapter 4, Section 12 of the Draft EIR.

4.12-5: The proposed project could increase demand for public transit service beyond that currently planned and may result in unmet transit needs.

4-12.6: The proposed project could increase demand for bicycle and pedestrian facilities.

Circulation Cumulative Significant and Unavoidable Impacts:

4.12-7: Under Cumulative Plus Project conditions, the project, in combination with other development, could increase traffic volumes at study intersections in the City of Yuba City.

4.12-8: Under Cumulative Plus Project conditions, the project, in combination with other development, could increase traffic volumes on residential streets in the City of Yuba City.

4.12.9: Under Cumulative Plus Project conditions, the project, in combination with other development, could increase traffic volumes at study intersections in Sutter County.

4.12.10: Under Cumulative Plus Project conditions, the project, in combination with other development, could increase traffic volumes at study intersections under Caltrans's jurisdiction.

4.12.11: Mitigation measures implemented to reduce transportation impacts could adversely affect traffic in other jurisdictions.

4.12-12: Mitigation measures implemented to reduce transportation impacts could adversely affect the natural environment.

Parks and Recreation: (Specific Plan Chapter 6; EIR Section 4.11, page 4.11-28)

The Parks and Recreation goal of the LESP is *to ensure the provision of adequate park space, open space, and recreational facilities that meet the variety of needs of Plan Area residents and is consistent with the long-term park needs of Yuba City.* The LESP contains 2 objectives related to the convenient location of recreational facilities and the promotion of pedestrian and cycling activities. Additionally, 22 policies will guide the future development of parks in the LESP. The Plan complies with the General Plan requirement that the City provide 5 acres of parks per 1,000 residents⁸. The LESP will provide 62 acres of City-owned parks, comprising one 32-acre "City Park" in the south-central portion of the Plan Area, one 10-acre "Community Park" in the north-central portion of the Plan area, and five 5-acre "Neighborhood Parks" strategically located to provide convenient access to the surrounding residents. (See Figure 6-1, Park & Recreation Diagram, on page 6-3 of the LESP.) The LESP also includes 20 acres of property that will be shared by the City and the Yuba City Unified School District as joint-use park space. This arrangement will result in cost savings by both the City and the School District, as the costs to develop and maintain the property can be shared. The joint-use parks will be subject to an agreement between the City and the School District; the agreement will establish which party is responsible for maintenance, terms of use, and the facilities to be incorporated into each joint use park⁹.

8 The LESP anticipates 12,990 residents, for a demand of 65 acres of parkland. The LESP provides 82 acres of parkland. Table 6-1 on page 6-1 of the LESP includes a summary of parkland needs.

9 While an agreement has not yet been pursued, the 15-acre joint-use park beside the future high school may include facilities such as lighted softball fields, lighted tennis courts, or lighted soccer fields. The 5-acre joint-use park beside the future elementary school may include facilities such as basketball courts, playground equipment, soccer fields, baseball fields, benches, tables, and shade covers.

The LESP also allows for the co-location of parks and detention basins as a further way to conserve resources and promote multi-use facilities. However, to ensure that the parkland is actually usable during most of the year, co-located parks and detention basins will be subject to stringent design requirements. For example, there will be maximum slope requirements to ensure that the parks are truly usable for recreation. Additionally, Parks and Recreation Policy #16 (on page 6-4 of the LESP) states that no portion of a drainage basin may be counted toward the required park area for the 5-acre neighborhood parks. When located in conjunction with the Community or City Park, the portion of the drainage basin that is subject to inundation only in a 100-year storm event may receive half credit toward meeting the required park area. Portions of a drainage basin subject to inundation in storms less severe than a 100-year event shall not be counted toward the park requirement. Figure 6-2 on page 6-6 of the LESP provides an illustration of a co-located park/detention basin.

