

CITY OF YUBA CITY
STAFF REPORT

Date: February 15, 2022
To: Honorable Mayor & Members of the City Council
From: Development Services Department
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Annexation – South block of the Lincoln East Specific Plan (LESP)

Recommendation: A. Adopt a Resolution requesting the Sutter Local Agency Formation Commission (LAFCo) to take proceedings for reorganization (annexation) of the Lincoln East Specific Plan South Block Area to the City of Yuba City. (Proposed area generally bounded by Lincoln Rd, George Washington Blvd, Sanborn Dr and Bogue Rd.)

B. Authorize payment to LAFCo and the State for application processing

Fiscal Impact: Revenue and expenses in accordance with the existing LESP Master Tax Exchange Agreement (MTEA)

Purpose:

Initiate the annexation of the South Block of the LESP area by LAFCo consistent with property ownership requests, Sutter County recommendation, and in accordance with the City of Yuba City General Plan goals.

Council's Strategic Goal:

This project addresses the City Council's Strategic Goal of improving the City's infrastructure, increasing public safety, fostering business-friendly policies, and maintaining fiscal responsibility.

Background:

The proposed annexation area includes 28 developed and undeveloped parcels covering approximately 300 acres. It is located east of George Washington Blvd., west of Sanborn Dr., south of Lincoln Rd., and north of Bogue Rd., being the south portion of the LESP area (see Exhibit A).

The Lincoln East Specific Plan (Attachment 2) was adopted in 2010 with the intent of facilitating successful growth in the Sphere of Influence, and providing specific design guidelines for development. However, after years with no development in the area, the City Council worked to change development policies to help development become feasible in this area.

Analysis:

The area consists of various General Plan designations ranging from Low Density Residential to several Commercial designations to Light Industrial designation. Attachment 2 provides the specific General Plan land use designations for each property. The proposed Resolution doesn't include any amendments to the General Plan land use designations or the associated zoning.

Annexation Process: Sutter County LAFCo is the public agency that reviews and considers annexations. While the City can take the lead with filing an annexation application, LAFCo will ultimately determine if the area will be annexed into the City pursuant to the *Policies, Standards, and Procedures* of the Cortese-Knox-Hertzberg Government Reorganization Act of 2000. Thus, all annexations, the act of adding territory to a city or district, must first be recognized by LAFCo. Upon action by the City Council, the City will apply to LAFCo for potential annexation where LAFCo will then follow standard procedures for noticing and conducting any necessary public hearing.

Public Outreach: In accordance with Sutter LAFCo *Policies, Standards and Procedures* all required noticing to the land owners in the proposed annexation area will be required prior to the hearing. Notice will include information on how to participate in the LAFCo meeting when the item is considered. The Sutter LAFCo *Policies, Standards and Procedures* states the following:

"LAFCo encourages participation in its decision-making process. The Cortese-Knox-Hertzberg Act provides for a wide dissemination of notice. LAFCo shall not necessarily be limited to the minimums required by law and policy. The Commission will provide opportunity to the public to be heard at LAFCo meetings in accordance with the procedures set forth in the By-Laws" (Sutter LAFCo Policies, Standards and Procedures, page 47)

Property Owner Participation: City staff have worked with Sutter County and LAFCo staff in preparation for this proposal to determine a suitable proposal that aligns with the Yuba City General Plan and other long-range planning documents. The intention of this proposal is to include property owners in the process, provide guidance and information regarding the benefits of participating in the annexation, and ultimately allows property owners the choice to participate or not. All analysis done by City and County staff supports the proposed annexation boundary as shown in Exhibit A.

The proposed Resolution of Initiation is consistent with the City of Yuba City General Plan, Lincoln East Specific Plan, and the Zoning Code. The proposed annexation application will be accompanied by a *Plan for Services* that includes a description of each service to be provided to the annexation area following its incorporation into the City of Yuba City.

The services described are water, wastewater collection and treatment, stormwater drainage, utilities, streets, police protection, fire protection, and parks and recreation. The proposed Resolution, when submitted to Sutter LAFCo, along with the *Plan for Services* will begin the annexation process.

Fiscal Impact:

Costs associated with the proposed initiation of the LAFCo application for annexation will be approximately \$10,000 for application processing.

