

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
May 12, 2010
City Hall Council Chambers

The meeting was called to order by Chairman Starkey at 7:00 p.m. Members present were as follows:

PRESENT

Chairman Craig Starkey
Commissioner John Sanbrook
Commissioner Preet Didbal
Commissioner George Parker
Commissioner John Hager II

ABSENT

Commissioner Satwant Takhar (excused) Jose Flores (unexcused)

Also present were Aaron Busch, Community Development Director, Katie Ertmer, Senior Planner, Paulla Hyatt-McIntire, Counsel, Diana Langley, Principal Engineer, John Wilbanks, RRM, Susan Goodwin and Chris Curry of Goodwin Consulting Group, Christine Kronenberg of PBS&J, and Roberta Kyle, Recording Secretary.

The Pledge of Allegiance was led by Tim Dalske.

The minutes for the March 10, 2010 and March 24, 2010 meetings were approved as written.

Appearance of Interested Citizens: - None

Correspondence: - None

Commission Consideration: - None

Public Hearing:

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.**

Aaron Busch, Community Development Director, introduced all of the consultants who have worked on the Lincoln East Specific Plan, and presented a staff report which included project history, EIR process and findings, Specific Plan features, Public Facilities Financing Plan, implementation process/next steps and the requested action.

John Wilbanks, RRM, gave a broad overview of the Lincoln East Specific Plan and stated that the purpose of the plan is to implement the General Plan which is a tool under state law that gives Cities the ability to get a little more specific and set forth things like infrastructure, land use and financing plans to help implement and ensure consistency with the General Plan.

Susan Goodwin, Goodwin Consulting Group, talked about the infrastructure that is required to serve the plan and said there is the backbone infrastructure and the community facilities that will be needed to serve the added population from the specific plan area. Ms. Goodwin stated that the financing plan looks at various financing options that are available to fund public facilities and infrastructure items and said these are financing mechanisms that will generate funding from the area within the specific plan itself without requiring any assistance from existing city funds or population, and went on to present the major components of the public facilities financing plan.

Chairman Starkey asked the Planning Commissioners if they had questions for the consultants.

Commissioner Sanbrook asked Ms. Goodwin if the land was being overburdened with debt.

Ms. Goodwin stated those feasibility tests that are looked at in the plan are tests that are applied statewide which are even more stringent in Northern California, and said there are developments that are surviving quite well even over the last couple of years. Ms. Goodwin said conservative tests have been applied to the one time and the annual and said the only way to reduce the overall burden is to reduce infrastructure costs. Ms. Goodwin stated they have been told that this is the cost needed to build the infrastructure to serve the plan, and said that nothing is going forward at this point no matter what the burdens are, and said she feels the land is not overburdened.

Commissioner Parker asked Ms. Goodwin the cost at build out was in present or future dollars.

Ms. Goodwin stated everything that is presented is in current dollars. Ms. Goodwin said they looked at current land values in the Central Valley and took off 25% to come up with a conservative land value.

Ms. Goodwin also said that history has shown in California that values will increase and said the financing plan will be updated and adjusted based on reality by the time the City is entering into a development agreement and there is a tentative map.

Chairman Starkey opened the public hearing.

Don Kessel, 1964 Pebble Beach Drive, stated that his concern is the water situation and asked where the water will come from and when it will be available.

Commissioner Sanbrook stated that the EIR and Specific Plan address that issue and said the City is exploring working with the North Yuba Water District for surface water and ground water.

Mr. Kessel asked if the City will be starting a whole new well system, and asked who will pay for the wells, a private company or the people who live there.

Diana Langley, Principal Engineer, said the EIR does state that the water rights are not in place as of yet to serve that entire area and said as the City moves forward, they will have to negotiate additional water rights. Ms. Langley said the City is also looking into groundwater storage at the water treatment plant where they are evaluating whether or not they can use existing aquifers to store treated surface water. Then as additional water is needed, it can be pumped out of the aquifers and into the distribution system. Ms. Langley stated that wells will be considered for irrigation purposes most likely and as far as recycled water, the treatment plant is currently not set up to recycle water, but said that might be able to happen in the future for irrigation purposes. Ms. Langley said all of this will be addressed as everything moves forward.

Mr. Busch stated that the EIR was released over a year ago since that time, the City continues to evaluate all of the options available including new legislation regarding conservation efforts. Mr. Busch said this will ultimately fall on the developers who will need to make sure they demonstrate that they have adequate supplies for their project.

Chairman Starkey said everything will be in place before building can begin and that the Specific Plan will bear the costs for the infrastructure.

Mr. Busch said that the EIR specifies that there needs to be water certifications showing adequate supply before building begins and said a burden of proof has to be demonstrated to make sure improvements are in place before construction or occupancy can be allowed.

Tim Dalske, 645 Sanborn Road, spoke in support of the Lincoln East Specific Plan

There being no further testimony, Chairman Starkey closed the public hearing.

Commissioner Sanbrook asked if it is correct that impact fees will relate to levee improvements.

Mr. Busch said that was correct.

Commissioner Sanbrook asked whether the levee impact fees will still be collected if and when the 218 vote for levee assessments is passed.

Mr. Busch stated that when the AB1600 study was done, levees were a priority as they are today, but because there was no mechanism in place or identification of what kind of fix was needed, the City wanted to put in the levee fee component in the impact fees right away.

Mr. Busch said that in the event there is an assessment approved by the voters in the upcoming election, then there is the potential that there will be duplicate fees, and said the AB1600 fees will be looked at again to make sure double payments would not occur.

Commissioner Sanbrook asked if the AB1600 levee impact fee would disappear if that ballot proposition is approved.

Mr. Busch said potentially, yes.

Commissioner Sanbrook moved to recommend that the City Council:

- 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;
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- 4) Adopt a resolution to approve the Lincoln East Specific Plan Public Facilities Financing Plan.

The motion was seconded by Commissioner Hager and the passed by a vote of 5-0-2 (Commissioners Takhar and Flores absent).

Commission Discussion: - None

Other Business: - Assign a representative replacement for the Feather River Mills project.

Mr. Busch updated the Planning Commission on the new process for the Feather River Mills project.

Commissioners Didbal and Hager volunteered to be representatives. Commissioner Didbal was elected to be the designated representative and Commissioner Hager will be the backup representative.

Report on Actions of the City Council:

Mr. Busch stated that the Vending Ordinance went forward to the City Council with the Ad Hoc Committee's recommendation of inclusion of the provision of identifying the three existing non-conforming businesses which will be allowed to operate at their separate locations subject to separate agreements with the City Council which are in the process of being prepared and will go back before the City Council in June.

Chairman Starkey commented on the Lincoln East Specific Plan process and all the hard work that was done to get it completed.

Adjournment: There being no further business, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Roberta Kyle, Secretary
YUBA CITY PLANNING COMMISSION