A common theme that runs through many elements of the LESP is the promotion of alternative transportation as a way to increase the health of the community. The LESP proposes the location of multi-use trails throughout the Plan Area. The multi-use trails are intended to connect residential units to neighborhood focal points, such as parks and schools. As noted in the Circulation section of the LESP, day-lighted cul-de-sacs will be provided to facilitate trail connections. The multi-use trails will be required to be at least 10 feet in width, and their exact location will be determined through the tentative map and development agreement process.

The LESP acknowledges that Figure 6-1 may not show the exact location of each of the parks. However, the LESP is clear that the parks are shown in their proposed locations to provide maximum convenience for future residents. For example, the neighborhood parks may be moved slightly to accommodate the future layout of neighborhood streets, but they must be located in the same general vicinity as shown in Figure 6-1. The LESP allows “pocket parks”, which are defined as parks up to 3 acres in size. Pocket parks may provide extra recreational opportunities, and a developer may propose them as an additional amenity in his or her project. However, the City will not maintain pocket parks, and pocket parks may not be counted toward any of the parkland required by the LESP. Tables 6-2 and 6-3, on pages 6-7 and 6-8 of the LESP, provide a list of potential design elements for the City Park and the Community Park¹⁰.

Parks and Recreation EIR Discussion:

The Draft EIR identified no significant and unavoidable impacts related to parks and recreation.

Resource Management: *(Specific Plan Chapter 7; EIR Sections 4.2: Agricultural Resources, 4.3: Air Quality, 4.4: Biological Resources, 4.5 Cultural Resources, 4.6: Hazards and Hazardous Materials, 4.7: Hydrology and Water Quality, 4.9: Noise, 4.14: Climate Change)*

The Resource Management goal of the LESP is *to minimize adverse environmental impacts and to implement conservation techniques to protect the character and resources of the Plan Area*. The resources in the Plan Area include agriculture, historical and cultural resources, biological resources, water, air quality, and energy conservation. The LESP contains 8 Resource Management objectives which guide how to minimize the adverse impacts that development of the LESP will have on the resources in the Plan Area. The policies for each of the aforementioned resources will be analyzed in turn.

¹⁰ For a discussion regarding how parks are to be developed, please refer to the Chapter 9, *Implementation*, in the LESP.

Agricultural Resources: Development of the LESP will result in the conversion of farmland and the construction of residences in the vicinity of, or adjacent to, land designated or utilized for agricultural uses. The LESP contains 5 agricultural resource policies that are designed to protect the viability of agricultural uses outside the Plan Area and minimize the impacts on agriculture caused by urban uses that locate near these continuing agricultural operations. For example, new residential developments sharing a boundary with agriculture-designated lands outside the Plan Area are required to provide a minimum of a 30-foot setback. The remaining agricultural resources policies may be found on page 7-2 of the LESP.

Historic and Cultural Resources: A historical resource is defined as a building, structure, object, prehistoric or historical archeological site or district possessing physical evidence of human activity that is over 45 years old. The Dahling House, which is located along Lincoln Road near the proposed Harter Parkway, has been identified as a historical resource within the Plan Area. Additionally, the Sri Guru Nanak Sikh Temple, which is located within the Plan Area along Bogue Road, has been identified as an important cultural resource. Finally, there is a potential for prehistoric resources, which could be disturbed or destroyed as a result of construction, to be present within the Plan Area. The LESP contains 7 historic and cultural resources policies that are designed to minimize the risk of destroying historic and cultural resources. For example, the only type of construction allowed within 75 feet of the Dhaling House is another single-family home. Further, if any impact construction techniques (such as pile driving) are proposed, a detailed structural analysis to determine the appropriate setback from the Dhaling House will be required. The remaining historic and cultural resource policies may be found on page 7-2 of the LESP.