Alternatives:

1. Reject staff recommendation.
2. Provide staff with modifications.

Recommendation:

- A. Adopt a Resolution requesting the Sutter Local Agency Formation Commission (LAFCo) to take proceedings for reorganization (annexation) of the Lincoln East Specific Plan South Block Area to the City of Yuba City. (Proposed area generally bounded by Lincoln Rd, George Washington Blvd, Sanborn Dr and Bogue Rd.)
- B. Authorize payment to LAFCo and the State for application processing.

Attachments:

- 1. City Council Resolution of Initiation
- 2. Exhibit A: LESP South Block Annexation Area Properties
- 3. Exhibit B: LESP South Block Annexation Area Plan for Services
- 4. Lincoln East Specific Plan Land Use Map

Prepared By:
Ashley Potočnik
Assistant Planner

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY REQUESTING THE SUTTER LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO TAKE PROCEEDINGS FOR REORGANIZATION (ANNEXATION) OF THE LINCOLN EAST SPECIFIC PLAN SOUTH BLOCK AREA TO THE CITY OF YUBA CITY

WHEREAS, the Council of the City of Yuba City desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 *et seq.*, for a reorganization to annex an approximately 300-acre area located within the Sphere of Influence (SOI) of the City of Yuba City; and

WHEREAS, Government Code section 56654 provides that “[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency;” and

WHEREAS, the 300-acre territory is located east of George Washington Blvd, west of Sanborn Dr, south of Lincoln Rd, and north of Bogue Rd within the Lincoln East Specific Plan (LESP) area, and is hereby known as the “LESP South Block”; and

WHEREAS, this specific plan area is consistent with the sphere of influence for the City of Yuba City; and

WHEREAS, a map and description of the boundaries of the approximately 300-acre LESP South Block area proposed to be annexed into the City of Yuba City, (the “Subject Property”) is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, the Sutter County Local Agency Formation Commission (“LAFCO”) is the agency with jurisdiction over such reorganizations within Sutter County (“County”); and

WHEREAS, the City has a Master Tax Exchange Agreement (MTEA) with the County of Sutter to comply with Revenue and Tax Code section 99 regarding property tax revenue transfer upon annexation, which agreement includes standards of annexations; and

WHEREAS, the principal reasons for the proposed reorganization are as follows:

1. The City Council has determined that the proposed reorganization will promote the general health, safety and welfare of the community.
2. The City Council has determined that the reorganization, including the annexations and detachments listed herein, is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the *City of Yuba City General Plan*.
3. The City Council has determined that there is sufficient infrastructure to serve the Subject Property, based upon the *LESP South Block Annexation Area Plan for Services (Exhibit B)*.

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) the City has prepared an Environmental Impact Report (EIR) for the LESP (SCH#2006082094), that was certified by City Council in November 2009; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the City Council now desires to adopt this Resolution to initiate proceedings for Lincoln East Specific Plan South Block Area.

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

1. Recitals. That the foregoing recitals and findings are true and correct.
2. CEQA. The City Council finds the project is has been fully assessed by Environmental Impact Report (EIR) (SCH#2006082094) certified by the City in 2009 for the Lincoln East Specific Plan. The EIR analyzed the impacts of development anticipated in the LESP area. The impacts associated with both the pre-zone and annexation were previously analyzed in the EIR. The EIR specifically contemplated annexation, including pre-annexation and zoning (see EIR p. 1-2) as well as reorganization (annexation/detachments) approved by LAFCO (see EIR p. 1-3.) Further, the LESP assessed by the EIR also specifically contemplated annexation, including the annexation process. (See LESP section 9.2.1.) The City Council finds that there is no substantial new evidence in the record that this project may have additional significant impacts that were not analyzed as significant adverse effects in the EIR. Additionally, there is no substantial new evidence of potentially significant off-site impacts and cumulative impacts that were not discussed in the EIR, and no potentially significant adverse effects peculiar to the project. Finally, the City Council finds that there are no previously identified significant effects, which as a result of substantial new information which was not known at the time the EIR was certified, that have a more severe adverse impact than assessed in the EIR. Given the forgoing, the City Council finds that the proposed annexation has been fully assessed by the EIR, and no further assessment is required under CEQA.

Note that after annexation is complete, specific projects proposing to develop within the annexed area are subject to an initial environmental review as required by CEQA. Depending on the result of said review, the specific projects be able to utilize technical information and findings from the previously certified LESP EIR as may be permitted by CEQA given the proposed development.

