

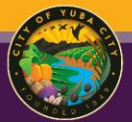


# Gated Community Concept

September 15, 2020

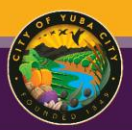


**Presentation By:**  
**Diana Langley, Interim City Manager/Public Works Director**



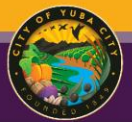
# Background

- In 2013, residents living on Hastings Way & Morrison Bend approached staff about the concept of converting their subdivision to a gated community.
- Item brought before City Council in February 2013 for policy direction.
  - Conversion is acceptable provided 100% of the property owners are in agreement, and
  - All property owners agreed to pay for the ongoing maintenance of the improvements internal to the neighborhood.



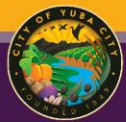
# Items for Consideration

- Community acceptance of the exclusivity of “gated neighborhoods” in general.
- Uniqueness of the neighborhood request and/or the precedent set in supporting a gated community concept.
- Ability to provide access to emergency services, postal service, garbage collection, and other services/deliveries.



# Items for Consideration

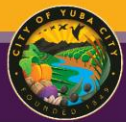
- Willingness of residents to accept:
  - All costs of conversion,
  - All added maintenance costs of private street conversion,
  - Organizational mechanism to ensure monetary obligations and necessary work are being carried out, and
  - Formation of a Homeowner's Association with 100% approval of the property owners.



# Legal Considerations

- Restricting access to a public street is not allowed.
- California Streets and Highways Code requires that the local agency abandon or vacate the right-of-way.
- Property owners have to preserve access rights through the dedication of cross-access easements.
- Easements also need to be dedicated for utilities within the subdivision.

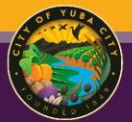
# Hastings Way/Morrison Bend Request



- In July 2020, two representatives of the Hastings Way/Morrison Bend neighborhood approached staff again about converting the neighborhood to a gated community. Their request is as follows:
  - Provided gated ingress/egress off of Bogue Road and Railroad Avenue.
  - City continue to provide maintenance of all City-owned internal infrastructure via a maintenance agreement at no additional cost.

# Hastings Way/Morrison Bend Request



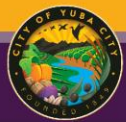


# Maintenance Considerations

- Other gated communities within Yuba City pay for the maintenance of the internal infrastructure.
- Should the cost for maintenance be borne by the property owners, the City, or transitioned over time from the City to the property owners?
- Who owns and maintains the infrastructure?
- What is the maintenance schedule and estimated maintenance cost?
- If the requirement is that the property owners pay for the maintenance, what happens if there are not sufficient funds to cover costs if there is a major issue?

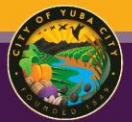


# Staff Recommendation



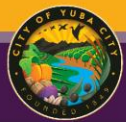
1. 100% of property owners shall agree to the conversion.
2. All costs of conversion shall be paid by the property owners.
3. All gates shall comply with emergency access requirements.
4. All costs of maintenance shall be paid by the property owners. Timing for the shift of maintenance from the City to the property owners would need to be determined.
5. An organizational mechanism shall be set-up to ensure monetary obligations and necessary work is being carried out.
6. Formation of a HOA shall have 100% approval of the property owners.
7. City shall retain ownership and maintenance of any water distribution and sewer collection lines within the neighborhood.

# Fiscal Impact



- If the gated community concept were approved and a neighborhood were to elect to convert to a gated community, the City would potentially no longer be responsible for maintenance activities within the neighborhood.

# Recommendation



- Discuss the concept of “gated neighborhoods” and provide direction to staff regarding requirements for the conversion of existing neighborhoods to gated communities.