Biological Resources: Although the Plan Area has historically been used for agricultural activity, there are potential habitats for four sensitive or special status species: Valley Oak trees, Burrowing Owls, Swainson's Hawk foraging habitat, and White-tailed Kite. Additionally, five sensitive natural habitats occur within the vicinity of the proposed Plan Area. An arborist report prepared for the project identified nine trees¹¹ in the Plan Area that are in good health and should be considered for preservation. The LESP contains 6 biological resources policies that are designed to minimize the impacts on the biological resources of the Plan Area. The biological resources policies may be found on page 7-3 of the LESP.

Water Quality: Potable water serving the Plan Area will be required to meet or exceed Federal, State, and local water quality standards through improvements made to the water system. The LESP lies within the Sacramento River watershed, which serves many functions, including providing recreational opportunities, agricultural irrigation, wildlife habitat, and drinking water for humans. Urban development increases the amount of impervious surface, which affects the amount and quality of storm water runoff entering the watershed. The LESP contains 6 water quality policies which serve to minimize the adverse impacts resulting from development of the Plan Area. The water quality policies may be found on page 7-6 of the LESP.

Air Quality: Yuba City is located in the Northern Sacramento Valley Air Basin, which, pursuant to the Federal Clean Air Act and the State of California, is monitored by the Feather River Air Quality Management District. Due to its location between the Coastal Range and the Sierra Nevada Mountain Range, air quality is often poor in the Northern Sacramento Valley Air Basin. Air quality is affected by various sources such as vehicle emissions, agricultural operations, and point source emissions. Urban development increases the number of emitting sources, and

¹¹ The trees include 6 Valley Oak trees, 2 Coast Redwoods, and 1 Hinds Walnut. See Figure 7-1 on page 7-4 of the LESP for the locations of the trees.

therefore has a measurable impact on air quality. The LESP includes many opportunities to expand and enhance non-motorized forms of transportation by providing an interconnected street network, day-lighted cul-de-sacs, and multi-use-trail connections. Additionally, the LESP contains 5 policies designed to minimize the impacts of development of the LESP on air quality. The policies may be found on page 7-6 of the LESP.

Energy Conservation: The LESP strives to create an environmentally friendly community by reducing energy consumption through encouraging the use of technologies such as photovoltaic panels, reducing paved surfaces, which create heat islands, and designing residential units to promote passive solar heating. The 4 energy conservation policies may be found on page 7-7 of the LESP.

Resource Management EIR Discussion: While the adoption of the LESP would not directly and immediately convert the land within the Plan Area to non-agriculture use, it will facilitate the future development of the project site and eventually cause the loss of farmland. The City had previously addressed this as part of the 2004 General Plan Update process, and the General Plan includes policies designed to reduce the impact of converting agricultural land. More recently, the City is a partner with Sutter and Yuba Counties in the preparation of a Habitat Conservation Plan (HCP) that is designed to address the potential conversion of farmland and minimize the potential impacts associated with the conversion.

Additionally, the project is incorporating a variety of programs, measure, and design standards that would help to minimize the project's contribution to greenhouse gas emissions, and in turn, global climate change. However, because there are no feasible measures available to eliminate the project's contribution to the overall inventory of greenhouse gases, the impact on greenhouse gas emissions and global climate change remains significant and unavoidable.

Resource Management Project-Specific Significant and Unavoidable Impacts:

4.2-1: The proposed project could convert Important Farmland to non-agricultural use.

4.3-2: Construction activities would generate ROG and NOx emissions from construction equipment that could exceed the air district thresholds.

4.3-3: Operational emissions associated with the proposed project could exceed the air district thresholds.

4.9-3: The proposed project could expose persons within the LESP to operational noise from motor vehicles and stationary sources that exceed adopted or applicable standards.

4.9-4: The proposed project could expose persons adjacent to the LESP area to operational noise from motor vehicles that exceed adopted or applicable standards.

Resource Management Cumulative Significant and Unavoidable Impacts:

4.2-3: The proposed project, in combination with other projects in the City's Sphere of Influence and Sutter County, could increase cumulative levels of ROG and NOx.

4.3-7: Construction of the proposed project, combined with other development in the Sacramento Valley Air Basin, could increase cumulative levels of ROG and NOx.