3. General Plan Consistency. The City Council finds that the annexation is consistent with the goals, objectives, and policies of the City of Yuba City General Plan.
4. Initiation of Annexation. The City Council adopts and approves this Resolution of application, and initiates annexation for the LESP South Block. The Local Agency Formation Commission of Sutter County is requested to initiate proceedings for the

change of organization of the territory, as described in Exhibit A and Exhibit B from the County of Sutter to the City of Yuba City in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The City Council directs the City Manager to take all necessary steps to submit a complete application for the proposed annexation, including preparation and submittal of all LAFCO required forms, documents and studies and payment of all required fees, in accordance with any applicable agreement with the County of Sutter governing the same.

5. Effective Date. This Resolution shall take effect and be in full force and effect from and after thirty (30) days after its adoption.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 15th day of February, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

**APPROVED AS TO FORM
COUNCIL FOR YUBA CITY:**

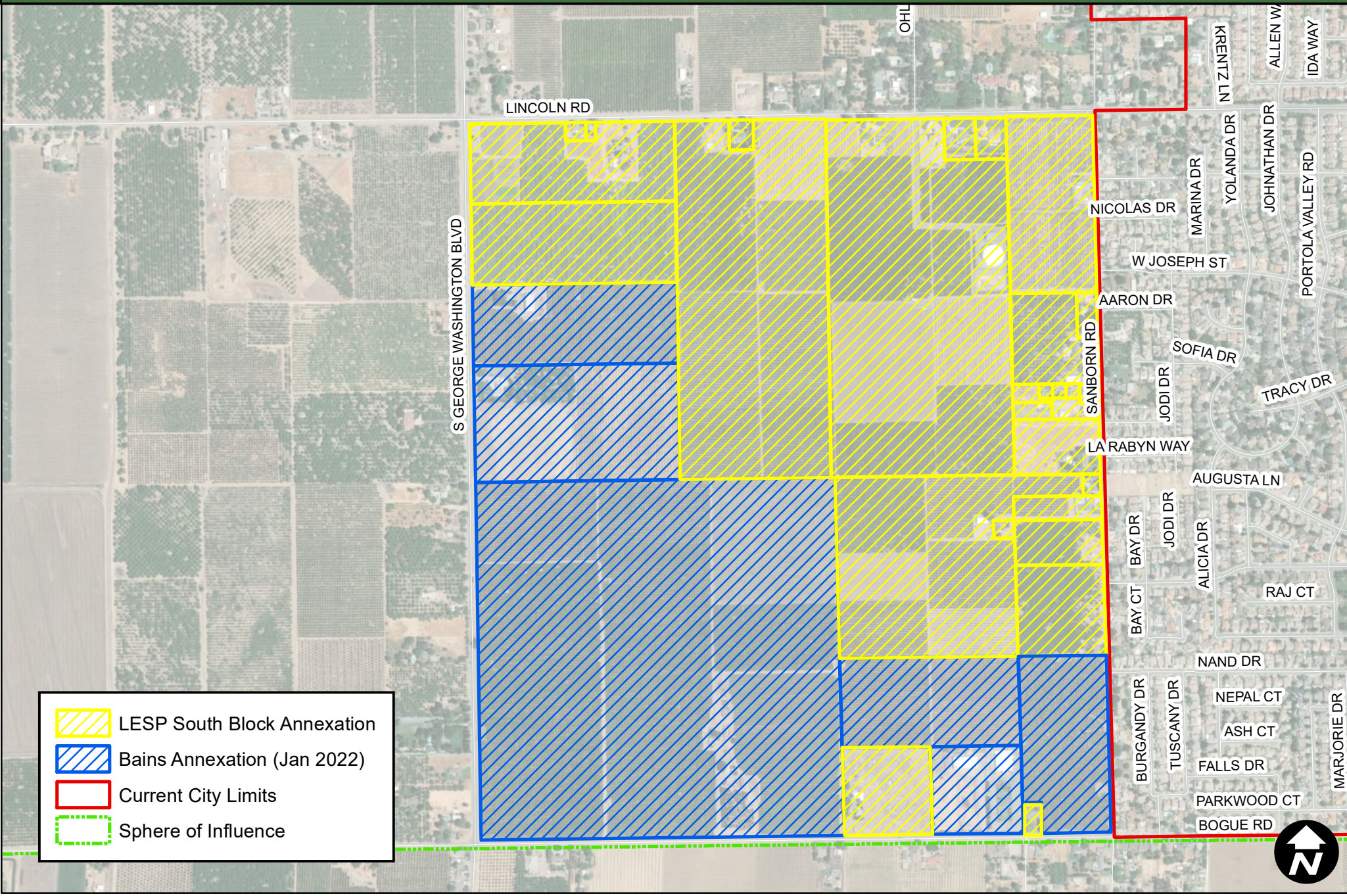
Shannon L. Chaffin, City Attorney

Exhibit A: Annexation Exhibit, LESP South Block Annexation Area Properties
Exhibit B: LESP South Block Annexation Area Plan for Services

EXHIBIT A

Lincoln East Specific Plan - South Block

Proposed City Led Annexation







-  LESP South Block Annexation
-  Bains Annexation (Jan 2022)
-  Current City Limits
-  Sphere of Influence



EXHIBIT B

**LINCOLN EAST SPECIFIC PLAN
SOUTH BLOCK ANNEXATION AREA**

PLAN FOR SERVICES



prepared by

CITY OF YUBA CITY

February 2022

City of Yuba City
**South Block Annexation Area
Plan for Services**

Introduction

This Plan for Services has been prepared pursuant to the Local Agency Formation Commission of Sutter County (Sutter LAFCO) *Policies, Standards, and Procedures* manual. In addition, Government Code Section 56653 (Cortese-Knox-Herzberg Government Reorganization Act) requires that whenever a local agency applies to LAFCO for a change of organization the local agency shall submit a plan for providing services within the affected territory. This Plan for Services identifies how urban services will be provided to the South Block area upon annexation into the City of Yuba City.

The City of Yuba City proposes to annex approximately 300 acres of land located east of George Washington Blvd, west of Sanborn Dr, south of Lincoln Rd, and north of Bogue Rd in the Lincoln East Specific Plan area as shown on the attached map. This area includes about 28 developed and undeveloped parcels with a mix of residential and agricultural uses.

The proposed annexation is was rezoned and planned for annexation and development in the Lincoln East Specific Plan (LESP) that was adopted in 2010 with the intent of facilitating successful growth in the City Sphere of Influence and providing specific design guidelines for development. However, after years with no development in the area the City Council worked to change development policies to help development become feasible in this area. In order to receive City services, the affected properties are required to be annexed into the City.

Services and Organization

The services considered herein are based on the Policies, Standards, and Procedures of Sutter LAFCO, as well as relevant sections of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, codified in section 65000 of the Government Code. The services discussed and analyzed herein are consistent with the requirement that the City of Yuba City be capable of providing services sufficient to protect the health, safety, and welfare of the residents of the annexation area.

Provided below is a description of each service to be provided to the annexation area following its incorporation into the City of Yuba City. The level and range of services is given, along with facility locations and response times when appropriate. The discussion identifies when these services can be extended to the annexation area, any improvements or upgrades the City of Yuba City would perform or impose. The services as outlined will be financed in accordance with current City fees and the Master Tax Exchange Agreement.

The services described are water, wastewater collection and treatment, stormwater drainage, utilities, streets, police protection, fire protection, and parks and recreation.

Water

The water supply source for the City of Yuba City is surface water from the Feather River. The City is permitted to draw 30 mgd from the Feather River. The Water Treatment Plant (WTP) uses two types of treatment systems, conventional and membrane treatment. The permitted capacity of the conventional WTP is 24 million gallons per day (mgd). The membrane treatment system has a permitted capacity of 12 mgd. Water produced from the conventional and the membrane treatment plants are blended for chlorine disinfection. Operating the conventional and membrane treatment, provides a total WTP capacity of 36 mgd. The current max day use is 26 mgd.

The City's Urban Water Management Plan estimates an additional 3,519 single family homes and 1,347 multi-family units will be constructed to reach build-out conditions within the annexation area. This population growth is anticipated in the Water Master Plan, and the increased water demand is within the City's permitted water use.

The quality and reliability of treated water is protected by the WTP operators, instrumentation, alarms, stand-by equipment, and back-up power generation. The City also has access to a 2.9 mgd back-up standby well located at the WTP.

Wastewater Collection and Treatment

The City's Wastewater Treatment Facility and Collection System Master Plan establishes a strategy to provide the wastewater collection and treatment for the full build-out of the City's Sphere of Influence.

As the area develops, the property owners/developers will be responsible for coordinating the design and installation of a sanitary sewer system that connects to the City's existing wastewater system. All work in the City right of way will need to meet current City standards.

The August 2020 Master Plan update provides recommendations for future growth in the annexation area to increase the capacity of the wastewater transmission system. Projects include installing new sewer lines, increasing the size of existing lines, and constructing at least one lift station.