4.3-8: Operational emissions from the proposed project, combined with other operational emissions from on-going development in the Sacramento Valley Air Basin, could exceed air district thresholds.

4.9-6: Project traffic, in conjunction with traffic from planned future development in the City and the Sphere of Influence, could generate substantial permanent noise increases on existing residential areas adjacent to major roadways.

4.14-1: The proposed project could contribute to global climate change through the contribution of greenhouse gases.

Public Facilities and Services: (LESP Chapter 8; EIR Sections 4.11: Public Services, 4.13: Utilities)

The Public Facilities and Services chapter of the LESP describes, at the conceptual level, the major backbone infrastructure and public services intended to serve the Plan Area. The LESP has a Public Facilities and Services goal that is *to ensure the provision of adequate and reliable services and utilities to residents and businesses to accommodate the needs of Plan Area uses*. The infrastructure addressed in this chapter includes water, wastewater, storm water, and dry utilities such as cable, telephone, natural gas, refuse service, and electricity. This chapter also includes a description of the public services, such as fire protection, police services, and public schools. Each utility or service is discussed in further detail below.

Water: The Plan Area is not currently served by the Yuba City Utilities Department, but will be upon annexation. Existing residences currently rely on private wells for water supply and will have the opportunity to pay to connect to City water when the distribution systems are available. Additional water supply and infrastructure will be needed to serve the projected needs of the Plan Area.

Pursuant to the California Water Code, a Water Supply Assessment (WSA) was completed in conjunction with the EIR for the LESP. The WSA analyzed a 20-year planning horizon and found that additional water supplies will be needed to serve both the Plan Area and Yuba City, as a whole. The LESP includes Water Policies that focus on providing adequate water supplies to the Plan Area through a combination of conservation, developing supplementary groundwater supplies, and acquiring additional surface water entitlements from sources such as the North Yuba Water District.

The LESP also plans for backbone water infrastructure that will be required to distribute the water to future development in the Plan Area. Components of the new water system include regional water storage tanks, booster stations, water mains, and water laterals. Installation of water improvements may be phased in accordance with the LESP Phasing Plan and Phasing Policies. Additionally, certain facilities in the LESP are sized to allow for development that occurs west of the Plan Area to tie into the water infrastructure. Costs associated with upsizing the lines are considered reimbursable and may qualify as projects to be included in the City's Capital Improvement Program (CIP). Figures 8-1 and 8-2 of the LESP provide diagrams of the onsite and offsite water infrastructure improvements proposed as part of the LESP. The LESP provides 10 Water Policies that focus on the following: water availability, water quality, water conservation, and ensuring the adequacy of the system to support full build-out of the Plan Area. The policies may be found on page 8-3 of the LESP.

Wastewater: In 2005-2006, the Yuba City Utilities Department updated the Wastewater Master Plan (WWMP). The WWMP included provisions for serving the Plan Area, and the LESP generally follows the Master Plan. Existing residences are served by private septic systems. Since the Plan Area is not currently served, sewer trunk line upgrades that connect to existing collection systems that deliver wastewater to the existing Wastewater Treatment Plant (WWTP) will be necessary. Future build-out upstream of the Plan Area, such as in the northwest corner of Yuba City's Sphere of Influence, will also need to be considered in the required improvements for the Plan Area. The sewer lines will need to be sized to collect wastewater flows from upstream properties through the Plan Area downstream to the WWTP. The preliminary design of the new wastewater backbone system consists of a standard gravity flow system, sewer lines, sewer mains, and force mains. See Figures 8-3 and 8-4 for onsite and offsite conceptual wastewater improvements¹². The sewer improvements may be phased in accordance with the provisions of the Phasing section in the Implementation chapter of the LESP. The 12 Wastewater Policies focus on ensuring adequate quality and capacity for wastewater services.