The Waste Water Treatment Facility's (WWTF) current permitted capacity is 10.5 mgd (annual average dry weather flow). The annual average dry-weather flow for the years 2017-2021 is 5.6 mgd. The increase in flow associated with the annexation area will incrementally contribute to the need to increase WWTF capacity over time.

Stormwater Drainage

The City is served primarily by two drainage systems the Gilsizer Slough and the Live Oak Canal. The Live Oak Canal predominantly services west Yuba City and most of the proposed annexation area. The Live Oak Canal service area is broken up into Zones of Benefit (ZOB). The ZOBs assess fees to cover the initial construction of the required capital improvements and fees for the annual cost of operating and maintaining the constructed storm drainage facilities.

The Lincoln East Specific Plan (LESP) includes Stormwater Policies for required infrastructure needed when development occurs. A portion of the proposed annexation area will need to be annexed into the Gilsizer Drainage District.

When development occurs the stormwater drainage system for the area will utilize detention basins within the new developments to help control the runoff from overwhelming existing drainage canals while also keeping the City compliant with its NPDES permits.

Utilities

Utilities include gas and electric service provided by PG&E, phone and cable. These services are provided by the individual companies that provide that service. Owners of the areas that are to be developed will be responsible to coordinate their utility installation as part of the development projects. City code requires that new utilities be undergrounded.

Streets

The overall plan for improving the City street system to accommodate new growth is contained in the Transportation element of the Yuba City General Plan, which lays out the future, fundamental street pattern for build-out of the City planning area, primarily consisting of arterial and collector streets. New subdivisions and other types of development are required to provide completed internal streets and sidewalks throughout the project to current City standards. Depending on the size of the project and its location, off-site street and sidewalk improvements may also be required in order to provide good access to the site.

The City charges development impact fees that go towards improving the larger collector and arterial streets that will connect roadways within the City. Expansion of the major road network in the annexed area is expected to be primarily paid for through the collection of traffic impact fees and conditions of development.

Police Protection

The Yuba City Police Department (YCPD) currently has a staff 68 sworn peace officers and 30 civilian staff members, augmented by 3 Reserve Peace Officers. The Department is located at 1545 Poole Boulevard and is divided into two primary divisions, Field Operations and Support Services.

This will remain the County Sherriff's response area until certain thresholds are met as outlined in the City/County Master Tax Exchange Agreement, and MOU.

The Department concluded that while the proposed annexation could potentially impact current Police Operations, it would be manageable in this circumstance. Furthermore, in consideration of the additional population and geographical area, the YCPD would likely revisit restoring additional police services that have been lost in the recent years, based on the potential increase of property taxes resulting from the proposed annexation.

Fire Protection

The Yuba City Fire Department (YCFD) provides fire protection and suppression and life safety services for the City. The YCFD has 56 personnel, which includes chief officers, fire officers, firefighters and administrative support staff to support fire suppression as the primary duty. The Department responds to structural and wildland fires, emergency medical service, and hazardous/toxic material spills in the Planning Area.

On September 10, 2001 the Yuba City and Walton Fire Departments officially merged, expanding the Fire Department's service area from a three-station department protecting 44,000 residents spread over nine square miles to a five-station department protecting 76,000 residents over a 30 square mile service area.

The annexation area is located in and remain in CSA G. CSA G will receive tax revenue for the annexation area to be passed through to the Yuba City Fire Department.

Parks and Recreation

In order for the City to keep pace with population growth, the City requires payment of park impact fees on all new residential development. The park impact fees are used to purchase and develop new park improvements throughout the City. When the undeveloped properties are proposed for development, those construction projects will be assessed the City's park impact fee.

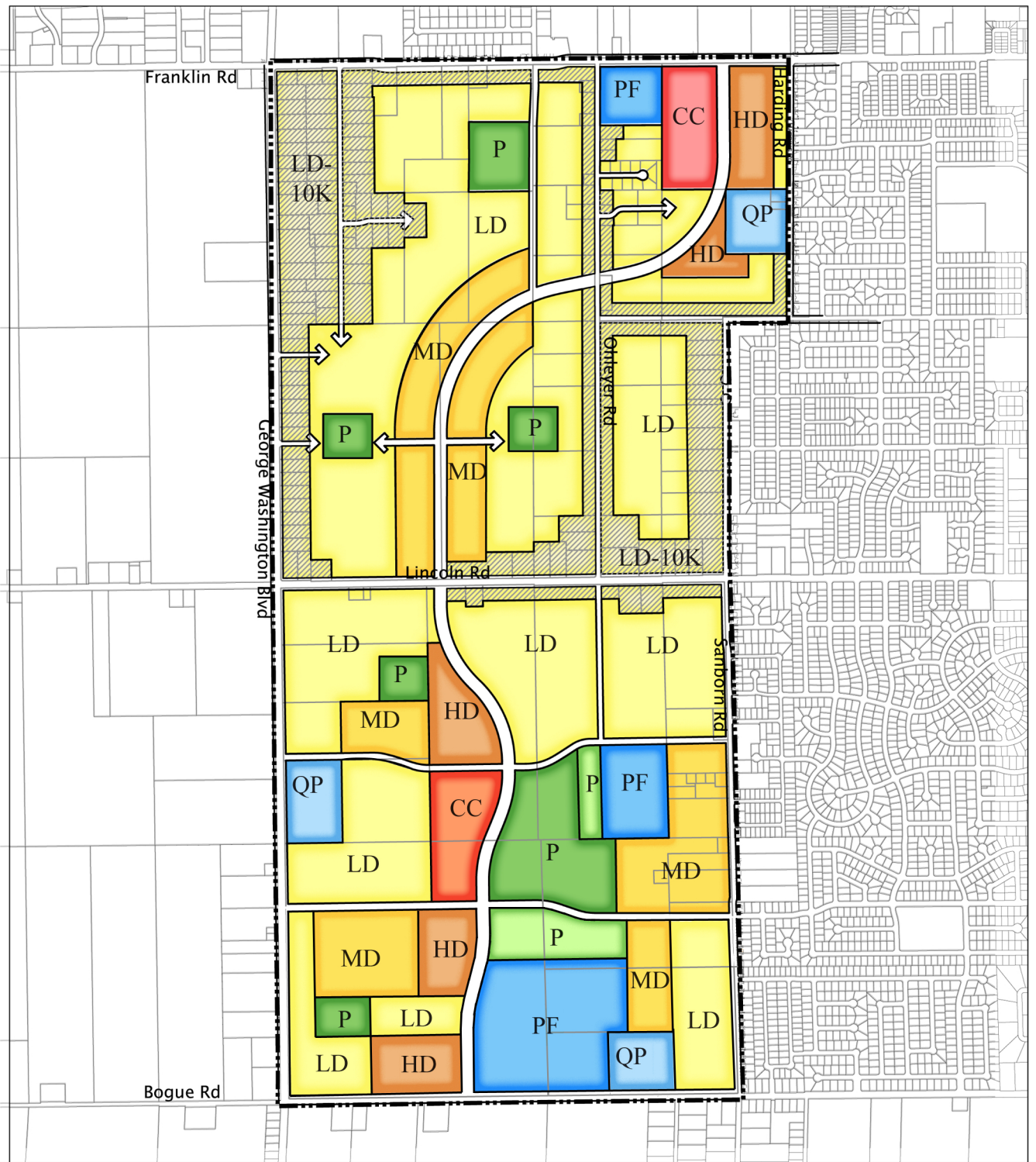
As part of the City's overall Parks Master Plan, key locations have been identified throughout the city for the future development of new park areas. Future parks will vary in size and type of facilities based on their location and intended use. The primary park types that are planned within the City include:

Community Park: A park facility that is developed to meet the needs of those living or working within a half-mile radius. Community parks vary in size from 5-20 acres and include playing fields and community recreation facilities.

City Park: A park having a wide range of improvements not usually found in community parks and that are designed to meet the recreational needs of the entire city population. A city park must be greater than 20 acres.

The locations of planned parks have been established by the City's General Plan, Parks Master Plan, the Lincoln East Specific Plan, the Zoning Code. The proposed annexation will not affect the planned facilities or locations of park improvements within the City.

ATTACHMENT 2



- | | | | | | |
|---|--|--|------------------------------------|--|-------------------------|
|  LD-10K | Low Density Residential-
10,000 sf min. |  HD | Medium-High Density
Residential |  PF | Public Facilities |
|  LD | Low Density Residential |  CC | Community Commercial |  QP | Quasi-Public Facilities |
|  MD | Low-Medium Density
Residential |  P | Parks & Recreation | | |

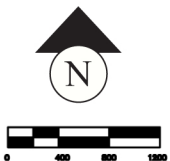


FIGURE 3-1 LAND USE DIAGRAM