Storm Water Drainage: The storm water drainage system is designed to support the Plan Area as a standalone system, with a connection to the Live Oak Canal for the discharge of storm water. The design of the storm water drainage system includes storm drain transmission lines, detention basins, pump stations, and if necessary, force mains or pressurized pipes. The storm drainage improvements may be phased, and interim improvements may be approved on a case-by-case basis. However, interim improvements will not negate the requirement to participate in the construction and/or financing of the pro-rata share of the required area-wide system improvements. See Figures 8-5 and 8-6 for diagrams of the conceptual onsite and offsite storm water drainage system improvements. As was discussed under the Parks and Recreation section, storm water basins may be co-located with the City or Community Park, provided that certain design standards are met. The LESP contains 15 Storm Water Drainage Policies to ensure adequate collection, transmission, and drainage of storm water flows within the Plan Area.

Flood Management: The LESP contains a brief section on flood management. No portion of the LESP is currently within the 100-year flood plain based on 1984 FEMA Flood Insurance Rate Maps (FIRMs). FEMA is in the process of revising the FIRMs, and the remapping process is expected to be complete by fall, 2011. It is expected that once the new FIRM maps are completed, portions of the Plan Area will be located in the 100-year flood plain. However, it is uncertain how deep the inundation is expected to be. In the event that the Plan Area is included in the flood plain, projects will be subject to design requirements to ensure construction is at least 1 foot above the base flood elevation. The LESP contains 5 Flood Management Policies to ensure that the project complies with all existing and future FEMA standards.

Other Utilities: The LESP also discusses the following utilities: cable television, telephone, natural gas and electrical service, and waste collection and disposal. All of the utilities are provided by outside service providers. The LESP contains 5 policies governing the location and development of the dry utilities, and it contains 6 policies governing waste collection and disposal.

Public Safety: Public safety services in the Plan Area consist of Fire Protection and Law Enforcement. The Plan Area is currently and will continue to be served by the Yuba City Fire

¹² It is likely that the sewer main shown in Lincoln Road in both figures will be increased in size and located in Bogue Road. The final Specific Plan will be revised accordingly.

Department. A new fire station was recently completed at the corner of Franklin Road and Ohleyer Road. The Plan Area will be served by the Yuba City Police Department upon annexation. Police Department services will need to be expanded to serve development in the Plan Area. Ongoing operations for fire protection and police services will be funded by a share of property tax revenue generated by the project and, if necessary, by special taxes or assessments that are generated by an area of benefit created for the Plan Area. The LESP contains 7 policies that govern the provision of fire and police services. The Public Safety Policies are on page 8-20 of the LESP.

Public Schools: The Plan Area falls within three school district jurisdictions: Franklin Elementary School District (FESD), Sutter Union High School District (SUHSD) and the Yuba City Unified School District (YCUSD). The majority of the Plan Area is within the YCUSD¹³. The LESP will result in additional student generation and demand for additional school facilities. In order to accommodate existing and Plan-related school demand, the LESP reserves a 15-acre site for an elementary school (grades K-8) and a 45-acre site for a future high school. Adjacent to each school is a “joint-use area” where shared facilities, such as softball diamonds, soccer fields, etc., will be provided¹⁴. Facility planning and ultimate development of these sites will be the responsibility of the Yuba City Unified School District. Developers are required to fully mitigate school impacts in accordance with development agreements, impact fees, and funding agreements with the respective school districts. The LESP contains 5 Public Schools Policies to ensure the provision of adequate and safe access to schools for children.

Public Facilities & Services EIR Discussion

The Draft EIR identified no significant and unavoidable impacts related to public facilities and services.

Implementation: (LESP Chapter 9)

The LESP contains a precise set of goals, objectives, policies, standards, and design guidelines to ensure orderly development of the Plan Area. The LESP will be implemented through the City’s development review process, and it will be used in conjunction with the City’s General Plan, Zoning Code, and Improvement Standards. Flexibility is allowed as long as the basic intent of the Specific Plan is kept. The LESP removes many of the obstacles associated with new development, which should result in a smoother, more predictable process¹⁵.

Public Facility and Service Improvements: An important element of implementing the LESP is the timing of improvement of public facilities and the provision public services. Through the subdivision approval process, developers will be required to install critical infrastructure necessary for both on- and off-site demands, as well as all infrastructure needed for “in-tract” development. A developer’s obligation to install infrastructure will be based on the timing and

13 See Figure 8-8 on page 8-23 of the LESP for a map of the school districts.

14 The joint-use areas and their amenities are discussed in greater detail in the Parks and Recreation section of this staff report.

15 For example, the LESP was prepared and processed in accordance with CEQA. The EIR, once approved, is intended to cover all development proposals in the Plan Area that are consistent with the LESP. Environmental review for subsequent project approvals will be in accordance with Public Resources Code Section 21166 and 21803. In accordance with Public Resources Code Section 21081.8, a mitigation monitoring plan was prepared to ensure implementation of EIR mitigation measures for the Specific Plan. Additional environmental analysis may be required if subsequent changes to the LESP are proposed, or if other circumstances change, creating potential environmental effects not considered in the original analysis.

location of the proposed development, which may place proportionately greater burdens on those who develop first. Those developers that have proportionately greater burdens to install critical backbone infrastructure shall be reimbursed for those costs over time as part of a reimbursement agreement that will be established in the future.

Public Facilities Financing Plan (PFFP): The construction of public improvements to serve the Plan Area will be funded by a variety of mechanisms including development impact fees, school impact fees, establishment of a Community Facilities District (CFD), developer financing, and other potential funding measures. A Public Facilities Financing Plan (PFFP) has been prepared to better assess the true cost of implementing infrastructure improvements for the Plan Area and to assess the feasibility of the LESP. (See Exhibit C.) The PFFP assesses the one-time burdens (such as the installation of infrastructure) and the ongoing burdens (such as the cost of maintaining common area landscaping). The total cost of each type of backbone infrastructure (water, wastewater, roads, storm drainage, and preparation of the LESP) is calculated and compared as a percentage of the developed value of the land¹⁶.

The PFFP estimates the total cost of developing the required public facilities to be \$137,394,000. The PFFP assumes that \$10,000,000 of the water infrastructure will be funded with revenue bond proceeds, which would be paid for by future residents of the Plan Area. This reduces the total one-time burden to 127,000,000. Additionally, the City is prepared to facilitate development of the Plan Area by participating in reimbursement agreements to ensure that developers who are required to provide infrastructure beyond what is directly attributable to their project are reimbursed by future developers who benefit from the first developer's investment. Further, the City is prepared to offer impact fee credits for infrastructure investments beyond what is directly attributable to a particular project.

According to the PFFP, the infrastructure costs associated with development of the LESP do not render the Plan infeasible. This determination is not meant to assess the LESP's overall viability. Rather, feasibility is limited to whether the proposed land uses can reasonably be expected to bear the burdens associated with the infrastructure needed to support the LESP. It should be noted that the PFFP makes a number of assumptions, any of which may change when the LESP is actually developed. The local real estate market will ultimately determine home prices and phasing plans, potentially causing actual results to differ substantially from those calculated and evaluated in the PFFP. The PFFP will be adopted in conjunction with the LESP. It will need to be refined as development is proposed and occurs.

Development Process: Once adopted, the LESP and consistent pre-annexation zoning will be the basis for future annexation applications to Sutter County Local Area Formation Commission (LAFCO). Because the Plan Area contains areas of existing development, the City or property owners may opt to either annex the entire Plan Area or portions thereof. Annexation of areas proposed for development must be completed prior to the approval and recordation of any parcel or tentative maps.

The LESP, adopted by ordinance in the same manner as a rezone, establishes the land use classifications, pre-annexation zoning, development policies, development standards, and

¹⁶ See Table 10, which is located near the back of the PFFP. The far right-hand column of Table 10 shows the net one-time burden for each land use type as a percentage of the developed value of the land. Historically, net one-time burdens less than 20% were considered feasible. However, in the current market, industry experts, including the Goodwin Consulting Group, Inc., indicate that burdens approaching or exceeding 25% are becoming more common, especially for the higher density product types.

design guidelines for the entire Plan Area consistent with the Yuba City General Plan. The development standards in the LESP may differ from those contained in the Yuba City Zoning Ordinance. In the case of a discrepancy, the LESP standards shall prevail. Where the LESP is silent, the Zoning Ordinance shall apply.

Phasing Plan: The LESP provides a phasing program to ensure that all required public improvements are constructed in a logical and viable sequence, so that each phase of development is supported by the necessary facilities and services. (See Figure 9-1, Preliminary Phasing Plan, on page 9-5 of the LESP.) As discussed in the *Public Facilities and Services* section of the LESP, the need for the facilities and the cost of installation will determine the extent, location, and timing of new development. The Preliminary Phasing Plan in the LESP presents what staff considers to be the most likely and logical procession of development, given the location of existing infrastructure improvements. However, it is intended that project phasing will remain flexible enough to respond to changing conditions during the life of the project, subject to the provision of necessary infrastructure and public facilities to support the level of development. Development of the phases may occur concurrently or consecutively, and the phasing plan may be revised as conditions warrant, subject to review and approval of the City. Additionally, the development of noncontiguous property may be permitted if the appropriate public facilities are installed. At the time of development, developers or property owners within the Plan Area will be required to complete an Infrastructure Plan to identify the cost of construction of the necessary infrastructure to ensure implementation occurs on an area-wide basis, instead of through a piecemeal approach.

Development Agreements: Property owners or developers that submit applications for properties that are larger than 10 acres in size or that contain more than 40 residential units will be required to enter into Development Agreements with the City. Development Agreements are legal agreements between the City and a developer, and they are governed by State law. The Development Agreement will be an important tool in the implementation of the LESP, because it will be used to ensure the provision of affordable housing, establish what infrastructure a development is responsible for, and establish what improvements are reimbursable to the developers. The subdivision approval process will be another important tool in implementing the LESP. The subdivision process is expected to be the same as elsewhere in the City, and several standard map conditions will ensure that the future owners of subdivided property are informed of certain disclosures. (See page 9-6 of the LESP for a list of the standard conditions.)

Design Guidelines & Standards: (*LESP Appendix A; EIR Section 4.1: Aesthetics and Visual Resources*)

The goal of Appendix A: Design Guidelines and Standards is to *provide a strong sense of place through the design of new residential neighborhoods, neighborhood and commercial centers, parks, and trails, and also maintain the rural characteristics established by the existing residential neighborhoods.* Appendix A contains 5 Objectives, standards for private development, and policies for the community improvements, such as community landscaping, lighting, gateways, and signage. As previously noted, the standards and guidelines in Appendix A supersede the Yuba City Zoning Ordinance in the event of a conflict. If the design guidelines are silent, the Zoning Ordinance shall prevail. A detailed description of the development standards for each land use type begins on page A-3 of the LESP.

Alternatives:

Direct staff to make changes to the Plans.

- Recommendation:** Recommend that the City Council take the following actions:
- 1) Adopt a resolution certifying the Final Environmental Impact Report for the proposed Lincoln East Specific Plan, adopting findings of fact, adopting mitigation measures and a mitigation monitoring plan, rejecting alternatives, and adopting a Statement of Overriding Considerations;
 - 2) Adopt a resolution to amend the General Plan Land Use and Circulation Elements to match the proposed land uses and circulation policies contained in the proposed Lincoln East Specific Plan;
 - 3) Adopt an ordinance approving the Lincoln East Specific Plan and assigning pre-annexation zoning to the parcels within the Lincoln East Specific Plan area; and
 - 4) Adopt a resolution to approve the Lincoln East Specific Plan Public Facilities Financing Plan.

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